BALDWIN COUNTY, ALABAMA
Planning and Zoning Department

Case No./Name: Z24-29 MCCRANEY PROPERTY & PRD24-06 BEAR CREEK

Meeting Date: August 1, 2024

Request: Rezoning request and Planned Residential Development approval for a 132-site residential development.

Recommendation: Approval for Z24-29 and Approval for PRD24-06

Staff Lead: Shawn Mitchell & Celena Boykin
Owner / Developer: *KAD Properties LLC*, 50 N Florida St., Mobile, AL 36607
Surveyor: Rowe Engineering, 3502 Laughlin Dr, Suite B, Mobile, AL
Engineer: Dwayne Smith, *Anchor Engineering*, 50 N Florida St, Mobile, AL

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

Location: The subject property is located east of Hwy 83, north of Kichler Circle and south of Grubber's Lane. It is adjacent to the northern boundary of Elberta.

Proposed use: A 132-unit planned residential development

Planning District: 22

Zoning: Current zoning: RA. Rural agricultural
Requested zoning: RSF-2 Single family residential

Parcel#: 05-53-04-20-0-000-002.004 **PIN#:** 360531

Total Property Area to be divided: 59 +/- acres

Total # of Lots requested: 132 sites
RSF-2 Minimum required site: 15,000 SF, width 80 ft
Smallest site: 7,998 SF

Density: 2.4 lots / acre
Total area 59 – (7.06/2 wetlands) = 55.47 acres
132 lots / 55.47 ac = 2.37 units/ac
A PRD allows lots smaller than the zoning minimum, but the overall density of the development cannot exceed the RSF-2 density of 2.9 units/acre.

Open Space: Required 59 x 20% = 11.8 ac
Provided (Site data table): 25.42 ac
Open space cannot include detention ponds or internal ROW.

"Useable" open space: Required 11.8 / 2 = 5.9 ac
Provided (Site data table): 16.14 ac

Streets / Roads: 5,200 LF of street for public use

Proposed setbacks: 30 ft front and rear, 10 ft side, 20 ft street side

Utility Providers (4.5.1(i), 5.2.5a(1): Capacity reports will be required for the preliminary plat
Water: East Central Water Authority (Letter dated June 19, 2024)
Electrical: Baldwin EMC. Letter dated June 26, 212024.
Sewer: BCSS, Lillian Treatment Plant (Letter dated July 25, 2024)

Traffic Study (5.5.14, Append. 6): Not required for a PRD but will be required for a preliminary plat. The traffic study shall be conducted while school is in session.

Drainage Improvements (4.5.1e, 5.11.7): A full drainage plan is not required for the PRD but will be required for the preliminary plat. Maps showing proposed detention ponds, and pre- and post-drainage patterns were provided by Dwayne Smith, PE, *Anchor Engineering.*

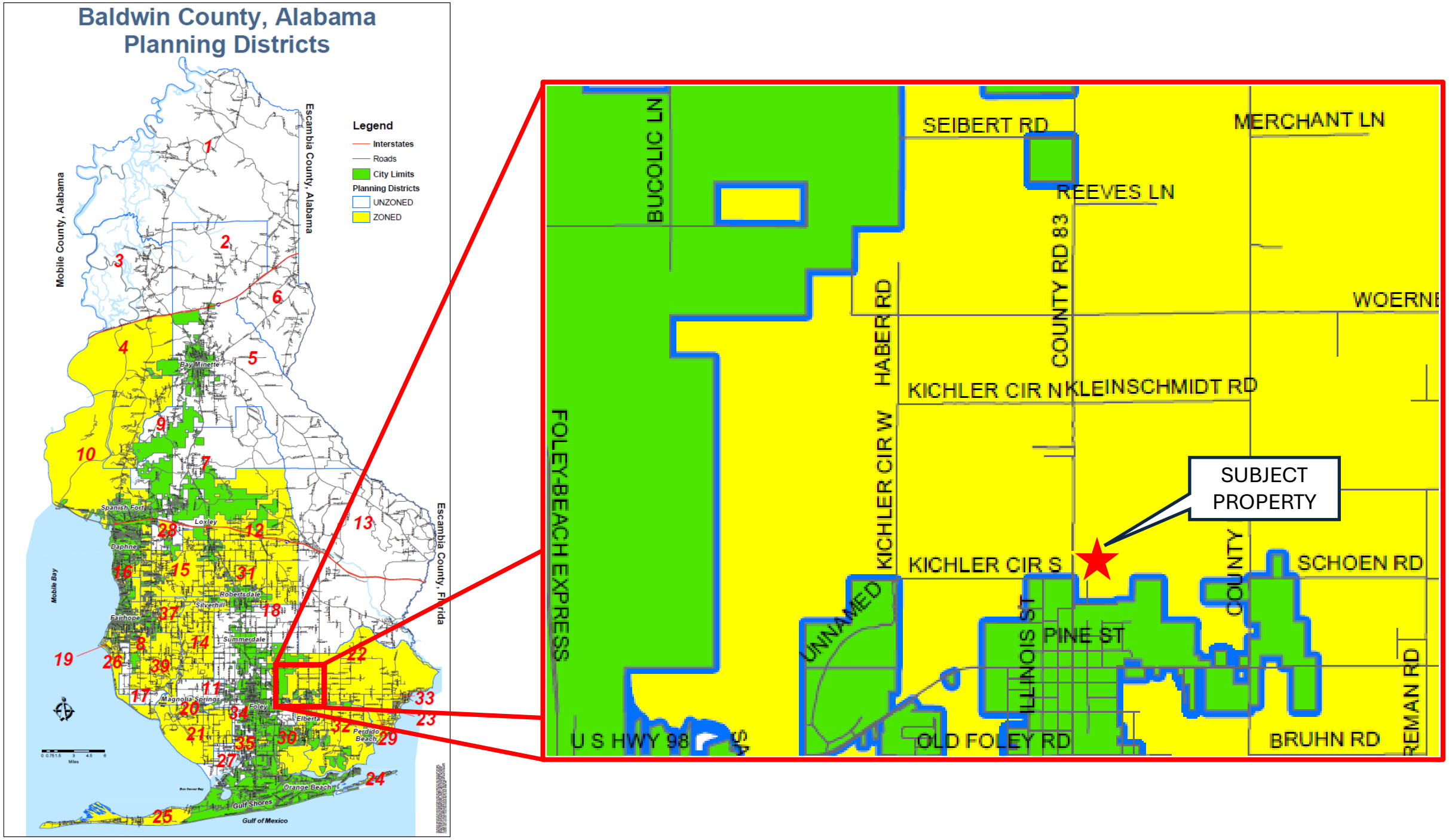
Wetlands (5.2.2): Wetland report by Keith Johnson, *Wetlands Sciences, Inc.* Wetland acreage is 7.06 acres, shown with the required 30 ft non-disturbed buffer.

Flood zone (5.19): Zone X, no special requirements

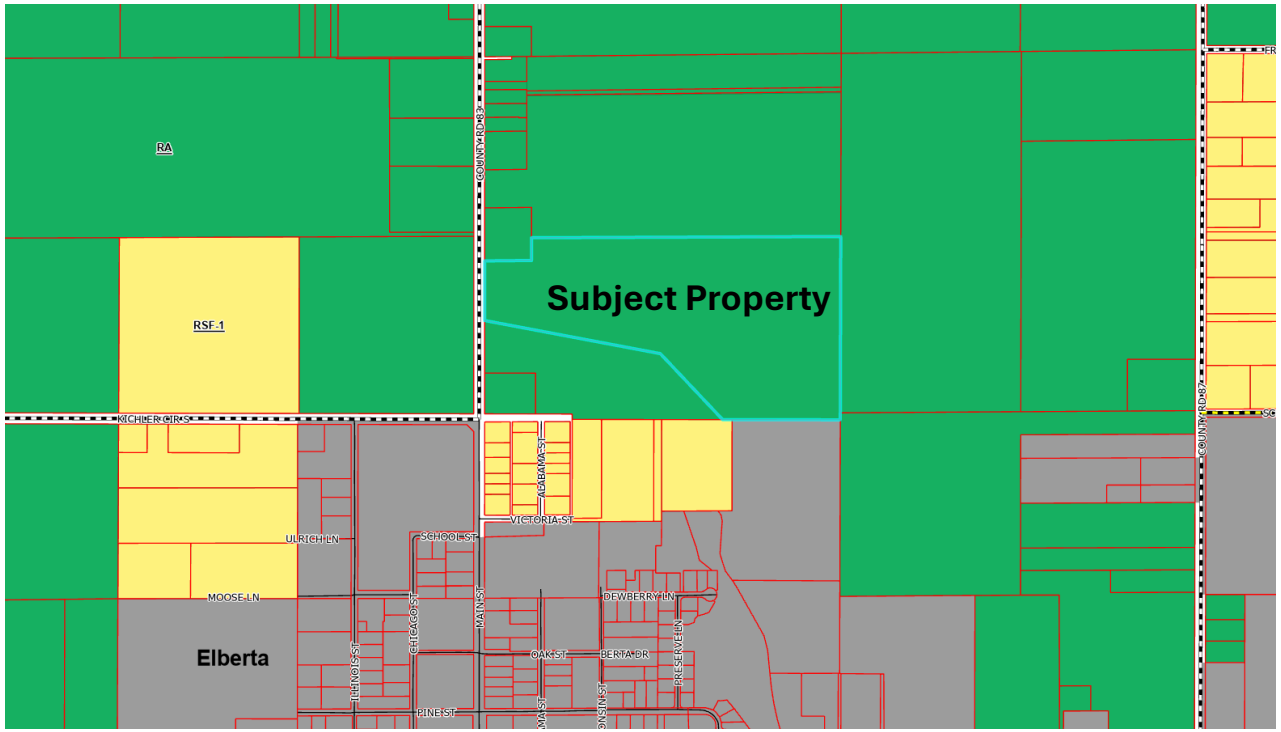
Fire Protection (5.2.5a(3): A fire flow test and letter from the local fire authority are not required for the PRD but will be required for the preliminary plat.

BCBE Notification: Email sent on July 19, 2024. They did not express opposition.

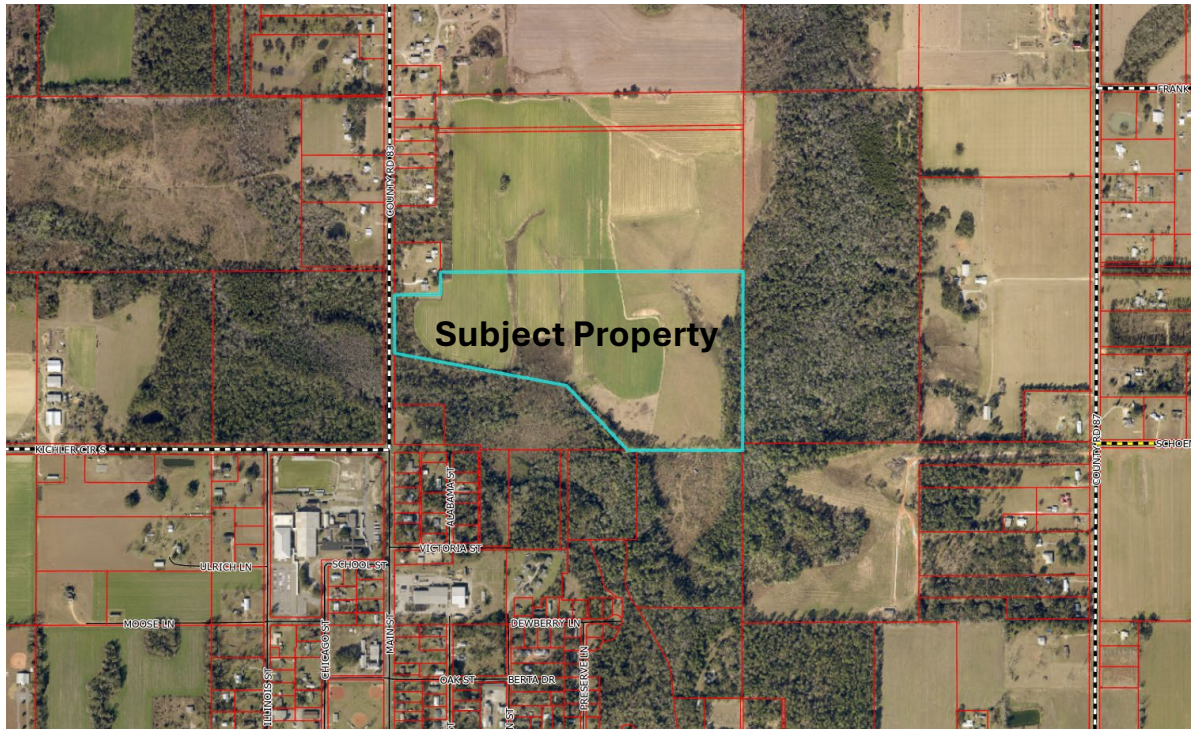
Online Case File Number: The case number is PRD24-06 or Z24-29. When searching online CitizenServe database, please use PRD24-000006 or Z24-000029.


Baldwin County, Alabama
Planning Districts
Legend
Interstates
Roads
City Limits
Planning Districts
UNZONED
ZONED
Mobile County, Alabama
Escambia County, Alabama
Escambia County, Florida
Mobile Bay
Gulf of Mexico
Bay Minette
Spanish Ford
Loxley
Daphne
Robertsdale
Silverhill
Fairhope
Summerdale
Magnolia Springs
Foley
Elberta
Perdido Beach
Orange Beach
Gulf Shores
BUCOLIC LN
SEIBERT RD
MERCHANT LN
REEVES LN
COUNTY RD 83
HABER RD
WOERNE
KICHLER CIR N
KLEINSCHMIDT RD
FOLEY-BEACH EXPRESS
KICHLER CIR W
SUBJECT PROPERTY
KICHLER CIR S
SCHOEN RD
UNNAMED
ILLINOIS ST
PINE ST
COUNTY
U S HWY 98
OLD FOLEY RD
BRUHN RD

Locator Map



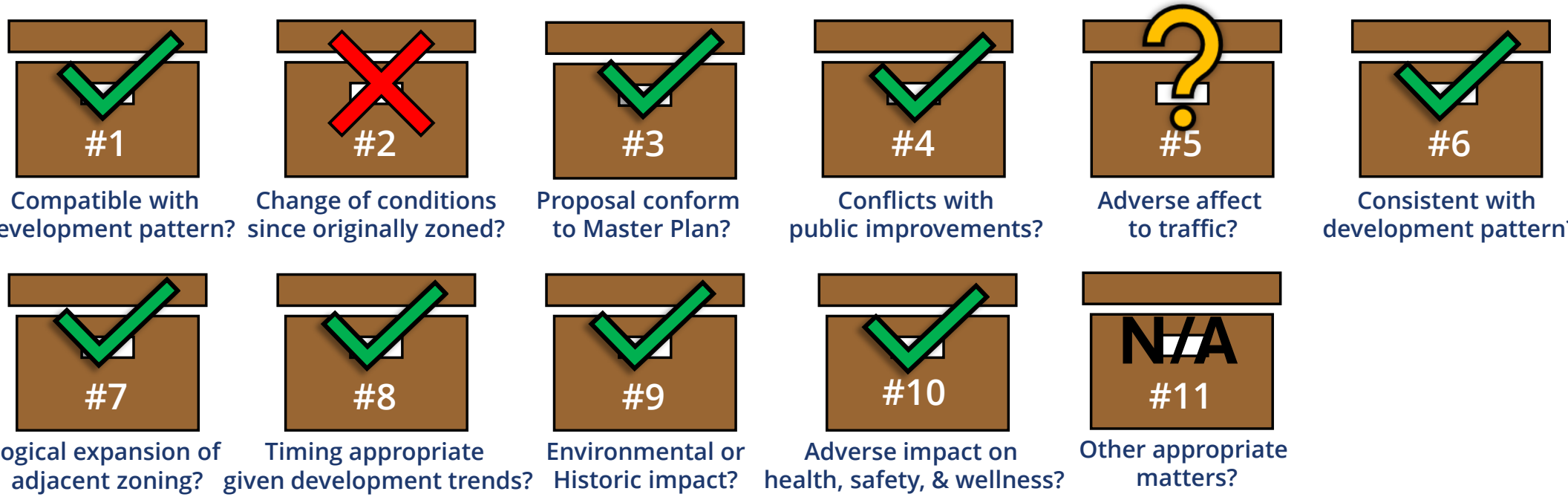
Site Map



	Adjacent Zoning	Adjacent Land Use
North	RA- Rural Agriculture	Residential & Agriculture
South	RA- Rural Agriculture and Town of Elberta	Vacant
East	RA- Rural Agriculture	Vacant
West	RA- Rural Agriculture	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.

STAFF ANALYSIS

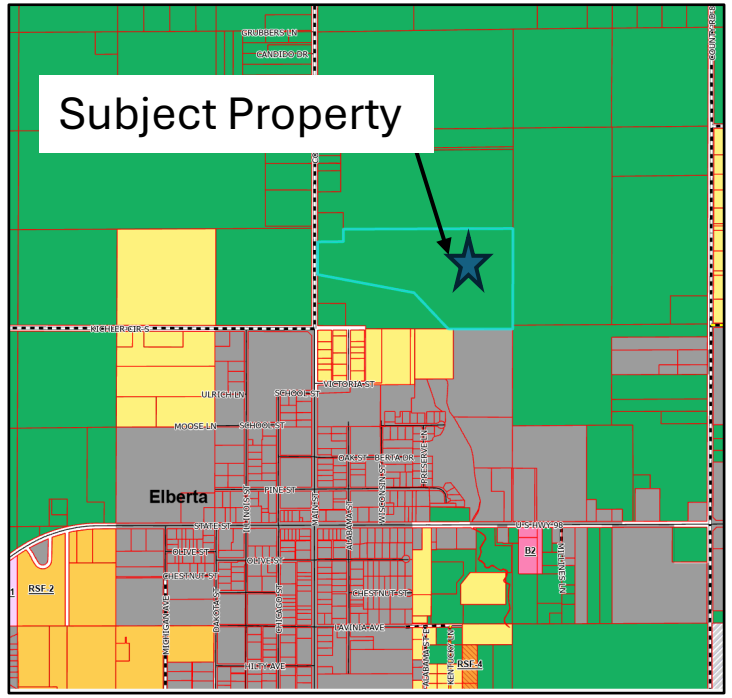
1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned RA, Rural Agricultural District. Nearby parcels are zoned RA and RSF-1. The uses adjacent to the subject property are agricultural and residential. The parcels that are south of the subject property, in the Town of Elberta, are residential, institutional, and commercial. Staff feels that the requested change is compatible with the development pattern of the surrounding areas.

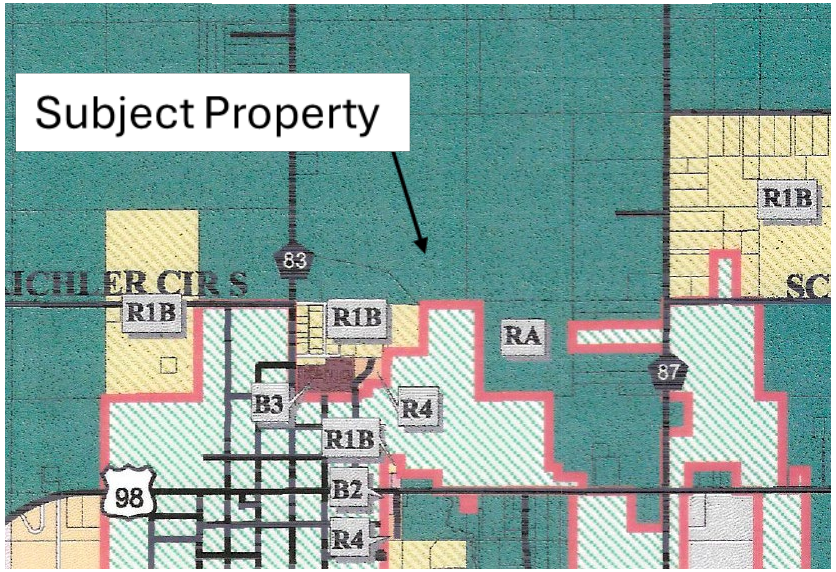
2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 22 adopted a zoning map on November 19, 2002. Since this time there has been limited change in the immediate area other than the Town of Elberta annexations.

Current Zoning Map

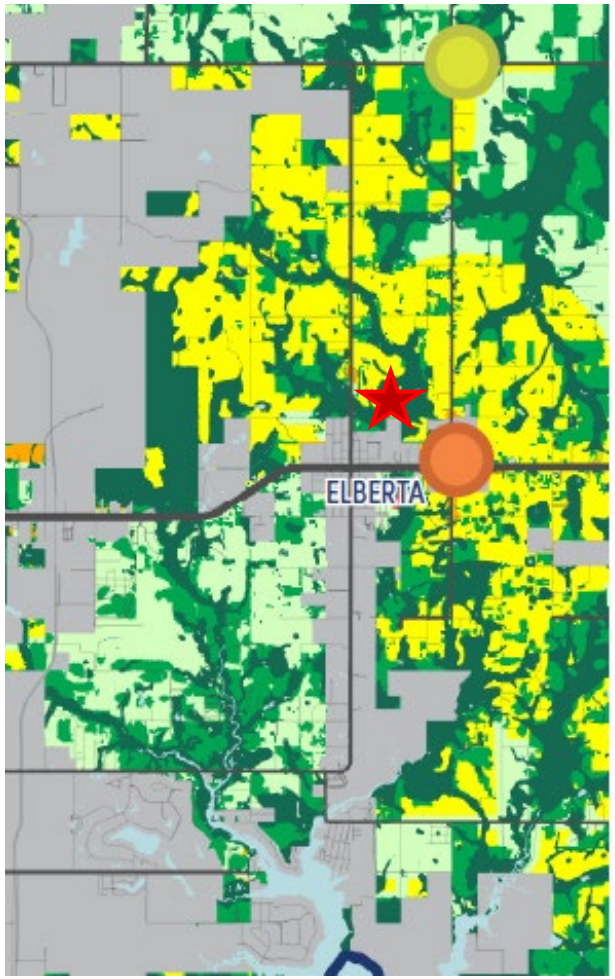


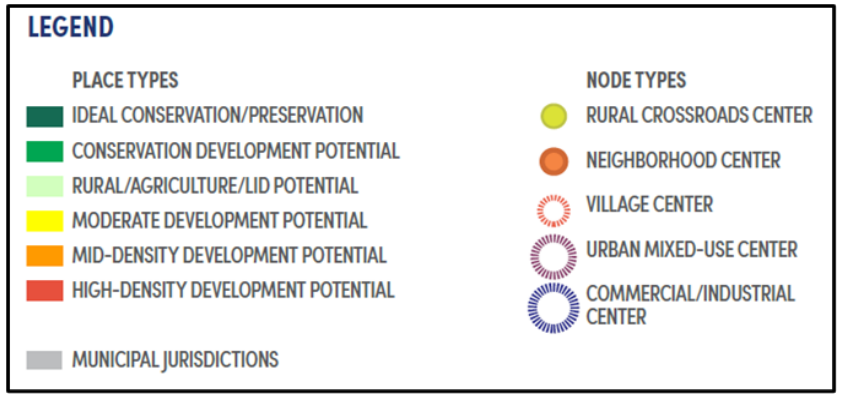
Original Zoning Map 2002



Does the proposed zoning better conform to the Master Plan?

The majority of the future land use for the subject property is Moderate Development Potential Areas. Moderate Development Potential Areas are suitable for all 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. The related zoning districts include RSF-1and RSF-2.





4.) Will the proposed change conflict with existing or planned public improvements?

Staff is unaware of any planned public improvements.

5.) Will the proposed change adversely affect traffic patterns or congestion?

Per the Federal Highway Administration, this section of County Road 83 is classified as a Major Collector, which provide travel between cities and towns, they are typically shorter and have slower speed limits than arterials. A traffic study is not required for a PRD but was provided. It will be reviewed for preliminary plat approval. A turnout permit would be reviewed by the County onto County Road 83.

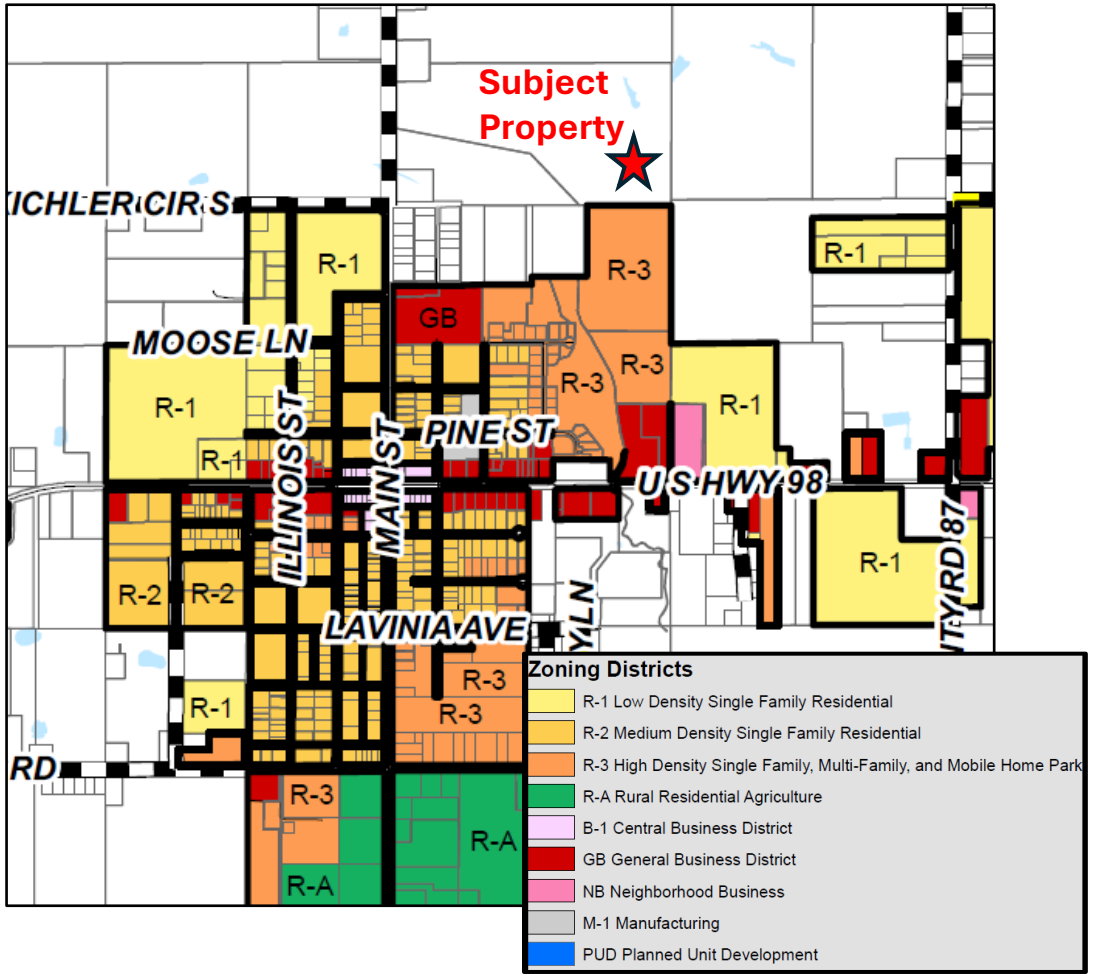
6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?

&

7.) Is the proposed amendment the logical expansion of adjacent zoning districts?

The proposed amendment is consistent with the adjacent zoning when taking in consideration the Town of Elberta zoning. The adjacent property to the south (in the Town of Elberta) is zoned R-3, High Density Single Family, Multi-Family, and Mobile Home Park. The requested RSF-2 would be a good transition from high density to mid-density. The requested RSF-2 zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single-family homes.

Town of Elberta Zoning Map



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

PRD REVIEW - Amenities

- Walking trails
- Sports field
- Playground
- Pavilion
- Pickleball courts

Agency Comments

- **USACE,** *James Buckelew*: Staff reached out 7/10/2024 but received no comments.

- **ADEM,** *Scott Brown*: Staff reached out 7/10/2024 but received no comments.

- **BCBE**: Staff reached out 7/10/2024 but received no comments.

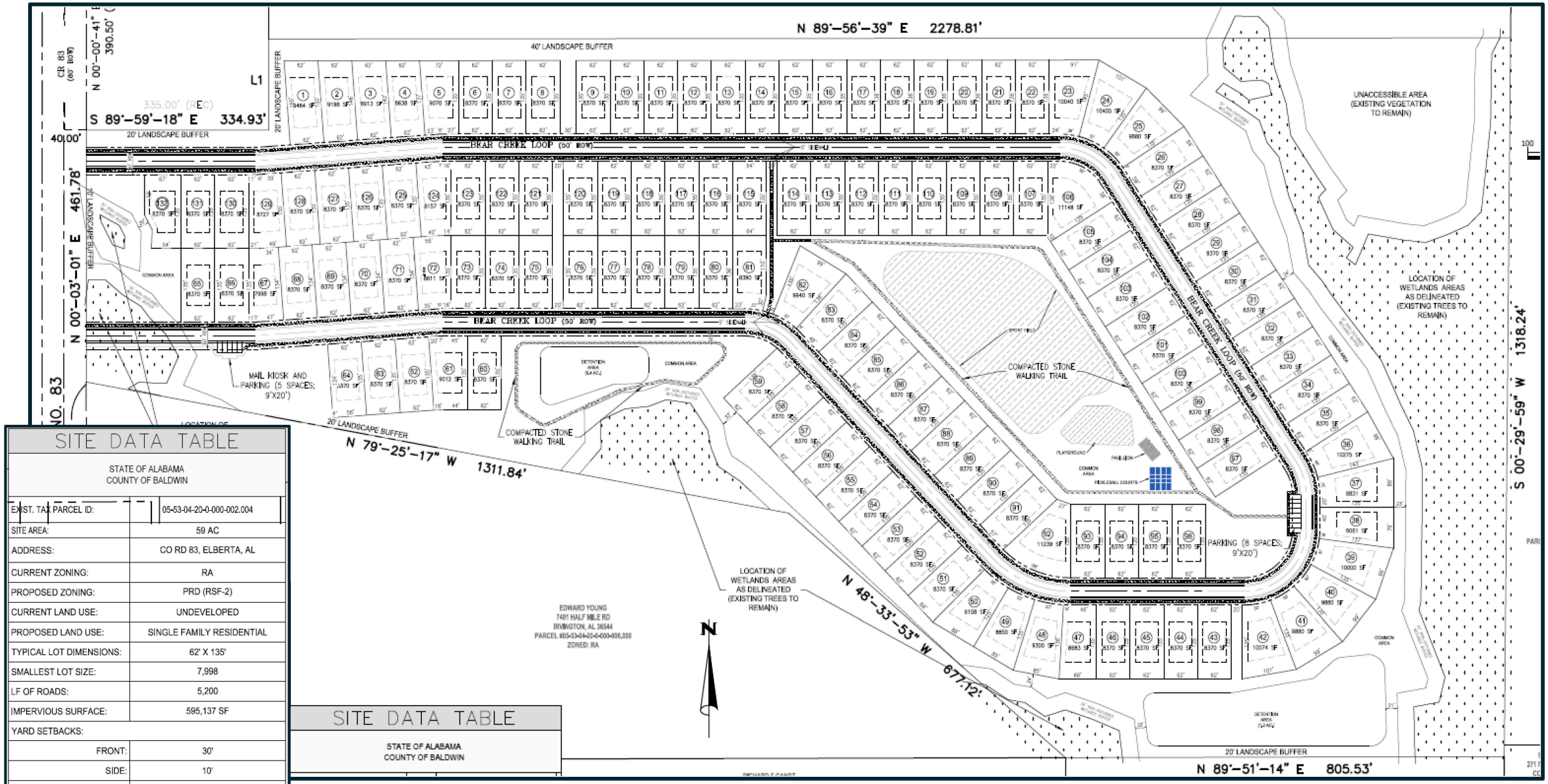
Town of Elberta, Caryn Woerner : For full disclosure, Town administration along with our consultant engineer reviewed this property for potential annexation several months ago at the request of the Engineer. Our initial concerns were toward drainage, wetlands, fire safety / impacts, police personnel impacts and traffic impacts so close to the High School and that coordination with the county for review would be needed for the commercial turn out permitting. Minimum R1 Single Family Residential lots of 100 x 150 would have been required as we currently have a moratorium on Planned Unit Development applications as new / updated regulations are being prepared.

Some questions that come to mind with PRD zoning are: Are there offsetting benefits to the community/residents in allowing a PRD with smaller lot sizes which brings added traffic in close proximity to the High School and the new middle school proposed a few miles north on the 2-lane roadway? Are there right of way improvements proposed for County Road 83 to offset traffic impacts? This site has wetlands along with some of the bordering sites. Are there protections required for all wetlands? Are these narrow internal right of ways wherein parking on both sides of the streets is likely due to the smaller lot sizes and less parking area available for each lot as we see in many other subdivisions in our nearby communities? Are there plans to combat parking in the streets which can cripple emergency responders trying to navigate same?

It is likely that additional assistance from the Baldwin County's Sherriff's Office within the Elberta area may be needed due to the population increases with the RV parks, subdivisions, etc. that are being developed / proposed within Elberta's police jurisdiction, County Road 95, County Road 20 and the Lillian areas. At this time, Elberta has no paid EMT personnel or Fire Department personnel and those who serve work full time jobs outside their volunteer work. Early morning last week, we had a house on fire within our police and fire jurisdiction and thankfully other departments provided mutual aid to get the structure fire under control.

We realize that Baldwin County as a whole is experiencing growing pains and in response, Elberta has updated various regulations recently in an effort to be mindful growth stewards of our community. I'm sure that county representatives will weigh the issues such as limited infrastructure, small workforces, drainage and the traffic impacts it brings to our 2 lane rural roadways as they review the proposed PRD request and it is sincerely appreciated. If approved, our consultant Engineer would like the opportunity to review the drainage plans due to the proximity of the property to some existing drainage issues the town currently experiences downstream.

Thank you for reaching out as we appreciate being kept abreast of the growth being proposed for the Elberta community.



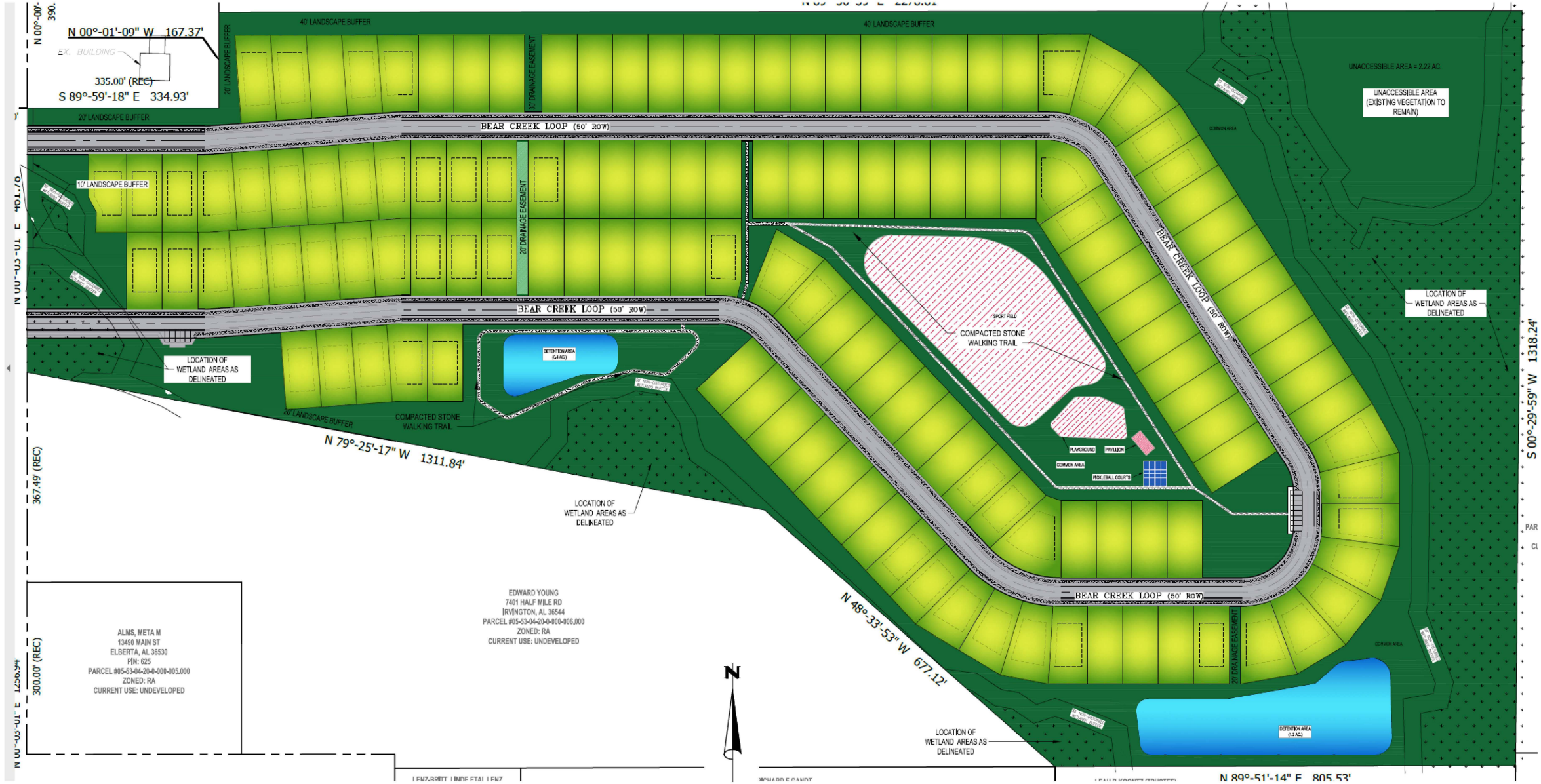
SITE DATA TABLE

STATE OF ALABAMA
COUNTY OF BALDWIN

EXIST. TAX PARCEL ID:	05-53-04-20-0-000-002.004
SITE AREA:	59 AC
ADDRESS:	CO RD 83, ELBERTA, AL
CURRENT ZONING:	RA
PROPOSED ZONING:	PRD (RSF-2)
CURRENT LAND USE:	UNDEVELOPED
PROPOSED LAND USE:	SINGLE FAMILY RESIDENTIAL
TYPICAL LOT DIMENSIONS:	62' X 135'
SMALLEST LOT SIZE:	7,998
LF OF ROADS:	5,200
IMPERVIOUS SURFACE:	595,137 SF
YARD SETBACKS:	
FRONT:	30'
SIDE:	10'
STREET SIDE:	20'
REAR:	30'
TOTAL LOTS PROPOSED:	132
DENSITY:	2.40 LOTS/AC

SITE DATA TABLE

STATE OF ALABAMA
COUNTY OF BALDWIN

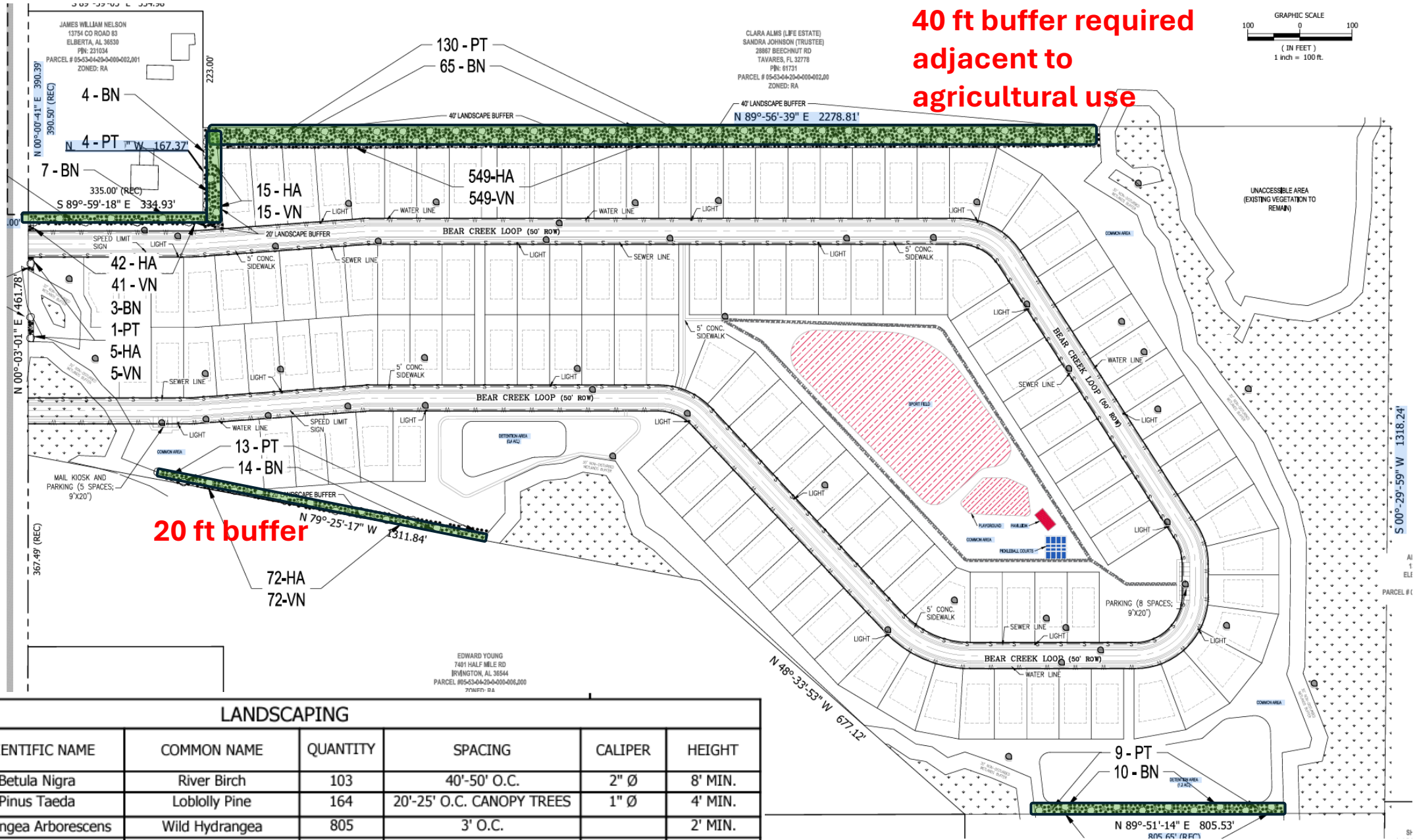

N 00°-01'-09" W 167.37'
EX. BUILDING
335.00' (REC)
S 89°-59'-18" E 334.93'
N 00°-00'-
390.
40' LANDSCAPE BUFFER
40' LANDSCAPE BUFFER
20' LANDSCAPE BUFFER
30' DRAINAGE EASEMENT
20' LANDSCAPE BUFFER
BEAR CREEK LOOP (50' ROW)
UNACCESSIBLE AREA = 2.22 AC.
UNACCESSIBLE AREA (EXISTING VEGETATION TO REMAIN)
10' LANDSCAPE BUFFER
20' DRAINAGE EASEMENT
BEAR CREEK LOOP (50' ROW)
BEAR CREEK LOOP (50' ROW)
LOCATION OF WETLAND AREAS AS DELINEATED
SPORT FIELD
COMPACTED STONE WALKING TRAIL
DETENTION AREA (3.4 AC.)
PLAYGROUND
PAVILLION
COMMON AREA
PICKLEBALL COURTS
LOCATION OF WETLAND AREAS AS DELINEATED
20' LANDSCAPE BUFFER
COMPACTED STONE WALKING TRAIL
N 79°-25'-17" W 1311.84'
S 00°-29'-59" W 1318.24'
367.49' (REC)
LOCATION OF WETLAND AREAS AS DELINEATED
BEAR CREEK LOOP (50' ROW)
N 48°-33'-53" W 677.12'
20' DRAINAGE EASEMENT
ALMS, META M
13490 MAIN ST
ELBERTA, AL 36530
PIN: 625
PARCEL #05-53-04-20-0-000-005.000
ZONED: RA
CURRENT USE: UNDEVELOPED
300.00' (REC)
EDWARD YOUNG
7401 HALF MILE RD
IRVINGTON, AL 36544
PARCEL #05-53-04-20-0-000-006.000
ZONED: RA
CURRENT USE: UNDEVELOPED
N
DETENTION AREA (1.2 AC.)
LOCATION OF WETLAND AREAS AS DELINEATED
N 89°-51'-14" E 805.53'

Landscape Plan

20 ft buffer

20 ft buffer

40 ft buffer required adjacent to agricultural use



LANDSCAPING

SYMBOL	LABEL	SCIENTIFIC NAME	COMMON NAME	QUANTITY	SPACING	CALIPER	HEIGHT
	BN	Betula Nigra	River Birch	103	40'-50' O.C.	2" Ø	8' MIN.
	PT	Pinus Taeda	Loblolly Pine	164	20'-25' O.C. CANOPY TREES	1" Ø	4' MIN.
	HA	Hydrangea Arborescens	Wild Hydrangea	805	3' O.C.		2' MIN.
	VN	Viburnum Nudum	Possumhaw Viburnum	804	3' O.C.		2' MIN.

REZONING Staff's Recommendation:

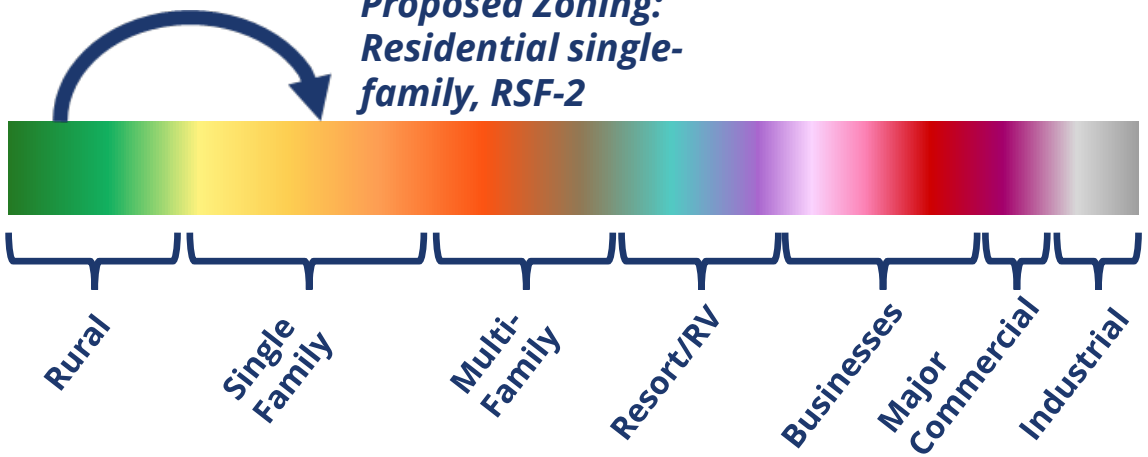
Z24-29 RE-ZONING REQUEST FROM **RA** TO **RSF-2**

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

*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.

Current Zoning: **Rural agricultural (RA)**

Proposed Zoning: Residential single-family, RSF-2



PRD Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels that the **PRD24-06 Bear Creek** application should be recommended for **APPROVAL*** with the following condition(s):

Conditions of approval:

1. Approval of the rezoning request from RA to RSF-2.
2. During construction plan review, if the detention ponds must be enlarged, the area of open space shown on this site plan must be maintained.
3. If USACE permits for wetland fill are denied and only one subdivision entrance is provided, the number of lots must be reduced to 50.
4. The Traffic Impact Study shall be conducted while public and private schools that will serve the proposed development are in session.
5. Details for all amenities must be submitted during preliminary plat review.
6. Fire flow must meet ISO requirements for home spacing (1000+ gmp at 20 psi for spacing between 11-20 feet). If building setbacks must be increased, the amount of open space reflected on the site plan must be maintained

**On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*