

## **ORDINANCE NO. 672-2024**

### **AN ORDINANCE AMENDING ORDINANCE NO. 51-96 OF THE CITY OF SPANISH FORT CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY KNOWN AS THE KIRBY P.U.D. TO A PLANNED UNIT DEVELOPMENT AND ESTABLISHING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY AS PART OF THE KIRBY P.U.D. AS A PLANNED UNIT DEVELOPMENT**

**WHEREAS**, the owner of the property, Kirby Properties, LLC, by and through its agent, David Kirby, has requested that those portions of the property described in Exhibit “A” hereto which lie outside the municipal limits of the City of Spanish Fort, Alabama, be pre-zoned in accordance with Ala. Code § 11-52-85 (1975); and

**WHEREAS**, the owner has submitted a request in writing that those portions of the property described in Exhibit “A” hereto which lie outside the municipal limits of the City of Spanish Fort, Alabama, be zoned as a Planned Unit Development, upon annexation into the corporate limits of the City of Spanish Fort; and

**WHEREAS**, the owner has requested that the zoning classification of those portions of the property described in Exhibit “A” which lie within the corporate limits of the City of Spanish Fort, Alabama, be changed from B-3, General Business District, to a Planned Unit Development; and

**WHEREAS**, the Planning Commission of the City of Spanish Fort, Alabama, held a meeting on June 10, 2024, and the City Council of the City of Spanish Fort held a meeting on \_\_\_\_\_, for the purpose of receiving public comments on the proposed Planned Unit Development.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

#### **SECTION 1. Establishment of Zoning Classification.**

In accordance with Ala. Code § 11-52-85 (1975), upon annexation of those portions of the property described in Exhibit “A” hereto which lie outside the municipal limits of the City of Spanish Fort, Alabama, into the corporate limits of the City of Spanish Fort, said property being more particularly described as set forth in the legal description in Exhibit “A” which is attached hereto and made a part of this Ordinance as though set forth fully herein, the said property, or any portion thereof annexed into the City, shall be zoned as a Planned Unit Development. A map of the subject property is attached as Exhibit “B” hereto.

#### **SECTION 2. Change in Zoning Classification.**

Upon annexation of those portions of the property described in Exhibit “A” hereto which lie outside the municipal limits of the City of Spanish Fort, Alabama, Ordinance No. 51-96, as amended, of the City of Spanish Fort, Alabama, is hereby amended by changing the zoning classification of certain property as described in the legal description set forth in Exhibit “A”, which is attached hereto and made a part of this Ordinance as though set forth fully herein, to approve a Planned Unit Development in accordance with the Master Plan attached as Exhibit “C”.

#### **SECTION 3. Change in Zoning Map.**

The official zoning map for the City of Spanish Fort is hereby amended, changed or altered to reflect the approval of the Planned Unit Development to be known as Kirby P.U.D..

#### **SECTION 4. 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.

**SECTION 5. Effective Date.**

This Ordinance shall become effective upon its adoption or as otherwise required by state law.

*ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2024.*

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Michael M. McMillan  
Mayor

ATTEST:

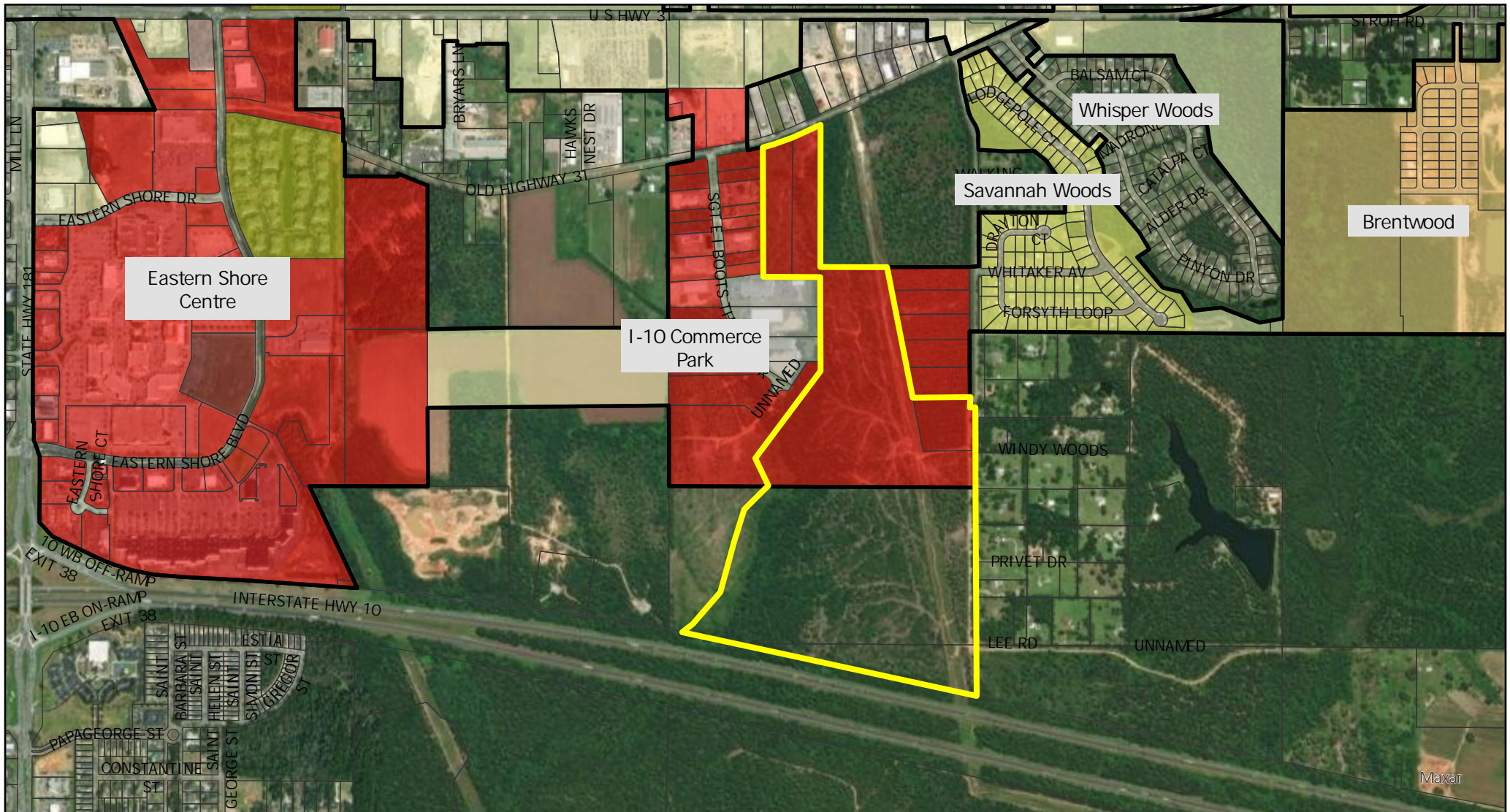
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Rebecca A. Gaines, CMC  
City Clerk

**EXHIBIT "A" TO ORDINANCE NO. 672-2024**

Lot 2 and 3 and 9, I-10 Commerce Center Phase 2 according to the plat thereof recorded on Slide No. 2392-A and 2392-B, of the records in the Office of the Judge of Probate, Baldwin County, Alabama.

Lot 2 of the Resubdivision of I-10 Commerce Center, Phase 2 according to the Plat thereof recorded on Slide No. 2947-F (Document No. 2024-2124792), of the records in the Office of the Judge of Probate, Baldwin County, Alabama.



Spanish\_Fort\_Zoni

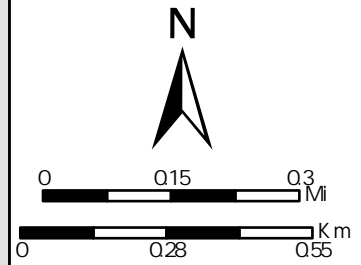
ZONING\_CLA

- B-1: Professional Business
- B-2: Local Business
- B-3: General Business
- B-4: Major Business District
- Baldwin County
- City of Spanish Fort
- M-1: Light Industrial

- PUD: Planned Unit Development
- R-1: Low-Density Single-Family Residential
- R-2: Medium-Density Single-Family Residential

- R-3: Multi-Family Residential
- R-3D: Medium Density Multi-Family Residential
- R-4: Manufactured/ Mobile Home Residential
- State of Alabama

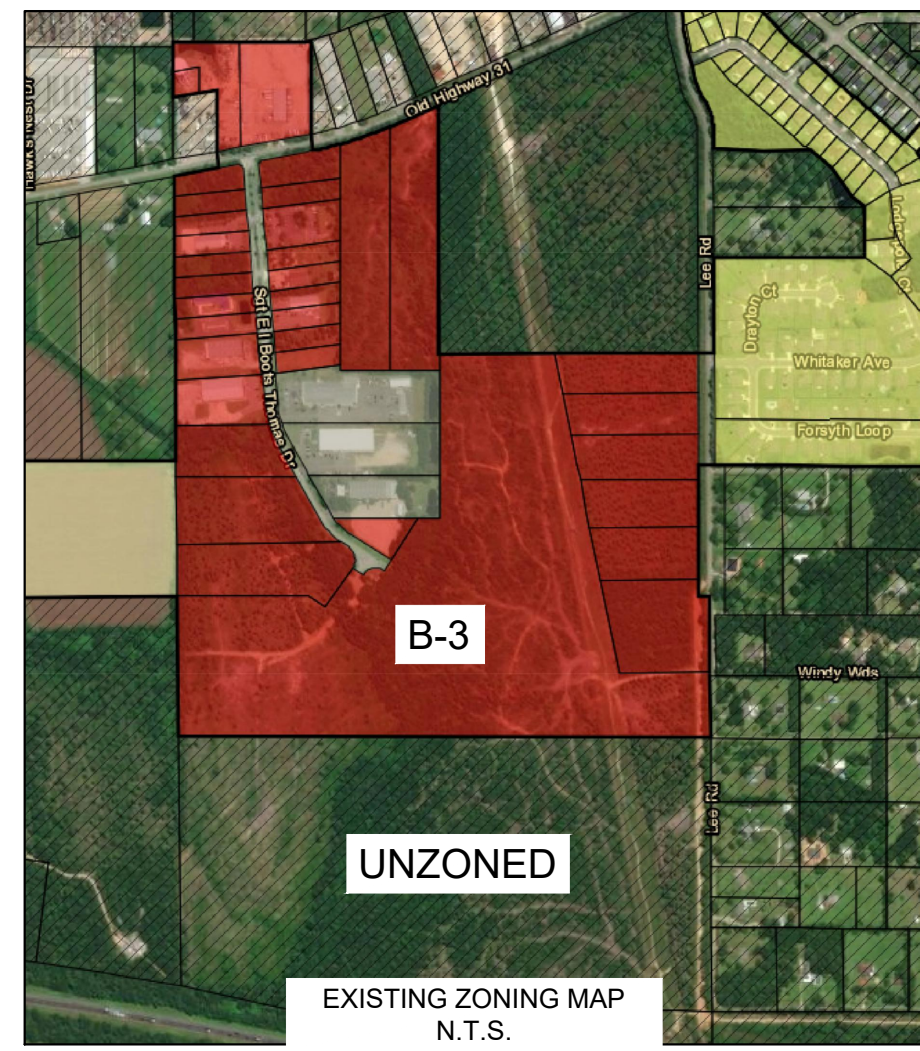
- T-1: Telecommunication Tower District
- B-5: Hotel/Motel
- < all other values >
- SF\_City\_Limits\_0124



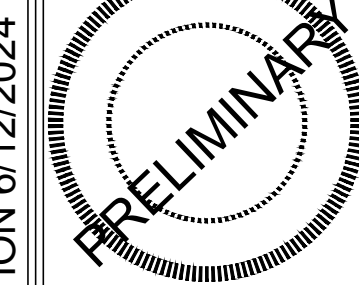
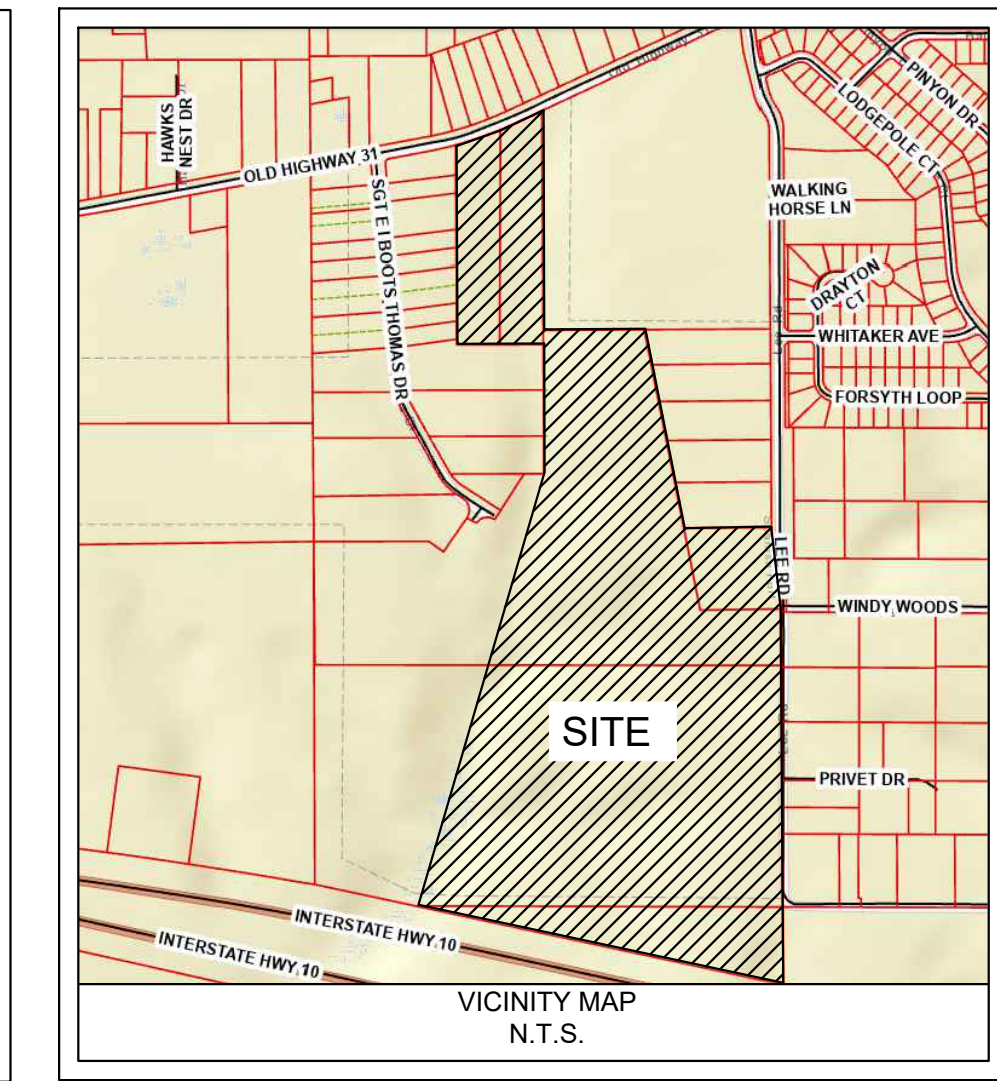
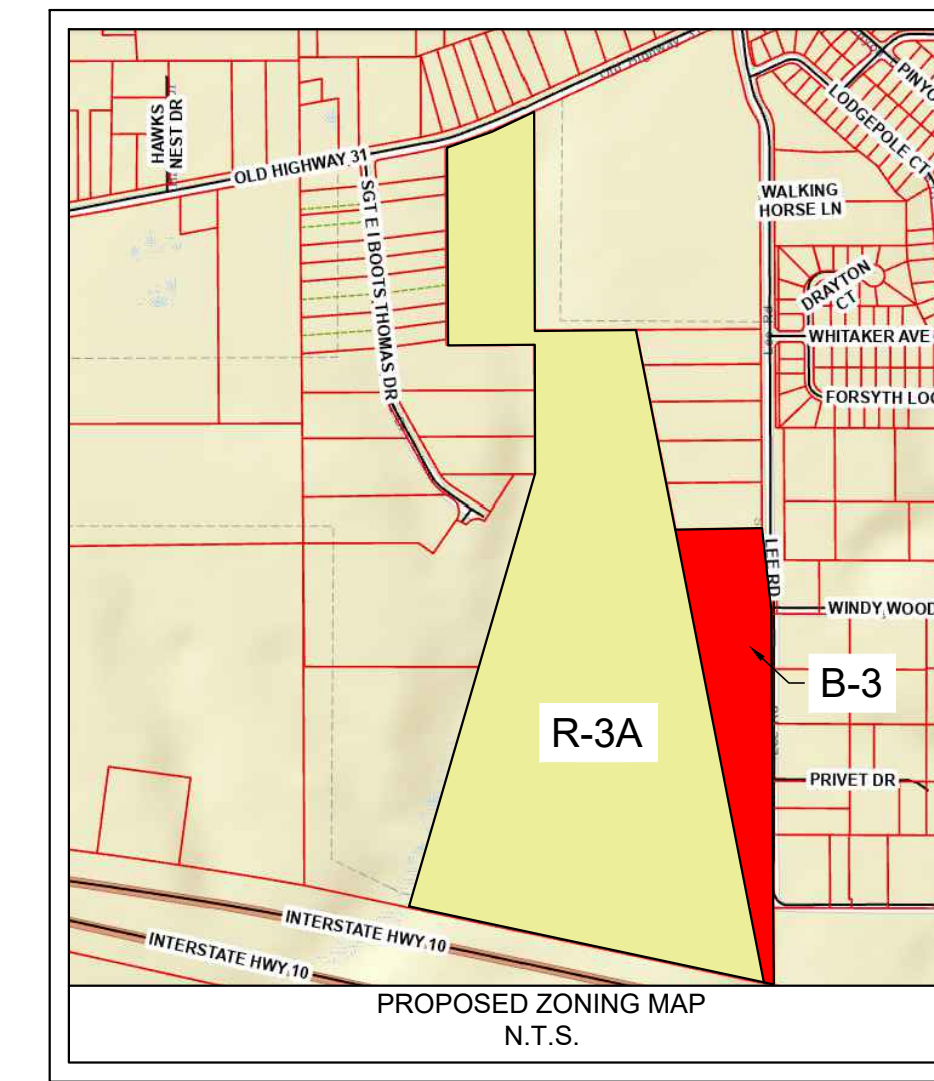
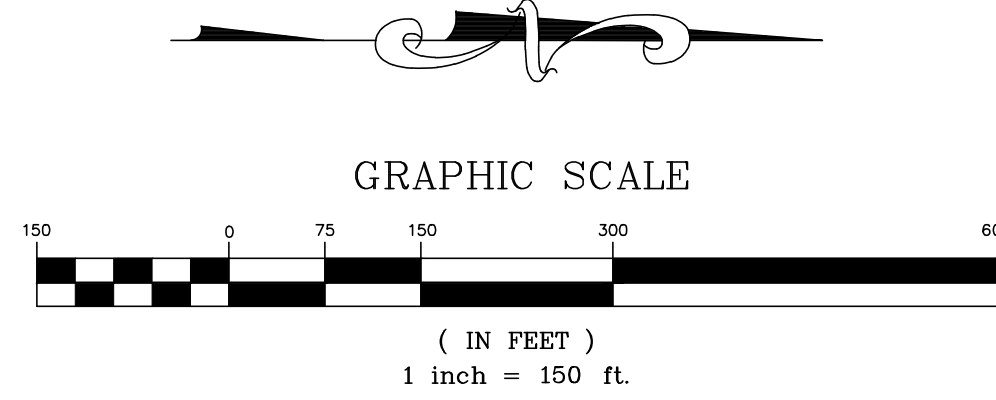
SITE LEGEND

	GREEN/OPEN SPACE
	WETLANDS
	POND AREA
	70' X 130' LOTS
	52' X 130' LOTS
	FUTURE MINI-WAREHOUSES

- NOTES:
- FUTURE COMMERCIAL AREA FOR THE CONSTRUCTION OF MINI-WAREHOUSES ONLY TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE ZONING ORDINANCE AND ALL APPLICABLE RULES AND REGULATIONS RELATED TO MINI-WAREHOUSES.



# KIRBY P.U.D. MASTER PLAN



ENGINEERING DESIGN GROUP  
 PELHAM, AL  
 120 BISHOP CIRCLE SUITE 300  
 PELHAM, AL 35124  
 (205) 403-9158  
 FOLEY, AL  
 1000 E. LAUREL STREET  
 FOLEY, AL 36535  
 (251) 943-8960

ISSUED FOR PUD APPROVAL - 05/08/24

PROJECT ADDRESS:

OLD HWY 31  
SPANISH FORT, ALABAMA

PUD MASTERPLAN

SHEET TITLE:

PROJECT NAME:

KIRBY PUD

DRAWN BY:

CAW

CHECKED BY:

DTS

PROJECT No.:

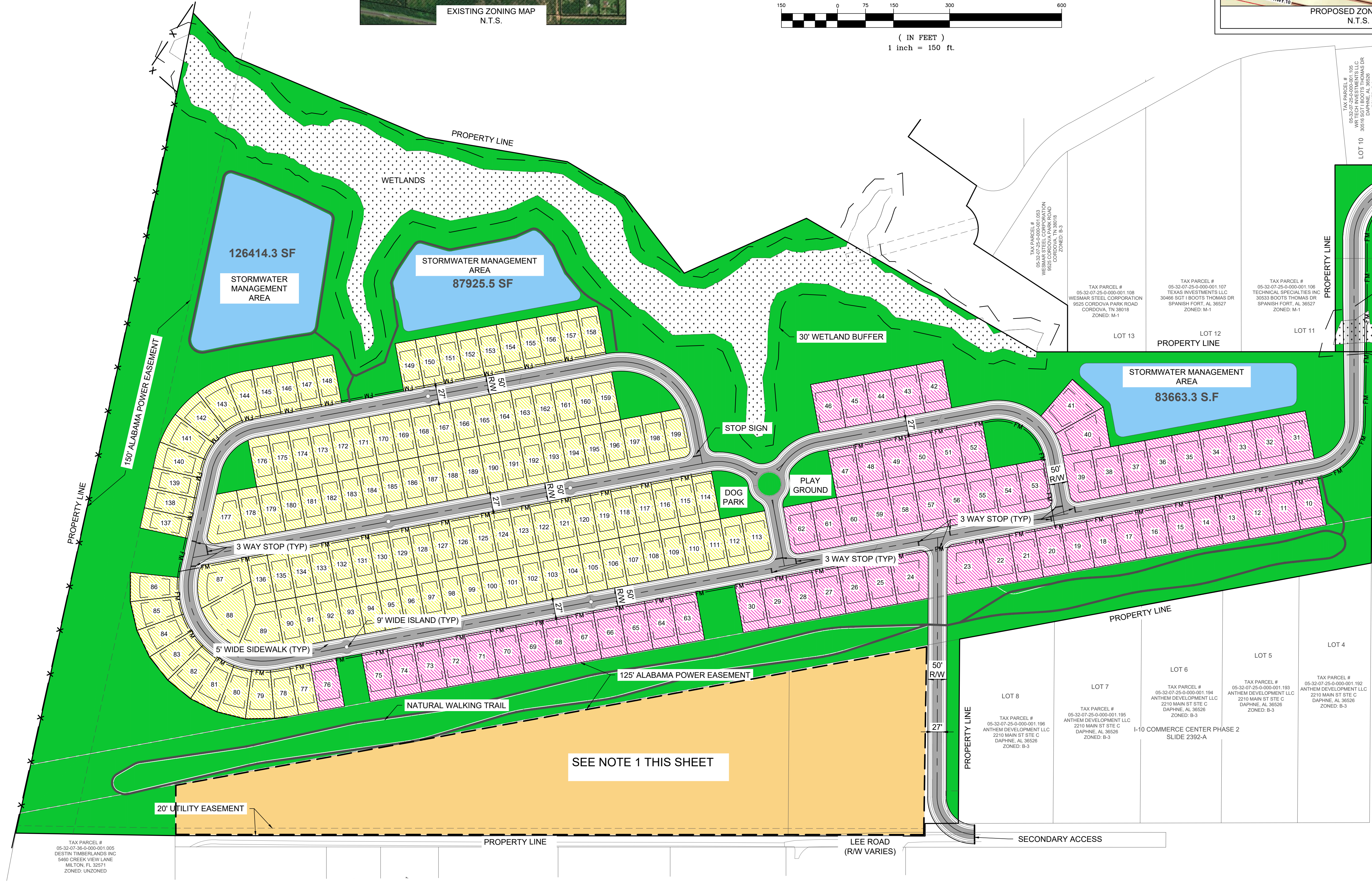
F\_KIRB0001

DATE:

June 12, 2024

SHEET NO.

1 OF 1



CURRENT CITY ZONING:	B-3
CURRENT COUNTY ZONING:	UNZONED
PROPOSED LAND USE:	SINGLE FAMILY RESIDENTIAL & COMMERCIAL
PROPOSED RESIDENTIAL ZONING:	R-3A
PROPOSED COMMERCIAL ZONING:	B-3
TOTAL ACREAGE OF PROPERTY:	125.86 AC
TOTAL ACREAGE OF WETLANDS:	8.75 AC
TOTAL ACREAGE OF RESIDENTIAL:	102.10 AC
TOTAL ACREAGE OF COMMERCIAL:	15.01 AC
TOTAL AREA OF COMMON SPACE:	67.78 AC
TOTAL AREA FOR DETENTION PONDS:	8.71 AC
TOTAL AREA OF GREEN SPACE (W/O WETLANDS & PONDS):	50.32 AC
TOTAL LINEAR FT OF ROADWAY:	10,694 L.F.
R-3A MINIMUM LOT SIZE:	10,000 S.F.
PROPOSED MINIMUM LOT SIZE:	6,760 S.F.
TOTAL # OF LOTS:	199 LOTS
TOTAL # OF 52' X 130' LOTS:	123 LOTS
TOTAL # OF 70' X 130' LOTS:	76 LOTS
R-3A MAXIMUM DENSITY:	4 UNITS PER ACRE
NET DENSITY PER ACRE (RESIDENTIAL):	1.98 UNITS PER ACRE
R-3A MINIMUM SETBACKS:	
FRONT:	20'
REAR:	30'
SIDE:	5'
PROPOSED SETBACKS (RESIDENTIAL):	
FRONT:	25'
REAR:	25'
SIDE:	7.5'
UTILITY EASEMENT:	10' FRONT OF ALL LOTS & COMMON AREAS

**OWNER**  
 KIRBY PROPERTIES LLC  
 7060 AIRPORT BLVD  
 MOBILE, AL 36608  
 CONTACT: DAVID KIRBY

**CIVIL ENGINEER**  
 ENGINEERING DESIGN GROUP, LLC  
 1000 E. LAUREL AVE  
 FOLEY, AL 36535  
 (251) 943-8960  
 CONTACT: DAVID STOVALL, P.E.

**SURVEYOR**  
 ENGINEERING DESIGN GROUP, LLC  
 1000 E. LAUREL AVE  
 FOLEY, AL 36535  
 (251) 943-8960  
 CONTACT: CRAIG JOHNSON, P.L.S.

**UTILITY PROVIDERS**  
 WATER - SPANISH FORT WATER  
 SEWER - BALDWIN COUNTY SEWER  
 POWER - RIVIERA UTILITIES

**FLOOD ZONE**  
 FEMA'S NATIONAL FLOOD HAZARD  
 VIEWER PER FEMA 01003C0540M,  
 THIS SITE IS LOCATED IN ZONE X