

ORDINANCE NO. 1764

**AN ORDINANCE AMENDING ORDINANCE NO. 1253
KNOWN AS THE ZONING ORDINANCE, AND AMENDING
ORDINANCE NO. 1664 AND 1708**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA as follows:

Whereas, the ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below and known as the Klumpp PUD;

Whereas, after the appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama, forwarded a **favorable** recommendation for Ordinance No. 1664 on November 25, 2019, to establish the Klumpp PUD; and to further amend the Klumpp PUD with Ordinance No. 1708 on April 26, 2021; and

Now Therefore, the Planning Commission of the City of Fairhope, Alabama, has forwarded a **favorable** recommendation to amend the Klumpp PUD.

The property of Gayfer Village Partners, Inc. generally located on the west side of State Hwy. 181 between Gayfer Road and Fairhope Avenue, Fairhope, Alabama.

KLUMPP PUD (2nd) AMENDMENT

PPIN #: 24160, 236701 and 316793

Legal Description: (Case number ZC 22.04)

COMMENCE AT A RAILROAD SPIKE AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE WEST, ALONG THE NORTH LINE OF SAID SECTION 15 1320.55 FEET TO A POINT; RUN THENCE SOUTH 00-22-18 WEST, 29.73 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAYFER AVENUE FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED, SAID POINT BEING THE NORTHEAST CORNER OF "WHITE GROVE SUBDIVISION, UNIT TWO" AS RECORDED ON SLIDE 1344-B IN THE BALDWIN COUNTY PROBATE RECORDS, CONTINUE THENCE SOUTH 00-22-18 WEST, ALONG THE EAST LINE OF SAID SUBDIVISION, 1298.08 FEET TO A CAPPED REBAR MARKER AT THE SOUTHEAST CORNER OF SAID SUBDIVISION; RUN THENCE SOUTH 00-56-09 WEST, 1297.18 FEET TO A CAPPED REBAR MARKER ON THE NORTH RIGHT-OF-WAY LINE OF FAIRHOPE AVENUE; RUN THENCE SOUTH 89-55-36 EAST, ALONG SAID RIGHT-OF-WAY LINE, 1178.82 FEET TO A CAPPED REBAR MARKER; RUN THENCE NORTH 45-24-21 EAST, 132.28 FEET TO A CAPPED REBAR MARKER ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 27; RUN THENCE NORTH 00-44-18 EAST, ALONG SAID WEST RIGHT OF WAY LINE, 229.22 FEET TO A CAPPED REBAR MARKER; THENCE CONTINUE NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY, 107.86 FEET TO A CAPPED REBAR MARKER; THENCE RUN NORTH 04-44-33 EAST, ALONG SAID RIGHT-OF-WAY, 100.24 FEET TO A CAPPED REBAR MARKER; THENCE RUN NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY, 433.00 FEET TO A CAPPED REBAR MARKER; RUN THENCE NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY LINE, 1562.96 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAYFER AVENUE; RUN THENCE SOUTH 89-57-26 WEST, ALONG SAID RIGHT-OF-WAY LINE, 1282.66 FEET TO THE POINT OF BEGINNING; CONTAINING 75.93 ACRES, MORE OR LESS.

1. **That**, attached as "Exhibit A" is an approved site plan. The property must develop in substantial conformance with the approved site plan and supporting documents. Any substantial deviation from the attached site plan, as determined by the Director of Planning, will require re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama, as a PUD amendment.
2. **That**, the following amendments have been made to the PUD:

Ordinance No. 1764

Page -2-

The layout of the roads were revised to provide connectivity to Gayfer Avenue Extension as shown on Exhibit A attached hereto.

UNIT 1:

Lots: The lot count remains the same. The lot layout has been amended as shown on Exhibit A attached hereto.

UNIT 2:

Acreage: Unit 2 was reduced from 41.03 acres to 40.76 acres as shown on Exhibit A attached hereto.

UNIT 3:

Lots: There shall be two (2) lots.

Site Plan Review: A stand-alone Site Plan Review shall be required for Lot 1.

Use:

- The use of Lot 1 shall be restricted to convalescent, nursing, or assisted living.
- Lot 2 is intended only for constructed wetlands; no buildings are proposed on Lot 2 within this PUD Amendment.

Dimension Standards: The setbacks, building height, and lot coverage for Lot 1 shall be per the R-3 requirement. The R-3 minimum lot width shall not apply, and the lot dimension shall be as shown on Exhibit A attached hereto.

The Planned Unit Development (PUD) known as Klumpp PUD is hereby amended. This Klumpp PUD (2nd) Amendment supersedes all prior Klumpp PUDs and any terms within prior PUDs that have not been hereby amended remain in full force and effect. It shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of the City of Fairhope and that any structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

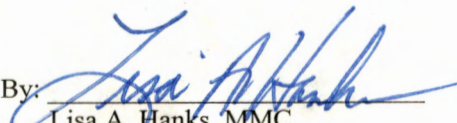
Severability Clause - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

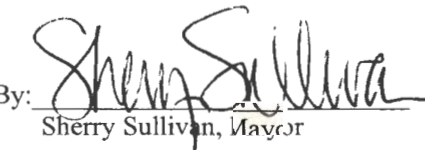
ADOPTED AND APPROVED THIS 12TH DAY OF DECEMBER, 2022

By: 
Gary Robinson, Council President

Attest:

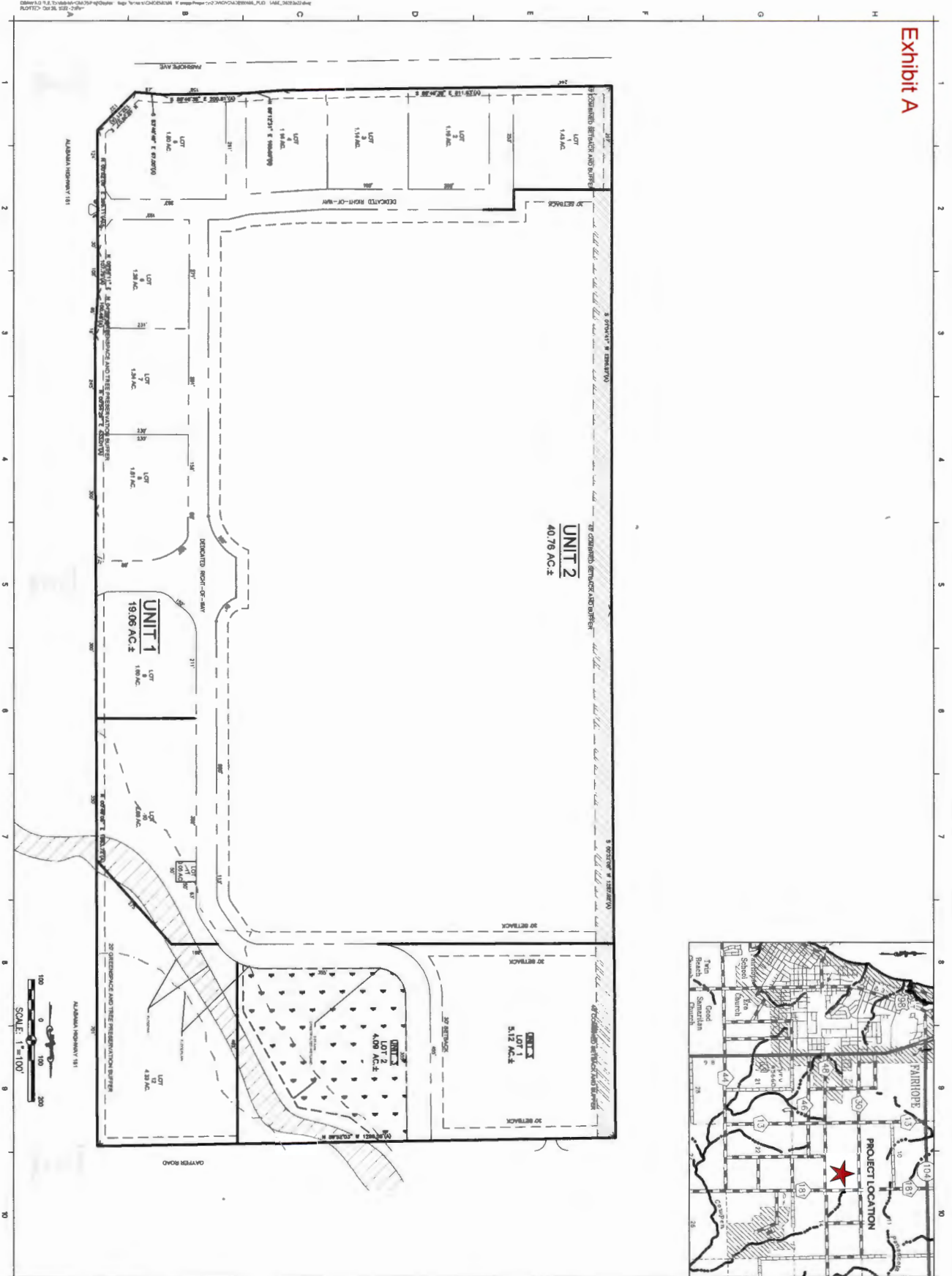
By: 
Lisa A. Hanks, MMC
City Clerk

ADOPTED AND APPROVED THIS 12TH DAY OF DECEMBER, 2022

By: 
Sherry Sullivan, Mayor

Ord. No. 1764 Published in
FAIRHOPE COURIER
on Wednesday, December 21, 2022

City Clerk



OVERALL SITE PLAN

SCALE: 1"=100'

C1.01

Sheet 1 of 4

KLUMPP PARCEL
PROPOSED DEVELOPMENT
FAIRHOPE, ALABAMA

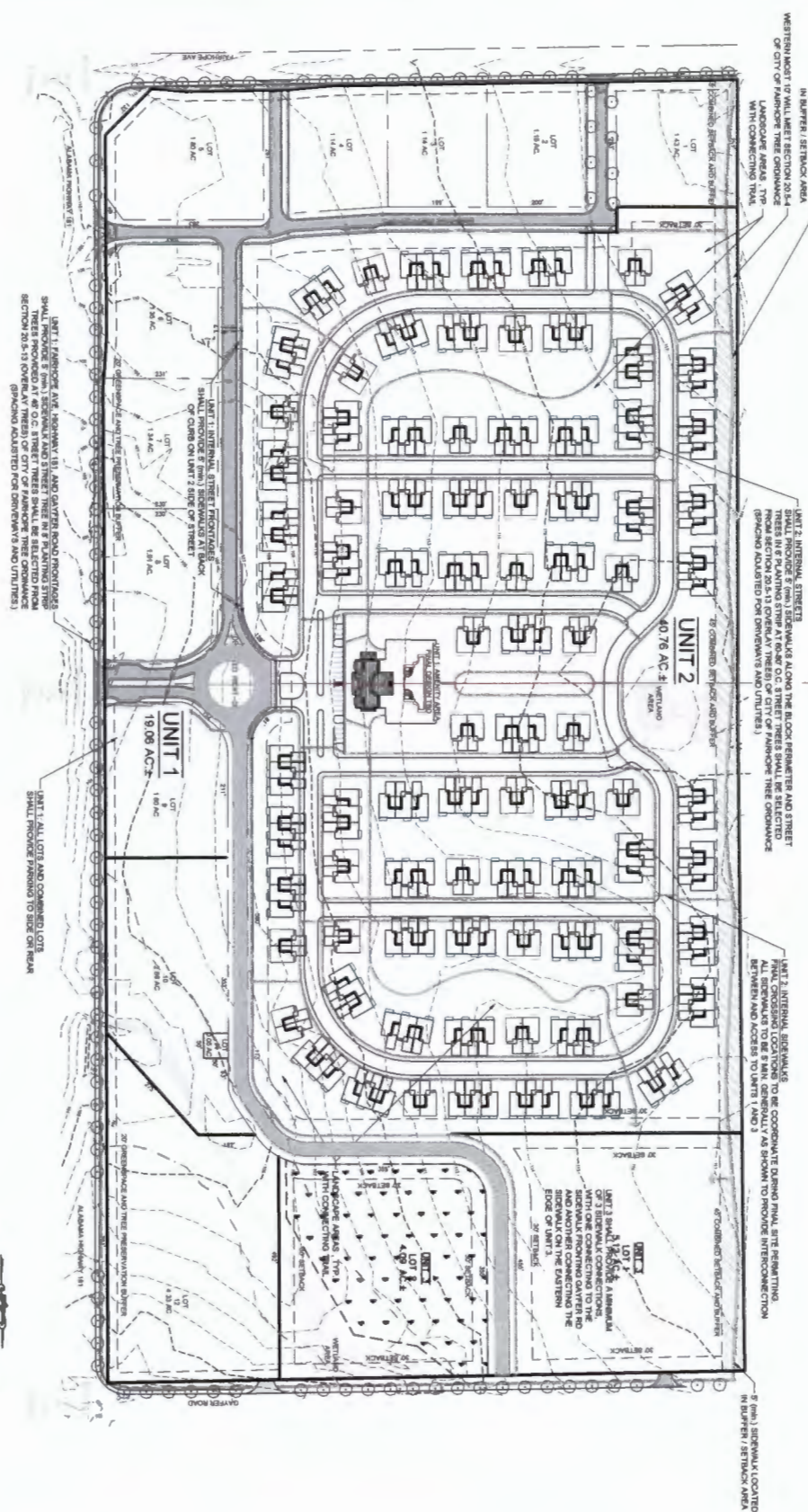
17 OCTOBER, 2023

DRAWN BY:
CHECKED BY:

GMCProject: CMO8190186

2039 Main Street
Daphne, AL 36528
T 251.626.2626
GM.NETWORK.COM





OVERALL SITE PLAN
 SCALE: 1"=100'
 C2.01
 SHEET 2 of 4

KLUMPP PARCEL
 PROPOSED DEVELOPMENT
 FAIRHOPE, ALABAMA

17 OCTOBER, 2022

DRAWN BY:
 CHECKED BY:

2039 Main Street
 Daphne, AL 36526
 T 251.626.2826
 GMCNETWORK.COM



GMCProject: CMOB190186

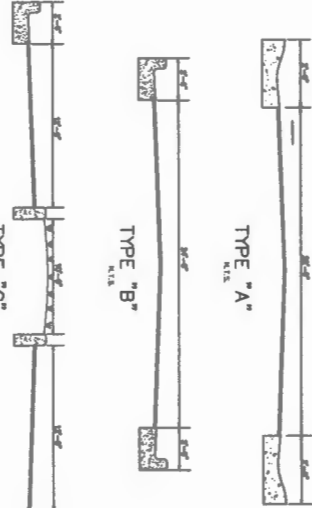
Exhibit A

PROPERTY DESCRIPTION:
STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCE AT A BALDWIN SPINE AT THE NORTH-EAST CORNER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE WEST, ALONG THE NORTH LINE OF SAID SECTION 15 120.55 FEET TO A POINT; RUN THENCE SOUTH 00-23-18 WEST, 20.72 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAYLER AVENUE FOR THE POINT OF BEGINNING OF THE PROPERTY; HENCE DEPARTED, SAID POINT BEING THE NORTH-EAST CORNER OF SAID SECTION 15, RUN THENCE SOUTH 00-23-18 WEST, 110.21 FEET TO THE BALDWIN COUNTY PROPERTY RECORDS; CONTINUE THENCE SOUTH 00-23-18 WEST, ALONG THE EAST LINE OF SAID SUBDIVISION, 709.08 FEET TO A CAPPED REBAR MARKER AT THE SOUTH-EAST CORNER OF SAID SUBDIVISION; RUN THENCE SOUTH 00-48-08 WEST, 1297.18 FEET TO A CAPPED REBAR MARKER ON THE NORTH RIGHT-OF-WAY LINE OF FAIRHOPE AVENUE; RUN THENCE SOUTH 88-45-38 EAST, ALONG SAID RIGHT-OF-WAY LINE, 1178.82 FEET TO A CAPPED REBAR MARKER ON THE WEST LINE OF SAID RIGHT-OF-WAY LINE; RUN THENCE SOUTH 89-28 WEST, 1502.88 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAYLER AVENUE; RUN THENCE SOUTH 89-28 WEST, ALONG SAID RIGHT-OF-WAY LINE, 1289.88 FEET TO THE POINT OF BEGINNING, CONTAINING 73.89 ACRES, MORE OR LESS.

NOTES

1. Dimensions, utility and easement requirements will be provided and recorded as shown on the site plan and subdivision approval.
2. Each lot of each unit must provide and maintain positive drainage for adjacent properties that may be abutting onto it.
3. Subdivision (Per 5' width) within the public right-of-way as shown on C3.011 will be required to be provided for all lots of each unit.
4. In order to achieve a cohesive site design, a residential development in Unit 2, shall provide a minimum of 2' of finished grade on the street, with the exception of buildings inspected by utility location, lighting, or building located along corners, or curves in the street which shall be consistent with the standards set forth in Part 2; All building facade materials shall be consistent of the materials set in precedent. By the 1st city plan development submitted.
5. Subsequent landscaping may vary in materials providing grass or equal alternatives to the standards set forth in Part 2.
6. All trees and landscape material will be provided as listed in local landscape Commission and City Council.
7. All trees and landscape material shall be coordinated with the City Urban Forestry or arborist.



TYPICAL ROAD SECTIONS

NOTES

- a. The zoning dimensions for Unit 2, Lot 1 are modeled after, but not identical to, the zoning requirements for R-3 found in the Fairhope Zoning Ordinance. The following exceptions apply:
 1. The minimum lot width shall not apply.
 2. Total number of allowed units is 233.
- b. The requirements for Unit 3, Lots 1 and 2, are modeled after, but not identical to, the zoning requirements for R-3 found in the Fairhope Zoning Ordinance.
 1. The minimum lot width shall not apply. The lot dimensions shall be as shown on the PUD drawing.
 2. No buildings are proposed for Unit 3, Lot 1 within the PUD.
 3. Each lot in Unit 1 shall provide its own stormwater control and detention.
- c. All commercial lots should follow the guidance of the TIS. Any projects exceeding the projections in the submitted TIS may require additional road improvements.
- d. The PUD document, along with the City of Fairhope's Ordinances, Regulations, and review processes will provide a development that complies with the City's Comprehensive Plan.

TABLE 2

| UNIT AND RIGHT-OF-WAY ACREAGE | ACREAGE EXCLUDING R.O.W. | ACREAGE OF R.O.W. |
|-------------------------------|--------------------------|-------------------|
| UNIT 1 | 10.50 | 5.28 |
| UNIT 2 | 40.76 | |
| UNIT 3 | 9.21 | 1.18 |
| TOTAL SITE | 69.47 | 6.46 |

Owner: Gyffer Vance Partners, LLC

| UNIT | LOT | PROPOSED ZONING | ALLOWED ZONING | DEVELOPER AND CONSULTANT | REASON | COMPLIANCE WITH | REVIEWER P.U.D. COMMENTS | CITY OF FAIRHOPE SPECIFIC PROCESS |
|------|--------|-----------------|----------------|--------------------------|---|-----------------|--------------------------|--|
| 1 | 1-1, 2 | R-3 | R-3 | None | Complies with the Fairhope Zoning Ordinance | Yes | | In accordance with Article 11 - Procedures of the Fairhope Zoning Ordinance, the following steps shall be followed for this proposal: 1) Pre-application meeting with Planning Commission to discuss the proposal. 2) Submission of the application to the Planning Commission. 3) Public hearing on the application. 4) Final decision by City Council. |
| 2 | 1 | R-3 | R-3 | None | Complies with the Fairhope Zoning Ordinance | Yes | | In accordance with Article 11 - Procedures of the Fairhope Zoning Ordinance, the following steps shall be followed for this proposal: 1) Pre-application meeting with Planning Commission to discuss the proposal. 2) Submission of the application to the Planning Commission. 3) Public hearing on the application. 4) Final decision by City Council. |
| 3 | 2 | R-3 | R-3 | None | Complies with the Fairhope Zoning Ordinance | Yes | | In accordance with Article 11 - Procedures of the Fairhope Zoning Ordinance, the following steps shall be followed for this proposal: 1) Pre-application meeting with Planning Commission to discuss the proposal. 2) Submission of the application to the Planning Commission. 3) Public hearing on the application. 4) Final decision by City Council. |

NOTES
NO SCALE
C3.01
Sheet 4 of 4

KLUMPP PARCEL
PROPOSED DEVELOPMENT
FAIRHOPE, ALABAMA
GMCProject: CMOI#190186

17 OCTOBER, 2023
DRAWN BY:
CHECKED BY:

2039 Main Street
Daphne, AL 36526
T 251.626.2626
GMCNETWORK.COM





OVERALL SITE PLAN
SCALE: 1"=100'
C2.01
Sheet 2 of 4

KLUMPP PARCEL
PROPOSED DEVELOPMENT
FAIRHOPE, ALABAMA

21 MARCH 2022
REVISED 03-15-2022
DESIGN BY: JAY DAM
CHECKED BY:

2039 Main Street
Daphne, AL 36528
T 251.626.2828
@GMCSTWORX.COM



GMCProject: CMO8190186

MEMORANDUM

DATE: November 28, 2022
TO: Fairhope City Council
FROM: Hunter Simmons, Planning Director
RE: Klumpp PUD (ZC 22.04)

A Public Hearing was held during the June 6, 2022 Fairhope Planning Commission (“Commission”) for an amendment to the Klumpp PUD. In essence, the reasoning for this amendment focused on a proposed road that crossed the upper Cowpen Creek watershed and ultimately connected to US HWY 181. After multiple permits were submitted to the USACE, the Applicant instead asked to amend the PUD to remove the proposed road.

The staff report presented to the Planning Commission is attached for your convenience. Staff reviewed the request and made a recommendation to the Planning Commission to approved Case ZC 22.04 with the following conditions:

1. A new application for preliminary plat is submitted to Planning Commission for approval making case SD 21.33 null and void.
2. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
3. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
4. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
5. A 20’ greenspace and tree preservation strip shall be provided along Hwy 181.
6. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approved during MOP/Site Plan Review.
7. Construction of sidewalks shall be done at the time of development of the internal roadways.

The Planning Commission unanimously recommended approval of ZC 22.04, subject to staff recommendations. They also added the following condition.

8. Revision of the site plan to allow a connection to Gayfer Avenue through Unit 3.

The Applicant submitted revised plans and provided the requested connection to Gayfer Ave Ext., through Unit 3. In summary, the following changes to the PUD are being proposed to accommodate the new road.

- One street connection was removed to Hwy 181, but a new connection was added to Gayfer Ave Ext.
- Unit 1, layout of Lots 9-12 received minor changes to accommodate the new road.
- Unit 2, Lot 1 was reduced in size from 41.03 acres to 40.76 acres to accommodate the new road.
- Unit 3 was split into two lots.
 - Unit 3, Lot 1 is still limited in use as convalescent, nursing, or assisted living home, but the acreage changed from 10.63 acres to 5.12 acres.
 - Unit 3, Lot 2 consists of entirely constructed wetlands.

Being a PUD, further development of the subject property must develop in substantial conformance with the approved plans. The revised plans, included as Exhibit A, meet the requirements set forth in Condition 8 above. Consequently, this PUD amendment (Case 22.04) is being forwarded to the City Council with recommendations of approval from staff, as well as a unanimous recommendation of approval from the Planning Commission with the following conditions:

1. A new application for preliminary plat is submitted to Planning Commission for approval making case SD 21.33 null and void.
2. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
3. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
4. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
5. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
6. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approved during MOP/Site Plan Review.
7. Construction of sidewalks shall be done at the time of development of the internal roadways.

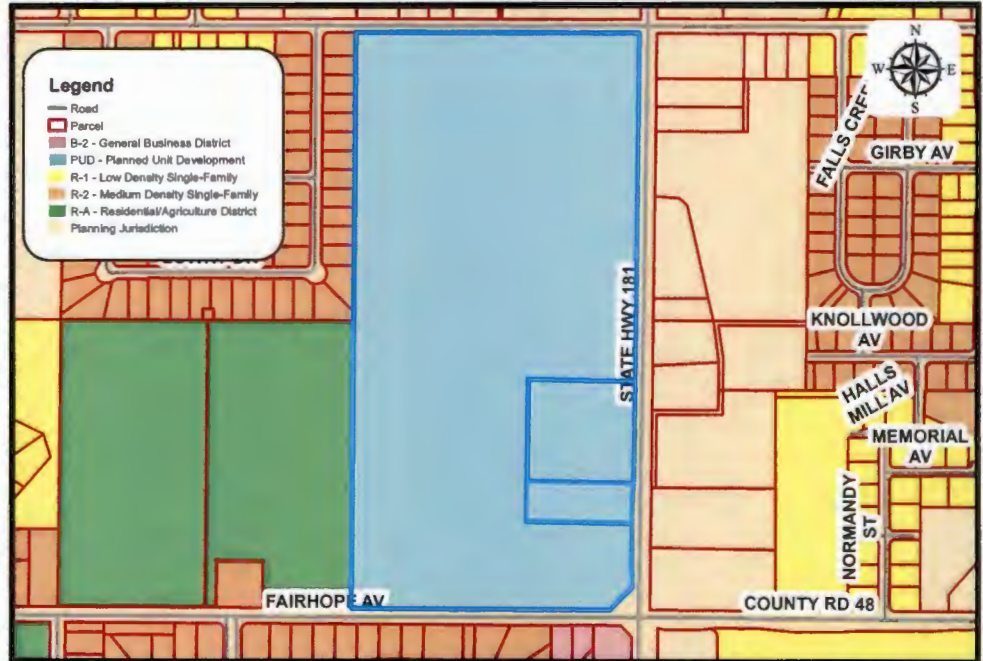
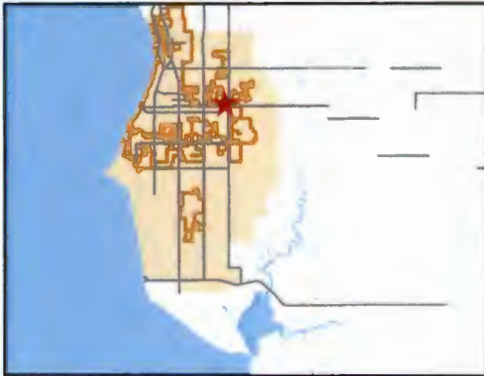
City of Fairhope Planning Commission

June 6, 2022



The Planning Commission unanimously (7 Ayes, 0 Nays) voted to recommend approval of ZC 22.04

ZC 22.04 - Klumpp PUD Amendment



| | |
|----------------------------|---|
| Project Name: | Klumpp PUD |
| Site Data: | 75.85 acres |
| Project Type: | PUD Amendment |
| Jurisdiction: | Fairhope Planning Jurisdiction |
| Zoning District: | PUD |
| PPIN Number: | 24160, 316793, 236701 |
| General Location: | Northwest intersection of State Highway 181 and Fairhope Avenue |
| Surveyor of Record: | Goodwyn Mills Cawood |
| Engineer of Record: | Goodwyn Mills Cawood |
| Owner / Developer: | GAYFER VILLAGE PARTNERS L L C |
| School District: | Fairhope Elementary School Fairhope Middle and High School |
| Recommendation: | Approve with Conditions |
| Prepared by: | Mike Jeffries |



Application was submitted using new online submittal portal. Image of online application below.

PERMIT PROJECT
FILE #: 22-000724
9948 GAYFER RD FAIRHOPE AL 36532
(ZC 22.04)KUMPP PARCEL MIXED USE DEVELOPMENT

PERMITS | REVIEWS | INSPECTIONS | DOCUMENTS | CONTACTS | ACTIVITIES | NOTES | FILE

PERMIT #: ZCP23-000001

Permit Type
Zoning Change for PUD

Subtype
General

Work Description:
(ZC22.04)Kumpp Parcel Mixed Use Development

Applicant
Goodwyn, Mills and Cewood - Jeremy Sasser

Status
Under Review

Valuation
0.00

Is this for multiple parcels?
Yes

FEEES & PAYMENTS

| | |
|-----------------|----------|
| Plan Check Fees | 0.00 |
| Permit Fees | 1,020.00 |
| Total Amount | 1,020.00 |
| Amount Paid | 0.00 |
| Balance Due | 1,020.00 |
| Non-Billable | |

PERMIT DATES

Application Date
03/22/2022

Approval Date

Issue Date:

Expiration Date:

Close Date
03/24/2022

Last Inspection

LIST ADDITIONAL PARCELS

PARCEL NUMBER
05-46-05-15-0-000-001.003

Summary of Request:

Public hearing to consider the request of the Applicant, Goodwin, Mills, Cawood, LLC, on behalf of the Owner, Gayfer Village Partners, to amend the existing PUD (Planned Unit Development) for Klumpp PUD. Klumpp PUD was originally adopted by City Council on November 25, 2019 and amended April 26, 2021. The property is approximately 75.85 acres and is located on the west side of State Highway 181 between Gayfer Road Ext. and County Road 48.

Comments:

The main reason for the currently proposed PUD amendment is to remove a portion of road through wetlands, providing connectivity between Units 1 and Unit 3 and an optional ingress/egress to Hwy 181, as illustrated on the following plans.

Figure 1 below is the existing (approved) site plan. The area circled in red emphasizes the area revisions are proposed. As seen in Figure 2, the proposed road ends at commercial lot 10. Since our last review of this project, the applicant has worked with the Corps of Engineers with potential designs for a road within both the natural wetlands and the constructed wetlands. Ultimately, they now request not to install the road.

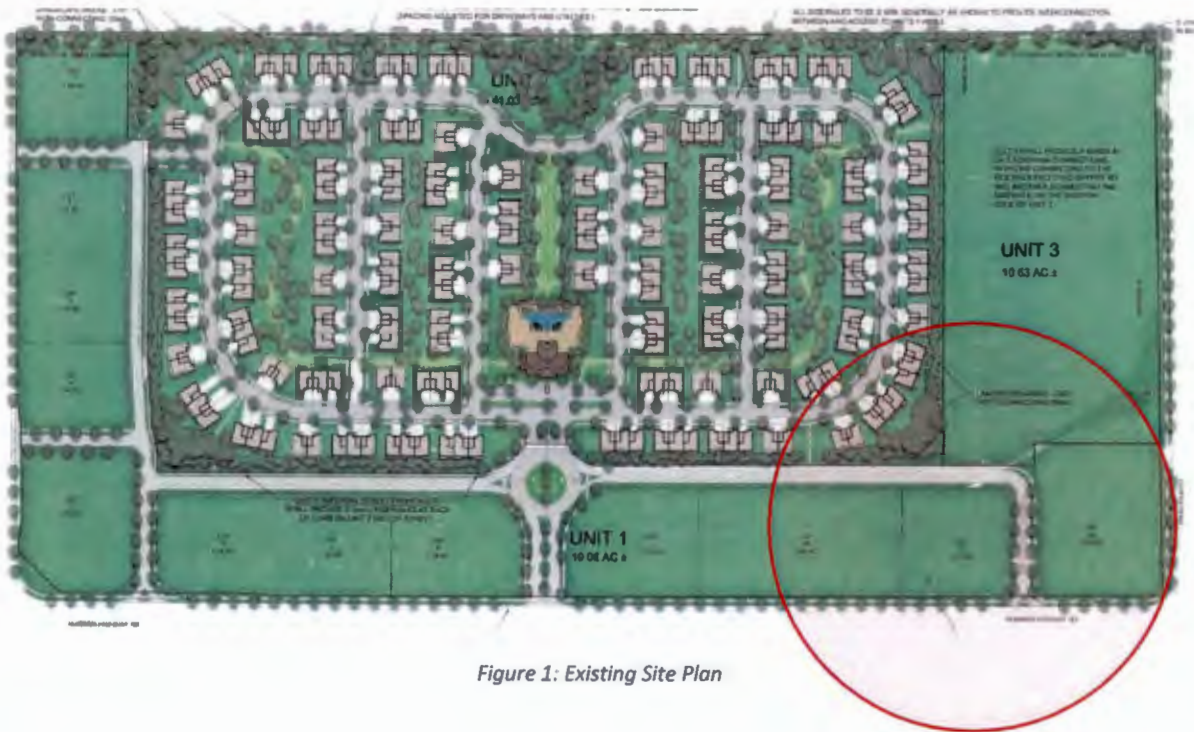


Figure 1: Existing Site Plan



Figure 2: Proposed Site Plan

The requested amendment is not changing any uses or previous conditions of the approved PUD. The only change is in the design of the road, which prompted different lot shapes and sizes for lots 10, 11, and 12; and a slight reduction in size of Unit 3 from 10.63 acres to 10.39 acres. The existing lot layout is shown in Figure 3 below. The proposed changes to the lots are illustrated in Figure 4.

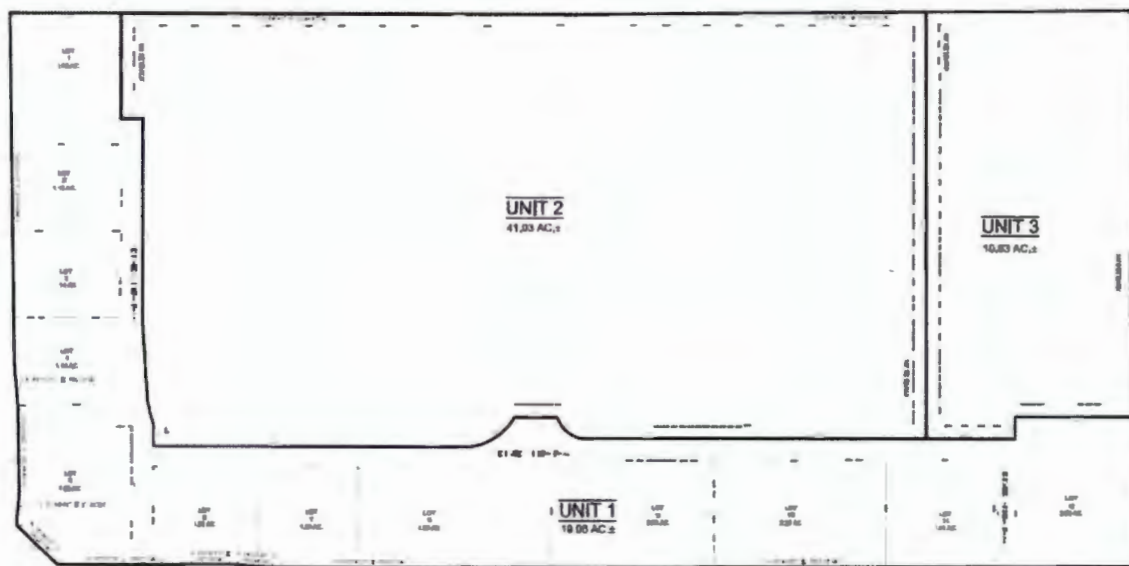


Figure 3: Existing Lot Layout

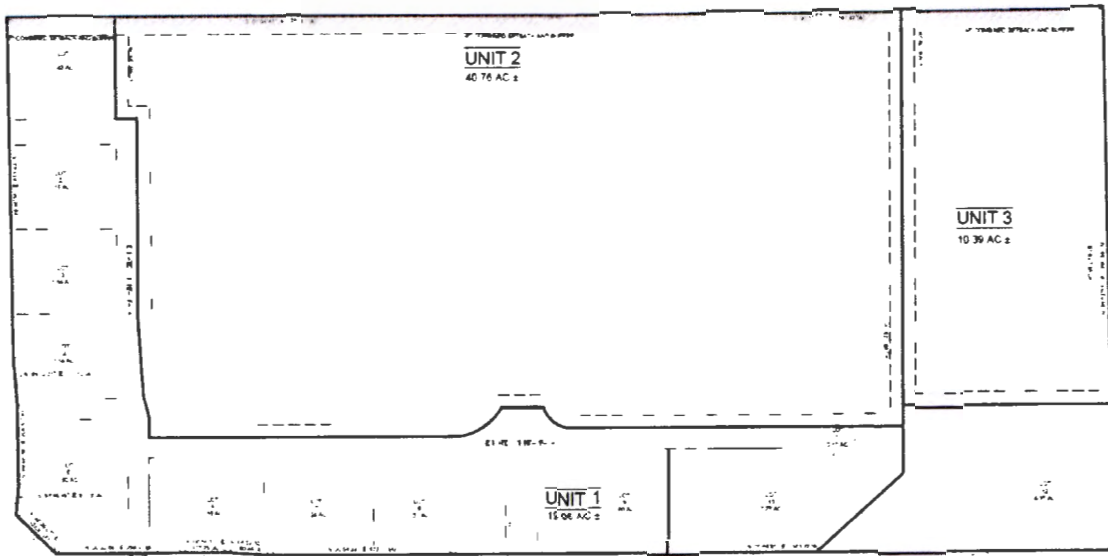


Figure 4: Proposed Lot Layout

As proposed, lot 12 will require ingress/egress from either Gayfer Ave or Hwy 181. Unit 3 will only have access from Gayfer Ave. Uses within Unit 3 are limited to convalescent, nursing, or assisted living home. With the proliferation of low-speed vehicles, i.e. 'golf carts', and considering connectivity to Unit 3 has been reduced, staff would like to see a solution in the preliminary plat that would allow residents of Unit 3 to access the commercial lots with a low-speed vehicle. One such option is to upgrade the trail on the west side of the property, but the Commission/Council may wish to discuss in more detail. Neither Fairhope Ave, Gayfer Ave, nor Hwy 181 are safe alternatives for low-speed vehicles.

The existing PUD has preliminary plat approval (Case SD 21.33). At this time, staff cannot determine what technical changes the proposed amendment may require. At a minimum, utilities will require alterations, but that may extend into added length of turn lanes, potential alterations to drainage, sidewalks, and/or greenspace. Consequently, the proposed changes will require a new preliminary plat review.

No other changes were proposed at this time. Therefore, those items approved within the review of the previous PUD amendment (Case ZC 20.10), and not mentioned in this review, still apply, including any conditions of approval.

A full copy of the staff report for Case ZC 20.10 is included in the packets. For reference, the conditions of approval for that case were:

1. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
2. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
3. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
4. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
5. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approve during MOP/Site Plan Review.
6. Construction of sidewalks shall be done at the time of development of the internal roadways.

Staff Recommendation:

Staff recommends conditional approval of Case ZC 22.04 Klumpp Planned Unit Development (PUD) amendment for PPIN's 236701, 24160, 316793 with the following conditions:

1. A new application for preliminary plat is submitted to Planning Commission for approval making case SD 21.33 null and void.
2. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
3. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
4. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
5. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
6. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approved during MOP/Site Plan Review.
7. Construction of sidewalks shall be done at the time of development of the internal roadways.
8. Revision of the site plan to allow a connection to Gayfer Avenue through Unit 3.



Goodwyn Mills Cawood

2009 Main Street
PO Box 1127
Cahoon, AL 36526

T (251) 626-2626
F (251) 626-8834

www.gmcnet.com

April 25, 2022

Mr. Hunter Simmons
City of Fairhope
Planning and Zoning Department
PO Drawer 429
Fairhope, Alabama 36533

RE: Klumpp PUD Amendment

Dear Hunter,

Please find the enclosed revised PUD document we are requesting to be placed on the June Planning Commission agenda. Also enclosed is a revised set of construction plans showing the revisions associated with the revisions to the PUD.

The changes we have made to the PUD are listed below:

1. We have stopped street B short of Cowpen creek and we are now showing a cul-de-sac south of the creek. After multiple permit submissions to the USACE it was apparent to us that they didn't want us to cross the creek with improvements.
2. This change has resulted in shifting the lot lines associated with Unit 1 Lots 10-12 and Unit 3 Lot 1. We are not creating any more new lots, we are simply shifting the lot lines to better align with the new road configuration.

The major changes made to the construction plans are listed below:

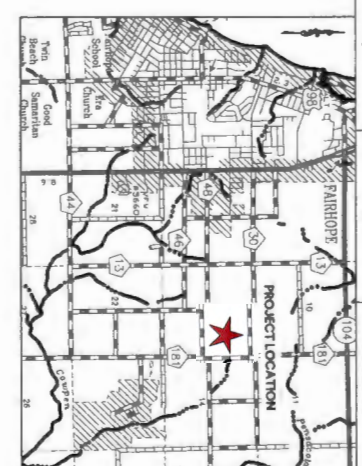
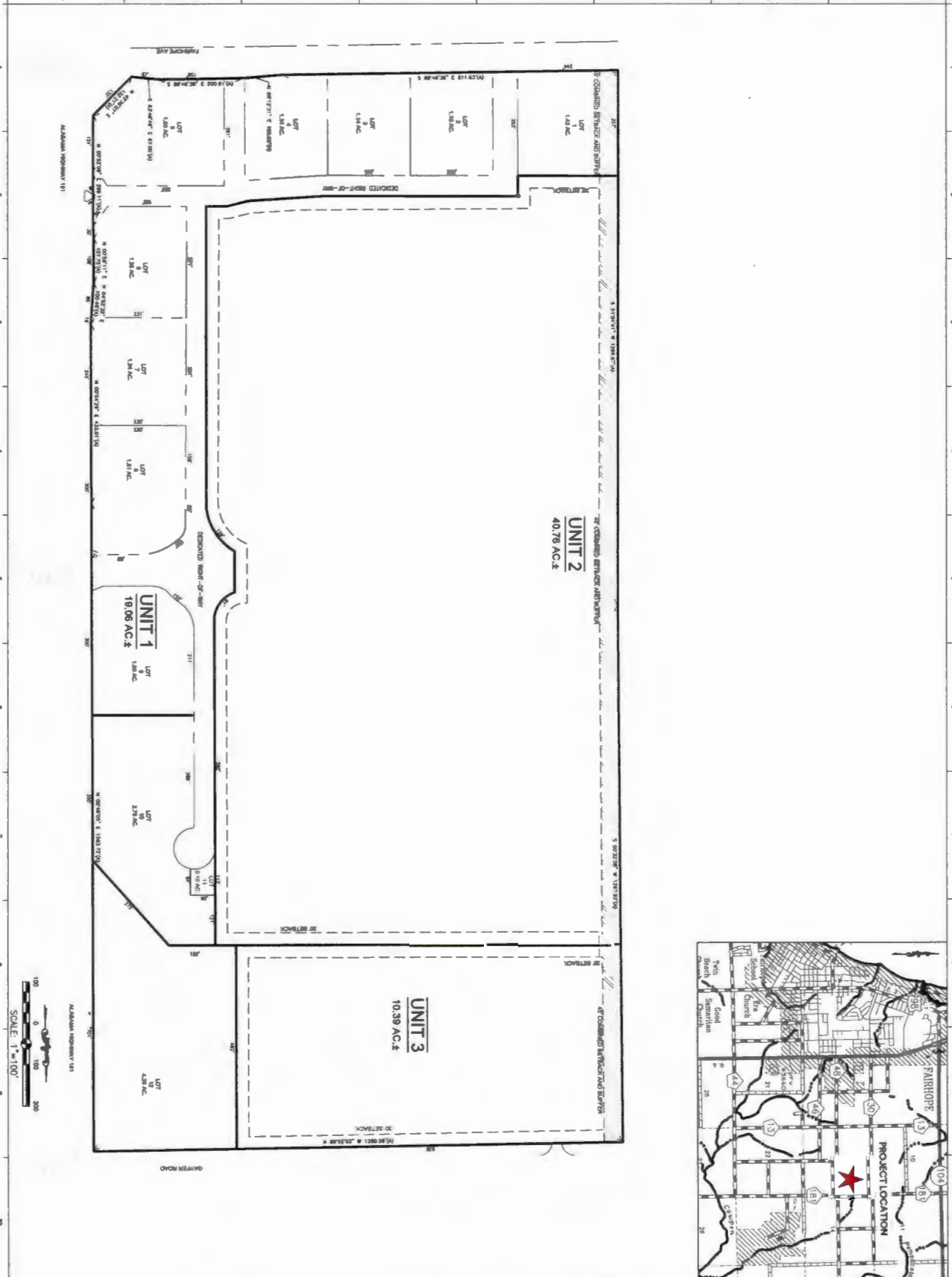
1. The road way was terminated south of Cowpen Creek and a roundabout is being shown. No work is being shown in the floodway associated with Cowpen Creek and therefore a No-Rise certification isn't required at this time.
2. The northern connection to HWY 181 has been removed.
3. The constructed wetlands has been moved to sit entirely on Unit 3 Lot 1.
4. The pump station has been relocated to Unit 1 Lot 11. At the time of project acceptance Lot 11 will be deeded over to the City of Fairhope.
5. A revised Master Drainage Plan has been attached reflecting the changes to the road and lot layout.

If you need any additional information or have any questions, please contact me at (251) 380-8750.

Sincerely,

GMC, LLC

Jeremy Sasser, P.E.
Project Manager



OVERALL SITE PLAN

SCALE: 1"=100'

C1.01

KLUMPP PARCEL
 PROPOSED DEVELOPMENT
 FAIRHOPE, ALABAMA

21 MARCH 2023

DRAWN BY: JRY/SAM
 CHECKED BY: _____

2039 Main Street
 Daphne, AL 36528
 T 251.628.2626
 GMCCONNECT.COM



GMCProject: CMOB190186



OVERALL SITE PLAN

SCALE: 1"=100'

C2.01

Sheet 2 of 4

KLUMPP PARCEL
 PROPOSED DEVELOPMENT
 PARCHOL, ALABAMA

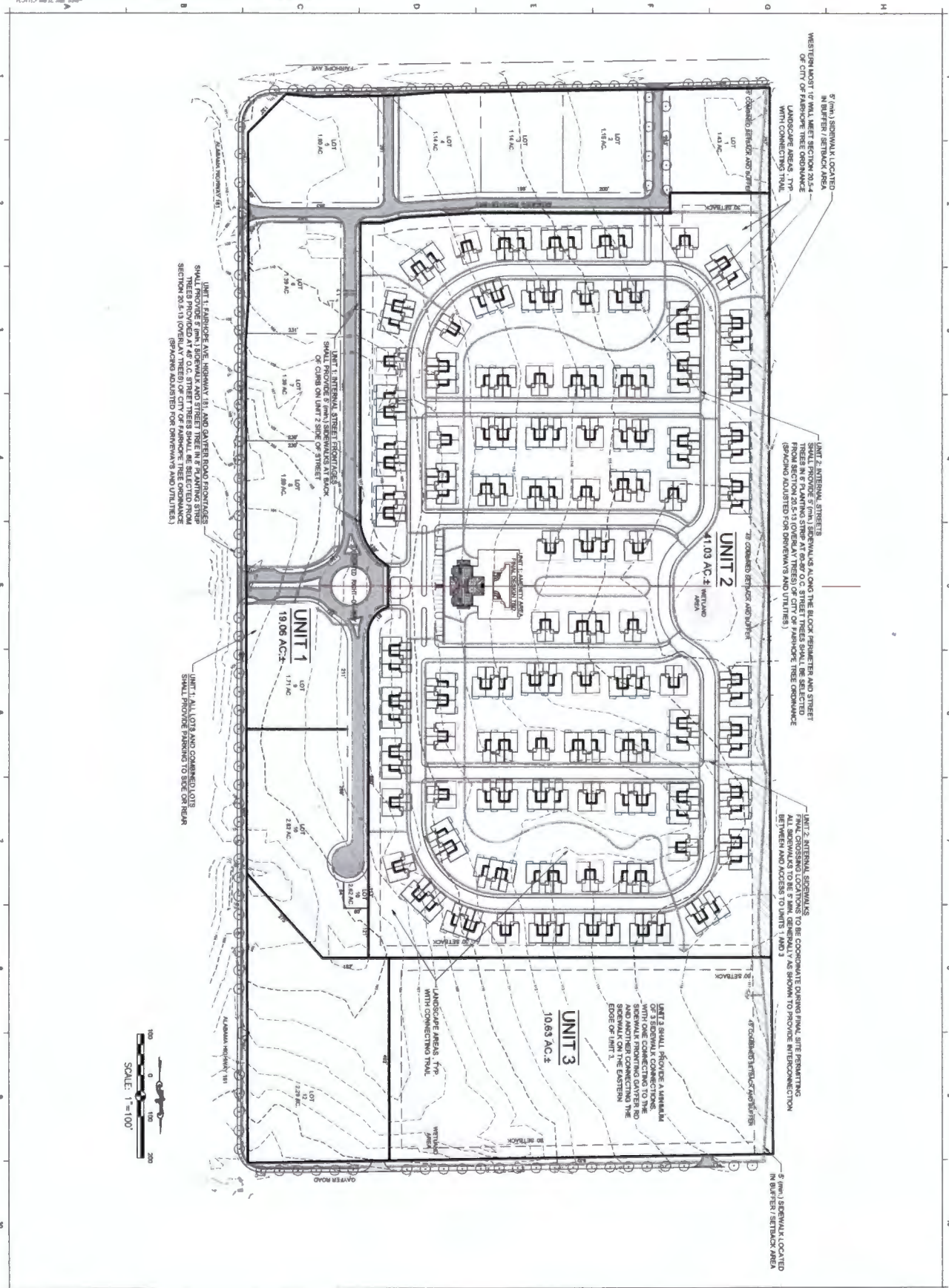
GMCProject: CMOB190186

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DRAWN BY: JAYLIND
 CHECKED BY:

3030 Main Street
 Daphne, AL 36526
 T 251.626.2636
 GNETWORK.COM





5' MIN. SIDEWALK LOCATED IN BUFFER / SETBACK AREA WESTERN MOST 1/2 WAY WEST SECTION 20.5-4 OF CITY OF FAIRHOPE TREE ORNANCE LANDSCAPE AREAS. TYP WITH CONNECTING TRAIL.

UNIT 2 INTERNAL STREETS TREES IN 8' PLANTING STRIP AT ROAD O.C. STREET TREES SHALL BE SELECTED FROM SECTION 20.5.1.9 (OVERLAYS TREES) OF CITY OF FAIRHOPE TREE ORNANCE (SPACING ADJUSTED FOR DIMENSIONS AND UTILITIES)

UNIT 2 INTERNAL SIDEWALKS TO BE COORDINATE DURING FINAL SITE PREPARING ALL SIDEWALKS TO BE 5' MIN. GENERALLY AS SHOWN TO PROVIDE INTERCONNECTION BETWEEN AND ACCESS TO UNITS 1 AND 2

5' MIN. SIDEWALK LOCATED IN BUFFER / SETBACK AREA

UNIT 1, FAIRHOPE AVE. UNITS 1 AND 2. OVERLAP FOOTPRINTS SHALL PROVIDE 5' MIN. SIDEWALK AND STREET TREE IN 8' PLANTING STRIP. TREES PROVIDED AT 4' O.C. STREET TREES SHALL BE SELECTED FROM SECTION 20.5.1.9 (OVERLAYS TREES) OF CITY OF FAIRHOPE TREE ORNANCE (SPACING ADJUSTED FOR DIMENSIONS AND UTILITIES)

UNIT 1, ALL LOTS AND COMBINED LOTS SHALL PROVIDE PARKING TO BE 5' MIN. BUFFER

UNIT 3 SHALL PROVIDE A MINIMUM OF 3 SIDEWALK CONNECTIONS TO ADJACENT LOTS AND ANOTHER SIDEWALK FRONTING GAVEN RD AND ANOTHER CONNECTING THE EDGE OF UNIT 1

LANDSCAPE AREAS. TYP. WITH CONNECTING TRAIL.

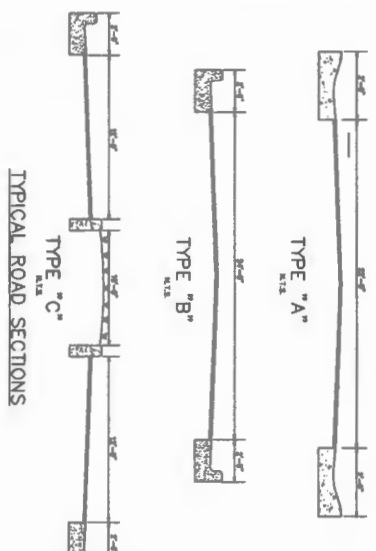


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| <p>OVERALL SITE PLAN</p> <p>SCALE: 1"=100'</p> <h2 style="margin: 0;">C2.01</h2> <p>Sheet 2 of 4</p> | <p>KLUMPP PARCEL PROPOSED DEVELOPMENT FAIRHOPE, ALABAMA</p> <p>GMCProject: CMOB190188</p> | <p>21 MARCH 2022</p> <hr/> <hr/> <hr/> <hr/> <hr/> <p><small>DRAWN BY: JAY SAM CHECKED BY:</small></p> <p>2039 Main Street Daphne, AL 36526 T 251.626.2626 GMCPNETWORK.COM</p> <div style="text-align: right; font-weight: bold; font-size: 2em;">GMC</div> |
|---|---|---|

PROPERTY DESCRIPTION:
 STATE OF ALABAMA
 COUNTY OF BALDWIN

COMMENCE AT A BALDWIN CORNER AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, RUN THENCE WEST, ALONG THE NORTH LINE OF SAID SECTION 15 120.00 FEET TO POINT "A" THENCE SOUTH 00-27-00 WEST, 20.73 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAYNES AVENUE FROM THE POINT OF BEGINNING OF THE PROPERTY (NEIGHB DESCRIPTION); SAID POINT BEING THE NORTHEAST CORNER OF SAID SECTION 15, TOWNSHIP 8 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; PROCEED NORTHEAST, ALONG THE EAST LINE OF SAID SUBDIVISION, 120.00 FEET TO A CAPPED REBAR MARKER AT THE SOUTHEAST CORNER OF SAID SUBDIVISION; RUN THENCE SOUTH 00-00-00 WEST 120.00 FEET TO A CAPPED REBAR MARKER ON THE NORTH RIGHT-OF-WAY LINE OF FAIRHOPE AVENUE; RUN THENCE SOUTH 89-04-28 EAST, ALONG SAID RIGHT-OF-WAY LINE 117.00 FEET TO A CAPPED REBAR MARKER ON THE WEST LINE OF SAID RIGHT-OF-WAY LINE; 22.28 FEET TO A CAPPED REBAR MARKER; THENCE CONTINUE NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY LINE 107.88 FEET TO A CAPPED REBAR MARKER; THENCE CONTINUE NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY LINE 100.24 FEET TO A CAPPED REBAR MARKER; THENCE RUN NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY LINE, 452.00 FEET TO A CAPPED REBAR MARKER; RUN THENCE NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY LINE, 190.20 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAYNES AVENUE; RUN THENCE SOUTH 00-27-00 WEST, ALONG SAID RIGHT-OF-WAY LINE, 120.00 FEET TO THE POINT OF BEGINNING; CONTAINING 19.93 ACRES, MORE OR LESS.

- NOTES:**
1. Developments, utility and foundation structures shall be provided and installed as necessary during site plan and subdivision approval.
 2. Each lot of each unit shall provide and maintain positive drainage for adjacent properties that may be including onto it.
 3. Subdivision (lots, 5 units) will be provided along both sides of every public street.
 4. In an attempt to achieve a cohesive character of residential development in Unit 2, a 60' minimum front setback from the street, with the exception of buildings in the street in which case these buildings may vary from this build to room, by the following:
 5. In an attempt to achieve a cohesive character of development in Unit 1, Unit 2, and Unit 3, the following setbacks shall be constructed as indicated in the drawings:
 - 5.1. Subsequent buildings may vary in method by providing greater or equal quantity of finished material and design and as approved by the Planning Commission and City Council.
 6. Signs, signs and Unit 3 signs will be designed and constructed in accordance with the sign plan approved for each lot.
 7. All trees and landscape material will be provided as based in local landscape ordinance or unless otherwise coordinated with the City Urban Forestry or arboret.



TYPICAL ROAD SECTIONS

- NOTES:**
- a. The zoning dimensions for Unit 2, Lot 1 are modeled after, but not identical to, the zoning requirements for R-3 found in the Fairhope Zoning Ordinance. The following exceptions apply:
 1. The minimum lot width shall not apply. The lot dimensions shall be as shown on the PLUD drawing.
 2. The requirements for Unit 3, Lot 1, are modeled after, but not identical to, the zoning requirements for R-3 found in the Fairhope Zoning Ordinance.
 3. The allowed use for Unit 3, Lot 1 shall be limited to convalescent, nursing or assisted living homes.
 4. Each lot in Unit 1 shall provide its own stormwater control and detention.
 - b. The PLUD document, along with the City of Fairhope's Ordinances, Regulations, and review processes will provide a development that complies with the City's Comprehensive Plan.

TABLE 2

| UNIT AND RIGHT-OF-WAY ACREAGE | ACREAGE EXCLUDING R.O.W. | ACREAGE OF R.O.W. |
|-------------------------------|--------------------------|-------------------|
| UNIT 1 | 19.96 | 5.13 |
| UNIT 2 | 41.03 | |
| UNIT 3 | 10.63 | |
| TOTAL SITE | 70.72 | 5.13 |

Owner: Gyffe Vahge Partners, LLC

TABLE 1

| UNIT | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE | CONTR. ACREAGE |
|------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| 1 | 1-12 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 |
| 2 | 1 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 |
| 3 | 1 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 | R-3 |

NOTES
 NO SCALE
C3.01
 Sheet 4 of 4

KLUMPP PARCEL
 PROPOSED DEVELOPMENT
 FAIRHOPE, ALABAMA

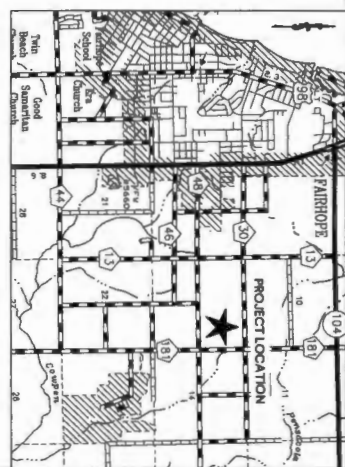
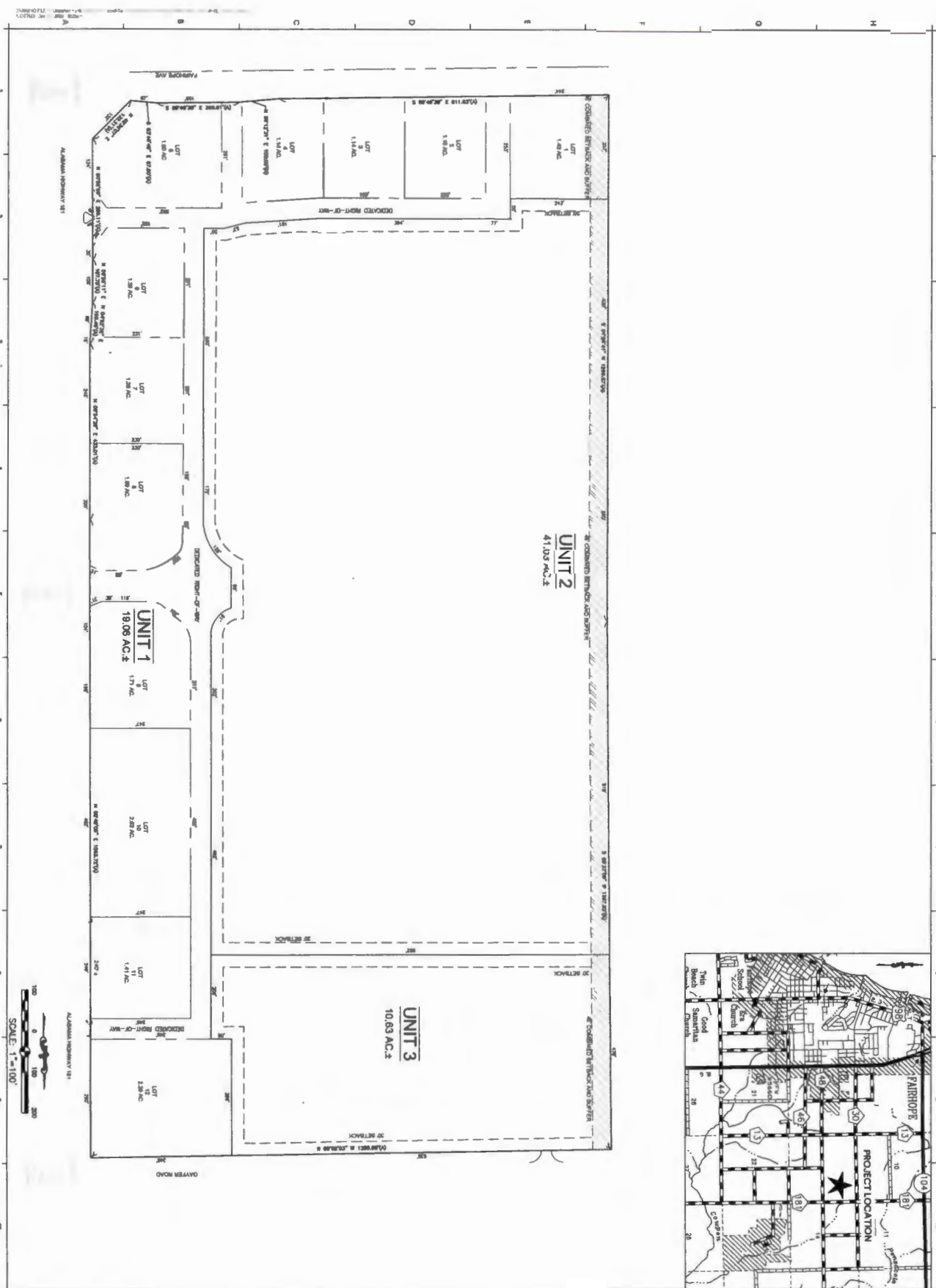
27 MARCH 2022

DRAWN BY: JAV/AM
 CHECKED BY:

GMCProject: CMOB190188

2039 Main Street
 Daphne, AL 36526
 T 251626.2626
 GMCNETWORK.COM





OVERALL SITE PLAN
 SCALE: 1"=100'
C1.01
 Sheet 1 of 3

KLUMPP PARCEL
 PROPOSED DEVELOPMENT
 FAIRHOPE, ALABAMA

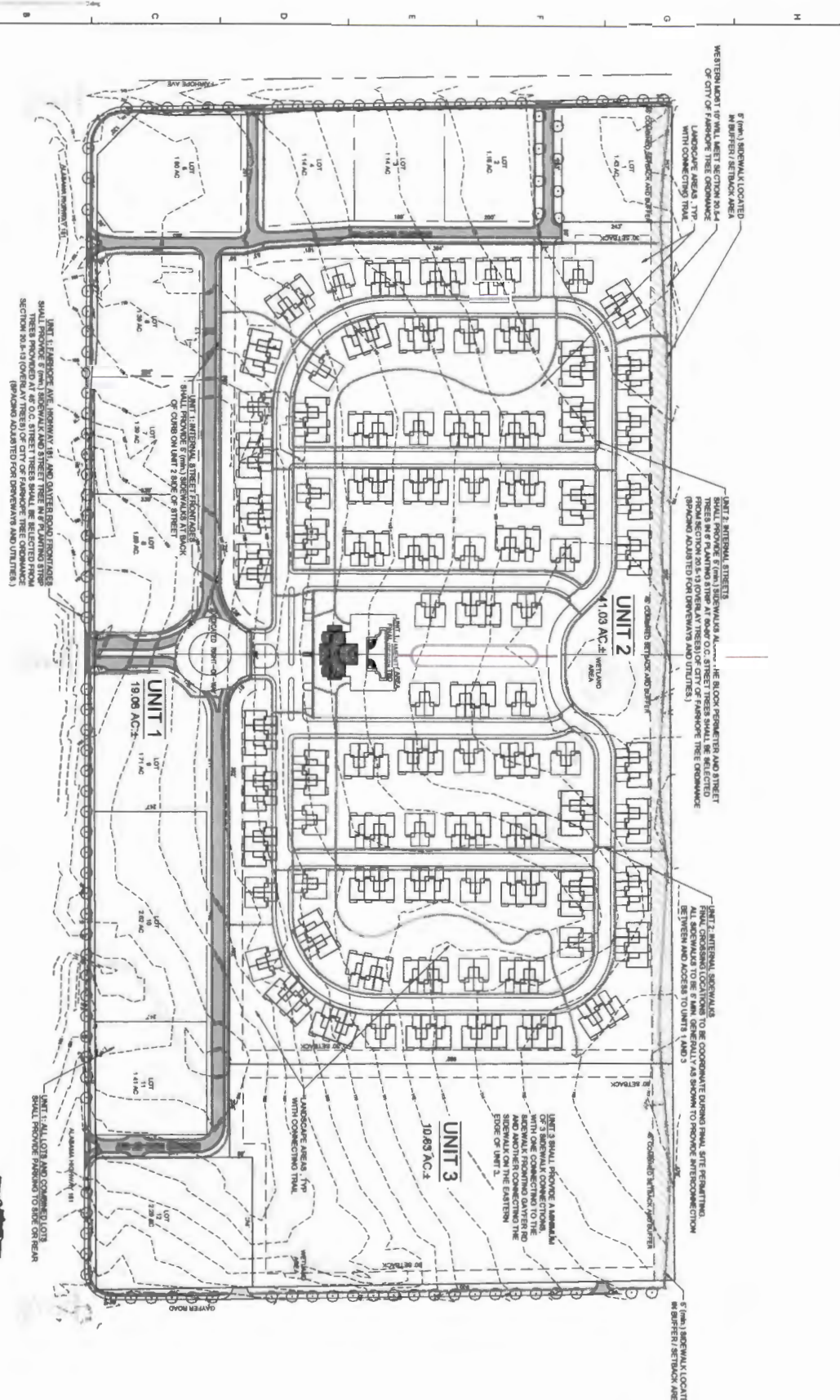
17 DECEMBER 2020

 DRAWN BY: JAY SAMP
 CHECKED BY:

GMCProject: CMOB190186

2039 Main Street
 Daphne, AL 36526
 T 251.628.2626
 GM.NETWORK.COM





OVERALL SITE PLAN

SCALE: 1"=100'

C2.01

Sheet 2 of 3

KLUMPP & ASSOCIATES
PROPOSED DEVELOPMENT
FAIRHOPE, ALABAMA

17 DECEMBER 2020

DRAWN BY: JAVYMAN
CHECKED BY: _____

2039 Main Street
Daphne, AL 36526
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GMCNETWORK.COM



GMCProject: CMOB190186



CONCEPTUAL SITE PLAN
SCALE: 1"=100'
C2.01A

KLUMPP PARCEL
 PROPOSED DEVELOPMENT
 FAIRHOPE, ALABAMA

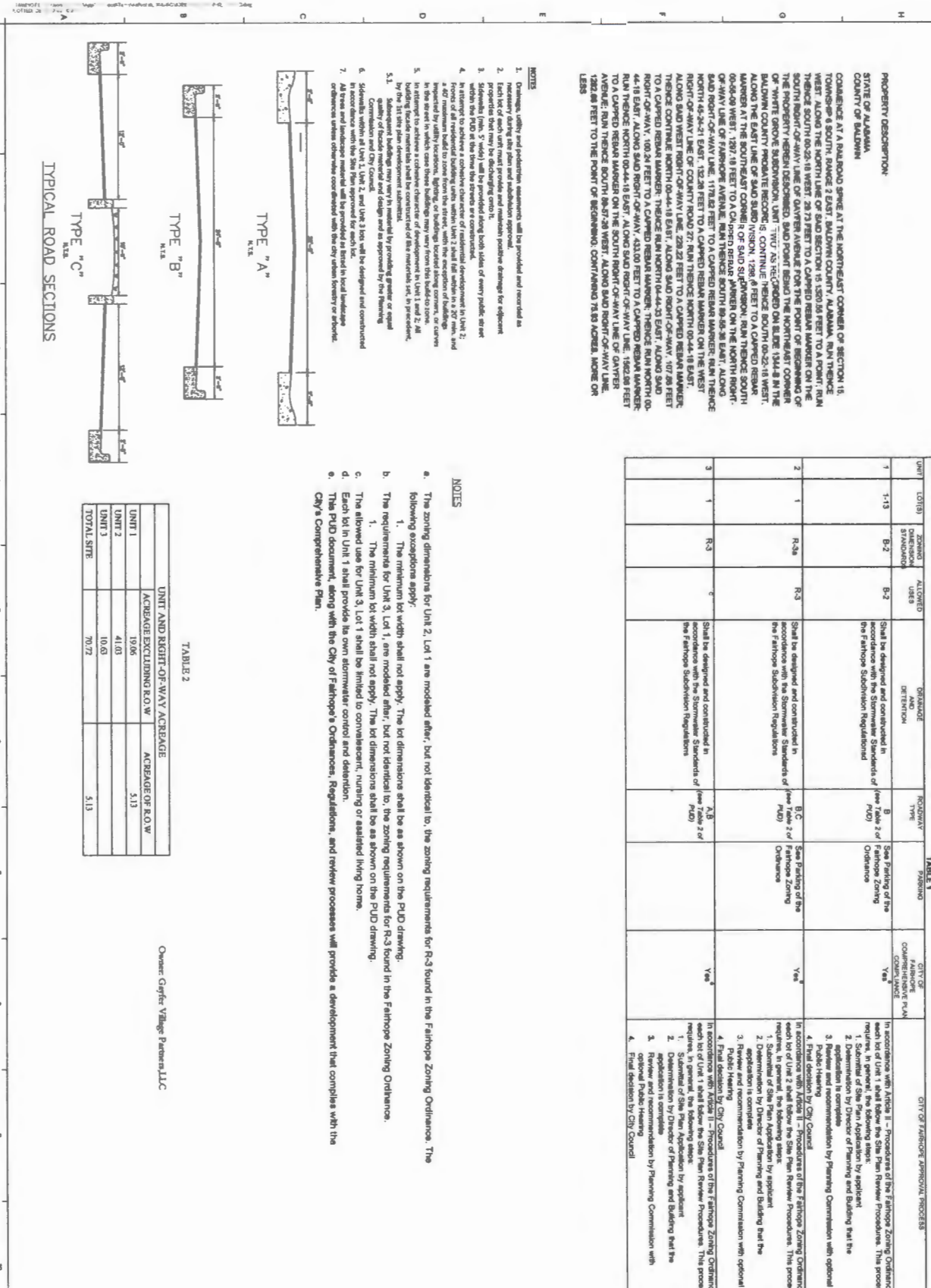
17 DECEMBER 2020

DATE: 12/17/20
 CHECKED BY: _____

GMCProject: CMOB190198

2030 Main Street
 Daphne, AL 36526
 T 251.626.3828
 G6CHSTW0RK.COM





TYPICAL ROAD SECTIONS

TABLE 2

| UNIT AND RIGHT-OF-WAY ACREAGE | ACREAGE EXCLUDING R.O.W | ACREAGE OF R.O.W |
|-------------------------------|-------------------------|------------------|
| UNIT 1 | 10.96 | 5.13 |
| UNIT 2 | 41.03 | |
| UNIT 3 | 10.03 | |
| TOTAL SITE | 70.72 | 5.13 |

Owner: Gyfex Village Partners, LLC

PROPERTY DESCRIPTION:
STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCE AT A BALDWIN SPINE AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, RUN THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 15 130.00 FEET TO A POINT, RUN THENCE SOUTH 00-23-18 WEST 28.73 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAVNER AVENUE FOR THE POINT OF BEGINNING OF SAID WHITE OAK SUBDIVISION UNIT TWO (AS RECORDED IN PLAT 00-23-18 IN THE BALDWIN COUNTY DEED BOOK 15, CONTAINS 6 FEET TO A CAPPED REBAR MARKER AT THE SOUTHEAST CORNER OF SAID SUBDIVISION, RUN THENCE SOUTH 00-08-08 WEST, 1207.18 FEET TO A CAPPED REBAR MARKER, RUN THENCE SOUTH-08-08 WEST, 1174.82 FEET TO A CAPPED REBAR MARKER ON THE WEST NORTH-08-08 WEST LINE OF COUNTY ROAD 27, RUN THENCE NORTH 00-44-18 EAST, 107.88 FEET TO A CAPPED REBAR MARKER, THENCE RUN NORTH 00-44-03 EAST, 107.88 FEET TO A CAPPED REBAR MARKER, THENCE RUN NORTH 00-44-03 EAST, 107.88 FEET TO A CAPPED REBAR MARKER, THENCE RUN NORTH 00-44-03 EAST, 107.88 FEET TO A CAPPED REBAR MARKER, THENCE RUN NORTH 00-44-18 EAST, 44.18 FEET TO A CAPPED REBAR MARKER, THENCE RUN NORTH 00-44-18 EAST, 431.00 FEET TO A CAPPED REBAR MARKER, RUN THENCE NORTH 00-44-18 EAST, ALONG SAID RIGHT-OF-WAY LINE, 1502.00 FEET TO A CAPPED REBAR MARKER ON THE SOUTH RIGHT-OF-WAY LINE OF GAVNER AVENUE, RUN THENCE SOUTH 00-23-18 WEST, ALONG SAID RIGHT-OF-WAY LINE, 1502.00 FEET TO THE POINT OF BEGINNING, CONTAINING 75.83 ACRES, MORE OR LESS.

NOTES

1. Dimensions, utility and pedestrian measurements will be provided and recorded as shown on the drawings.
2. Each lot of each unit must provide and maintain posthole drainage for adjacent properties that may be discharging onto it.
3. Sidewalks (min. 5' wide) will be provided along both sides of every public street.
4. In addition to achieve a cohesive character of residential development in Unit 2, Forces of all residential building units within Unit 2 shall fall within a 20' min. and a 60' maximum build to zone from the street, with the exception of buildings in the street in which cases these buildings may vary from this build to zone in an attempt to achieve a cohesive character of development in Unit 1 and 2. All buildings shall be constructed of brick masonry.
- 5.1. Building facades must be constructed of brick masonry of good quality of facade material and design and as approved by the Planning Commission and City Council.
6. Sidewalks within Unit 1, Unit 2, and Unit 3 shall be designed and constructed in accordance with the City of Fairhope's Sidewalk Ordinance.
7. All trees and landscape material will be provided as listed in local landscape ordinance unless otherwise coordinated with the City Urban Forestry or arborist.

NOTES

- a. The zoning dimensions for Unit 2, Lot 1 are modeled after, but not identical to, the zoning requirements for R-3 found in the Fairhope Zoning Ordinance. The following exceptions apply:
 1. The minimum lot width shall not apply. The lot dimensions shall be as shown on the PUD drawing.
 2. The requirements for Unit 3, Lot 1, are modeled after, but not identical to, the zoning requirements for R-3 found in the Fairhope Zoning Ordinance.
 1. The minimum lot width shall not apply. The lot dimensions shall be as shown on the PUD drawing.
 2. The allowed use for Unit 3, Lot 1 shall be limited to convalescent, nursing or assisted living homes.
 3. Each lot in Unit 1 shall provide its own stormwater control and detention.
 4. The PUD document, along with the City of Fairhope's Ordinances, Regulations, and review processes will provide a development that complies with the City's Comprehensive Plan.

TABLE 1

| UNIT | LOT(S) | ZONING STANDARD | ALLOWED USES | ORDINANCE DEFINITION | ECONOMY TYPE | PURPOSE | CITY OF FAIRHOPE COMPLIANT | CITY OF FAIRHOPE REVIEW PROCESSES |
|------|--------|-----------------|--------------|---|---|--|----------------------------|---|
| 1 | 1-13 | B-2 | B-2 | Shall be designed and constructed in accordance with the Fairhope Subdivision Regulations | B See Table 2 of Fairhope Zoning Ordinance | See Parking of the Fairhope Zoning Ordinance | Yes | In accordance with Article II - Procedures of the Fairhope Zoning Ordinance, each lot of Unit 1 shall follow the Site Plan Review Procedures. This process includes, in general, the following steps: 1. Submission of Site Plan Application by applicant 2. Determination by Director of Planning and Building that the application is complete 3. Review and recommendation by Planning Commission with optional Public Hearing 4. Final decision by City Council |
| 2 | 1 | R-3a | R-3 | Shall be designed and constructed in accordance with the Stormwater Standards of the Fairhope Subdivision Regulations | B/C See Table 2 of Fairhope Zoning Ordinance | See Parking of the Fairhope Zoning Ordinance | Yes | In accordance with Article II - Procedures of the Fairhope Zoning Ordinance, each lot of Unit 1 shall follow the Site Plan Review Procedures. This process includes, in general, the following steps: 1. Submission of Site Plan Application by applicant 2. Determination by Director of Planning and Building that the application is complete 3. Review and recommendation by Planning Commission with optional Public Hearing 4. Final decision by City Council |
| 3 | 1 | R-3 | C | Shall be designed and constructed in accordance with the Stormwater Standards of the Fairhope Subdivision Regulations | A/B See Table 2 of Fairhope Zoning Ordinance | | Yes | In accordance with Article II - Procedures of the Fairhope Zoning Ordinance, each lot of Unit 1 shall follow the Site Plan Review Procedures. This process includes, in general, the following steps: 1. Submission of Site Plan Application by applicant 2. Determination by Director of Planning and Building that the application is complete 3. Review and recommendation by Planning Commission with optional Public Hearing 4. Final decision by City Council |

NOTES
NO SCALE
C3.01
Sheet 3 of 3

44 LUMPP PARCEL
PROPOSED DEVELOPMENT
FAIRHOPE, ALABAMA

17 DECEMBER 20 20
DRAWN BY: JRY/SAM
CHECKED BY:

2039 Main Street
Daphne, AL 36526
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GMCNETWORK.COM



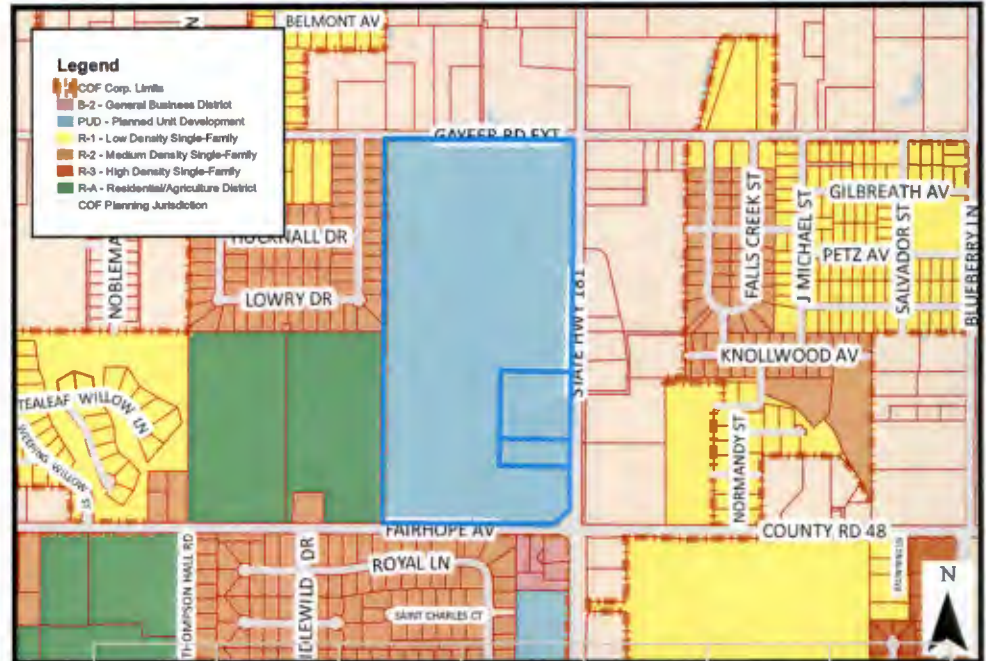
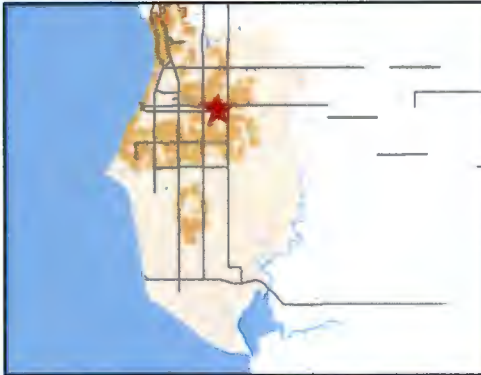
GMCProject: CMOB190186

City of Fairhope Planning Commission

January 4, 2021



ZC 20.10 - Klump PUD



Project Name:

Klump PUD amendments

Site Data:

80 acres (approximately)

Project Type:

Planned Unit Development (PUD)

Jurisdiction:

Fairhope Planning Jurisdiction

Zoning District:

Planned Unit Development (PUD)

PPIN Number:

236701, 24160, 316793

General Location:

Northwest intersection of SR 181 and Fairhope Avenue (CR 48)

Surveyor of Record:

Goodwyn, Mills, and Cawood, Inc.

Engineer of Record:

Scott Hutchinson, GMC

Owner / Developer:

Gayfer Village Partners, LLC
Mr. Tom Mitchell Mr. Bill Mitchell

School District:

Fairhope East
Fairhope Middle and High Schools

Recommendation:

Approve with Conditions

Prepared by:

Hunter Simmons

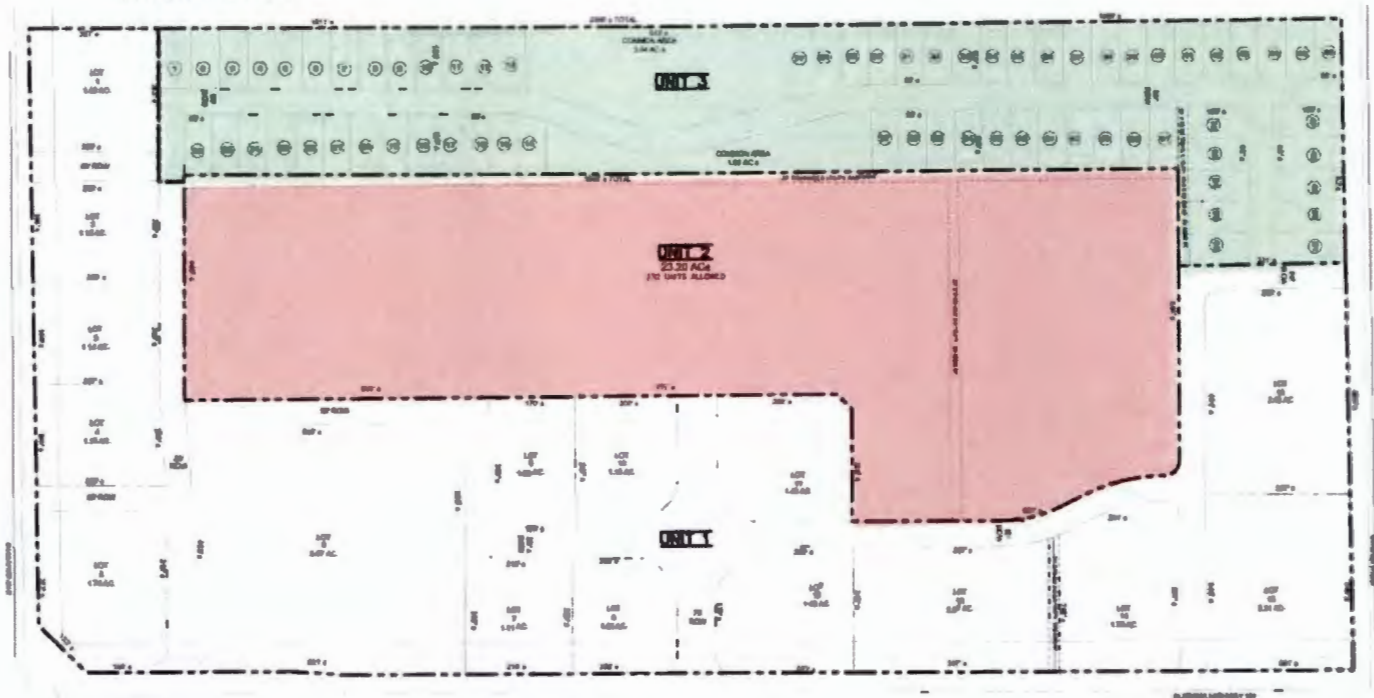
Summary of Request:

The applicant is seeking amendment of PUD ordinance number 1664 related to the Klumpp Planned Unit Development adopted November 25, 2019. The subject property is located at the northwest intersection of State Highway 181 and Fairhope Avenue/County Road 48 and extends north to the southwest corner of State Highway 181 and Gayfer Avenue/County Road 30.

The subject property is bordered to the northwest by the adjoining White Grove subdivision, zoned R-2 medium density single family residential, and bordered to the southwest by the adjoining PPIN 14493 zoned R-A residential agricultural. The subject property adjoins Idlewild Subdivision (R-2) to the south, separated by the Fairhope Avenue right-of-way (ROW) as well as various properties comprising the southwest intersection of Fairhope Avenue and HWY 181, all zoned B-2 general business district. All remaining properties adjoining subject property are separated from subject property via ROW and are located within unzoned Baldwin County Planning District 14.

Comments:

ORIGINAL PUD



The subject property is comprised of one large (PPIN 236701) generally rectangular parcel fronting AL HWY 181, Fairhope Avenue, and Gayfer Road Extension, all paved, publicly-maintained streets. PPINs 24160 and 316793 are inclusive of PPIN 236701 and will likely become functions of a future subdivision.

The site plan supporting the original PUD (Case number ZC 19.13) is included above in excerpted form and color-coded to reflect the “units” proposed for the PUD. The requested site plan that amends the PUD ordinance is included below.

PROPOSED PUD AMENDMENT (Revised for January PC Meeting)



- **Unit 1**
 - As approved Unit 1 (28.79 acres +/-) contains 16 lots with allowable uses and lots sizes identical to B-2 General Business District Zoning. The developer requests, via inclusion of drawing 2 of 2 in the PUD ordinance, self-imposing the Site Plan Review procedure as included within Fairhope's Zoning Ordinance.
 - As requested, Unit 1 (19.06 acres +/-) will contain up to 12 lots. Similar to the original PUD, the requested Unit 1 contains allowable uses and lots sizes identical to B-2 General Business District Zoning. Also similar to the original PUD the developer requests, via inclusion of drawing C3.01 in the PUD ordinance, self-imposing the Site Plan Review procedure as included within Fairhope's Zoning Ordinance.
- **Unit 2**
 - As approved Unit 2 (23.20 acres +/-) depicted in light red on the facing page identically replicates the use of R-5 High Density Dwelling Residential (10 units per acre, for 232 units total) but requests the lot size shown on the site plan drawing 1 of 2 in lieu of the allowable number of dwelling units included within Table 3-2 in the City of Fairhope Zoning Ordinance. Similar to Unit 1 Unit 2 will be required to follow the Site Plan Review procedure included in *The City of Fairhope Zoning Ordinance* as a self-imposed requirement of the PUD.
 - As requested, Unit 2 (41.03 acres +/-) closely replicates R-3 High Density Single-Family Residential but requests the lot size and approximate building layout (Up to 233 Units) shown on the site plan drawing C2.01. Similar to Unit 1 Unit 2 will be required to follow the Site Plan Review procedure included in *The City of Fairhope Zoning Ordinance* as a self-imposed requirement of the PUD.
- **Unit 3**

- As approved Unit 3 (14.11 acres +/-) depicted in light green on the original site plan contains 67 residential lots modeled after an R-3 zoning district with modifications that reduces the minimum lot size and increases the allowable lot coverage. At the time of development activities unit 3 shall follow the City of Fairhope's Subdivision Review Process and comply with the current Subdivision Regulations in addition to the requirements of the PUD ordinance. The original submission to the Planning Commission included 77 single family lots, however the reduction to 67 single family lots reflects conditions of approval required by the Planning Commission at the time of consideration.
- As requested, Unit 3 (10.63 acres +/-) removes the single-family residential lots from the development and proposes requirements modeled after R-3 zoning district (approximately 59 Units) with modifications that reduces the minimum width. The allowed use for Unit 3 shall be limited to convalescent, nursing, or assisted living. The applicant indicates they do not wish to provide a layout of the proposed development for Unit 3 at the time of PUD amendment, but wishes to self-impose the site plan approval process for Unit 3 should the PUD amendment receive approval.

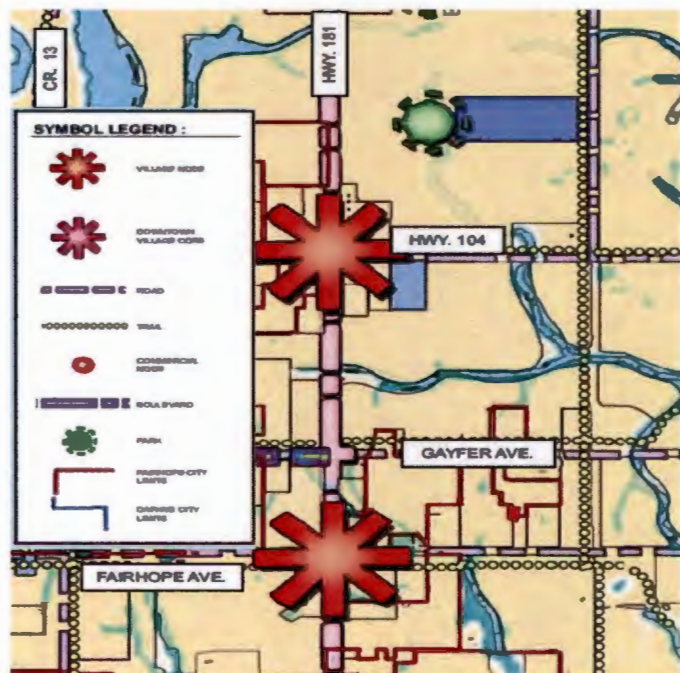
The following was provided within the December staff report. Notes in red highlight the amendments made in the applicant's revised plan.

Fairhope's Zoning Ordinance (Article II Section C.1.e) contains nine (9) criteria by which an application for re-zoning shall be reviewed:

(1) Compliance with the Comprehensive Plan;

Response:

The intersection of Hwy 181 and Fairhope Ave is listed as a Village Node within the Comprehensive Plan. "Highway 181 / Fairhope Ave presents an additional village opportunity. While this area has seen a growth of large retailers in the recent past due to regulatory limitations (i.e. significant property located outside of the City Limits in unzoned Baldwin County), it is in the early stages of village pattern development. River Mill Subdivision is connected to both Fairhope Avenue and Windmill Road. The residential areas around Gayfer Avenue and Blueberry Lane are built in accordance with the City Subdivision Regulations and provide neighborhood level greenspace, sidewalks, streets, trees, and connectivity. While this area will evolve over time, the "bones" of a village are generally in place."



Specifically, in regard to Village Nodes, the Comprehensive Plan reads “Simply evaluating development at these areas (Village Nodes) will not result in a Village – it will take a proactive effort”. The following excerpt from the Comprehensive Plan is provided for guidance:

Size - They should be 30,000 to 180,000 square feet in commercial / mixed-use development.

Street Location - They should push as close to the street as possible

Architectural Guidelines - There should be building design guidelines that deal with architectural themes, materials, and massing. There should be an architectural “anchor”, a building with a distinct and focused character, in each village.

Automobile Access - Automobile access will be important to the success of the village, thus it should be incorporated as appropriate. However, addressing the location and aesthetics of parking lots will be critically important. Vehicular access from the supporting and existing roadways is also important. Integration of Right-of-Way improvements, turn lanes, signals, sidewalks, landscaping, street lighting, push-pad signals, crosswalks, and similar infrastructure should be comprehensively evaluated by the City. This would result in the Right-of-Way and roadways being upgraded in conjunction with the development. Internal circulation must not be the typical maneuvering areas through a large parking lot, but seek to create more of a streetscape experience with “on-street” parking in either a parallel or diagonal configuration. A good operating principle would be that large surface parking lots should not dominate the view of building frontages. Vehicular access is always important and should be accommodated; however, parking is a net negative in terms of visual quality.

(2) Compliance with the standards, goals, and intent of this ordinance;

Response: PUD Planned Unit Development: This district is intended to encourage innovative development that meets comprehensive plan goals and is tailored to the unique constraints and conditions of a particular site. This district allows flexibility in uses, designs, and building layouts as opposed to other zoning districts to better serve community needs. While the original PUD’s regulating plan was general, deferring specifics to future Site Plan Reviews, there was a framework for meeting the intent of a PUD. The proposed amended PUD, by being overly general, makes it difficult to recommend approval.

The applicant has self-imposed a site plan review for all units. The first unit developed will require installation of

Unit 2, for example, should not require a future Site Plan review. It is feasible to include a comprehensive site plan (for Unit 2) as part of this PUD process with landscape plans, architectural examples, etc., and, at the least, include pedestrian circulation for the entire PUD. It would also be prudent to include guidelines for the Units 1 & 3 to ensure they are developed consistent with Fairhope’s Comprehensive Plan, which may include build-to/setback lines, landscape buffers, planned green space, plant selections, etc.

Unit 2 is now proposed as illustrate on C2.01 and includes up to 233 units. Sidewalks were provided within Unit 2 and the westernmost buffer was increased to 45', which now includes a sidewalk connecting all three units with both Fairhope Ave and Gayfer Rd. Within the 45' buffer, the westernmost 10' will be planted to provide a buffer/screen consistent with the City of Fairhope Tree Ordinance. Street Trees will also be planted in accordance the City of Fairhope Tree Ordinance.

Staff does have some concern that some conflicts exist between retention/detention, possible wetlands, and greenspace requirements within Unit, but those are not part of this review. Unit 2 will require a site plan review as well as an MOP review in the future to resolve the above-referenced concerns. Staff recommends a condition of approval to memorialize the 20% greenspace per density shown and urge that retention/detention should not be placed where greenspace is currently shown unless installed as an improved amenity, such as accessible ponds with landscape consistent with the City of Fairhope Tree Ordinance.

A condition of approval of the previously approved plan required a master drainage plan at time of subdivision and staff makes the same recommendation for the current application.

Unit 1 lots require parking to be located to side or rear of buildings.

The following was submitted by the applicant to further support a comprehensively planned development.

4. In attempt to achieve a cohesive character of residential development in Unit 2; Fronts of all residential building units within Unit 2 shall fall within in a 20' min. and a 40' maximum build to zone from the street, with the exception of buildings impacted by utility locations, lighting, or buildings located along corners, or curves in the street in which case these buildings may vary from this build-to zone.
5. In attempt to achieve a cohesive character of development in Unit 1 and 2; All building facade materials shall be constructed of like materials set, in precedent, by the 1st site plan development submittal.

(3) The character of the surrounding property, including any pending development activity;

Response: The comprehensive plan describes a village center at this location and states that the "bones" are already in place. The surrounding properties are unzoned, RA, R-2, and B-2. The original PUD provided adequate transition to the single-family residential along the western boundary, while also allowing denser and more intense uses along the highway corridor and internally within the site. Staff is concerned that the submitted PUD amendment, with its removal of higher-density single family residential, diminishes the transition of use and transition of density contemplated by the comprehensive plan.

The westernmost buffer was increased to 45' and will include a 10' screen abutting adjacent property.

(4) Adequacy of public infrastructure to support the proposed development;

Response: Fairhope Public Utilities can be made available during the subdivision process; however, staff urges the applicant to contact Fairhope Public Utilities in short order to discuss utilities,

particularly access to sanitary sewer. The “upsizing” provisions of the subdivision regulations will likely be invoked if development activities proceed.

(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;

Response: Wetlands are present on the subject property and all wetland delineations, reports, ordinances, and buffers will be required during the development process.

(6) Compliance with other laws and regulations of the City;

Response: At the time of development all applicable laws of the City will be applied.

(7) Compliance with other applicable laws and regulations of other jurisdictions;

Response: At the time of development all applicable laws will be applied.

(8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response: As mentioned previously staff is concerned about the loss of single family residences within the PUD, and the possibility of higher-density multi-family located directly-adjacent to lower density (R-1 and R-2) single family residential.

The westernmost buffer was increased to 45’ and will include a 10’ screen abutting adjacent property.

In addition, pedestrian circulation should be designed connecting the subject property with adjacent and surrounding properties.

Sidewalk connections were made throughout the site connecting all units together, as well as connecting to the perimeter sidewalks and on all public roads. As opposed to the previous plan, sidewalks and street trees are provided fronting Hwy 181. Planning Commission may want to discuss when installation of perimeter sidewalks and street trees are installed.

(9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response: As mentioned previously staff is concerned about the loss of single family residences within the PUD and the possibility of high-density multi-family uses located directly-adjacent to lower density (R-1 and R-2) single family residential uses. As proposed, B-2 and R-5 abut R-1 and R-2 properties. Staff recommends a better transition to adjacent properties that may come in the form of larger buffers, greenspace, or less dense housing.

The westernmost buffer was increased to 45’ and will include a 10’ screen abutting adjacent property. Per the City of Fairhope Tree Ordinance, a 20’ preserved greenspace shall be provided along Fairhope Ave and Gayfer Rd. Development along Hwy 181 was not contemplated when the Tree Ordinance was adopted. Staff would like to recommend a condition of approval that the 20’ preserved greenspace be provided along Hwy 181 as well. To be clear, this does not impose an additional 20’ to the required setback, but rather preserve the space within the setback for the preservation of trees.

Staff Recommendation:

Staff recommends Case # ZC 20.10 Klumpp Planned Unit Development (PUD) amendment for PPIN's 236701, 24160, 316793 be **APPROVE** subject to the following conditions:

1. A master drainage plan shall be prepared for the entire site and included with the initial subdivision application creating units 1-3
2. City of Fairhope site plan review (Zoning Ordinance Article II, Section C.2.) shall be mandatory for each lot within units 1-3.
3. City of Fairhope subdivision regulations (including multiple occupancy project provisions as applicable) shall be required for the creation of all lots and units within the Klumpp PUD.
4. A 20' greenspace and tree preservation strip shall be provided along Hwy 181.
5. Unit 2 will require 20% greenspace as shown. Provided retention/detention shall not encroach into required greenspace other than those methods approved within the City of Fairhope Subdivision Regulations and/or as approve during MOP/Site Plan Review.