



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Agenda Item

Case Z-18023

The Reserve at Daphne Property

Planned Residential Development (PRD) Site Plan for The Reserve at Daphne

August 7, 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**
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

Planning District 7
05-43-01-12-0-000-023.000
05-43-01-12-0-000-024.003

Existing 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 on May 3, 2018)
Acreage: 470 acres, more or less

Planning District 15 – 119 acres

Planning District 28 – 190 acres

Planning District 7 – 161 acres

Applicant: Dewberry Engineers, Inc. (Steven Pumphrey)
25353 Friendship Road
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. The subject parcels encompass approximately 470 acres and are in Planning Districts 15, 28 and 7. The properties located in Planning Districts 15 and 28 include approximately 309 acres which are currently zoned RSF-2, Single Family District. The properties located in Planning District 7, approximately 161 acres, are unzoned. This application was 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, further review of the PRD site plan by the Planning Commission was required. On June 19, 2018, the County Commission tabled action on this case so that it could be returned to the Planning Commission for further review and consideration. The Planning Commission then

considered the revised site plan on July 12, 2017, and voted to recommend approval to the County Commission. The applicant is now requesting that the subject request for PRD site plan approval be withdrawn. The zoning ordinance provides that an application may be withdrawn at least seven (7) days prior to the public hearing. However, the public hearing must still be opened due to the fact that it has been advertised.

The County Commission approved the rezoning request (Case Z-18022) which accompanied the original PRD application on June 19, 2018.

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 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 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.
- (l) 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 618 lots at a density of 1.31 units per acre. There are 238 lots proposed at 52' x 125' (6,500 s.f.) and 292 lots at 60' x 135' (8,100 s.f.) and 88 lots at 100' x 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, 108.63 acres (23.1%) of passive open space, and 57.54 acres (12.3%) of active open space. These total 281.71 acres or 59.9% 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 does not 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

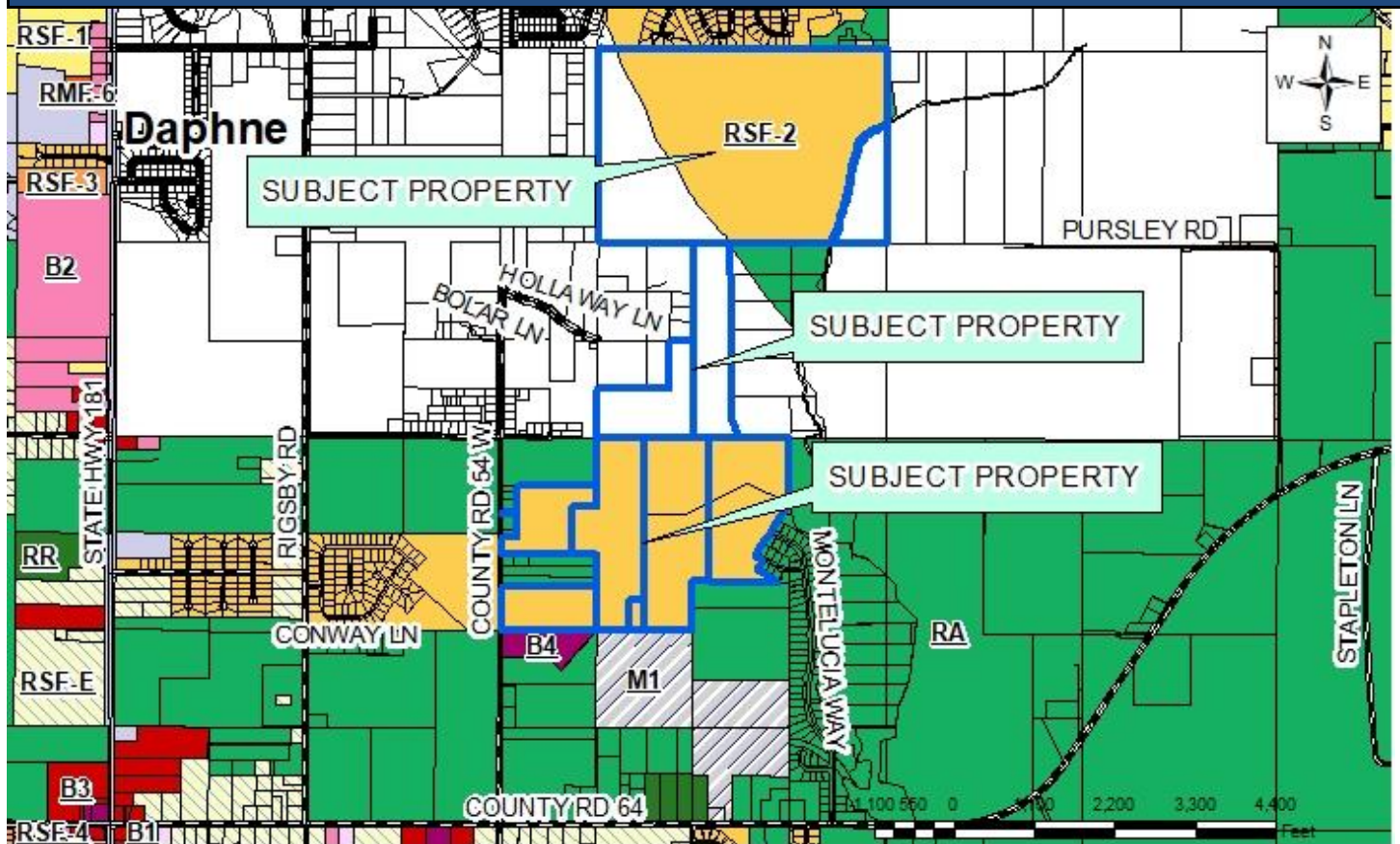
As stated previously, the proposed development is to be known as The Reserve at Daphne, and if approved would consist of 618 lots. The subject parcels encompass approximately 470 acres and are in Planning Districts 15, 28 and 7. The properties located in Planning Districts 15 and 28 include approximately 309 acres which are currently zoned RSF-2, Single Family District. The properties located in Planning District 7, approximately 161 acres, are unzoned. This application was 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, further review of the PRD site plan by the Planning Commission was required. On June 19, 2018, the County Commission tabled action on this case so that it could be returned to the Planning Commission for further review and consideration. The Planning Commission then considered the revised site plan on July 12, 2017, and voted to recommend approval to the County Commission. The applicant is now requesting that the subject request for PRD site plan approval be withdrawn. The zoning ordinance provides that an application may be withdrawn at least seven (7) days prior to the public hearing. However, the public hearing must still be opened due to the fact that it has been advertised.

Staff recommends the the request to **WITHDRAW** Case Z-18023, The Reserve at Daphne Planned Residential Development (PRD) Site Plan, be accepted.

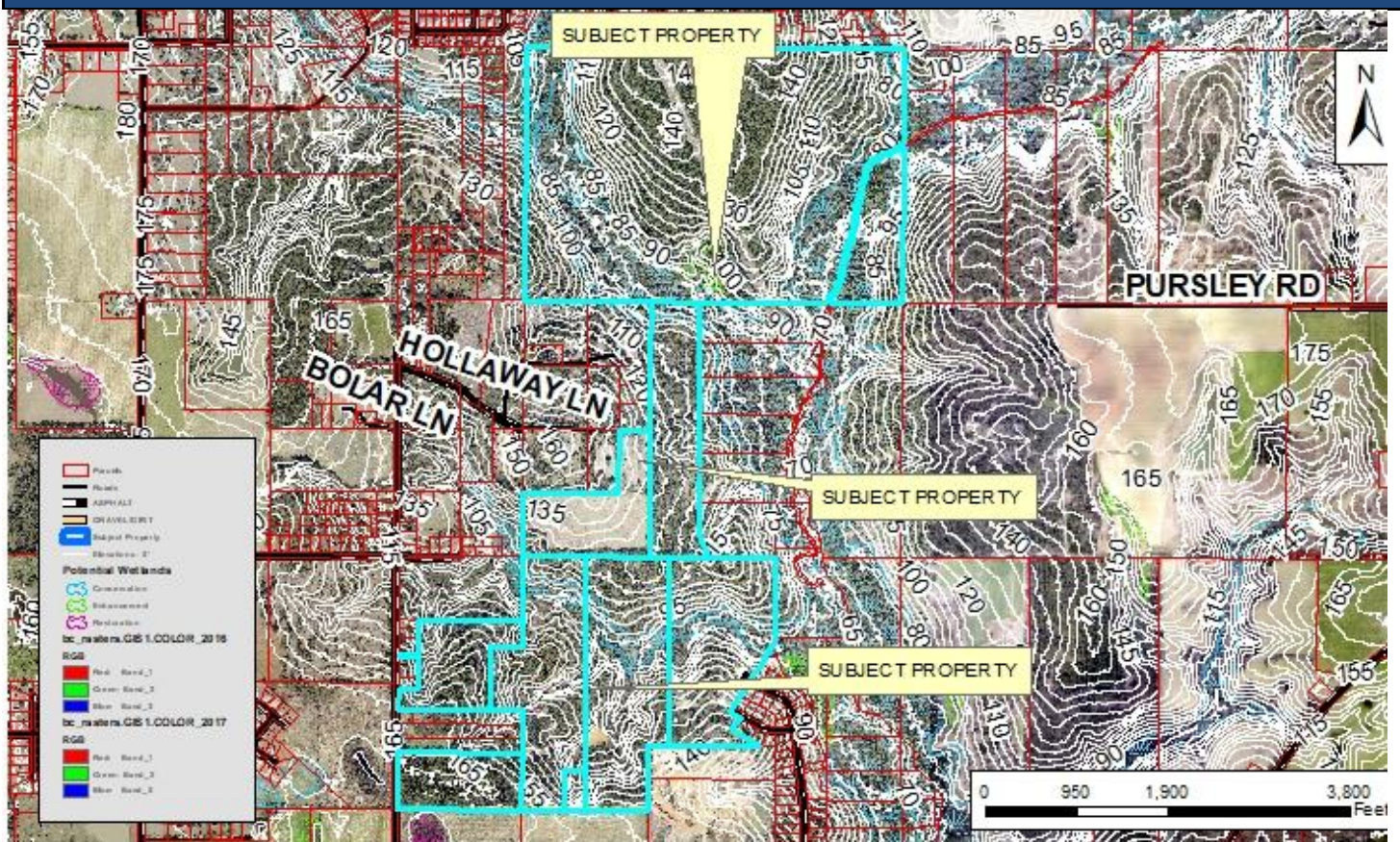
Property Images



Locator Map



Site Map



RESERVE AT DAPHNE
OVERALL DEVELOPMENT
DR HORTON
DAPHNE, ALABAMA

DR HORTON
DAPHNE, ALABAMA

735

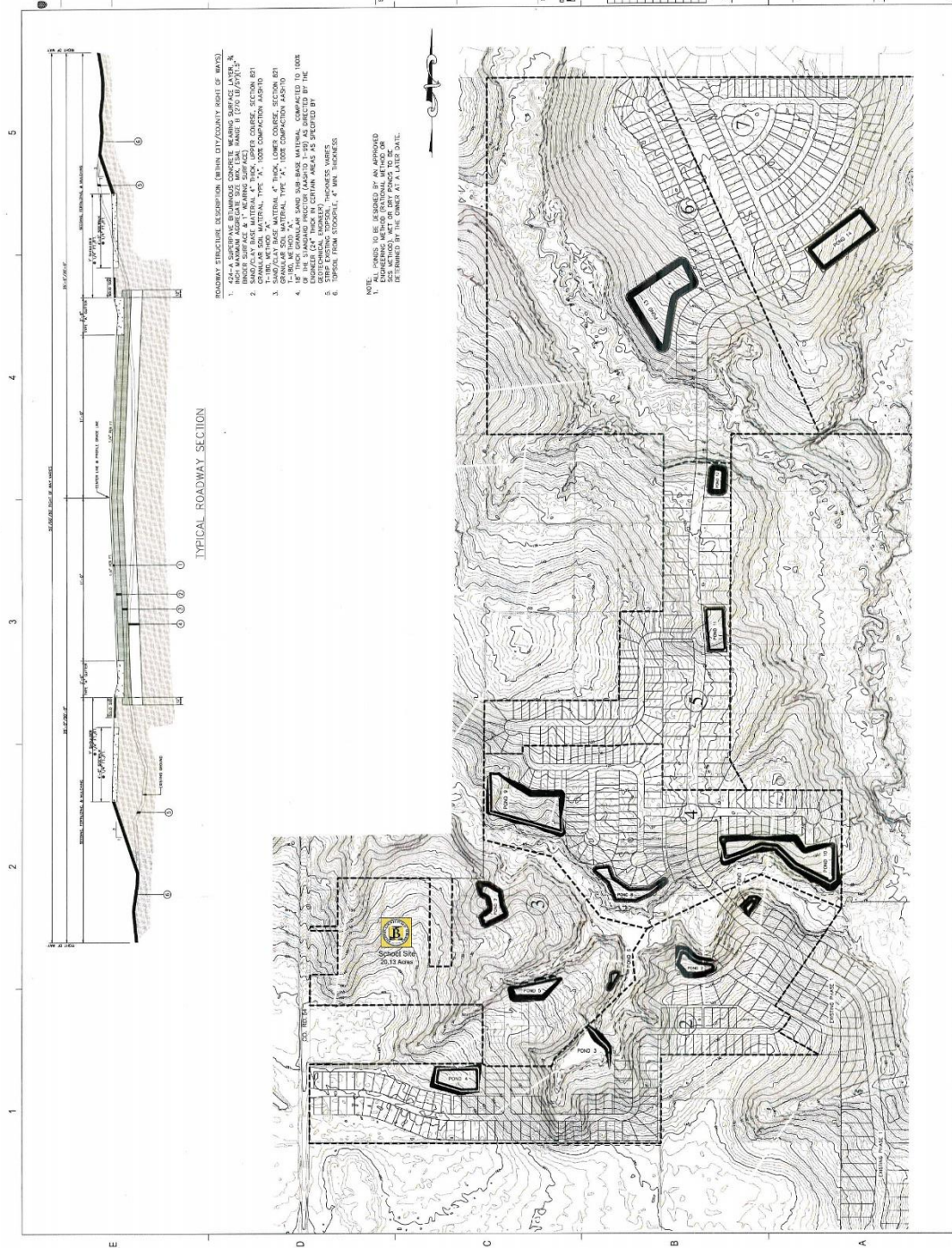
[illegible]

DATE	DATE
DESIGNATION	DATE
REVISIONS	
DRAWN BY	DATE
APPROVED BY	DATE
CHECKED BY	DATE
DATE	DATE

OVERALL DRAINAGE
PLAN[illegible]

ODP

COPYRIGHT

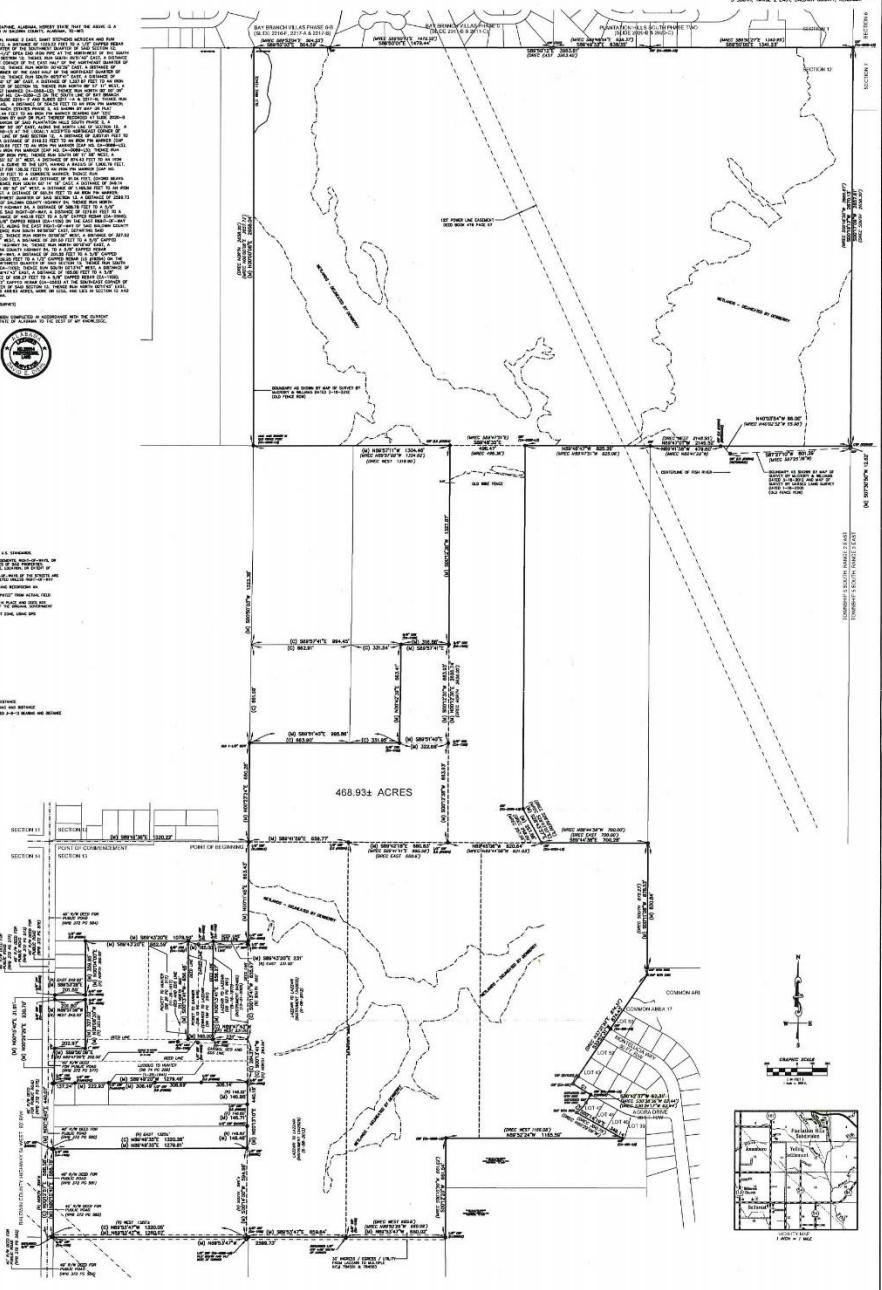


NOTICE TO THE PUBLIC

THIS IS A PRELIMINARY SURVEY MAP AND THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

NOTICE TO THE PUBLIC

THIS IS A PRELIMINARY SURVEY MAP AND THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE.



LEGEND

1. BOUNDARY LINE

2. EASEMENT

3. RIGHT-OF-WAY

4. WATER

5. ROAD

6. FENCE

7. UTILITY

8. OTHER

DATE	BY	FOR	REMARKS
10/1/2010	J. D. DUBOIS	DEVELOPMENT	INITIAL SURVEY
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 1
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 2
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 3
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 4
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 5
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 6
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 7
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 8
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 9
10/1/2010	J. D. DUBOIS	DEVELOPMENT	REVISION 10

PROPERTY BOUNDARY SURVEY

Dewberry

3000 Boulevard, Suite 200, Dallas, TX 75201

TEL: 214.444.4444 FAX: 214.444.4444

PROJECT NARRATIVE FOR THE RESERVE AT DAPHNE, A PLANNED RESIDENTIAL DEVELOPMENT

June 12, 2018

The Reserve at Daphne, a Planned Residential Development (PRD), is a proposed 470 acre subdivision located in Sections 12 and 13, Township 5 South, Range 2 East, Baldwin County, Alabama. More specifically, it is located immediately north of and is a continuation of The Reserve at Daphne Phase One Subdivision, which is located on the north side of County Road 64. It extends to the north and borders the south side of Plantation Hills and Bay Branch Villas, which are located south of US Highway 90. A portion of the PRD fronts on County Road 54 to the west and partially borders or is near to Fish River on the east. The site is located in Baldwin County Zoning Districts 15 and 28 and unzoned District 7. The portions located in Districts 15 and 28 are presently zoned RA, except for a portion recently (August, 2017) rezoned to RSF-2. A rezoning application has been submitted requesting RSF-2 zoning for all of the properties located within the PRD in Districts 15 and 28.

This is a proposed single family development consisting of 618 lots at a density of 1.31 units per acre. There are 238 lots proposed at 52' x 125' (6,500 s.f.) and 292 lots at 60'x135' (8,100 s.f.) and 88 lots at 100'x150' (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 story. 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 consist of a 17.78 acre (3.8%) school site, 97.76 acres (20.8%) of wetlands, 108.63 acres (23.1%) of passive open space, and 57.54 acres (12.3%) of active open space. These total 281.71 acres or 59.9% 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 all be located in and designated as common areas. These will be owned and maintained by the property owners association.

Access to this development is by way of the existing roadway to the south, Montelucia Way, in The Reserve at Daphne Phase One which connects to County Road 64. An additional connection will be to the west at County Road 54, which will be part of the Phase 2 development. The proposed school site has frontage and access on County Road 54 and will also have access to the proposed development on the east side of the school site.

All roadways will be designed in accordance to the standards shown on the attached typical roadway section. The roadways are proposed to be public and maintained by Baldwin County. Sidewalks will be constructed on both sides of all roadways and are to be ADA compliant. Sidewalks adjacent to common areas will be installed by the

developer during the construction of the infrastructure for each phase of development. All other sidewalks will be bonded and installed by the home builder at the time of house construction. The bond would be for a 2 year period with an option to extend for 2 more years.

All utilities will be constructed underground and in accordance to the standards of the respective utility companies. The stormwater management system will be designed in accordance with the Baldwin County design standards. All stormwater drainage features located outside of the County right-of-ways will be maintained by the property owners association.

A preliminary landscape plan has been provided with this PRD application. Final landscape plans will be provided as part of the subdivision submittal process for each phase. The required landscaping will be provided in the common areas and installed during construction of the infrastructure adjacent to those common areas.

The existing Covenants and Restrictions for the Reserve at Daphne Phase One will be revised to add each phase of the PRD development as such phase is completed. These revisions will insure that the drainage infrastructure outside of public roadways and common areas will be maintained.

The proposed PRD property owners will be allowed to use the amenities located in Phase One and will also share in the maintenance responsibilities for those facilities. Likewise the property owners in Phase One will have access to and use of the passive/recreational areas in the PRD. The developer reserves the right, in the future, to revise common areas/passive and recreation areas to add any of the following: swimming pools, tennis courts, playgrounds, ball fields, lawn game fields, linear park, public parks, etc.

There are seven phases of development proposed to complete the overall PRD. Upon approval of the PRD by the County Commission, plans are to immediately seek approval of and begin construction on Phase Two. Even though future Phase construction will be market driven, the plans at this time would be to begin construction on each subsequent Phase every two to three years.