CITY OF FOLEY
PLANNING COMMISSION

WORK SESSION
April 13, 2022
City Hall
Council Chambers
At 5:30 p.m.

&

MEETING
April 20, 2022
City Hall
Council Chambers
At 5:30 p.m.
The City of Foley Planning Commission will hold a work session meeting on April 13, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

**WORK SESSION:**

1. **Output Orchard- Discuss Start of Building Site Work**
   The applicant would like to discuss starting construction of their build to rent product of single family homes while they are doing site work. Property is located S. of E. Michigan Ave. and W. of S. Pean St. Applicant is SE Civil, LLC.

2. **Jody McGuff- Discuss Rezone to RV Park**
   The applicant would like to discuss a possible rezoning of the property to RV Park. Property is currently zoned AO (Agricultural Open Space). Property is located N. of W. Azalea Ave. and E. of S. Hickory St. Applicant is Jody McGuff.

3. **Phil Broadus- Discuss Boat & RV Storage**
   The applicant would like to discuss the possibility of developing a boat and RV storage. Property is located E. of the Foley Beach Express and N. of US Hwy. 98. Applicant is Phil Broadus.

4. ***Wells World- Request for Minor Exemption**
   The City of Foley Planning Commission has received a request for approval of Wells World, a minor/exempt subdivision which consists of 1 +/- acres and 2 lots. Property is located S. of County Rd. 12 S. and W. of James Rd. and is located in the City of Foley Planning Jurisdiction. Baldwin County has approved the subdivision as an exempt one time split. Applicant is Brian Wells.

5. **Gulf Flying Subdivision- Request for Minor**
   The City of Foley Planning Commission has received a request for approval of the Gulf Flying Subdivision a minor subdivision which consists of 1.15 +/- acres and 2 lots. Property is located S. of US Highway 98 and W. of County Rd. 65. Applicant is Sam Styron.

6. **The Resubdivision of Lot 1 of the Resubdivision of Lot 1 of the Replat of Woerner’s Two Lots- Request for Preliminary**
   The City of Foley Planning Commission has received a request for preliminary approval of the Resubdivision of Lot 1 of the Resubdivision of Lot 1 of the Replat of Woerner’s Two Lots which consists of 56.56 +/- acres and 2 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Woerner Land, LLC.

7. **Magnolia Landing- Request for Rezone**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 19 +/- acres. Property is currently zoned B-2 (Neighborhood Business District) and R-1D (Residential Single Family). Proposed zoning is PUD (Planned Unit Development). Property is located W. of Hickory St. and N. of County Rd. 12. Applicant is Jade Consulting.

Note: *Denotes property located in the Planning Jurisdiction
8. **Gopher Fork Subdivision- Request for Preliminary**
The City of Foley Planning Commission has received a request for preliminary approval of the Gopher Fork Subdivision which consists of 73 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates, LLC.

9. **Gopher Fork Investments- Request for Rezoning**
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned B-1A (Extended Business District) requested zone is R-3 (Residential Multi-Family). Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith & Clark Associates, LLC.

10. **Grand Riviera- Request for PUD Modification**
The City of Foley Planning Commission has received a request for a PUD modification. Property is located W. of the James Rd. and S. of County Rd. 20. Applicant is WAS Design.

11. **Sam Gerges- Request for Rezone**
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.44 +/- acres. Property is currently zoned PUD (Planned Unit Development) requested zone is R-3 (Residential Multi-Family). Property is located N. of County Rd. 20 and E. of S. Pine St. Applicant is Sam Gerges.

12. **Magnolia Walk East- Request for PDD Modification**
The City of Foley Planning Commission has received a request for a PDD modification. Property is located E. of the Foley Beach Express and N. of County Rd. 20. Applicant is Burton Property Group.

13. **Downey Family Limited- Request for Rezone**
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 91 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located S. of Wolf Bay Dr. and E. of Stan Mahoney Ln. Applicant is Downey Family Limited.

14. **Kenneth Tee- Request for Rezone**
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 18.79 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located at the SE corner of County Rd. 20 and S. Hickory St. Applicant is WAS Design.

**ADJOURN:**

Note: *Denotes property located in the Planning Jurisdiction
The City of Foley Planning Commission will hold a meeting April 20, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:
Approval of the March 9, 2022 and March 16, 2022 meeting minutes.

PUBLIC HEARING:
1. Gulf Flying Subdivision- Request for Minor
The City of Foley Planning Commission has received a request for approval of the Gulf Flying Subdivision a minor subdivision which consists of 1.15 +/- acres and 2 lots. Property is located S. of US Highway 98 and W. of County Rd. 65. Applicant is San Styron.

2. The Resubdivision of Lot 1 of the Resubdivision of Lot 1 of the Replat of Woerner’s Two Lots- Request for Preliminary
The City of Foley Planning Commission has received a request for preliminary approval of the Resubdivision of Lot 1 of the Resubdivision of Lot 1 of the Replat of Woerner’s Two Lots which consists of 56.57 +/- acres and 2 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Woerner Land, LLC.

3. Magnolia Landing- Request for Rezone
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 19 +/- acres. Property is currently zoned B-2 (Neighborhood Business District) and R-1D (Residential Single Family). Proposed zoning is PUD (Planned Unit Development). Property is located W. of Hickory St. and N. of County Rd. 12. Applicant is Jede Consulting.

4. Gopher Fork Subdivision- Request for Preliminary
The City of Foley Planning Commission has received a request for preliminary approval of the Gopher Fork Subdivision which consists of 73 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates, LLC.

5. Gopher Fork Investments- Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned H-1A (Extended Business District) requested zone is R-3 (Residential Multi-Family). Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith & Clark Associates, LLC.

6. Sam Gerges- Request for Rezone
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.44 +/- acres. Property is currently zoned PUD (Planned Unit Development) requested zone is R-3 (Residential Multi-Family). Property is located N. of County Rd. 20 and E. of S. Pine St. Applicant is Sam Gerges.

7. Downey Family Limited- Request for Rezone
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 93 +/- acres. Property is currently zoned AO (Agricultural

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Open Space) requested zone is PUD (Planned Unit Development). Property is located S. of Wolf Bay Dr. and E. of Stan Mahoney Ln. Applicant is Downey Family Limited.

8. **Kenneth Teem- Request for Rezoning**
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 18.79 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located at the SE corner of County Rd. 20 and S. Hickory St. Applicant is W.A.S. Design.

NEW BUSINESS:

1. **Wells World- Request for Minor/Exemption**
The City of Foley Planning Commission has received a request for approval of Wells World, a minor/exempt subdivision which consists of 1 +/- acres and 2 lots. Property is located S. of County Rd. 12 S. and W. of James Rd. and is located in the City of Foley Planning Jurisdiction, Baldwin County has approved the subdivision as an exempt one time split. Applicant is Brian Wells.

2. **Gulf Flying Subdivision- Request for Minor**
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5. **Gopher Fork Subdivision- Request for Preliminary**
The City of Foley Planning Commission has received a request for preliminary approval of the Gopher Fork Subdivision which consists of 73 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates, LLC.

6. **Gopher Fork Investments- Request for Rezoning**
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7. **Grand Riviera- Request for PUD Modification**
   The City of Foley Planning Commission has received a request for a PUD modification. Property is located W. of the James Rd. and S. of County Rd. 20. Applicant is WAS Design.

8. **Sam Gerges- Request for Rezone**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.44 +/- acres. Property is currently zoned PUD (Planned Unit Development) requested zone is R-3 (Residential Multi-Family). Property is located N. of County Rd. 20 and E. of S. Pine St. Applicant is Sam Gerges.

9. **Magnolia Walk East- Request for PDD Modification**
   The City of Foley Planning Commission has received a request for a PDD modification. Property is located E. of the Foley Beach Express and N. of County Rd. 20. Applicant is Burton Property Group.

10. **Downey Family Limited- Request for Rezone**
    The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 93 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located S. of Wolf Bay Dr. and E. of Stan Mahoney Ln. Applicant is Downey Family Limited.

11. **Kenneth Tem- Request for Rezone**
    The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 18.79 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located at the SE corner of County Rd. 20 and S. Hickory St. Applicant is WAS Design.

**ADJOURN:**
The City of Foley Planning Commission held a work session meeting on March 9, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Vera Quarles, Wes Abrams, Calvin Hare, Tommy Gebhart and Bill Swanson. Absent members were: Ralph Hellmich and Phillip Hinesley. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant; and Melissa Ringler, Recording Secretary.

**WORK SESSION:**

1. **Primland Phase 3 - Request for Extension**
   - The City of Foley Planning Commission has received a request for a 1 year extension.
   - Property is located at the NE corner of Wolf Bay Dr. Applicant is Goodwyn Mills Cawood.

   Chairman Abrams stated this would be the third extension request for Primland Phase 3.

   Ms. Amanda Thompson stated a construction preconference meeting regarding the project was held a few weeks ago. She explained they are mobilized and have started clearing the property.

   Mrs. Miriam Boone asked if this phase was being done by Truland Homes.

   Ms. Thompson stated Phase 3 will be developed by Truland Homes.

   Chairman Abrams asked if anyone had any comments or issues with the request. There were none.

2. **Riverside at Arbor Walk Phase 3 - Request for Extension**
   - The City of Foley Planning Commission has received a request for a 1 year extension.
   - Property is located E. of County Rd. 65 and N. of County Rd. 12. Applicant is Dewberry.

   Chairman Abrams stated this will be the second extension request for Riverside at Arbor Walk Phase 3.

   The applicant was not present.

   Mr. Chad Christian stated he is not opposed to the requested extension.

   Chairman Abrams asked if anyone had any comments or issues with the request. There were none.

3. **RaceTrac - Request for Site Plan Review**
   - The City of Foley Planning Commission has received a request for a site plan review. The property is located at the SE corner of the Foley Beach Express and County Rd. 28.
   - Applicant is S.E. Civil Engineering & Surveying.

   Chairman Abrams asked if anyone had any comments or issues with the request. There were none.

4. **Pecan Way Acres - Request for Minor**
   - The City of Foley Planning Commission has received a request for approval of Pecan Way Acres, a minor subdivision which consists of 46.51 +/- acres and 2 lots. Property is located

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Mrs. Boone explained the request is for a two lot subdivision. She stated the property is located in Baldwin County and is unzoned.

Chairman Abrams asked if anyone had any comments or issues with the request. There were none.

5. **Foley Villas Subdivision- Request for Minor**
The City of Foley Planning Commission has received a request for approval of the Foley Villas Subdivision a minor subdivision which consists of 32.63 +/- acres and 5 lots. Property is located at the NE corner of Bodenhamer Rd. and US Highway 98. Applicant is Sawgrass Consulting L.L.C.

Mrs. Boone explained the request is for a 5 lot subdivision. She explained the parcels have different zones and the requested subdivision lot lines are lining up with the different zoning areas.

Chairman Abrams asked if anyone had any comments or issues with the request. There were none.

6. **David Smith- Request for Rezone**
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.10 acres. Property is currently zoned PUD (Planned Unit Development). Proposed zoning is R-1A (Residential Single Family). Property is located at the NW corner of Brinks Willis Rd. and James Rd. Applicant is David Smith.

Mrs. Boone explained the request is to rezone the property to R-1A which has a 12,000 square foot minimum lot size requirement.

Chairman Abrams asked if anyone had any comments or issues with the request. There were none.

7. **Live Oak Village Phase IV- Preliminary**
The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase IV which consists of 19.04 +/- acres and 77 lots. Property is located W. of Cedar St. and N. of Peachtree Ave. Applicant is CHS Properties, Inc.

Commissioner Engel stated the property looks low in the back corner.

Mr. Christian stated there have been several rounds of comments after reviewing the construction plans. He explained the applicant has addressed all of the comments.

8. **Comprehensive Plan- Update to the SW Quad of the Comprehensive Plan**
Mr. Brandon Bias with Goodwin Mills Cawood went over the SW Quad Comprehensive Plan updates with the Commission.

9. **Comprehensive Plan- Update to the NE Quad of the Comprehensive Plan**

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March 9, 2022 (Council Chambers of City Hall) 5:30 P.M.

Mr. Brandon Bias with Goodwin Mills Cawood went over the NE Quad Comprehensive Plan updates with the Commission. He stated if any of the Commissioners have any questions or comments to let him know.

10. Zoning Ordinance Amendments

Mrs. Boone went over the proposed Zoning amendments with the Commissioners.

ADJOURN:
Meeting adjourned at 6:10 p.m.
The City of Foley Planning Commission held a meeting on March 16, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Vera Quistes, Ralph Hellmich, Calvin Hare, Philip Hinesley, Bill Swanson and Tommy Gehart. Absent member was Wes Abrams. Staff present were: Miriam Boone, City Planner; Jeff Phillips, Construction Projects Manager; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Vice-Chairman Hare called the meeting to order at 5:30 p.m.

MINUTES:
Approval of the February 9, 2022 and February 16, 2022 meeting minutes.

Commissioner Hellmich made a motion to approve the February 9, 2022 and February 16, 2022 meeting minutes. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the February 9, 2022 and February 16, 2022 meeting minutes passes.

Vice-Chairman Hare adjourned the regular meeting and opened the public hearing.

PUBLIC HEARING:
1. *Pecan Way Acres - Request for Minor*
   The City of Foley Planning Commission has received a request for approval of Pecan Way Acres, a minor subdivision which consists of 46.51 +/- acres and 2 lots. Property is located N. of Charolais Rd., E. of Grantham Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is SE Civil, LLC.

   Mr. Robert Jeffrey resident of 233 Rhinethor Lc. stated he lives east of the property in Greystone Village. He asked about the plans for the drainage. He stated there is a very low area on the property that holds a tremendous amount of water when it rains.

   Commissioner Hellmich stated he thinks the low area holding water was a dirt pit at one time. He explained if anything is developed on the property the water will be a big challenge and any drainage issues will have to be addressed.

   Mrs. Miriam Boone stated she is not aware of any plans for development of the property.

2. *Foley Villas Subdivision - Request for Minor*
   The City of Foley Planning Commission has received a request for approval of the Foley Villas Subdivision a minor subdivision which consists of 32.63 +/- acres and 5 lots. Property is located at the NE corner of Bodenhamer Rd. and US Highway 98. Applicant is Sawgrass Consulting LLC.

   Mr. Ted Ott resident of 17773 State Hwy. 98 stated he lives east of the property and wants to know about plans for development on the property.

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Mrs. Boone stated at this time they are subdividing the property into individual parcels to match the current zoning. She explained the front parcels are currently zoned B-1A and B-2 which is a commercial zone and the back parcels are zoned R-3 residential multi-family.

Mr. Tom Granger with Sawgrass Consulting LLC. stated at this time there are no plans for the commercial lots.

3. David Smith - Request for Rezone
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.10 acres. Property is currently zoned PUD (Planned Unit Development). Proposed zoning is R-1A (Residential Single Family). Property is located at the NW corner of Brinks Willis Rd. and James Rd. Applicant is David Smith.

Vice-Chairman Hare asked if there were any members of the public to speak on the item. There were none.

4. Live Oak Village Phase IV - Preliminary
The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase IV which consists of 19.04 +/- acres and 77 lots. Property is located W. of Cedar St. and N. of Peachtree Ave. Applicant is CHS Properties, Inc.

Ms. Kathy Rafetto resident of 1793 Breckinridge Place stated there are several residents present who have property abutting the proposed development. She explained they have concerns regarding drainage. She asked if the city had received any plans for the drainage.

Commissioner Hellmich stated they will have to provide detailed drainage information to the City Engineer and any drainage issues or concerns will have to be addressed.

Mr. Jeff Phillips stated staff is reviewing this phase very closely to ensure it does not impact any of the surrounding properties.

Ms. Rafetto stated they would like to see the design and want to know if there are going to have drainage swales in their backyards.

Commissioner Hellmich stated they will have to contain the drainage within the development. He explained there is a master drainage plan and it will be checked to ensure it will not have a negative impact on the area.

Commissioner Hinesley asked if the streets would be private.

Mr. Phillips answered yes the streets will be private.

Ms. Rafetto stated the retention pond looks very small.

Commissioner Engle stated he also has concerns about the size of the retention pond.

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Ms. Carah Vuncannon with McCrory and Williams, Inc. stated the drainage water for the development will be going into two ponds. She explained a new pond which will be located on Hudson Rd. and also into an existing pond.

Ms. Raffetto stated one of the houses on Hudson Rd. already had issues with flooding in their backyard and had to have drains installed. She stated this is a lot of new homes and there are already flooding issues in the area.

Commissioner Hellmich explained the water handling is a lot more stringent today than it was years ago when the other phases of Live Oak were developed. He asked that staff keep in touch with the residents to ensure their questions regarding the drainage are answered satisfactorily.

5. Comprehensive Plan: Update to the SW Quad of the Comprehensive Plan

Vice-Chairman Hare asked if there were any members of the public to speak on the item. There were none.

6. Comprehensive Plan: Update to the NE Quad of the Comprehensive Plan

Vice-Chairman Hare asked if there were any members of the public to speak on the item. There were none.

7. Zoning Ordinance Amendments

Vice-Chairman Hare asked if there were any members of the public to speak on the item. There were none.

Vice-Chairman Hare closed the public hearing and reconvened the regular meeting.

NEW BUSINESS:

1. Primland Phase 3: Request for Extension

The City of Foley Planning Commission has received a request for a 1 year extension. Property is located at the NE corner of Wolf Bay Dr. Applicant is Goodwyn Mills Cawood.

Mrs. Boone explained this is the second extension request for Primland Phase 3.

Vice-Chairman Hare stated they have completed several other phases of Primland.

Ms. Amanda Thompson with Goodwyn Mills & Cawood stated they are currently in the clearing stage for Phase 3.

Commissioner Hellmich made a motion to approve the request for a 1 year extension. Commissioner Swanson seconded the motion. All Commissioner voted aye.

Motion to approve the request for a 1 year extension passes.

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2. **Riverside at Arbor Walk Phase 3: Request for Extension**
   The City of Foley Planning Commission has received a request for a 1 year extension. Property is located E. of County Rd. 65 and N. of County Rd. 12. Applicant is Dewberry.

   Ms. Boone stated this is the second extension request for Riverside at Arbor Walk Phase 3.

   Commissioner Hellmich stated he wants to make sure the development will be adhering to current FEMA flood maps and flood requirements.

   Mrs. Boone stated they will have to meet current flood requirements if the property is located in a flood zone.

   Commissioner Hinesley made a motion to approve the requested 1 year extension. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

   **Motion to approve the requested 1 year extension passes.**

3. **RaceTrac: Request for Site Plan Review**
   The City of Foley Planning Commission has received a request for a site plan review. The property is located at the SE corner of the Foley Beach Express and County Rd. 28. Applicant is S.E. Civil Engineering & Surveying.

   Commissioner Hellmich made a motion to approve the requested site plan. Commissioner Engel seconded the motion. All Commissioners voted aye.

   Commissioner Hellmich stated the applicant has been working with the city engineer. He explained the access management plan and all other requirements will have to be met before any permits will be issued for construction.

   **Motion to approve the requested site plan passes.**

4. **Pecan Way Acres: Request for Minor**
   The City of Foley Planning Commission has received a request for approval of Pecan Way Acres, a minor subdivision which consists of 46.51 +/- acres and 2 lots. Property is located N. of Charolais Rd., E. of Grantham Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is SE Civil, LLC.

   Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Qualites seconded the motion.

   Commissioner Hellmich stated there have been concerns about the drainage in the area. He stated drainage will be looked at closely if and when the property is developed.

   All Commissioners voted aye.

   **Motion to approve the requested minor subdivision passes.**

   **Note:** *Denotes property located in the Planning Jurisdiction*
5. **Foley Villas Subdivision- Request for Minor**  
The City of Foley Planning Commission has received a request for approval of the Foley Villas Subdivision a minor subdivision which consists of 32.63 +/- acres and 5 lots. Property is located at the NE corner of Bodenhamer Rd and US Highway 98. Applicant is Sawgrass Consulting LLC.

Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Swanson seconded the motion.

Commissioner Swanson asked if the neighboring property owners to the east would get notification if anything is developed on the property.

Mrs. Boone answered not necessarily. She explained the property is zoned commercial and a site plan review by the Planning Commission would be needed if the structure exceeds 50,000 sq. ft. She stated a site plan has been done and approved for a portion of the multi-family property.

All Commissioners voted aye.

**Motion to approve the requested minor subdivision passes.**

6. **David Smith- Request for Rezone**  
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.10 acres. Property is currently zoned PUD (Planned Unit Development). Proposed zoning is R-1A (Residential Single Family). Property is located at the NW corner of Britts Willis Rd. and James Rd. Applicant is David Smith.

Commissioner Engel made a motion to recommend the requested rezoning to Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

**Motion to recommend the requested rezoning to Mayor and Council passes.**

7. **Live Oak Village Phase IV- Preliminary**  
The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase IV which consists of 19.04 +/- acres and 77 lots. Property is located W. of Cedar St. and N. of Peachtree Ave. Applicant is CHS Properties, Inc.

Commissioner Hellmich made a motion to approve the requested preliminary. Commissioner Swanson seconded the motion.

Commissioner Hellmich stated the lot sizes are mirroring what is already established in the subdivision. He explained there has been concern from citizens regarding drainage. He explained he has great faith that staff will make sure the development does not increase any drainage issues.

Commissioner Engel stated he has reservations regarding the drainage ponds and they need to be looked at closely.

All Commissioners voted aye.

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Motion to approve the requested preliminary passes.

8. Comprehensive Plan- Update to the SW Quad of the Comprehensive Plan

Mrs. Boege explained the city received a grant from ACDNR to update the SW and NW quad portions of the comprehensive plan.

Commissioner Hellmich stated the comprehensive plan is a guiding tool. He explained committees were formed from property owners within the areas and meetings were held to get the public’s input.

Commissioner Hinesley made a motion to adopt the SW and NE quad Comprehensive Plan updates. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to adopt the SW and NE quad Comprehensive Plan updates passes.

Commissioner Hellmich thanked Mr. Brandon Bias for his help with the updates to the comprehensive plan.

9. Comprehensive Plan- Update to the NE Quad of the Comprehensive Plan

This item was discussed and voted on with item # 8.

10. Zoning Ordinance Amendments

Ms. Boone went over the proposed zoning ordinance amendments with the Commissioners.

Commissioners gave feedback on the definition for density and allowable fencing.

Commissioner Hinesley made a motion to recommend the proposed zoning ordinance amendments to Mayor and Council. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to recommend the proposed zoning ordinance amendments to Mayor and Council passes.

ADJOURN:

Vice-Chairman Hare adjourned the meeting at 7:31 p.m.
3/15/2022

To: Amanda Cole
Planning and Zoning Assistant
City of Foley, AL

Amanda,

As stated in my E-mail to Chuck Lay on March 10th, 2022, we would like to start construction of our Build
to Rent product, Single Family Homes, in The Orchard Subdivision while we are doing the site work.

This will enable us to have our homes ready for occupancy when we finish our amenity package and gain
about 4 – 6 months on our rent up.

Our engineer, David Diehl of S.E. Civil will be present at the meeting to address any issues as to any
changes to the submittal that the City may require to help us with this request.

Kindest Regards,

Guy Balencie
Senior Vice President of Development and Construction
Outpost Residential LLC
GBalencie@outpostresidential.com
850 449 5054
Outpost Orchard
Outpost Residential Living, LLC

TOTAL ACRES: 29
LOTS: 349
DENSITY: 4.2 / AC
STREETS: 8,537 LF
RV Park Rezoning Discussion
Jody McGuff

Property is located off of S Hickory St, N of W Azalea, Adjacent to Hickory Bend
Subdivision

The PPIN for the 2 adjoining parcels are 236251 and 371465 I was wanting to rezone these properties to establish a nice safe RV Park for our visitors to the community. Most parks are either run down or too expensive for a lot of people and the location is great for local shopping. I know there is subdivision on the north side and a little on the East of these parcels. But open fields to the south. I hope this answers your questions if not please email me or you can call me at 251-978-3375 thanks for the consideration.
Dear City of Foley,

My wife and I own a commercial property here in Foley located at 12600 Foley Beach Express. We're interested in developing the property into a small RV & Boat storage park. Currently the property is empty with no trees and all green space. This plan was approved for the previous owners back in 2019. I’ve included a copied letter.

We would like to remove most of the grass and replace with a gravel permeable surface. If needed, we can construct a drainage ditch around the gravel area. We plan to install a chain fencing and a large auto-locking gate. Also, install three or four light poles.

We plan for the lot to be open parking with no covered storage at this time. In the future a section of covered parking may be added depending on the market.

We can employ a Civil Engineer to develop drawings per the City’s requirements. I’m hoping to schedule a meeting or call to discuss the process and requirements to move forward.

Many Thanks, Phil Broadus
Home/Office – 251/239-9446
cell # 571/439-1479
CITY OF FOLEY, ALABAMA
APPLICATION FOR A MINOR SUBDIVISION

Date 3-11-22

1. Name of Subdivision Wells Ward

2. Name of Applicant/Owner Brian Wells

Phone 251-978-6908 Email BrianWells563@gmail.com
Address P.O. Box 1035 Orange Beach AL 35561
(Street Number and Name) 2053 Lee Ave
(City) (State) (Zip Code)

3. Engineer

Phone 
Email 
Address (Street Number and Name) (City) (State) (Zip Code)

4. Location of Subdivision 20828 County Rd. 12 South Foley AL

5. Total Acreage 1 Number of Lots 2

6. Parcel Pin # 05-61-05-11-0-001-008-000 PIN # 82563

7. I, Brian Wells, hereby depose and say that all the above statements and the statements contained in the papers submitted here within are true.

Signature/Title Owner
Mailing Address P.O. Box 1035
06 AL 35561
Phone 251-978-6908
Email BrianWells563@gmail.com

Fee waived due to
Moratorium on exempt
Subdivisions which has approved on all 2023.
March 03, 2022

SUBDIVISION EXEMPTION VERIFICATION

Case #: PF22-00092

Site & Applicant Information
Parcel ID Number: 05-01-05-18-0-001-008.000
Physical Address (E-911): 20828 COUNTY RD 12 S FOLEY, AL 36535
Applicant Name: Brian Wells
28990 Lee ave
28555 Lee ave
Orange beach, AL 36561

Dear Applicant:

This letter is in response to your request for an exemption from the Baldwin County Subdivision Regulations as provided in Section 4.2 which states the following:

§4.2 Exceptions to Required Approval:

(c) A one-time split of a single parcel into two resultant parcels, if, and only if, the parcel existed and has not been divided since February 1, 1984. Sufficient documentation of property status as of February 1, 1984 must be submitted along with request for exemption. Each resulting parcel shall meet the minimum lot size and width requirements of Section 5.4(a). The owner of each parcel approved as exempt under this subparagraph shall be required to submit, as a condition to such approval, a copy of the deed to the property as it was filed on February 1, 1984, together with an affidavit executed by such owner attesting, under oath, that the parcel which is sought to be divided has not been subdivided at any time since February 1, 1984. Any applicant receiving an exempt subdivision approval pursuant to this subparagraph acknowledges that any further subdivisor of the divided parcel or the master parcel from which the subdivided parcel was divided shall not be permitted except in compliance with these regulations. An exemption under this paragraph shall not apply to a proposed subdivision or resubdivision that will result in a Major Change to an approved and recorded Final Plat or Final Site Plan.

Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to zoning ordinance, Health Department requirements, highway construction setbacks, or, if located within the extraterritorial jurisdiction of a municipality, the regulations of that municipal planning commission. Any subdivider who is circumventing the intent and substance of the Baldwin County Subdivision Regulations shall be required to submit a plat for review and approval by the Baldwin County Planning and Zoning Commission and shall be subject to the penalties under Section 13.3: Enforcement of the Baldwin County Subdivision Regulations. Based on your proposal the resulting subdivision will include two (2) parcels.

Per the information provided this parcel had existed and had not been divided since February 1984 and complies with Section 5.4 (a). Therefore, the division of this parcel into two (2) parcels as shown on the attached drawing is Exempt from the Baldwin County Subdivision Regulations. This property is located within the extraterritorial jurisdiction of the City of Foley and as such you are required to contact their Planning Department to verify compliance of their regulations.

This letter only indicates that this division is exempt from the requirement of subdivision approval required by the Baldwin County Subdivision Regulations. Baldwin County is not accepting responsibility for maintenance of any existing or future easements or roads that are a part of this division. It is your responsibility to confirm that a subdivision is permissible under any covenants or restrictions that apply to the property.

If you have any questions, please feel free to call me 251-580-1655.

Sincerely,
Brian Wells
PO Box 1035
Orange Beach, AL 36561

RE: 20828 Co Rd 12 S – Parcel 61-05-16-0-001-008.000

This letter is to confirm that Riviera Utilities is currently able to provide water service to 20828 Co Rd 12 South located in Foley, AL.

Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tony Schachle</td>
<td>Water</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
</tr>
</tbody>
</table>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,

James Wallace
March 18, 2022

In Re: 2 lot subdivision on Co Rd 12 S. Foley, AL with parcel 05-81-05-18-0-001.008.000

Brian,

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve this property.

Baldwin County Sewer Service LLC is willing and able to provide sewer service to the above referenced property, subject to applicant paying all fees required for this service. This letter is not to be used to obtain a building permit. A $1500* impact fee per lot will need to be paid to Baldwin County Service LLC if a new subdivision plat is signed. This letter is valid for a period of two years from the date of issue. Any development that has not paid the necessary fees before this letter expires will need to contact BCSS and request a re-issuance of their willing and able letter.

*A franchise fee may apply in franchise areas.

The wastewater will be treated at our Fort Morgan wastewater treatment plant.

Sincerely,

Jenny Williams
Baldwin County Sewer Service, LLC
(251) 971-3022
jenny@baldwincountysewer.com
March 14, 2022

Brian Wells
PO Box 1035
Orange Beach, Alabama, 36561

Re: Wellsworld Subdivision, 20826 County Road 12S Foley, AL, PPIN Number 82563

Dear Brian Wells:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase or three-phase power may be provided at the member’s expense.

Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. Any plat approvals will require a lead time of 7-10 business days.

Please contact me to discuss necessary easements and fees. If you have any questions or need further assistance, please contact me at 251-989-0134.

Sincerely,

Ken Pimperl
System Engineer

KP/yb
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Wellsworld Minor Subdivision

Engineering recommends approval of the proposed Minor Subdivision. Has the setback been checked from new lot line for the existing structure?

Chad P. Christian, P.E.
City Engineer
### Planning Commission Report
By Miriam Boutwell
April 2022
Request for Minor SD

<table>
<thead>
<tr>
<th>Name:</th>
<th>Wells World SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Brian Wells</td>
</tr>
<tr>
<td>Location:</td>
<td>South of CR 12, west of James Road</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>BC District 30 Zoning</td>
</tr>
<tr>
<td>Acreage:</td>
<td>1+/- Acre</td>
</tr>
<tr>
<td>Lots:</td>
<td>2 Lots</td>
</tr>
<tr>
<td>Flood Zone: (Unconfirmed)</td>
<td>X</td>
</tr>
</tbody>
</table>

**Comments:**
This request is for a 2 lot subdivision on 1 acre. The property is outside the City limits but is located in BC District 30 zoning. The County has already signed-off on this exemption.
CITY OF FOLEY, ALABAMA
APPLICATION FOR A MINOR SUBDIVISION

Date 3-20-22
City Limits

1. Name of Subdivision GULF FLYING SUBDIVISION
2. Name of Applicant/Owner SAM STYRON
Phone 251-962-2946
Address 17588 HWY 98 Foley, AL 36535

3. Engineer
Phone
Address

4. Location of Subdivision SECTION 25, T-7-S, R-3-E PPIN 085458
5. Total Acreage 1.15
6. Parcel Pin # 085458
7. I, JERRY PIZZI, hereby depose and say that all the above statements and the statements contained in the papers submitted here within are true.

Signature/Title JERRY PIZZI PLS
Mailing Address 20200 STATE HWY 18
FAIRHOPE, AL 36532
Phone 251-605-7776
Email BAY AREA SURVEYING@OUTLOOK.COM

received
RIVIERA UTILITIES
4321 Laurel Avenue, P.O. Drawer 2960, Foley, AL 36536
Phone (251) 943-0001 Fax (251) 943-4281

3/21/2022

Jerry Perez
Bay Area Surveying
20204 State Highway 181
Fairhope, AL 36532

RE: Gulf Flying Subdivision – PIN 085458

This letter is to confirm that Riviera Utilities is able to provide electric, gas, and water service to the Gulf Flying Subdivision – PIN 085458 in Foley, AL.

Riviera Utilities requires a 10’ easement along all side property lines and a 15’ easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

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<td>Water</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
</tr>
<tr>
<td>Scott Sligh</td>
<td>Electric</td>
<td><a href="mailto:sligh@rivierautilities.com">sligh@rivierautilities.com</a></td>
</tr>
<tr>
<td>Danny Scott</td>
<td>Gas</td>
<td><a href="mailto:dscott@rivierautilities.com">dscott@rivierautilities.com</a></td>
</tr>
</tbody>
</table>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,

James Wallace
To:    CDD Staff
cc:    City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re:    Gulf Flying Minor Subdivision

Engineering recommends approval of the proposed Minor Subdivision provided that the method of Sanitary Sewer service is added to the plat.

Chad P. Christian, P.E.
City Engineer
Planning Commission Report
By Miriam Boutwell
April 2022
Request for Minor SD

Name: Gulf Flying SD
Applicant: Sam Styron
Location: South of US 98, east of Landing Drive
Existing Zoning: B1A – Extended Business District
Acreage: 1.15 +/- Acres
Lots: 2 Lots
Flood Zone: X
(Unconfirmed)
Comments: This request is for a 2 lot subdivision on 1.15 acres. The lots meet zoning.
CERTIFICATE OF APPROVAL
BY RIVIERA UTILITIES

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THIS PLAT FOR THE PURPOSE OF RECORDING SAME IN THE PROPEL OFFICE OF BALDWIN COUNTY, ALABAMA.

AUTHORIZED REPRESENTATIVE'S SIGNATURE
RIVIERA UTILITIES (WATER UTILITY)

AUTHORIZED REPRESENTATIVE'S SIGNATURE
RIVIERA UTILITIES (ELECTRIC UTILITY)

AUTHORIZED REPRESENTATIVE'S SIGNATURE
RIVIERA UTILITIES (GAS UTILITY)

FLOOD ZONE STATEMENT
I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD SUSCEPTIBILITY MAP DATED APRIL 19, 2013, AND FOUNDED THAT THE DESCRIBED PROPERTY IS LOCATED IN ZONE "X" (UNINSURED), AS SCALLED FROM THE F.E.N.A. FLOOD HAZARD INSURANCE MAP.

GULF FLYING SUBDIVISION

STATE OF ALABAMA
BALDWIN COUNTY

I, THE UNDERSIGNED AUTHORITY, IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, AND HEREBY APPROVE THE SAME FOR RECORDDING SAME IN THE PROPEL OFFICE OF BALDWIN COUNTY, ALABAMA, THIS DAY OF

CEMENTATION

IN COUNTERPART, THIS PROPEL OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE

ARCHITECT AND/or ENGINEER

NOTARY PUBLIC

PHONE (251) 988-9215
FAIRHOPE, ALABAMA 36532

2014 STATE STATUTE 181
FAIRHOPE, ALABAMA 36532

POSITION OF NOTARY PUBLIC

RECEIVED

DATE
Public Notice

The City of Foley Planning Commission has received a request for approval of the Gulf Flying Subdivision, a minor subdivision which consists of 1.15 +/- acres and 2 lots. Property is located S. of US Highway 98 and W. of County Rd. 65. Applicant is Sam Styron.

Anyone interested in the approval may be heard at a public hearing scheduled for April 20, 2022 in City Hall Council Chambers (407 E. Laurel Ave.) at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR A PRELIMINARY

Date 3/28/22
City Limits X E17

1. Name of Subdivision THE RESUBDIVISION OF LOT 1 OF THE RESUBDIVISION OF LOT 1 OF THE REPLAT OF WOERNER'S TWO LOTS

2. Name of Applicant/Owner Woerner Land, LLC
Phone 561-379-5182
Email kmiller@classicturf.net
Address 1801 Centrepark Dr E, Ste 125
West Palm Beach FL 33401
(City) (State) (Zip Code)

3. Engineer Goodwyn Mills Cawood / Amanda Thompson
Phone 251-380-8749
Email amanda.thompson@gmcnetwork.com
Address 2039 Main Street
Daphne AL 36526
(City) (State) (Zip Code)

4. Location of Subdivision 61-02-09-2-001-007.001

5. Total Acreage 56.57
Number of Lots 2

6. Parcel Pin # 2608

7. I, Amanda Thompson, hereby depose and say that all the above statements and the statements contained in the papers submitted here within are true.

Signature/Title /Amanda Thompson/
Mailing Address PO Box 1127
Daphne, AL 36526
Phone 251-380-8749
Email amanda.thompson@gmcnetwork.com
RE: Resubdivision Of Lot 1 Of The Resubdivision Of The Replat Of Woerner’s Two Lots

This letter is to confirm that Riviera Utilities is currently able to provide gas, water and sewer service to The Resubdivision Of Lot 1 Of The Resubdivision Of The Replat Of Woerner’s Two Lots located in Foley, AL.

Riviera Utilities requires a 10’ easement along all side property lines and a 15’ easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

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<td>Gas</td>
<td><a href="mailto:docott@rivierautilities.com">docott@rivierautilities.com</a></td>
</tr>
<tr>
<td>Tony Schachle</td>
<td>Water/Sewer</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
</tr>
</tbody>
</table>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,

James Wallace
March 15, 2022

Barbara Garnaer
GMC
2039 Main Street
Daphne, Alabama 36526

Re: Resubdivision of Lot 1 of The Replat of Wernher’s Two Lots PPIN Number 2601

Dear Barbara Garnaer:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase or three-phase power may be provided at the member’s expense.

Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. Any plat approvals will require a lead time of 7-10 business days.

Please contact me to discuss necessary easements and fees. If you have any questions or need further assistance, please contact me at 251-989-0134.

Sincerely,

[Signature]

Ken Pimpervi
System Engineer
KP/yp

[Postmark: RECEIVED 3/17/2023]
March 15, 2022

Barbara Garner
GMC, Inc.
2039 Main St.
Daphne, AL 36526

RE: The resubdivision of lot 1 of the resubdivision of lot 1 of the replat of Woerner’s two lots (2 Lots)
Foley, Alabama

Dear Ms. Garner,

Recently you approached CenturyLink about providing a “will serve” letter to serve the development above. CenturyLink appreciates the opportunity to provide this development with its future communication needs. In response to the request for a commitment to serve, CenturyLink will work with the developer in determining what the needs will be. Upon such determination, CenturyLink will undertake an analysis of the construction required and the cost to complete that construction. It is only at that point, and given the prevailing Terms and Conditions of the General Customer Services Price List that CenturyLink will make a determination whether it can or cannot provide service.

The service you request will be provided for under the prevailing Terms and Conditions of the General Customer Services Price List posted on our CenturyLink web site at www.CenturyLink.com/tariffs.

If there are any further questions, or if I can be of any help, please do not hesitate to call me at 251.952.5781: I will work with you on the requirements.

Sincerely,

Jeff Crowe
Engineer II - Eastern Region
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Resub of Lot 1 of Resub of Lot 1 of Replat of Woerner's Two Lots Subdivision

Engineering recommends approval of the proposed Minor Subdivision. Explain the note referencing dedication of short section of private road to the City.

Chad P. Christian, P.E.
City Engineer
Planning Commission Report  
By Miriam Boutwell  
April 2022  
Request for Preliminary

<table>
<thead>
<tr>
<th>Name:</th>
<th>Resub of L1 of Resub of L1 of Replat of Woerner's Two Lots SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Woerner Land LLC</td>
</tr>
<tr>
<td>Location:</td>
<td>South of CR 20, East of Hwy 59</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>B1A – Extended Business District</td>
</tr>
<tr>
<td>Acreage:</td>
<td>56.57 +/- Acres</td>
</tr>
<tr>
<td>Lots:</td>
<td>2 Lots</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X (Unconfirmed)</td>
</tr>
<tr>
<td>Comments:</td>
<td>This request is for 2 lots on 56.57 +/- acres in a B1A – Extended Business District zone. The proposed lot is 2.12 acres and meets zoning.</td>
</tr>
</tbody>
</table>
Public Notice

The City of Foley Planning Commission has received a request for preliminary approval of the Resubdivision of Lot 1 of the Resubdivision of Lot 1 of the Replat of Woerner’s Two Lots which consists of 56.57 +/- acres and 2 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Woerner Land, LLC.

Anyone interested in the approval may be heard at a public hearing scheduled for April 20, 2022 in City Hall Council Chambers (407 E. Laurel Ave.) at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN & LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   Response: Hickory St., PIN #380216, Owner Magnolia Landing LLC,

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
   Response: Please see attached list of property owners.

3. APPROXIMATE SIZE OF PROPERTY:
   Response: The proposed PUD request will rezone the entire 19.42 acre parcel.

4. PRESENT ZONING OF PROPERTY:
   Response: The property is currently zoned R-1D and B-2.

5. REQUESTED ZONING:
   Response: Planned Unit Development (PUD).

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:
   Response: The property has remained vacant and has not been proposed for development.

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.):
   The proposed PUD will allow for a multi-family project on the 19.42 acre parcel total. The proposed multi-family development would be phase 3 of the existing Magnolia Landing apartments and is proposing a density that will not exceed the 11 units/acre allowed in the City’s Zoning Ordinance. All required parking, open space, utility and drainage improvements will be provided as required by the City of Foley’s land development regulations.

8. PROCESSING FEE OF $500.00 FOR 20 ACRES OR LESS, PLUS $15.00 PER ADDITIONAL ACRE OVER 20.
   Response: Total check amount is $500

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: March 23, 2022

Perry C. Jenrigh, III, PE
PROPERTY OWNER/APPLICANT
208 N. Green Rd, Ste. B, Fairhope, AL 36532
PROPERTY OWNER ADDRESS
251-928-3443
PHONE NUMBER
jenright@adengineers.com / sruthi@adengineers.com
EMAIL ADDRESS
21.2.4 Submission Requirements

In order to provide an expeditious method for processing a plan for a planned unit development under the terms of this Ordinance, it is hereby declared to be in the public interest that all procedures with respect to the approval or disapproval of a plan for a planned unit development, and the continuing administration thereof, shall be consistent with the following provisions:

A. A rezoning application for a development plan for a planned unit development shall be filed by or on behalf of the landowner with the Community Development Director. The purpose of the development plan is to provide the City with information in respect to the type, character, scale and intensity of development as well as the time phasing of the proposed planned unit development in order for the City to evaluate the impact of the development upon the City. Once the PUD master plan has been approved, each phase must be approved by staff and the Planning Commission prior to any permits being issued.

Response: Rezone application has been enclosed with this submittal.

B. The applicant for any type of PUD shall provide a drawing and a written narrative specifically calling out all zoning relaxations that are being requested through the PUD. These may include reduced right-of-way width, clustering of units, reduced lot size and setbacks, use considerations, building height variances, design considerations, etc., and shall also identify the benefits of the PUD, including but not limited to:

Response: A site plan indicating the proposed multi-family project and its respective improvements have been enclosed as an Appendix to this report. The intent of the PUD is to not to specifically request any zoning relaxations but to rather provide the City with site specific information as to how the various requirements will be meet. This report includes as appendices a site plan and building plan sheets that provide detailed information on the proposed multi-family project.

1. Public Benefits - Traffic and utility improvements, regional and local bicycle/pedestrian improvements, buffering from adjacent sites, aesthetic improvements, dedication of school or park sites, enhancement of property values, sign enhancements, preservation of natural areas and views, creating public access to water or other popular sites.

Response: The 19.42-acre parent parcel has 0.58 acres of delineated wetlands included within the limits of this PUD. This project proposes buffers and other natural preservation areas that will provide a protected barrier and wild life greenways. The development is proposed to be clustered so that large sections of the property can remain in its natural state. This will reduce the needed impacts to the existing wetland area and allow for passive recreation for the residents for viewing of the native wildlife and plant life within the area. As indicated in the attached site plan the combination of these passive and active open space areas exceed the City's minimum 25% requirement.

2. Private Benefits - Amenities for site users, open space and recreation, clustering of uses, creation of neighborhoods, landscaping, traffic circulation, multi-modal circulation, private space for units, parking, tree preservation, preserving unique views and natural areas in common areas for the use and enjoyment of all residents/guests, enhanced architecture and site layout.

Response: As previously mentioned the project will be designed to reduce impacts within the wetland area. The wetland area along with the 30' buffer around it will remain in its' vegetated and forested state to allow for a vegetative screening from Hickory Street along with the passive recreation of viewing the native wildlife and plant life within the area. The project will also
Include other amenities for active lifestyles. These features will include but are not limited to a pool, clubhouse, playground, fitness center and green spaces for general recreation.

C. The following information shall be submitted with the applications:

1. The location and size of the site including its legal description.
   Response: A location map and legal description has been enclosed with this report.

2. The recorded ownership interests including liens and encumbrances and the nature of the developer’s interest if the developer is not the owner.
   Response: Please find enclosed a copy of the Baldwin County Tax Assessors report indicating Magnolia Landing, LLC and the owner.

3. The relationship of the site to existing development in the area, including streets, utilities, residential and commercial development, and physical features of the land including pertinent ecological features.
   Response: The proposed development is located on the west side of Hickory Street, approximately 1,700’ north of the intersection with County Road 12 and approximately 1,000’ south of the intersection with County Road 20 S. The proposed development abuts the Crown Walk Subdivision to the south and Magnolia Landing Apartments PH 1 & 2 to the north. As previously mentioned, the site has approximately 0.96 acres of wetlands that will be protected by the projects proposed buffers. The only potential impact would be the northern access drive onto Hickory Street and this would be restricted to be a minimal as possible.

4. The density or intensity of land use to be allocated to all parts of the site to be developed together with tabulations by acreage and percentages thereof.
   Response: The maximum allowed density for a PUD is 11 units per acre.
   
   Maximum allowed # of units = 11 x 10.42 = 213.6 units
   Total Proposed units = 152 units
   Proposed Density = 7.79 units per acre

5. The location, size and character of any common open space, common owned facilities and the form of organization proposed to own and maintain any common open space and common owned facilities.
   Response: The multifamily residential development will be retained by a single entity ownership. All common area will remain under the same single entity ownership. An exhibit has been included as an Appendix to this report that illustrates the proposed locations and calculations indicating how the proposed PUD will exceed the City’s 25% minimum open space requirement.

6. The use and type of buildings, i.e., single-family detached, townhouses, or garden apartments, proposed for each portion of the area included within the outline development plan.
   Response: The enclosed site plan indicates the location and type of proposed multifamily structures being proposed. We have also enclosed preliminary renderings of the proposed buildings that illustrate building height, floor plans and elevations.
7. The engineering feasibility and proposed method of providing required improvements such as streets, water supply, and storm drainage and sewage collection.

Response: All proposed infrastructure improvements will be in accordance with the City of Foley's development standards. The design and supporting engineering studies will be provided to the City as part of the Land Disturbance portion of the permitting process.

The site does have Riviera gravity sewer and water mains along Hickory Street that will provide utility service to the proposed development. Including some sanitary sewer and water improvements extending from the Magnolia Landing PH 1 & 2 property.

8. The substance of covenants, grants or easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements for public utilities.

Response: All public utility improvements will have a corresponding easement granted that will cover their respective placement.

9. The provisions for parking vehicles and the function and location of vehicular and pedestrian system facilities.

Response: The enclosed site plan indicates that the City's minimum 2 space per unit parking requirement will be complied with. As currently drawn, the proposed project will require 304 parking spaces and has proposed 336 parking spaces.

10. The provisions for the disposition of open space including its development or non-development character and function.

Response: An exhibit has been included as an Appendix to this report that illustrates the proposed locations and calculations indicating how the proposed PUD will exceed the City's 25% minimum open space requirement.

11. In the case of plans which call for development over a period of years, a schedule showing the proposed times within which application for final approval of all sections of the planned unit development are intended to be filed.

Response: The proposed PUD will be developed in a single phase.

12. Any additional data, plans or specifications as the applicant or the City may believe are pertinent to the proposed planned unit development.

Response: We have enclosed as an Appendix to this report a copy of the recent wetlands delineation report that was prepared by Wetland Sciences, Inc.

13. An Application and fee as required for processing.

Response: Application and check in included with this submittal.

14. A Master Signage Plan meeting the criteria of Article XXII, Section 22.7

Response: The PUD's proposed masterplan shows the approximate location of monument sign for the multi-family development.
D. The application for development approval of a planned unit development shall include a written statement by the landowner or any other entity having a cognizable interest in the land, describing fully the character and intended use of the planned unit development and setting forth the reasons why, in his opinion, a planned unit development would be consistent with the City's statement of purposes on planned unit development.

Response: We have respectfully submitted this report so serve as a narrative to the proposed multi-family project. The requested PUD has specific design details that illustrate the project meets the criteria indicated by the City of Foley’s Zoning Ordinance. The developer of the project proposes for this project to continue to raise the bar for multi-family projects in Foley. The combination of open space, natural space preservation, community amenities, and overall aesthetic design should provide a benefit to the City.
Planning Commission Report

By Miriam Boutwell

April 2022

Rezoning

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Magnolia Landing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>West of Hickory Street, north of CR 12 S</td>
</tr>
<tr>
<td>Size:</td>
<td>19.42+/- Acres</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>PUD – Planned Unit Development</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>NC - Neighborhood Commercial &amp; RM – Residential Medium Density</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X</td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
</tr>
</tbody>
</table>

Comments: The owner would like to rezone to PUD to continue the multi-family use from the adjacent property. The applicants have modified the design & are working with the Crown Walk HOA as well.

Modifications from last meeting include:
- Reduced units from 213 to 152 – 7.79 units an acre;
- Amenities moved to north end nearest Crown Walk;
- Setback from 1st set of 2 story units 365' from Crown Walk;
- Setback from 3 story unit on west & east side 425' + no windows facing north;
- Setback from 3 story units on south end 550';
- Renderings included;
- Letter/Email from Crown Walk POA
Site Plan Review

Feb 22 - Re-oriented blds to be perpendicular to N property line and further south, removed end windows & added balcony shields.

March 22 - Met with Crown Walk HOA again after 2/22 PC WS & made significant changes.

Reduced overall # of units by 61. Added fence/berm below 60' enhanced buffer with drains to move water to stormwater system. Moved buildings further south on lot & find row is 2 story - 265' S of N property line. 3 story blds start @ 425' & 550' S of N line. No third floor windows on north elevation of east & west buildings.

<table>
<thead>
<tr>
<th>Zone:</th>
<th>PUD</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Allowed</th>
<th>Initial Proposal 11/17/21 @PCWS 3/25/22</th>
<th>Revised 3/25/22</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(Reviewed &amp; Denied)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Dwelling Units</td>
<td>213.6</td>
<td>213</td>
<td>162</td>
</tr>
<tr>
<td>Max Density/Acre</td>
<td>11.0</td>
<td>10.9</td>
<td>7.79</td>
</tr>
<tr>
<td>Min Lot Width@BL</td>
<td>40</td>
<td>NA</td>
<td>exceeds</td>
</tr>
<tr>
<td>Min LI Area</td>
<td>1 acre</td>
<td>19.4</td>
<td>19.4</td>
</tr>
<tr>
<td>Min FY Depth</td>
<td>20</td>
<td>300'+</td>
<td>East = &gt;250'</td>
</tr>
<tr>
<td>Min RY Depth</td>
<td>15</td>
<td>63'+60' easement</td>
<td>West = &gt;63'</td>
</tr>
<tr>
<td>Min RY/Pool Depth</td>
<td>10</td>
<td>NA</td>
<td>no</td>
</tr>
<tr>
<td>Min SY Width</td>
<td>10</td>
<td>N62'+60' easement</td>
<td>S30'+60'</td>
</tr>
<tr>
<td>Open Space Reservation</td>
<td>25% of site</td>
<td>4.13 ac</td>
<td>11.13 ac</td>
</tr>
<tr>
<td>Max Bldg Area</td>
<td>50% gross lot</td>
<td>14.20%</td>
<td>11.80%</td>
</tr>
<tr>
<td>Max Height</td>
<td>85</td>
<td>49'6&quot;</td>
<td>49'6&quot;</td>
</tr>
<tr>
<td>Max Stories</td>
<td>6</td>
<td>3.0</td>
<td>2 &amp; 3</td>
</tr>
<tr>
<td>Off St Parking (Res) per Unit</td>
<td>2 per unit</td>
<td>435.0</td>
<td>338.0</td>
</tr>
</tbody>
</table>

Public or Private Benefit? Crown Walk

Onsite Amenities? Pool, Clubhouse, Green Spaces

Offsite Amenities?

Sale or Lease? Lease

Overlay Districts? NA

Stormwater Plan? retention ponds on NE corner of lot

Required Buffers? 98 acres of jurisdictional wetlands w/ 30' buffer

NOTES:
.98 acres delineated wetlands - 30' buffer
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Magnolia Landing Rezoning

Engineering is not opposed to the requested Rezoning. Provide a revised Traffic Impact Study accounting for the additional phase.

Chad P. Christian, P.E.
City Engineer
March 29, 2022

City of Foley Planning Commission
407 East Laurel Avenue
Foley, Alabama 36535

Re:  Magnolia Landing Ph. 3
    Jade Consulting
    Application for Rezoning

Fire has reviewed this Application for Rezoning and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley
bhall@cityoffoley.org

cc:  City of Foley Planning and Zoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 19 +/- acres. Property is currently zoned B-2 (Neighborhood Business District) and R-1D (Residential Single Family). Proposed zoning is PUD (Planned Unit Development). Property is located W. of Hickory St. and N. of County Rd. 12. Applicant is Jade Consulting.

Anyone interested in this rezoning request may be heard at a public hearing scheduled for April 20, 2022 in the Council Chambers of City Hall located at 407 W. Laurel Ave. at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, Al. 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR A PRELIMINARY

Date 3/28/22

1. Name of Subdivision Gopher Fork Subdivision

2. Name of Applicant/Owner Hunter Smith / Smith Clark & Associates, LLC
   Phone 251-626-0404
   Email hunter@smithclarkllc.com
   Address 30941 Mill Ln, Ste G, Box 258
   Spanish Fort, AL 36527

3. Engineer
   Phone
   Email

4. Location of Subdivision East side of St Hwy 59, North of Richard Childress Ln and South of Keller Rd

5. Total Acreage 73
   Number of Lots 2

6. Parcel Pin # 7262

7. I ____, hereby depose and say that all the above statements and the statements contained in the papers submitted here within are true.

Signature/Title

Mailing Address 30941 Mill Ln, Ste G, Box 258
Spanish Fort, AL 36527
Phone 251-626-0404
Email hunter@smithclarkllc.com
Brent Shyrock  
Trillium Capital Resources  
301 W. Bay Street, Suite 1488  
Jacksonville, FL 32202

RE: 7690 Highway 59

This letter is to confirm that Riviera Utilities is currently able to provide gas and water service to 7690 Highway 59 located in Foley, AL.

Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danny Scott</td>
<td>Gas</td>
<td><a href="mailto:dscott@rivierautilities.com">dscott@rivierautilities.com</a></td>
</tr>
<tr>
<td>Tony Schachle</td>
<td>Water</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
</tr>
</tbody>
</table>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,

James Wallace
February 24, 2022

Brent Shryock  
Trillium Capital Resources  
301 W. Bay Street, Suite 1488  
Jacksonville, FL 32202

Re: 7690 Highway 59, Foley, AL Parcel Number 05-61-05-21-2-001-003.000

Dear Brent Shryock:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase or three-phase power may be provided at the member’s expense.

Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. Any plat approvals will require a lead time of 7-10 business days.

Please contact me to discuss necessary easements and fees. If you have any questions or need further assistance, please contact me at 251-989-0134.

Sincerely,

Ken Pimperl  
System Engineer  

KPyb
February 25, 2022

Brent Shyrock
Managing Director
Trillium Capital Resources
Everbank Center
301 W. Bay Street, Suite 1488
Jacksonville, FL 32202

Re: Parcel ID: 7262

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed Parcel ID: 7262. Baldwin County Sewer Service LLC is willing and able to provide sewer service to the above referenced property, subject to applicant paying all fees required for this service. This development may require a main line extension and/or a road bore which will be at the developer’s expense. A $50.00 per lot review fee will be due to have preconstruction plans reviewed and a $1,500.00 impact fee per lot will need to be paid to Baldwin County Service LLC before a new subdivision plat is signed. This letter is valid for a period of two years from the date of issue. This letter is not to be used to obtain a building permit. Any development that has not paid the necessary fees before this letter expires will need to contact BCSS and request a re-issuance of their willing and able letter.

The wastewater will be treated at our Fort Morgan Treatment Plant.

Sincerely,

Angela Foley
Baldwin County Sewer Service, LLC
(251) 971-3022
angela@baldwincountysewer.com

14747 Underwood Road Summerdale, AL 36580 / P. O. Box 1628 Foley, AL 36536
March 23, 2022

Hunter S Smith, P.L.S.
Smith Clark & Associates
P O Box 7082
Spanish Fort, AL 36577

RE: Gopher Fork Subdivision (Lot 2, 240 units)
Loxley, Alabama

Dear Mr. Smith,

Recently you approached CenturyLink about providing a "will serve" letter to serve Gopher Fork Subdivision Lot 2 in Foley. CenturyLink appreciates the opportunity to provide this development with its future communication needs. In response to the request for a commitment to serve, CenturyLink will work with the developer in determining what the needs will be. Upon such determination, CenturyLink will undertake an analysis of the construction required and the cost to complete that construction. It is only at that point, and given the prevailing Terms and Conditions of the General Customer Services Price List that CenturyLink will make a determination whether it can or cannot provide service.

The service you request will be provided for under the prevailing Terms and Conditions of the General Customer Services Price List posted on our CenturyLink web site at www.CenturyLink.com/tariffs.

If there are any further questions, or if I can be of any help, please do not hesitate to call me at 251.952.5781. I will work with you on the requirements.

Jeff Crowe
Eng. II Plant Facilities
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Gopher Fork Subdivision

Engineering recommends approval of the proposed Subdivision. A Land Disturbance Permit and Traffic Impact Analysis will be required for the pending development of Lot 2.

Chad P. Christian, P.E.
City Engineer
Planning Commission Report
By Miriam Boutwell
April 2022
Request for Preliminary

Name: Gopher Fork SD
Applicant: Hunter Smith / Smith Clark & Associates LLC
Location: East of Hwy 59, north of Richard Childress Lane
Existing Zoning: B1A – Extended Business District
Acreage: 73+/- Acres
Lots: 2 Lots
Flood Zone: Yes – Check with Floodplain Administrator + Wetlands
(Confirmed)
Comments: This request is for 2 lots on 73+/- acres in a B1A – Extended Business District zone. Lot 2 will be requesting an R3 – Residential Multi-Family zoning designation.
Public Notice

The City of Foley Planning Commission has received a request for preliminary approval of the Gopher Fork Subdivision which consists of 73 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates, LLC.

Anyone interested in the approval may be heard at a public hearing scheduled for April 20, 2022 in City Hall Council Chambers (407 E. Laurel Ave.) at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   See Attached

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS: See Attached

3. APPROXIMATE SIZE OF PROPERTY: 73 Acres 30 acres being rezoned

4. PRESENT ZONING OF PROPERTY: B1A

5. REQUESTED ZONING: See Attached "Application Q/A"

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: See Attached "Application Q/A"

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.): See Attached "Application Q/A"

8. PROCESSING FEE OF $500.00 FOR 20 ACRES OR LESS, PLUS $15.00 PER ADDITIONAL ACRE OVER 20.

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 3/23/22

PROPERTY OWNER/APPLICANT
30TH MILL LN SWOG BOX 25B, Foley, AL 36535
PROPERTY OWNER ADDRESS
LSC-0216-0404
PHONE NUMBER
email address

RECEIVED
3/23/22

Signature
1. **Parcel ID:** 7262  
   **Parcel Number:** 05-61-05-21-2-001-003.000  
   **PIN:** 7262  
   **Owner Name:** COPPER FORK INVESTMENTS LLC (5/13 INT)  
   **Address:** P O BOX 1629  
   **City:** FOLEY  
   **State:** AL  
   **Zip:** 36536  
   DEED: Attached  
   MAP Survey: ATTACHED

2. **Adjacent Property Owners Information is Attached.**

3. **73 Acres**

4. **B1A**

5. Of the 73 Acres, apx 50 Acres are Useable upland. Keep the frontage on HWY 59 the same. Rezone remaining useable 20 Acres to R-3 Residential. A concurrent Subdivision Application is in process.

6. Current Use of the frontage on 59 is a rock and landscape company. The 20 Acres which we want to rezone through concurrent subdivision application is not being utilized and no structures are on the property.

7. The contemplated use of the property is multifamily use. The type of product being considered is market rate garden style multifamily towards families and create a nice rental neighborhood that is inline with aesthetics and appeal of the surrounding area. We are seeking R3 Zoning which would allow for 12 Dwelling units per acre. We anticipate that the final project will be 220-240 living units.
80 Ft Right of way Creating for Future Road Access.

At minimum Fire Access Road will be created as 2nd access to the Property

Building Design to limit potential site lines into Single Family Neighborhood North.

Southern Road will be built to County/City Specs to allow for Future Expansion of CR10.

80 Foot ROW + Landscape Buffer + Parking creates sightline buffer for Existing Single Family Residence North of Property
All the individual approaches of the intersection except eastbound County Road 10 approach will operate at adequate operating conditions.

During AM peak hour, the eastbound County Road 10 approach will operate at LOS F both without (no-build condition) and with (build condition) the proposed development in 2024. A careful look into the results show that during the AM peak hour, heavy volumes of traffic make right turns from County Road 10 to US 59 causing LOS of the right turn movement to F. It should be noted that these right turn volumes do not include any traffic generated by the proposed development. Therefore, the AM peak hour LOS of the eastbound right turn movement would be F even without the proposed development. **NOTE That Thru Traffic from Eastbound 10 Impact is negligible over current conditions.**

Potential Future Right hand entrance (highlighted in Orange) does not change the overall Operating Conditions of intersection on CR10 and US 59.
Traffic Study – Recommendation

Recommendation:

*Conversion of the existing eastbound right-turn CR10/HWYS9 lane into a
channelized right-turn lane with a yield sign.*

Per Engineer, the eastbound County Road 10 approach of the intersection of
US 59 and County Road 10 will experience a level of service (LOS F) during
AM peak hour in 2024 both without and with the proposed development.

Further capacity analyses show that if the eastbound right turn lane is
channelized with a yield sign, the approach LOS will improve from F to an
acceptable level of D. The overall intersection LOS will improve from LOS D to
LOS C. The summary of analysis is attached. Periodic enforcement will be
needed to ensure that the turning drivers obey the yield sign control before
entering the crossroad (US-59). According to FHWA (Reference 1), the
channelized right-turn lanes are applicable for intersections with high
volumes of right-turning vehicles that experience excessive delay due to
traffic signal.

Although the analysis show that the channelization of the right-turn lane will
improve the LOS to an acceptable level, an acceleration lane may be provided
in addition to channelizing the right turn lane. The acceleration lane will
allow the right turning vehicles to accelerate and safely merge into the
southbound traffic on US 59.
### Planning Commission Report

**By Miriam Boutwell**

**April 2022**

**Rezoning**

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Gopher Fork Rezoning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location:</strong></td>
<td>East of State Hwy, north of Richard Childress Lane</td>
</tr>
<tr>
<td><strong>Size:</strong></td>
<td>20+/- Acres</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>B1A – Extended Business District</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>R3 – Residential Multi-Family</td>
</tr>
<tr>
<td>Adjacent Zoning:</td>
<td>B1A – Extended Business District, PUD – Planned Unit Development &amp; BC District 30 Zoning</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>RCC – Retail/Commercial Concentration</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>Yes – Check with our Floodplain Administrator</td>
</tr>
<tr>
<td>Unconfirmed:</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Comments:** The owner would like to rezone to R3 – Residential Multi-Family for a 220-240 unit development. There will be an 80’ access between this development & the PUD to the north. The northern most building appears to be approximately 320’ from the PUD to the north. There will be open parking as well as 42 garage spaces.
CDD Report for Planning Commission
By: Eden Lapham
Prelim Meeting Date: 3/15/22
Rezone/Site Plan Review

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>The Edison of Gulf Shores</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Scott Taccieti</td>
</tr>
<tr>
<td>Location:</td>
<td>E of Hwy 59, N of Richard Childress Ln</td>
</tr>
<tr>
<td>PPPIN:</td>
<td>7262</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>B-1A &gt;&gt; requesting rezone to R-3</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X &amp; AE (Unconfirmed) Boggy Branch runs through east end</td>
</tr>
<tr>
<td>Comments:</td>
<td>will need to specify bldg stories, open space %. distance behind Bldg 3 (ROW across north means lot doesn’t actually touch SFR to north, but PC will still ask)</td>
</tr>
</tbody>
</table>

**Zone: R-3 Multi Fam/Apts**

<table>
<thead>
<tr>
<th></th>
<th>Allowed</th>
<th>Initial Proposal Rcvd 3/19/22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Dwelling Units</td>
<td>240.6</td>
<td>240.0</td>
</tr>
<tr>
<td>Max Density/Acre</td>
<td>12.0</td>
<td>12.0</td>
</tr>
<tr>
<td>Min Lot Area s/f</td>
<td>1 acre</td>
<td>≥20.08ac</td>
</tr>
<tr>
<td>Min Lot Width@BL</td>
<td>200</td>
<td>exceeds</td>
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<tr>
<td>Min FY Depth</td>
<td>40</td>
<td>exceeds</td>
</tr>
<tr>
<td>Min FY Depth</td>
<td>30’</td>
<td></td>
</tr>
<tr>
<td>Min ea SY Width</td>
<td>25’</td>
<td></td>
</tr>
<tr>
<td>Min SY Depth@St</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Max Bldg Area</td>
<td>40%</td>
<td></td>
</tr>
<tr>
<td>Min Open Space</td>
<td>25% (not including Storm)</td>
<td></td>
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<tr>
<td>Max Bldg Height</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Max Bldg Stories</td>
<td>4</td>
<td></td>
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<tr>
<td>Parking per Unit</td>
<td>2/unit = 480</td>
<td>570.0</td>
</tr>
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</table>

Onsite Amenities?
appears to be a clubhouse at SW corner

Offsite Amenities?
Sale or Lease?
If for sale, need SD plan showing lots

Overlay Districts?
n/a

Stormwater Plan?

Required Buffers?
Boggy Branch/Wetlands on east end

Major/Collector Rd?
59 is an Arterial

Dumpsters? Bulk?

Need to know: Utility Letters, Traffic Analysis, Site Plan review w/PC, LDP, Impact Fees, Sign Permit

* Where multi-family is located adjacent to single family, min Ry & Sy are 50 ft. Also, structures over 2 stories add 1 ft setback for each ft over 35 high, max 50 ft.
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Gopher Fork Rezoning

Engineering is not opposed to the requested Rezoning. A Land Disturbance Permit with Traffic Impact analysis will be required.

Chad P. Christian, P.E.
City Engineer
March 29, 2022

City of Foley Planning Commission
407 East Laurel Avenue
Foley, Alabama 36535

Re: Gopher Fork Subdivision
Smith & Clark Associates, LLC
Application for Rezoning

Fire has reviewed this Application for Rezoning and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley
bhall@cityoffoley.org

cc: City of Foley Planning and Zoning
Gopher Fork Adjacent Zones
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned B-1A (Extended Business District) requested zone is R-3 (Residential Multi-Family). Property is located F. of State Hwy. 55 and S. of Kellar Rd. Applicant is Smith & Clak Associates, LLC.

Anyone interested in this approval may heard at a public hearing scheduled for April 20, 2022 in City Hall Council Chambers (407 E. Laurel Ave.) at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   PUD: 26102

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
   Wheels Up Inc, Ronald Hoover, Sevilla Place Apts, Charles Home, Temple Interest LLC

3. APPROXIMATE SIZE OF PROPERTY:
   Total PUD = 41.51 ac

4. PRESENT ZONING OF PROPERTY:
   PUD
   Modification

5. REQUESTED ZONING:
   PUD

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE
   PROPERTY:
   AG

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   This PUD Modification is to add Multifamily as a use to the lots off of James Road.

8. PROCESSING FEE OF $500.00 FOR 20 ACRES OR LESS, PLUS $5.00 PER ADDITIONAL ACRE OVER 20.

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND
INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 3/24/22

PROPERTY OWNER/APPLICANT
95K Commerce Loop
PROPERTY OWNER ADDRESS
(251) 247-0442
PHONE NUMBER
stacykjays@gmail.com
EMAIL ADDRESS

RECEIVED 3/24/22
Planning Commission Report
By Miriam Boutwell
April 2022
Request for PUD Modification

Name: Grand Riviera PUD Modification
Applicant: Stacey Ryals
Location: South of CR 20/Miflin Road & West of James Rd
Existing Zoning: PUD – Planned Unit Development
Acreage: 8.86 Acres - Total PUD 41.51 acres
Lots: 3
Flood Zone: X
(Uncertified)
Comments: This request is for a PUD Modification for Lots 4-B1, Lot 6 & Lot 7 as shown on the 2/21 PUD layout. They are requesting multi-family for 100 lots. This was brought to the February 2022 FC meeting for your input.
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Ryals PUD Mod

Engineering is not opposed to the requested PUD Mod. Please provide traffic analysis of entry gate to ensure adequate stacking is provided off ROW.

Chad P. Christian, P.E.
City Engineer
March 29, 2022

City of Foley Planning Commission
407 East Laurel Avenue
Foley, Alabama 36535

Re: Grand Riviera
    Stacey Ryals
    Application for PUD Modification

Fire has reviewed this Application for PUD Modification and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley
bhall@cityoffoley.org

cc: City of Foley Planning and Zoning
CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION,
MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   Response: GRUAD, S. Pine St., PIN #046517, 269941, 269942, 269937 & 269938

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
   Response: Please see attached list of property owners.

3. APPROXIMATE SIZE OF PROPERTY:
   Response: 54.64

4. PRESENT ZONING OF PROPERTY:
   Response: PUD

5. REQUESTED ZONING:
   Response: R3

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE
   PROPERTY:
   Response: The property is vacant and was previously approved PUD for a RV park.

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   Response: Proposed multi-family development with 954 units

8. PROCESSING FEE OF $50.00 FOR 20 ACRES OR LESS, PLUS $15.00 PER
   ADDITIONAL ACRE OVER 20.
   Response: Total check amount is $2576

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND
INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 3/6/02

PROPERTY OWNER/APPLICANT
Halaway Development
3300 Northeast Expressway
Birmingham, AL 35214

PROPERTY OWNER ADDRESS
251-628-3444
PHONE NUMBER
muth@asgdesign.com
EMAIL ADDRESS
15.1.1 R-3 RESIDENTIAL MULTI-FAMILY

Special Provisions: Multiple family housing, because of increased densities, often generates large, bulky buildings and large parking areas. This type of development can be incompatible with surrounding uses. If these developments are not properly designed, the large buildings and parking areas can dominate the site and leave only small remnants of open space that does not adequately provide for the recreational needs of the residents.

1. Location: Multiple family residential sites shall be located on a Major or Collector Roads as designated on the Major Road Plan. These sites shall be consistent with the Comprehensive Plan and shall only be permitted where multiple family residential land use is indicated on the adopted plan.

   Response: County Road 20 is a major collector roadway and this site location is consistent with the surrounding areas to provide multi-family housing uniquely positioned between existing residential PUD developments to the West of S Pine St and existing commercial developments to the East along CR20 and Hwy S9. This proposed development should be consistent with the city comprehensive plan.

2. Application Requirements: All applications for R3 shall furnish the following information to the Planning Commission:
   a. A preliminary traffic analysis indicating the probable effect of the proposed development on traffic patterns and capacities of adjacent streets in the immediate area.

      Response: The traffic study is underway and will be provided to the City upon receipt.

   b. Official letters of commitment of utility services to the proposed Multiple Family Residential from the appropriate water, sewer, electric, gas and other utilities.

      Response: Please see utility letters included with this submittal.

3. Site Plan Review: Site Plan review shall be required for all R-3 Multiple Family Residential Developments as provided in Article 11.1 of this Ordinance.

   Response: Understood. Site plan submittal shall be made soon and run concurrently with the rezoning application after initial review of rezoning by staff and the Planning Commission.

4. Site Design Guidelines: Building Orientation
   a. Each multiple family development shall reflect a site orientation suited to the surrounding topography, neighborhood setting and community. When adjacent to single family residential, the site orientation shall take into account the height, bulk, and character of the surrounding development to avoid conflicts. The developments shall be designed in a manner to integrate them into the neighborhood rather than an abrupt intrusion into the neighborhood.

   b. Arrange buildings to provide functional public and private outdoor spaces. Avoid developments that are "facing inward" and offer no relationship to the adjoining neighborhoods and greater community.

   c. Orient multiple family buildings to the adjacent public streets by providing large windows, porches, balconies and entryways or other entry features on the street side of the buildings.
Avoid the creation of blank street-facing walls that create unattractive streetscapes.

d. Building ends shall contain windows and active spaces to provide additional security and visual interest.

e. Site Plans shall be designed with a variation in both the street patterns and the sighting of structures so the appearance of the streetscape does not become overly repetitive. Avoid continuous lines of buildings with the same setback.

Response: The proposed site layout and building orientation is consistent with the intent of this code section. The buildings are oriented in various ways to allow inward and outward appearance. The site is not immediately adjacent to single family residential. The unique orientation of this site allows for low visibility from the public right-of-way. Building orientation is designed to avoid continuous lines of buildings with the same setback.

5. Off Street Parking: Off street parking shall be designed in away to minimize the visual prominence of vehicles and to minimize the potential pedestrian conflicts

a. Parking shall not be located in the front yard of the development. The parking shall be located behind the street setback to the side and rear of the buildings, wherever possible.

b. Parking areas visible from the public street rights-of-way and adjacent properties shall be screened from view with landscape elements, low profile walls or berms, or other types of visual barriers and screens.

c. Landscaping and walkways shall be located between buildings and paved parking areas. Avoid parking vehicles directly against a building or structure.

d. Shade trees shall be designed into all parking areas to provide for natural shading and provide for proper aesthetics.

e. Enclosed garages and carports may be permitted. All carport roofs visible from public streets or adjacent properties shall reflect the overall design and character of the residential structures in the development.

f. All garages, carports, exterior storage of boats, recreational vehicles and trailers shall be fully enclosed or sufficiently screened when visible from public street or adjacent properties.

Response: The proposed site layout and building orientation is consistent with the intent of this code section. The unique orientation of this site allows for low visibility from the public right-of-way. Proposed garages and carports shall be screened from the public roads. Additional design is pending to provide pedestrian walkways throughout the property and is not currently reflected on the site plan. Final architectural drawings and landscape plans shall be submitted upon site plan review and/or building permit review. The approximate building maximum height is 39'-10".

6. Open Space:

a. The open space provided in multiple family residential developments shall address both active and passive outdoor open space uses. Open space shall be designed to enhance the overall appearance and compatibility of the development.

b. Include sufficient open spaces in the form of squares, greens and parks. A minimum of 25% of open space shall be provided in all multiple family developments. Stormwater retention areas are not included in this 25% open space requirement, unless it is properly designed and determined to be acceptable open space by the Planning Commission.
c. Retain existing mature trees within the new project design and landscaped areas where possible. Extra effort should be made to retain existing trees and vegetation adjacent to single family residential areas.

d. Open space shall be distributed throughout the development and easily accessible to all residents. Open space should not be concentrated in large areas that are inconvenient to residents of the development.

**Response:** The open space provided is designed to address both active and passive outdoor open space uses. Open space will be designed to enhance the overall appearance and compatibility of the development. The project will retain as much existing vegetation as possible, however, the site does not include many existing mature trees and is not heavily wooded. Please see open space exhibit included with this narrative.

7. Landscaping:
   a. Adequate landscape screens shall be provided along the perimeter of all multiple family developments. Where multiple family developments are located adjacent to single family residential, a dense landscape screen shall be provided.
   b. On perimeter streets, sidewalks, streetscape plantings shall be provided. These screens shall include street trees and landscaping where necessary to screen parking and other areas.
   c. Dense landscaping and/or architectural elements shall be provided to screen unattractive views and features, such as outdoor storage areas, trash enclosures, mechanical equipment and other similar equipment.
   d. Landscape plans shall include placement of deciduous shade trees around the east, west and south sides of residential buildings to help reduce cooling loads during the summer and permit solar gain during the winter months.
   e. Wall-mounted or ground-mounted utility equipment such as transformers, electric and gas meters, electrical panels, junction boxes and transformers shall be screened by walls, berm, fences and/or landscaping.
   f. All utility lines including electric, telephone, gas and cable television lines shall be placed underground in each development.

**Response:** The proposed landscape plan shall be consistent with the intent of this code section. Final landscape plans shall be submitted upon site plan review and/or building permit review.

8. Accessory Structures and Elements:
   a. Accessory structures and amenities, such as community rooms, recreation facilities, swimming pools, mail

**Response:** The proposed site plan includes all these amenities.
March 7, 2022

Sherry Ruth
Jade Consulting, LLC
208 North Greeno Road, Suite C
Fairhope, Alabama 36532

Re: County Road 20 and South Pine Street, Foley, AL PPIN Numbers 34817, 269941, and 269942

Dear Sherry Ruth:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase or three-phase power may be provided at the member’s expense.

Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. Any plat approvals will require a lead time of 7-10 business days.

Please contact me to discuss necessary easements and fees. If you have any questions or need further assistance, please contact me at 251-989-0134.

Sincerely,

Ken Pimperl
System Engineer

KPlyb
Sherry Ruth
JADE Consulting
208 North Greeno Road, Suite C
Fairhope, AL, 36532

RE: Foley Apartments

This letter is to confirm that Riviera Utilities is currently able to provide water, sewer, gas, and broadband service to Foley Apartments project located in Foley, AL.

Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements:

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tony Schachle</td>
<td>Water/Sewer</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
</tr>
<tr>
<td>Danny Scott</td>
<td>Gas</td>
<td><a href="mailto:dschott@rivierautilities.com">dschott@rivierautilities.com</a></td>
</tr>
<tr>
<td>Jason Thompson</td>
<td>Broadband</td>
<td><a href="mailto:jthompson@rivierautilities.com">jthompson@rivierautilities.com</a></td>
</tr>
</tbody>
</table>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,

James Wallace
Planning Commission Report
By Miriam Boutwell
April 2022
Rezoning

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>The Exchange Rezoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>East of Pine Street, north of CR 20</td>
</tr>
<tr>
<td>Size:</td>
<td>24.44 +/- Acres</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>PUD – Planned Unit Development</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>R3 – Residential Multi-Family</td>
</tr>
<tr>
<td>Adjacent Zoning:</td>
<td>B1A – Extended Business District &amp; PUD – Planned Unit Development</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>RCC – Retail/Commercial Concentration</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X</td>
</tr>
<tr>
<td>Unconfirmed</td>
<td>Unconfirmed</td>
</tr>
</tbody>
</table>

Comments: The owner would like to rezone to R3 – Residential Multi-Family for a 264 unit development. This is a density of 10.8 units, the maximum is 12 units per acre. There is an open space area around the boundary.
Rezone & Site Plan Review

**Project Name:** Pine & 20 Garden Apartments  
**Applicant:** Jade Consulting  
**Location:** North of CR20, East of S Pine (Palm City RV Park/Prochazka sub)  
**PPIN(s):** 269941, 269942, 034817, 238387, 238388  
**Existing Zoning:** PUD  
**Flood Zone:** x (Unconfirmed)  

**Comments:** Currently zoned PUD with an approved 250 unit RV Park. We recommend a re-zone to R-3 for this apartment development.

<table>
<thead>
<tr>
<th>Zone:</th>
<th>PUD</th>
<th>seeking R-3</th>
<th>Multi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently Approved RV PUD</td>
<td>R-3 Allowed</td>
<td>Initial Proposal (12/3/21)</td>
<td></td>
</tr>
<tr>
<td>Total Dwelling Units</td>
<td>250 RV pads</td>
<td>293</td>
<td>264</td>
</tr>
<tr>
<td>Min Acreage</td>
<td>24.07</td>
<td>1.0</td>
<td>24.44</td>
</tr>
<tr>
<td>Max Res Density/Acre</td>
<td>10.4</td>
<td>12.0</td>
<td>10.8</td>
</tr>
<tr>
<td>Min Lot Width @ SL</td>
<td>40</td>
<td>200</td>
<td>exceeds</td>
</tr>
<tr>
<td>Min FY Depth</td>
<td>40</td>
<td>South &gt;40'</td>
<td></td>
</tr>
<tr>
<td>Min RV Depth</td>
<td>30</td>
<td>North &gt;40'</td>
<td></td>
</tr>
<tr>
<td>Min ea SY Width</td>
<td>25</td>
<td>West &amp; East &gt;25'</td>
<td></td>
</tr>
<tr>
<td>Min SY Depth @ Street</td>
<td>n/a</td>
<td>40</td>
<td>West@ S Pine&gt;40'</td>
</tr>
<tr>
<td>Max Height</td>
<td>50</td>
<td>464'</td>
<td></td>
</tr>
<tr>
<td>Max Stories</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max Bldg Area (% gross)</td>
<td>41%</td>
<td>40%</td>
<td>9%</td>
</tr>
<tr>
<td>Min Open Space</td>
<td>59%</td>
<td>25%</td>
<td>33%</td>
</tr>
<tr>
<td>Off St Parking Res/Unit</td>
<td>2</td>
<td>528 req</td>
<td>596.0</td>
</tr>
</tbody>
</table>

- **Onsite Amenities:** Dog Park, Pool/Cabana, Club House/Office, Garages
- **Offsite Amenities:** (sidewalks to connect to CR20 were required for PUD)
- **Sale or Lease:** Lease
- **Overlay Districts:** n/a
- **Stormwater Plan:** retention pond in SE corner
- **Required Buffers:** N/A

**Need to know:** May require Traffic Analysis, Site Plan review w/PC, LDP, Impact Fee Schedule, Signage Permits
To: CDD Staff
cc: City of Foley Planning Commission
From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Gorges Rezoning

Engineering is not opposed to the requested Rezoning. Please provide trip generation analysis to determine if a detailed Traffic Impact Study is required.

Chad P. Christian, P.E.
City Engineer
March 29, 2022

City of Foley Planning Commission
407 East Laurel Avenue
Foley, Alabama 36535

Re:  Sam Gerges, County Road 20 and South Pine Street
Hathaway Development
Application for Rezoning

Fire has reviewed this Application for Rezoning and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley
bhall@cityoffoley.org

cc: City of Foley Planning and Zoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.44 +/- acres. Property is currently zoned PUD (Planned Unit Development) requested zone is R-3 (Residential Multi-Family). Property is located N. of County Rd. 20 and E. of S. Pine St. Applicant is Sam Gerges.

Anyone interested in this proposed rezoning request may be heard at a public hearing scheduled for April 20, 2022 in the City Hall Council Chambers located at 407 W. Laurel Ave. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR
PDD MODIFICATION

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION,
MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   Please see attached.

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
   Please see attached.

3. APPROXIMATE SIZE OF PROPERTY:
   +/- 102 acres

4. PRESENT ZONING OF PROPERTY:
   PDD

5. REQUESTED ZONING:
   PDD Modification

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE
   PROPERTY:
   There are no structures located on the property.
   The site is undeveloped farmland.

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.):
   Please see attached letter, amendment addendum, and map.

I CERTIFY THAT I AM THE PROPERTY OWNER AND A TESTIFY THAT ALL FACTS AND
INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 3/28/2023

PROPERTY OWNER/APPLICANT
P.O. BOX 1675
FOLEY, AL 36535-1675

PHONE NUMBER
361-805-0167

EMAIL ADDRESS
mich@bucknpop.com
March 28, 2022

Philip G. Burton
Burton Property Group
41 W I-65 Service Rd N
Mobile, LA 36608

VIA ELECTRONIC MAIL

Foley Planning Commission
c/o Miriam Boone, MPA, AICP, CFM
120 S McKenzie Street
Foley, AL 36535
mboone@cityoffoley.org

Re: PDD Amendment Request
Magnolia Walk East
Northeast Corner of Foley Beach Expressway and County Road 20

Commissioners,

Burton Property Group is pleased to present for your consideration the attached Application for PDD Modification for the master planned development concept for the property at the northeast corner of Foley Beach Expressway and County Road 20.

Along with the application submitted, we have provided a revised plan showing general land uses being requested for approval by the Planning Commission. We understand that we will return to the Planning Commission for each phase of the project for approval of a more detailed plan.

We look forward to advancing this development in coordination with the City of Foley and respectfully request your consideration and approval of this amendment request. Should you have any questions, please let us know.

Sincerely,

[Signature]

Philip G. Burton
President & CEO
philip@burtonprop.com
I. Applicability of Code:

Except as specifically set forth in this amendment, the requirements for the PDD shall be as previously approved for Magnolia Walk or, where lacking specific requirements, in accordance with the City of Foley Zoning Ordinance Planned Development District as adopted at the time of approval of this amendment.

II. History of the PDD:

This parcel was originally part of the Magnolia Walk Planned Development District. This District was proposed in 1999 to merge entertainment with retail, commercial, and residential, to attract tourist passing through on Foley Beach Express, and to give locals a central point to call home between play and work. The original PDD has been amended several times during the ongoing development of the West side which houses OWA.

III. Property Location and Adjacent Uses:

The property is located at the northeast corner of Foley Beach Expressway and County Road 20. Foley Beach Express parallels the western property line and beyond that is OWA. County Road 20 (a.k.a. Miflin Road) parallels the southern property line with agricultural land beyond it. The eastern property line partially parallels Frank Cole Lane and several residential uses, and borders Wolf Creek Estates subdivision near the north side of the property.

IV. Consistency with the Comprehensive Plan:

This development is consistent with the Comprehensive Plan which designates this area for:

a. Mixed Use (Commercial / Residential)

b. Retail / Commercial Concentration

Additionally, the Planning Commission has previously approved the existing PDD for this site, which is similar in uses to this amendment.

V. Proposed Uses and Requirements:

a. Open Space:

The project plans to provide a minimum of 15% open space as required by the Foley Planned Development District Requirements. Open space will be provided for the overall PDD - not necessarily within each individual phase being approved.
Additionally, consistent with the preferences expressed in the code, the developer is attempting to preserve existing natural features adjacent to Wolf Creek and other areas. These areas will be considered for enhancement for use as recreational spaces.

b. Commercial:
Commercial uses will vary in intensity and may include all uses allowed by right in the City of Foley code for Planned Development Districts and the Foley Beach Express Overlay District as applicable. Additionally, the following uses are allowed in the PDD:
   i. Boat Storage (Indoor and Outdoor)
   ii. Boat Dealership and Service Center
   iii. Fuel Station & (Automobile filling station). The Existing Magnolia Walk PDD and the FBE overlay district allow for Fuel Station.
   iv. Car Washes

c. Residential (Townhome):
Residential uses will vary in intensity and may include all uses allowed by right in the City of Foley code for Planned Development Districts and the Foley Beach Express Overlay District as applicable. Additionally, these uses will be sited within the boundary of the Planned Development and would be per the requirements below or as noted in Section I.

   i. Townhome Requirements:

1. Lot Area Requirements:

<table>
<thead>
<tr>
<th>Minimum Lot Area</th>
<th>2,400 square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width at Building Line</td>
<td>20 feet</td>
</tr>
<tr>
<td>Minimum Depth of Front Yard</td>
<td>20 feet</td>
</tr>
<tr>
<td>Minimum Depth of Rear Yard</td>
<td>15 feet</td>
</tr>
<tr>
<td>Minimum Width of Side Yard (on end unit)</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Depth of Side Yard Abutting Street</td>
<td>16 feet</td>
</tr>
<tr>
<td>Maximum Building Height (feet):</td>
<td>85 feet</td>
</tr>
<tr>
<td>Maximum Building Height (stories):</td>
<td>6</td>
</tr>
<tr>
<td>Maximum Density Per Acre</td>
<td>30</td>
</tr>
<tr>
<td>Off-street Parking Spaces (per family unit)</td>
<td>2</td>
</tr>
</tbody>
</table>

2. Not more than twelve (12) contiguous townhouses shall be built in a row with the same front line, and not more than twelve (12) townhouses shall be contiguous.

3. No portion of a townhouse or accessory structure in or related to one (1) townhouse complex shall be closer than twenty (20) feet to any portion of the townhouse or accessory structure related to another townhouse complex, or to any building outside the townhouse area except as allowed by governing building codes.

4. Each townhouse shall be constructed on its own lot.
5. No side yards shall be required except at the unattached ends of a
townhouse complex, in which case the minimum width shall be as
noted in the lot area requirements above.

6. Each townhouse shall have on its own lot, one (1) yard containing
not less than four hundred (400) square feet, reasonably secluded
from view from streets or from neighboring property.
Planning Commission Report
By Miriam Boutwell
April 2022
Request for PDD Modification

TEMPORARY WITH EXPIRATION?

Name: Magnolia Walk PDD Modification
Applicant: Burton Property / Woerner Gulf Beach Express
Location: Northeast corner of FBE & CR 20
Existing Zoning: PDD – Planned Development District
Acreage: 102+/- Acres
Lots: 1
Flood Zone: Yes – Check with Floodplain Administrator (Unconfirmed)

Comments: This request is for a PDD Modification for Magnolia Walk East. Please note they are requesting some modifications from the PDD including: Boat Storage, Gas Station (which is allowed in the FBE Overlay District), maximum density of 30 units for residential (we are in the process of amending as noted below).

21.5 PDD – PLANNED DEVELOPMENT DISTRICT
*Maximum Residential Density per Acre 20 units
*The residential portion of a PDD shall not exceed 30% of the overall site.
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Magnolia Walk East PDD Mod

Engineering is not opposed to the requested PDD Mod. Access to the FBE will be permitted in accordance with the Tri-Party agreement.

Chad P. Christian, P.E.
City Engineer
March 29, 2022

City of Foley Planning Commission
407 East Laurel Avenue
Foley, Alabama 36535

Re: Magnolia Walk East
Burton Property Group
Application for PDD Modification

Fire has reviewed this Application for PDD Modification and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley
bhall@cityoffoley.org

cc: City of Foley Planning and Zoning
CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION,
MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   See survey sheet. PIN # 11220

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
   See attached sheet.

3. APPROXIMATE SIZE OF PROPERTY:
   125 AC

4. PRESENT ZONING OF PROPERTY:
   AO

5. REQUESTED ZONING:
   PUD

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE
   PROPERTY:
   The current use is undeveloped land with no existing
   structures on the property.

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.):
   The proposed use is a single family residential subdivision with a density of
   1.63 lots/acre.

8. PROCESSING FEE OF $500.00 FOR 20 ACRES OR LESS, PLUS $15.00 PER
   ADDITIONAL ACRE OVER 20.

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND
INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 3/15/2022

PROPERTY OWNER/APPLICANT
520 Mahoney St. SE Sheffield, AL 35660, 71572
PROPERTY OWNER ADDRESS
912-232-2640
PHONE NUMBER
aldoney@bellsouth.net
EMAIL ADDRESS
Austin Lutz  
Engineering Design Group, LLC  
1000 E Laurel Ave  
Foley, AL 36535

RE: 61-06-13-0-000-003.000

This letter is to confirm that Riviera Utilities is currently able to provide water service to parcel 61-06-13-0-000-0003.30 located in Foley, AL. Sewer service will require an extension of approximately 1,600 LF to reach the west property line.

Riviera Utilities requires a 10’ easement along all side property lines and a 15’ easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tony Schachle</td>
<td>Water/Sewer</td>
<td><a href="mailto:tschachle@rivierauilities.com">tschachle@rivierauilities.com</a></td>
</tr>
</tbody>
</table>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you.

James Wallace
March 7, 2022

Austin Lutz
Engineering Design Group, LLC
120 Bishop Circle, Suite 300
Pelham, AL 35124

Re: Proposed Residential Subdivision Wolf Bay Drive, Foley, AL PPIN Number 11220

Dear Austin Lutz:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase or three-phase power may be provided at the member’s expense.

Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. Any plat approvals will require a lead time of 7-10 business days.

Please contact me to discuss necessary easements and fees. If you have any questions or need further assistance, please contact me at 251-989-0134.

Sincerely,

Ken Pimperl
System Engineer
KP/yb
Planning Commission Report
By Miriam Boutwell
April 2022
Rezoning

Applicant: Eagles Landing at Graham Creek
Location: South of Wolf Bay Drive, east of GCNP
Size: 92.23 +/- Acres
Current Zoning: AO – Agricultural Open Space
Requested Zoning: PUD – Planned Unit Development
Adjacent Zoning: R1R – Restricted Residential Single Family, PUD – Planned Unit Development, AO – Agricultural Open Space & BC District 30 Zoning
Flood Zone: Yes – Check with our Floodplain Administrator
Unconfirmed

Comments: The owner would like to rezone to PUD for a single family residential subdivision.

REQUIREMENTS:  
Maximum Density = 11 per acre
Lots Sizes Range From 60’, 65’, 75’ & 100’ adjacent to Graham Creek Estates
Front Setback = 20’
Rear Setback = 15’
Side Yard Setbacks = 10’
Minimum Open Space = 25%
Amenities
Wolf Bay Drive Improvements

PROPOSED:
1.63 units per acre
They are requested 5’ on the 60’ lots & 7.5’ on the other lots + 15’ on corner setbacks
36.70%
Community Pier, Community Trail to GCNP Kayak Launch
Expanded Common Area to allow a separate multi-use path separate from Wolf Bay Drive along with landscaping.

A proposed donation of 38 acres across the creek to the City - GCNP
The developers did meet with representatives from Graham Creek Estates & Bay Forest Estates.
A representative from Wolf Bay Pines was invited as well but did not attend.
CDD Report for Planning Commission  
By: Eden Lapham  
Pre-Meeting Date: 2/14/22

Rezone/Site Plan Review

**Project Name:** Downey Property / Eagles Landing at Graham Creek  
**Applicant:** David Dichara / EDO & Terra Core Dev  
**Location:** South of Wolf Bay Drive, west of Graham Creek Estates  
**PPIN(s):** 11220  
**Existing Zoning:** AO - seeking Rezone to PUD for portion north of creek  
**Flood Zone:** X, X shaded, & AE (Unconfirmed)

Suggested Developer meet with Graham Creek, Bay Forest, & Bay Pines POAs to discuss proposal. Met 2/18/22 w/GC board & came back with revised layout in March. Met again 3/28/22 w/GC & BF reps to discuss.

### PUD

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>Allowed</td>
<td>1,375.0</td>
<td>193.0</td>
<td>202.0</td>
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<tr>
<td></td>
<td>Max Density/Acre</td>
<td>11.0</td>
<td>1.54</td>
<td>1.62</td>
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**BUILDABLE AREA DENSITY** for information only  
96.2 ac = 2.1 effective density

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<tr>
<th>Min Lot Area</th>
<th>1 acre</th>
<th>125 ac ±</th>
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<tbody>
<tr>
<td>Min Lot Width@BL</td>
<td>60 for SFR, 65, 75, &amp; 100</td>
<td>60, 65, 75, &amp; 100</td>
</tr>
<tr>
<td>Min FY Depth</td>
<td>20</td>
<td>25.0</td>
</tr>
<tr>
<td>Min RY Depth</td>
<td>15</td>
<td>25.0</td>
</tr>
<tr>
<td>Min RY/Pool Depth</td>
<td>10</td>
<td>n/a</td>
</tr>
<tr>
<td>Min SY Width</td>
<td>10</td>
<td>15' abutting street 7.5' on 65, 75, &amp; 100' lots 5' on 60' lots</td>
</tr>
<tr>
<td>Open Space Reservation</td>
<td>25% of site</td>
<td>45.71 ac = 36.79%</td>
</tr>
<tr>
<td>Max Bldg Area</td>
<td>50% gross lot</td>
<td>as yet unknown</td>
</tr>
<tr>
<td>Max Height</td>
<td>85</td>
<td>as yet unknown</td>
</tr>
<tr>
<td>Max Stories</td>
<td>6</td>
<td>as yet unknown</td>
</tr>
<tr>
<td>Off St Parking (Res) per Unit</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Portion to south of Graham Bayou to be donated to City (it does not need to be rezoned).  
Off street sidewalk on south side of Bay Forest Dr along front  
Onsite Amenities?  
Community Pier, Trail to GCNP Kayak Launch  
Offsite Amenities?  
Overlay Districts?  
n/a  
Stormwater Plan?  
multiple stormwater mitigation areas shown on site plan  
Required Buffers?  
28 ac wetlands surrounding Graham Creek/Bayou, 30' wetland buffer shown on site plan  
Other?  
Have Utility Letters
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Downey Rezoning

Engineering is not opposed to the requested Rezoning. Provide a Trip Generation analysis to determine if a detailed Traffic Impact Study is required.

Chad P. Christian, P.E.
City Engineer
March 29, 2022

City of Foley Planning Commission
407 East Laurel Avenue
Foley, Alabama 36535

Re: Downey Property/Eagles Landing at Graham Creek
EDG, LLC
Application for Rezoning

Fire has reviewed this Application for Rezoning and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley
bhall@cityoffoley.org

cc: City of Foley Planning and Zoning
Eagles Landing at Graham Creek
Planned Unit Development (PUD) – Foley, AL

PUD Narrative and Design approach:

The proposed project is located along Wolf Bay Drive and encompasses approximately 125 acres and is identified in the below figure 1. The property is bound by Wolf Bay Drive to the north, Graham Creek Estates to the east, the City of Foley’s Graham Creek Nature preserve to the west and shares 2 miles of shoreline along Graham Creek to the south.

Figure 1 – Project Location and Plan

Eagles Landing at Graham Creek PUD conforms with the District requirements by providing a single-family development that will blend with the character of the existing Wolf Bay and Graham Creek neighborhoods. The existing neighborhoods have been highly successful at creating a unique area that is only found in this section of Foley. The area promotes interaction with natural resources such as Wolf Bay, Graham creek, the nature preserve and encourages exercise with the bike trails and kayak launches.
The proposed development is planned to be an extension of the area's characteristics and enhance/provide more availability to those valuable resources through a deliberate planned community. Spaces within the new development will encourage exploration and enjoyment of the natural resources. This includes the proposed community pier as well connectivity with the Graham Creek nature preserve trails and kayak launch as shown in the below figure 2.

Figure 2 – Community Spaces and Natural Resource activity areas
In an effort to blend aesthetics with neighboring developments, the project will provide an expanded common area along Wolf Bay drive a separate multi-use path off the roadway to improve pedestrian safety and to create a deliberate landscaping scheme to soften the development boundary as can be seen in the below figure 3.

Figure 3. Wolf Bay Drive Section with Multi-use Path

The developer is committed to enhancing the area to promote project success and is proposing a donation of the 32 acres that falls south of Graham Creek to the City in hopes that it can become an expansion to the City's Nature Preserve.

The public benefits will include:

- Traffic/pedestrian safety by adding the multi-use path separated from the roadway.
- Sanitary sewer infrastructure will be extended along Wolf Bay Drive
- A 20 foot common area is proposed along Wolf Bay Drive
- Natural areas will be preserved along the north and south portion along Graham Creek as well as incorporating existing heritage trees where feasible
- The proposed donation of the 38 acres of property to become an extension of the nature preserve

The private benefits will include:

- Connection to the Graham Creek Nature Preserve trail system and kayak launch
- A community pier centrally located along Graham Creek
- Connectivity to the multi-use path system along Wolf Bay Drive
- The opportunity to live a neighborhood that is truly unique for the City of Foley with shoreline access

Requested Variances: None
Eagles Landing at Graham Creek - Foley, Alabama
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 92.23 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located S. of Wolf Bay Dr. and E. of Stan Mahoney Ln. Applicant is Downey Family Limited.

Anyone interested in this proposed rezoning request maybe heard at a public hearing scheduled for April 20, 2022 in the City Hall Council Chambers located at 407 W. Laurel Ave. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
CITY OF FOLEY, ALABAMA
APPLICATION FOR ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

3. APPROXIMATE SIZE OF PROPERTY: 16.7 AC

4. PRESENT ZONING OF PROPERTY: Single Family / Agricultural

5. REQUESTED ZONING: PUD Multi Family

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)

8. PROCESSING FEE OF $500.00 FOR 20 ACRES OR LESS, PLUS $15.00 PER ADDITIONAL ACRE OVER 20.

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEND THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 4/1/2022

Kenneth M. Teem POA for Kenneth E. Teem
PROPERTY OWNER/APPLICANT

Physical Address: 17280 Loren Fulford Ln, Bon Secour, AL 36511
Mailing Address: P.O.Box 6 Bon Secour, AL 36511

Kenneth M. Teem, POA for Kenneth E. Teem
PROPERTY OWNER/APPLICANT

PROPERTY OWNER ADDRESS
251-424-3765

PHONE NUMBER
Marlin Teem051@gmail.com

EMAIL ADDRESS
Planning Commission Report
By Miriam Boutwell
April 1022
Rezoning Report

Name: Hickory Street Community
Applicant: Kenneth M Teem POA Kenneth E Teem
Location: Southeast corner of CR 20 & Hickory Street
Existing Zoning: AO – Agricultural Open Space
Requested Zoning: PUD – Planned Unit Development
Future Land Use: Residential Medium Density
Acreage: 18.79 acres
Units: 152
Flood Zone: X
(Unconfirmed)

Comments:

<table>
<thead>
<tr>
<th>REQUIREMENTS:</th>
<th>PROPOSED:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Density = 14</td>
<td>8.1 (152 Units)</td>
</tr>
<tr>
<td>Minimum Open Space = 25%</td>
<td>42.86%</td>
</tr>
</tbody>
</table>
CDD Report for Planning Commission
By Eden Lapham
3/28/22

Site Plan Review

Project Name: Hickory Street Community PUD
Applicant: Chad Watkins
Location: SE corner of CR 20 & Hickory St
PPIN(s): 20268, 80852
Existing Zoning: AO - Agricultural Open Space
Flood Zone: X (Unconfirmed)

- Mixed unit type development - 107 cottages & 45 row houses.
- Requesting narrow internal setbacks of 10' off "Mainstreet" through center & lift between cottages (explained would have to have fire rated walls) surrounding shared greenspace "front yards".
- All cottages on East side within 100' of SFR are single story.

<table>
<thead>
<tr>
<th>Zone: PUD</th>
<th>Initial Proposal R-3 M' TH 11/10/21</th>
<th>Revised Proposal PUD 3/28/22</th>
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</thead>
<tbody>
<tr>
<td>Total Dwelling Units</td>
<td>205.7</td>
<td>200.0</td>
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<tr>
<td>Max Density/Acre</td>
<td>11.0</td>
<td>10.7</td>
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<tr>
<td>Effective Buildable Density (excludes stormwater)</td>
<td>n/a</td>
<td>80%</td>
</tr>
<tr>
<td>Min Lot Area</td>
<td>1 acre</td>
<td>18.7 ac</td>
</tr>
<tr>
<td>Min Lot Width</td>
<td>40</td>
<td>625'</td>
</tr>
<tr>
<td>Min FY Depth</td>
<td>20</td>
<td>n/a</td>
</tr>
<tr>
<td>Min RY Depth</td>
<td>15</td>
<td>n/a</td>
</tr>
<tr>
<td>Min RY/Pod Depth</td>
<td>10</td>
<td>n/a</td>
</tr>
<tr>
<td>Min SY Width</td>
<td>10 / 50 if MF by SF</td>
<td>n/a</td>
</tr>
<tr>
<td>Open Space Reservation</td>
<td>25% of site</td>
<td>4.1 ac</td>
</tr>
<tr>
<td>Max Bldg Area</td>
<td>60% gross lot</td>
<td>3 ac</td>
</tr>
<tr>
<td>Max Height</td>
<td>66</td>
<td>n/a</td>
</tr>
<tr>
<td>Max Stories</td>
<td>6</td>
<td>2.0</td>
</tr>
<tr>
<td>Off St Parking (Per U)</td>
<td>2 per = 240</td>
<td>484.0</td>
</tr>
</tbody>
</table>

Public/Private Benefits?
- Clubhouse & pool on large greenspace/stormwater pond lot. Internal sidewalks & trail network encircling development. Cottages face shared greenspaces with patios in rear.

Offsite Amenities?
- n/a

Site or Lease?
- Lease

Overlay Districts?
- n/a

Stormwater Plan?
- pond in greenspace near SW comer. McSwain drainage crosses near south end.

Required Buffers?
- 7' on east side, with plans to cut in half by adding fence/landscaping

Need to know: Utility Letters, Traffic Analysis, Site Plan review w/PC, LDP, Impact Fees

* Where multi-family is located adjacent to single family, min RY & SY are 50 ft. Also, structures over 2 stories add 1' setback for each ft over 35 high, max 50' ft.

NOTES:
- Future Land Use - RM Residential Medium Density
- Adjacent to: R1C, R1D, Unzoned BC District 27
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 4-4-22
Re: Team Rezoning

Engineering is not opposed to the requested Rezoning. Please provide trip generation analysis to determine if a detailed Traffic Impact Study is required.

Chad P. Christian, P.E.
City Engineer
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 18.79 +/- acres. Property is currently zoned AO (Agricultural Open Space) requested zone is PUD (Planned Unit Development). Property is located at the SE corner of County Rd. 20 and Hickory St. Applicant is Kenneth Teem.

Anyone interested in this proposed rezoning request maybe heard at a public hearing scheduled for April 20, 2022 in the City Hall Council Chambers located at 407 W. Laurel Ave. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman