

Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Agenda Item Case Z-18023

The Reserve at Daphne Property Approve Planned Residential Development (PRD) Site Plan for The Reserve at Daphne June 19, 2018

Subject Property Information

Planning Districts: 15, 28 and 7 (unzoned)

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 (Rezoning and PRD site plan approval)

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 (Rezoning and PRD site plan approval)

05-43-01-12-0-000-001.000

Planning District 7 (Unzoned, PRD site plan approval only)

05-43-01-12-0-000-023.000 05-43-01-12-0-000-024.003

Existing Zoning: RA, Rural Agriculture District (Planning Districts 15 and 28) **Proposed Zoning:** RSF-2, Single Family District (Planning Districts 15 and 28)

Existing Land Use: Undeveloped

Proposed Land Use: The Reserve at Daphne (PRD), 618 lots (612 lots reviewed and recommended for

approval by the Planning Commission)

Acreage: 470 acres, more or less, total development

Planning District 15 – 119 acres

Planning District 28 – 190 acres

Planning District 7 – 161 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. Both applications were considered and recommended for APPROVAL by the Planning Commission on May 3, 2018. At that time, the PRD included 612 lots. Subsequent to the Planning

Commission action, the plans for the PRD were revised to include an additional 6 lots. As a result, additional review of the PRD site plan by the Planning Commission will be required. This can be accomplished by either delaying action or allowing the applicant to withdraw the request so that it can be returned to the Planning Commission for further consideration. If action is delayed, the County Commission will need to vote no later than 60 days after the June 19, 2018, public hearing.

The information for the rezoning, which is not impacted by the changes to the PRD site plan, is placed in the agenda item for Case Z-18022.

Current Zoning Requirements

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 L | ine 120-Feet |
| Minimum Lot Width at Street Lin | e 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 Fe | eet 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 Lin | e 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 < isb@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.

PLANNED RESIDENTIAL DEVELOPMENT (PRD) REVIEW

The requirements and standards for review and approval of Planned Developments are found at Article 9 in the *Baldwin County Zoning Ordinance*. According to Section 9.1, It is the purpose of this article to permit Planned Developments which are intended to encourage the development of land as planned communities, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic

and functional open areas; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of these ordinances; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development and housing costs; and provide a stable environmental character compatible with surrounding areas.

Planned Residential Development (PRD) approval requires the submission of a final site plan. The process works in much the same way as a rezoning, and the Planning Commission will make a recommendation to the County Commission as to whether or not the PRD site plan should be approved.

A PRD final site plan shall be prepared by a licensed engineer, architect or land surveyor. The requirements for the site plan are found at Section 9.5.5.2 of the zoning ordinance and are listed as follows:

- (a) Name and address of owner(s) of record.
- (b) Proposed name of the planned development, date, north point, scale, and location.
- (c) Name of licensed engineer, architect or land surveyor.
- (d) Vicinity map showing the location of the planned development.
- (e) Exact boundaries of the site shown with bearings and distances.
- (f) Names and addresses of the owners of land immediately adjoining the site as their names appear upon the plats in the office of the county tax assessor and their addresses appear in the directory of the county or on the tax records of the county.
- (g) Wooded areas, wetlands and any other conditions affecting the site.
- (h) The location of existing streets, buildings, water courses, railroads, transmission lines, drainage structures, public utilities, jurisdiction lines, and any public utility easements on the site and on adjacent land within 100-feet of the site.
- (i) Proposed rights-of-way or easements including location, widths, purposes, and street names.
- (j) The location and size of all lots.
- (k) Proposed minimum building setback lines shown and labeled on each lot.
- (I) Proposed parks, school sites, or other public open spaces, if any.
- (m) Site data:
 - 1. Acreage in total tract.
 - 2. Smallest lot size.
 - 3. Total number of lots.

- 4. Linear feet in streets.
- 5. Amount of impervious surface.
- 6. Density.
- (n) Any area within or adjacent within 100-feet of the proposed planned development subject to inundation by the base flood as defined herein, or subject to periodic inundation by storm drainage overflow or ponding, shall be clearly shown and identified on the site plan.
- (o) Special flood hazard areas and/or coastal high hazard areas as indicated on the latest Flood Insurance Rate Map (FIRM) for the area, along with a statement to that effect.
- (p) An acceptable wetlands jurisdictional determination from a certified environmental consultant if the proposed planned development contains wetlands or if the Zoning Administrator or his/her designee determines potential wetlands from the Generalized Wetland map as defined herein, or through a site visit by County Staff.
- (q) The name of each utility company proposed to provide water, sewer, electrical, and telephone service.
- (r) Proposed land uses and the location of proposed buildings and other structures including walls and fences (when appropriate).
- (s) Number and location of parking spaces.
- (t) The method proposed to maintain private common open areas, buildings or other facilities, including copies of all legal documents necessary to accomplish this.
- (u) A schedule of development (when appropriate).
- (v) Topography, including existing contours at intervals of 2-feet.
- (w) When the final site plan is part of a large scale PRD, the phase of the project and its location shall be given on the final development site plan.

As stated previously, the proposed development is to be known as The Reserve at Daphne. The project narrative, which was submitted for the Planning Commission hearing, is quoted as follows:

This is a proposed single family development consisting of 612 lots at a density of 1.30 units per acre. There are 162 lots proposed at $52' \times 125'$ (6,500 s.f.) and 289 lots at $60' \times 135$ '(8,100 s.f.) and 161 lots at $100' \times 150'$ (15,000 s.f.). The proposed building setbacks are 25' front and rear with 6' side setbacks on the 52' wide lots, 30' front and rear with 6' side setbacks on the 60' wide lots, and 30' front and rear with 10' side setbacks on the 100' wide lots. The proposed maximum building heights will be 40'/3 stories. The proposed maximum building coverage on each lot will be 55% for the 52' lots, 50% for the 60' lots, and 45% for the 100' lots.

Within the 470 acre development approximately 40% of the site is being developed into single family lots and roadways. The remaining property consists of a 17.78 acre (3.8%) school site, 97.76 acres

(20.8%) of wetlands, 109.63 acres (23.4%) of passive open space, and 57.54 acres (12.3%) of active open space. These total 282.67 acres or 60.3% of the total site. Some of the detention ponds shown on the master plan are actually lakes that will provide for stormwater detention and have been included in the passive open space area. The wetlands, the passive open space, and active open space will be located and designated as common areas. These will be owned and maintained by the property owners' association.

A development of the size would be classified as a small scale planned development due to the fact it occupies at least five acres but less than 1000 acres. Copies of the site plan and full project narrative are included as attachments to this staff report. According to the narrative, seven phases of development are proposed.

Staff has reviewed the submittals and has found that the request meets the requirements as setout above. Please note that PRD site plan approval <u>does not</u> represent Subdivision approval. Where a planned development involves the subdivision of land, a subdivision plat shall be approved in accordance with the procedures established in the *Baldwin County Subdivision Regulations*. Subdivision review will come at a later time. Article 9, Planned Developments, from the subdivision regulations will be applicable due to the fact that a portion of the proposed development is unzoned.

Staff Comments and Recommendation

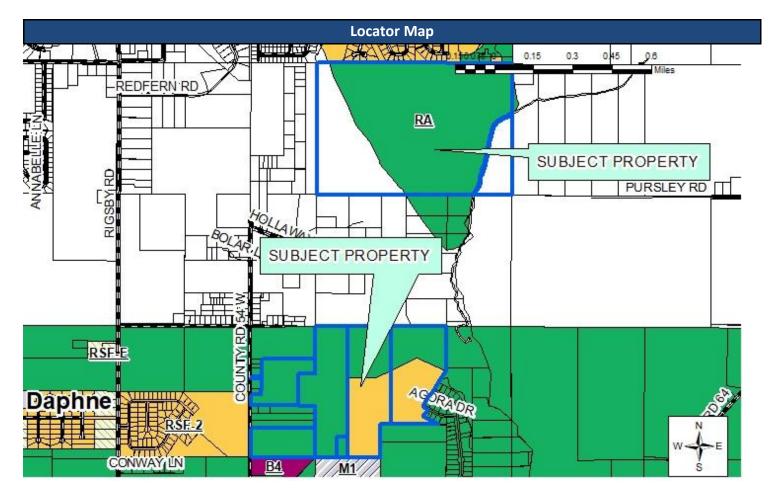
As stated previously, the proposed development is to be known as The Reserve at Daphne, and if approved would consist of 618 lots. Two applications, a request for rezoning (Case Z-18022) and a request for Planned Residential Development (PRD) site plan approval (Case Z-18023), have been submitted. The 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. Both applications were considered and recommended for APPROVAL by the Planning Commission on May 3, 2018. At that time, the PRD included 612 lots. Subsequent to the Planning Commission action, the plans for the PRD were revised to include an additional 6 lots. As a result, additional review of the PRD site plan by the Planning Commission will be required. This can be accomplished by either delaying action or allowing the applicant to withdraw the request so that it can be returned to the Planning Commission for further consideration. If action is delayed, the County Commission will need to vote no later than 60 days after the June 19, 2018, public hearing.

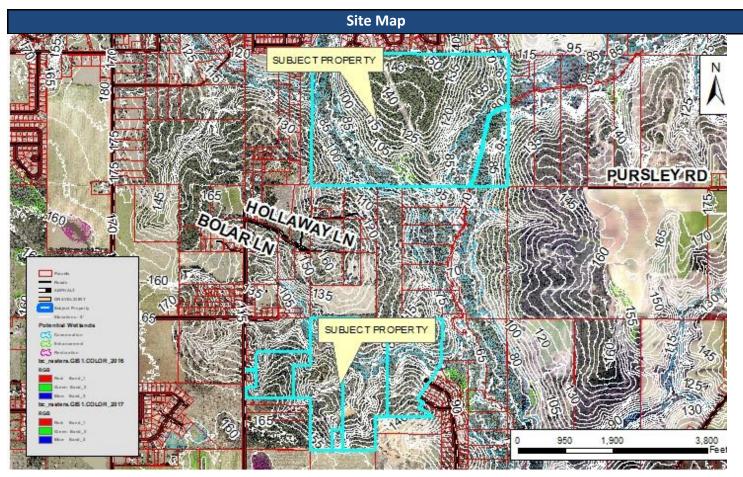
Based on the comments above, staff recommends that action on Case Z-18023 (The Reserve at Daphne PRD site plan) be delayed, or the case withdrawn, so that it may be returned to the Planning Commission for additional review and consideration.

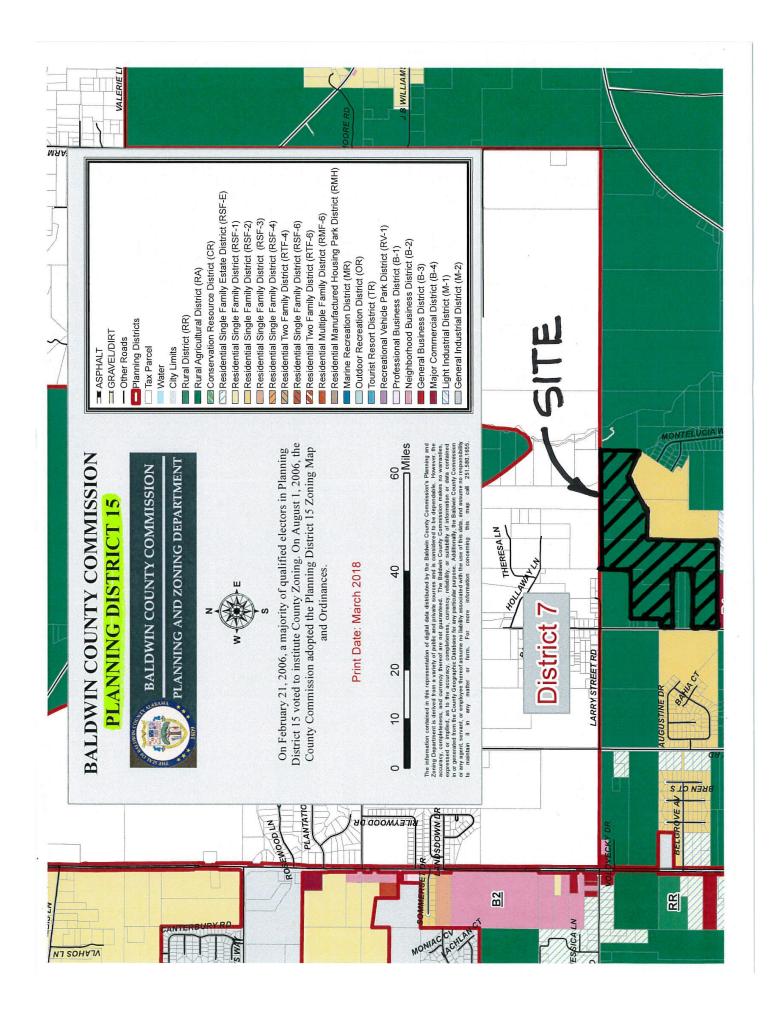
Property Images

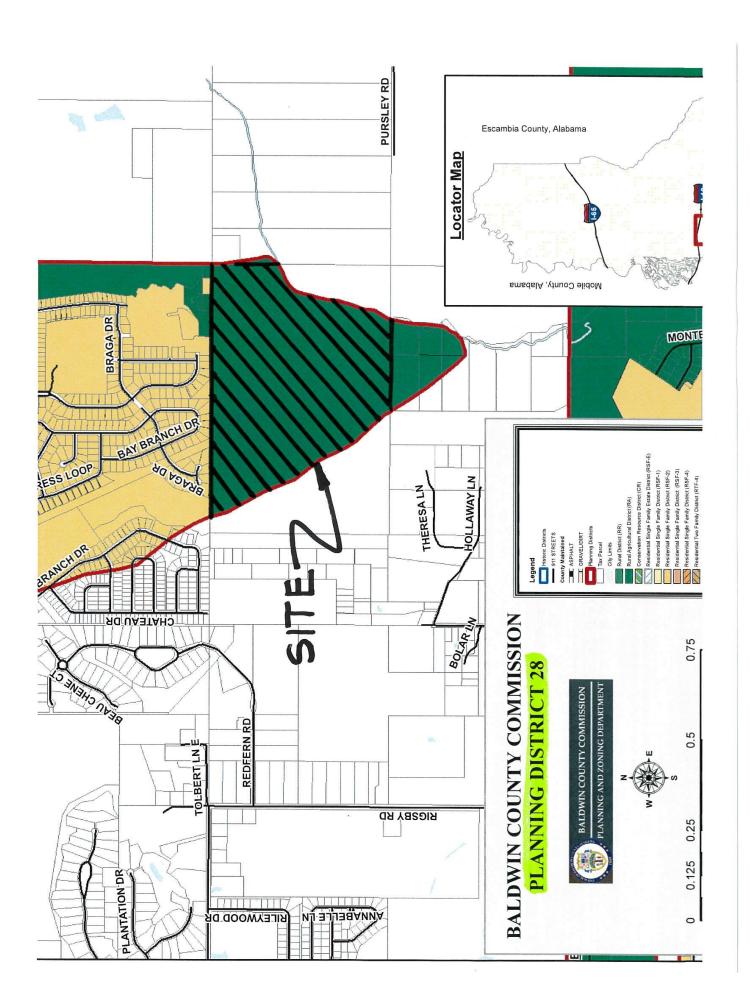


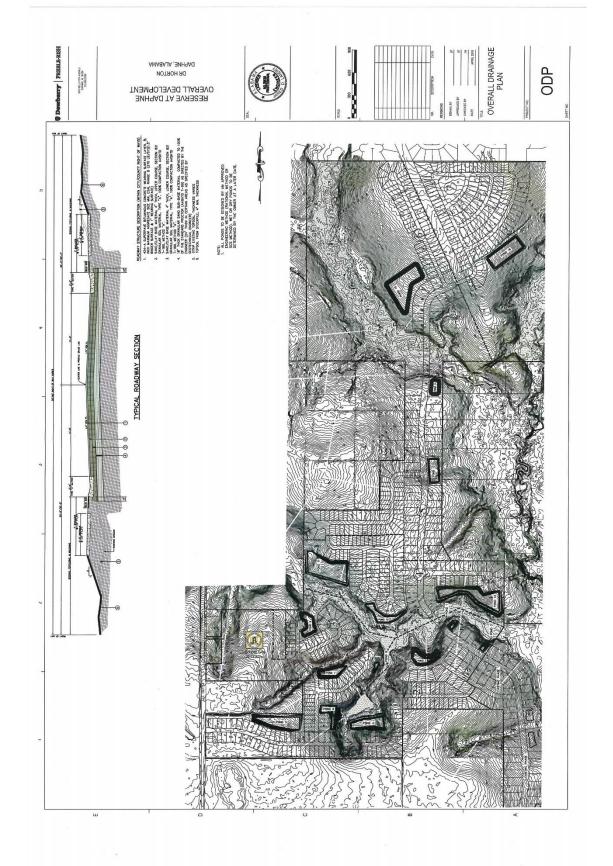


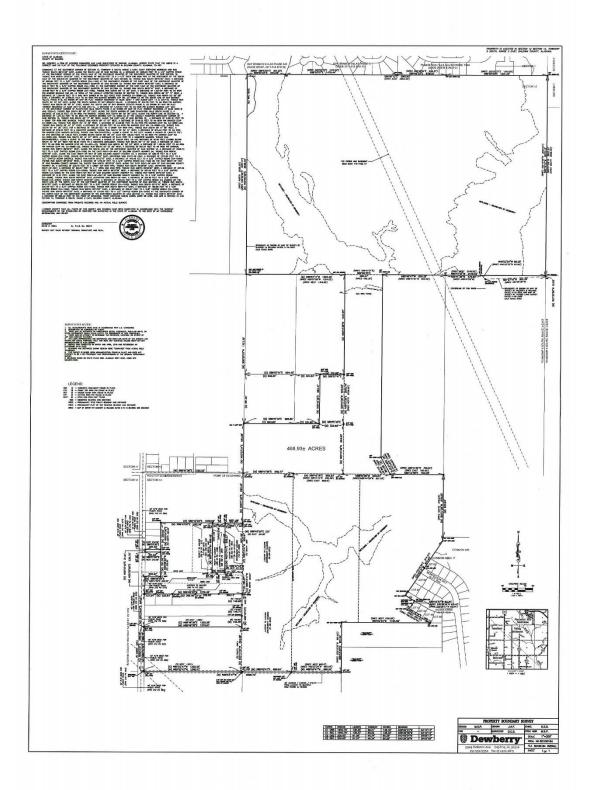


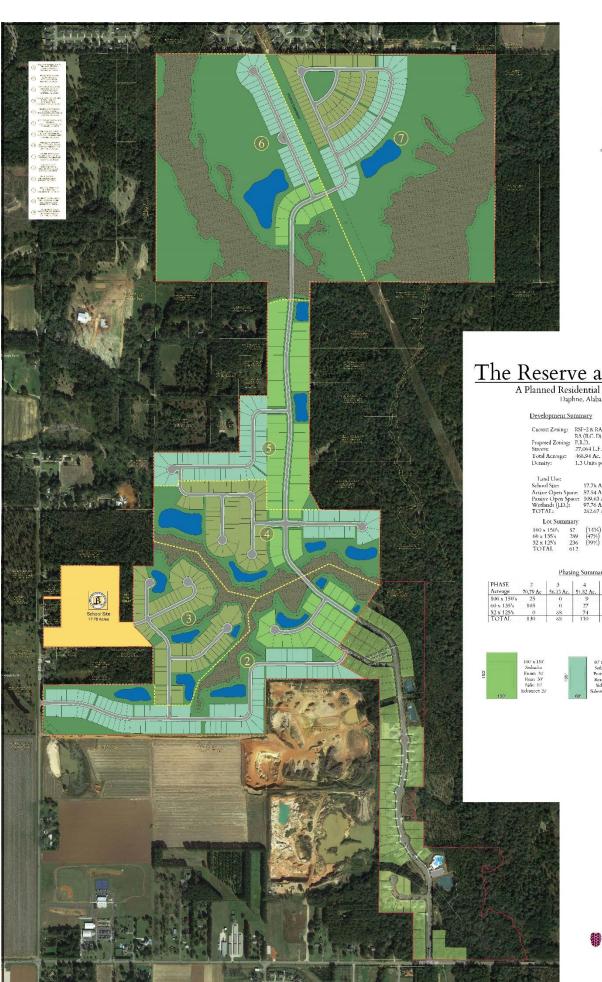


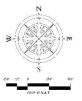












The Reserve at Daphne A Planned Residential Development Daphne, Alabama

Development Summary

Current Zoning: RSF-2 & RA (B.C. Dist. 15)
Proposed Zoning: RA (B.C. Dist. 28) and None (B.C. Dist 7)
PROPOSED Streets 27,004 L.F.
15 Units per Acre

Tand Use: School Site: 17.78 Ac. (3.83() Active Open Space: 57.54 Ac. (12.36) Passive Open Space: 109.63 Ac. (23.44) Wetlands (J.D.): 97.76 Ac. (20.854) TOTAL: 282.67 Ac. (60.364)

Phasing Summary

| PHASE Acreage | 2 70.79 Ac | 3 56.13 Ac. | 4 51.82 Ac. | 5 43.34 Ac. | 6 115.83 Ac. | 7 128,03 Ac. |
|------------------|---------------|----------------|----------------|----------------|-----------------|-----------------|
| 100 x 150's | 25 | 0 | 9 | 41 | 12 | .0 |
| 60 x 135's | 1.05 | 0 | 27 | 55 | 49 | 53 |
| 52 x 125's | 0 | 88 | 74 | - 0 | 0 | 74 |
| TOTAL | 1.225 | 6.0 | 1.175 | 06 | 61 | 107 |





