

**CITY OF FOLEY
PLANNING COMMISSION**

**WORK SESSION
September 14, 2022
City Hall
Council Chambers
At 5:30 p.m.**

&

**MEETING
September 21, 2022
City Hall
Council Chambers
At 5:30 p.m.**

1

**PLANNING COMMISSION
WORK SESSION AGENDA SEPTEMBER 14, 2022
&
MEETING AGENDA SEPTEMBER 21, 2022
(Council Chambers of City Hall) 5:30 P.M.**

Page 1 of 2

The City of Foley Planning Commission will hold a work session September 14, 2022 at 5:30 p.m. and a meeting September 21, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the August 10, 2022 and August 17, 2022 meeting minutes.

AGENDA ITEMS:

1. David Green- Request for Duplex Site Plan Approval

The City of Foley Planning Commission has received a request for a duplex site plan approval. Property is located S. of W. Begonia Ave. and W. of Cedar St. Applicant is David Green.

Planning Commission Action:

2. Muscadine Place- Request for Preliminary

The City of Foley Planning Commission has received a request for Muscadine Place, a preliminary subdivision which consists of 38 +/- acres and 182 lots. Property is located at the NE corner of County Rd. 20 and Hickory St. Applicant is Lennar Homes of Alabama.

Public Hearing:

Planning Commission Action:

3. River Oaks Phase III- Request for Preliminary

The City of Foley Planning Commission has received a request for River Oaks Phase III, a preliminary subdivision which consists of 16.74 +/- acres and 68 lots. Property is located S. of Michigan Ave. and E. of Hickory St. Applicant is River Oaks Development, LLC.

Public Hearing:

Planning Commission Action:

4. Keystone Development- Initial Zoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council 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 Venice Blvd. Applicant is Keystone Development, LLC.

Public Hearing:

Planning Commission Action:

**PLANNING COMMISSION
WORK SESSION AGENDA SEPTEMBER 14, 2022
&
MEETING AGENDA SEPTEMBER 21, 2022
(Council Chambers of City Hall) 5:30 P.M.**

2

Page 2 of 2

WORK SESSION ONLY:

5. The Magnolia's at Foley PUD- Discussion of PUD Modification

The City of Foley Planning Commission has received a request to discuss a possible PUD modification for property located at the NE corner of Juniper St. and Fern Ave. Applicant is Cathy Barnette.

ADJOURN:

**PLANNING COMMISSION
WORK SESSION MINUTES AUGUST 10, 2022
(Council Chambers of City Hall) 5:30 P.M.**

The City of Foley Planning Commission held a work session on August 10, 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, Wes Abrams, Calvin Hare, Bill Swanson and Tommy Gebhart. Absent members were: Ralph Hellmich and Phillip Hinesley. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

AGENDA ITEMS:

1. Public Projects - North Pecan Street Extension

The City of Foley Planning Commission has received a public projects request for the North Pecan Street Extension.

Mrs. Miriam Boone explained a section will be paved which will provide a connection from Peachtree Ave. to Fern Ave.

Mr. Chad Christian stated the work on the project has started.

Mr. Wayne Dyess stated the reason the project is coming before the Commission is roads and transportation is covered in the Comprehensive Plan.

2. Public Projects - Farmers Market Pickleball Park

The City of Foley Planning Commission has received a public projects request for a Farmers Market Pickleball Park.

Mrs. Boone stated the City will be building Pickleball courts.

Mr. Dyess stated impact fee funds that have been collected are being used to help fund the project.

3. AAM Equipment Rentals - Request for Site Plan

The City of Foley Planning Commission has received a request for a site plan for AAM Equipment Rentals. Property is located E of the Foley Beach Express and S of Doc McDuffie Rd. Applicant is OTK Architecture/Kipp Trawick.

Mrs. Boone stated the site plan is for AAM Equipment Rentals. She explained it has been coordinated with the Navy which has no issues with the request since the building will be single story.

Chairman Abrams stated it appears there is very limited access to the site. He asked if there are plans to make an access off of Doc McDuffie Rd.

Mrs. Boone stated a future private street accessing onto Doc McDuffie is shown on the plans.

**PLANNING COMMISSION
WORK SESSION MINUTES AUGUST 10, 2022
(Council Chambers of City Hall) 5:30 P.M.**

4

4. Las Colinas Townhomes - Request for Site Plan

The City of Foley Planning Commission has received a request for a site plan for Las Colinas Townhomes. Property is located S of CR 20 and W of James Rd. Applicant is Lieb Engineering

Mrs. Boone explained the property is part of the Grand Riviera PUD. She stated the Planning Commission approved a PUD modification to allow multifamily in April and a minor subdivision to combine 3 lots in June. She stated the requested site plan is meeting zoning requirements.

Commissioner Abrams asked if the town homes would be two stories.

Mr. Chris Lieb stated the town homes will be two stories.

Chairman Abrams stated the development has a good layout and nice amenities.

Commissioner Engel asked about the number of units to be located in the development.

Mrs. Boone stated there will be 100 units which is the maximum that was approved for the PUD.

5. Scooter's Addition to South McKenzie Street - Request for Minor

The City of Foley Planning Commission has received a request for Scooter's Addition to South McKenzie Street, a minor subdivision which consists of 5.9+/- acres and 2 lots. Property is located W of S McKenzie St and N of W Michigan Ave. Applicant is Carter Engineering Consultants, Inc.

Mrs. Boone explained the request is for a two lot subdivision. She stated one of the lots is for Scooters Coffee.

Commissioner Gebhart asked if the lot would be accessed off of State Hwy. 59.

Mrs. Boone stated it looks like it will be accessed off of State Hwy. 59.

Chairman Abrams asked the applicant to contact Riviera Utilities to discuss an easement for utilities.

Mr. Kelly Blair stated he is the owner of Scooters Coffee. He explained he is working with Riviera Utilities regarding an easement.

Commissioner Swanson asked if there would be seating inside the building.

Mrs. Julie Blair stated the building will be 650 sq. ft. and there will be no indoor seating.

6. Swindle Subdivision - Request for Minor

The City of Foley Planning Commission has received a request for Swindle Subdivision, a minor subdivision which consists of 2.08+/- acres and 2 lots. Property is located at 710 W Michigan Ave. Applicant is Engineering Design Group.

**PLANNING COMMISSION
WORK SESSION MINUTES AUGUST 10, 2022
(Council Chambers of City Hall) 5:30 P.M.**

5

Mrs. Boone stated the request is meeting the current subdivision and zoning regulations.

Commissioner Engel asked if they were subdividing the parcel in order to build a house on the second lot.

The applicant was not present.

Mr. Wayne Dyess stated the property is zoned AO. He explained any future use would have to meet the AO zoning requirements.

7. Beach Express RV and Self Storage - A Resubdivision of Lot 6 Providence- Request for Minor

The City of Foley Planning Commission has received a request for Beach Express RV and Self Storage - A Resubdivision of Lot 6 Providence, a minor subdivision which consists of 26.55+/- acres and 4 lots. Property is located S of CR 20 and W of the Foley Beach Express. Applicant is S.E. Civil.

Mrs. Boone stated item # 7 & 8 can be discussed together. She explained the parcel was originally zoned B-1A and is currently zoned RV Park. She stated the parcel was part of a previously approved proposed RV Park. She explained since that time portions of the proposed RV Park have been rezoned to R-2. She stated the applicant is requesting to subdivide the property and rezone it back to the original B-1A zone for the use of RV and self-storage.

Chairman Abrams asked if proposed Lot 1 would remain an RV zone and the requested rezoning to B-1A is for Lots 2, 3 and 4.

SE Civil representative answered yes. He stated lot 1 has a good portion of wetlands and backs up to the parcel zoned R-2. He explained the wetlands will provide a good buffer between the residential and commercial uses.

Chairman Abrams stated he did not see any issues with reverting the property back to the B-1A zone.

8. Powers Investments, LLC - Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 9.12+/- acres. Property is currently zoned RV Park (Recreational Vehicle Park District). Proposed zoning is B-1A (Extended Business District). Property is located S of CR 20 and W of the Foley Beach Express. Applicant is S.E. Civil.

Discussed with item # 7.

9. The Reserve of Foley, LLC and The Reserve West of Foley, LLC - Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 43.2+/- acres. Property is currently zoned B-1A (Extended

PLANNING COMMISSION
WORK SESSION MINUTES AUGUST 10, 2022
(Council Chambers of City Hall) 5:30 P.M.

6

Business District). Proposed zoning is R-3 (Residential Multi Family). Property is located S of Co Rd 12 and W of the Foley Beach Express. Applicant is Phil Noonan.

Mrs. Boone stated the applicant is requesting to rezone the property to R-3 to match the current existing use of the property. She explained the current zone is B-1A which does not allow the existing use of standalone apartments without a commercial component. She stated the zoning ordinance has changed and no longer allows the existing use in the current zone. She explained the use is considered legal non-conforming. She explained in the event of loss they would not be able to rebuild the apartments in the current zone.

10. *Daniel Ray Pugh, Sandra Pugh Norwood, Vickie Wilkinson, John Ricky Pugh and Rebecca Rapier - Request for Pre-Zoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the pre-zoning of 35.27+/- acres. Proposed zoning is PUD (Planned Unit Development). Property is located on the E of State Hwy 59 and S of Hadley Rd. Applicant is S.E. Civil.

Mrs. Boone explained the applicants are requesting to pre-zone the property. She explained they are requesting to pre-zone due to the potential buyers wanting to annex the property and develop the PUD. She stated if the sale of the property does not go through the annexation will not occur. She explained there is a proposed park in the center of the PUD, a 45' buffer on the east side and they are donating property on the west side for a city trail.

SE Civil representative explained there is a large pond that will serve not just as an amenity to the residents of the subdivision but also the residents of Foley walking on the City trail. He stated a walking path along Hadley Rd. will also tie into the trail.

Mr. Dyess stated he would like to commend the applicant. He stated safety concerns were raised in regards to privacy fences blocking the open space area. He stated the developer has agreed to limit the fence heights which will be more aesthetically pleasing and safer.

11. A Resubdivision of Parcel 1 Wilson Pecan Property Subdivision - Request for Preliminary

The City of Foley Planning Commission has received a request for A Resubdivision of Parcel 1 Wilson Pecan Property Subdivision, a preliminary subdivision which consists of 16.2+/- acres and 7 lots. Property is located between Kenny Stabler Ave and CR 20. Applicant is Engineering Design Group.

Mr. Christian stated the subdivision is being done to clean up some of the previously done metes and bounds. He explained it will provide Moe's with an individual lot which they may purchase.

12. *Eastgate Subdivision - Request for Preliminary

The City of Foley Planning Commission has received a request for Eastgate Subdivision, a preliminary subdivision which consists of 30+/- acres and 101 lots. Property is located NW Corner of Bender Rd and Springsteen Ln. Applicant is Dewberry.

**PLANNING COMMISSION
WORK SESSION MINUTES AUGUST 10, 2022
(Council Chambers of City Hall) 5:30 P.M.**

7

Mrs. Boone stated the property is located in Baldwin County. She explained E911 will have to approve all of the street names. She stated Baldwin County is reviewing and if there are any issues with the name of the subdivision it will have to be adjusted.

Mr. Dyess stated more green space may need to be added. He explained the plans were submitted and under review before the new standards were in place.

Commissioner Gebhart stated there are three entrances into the development. He explained all the entrances lead to one intersection which essentially gives you only one way in and out. He stated he doesn't feel he can support the 101 additional homes on the road with one way to get in and out.

Mr. Brent Anderson with Dewberry stated they will be adding a secondary fire access located on the side of lot 1.

Commissioner Engel stated they are proposing a lot of homes with very little green space.

Chairman Abrams asked if there was a traffic study done to see how the development will affect US 98 and Bender Rd.

Mr. Christian stated a traffic study was done and a turn lane is being required.

Chairman Abrams stated the small common areas between the lots tend to become unmaintained areas.

Mr. Christian stated if the areas are made drainage easements the homeowners install fences in them which causes drainage issues. He explained the common area ensures the area is left open for drainage.

Commissioner Swanson asked if sidewalks would be installed within the development.

Representative stated sidewalks will be added in the development.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:11 p.m.

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

8

The City of Foley Planning Commission held a meeting August 17, 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, Phillip Hinesley and Tommy Gebhart. Absent members were: Bill Swanson and Calvin Hare. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Eden Lapham, Planner 1; 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 July 13, 2022 and July 20, 2022 meeting minutes.

Commissioner Hellmich made a motion to approve the July 13, 2022 and July 20, 2022 meeting minutes. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the July 13, 2022 and July 20, 2022 meeting minutes passes.

AGENDA ITEMS:

1. Public Projects - North Pecan Street Extension

The City of Foley Planning Commission has received a public projects request for the North Pecan Street Extension.

Planning Commission Action:

Commissioner Hellmich stated the North Pecan Street extension is in the City's 10 year road plan.

Commissioner Gebhart made a motion to recommend the public project for the North Pecan Street extension to the Mayor and Council. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to recommend the public project for the North Pecan Street extension to the Mayor and Council passes.

2. Public Projects - Farmers Market Pickleball Park

The City of Foley Planning Commission has received a public projects request for a Farmers Market Pickleball Park.

Planning Commission Action:

Mrs. Miriam Boone stated the Pickleball Park will be located north of the Farmers Market.

Commissioner Hinesley asked if the parking for the park will be located along the gravel road.

Commissioner Hellmich stated there will be parking along the proposed gravel road. He explained they will also be utilizing the Farmers Market parking area.

9

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

Commissioner Quaite made a motion to recommend the public project for a Pickleball Park to the Mayor and Council. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

Motion to recommend the public project for a Pickleball Park to the Mayor and Council passes.

3. AAM Equipment Rentals - Request for Site Plan

The City of Foley Planning Commission has received a request for a site plan for AAM Equipment Rentals. Property is located E of the Foley Beach Express and S of Doc McDuffie Rd. Applicant is OTK Architecture/Kipp Trawick.

Planning Commission Action:

Mrs. Boone stated staff is recommending approval of the site plan. She explained the proposed site plan has been coordinated with the Navy. The building is 131' from the Foley Beach Express and is meeting zoning requirements.

Commissioner Hellmich asked if the access was meeting the Foley Beach Express Access Management Plan.

Mrs. Boone asked Chad Christian who responded yes.

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

Motion to approve the requested site plan passes.

4. Las Colinas Townhomes - Request for Site Plan

The City of Foley Planning Commission has received a request for a site plan for Las Colinas Townhomes. Property is located S of CR 20 and W of James Rd. Applicant is Lieb Engineering

Planning Commission Action:

Mrs. Boone explained the site plan is meeting zoning requirements. She stated the Planning Commission approved a PUD modification to allow multifamily in April and a minor subdivision to combine 3 lots in June. She explained modifications were made to the plan to include a centrally located green space.

Commissioner Engel asked about the number of units to be located in the development.

Mrs. Boone stated there will be 100 units which is the maximum that was approved for the PUD.

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

Motion to approve the requested site plan passes.

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

10

5. Scooter's Addition to South McKenzie Street - Request for Minor

The City of Foley Planning Commission has received a request for Scooter's Addition to South McKenzie Street, a minor subdivision which consists of 5.9+/- acres and 2 lots. Property is located W of S McKenzie St and N of W Michigan Ave. Applicant is Carter Engineering Consultants, Inc.

Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item.

Ms. Sirena Spencer resident of 12628 Bender Rd. asked if the road was going to be made four lanes.

Mrs. Boone explained the location and stated State Hwy. 59 is currently five lanes.

Planning Commission Action:

Commissioner Hinesley stated the green space on lot 2 was recently added. He asked what the purpose was of adding the green space if they are going to remove it to add a building.

Commissioner Hellmich stated the low impact development standards will have to be met for the construction to be located on lot 2.

Mr. Christian stated the green space was added when the redevelopment of the area was being done for the Dairy Queen. He stated the loss of green space will have to be addressed with the new design for the property.

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

Motion to approve the requested minor subdivision passes.

6. Swindle Subdivision - Request for Minor

The City of Foley Planning Commission has received a request for Swindle Subdivision, a minor subdivision which consists of 2.08+/- acres and 2 lots. Property is located at 710 W Michigan Ave. Applicant is Engineering Design Group.

Public Hearing:

Mr. Jack Swindle resident of 710 W. Michigan Ave. stated he is a long time local resident of the area. He explained he is wanting to divide the parcel in order to sell the front parcel and will be keeping the back parcel for his family.

Planning Commission Action:

Mrs. Boone explained the property is zoned AO and each of the lots are slightly over 1 acre. She stated staff recommends approval of the requested subdivision.

Commissioner Engel asked if there was a proposed use for the back lot.

Mr. Swindle stated they may build a house on the lot or it might remain vacant.

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

11

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

Motion to approve the requested minor subdivision passes.

7. Beach Express RV and Self Storage - A Resubdivision of Lot 6 Providence- Request for Minor

The City of Foley Planning Commission has received a request for Beach Express RV and Self Storage - A Resubdivision of Lot 6 Providence, a minor subdivision which consists of 26.55+/- acres and 4 lots. Property is located S of CR 20 and W of the Foley Beach Express. Applicant is S.E. Civil.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone stated a revised site plan has been submitted by the applicant. She explained the revision increased lots 3 & 4 and there was a slight change in the configuration of lot 2. She stated the request is meeting zoning requirements.

Commissioner Hellmich stated the applicant has been working with staff on the subdivision.

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

Motion to approve the requested minor subdivision passes.

8. Powers Investments, LLC - Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 9.12+/- acres. Property is currently zoned RV Park (Recreational Vehicle Park District). Proposed zoning is B-1A (Extended Business District). Property is located S of CR 20 and W of the Foley Beach Express. Applicant is S.E. Civil.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone stated the request is to rezone lots 2, 3, and 4 on the proposed plat.

Commissioner Hellmich stated they are requesting to rezone from the RV park zone to B-1A. He explained the property is located in a commercial corridor.

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

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

12

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

9. The Reserve of Foley, LLC and The Reserve West of Foley, LLC - Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 43.2+/- acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is R-3 (Residential Multi Family). Property is located S of Co Rd 12 and W of the Foley Beach Express. Applicant is Phil Noonan.

Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item.

Mr. Phil Noonan stated they are requesting to change the zoning which will make the existing use of apartments a conforming use.

Planning Commission Action:

Commissioner Hellmich stated the requested zoning to R3 is being done so the zone will match what is currently built on the site and bring it into compliance.

Mrs. Boone stated staff is recommending approval of the requested rezoning.

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

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

10. *Daniel Ray Pugh, Sandra Pugh Norwood, Vickie Wilkinson, John Ricky Pugh and Rebecca Rapiere - Request for Pre-Zoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the pre-zoning of 35.27+/- acres. Proposed zoning is PUD (Planned Unit Development). Property is located on the E of State Hwy 59 and S of Hadley Rd. Applicant is S.E. Civil.

Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item.

Ms. Shelby Middleton resident of 20239 Hadley Rd. stated her house is directly across the street from the development. She explained her main concern is not the use but the number of houses and size of the lots. She stated Hadley Rd. is an older county road that has not been maintained. She explained if there are two cars per household that will be an additional 160 cars on Hadley Rd. She stated they already have issues trying to get out onto Highway 59 off of Hadley Rd. She explained the development will cause an increase of traffic on the unmaintained road. She asked if another location for the entrance is possible. She explained when vehicles leave the subdivision their vehicle lights will be shining into her bedroom window.

Chairman Abrams stated the request is for a rezoning to a PUD. He explained before the subdivision is built they will come back before the Commission with more details and a final design.

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

13

Ms. Debra Sanford resident of 20245 Hadley Rd. stated she has a signed petition from neighboring property owners to protest the rezoning of the property.

Mrs. Boone explained the request is to pre-zone the property. She stated if the property is annexed and zoned the City has some control over the development. She explained the applicant has been working with staff. She stated there will be a 45' buffer on the East side of the development and a green space area in the center of the development. She explained the density of the development is 2.35 units per acre.

A resident stated the infrastructure in the area is not up to date to accommodate the development.

Commissioner Hellmich stated at this time the property is located in unzoned Baldwin County. He explained if the property is annexed it can be zoned which should give the neighboring property owners some comfort. He stated the City requirements are more stringent and have low impact requirements. He explained the number of lots has been reduced from what was previously presented to staff. He stated the applicant has added green space and there will be a sidewalk added along Hadley Rd. which will eventually tie into the Rose Trail.

Mr. David Diehl with SE Civil stated the Baldwin County regulations are not as stringent as the City of Foley's. He explained they would be allowed to build 100 homes if the development remains in Baldwin County. He stated they will look at moving the driveway as requested. He explained right of way will be donated for the Rose trail extension and a sidewalk will be added along Hadley Rd. He stated the next step is to have engineered drawings designed and a completed traffic study. He explained the traffic study will determine if the developer will be required to make any road improvements.

Commissioner Engel asked who currently owns the right of way along Highway 59 in front of the proposed development.

Commissioner Hellmich stated a right of way was not retained. He explained the developer will be donating the right of way to the city for the rose trail extension.

Commissioner Hinesley stated his concern is the maintenance and condition of Hadley Rd.

Commissioner Hellmich stated Hadley Road is currently maintained by Baldwin County. He explained if the properties on both sides of the road are not in city limits the city can not legally take over the road.

Planning Commission Action:

Commissioner Hellmich made a motion to recommend the requested pre-zoning to the Mayor and Council. Commissioner Gebhart seconded the motion. Commissioner Engel and Commissioner Mixon voted nay. All other Commissioners voted aye.

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

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

14

11. A Resubdivision of Parcel 1 Wilson Pecan Property Subdivision - Request for Preliminary

The City of Foley Planning Commission has received a request for A Resubdivision of Parcel 1 Wilson Pecan Property Subdivision, a preliminary subdivision which consists of 16.2+/- acres and 7 lots. Property is located between Kenny Stabler Ave and CR 20. Applicant is Engineering Design Group.

Public Hearing:

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

Planning Commission Action:

Commissioner Hinesley asked if there were any plans for the property.

Commissioner Hellmich stated they are wanting to clean up the ownership of the parcels in order to proceed with the pickleball courts.

Commissioner Engel made a motion to approve the requested preliminary. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary passes.

12. *Eastgate Subdivision - Request for Preliminary

The City of Foley Planning Commission has received a request for Eastgate Subdivision, a preliminary subdivision which consists of 30+/- acres and 101 lots. Property is located NW Corner of Bender Rd and Springsteen Ln. Applicant is Dewberry.

Public Hearing:

Planning Commission Action:

Mr. Casey Therrell resident of 13100 Bender Rd. stated there are not many houses currently in the area. He explained they started paving the road which is only a single layer of asphalt. He stated there is currently very light traffic on the road and this development would increase the traffic by approximately 200 cars a day. He explained they already have issues trying to get out onto US Hwy. 98 and this is going to increase the problem.

Commissioner Hellmich stated the subdivision is located in Baldwin County and in the City of Foley's Extra Territorial Jurisdiction. He explained the City can only control certain things when the property is not located in City limits.

Ms. Spencer asked if the area was zoned.

Mrs. Boone stated the development is located in unzoned Baldwin County.

Mr. Therrell stated he thought the area was within the city limits and the city was responsible for the paving of the road.

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

15

Commissioner Hellmich stated the road is maintained by Baldwin County. He explained his understanding is the road is being paved due to the request of the residents in the area.

Mr. Christian stated a turn lane will be added at Bender Rd. and Highway 98.

Commissioner Abrams stated the property is located in the City of Foley's Extra Territorial jurisdiction which means the City has some input over the development in regards to standards. He explained the requirements are met to ensure if the property is ever annexed into the City limits of Foley it will meet City standards.

Residents asked if Baldwin County would be holding a meeting to discuss the development.

Mrs. Boone explained the residents could contact Baldwin County to express concerns but is unaware of a public hearing.

Ms. Vivian Springsteen stated the development is going to put a huge amount of traffic on their roads. She explained the section of road she lives on is still gravel. She stated the water runoff will increase in the area. She stated the access off of Bender Rd. onto US Hwy. 98 is extremely dangerous and located on a hill.

Ms. Annesse Springsteen Weeks stated her concerns are in regards to drainage. She explained her property slopes down and there is a gully in her backyard.

Mr. Jimmy Spencer resident of 1268 Bender Rd. stated Bender Rd. and US Hwy. 98 is going to need a traffic light.

Commissioner Hellmich stated the developer will be required to add a turn lane onto US Hwy. 98.

Mr. Spencer stated there are numerous live oaks and tortoises on the property.

Commissioner Gebhart stated he is not in favor of the development due to the lack of green space.

Commissioner Hellmich stated the property is not zoned or in City limits. He explained the Code of Alabama states if the development is meeting the city's requirements it is to be approved.

Residents asked about utilities that will be servicing the lots.

Mr. Anderson with Dewberry stated the utilities will be provided by Riviera Utilities. He explained the sewer will be gravity fed. He stated the development will help resolve some of the drainage issues they currently have in the area. He explained all of the drainage from the property will be directed to the retention pond. He explained a traffic study has been performed and does show a left turn lane at US Hwy. 98 onto Bender Road is required. He stated they do have a landscape plan and they do plan on saving some of the live oaks and magnolia trees located on the property.

A resident stated the development will be built up and make his property flood.

Chairman Abrams stated the topo of the property shows the natural flow of water is to the NE

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES AUGUST 17, 2022
(Council Chambers of City Hall) 5:30 P.M.**

16

corner of the property which is where the proposed retention pond is to be located.

Mr. Anderson explained they will be adding drainage ditches. He stated no water from the development will go East or West of the property or affect any of the neighboring owners.

Ms. Spencer asked about the size of the proposed lots.

Mr. Anderson stated the lots will be 60' x 120'.

The residents stated the lots currently located in the area are a minimum of 2 acres.

Mrs. Monika Thereel stated 200 more cars a day is a major increase in traffic on Bender Rd. She explained the increase in traffic will cause problems during a hurricane evacuation and for emergency vehicles.

A resident stated the ditches along Bender Rd., located in the City, flow into the ditches on US Hwy 98 are clogged and currently holding water.

Commissioner Hellmich stated staff will have someone from the City inspect the ditches.

Residents asked if it was too late to contact Baldwin County in regards to the development.

Mr. Anderson stated the development still required Baldwin County and ALDOT approval.

Chairman Abrams stated the best course of action would be for the concerned residents to contact Baldwin County. He stated their concerns being voiced tonight will be reflected in the meeting minutes.

Commissioner Engel explained there is not much the Commission can do about the development. He stated he would try to appeal to the developer and get him to do the right things for his neighbors. He explained he would request green space and amenities be added to the development. He explained the lack of green space and amenities will also affect the residents of the development.

Commissioner Hellmich stated the City reviews the drainage and inspect the infrastructure. He explained once the development is complete and the lots are sold, Baldwin County will be inspecting the building of the homes.

Commissioner Gebhart made a motion to approve the requested preliminary due to the development meeting the limitations the Commission can control. Commissioner Hellmich seconded the motion. Commissioner Abrams voted aye. Commissioner Engel and Commission Mixon voted nay. Commissioner Hinesley and Commissioner Quaites abstained.

Motion to approve the requested preliminary passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 7:06 p.m.

Note: *Denotes property located in the Planning Jurisdiction



PLANNING COMMISSION JOINT STAFF REPORT: September 2022

17

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: W Begonia Ave Duplexes

REQUEST: Site Plan for 2 Duplexes

OWNER / APPLICANT:
David Green

ACREAGE: .33

PIN#(s): 22655

LOCATION: South of
Begonia, west of Cedar

DESCRIPTION: Site plan
for 2 duplexes

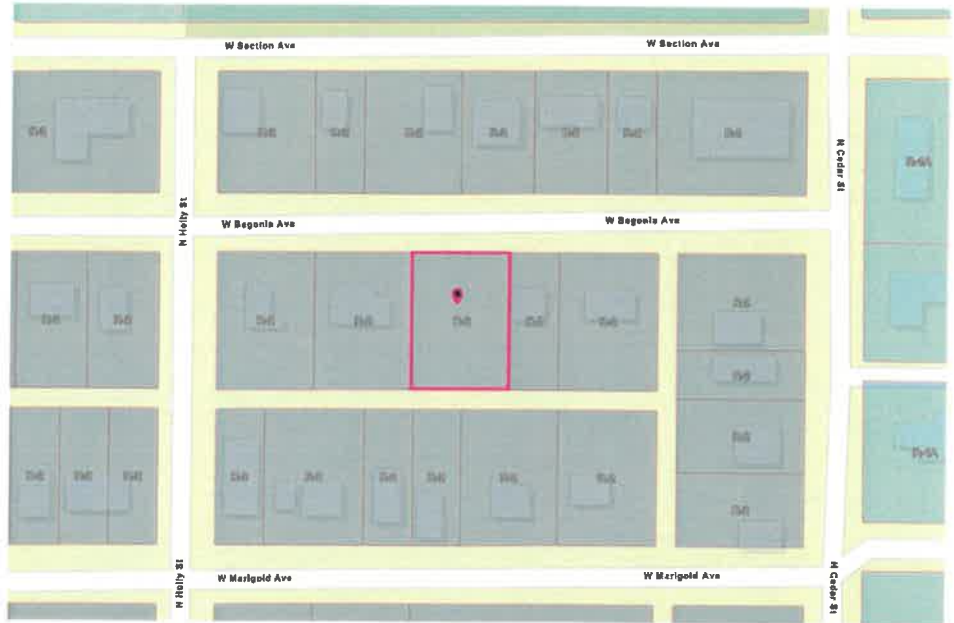
CURRENT ZONING:
R2 - Residential Single
Family & Duplex

REQUESTED ZONING:
NA

ADJACENT ZONING:
R2 - Residential Single
Family & Duplex

FUTURE LAND USE:
RM - Residential Medium
Density

EXISTING LAND USE:
Vacant



18

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam - The parcel consists of 2 platted lots (Lots 5 & 6) so a duplex can be built on each lot.

ENGINEERING:

Chad - Engineering does not review single family residential or duplex

ENVIRONMENTAL:

Angie - No issues identified

FIRE:

Brad - Fire has no issues

FLOODPLAIN ADMINISTRATOR:

Chuck - No issues identified

19

513 Begonia Ave West:

Narrative:

Currently an empty lot with two (2) 140 feet X 50 feet wide lots. Plans are to build two (2) separate duplexes at 2400 Square Feet each. 2 bedroom, 2 bath each. Setbacks from side yard will be 10 feet and 30 feet for rear yard. There will be a common parking area for each of the duplexes. Entry to each of the duplexes will be on the side yard as shown on page 2 of the submitted plans. Landscaping will include native plantings and bushes and will meet the 10% minimum requirement for duplexes. The current lot area for each duplex is 7000sf, of which 3,772sf is both the concrete parking and the building slab (impervious). The remaining 3228sf (46%) is dedicated to landscaping. Exterior façade will be board & batten with concrete slab on grade.

Adjacent Property Owners:**Parcel Number:** 05-54-09-29-2-000-020.000**PIN:** 2064**Owner Name:** FISCHER, LISA D**Address:** 509 BEGONIA AVE W**City:** FOLEY**State:** AL**Zip:** 36535**Parcel Number:** 05-54-09-29-2-000-018.000**PIN:** 109220**Owner Name:** DYER, BREA K**Address:** 517 BEGONIA AVE W**City:** FOLEY**State:** AL**Zip:** 36532**Parcel Number:** 05-54-09-29-2-000-004.000**PIN:** 49879**Owner Name:** ARONOWITZ, JAY DAVID AS SUCCESSOR TRUSTEE**Address:** 7719 ISLAND CREEK CT**City:** ALEXANDRIA**State:** VA**Zip:** 22315

RECEIVED

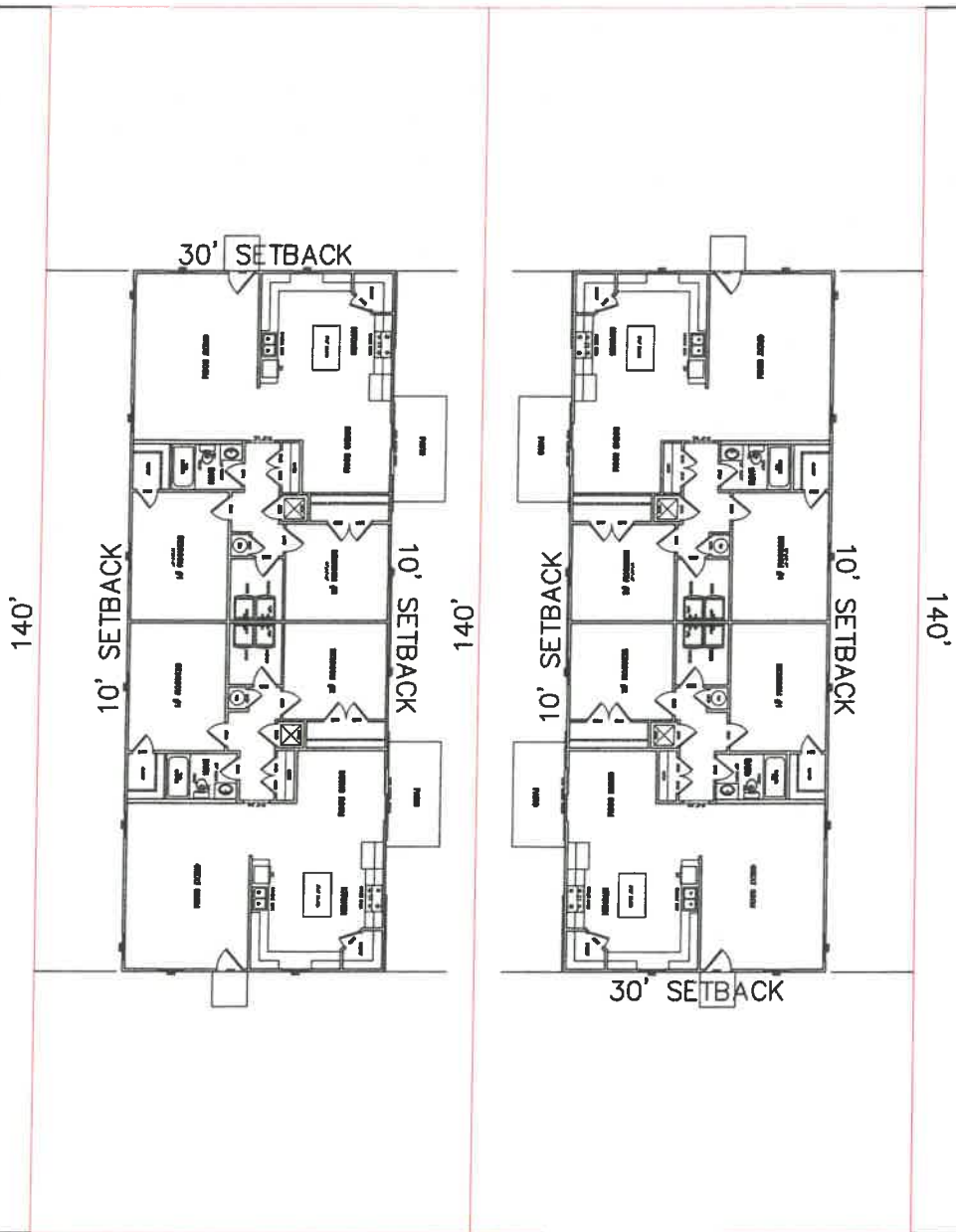
AC
09/29/22



21

WEST BEGONIA AVENUE
(60' R/W)

100'



100'
ALLEY
(20' R/W)



*THIS IS NOT A SURVEY

DRAINAGE NOTE:

R401.3 DRAINAGE
SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION SO AS TO NOT CREATE A HAZARD. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL AT A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET.

SITE NOTES:

1. OWNER/CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS, SETBACK REQUIREMENTS, FLOOD ZONE AND SUBDIVISION REGULATIONS PRIOR TO CONSTRUCTION.
2. GENERAL CONTRACTOR TO COORDINATE FINISH TOPOGRAPHIC GRADING AND PAVING OF WALKS, DRIVEWAYS, PATIOS, ETC. AS REQUIRED FOR POSITIVE DRAINAGE AWAY FROM THE HOUSE.
3. NO ONSITE INVESTIGATION WAS PERFORMED BY STRAIGHT LINE DRAFTING & DESIGN, ALL SITE INFORMATION WAS PROVIDED BY BALDWIN COUNTY GIS.
4. PROVIDE ALL ENVIRONMENTAL CONTROL AND PROTECTION AS REQUIRED BY THE BALDWIN COUNTY STANDARDS.

RECEIVED
AUG 15 2022

• STRAIGHT LINE DRAFTING & DESIGN ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

WEST BEGONIA AVENUE
FOLEY, ALABAMA

SITE PLOT PLAN

STRAIGHT LINE
DRAFTING & DESIGN
Residential | Civil | Land Planning
straightlinedesign.com | 251-379-3643



JULY, 2022	
REVISIONS	
DESCRIPTION	DATE
CHECKED	CHECKED

SHEET NUMBER

S-1

SITE PLOT PLAN

28

WEST BEGONIA AVENUE
FOLEY, ALABAMA

FLOOR PLAN

STRAIGHT LINE
DRAFTING & DESIGN
Residential | Civil | Land Planning
straightlinead.com | 201-379-3843



JULY, 2022

REVISIONS

DESCRIPTION DATE

CHECKED CHECKED

SHEET NUMBER

A-1

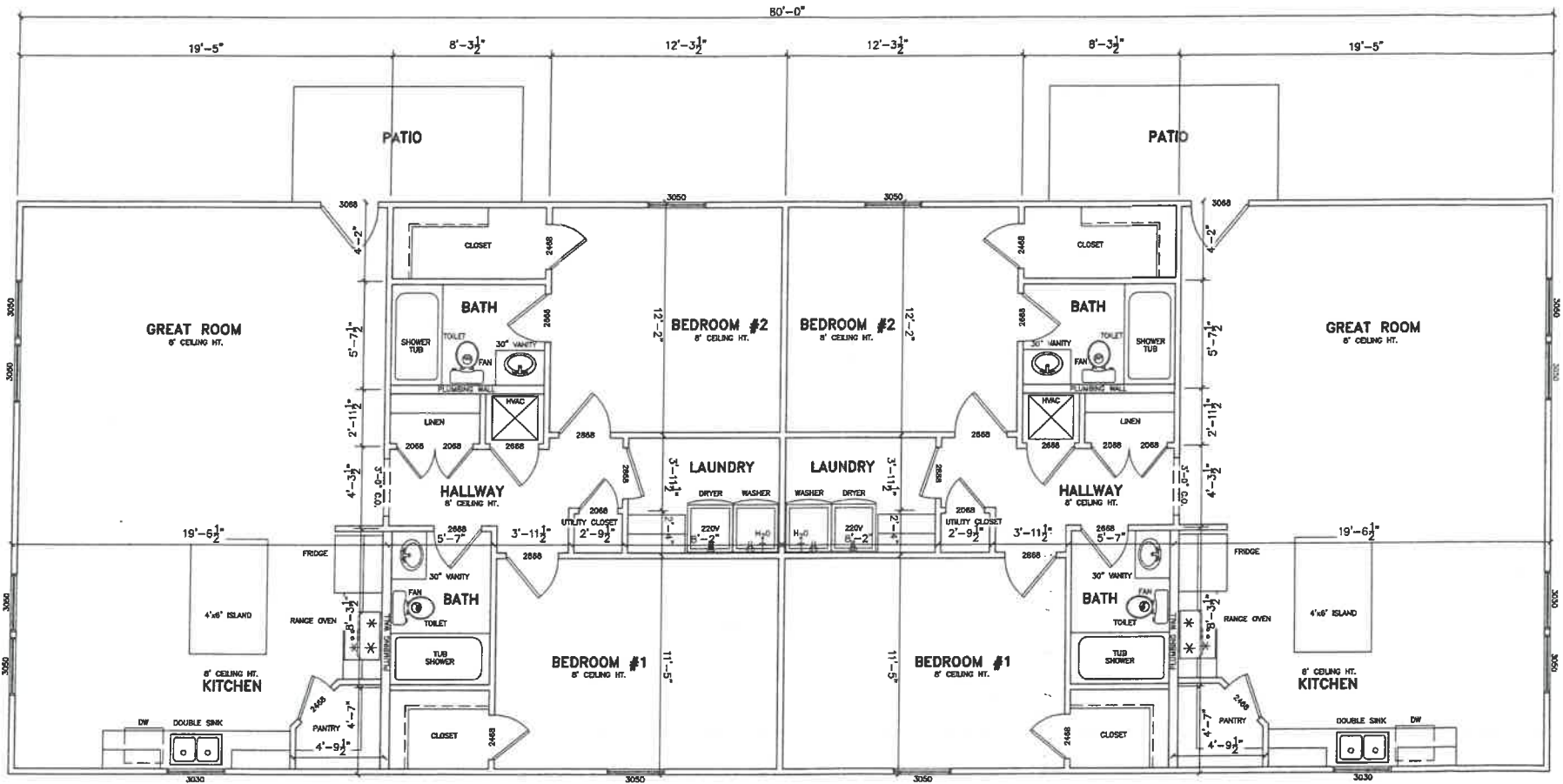
FLOOR PLAN

NOTE: ALL ANGLES ARE 45°
UNLESS OTHERWISE NOTED

AREA CALCULATIONS

HEATED (SQ. FT.)		UNHEATED (SQ. FT.)	
MAIN FLOOR:	2,390	PATIOS:	144
TOTAL:	2,390	TOTAL:	144

*SQUARE FOOTAGE CALCULATIONS ARE MEASURED TO THE OUTSIDE
EDGE OF STUD WALL FRAMING UNLESS OTHERWISE NOTED.



FLOOR PLAN

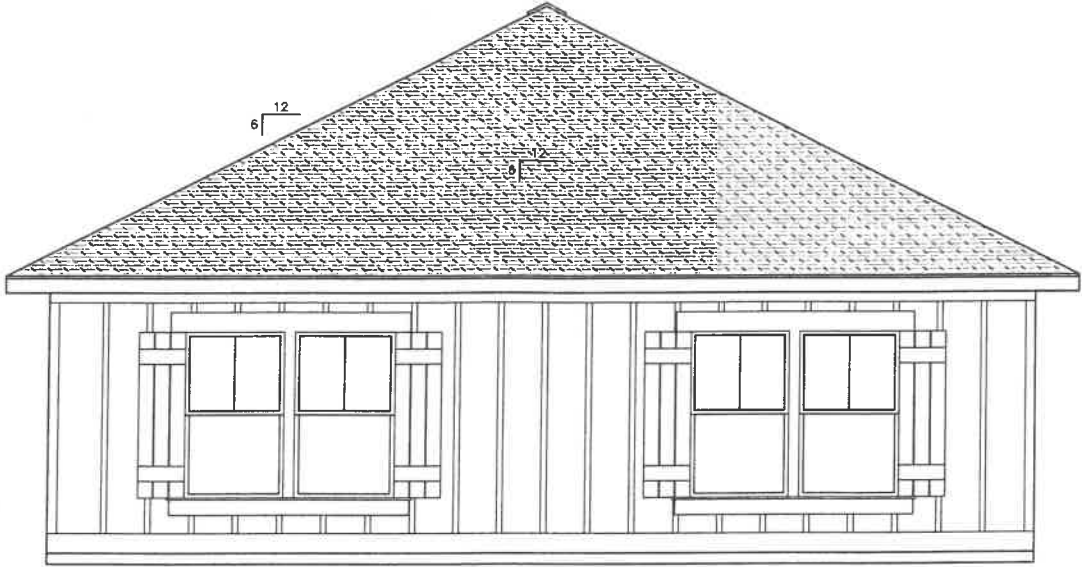
SCALE: 1/4"=1'-0"

received
9-1-22
Revised

* STRAIGHT LINE DRAFTING & DESIGN ASSUMES NO LIABILITY FOR ANY
CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

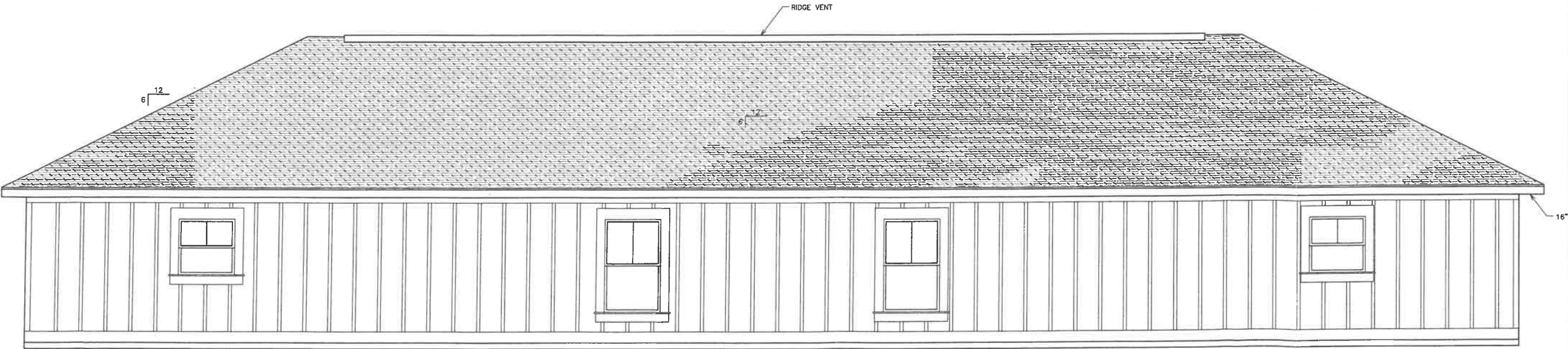
23

NOTE: ALL ANGLES ARE 45°
UNLESS OTHERWISE NOTED



FRONT ELEVATION VIEW

SCALE: 3/8"=1'-0"



RIGHT SIDE ELEVATION VIEW

SCALE: 3/8"=1'-0"

received
8-1-22
Revised

* STRAIGHT LINE DRAFTING & DESIGN ASSUMES NO LIABILITY FOR ANY
CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

WEST BEGONIA AVENUE
FOLEY, ALABAMA

FRONT & RIGHT SIDE
ELEVATION VIEWS

STRAIGHT LINE
DRAFTING & DESIGN
Residential | Civil | Land Planning
straightlinedesign.com | 204-370-3943

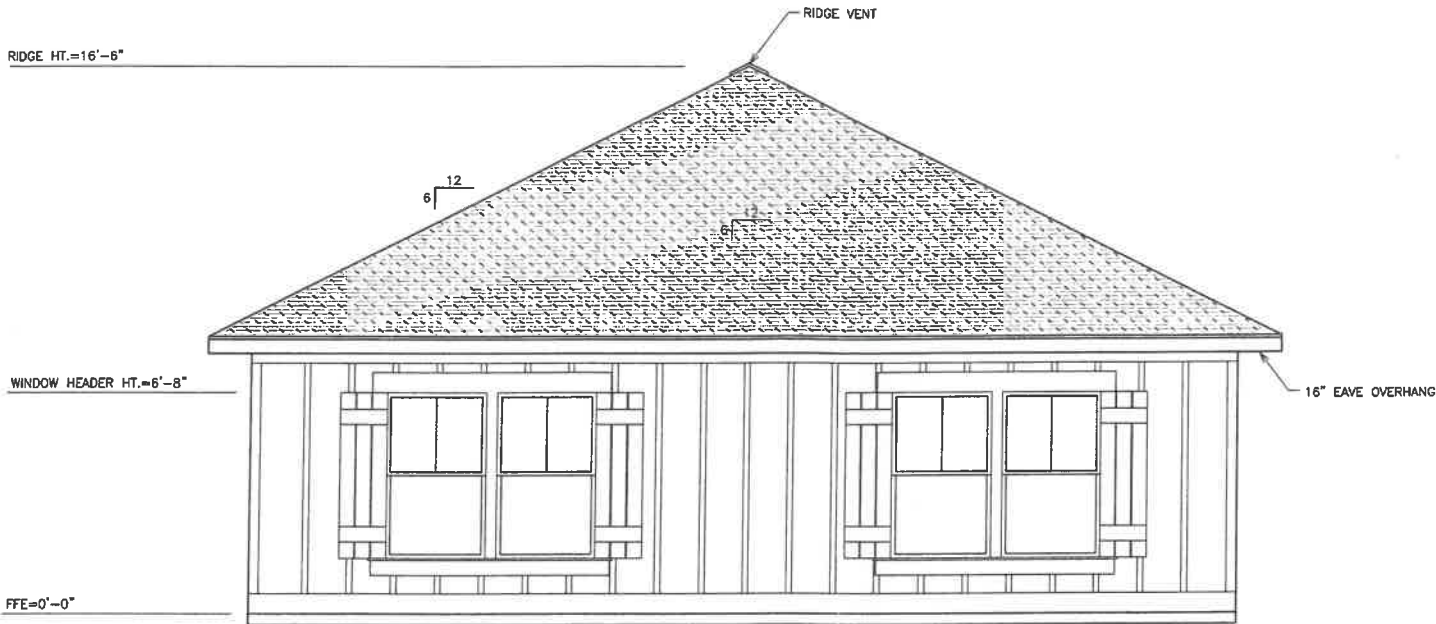


JULY, 2022	
REVISIONS	
DESCRIPTION	DATE
CHECKED	CHECKED

SHEET NUMBER
E-1
ELEVATION VIEW

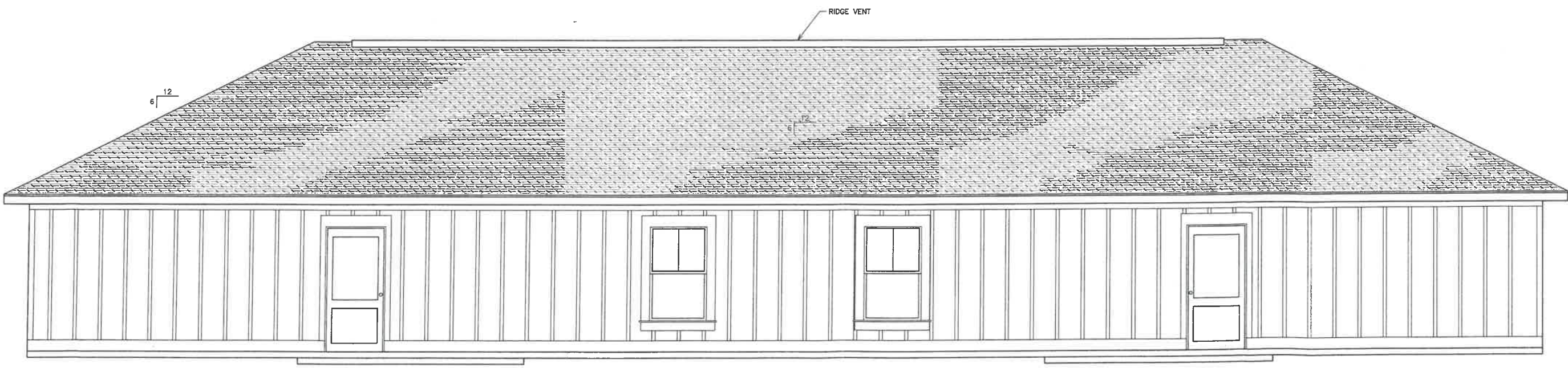
NOTE: ALL ANGLES ARE 45°
UNLESS OTHERWISE NOTED

24



REAR ELEVATION VIEW

SCALE: 3/8"=1'-0"



LEFT SIDE ELEVATION VIEW

SCALE: 3/8"=1'-0"

received
9-1-22 *il*
Revised

WEST BEGONIA AVENUE
FOLEY, ALABAMA

REAR & LEFT SIDE
ELEVATION VIEWS

STRAIGHT LINE
DRAFTING & DESIGN
Residential | Civil | Land Planning
Straightlinead.com | 204-378-3643



JULY, 2022	
REVISIONS	
DESCRIPTION	DATE
CHECKED	CHECKED

SHEET NUMBER
E-2
ELEVATION VIEW

* STRAIGHT LINE DRAFTING & DESIGN ASSUMES NO LIABILITY FOR ANY
CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

25

WEST BEGONIA AVENUE
FOLEY, ALABAMA

ELECTRICAL PLAN

STRAIGHT LINE
DRAFTING & DESIGN
Residential | Civil | Land Planning
StraightLineDesign.com | 251-378-3843



JULY, 2022

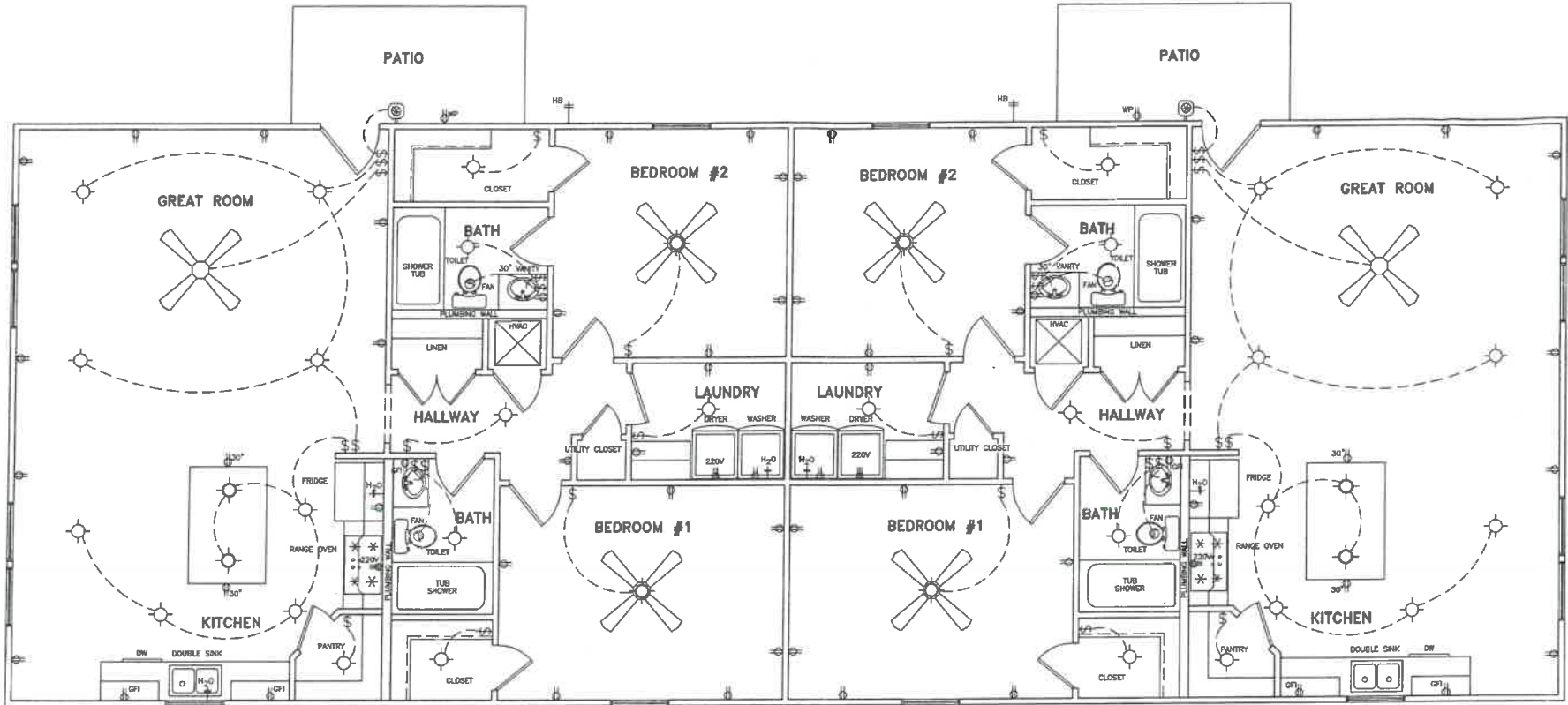
REVISIONS

DESCRIPTION	DATE
CHECKED	CHECKED

SHEET NUMBER

ELEC-1



























ELECTRICAL PLAN



ELECTRICAL PLAN

SCALE: 1/4"=1'-0"

ELECTRICAL LEGEND

3-WAY POWER SWITCHES		GAS STUBOUT	
POWER SWITCHES		PHONE	
DUPLEX OUTLET		CABLE OUTLET	
EXTERIOR WATERPROOF DUPLEX OUTLET		DOOR BELL CHIMES	
220V OUTLET		DOOR BELL	
GROUND FAULT DUPLEX OUTLET		CARBON MONOXIDE DETECTOR	
RECESSED LIGHTING		SMOKE DETECTOR	
VANITY LIGHT		AIR CONDITIONER DISCONNECT	
PENDANT FIXTURE		CEILING FAN WITH LIGHT	
EXHAUST FAN			
EXTERIOR GRADE FLOOD LIGHT			
EXTERIOR LANTERN TYPE LIGHT		CEILING FAN	
4" RECESSED EXTERIOR LED SOFFIT DOWN LIGHT			
WATER CONNECTION			
HOSE BIBB		SURFACE MOUNTED FLUORESCENT LIGHT FIXTURE	
			

ELECTRICAL NOTES:

1. ALL FIXTURE TYPES AND STYLES TO BE DETERMINED BY THE OWNER.
2. COORDINATE ALL SWITCH LOCATIONS AND REQUIREMENTS WITH OWNER PRIOR TO CONSTRUCTION.
3. DIMMER SWITCH LOCATIONS SHALL BE DETERMINED BY THE OWNER.
4. COORDINATE ALL PRE-WIRING WITH THE OWNER (TELEPHONE, CATV, INTERCOMS, ETC.)
5. SECURITY SYSTEM LOCATION TO BE DETERMINED BY THE OWNER.
6. GFCI RECEPTACLES SHALL BE USED WITHIN 6 FOOT OF SINKS.
7. ALL EXTERIOR RECEPTACLES ARE TO BE GFCI PROTECTED.
8. SEPERATE SWITCHES SHALL BE USED FOR THE FAN AND LIGHTS.
9. SMOKE DETECTORS SHALL BE HARD WIRED WITH BATTERY BACKUP AND INSTALLED AT LOCATIONS AS REQUIRED BY CODE.

received
9-22-22
Resident

* STRAIGHT LINE DRAFTING & DESIGN ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.



PLANNING COMMISSION JOINT STAFF REPORT: SEPTEMBER 2022

26

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Muscadine Place

REQUEST: Subdivision

OWNER / APPLICANT:
Lennar Homes of AL LLC /
Todd McCrory

ACREAGE: 38+/-

PIN#(s): 071878, 287794,
266101

LOCATION: NE Corner of CR
20 & Hickory Street

DESCRIPTION: 182 Lot
subdivision which matches
their approved site plan

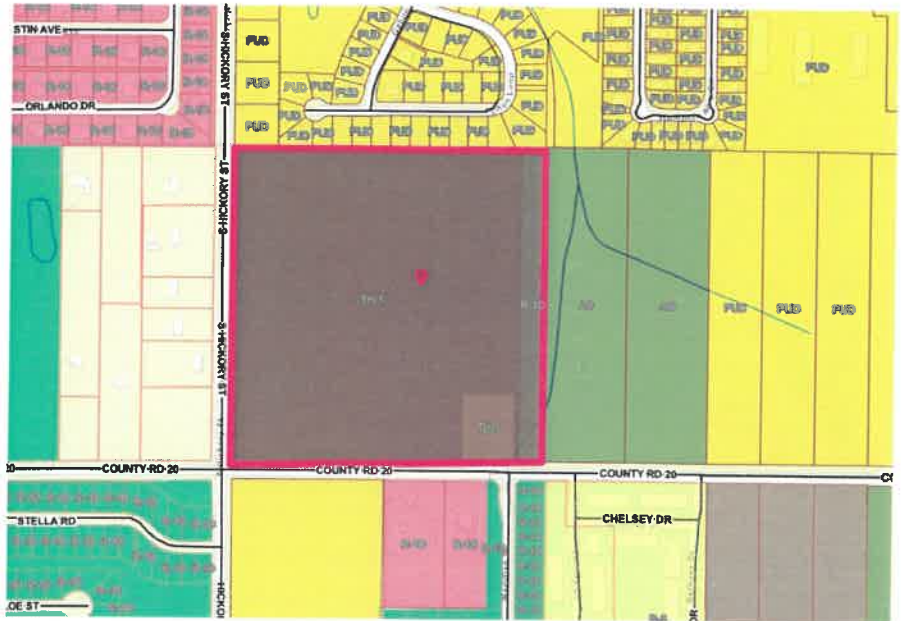
CURRENT ZONING:
TH1 - Residential Townhome

REQUESTED ZONING: NA

ADJACENT ZONING:
PUD - Planned Unit
Development, R1C -
Residential Single Family,
R1D - Residential Single
Family, AO - Agricultural
Open Space, R3 - Residential
Multi-Family & Unzoned BC
District 27

FUTURE LAND USE: NA

EXISTING LAND USE:
A single family residence



87

REQUIRED BUFFER: 70' Landscape Buffer along north boundary

PROPOSED BUFFER: 70' Landscape Buffer along north boundary

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE

DEED RECEIVED: YES / NO / NOT APPLICABLE

AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam - This subdivision layout matches the approved site plan for Muscadine Place. A pre-app meeting was held on September 21, 2021 & the rezoning was approved in December 2021.

ENGINEERING:

Chad - Recommendation letter and flow accumulator layer have been sent to CDD

ENVIRONMENTAL:

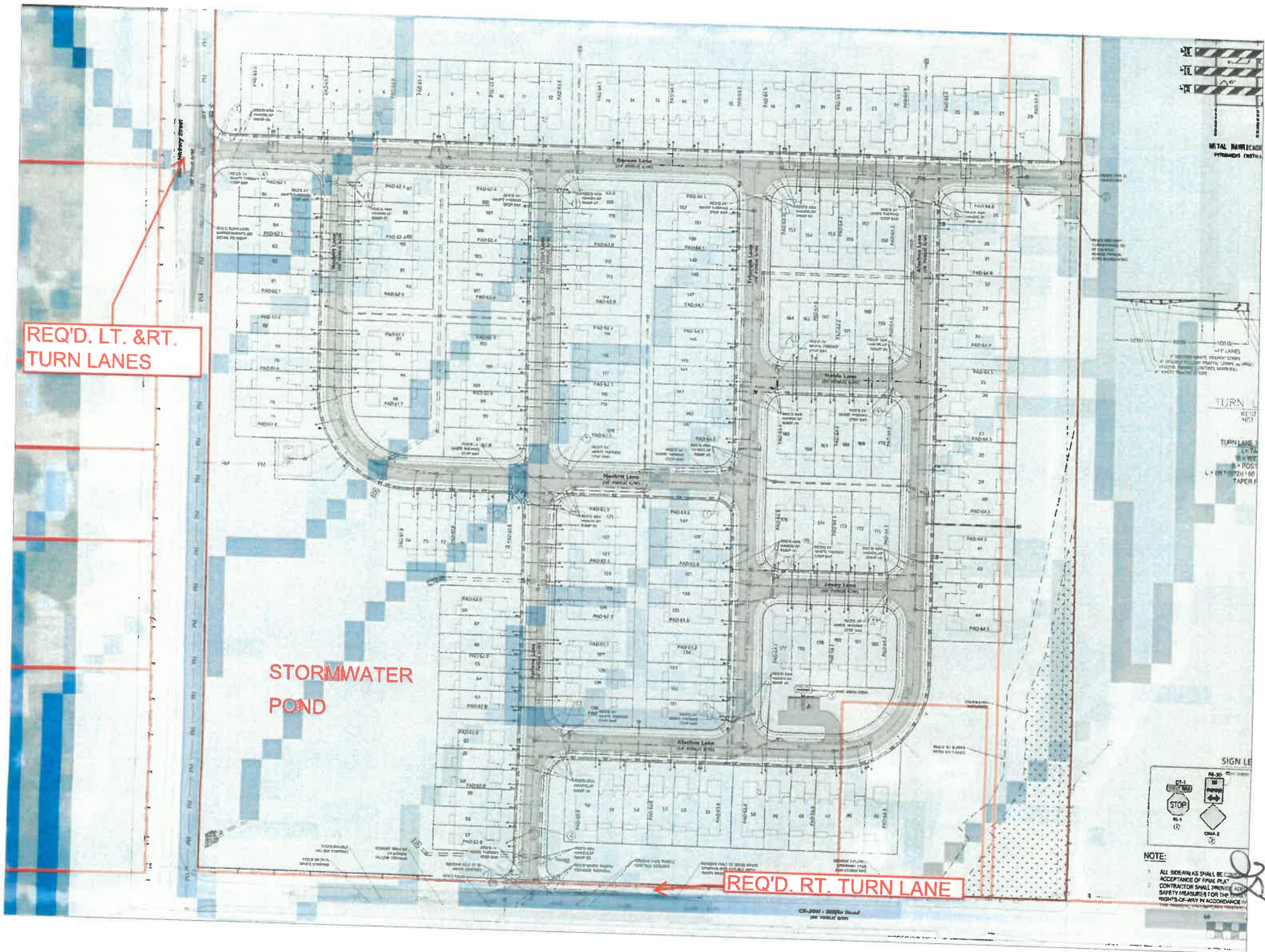
Angie - No issues identified

FIRE:

Brad - Fire has no issues

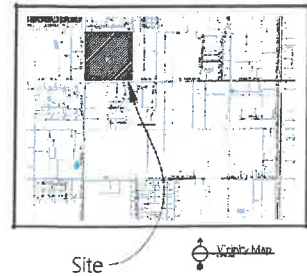
FLOODPLAIN ADMINISTRATOR:

Chuck - No issues identified





PRELIMINARY PLAT
MUSCADINE PLACE
A RESIDENTIAL SUBDIVISION
SECTION 5, TOWNSHIP 8 SOUTH, RANGE 4 EAST,
BALDWIN COUNTY, ALABAMA
August 2022



GENERAL NOTES:

1. THE LOCATION OF ALL UTILITIES, EXISTING AND PROPOSED, HAS BEEN DETERMINED BY THE SURVEYOR AND IS SHOWN ON THIS PLAT.
2. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.
3. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.
4. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.
5. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.
6. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

SURVEYOR'S NOTES:

1. ACTUAL BEARINGS AND NORTH ARROWS REFERENCED TO THE STATE OF ALABAMA.
2. FIELDWORK COMPLETE.
3. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.
4. THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

FLOOD CERTIFICATE:

THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, A LICENSED PROFESSIONAL ENGINEER, HAVE REVIEWED THE PLAT AND HAVE NO OBJECTION TO THE PLAT.

CERTIFICATE OF OWNERSHIP AND DEDICATION:

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY BALDWIN EMC (ELECTRIC):

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY TELEPHONE (AT&T):

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY E-911 ADDRESSING:

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY CITY ENGINEER:

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATION OF APPROVAL OF IMPROVEMENTS:

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

AFFIDAVIT OF REGISTERED PROFESSIONAL ENGINEER

I, THE SURVEYOR, A LICENSED PROFESSIONAL ENGINEER, HAVE REVIEWED THE PLAT AND HAVE NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY BALDWIN EMC (ELECTRIC):

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY TELEPHONE (AT&T):

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY E-911 ADDRESSING:

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

CERTIFICATE OF APPROVAL BY CITY ENGINEER:

THE SURVEYOR HAS BEEN ADVISED BY THE CITY ENGINEER THAT THE CITY ENGINEER HAS REVIEWED THE PLAT AND HAS NO OBJECTION TO THE PLAT.

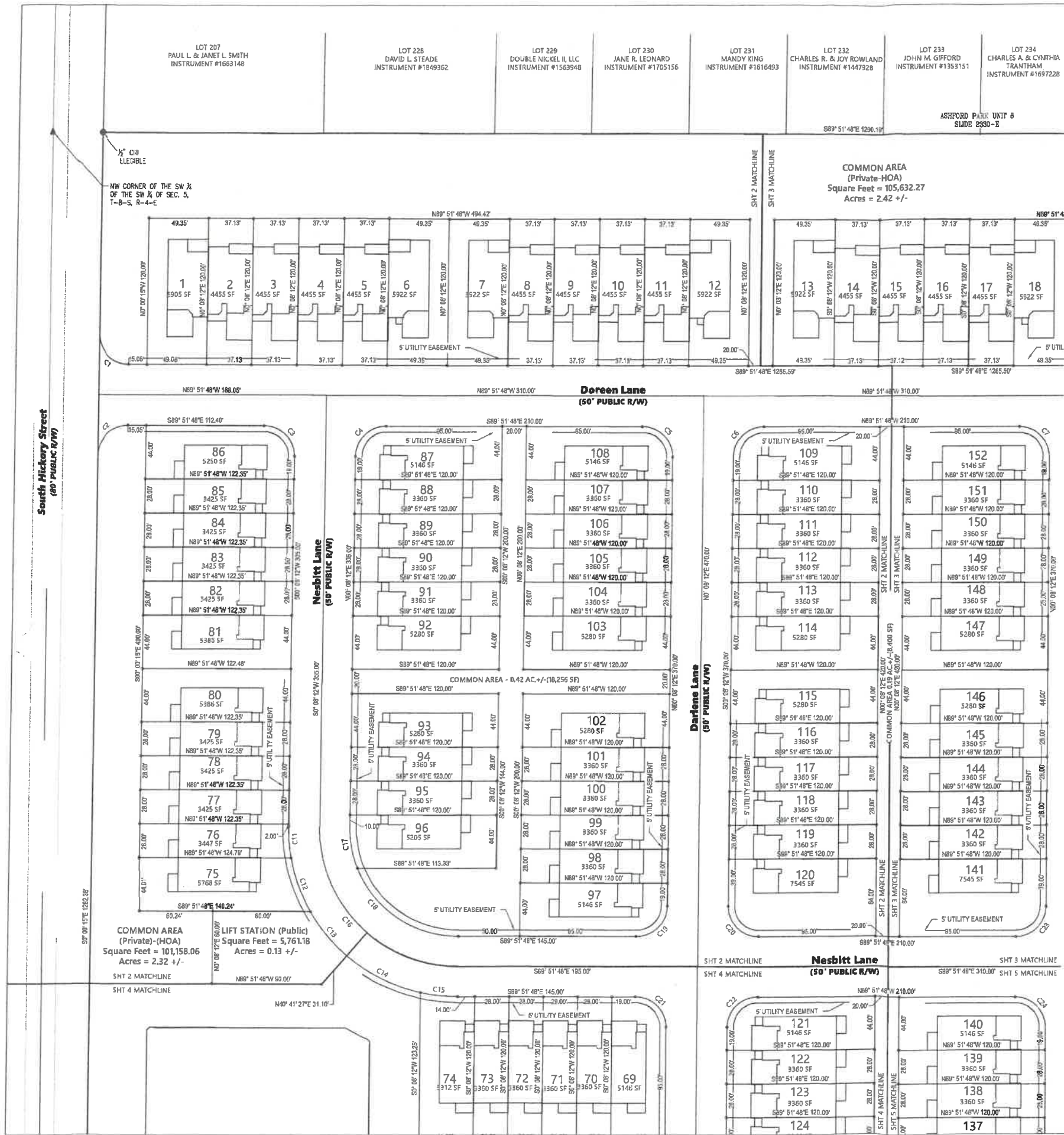
REVISIONS:

NO.	DATE	DESCRIPTION
1	08/03/22	PRELIMINARY PLAT

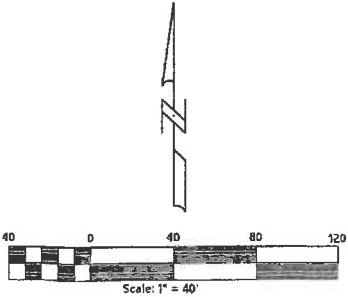
MULLINS, LLC
CIVIL ENGINEERING, DEVELOPMENT DESIGN
SURVEYING, LANDSCAPE ARCHITECTURE
210 West Clifton Avenue, Suite 302, Huntsville, AL 35893
(256) 690-5312

MUSCADINE PLACE SUBDIVISION
FOLEY, ALABAMA
PREPARED BY: BRELAND HOWLIS COASTAL, LLC

OVERALL
DATE: 2/1/2022
DRAWN BY: ERM
CHECKED BY: JWM
SHEET NUMBER
1 of 5



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	39.21	25.00	89° 51' 54"	S44° 56' 02"E	35.31
C2	39.33	25.00	90° 08' 25"	S45° 03' 58"W	35.40
C3	39.27	25.00	50° 00' 00"	N44° 51' 48"W	35.36
C4	39.27	25.00	90° 00' 00"	S45° 08' 12"W	35.36
C5	39.27	25.00	50° 00' 00"	N44° 51' 48"W	35.36
C6	39.27	25.00	90° 00' 00"	S45° 08' 12"W	35.36
C7	39.27	25.00	50° 00' 00"	N44° 51' 48"W	35.36
C8	26.15	40.00	10° 42' 31"	S55° 12' 53"E	26.11
C12	47.15	40.00	5° 17' 50"	S20° 12' 53"E	46.93
C13	47.51	40.00	10° 28' 45"	S39° 55' 11"E	47.29
C14	68.86	40.00	28° 10' 50"	S63° 23' 58"E	62.17
C15	30.23	40.00	12° 22' 25"	S61° 40' 48"E	30.18
C16	160.54	115.00	90° 00' 00"	S44° 51' 48"E	160.63
C17	54.87	93.00	72° 1' 46"	N2° 31' 41"W	54.64
C18	105.51	93.00	6° 48' 14"	S55° 17' 41"E	103.40
C19	59.21	75.00	40° 00' 00"	N44° 51' 48"E	55.56
C20	59.21	75.00	40° 00' 00"	S44° 51' 48"E	55.56
C21	59.27	25.00	90° 00' 00"	N44° 51' 48"W	55.36
C22	59.27	25.00	90° 00' 00"	S45° 08' 12"W	55.36
C23	59.27	25.00	90° 00' 00"	N45° 08' 12"E	55.36
C24	59.27	25.00	90° 00' 00"	N44° 51' 48"W	55.36



REVISIONS:
Date: 09/27/22
By: [Signature]
Description: [Text]
Date: [Text]
By: [Text]
Description: [Text]
Date: [Text]
By: [Text]
Description: [Text]
Date: [Text]
By: [Text]
Description: [Text]

MULLINS, LLC
CIVIL ENGINEERING, DEVELOPMENT DESIGN
SURVEYING, LANDSCAPE ARCHITECTURE
210 West Crenshaw Avenue, Suite 302, Fultondale, AL 35055
(256) 690-5312

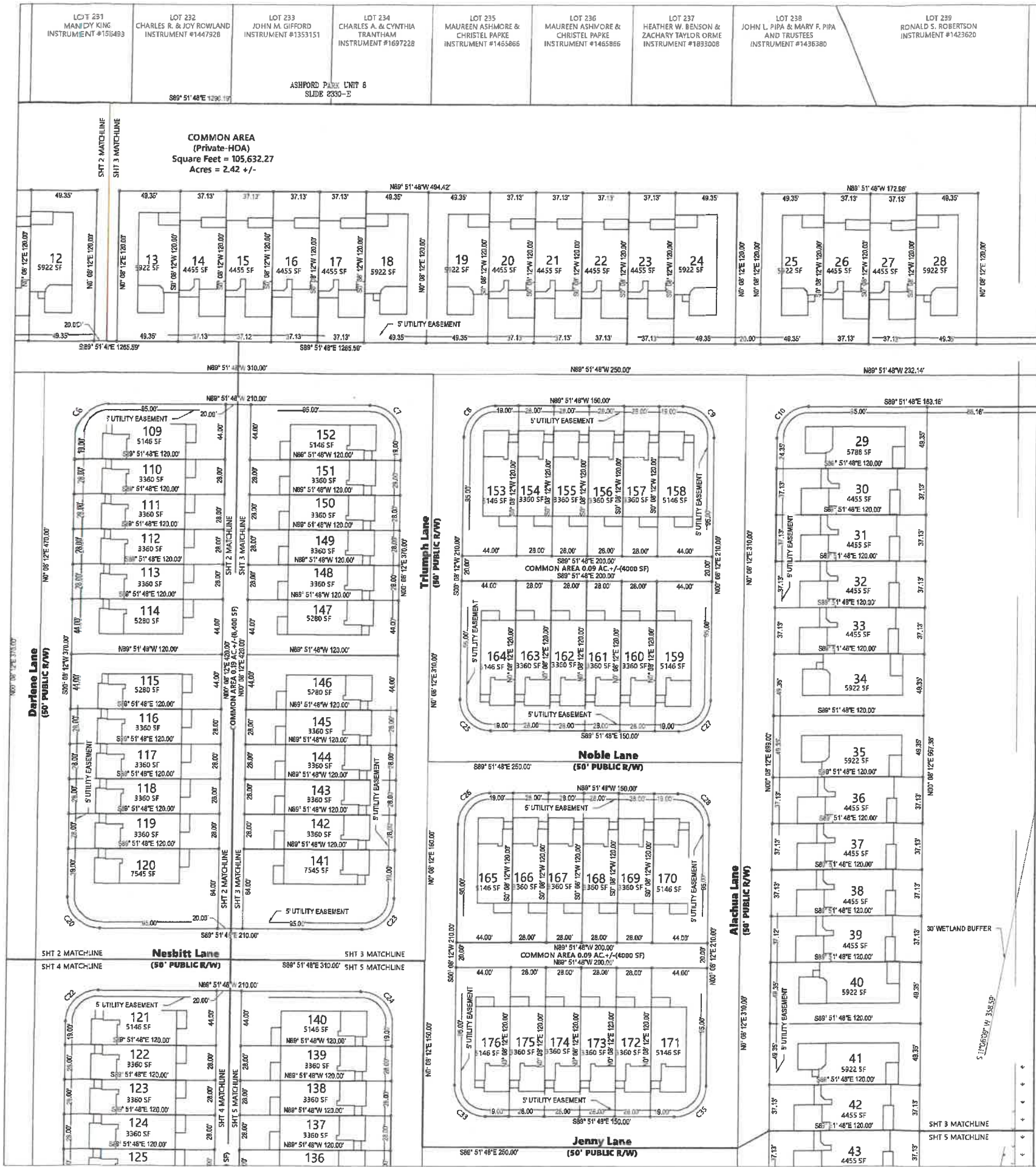
MUSCADINE PLACE SUBDIVISION
FOLEY, ALABAMA

PREPARED FOR: BRELAND HOMES COASTAL, LLC

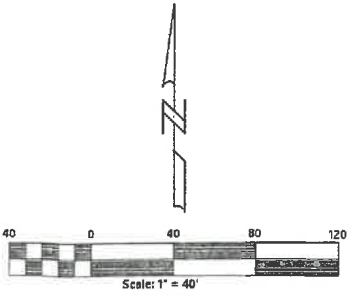
PRELIM

DATE: 09/27/22
DRAWN BY: ETM
CHECKED BY: JMM

SHEET NUMBER
2 of 5



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C6	39.27	25.00	90° 00' 00"	S43° 08' 12"W	35.36
C7	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C8	39.27	25.00	90° 00' 00"	S43° 08' 12"W	35.36
C9	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C10	39.27	25.00	90° 00' 00"	S43° 08' 12"W	35.36
C20	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C22	39.27	25.00	90° 00' 00"	S43° 08' 12"W	35.36
C23	39.27	25.00	90° 00' 00"	N43° 08' 12"E	35.36
C24	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C25	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C26	39.27	25.00	90° 00' 00"	S43° 08' 12"W	35.36
C27	39.27	25.00	90° 00' 00"	N43° 08' 12"E	35.36
C28	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C33	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C35	39.27	25.00	90° 00' 00"	N43° 08' 12"E	35.36



31

REVISIONS

ALL documents, including Drawings and Bid Specifications, prepared or furnished by Firms listed on this page, are instruments of service in respect of the client and firm. Firms are to be held responsible for the accuracy of the information provided and the results of the project. Firms are to be held responsible for the accuracy of the information provided and the results of the project. Firms are to be held responsible for the accuracy of the information provided and the results of the project.

MULLINS, LLC

CIVIL ENGINEERING, DEVELOPMENT DESIGN, SURVEYING, LANDSCAPE ARCHITECTURE

210 West Clinton Avenue, Suite 302, Huntsville, AL 35801

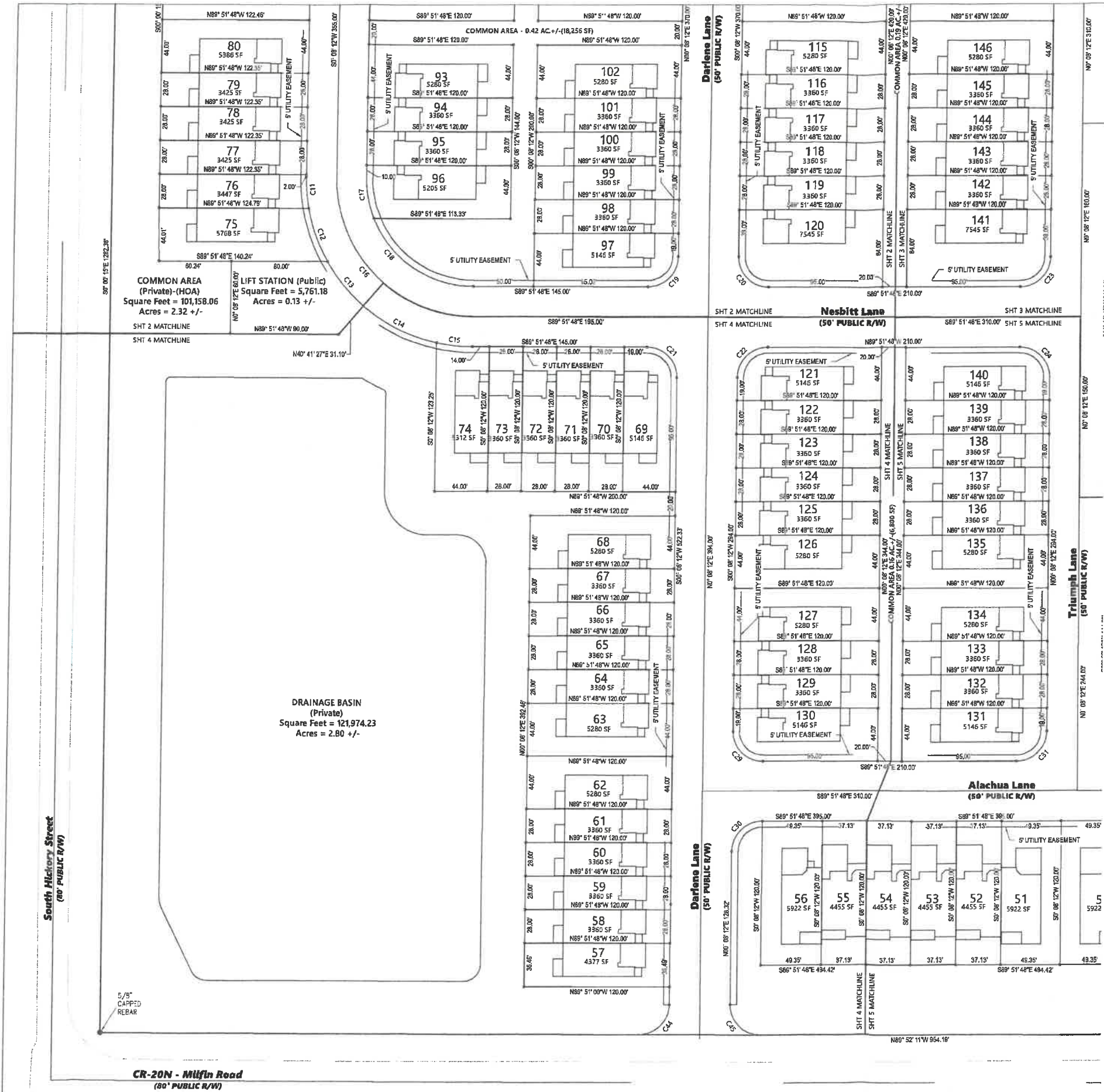
(256) 690-5312

MUSCADINE PLACE SUBDIVISION
FOLEY, ALABAMA

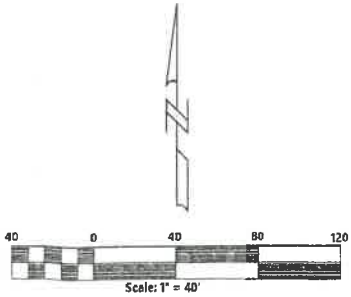
PRE PLAT

AS BLD: 21-14P
DATE: 09/12/2022
PROJECT: ETM
DRAWN BY: MM

SHEET NUMBER
3 of 5



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C11	26.15	140.00	10° 42' 10"	S5° 12' 53"E	26.11
C12	47.15	140.00	16° 17' 50"	S20° 12' 53"E	46.93
C13	47.51	140.00	19° 26' 45"	S39° 35' 1"E	47.29
C14	68.66	140.00	28° 10' 50"	S63° 23' 58"E	68.17
C15	30.23	140.00	12° 22' 25"	S85° 40' 36"E	30.18
C16	180.64	15.00	90° 00' 00"	S44° 51' 48"E	162.63
C17	34.87	90.00	22° 11' 46"	N10° 57' 41"W	34.43
C18	106.51	90.00	67° 45' 14"	S53° 57' 41"E	100.40
C19	39.27	25.00	90° 00' 00"	N45° 08' 12"E	35.36
C20	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C21	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C22	39.27	25.00	90° 00' 00"	S45° 08' 12"W	35.36
C23	39.27	25.00	90° 00' 00"	N45° 08' 12"E	35.36
C24	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C25	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C26	39.27	25.00	90° 00' 00"	S45° 08' 12"W	35.36
C27	39.27	25.00	90° 00' 00"	N45° 08' 12"E	35.36
C28	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C29	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C30	39.27	25.00	90° 00' 00"	S45° 08' 12"W	35.36
C31	39.27	25.00	90° 00' 00"	N45° 08' 12"E	35.36
C32	39.27	25.00	90° 00' 00"	N44° 51' 48"W	35.36
C33	39.27	25.00	90° 00' 00"	S44° 51' 48"E	35.36
C34	39.27	25.00	90° 00' 00"	S45° 08' 12"W	35.36
C35	39.27	25.00	90° 00' 00"	N45° 08' 12"E	35.36



33

REVISIONS

Date	By	Description
09/03/22		

All documents, including Drawings and Bid Specifications, prepared or furnished by Mullins, LLC, are the property of Mullins, LLC. They are to be used only for the project and site for which they were prepared. They are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Mullins, LLC. The user agrees to indemnify and hold Mullins, LLC harmless from and against all claims, damages, and expenses, including reasonable attorneys' fees, arising out of or from the use of these documents for any purpose other than that for which they were prepared.

MULLINS, LLC
CIVIL ENGINEERING, DEVELOPMENT DESIGN
SURVEYING, LANDSCAPE ARCHITECTURE
210 West Clifton Avenue, Suite 303, Huntsville, AL 35895
(256) 690-5312

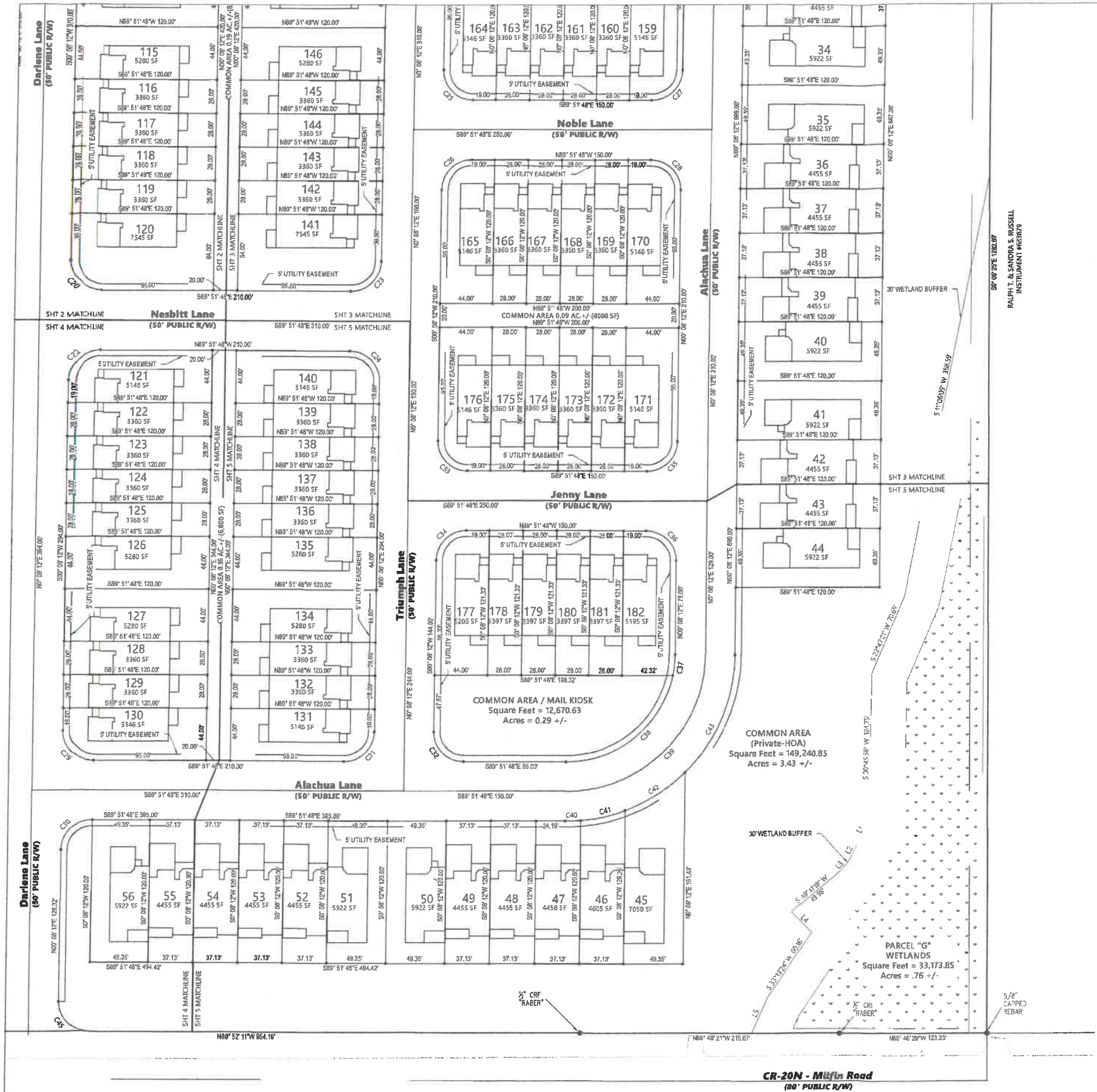
MUSCADINE PLACE SUBDIVISION
FOLEY, ALABAMA

PRELIMINARY: BRELAND HOMES COASTAL, LLC

PRE PLAT

As Shown: 2/1/24
Date: 7/10/2024
Project: ETLA
Contract: N/A

SHEET NUMBER
4 of 5



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C20	39.27	75.00	90° 00' 00"	S44° 51' 48"E	55.36
C21	39.27	75.00	90° 00' 00"	S45° 08' 27"W	55.36
C22	39.27	75.00	90° 00' 00"	N45° 08' 27"E	55.36
C23	39.27	75.00	90° 00' 00"	N44° 51' 48"W	55.36
C24	39.27	75.00	90° 00' 00"	S44° 51' 48"E	55.36
C25	39.27	25.00	90° 00' 00"	S73° 03' 22"W	55.36
C26	39.27	25.00	90° 00' 00"	S73° 03' 22"W	55.36
C27	39.27	25.00	90° 00' 00"	N45° 08' 27"E	55.36
C28	39.27	25.00	90° 00' 00"	N44° 51' 48"W	55.36
C29	39.27	25.00	90° 00' 00"	S73° 03' 22"E	55.36
C30	39.27	25.00	90° 00' 00"	S45° 08' 27"W	55.36
C31	39.27	25.00	90° 00' 00"	N45° 08' 27"E	55.36
C32	39.27	25.00	90° 00' 00"	S44° 51' 48"E	55.36
C33	39.27	25.00	90° 00' 00"	S44° 51' 48"E	55.36
C34	39.27	25.00	90° 00' 00"	S45° 08' 27"W	55.36
C35	39.27	25.00	90° 00' 00"	N45° 08' 27"E	55.36
C36	39.27	25.00	90° 00' 00"	N44° 51' 48"W	55.36
C37	17.44	99.00	1° 06' 15"	N5° 41' 19"E	17.42
C38	125.99	99.00	78° 52' 45"	N50° 41' 19"E	114.27
C39	180.64	15.00	90° 00' 00"	N45° 08' 27"E	162.63
C40	12.95	140.00	5° 18' 08"	N87° 29' 07"E	12.95
C41	38.24	140.00	5° 39' 00"	N77° 00' 33"E	38.72
C42	59.36	140.00	24° 17' 33"	N57° 02' 17"E	58.97
C43	105.36	140.00	44° 45' 19"	N22° 40' 51"E	106.60
C45	39.27	25.00	90° 00' 24"	S44° 52' 00"E	55.36

Line Table		
Line #	Length	Direction
L1	18.93'	S 28° 22' 57" W
L2	19.58'	S 28° 23' 24" W
L3	1' .84"	S 48° 15' 35" W
L4	24.38'	S 43° 22' 25" E
L5	33.90'	S 23° 39' 21" W

REVISIONS		
No.	Description	Date
1	Issue for Review	09/03/22
2	Issue for Review	09/03/22
3	Issue for Review	09/03/22
4	Issue for Review	09/03/22
5	Issue for Review	09/03/22
6	Issue for Review	09/03/22
7	Issue for Review	09/03/22
8	Issue for Review	09/03/22
9	Issue for Review	09/03/22
10	Issue for Review	09/03/22

All documents, including Drawings and Bid Specifications, prepared or furnished by Firms listed on back, are instruments of service in respect of the client and firm. Firms on back shall retain ownership and control of the project. Firms on back shall not be held responsible for any errors or omissions in the project or any other project. Any use without written verification by Firms listed on back will be held liable on file to further complete and at risk to be agreed upon by Firms listed on back and the Client.

MULLINS, LLC
CIVIL ENGINEERING, DEVELOPMENT DESIGN
SURVEYING, LANDSCAPE ARCHITECTURE
210 West Clinton Avenue, Suite 502, Huntsville, AL 35895
(256) 690-5312

MUSCADINE PLACE SUBDIVISION
FOLEY, ALABAMA

PRE PLAT

Scale: 21"=1" 40'
Date: 09/03/2022
Checked: ETM
Drawn: JWM

SHEET NUMBER
5 of 5

PREPARED BY: BRELAND HOMES COASTAL, LLC



PLANNING COMMISSION JOINT STAFF REPORT: September 2022

34

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: River Oaks Phase III

REQUEST: Subdivision of property

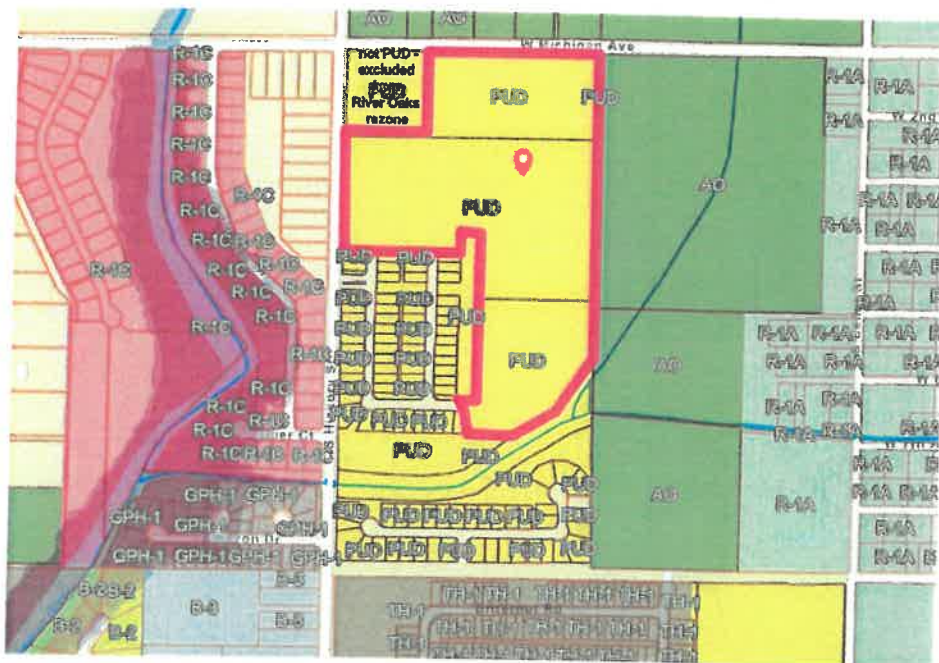
OWNER / APPLICANT:
River Oaks Development
LLC / Jade Consulting

ACREAGE: 16.74

PIN#(s): 237510,
231324, 382055

LOCATION: South of
Michigan Ave, east of
Hickory Street

DESCRIPTION: Request
for 68 lot subdivision - final
phase of River Oaks PUD



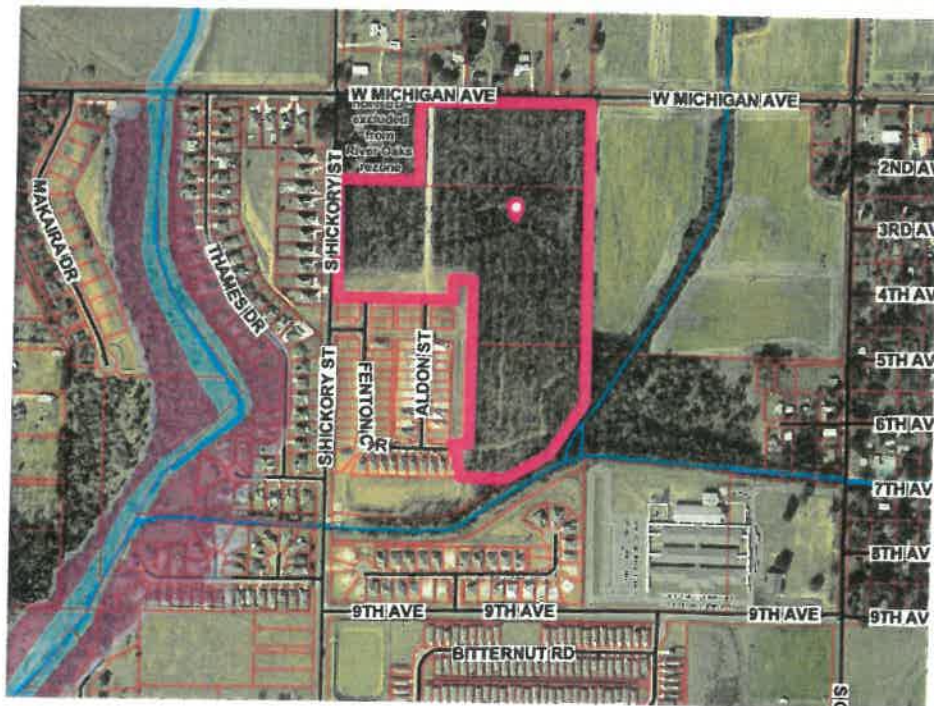
CURRENT ZONING:
PUD - Planned Unit
Development

REQUESTED ZONING:
NA

ADJACENT ZONING:
AO - Agricultural Open
Space & Unzoned BC
District 27

FUTURE LAND USE:
RM - Residential Medium
Density (4-7 Units per acre)

EXISTING LAND USE:
Vacant, last phase of
subdivision



35

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam - This is the last phase of River Oaks PUD. The PUD was approved for 269 lots, this phase will bring the total of lots built to 266. The PUD was approved for 50' lots. The 162 lots already built are 50' lots so this is in keeping with the overall subdivision. This phase is the last 68 - 50' lots.

A pre-app meeting with staff was held on May 31, 2022

ENGINEERING:

Chad - Recommendation letter and flow accumulator layer have been sent to CDD

ENVIRONMENTAL:

Angie - No issues identified

FIRE:

Brad - Fire is ok

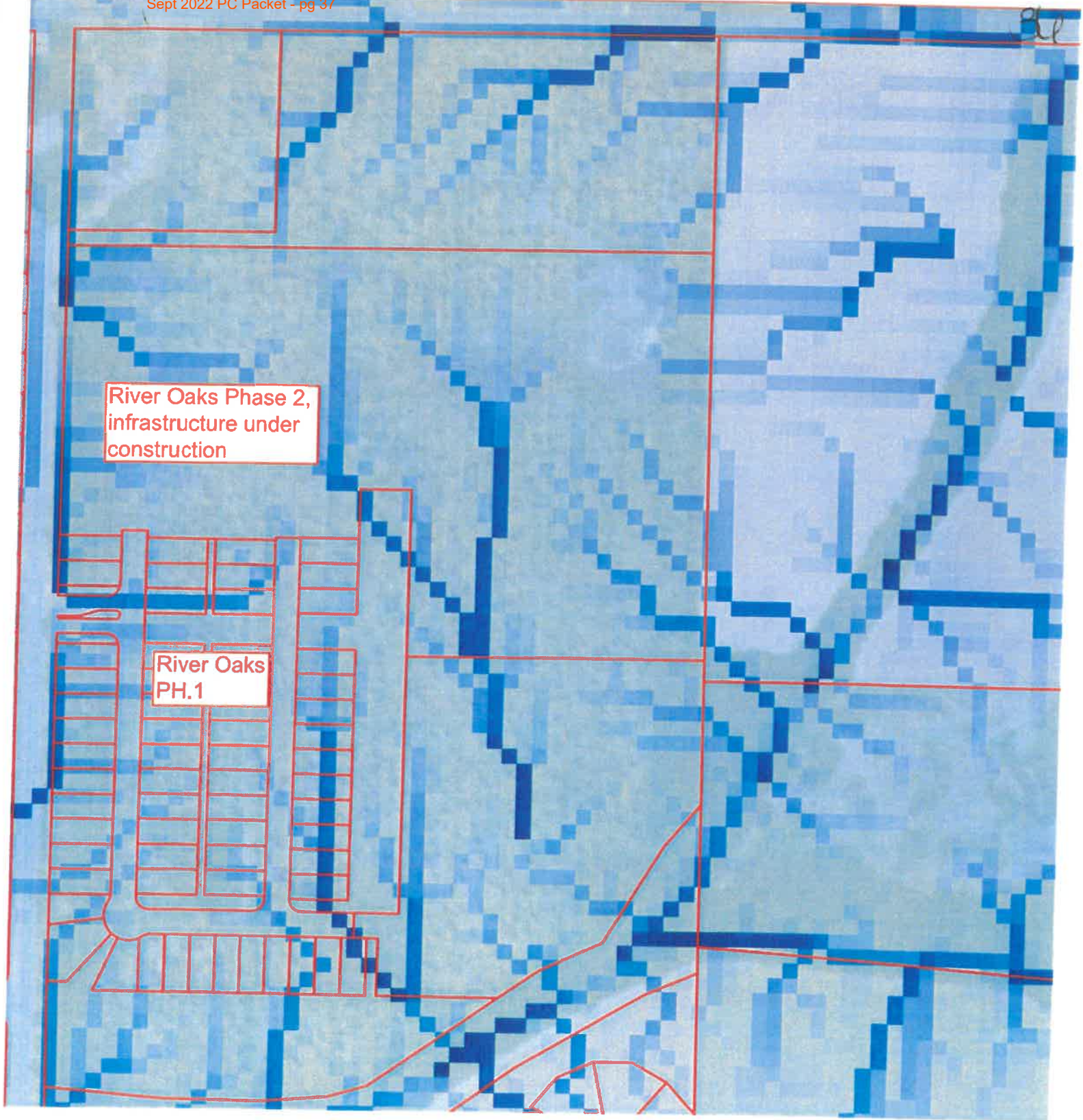
FLOODPLAIN ADMINISTRATOR:

Chuck - No issues identified

37

River Oaks Phase 2,
infrastructure under
construction

River Oaks
PH.1



AREA DATA		
LOT 199	6,000 SF	0.138 AC
LOT 200	6,000 SF	0.138 AC
LOT 201	6,000 SF	0.138 AC
LOT 202	6,000 SF	0.138 AC
LOT 203	5,750 SF	0.132 AC
LOT 204	5,750 SF	0.132 AC
LOT 205	5,750 SF	0.132 AC
LOT 206	5,750 SF	0.132 AC
LOT 207	5,750 SF	0.132 AC
LOT 208	5,750 SF	0.132 AC
LOT 209	5,750 SF	0.132 AC
LOT 210	5,750 SF	0.132 AC
LOT 211	5,750 SF	0.132 AC
LOT 212	5,750 SF	0.132 AC
LOT 213	5,750 SF	0.132 AC
LOT 214	5,750 SF	0.132 AC
LOT 215	5,750 SF	0.132 AC
LOT 216	5,750 SF	0.132 AC
LOT 217	5,750 SF	0.132 AC
LOT 218	5,750 SF	0.132 AC
LOT 219	5,750 SF	0.132 AC
LOT 220	5,750 SF	0.132 AC
LOT 221	6,900 SF	0.158 AC
LOT 222	5,932 SF	0.138 AC
LOT 223	7,141 SF	0.164 AC
LOT 224	8,988 SF	0.229 AC
LOT 225	7,057 SF	0.162 AC
LOT 226	5,770 SF	0.133 AC
LOT 227	5,856 SF	0.134 AC
LOT 228	5,856 SF	0.134 AC
LOT 229	5,857 SF	0.135 AC
LOT 230	5,858 SF	0.135 AC
LOT 231	5,858 SF	0.135 AC
LOT 232	5,859 SF	0.135 AC
LOT 233	5,859 SF	0.135 AC
LOT 234	5,860 SF	0.135 AC
LOT 235	5,860 SF	0.135 AC

AREA DATA		
LOT 236	5,961 SF	0.135 AC
LOT 237	5,961 SF	0.135 AC
LOT 238	5,962 SF	0.135 AC
LOT 239	5,963 SF	0.135 AC
LOT 240	5,963 SF	0.135 AC
LOT 241	5,964 SF	0.135 AC
LOT 242	5,964 SF	0.135 AC
LOT 243	5,965 SF	0.135 AC
LOT 244	5,971 SF	0.135 AC
LOT 245	7,727 SF	0.177 AC
LOT 246	12,874 SF	0.291 AC
LOT 247	7,148 SF	0.164 AC
LOT 248	6,526 SF	0.150 AC
LOT 249	6,250 SF	0.144 AC
LOT 250	6,250 SF	0.144 AC
LOT 251	6,250 SF	0.144 AC
LOT 252	6,250 SF	0.144 AC
LOT 253	6,250 SF	0.144 AC
LOT 254	6,250 SF	0.144 AC
LOT 255	6,250 SF	0.144 AC
LOT 256	6,250 SF	0.144 AC
LOT 257	6,514 SF	0.150 AC
LOT 258	6,578 SF	0.200 AC
LOT 259	6,078 SF	0.138 AC
LOT 260	6,078 SF	0.138 AC
LOT 261	6,888 SF	0.153 AC
LOT 262	6,739 SF	0.152 AC
LOT 263	6,750 SF	0.152 AC
LOT 264	6,000 SF	0.138 AC
LOT 265	6,000 SF	0.138 AC
LOT 266	6,000 SF	0.138 AC
C.A. 20	20,823 SF	0.478 AC
C.A. 21	6,872 SF	0.153 AC
C.A. 22	11,482 SF	0.264 AC
C.A. 23	142,578 SF	3.278 AC
C.A. 24	2,167 SF	0.050 AC

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES – WATER & SEWER:

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITH PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES – ELECTRICAL:

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITH PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CENTURYLINK:

THE UNDERSIGNED, AS AUTHORIZED BY CENTURYLINK, HEREBY APPROVES THE WITH PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY 911:

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY 911, HEREBY APPROVES THE WITH PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

NOTES:

- LOTS 246-256 SHALL NOT HAVE DIRECT ACCESS TO BALDWIN COUNTY HIGHWAY NO. 26 (AKA WEST MICHIGAN AVENUE).
- TEMPORARY ACCESS, UTILITY & DRAINAGE EASEMENT TEAM AS SHOWN ON THE PLAT OF RIVER OAKS – PHASE 2 IS VACATED WITH RIVER OAKS – PHASE THREE.
- FOR THE LOCATION OF ALL UTILITIES, SEE CONSTRUCTION PLANS.
- STORM WATER DETENTION AREAS ARE NOT THE RESPONSIBILITY OF BALDWIN COUNTY OR THE CITY OF FOLEY TO MAINTAIN.
- THERE IS DEDICATED HEREWITH A 15 FOOT UTILITY EASEMENT ON FRONT AND REAR OF ALL LOTS AND A 5 FOOT UTILITY EASEMENT ALONG ALL SIDE LINES OF ALL LOTS.
- CAPPED REBARS (WATTIERS) HAVE BEEN SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

FLOOD CERTIFICATE:
THE PROPERTY DESCRIBED HEREON IS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NO. 07003C0814 M, DATED 04/19/2018, AND IS SHOWN TO BE IN FLOOD ZONE "X-UNSHADED".

SITE DATA
CURRENT ZONING: PUD
LINEAR FEET OF STREETS: 2,178 LF
NUMBER OF LOTS: 68
SMALLEST LOT SIZE: 5,750 SF
AVERAGE LOT SIZE: 6,237 SF
COMMON AREAS: 183,823 SF
TOTAL AREA: 729,345 SF

LOT UTILITY EASEMENTS
FRONT & REAR: 15'
SIDE: 10' (5' EACH SIDE)

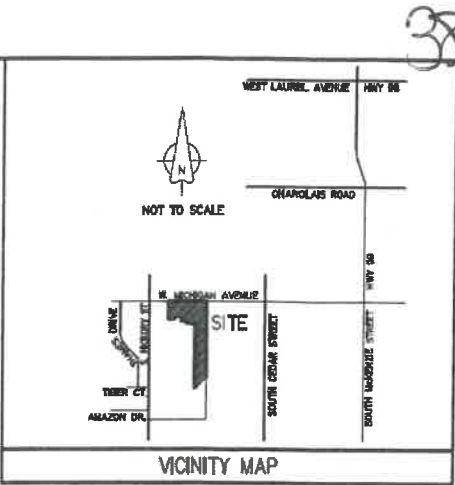
REQUIRED SETBACKS
FRONT: 15' (20' GARAGE)
REAR: 20'
SIDE: 5'
SIDE STREET: 15'

UTILITIES
WATER, SEWER, GAS & ELECTRIC SERVICE:
RIVERA UTILITIES – (251) 943-9001
413 E. LAUREL AVE, FOLEY, AL 36536

ENGINEER:
JADE CONSULTING, LLC
P.O. BOX 1929
FARMINGDALE, AL 36533
251-928-3443

SURVEYOR:
WATTIER SURVEYING, INC.
4318 DOWNTOWNER LOOP N, STE H
MOBILE, AL 36608
251-342-2640

DEVELOPER/OWNER:
RIVER OAKS DEVELOPMENT, LLC,
DOING BUSINESS IN ALABAMA AS
RIVER OAKS COMMUNITY, LLC
337 HIGHWAY 21, SUITE D
MADISONVILLE, LA 70447
985-351-4814



CERTIFICATION OF OWNERSHIP AND DEDICATION

THIS IS TO CERTIFY THAT RIVER OAKS DEVELOPMENT, LLC, DOING BUSINESS IN ALABAMA AS RIVER OAKS COMMUNITY, LLC, IS THE OWNER OF THE LAND SHOWN AND DESCRIBED HEREON, AND THAT THE SAME HAS CAUSED SAID LAND TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED, AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE, AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS _____ DAY OF _____, 20____.

OWNER

CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, HEREBY CERTIFY THAT RYAN POWER, WHOSE NAME AS MANAGER OF RIVER OAKS DEVELOPMENT, LLC, DOING BUSINESS IN ALABAMA AS RIVER OAKS COMMUNITY, LLC, IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY, THAT BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, AND AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF RIVER OAKS, PHASE 3, FOLEY, ALABAMA IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING AND ZONING COMMISSION, THIS THE _____ DAY OF _____, 20____.

CHAIRMAN, PLANNING COMMISSION

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER

THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20____.

CITY ENGINEER

RIVER OAKS, PHASE 3
PLAT OF SUBDIVISION
SHEET 2 OF 2

JUNE 24, 2022

WATTIER SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
4318 DOWNTOWNER LOOP N, STE H
MOBILE, ALABAMA 36608
251-342-2640





DENSITY COMPATIBILITY ANALYSIS:**Keystone Development Density - 1.47****Plantation at Magnolia River - 1.38****Briarwood - 1.68**

*Please note density comparisons are based on total acreage. Plantation at Magnolia River lots include wetlands as well as the Magnolia River. Keystone is proposing to build outside of these boundaries. The density using buildable area is 3.14 which is still within the Future Lane Use parameters.

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE**DEED RECEIVED: YES / NO / NOT APPLICABLE****AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE****ZONING:****Miriam -**

- This property was annexed into the City in November 2021.
- Pre-app meeting with staff on April 20, 2022.
- The applicant came to a PC work session on 6/8/22 to discuss the PUD.
- Based on work session comments, the applicant applied for initial zoning for the May 18, 2022 meeting. Due to these work session comments, the applicant requested to carry the item over.
- The County vacated the right-of-way running north/south through the property on April 19, 2022
- The City annexed the vacated right-of-way in May 2022.
- A Traffic Analysis was submitted.
- A Wetland Delineation was submitted.
- Pre-app meeting with staff on August 16, 2022.

CHANGES FROM MAY DESIGN:**Lots reduced from 200 to 179****Lot sizes increased from 52' & 75' to 62' x 125' & 75' x 125'****DEVELOPMENT DETAILS:****Zoning Common Area 60.9% / 74.20 acres****Usable Open Space 15.3% / 18.60 acres**

Applicant noted they will be applying for a conservation easement which precludes the Environmental requirement of 15% centralized open space.

Applicant is proposing the stub out road in Plantation at Magnolia River be connected & not gated with walking & biking ability as requested by the Plantation HOA.

ENGINEERING:

Chad - Engineering is not opposed to the concept. Approval of the PUD by PC does not mean the site meets LDP requirements - lot numbers may need to be adjusted to meet regulations.

ENVIRONMENTAL:

Angie-Prior to council action, a letter of commitment or intent from the land trust will be needed. We will need to ensure greenway access to the lake common area meets the 60-foot width requirement. The 4-foot-height fence requirement for lots adjacent to the lake will need to be written in the covenants.

41

FIRE:

Brad - Fire is ok

FLOODPLAIN ADMINISTRATOR:

Chuck - Documentation of preservation of special flood hazard area (SFHA) needed for Community Rating System (CRS)/flood ordinance. OK with concept

42

Introduction/Summary

This narrative is provided in support of the proposed Keystone Subdivision single-family project pursuant to City of Foley Zoning Ordinance May 2022 and Land Development Ordinance 22-2028. In support of this development, all of the following approvals are being sought.

Approval Type	Approval Authority	Applicable Regulation	Summary
Planned Unit Development	City Council	City of Foley Zoning Ordinance Dated May 2022 Sections: 21.2.1 & 21.3	The proposed development is currently zoned initial PUD. The developer is applying for a zoning change to PUD that will allow for a 179 lot single-family subdivision.

Site Description

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

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 179 lot single family subdivision. There was an 40' wide unused Baldwin County ROW that the developer/owner worked with the County to have vacated. An annexation request for this 40' strip of vacated ROW was submitted to the City in April 2022 and approved with Ordinance 22-2022.

Existing Conditions/Structures

The property is currently a vacant land that is forested with one dilapidated structure. Approximately 47.69 acres of jurisdiction 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 was vacated with the County and property annexed into the City. The property has remained vacant and has not been proposed for development other than these requests.



RECEIVED AL
8/19/22

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: *Rezoning 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 62' wide and 75' wide. The proposed lots meet all minimum zoning requirements of the current PUD ordinance.*

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. The developer proposes to place the wetlands and area along Magnolia River into a conservation easement that will protect this area from any development and help preserve the vegetation, wildlife, and water features in this area.*

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 wild life 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 guest 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. Lots backing up to the stormwater lake feature shall have a maximum rear yard fence height of 4'. A note will be added to each plat listing which lots this applies to.*

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

1. The location and size of the site including its legal description.

Response: *A location map and legal description has been enclosed with this report.*

2. The recorded ownership interests including liens and encumbrances and the nature of the developer's interest if the developer is not the owner.

Response: *Please find enclosed a copy of the 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 4,500' 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 projects proposed buffers and easement.*

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	=	179 units
Gross Residential Area	=	57.08 acres
Density per Gross Residential Area	=	3.14 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. The developer proposes to place the wetlands and area along Magnolia River into a conservation easement that will protect this area from any development and help preserve the vegetation, wildlife, and water features in this area.*

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.

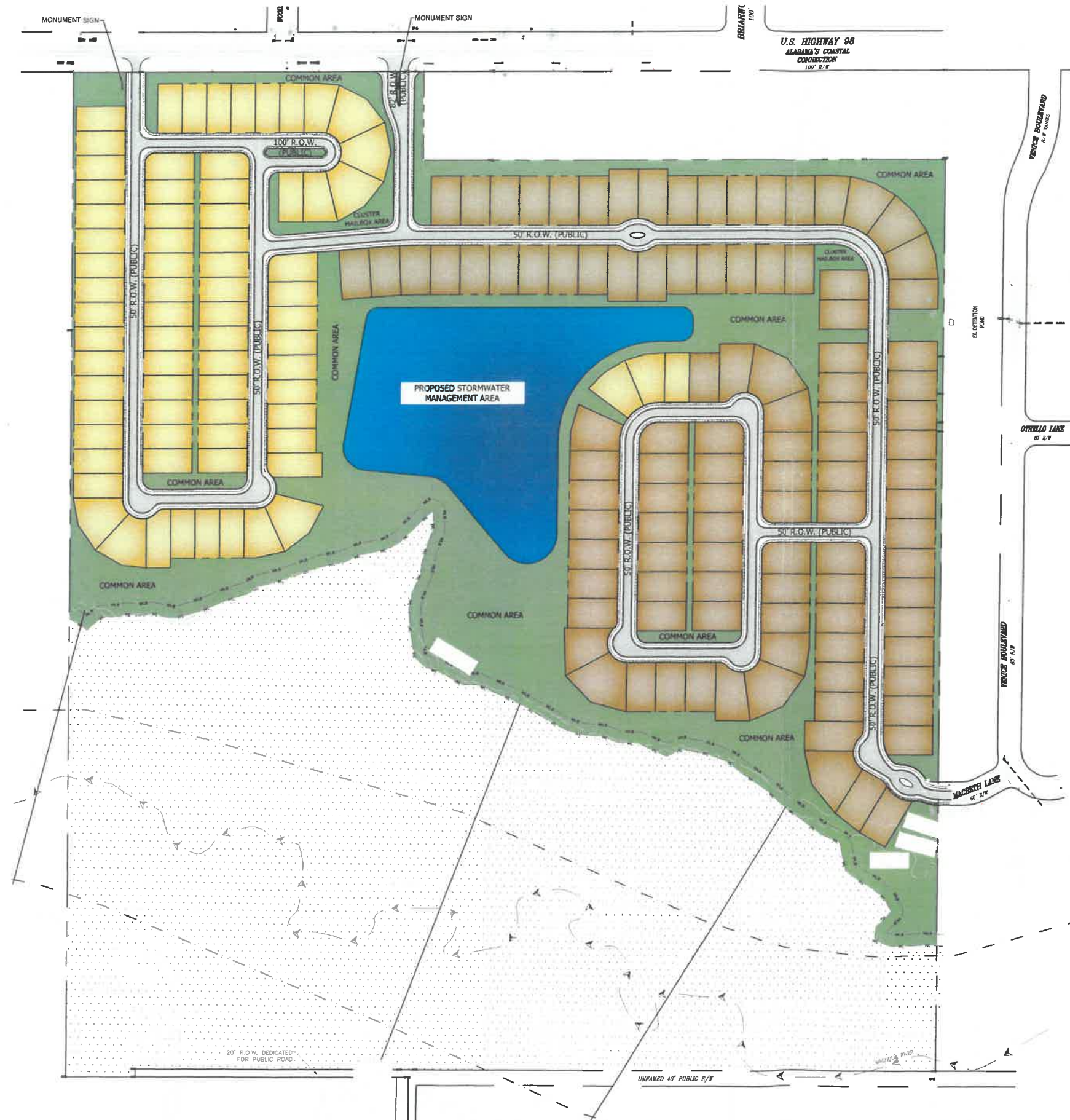
Response: *Application and fee are not required due to initial PUD zoning of the property at the time of annexation.*

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

Response: *The PUD's masterplan 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.*



SITE DATA TABLE		
STATE OF ALABAMA COUNTY OF BALDWIN CITY OF FOLEY		
TAX PARCEL ID:	55-07-26-0-000-021.000 55-08-27-0-000-017.000 55-08-27-0-000-017-001 55-08-38-0-000-052.001 55-08-38-0-000-052-004	
EXISTING ZONING:	UNZONED BALDWIN COUNTY	
PROPOSED ZONING:	CITY OF FOLEY PUD	
TOTAL TRACT ACREAGE:	APPROX. 121.91 ACRES	
<u>COMMON AREA REQUIREMENTS:</u>		
	REQUIRED:	PROVIDED:
TOTAL COMMON AREA:	25% (30.48 AC)	60.9% (74.20 AC)
USEABLE OPEN SPACE:	15% (18.29 AC)	15.3% (18.60 AC)
STORMWATER MANAGEMENT AREA:	-	≈7.06 AC
WETLAND AREA:	-	47.69 AC

LEGEND

- | | |
|---|---|
|  | 62'x125' TYP. LOTS
(74 LOTS) |
|  | 75'x125' TYP. LOTS
(105 LOTS) |
|  | COMMON AREA
USEABLE GREEN SPACE
(18.60 AC) |
|  | COMMON AREA
STORMWATER DETENTION
(≈7.06 AC) |
|  | WETLANDS
(47.69 AC) |

FENCE NOTE:

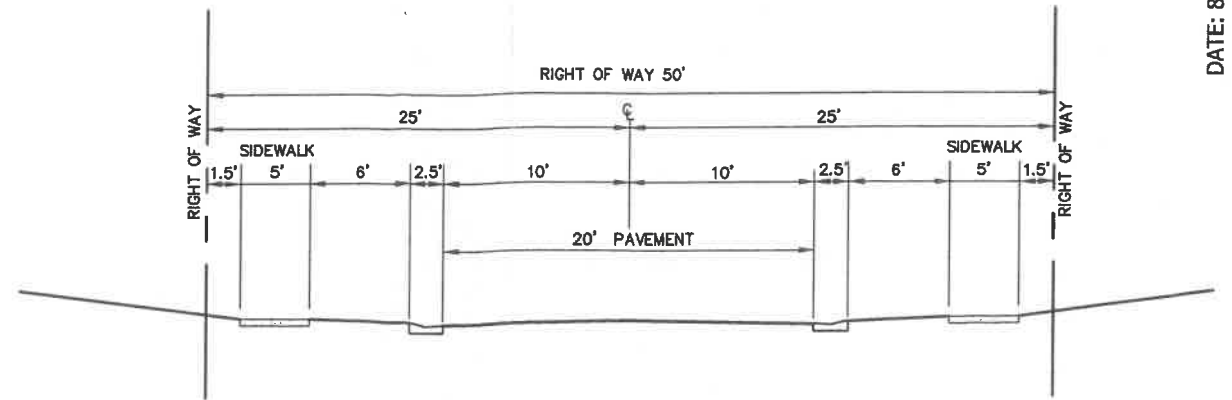
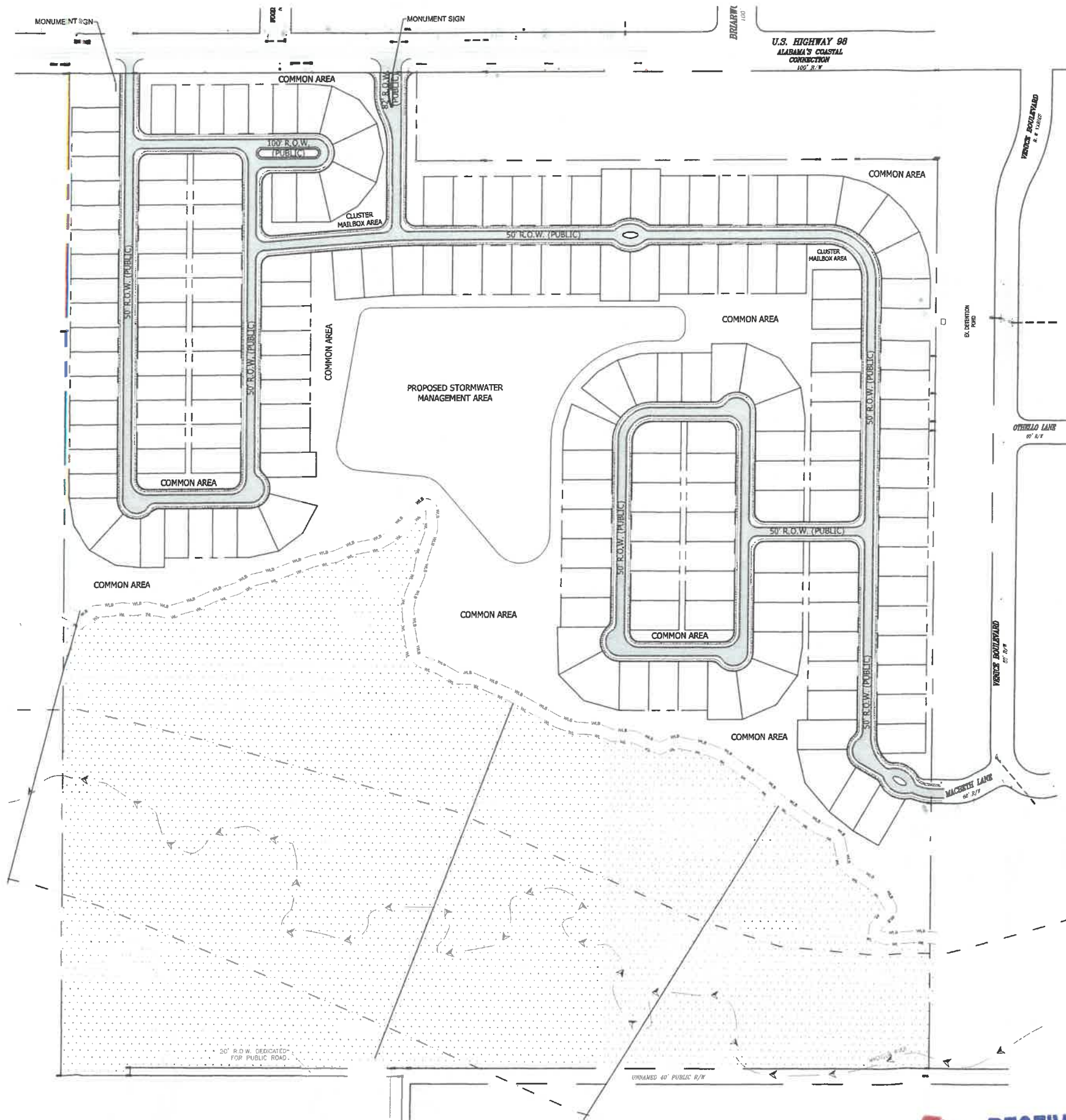
LOTS THAT ABUT THE LAKE TO THE REAR SHALL HAVE A MAXIMUM REAR YARD FENCE HEIGHT OF 4'. NOTE SHALL BE PLACED ON EACH PLAT LISTING WHICH LOTS THIS APPLIES TO

CONSERVATION EASEMENT NOTE:

THE WETLANDS AND AREA ALONG MAGNOLIA RIVER ARE PROPOSED TO BE PLACED IN A CONSERVATION EASEMENT.

OPEN SPACE PLAN:
KEYSTONE SUBDIVISION
PLANNED UNIT DEVELOPMENT
U.S. HWY 98
FOLEY, AL

RECEIVED AC
8/19/22

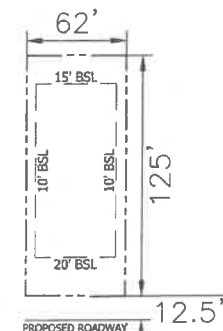


TYPICAL ROADWAY SECTION

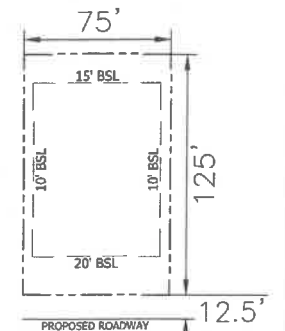
FENCE NOTE:

LOTS THAT ABUT THE LAKE TO THE REAR SHALL HAVE A MAXIMUM REAR YARD FENCE HEIGHT OF 4'. NOTE SHALL BE PLACED ON EACH PLAT LISTING WHICH LOTS THIS APPLIES TO.

PROPOSED LOT DENSITY PER GROSS RESIDENTIAL AREA	
TOTAL TRACT ACREAGE:	APPROX. 121.91 ACRES
TOTAL ROW AREA:	10.08 ACRES
WETLAND AREA:	47.69 ACRES
STORMWATER MANAGEMENT AREA:	APPROX. 7.06 ACRES
GROSS RESIDENTIAL AREA: (TOTAL TRACT - (ROW + WETLAND + STORMWATER MANAGEMENT))	APPROX. 57.08 ACRES
LOT DENSITY PER GROSS RESIDENTIAL AREA:	3.14 LOTS/AC

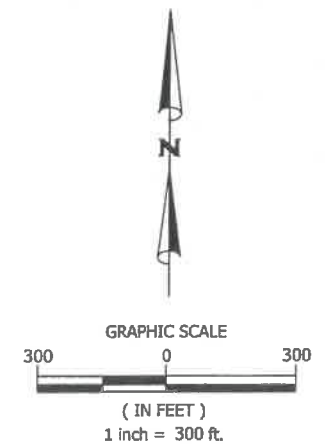


**TYPICAL 62'x125' LOT
(74 LOTS)**



**TYPICAL 75'x125' LOT
(105 LOTS)**

SITE DATA TABLE	
STATE OF ALABAMA COUNTY OF BALDWIN CITY OF FOLEY	
TAX PARCEL ID:	55-07-26-0-000-021.000 55-08-27-0-000-017.000 55-08-27-0-000-017.001 55-08-38-0-000-052.001 55-08-38-0-000-052.004
EXISTING ZONING:	UNZONED BALDWIN COUNTY
PROPOSED ZONING:	CITY OF FOLEY PUD
TOTAL TRACT ACREAGE:	APPROX. 121.91 ACRES
LOT DATA:	
PROPOSED LOTS:	179
PROPOSED NET DENSITY:	1.47 LOTS/AC
AVERAGE RES. LOT SIZE:	9,167 SF
SMALLEST RES. LOT SIZE:	7,750 SF
STREET DATA:	
R.O.W. WIDTH:	50'
LINEAR FEET OF NEW STREETS:	8,285 LF
SIDEWALK WIDTH:	5'
BUILDING SETBACKS:	
FRONT:	20'
SIDE:	10'
SIDE (CORNER LOT):	15'
REAR:	15'
WETLAND BUFFER:	30'
COMMON AREA REQUIREMENTS:	
	REQUIRED: PROVIDED:
TOTAL COMMON AREA:	25% (30.48 AC) 60.9% (74.20 AC)
USEABLE OPEN SPACE:	15% (18.29 AC) 15.3% (18.60 AC)
STORMWATER MANAGEMENT AREA:	- ≈7.06 AC
WETLAND AREA:	- 47.69 AC



SITE PLAN:
KEYSTONE SUBDIVISION
PLANNED UNIT DEVELOPMENT
U.S. HWY 98
FOLEY, AL

RECEIVED
8/19/22 AC

49



PLANNING COMMISSION JOINT STAFF REPORT: SEPTEMBER 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional / **WORKSESSION**

PROJECT NAME: The Magnolia's at Foley PUD modification / rezoning

REQUEST: Modify the PUD & rezone property currently zoned B3

OWNER / APPLICANT:
John Foley / Cathy
Barnette - Dewberry

ACREAGE: 39+/-

PIN#(s): 67652

LOCATION: NE Corner
of Juniper St & Fern Ave

DESCRIPTION:
Residential PUD

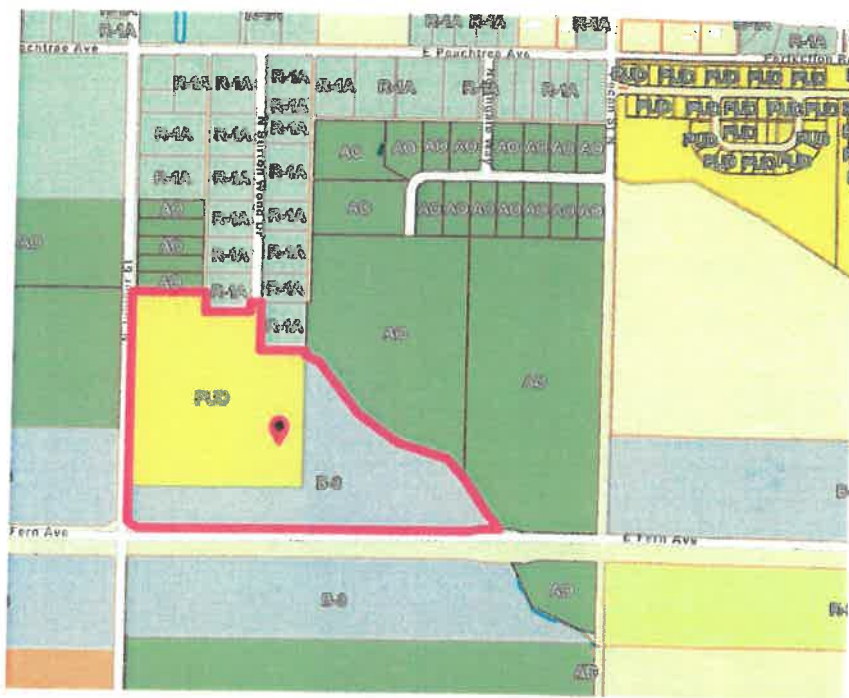
CURRENT ZONING:
PUD - Planned Unit
Development & B3 - Local
Business District

REQUESTED ZONING:
PUD

ADJACENT ZONING:
AO - Agricultural Open
Space / R1A - Residential
Single Family / B3 - Local
Business District

FUTURE LAND USE:
MxU - Mixed Use

EXISTING LAND USE:
Vacant



50

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam - The existing PUD was approved in 1998 for 100 single family residential lots on 23.51 acres. The remainder of the property (approximately 15 acres) is zoned B3 - Local Business District. They would like to revamp the existing PUD & rezone the B3 to PUD for single family residential for a total of 50 lots. This plan would have lots outside of the wetlands as well as meeting the wetland buffer requirements. We had a staff meeting with Dewberry on August 8, 2022. The lots along Fern Avenue would be accessed from an internal roadway so no driveways along Fern. We discussed shared driveways on the Juniper Street lots (6).

ENGINEERING:

Chad - Engineering is not opposed to the concept. Approval of the PUD by PC does not mean the site meets LDP requirements - lot numbers and grading may need to be adjusted to meet regulations.

ENVIRONMENTAL:

Angie - Reserve right to comment until new wetland delineation is completed.

FIRE:

Brad - Need secondary access.

FLOODPLAIN ADMINISTRATOR:

Chuck - Potential flooding concerns because area has not been studied by FEMA.

51

John Foley/Applicant proposes to modify original PUD authorized in late 1990's to attached site design and is looking for PC feedback. Original site layout is infeasible given the jurisdictional wetlands on the site that had not been delineated at time of PUD design.

Cathy Barnette, CPESC

Associate, Senior Environmental Scientist
Environmental Services
25353 Friendship Road
Daphne, AL 36526-6278
D 251.929.9801 C 251.379.0462
LICENSED CPESC

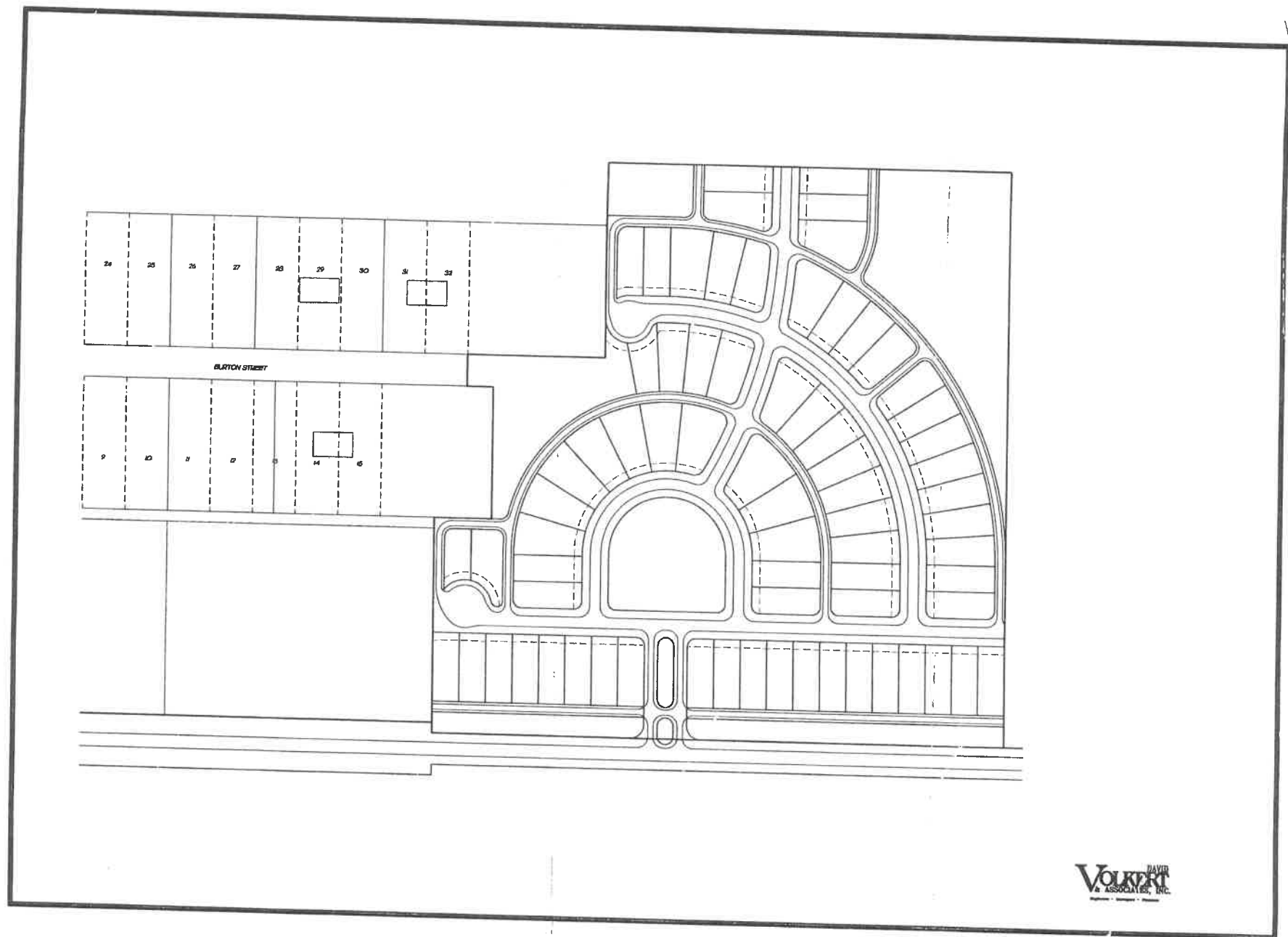


RECEIVED

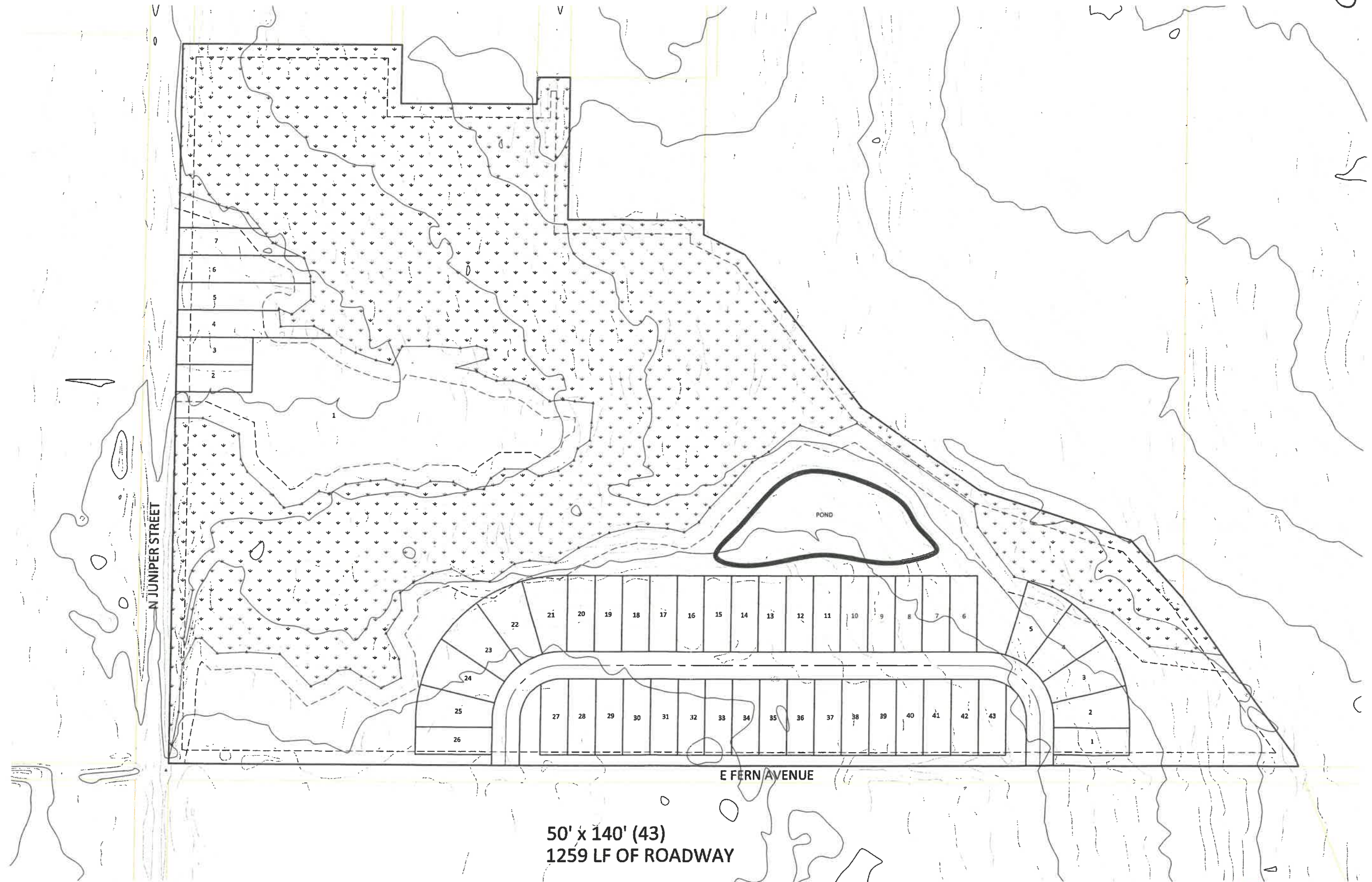
AC
5/23/22

52

Existing
approved



Proposed Conceptual
Layout 53



RECEIVED
8/23/2021