

1 8-B - CASE Z-19028, SILCOX PROPERTY
2 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
3 DAVIS: Next case, Z-19028, Silcox Property. Do we
4 have a staff report?

5 MS. CELENA BOYKIN: This is a request to
6 zone 1.45 acres. The subject property consists of
7 3.6 acres, but they're only asking for 1.5 to be
8 rezoned. It's currently zoned RSF-E. And the
9 applicant is asking that it be rezoned to B-3 for a
10 retail store. And the subject property is located
11 on the east side of the Baldwin Beach Express, just
12 north of Oakdale Lane in Planning District 12.

13 As you can see, the subject property is
14 surrounded by RSF-E zoning, which is residential.
15 And to the south, there is a small parcel that is
16 zoned B-4. Here is the 1.45 acres that they plan to
17 rezone and would like to put a retail store on.

18 This map shows all of the commercial zoning
19 in the area. All these B-4s were rezoned from RA to
20 B-4 right after the Beach Express was built. And
21 you can see, the only parcel that is currently
22 developed as commercial is the most southern parcel,
23 the pie-shaped one. It's currently used as car
24 sales. And then there's Buc-ees, but that was
25 recently annexed into the Town of Loxley.

26 Right now, there's currently 94 acres that
27 is zoned B-4, and only 1.6 of those has been
28 developed commercially. And the reason staff has

1 recommended denial, due to the numerous commercial
2 zoning in the area.

3 And here's some pictures of the subject
4 property. And that's the car sales that's just
5 south of them.

6 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
7 DAVIS: Do you know what kind of retail store
8 they're planning on?

9 MS. CELENA BOYKIN: The applicant is the
10 Broadway Group. Usually when they submit, it's a
11 Dollar General.

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
13 DAVIS: Any other questions for staff?

14 (No Response.)

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: All right. Thank you. We'll open the
17 public hearing at this point. There's no opposition
18 to this, but Bonnie Lawley and Melissa Ballard are
19 here to speak in favor. Where are you at? Who
20 wants to go first?

21 MS. MELISSA BALLARD: I will. I brought a
22 presentation for you to look at.

23 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

24 DAVIS: Okay.

25 MS. MELISSA BALLARD: My name is Melissa
26 Ballard, and I am with the Broadway Group
27 representing the applicant. The packet that I
28 brought to you tonight to look at is -- begins with

1 some pictures of the property. I'm sure you're
2 familiar with the entire area there at the Baldwin
3 Beach Expressway.

4 We have, about the third page in, the site
5 overlaid onto an aerial photograph of that property.
6 We'll be asking for full-site access from Oakdale
7 Road. There won't be any access off of the
8 Expressway.

9 So I've included some other photos of the
10 front of the site and each side of the site that
11 we're asking for the rezone. And just some comments
12 from us, the 1.45 acres will be requesting a
13 subdivision, a two-lot subdivision of that property.
14 Ms. Lawley owns the property just to the east of
15 this, so that won't be landlocked. The back part of
16 that parcel won't be landlocked.

17 So we are proposing a 9100-square-foot
18 single-tenant store to be developed on this
19 property. So the B-3 district does provide for this
20 to be a permitted use on the lot. There have been
21 multiple rezones along the corridor. It's the
22 perfect pathway to -- for a commercial development
23 just off the interchange.

24 The building will meet all of the setbacks,
25 the buffers, the building requirements, lighting and
26 signage requirements, landscape buffering, and then
27 access through the Highway Department. We'll be
28 able to provide some convenient small shopping

1 experiences in that area. We tend to service the
2 immediate area. We really don't attract a lot of
3 traffic to that point, and we'll be creating some
4 job opportunities out there as well.

5 I have provided the copies of a zoning map.
6 And they have given us some information on when all
7 of those parcels along the Express have been
8 rezoned. So in the last five years or so, there
9 have been eight-plus parcels there that have been
10 rezoned.

11 So when we got the recommendation from the
12 staff for denial, we were a little bit surprised
13 about that, because it's -- Like I said, it is a
14 perfect corridor, that all of these have been
15 developed. And with us rezoning this, it won't go
16 undeveloped like some of the other parcels have.

17 There's been a consistent pattern of
18 properties all along the Express have been rezoned
19 to B-4. We're asking for B-3, which would be a more
20 restrictive zone than a B-4.

21 And the master plan shows this area as
22 residential. But like I've said, it is a pathway
23 and a corridor perfect for businesses along there.
24 And staff has recognized that the master plan is
25 often amended. We don't pose any conflicts with
26 existing planned public improvements.

27 And as I mentioned, the traffic on Oakdale,
28 it's not expected -- We don't expect to increase

1 traffic. We service the community and the traffic
2 that's existing on the Oakdale Drive. And then we
3 might have some people coming in off the Expressway,
4 but they're already on the Expressway. We don't
5 propose a destination store, like a mall or any of
6 the larger stores.

7 We think that it would be appropriate in the
8 community for our store to be built. We don't pose
9 any adverse impacts on environmental, health, safety
10 or welfare of the County or any of the vicinity.

11 So we feel like even though the staff did
12 recommend for the denial, we do feel like there is
13 an overwhelming consideration for this particular
14 stretch of property that could be favorable for a
15 rezone, and we would appreciate a favorable vote to
16 the Commission.

17 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
18 DAVIS: Any questions for Ms. Ballard?

19 COMMISSION MEMBER BONNIE LOWRY: Do you plan
20 on having any type of third-lane or whatever going
21 in and out of Oakdale? Because you're on a very
22 small street on Oakdale.

23 MS. MELISSA BALLARD: We have not discussed
24 any of the site plan with your Highway Department.

25 COMMISSION MEMBER BONNIE LOWRY: You stated
26 it would be an entrance off of Oakdale, is the
27 reason I'm asking.

28 MS. MELISSA BALLARD: Yes, ma'am. And we'll

1 be open to whatever the Highway Department feels is
2 safest for the community. They have not seen any of
3 our site layout yet, so I'm not real sure what
4 they'll require.

5 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
6 DAVIS: Any other questions for Ms. Ballard?

7 COUNTY ATTORNEY DAVID CONNER: I do want to
8 raise one issue. When do you plan to subdivide that
9 property?

10 MS. MELISSA BALLARD: Well, we will start
11 that process. We have a plat that is ready to be
12 submitted for consideration and approval, but we
13 haven't provided that yet. We were trying to get
14 past the rezone portion of it.

15 COUNTY ATTORNEY DAVID CONNER: And what kind
16 of timeframe are you wanting as it relates to that,
17 on getting the final subdivision plat approval and
18 rezone?

19 MS. MELISSA BALLARD: We can go ahead and
20 start that process now. We're ready to get that
21 going.

22 COUNTY ATTORNEY DAVID CONNER: I'm just
23 going -- I'm going to put a point out there that the
24 Planning Commission may act on a recommendation
25 tonight. But some issues have been raised regarding
26 rezoning a portion of a piece of property, and we
27 want to get those rezoned -- we want to get that
28 issue addressed prior to the County Commission

1 taking action.

2 MS. MELISSA BALLARD: Okay.

3 COUNTY ATTORNEY DAVID CONNER: And we'll
4 give you input about what our advice is going to be
5 when that time comes.

6 MS. MELISSA BALLARD: That would be great.
7 Thank you.

8 COUNTY ATTORNEY DAVID CONNER: I would
9 suggest that you go ahead and submit your
10 subdivision plat as quickly as possible. And in the
11 event we have to address that going forward, you
12 will be in a place to timely address that. Okay?

13 MS. MELISSA BALLARD: Okay. Thank you.

14 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
15 DAVIS: Any other questions for Ms. Ballard?

16 COMMISSION MEMBER BRANDON BIAS: Mr.
17 Chairman, the question may be for the applicant or
18 for staff, just based on the comment that David just
19 made.

20 Is this a rezoning of the whole current
21 property or a portion of the current property?

22 MS. MELISSA BALLARD: A 1.45-acre portion.
23 It will be subdivided.

24 COMMISSION MEMBER BRANDON BIAS: Thank you.

25 MS. MELISSA BALLARD: You're welcome.

26 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
27 DAVIS: Any other questions for Ms. Ballard?

28 (No Response.)

1 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

2 DAVIS: Thank you.

3 MS. MELISSA BALLARD: Thank you.

4 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

5 DAVIS: Ms. Lawley, do you have anything you would
6 like to add?

7 MS. BONNIE LAWLEY: Yes.

8 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

9 DAVIS: Okay. If you will, come on up to the
10 podium, please.

11 MS. BONNIE LAWLEY: Hi. I'm Bonnie Lawley.
12 I own the property on Oakdale Drive. As a matter of
13 fact, I don't know if it was mentioned, but I own
14 two of those properties, side by side. So that the
15 one next to it -- May I step over?

16 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

17 DAVIS: Certainly.

18 MS. BONNIE LAWLEY: The one next to it --
19 This is the property for sale. I own this property,
20 and I own all this property. So what we were going
21 to do is add this property to this one, so it would
22 only still be two properties. We were going to sell
23 this --

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

25 DAVIS: Come on back to the mic. That way we can
26 hear you.

27 MS. BONNIE LAWLEY: I've never done this, so
28 I'm kind of nervous.

1 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
2 DAVIS: You're doing fine.

3 MS. BONNIE LAWLEY: I own both of those
4 properties. So what we were going to do is just
5 sell the acre and then add the rest of the property
6 to what I already own on the next door.

7 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
8 DAVIS: Which is residential?

9 MS. BONNIE LAWLEY: Yes, which is
10 residential. And it will stay residential as long
11 as I live there.

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
13 DAVIS: Any questions for Ms. Lawley?

14 MS. BONNIE LAWLEY: We have a lot of -- We
15 have 100 -- We have 20 neighbors, and all of them
16 are for this. As a matter of fact, we have
17 neighbors with us that are next door to me and next
18 door to her and on down, that are all for this, you
19 know?

20 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
21 DAVIS: Well, obviously no one has signed up in
22 opposition. So...

23 MS. BONNIE LAWLEY: We appreciate it.

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
25 DAVIS: Thank you very much. All right. We'll
26 close the public hearing at this point.

27 Staff has recommended denial for reasons
28 stated. There has been other properties out there

1 that staff had recommended denial and this
2 Commission did recommend an approval of it.

3 Is there a motion to do one or the other,
4 either to deny or recommend approval? And this
5 would be a recommendation to the County Commission.

6 COMMISSION MEMBER BRANDON BIAS: Mr.
7 Chairman, can I ask staff one more question?

8 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
9 DAVIS: Sure.

10 COMMISSION MEMBER BRANDON BIAS: Being one
11 of the newer members on the Commission, are there
12 any limitations to access along Foley Beach Express
13 from properties like this?

14 MS. CELENA BOYKIN: There is limited access
15 from the Baldwin Beach Express. I believe Highway
16 said they would have to use Oakdale Drive. And Seth
17 stated in his comments that they would require a
18 traffic study. But yes, there's limited access off
19 the Beach Express.

20 COMMISSION MEMBER BRANDON BIAS: Thank you.

21 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
22 DAVIS: Any other --

23 COMMISSION MEMBER DANIEL NANCE: I have a
24 question for the staff.

25 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
26 DAVIS: Go ahead.

27 COMMISSION MEMBER DANIEL NANCE: As a
28 follow-up, we were discussing that. As it's named,

1 "Express" -- And I know on 32 we had to go in and
2 add a red light, the County did, because of traffic
3 accidents, fatalities, et cetera.

4 Are there any limitations as it relates to
5 it being an Expressway, as would continue to add
6 commercial -- but then that turns into 98? Is there
7 any statute written for that?

8 MS. CELENA BOYKIN: Let me -- I think Seth
9 should address that.

10 MR. SETH PETERSON: Good evening. The
11 County Commission has adopted access management
12 plans for the Foley Beach Express and the Baldwin
13 Beach Express. This section of the Baldwin Beach
14 Express does not allow any further traffic signals.
15 It would take an amendment of that access management
16 plan to do so.

17 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
18 DAVIS: Any other questions for staff?

19 COMMISSION MEMBER KEVIN MURPHY: Mr.
20 Chairman, I make a motion to recommend approval to
21 the County Commission.

22 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
23 DAVIS: All right. There's motion on the table to
24 recommend approval of this rezoning to the County
25 Commission. Is there a second?

26 (No Response.)

27 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
28 DAVIS: Is there an alternate recommendation?

1 COMMISSION MEMBER DANIEL NANCE: Do you want
2 to second to vote on it?

3 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
4 DAVIS: Yeah. We have to have a second to Kevin's
5 to continue with that motion to approve -- or
6 recommend approval.

7 COMMISSION MEMBER DANIEL NANCE: I'll second
8 the motion.

9 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
10 DAVIS: Okay. There's a motion to recommend
11 approval of the rezoning to the County Commission
12 and a second. Can we have roll call vote?

13 MS. CELENA BOYKIN: Kevin?

14 COMMISSION MEMBER KEVIN MURPHY: Yes.

15 MS. CELENA BOYKIN: Ms. Lowry?

16 COMMISSION MEMBER BONNIE LOWRY: No.

17 MS. CELENA BOYKIN: Daniel Nance?

18 COMMISSION MEMBER DANIEL NANCE: Yes.

19 MS. CELENA BOYKIN: Brandon Bias?

20 COMMISSION MEMBER BRANDON BIAS: No.

21 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

22 DAVIS: Okay. My vote is yes.

23 MS. CELENA BOYKIN: So the motion passed.

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

25 DAVIS: Thank, y'all.

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