



Case No./Name: Z24-57 Smith Property

Meeting Date: February 6, 2024

Request: Rezone from B-3 to B-4

Recommendation: Approve Z24-57

Staff Lead: Calla Mckenzie, Planning Technician II

Owner / Developer: Angelina Smith and Reliable Properties LLC, P.O. Box 301, Loxley, AL 36551

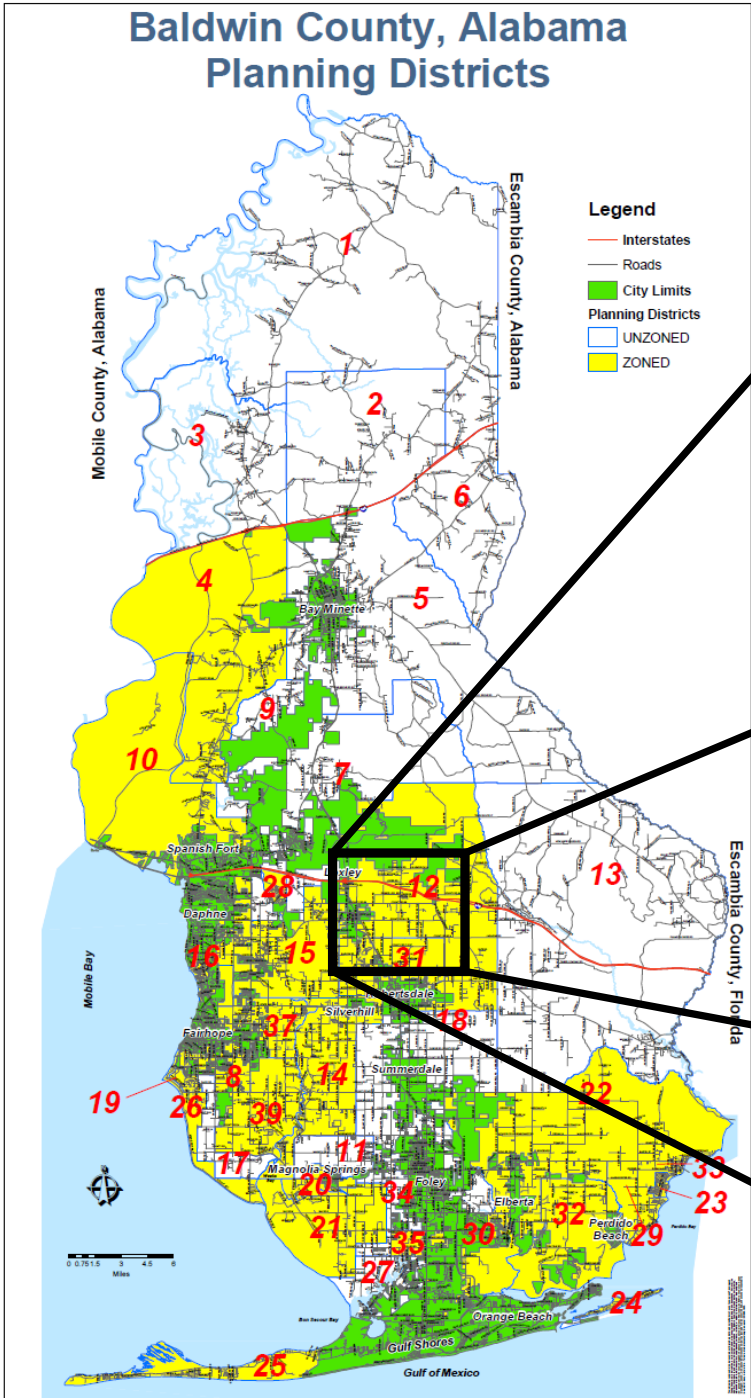
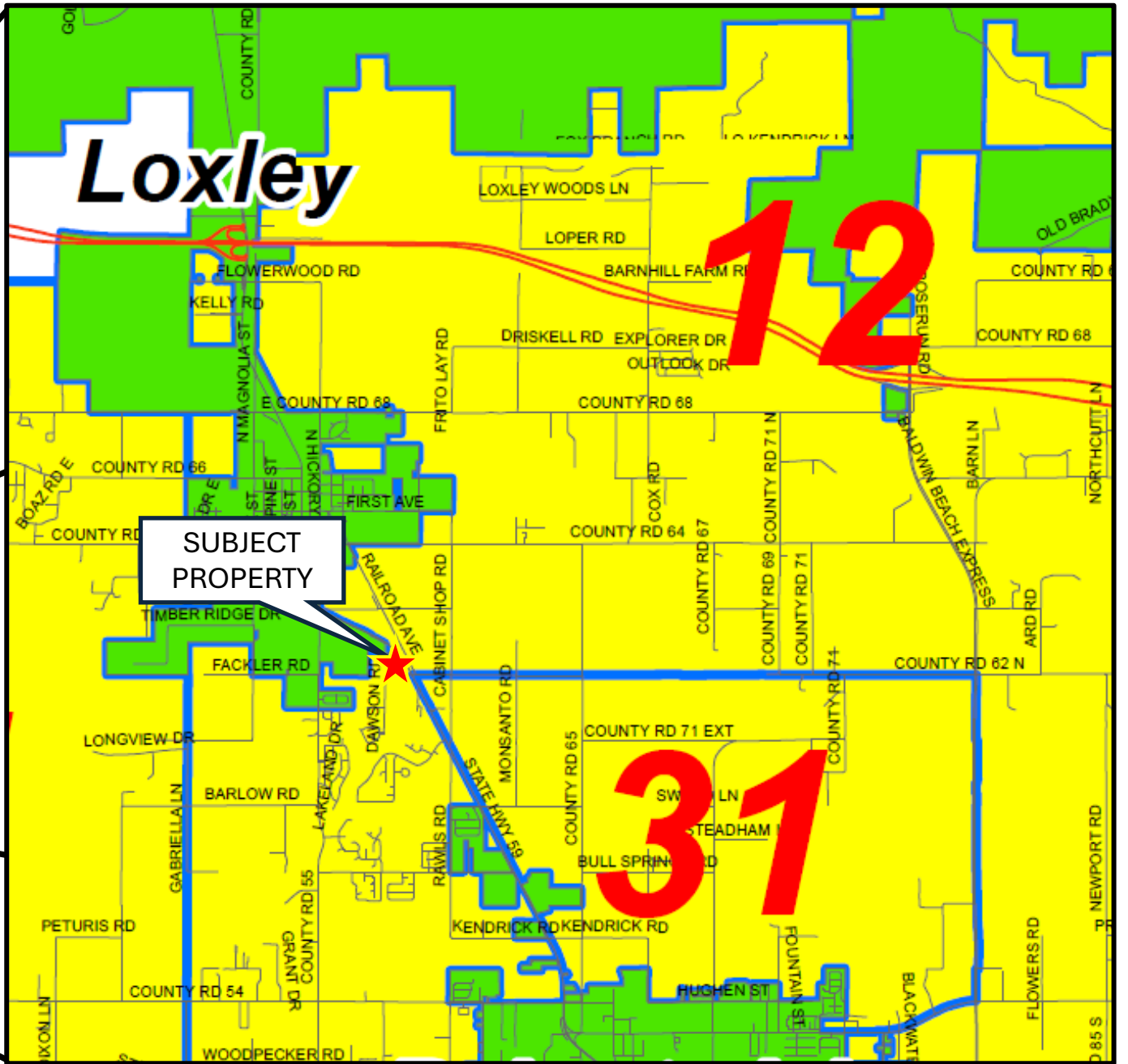
Applicant: Angelina & Randy Smith, P.O. Box 301, Loxley, AL 36551

To view maps/plats in higher resolution and public comments received related to this case, please visit the "Upcoming Items" Planning and Zoning webpage : <https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Baldwin County, Alabama Planning Districts

Legend

- Interstates
- Roads
- City Limits
- Planning Districts
- UNZONED
- ZONED



Location: The subject properties are located west of State Hwy 59 and north of Dawson Rd.

Planning District: 12

Zoning: Current zoning: B-3, General Business
Requested zoning: B-4, Major Commercial

Parcel#: 05-42-06-14-0-000-015.000 **PIN#:** 4721
05-42-06-14-0-000-016.001 625440

Total Acres: 1.76 +/- acres

Current Use: Commercial

Applicant's Request: Rezoning is requested for future development.

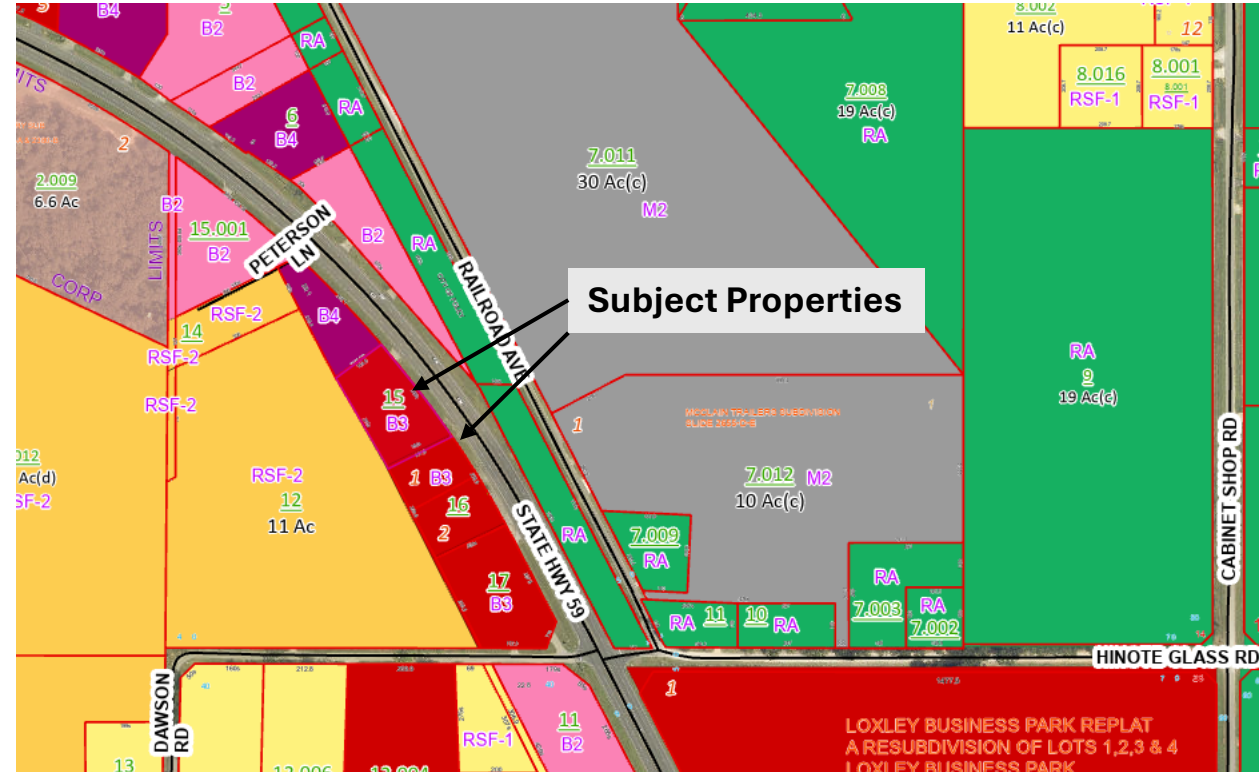
Online Case File Number: The case number is Z24-57. When searching online CitizenServe database, please use Z24-000057.

Agency Comments

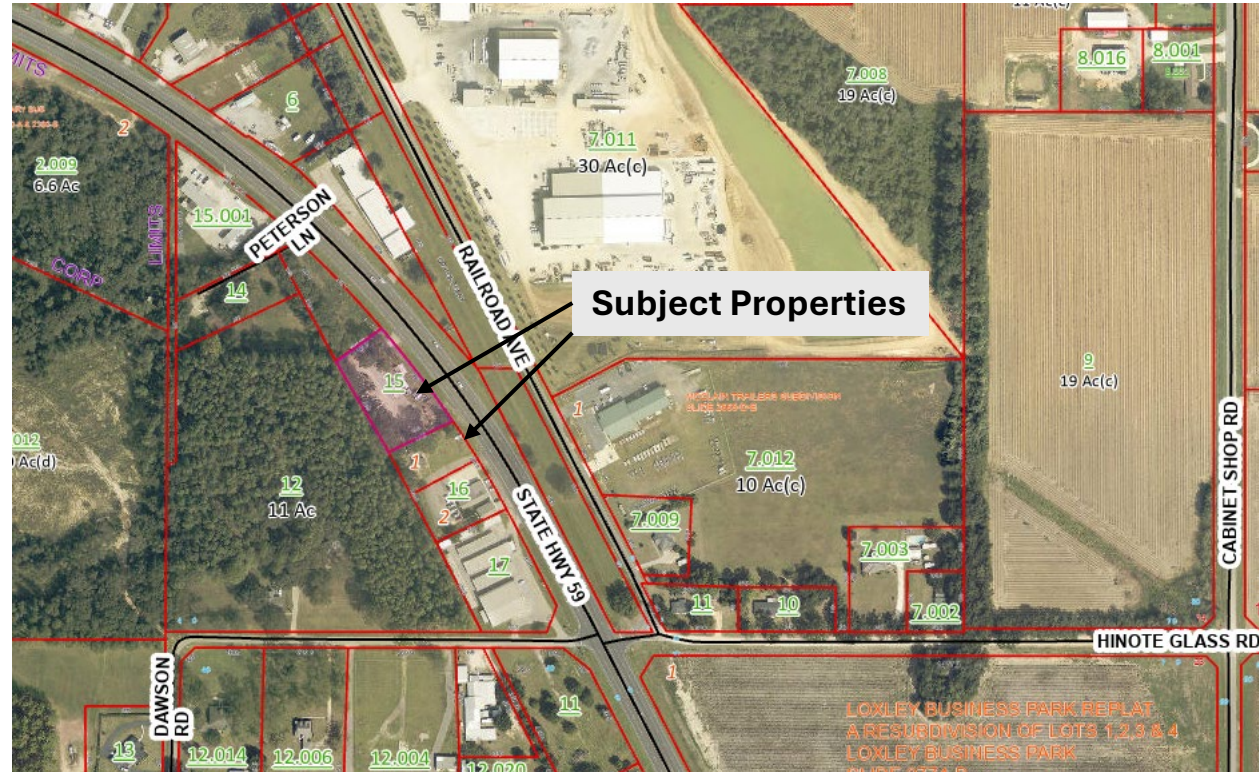
- **ALDOT, Michael Smith:** Staff reached out but received no comments.
- **USACE, James Buckelew:** Staff reached out but received no comments.
- **ADEM, Scott Brown:** Staff reached out but received no comments.
- **City of Loxley, Jonathan Smith:** Staff reached out but received no comments.
- **Senior Planner (Subdivisions), Shawn Mitchell:** No subdivision has been requested at this time.



Locator Map



Site Map



Adjacent Zoning

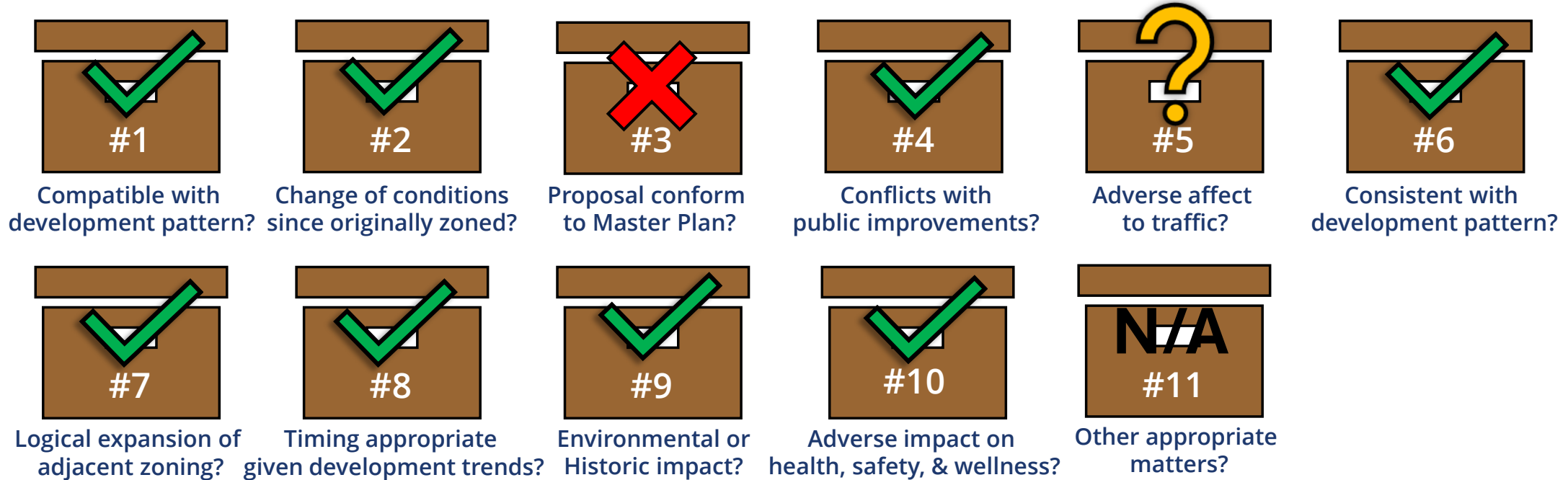
North	B-4, Major Commercial District
South	B-3, General Business District
East	RA, Rural Agriculture and B-2, Neighborhood Business District
West	RSF-2, Residential District

Adjacent Land Use

North	Commercial
South	Commercial
East	Vacant
West	Vacant

Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.



Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

REZONING Staff's Recommendation:

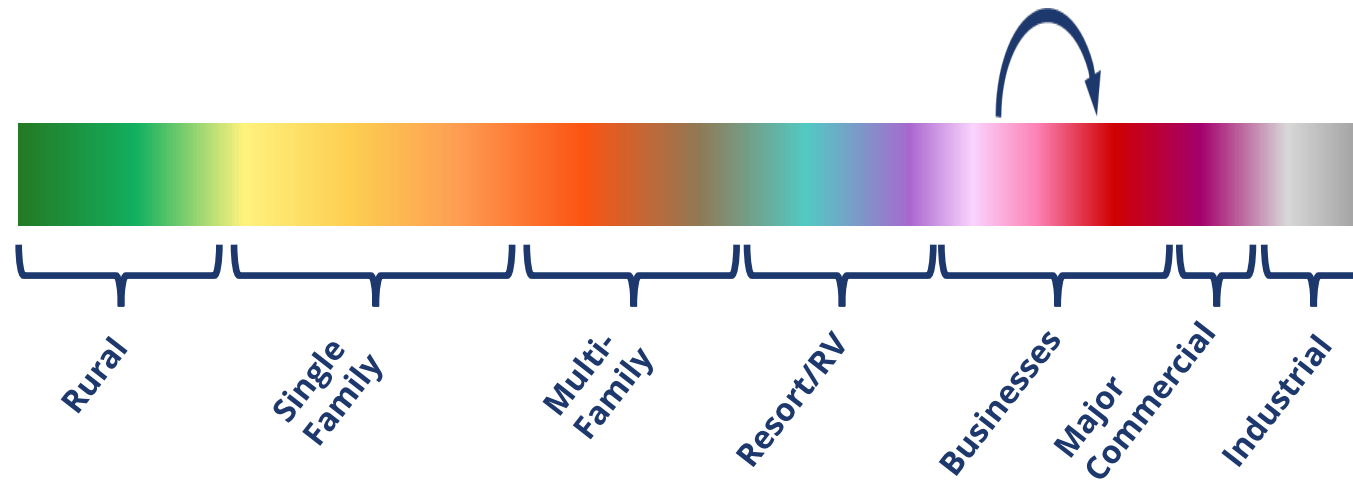
Z24-57 RE-ZONING REQUEST FROM **B-3** TO **B-4**.

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **APPROVAL***

Planning Commission voted to recommend Approval of the rezoning with a vote of 6-0.

*Current Zoning: General
Business District (B-3)*

*Proposed Zoning: Major
Commercial District (B-4)*



STAFF ANALYSIS

1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned B-3, General Business

District. The nearby parcels are zoned B-3, B-4, B-2, RA, and RSF-2.

The uses near the subject property mainly commercial. Staff feels that the requested change is compatible with the development pattern of the surrounding areas.

2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 12 adopted a zoning map on November 7, 2006.

There have only been a few rezonings in the immediate area, all being for commercial zoning designations.

3.) Does the proposed zoning better conform to the Master Plan?

The subject properties are within Conservation Development Potential and Moderate Development Potential areas. The proposed zoning designation is not included within the related zoning districts for either area and is also not similar to the primary land uses.

Therefore, the proposed rezoning would not better conform to the current Master Plan.

MODERATE DEVELOPMENT POTENTIAL AREAS

Moderate Development Potential Areas are suitable for all of the land uses described in the previous place types but may also include a variety of home types from large and medium-lot single-family detached homes to single-family attached homes such as duplexes and townhomes. Subdivision patterns may be amenity-based communities with small gardens, parks and playgrounds within private lots or part of a community space. Neighborhood centers or nodes at key intersections would allow for a combination of retail, office, and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family neighborhoods (suburban)
- Amenity-based communities
- Neighborhood center/node

RELATED ZONING DISTRICTS

- RSF-1 Single Family District
- RSF-2 Single Family District

CONNECTIVITY NETWORK

- Suburban street networks/limited use cul-de-sacs
- Open space, parks and amenities provided within neighborhoods
- Streets with sidewalks, bike lanes, and/or side paths based on local character and context
- Suburban greenways and trails



CONSERVATION DEVELOPMENT AREAS

Conservation Development Potential Areas are suitable for all of the land uses described in the Ideal Conservation/Preservation Areas place type but would allow for limited development based on low-impact design principles. Allowing conservation-based subdivisions in these areas could help to balance the pressure of residential development with environmental preservation and rural character. Conservation-based subdivisions allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities.

PRIMARY LAND USES

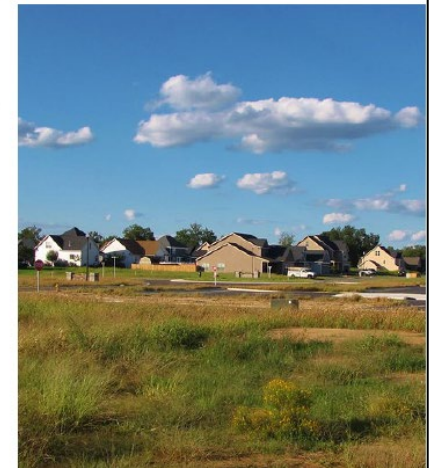
- Conservation-based or cluster development with high levels of Low Impact Design (LID) and sustainable development practices
- Natural areas that are publicly and privately owned and managed
- Permanently protected lands such as conservation easements, parks, cemeteries
- Parks and open spaces devoted primarily to passive recreation and trails
- Lands with important cultural landmarks or assets
- Scenic view protection

RELATED ZONING DISTRICTS

- Environmental Conservation
- CR Conservation Resource District
- OR Outdoor Recreation District

CONNECTIVITY NETWORK

- Rural streets with paved shoulders, bike lanes, or side paths



LEGEND

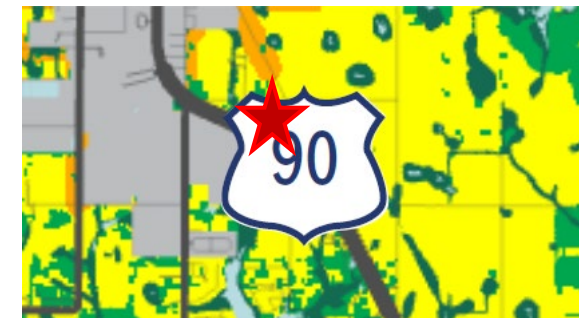
PLACE TYPES

- IDEAL CONSERVATION/PRESERVATION
- CONSERVATION DEVELOPMENT POTENTIAL
- RURAL/AGRICULTURE/LID POTENTIAL
- MODERATE DEVELOPMENT POTENTIAL
- MID-DENSITY DEVELOPMENT POTENTIAL
- HIGH-DENSITY DEVELOPMENT POTENTIAL

■ MUNICIPAL JURISDICTIONS

NODE TYPES

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER
- VILLAGE CENTER
- URBAN MIXED-USE CENTER
- COMMERCIAL/INDUSTRIAL CENTER



4.) Will the proposed change conflict with existing or planned public improvements? Staff is unaware of any conflict with existing or planned public improvements.

5.) Will the proposed change adversely affect traffic patterns or congestion? Per the Federal Highway Administration, the functional classification of State Hwy 59 is a principal arterial. Arterials provide a high level of mobility and a greater degree of access control. Staff is unaware if the proposal will have adverse affect on traffic patterns.

6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The proposal is consistent with the development patterns in the area.

7.) Is the proposed amendment the logical expansion of adjacent zoning districts? The proposed amendment would be a logical expansion of the adjacent zoning districts as majority of the nearby parcels along this portion of State Hwy 59 are zoned commercial (B-2, B-3 and B-4). Further, the property immediately to the north is zoned the same as the proposed rezoning.

8.) Is the timing of the request appropriate given the development trends in the area? Staff believes timing is not a factor for this request.

9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County? Staff does not anticipate any adverse impacts on environmental conditions of the vicinity or the historic resources of the County with the proposed change.

10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity? Staff does not anticipate any adverse impacts to the health, safety and welfare of the county and the vicinity.

11.) Other matters which may be appropriate. N/A