CITY OF FOLEY
PLANNING COMMISSION

WORK SESSION
May 11, 2022
City Hall
Council Chambers
At 5:30 p.m.

&
MEETING
May 18, 2022
City Hall
Civic Center
At 5:30 p.m.
PLANNING COMMISSION WORK SESSION
May 11, 2022 (Council Chambers of City Hall) 5:30 P.M.

The City of Foley Planning Commission will hold a work session meeting on May 11, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

WORK SESSION:

1. **Chris Govan - Discuss Recreational Vehicle (RV) District Buffer**
   The applicant would like to discuss the buffer for a potential RV Park. Property is located E. of James Rd. and S. of County Rd. 20. Applicant is Chris Govan.

2. **Clay Moore - Discuss Joint Residential and Commercial use in B-1A zone**
   The applicant would like to discuss joint residential and commercial use in a B-1A zone. Property is located E. of S. McKenzie St. and S. of S. Commercial Dr. Applicant is Clay Moore.

3. **Wolf Creek Development - Discuss PDD Modification**
   The applicant would like to discuss a PDD modification. Property is located W. of the Foley Beach Express and S. of Doc McDuffie Rd. Applicant is Christian Mills.

4. **Magnolia River Subdivision - Discuss PUD Rezoning**
   The applicant would like to discuss a possible rezoning of a PUD. Property is located S. of Betts Ln. and W. of George Younce Rd. Applicant is Michael Thomas.

5. **A Re-Plat of Lot 2 of the Flowers Property Subdivision - Request for Minor**
   The City of Foley Planning Commission has received a request for approval of a Re-Plat of Lot 2 of the Flowers Property Subdivision a minor subdivision which consists of 2.15 +/- acres and 2 lots. Property is located at S. of County Rd. 16 and W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is John D. Flowers.

6. **Bon Secour 10-65 Subdivision - Request for Minor**
   The City of Foley Planning Commission has received a request for approval of Bon Secour 10-65 Subdivision a minor subdivision which consists of 9.34 +/- acres and 2 lots. Property is located at the NE corner of County Rd. 65 and County Rd. 10 and is located in the City of Foley Planning Jurisdiction. Applicant is The Broadway Group, LLC.

7. **Resubdivision of Lot 1 of Old Time Pottery Foley Subdivision - Request for Minor**
   The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1 of Old Time Pottery Foley Subdivision a minor subdivision which consists of 2.85 +/- acres and 2 lots. Property is located at the SE corner of State Hwy. 59 and Keller Rd. Applicant is Broco Foley, LLC.

8. **Dairy Queen - Request for Site Plan**
   The City of Foley Planning Commission has received a request for a site plan approval of Dairy Queen. Property is located at the SE corner of State Hwy. 59 and Keller Rd. Applicant is JSO Services.

Note: *Denotes property located in the Planning Jurisdiction
9. Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots- Request for Rezoning
The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots a minor subdivision which consists of 5.38 +/- acres and 4 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Virenda Patel.

10. Fairfield Inn- Request for Site Plan
The City of Foley Planning Commission has received a request for a site plan approval of Fairfield Inn. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Virenda Patel.

11. *The Knoll- Request for Preliminary
The City of Foley Planning Commission has received a request for preliminary approval of The Knoll which consists of 38.87 +/- acres and 111 lots. Property is located NW corner of County Rd. 65 and County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Sawgrass Consulting, LLC.

12. Luis Tabares- Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned Recreational Vehicle (RV) Park District. Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Luis Tabares.

13. Grey Contracting LLC- Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 10 +/- acres. Property is currently zoned R-4 (Residential Single Family and Duplex) and B-1A (Extended Business District). Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Grey Contracting of Greenville, LLC.

The City of Foley Planning Commission has received a request to recommend the initial zoning of 121.91 +/- acres. Proposed zoning is PUD (Planned Unit Development). The property is located S. of US Hwy. 98 and W. of Grantham Rd. Applicant is Keystone Development LLC.

15. 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.

16. Holts Builders Inc/International Residence Hall- PDD Modification
The City of Foley Planning Commission has received a request for a PDD modification Property is located E. of Juniper St. and S. of Stabler Way. Applicant is Holts Builders Inc.

Note: *Denotes property located in the Planning Jurisdiction
17. Zoning Ordinance Amendments - Discuss Proposed Changes

ADJOURN:
The City of Foley Planning Commission will hold a meeting May 18, 2022 at 5:30 p.m. in the Civic Center of City Hall located at 407 E. Laurel Avenue.

MINUTES:
Approval of the April 13, 2022 and April 20, 2022 meeting minutes.

PUBLIC HEARING:
1. *A Re-Plat of Lot 2 of the Flowers Property Subdivision- Request for Minor*
   The City of Foley Planning Commission has received a request for approval of A Re-Plat of Lot 2 of the Flowers Property Subdivision a minor subdivision which consists of 2.15 +/- acres and 2 lots. Property is located at S. of County Rd. 16 and W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is John D. Flowers.

2. *Bon Secour 10-65 Subdivision- Request for Minor*
   The City of Foley Planning Commission has received a request for approval of Bon Secour 10-65 Subdivision a minor subdivision which consists of 9.54 +/- acres and 2 lots. Property is located at the NE corner of County Rd. 65 and County Rd. 10 and is located in the City of Foley Planning Jurisdiction. Applicant is The Broadway Group, LLC.

3. *Resubdivision of Lot 1 of Old Time Pottery Foley Subdivision- Request for Minor*
   The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1 of Old Time Pottery Foley Subdivision a minor subdivision which consists of 2.85 +/- acres and 2 lots. Property is located at the SE corner of State Hwy. 59 and Keller Rd. Applicant is Broco Foley, LLC.

4. *Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots- Request for Rezoning*
   The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots a minor subdivision which consists of 5.38 +/- acres and 4 lots. Property is located, S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Virendra Patel.

5. *The Knoll- Request for Preliminary*
   The City of Foley Planning Commission has received a request for preliminary approval of The Knoll which consists of 38.87 +/- acres and 111 lots. Property is located NW corner of County Rd. 65 and County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Sawgrass Consulting, LLC.

6. *Luis Tabares- Request for Rezoning*
   The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned Recreational Vehicle (RV) Park District. Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Luis Tabares.

Note: *Denotes property located in the Planning Jurisdiction*
7. **New Contracting LLC - Request for Rezoning**
   The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 10 +/- acres. Property is currently zoned R-4 (Residential Single Family and Duplex) and B-1A (Extended Business District). Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Grey Contracting of Greenville, LLC.

8. **Keystone Development - Request for Rezoning**
   The City of Foley Planning Commission has received a request to recommend the initial zoning of 121.91 +/- acres. Proposed zoning is PUD (Planned Unit Development). The property is located S. of US Hwy. 98 and W. of Granham Rd. Applicant is Keystone Development LLC.

9. **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.

**NEW BUSINESS:**

1. **A Re-Plat of Lot 2 of the Flowers Property Subdivision - Request for Minor**
   The City of Foley Planning Commission has received a request for approval of A Re-Plat of Lot 2 of the Flowers Property Subdivision a minor subdivision which consists of 2.15 +/- acres and 2 lots. Property is located at S. of County Rd. 16 and W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is John D. Flowers.

2. **Bon Secour 10-65 Subdivision - Request for Minor**
   The City of Foley Planning Commission has received a request for approval of Bon Secour 10-65 Subdivision a minor subdivision which consists of 9.54 +/- acres and 2 lots. Property is located at the NE corner of County Rd. 65 and County Rd. 10 and is located in the City of Foley Planning Jurisdiction. Applicant is The Broadway Group, LLC.

3. **Resubdivision of Lot 1 of Old Time Pottery Foley Subdivision - Request for Minor**
   The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1 of Old Time Pottery Foley Subdivision a minor subdivision which consists of 2.85 +/- acres and 2 lots. Property is located at the SE corner of State Hwy. 59 and Keller Rd. Applicant is Broco Foley, LLC.

4. **Dairy Queen - Request for Site Plan**
   The City of Foley Planning Commission has received a request for a site plan approval of Dairy Queen. Property is located at the SE corner of State Hwy. 59 and Keller Rd. Applicant is JSO Services.

Note: *Denotes property located in the Planning Jurisdiction
5. Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots - Request for Rezoning
The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots a minor subdivision which consists of 5.38 +/- acres and 4 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Virendra Patel.

6. Fairfield Inn - Request for Site Plan
The City of Foley Planning Commission has received a request for a site plan approval of Fairfield Inn. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Virendra Patel.

7. The Knoll - Request for Preliminary
The City of Foley Planning Commission has received a request for preliminary approval of The Knoll which consists of 38.87 +/- acres and 111 lots. Property is located NW corner of County Rd. 65 and County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Sawgrass Consulting, LLC.

8. Luis Tabares - Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned Recreational Vehicle (RV) Park District. Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Luis Tabares.

9. Grey Contracting LLC - Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 10 +/- acres. Property is currently zoned R-4 (Residential Single Family and Duplex) and B-1A (Extended Business District). Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Grey Contracting of Greenville, LLC.

The City of Foley Planning Commission has received a request to recommend the initial zoning of 121.91 +/- acres. Proposed zoning is PUD (Planned Unit Development). The property is located S. of US Hwy. 98 and W. of Grantham Rd. Applicant is Keystone Development LLC.

11. 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.

Note: *Denotes property located in the Planning Jurisdiction
12. Holtz Builders Inc./International Residence Hall- PDD Modification
The City of Foley Planning Commission has received a request for a PDD modification. Property is located E. of Juniper St. and S. of Stabler Way. Applicant is Holtz Builders Inc.

ADJOURN:
The City of Foley Planning Commission held 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. Members present were: Deborah Mixon, Larry Engel, Vera Quaites, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley and Tommy Gebhart. Absent member was Bill Swanson. 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. **Outpost 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. Pecan St. Applicant is SE Civil, LLC.

   Mrs. Miriam Boone explained the applicant has received preliminary approval to subdivide the property into individual lots. She stated they are asking to begin construction before the final plat is complete or to possibly not subdivide the property.

   Mr. Guy Balencie stated they would like to start building at the same time they are putting in the roads and utilities.

   Mr. Chad Christian stated currently they have an approved preliminary which requires the infrastructure to be in place and 15% may be bonded. He explained the plat will not be signed until 85% of the infrastructure is in place.

   Mr. Balencie stated they are starting construction on the amenities in August. He explained they would like to begin construction on the homes on Pecan St. in October or November. He stated if they are able to begin construction on the houses at that time they will have approximately 24 to 36 houses complete before the final plat is signed.

   Commissioner Hellmich stated he sees no issue with the request as long as the certificate of occupancies are not issued until the final plat is signed. He explained starting the construction earlier will get grass on the lots and may help prevent issues.

   Mr. Balencie explained he understands a certificate of occupancy for the homes will not be issued until the final plat is signed.

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.

   Mrs. Boone explained the applicant has requested to withdraw the item.

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.

Note: *Denotes property located in the Planning Jurisdiction
Mrs. Boone explained the property is located in the Foley Beach Express overlay district. She stated a previous site plan was approved for enclosed boat and RV storage. She explained since then the property has changed ownership and the new owner would like to do open air boat and RV storage.

Commissioner Hellmich stated one of the reasons the previous site plan was approved was due to the aesthetics and it being enclosed.

The applicant was not present.

Commissioners asked that staff let the applicant know the feedback for the new plan of a proposed gated graveled open air storage was not positive.

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. 19 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.

Mr. Christian stated his only comment was the setbacks need to be checked to ensure the existing structure is meeting the requirements.

Mrs. Boone explained the property is located in Baldwin County. She stated Baldwin County has reviewed and approved the subdivision.

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.

Mrs. Boone explained the lots are zoned B-1A and the request is meeting the zoning requirements.

Mr. Christian stated a sanitary sewer service availability letter was not received and the sanitary sewer service needs to be added to the plat.

Mr. Jerry Perez stated he received the sanitary service commitment letter yesterday from Baldwin County Sewer Service. He gave a copy of the letter to the Chairman.

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 56.57 +/- acres and 2 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Woerner Land, LLC.

Note: *Denotes property located in the Planning Jurisdiction
Mrs. Boone explained the request is for a 2 lot subdivision. She stated the property is zoned B-1A and the lots are meeting zoning requirements.

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.

   Mr. Trey Jinwright with Jade Consulting stated he has been working with the Crown Walk HomeOwners Association for several months to address their concerns. He stated his understanding is Crown Walk will support the project with the following items:
   - No earth work will be done with the enhanced buffer, the area will receive additional trees and shrubs to supplement existing vegetation
   - Drainage infrastructure to be installed as requested along north side of berm so that positive drainage is maintained
   - Building 16 and 17 being reduced to two stories
   - Three story buildings 14 & 18 will have no north facing windows

   He explained many items were changed from the original plan in order to make the Crown Walk residents more comfortable with the development. He stated the 60’ access easement that was to be cleared for a road has now been shifted which is reflected on the new plans.

   Commissioner Engel asked about the Crown Walk residents’ feelings regarding the northern entrance next to the subdivision.

   Mr. Jinwright stated the access will be a gated emergency only access. He explained the road portion was shifted as much as possible without affecting the CORP permits that were already issued. He stated the Crown Walk residents would like the Commissioners assurance that the plan is locked in and cannot change without approval.

   Chairman Abrams thanked Mr. Jinwright for working with the neighboring property owners.

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 Hwv. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates, LLC.

   Mrs. Boone explained items # 8 and #9 can be discussed together.

   Mr. Hunter Smith with Smith Clark and Associates LLC explained the goal is to develop a multi-family development which will have a private road. He stated the floodplain and wetland areas have been taken into consideration.

   **Note:** *Denotes property located in the Planning Jurisdiction*
Mr. Brent Shryock explained there will be an 80’ right of way on the northern boundary line and the structures will be approximately 250’ from the property line which will be left natural. He stated they are unsure of the exact entrance location.

Commissioner Hellmich stated the location of the buildings have changed since the applicant met with staff. He explained it was recommended the buildings be shifted so they were not facing directly towards the adjacent residential homes.

Mr. Shryock explained the interior area will be left open with a walking path and amenities. He stated there will be garages around the perimeter of the property.

Commissioners asked if a traffic study had been done.

Mr. Christian stated the traffic analysis can be tied to the land disturbance permit.

Mr. Shryock stated they had a traffic study recommendation which indicated the need to lengthen the stacking lane for the right turn lane.

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.

Item was discussed with item # 8.

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.

Mr. Chad Watkins with WAS Design explained they are requesting a PUD modification to include multi-family. He stated the requested change would be a down zoning since the area is currently approved for businesses and hotels. He explained they will come back before the Commission for a site plan approval for the multi-family development.

Commissioner Hellmich asked if there would be any required traffic improvements.

Mr. Christian stated he has requested the stacking at the entrance gate be checked.

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.

Mrs. Boone explained the property is currently zoned a PUD which was approved for an RV Park. Mr. Jinwright explained they are requesting to rezone to an R-3 for a multi-family development.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Hellmich stated the project is surrounded by commercial uses and will be a good location for workers. He asked if the sidewalk on the east side of the property will be added as requested.

Mr. Jinwright stated due to the tremendous amount of commercial businesses surrounding the property a lot of sidewalks will be incorporated into the project.

Commissioner Engel stated a traffic impact study needs to be done for the development.

Mr. Jinwright explained a traffic analysis has been requested.

Chairman Abrams stated he thinks the development fits with what is in the area and will allow pedestrian walking.

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.

Mrs. Boone explained Mr. Casey Pipes has drafted language to be included in the motion for an expiration date of December 2022. She stated the owners have requested the expiration date to ensure if the sale of the property does not complete the current zoning will not be changed. She explained they are requesting a Boat and RV storage which is not specifically listed in the PDD zoning. She explained the property is located in the Foley Beach Express overlay district.

Mr. Andrew Prescott stated they have received a letter from the Navy regarding the review of the development and impacts. He explained they are requesting to modify the PDD to have multi-family apartments on the south portion of the property and retail, boat and RV storage on the west side of the property.

Commissioner Hinesley asked if boat and RV storage is allowed in the overlay district.

Mrs. Boone stated the Commissioner can approve the use of use of boat and RV storage in the overlay district. She stated the storage area will not be visible from the Foley Beach Express.

Commissioner Hellmich stated this is a unique piece of property. He explained the applicant has stated the green area will possibly be preserved for a small park with sidewalks.

Mr. Andrew Prescott stated the green area is wetlands and there will be no buildings in that area.

Commissioner Hellmich stated a challenge will be on the east side of County Rd. 20 with the stacking lanes and westward traffic. He explained there are already issues with traffic in the area and these items will have to be addressed.

Mrs. Boone explained each phase of the PDD will require site plan review from the Commission.

Note: *Denotes property located in the Planning Jurisdiction
13. Downey Family Limited - Request for Rezone

The City of Foley Planning Commission has received a request to rezone 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.

Mr. David Dichiara with Engineer Design Group stated the proposed area is 125 acres. He explained they are proposing to develop 92 acres on the northern half of the parcel. He stated the 38 acres of sensitive area along Graham creek will be donated to the city as part of the Graham Creek Nature Preserve. He explained they have met with the Home Owners Associations in the area and have tried to address their concerns. He stated the area will be fenced with a buffer and landscaping. He explained the larger lots were moved to the east side of the property. He stated the neighboring property owners expressed concern over a boat ramp. He explained there will not be a boat ramp within the development but there will be a pier for the residence.

Commissioner Hellmich asked about the individual lots building piers.

Mr. Dichiara stated language will be included in the deeds preventing individual piers. He explained the builder will be Trottland Homes with the waterfront lots being custom homes by private developers. He explained they will have a gravity sewer with a lift station that will be located outside the floodplain.

Chairman Abrams asked if the Graham Creek Nature Preserve is restricted after dark.

Mrs. Leslie Gahagan stated the park is not gated and is patrolled by the Foley police.

Commissioner Hellmich explained an issue was brought up regarding there only being one access from Wolf Bay Dr. to County Rd. 12. He stated there will be another access added on the other side of the Nature Preserve. He explained they are working on making the stop sign at the intersection of Wolf Bay Dr. and County Rd. 12 a three way stop.

Commissioner Engel stated he would prefer larger lots to match the existing lots in the area.

Mr. Dichiara stated they understand the concerns and are trying to do the best they can and still make the project feasible for this unique area.

Commissioner Hinesley stated he would like to see larger lots up against the Graham Creek Nature Preserve.

Mrs. Ame Wiltsers stated the residents in the area have concerns regarding the lift station, deer population and density. She stated the residents would like to see the area zoned R-1A or R2 and the Commission retain the upper hand.

Commissioner Hellmich stated staff has met with the developers and there were changes to the PUD after the meeting. He explained the PUD allowed negotiation and more open space.

Mrs. Boone explained with an R-1A or R-2 zone they would not have to get approval for the site plan of the subdivision.

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Commissioner Engel stated he understands with a PUD there is a required area of open green space. He explained with the R-1A and R-2 you don’t need the specialized area of green space because the green space is on the individual lots.

Mrs. Diane Bunch stated they would like the developers to have a better understanding of how this is going to impact the neighborhood and things such as traffic, Wolf Creek and the resident’s quality of life.

Mr. Dichiara stated they have met with the Home Owners Associations and had asked that the meeting information be shared with anyone who would like to attend.

Commissioner Hellmich asked if the applicant would be willing to meet again with the residents.

Mr. Dichiara stated he would set up a meeting with the residents in the area.

14. Kenneth Teem- 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.

Mr. Chris Ventre explained they are proposing a cottage style multi-family PUD which is similar to a village style concept. He explained the homes and units will be rented and have private streets. He stated they will have a main spine street within the development with parking courts and shared green space. He explained there will be a walking trail made of crushed granite and they will be adding sidewalks along Hickory Street and County Rd. 20.

Commissioner Hellmich asked the developers to work with the City Engineer regarding the specs for the sidewalks that will be located in the right of way.

ADJOURN:

Meeting adjourned at 7:09 p.m.

Note: *Denotes property located in the Planning Jurisdiction
The City of Foley Planning Commission held a meeting April 20, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Ralph Hellmich, Wes Abrams, Phillip Hinesley, Calvin Hare and Tommy Gebhart. Absent members were: Larry Engel, Vera Quaites and Bill Swanson. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Eden Lapham, Planner I; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Chairman Abrams called the meeting to order at 5:30 p.m.

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

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

**Motion to approve the March 9, 2022 and March 16, 2022 meeting minutes pass.**

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

**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 Sam Styron.

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

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.

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

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 Jade Consulting.

*Note: *Denotes property located in the Planning Jurisdiction
Chairman Abrams asked if there were any members of the public to speak on the item. There were none.

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.
   
   Mr. George Preski resident of 8133 Carmel Circle stated he lives in Bella Vista which is directly to the north of the property. He explained the subdivision is a quiet area with approximately 100 homes. He asked if the multi-family would be rentals, condos or townhomes.
   
   Commissioner Hellmich stated the development will be apartments.
   
   Mrs. Booz stated per staff’s request they have added a buffer and moved the buildings more to the south end of the property.
   
   Mr. Preski asked if the apartments would be section 8 housing.
   
   Mr. Ryan Jones stated the intent is not for section 8 housing. He explained the apartments will be class A affordable housing.
   
   Mr. Preski asked how far off the northern property line the apartments will be located.
   
   Mr. Jones explained the buildings will be approximately 200’ from the property line which includes an 80’ right of way. He stated the original plan had the buildings facing north and a smaller buffer. He explained at the city’s request the building orientations have changed and a larger buffer was added.
   
   Mr. Preski asked about the purpose of the right of way.
   
   Commissioner Hellmich explained the 80’ right of way will be a gated emergency access. He stated the right of way has always been in place and it could possibly be developed in the future.
   
   Ms. Jackie Holiday, resident of 8192 Carmel Circle asked for more details about the buffer between the development and Bella Vista.
   
   Mr. Jones stated there is a 80’ right of way, another 80’ of tree line, a parking area and the buildings which will be over 200’ feet from the north property line. He explained he does not think the residents of Bella Vista will be able to see the apartments.
   
   Ms. Holiday asked how many apartment units would be in the development.
   
   Mr. Jones stated there will be 240 units.
   
   Mr. Kyle Scully, resident of 8141 Carmel Circle asked if the rentals would be under one management company and if there would be any short term rentals.

Note: *Denotes property located in the Planning Jurisdiction
Mr. Jones stated the development will be handled by one management company and they will be yearly leases. He explained his company currently manages 20,000 apartment units.

Ms. Kaye Moody resident of 8257 Carmel Circle asked when construction would begin and end.

Mr. Jones stated they plan to begin construction in about a year. He explained they hope to have the development completed after 18 months with the clubhouse being built first.

Ms. Moody asked where the entrance will be located.

Mr. Jones stated they will have a landscaped entrance off of Richard Childress Lane.

Ms. Moody asked if there will be a privacy fence located in the back area of the development.

Mr. Jones stated they are considering adding a fence.

Mr. Preski asked if they would be multi story buildings and the expected price of the rentals.

Mr. Jones stated all the buildings will be two stories with no elevators. He explained they plan to use the detention area as a water feature, have a pickleball court and walking trails. He stated there will be a mixture of 1, 2 and 3 bedroom units with a price range of about $1,500 a month for the 1 bedroom. He explained the market studies show there is a need for apartment rentals in the area. He stated they are hoping to bring more units to the area to help keep rates from going up and reduce some of the pressure.

Ms. Moody asked how they would handle the additional traffic created from the development.

Commissioner Hellmich stated improvements are needed for traffic going west to east for people turning south. He stated there will have to be improvements.

Ms. Moody asked if the City would be making the improvements.

Commissioner Hellmich stated the city will work in conjunction with the apartments on improvements. He explained there are many improvements in the works such as the upgrading of traffic lights along State Hwy. 59 and to three lane a five mile section of the road.

Chairman Abrams asked that the record reflect that the Commissioners received a letter from the Law Offices of Ryan & Wilkes.

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 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.

Item was discussed with item #4.

Note: *Denotes property located in the Planning Jurisdiction
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.

Mr. Fred Breton explained he owns a business at 2835 S. Pine St. which backs up to the property. He stated his building flooded during hurricane Sally and in 2014. He explained work has been done but there are still drainage issues. He asked what was going to be done to handle drainage for the development.

Chairman Abrams stated at this time they are requesting to change the zoning of the property from the current PUD which was approved for an RV Park to a R-3.

Commissioner Hellmich explained there has been some clearing and additional changes to improve the draining in the area. He stated there are still drainage issues, but the drainage is at a higher level than previously. He explained the development will have to provide detailed drainage information to the Engineering Department to ensure they are meeting the city regulations before a land disturbance permit is issued.

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 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.

Chairman Abrams explained a request to carry over the item until next month’s meeting was received from the applicant.

Commissioner Hellmich stated they have encouraged the applicant to work with the Home Owners Associations to try and address the neighboring property owner’s questions and concerns.

8. **Kenneth Teem- 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.

Mr. Jon Ksiazek resident of 926 Sailor Circle stated his house is next to the property. He explained he is the president of the HomeOwner Association of McSwain which is a small subdivision of 47 homes. He stated currently on the east side of McSwain is Allison Pointe Apartments and townhomes are being constructed beside the apartments. He asked if the homes would be rentals or individually owned. He stated they don’t have a problem with residential but do not want to be surrounded by rentals. He explained there are already issues with traffic and this development will add at least another 300 cars a day. He stated they have a lot of trees and wildlife currently in the area they would like to preserve.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Hellmich stated the development is unique and there is currently not another like it in Foley.

Mr. Kiasseck asked how close the houses would be to the McSwain subdivision.

Mr. Chris Ventre explained this is a unique urban design consisting of row houses and townhomes. He stated the one-story buildings will be 35' from the McSwain property line. He explained these will be a crushed granite walking/running trail. He stated they will be selectively picking the best aesthetically looking trees to keep the trail as shaded as possible. He explained they will be adding sidewalks along Hickory St. and County Rd. 20.

Commissioner Hellmich stated the added sidewalks will allow connectivity to current and future planned sidewalks.

Chairman Abrams closed the public hearing and reconvened the regular meeting.

**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 1/2 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.

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

Commissioner Hellmich stated Baldwin County has approved the subdivision as an exemption. He explained the City currently has a moratorium on exemptions. He stated the lots front a road and the request appears to meet city requirements.

All Commissioners voted aye.

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

2. **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.

Commissioner Hellmich asked if the comments regarding the sewer service had been resolved.

Mrs. Melissa Ringler explained Mr. Jerry Perez provided a sanitary sewer availability letter and was told at work session to add the sanitary sewer provider to the plat.

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

Note: *Denotes property located in the Planning Jurisdiction
Motion to approve the requested minor subdivision passes.

3. **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.

Commissioner Hare made a motion to approve the requested subdivision which is located in a commercial zone. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

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

4. **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.

Commissioner Hellmich made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Hare seconded the motion.

Commissioner Hinesley stated he has concerns regarding the regulations for PUD zoning and the compatibility with surrounding areas. He explained compliance needs to be looked at for future PUD regulations.

All Commissioners voted aye.

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

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.

Item was moved to # 6 on the agenda.

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

Commissioner Hellmich explained he feels the developer has taken into account the neighboring subdivision. He stated there will be no main entrance on the north end of the development and a good buffer and trees will be in place.

All Commissioners voted aye.

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

Note: *Denotes property located in the Planning Jurisdiction
6. 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.

Item was moved to # 5 on agenda.

Commissioner Hellmich made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Hare seconded the motion.

Commissioner Hare asked if the rezoning was only for the 20 acres.

Mr. Jones stated the rezoning is for 20 acres and they are proposing 12 units per acre.

Commissioner Hellmich stated the developers made several changes due to concern regarding the north property owners. He explained a traffic analysis has shown what improvements need to be made, the right of way has been preserved and the area is next to B-1A commercial corridor.

All members voted aye.

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

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.

Commissioner Hellmich made a motion to approve the requested PUD modification. Commissioner Hinesley seconded the motion.

Commissioner Hellmich stated he sees this request as a down zoning.

All Commissioners voted aye.

Motion to approve the requested PUD modification passes.

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.

Commissioner Hare made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Hellmich seconded the motion.

Commissioner Hinesley asked about the difference in open space between the PUD and R-3 zones.

Note: *Denotes property located in the Planning Jurisdiction
Mrs. Boone stated they are trying to steer multi-family developments to the R-3 zone which is a planned district. She explained the PUD requires 25% open space and the R-3 requires 25% open space.

Commissioner Hellmich stated the R-3 is now a planned district so things can be negotiated with the approval. He explained the property is surrounded by B-1A zoned property.

All Commissioners voted aye.

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

9. Magnolia Walk PDD- 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.

Commissioner Hellmich stated the City Attorney has made a suggestion for the language of the approval to accommodate the current land owner to ensure if the property is not sold it will remain as it is zoned today.

Commissioner Hellmich made a motion to accept and approve the PDD modification in writing by 12/31/2022, and if no written acceptance is received in that time, the approval is withdrawn and the property remains subject to the prior PDD regulations. A deed of sale from the current owner to the applicant of this PDD modification will be acceptable for the written document and approval of this PDD modification. Commissioner Hare seconded the motion.

Commissioner Hellmich stated there will be a lot of work that has to be done to get this plan complete. He explained the developer needs to work with staff on access issues. He explained the applicant has coordinated and shared the plan with the Navy who provided the Commission a letter.

All Commissioners voted aye.

Motion to accept and approve the PDD modification in writing by 12/31/2022, and if no written acceptance is received in that time, the approval is withdrawn and the property remains subject to the prior PDD regulations. A deed of sale from the current owner to the applicant of this PDD modification will be acceptable for the written document and approval of this PDD modification passes.

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.

Chairman Abrams stated the item has been carried per the applicant request.

Note: *Denotes property located in the Planning Jurisdiction
11. **Kenneth Teem - 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.

Commissioner Hellmich made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Gebhart seconded the motion.

Commissioner Hinesley asked if there could be a provision added to include a barrier is needed against the abutting residential area to the east of the property. He stated he would like to see a privacy fence and vegetation.

Commissioner Hellmich made a motion to amend his previous motion to recommend the requested rezoning to the Mayor and Council with the addition of a buffer on the east side with a minimum of a fence and as many trees to be left in the area as possible to ensure privacy for the neighboring properties. Commissioner Gebhart seconded the motion.

Commissioner Hellmich stated the development has a very unique design. He explained he understands the concern regarding rentals but looking at the renderings it looks like it appears to be a product of single ownership and not individual rentals.

**Motion to recommend the requested rezoning to the Mayor and Council with the addition of a buffer on the east side with a minimum of a fence and as many trees to be left in the area as possible to ensure privacy for the neighboring properties passes**

**ADJOURN:**

Meeting adjourned at 6:41 p.m.
CITY OF FOLEY, ALABAMA
APPLICATION FOR A MINOR SUBDIVISION

Date ________________ City Limits ______ ETJ _____

1. Name of Subdivision A RE-PLAT OF LOT 2 OF THE FLOWERS PROPERTY SUBDIVISION.

2. Name of Applicant/Owner JOHN D. FLOWERS

   Phone 251-979-9185

   Email deerjohn700@gmail.com

   Address 17680 County Road 16

   Foley AL 36535

   (City) (State) (Zip Code)

3. Engineer Land Surveyor / Seth Moore Moore Surveying Inc

   Phone 251-928-6777

   Email mooresurveying@bellsouth.net

   Address 555 N Section St

   Fairhope AL 36532

   (City) (State) (Zip Code)

4. Location of Subdivision South side of CR 16, 1700 ft west of CR 65 Foley Area

5. Total Acreage _______ Ac.

   Number of Lots _______ 2

6. Parcel Pin # 389327

7. I John D. Flowers hereby deposes and say that all the above statements and the statements contained in the papers submitted here within are true.

   Signature/Title

   Mailing Address 17680 CR 16

   Foley, AL 36535

   Phone 251-979-9185

   Email deerjohn700@gmail.com

   Received 4/18/14

   Reference # 2014-3
3/29/2022

Seth Moore PLS
Moore Surveying Inc.
555 N Section St.
Fairhope, Alabama

Re: RE-PLAT LOT 2 of Flowers Property Subdivision
Baldwin County Tax PPIN 389337

Dear Mr. Moore,

Recently you approached CenturyLink about providing a "will serve" letter to serve RE-PLAT LOT 2 of Flowers Property Subdivision. 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 website 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 251-215-4793. I will work with you on the requirements.

Sincerely,

Forrest Cherney
Network Implementation Engineer II
forrest.cherney@lumen.com
April 11, 2022

Seth Moore PLS
Moore Surveying Inc.
555 N Section St.
Fairhope, Alabama
251-928-6777
www.csxengineering.net

Re: John D. Flowers County Road 16

Mr. Moore,

At your request, this letter is to verify based on the site plan attached, Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed John D. Flowers project. 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.

*Franchise fee may apply in franchise areas.
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
April 11, 2022

John D or Barbara H Flowers
17680 County Road 16
Foley, AL 36535

Re: 17680 County Road 16, Foley, Alabama PPIN Number 389337

Dear Ginny Stopa:

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 251-989-0174.

Sincerely,

Ken Fimper
System Engineer

KP'yb
Seth Moore  
Moore Surveying Inc.  
555 N Section St.  
Fairhope, AL 36532

RE:  Flowers Property Re-Plat PPIN 389337

This letter is to confirm that Riviera Utilities is currently able to provide gas and water service to the property located at 17680 County Road 16 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
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 5-3-22
Re: Resubdivision of Lot 2 of The Flowers Property Subdivision

Engineering recommends approval of the proposed Minor Subdivision. Should Lot 3-B be named Lot 2-B instead?

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

Name: Replat of L2 Flowers Property SD
Applicant: John D Flowers
Location: South of CR 16, west of CR 65
Existing Zoning: Unzoned BC District 27
Acreage: 2.15 +/- Acres
Lots: 2 Lots
Flood Zone: X
(Confirmed)
Comments: This request is for a 2 lot subdivision on 2.15 acres.
This is in unzoned BC.
April 28, 2022

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

Re:  Re-plat of Lot 2, Flowers Property Subdivision
     John D. Flowers
     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 A Re-Plat of Lot 2 of the Flowers Property Subdivision a minor subdivision which consists of 2.15 +/- acres and 2 lots. Property is located at S. of County Rd. 16 and W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is John D. Flowers.

Anyone interested in the approval may be heard at a public hearing scheduled for May 18, 2022 in the City Hall Civic Center (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 4/20/22
City Limits ETJ X

1. Name of Subdivision  Bon Secour 10-65 Subdivision
2. Name of Applicant/Owner  The Broadway Group, LLC
   Phone 256-533-7287
   Email alyssa.hailey@broadwaygroup.net
   Address  PO Box 18968 Huntsville, AL 35804
   (Street Number and Name) (City) (State) (Zip Code)
3. Engineer  Poly Surveying
   Phone 251-666-2010
   Email mail@polysurveying.com
   Address  5588 Jackson Road Mobile, AL 36619
   (Street Number and Name) (City) (State) (Zip Code)
4. Location of Subdivision  County Road 10
5. Total Acreage  9.54
6. Parcel Pin # 72352
7. Robert M. Broadway, hereby deposes and says that all the above statements and the
   statements contained in the papers submitted here within are true.

Signature/Title

Mailing Address  PO Box 18968 Huntsville, AL 35804

Phone 250-533-7287
Email alyssa.hailey@broadwaygroup.net

RECEIVED 9/1/05
Alyssa Carter Halley
The Broadway Group

RE: Parcel 05-61-04-10-0-000-076-000

This letter is to confirm that Riviera Utilities is currently able to provide electric, gas and water service to the property located at Parcel 05-61-04-10-0-000-076-000 on County Road 10 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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<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scott Sleigh</td>
<td>Electric</td>
<td><a href="mailto:srlagh@rivierautilities.com">srlagh@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
March 30, 2022

In Re: New Dollar General on Co Rd 10 Foley, AL with parcel # 05-61-04-35-000-076.000

Alyssa,

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,

[Signature]

Jenny Williams
Baldwin County Sewer Service, LLC
(251) 971-3022
jenny@baldwincountysewer.com
To: CDD Staff
cc: City of Foley Planning Commission
From: Chad P. Christian, P.E.
Date: 5-3-22
Re: Bon Secour 10-65 Subdivision

Engineering recommends approval of the proposed Minor Subdivision.

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

Name:
Don Secour 10-65 SD

Applicant:
The Broadway Group LLC

Location:
Northeast corner of CR 65 & CR 10

Existing Zoning:
Unzoned BC District 27

Acreage:
9.54 +/- Acres

Lots:
2 Lots

Flood Zone:
X

(Unconfirmed)

Comments:
This request is for a 2 lot subdivision on 9.54 acres.
This is in unzoned BC.
April 28, 2022

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

Re:  Bon Secour 10-65 Subdivision
     The Broadway Group, LLC
     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 Bon Secour 10-65 Subdivision a minor subdivision which consists of 9.54 +/- acres and 2 lots. Property is located at the NE corner of County Rd. 65 and County Rd. 10 and is located in the City of Foley Planning Jurisdiction. Applicant is The Broadway Group, LLC.

Anyone interested in the approval may be heard at a public hearing scheduled for May 18, 2022 in the City Hall Civic Center (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 4-5-2022
City Limits  X  ETJ  

1. Name of Subdivision  RESUBDIVISION OF LOT 1 OF OLD TIME POTTERY FOLEY SUBDIVISION

2. Name of Applicant/Owner  BROCO FOLEY, LLC, A GEORGIA LLC
Phone 404-630-7811
Email GSUMIXON@HOTMAIL.COM

Address 3450 HARDEE AVENUE
ATLANTA GEORGIA 30341
(Street Number and Name) (City) (State) (Zip Code)

3. Engineer  David Dichiera (for Engineering Design Group, LLC)
Phone (251)943-8960
Email dichiera@edgalabama.com

Address 1000 E Laurel Ave
FOLEY ALABAMA 36535
(Street Number and Name) (City) (State) (Zip Code)

4. Location of Subdivision  SE CORNER HIGHWAY 59 & KELLER ROAD (HWY 10)

5. Total Acreage  2.85
Number of Lots  2

6. Parcel Pin #  PIN: 360425

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

Signature/Title  Branch Manager
Mailing Address  1000 E Laurel Ave
FOLEY ALABAMA 36535
Phone (251)943-8960
Email dichiera@edgalabama.com
David Dichiara, PE
Engineering Design Group, LLC
21106 US Highway 98
Foley, AL 36535

RE: St Highway 59 and Keller Road

This letter is to confirm that Riviera Utilities is currently able to provide water and gas services to the proposed project located on the southeast corner of State Highway 59 and Keller Road 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/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,

[Signature]

James Wallace
January 11, 2022

David Dichiara, PE
Engineering Design Group, LLC
21106 US Highway 98
Foley, AL 36535
O: (205) 547-9855 / C: (205) 777-9064
dichiara@edgalauna.com


Dear Mr. Dichiara,

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the property at Parcel #s 05-61-05-21-2-401-002.003, 05-61-05-21-2-001-002.002 & 05-61-05-21-2-001-002.001. 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 or a road bore which will be at the developers 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 reissuance of their willing and able letter.

*A franchise fee may apply in franchise areas.

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
December 22, 2021

David Dichiara, PE
Engineering Design Group
21106 US Highway 98
Foley, AL 36535

Re: Keller Road, Foley, AL PPIN Numbers 360425, 360426, and 360427

Dear David Dichiara:

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/³³

RECEIVED
4/14/23 AL
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 5-3-22
Re: Resubdivision of Lot 1 of Old Time Pottery Subdivision

Engineering recommends approval of the proposed Minor Subdivision.

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

Name: Resub of L1 of OTP Foley SD
Applicant: Broco Foley LLC, a GA LLC
Location: East of State Hwy 59, south of Keller Road
Existing Zoning: PUD – Planned Unit Development
Acreage: 2.85 +/- Acres
Lots: 2 Lots
Flood Zone: X
(Unconfirmed)

Comments: This request is for a 2 lot subdivision on 2.85 acres. These lots are zoned PUD. Lot 1 is being split into Lot 1A & Lot 1B. The approved PUD for OTP listed this information for L1:

Lot 1 is denied direct access to State Hwy 59 & Keller Road;  
Lots 1, 2 & 4 may utilize shared access to State Hwy 59 & Keller Road via existing curb cuts pursuant and subject to a Declaration of Easements, Covenants and Restrictions made by the owner on October 1, 2014 & recorded in the Baldwin County Records on Instrument No. 1408227, as the same may hereafter be amended or modified.
April 28, 2022

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

Re: Resub of Lot 1 of Old Time Pottery Foley Subdivision
    Broco Foley, LLC
    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 Old Time Pottery Foley Subdivision a minor subdivision which consists of 2.85 +/- acres and 2 lots. Property is located at the SE corner of State Hwy. 59 and Keller Rd. Applicant is Broco Foley, LLC.

Anyone interested in the approval may be heard at a public hearing scheduled for May 18, 2022 in City Hall Civic Center (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
PROJECT:
DAIRY QUEEN
LOT 1 OF OLD TIME POTTERY FOLEY SUBDIVISION
7976 STATE HIGHWAY NO. 59
FOLEY, AL 36535
BALDWIN COUNTY

ARCHITECT:
JOHN S. ODOM
99 MEADOWBROOK COUNTRY CLUB ESTATES
BALLWIN, MO 63011
PH: 1.417.343.2602

April 22, 2022

PROJECT NARRATIVE

We are requesting site plan approval by the Planning Commission for a new Dairy Queen development to be located in Foley Alabama. This will be an additional Dairy Queen location in Foley, the existing Dairy Queen location will remain in operation. The new proposed Dairy Queen location will be at the intersection of S. McKenzie Street and Keller Road. The proposed development will only occupy a portion of the existing vacant frontage parcel, a lot subdivide application will be made once the site plan portion has been approved by the Planning Commission. The new Dairy Queen parcel will contain approximately 1.30 acres.

Under this request a new 3,080 square foot building would be constructed, the proposed building will provide 68 interior seats / 20 exterior patio seats / guest bathrooms / production kitchen. The proposed site plan shows a double drive thru menu board with a drive thru lane that converges shortly before the drive thru window. The building will provide three drive thru windows; pay window, pickup window, and a pull ahead window. The drive thru provides stacking for 23 cars before internal vehicular circulation would be obstructed. The drive thru also provides for an escape lane in the event of an emergency or canceled order. The proposed parking lot provides 40 total parking spaces.

The DQ development team has attended a preapplication meeting with City of Foley planning staff. It is our understanding that the project will not require any special use permits or variances and the existing parcel is currently zoned properly for a restaurant use. All comments that were made during the preapplication meeting have been incorporated into this submittal.

Sincerely,

John S. Odom, Architect
<table>
<thead>
<tr>
<th>Name:</th>
<th>Old Time Pottery PUD Site Plan Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>John S. Odom, Architect</td>
</tr>
<tr>
<td>Location:</td>
<td>Southeast corner of Keller Rd &amp; Hwy 59</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>PUD - Planned Unit Development</td>
</tr>
<tr>
<td>Acreage:</td>
<td>1.30 Acres - Total PUD +/-35 acres</td>
</tr>
<tr>
<td>Lots:</td>
<td>5</td>
</tr>
<tr>
<td>Flood Zone: (Unconfirmed)</td>
<td>X</td>
</tr>
<tr>
<td>Comments:</td>
<td>This request is for a Site Plan review for a portion of Lot 1 of the 5/2015 Old Time Pottery PUD layout. Subdivision application has been submitted simultaneously. They are requesting to build a 3,080 sf Dairy Queen. A pre application meeting was held with Staff on 3/28/22 and minor revisions were made so that the site plan meets or exceeds all zoning requirements and no variances are being requested.</td>
</tr>
</tbody>
</table>
CDD Report for Planning Commission
By: Eden Lapham
Prelim Meeting Date: 3/28/22

PUD Site Plan Review

Project Name: Dairy Queen/Old Time Pottery PUD
Applicant: John Odum
Location: SE Corner of Keller Rd & Hwy 59
PPIN(x): 360425
Existing Zoning: PUD
Flood Zone: X (Unconfirmed)
Comments: Intending to subdivide lot 1 of OTP PUD at a later date

<table>
<thead>
<tr>
<th>Zone:</th>
<th>PUD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowed</td>
<td>Initial Proposal Roved 3/28/22</td>
</tr>
<tr>
<td>Total Dwelling Units</td>
<td>n/a</td>
</tr>
<tr>
<td>Max Density/Acre</td>
<td>11.0</td>
</tr>
<tr>
<td>Min Lot Width@BL</td>
<td>40</td>
</tr>
<tr>
<td>Min LI Area</td>
<td>1 acre</td>
</tr>
<tr>
<td>Min FY Depth</td>
<td>20</td>
</tr>
<tr>
<td>Min RY Depth</td>
<td>15</td>
</tr>
<tr>
<td>Min RY/Pool Depth</td>
<td>10</td>
</tr>
<tr>
<td>Min SY Width</td>
<td>10</td>
</tr>
<tr>
<td>Open Space Reservation</td>
<td>25% of site</td>
</tr>
<tr>
<td>Max Bldg Area</td>
<td>50% gross lot</td>
</tr>
<tr>
<td>Max Height</td>
<td>85</td>
</tr>
<tr>
<td>Max Stories</td>
<td>6</td>
</tr>
<tr>
<td>Parking</td>
<td>60 seats</td>
</tr>
</tbody>
</table>

Meeting Notes:
- PUD requirement: Using existing access to Keller Rd, not creating new one
- Onsite Amenities: small patio seating area
- Sale or Lease? n/a
- Overlay Districts? n/a
- Stormwater Plan? Planned retaining pond discharges to 59 ditch - they are working on permit for that now
- Required Buffers? n/a
To: CDD Staff  
cc: City of Foley Planning Commission  
From: Chad P. Christian, P.E.  
Date: 5-3-22 
Re: Dairy Queen Site Plan Review  

Engineering is not opposed to the conceptual site plan as presented. A Land Disturbance Permit will be required for construction.

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

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

Re: Dairy Queen Site Plan
    John S. Odom
    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
CITY OF FOLEY, ALABAMA
APPLICATION FOR A MINOR SUBDIVISION

Date 04/26/2022  City Limits  X  ETJ

1. Name of Subdivision: A resubdivision of Lot 5 of a resubdivision of Lot 1 of Replat Worner's Two Lots

2. Name of Applicant/Owner: Virendra Patel
   Phone: 251-747-1461  Email: ken@anr-group.com
   Address: 1381 W Fourway Dr.  Gulf Shores  AL  36542
   (Street Number and Name)  (City)  (State)  (Zip Code)

3. Engineer: David Dichiara
   Phone: 251-943-8960  Email: dichiara@edgalabama.com
   Address: 1000 East Laurel Ave.  Foley  AL  36535
   (Street Number and Name)  (City)  (State)  (Zip Code)

4. Location of Subdivision: Located on the East side of Hwy. 59, North East of Culver's restaurant and South of El Paso Mexican Grill

5. Total Acreage: 5.38 ac
   Number of Lots: 4

6. Parcel Pin #: 384971

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

Signature/Title: [Signature]
Mailing Address:
1000 East Laurel Ave., Foley, AL 36535
Phone: 251-943-8960
Email: dichiara@edgalabama.com

RECEIVED
[Stamp]
City of Foley
201 E Section Street
Foley, AL 36535

RE: 05-61-02-09-2-001-007.014 – Fairfield Inn, Foley

This letter is to confirm that Riviera Utilities is currently able to provide gas, water, and sewer service to the proposed Fairfield Inn project in Foley, AL. Broadband service is available with an extension.

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/Sewer</td>
<td><a href="mailto:tschachle@rivierautilities.com">tschachle@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
April 25, 2022

Anil Badve, P.E.
1300 N McKenzie Street
Foley, Alabama 36535

Re: Fairfield Inn Foley, Alabama Parcel Number: 05-61-02-09-2-001-007.014

Dear Anil Badve:

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
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 5-3-22
Re: Resubdivision of Lot 5 of a Resubdivision of Lot 1 of Woerner's Two Lots

Engineering recommends approval of the proposed Subdivision contingent upon Land Disturbance Permit review. The proposed configuration is not a Minor Subdivision and infrastructure construction is required prior to Final Plat. Please submit construction plans for the cul-de-sac and utilities to Engineering for LDP review.

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

Name: Resub L5 of Resub L1 Replat Woerner's 2 Lots
Applicant: Virendra Patel / David Dicignal
Location: East of State Hwy 59, south of CR 20
Existing Zoning: B1A – Extended Business District
Acreage: 5.38+/- Acres
Lots: 4 Lots
Flood Zone: X  
(Confirmed)
Comments: This request is for a 4 lot subdivision on 5.38 acres. These lots would meet zoning.
April 28, 2022

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

Re: Fairfield Inn
Virendra Patel
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 5 of a Resubdivision of Lot 1 of Replat Woerner’s Two Lots a minor subdivision which consists of 5.38 +/- acres and 4 lots. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Virendra Patel.

Anyone interested in the approval may be heard at a public hearing scheduled for May 18, 2022 in City Hall Civic Center (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
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 5-3-22
Re: Fairfield Inn Site Plan Review

Engineering is not opposed to the conceptual site plan as presented. A Land Disturbance Permit will be required for construction.

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

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

Re: Fairfield Inn Site Plan
ANR Group
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
CITY OF FOLEY, ALABAMA
APPLICATION FOR A PRELIMINARY

Date 04-14-2022

1. Name of Subdivision The Knoll

2. Name of Applicant/Owner Sawgrass Consulting LLC
   Phone 251-544-7900
   Email sawgrassadmin@sawgrassllc.com
   Address 30673 Sgt E.I. Boots Thomas Drive
   Spanish Fort AL 36527
   (Street Number and Name) (City) (State) (Zip Code)

3. Engineer Sawgrass Consulting LLC
   Phone 251-544-7900
   Email sawgrassadmin@sawgrassllc.com
   Address 30673 Sgt E.I. Boots Thomas Drive
   Spanish Fort AL 36527
   (Street Number and Name) (City) (State) (Zip Code)

4. Location of Subdivision Co Road 16 & Co Road 65

5. Total Acreage 38.87
   Number of Lots 111

6. Parcel Pin # 05-60-06-13-000-014.000
   PIN # T17L01

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

Signature/Title

Mailing Address 30673 Sgt E.I. Boots Thomas Dr
Spanish Fort, AL 36527

Phone 251-544-7900

Email sawgrassadmin@sawgrassllc.com
September 15, 2021

Heather Bell
Sawgrass Consulting, LLC
11143 Old Highway 31
Spanish Fort, Alabama 36527

Re: Proposed Single Family Subdivision Parcel Number 05-60-06-13-0-000-014.000

Dear Ms. Bell:

This letter is to confirm that a portion of the referenced development is within Baldwin EMC’s service territory. Baldwin EMC can provide reasonable power to a portion of 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. All system upgrades and line extensions will be in accordance with Baldwin EMC’s current Line Extension Policy. Any plat approvals will require a lead time of 7-10 business days.

If you have any questions or need further assistance, please contact me at 251-989-0123.

Sincerely,

Michael Manning
District Engineer

MM’yb
RE: The Knoll

This letter is to confirm that Riviera Utilities is currently able to provide Gas, Water, Cable and Internet service to the proposed The Knoll, located at the corner of Co Rd 16 and Co Fd 65 in Magnolia Springs. Riviera shares this service 50/50 with Baldwin EMC. We would have to look at the exact lots to determine who does what.

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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<tr>
<th>Name</th>
<th>Department</th>
<th>Email</th>
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</thead>
<tbody>
<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>
<tr>
<td>Tony Schacle</td>
<td>Water</td>
<td><a href="mailto:tschacle@rivierautilities.com">tschacle@rivierautilities.com</a></td>
</tr>
<tr>
<td>Jason Thompson</td>
<td>Cable/internet</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 251-943-5031.

Thank you,

James Wallace
November 4, 2021

Sawgrass, LLC

Heather Bell
251-404-7006 Cell
251-544-7900 ext. 202

Re: The Knoll

Dear Ms. Bell,

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed development The Knoll. 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. Our line is on the same side, the west side of CR 65 and it’s not on Co Rd 16 in front of that parcel, so the cost of extending a main sewer line to either entrance as it’s currently designed would be the responsibility of the developer. A $50.00 per lot review fee will be due to have preconstruction plans reviewed and a $1500.00 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.

*A franchise fee may apply in franchise areas.

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

Sincerely,

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

14747 Underwood Rd Summerdale, AL 36580 / P. O. Box 1428 Foley, AL 36536
To: Community Development Department
cc: City of Foley Planning Commission

From: Taylor Davis, PE

Re: The Knoll LDP submittal

The Land Disturbance Permit submittal has been reviewed by the Engineering Department and all comments have been addressed for The Knoll subdivision. The submittal is considered “ready to issue” per Section 4.3 of the Subdivision Regulations.

Sincerely,

Taylor L. Davis, PE
Deputy City Engineer – City of Foley
April 21, 2022

RE: The Knoll Subdivision, Foley AL

The Environmental Department has reviewed the application submitted for the Knoll Subdivision located at 17905 County Road 16, Foley, AL 36535. The plans submitted meet the minimum CBMPP and Landscaping requirements indicated in City of Foley Ordinance NO. 15-1003, Environmental Permits Related to Land Disturbance.

Environmental Concerns / Impacts
Because the parcel is located outside of the city corporate limit I am not aware of any complaints or issues concerning the property. County maps indicate the presence of “potential wetlands” on the property, but a lack of vegetation and surface water cannot confirm this. The site's 3 outfalls will discharge to the Bon Secour River, which is listed on Alabama's (303d) list of impaired waters for metals and pathogens. If weather conditions are favorable dust generation on the site could potentially be problematic during the grading and earth moving phases.

CBMPP Design
The construction best management practices do meet the minimum requirements for retaining sediment and potential pollutants onsite. Dust minimization plans include minimum land disturbance and preventative measures (i.e., water trucks). Plans indicate inspections of temporary BMPs on a weekly basis or after a 0.5” rainfall event.

Tree Survey and Landscape Design
The tree survey did not indicate any trees 24” diameter or greater on the property.

388 native trees be planted in the common areas of the 38 acre site the planting do meet minimum 3” caliper standards.
Should you have any questions, please call 251-923-4267.

Sincerely,

[Signature]

Angie Eckman
Environmental Programs Manager
City of Foley
<table>
<thead>
<tr>
<th>Name:</th>
<th>The Knoll SD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Sawgrass Consulting LLC</td>
</tr>
<tr>
<td>Location:</td>
<td>Northwest corner of CR 65 &amp; CR 16</td>
</tr>
<tr>
<td>Existing Zoning:</td>
<td>Unzoned BC District 27</td>
</tr>
<tr>
<td>Acreage:</td>
<td>38.87 +/- Acres</td>
</tr>
<tr>
<td>Lots:</td>
<td>111 Lots</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X</td>
</tr>
<tr>
<td>(Unconfirmed)</td>
<td></td>
</tr>
<tr>
<td>Comments:</td>
<td>This request is for 111 lots on 38.87 +/- acres in unzoned BC District 27. They are connecting to East View Loop on the north &amp; CR 16 on the south end. AL Electric Coop Inc easement in Common Area/Detention? Possible Wetlands?</td>
</tr>
</tbody>
</table>
April 28, 2022

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

Re: The Knoll
Sawgrass Consulting, LLC
Application for Preliminary Subdivision

Fire has reviewed this application for a Preliminary Subdivision and 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 preliminary approval of The Knoll which consists of 38.87 +/- acres and 111 lots. Property is located NW corner of County Rd. 65 and County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Sawgrass Consulting, LLC.

Anyone interested in the approval may be heard at a public hearing scheduled for May 18, 2022 in the City Hall Civic Center (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):
   Pin #: 385621,
   Lot 5
   Attached: Legal Description, Map, Deed & Corporation Ownership Information

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

3. APPROXIMATE SIZE OF PROPERTY:
   20.0 acres

4. PRESENT ZONING OF PROPERTY:
   385621 - RV Park, 385622 - R-4/B1-A

5. REQUESTED ZONING:
   R-2

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE
   PROPERTY:
   Current property is wooded, no current use

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED
   (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   Residential Subdivision - Duplexes, 2.0 Lots per Acre

8. PROCESSING FEE OF $300.00 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: 4/22/22

PROPERTY OWNER/APPLICANT
23857 S Cypress Grove Dr., Orange Beach, AL 36561
PROPERTY OWNER ADDRESS
365-410-5101

PHONE NUMBER
ronsp@graycontracting.com
EMAIL ADDRESS

PD Received
28148
Planning Commission Report
By Miriam Boutwell
May 2022
Rezoning

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Luis Tabares</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>East of James Road, south of CR 20</td>
</tr>
<tr>
<td>Size:</td>
<td>20+/- Acres</td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>RV – RV Park Zone</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>R2 – Residential Single Family &amp; Duplex</td>
</tr>
<tr>
<td>Adjacent Zoning:</td>
<td>R4 – Residential Single Family &amp; Duplex, RV Park Zone, AO – Agricultural Open Space</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>MXU – Mixed Use</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>X</td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
</tr>
<tr>
<td>Comments:</td>
<td>The owner would like to rezone to R2 – Residential Single Family &amp; Duplex.</td>
</tr>
</tbody>
</table>
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christen, P.E.

Date: 5-3-22

Re: Tabares Rezoning

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

Chad P. Christen, P.E.
City Engineer
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 20 +/- acres. Property is currently zoned Recreational Vehicle (RV) Park District. Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Luis Tabares.

Anyone interested in this rezoning request may be heard at a public meeting scheduled for May 18, 2022 in the Civic Center of City Hall located at 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):
   Pin # 385622
   Attached: Legal Description, Map, Deed & Corporation Ownership Information

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

3. APPROXIMATE SIZE OF PROPERTY:
   385622 - YACCS

4. PRESENT ZONING OF PROPERTY:
   385621 - RV Park, 385622 - R-4/B1-A

5. REQUESTED ZONING:
   R-2

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:
   Current property is wooded, no current use

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.):
   Residential Subdivision - Duplexes, 2.0 Lots per 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 AT TEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 4/22/22

PROPERTY OWNER/APPLICANT
23037 E Cypress Grove Dr., Orange Beach, AL 36561
PROPERTYOWNER ADDRESS
855-410-5101
PHONE NUMBER
ronc@greycontracting.com
EMAIL ADDRESS
Planning Commission Report
By Miriam Boutwell
May 2022
Rezoning

Applicant: Grey Contracting of Greenville LLC
Location: East of James Road, south of CR 20
Size: 10+/- Acres
Requested Zoning: R2 – Residential Single Family & Duplex
Adjacent Zoning: R4 – Residential Single Family & Duplex, RV Park Zone, AO – Agricultural Open Space
Future Land Use: MXU – Mixed Use
Flood Zone: X
Unconfirmed
Comments: The owner would like to rezone to R2 – Residential Single Family & Duplex.
To: CDD Staff  
cc: City of Foley Planning Commission  
From: Chad P. Christian, P.E.  
Date: 5-3-22  
Re: Grey Contracting Rezoning

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

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

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

Re: Hider Meadows Subdivision
Grey Contracting
Application for Rezoning

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

Sincerely,

Chad Brewer
Deputy Fire Chief
City of Foley
cbrewer@cityoffoley.org

cc: City of Foley Planning and Zoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 10 +/- acres. Property is currently zoned R-4 (Residential Single Family and Duplex) and B-1A (Extended Business District). Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Grey Contracting of Greenville, LLC.

Anyone interested in this rezoning request may be heard at a public meeting scheduled for May 18, 2022 in the Civic Center of City Hall located at 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
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, 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 hereby present this petition to the City of Foley, a municipal corporation, to annex the property to the City of Foley, Alabama, pursuant to the authority of Sections 11-42-1 to 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 11-42-1 to 11-42-21 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-cleared by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

Dated this 16th day of September, 2021

Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 16th day of September, 2021, before me personally appeared Adam Horine, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

Adair Horine
My Commission Expires: 11/11/11

STATE OF ALABAMA
BALDWIN COUNTY

On this ______ day of ______, 20___, before me personally appeared _______ to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: __________

PIN #: 093453, 63190, 7113, 7109, 7115
ATTACHMENT TO PETITION

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

☐ R-4A Residential Single Family
☐ R-1B Residential Single Family
☐ R-4C Residential Single Family
☐ R-1D Residential Single Family
☐ R-1R Restricted Residential Single Family
☐ R-2 Residential Single Family & Duplex
☐ R-3 Residential Multi Family
☐ R-4 Residential Single Family & Duplex
☐ GPH-I Residential Garden-Patio Homes
☐ TH-I Residential Townhouses
☐ MH-I Residential Mobile Home Park/Subdivision
☐ OSP Open Space/Reservation District
☐ PDD Planned Development District
☐ PUD Planned Unit Development
☐ PID Planned Industrial District
☐ B-1 Central Business District
☐ B-IA Commercial Extended Business District
☐ B-2 Commercial Neighborhood Business District
☐ B-3 Commercial Local Business District
☐ PO Preferred Office District
☐ M-I Light Industry
☐ A-O Agriculture Open Space
☐ H Overlying 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 251-943-4011.

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 NA Race NA

Number of businesses currently located on the property being annexed ______

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

Name of business NA NA
Owner's Name NA NA
Mailing Address

If property is undeveloped, have plans been submitted to Planning Commission?
☐ Yes
☐ No

Petitioner's Signature [Signature]
Date [9-16-21]

Petitioner's Signature
Date
Sherry Ruth
Jade Consulting LLC
208 North Greeno Road, Suite C
Fairhope, AL 36532

RE: Keystone Subdivision

This letter is to confirm that Riviera Utilities is currently able to provide electric, gas, water and broadband service to the proposed Keystone 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 Schackle</td>
<td>Water</td>
<td><a href="mailto:tschackle@rivierautilities.com">tschackle@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>
<tr>
<td>Scott Sligh</td>
<td>Electric</td>
<td><a href="mailto:ssligh@rivierautilities.com">ssligh@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
April 11, 2022

Sherry Ruth
JADE Consulting, LLC
208 North Greeno Road, Suite C
Fairhope, AL 36532
251.928.3443 Office | 251.928.3665 Fax
s ruth@jadeengineers.com | www.jadeengineers.com

Re: Keystone Subdivision

Ms. Ruth,

At your request, this letter is to verify based on the site plan attached, Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed Keystone Subdivision. 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 developers 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.

*Franchise fee may apply in franchise areas.

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

Sincerely,

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

14747 Underwood Road Summerdale, AL 36580 / P. O. Box 1628 Foley, AL 36536
Introduction/Summary

This narrative is provided in support of the proposed Keystone Subdivision single-family project pursuant to City of Foley Zoning Ordinance February 2022. In support of this development, all of the following approvals are being sought.

<table>
<thead>
<tr>
<th>Approval Type</th>
<th>Approval Authority</th>
<th>Applicable Regulation</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planned Unit Development</td>
<td>City Council</td>
<td>City of Foley Zoning Ordinance Dated February 7, 2022, Sections: 21.2.1 &amp; 21.3</td>
<td>The proposed development is currently zoned Initial PUD. The developer is applying for a zoning change to PUD that will allow for a 200 lot single-family subdivision.</td>
</tr>
</tbody>
</table>

Site Description

<table>
<thead>
<tr>
<th>Parcel Number(s)</th>
<th>Currently Zoned/Proposed</th>
<th>Location/Address</th>
<th>Project Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>55-07-26-0-000-021.000</td>
<td>Unzoned / Proposed PUD</td>
<td>US Hwy 98 Foley, AL</td>
<td>121.91</td>
</tr>
<tr>
<td>55-08-27-0-000-017.000</td>
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<td>55-08-27-0-000-017-001</td>
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<tr>
<td>55-08-38-0-000-052.001</td>
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<tr>
<td>55-08-38-0-000-052-004</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The proposed project is currently located on a 121.91 acre tract of property that was annexed into the City limits of Foley in November 2021. Prior to annexation the property was within Unzoned Baldwin County jurisdiction. The proposed development is currently zoned Initial PUD. The property has had a recent wetlands delineation performed by Wetland Sciences, Inc. The delineation indicated approximately 47.69 acres of jurisdictional wetlands located on the southern portion of the property running along the sides of the Magnolia River. A copy of their findings have been included with this submittal.

The proposed PUD request will rezone the 121.91 tract to allow for a 200 lot single-family subdivision. There was an 40' wide unused Baldwin County ROW that the developer/owner has been working with the County to have vacated. An annexation request for this 40' strip of vacated ROW is also being submitted with this overall PUD application request.

Existing Conditions/Structures

The property is currently a vacant land that is forested with one dilapidated structure. Approximately 47.69 acres of jurisdictional wetlands are located on the property. The Magnolia River passes through the southern portion of the property.

Property Background

The current property owner applied for the property to be annexed into the City of Foley in September 2021. It was given an initial PUD zoning. There was an 40' wide unused Baldwin County ROW that the developer/owner has been working with the County to have vacated. The property has remained vacant and has not been proposed for development other than these requests.
21.3.4 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 zoning 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 is not needed due to the initial PUD zoning at the time of annexation.

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 single-family project and its respective improvements have been enclosed as an Appendix to this report. The development proposes lots that are 52' wide and 75' wide. The requested 52' wide lots are below the listed minimum 60' lot width, but provide for a minimum lot size of 6,500 SF which exceeds the listed minimum lot size of 6,000 SF. The proposed average lot size of this development exceeds the minimum requirement by 30%. All other minimum zoning requirements of the current PUD ordinance are proposed to be meet.

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 121.91 acre project has the Magnolia River running through the southern portion of the project. The project proposes 30' wetland buffers from the edge of the jurisdiction wetlands that surround the river in addition to other natural preservation areas that will provide both a protective 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. 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 its 30' buffer around it will remain in its vegetated and forested state to allow for natural preservation areas and wildlife greenways. The project will also include
other amenities for an active lifestyle. These features will include sidewalks along both sides of the street throughout the development connecting residents and guests to greenspaces for active or passive recreational uses as well as connecting to the neighboring subdivision to the east existing sidewalk system along MacBeth Lane.

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

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 Warranty Deed indicating 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 south side of U.S. Highway 98, approximately 2,800' west of the intersection with County Road 55 and approximately 4,600 east of the intersection with County Road 49. The proposed development abuts the Plantation at Magnolia River Subdivision to the west and Foley Country Club Estates Subdivision to the south. Briarwood Parke Subdivision is located across U.S. Highway 98 from this proposed development. As previously mentioned, the site has approximately 47.69 acres of wetlands that will be protected by the project's proposed buffers.

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.

   Total Proposed Units = 200 units  
   Gross Residential Area = 57.14 acres  
   Density per Gross Residential Area = 3.50 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: All common area will be dedicated to a home owners association for 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 single-family detached lot layout.

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 City of Foley development standards. The design and supporting engineering studies will be provided to the City as part of the Preliminary Plat and Land Disturbance portions of the permitting process.

The site will be served by BCSS for sanitary sewer and Riviera Utilities for potable water. There are utility service lines that run along the adjacent street ROWs that will provide service to the proposed development.

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 proposed 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: Off-street parking will be provided at the single-family residences to meet the minimum required 2 spaces per unit. Parking will also be provided at cluster mailbox locations throughout the site for access to such.

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

Response: An exhibit has been included in the appendices of 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 multiple phases. The proposed phase limits have not been determined. Lot consumption and future economic activity will determine the number and size of respective phases.

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. Traffic studies and storm drainage analysis reports will be submitted as required by the City during the subdivision plat approval process for each respective phase of the proposed development.

13. An Application and fee as required for processing.

Response: Application and fee are not required due to initial PUD zoning of the property at the time of annexation.

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

Response: The PUD's master plan shows the approximate location of the proposed monument signs for the 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 to serve as a narrative for the proposed single-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 combination of open space, natural space preservation, community amenities, and overall aesthetic design should provide a benefit to the City of Foley.
Planning Commission Report
By Miriam Boutwell
May 2022

PUD

Applicant: Keystorne PUD
Location: South of Hwy 98, west of Plantation at Magnolia River
Size: 123.4+/- Acres
Current Zoning: Unzoned BC District 18
Requested Zoning: PUD – Planned Unit Development
Future Land Use: RL – 2 to 4 units per acre
Adjacent Zones: Unzoned BC District 18 & R1C – Residential Single Family
Flood Zone: Yes – Contact Floodplain Administrator
Comments:
This property annexed into the City in November 2021 however there was a unopened 40’ County right-of-way running north/south through the property. The County has vacated the right-of-way & now they are annexing that portion & are asking for a PUD zoning over the entire site. The applicant came to a PC work session on 6/9/21 to get feedback on their layout. This PUD will connect to the stub out at Plantation at Magnolia River which I believe is a city street.

PUD:

<table>
<thead>
<tr>
<th># of Lots</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td># of Lots</td>
<td>200</td>
</tr>
<tr>
<td>Lot Sizes</td>
<td>52’x125’ – 116 lots</td>
</tr>
<tr>
<td>MINIMUM LOT SIZE NOW 60’ WIDTH HOWEVER THE LOT AREA EXCEEDS AT 6,500 SF</td>
<td></td>
</tr>
<tr>
<td>Lot Sizes</td>
<td>75’x125’ – 84 lots</td>
</tr>
<tr>
<td>Front Yard</td>
<td>20’</td>
</tr>
<tr>
<td>Rear Yard</td>
<td>15’</td>
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<tr>
<td>Side Yards</td>
<td>10’</td>
</tr>
<tr>
<td>WORKSESSION MINUTES REFLECT THE PC DID NOT HAVE AN ISSUE WITH 5’ SIDE SETBACKS</td>
<td></td>
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<tr>
<td>Density</td>
<td>3.50 per acre</td>
</tr>
<tr>
<td>Open Space</td>
<td>61%</td>
</tr>
</tbody>
</table>
To: CDD Staff
cc: City of Foley Planning Commission

From: Chad P. Christian, P.E.
Date: 5-3-22
Re: Keystone Development LLC Initial Zoning

Engineering is not opposed to the requested Zoning. A Land Disturbance Permit with Traffic Impact analysis will be required for future subdivision development.

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

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

Re: Keystone Village
Jade Consulting
Application for Initial Zoning

Fire has reviewed this Application for Initial Zoning and has found no issues.

Sincerely,

Chad Brewer
Deputy Fire Chief
City of Foley
cbrewer@cityoffoley.org

cc: City of Foley Planning and Zoning
Keystone Subdivision - Foley, Alabama

EAST ENTRY ENLARGEMENT PLAN
Scale: 1" = 20'

PROPOSED MONUMENT SIGN

WEST ENTRY ENLARGEMENT PLAN
Scale: 1" = 20'

PROPOSED MONUMENT SIGN
The City of Foley Planning Commission has received a request to recommend the initial zoning of 121.91 +/- acres. Proposed zoning is PUD (Planned Unit Development). Property is located S. of US Hwy. 98 and W. of Grantham Rd. Applicant is Keystone Development LLC.

Anyone interested in this initial zoning request may be heard at a public hearing scheduled for May 18, 2022, in the City Hall Civic Center 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
**Project Narrative:**

We seek to develop a Luxury RV Park adjacent to an existing Luxury RV Park we have previously developed to the south of this development.

**Goals:**
- To provide a short term, affordable rental demand for the sports activities provided by the City.
- To conceal visibility of the development from public sight.
- To follow the spirit of the zoning ordinance.

**Site Development Plan**

**Typical Lot**

**Legend**
- RV Park
- Hardwood Landscaping
- Underground
- Landscape Setting

**Site Development Plan**

**Scale:** 1:200

---

**Work Session #1 Only**
Construction of Apartments / Extended Stay Suites the "Project"

I guess what we are looking for, is that due to the shortage of employees and the cost of living now, and the lack of people wanting to work, from our experience over the years, as we have been here over 20 years. This area, as well as nationally, in the tourist industry, hospitality and food service / restaurants, their has been job positions that have, for a very long time, been filled by outsourced workers as we are in a very seasonal business, and unable to provide full time positions year round. Last year being a very difficult one, which was a major problem, as what people we were able to find, to work, we had to shuttle them to and from there residence, just so we can turn around to the rooms for the guests coming to our city.

You may or may not be aware of those outsourced employees, as to how they work, stay and travel to and from work. They are, in my opinion abused, by the Sponsors and Agents in terms of fees, that they charges them. They are charged fees, beside the "Processing fees" for the legal and immigration issues.

1. for housing per person, which is in excess of the total rent of the apartment.
2. charged fees for drop off and pickup to and from place of work

Last year, in mid summer, I had stopped by the planning and development office to ask them if the land we had was permitted / zoned to construct the apartments, and was inform that it could be developed. That is when we began to survey the exact dimensions of the land, and plan on its development.

We believe that we can reduce this problem by providing housing next to the hotel, on land that has been sitting there, for 20 years. If and when we can complete the "project", we will be in a position to provide discounted housing for those employees. As you know the cost of housing in Foley is rapidly growing at an alarming rate. Our plans are to construct 8, 1 and 2 bed room units the "Project" only.

Also being behind the hotel, they would not need transportation to and from the hotel/work. Additionally being close to many stores and restaurants, it would be very convenient for them, they would not need transportation, for essential products and services, such as groceries and places to eat.

So I am requesting that the city gives us a variance and allows to construct the "Project", even thou its only on half an acre, we don't need a large complex.
Property Appraisal Link
BALDWIN COUNTY, AL

Current Date: 4/27/2022
Valuation Date: October 1, 2021
Tax Year: 2022

OWNER INFORMATION
PARCEL: 54-48-33-3-000-018.004
PPIN: 084240
TAX DIST: 07
NAME: FOLEY HOSPITALITY 111
ADDRESS: 1517 MCKENZIE ST S
FOLEY, AL 36535
DEED TYPE: IN
BOOK: 0000
PAGE: 0613686
PREVIOUS OWNER: COLE, F HUGH ETUX BARBARA D (COLE, F HUG)
LAST DEED DATE: 8/25/2001

DESCRIPTION
337.28' X 459.47' IRR LOT 4 RESUB OF FOLEY SOUTH COMMERCIAL
SUB SLIDE 1499-A SEC 33-776-R4E (WD)

PROPERTY INFORMATION
PROPERTY ADDRESS: 1517 MCKENZIE ST S
NEIGHBORHOOD: BALICO
PROPERTY CLASS: RFSC2
SUBDIVISION: SUB DESCR
SUB CLASS: RESUB OF LOT 2 FOLEY SOUTH COM
SUB DESCR: PLAT BOOK 14998, PAGE
SUB DESCR: DEED DATE 07/29/1994
LOT: 4
BLOCK: 00-00-00
SECTION/TOWNSHIP/RANGE: 337X459IRR
LOT DIMENSION: ZONING: B-1A

PROPERTY VALUES
LAND:
CLASS 1: 3890000
CLASS 2: 3890000
CLASS 3:
TOTAL ACRES:
TIMBER ACRES:

BUILDING:

TOTAL PARCEL VALUE: 3890000
ESTIMATED TAX: $25,674.00

DETAIL INFORMATION
CODE
TYPE
REF
METHOD
DESCRIP
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<tr>
<td>Name</td>
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<tr>
<td>Address</td>
<td>705 PALISII LAKES DR</td>
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<td>Foley, AL 36555</td>
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<tr>
<td>Deed Type In</td>
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<tr>
<td>Page</td>
<td>0701451</td>
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<tr>
<td>Previous Owner</td>
<td>COLE, F HUGH ETUX BARBARA D (COI) F HUGH</td>
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<tr>
<td>Last Deed Date</td>
<td>12/30/2002</td>
</tr>
<tr>
<td>Description</td>
<td>127.2' X 172(S) IRR PT OF LOT 3 OF RESUB OF LOT 2 FOLEY SOU</td>
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<tr>
<td></td>
<td>TH COMMERCIAL SUB SLIDE 1499-A DESC AS</td>
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<tr>
<td></td>
<td>REG AT THE SE COR OF SD LOT, RUN TH W 127.2', TH N 172(S), TH E</td>
</tr>
<tr>
<td></td>
<td>127(S), TH S 17</td>
</tr>
<tr>
<td></td>
<td>2(S) TO THE PUB IN THE CITY OF FOLEY SEC 33-T78-R4E (SURVY ORSHIP)</td>
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<tr>
<td></td>
<td>WD DEATH CERT IN #701452</td>
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<tr>
<td>Property Information</td>
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<tr>
<td>Property Address</td>
<td>CYPRESS ST S</td>
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<td>Neighborhood</td>
<td>SBALDOY</td>
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<td>Property Class</td>
<td>SUB</td>
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<td>Class</td>
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<tr>
<td>Subdivision</td>
<td>RFS2 SUB DESC</td>
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<tr>
<td>Desc</td>
<td>RESUB OF LOT 2 FOLEY SOUTH COM</td>
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<td></td>
<td>PLAT 300K</td>
</tr>
<tr>
<td></td>
<td>1499A PAGE</td>
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</table>
April 25, 2022

City of Foley Community Development
120 S McKenzie Street
Foley, Alabama 36535

Attn: Mrs. Miriam Boone & Mrs. Amanda Cole

Subject: Narrative to Amend the PDD for property identified
05-61-02-03-0-000-001.005 (PIN # 256520),
Wolf Creek Land & Development.

Miriam & Amanda,

We respectfully request amending the current PDD for the property identified 05-61-02-03-0-000-001.005 (PIN # 256520) located within the City of Foley.

The current PDD, dated October 24th, 2019, provides:

Within (4) four upland parcels, there are 324 Apartments with 648 Parking Spaces in parcel A. Parcels B, C & D allow for uses within the PDD Zoning requirements. The stated property acreage in this PDD totals 65.76 acres.

The following are requested to be amended within the existing PDD for the property outlined above. See attached GMC Concept Plan dated 3/21/22:

1. Baldwin County Survey states 67.71 acres and tax records state 69 acres. (attached). 69 acres are used in the density calculations below.
2. 5 upland parcels to allow for an additional parcel to divide the apartment multi-family and the coastal cottage(s). Parcels 3, C & D will remain for "any use allowed by right".
3. Increase the density of multi-family apartments from 325 to 595 units and an increase for the coastal cottage(s) to 67 units for a total of 662 units.
4. 1.5 parks per multi-family unit.
5. A service road allowing acceleration access to the Foley Expressway.
6. Road Access to the north by way of access drive and west, by way of Pride Dr.
We look forward to discussing this development with the planning commission during their planning work session on the 11th of May 2022. If there are any additional items needed, please feel free to reach out to me anytime at 850-393-2074.

Sincerely,

Christian M Mills
Director Construction & Development
Greenco Service, LLC.
The Planned Unit Development (PUD) project as it is approved now includes the following residential elements:

- 151 Class "A" Recreational Vehicle (RV) Sites
- 133 Class "B" RV Site
- 65 Cabin Sites
- 65 Tree House Site
- 414 Total Sites

We are requesting to modify the existing PUD to allow for the construction of a total 174 single family lots with a minimum lot dimensions of 60 feet x 125 feet with a corresponding minimum lot size of 7,500 square feet. The preliminary plan allows for approximately 34.3 acres (45.1%) of common area which are mainly comprised of wetlands. Our vision for the development is to impact as little of the wetlands as possible. Our amenity package as not been finalized but could include amenities that highlight and promote nature (wetlands) by protecting, enhancing and providing controlled access to them. These measures could include elevated boardwalks to common areas (gazebos) and to access the Magnolia River. The project will include conventional stormwater management areas designed and constructed in accordance with the City of Foley Regulations, underground electricity, potable water, sanitary sewer, and telecommunications.

If we are successful in modifying the existing PUD, we will begin our design work which will include wetland delineation, traffic study, surveying, engineering design, geotechnical design and permitting with the required agencies.

Thanks,

Michael A Thomas, PE
MAGNOLIA RIVER S/D
FOLEY, AL

ZONED: PUD
MIN LOT SIZE: 7,500 SF
AVG LOT: 60' X 125' (7,500 SF)
174 TOTAL LOTS
SITE: 76 ACRES
COMMON AREA: 34.3 AC
COMMON AREA: 45.1%
Item # 11- Downey Family Limited-
Request for Rezoning

You will receive the layout and information
for this item at Work Session
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 may be heard at a public hearing scheduled for May 18, 2022 in the City Hall Civic Center located at 407 W. Laurel Ave. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman
MEMO

To: City of Foley
From: Bradley R. Boettcher, P.E.
Date: May 6, 2022
Subject: PDD Modification Application Information

1. Location of Property:
   a. Lot 1, Sportstown Village Subdivision
   b. See attached Subdivision Plat

2. List of Adjacent Property Owners
   a. Stabler Way & Koniar Way
      City of Foley Public Facilities Cooperative District (FPFCD) Property
   b. 05-61-02-04-0-000-011.006
      Cole Properties, LLC
      2881 S. Juniper Street
      Foley, AL 36536
   c. 05-61-02-04-0-000-011.006
      Cole Properties, LLC
      2881 S. Juniper Street
      Foley, AL 36536
   d. 05-61-02-04-0-000-011.007
      Barrett Properties, LLC
      2919 S. Juniper Street
      Foley, AL 36535
   e. 05-61-02-04-0-000-011.004
      Barrett Properties, LLC
      2919 S. Juniper Street
      Foley, AL 36535
   f. 05-61-02-04-0-000-011.010
      Wayne Will
      PO Box 3067
      Orange Beach, AL 36561
   g. 05-61-02-04-0-000-011.009
      Cheryl Herritt
      384 Woodward Court
      Birmingham, AL 35242
   h. 05-61-02-04-0-000-011.008
      Cheryl Herritt
      384 Woodward Court
      Birmingham, AL 35242
   i. 05-61-02-04-0-000-011.000
      Rex A. Horton
      375 Horton Road
      Columbiana, AL 35051
3. **Size of Property:** 9.96 acres

4. **Present Zoning of Property:** PDD

5. **Requested Zoning of Property:** PDD

6. **Description of current use and structures located on the property:**
   The property is currently vacant and wooded.

7. **Description of the contemplated use of the property:**
   Development of dormitory style seasonal workforce housing for BRIDGE-USA J-1 cultural exchange participants and other seasonal workers. The site can accommodate up to 8 dormitory style buildings for a total capacity of approximately 2,416 beds.
INTERNATIONAL RESIDENCE HALL

IRH - the Nation's most experienced operator of Dormitory Style Seasonal Workforce Housing for BridgeUSA J1 Visa Summer Work Travel Cultural Exchange Students and other Seasonal Workforce!

Holtz Builders Inc.
Honesty. Transparency. Integrity.

HBI - the Nation's most experienced developer and builder of Dormitory Style Seasonal Workforce Housing for BridgeUSA J1 Visa Summer Work Travel Cultural Exchange Students and other Seasonal Workforce!

Dan Bullock, President
Holtz Companies
Lake Delton, WI
Sevierville, TN
(608) 577-2836
dbullock@holtzbuilders.com
Introducing the NEWEST International Residence Hall in Pigeon Forge, Tennessee. International Residence Hall manages the building and is staffed 24/7. We provide safe, clean, affordable living for international students and other seasonal workers as they experience the beautiful Sevier County, Tennessee community.

YOUR HOME AWAY FROM HOME

AMENITIES

IN-UNIT BATHROOM & SHOWER
Each unit has a shower and bathroom with separate stalls for your convenience.

SECURE LOCKERS
Secure your personal belongings in your personal storage locker located in your room.

IN-UNIT AC AND HEAT
Temperature control in all units to keep guests at a comfortable level year round.

COMMUNITY AREAS
Each floor has a comfortable lounge for residents to hang out and watch TV.

KITCHEN & DINING
Each floor features a large communal kitchen and dining area to make your meals if you like and it's easy to safely wash hands.

LAUNDRY INCLUDED
Same floor washers & dryers for easy access.

SAFETY FEATURES

24/7 Staff On-Site
We want you to feel safe all times that's why our facility has staff available all the time.

RFID Access Control
Feel safe knowing all building entrances and individual units are secured with RFID Access Control.

Live Video Monitoring
All common areas and hallways have live video monitoring at all times.

INTERNATIONAL RESIDENCE HALL

ABOUT US

Since 2015 we have owned and operated dormitory-style seasonal workforce housing for international cultural exchange visitors and others. Our motto is to treat our guests the way we would want our family to be treated in a similar situation. Our goal is to provide safe, clean, and affordable housing that contributes to a positive overall experience. We have served thousands of individuals from over 30 countries and look forward to serving you.

IRH PIGEON FORGE
2955 VETERANS BOULEVARD
PIGEON FORGE, TN 37863 USA

www.irhliving.com
Planning Commission Report
By Miriam Boutwell
May 2022
Request for PDD Modification

Name: Sportstown Village PDD Modification
Applicant: City of Foley-CAFM / GEC
Location: Southwest Corner of Kenny Stabler Avenue & Koniar Way
Existing Zoning: PDD – Planned Development District
Hotel/Restaurants
Acreage: 10+/- Acres
Lots: 1
Flood Zone: X
(Unconfirmed)

Comments: This request is for a PDD Modification for Foley Farmers Market / Sportstown Village. This is for an International Residence Hall for workforce housing. Each building would contain 79 units (4 beds per unit) & include common kitchen, gathering space & laundry facilities. There would be 8 buildings total. The facility would be fenced & gated. The administration building is staffed 24 hours a day and visitors are not allowed in the units. Due to the nature of this workforce housing development, bicycles will be the primary method of transportation. They are incorporating 1152 bicycle parking slots and 96 regular parking spots. A shuttle/bus drop off area is also being provided along Koniar Way.
Engineering is not opposed to the proposed POD Modification.

On Fri, May 6, 2022, 1:41 PM Amanda Cole <acoile@cityoffoley.org> wrote:
Chad,
I have attached the POD Modification for the property on the corner of Kenny Stabler Ave and Koniar Way we met with on Wednesday. Can you please review?

Thanks,
-- Amanda Cole
Planning and Zoning Assistant
120 S McKenzie St. Foley, AL 36535
(251) 952-4011
Re: Modification Application

1 message

Bradley Hall <bhall@cityoffoley.org>

To: Amanda Cole <acle@cityoffoley.org>
Cc: Angela Cooper <acooper@cityoffoley.org>

Mon, May 9, 2022 at 8:44 AM

Yes .. I'm ok with that design. The corrected the dead end issue by connecting the two southern driveways.

Brad Hall
Sr. Fire Inspector
City of Foley Fire Department
bhall@cityoffoley.org
LinkedIn Profile
(251)971-6028

On Fri, May 6, 2022 at 1:43 PM Amanda Cole <acle@cityoffoley.org> wrote:

Brad,
I have attached the PDD Modification for the property on the corner of Kenny Stabler Ave and Koniar Way we met with on Wednesday for the Planning Commission agenda. Can you please review?

Thanks,

Amanda Cole
Planning and Zoning Assistant
120 S McKenize St. Foley, AL 36535
(251) 952-4011
### Table 10.2.4 Minimum Buffer Requirements

<table>
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<tr>
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<th>Existing Abutting Uses</th>
<th>Residential</th>
<th>Institutional</th>
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<tr>
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<td>Detached Dwellings</td>
<td>Townhouses or Multi-family</td>
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<td><strong>Type of Buffer Required</strong></td>
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<tr>
<td>Zero Lot Line Dwellings</td>
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<tr>
<td>Townhouse &amp; Multi-family</td>
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<tr>
<td>Manufactured home &amp; Recreational vehicle parks</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

**RV Park District** – Refer to Article XVII for Buffering Requirements

#### 14.1.7 R-4 RESIDENTIAL SINGLE FAMILY AND DUPLEX

**No more property will be zoned R4 unless it is consistent with existing zoning in the immediate area.**

A. Uses / Structures Permitted: Residential structures containing one or two family units; mobile/manufactured dwelling units, and modular dwellings on individual lots; and home based businesses.

B. Uses / Structures permitted on Appeal: Home occupations, lodges and clubs not operated for profit; professional and business offices.

C. Uses / Structures Prohibited: Agriculture, poultry, and livestock. Any use or structure not specifically permitted or permitted on appeal in this section or in Sections 13.1.1 or 13.1.2 of Article XIII.

D. Requirements:

- Minimum Lot Area (single family): 9,500 square feet*
- Minimum Lot Area (duplex): 2,000 square feet*
- Landscape Requirements (duplex): 10% of lot area
<table>
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<tr>
<td>Minimum Lot Width at Building Line</td>
<td>75 feet</td>
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<tr>
<td>Minimum Depth of Front Yard</td>
<td>30 feet</td>
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<td>Minimum Depth of Rear Yard</td>
<td>30 feet</td>
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<tr>
<td>Minimum Depth of Rear Yard with Pool/Screen Enclosure</td>
<td>10 feet</td>
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<tr>
<td>Minimum Width of Each Side Yard</td>
<td>10 feet</td>
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<td>Minimum Depth of Side Yard Abutting Street</td>
<td>30 feet</td>
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<td>Maximum Building Area (% of Gross Lot Area)</td>
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<tr>
<td>Off-Street Parking Spaces (per family unit)</td>
<td>2</td>
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<tr>
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* or meet Health Department requirements.