CITY OF FOLEY
PLANNING COMMISSION

WORK SESSION
February 9, 2022
City Hall
Council Chambers
At 5:30 p.m.

&

MEETING
February 16, 2022
City Hall
Council Chambers
At 5:30 p.m.
PLANNING COMMISSION WORK SESSION AGENDA
February 9, 2022 (Council Chambers of City Hall) 5:30 P.M.

The City of Foley Planning Commission will hold a work session meeting February 9, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

WORK SESSION:

1. Gary Flowers - Initial Zoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.03 +/- acres. Proposed zoning is B-1A (Extended Business District). Property is located S. of County Rd. 12 S. and W. of State Hwy. 59. Applicant is Gary Flowers.

2. MDM Services, Inc. - Circle K Site Plan
The City of Foley Planning Commission has received a request for a site plan approval for Circle K. The property is located S. of County Rd. 12 S. and W. of State Hwy. 59. Applicant is MDM Services, Inc.

3. FDR Properties, Inc. - Rezoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.97 +/- acres. Property is currently zoned B-3 (Local Business District). Proposed zoning is R-1A (Residential Single Family). Property is located at 21311 County Rd. 12 S. Applicant is FDR Properties, LLC.

4. Carolyn Mullis - Minor
The City of Foley Planning Commission has received a request for approval of the Carolyn L. Mullis Subdivision a minor subdivision which consists of 7.9 +/- acres and 3 lots. Property is located W. of State Hwy. 59 adjacent to Abbey Ln. Applicant is Carolyn L. Mullis.

5. Rezoning of Lot 1 of Foley Crossroads - Minor
The City of Foley Planning Commission has received a request for approval of the Rezoning of Lot 1 of Foley Crossroads a minor subdivision which consists of 138.68 +/- acres and 3 lots. Property is located at the SW corner of the Foley Beach Express and County Rd. 20. Applicant is Byrd Sons Residual Trust.

6. *The Cove at Cotton Bayou Phase 1 - Minor
The City of Foley Planning Commission has received a request for preliminary approval of The Cove at Cotton Bayou Phase 1 which consists of 35.27 +/- acres and 53 lots. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is RAM-Cotton Bayou Subdivision Partners, LLC.

7. Cypress St./Crimson Land Development - Rezoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 17 +/- acres. Property is currently zoned B-1A (Extended Business District), PO (Preferred Office District), AO (Agricultural Open Space) and R-2 (Residential Single Family and Duplex). Proposed zoning is R-3 (Residential Multi-Family). Property is located S. of Michigan Ave. between Cypress and Bay St. Applicant is Crimson Land Development LLC.

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

9. **Grand Riviera- Discuss possible PUD Changes**
The City of Foley Planning Commission has received a request to discuss changing the current PUD to allow multi-family use. Applicant is WAS Design.

10. **Subdivision Regulation Amendments**
The City of Foley Planning Commission has received a request to approve the proposed Subdivision Regulation amendments to section 4.2 E.

11. **Moratorium on Subdivision Exemptions**
The City of Foley Planning Commission has received a request to approve the proposed moratorium on Subdivision Exemption approvals.

12. **Zoning Ordinance Amendments**
Discuss proposed amendments

**ADJOURN:**
The City of Foley Planning Commission will hold a meeting February 16, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:
Approval of the January 12, 2022 and January 19, 2022 meeting minutes.

PUBLIC HEARING:

1. **Gary Flowers- Initial Zoning**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.03 +/- acres. Proposed zoning is B-1A (Extended Business District). Property is located S. of County Rd. 12 S. and W. of State Hwy. 59. Applicant is Gary Flowers.

2. **FDR Properties, Inc - Rezoning**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.07 +/- acres. Property is currently zoned B 3 (Local Business District). Proposed zoning is R-1A (Residential Single Family). Property is located at 21311 County Rd. 12 S. Applicant is FDR Properties, LLC.

3. **Carolyn Mullis- Minor**
   The City of Foley Planning Commission has received a request for approval of the Carolyn L. Mullis Subdivision a minor subdivision which consists of 7.9 +/- acres and 3 lots. Property is located W. of State Hwy. 59 adjacent to Abbey Ln. Applicant is Carolyn L. Mullis.

4. **Resubdivision of Lot 1 of Foley Crossroads- Minor**
   The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1 of Foley Crossroads a minor subdivision which consists of 138.68 +/- acres and 3 lots. Property is located at the SW corner of the Foley Beach Express and County Rd. 20. Applicant is Byrd Sons Residual Trust.

5. **The Cove at Cotton Bayou Phase 1- Minor**
   The City of Foley Planning Commission has received a request for preliminary approval of The Cove at Cotton Bayou Phase 1 which consists of 35.27 +/- acres and 53 lots. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is RAM-Cotton Bayou Subdivision Partners, LLC.

6. **Cypress St/Crimson Land Development- Rezoning**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 17 +/- acres. Property is currently zoned B-1A (Extended Business District), PO (Preferred Office District), AO (Agricultural Open Space) and R-2 (Residential Single Family and Duplex). Proposed zoning is R-3 (Residential Multi-Family). Property is located S. of Michigan Ave. between Cypress and Bay St. Applicant is Crimson Land Development LLC.

Note: *Denotes property located in the Planning Jurisdiction
7. Magnolia Landing LLC - Rezoning
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 R-1D (Residential Single Family) and B-2 (Neighborhood Business District). Proposed zoning is PUD (Planned Unit Development). Property is located W. of Hickory St. and N. of County Rd. 12. Applicant is Jade Consulting.

8. Subdivision Regulation Amendments
The City of Foley Planning Commission has received a request to approve the proposed Subdivision Regulation amendments to section 4.2 E.

NEW BUSINESS:

1. Gary Flowers - Initial Zoning
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The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.97 +/- acres. Property is currently zoned B-3 (Local Business District) Proposed zoning is R-1A (Residential Single Family). Property is located at 21311 County Rd. 12 S. Applicant is FDR Properties, LLC.

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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 R-1D (Residential Single Family) and B-2 (Neighborhood Business District). Proposed zoning is PUD (Planned Unit Development). Property is located W. of Hickory St. and N. of County Rd. 12. Applicant is Jade Consulting.

9. **Subdivision Regulation Amendments**
The City of Foley Planning Commission has received a request to approve the proposed Subdivision Regulation amendments to section 4.2 E.

10. **Moratorium on Subdivision Exemptions**
The City of Foley Planning Commission has received a request to approve the proposed moratorium on Subdivision Exemption approvals.

**ADJOURN:**

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*Note: *Denotes property located in the Planning Jurisdiction
The City of Foley Planning Commission held a work session meeting on January 12, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Larry Engel, Deborah Mixon, Ralph Hellmich, Wes Abrams, and Calvin Hare. Absent members were: Bill Swanson and Phillip Hinesley. Staff present were: Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

WORK SESSION:

1. **Foley Beach Race Trac- Minor Subdivision**
   The City of Foley Planning Commission has received a request for approval of Foley Beach Race Trac a minor subdivision which consists of 21.38 +/- acres and 2 lots. Property is located at the SE corner of the Foley Beach Express and County Rd. 28 S. Applicant is SE Civil, LLC.

   Mr. David Diehl with SE Civil explained they are subdividing the lot to cut out a 3 acre lot in the corner of the parcel.

2. **Lots 4A & 4B, A Resub of Lot 4, A Resub of Lot 1 of Replat Woerner’s Two Lots- Minor Subdivision**
   The City of Foley Planning Commission has received a request for approval of Lots 4A & 4B, A Resub of Lot 4, A Resub of Lot 1 of Replat Woerner’s Two Lots a minor subdivision which consists of 1.46 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of County Rd. 20. Applicant is Smith Clark & Associates, LLC.

   Mr. Hunter Smith with Smith Clark & Associates explained they are doing a simple subdivision to cut out a portion of the lot for a future restaurant.

3. **Outpost Orchard- Preliminary**
   The City of Foley Planning Commission has received a request for preliminary approval of Outpost Orchard which consists of 59.16 +/- acres and 247 lots. Property is located S. of E. Michigan Ave. and W. of S. Pecan St. Applicant is SE Civil, LLC.

   Mr. David Diehl explained the plan is the same as presented when the property was zoned other than a slight change in two lots.

   Commissioner Hellmich asked if they were still planning on installing the multi-use path.

   Mr. Diehl stated they are still planning on installing the multi-use path and are working out the details with Chad Christian.

   Commissioner Hellmich asked if the development would be built in one or multiple phases.

   Mr. Diehl stated it would be built in one phase.

   Commissioner Hellmich asked that they try to do the construction in a way that they do not cause dust and run off issues. He stated they need to work closely with the Environmental Department.

Note: *Denotes property located in the Planning Jurisdiction
4. Mobama - Rezoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 22.13 +/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is B-1A (Extended Business District). Property is located E. of State Hwy. 59 and N. of E. Peachtree Ave. Applicant is Sawgrass Consulting.

Mr. Ercil Godwin stated Mike Hood the owner of Hood’s Home Center owns the property and would like to develop a commercial park with a warehouse/office type product. He stated a portion of the parcels are already zoned B-1A. He explained they would add buffering between the businesses and the current residential uses.

Commissioner Hellmich stated there are concerns since this development will surround a residential property.

Mr. Godwin showed the Commissioners a preliminary design for the commercial park. He explained all the lots would be accessed internally and there has been discussion of making a connection to State Hwy. 59. He stated the property surrounding the residence would be substantially buffered and they will work with the Commission on the required buffers. He stated the owner has mentioned he is working on trying to purchase the house.

Commissioner Hellmich asked if he could get a time line and status regarding purchasing the home. He stated that would make a big difference and prevent a residence from being surrounded by B-1A zoning.

Mr. Godwin explained they looked at the property from a residential standpoint and it was tough to get a layout that would work.

Chairman Abrams stated if the applicant is not in a terrible rush he would prefer the item be tabled in order to get feedback on the purchase of the residential lot. He explained his main concern is the house in the center of the proposed parcels.

Mr. Godwin stated he would speak with the applicant and let staff know how they want to proceed.

5. Chen Realty Co., Inc. - Rezoning
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 26 +/- acres. Property is currently zoned B-1A (Extended Business District) proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Chen Realty Co., Inc.

The applicant explained they are requesting to rezone the property to an R-3 zone for a residential development. He stated agenda item # 6 will also be a part of this same development.

Chairman Abrams stated the zoning request is a down grade in zoning going from a B-1A to R-3.

Commissioner Hellmich stated the property is currently surrounded by B-1A zoning.

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Commissioner Engel asked if there was only one entrance into the proposed development.

The applicant explained there will be an access off of County Rd. 20 and State Hwy. 59.

6. Terry Grant- Pre-zoning
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres. Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Terry Grant.

Item was discussed with agenda item # 5.

7. A & R Townhouse Development- Site Plan
   The City of Foley Planning Commission has received a request for a site plan approval for a 25 unit attached residential complex. The property is zoned B-1A and located at the NW corner of S. Cypress St. and S. Commercial Dr. Applicant is Hopkins & Associates Architects.

   Mr. Hopkins explained they would like to develop a 25 unit two story residential complex. He stated they have met with staff and he is working with Chad regarding drainage. He explained there would be a 6’ privacy fence and an abundance of landscaping on the site.

   Chairman Abrams asked if the units will be rentals or sold.

   Mr. Hopkins stated the units would be rentals.

   Commissioner Hellmich asked if any sidewalks would be installed.

   Mr. Hopkins stated there would be sidewalks within the development by the parking section.

   Chairman Abrams stated he feels this is a nice transition between the current surrounding zones.

8. Element Townhomes- Site Plan
   The City of Foley Planning Commission has received a request for a site plan approval for a 420 residential attached townhome development. The property is currently zoned B-1A and is located S. of County Rd. 20 and E. of State Hwy. 59. Applicant is KTC Development, LLC.

   Mr. Kent explained the proposed development is on approximately 36 acres with some wetlands.

   Commissioner Hellmich stated the development is surrounded by commercial uses and apartments. He explained there will be some challenges in regards to drainage for the site.

   Mr. Kent explained they are in the process of having some testing done to determine the best approach for water management. He explained currently they are proposing a town house style

Note: *Denotes property located in the Planning Jurisdiction
development but may look at breaking it down to include some residential single family. He stated the development would be similar to Cottages on the Greene on a smaller scale. He explained the wetlands on the property will be used to create an amenity to and enhance the development.

Commissioner Hellmich asked if they are aware of the access management plan that is in place done by Skipper. He stated the extension of Juniper St. will be going out for bid shortly. He asked if they had a time table on the start of construction.

Mr. Kent stated due to the Zoning regulation requirements they are hoping to start before the year site plan approval expires. He explained the development is meeting most R-3 zoning requirements but they would like to have it approved under the current zoning.

9. **Engineer Design Group, LLC- Site Plan**
   The City of Foley Planning Commission has received a request for a site plan approval for a 21 residential units. The property is zoned B-2 and is located N. of US Hwy. 98 and E. of N. Beech St. Applicant is Engineer Design Group, LLC.

Commissioner Hellmich stated the property is currently zoned B-2. He asked if there was any plan to allow access from the alley.

The applicant stated there will not be access off the alley and the plan is to provide extra screening since the property abuts residences.

Commissioner Hellmich asked about the parking.

The applicant stated there will be parking provided in front of each unit.

Commissioner Hellmich stated they will have to deal with the drainage for the development.

10. **Justin Jordan- Discuss possible Rezoning**
    The City of Foley Planning Commission has received a request to discuss a possible rezoning of property located N. of County Rd. 12 S. and E. of James Rd. Property is currently zoned RV requested zoning is R-3. Applicant is Justin Jordan.

Mr. Justin Jordan stated he would like to get feedback from the Commission regarding possibly rezoning the property to R-3.

Mr. Paul Smith stated his wife owns the property. He explained it was recently rezoned to an RV zone. He explained he also owns 4 parcels touching James Rd. located behind Cottages on the Green in which he has someone interested in purchasing for town homes.

Chairman Abrams asked about the 4 parcels touching James Rd. and stated it appears a portion of the back of the property is zoned B-1A.

Mr. Smith stated when the 4 lots were created they had to take a portion of another lot which was zoned B-1A in order to make the lots large enough to meet the R-4 requirements.

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Mrs. Melissa Ringler stated there has been some discussion regarding a possible change in the ordinance regarding setback, height and buffers for multifamily developments abutting a residential use. She explained nothing has been proposed at this time but wanted to make the applicant aware there may be possible changes in the future.

Commissioners stated they did not see any issues with rezoning the property to R-3.

11. **Zoning Ordinance Amendments**
   Discuss proposed amendments

Commissioners discussed the proposed zoning ordinance amendments regarding fences. Commissioners were in agreement that no changes were needed at this time.

**ADJOURN:**

Meeting adjourned at 6:45 p.m.
PLANNING COMMISSION MEETING MINUTES  
January 19, 2022 (Council Chambers of City Hall) 5:30 P.M.

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The City of Foley Planning Commission held a regular scheduled meeting on January 19, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Wes Abrams, Deborah Mixon, Calvin Hare, Phillip Hinesley and Vera Quailes. Absent members were: Ralph Hellmich, Bill Swanson and Larry Engel. Staff present were: Eden Lapham, Planner 1; Chad Christian, City Engineer and Amanda Cole, Planning and Zoning Assistant/Acting Recording Secretary.

MINUTES:  
Approval of the December 1, 2021 and December 8, 2021 meeting minutes.

Commissioner Hinesley made a motion to approve the December 1, 2021 and the December 8, 2021 meeting minutes. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the December 1, 2021 and December 8, 2021 meeting minutes passes.

Chairman Abrams adjourned the regular meeting and opened the public hearing.

PUBLIC HEARING:

1. **Foley Beach Race Track- Minor Subdivision**  
The City of Foley Planning Commission has received a request for approval of Foley Beach Race Track a minor subdivision which consists of 21.38 +/- acres and 2 lots. Property is located at the SE corner of the Foley Beach Expressway and County Rd. 28 S. Applicant is SE Civil, LLC.

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

2. **Lots 4A & 4B, A Resub of Lot 4, A Resub of Lot 1 of Replat Woeuer’s Two Lots- Minor Subdivision**  
The City of Foley Planning Commission has received a request for approval of Lots 4A & 4B, A Resub of Lot 4, A Resub of Lot 1 of Replat Woerner’s Two Lots a minor subdivision which consists of 1.46 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of County Rd. 20. Applicant is Smith Clark & Associates, LLC.

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

3. **Outpost Orchard- Preliminary**  
The City of Foley Planning Commission has received a request for preliminary approval of Outpost Orchard which consists of 59.16 +/- acres and 247 lots. Property is located S. of E. Michigan Ave. and W. of S. Pecan St. Applicant is SE Civil, LLC.

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

Note: *Denotes property located in the Planning Jurisdiction*
4. **Mobama- Rezoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 22.13 +/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is B-1A (Extended Business District). Property is located E. of State Hwy. 59 and N. of E. Peachtree Ave. Applicant is Sawgrass Consulting.

Chairman Abrams stated the request for rezoning for Mobama was withdrawn per the applicant’s request.

Chairman Abrams stated the Commission received a letter of opposition that would be entered for the record and asked if there were any members of the public to speak on this item.

A resident on Peachtree Ave asked what the request was for.

Chairman Abrams stated the applicant was not there to answer the question but they are wanting to rezone to expand the current business and do a small commercial park.

Virginia Bonds resident of 501 E Peachtree asked what uses were allowed in a B-1A zone.

Mrs. Amanda Cole stated the B-1A allowed uses.

David Wood resident of 106 Washington Blvd asked if this was withdrawn temporarily or permanently.

Chairman Abrams stated he believed it was temporary.

Doug Wyatt resident of 213 E Peachtree stated there were drainage issues in the area due to another development in the area. Mr. Wyatt also stated he was concerned about a detention pond because of the water issues in the area.

Chairman Abrams stated this was for rezoning the property, when they come for the subdivision they will need to have plans that are reviewed by our City Engineer.

5. **Chen Realty Co, Inc.- Rezoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 36 +/- acres. Property is currently zoned B-1A (Extended Business District) proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Chen Realty Co. Inc.

Chairman Abrams stated the Commission received a letter of opposition for the item that would be entered for the record and asked if there were any members of the public to speak on the item.

There were none.

Note: *Denotes property located in the Planning Jurisdiction
6. **Terry Grant- Pre-zoning**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres. Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Terry Grant.

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

**NEW BUSINESS:**

1. **Foley Beach Race Trac- Minor Subdivision**
   The City of Foley Planning Commission has received a request for approval of Foley Beach Race Trac a minor subdivision which consists of 21.38 +/- acres and 2 lots. Property is located at the SE corner of the Foley Beach Express and County Rd. 20 S. Applicant is SE Civil, LLC.

Commissioner Hare made a motion to approve the minor subdivision. Commissioner Mixon seconded the motion. All Commissioners voted aye.

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

2. **Lots 4A & 4B, A Resub of Lot 4, A Resub of Lot 1 of Replat Woerner's Two Lots- Minor Subdivision**
   The City of Foley Planning Commission has received a request for approval of Lots 4A & 4B, A Resub of Lot 4, A Resub of Lot 1 of Replat Woerner's Two Lots a minor subdivision which consists of 1.46 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of County Rd. 20. Applicant is Smith Clark & Associates, LLC.

Commissioner Hinesley made a motion to approve the minor subdivision. Commissioner Mixon seconded the motion. All Commissioners voted aye.

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

3. **Outpost Orchard- Preliminary**
   The City of Foley Planning Commission has received a request for preliminary approval of Outpost Orchard which consists of 59.16 +/- acres and 247 lots. Property is located S. of E. Michigan Ave. and W. of S. Pecan St. Applicant is SE Civil, LLC.

Commissioner Mixon made a motion to approve the preliminary subdivision. Commissioner Hare seconded the motion. All Commissioners voted aye.

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

4. **Mobama- Rezoning**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 22.13 +/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is B-1A (Extended Business District).

   Property is located E. of State Hwy. 59 and N. of E. Peachtree Ave. Applicant is Sawgrass

Note: *Denotes property located in the Planning Jurisdiction
Consulting.

Chairman Abrams stated the applicant has requested to withdraw the item from the agenda.

Commissioner Mixon made a motion to accept the withdrawal request. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to accept the withdrawal request passes.

5. Chen Realty Co, Inc - Rezoning
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 26 +/- acres. Property is currently zoned B-1A (Extended Business District) proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Chen Realty Co. Inc.

Commissioner Quaites made a motion to recommend to Mayor and Council the requested rezoning of R-3. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor and Council the requested rezoning of R-3 passes.

6. **Terry Grant - Pre-zoning**
   The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres. Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Terry Grant.

Commissioner Hare made a motion to recommend to Mayor and Council the requested pre-zoning of R-3. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor and Council the requested pre-zoning of R-3 passes.

7. A & R Townhouse Development - Site Plan
   The City of Foley Planning Commission has received a request for a site plan approval for a 25 unit attached residential complex. The property is zoned B-1A and located at the NW corner of S. Cypress St. and S. Commercial Dr. Applicant is Hopkins & Associates Architects.

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

Motion to approve the requested site plan passes.

8. Element Townhomes - Site Plan
   The City of Foley Planning Commission has received a request for a site plan approval for a 420 residential attached townhome development. The property is currently zoned B-1A and is located S. of County Rd. 20 and E. of State Hwy. 59. Applicant is KTC Development, LLC.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Hare made a motion to approve the requested site plan. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plan passes.

9. **Engineer Design Group, LLC- Site Plan**  
The City of Foley Planning Commission has received a request for a site plan approval for a 20 residential units. The property is zoned B-1A and is located N. of US Hwy. 98 and E. of N. Beech St. Applicant is Engineer Design Group, LLC.

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

Motion to approve the requested site plan passes.

**ADJOURN:**

Meeting adjourned at 6:00 p.m.
PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-31 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-approved by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this ___ day of ___, 20__

[Signature]

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this ___ day of ___, 20__, before me personally appeared ______, who is known to me to be the person whose signature appears above subscribed, and who executed the foregoing instrument, and who, being over the age of eighteen years, acknowledged that he/she executed the same as his/her free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _________________

STATE OF ALABAMA
BALDWIN COUNTY

On this ___ day of ___, 20__, before me personally appeared ______, who is known to me to be the person who executed the foregoing instrument, and who, being over the age of eighteen years, acknowledged that he/she executed the same as his/her free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _________________
ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

☐ R-1A Residential Single Family
☐ R-2A Residential Single Family
☐ R-3C Residential Single Family
☐ R-2D Residential Single Family
☐ R-2R Restricted Residential Single Family
☐ R-2F Residential Single Family & Duplex
☐ R-3A Residential Multi Family
☐ B-4 Residential Single Family & Duplex
☐ GH-1 Residential Garden-Patio Homes
☐ TH-1 Residential Townhouses
☐ MS-1 Residential Mobile Home Park/Subdivision
☐ OSP Open Space/Preservation District
☐ PDD Planned Development District
☐ PUD Planned Unit Development
☐ PID Planned Industrial District
☐ B-1B Central Business District
☐ B-1A Commercial Extended Business District
☐ B-2B Commercial Neighborhood Business District
☐ B-1 Commercial Local Business District
☐ BO Preferred Office District
☐ M-1 Light Industry
☐ A-O Agriculture Open Space
☐ H Overlaying area of Historic District

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-913-4011.

Initial Zoning Fee $250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed ☐
Number of occupants Adults ☐ Race ☐
Number of businesses currently located on the property being annexed 

(If more than one business on property, print information on back.)

Name of business 
Owner's Name 
Mailing Address 

If property is undeveloped, have plans been submitted to Planning Commission? ☐ Yes ☐ No
If yes, state estimated date the development or subdivision will be completed

Petitioner's Signature
Date

Note: Individual Form Updated 07/25/2014
Planning Commission Report
By Miriam Boutwell
February 2022
Initial Zoning

Applicant: Gary J Flowers
Location: South of CR 12, west of Hwy 59
Size: 1.03 +/- Acres
Current Zoning: Unzoned Baldwin County
Requested Zoning: B1A – Extended Business District
Future Land Use: RCC – Retail Commercial Concentration
Flood Zone: X
Unconfirmed

Comments: A 250' x 350' lot was already in the City limits & zoned B1A. Circle K needed a larger lot so a new subdivision was done enlarging the lot by 1.03 +/- acres. The property has been annexed & now needs to be zoned. They have requested B1A which matches the portion already in the City.
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Flowers Initial Zoning

Engineering is not opposed to the requested Initial Zoning.

Chad P. Christian, P.E.
City Engineer
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.03 +/- acres. Proposed zoning is B-1A (Extended Business District). Property is located S. of County Rd. 12 S. and W. of State Hwy. 59. Applicant is Gary J. Flowers.

Anyone interested in this initial zoning request maybe heard at a public hearing scheduled for February 16, 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
January 17, 2022

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

Re: Circle K - 8951 AL Hwy 59, Foley AL

To Whom it May Concern,

By this letter, we respectfully request review and approval of the proposed Circle K to be located at 8951 AL Highway 59, in Foley Alabama.

The development will consist of construction of a new 5200 square foot convenience store, with 8 automobile fuel dispensers under a canopy in front of the store and 2 Tractor Trailer fueling position under a canopy in the rear of the store along with associated parking, paving, drainage, and landscaping.

Infrastructure improvements as part of the proposed development will include widening County Road 12 and restriping to include a right turn lane and a left turn lane. Please note that this widening is consistent with the City's future plans for this intersection. Additionally, we will be adding a right turn lane to Alabama Highway 59 to support this development.

With this in mind we ask the Planning Commission to review and approve the site plan, landscape plan and site signage plan included with this submission.

Please contact me should you have additional questions or concerns.

Thank you in advance for your consideration.

Sincerely,

[Signature]

Sandra L. Owens  
Project Manager

Enclosures
Planning Commission Report
By Miriam Boutwell
February 2022
Site Plan

Name: Mitchell Saxon
Applicant: Same as Above
Location: SW Corner of CR 12 & Hwy 59
Existing Zoning: B1A – Extended Business District
Flood Zone: X
Unconfirmed
Comments: This is a site plan for the new Circle K convenience store, gas station & 2 tractor trailer fueling stations.

<table>
<thead>
<tr>
<th>Required:</th>
<th>Proposed:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback</td>
<td>30'</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>20'</td>
</tr>
<tr>
<td>Side Yard</td>
<td>10'</td>
</tr>
<tr>
<td>Side Yard Abutting Street</td>
<td>30'</td>
</tr>
<tr>
<td>Landscaping</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>LS Plan Exceeds</td>
</tr>
</tbody>
</table>
To: CDD Staff
cc: City of Foley Planning Commission
From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Circle K Site Plan Review

Engineering is not opposed to the conceptual site plan as presented. A Land Disturbance Permit will be required for construction. Improvements to CR 12 will need to be coordinated with intersection improvements project currently under design by ALDOT.

Chad P. Christian, P.E.
City Engineer
January 28, 2022

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

Re: Circle K – 8951 Highway 59
MDM Engineering
Application for Site Plan

Fire has reviewed this Application for Site Plan and has no issues.

Sincerely,

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

cc: City of Foley Planning and Zoning
Foley

CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   Dink #89215, ALA County Rd. 12S, FDR Properties, LLC

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

3. APPROXIMATE SIZE OF PROPERTY:
   1.974 ACRES

4. PRESENT ZONING OF PROPERTY:
   B-3

5. REQUESTED ZONING:
   A-1A

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

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

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: 1/13/2022

PROPERTY OWNER/APPLICANT
FDR Properties
PROPERTY OWNER ADDRESS
PHONE NUMBER
EMAIL ADDRESS

received 1/14/2022
RE: Rezoning Application
Debra Tewell - 21311 County Road 12 south
B-3 to R-1A Park District

1. Location:
   a. Address: 21311 County Road 12 South
   b. PIN No: 89215
   c. Parcel No:
      i. 05-61-02-10-0-000-007.001
   d. Legal Descriptions:
      i. (INSTRUMENT #1850632)
         COMMENCING AT THE PURPORTED SOUTHWEST CORNER OF
         SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN
         COUNTY, ALABAMA; THENCE RUN EAST A DISTANCE OF 20.0
         FEET TO A POINT; THENCE RUN NORTH A DISTANCE OF 40.0
         FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE (80
         FOOT RIGHT-OF-WAY) OF BALDWIN COUNTY ROAD NO. 12;
         THENCE RUN NORTH 89°49'19" EAST, ALONG SAID
         RIGHT-OF-WAY LINE, A DISTANCE OF 1,507.78 FEET TO A
         POINT; SAID POINT BEING THE POINT OF BEGINNING OF
         THE REALTY
         HERETOIN DESCRIBED; THENCE RUN NORTH 00°02'43"
         EAST A
         DISTANCE OF 416.90 FEET TO A POINT; THENCE RUN NORTH
         89°40'24"
         EAST A DISTANCE OF 208.72 FEET TO A POINT; THENCE RUN SOUTH
         00°02'42"
         WEST A DISTANCE OF 417.44 FEET TO A POINT ON THE SAID
         NORTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NO. 12;
         THENCE RUN SOUTH 89°49'19" WEST A DISTANCE OF 208.72
         FEET TO
         THE POINT OF BEGINNING

2. Approximate Size of the properties:
   a. 1.974 acres

4. Present Zoning: B-3 - Local Business District
5. Requested Zoning: R-1A Residential Single-Family
6. Description of Current Use and structures on the properties:
   a. The parcel has one single-family residential home on it as well as a pool enclosure
      and is an active residence.

7. Contemplated use if rezoned:
   a. Attached hereto is the application to rezone for the intent and purpose of the future
      continued use of the property as one or more single-family residential units. The
      property is zoned commercial currently but there is no present nor long term
      proposed neighbor business commercial use. The applicant seeks to find a zoning of
      the property that is congruent with the current use. It should be noted that the
      parcel backs up to a large subdivision also of single-family residential use to both its
      northern and eastern sides so this proposed zoning would indeed be compatible with
      the surrounding zoning and uses. Also, given the presence of the church to the
      immediate west, a single-family residential use would actually serve to prevent future
      complaints of a commercial use next to a church. No variances are being sought
      once the rezone is hopefully approved.
Planning Commission Report
By Miriam Boutwell
February 2022
Rezoning

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>FDR Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>North of CR 125 &amp; east of James Road</td>
</tr>
<tr>
<td>Size:</td>
<td>1.974 +/- Acres</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>B3 - Local Business District</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>R1A - Residential Single Family</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>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 R1A to match the existing use of a single-family home with a pool & enclosure.
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: FDR Properties Rezoning

Engineering is not opposed to the requested Rezoning.

Chad P. Christian, P.E.
City Engineer
January 28, 2022

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

Re: 21311 County Road 12 South
FDR Properties
Application for Zoning

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 1.97 +/- acres. Property is currently zoned B-3 (Local Business District). Proposed zoning is R-1A (Residential Single Family). Property is located at 21311 County Rd. 17 S. Applicant is FDR Properties, LLC.

Anyone interested in this rezoning request maybe heard at a public hearing scheduled for February 16, 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 MINOR SUBDIVISION

Date: 1/20/2023

1. Name of Subdivision: Carolyn L. Mullis

2. Name of Applicant/Owhee: Carolyn L. Mullis, Randy McHenry

3. Phone: 251-269-2798

Address: P.O. Box 2999 Gulf Shores, AL 36547

4. Engineer: Rowe Engineering & Surveying

5. Phone: 251-466-2766

Address: 3502 Lauglin Dr. Suite B Mobile, AL 36692

6. Location of Subdivision: 62 Line Hwy 59 South of CR Road 2

7. Number of Lots: 3

8. Parcel Pin #: 21534

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

Signature/Title: Randy McHenry

Mailing Address: P.O. Box 2999

Gulf Shores, AL 36547

Phone: 251-269-2798

Email: RandyMcHenry@BanyanRealty.com
February 1, 2022

Lindsey Mooney  
Rowe Engineering & Surveying  
3502 Laughlin Drive, Suite B  
Mobile, Alabama 36693

Re: Carolyn L. Mallis Subdivision, PPIN Number 215096, Hwy 59 Foley, AL

Dear Lindsey Mooney:

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]

Kon Pimperl  
System Engineer  

KPlyb
2/1/2022

Lindsey Mooney
Kriser Engineering & Surveying
3502 Laughlin Dr, Suite B
Mobile, AL 36693

RE: Carolyn L. Mills Subdivision

This letter is to confirm that Riviera Utilities is currently able to provide gas, water, wastewater and telecommunication services to Carolyn L. Mills Subdivision 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>
<tr>
<td>Jason Thompson</td>
<td>Telecommunications</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
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Carolyn L. Mullis Minor Subdivision

Engineering recommends approval of this Minor Subdivision.

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

<table>
<thead>
<tr>
<th>Name:</th>
<th>Carolyn L. Mullis SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Randy McKinney as Agent</td>
</tr>
<tr>
<td>Location:</td>
<td>West of State Hwy 59, adjacent to Abbey Lane</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>B1A - Extended Business District</td>
</tr>
<tr>
<td>Acreage:</td>
<td>7.9±/- Acres</td>
</tr>
<tr>
<td>Lots:</td>
<td>3 Lots</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X</td>
</tr>
<tr>
<td>(Unconfirmed)</td>
<td></td>
</tr>
<tr>
<td>Comments:</td>
<td>The lots meet zoning. At one time, there had been discussion of right-of-way donation on the western portion of the property to connect north to CR 20. Is that still being considered?</td>
</tr>
</tbody>
</table>
January 28, 2022

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

Re: Carolyn L. Mullis Subdivision
Carolyn L. Mullis
Application for Minor Subdivision

Fire has reviewed this Application for Minor Subdivision and has found no issues.

Sincerely,

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

cc: City of Foley Planning and Zoning
Public Notice

The City of Foley Planning Commission has received a request for approval of the Carolyn L. Mullis Subdivision a minor subdivision which consists of 7.9 +/- acres and 3 lots. Property is located W. of State Hwy. 59 adjacent to Abbey Ln. Applicant is Carolyn L. Mullis.

Anyone interested in the approval may be heard at a public hearing scheduled for February 16, 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 MINOR SUBDIVISION

Date 1/24/2022  City Limits PTI

1. Name of Subdivision Resubdivision of Lot 1 of Foley Crossroads

2. Name of Applicant/Owner Byrd Sons Residual Trust
   Phone (251)259-7135  Email pij@idch.homes
   Address 7241 BlueField Bay Minette AL 36507
   (Street Number and Name) (City) (State) (Zip Code)

3. Engineer David Dichiara (for Engineering Design Group, LLC)
   Phone (251)943-8960  Email dichiara@edgalabama.com
   Address 1000 E Laurel Ave Foley AL 36535
   (Street Number and Name) (City) (State) (Zip Code)

4. Location of Subdivision SW corner of the intersection of Co Rd 20 and Foley Beach Express

5. Total Acreage 138.68 acres  Number of Lots 3 new, 5 total in subdivision

6. Parcel Pin # 12967

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

Signature/Title Branch Manager
Mailing Address 1000 E Laurel Ave
Foley AL 36535
Phone (251)943-8960
Email dichiara@edgalabama.com
RE: Foley Crossroads Subdivision

This letter is to confirm that Riviera Utilities is currently able to provide gas, water, wastewater, and telecommunications service to the Foley Crossroads Subdivision 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>
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<tbody>
<tr>
<td>Lanny Scott</td>
<td>Gas</td>
<td><a href="mailto:mcreatt@rivierautilities.com">mcreatt@rivierautilities.com</a></td>
</tr>
<tr>
<td>Tony Schachle</td>
<td>Water/Wastewater</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
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<tr>
<td>Jason Thompson</td>
<td>Telecommunications</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
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Resub of Lot 1 Foley Crossroads Minor Subdivision

Engineering recommends approval of this Minor Subdivision.

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

<table>
<thead>
<tr>
<th>Name:</th>
<th>Resub of Lot 1 Foley Crossroads</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Byrd Sons Residual Trust</td>
</tr>
<tr>
<td>Location:</td>
<td>Southwest corner of FBE &amp; CR 20</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>PUD – Planned Unit Development</td>
</tr>
<tr>
<td>Acreage:</td>
<td>138.68+/- Acres</td>
</tr>
<tr>
<td>Lots:</td>
<td>3 Lots</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X</td>
</tr>
<tr>
<td>(Unconfirmed)</td>
<td></td>
</tr>
</tbody>
</table>

Comments:
This request is for a 3 lot subdivision on 138.68 acres. The drive location meets the access plan. The lots & uses are meeting the PUD plan.
January 28, 2022

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

Re: Resubdivision of Lot 1 of Foley Crossroads
   Byrd Sone Residual Trust
   Application for Minor Subdivision

Fire has reviewed this Application for Minor Subdivision and has found no issues.

Sincerely,

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

cc: City of Foley Planning and Zoning
Public Notice

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1 of Foley Crossroads a minor subdivision which consists of 138.68 +/- acres and 3 lots. Property is located at the SW corner of the Foley Beach Express and County Rd. 20. Applicant is Byrd Sons Residual Trust.

Anyone interested in the approval may be heard at a public hearing scheduled for February 16, 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: 1.3.23
City Limits: Yes

1. Name of Subdivision: The Cove at Cotton Bayou PH 1
2. Name of Applicant/Owner: RAM-Cotton Bayou Subdivision Partners, LLC
   Phone: 205 490-2832
   Email: rodney@retailspecialists.com
   Address: 2200 Magnolia Ave. South Ste. 100, Birmingham, AL 35205
3. Engineer: JADE Consulting, LLC (Perry C. "Trey" Jinright, III, PE)
   Phone: 205-928-3443
   Email: snuth@jadengineers.com
   Address: 205 N. Greeno Rd., Ste. C, Fairhope, AL 36532
4. Location of Subdivision: CR65 & CR20 Foley, AL
5. Total Acres: 80.44
   Number of Lots: 53
6. Parcel Pin #: 036286, 201476, 201480, 214857
7. I, Rodney Barstein, hereby depose and say that all the above statements and the
   statements contained in the papers submitted here within are true.

Signature/Title: Rodney Barstein
Mailing Address: 2200 Magnolia Ave. South Ste. 100
Birmingham, AL 35205
Phone: 205-490-2832
Email: rodney@retailspecialists.com
10/7/2021

Sherry Ruth
JADE-Consulting, LLC
208 W Greeno Road, Suite C
Fairhope, AL 36532

RE: Co Rd 65 and Co Rd 20

This letter is to confirm that Riviera Utilities is currently able to provide electric, water, gas, and telecommunication services to the proposed project located at CO RD 65 and CO RD 20, in Foley, AL. Sewer service is available by extension. The gas main is located on the west side of CO RD 65 and is a 2 7/8" high pressure steel gas main, depth may vary.

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/Wastewater</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a></td>
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<td>Danny Scott</td>
<td>Gas</td>
<td><a href="mailto:dscott@rivierautilities.com">dscott@rivierautilities.com</a></td>
</tr>
<tr>
<td>Scott Stigh</td>
<td>Electric</td>
<td><a href="mailto:sstigh@rivierautilities.com">sstigh@rivierautilities.com</a></td>
</tr>
<tr>
<td>Jason Thompson</td>
<td>Telecommunications</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
CONCLUSIONS

The following are the findings and recommendations from the traffic analysis:

Findings

• Under existing conditions, all approaches at the study area unsignalized intersections are projected to operate at LOS D, or better, in both the AM and PM peak hours.

• Without the project, in Year 2023 and Year 2026, all approaches at the study area unsignalized intersections are projected to operate at LOS D, or better, in both the AM and PM peak hours.

• The proposed Cove at Cotton Bayou is projected to generate 2,039 daily trips, 160 AM peak hour trips and 214 PM peak hour trips at full site buildout. Of the 160 trips during the AM peak hour, 41 are inbound trips and 119 are outbound trips. Of the 214 trips during the PM peak hour, 134 are inbound trips and 80 are outbound trips.

• With the project, in Year 2023 and Year 2026, all approaches at the study area unsignalized intersections are projected to operate at LOS D, or better, in both the AM and PM peak hours.

• Based on the 2026 Build traffic volumes, no left or right-turn lanes are recommended at the site access driveway intersections.

Recommendations

Based on the traffic analysis documented in this report, no left or right-turn lanes are recommended at the site access driveway intersections. No other off-site mitigation is recommended for the proposed The Cove at Cotton Bayou.
To: Community Development Department
CC: City of Foley Planning Commission

From: Taylor Davis, PE

Re: The Cove at Cotton Bayou Phase 1 LDP

The Land Disturbance Permit submittal for phase 1 has been reviewed by the Engineering Department and all comments have been addressed for this phase. The submittal is considered "ready to issue" per Section 4.3 of the Subdivision Regulations.

Engineering recommends that the future left turn lane be constructed with phase 2 of the subdivision. In addition, phase 2 will require an updated traffic impact study to determine the potential need for a right turn lane, due to the above-normal growth for the County Road 65 corridor.

As this proposed subdivision is located in the City of Foley ETJ, Baldwin County Planning and Zoning Department will perform their internal review of the construction submittal once approval is received from the City of Foley Planning Commission, per their policy. If comments from Baldwin County Planning and Zoning require plan modifications, these will be addressed prior to issuance of Land Disturbance Permit for construction.

Sincerely,

Taylor L. Davis, PE
Deputy City Engineer – City of Foley
Planning Commission Report
By Miriam Boutwell
February 2022
Request for Preliminary

Name: The Cove at Cotton Bayou P1
Applicant: RAM-Cotton Bayou SD Partners, LLC
Location: East of CR 65, north of Arbor Walk SD
Existing Zoning: Unzoned Baldwin County District 27
Acreage: 80.44 +/- Total Acres – 35.27 Phase I
Lots: 53 Lots
Flood Zone: Yes – see Floodplain Administrator
(Unconfirmed)
Comments: This request is for a 53 lot subdivision on 35.27 acres in unzoned Baldwin County.
December 27, 2021

Rodney Barstein
RAM- Cotton Bayou Subdivision Partners, LLC
2200 Magnolia Ave. South Ste. 100
Birmingham, AL 35205

Re: The Cove at Cotton Bayou Phase I

The environmental department has reviewed and approved the Phase 1 environmental permit application for the Cove at Cotton Bayou Subdivision, which is located at County Highways 65 & 20 in Foley, Alabama. All minimum requirements indicated in the City of Foley Ordinance NO.15-1063, Environmental Permits Related to Land Disturbance will be met upon submitting a copy of the site’s ADEM NPDES approval letter.

Should you have any questions please call 251-923-4267.

Sincerely,

Angie Eckman
Environmental Programs Manager
City of Foley
January 28, 2022

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

Re:  The Cove at Cotton Bayou, Phase 1
      RAM-Cotton Bayou Subdivision Partners, LLC
      Application for Preliminary Subdivision

Fire has reviewed this application for a Preliminary Subdivision and found that in addition to
the boulevard entrance, a secondary fire access will need to be provided to the south of
County Road 65; or, show how the southern connection of Reeves Street in Phase 4 on the
site plan will provide additional fire access.

Sincerely,

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

cc: City of Foley Planning and Zoning
Public Notice

The City of Foley Planning Commission has received a request for preliminary approval of The Cove at Cotton Bayou Phase 1 which consists of 35.27 ± acres and 53 lots. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is RAM-Cotton Bayou Subdivision Partners, LLC.

Anyone interested in the approval may be heard at a public hearing scheduled for February 16, 2022 in the Council Chambers of City Hall (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  
   - Bay Street, Foley, AL 36535  
   - PIN # 045320

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

3. APPROXIMATE SIZE OF PROPERTY:
   5.6 Acres

4. PRESENT ZONING OF PROPERTY:
   PO

5. REQUESTED ZONING:
   R3

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

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   This parcel will be part of a master planned rental community consisting of 202 total units, 62 townhomes and 140 apartments with amenity space.

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: January 24, 2022

Austin V. Hyson  Nick Ebmott
PROPERTY OWNER/APPLICANT
See Authorization Form
PROPERTY OWNER ADDRESS
251-604-0257  251-347-2418
PHONE NUMBER
athyson@hotmail.com  nwhmott@gmail.com
EMAIL ADDRESS

COC
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 Cypress Street South, Foley, AL PPIN: 201939

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

3. APPROXIMATE SIZE OF PROPERTY:
   5.6 Acres

4. PRESENT ZONING OF PROPERTY
   PO

5. REQUESTED ZONING:
   R3

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

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   This parcel will be part of a master planned rental community consisting of 202 total units, 62 townhomes and 140 apartments with amenity space.

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: January 24, 2022

Austin V. Hynson    Nick Wilcott
PROPERTY OWNER/APPLICANT

See Authorization Form

PROPERTY OWNER ADDRESS
251-504-0327
251-747-2418

PHONE NUMBER
ahynson@hotmail.com
mwilcott@gmail.com

EMAIL ADDRESS

- Other Authorization is provided within application.
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
   East Lawson Ave, Foley, AL  PPIN: 201938

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

3. APPROXIMATE SIZE OF PROPERTY:
   5.2 Acres

4. PRESENT ZONING OF PROPERTY:
   AO

5. REQUESTED ZONING:
   R3

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

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.):
   This parcel will be part of a master planned retail community consisting of 232 total units, 63 townhomes and 149 apartments with amenity spaces.

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: January 24, 2022

Owner Authorization is provided within application

PROPERTY OWNER/APPLICANT
See Authorization Form

PROPERTY OWNER ADDRESS
251-604-0327 251-747-2418

PHONE NUMBER

EMAIL ADDRESS
a hymson@hotmail.com mwilmott@gmail.com
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
   - 220 E Michigan Ave, Foley, AL 36535  PIN # 045327

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

3. APPROXIMATE SIZE OF PROPERTY:
   100 X 200

4. PRESENT ZONING OF PROPERTY:
   R2

5. REQUESTED ZONING:
   R3

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

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   This parcel will be part of a master planned retail community consisting of 202 total units, 62 townhomes and 140 apartments with amenity space.

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: January 24, 2022

PROPERTY OWNER/APPLICANT
Austin V. Hyson  Nick Wilmott

See Authorization Form

PROPERTY OWNER ADDRESS
251-304-0237  251-747-2418

PHONE NUMBER
aheyson@hotmail.com  nwilmott@gmail.com

EMAIL ADDRESS
Baldwin County Parcel # 54-08-33-3-000-018.013
PPIN: 201939
CDD Report for Planning Commission
By: Miriam Boone
Prelim Meeting Date: __/__/__

Site Plan Review

Project Name: Cypress Street Multifamily Master Plan
Applicant: Hanson Wilmott
Location: South of Michigan Ave between Cypress & Bay Streets
PPIN(s): 201939 201938 45320 45327
Existing Zoning: B1A AO PO R2
Flood Zone: (Unconfirmed)
Comments: Development consists of Townhomes & Apartments

Zone: R-3 Multi Fam/Apts

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<tr>
<td>Max Density/Acre</td>
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<td>Min ex SY Width</td>
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<tr>
<td>Parking per Unit</td>
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Onsite Amenities: Pickle Ball, Playground, Pool, Clubhouse, Dog Park

Offsite Amenities: ?

Sale or Lease: Initially Lease, THs may be sold in the future if for sale, need SD plan showing lots

Overlay Districts: NA

Stormwater Plan?

Required Buffers?

Major/Collector Rd?

Dumpsters? Bulk?: Dumpsters in apartments with chutes, THs will have cans

Need to know: Utility Letters, Traffic Analysis, Site Plan review w/PC, EDP, 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 1ft setback for each ft over 35 high, max 50ft.
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Wilson/Crimson Land Development Rezoning

Engineering is not opposed to the requested Rezoning.

Chad P. Christian, P.E.
City Engineer
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22

Re: Wenzel/Crimson Land Development Rezoning

Engineering is not opposed to the requested Rezoning.

Chad P. Christian, P.E.
City Engineer
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Wenzel/Britain/Crimson Land Development Rezoning

Engineering is not opposed to the requested Rezoning.

Chad P. Christian, P.E.
City Engineer
January 28, 2022

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

Re: Cypress Street Multifamily
Austin Hynson and Nick Wilmott
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 17 +/- acres. Property is currently zoned B-1A (Extended Business District), PO (Preferred Office District), AO (Agricultural Open Space) and R-2 (Residential Single Family and Duplex). Proposed zoning is R-3 (Residential Multi-Family). Property is located S. of Michigan Ave. between Cypress and Bay St. Applicant is Crimson Land Development LLC.

Anyone interested in this rezoning request may be heard at a public hearing scheduled for February 16, 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
ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   Response: Hickory St., PIN #336216, 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 be for a residential 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 $5.00 PER ADDITIONAL ACRE OVER 20.
   Response: Total check amount is $500

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

DATE: November 12, 2021

PROPERTY OWNER/APPLICANT
208 N. Greene Rd, Ste. C, Fairhope, AL 36532
PROPERTY OWNER ADDRESS
251-328-3443
PHONE NUMBER
tfirhte@adengineers.com / snuth@adengineers.com
EMAIL ADDRESS
Planning Commission Report

By Miriam Boutwell

February 2022

Rezoning

Applicant: Magnolia Landing

Location: West of Hickory Street, north of CR 12 S

Size: 19.42 +/- Acres


Requested Zoning: PUD - Planned Unit Development

Future Land Use: NC - Neighborhood Commercial & RM - Residential Medium Density

Flood Zone: X

Unconfirmed

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 and are working with the Crown Walk HOA as well.
To: CDO Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 2-2-22
Re: Magnolia Landing Rezoning

Engineering is not opposed to the requested Rezoning. A revised traffic impact study may be required.

Chad P. Christian, P.E.
City Engineer
January 28, 2022

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

Re: Magnolia Landing
Jade Consulting
Application for Rezoning

Fire has reviewed this Application for Rezoning of the revised site plan and has found no issues.

Sincerely,

Brad Hall
Fire Inspector
City of Foley

Fire will@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 February 16, 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
AMEND "SECTION 4.2 E. EXEMPTIONS FROM SUBDIVISION REQUIREMENTS" TO READ AS FOLLOWS:

"E. The division of land wherein the size of each and every resulting parcel of land equals or exceeds ten (10) acres and involves no street or other public improvements. Each parcel shall have frontage on a publically maintained right-of-way;"
PUBLIC NOTICE

The City of Foley Planning Commission will hold a Public Hearing on proposed amendments to the City of Foley Subdivision Regulations. The amendments are available for review at City Hall, Library and Community Development Department.

Anyone having interest in the approval of the changes may be heard at a public hearing scheduled for February 16, 2022 in the Council Chambers of City Hall (407 E. Laurel Ave.) at 5:30 p.m. or may respond in writing to 129 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
RESOLUTION IMPOSING MORATORIUM ON
SUBDIVISION EXEMPTION APPROVALS

WHEREAS, the Foley Subdivision Regulations provide for several different types of subdivisions to be approved by staff members as meeting one or more of the exemptions found in Section 4.2 of the Foley Subdivision Regulations; and

WHEREAS, the Planning Commission of the City of Foley desires to make various amendments to the subdivision exemptions currently found in Section 4.2; and

WHEREAS, the City of Foley Planning Commission does not want to see a flurry of applications for subdivision exemptions to be processed under the old rules while the new rules are being openly considered and debated; and

WHEREAS, applicants for subdivisions or what would previously be considered administratively as exempt subdivisions can still be processed through the formal, Planning Commission subdivision approval process;

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Foley as follows:

1. That no subdivision exemptions under Section 4.2 of the Foley Subdivision Regulations shall be processed or approved until the Planning Commission has finished making changes to these subdivision exemptions and this moratorium is expressly lifted by the Foley Planning Commission. Applicants who might otherwise have applied for and received a subdivision exemption during the period of this moratorium may apply for subdivision approval through the formal Planning Commission channels, and they will be governed by the normal subdivision regulations (not the exemption terms); provided, however, that the application fee for the formal subdivision approval will be waived.
2. That this moratorium on the approval of subdivision exemptions is effective immediately and will last until it is expressly repealed by the Planning Commission following its review and adoption of new subdivision exemption regulations.

DONE THIS _______ DAY OF _________, 2022.

Chairman, Foley Planning Commission