



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Agenda Item

Case No. Z-18022

The Reserve at Daphne Property

Rezone RA, Rural Agriculture District to RSF-2, Single Family District

June 19, 2018

Subject Property Information

Planning Districts: 15 and 28
General Location: North of the Reserve at Daphne Phase 1, south of Plantation Hills & east of County Road 54, in Sections 12 & 13, T5S, R2E
Physical Address: N/A

Parcel Numbers:

Planning District 15
05-43-06-13-0-000-002.000
05-43-06-13-0-000-002.001
05-43-06-13-0-000-002.005
05-43-06-13-0-000-002.010
05-43-06-13-0-000-006.000
05-43-06-13-0-000-012.000

Planning District 28
05-43-01-12-0-000-001.000

Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: RSF-2, Single Family District
Existing Land Use: Undeveloped
Proposed Land Use: The Reserve at Daphne (PRD), 618 lots (612 lots recommended by Planning Commission, and 6 lots proposed for addition)
Acreage: 470 acres, more or less, total development (309 requested for rezoning)

Planning District 15 – 119 acres

Planning District 28 – 190 acres

Applicant: Dewberry Engineers, Inc. (Steven Pumphrey)
9949 Bellaton Avenue
Daphne, AL 36526

Owners: Tania Lazzari
22895-A Mobile Street
Robertsdale, AL 36567

Langdon B. Conaway
129 Lake Pointe Circle SW
Huntsville, AL 35824

GCOF Reserve at Daphne, LLC
405 Lexington Avenue, 34th Floor
New York, NY 10174

Joe Lazzari
26480-A County Road 54 W
Daphne, AL 36526

Robin Bolar
10646 County Road 64
Daphne, AL 36526

Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

ADJACENT ZONING

North: RA, Rural Agricultural District, RSF-2, Single Family District and Unzoned
South: RA, Rural Agricultural District, RSF-2, Single Family District, B-4, Major Commercial District, M-1, Light Industrial District and Unzoned
East: RA, Rural Agricultural District and Unzoned
West: RA, Rural Agricultural District, RSF-2, Single Family District and Unzoned

The surrounding properties are primarily forested timberland and residential.

Summary

The proposed development is to be known as The Reserve at Daphne, and if approved would consist of 618 lots. Two applications, a request for rezoning (Case Z-18022) and a request for Planned Residential Development (PRD) site plan approval (Case Z-18023), have been submitted. The subject properties encompass approximately 470 acres and are located in Planning Districts 15, 28 and 7. The properties located in Planning Districts 15 and 28 include approximately 309 acres which are currently zoned RA, Rural Agriculture District. They are subject to the request for rezoning to RSF-2, Single Family District, and to the request for PRD site plan approval. The properties located in Planning District 7, approximately 161 acres, are unzoned. These properties will only be subject to the PRD application. The information for PRD site plan approval is included with a separate agenda item.

Section 3.2 RA Rural Agricultural District

3.2.1 *Generally.* This zoning district provides for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes.

3.2.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.
- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) Agricultural uses.
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

3.2.3 *Special exceptions.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as special exceptions:

- (a) The following general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

3.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section*

12.6: Coastal Areas, Section 12.8: Highway Construction Setbacks, Section 18.6 Variances, and Article 20: Nonconformities, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 *Area and dimensional modifications.* Within the RA district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	120-Feet

Proposed Zoning Requirements

Section 4.3 RSF-2, Single Family District

4.3.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.3.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.3.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.

(b) The following institutional uses: day care home; fire station; school (public or private).

(c) The following general commercial uses: country club.

4.3.4 Special exception. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.3.5 Area and dimensional ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35

Agency Comments

Baldwin County Highway Department

Seth Peterson, P.E.: Subdivision approval will be needed for this development. Access, utilities, stormwater requirements, etc. will be addressed at that time for compliance with the Baldwin County Subdivision Regulations.

ADEM (J. Scott Brown):

From: Brown, Scott [<mailto:jsb@adem.alabama.gov>]

Sent: Tuesday, April 17, 2018 8:41 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Connole, Timothy N <TNC@adem.alabama.gov>; Denson, Dana T <DDenson@adem.alabama.gov>; Leaptrott, Lacey M <lacey.leaptrott@adem.alabama.gov>; Tom Herder <therder@mobilebaynep.com>; Shaneyfelt, Randy C <RCS@adem.alabama.gov>

Subject: The Reserve at Daphne • case Z-18022 and Z-18023 PRD Site Plan Approval

Good morning DJ:

While the project is located outside of the coastal area of Alabama as defined in ADEM Admin. Code r. 335-8-1-.02 (k), Baldwin County as a whole is part of the Alabama Coastal Area Management Program's Coastal Nonpoint Pollution Control Program. The applicant proposes to designate 97.76 acres of wetlands (20.8% of the 470-acre development) as common area to be owned by the POA. The ADEM very much appreciates the applicant's efforts to preserve these wetlands resources. The ADEM encourages the applicant to further protect those resources from future fill and

development through deed restriction in perpetuity which would not authorize the placement of fill or the construction of structures (other than pile-supported boardwalks) within any wetlands on any lot or common area.

v/r,

J. Scott Brown, Chief
Mobile Branch Office
Field Operations Division
ADEM
251.304.1176

From: D Hart <DHart@baldwincountyal.gov>
Sent: Monday, April 16, 2018 2:52 PM
To: Brown, Scott <jsb@adem.alabama.gov>; Genard, Lacey M <lacey.genard@adem.alabama.gov>
Subject: The Reserve at Daphne

The attached is for case Z-18022, rezoning for The Reserve at Daphne and Z-18023 PRD Site Plan Approval for The Reserve at Daphne. I put both cases together for you to look at and give any comments.
Let me know if you have any questions.
DJ

DJ Hart, Planning Technician
Baldwin County Planning and Zoning Department
22070 Hwy 59
Robertsdale, Al. 36567
251-580-1655 ext. 7230
dhart@baldwincountyal.gov

Municipality: No comments received.

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

The subject properties are currently undeveloped and are forested timberland. The adjoining properties are residential and forested timberland.

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 15 has seen significant growth since the adoption of zoning in 2006. The original plans for The Reserve were in progress prior to the adoption of zoning. It is unclear why the designation of RA was placed upon the subject properties due to the fact that it was not adequate to allow for conformity of the development.

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

The Baldwin County Master Plan, 2013, indicates a future land use designation of Agricultural for the subject property. If the rezoning is approved, the future land use designation will change to residential. Conformity with the Master Plan is based on an overall evaluation of the standards for rezoning.

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

No conflicts.

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

A subdivision of this type will certainly bring about an increase in traffic. The exact impact, however, is difficult to ascertain at this time. Traffic impacts and access requirements will be addressed during the Subdivision process.

6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.

Please see the responses for factor number 1 and factor number 2.

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

Adjacent properties to the north and south are zoned RSF-2.

8.) Is the timing of the request appropriate given the development trends in the area?

Timing is not a factor with this request.

9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?

Please see ADEM comments listed above.

10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?

Staff anticipates no adverse impacts.

11.) Other matters.

N/A

Staff Comments and Recommendation

As stated previously, the proposed development is to be known as The Reserve at Daphne, and if approved would consist of 618 lots. Two applications, a request for rezoning (Case Z-18022) and a request for Planned Residential Development (PRD) site plan approval (Case Z-18023), have been submitted. The subject properties encompass approximately 470 acres and are located in Planning Districts 15, 28 and 7. The properties located in Planning Districts 15 and 28 include approximately 309 acres which are currently zoned RA, Rural Agriculture District. They are subject to the request for rezoning to RSF-2, Single Family District, and to the request for PRD site plan approval. The properties located in Planning District 7, approximately 161 acres, are unzoned. These properties will only be subject to the PRD application. The information for PRD site plan approval is included with a separate agenda item.

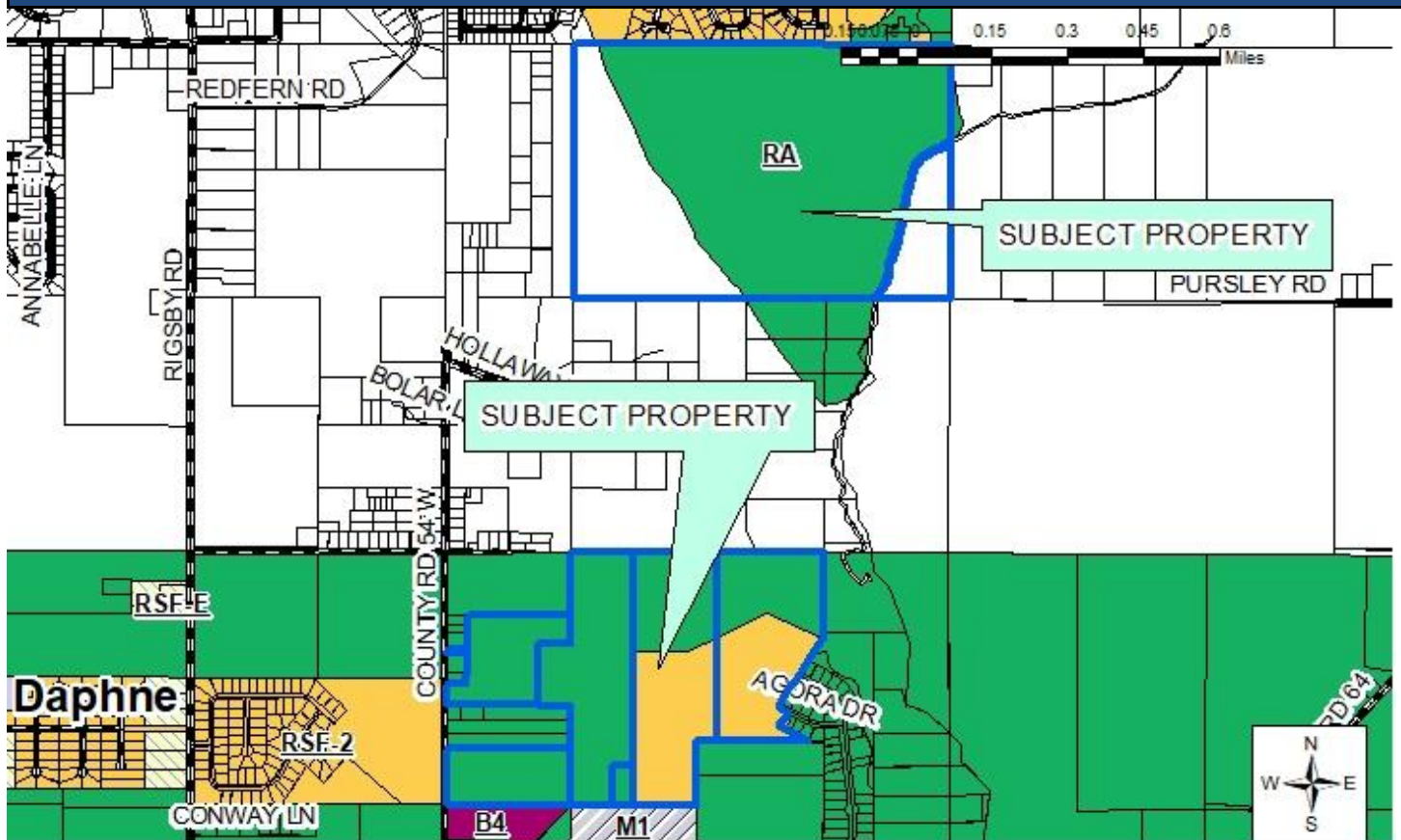
Staff has no major concerns with this request and feels that the proposal will address the growing need for new residential development. It should be noted that this proposal calls for differing lot sizes which is desirable from a planning stand point. As a result, staff recommends **APPROVAL** of Case Z-18022 to the County Commission. *

**On rezoning applications, the County Commission will have the final vote.*

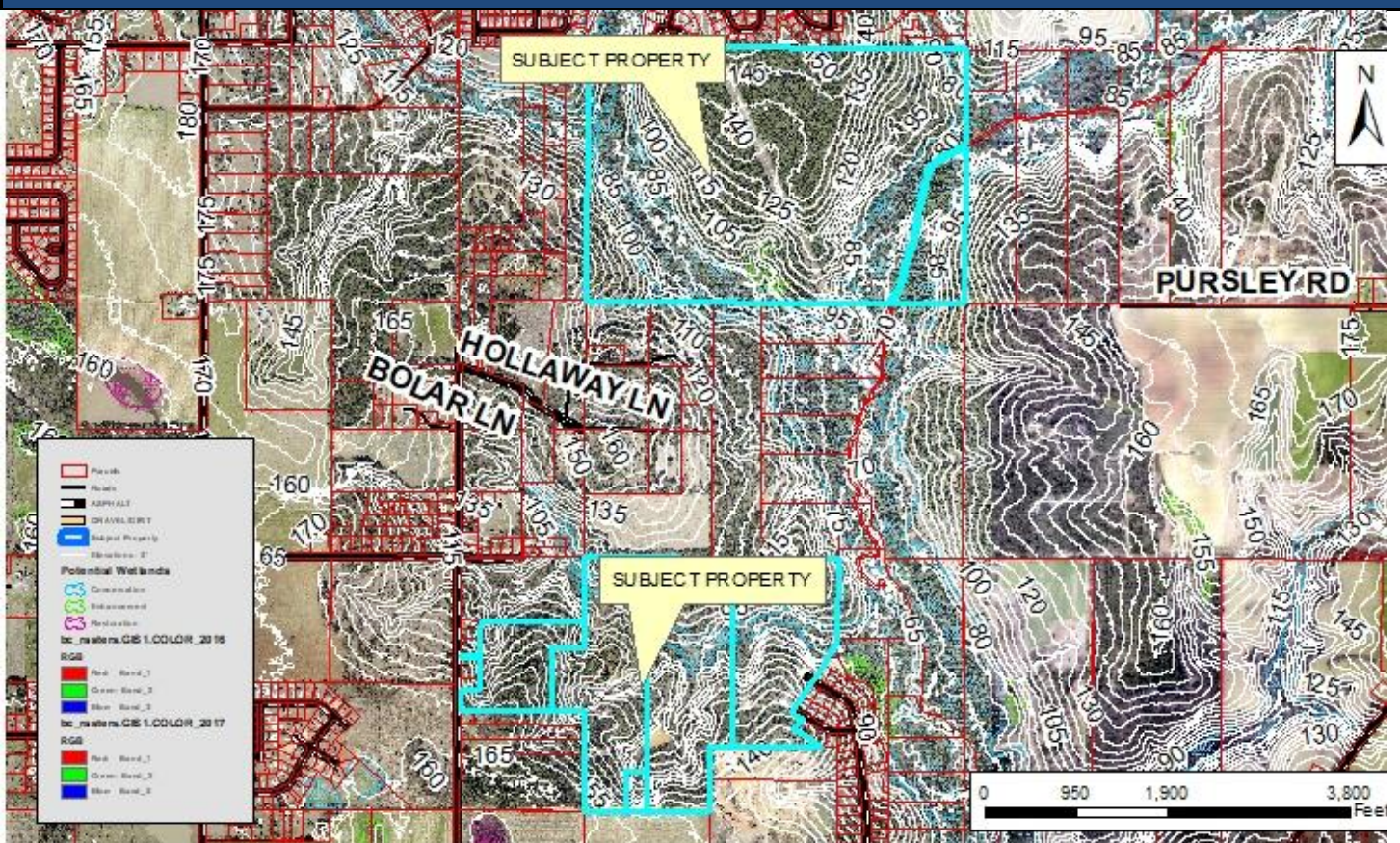
Property Images



Locator Map



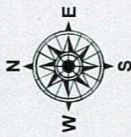
Site Map



BALDWIN COUNTY COMMISSION PLANNING DISTRICT 15



BALDWIN COUNTY COMMISSION
PLANNING AND ZONING DEPARTMENT



On February 21, 2006, a majority of qualified electors in Planning District 15 voted to institute County Zoning. On August 1, 2006, the County Commission adopted the Planning District 15 Zoning Map and Ordinances.

Print Date: March 2018



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- ASPHALT
- GRAVEL/DIRT
- Other Roads
- Planning Districts
- Tax Parcel
- Water
- City Limits
- Rural District (RR)
- Rural Agricultural District (RA)
- Conservation Resource District (CR)
- Residential Single Family Estate District (RSF-E)
- Residential Single Family District (RSF-1)
- Residential Single Family District (RSF-2)
- Residential Single Family District (RSF-3)
- Residential Single Family District (RSF-4)
- Residential Two Family District (RTF-4)
- Residential Two Family District (RTF-6)
- Residential Multiple Family District (RMF-6)
- Residential Manufactured Housing Park District (RMH)
- Marine Recreation District (MR)
- Outdoor Recreation District (OR)
- Tourist Resort District (TR)
- Recreational Vehicle Park District (RV-1)
- Professional Business District (B-1)
- Neighborhood Business District (B-2)
- General Business District (B-3)
- Major Commercial District (B-4)
- Light Industrial District (M-1)
- General Industrial District (M-2)

District 7

SITE

THERESA LN
HOLLAWAY LN

LARRY STREET RD

AUGUSTINE DR

BALIA CT

BREN CT S

BELGROVE AV

VOLDVECKY DR

RR

B2

JESSICA LN

MONIAC CV

TACHLAN CT

CANTERBURY RD

SWAY

VLACHOS LN

ROSEWOOD LN

PLANTATION

WILLYWOOD DR

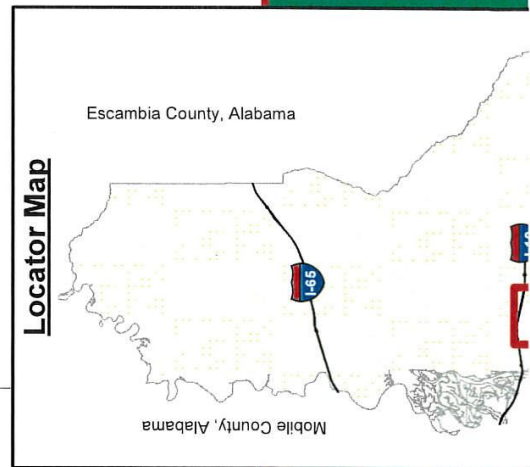
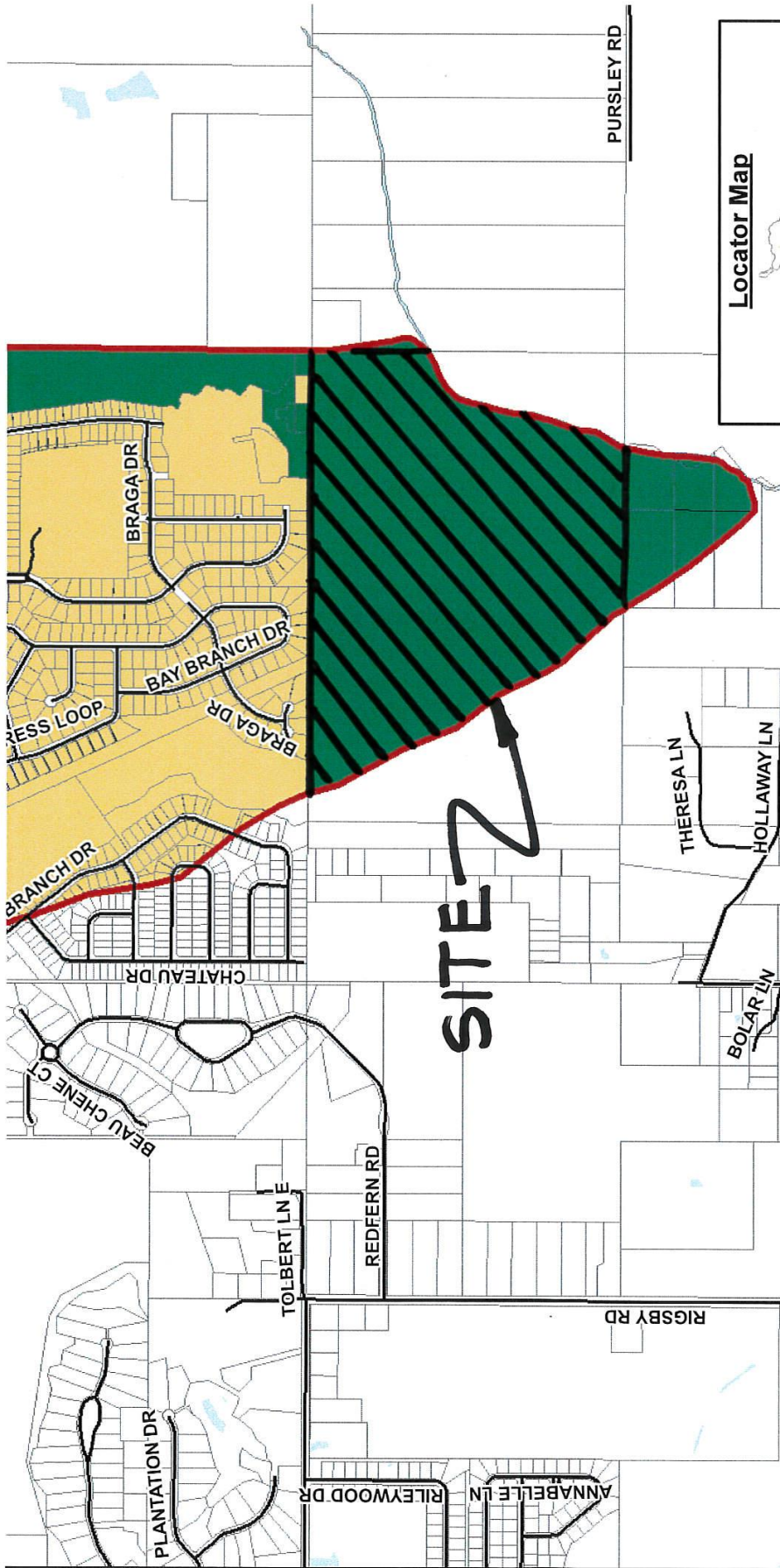
COMMERSE DR

LANSDOWN DR

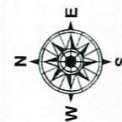
VALERIE LN

DOORE RD

J S WILLIAMS

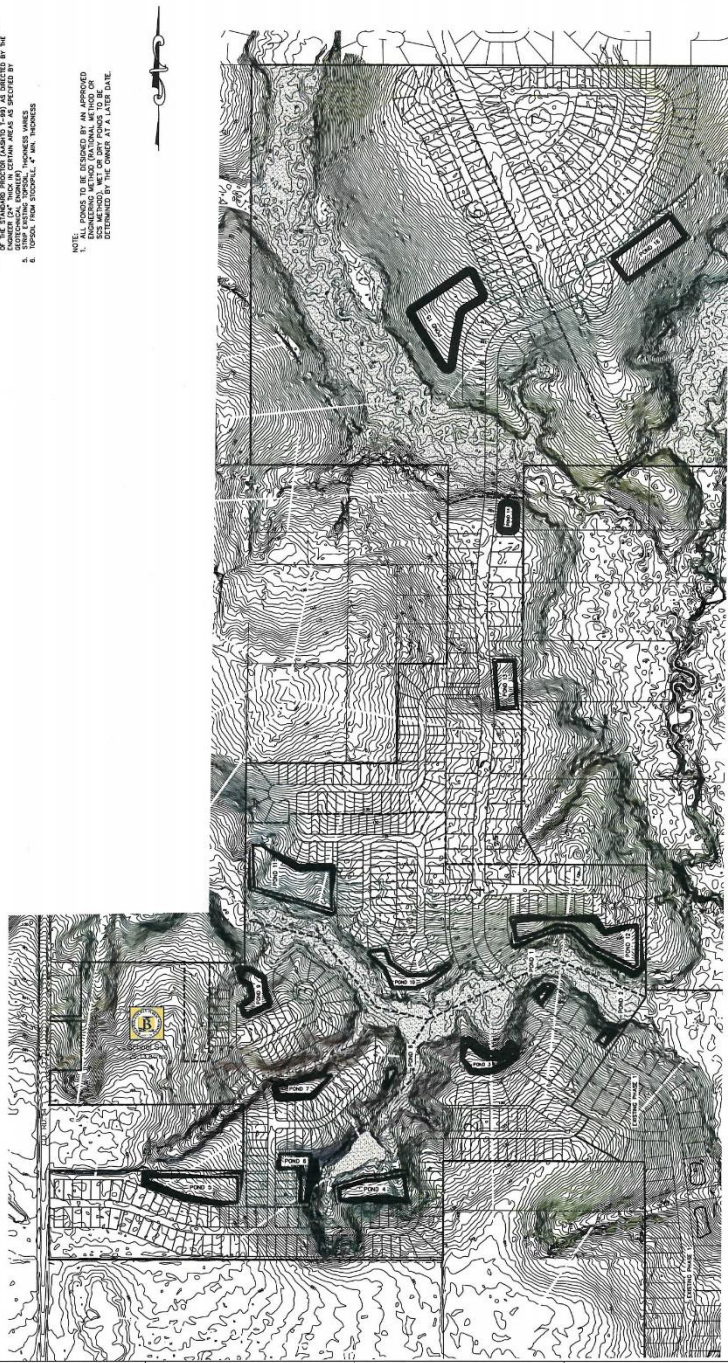


BALDWIN COUNTY COMMISSION **PLANNING DISTRICT 28**

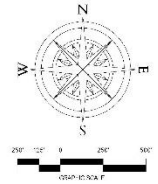


Legend

	Historic Districts		City Limits
	911 STREETS		Rural District (RR)
	County Maintained		Rural Agricultural District (RA)
	ASPHALT		Conservation Resource District (CR)
	GRAVEL/DIRT		Conservation Resource District (RSF-E)
	Planning Districts		Residential Single Family Estate District (RSF-1)
	Tax Parcel		Residential Single Family District (RSF-2)
			Residential Single Family District (RSF-3)
			Residential Single Family District (RSF-4)
			Residential Two Family District (RTF-4)



1. THE PROPERTY IS ZONED RSP-2 & RA (B.C. Dist. 15)
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The Reserve at Daphne

A Planned Residential Development
Daphne, Alabama

Development Summary

Current Zoning: RSP-2 & RA (B.C. Dist. 15)
RA (B.C. Dist. 25) and None (B.C. Dist. 7)
Proposed Zoning: P.R.D.
Streets: 27,064 L.F.
Total Acreage: 168.94 Ac.
Density: 1.3 Units per Acre

Land Use:
School Site: 17.78 Ac. (3.8%)
Active Open Space: 57.54 Ac. (12.3%)
Passive Open Space: 109.63 Ac. (23.4%)
Wetlands (U.D.): 97.76 Ac. (20.6%)
TOTAL: 282.67 Ac. (60.3%)

Lot Summary

100 x 150': 87 (14%)
60 x 135': 280 (47%)
52 x 125': 236 (39%)
TOTAL: 612

Phasing Summary

PHASE	2	3	4	5	6	7
Acreage	70.79 Ac.	26.13 Ac.	51.82 Ac.	43.34 Ac.	115.53 Ac.	128.03 Ac.
100 x 150'	25	0	9	41	12	0
60 x 135'	105	0	27	55	49	53
52 x 125'	0	88	74	0	0	74
TOTAL	130	88	110	96	61	127

100' x 150'	60' x 135'	52' x 125'
Setback: Front 30'	Setback: Front 30'	Setback: Front 25'
Rear 30'	Rear 30'	Rear 25'
Side 10'	Side 0'	Side 0'
Side Street 20'	Side Street 30'	Side Street 15'