CITY OF FOLEY
PLANNING COMMISSION

WORK SESSION
November 2, 2022
City Hall
Council Chambers
At 5:30 p.m.

&

MEETING
November 9, 2022
City Hall
Council Chambers
At 5:30 p.m.
The City of Foley Planning Commission will hold a work session November 2, 2022 at 5:30 p.m. and a meeting November 9, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the September 14, 2022 and September 21, 2022 meeting minutes.

AGENDA ITEMS:

1. **Fuzzy's Taco- Request for Site Plan Approval**
   The City of Foley Planning Commission has received a request for a site plan approval for Fuzzy Taco. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Moore Civil Consulting, LLC.

   Planning Commission Action:

2. **Magnolia Pines Phases 2 & 3- Request for 1 year Preliminary Extension**
   The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Magnolia Pines Phases 2 & 3. Property is located E. of County Rd. 55, S. of Rhodes Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is Dewberry.

   Planning Commission Action:

3. **Sherwood Phase 3- Request for 6 month Preliminary Extension**
   The City of Foley Planning Commission has received a request for a 6 month preliminary extension for Sherwood Phase 3. Property is located W. of Hickory St. and S. of Michigan Ave. Applicant is Wooten Engineering.

   Planning Commission Action:

4. **The Exchange at Foley Apartments- Request for Minor/Exempt**
   The City of Foley Planning Commission has received a request for approval of The Exchange at Foley Apartments a minor/exempt subdivision which consists of 24.45 +/- acres and 5 lots being combined into 1 lot. Property is located at N. of County Rd. 20 and E. of S. Pine St. Applicant is Jade Consulting.

   Planning Commission Action:

5. **Bayou Ridge Estates- Request for Preliminary**
   The City of Foley Planning Commission has received a request for preliminary approval of Bayou Ridge Estates which consists of 23.89 +/- acres and 50 lots. Property is located W. of State Hwy. 59, S. of County Rd. 10 and is located in the City of Foley Planning Jurisdiction. Applicant is Breland Capital, LLC.

   Planning Commission Action:

Note: *Denotes property located in the Planning Jurisdiction
PLANNING COMMISSION
WORK SESSION AGENDA NOVEMBER 2, 2022
&
MEETING AGENDA NOVEMBER 9, 2022
(Council Chambers of City Hall) 5:30 P.M.

Public Hearing:

Planning Commission Action:

6. Hadley Village- Request for Preliminary
The City of Foley Planning Commission has received a request for preliminary approval of Hadley Village which consists of 35.27 +/- acres and 83 lots. Property is located E. of State Hwy. 59 and S. of Hadley Rd. Applicant is S. E. Civil.

Public Hearing:

Planning Commission Action:

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:

8. Public Projects- Request for Recommendation
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the following public projects: Mifflin Road Access Management Project, Wolf Bay Drive Extension, Access Taxiway and 8 Unit T-Hangar Building, Airport Terminal Building, Graham Creek Nature Preserve Pavilions, Wolf Creek Park Comfort Station & Playgrounds, Dog Kennels, Lighted Sign, Two Bathroom Buildings, Pole Barn for Equipment Storage.

Planning Commission Action:

9. Approval of the 2023 Deadline/Meeting Calendar
Planning Commission Action:

ADJOURN:

Note: *Denotes property located in the Planning Jurisdiction
The City of Foley Planning Commission held a work session on October 12, 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 Quaïtes, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley and Bill Swanson. Absent member was Tommy Gehhart. 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 Ringle, Recording Secretary.

AGENDA ITEMS:

1. Rosewood Phase 2 & 3- Request for 1 year Preliminary Extension
   The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Rosewood Phases 2 & 3. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is Dewberry.

   Mrs. Miriam Boone explained staff are not opposed to the requested preliminary extension. She stated Chuck Lay has noted on the staff report that structures cannot be built in a flood zone.

   Commissioner Hellmich asked if the development is meeting the city’s current regulations.

   Mr. Chad Christian stated the development is under construction. He explained he didn’t feel there had been any major changes in the regulations that would affect the development.

   Mrs. Angie Eckman stated the amount of rain over the summer delayed work on the project.

   Commissioner Hellmich stated since the property involves wetlands he wants to make sure that any potential flooding issues have been covered.

2. OWA/Tropic Hideaway RV Park- Request for Temporary Signage
   The City of Foley Planning Commission has received a request for temporary signage for Tropic Hideaway RV Park. Property is located adjacent to the roundabout at Pride Dr. and N. of OWA Blvd. Applicant is OWA.

   Mrs. Boone explained OWA is requesting to install temporary signage for Tropic Hideaway RV Park which is currently under construction. She stated the temporary signage would be replaced with permanent signage once construction is completed. She explained all previously approved temporary signage has been removed.

   Commissioner Hinesley stated he would be more comfortable setting an expiration date on the request.

   Chairman Abrams stated he feels the approval should have a 6 month expiration.

   Commissioner Hellmich stated the RV Park is expected to open in January 2023.

Note: *Denotes property located in the Planning Jurisdiction
3. **Element Townhomes- Request for 1 year Site Plan Extension**
The City of Foley Planning Commission has received a request for a 1 year site plan extension for Element Townhomes. Property is located S. of County Rd. 20 and E. of State Hwy. 59. Applicant is KTC Development, LLC.

Mr. Wayne Dyess explained staff will be meeting with the applicant before the next Planning Commission meeting to discuss wetland buffers and sidewalk locations.

Mrs. Boone explained the property is zoned B-1A and a site plan was approved for residential use which expires on January 19, 2023. She stated the applicant is requesting a one year extension which would begin on October 19, 2022.

Commissioner Hellmich stated it needs to be clear that the project will have to be completed within the year.

Commissioner Engel stated it needs to be noted in the motion that if the project is not complete within the year current regulations and guidelines will have to be met.

Commissioner Hellmich stated there has been extensive discussions in the past regarding extensions. He explained he would like to see extensions clearly defined in the regulations.

4. **Magnolia Walk East Phase I- Request for Site Plan**
The City of Foley Planning Commission has received a request for site plan approval for Magnolia Walk East Phase I. Property is located at the NE corner of the Foley Beach Express and County Rd. 20. Applicant is Burton Property Group.

Mrs. Boone explained the applicant met with staff in February, received a PDD modification in April and met with staff again in June to fine tune the plans. She stated they are requesting a site plan approval for Phases 1 and 2.

Mr. Dyess explained he has had several meetings with Mr. Burton regarding the development. He stated he would like there to be a conditional approval which would allow the applicant to move forward with the development and still meet city regulations. He provided the Commissioners with a memo outlining the conditions to be placed on the approval.

Mr. Phillip Burton stated they received a staff report recommending approval of the plan and a separate memo stating a conditional approval is needed. He explained the issue boils down to the access. He stated he understands the request to access the development off Frank Cole Lane. He explained there are several issues that will have to be dealt with which are going to take time. He stated there are wetlands to be crossed, Power South utilities located in the right of way on Frank Cole Lane and the acquisition of additional right of way. He explained due to these issues access off Frank Cole Lane is a bit of a challenge. He stated they would like to request to move forward with phase 1 with allowed access off of County Road 20.

Commissioner Hellmich explained it depends on how the crossing of the wetlands is handled as to how the Corps will approach permitting. He stated County Road 20 and the Foley Beach Express

Note: *Denotes property located in the Planning Jurisdiction
intersection currently has stacking issues. He explained improvements by the applicant to Frank Cole Lane may allow for an impact fee credit.

Mr. Burton stated they are aware of the issues with traffic and know improvements will be needed on County Road 20.

Mr. Evan Geerts stated a major factor is a completed traffic study is not required for a site plan approval. He explained the completed traffic study will be submitted when it is required. He stated the study will show what measures need to be taken to not cause further issues on County Road 20. He stated they are aware there are issues at the intersection and improvements will be needed.

Commissioner Hellmich asked about the proposed road improvements.

Mr. Geerts explained they are proposing to extend the westbound left turn lane and to construct an eastbound turn lane into the development which will require some widening past their property. He stated access onto Frank Cole Lane is not going to remedy any of the traffic issues. He explained extending the left turn lane to the east will provide adequate stacking for a left turn.

Mr. Christian asked that the access be shifted as far east as possible in order to coordinate with the potential development of land to the south.

Commissioner Hellmich stated if the utilities are in the public right of way they can request that they be relocated.

Mr. Geerts stated there are three criteria’s the engineer looks at when determining wetlands. He stated the engineer has stated this area has all three items of the criteria and believes it will be considered wetlands once a delineation is completed. He stated they will have to go through the Corp to determine how crossing will be handled and that takes time.

Mr. Burton stated the wetland permit they received for another project took 18 months to be issued.

Commissioner Hellmich stated a conditional approval could be done to allow an access for phase 1 off of County Rd. 20. He explained once phase 2 is completed the access off County Road 20 would be eliminated and shifted into the phase 2 access which would be off of Frank Cole Lane. He stated this will give the applicant time to work out the issues with the utilities, right of way, future improvements on County Road 20 and to coordinate with the potential development to the south.

Mr. Burton stated he would be ok with the conditional request but he is not ok with the possibility of being left with a gravel road for access if the issues with Frank Cole Lane are not able to be resolved.

Mr. Dyess asked how the issue of phase 2 being sold to another owner or not being constructed for another 10 years would be handled.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Hellmich asked if the applicant would mind if the temporary access be limited to a time frame.

Mr. Burton stated a limited time frame would cause a problem. He explained they cannot move forward with the design until the site plan is approved. He stated once they begin the design phase the traffic study will be submitted and at that time mitigation and conversation can be done regarding the access. He explained the only way they can move forward is by pushing the access away from the Foley Beach Express.

Commissioner Hellmich asked if the applicant would work with staff regarding the access. He stated a conditional approval will have to somehow be tied legally to phase 2 in case the property is ever sold.

Mr. Burton stated he feels confident something can be worked out in regards to the access. He explained he would like some clarity and to clarify this development is in a PDD zoning district and is not in an R-3 multi-family zone.

Mr. Dyes stated a traditional PDD is primarily for commercial uses. He stated since a parking deviation was requested the R-3 zoning requirements apply to the development.

Mr. Burton explained no deviations were requested. He stated the proposed uses were listed on the PDD plan. He explained the issue is the access and a commercial development will not work at the intersection of County Road 20 and the Foley Beach Express. He stated if people cannot access the development easily it will fail. He explained the development is meeting the PDD requirements and is not located in an R-3 zone. He stated multifamily is an allowed use in a PDD zone. He stated it should not be suggested by a condition that something in another zone be applied to this development and site plan.

Ms. Missty Gray stated there seems to be confusion over the zoning of the property. She stated the property is zoned PDD. She explained when planning the project the PDD requirements were followed. She stated a memo was received from staff that states the project must follow the R-3 multifamily zoning requirements. She explained staff are injecting two separate zoning processes on the project.

Commissioner Hellmich stated this is a very important corner and the city wants to ensure the development looks good.

Mr. Burton stated he has spoken with staff and understands the desire for architectural features which can be done. He stated they are trying to follow the process but are being injected with a separate process than the current governing zoning for the property. He stated they are asking for clarity.

Mr. Dyes stated the reason they are having to follow the R-3 regulations is because of the PDD deviations. He stated the PDD zone cannot be used as a route to avoid the R-3 multifamily standards.

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Mr. Burton stated he knows what the City wants and believes in investing in the community. He explained the problem is the rules need to be laid out clearly.

Commissioner Hellmich stated he appreciates the applicant working with the city in regards to the design of the development.

Mr. Dyess stated he will meet with the applicant and work on resolving the access issues and design standards.

5. **Magnolia Walk East Phase II- Request for Site Plan**
The City of Foley Planning Commission has received a request for a site plan approval for Magnolia Walk East Phase II. Property is located at the NE corner of the Foley Beach Express and County Rd. 20. Applicant is Burton Property Group.

Item was discussed with item # 4.

6. **Henson Subdivision- Request for Minor/Exempt**
The City of Foley Planning Commission has received a request for approval of Henson Subdivision a minor/exempt subdivision which consists of 9.29 +/- acres and 2 lots. Property is located N. of Keller Rd. and E. of River Rd. N. and is located in the City of Foley Planning Jurisdiction. Applicant is Weygand Wilson Surveyors.

Mrs. Boone explained Baldwin County has approved the subdivision as a family exemption. She stated the original request was to access the lot off a 30’ easement. She explained as suggested by Chad the applicant has made the lot a flag lot. She stated Chuck noted the north end of the property is in a flood zone.

Mr. Christian stated his only comment was how the lots will be serviced in regards to sewer.

The applicant was not present.

Commissioner Hellmich asked staff to contact the applicant in regards to the sewer provider before the next meeting.

7. **Next to Last LLC- Request for Rezoning**
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 5 +/- acres. Property is currently zoned B-3 (Local Business District). Proposed zoning is RV (Recreational Vehicle Park District). Property is located S. of Miflin Rd. and E. of James Rd. Applicant is Chris Govan.

Mrs. Boone stated the applicant has met with staff several times regarding the development. She explained the item came before the Planning Commission previously for some buffer relaxation which the PC accepted since the development is next to commercial properties and an existing RV park. She stated the Fire Department is in agreement with the boulevard style entrance.

Commissioner Hellmich asked if the development will have different ownership than the RV Park to the south.

Note: *Denotes property located in the Planning Jurisdiction
PLANNING COMMISSION
WORK SESSION MINUTES OCTOBER 12, 2022
(Council Chambers of City Hall) 5:30 P.M.

Mr. Jim Brown stated he developed the RV Park to the south but sold it. He stated he has tried working with the owners in regards to adjoining the two developments and they would not work with him.

Mrs. Eckman stated they are meeting open space requirements. She stated a park near the pool or a walking trail through the 30’ buffer area will be added.

Mrs. Boone stated the applicant has been working with Chuck Lay in regards to the ADA restrooms.

Commissioner Hellmich asked about the area of the walking trail that is separated by the access road.

Mr. Brown stated they will shift a lot and adjust things in order to accommodate a continuous trail with no separation.

Commissioner Hellmich stated there is a condition that was set previously in regards to the buffer.

Mrs. Boone explained a privacy fence and landscaping was agreed upon for a portion of the east and west sides of the property.

Commissioner Engel asked about the adjacent zones.

Mrs. Boone stated the property is surrounded by commercial zoned property.

Commissioner Engel asked if there were any concerns regarding the five lots at the entrance. He stated the lots are surrounded by commercial properties and up against Miflin Road.

Mr. Jim Brown stated the RV lots are over 100’ from Miflin Road. He explained the development will not be seen from Miflin Rd. due to the fence and landscaping.

Chairman Abrams stated he did not see any issues with the request.

8. Hawthorne Investment LLC - Request for Rezoning
   The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 44.1 +/- acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is PUD (Planned Unit Development). Property is located at W. of the Foley Beach Express and N. and S. of Brinks Willis Rd. Applicant is Hawthorne Investments LLC.

Chairman Abrams stated the applicant has requested to carry over the item to next month’s meeting.

Mr. Wayne Dyess stated he is working closely with Chad Watkins on the project.

Note: *Denotes property located in the Planning Jurisdiction
PLANNING COMMISSION
WORK SESSION MINUTES OCTOBER 12, 2022
(Council Chambers of City Hall) 5:30 P.M.

WORK SESSION ONLY:
9. Phil & Chris Johnson- Discuss possible rezoning to PUD

The City of Foley Planning Commission has received a request to discuss rezoning property located N. of E. Azalea Ave. and W. of S. Juniper St. Property is currently zoned R-1A (Residential Single Family). Proposed zone is PUD (Planned Unit Development). Applicants are Phil and Chris Johnson.

Mrs. Boone stated the conceptual PUD is very preliminary. She stated Brad noted there may be a concern regarding fire access that will have to be handled.

Mrs. Chris Johnson explained they are present to learn and receive recommendations from the Commission and staff. She stated the wooded land has been untouched for approximately 30 years. She stated they would like to maintain as much green area as possible. She explained she would like to clarify all cottages would be long term rentals with the exception of one 850 sq. ft. unit that would be available for tenants to rent for weekend guests.

Mrs. Boone stated the plan is showing less than the required two parking spaces per unit. She stated if any deviations are requested they could be included in the narrative with an explanation of reasoning.

Mrs. Johnson stated these communities are built to have the building fronts facing a green area hiding parking, driveways, cul-de-sacs and garage doors. She explained the concept encourages the neighbors to get to know one another and provides a sense of security. She stated she feels the concept will work well with the demographics in the area.

Commissioner Hellmich stated if the road location was on the west side more trees could be preserved. He stated the relocation of the road would provide more of a buffer between the residential single family homes and the development.

Chairman Abrams asked about the outdoor living area.

Mrs. Johnson stated the area will have chairs and grills and be used as an outdoor living space for neighbors to visit one another.

Mr. Johnson stated they want to create a community oriented development where neighbors know one another.

Commissioner Hellmich asked if it would be a gated development.

Mrs. Johnson stated there will be security fencing but they have not decided on gating.

Commissioner Hellmich stated if it is gated they will need to work with staff in regards to stacking and the roads being private.

Chairman Abrams stated the design has a lot of elements the Commission has been discussing and wanting to see.

Note: *Denotes property located in the Planning Jurisdiction
ADJOURN:

Chairman Abrams adjourned the meeting at 7:21 p.m.
PLANNING COMMISSION
MEETING MINUTES OCTOBER 19, 2022
(Council Chambers of City Hall) 5:30 P.M.

The City of Foley Planning Commission held a meeting on October 19, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Vera Quaite, Ralph Helmlich, Wes Abrams, Calvin Hare, Phillip Hinesley and Tommy Gebhart. Absent members were: Larry Engel and Bill Swanson. 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 September 14, 2022 and September 21, 2022 meeting minutes.

Commissioner Hinesley made a motion to approve the September 14, 2022 and September 21, 2022 meeting minutes. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the September 14, 2022 and September 21, 2022 meeting minutes passes.

AGENDA ITEMS:

1. **Rosewood Phase 2 & 3- Request for 1 year Preliminary Extension**
   The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Rosewood Phases 2 & 3. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is Dewberry.

   **Planning Commission Action:**
   Mrs. Miriam Boone explained staff are recommending approval of the preliminary extension. She stated staff has been in contact with the applicant regarding the 6 lots that contain a portion of the flood zone. She explained the lots were not in a flood zone originally and were added when flood maps were updated. She stated the applicant is aware they will have to follow the current regulations in regards to the lots containing flood zones.

   Commissioner Helmlich made a motion to approve the requested one year preliminary extension with the condition that the applicant is aware of the current FEMA guidelines and restrictions regarding the flood zones. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

   Motion to approve the requested one year preliminary extension with the condition that the applicant is aware of the current FEMA guidelines and restrictions regarding the flood zones passes.

2. **OWA/Tropic Hideaway RV Park- Request for Temporary Signage**
   The City of Foley Planning Commission has received a request for temporary signage for Tropic Hideaway RV Park. Property is located adjacent to the roundabout at Pride Dr. and N. of OWA Blvd. Applicant is OWA.

   Note: *Denotes property located in the Planning Jurisdiction*
Planning Commission Action:
Mrs. Boone explained the request is for temporary signage for Tropic Hideaway RV Park. She stated an expiration on the approval was discussed at the work session meeting. She explained the applicant is requesting the signage be allowed until the spring of 2023.

Commissioner Hinesley made a motion to approve the temporary signage for 6 months. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested temporary signage for 6 months passes.

3. **Element Townhomes - Request for 1 year Site Plan Extension**
The City of Foley Planning Commission has received a request for a 1 year site plan extension for Element Townhomes. Property is located S. of County Rd. 20 and E. of State Hwy. 59. Applicant is KTC Development, LLC.

Planning Commission Action:
Mrs. Boone explained the property is located in a B-1A zone and has an approved site plan that will expire on January 19, 2023. She stated the applicant is requesting a one year extension. She explained the applicant is working with the Environmental and Engineering Departments on resolving issues and obtaining a land disturbance permit.

Commissioner Hellmich stated the extension would extend the approval to October 19, 2023.

Commissioner Hellmich made a motion to approve the requested extension approval to October 19, 2023 contingent upon the applicant working with staff to clarify issues regarding the wetlands and sidewalk location. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to approve the requested extension approval to October 19, 2023 contingent upon the applicant working with staff to clarify issues regarding the wetlands and sidewalk location passes.

4. **Magnolia Walk East Phase I - Request for Site Plan**
The City of Foley Planning Commission has received a request for site plan approval for Magnolia Walk East Phase I. Property is located at the NE corner of the Foley Beach Express and County Rd. 20. Applicant is Burton Property Group.

Planning Commission Action:
Mr. Wayne Dyess explained he has provided the Commissioners with a memo summarizing the conditions to be placed on the approval. He stated he would like to thank Mr. Burton for meeting with staff and working on the issues. He explained he feels the conditions cover all design and overlay district standards and staff concerns.

Commissioner Hellmich stated the condition provides some clarity on the access points.

Mr. Burton stated they will work with staff on the egress and ingress and would like a caveat to be added which states or as recommended by traffic consultant and the traffic engineer.

Note: *Denotes property located in the Planning Jurisdiction
Mr. Dyess stated the provided memo of conditions are for agenda items #4 and #5.

Commissioner Hellmich made a motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress passes.

5. Magnolia Walk East Phase II- Request for Site Plan
The City of Foley Planning Commission has received a request for a site plan approval for Magnolia Walk East Phase II. Property is located at the NE corner of the Foley Beach Express and County Rd. 20. Applicant is Burton Property Group.

Planning Commission Action:
Commissioner Hinesley made a motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress passes.

6. *Henson Subdivision- Request for Minor/Exempt
The City of Foley Planning Commission has received a request for approval of Henson Subdivision, a minor/exempt subdivision which consists of 9.29 +/- acres and 2 lots. Property is located N. of Keller Rd. and E. of River Rd. N. and is located in the City of Foley Planning Jurisdiction. Applicant is Weygand Wilson Surveyors.

Planning Commission Action:
Commissioner Hellmich asked about the sewer provider for the lots.

Mr. Chad Christian stated the lots will be served by Riviera Utilities.

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

Motion to approve the requested minor/exempt subdivision passes.

7. Next to Last LLC- Request for Rezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 5 +/- acres. Property is currently zoned B-3 (Local Business District). Proposed zoning is RV (Recreational Vehicle Park District). Property is located S. of Mifflin Rd. and E. of James Rd. Applicant is Chris Govan.

Note: *Denotes property located in the Planning Jurisdiction
Public Hearing:
Planning Commission Action:
Commissioner Hellmich stated the walking trail is not continuous and blocked by a lot. He explained at last week’s meeting Mr. Jim Brown stated he would resolve the issue and make changes to ensure the trail would be continuous.

Mr. Chris Govan stated he was not present at the meeting last week. He explained there is plenty of room to shift things around in order to accommodate the request for the trail to be continuous.

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

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

8. **Hawthorne Investment L.L.C. - Request for Rezoning:**
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 44.1 +/- acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is PUD (Planned Unit Development). Property is located at W. of the Foley Beach Express and N. and S. of Brinks Willis Rd. Applicant is Hawthorne Investments LLC.

Public Hearing:
Planning Commission Action:
Chairman Abrams explained the applicant has requested to carry over the item.

Mr. Wayne Dyess stated he is working closely with the applicant on the mixed use design to ensure it is meeting design guidelines.

Commissioner Hinesley made a motion to carry over the item. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the request to carry over the item passes.

**ADJOURN:**
Chairman Abrams adjourned the meeting at 5:45 p.m.

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Note: *Denotes property located in the Planning Jurisdiction*
STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Fuzzy's Taco

REQUEST: Site Plan Approval

OWNER / APPLICANT: BROCO FOLEY LLC /
Robert E. Moore Jr. of Moore Civil Consulting

ACREAGE: 1.05 ac

PIN#(s): 399678

LOCATION: east of Hwy59, south of Keller Rd

DESCRIPTION: Site Plan for Restaurant Use on Lot 1B Old Time Pottery Foley PUD

CURRENT ZONING: PUD

REQUESTED ZONING: n/a

ADJACENT ZONING: PUD to N, E, & S B-1A to W

FUTURE LAND USE: RCC, Retail/Commercial Concentration

EXISTING LAND USE: Vacant
UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:
Miriam Boone - This site plan appears to meet all zoning requirements. The open space for the entire PUD was set aside along the east boundary of the master parcel.

ENGINEERING:
Chad Christian - An LDP will be required prior to construction.

ENVIRONMENTAL:
Angie Eckman - The site is meeting the open space requirements. A request has been made that the plantings are native species.

FIRE:
Brad - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:
Chuck Lay - No issues.
City of Foley
407 E Laurel Ave,
Foley, AL 36535
251-949-1546

Subject: Fuzzy’s Taco

Dear City of Foley,

Please accept this letter of intent and attached plans as an application for site plan review for the proposed Fuzzy Taco Restaurant located on the eastern side of Hwy 59 and south side of Keller Road. This project will be on 1.06 acres of land and will consist of a restaurant building, associated parking, and associated stormwater detention area.

Thanks,

Robert E. Moore, Jr. P.E.
Moore Civil Consulting, Inc.
PLANNING COMMISSION
JOINT STAFF REPORT:
November 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Magnolia Pines, Ph 2 & 3

REQUEST: Preliminary Extension in Planning Jurisdiction

OWNER / APPLICANT: R & P Development LLC / Dewberry

ACREAGE: 42.22 ac

PIN(s): 99180

LOCATION: E CR-55, S of Rhodes Ln

DESCRIPTION: 159 lots

CURRENT ZONING: Unzoned BC, District 11

REQUESTED ZONING: N/A

ADJACENT ZONING: Unzoned BC, Districts 11 & 18

FUTURE LAND USE: MXU, Mixed Use Commercial/Residential

EXISTING LAND USE: Vacant
UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:
Miriam Boone - This property is in unzoned BC District 11.
December 9, 2020 - PII & III preliminary approval
November 9, 2022 - Request 1 year extension from 12/9/22

ENGINEERING:
Chad Christian - Not opposed

ENVIRONMENTAL:
Angie Eckman - Not opposed, in progress

FIRE:
Brad Hall - Not opposed

FLOODPLAIN ADMINISTRATOR:
Chuck Lay - No comments
October 24, 2022

Miriam Boone
City Planner
120 S. McKenzie St.
Foley, AL 36535

RE: Magnolia Pines, Phases 2 & 3
Extension Request

Dear Mrs. Boone,

On behalf of the owner/developer, we would like to request a one-year extension on the Preliminary Plat approval for Magnolia Pines, Phases 2 & 3. Preliminary Plat approval will expire on 12/09/2022. The project is currently under construction.

If you have any questions or comments, please contact us.

Sincerely,

Dewberry

Allister E. Finley
Designer II

cc: File 50118852
STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Sherwood Phase 3

REQUEST: 6 month Preliminary Extension

OWNER / APPLICANT: Gulf Beach Investment Company of Perdido / Jason Wooten

ACREAGE: 27 ac

PIN#(s): 266105

LOCATION: West of S Hickory St, S of Fielding Park Dr

DESCRIPTION: 32 lots

CURRENT ZONING: R-1C & B-2

REQUESTED ZONING: N/A

ADJACENT ZONING: R-1C, B-2, PUD

FUTURE LAND USE: RL, Residential Low Density (2-4)

EXISTING LAND USE: Vacant
UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:
Miriam Boone - 12/12/18 - Preliminary approval granted
12/9/20 - 1 Year Extension
12/8/21 - 1 Year Extension
11/9/22 - Requesting a 6 month extension

ENGINEERING:
Chad Christian - Traffic consultant revising traffic study.

ENVIRONMENTAL:
Angie Eckman - not opposed

FIRE:
Brad Hall - not opposed

FLOODPLAIN ADMINISTRATOR:
Chuck Lay - No structures in the Flood Zone
October 21, 2022

City of Foley Community Development
ATTN: Miriam Boutwell, City Planner/Building Official
120 South McKenzie Street
Foley, Alabama 36535
(251) 992-4011
mboutwell@cityoffoley.org

RE: SHERWOOD PHASE 3 SUBDIVISION
FOLEY, ALABAMA 36535

Dear Ms. Boutwell:

I am writing on behalf of Mr. Breland and Gulf Beach Investment Co of Perdido, LLC, to request a 6-month extension to the preliminary plat and infrastructure plans that have been approved for Sherwood Phase 3 Subdivision. Mr. Breland has given me the authority to act on his behalf and represent him on this matter.

As application was made for a Land Development Permit prior commencing construction, the Engineering Department requested an updated traffic study. Our traffic consultant has stated it will be about a month to complete the updated report. To ensure there are no issues to move forward with construction once permitting is complete, we request a 6-month extension. Please contact me if you need any additional information to fulfill this request.

Respectfully,

Jason W. Wooten, P.E., Principal
PLANNING COMMISSION
JOINT STAFF REPORT:
November 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: The Foley Exchange Apartments

REQUEST: Minor Subdivision

OWNER / APPLICANT:
Sam & Lidia Gerges / Hathaway Development, LLC

ACREAGE: 24.45 ac

PIN(1)(s):
238387, 238388, 034817, 269941, 269942

LOCATION:
CR-20 and S Pine St

DESCRIPTION:
Combining 5 existing lots into one parcel (would have been exempt except for moratorium)

CURRENT ZONING:
R-3

REQUESTED ZONING:
n/a

ADJACENT ZONING:
B-1A & PUD

FUTURE LAND USE:
RCC, Retail/Commercial Concentration

EXISTING LAND USE:
Vacant
UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE
DEED RECEIVED: YES / NO / NOT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:
Miriam Boone - Combining the 5 parcels into 1 does not affect the R3 zoning & approved plan for the property.

ENGINEERING:
Engineering is not opposed to the combination of lots. The Land Development Permit will be required to be completed prior to construction.

ENVIRONMENTAL:
Angie Eckman - Not opposed

FIRE:
Fire is not opposed

FLOODPLAIN ADMINISTRATOR:
Chuck Lay - Not opposed
PLANNING COMMISSION
JOINT STAFF REPORT:
November 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Bayou Ridge Estates

REQUEST: Preliminary SD in Planning Jurisdiction

OWNER / APPLICANT:
Breland Capital, LLC / Mullins, LLC - Todd M. Wheeler PE

ACREAGE: 23.89 ac

PIN#/s: 81017

LOCATION: S of CR-10, approx ¼m W of Hwy59

DESCRIPTION:
50 lots

CURRENT ZONING:
Baldwin County
Unzoned District 27

REQUESTED ZONING:
n/a - remaining in county

ADJACENT ZONING:
City of Foley PUD to E,
Unzoned BC to W & S,

FUTURE LAND USE:
RR, Rural Residential

EXISTING LAND USE:
Vacant
UTILITY LETTERS RECEIVED: YES / NO / NCT APPLICABLE
DEED RECEIVED: YES / NO / NCT APPLICABLE
AGENT AUTHORIZATION: YES / NO / NCT APPLICABLE

ZONING:
Miriam Boone - This property is in unzoned BC District 27.

ENGINEERING:
The Land Development Permit has been reviewed and comments addressed. The permit is considered “ready to issue” once the PC approves the case. A pre-construction meeting is required prior to beginning construction.

ENVIRONMENTAL:
Environmental is not opposed. This project was initially reviewed in March and fell under the previous Environmental Permit Application.

FIRE:
Brad Hall - not opposed

FLOODPLAIN ADMINISTRATOR:
Chuck Lay - Meet Baldwin County Flood Zone requirements
PLANNING COMMISSION
JOINT STAFF REPORT:
November 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Hadley Village

REQUEST:
Preliminary Subdivision

OWNERS / APPLICANT:
Daniel Pugh, John Pugh,
Rebecca Rapier, Vickie
Wilkinson, Sandra Norwood
/ S. E. Civil

ACREAGE: 35.27 ac

PIN#(s): 34907

LOCATION: SE corner of
Hadley Rd and Hwy 59

DESCRIPTION:
83 lots

CURRENT ZONING:
PRE-Zoned for PUD

REQUESTED ZONING: n/a

ADJACENT ZONING:
B-1A, M-1, & Unzoned BC

FUTURE LAND USE:
RM,
Residential Med. Density
(4-7)

EXISTING LAND USE:
vacant
<table>
<thead>
<tr>
<th>Category</th>
<th>Decision</th>
<th>Details</th>
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</thead>
<tbody>
<tr>
<td>ZONING:</td>
<td></td>
<td>Miriam Boone - Layout meets what was submitted for Pre-Zoning in Aug 2022 with an adjustment to move the east driveway to the west as requested by neighbors to the north.</td>
</tr>
<tr>
<td>ENGINEERING:</td>
<td></td>
<td>Chad Christian - LDP is deemed ready to issue upon PC approval.</td>
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<tr>
<td>ENVIRONMENTAL:</td>
<td></td>
<td>Angie Eckman - Not opposed</td>
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<tr>
<td>FIRE:</td>
<td></td>
<td>Brad Hall - Not opposed</td>
</tr>
<tr>
<td>FLOODPLAIN ADMINISTRATOR:</td>
<td></td>
<td>Chuck Lay - Not opposed</td>
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</table>
PLANNING COMMISSION
JOINT STAFF REPORT:
November 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional upon acceptance of the conservation easement by SALT - LDP will not be issued until conservation easement is determined.

PROJECT NAME: Keystone Development

REQUEST: Initial Zoning of PUD (Carryover from Sept 2022 PC Meeting)

OWNER / APPLICANT: Keystone Development / Jade Consulting

ACREAGE: 121.91+/-

PIN(s): 7112, 92453, 7115, 63190, 7109

LOCATION: South of US Hwy 98, west of Venice Boulevard

DESCRIPTION: Initial zoning of PUD for 179 lots

CURRENT ZONING: Unzoned BC District 18

REQUESTED ZONING: PUD - Planned Unit Development

ADJACENT ZONING: R1C - Residential Single Family & Unzoned BC District 18

FUTURE LAND USE: RL - Residential Low Density (2-4 units per acre)
EXISTING LAND USE: Vacant
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 16, 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.
- Item came before PC in September but requested to carryover

CHANGES FROM MAY DESIGN:
Lots reduced from 200 to 149,174
Lot sizes increased from 52' & 75' to (80) 62' x 125' & (81) 75' x 125' & (13) 95' x 125'.
The new 95' lots are along the east boundary adjacent to Plantation at Magnolia River.

DEVELOPMENT DETAILS:
Zoning Common Area 60.9% / 74.20 acres
Usable Open Space 16.3% / 16.60 acres 16.5% / 20.18 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 with gated emergency access & 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:
Angle: 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.

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
Rezone & Site Plan

Keystone Subdivision

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.

<table>
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<tr>
<th>Approval Type</th>
<th>Approval Authority</th>
<th>Applicable Regulation</th>
<th>Summary</th>
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<tbody>
<tr>
<td>Planned Unit Development</td>
<td>City Council</td>
<td>City of Foley Zoning Ordinance Dated May 2022 Sections: 21.2.1 &amp; 21.3</td>
<td>The proposed development is currently zoned initial PUD. The developer is applying for a zoning change to PUD that will allow for a 174 lot single-family subdivision.</td>
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</tbody>
</table>

Site Description

Parcel Number (s)

<table>
<thead>
<tr>
<th>Parcel Number(s)</th>
<th>Currently Zoned/Proposed</th>
<th>Location/Address</th>
<th>Project Acres</th>
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<td>55-07-28-0-000-021.000</td>
<td>Unzoned / Proposed PUD</td>
<td>US Hwy 98, Foley, AL</td>
<td>121.91</td>
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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 47.83 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 174 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 currently a vacant land that is forested with one dilapidated structure. Approximately 47.83 acres of jurisdictional wetlands are located on the property. The Magnolia River passes through the southern portion of the property.

Property Background

The current property owner applied for the property to be annexed into the City of Foley in September 2021. It was given an initial PUD zoning. There was an 40’ wide unused Baldwin County ROW that 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.
21.3.4 Submission Requirements

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

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

Response: Rezone application is not needed due to the Initial PUD zoning at the time of annexation.

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

Response: A site plan indicating the proposed single-family project and its respective improvements have been enclosed as an Appendix to this report. The development proposes lots that are 62' wide, 75' wide, and 95' 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 wildlife 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 in 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. Birlawood Parke Subdivision is located across U.S. Highway 98 from this proposed development. As previously mentioned, the site has approximately 47.63 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 = 174 units
   - Gross Residential Area = 51.25 acres
   - Density per Gross Residential Area = 3.04 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 OGWs 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. In 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 XIX, Section 22.7.

Response: The PUD's master plan shows the approximate location of the proposed monument signs for the development.

D. The application for development approval of a planned unit development shall include a written statement by the landowner or any other entity having a cognizable interest in the land, describing fully the character and intended use of the planned unit development and setting forth the reasons why, in his opinion, a planned unit development would be consistent with the City's statement of purposes on planned unit development.

Response: We have respectfully submitted this report to serve as a narrative for the proposed single-family project. The requested PUD has specific design details that illustrate the project meets the criteria indicated by the City of Foley's Zoning Ordinance. The combination of open space, natural space preservation, community amenities, and overall aesthetic design should provide a benefit to the City of Foley.
PLANNING COMMISSION
JOINT STAFF REPORT:
November 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: FY23 Planned Public Projects

REQUEST: PC Review & Recommendation

OWNER / APPLICANT: City of Foley / Rachel Keith, Project/Risk Manager

ACREAGE: N/A

PIN#(s): various

LOCATION: Airport, Police Dept, FSTC, Miflin Rd, Wolf Creek, Wolf Bay Rd, GCNP

DESCRIPTION: See following pages for descriptions of individual projects.
ZONING:
Miriam Boone - Specific zoning & codes will be reviewed as each item is ready to build.

ENGINEERING:
Chad Christian - not opposed

ENVIRONMENTAL:
Angie Eckman - not opposed

FIRE:
Brad Hall - not opposed

FLOODPLAIN ADMINISTRATOR:
Chuck Lay - not opposed
October 24, 2022

Melissa Ringler
City of Foley
Planning & Zoning

Below is a list of the City of Foley’s FY23 Planned Projects that are subject to Planning Commission review and recommendations based on Section 11-52-11, Code of Alabama. Be advised that the projects have not been reviewed by any other commission, board or district of the City, County or State. I request that these items be placed on the November Planning Commission Agenda.

ENGINEERING:

- 2022-01 – Millin Road Access Management Project
  Location: Millin Road
  Estimated Cost: $120,618.00
  Project Description: Install raised medians and dedicated turn lanes from SR 59 to Foley Beach Express along Millin Road. Work to be performed in three phases.

- 2022-02 – Wolf Bay Drive Extension
  Location: Wolf Bay Drive
  Estimated Cost: $1,975,000
  Project Description: Extend Wolf Bay drive from Graham Creek Nature Preserve westward and to the southwes: to intersect Philomene Holmes Road.

GENERAL GOVERNMENT:

- 2022-03 – ACCESS TAXIWAY AND 8-UNIT T-HANGAR BUILDING
  Location: 510 Airport Drive
  Estimated Cost: $1,500,000 (Pending FAA & ALDOT Grant Awards)
  Project Description: Construction of Access taxiways and a metal 8-unit T-hangar on the south apron.

- 2022-04 – AIRPORT TERMINAL BUILDING
  Location: 510 Airport Drive
  Estimated Cost: $2,042,500 (Pending Grant Award – 95% FAA share and 5% Local Share)
  Project Description: Construction of a new general aviation terminal building and associated site development. The new building will be located on the west side of the airport. The exact location will be determined during the Master Plan/Airport Improvement Plan update currently being performed.
NATURE PARKS:

- **2022-05 – Graham Creek Nature Preserve Pavilions**
  Location: Graham Creek Park
  Estimated Cost: $60,000
  Project Description: Two pavilions will be constructed. One pavilion will be located in the archery park area and the other will be near the canoe launch area.

- **2022-06 – Wolf Creek Park Comfort Station & Playground**
  Location: Wolf Creek Nature Park
  Estimated Cost: $300,000
  Project Description: Bathroom and playground to be added to Wolf Creek Park. Grant funds will offset some of the cost.

---

**KEY FEATURES**

- Project Site Area (45.49 acres)
- **Site Improvements**
  - Sidewalk
  - Parking Lot
  - Buffer
  - Key Pathways
  - Restrooms & Labs
  - Bird Observation Deck
  - Central Pavilion
  - Erosion Control
  - Playground
  - Pier Renovation
POLICE:

- **2022-07 - Dog Kennels**
  
  Location: 200 East Section Street  
  Estimated Cost: $80,000  
  Project Description: Construct an improved and larger kennel area for dogs.
SPORTS TOURISM:

- **2022-08 - Lighted Sign**
  Location: Roundabout at E. Pride Blvd and Event Center Entrance
  Estimated Cost: $45,000
  Project Description: A large lighted sign will be constructed in the roundabout at the entrance to the Event Center.

- **2022-09 - Two Bathroom Buildings**
  Location: 850 East Pride Boulevard
  Estimated Cost: $375,000
  Project Description: Two bathroom buildings will replace restroom trailers currently located on the multi-field complex.
- **2022-10 – Pole Item for Equipment Storage**
  Location: North of the Sports Tourism Maintenance Building (920 East Pride Blvd.)
  Estimated Cost: $40,000
  Project Description: Pole barn for equipment storage

Respectfully submitted,

Rachel Keith
Project/Risk Manager
# City of Foley Planning Commission Meeting Schedule

## 2023

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<th>January</th>
<th>April</th>
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- Planning Commission Meeting
- Work Session Meeting as needed
- Noon Deadline for next monthly PC meeting