

CITY OF FOLEY PLANNING COMMISSION

WORK SESSION

October 12, 2022

City Hall

Council Chambers

At 5:30 p.m.

&

MEETING

October 19, 2022

City Hall

Council Chambers

At 5:30 p.m.

**PLANNING COMMISSION
WORK SESSION AGENDA OCTOBER 12, 2022
&
MEETING AGENDA OCTOBER 19, 2022
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission will hold a work session October 12, 2022 at 5:30 p.m. and a meeting October 19, 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. 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:

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.

Planning Commission Action:

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:

4. Magnolia Walk East Phase I- Request for Site Plan

The City of Foley Planning Commission has received a request for a 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:

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:

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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:

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.

Public Hearing:

Planning Commission Action:

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.

Public Hearing:

Planning Commission Action:

WORK SESSION ONLY:**10. 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). Applicant is Phil and Chris Johnson.

ADJOURN:

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The City of Foley Planning Commission held a work session on September 14, 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, Ralph Hellmich, Wes Abrams, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent members were: Vera Quaites and Calvin Hare. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Eden Lapham, Planner 1; Angie Eckman, Environmental Manager; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

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.

Mrs. Miriam Boone explained the property consists of one parcel and two platted lots. She stated a duplex can be built on each lot. The property is surrounded by R-2 Residential Single Family and Duplex zone.

Commissioner Hellmich stated it appears the entrances to the units are on the side of the building. He asked if the duplexes are meeting our zoning ordinance requirements.

Mrs. Boone stated the plans are meeting the zoning requirements and staff is recommending approval.

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.

Mrs. Boone stated a pre-application meeting was held on September 21, 2021 and a rezoning was approved in December of 2021. She explained the request is meeting the approved site plan and staff is recommending approval.

Commissioner Hellmich asked if the proposed use will be townhomes.

Mrs. Boone stated townhomes will be built on the lots. She explained the Commission's previous approval requested a 70' buffer along the north boundary which is shown on the plans.

Mr. Chad Christian stated a left and right turn lane will be added on S. Hickory St. and a right turn lane will be added on County Rd. 20.

Commissioner Hellmich asked about the area of road that dead ends on the east side of the property.

Mr. Christian stated it is a stub out to the adjacent property.

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Mr. Wayne Dyess stated the stub outs are being done for possible future connectivity.

Commissioner Hinesley stated improvements are needed at the Hickory St. and County Rd. 20 intersection.

Mr. Christian explained the intersection is maintained by Baldwin County. He stated he believes improvements for the intersection are in Baldwin County budget this year.

Commissioner Hellmich stated Baldwin County is working on securing a 9 million dollar grant in hopes to extend County Rd. 20 to County Rd. 49.

Commissioner Engel stated he did not see a lot of green space indicated on the plan.

Mrs. Boone stated they are meeting the green space requirements for the TH-1 Residential Townhouse zone.

Mr. Dyess explained the site plan was approved before the new Land Disturbance Ordinance requirements were adopted. He stated there will be a few developments that will fall under the old requirements. He explained moving forward the City is looking for green space quality rather than green space quantity.

Mr. Christian stated the designed drainage for the development will improve the north and south drainage in the area. He explained no drainage will be going north. He stated they will be receiving some existing drainage from the north.

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.

Mrs. Bonne explained this is a phase of River Oaks PUD which was started several years ago. She stated the request matches the approved PUD layout.

Mr. Trey Jinwright stated this will be the last phase of River Oaks.

Commissioner Hellmich asked if there would be a landscape plan.

Mr. Jinwright stated they will follow all landscaping regulation requirements.

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.

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Mrs. Boone explained the property was annexed in November 2021. She stated the applicant has made several modifications to the plan which include a lot reduction from 200 to 179 lots and lot size increase from 52' and 75' wide lots to 62' x 125' and 75' x 125' lot sizes. She explained the mail kiosk was relocated due to neighboring property owners concerns. She stated the applicant will be meeting with SALT regarding a donation of land for a conservation easement.

Mr. Dyess stated the Land Disturbance Ordinance allows credit towards open space if land has been preserved into a conservation easement.

Commissioner Hinesley asked about the front yard setbacks.

Mr. Jinright stated the front yard setbacks will be 20'. He explained they are proposing the road connects with the existing roads within the Plantation and Magnolia River to promote better connectivity.

Commissioner Hellmich stated some of the neighboring property owners have voiced concerns regarding the connectivity.

Mr. Jinwright stated they have added a median in the area where the roads connect to act as a traffic calming element. He explained the subdivision will be built in phases and is expected to start in the beginning of 2023. He stated there will be a maximum of 4' allowed fence height for lots backing up to the proposed stormwater area which will be used as an amenity.

Commissioner Engel stated he has concerns regarding all the development in the area and what it is doing to our current water ways.

Mrs. Angie Eckman stated they are running into more issues with failed E & S's for individual lots. She explained they are working on possible revision to limit the amount of active E & S's that can be issued within a subdivision at one time.

Mr. Dyess stated Baldwin County has updated their standards and encourages drainage problems located within Baldwin County to be reported to Ashley Campbell.

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.

Chairman Abrams stated the applicant requested the item be withdrawn.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:09

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The City of Foley Planning Commission held a meeting on September 21, 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 and Phillip Hinesley. Absent members were: Calvin Hare, Bill Swanson and Tommy Gebhart. 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 5:00 p.m.

MINUTES:

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

Commissioner Hinesley made a motion to approve the August 10, 2022 and August 17, 2022 meeting minutes. Commissioner Mixon seconded the motion. All members voted aye.

Motion to approve the August 10, 2022 and August 17, 2022 meeting minutes passes.

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:

Mrs. Miriam Boone explained the requested site plan is for two duplexes which will be located in an R-2 zone. She stated the requirements in the Zoning Ordinance for duplexes was recently changed to add an additional 5' side yard setback. She explained the duplex plans were designed prior to the changes to the ordinance. She stated the applicant has received a variance from the Board of Adjustment and Appeals for the additional 5' side yard setback. She stated staff recommends approval of the site plan.

Commissioner Engel asked if the property around the proposed area is residential single family or duplexes.

Mrs. Boone stated the area has a mixture of single family and duplexes and is zoned R-2 Residential Single Family and Duplex.

Commissioner Hellmich made a motion to approve the requested site plan based on the recommendation of staff and the site plan meeting zoning requirements. Commissioner Quaites seconded the motion. All members voted aye.

Motion to approve the requested site plan passes.

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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:

Mr. Paul Smith resident of 2715 S. Hickory St. stated he owns the property adjoining the proposed subdivision. He explained he has no objection to the request but does have an objection to the weeds that are currently covering the property. He stated the overgrown area has caused an infestation of rats. He explained the rats have ruined the electrical wiring in his vehicle and water pipes in his shop. He stated he has contacted the City numerous times for some relief regarding the problems.

Mrs. Angie Eckman stated the property was on the Council agenda Monday night as a public nuisance. She explained the owner has contacted her and will be cutting the area when their tractor is repaired. She explained the owner is only required to cut the 50' buffer area.

Mrs. Kim Scasny resident of 11871 Venice Blvd. stated this is the type of development she does not want to see in Foley. She explained the homes are on 0.2 of an acre. She stated she is not opposed to growth but it needs to be done responsibly. She explained there are 182 lots within the development with each residence having one to two cars which will be adding a lot of traffic to the roads.

Commissioner Hellmich stated he would like to clarify these are not single family residential homes, the development will be townhomes.

Planning Commission Action:

Mrs. Boone explained the property was rezoned in December and the requested preliminary is matching the plan that was approved at that time.

Commissioner Hellmich stated the preliminary approval is good for a period of two years.

A resident asked if the property went from farm land to 182 lots in a years' time frame.

Mrs. Boone explained a pre-application meeting was held on September 1, 2021 with staff and the rezoning was approved in December of 2021. She stated in December a public hearing was held for the rezoning of the property. She explained the developers added additional buffers based off residents' voiced concerns at the public hearing.

Commissioner Engel stated the additional homes will increase the traffic on Hickory St. and County Rd. 20 which already has issues.

Commissioner Hinesley stated improvements are needed at the Hickory St. and County Rd. 20 intersection.

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Commissioner Hellmich stated the intersection is maintained by Baldwin County. He explained the City has been working with Baldwin County on the traffic issues at the intersection. He stated Baldwin County is currently seeking funding for improvements to County Rd. 20.

Mr. Chad Christian stated turn lanes will be required on S. Hickory St. and County Rd. 20.

Commissioner Engel stated he would like to see more green space within the development.

Mrs. Boone explained the development is a planned development and matches the zoning plan which was approved in December.

Commissioner Hellmich stated the drainage plans for the proposed development have been reviewed.

Mr. Christian stated the development will be a net benefit on the drainage for the Ashford Park and Hampton ponds.

Commissioner Hellmich stated the developer will be making improvements/upgrades to the ditch along County Rd. 20.

Commissioner Hellmich made a motion to approve the requested preliminary. Commissioner Quaites seconded the motion based on staff's recommendation for approval. Commissioner Engel voted nay. All other Commissioners voted aye.

Motion to approve the requested preliminary passes.

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:

Mrs. Boone stated the request is for a phase of an approved PUD development that was started several years ago. She explained the requested preliminary is matching the approved PUD.

Ms. Elsie Reed resident of 808 W. Michigan Ave. stated at a previous meeting she was told the entrance to the subdivision would be off of Hickory St. She explained they have recently removed trees and cleared an opening on Michigan Ave. She asked if the area was going to be used as a construction entrance.

Mrs. Boone stated she believes the development is required to have a secondary egress access to meet fire code requirements.

Mrs. Reed asked about the open space, clear cutting the entire area and if a fence would be added around the development.

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Mrs. Boone explained the development is required to have 25% open space.

Mr. Trey Jinwright stated there will be a 30' to 40' common area along W. Michigan Ave. which will be left natural to act as a buffer.

Mrs. Angie Eckman stated they will have to follow the land disturbance ordinance regulations regarding the amount of area that can be cleared at a time.

Commissioner Hellmich asked if sidewalks along Michigan Ave. were required.

Mr. Christian stated sidewalks along Michigan Ave. are not being added.

Mr. Jinright stated sidewalks cannot be put in the right of way due to a ditch in the area.

Mrs. Reed stated she asked at a previous meeting about the proposed development for a portion of property that is still zoned AO at the traffic light that is not included in this phase.

Mr. Jinwright stated he has no information regarding the parcel. He explained it is owned by another entity and is not a part of this development.

Mr. Mark Irwin asked if the site will be watered to control the dust.

Mrs. Eckman stated they will have to control the dust on the site.

Planning Commission Action:

Commissioner Engel asked if the site will be clear cut.

Mr. Jinwright stated the buffer areas will be left natural.

Commissioner Engel asked if there was any consideration regarding the homes facing more outward rather than inward.

Commissioner Hellmich stated due to the buffer the houses will not be seen from Michigan Ave. He explained the development was started several years ago under previous regulations.

Mrs. Boone stated the PUD plan was approved several years ago. She explained they are requesting less lots than originally approved in the PUD.

Commissioner Hellmich made a motion to approve the requested preliminary based on negotiations regarding the development in previous years. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary passes.

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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:

Mrs. Boone stated the applicant has been working with the City since last year on the development. She explained the property was annexed into the city limits in November. She stated modifications have been made to the previous plan which includes increased lot sizes. She explained the development will not be built inside the wetlands or flood zone. She stated the applicant will be meeting with South Alabama Land Trust regarding donating land for a conservation easement.

Commissioner Hellmich stated the property was located in unzoned Baldwin County before annexing into the city limits. He explained modifications have been made due to previous feedback.

Mrs. Boone explained some of Plantation at Magnolia River was not delineated at the time of construction. She stated current city regulations do not allow any building within a flood zone.

Mr. Dan Lecian resident of 12037 Venice Blvd. and president of the Plantation at Magnolia River Homeowners Association stated there are currently drainage problems on Venice Blvd. He stated the retention pond on Venice Blvd. flows through the proposed property. He asked how the drainage will be handled if houses are built in the current drainage area. He stated the increase in traffic on US Hwy. 98 is going to be outrageous. He explained they would like turn lanes to be installed at the development's entrance. He stated they would request the developer not eliminate all the trees and vegetation and a homeowners association to be formed. He explained the residents would like an environmental study done to show the impacts the new development will have on the existing homes in the area. He stated they do not want the streets within the new development to be connected to the Plantation at Magnolia River streets.

Mr. Jinright stated the property was located in unzoned Baldwin County. He explained if the property remained in Baldwin County they could have a commercial development on the site. He stated the city has some of the most aggressive environmental and drainage requirements. He explained modifications have been made from the previous plan which include reduced number of lots and larger lots backing up to existing lots. He stated the smaller lots were moved to the west side of the property. He explained there is a 15' green space located on the east side of the property between the developments. He stated a traffic calming landscaped island has been added at the connection of Macbeth Ln. He explained the city will review the drainage details for the development when they submit for the subdivision of the property. He explained an area has been set aside to accept the water coming from Plantation at Magnolia River. He stated the lots backing up to the proposed stormwater area will be limited to 4' fence heights. He explained the current road stub out was for future connectivity and to allow multiple points in and out of the development.

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Mr. Lecian stated at a previous meeting he was told the roads would not be connected and would be gated for emergency personnel only. He explained if the roads are connected it is going to cause problems with vehicles coming through the development to avoid the US Hwy. 98 traffic light.

Mr. Jinright stated the existing road was stubbed out for future interconnectivity.

Mrs. Susan Holman resident of 12183 Venice Blvd. stated there are three large subdivisions within the area that currently all pour traffic onto US Hwy. 98. She explained all three of the subdivisions have similar lot sizes which are larger than the proposed lots. She stated she bought her home because it backed up to a wooded area. She explained this development is going to ruin the integrity of their subdivision.

Ms. Kim Scasny resident of 11871 Venice Blvd. stated she would like to remind the Commissioners they can vote no. She explained the citizens do not like the proposed development and will be this subdivision's neighbors. She stated she appreciates the engineer adding the traffic calming island but there are no traffic calming elements on the existing Venice Blvd.

Mr. Tom Wright resident of 16274 Macbeth Ln. stated there will be another 100 cars a day taking Venice Blvd. in order to avoid the traffic light.

Ms. Carla McLain resident of 11901 Venice Blvd. explained her home has flooded twice. She stated there were recently two accidents on US Hwy. 98. She explained future accidents will cause traffic to be routed down Venice Blvd. She stated she has grandchildren that ride their bikes and a golf cart within the subdivision.

Mr. Ron Bousquet resident of 12106 Venice Blvd. stated he lives in the area of what is the proposed connection of the roads. He asked if he should open a restaurant on his property to service all the traffic.

Mr. Tom Teagardin resident of 12408 Montague Dr. asked what is being done to clear out the overgrowth and trees in Magnolia River.

Mr. Kevin Scasny resident of 11871 Venice Blvd. explained he was a meteorologist for a number of years. He stated just because there will be nothing built within the buffer zones does not mean this development will have no impact on the Magnolia River.

Mr. Jim Raney resident of 12341 Venice Blvd. stated his property backs up to the proposed development. He explained behind his home onto the proposed property is a running river. He stated when they build houses on the property the water is going to back up into the houses located on Venice Blvd.

Mr. Jerry Wiersig resident of 12439 Capulet Dr. stated he does water restoration for a living. He explained he has seen a number of the homes located within the subdivision flooded. He stated he is on the high end of the subdivision and doesn't flood but is concerned for his neighbors.

Chairman Abrams explained the request is for initial zoning of the property. He stated if the request is approved the applicant will be required to provide a detailed drainage plan.

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Commissioner Hellmich stated property rights are very important and the owners can request to develop their property. He explained what many people do not see is a lot of these types of projects never make it through the application process. He stated the city regulations are some of the most stringent in the area. He explained a lot of the existing subdivisions with issues would not be allowed to be built under today's standards. He stated the city has been working with Baldwin County in regards to cleaning up some of the areas contributing to the flooding. He explained the city does not have control over all of the issues of concern and cannot go outside the city limits to repair issues.

Ms. Emma Lee resident of 12006 Venice Blvd. explained she has spoken with Baldwin County regarding the flooding issues. She stated Baldwin County will not clean up the river which is the majority of the problem. She explained 3' of water entered her home during hurricane Sally. She stated the water is like a yoyo and she never knows when she will have to pack up her belongings and leave. She explained if the trees are cut down it will increase the current flooding issues. She stated she moved to Baldwin County due to the love of the area and the open country lifestyle. She explained the feeling and love for the area is disappearing because the city keeps allowing these types of developments to be built.

Mr. Kenneth Nall resident of 16340 Othello Ln. asked if the traffic study is public knowledge. He asked about the backfill and elevation of the homes, sewer system and what the city is going to do to prevent Venice Blvd. from being a race track.

Mr. Jinright stated he feels ALDOT will require some improvements to US Hwy. 98. He explained he will have the exact answers regarding the improvements when he applies for a preliminary subdivision. He explained the proposed development is downhill from Plantation at Magnolia River. He stated they will have to take into account all water and manage it in a safe manner.

Residents asked who the builder would be and the price range of the homes.

Mr. Jinright stated he cannot provide the builder information. He stated the builder is a reputable builder in the area.

Commissioner Hellmich explained a PUD zoning allows the city to have a plan and negotiate items. He stated he understands the main concern is flooding and the street connection. He stated to get his support he would request that a gate be added to the Macbeth Ln. connection for emergency vehicles only.

Mrs. Debbie Wright resident of 16274 Macbeth Ln. stated her subdivision is a safe, quiet, friendly neighborhood and is the reason she moved to the area. She explained the new development will affect the quality of life she currently enjoys.

Mr. Ted Johnson resident of 12281 Macbeth Ln. stated there has been a lack of coordination between Mr. Jinright and staff with the Plantation at Magnolia River residents. He explained they would like the request to be denied or stipulations to be added. He stated they would request the access between the two subdivisions be gated for emergency vehicles only. He explained Plantation at Magnolia Rivers has a 30' front and rear yard setback and a 15' side yard setback. He stated the proposed development is requesting a 20' front yard setback, 15' rear yard setback and

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10' side yard setback. He stated they would like to request the homes backing up to existing lots match in lot size and setbacks to the Plantation and Magnolia River lots. He explained houses in the area sell quickly and the issue with the lot sizes is the developer's profitability. He stated the property has been annexed but the Commission and city has the responsibility to preserve the character of the area. He stated there are several engineers whose homes are potentially being endangered and they need to be involved in the review of the plans.

Commissioner Hellmich stated staff follows legal requirements for notifying neighboring property owners. He explained there have been times when developers do reach out to neighboring property to work with them which is encouraged.

Mr. Rob Cline resident of 16054 US Hwy. 98 stated his home backs up to the proposed development and is located in Baldwin County. He stated he likes his privacy and wants to know if there will be a buffer left in place between his property and the development.

Mr. Jinright stated a wooded buffer would be located between his property and the development.

Mr. Roderick Burkle resident of 8343 Bay View Dr. stated he is representing a neighboring property owner who is not in favor of the development.

Mr. Steven Dalby 11758 Venice Blvd. stated the area cannot handle the current drainage let alone the drainage from the new development. He explained he is concerned about property value due to the Cracker Jack box style houses they are building in the city.

Ms. Donna Farley resident of 11833 Venice Blvd. stated she brought her grandchildren to the meeting to observe the process. She stated there are a lot of younger children in the neighborhood. She explained there should be no connectivity between the two subdivisions.

Mr. David Howald resident of 12411 Venice Blvd. stated you can engineer all the water from the development but it will not help unless the issues with the river are addressed. He stated the item needs to be tabled until issues are addressed.

Mr. Lecian stated their current covenants require the homes to blend together and be fully bricked. He stated they would like to request the same requirement for the new development.

Mrs. Donna Fuller resident of 16108 explained there will only be 15' between her yard and the proposed lots. She stated the quiet back yard is one reason why she chose her home. She asked how the added traffic and having someone in her back yard is going to affect her property. She stated there needs to be a buffer and a fence installed between the developments.

Commissioner Engel stated he has a concern regarding the density of the development. He explained the proposed development does not fit in with the zoning in the area. He stated he is worried about the river and all the silt going into it due to all the construction. He stated the Commission sees a lot of requests for PUD's which he feels results in lower quality. He stated he understands the goal is to make money. He stated there is a way it can be done with increasing lot sizes and reducing the number of lots. He stated the proposed lots do not match the existing lot

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sizes in the area. He stated this is a prime piece of property if larger lots are created they will still make money.

Commissioner Hellmich stated he agrees the houses backing up to existing houses need to be expanded to match lot size. He explained the city has no control over the builder or building materials. He suggested the applicant carry over the item and work with the neighbors regarding the concerns.

Chairman Abrams stated his concern is more about lot quality and layout of the subdivision rather than lot numbers and lot sizes. He stated smaller lots allow for larger green spaces and amenities whereas larger lots will have less green space and amenities. He explained unfortunately there is nothing we can do regarding designs that were done in the past. He stated he does understand traffic concerns but takes the most direct routes and sees the benefit of the connectivity.

Planning Commission Action:

Mr. Jinright requested to carry over the item to provide him time to work out issues with the residents in the area.

Chairman Abrams made a motion to approve the request to carry over the item. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to carry over the item passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 7:47 p.m.



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Rosewood SD

REQUEST: Extension of P2 & P3

OWNER / APPLICANT:
Dewberry/Allister Finley

ACREAGE: 36.91

PIN#(s):
66267, 378445, 50007

LOCATION: East of CR 65, north of Arbor Walk SD

DESCRIPTION:
Request for Extension

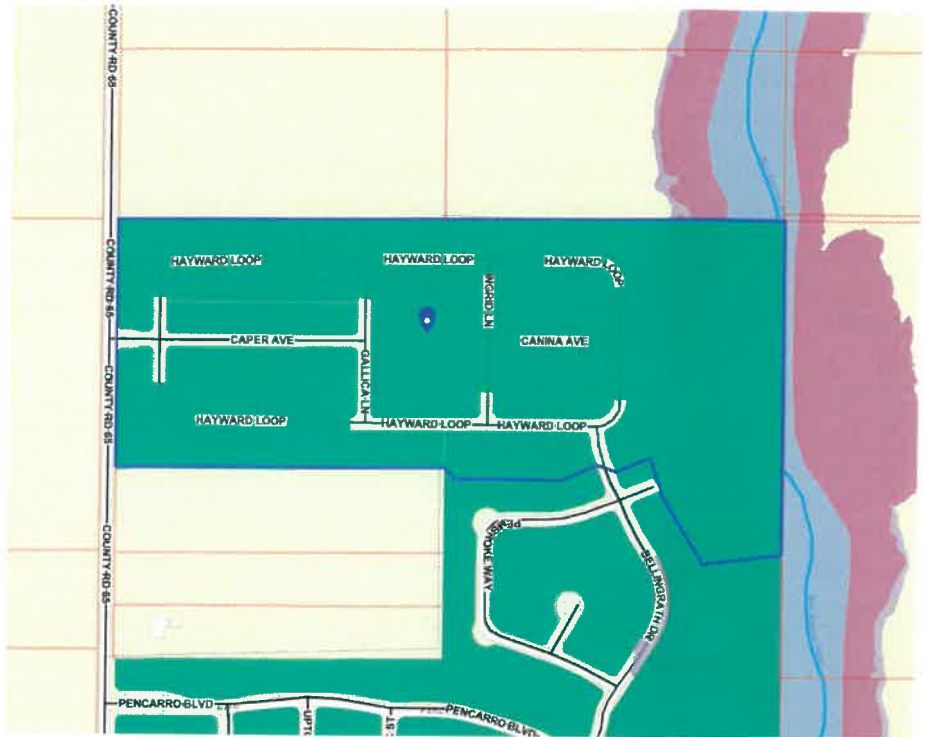
CURRENT ZONING:
R1D - Residential Single Family

REQUESTED ZONING:
NA

ADJACENT ZONING:
R1A - Residential Single Family & Unzoned BC District 27

FUTURE LAND USE:
NA

EXISTING LAND USE:
Under Construction



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

ZONING:

Miriam -

- **1/16/19** **Preliminary approval of 167 lots on 64.32+/- acres**
- **12/2/20** **1 year extension of preliminary approval**
- **4/15/21** **Final for Phase I – 55 lots on 27.41 acres**
- **11/10/21** **Request for 1 year extension on Phases 2 & 3**
- **10/19/22** **Request for 1 year extension on Phases 2 & 3**

ENGINEERING:

Chad/Taylor - Engineering is not opposed to the extension request.

ENVIRONMENTAL:

Angie - Environmental is not opposed to the extension request.

FIRE:

Brad - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - Cannot build in the flood zone.



Dewberry Engineers Inc. | 251.990.9950
25353 Friendship Road | 251.990.9910 fax
Daphne, AL 36526 | www.dewberry.com

September 26, 2022

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

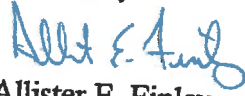
**RE: Rosewood Phases 2 & 3
Extension Request**

Dear Mrs. Boone,

On behalf of the developer/owner, we would like to request an additional extension for Rosewood Subdivision, Phases 2 & 3 Preliminary Plat Approval. The previous extension of preliminary plat approval will expire on 11/10/2022. The projects will not be completed in time to submit final plats for approval by the expiration date. As such, we would like to request a 12-month extension.

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

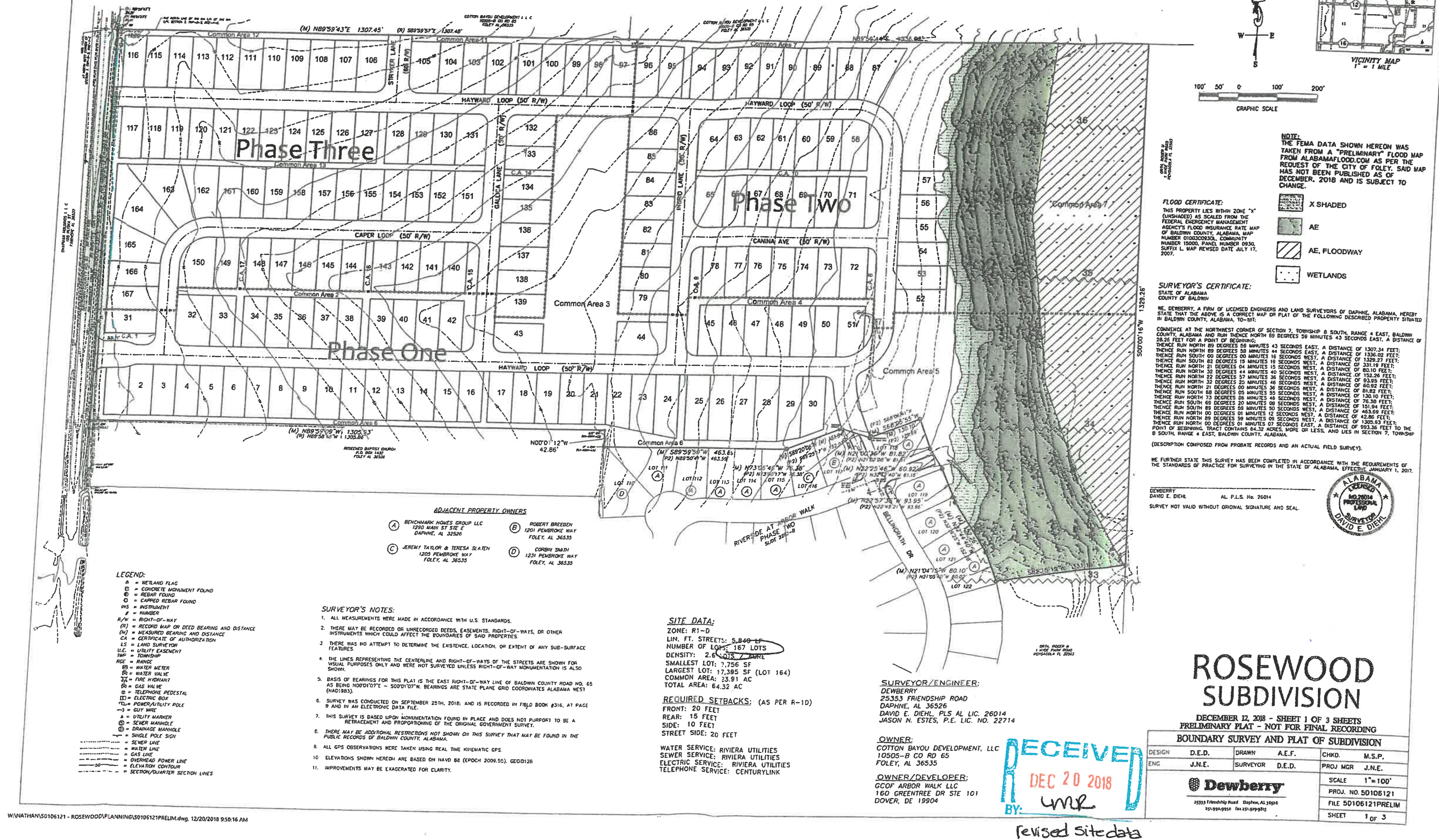
Sincerely,
Dewberry


Allister E. Finley
Designer II

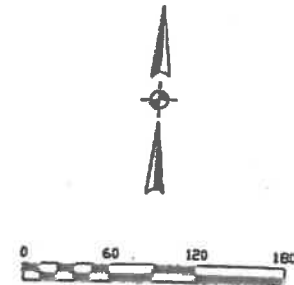
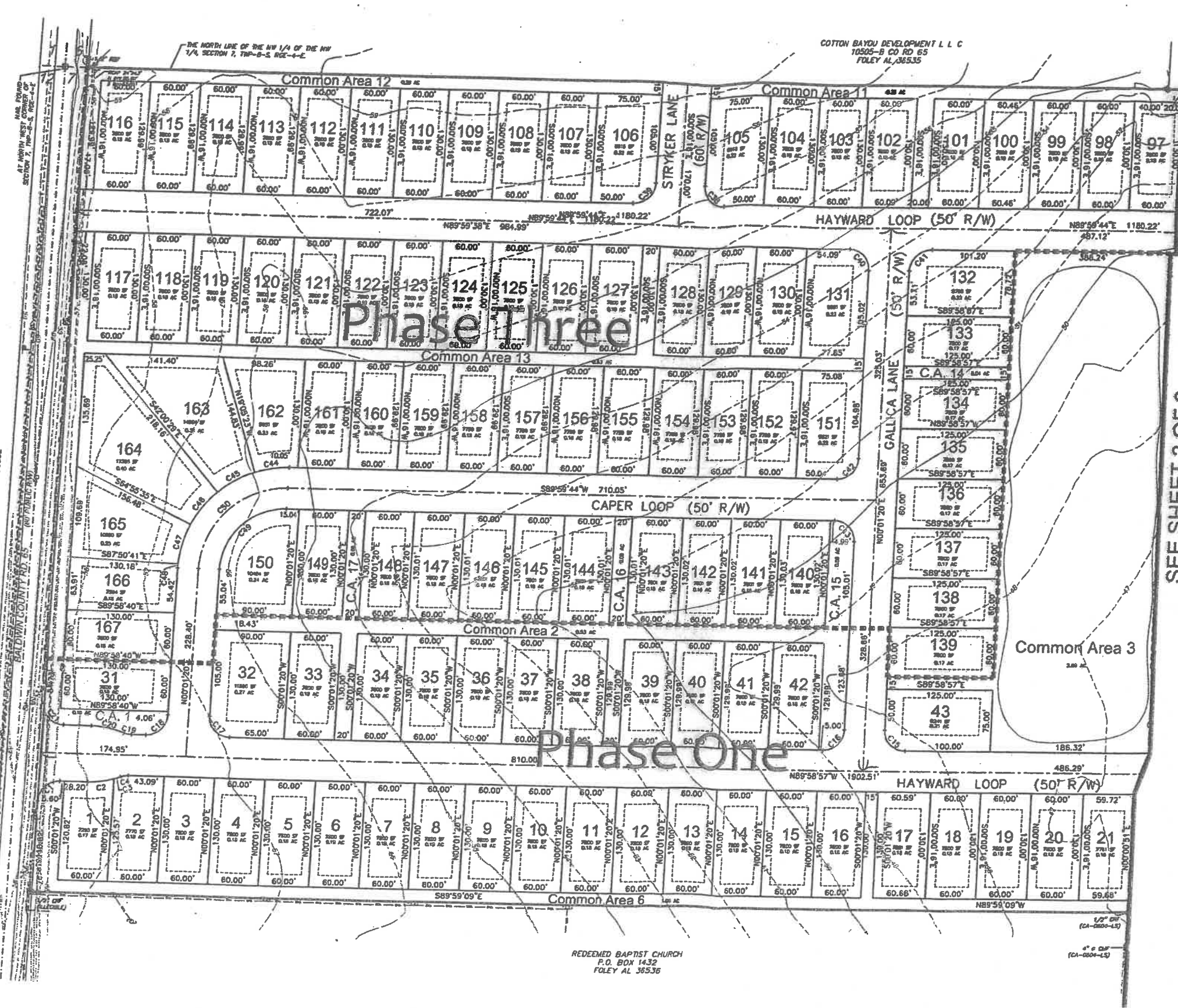
cc: File 50106121



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9/23/22



CHAPMAN HOLDINGS L.L.C.
198 PULASKI STREET
FAIRHOPE, AL 36532



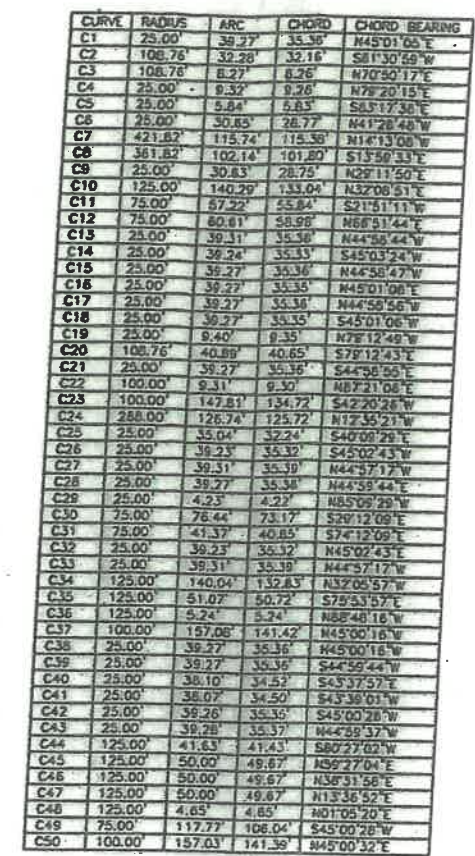
SEE SHEET 3 OF 3

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	25.00'	36.27'	33.34'	N45°01'05"E
C2	108.76'	32.28'	32.18'	S81°30'59"W
C3	108.76'	8.27'	8.26'	N70°50'17"E
C4	25.00'	9.32'	8.20'	N79°20'19"E
C5	25.00'	5.84'	5.83'	S83°17'36"E
C6	25.00'	30.65'	28.77'	N41°28'48"W
C7	421.82'	115.74'	115.38'	N14°13'08"W
C8	361.82'	102.14'	101.80'	S13°59'33"E
C9	25.00'	30.65'	28.75'	N26°11'50"E
C10	125.00'	140.29'	133.04'	N32°08'51"E
C11	75.00'	57.22'	55.84'	S21°51'11"W
C12	75.00'	60.61'	58.98'	N68°51'44"E
C13	25.00'	39.31'	35.38'	N44°58'44"W
C14	25.00'	39.24'	35.35'	S45°03'24"W
C15	25.00'	39.27'	35.36'	N44°58'47"W
C16	25.00'	39.27'	35.35'	N45°01'06"E
C17	25.00'	39.27'	35.36'	N44°58'58"W
C18	25.00'	39.27'	35.35'	N45°01'06"W
C19	25.00'	9.40'	9.35'	N79°12'48"W
C20	108.76'	40.89'	40.85'	S79°12'43"E
C21	25.00'	39.27'	35.36'	S44°58'53"E
C22	100.00'	9.31'	9.30'	N87°21'06"E
C23	100.00'	147.81'	134.72'	S42°20'28"W
C24	288.00'	126.74'	125.72'	N12°30'21"W
C25	25.00'	35.04'	32.24'	S40°09'28"E
C26	25.00'	39.23'	35.32'	S45°02'43"W
C27	25.00'	39.31'	35.39'	N44°57'17"W
C28	25.00'	39.27'	35.36'	N44°58'44"E
C29	25.00'	4.23'	4.22'	N85°09'29"W
C30	75.00'	76.44'	73.17'	S29°12'08"E
C31	75.00'	41.37'	40.85'	S74°12'09"E
C32	25.00'	39.23'	35.32'	N45°02'43"E
C33	25.00'	39.31'	35.39'	N44°57'17"W
C34	125.00'	140.04'	132.83'	N32°08'57"W
C35	125.00'	51.07'	50.72'	S75°53'57"E
C36	125.00'	5.24'	5.24'	N89°40'16"W
C37	100.00'	157.08'	141.42'	N45°00'16"W
C38	25.00'	39.27'	35.36'	N45°00'16"W
C39	25.00'	39.27'	35.36'	S44°59'44"W
C40	25.00'	38.10'	34.52'	S43°37'57"E
C41	25.00'	38.07'	34.50'	S43°39'01"E
C42	25.00'	39.28'	35.35'	S45°00'28"W
C43	25.00'	39.28'	35.37'	N44°59'37"W
C44	125.00'	41.83'	41.43'	S80°27'02"W
C45	125.00'	50.00'	49.67'	N59°27'04"E
C46	125.00'	50.00'	49.67'	N56°31'58"E
C47	125.00'	50.00'	49.67'	N13°36'52"E
C48	125.00'	4.65'	4.65'	N01°05'20"E
C49	75.00'	117.77'	106.04'	S45°00'28"W
C50	100.00'	157.03'	141.39'	N45°00'32"E

Rosewood Subdivision

DECEMBER 12, 2018 - SHEET 2 OF 3 SHEETS
PRELIMINARY PLAT NOT FOR FINAL RECORDING
BOUNDARY SURVEY AND PLAT OF SUBDIVISION

DESIGN	D.E.D.	DRAWN	A.E.F.	CHKD.	M.S.P.
ENG	J.D.L.	SURVEYOR	D.E.D.	PROJ MGR	J.N.E.
					SCALE 1"=50'
					PROJ. NO. 50106121
					FILE 50106121Prelim
					SHEET 2 OF 3



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

NOTARY PUBLIC

BELLINGRATH DR



Dewberry



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Tropic Hideaway RV Park

REQUEST: Temporary Signage

OWNER / APPLICANT:
OWA

ACREAGE: NA

PIN#(s): 366804

LOCATION: Adjacent to the roundabout at Pride Dr, north of Owa Blvd

DESCRIPTION:
Temporary Signage

CURRENT ZONING:
NA

REQUESTED ZONING:
NA

ADJACENT ZONING:
PDD

FUTURE LAND USE:
NA

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 - The request is for a 20'x8' temporary sign for the Tropic Hideaway RV Park adjacent to the roundabout on Pride Drive next to the RV Park under construction. The request is for the signage to stay in place until the RV Park is completed in Spring 2023. At that time, a permanent sign will be permitted.

All other temporary signage on OWA's site has been removed.

ENGINEERING:

Chad/Taylor -

Engineering is not opposed to the signage request. Consideration will need to be given to the vision triangle near the intersection to ensure the sign is not blocking a driver's line of sight.

ENVIRONMENTAL:

Angie - not opposed

FIRE:

Brad - not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - NA



P 251.923.2111
10113 Foley Beach Express
Foley, AL 36535

September 23, 2022

City of Foley Planning & Zoning Commission
c/o Miriam Boutwell
407 E. Laurel Avenue
Foley, AL 36535

RE: Tropic Hideaway Temporary RV Park Signage

To Whom it May Concern,

OWA Parks & Resort would like to request consideration to add a temporary sign adjacent to the construction of our Tropic Hideaway RV Resort. This signage would be located on our property adjacent to the roundabout off Pride Drive. Please see the enclosed map for location. Installation of this temporary sign is critical to ensure we reach visitors as they make plans for future years. Examples of the sign design and height are also included in this request packet.

Further, in the attached packet we have provided a modified temporary sign plan for your reference. Originally OWA had approval for (11) eleven signs temporarily during our buildout. The majority of those have been removed. Most recently we removed those signs located at the intersection of Pride Dr/Juniper St. and Pride Dr./North OWA as per the guidance from the Planning & Zoning Commission previously.

It is our intent to keep this 2-panel sign up only through construction of the RV park – which should be completed in Spring 2023. Upon completion of the RV park the signage will be removed, and we will seek approval for permanent signage at that time.

Should you have questions please do not hesitate to contact Ryan Exum, OWA Parks & Resort Property Manager, at 252-923-2111. We appreciate your thoughtful consideration of our request.

Sincerely,

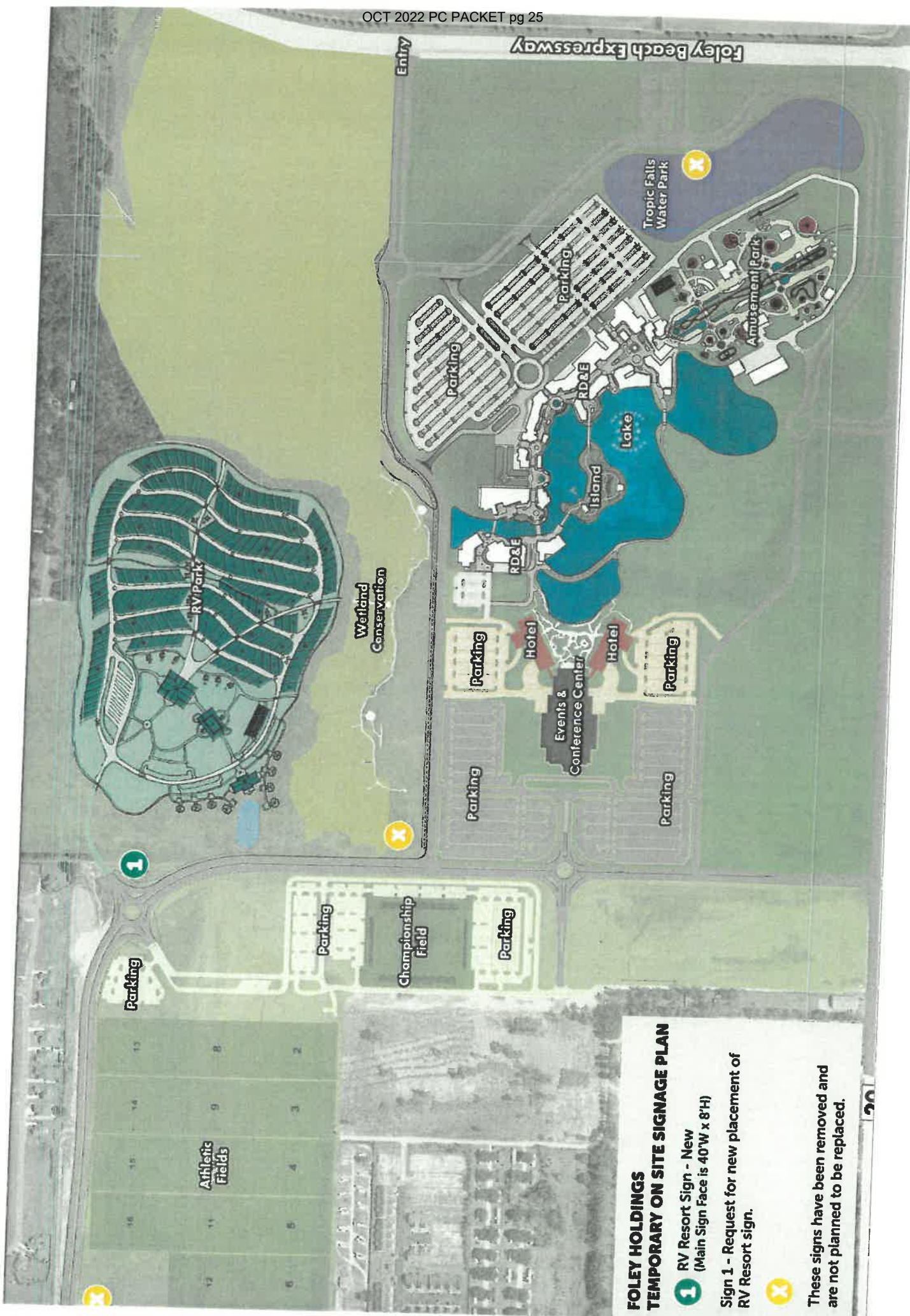
Kristin Hellmich
Director of Strategy & Media Communications



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9/23/22 AC

visitOWA.com



FOLEY HOLDINGS TEMPORARY ON SITE SIGNAGE PLAN

1 RV Resort Sign - New
(Main Sign Face is 40'W x 8'H)

X Sign 1 - Request for new placement of
RV Resort sign.

X These signs have been removed and
are not planned to be replaced.



20'x8'

Adjacent to the construction of Tropic Hideaway RV Resort.



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OCT 21 2022



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Element Townhomes

REQUEST: Extend Site Plan Approval for a year from the October 2022 meeting. The current site plan approval is valid until 1/19/23

OWNER / APPLICANT:
Element RE Development
/KTC Development LLC -
Kent Campbell

ACREAGE:
35.73 Acres

PIN#(s):
36619, 99116, 121386,
104086, 29203, 91172

LOCATION:
South of CR 20,
East of State Hwy 59

DESCRIPTION:
Site Plan Extension

CURRENT ZONING:
B1A Extended Business
District

REQUESTED ZONING:
NA

ADJACENT ZONING:
B1A Extended Business
District, PDD Planned
Development District

FUTURE LAND USE:
MxU Mixed Use

EXISTING LAND USE:
Vacant & Residential?



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

ZONING:

Miriam - This site plan was approved by the Planning Commission on January 19, 2022 & is valid for 1 year. The Zoning Ordinance states "The Planning Commission may extend the site plan approval if it is determined there is an extenuating circumstance." This is a B1A zoning designation behind Lowes. A narrative includes explaining the reason for the early extension request.

Due to the new LDP & Environmental requirements, the density has been reduced from 420 residential townhomes to 360 residential townhomes. Jurisdictional wetland areas have been delineated & the units are meeting the buffer requirements. The amenities include a centrally located clubhouse, pool, playground, dog park & walking trail. Approximately 60% of the units will have an attached garage.

***PLEASE NOTE THEY ARE NOT REQUESTING AN EXTENSION FROM THEIR DEADLINE DATE OF JANUARY 19, 2023 BUT ARE REQUESTING A ONE YEAR EXTENSION FROM THE OCTOBER 19, 2022 MEETING.**

At the 9/27/22 staff meeting, requesting the sidewalk proposed along Juniper within the development be moved to the Juniper Street right-of-way to become a public sidewalk.

ENGINEERING:

Chad - Engineering is not opposed to the extension request. The initial review of the LDP was held week of 9/19/2022 with comments returned that week.

ENVIRONMENTAL:

Angie - Environmental is not opposed to an extension request.

FIRE:

Brad - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - NA

ELEMENT TOWNHOMES

A Multifamily Rental Community

20324 Mifflin Road

Foley, Alabama

Request for Extension of Site Plan Approval

September 15, 2022

Introduction and Request

On January 19, 2022, Foley Planning Commission approved a site plan for proposed development of this 35.73 acre tract as multifamily residential under provisions of the B-1A zoning classification in effect at the time.

Wetlands delineation and permitting, along with civil design were initiated upon PC approval of site plan. The City's LDP moratorium and proposed LDP Ordinance necessitated some delay for review and implementation of new site development requirements. As we continue working to finalize bid documents and coordinate architectural drawings, our LDP submittal was made to the City on September 2nd, 2022. We are still waiting on USACE approval of wetlands permit, but hope to have that in October.

We are now underway on full architectural drawings, and hope to have several buildings submitted for permitting in late December, 2022. Our current site plan approval expires on January 19th, 2023.

Element Real Estate closed on purchase of the property in March 2021, and has been diligent in preparing construction documents, soliciting construction budgets and lining up a general contractor. We have expended significant resources to date, and continue to push forward on all fronts to prepare for construction. As Commission members may be aware, commercial lenders have cooled significantly on real estate development projects over the last several months, making financing much more difficult and time consuming. Element currently has three multifamily development projects in the pipeline, and are diligently pursuing debt financing for two of those, both of which are on development sites owned by affiliates of Element.

Out of an abundance of caution, Element respectfully requests that site plan approval be extended by 12 months from this PC meeting, to October 19th, 2023. This will help assure excellence in architectural design, thorough documentation in plans and specifications, and solid financing for timely ground breaking.



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9/19/22 AC

Project Description

Original site plan was approved for a **maximum of 420 residential units** designed in the style of attached townhomes, to be owned and managed by a single entity (not individually platted), and rented as apartments. Subsequent changes were required to accommodate stormwater retention and drainage, wetland and buffer areas, and proposed LDP requirements. Through the engineering process, density has been **reduced to 360 residential units**. Also, in order to minimize stormwater impact, a variance to allow reduced parking stall dimensions was sought and approved through the Foley Board of Adjustment and Appeals.

Site has been designed to minimize impact on jurisdictional wetlands existing on the property, and these areas, together with required buffers, will be incorporated into a broader greenway that will provide bioretention, conservation easement areas and active green space.

The development is now designed to include a mix of 1-, 2- and 3-bedroom units. Townhomes will be 1 to 2 stories. Approximately 60% of the units will include attached, 1-car garages, while the remainder of the required parking will be provided by surface parking lots. Parking provided will significantly exceed Foley requirement of 2 spaces per unit.

Amenities

Project will also include a Clubhouse/Amenity Building, swimming pool and deck, playground, dog park, open lawn areas, walking trails, and cookout/picnic areas.

Developer

Element Real Estate Development is based in Montvale, NJ, and will serve as developer for the project. The principals of Element, through affiliated entities, own and manage over 9,000 residential units across the South, Midwest and Northeast. While much of this consists of older properties, their goal is to double in size over the next 5 years primarily through new development.

Element will be represented and advised by Kent Campbell of KTC Development, LLC, based in Nashville, TN. Kent has extensive multifamily development experience, totaling over \$600 million in completed projects, including several developments in coastal regions of Texas, Louisiana, Alabama and Florida.



RECEIVED
9/19/2022 AC

Contact Info

Developer:

Element Real Estate Development
1 Paragon Drive, Suite 200
Montvale, NJ 07645
Attn: David Klein, Vice President
dklein@elementredev.com
845.352.5656

Represented by:

KTC Development, LLC
905 Sunset Rd W
Brentwood, TN 37027
Attn: Kent Campbell, Owner
kentcampbell@outlook.com
205.532.6412





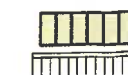

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9/19/22 AC

North



SCALE: 1" = 100'

SITE DATA TABLE	
SITE LOCATION:	20324 MIFLIN ROAD
PARCELS:	MULTIPLE
CURRENT OWNERS:	MULTIPLE
DEVELOPER:	ELEMENT REAL ESTATE
	DAVID KLEIN
	1 PARAGON DRIVE, SUITE 260
	MONTVALE, NJ 07645
SITE AREA:	
DELINEATED WETLANDS:	35.73 ACRES, +/-
EXISTING ZONING:	3.53 ACRES, +/-
PROPOSED LAND USE:	B-1A - EXTENDED BUSINESS DISTRICT
REZONING REQUIRED:	MULTIFAMILY RESIDENTIAL
	NO
MAX ALLOWED DENSITY:	
PROPOSED DENSITY:	32.2 ACRES X 20 DU/Acre = 644 UNITS
	420 UNITS, Maximum (13 DU/Acre)
PARKING REQUIRED:	
PARKING PROVIDED:	2 SPACE PER UNIT = 640
	420 GARAGE SPACES
	524 SURFACE SPACES
	944 TOTAL, INCLUDING 20 ACCESSIBLE
NOTE:	
Final parking count to be adjusted based on total unit count, but shall allow for 2.2 spaces per unit, minimum.	
PARKING DIMENSIONS:	
DRIVE DIMENSIONS:	10' X 20' STALLS
	25' MINIMUM
SETBACKS REQUIRED:	
FRONT YARD = 30'	
SIDE YARD = 30' ABUTTING STREET	
REAR YARD = 20'	
SETBACKS PROVIDED:	
FRONT YARD (MIFLIN RD) = 40'	
SIDE YARD (JUNIPER ST) = 40'	
SIDE YARD = 25'	
REAR YARD = 30'	
MAXIMUM BUILDING HEIGHT PERMITTED:	
MAXIMUM BUILDING HEIGHT PROPOSED:	85' / 6 STORIES
	35' / 3 STORIES
MAXIMUM BUILDING AREA = 50% GROSS LOT AREA = 778,000 SF	
PROPOSED BUILDING AREA = 305,000 SF	
MINIMUM OPEN SPACE:	
PROPOSED OPEN SPACE:	NOT APPLICABLE UNDER B-1A
	30% +, ACTUAL OPEN SPACE TBD.
THIS PARCEL IS LOCATED IN ZONE "X" AND IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD AREAS".	
SIGNAGE NOTE:	
SIGNAGE TO BE DESIGNED IN COMPLIANCE WITH ALL CITY SIGN ORDINANCES.	
AMENITIES:	
• CLUBHOUSE 4000 sf +/-	
• POOL - TO BE DESIGNED IN ACCORDANCE WITH APPLICABLE HEALTH DEPT. REQUIREMENTS.	
• PLAYGROUND - SIZE AND CONFIGURATION T.B.D.	
• DOG PARK - SIZE AND CONFIGURATION T.B.D.	
• WALKING TRAIL - TO FOLLOW PERIMETER OF WETLANDS BUFFERS.	
STORMWATER:	
Design of Stormwater Management areas and connection to existing drainageways, wetlands and buffers to be determined in accordance with applicable standards for Low Impact Development.	

-  Townhome-style Multifamily with 2-car garages - 1600 SF HVAC
-  Townhome-style Multifamily with 2-car garages - 1400 SF HVAC
-  Townhome-style Multifamily, Surface-parked - 1200 SF HVAC
-  Amenity Building - 4000 SF +/-

Element
Real Estate
Development

CONCEPTUAL SITE PLAN
ELEMENT TOWNHOMES
20324 MIFLIN RD.
FOLEY, ALABAMA

Prepared by
Kent Campbell
KTC Development

205.532.6412
kentcampbell@outlook.com

12/22/2021

9/19/2021
RECEIVED



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Magnolia Walk East - Phase I

REQUEST: Site Plan Approval

OWNER / APPLICANT:
Woerner Gulf Express/Burton
Group

ACREAGE: 18.14

PIN#(s): 17683

LOCATION: Northeast corner
of FBE & CR 20

DESCRIPTION:
Phase I Site Plan

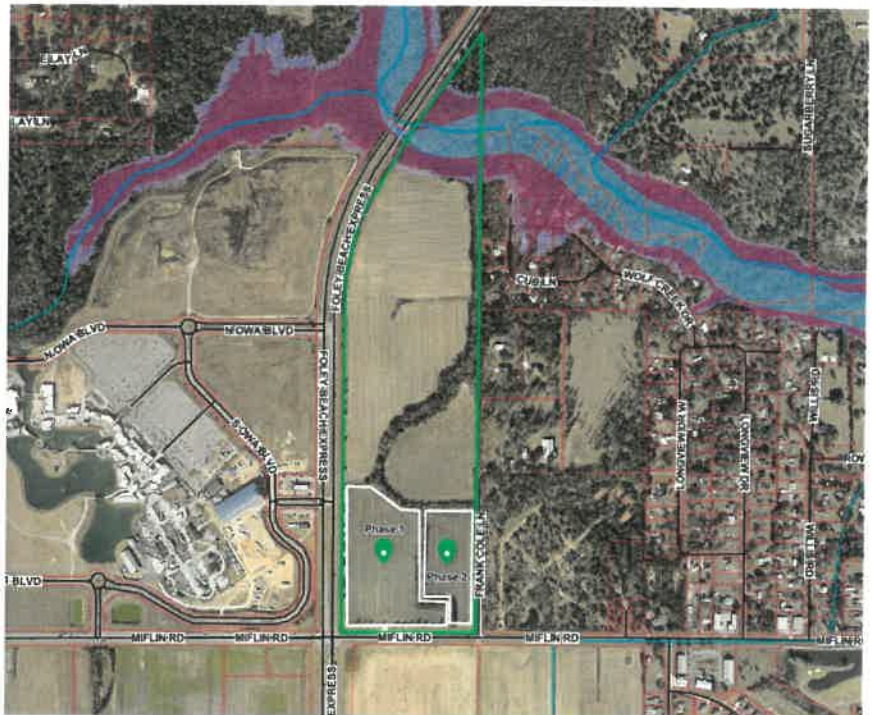
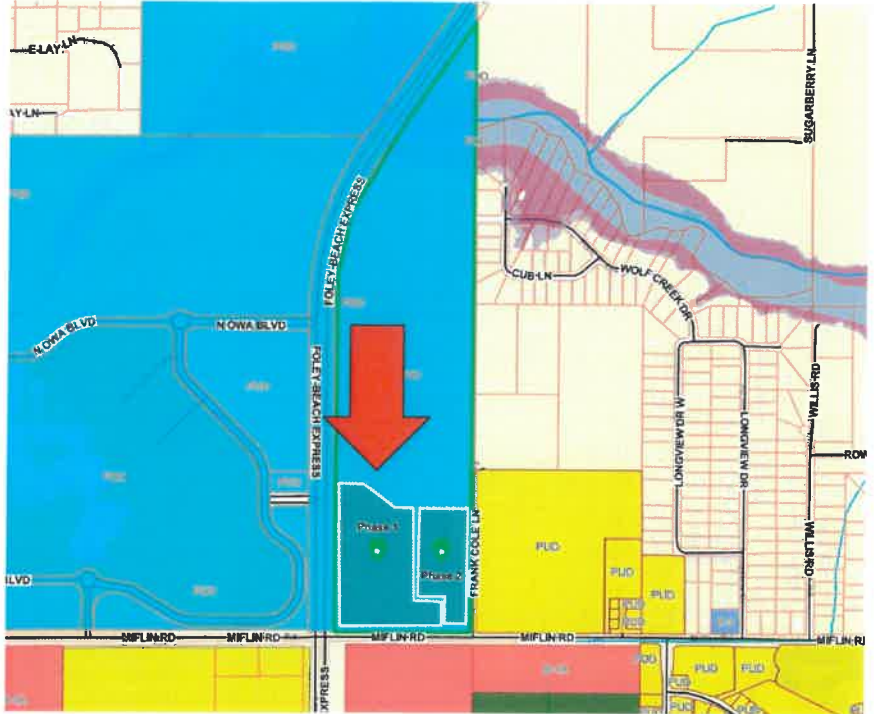
CURRENT ZONING:
PDD - Planned Development
District

REQUESTED ZONING:
NA

ADJACENT ZONING:
PDD - Planned Development
District & B1A - Extended
Business District

FUTURE LAND USE:
RCC - Retail Commercial
Concentration

EXISTING LAND USE:
Vacant



REQUIRED BUFFER: NA on Phase I

PROPOSED BUFFER: NA

UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**

DEED RECEIVED: YES / NO / NOT APPLICABLE

AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam - The request is for Phase I site plan approval. Phase I meets the requirements of the approved PDD.

A maximum of 30 units per acre was approved, Phase I consists of 15.9 units an acre.

A PDD requires 15% of open space, they are at 23%.

They will have a clubhouse, fitness center, pool & club room.

ENGINEERING:

Chad/Taylor - Engineering has been in discussion with the developer's engineer regarding the proposed access points onto the FBE.

ENVIRONMENTAL:

Angie - Environmental is not opposed.

FIRE:

Brad - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - These areas are not in the flood zone.

September 26, 2022

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

BPG

Burton
PROPERTY GROUP

VIA ELECTRONIC MAIL

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

Re: Site Plan Approval (Phase I, Tract 7¹)
Magnolia Walk East
Northeast Corner of Foley Beach Expressway and County Road 20

Esteemed Commissioners,

Burton Property Group is pleased to present to the Commissioners the attached Site Plan to develop 18.14 acres at the northeast corner of Foley Beach Expressway and County Road 20. We are requesting site plan approval for a 288-unit market-rate apartment development on Tract 7 (Phase I). The subject property will be a Class-A apartment project built across ten, three-story, garden-style residential buildings. The unit mix comprises different floor plans of one (50% of total units), two (42% of total units), and three-bedroom units (10% of total units) ranging from 620 SF – 1,390 SF, with an average unit size of 928 SF. The Property will have an 8,100 SF clubhouse with a leasing center, fitness center, community pool, club room for residents. This project is designed to have a unit density of 15.9 units/acre compared to the 30 units/acre provided in the zoning for the project.

This development was previously discussed with the City of Foley on June 6, 2022, and the current site plan has been updated to reflect the City of Foley's feedback from that discussion. The size of the wetlands buffers have been updated per our wetlands delineation study. We expect construction to start on Phase I in late 2023.

To execute this project Burton Property Group will partner with SilverCap Partners and Stonehenge Real Estate Group Consulting to develop the residential projects on Tract 7. Representative apartment projects from these groups, showing exterior and landscaping detail, are included in this submittal.

In addition, we respectfully request that the required parking on Phase I be amended to 1.15 parking spaces per bedroom in lieu of the current requirement of 2.0 parking spaces per unit. Per the parking analysis provided in the submittal, you will see this provides more parking than was required in other Southeastern markets (Augusta, GA, Gainesville, FL, Huntsville, AL, etc.), and 25% more than the per bedroom parking for Sevilla Place Apartments, a recently built project (2019 year-of-construction) in Foley located at 3151 Boulevard de Sevilla. These differences are

¹ See Exhibit A, Tract Layout



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explained by the unit mix composition of the properties² where the Sevilla Place project has 90% 2-bedroom and 3-bedroom apartments compared to 50% 2-bedroom and 3-bedroom apartments for the apartment development on Phase I (see table below, and further detail in the submittal).

Property	Unit Mix Comparison		
	1BR	2BR	3BR
Magnolia Walk East (P1)	50%	42%	8%
Magnolia Walk East (P2)	69%	31%	—
Sevilla Place Apartments (existing)	10%	60%	30%

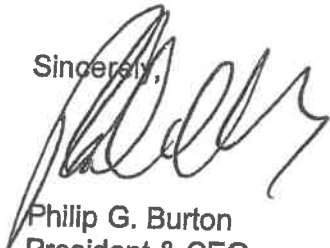
The net effect of this change is to ensure a project is not overparked and creating unnecessary impervious space which results in additional stormwater management. This project has a proposed 23% of greenspace on the site, which is in addition to the 10% greenspace provided by the proposed 10.4 acre shared conservation area located at the northern part of the Magnolia Walk East master plan.

In addition to the application submitted, the submittal includes the following information:

- Boundary survey
- Site plan
- Project landscape and greenspace analysis
- Representative exterior and landscaping designs from our teams current and former projects
- Wetlands delineation overlay on the entire Magnolia Walk East site plan

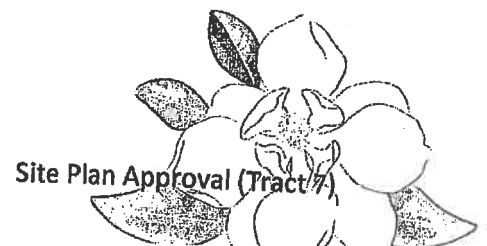
We look forward to advancing this development in coordination with the City of Foley and respectfully request your consideration and approval of this amendment request. Should you have any questions, please let us know.

Sincerely,



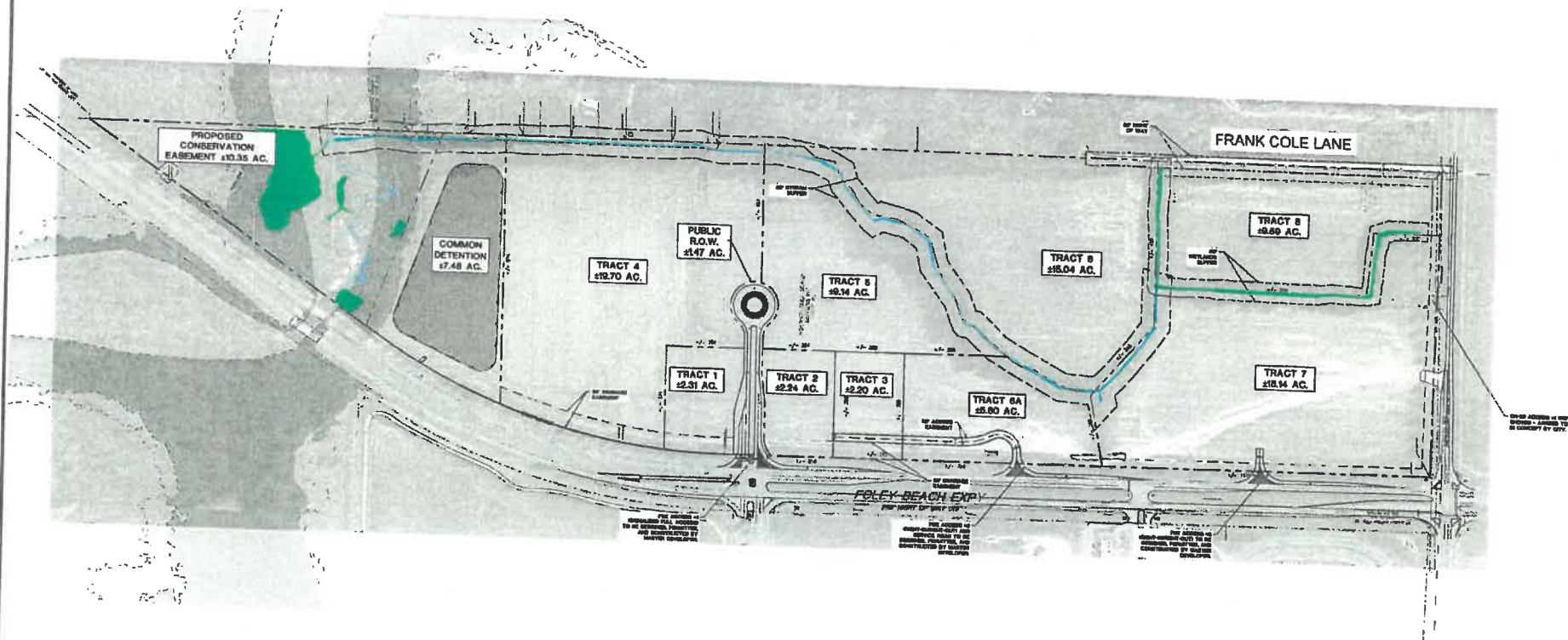
Philip G. Burton
President & CEO
philip@burtonprop.com

² Sevilla Place Information from CoStar and onsite property staff



LEGEND

PROPERTY LINE
EASEMENT LINE
WETLANDS
STREAM
WOLF CREEK



SITE ANALYSIS

PROPOSED CONSERVATION EASEMENT	± 10.35 ACRES
COMMON AREA DETENTION (NORTH)	± 7.48 ACRES
PUBLIC R.O.W.	± 2.09 ACRES
TRACT #1 (OUTLOT A)	± 2.31 ACRES
TRACT #2 (OUTLOT B)	± 2.24 ACRES
TRACT #3 (OUTLOT C)	± 2.20 ACRES
TRACT #4 (TOWN HOMES)	± 19.70 ACRES
TRACT #5	± 0.14 ACRES
TRACT #6	± 15.04 ACRES
TRACT #6 A	± 5.60 ACRES
TRACT #7	± 18.14 ACRES
TRACT #8	± 9.59 ACRES
TOTAL	± 103.8 ACRES

CONCEPTUAL STORMWATER MANAGEMENT PLAN

LOT 1	NORTH COMMON DETENTION AREA
LOT 2	NORTH COMMON DETENTION AREA
LOT 3	NORTH COMMON DETENTION AREA
LOT 4	NORTH COMMON DETENTION AREA
LOT 5 (FBE FRONTAGE)	NORTH COMMON DETENTION AREA
LOT 5 (REAR PORTION)	SELF DETAINED
LOT 6	SELF DETAINED
LOT 7	SELF DETAINED
LOT 8	SELF DETAINED

OPEN SPACE REQUIREMENTS

THE DEVELOPMENT WILL REQUIRE 15% OPEN SPACE PER THE APPROVED PLANNED DEVELOPMENT DISTRICT. THE MASTER DEVELOPER WILL PROVIDE 15% OPEN SPACE IN THE PROPOSED CONSERVATION EASEMENT AREA.

EACH DEVELOPMENT TRACT WILL BE RESPONSIBLE FOR PROVIDING AT LEAST 5% OPEN SPACE OR ADDITIONAL, IF NECESSARY IN ACCORDANCE WITH THE CITY OF FOLEY REQUIREMENTS AT THE TIME OF DEVELOPMENT. AS OF AUGUST 2022, EACH DEVELOPMENT WILL HAVE TO PROVIDE 5% SPACE.

OVERALL
SITE PLAN

SCALE IN FEET
0 100 200

REVISION	BY

3709 OLD SHELL RD.
MOBILE, AL 36688
PHONE: 251.335.1589
FAX: 251.335.1590
WWW.DDC-CITY.COM

DDC

STAMP
DATE: 10/10/2022
BY: [Signature]

PROPOSED MAGNOLIA WALK EAST DEVELOPMENT
FOLEY, ALABAMA
BALDWIN COUNTY
FOR BURTON PROPERTY GROUP
MOBILE, AL

OWNER AND CHECKED: [Signature]
DATE: 08/27/2022
DESIGNED BY: [Signature]
PROJECT NO.: 22-001
SHEET: 1 OF 1
P-20

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AL

[illegible]

Burton Property Group - Magnolia Walk East

Project Data:

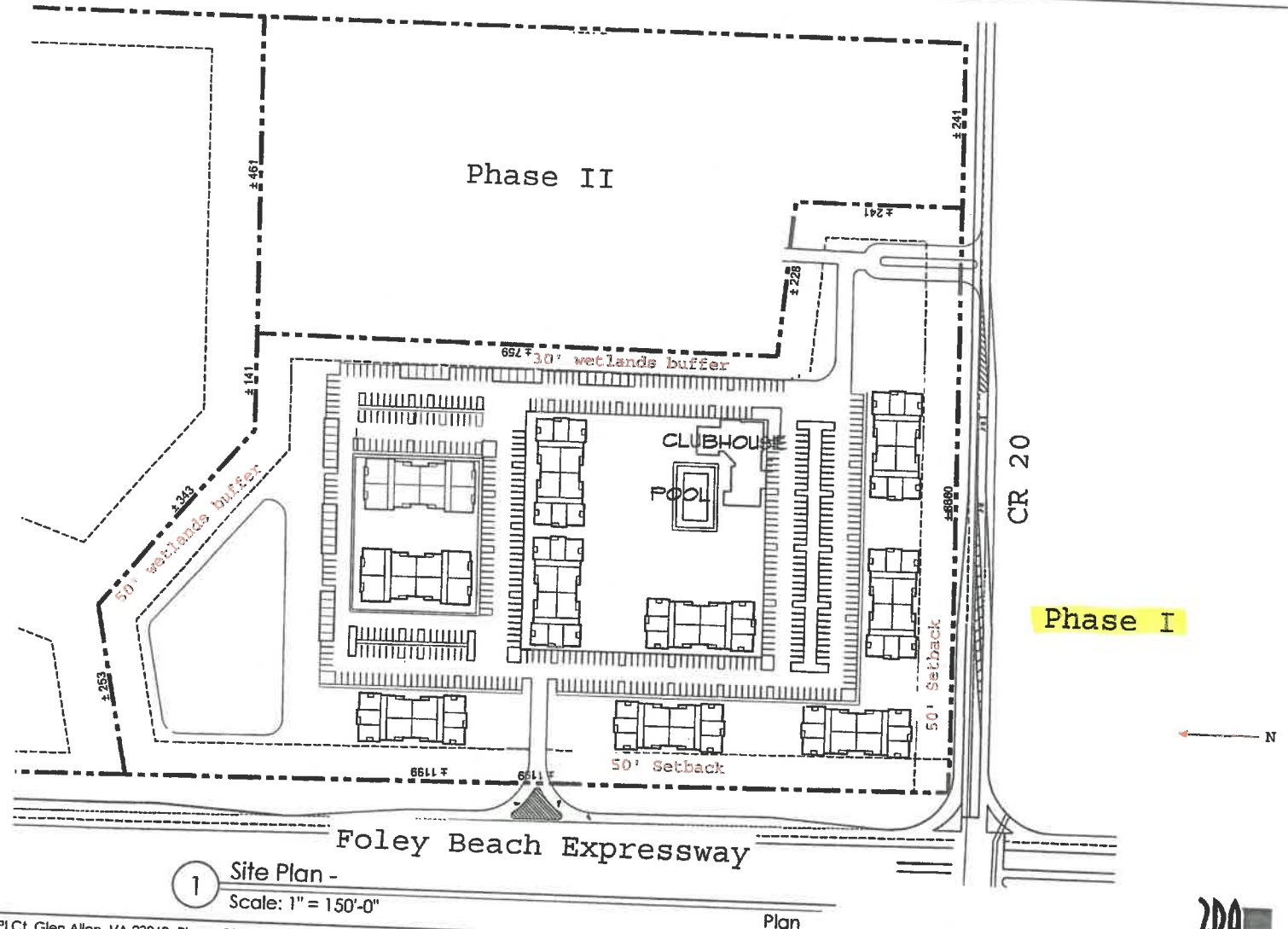
PHASE I

3-STORY RESIDENTIAL
10 Buildings

288 units

1-Bedroom: 144 (50%)
2-Bedroom: 120 (42%)
3-Bedroom: 24 (8%)

PARKING
526 Total
490 Surface Parking
36 Garages
1.8 Spaces/Unit Ratio
1.15 Space/Bedroom



Foley, AL

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September 13, 2022



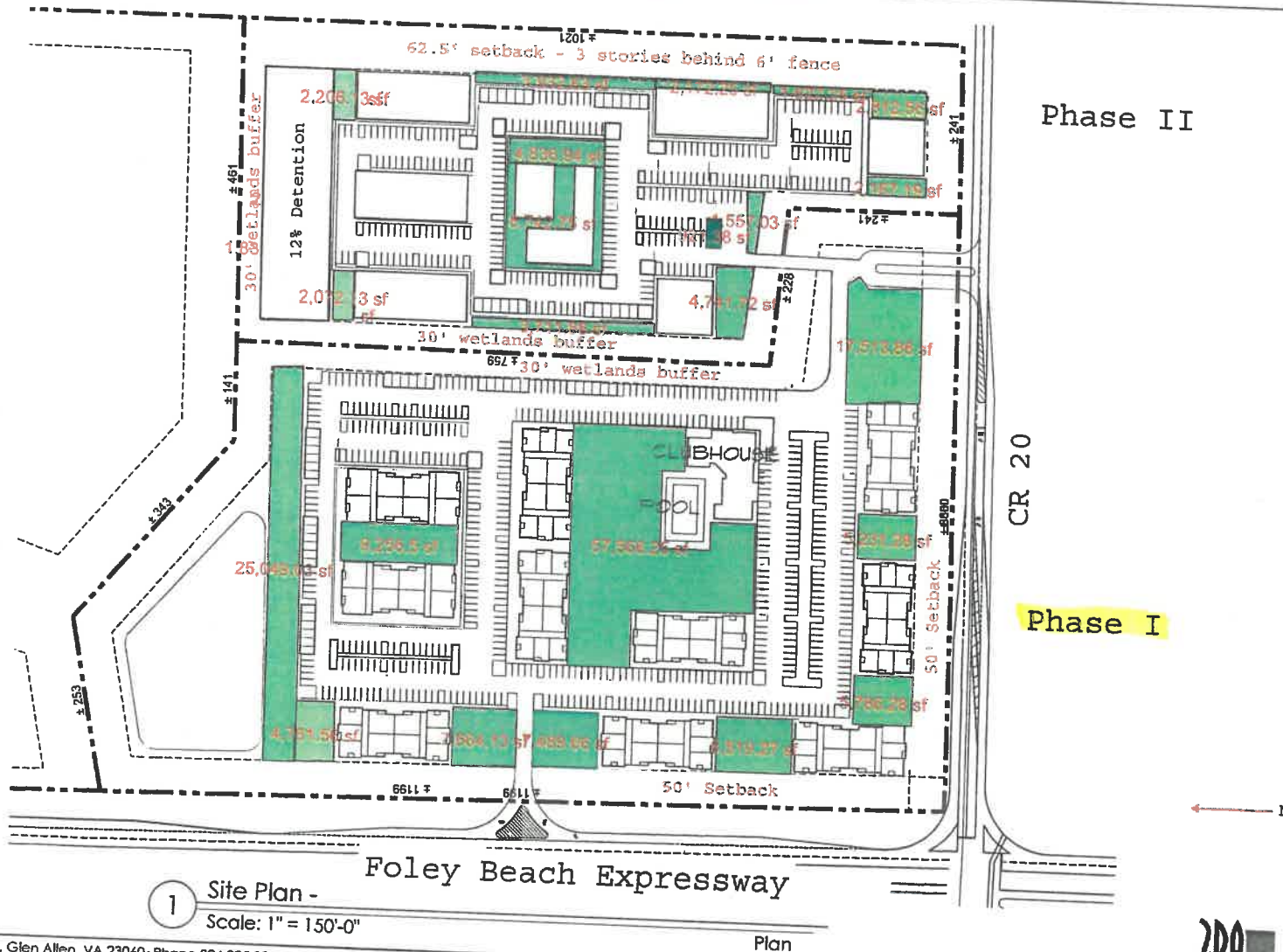
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PHASE I

PHASE II

MASTER PLAN:

Total Master Plan: 103.8 Acres
Wolf Creek Conservation: 10.35 acres
Conservation %: 10%



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Plan

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PHASE I
18.14 acres
3-STORY RESIDENTIAL
10 Buildings

1-Bedroom: 144 (50%)
2-Bedroom: 120 (42%)
3-Bedroom: 24 (8%)

526 Total
490 Surface Parking
36 Garages
1.8 Spaces/Unit Ratio
1.15 Space/Bedroom

9.59 acres
3 Story Residential
7 Buildings

1 Bedroom: 108 (69%)
2 Bedroom: 48 (31%)

277 Total Spaces
253 Surface Parked
24 Garages
1.78 Space/Unit
1.35 Space/Unit

NOTE: Parking spaces are 8.5' x 17'
2% of parking spaces reserved and ADA
compliant
1 out of 6 ADA spaces are van accessible.

Foley, AL

Site Plan -

Scale: 1" = 150'-0"

Foley Beach Expressway

Plan

Phase II

Residential Buildings:
- 3 Stories
- 42' grade to roof pitch
- 30,000 sf each

Clubhouse:
- B100 sf
- 31' grade to roof plich

Signage:
- Monument signs
- 7' height x 12' width

Phase I

September 13, 2022

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Representative exterior and landscaping designs¹



¹Current and former projects



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9/26/22 AC

Representative exterior and landscaping designs¹



¹Current and former projects



Apartment Parking Analysis - 3/4 Story Garden Apartments

Property	Location	Units				Total Bedrooms	Parking	Parking/Unit	Parking/Bedroom	
		1BR	2BR	3BR	Total					
Mason Augusta	Augusta, GA	144	120	24	288	456	490	1.70	1.07	
Volaris Stuart	Stuart, FL	154	97	19	270	405	459	1.70	1.13	
Heartwood Powder Springs	Powder Springs, GA	147	141	12	300	465	495	1.65	1.06	
NOVO Markets West	Gainesville, FL	180	90	30	300	450	480	1.60	1.07	
The Henry	Charlotte, NC	195	104	24	325	475	560	1.72	1.18	
Kelvin Apartments	Huntsville, AL	178	99	24	301	448	465	1.54	1.04	
							Average:	1.65	1.09	
Magnolia Walk East (P1, Proposed Parking)	Foley, AL	144	120	24	288	456	526	1.83	1.15	
Magnolia Walk East - (P2, Proposed Parking)	Foley, AL	108	48	-	156	204	277	1.78	1.36	
Magnolia Walk East (P1, Parking @ 2 Spaces/Unit)	Foley, AL	144	120	24	288	456	576	2.00	1.26	50
Magnolia Walk East (P2, Parking @ 2 Spaces/Unit)	Foley, AL	108	48	-	156	204	312	2.00	1.53	35
Sevilla Place Apartments (existing)	Foley, AL	12	72	36	120	264	244	2.03	0.92	

Property	Unit Mix Comparison		
	1BR	2BR	3BR
Mason Augusta	50.0%	41.7%	8.3%
Volaris Stuart	57.0%	35.9%	7.0%
Heartwood Powder Springs	49.0%	47.0%	4.0%
NOVO Markets West	60.0%	30.0%	10.0%
The Henry	60.0%	32.0%	7.4%
Kelvin Apartments	59.1%	32.9%	8.0%
Average:	55.9%	36.6%	7.5%
Magnolia Walk East (P1)	50.0%	41.7%	8.3%
Magnolia Walk East (P2)	69.2%	30.8%	-
Sevilla Place Apartments (existing)	10.0%	60.0%	30.0%

90% 2BR and 3BR Apartments

- Parking totals include detached garages and clubhouse parking.
- The Magnolia Walk East unit breakout shows our current plan for the floorplan breakout.
- Sevilla Place information from CoStar and onsite staff



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AL



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Magnolia Walk East - Phase II

REQUEST: Site Plan Approval

OWNER / APPLICANT:
Woerner Gulf Express/Burton
Group

ACREAGE: 9.6

PIN#(s): 17683

LOCATION: Northeast
corner of FBE & CR 20

DESCRIPTION:
Phase II Site Plan

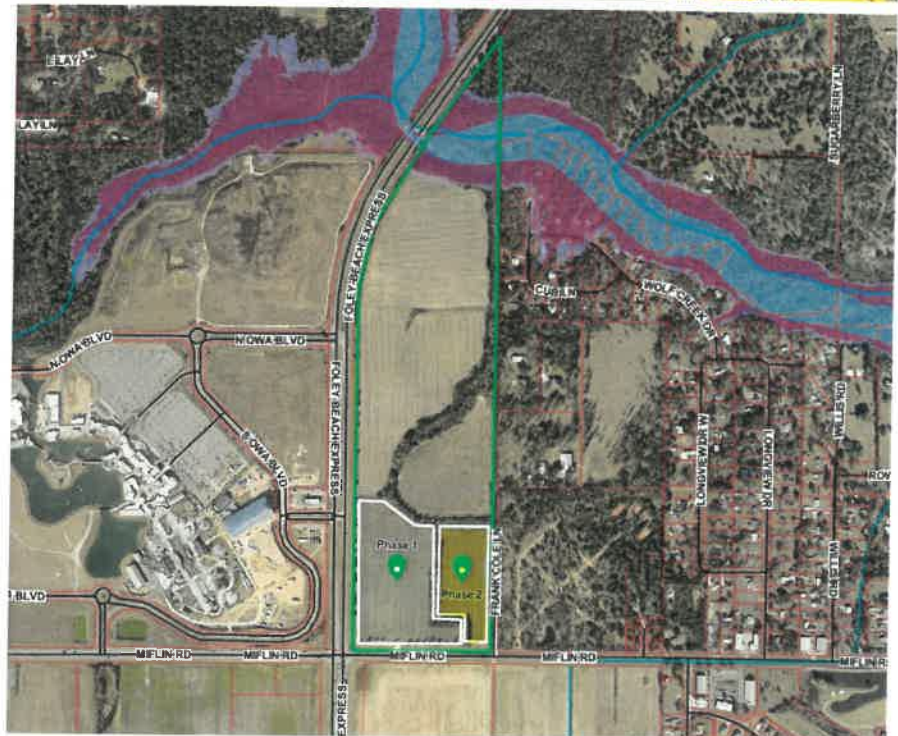
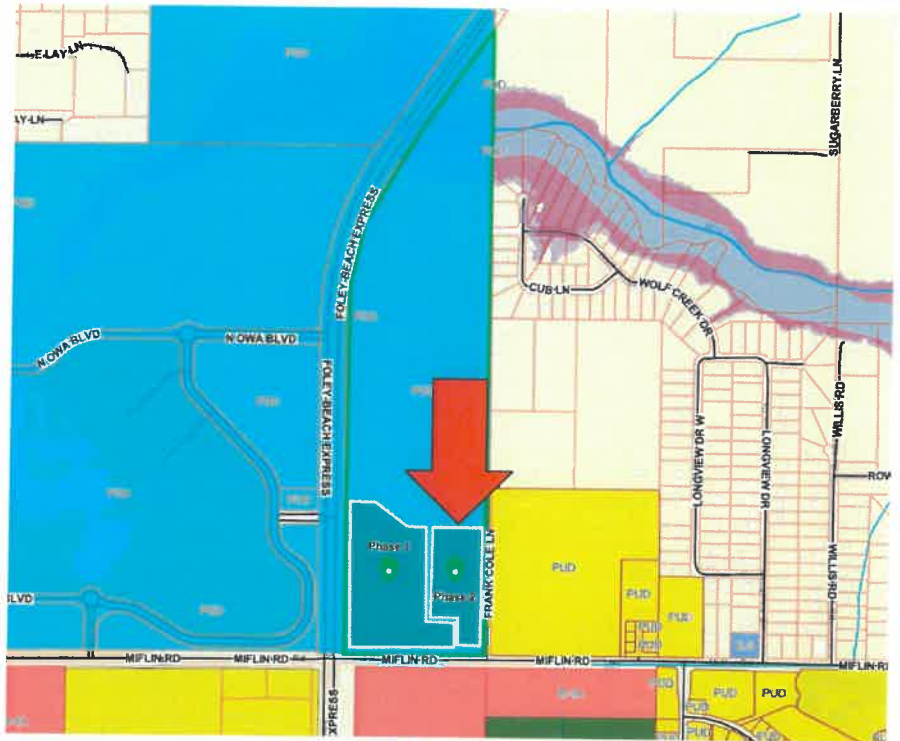
CURRENT ZONING:
PDD - Planned Development
District

REQUESTED ZONING:
NA

ADJACENT ZONING:
PDD - Planned Development
District & B1A - Extended
Business District

FUTURE LAND USE:
RCC - Retail Commercial
Concentration

EXISTING LAND USE:
Vacant



REQUIRED BUFFER: 70' between multi-family & single family. Please note the PUD to the east is currently approved for multi-family & single family.

PROPOSED BUFFER: 62'5" along with a 6' fence. Section 10.2.1 F states "If the required buffer abuts a public right-of-way, up to ½ of the right-of-way width may be counted toward the buffer width requirement." Frank Cole Lane is 50' wide so a 25' + 62'5" = 87'5" buffer along with a 6' fence is proposed.

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

ZONING:

Miriam - The request is for Phase II site plan approval. Phase II meets the requirements of the approved PDD.

A maximum of 30 units per acre was approved, Phase II consists of 16.3 units an acre.

A PDD requires 15% of open space, they are at 15%.

They will have a clubhouse, fitness center, pool & club room.

ENGINEERING:

Chad/Taylor - Improve Frank Cole Lane to serve as CR 20 access point.

ENVIRONMENTAL:

Angie - Environmental is not opposed.

FIRE:

Brad - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - NA

September 26, 2022

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

BPG

Burton
PROPERTY GROUP

VIA ELECTRONIC MAIL

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

Re: Site Plan Approval (Phase II, Tract 8¹)
Magnolia Walk East
Northeast Corner of Foley Beach Expressway and County Road 20

Esteemed Commissioners,

Burton Property Group is pleased to present to the Commissioners the attached Site Plan to develop the vacant property at the northeast corner of Foley Beach Expressway and County Road 20. We are requesting site plan approval for a 288-unit market-rate apartment development on Tract 8 (Phase II). The Property will be a Class-A apartment project built on a 9.6-acre site and spread across six, three-story, garden-style residential buildings. The unit mix comprises different floor plans of one (69% of total units) and two-bedroom units (31% of total units) ranging from 620 SF – 1,390 SF, with an average unit size of 928 SF. The Property will have a 5,000 SF clubhouse with a leasing center, fitness center, community pool, club room for residents. This project is designed to have a unit density of 16.3 units/acre compared to the 30 units/acre provided in the zoning for the project.

For the setback on Frank Cole Lane, this was interpreted using section 10.2.2B of the zoning ordinance code. This allows for a required buffer to be reduced by 50% if a "wall together with landscaping" is used. For this project, we will use a 6' access control fencing with landscaping which we interpret to fits the definition of wall buffer. In addition, the size of the wetlands buffers have been updated per our wetlands delineation study. We expect construction to start on Phase II in mid-2024.

To execute this project Burton Property Group will partner with SilverCap Partners and Stonehenge Real Estate Group Consulting to develop the residential projects on Tract 8.

In addition, we respectfully request that the required parking on Phase II be amended to greater than, or equal to, 1.15 parking spaces per bedroom in lieu of the current requirement of 2.0 parking spaces per unit. Per the parking analysis provided in the submittal, you will see this provides more parking than was required in other Southeastern markets (Augusta, GA, Gainesville, FL, Huntsville, AL, etc.), and 25% more than the per bedroom parking for Sevilla Place Apartments, a recently built project (2019 year-of-construction) in Foley located at 3151 Boulevard de Sevilla.

¹ See Exhibit A, Tract Layout



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These differences are explained by the unit mix composition of the properties² where the Sevilla Place project has 90% 2-bedroom and 3-bedroom apartments compared to 31% 2-bedroom and 3-bedroom apartments for the apartment development on Phase II (see table below, and further detail in the submittal).

Property	Unit Mix Comparison		
	1BR	2BR	3BR
Magnolia Walk East (P1)	50%	42%	8%
Magnolia Walk East (P2)	69%	31%	—
Sevilla Place Apartments (existing)	10%	60%	30%

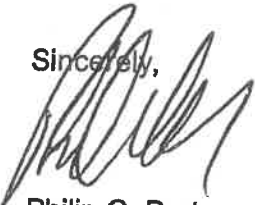
The net effect of this change is to ensure a project is not overparked and creating unnecessary impervious space which results in additional stormwater management. This project has a proposed 15% of greenspace on the site, which is in addition to the 10% greenspace provided by the proposed 10.4 acre shared conservation area located at the northern part of the Magnolia Walk East master plan.

In addition to the application submitted, the submittal includes the following information:

- Boundary survey
- Site plan
- Project landscape and greenspace analysis
- Wetlands delineation overlay on the entire Magnolia Walk East site plan
- Parking analysis highlighting the differences in by-the-unit and by-the-bedroom parking allocations

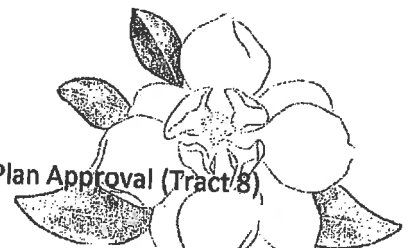
We look forward to advancing this development in coordination with the City of Foley and respectfully request your consideration and approval of this amendment request. Should you have any questions, please let us know.

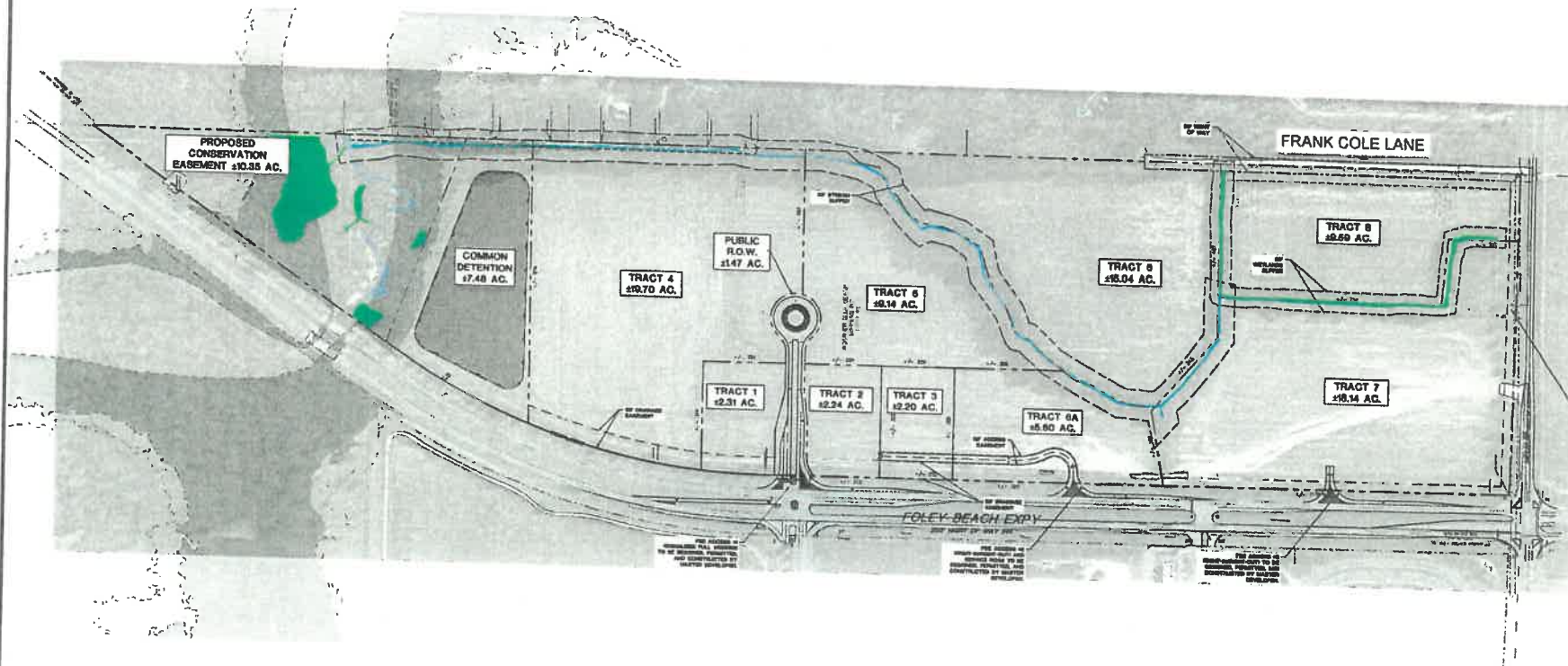
Sincerely,



Philip G. Burton
President & CEO
philip@burtonprop.com

² Sevilla Place information from CoStar and onsite property staff





SITE ANALYSIS

PROPOSED CONSERVATION EASEMENT	± 10.35 ACRES
COMMON AREA DETENTION (NORTH)	± 7.48 ACRES
PUBLIC R.O.W.	± 2.09 ACRES
TRACT #1 (OUTLOT A)	± 2.31 ACRES
TRACT #2 (OUTLOT B)	± 2.24 ACRES
TRACT #3 (OUTLOT C)	± 2.20 ACRES
TRACT #4 (TOWN HOMES)	± 19.70 ACRES
TRACT #5	± 9.14 ACRES
TRACT #6	± 15.04 ACRES
TRACT #6 A	± 5.60 ACRES
TRACT #7	± 18.14 ACRES
TRACT #8	± 9.59 ACRES
TOTAL	± 103.8 ACRES

CONCEPTUAL STORMWATER MANAGEMENT PLAN

LOT 1	NORTH COMMON DETENTION AREA
LOT 2	NORTH COMMON DETENTION AREA
LOT 3	NORTH COMMON DETENTION AREA
LOT 4	NORTH COMMON DETENTION AREA
LOT 5 (FBE FRONTAGE)	NORTH COMMON DETENTION AREA
LOT 5 (REAR PORTION)	SELF DETAINED
LOT 6	SELF DETAINED
LOT 7	SELF DETAINED
LOT 8	SELF DETAINED

OPEN SPACE REQUIREMENTS

THE DEVELOPMENT WILL REQUIRE 10% OPEN SPACE PER THE APPROVED PLANNED DEVELOPMENT DISTRICT. THE MASTER DEVELOPER WILL PROVIDE 10% OPEN SPACE IN THE PROPOSED CONSERVATION EASEMENT AREA.

EACH DEVELOPMENT TRACT WILL BE RESPONSIBLE FOR PROVIDING AT LEAST 5% OPEN SPACE OR ADDITIONAL, IF NECESSARY IN ACCORDANCE WITH THE CITY OF FOLEY REQUIREMENTS AT THE TIME OF DEVELOPMENT, AS OF AUGUST 2022, EACH DEVELOPMENT WILL HAVE TO PROVIDE 5% SPACE.

OVERALL SITE PLAN

SCALE IN FEET

[illegible]

3703 OLD SMELL RD.
Mebay AL 36808
Office 251.830.5891
Fax 945.447.7009
www.d3gc.com

סדס

674P

PROPOSED MAGNOLIA WALK EAST DEVELOPMENT
FOLEY, ALABAMA
BALDWIN COUNTY

FOR BURTON PROPERTY GROUP
MOBILE, AL

DRAWN
 JAS
 CHECKED
 BAC
 ISSUED DATE
 06/29/2022
 ISSUED FOR
 REVIEW
 PROJECT NO.
 22-178
 FILE
 22-178 P-20
 SHEET
 P-20

P-20

[illegible]

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Burton Property Group - Magnolia Walk East

Project Data:

PHASE I

18.14 acres
3-STORY RESIDENTIAL
10 Buildings

288 units

1-Bedroom: 144 (50%)
2-Bedroom: 120 (42%)
3-Bedroom: 24 (8%)

PARKING

526 Total
490 Surface Parking
36 Garages
1.8 Spaces/Unit Ratio
1.15 Space/Bedroom

PHASE II

9.59 acres
3 Story Residential
7 Buildings

156 Units

1 Bedroom: 108 (69%)
2 Bedroom: 48 (31%)

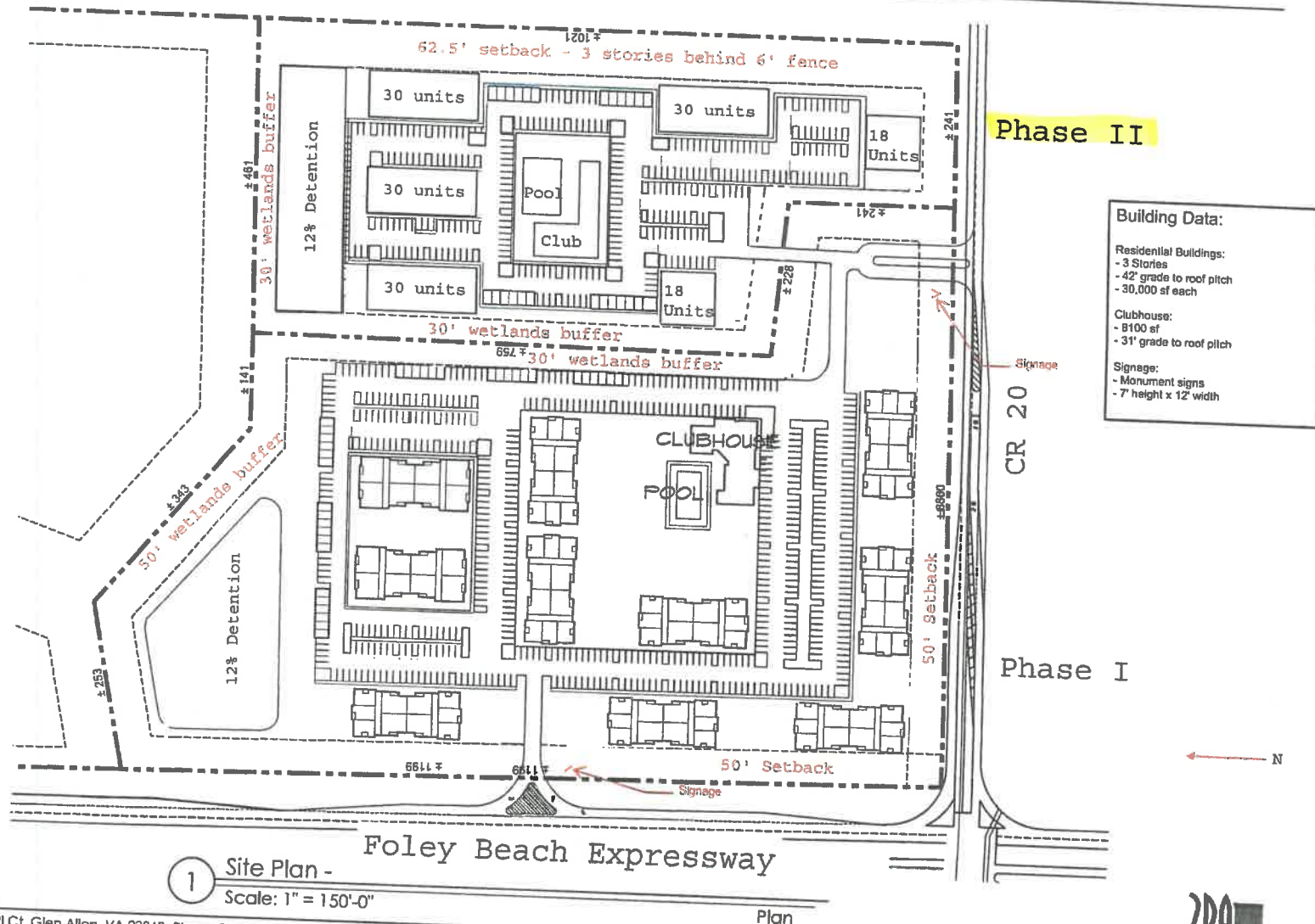
PARKING

277 Total Spaces
253 Surface Parked
24 Garages
1.78 Space/Unit
1.35 Space/Unit

NOTE: Parking spaces are 8.5' x 17'
2% of parking spaces reserved and ADA
compliant
1 out of 6 ADA spaces are van accessible.

Foley, AL

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September 13, 2022



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Apartment Parking Analysis - 3/4 Story Garden Apartments

Property	Location	Units			Total	Total Bedrooms	Parking	Parking/Unit	Parking/Bedroom	
		1BR	2BR	3BR						
Mason Augusta	Augusta, GA	144	120	24	288	456	490	1.70	1.07	
Volaris Stuart	Stuart, FL	154	97	19	270	405	459	1.70	1.13	
Heartwood Powder Springs	Powder Springs, GA	147	141	12	300	465	495	1.65	1.06	
NOVO Markets West	Gainesville, FL	180	90	30	300	450	480	1.60	1.07	
The Henry	Charlotte, NC	195	104	24	325	475	560	1.72	1.18	
Kelvin Apartments	Huntsville, AL	178	99	24	301	448	465	1.54	1.04	
							Average:	1.65	1.09	
Magnolia Walk East (P1, Proposed Parking)	Foley, AL	144	120	24	288	456	526	1.83	1.15	
Magnolia Walk East - (P2, Proposed Parking)	Foley, AL	108	48	-	156	204	277	1.78	1.36	
Magnolia Walk East (P1, Parking @ 2 Spaces/Unit)	Foley, AL	144	120	24	288	456	576	2.00	1.26	50
Magnolia Walk East (P2, Parking @ 2 Spaces/Unit)	Foley, AL	108	48	-	156	204	312	2.00	1.53	35
Sevilla Place Apartments (existing)	Foley, AL	12	72	36	120	264	244	2.03	0.92	

Property	Unit Mix Comparison		
	1BR	2BR	3BR
Mason Augusta	50.0%	41.7%	8.3%
Volaris Stuart	57.0%	35.9%	7.0%
Heartwood Powder Springs	49.0%	47.0%	4.0%
NOVO Markets West	60.0%	30.0%	10.0%
The Henry	60.0%	32.0%	7.4%
Kelvin Apartments	59.1%	32.9%	8.0%
Average:	55.9%	36.6%	7.5%
Magnolia Walk East (P1)	50.0%	41.7%	8.3%
Magnolia Walk East (P2)	69.2%	30.8%	-
Sevilla Place Apartments (existing)	10.0%	60.0%	30.0%

90% 2BR and 3BR Apartments

- Parking totals include detached garages and clubhouse parking.
- The Magnolia Walk East unit breakout shows our current plan for the floorplan breakout.
- Sevilla Place information from CoStar and onsite staff



RECEIVED
9/22/22 AL



**Lot 12 PLANNING COMMISSION
JOINT STAFF REPORT:
October 2022**

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Henson Subdivision

REQUEST: Minor SD

OWNER / APPLICANT:
Sam & Joan Davison /
Weygand Wilson Surveyors -
Amanda Weygand

NUMBER OF LOTS: 2

ACREAGE: 9.29

PIN#(s): 10256

DESCRIPTION:
North of Keller Road,
across from Moye Lane

CURRENT ZONING:
Unzoned BC District 27

REQUESTED ZONING:
NA

ADJACENT ZONING:
Unzoned BC District 27

FUTURE LAND USE:
RM Residential Medium Density

EXISTING LAND USE:
2 Residences



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

ZONING :

Miriam - These lots are in Unzoned BC. The County has already approved an exemption.

ENGINEERING:

Chad/Taylor - How will sewer be provided for Lot 1? The only septic field shown is on Lot 2.

ENVIRONMENTAL:

Angie - not opposed

FIRE:

Brad - not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - North end of property flood zone in BC

State of Alabama)
Baldwin County)

The undersigned, Trent Wilson, Professional Land Surveyor, State of Alabama, and Sam Davison and Joan R. Davison, owners, hereby certify that this plat or map was made pursuant to a survey made by said surveyor, and that this plat or map was made at the instance of said owner, that this plat or map is a true and correct plat or map of land shown therein and known or to be known as A HENSON SUBDIVISION, below described property situated in Baldwin County, Alabama:

Legal Description as provided by client - Dated 3/28/2022:

The East 315 feet of the West Half (W 1/2) of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4) of Section 17, Township 8 South, Range 4 East.

SUBJECT TO Right-Of-Way for roadway.

In Witness Whereof, we have hereunto set our hands this _____ day of _____, 2022.

By: _____ (Owner) Trent Wilson
Licensed L.S. #34764

By: _____ (Owner) Sam Davison

By: _____ (Owner) Joan R. Davison,

State of Alabama)
Baldwin County)

I, _____, as Notary Public in and for said County and State, do hereby certify that Sam Davison, whose name is signed to the foregoing certificate as owner, and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, executed same voluntarily and with full authority therefor.

Given under my hand and seal this _____ day of _____, 2022.

By: _____
Notary Public - Commission Exp: _____

State of Alabama)
Baldwin County)

I, _____, as Notary Public in and for said County and State, do hereby certify that Joan R. Davison, whose name is signed to the foregoing certificate as owner, and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, executed same voluntarily and with full authority therefor.

Given under my hand and seal this _____ day of _____, 2022.

By: _____
Notary Public - Commission Exp: _____

Certificate of approval by the City Engineer

The undersigned, as City Engineer of the City of Foley, Alabama, hereby approved the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this _____ day of _____, 2022.

City Engineer

Certificate of approval by the City of Foley Planning Commission

The undersigned, as Planning Commission Chairman of the City of Foley, Alabama, hereby approved the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this _____ day of _____, 2022.

Planning Commission Chairman

Certificate of approval by the Water Utility

The undersigned, as authorized by Riviera Utilities, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this _____ day of _____, 2022.

Authorized Representative

Certificate of approval by the Sewer Utility

The undersigned, as authorized by Riviera Utilities, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this _____ day of _____, 2022.

Authorized Representative

Certificate of approval by the Electric Utility

The undersigned, as authorized by Baldwin EMC, hereby states that power is available at the location of the plat and approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this _____ day of _____, 2022.

Authorized Representative

Certificate of approval by Baldwin County E-911 Addressing Board

The undersigned, as authorized by Baldwin County E-911 Addressing Board, hereby approves the within plat for the recording of same in the Office of the Probate Judge, Baldwin County, Alabama, this _____ day of _____, 2022.

Authorized Representative



Trent Wilson PLS #34764
Weygand Ilson Surveying LLC
229 E. 20th Ave., Suite 12
Gulf Shores, AL 36542
Phone: (251) 947-7955



SCALE: 1"=50'



OWNERS:
SAM & JOAN DAVISON
19101 KELLER ROAD
FOLEY, AL 36535

SITE DATA

ZONING: RSF-E
DISTRICT 35
TOTAL AREA: 9.29 ACRES
NUMBER OF LOTS: 2
SMALLEST LOT: 2.00 ACRES
LARGEST LOT: 7.29 ACRES

SETBACKS:

FRONT - 40'
REAR - 40'
SIDE - 15'

SETBACKS REFLECT ZONING WHICH IS UNDER A MORATORIUM AND HAS NOT BEEN APPROVED. SETBACKS NEED TO BE CONFIRMED AT THE TIME OF PERMITTING.

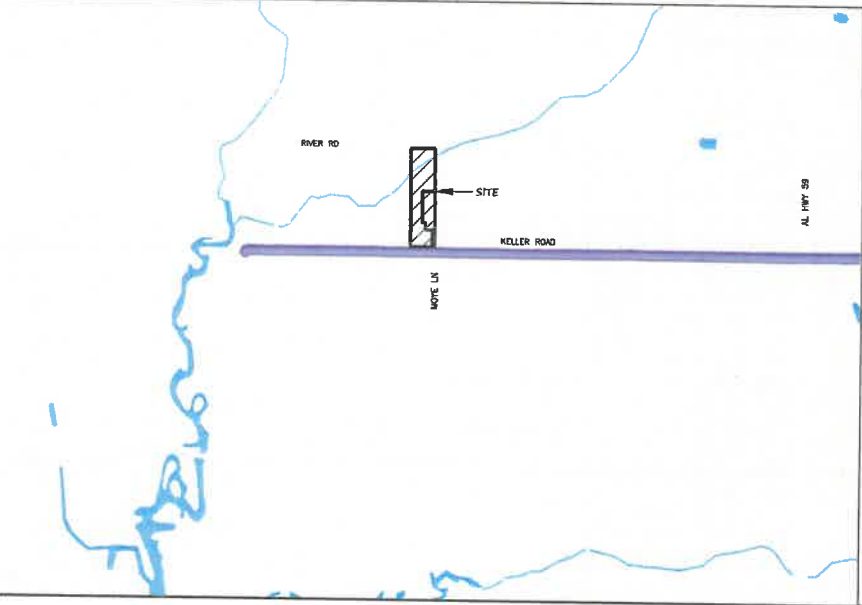
EASEMENTS

Front: 15' Drainage and Utility
Rear: 15' Drainage and Utility
Side: 10' Drainage and Utility

NOTES:

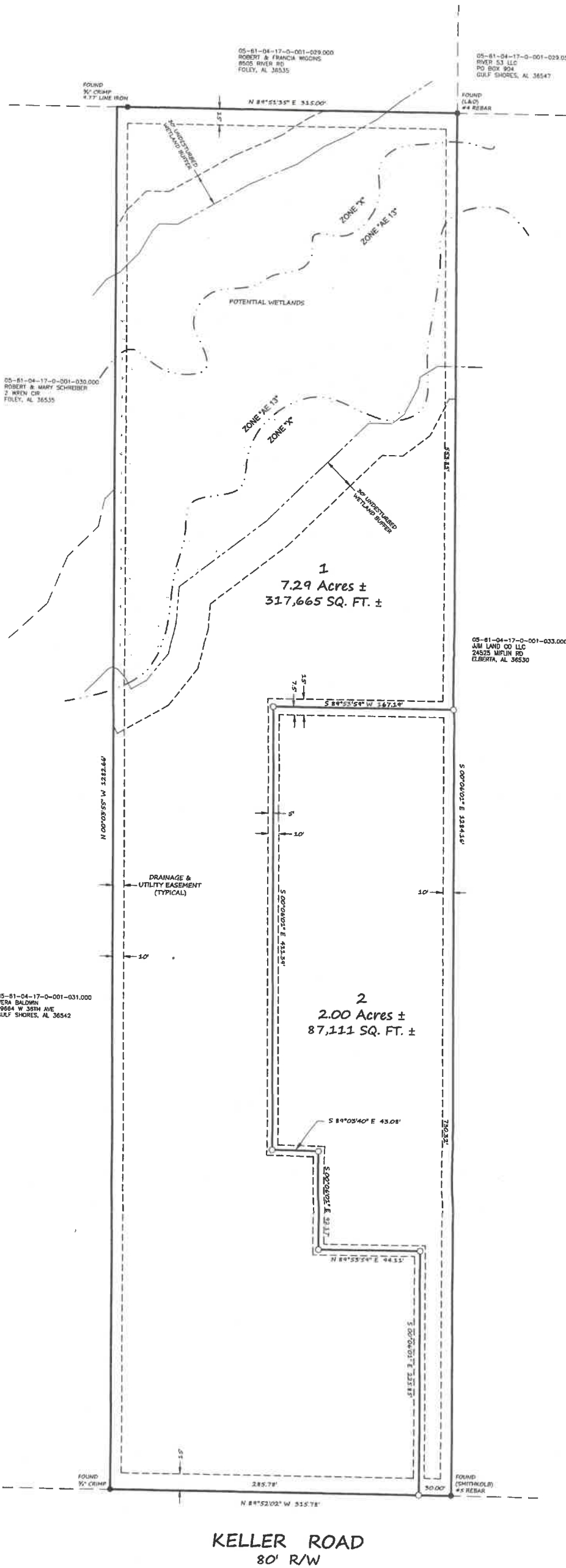
1. BEARINGS ARE BASED ON GEODETIC NORTH AS OBTAINED BY GPS OBSERVATION.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. THIS PROPERTY WAS SCALED ONTO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE MAP NUMBERS 01003C0922M AND 01003C0927M EFFECTIVE 4/19/2019 AND FOUND TO BE IN ZONES AE (EL 13) AND "X" AS SHOWN HEREON.

VICINITY MAP - NOT TO SCALE



HENSON SUBDIVISION

FOLEY, BALDWIN COUNTY, ALABAMA
SECTION 17, TOWNSHIP 8 SOUTH, RANGE 4 EAST
DATE OF PLAT: SEPTEMBER 21, 2022



9/23/22 AC
RECEIVED



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: CR 20 RV PARK (DISCUSSED AT MAY PC WS)

REQUEST: Rezone from B3 to RV Park

OWNER / APPLICANT:
Chris Govan as Agent

ACREAGE: 5

PIN#(s): 093449 & 68039

DESCRIPTION: south of Miflin Rd,
north of Creekside RV Park, east of
James Rd

CURRENT ZONING:
B-3 (Local Business District)

REQUESTED ZONING:
RV Park District

ADJACENT ZONING:
B-3 (Local Business District), PUD
(Planned Unit Development),
B-1A (Extended Business District) &
A-O (Open Space/Agricultural)

FUTURE LAND USE:
MXU, Mixed Use
Commercial/Residential

EXISTING LAND USE:
Unoccupied House & Vacant

DESCRIPTION:
Proposed 38 RV Lots w/storage
building & screened pavilion on certain
lots. Amenities include Clubhouse &
Pool



COMPREHENSIVE PLAN GUIDANCE:

SE.LU.1 Buildings and sites designed to enhance and contribute to surroundings and neighborhoods

REQUIRED BUFFER:

A screening buffer is required. Options are:

- (1) A natural 30' buffer that provides adequate screening from adjoining properties; or,
- (2) A 30' buffer using a berm (height determined by local topography upon review by City Staff), fence and landscaping; or
- (3) A 50' buffer using fencing and landscaping.

PROPOSED BUFFER:

West side = 30' & 16'7" - Privacy fence w/landscape buffer on this portion.

South side ranges from 23'7" to 30'

East side = 40' by amenities / 17'9" (Privacy fence w/landscape buffer on this portion) + 30'

Private Street = 30"

North side 67'2" & 30' to 35'

UTILITY LETTERS RECEIVED: YES / NO / **NOT APPLICABLE**

DEED RECEIVED: YES / NO / **NOT APPLICABLE**

AGENT AUTHORIZATION: YES / NO / **NOT APPLICABLE**

ZONING:

Miriam - They moved the pond to the north side of the pool & clubhouse. They also added a Unisex bathroom toward the west end of the development.

May 11, 2022 PC WS Minutes Summary:

Jim Brown asked if a 30' buffer is required against the existing RV Park & along the boulevard where he is proposing 5 lots & adjacent to commercial zoning.

PC suggested shifting lots down to get the 30' required buffer on the north side (DONE), PD stated the westernmost lots & hammer head can encroach into the southern buffer in order to keep the entire 30' buffer on the northern section.

PC stated they did not have a problem with fencing & vegetation being used in place of the 30' buffer along the eastern portion of the proposed boulevard (adjacent to Creekside RV driveway).

Density = 7.6

Maximum 10 Units per Acre

Open Space = 30%

D. Minimum 25% open space excluding required stormwater / drainage. The minimum 25% shall be reserved collectively in contiguous units accessible to all the RV sites and maintained by the property owners. This open space is to be used for: accessory uses, parks, recreation facilities, sidewalks, clubhouse, pool and similar.

F. All RV Parks shall have frontage on an existing publicly or privately maintained street. A completed traffic analysis may be required with the zoning application in accordance with the Traffic Impact Study requirements (latest edition).

H. All RV Parks shall meet Zoning, Building Code, Fire Code, Environmental & Engineering regulations. This includes all required accessory uses such as toilets, showers, laundry facilities, and similar.

ENGINEERING:

Chad - Engineering is not opposed to the rezoning request. An LDP will be required prior to development.

ENVIRONMENTAL:

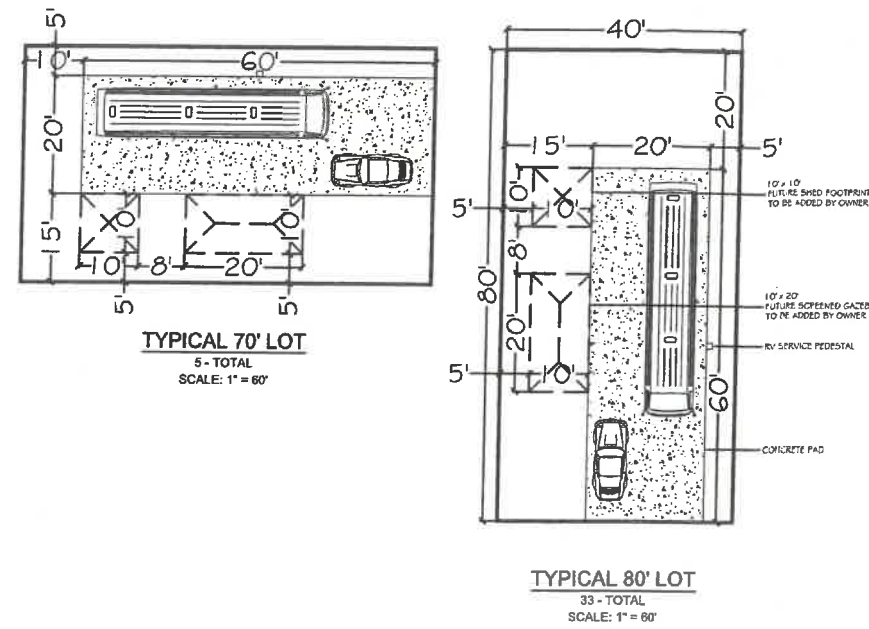
Angie - The layout will need to meet open active space requirements prior to LDP approval. This may include creating an ADA accessible walking trail in the buffer area or a park at the pool/pond amenity area.

FIRE:

Brad - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck - Flood and building have no issues at this time

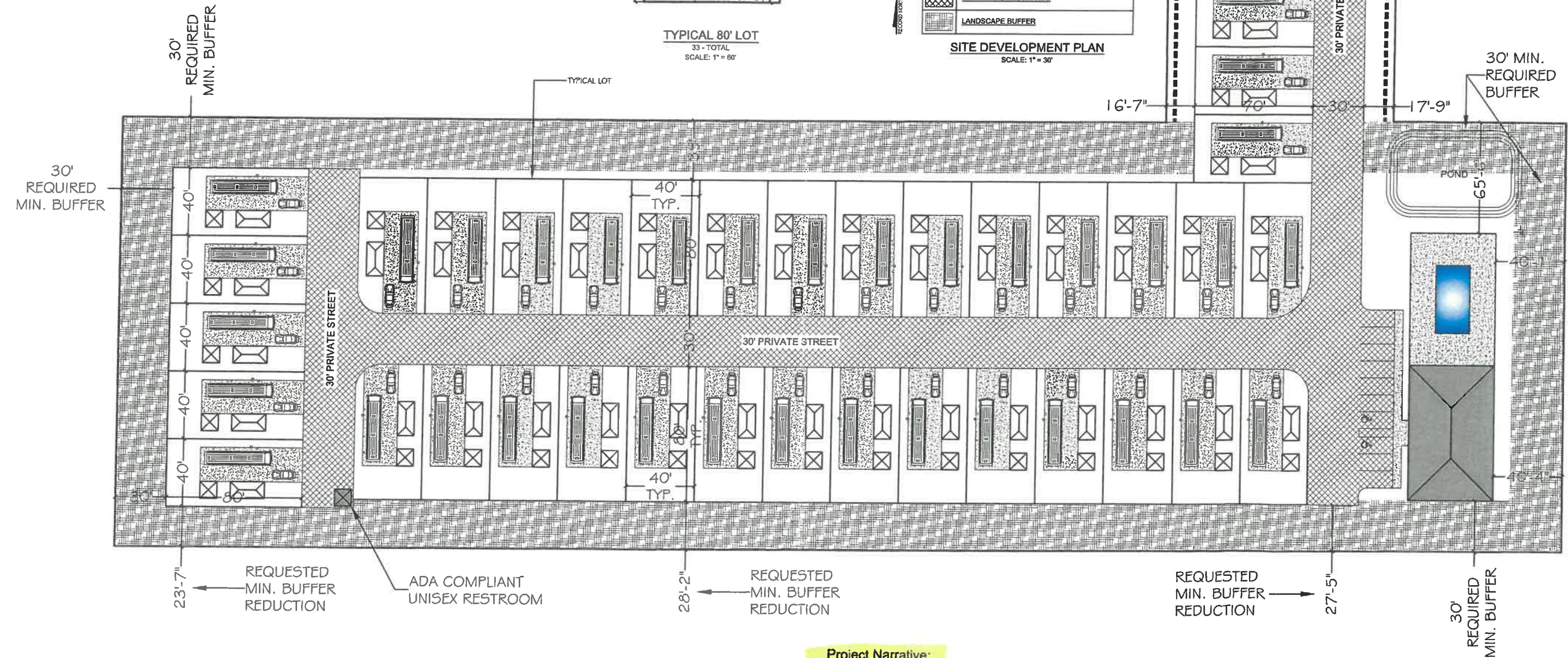


RV PARK
ZONING REQUEST
PARCEL ID'S: 68039, 93449

38 TOTAL - 40' x 80' LOTS

	<u>CONCRETE</u>
	<u>HARD DRIVING SURFACE</u>
	<u>LANDSCAPE BUFFER</u>

SITE DEVELOPMENT PLAN
SCALE: 1" = 30'



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

MIFLIN ROAD RV PARK
21200 MIFLIN ROAD, FOLEY, AL 36555

SITE LEVEL: WEST LANE, TYPICAL LOTS, SITE DATA

JOB NUMBER:
221019

DATE: 06.20.2022

DRAWN:	CG
CHECKED:	CG
REVISION:	

SCALE:
 $1'' = 30'$

SHEET NO:
01
OF
02



MIFLIN ROAD RV PARK
21200 MIFLIN ROAD, FOLEY, AL 36535

SITE DATA AND TABULATION (COVERAGE SUMMARY)

JOB NUMBER:
221019

DATE:
06.20.2022

DRAWN: CG
CHECKED: CG
REVISION:

SCALE:
1" = 30'

SHEET NO:
02
OF
02

MIFLIN ROAD

**RV PARK
ZONING REQUEST**
PARCEL ID'S: 68039, 93449

38 TOTAL - 40' x 80' LOTS

COVERAGE SUMMARY:
TOTAL LAND - 246,262 S.F. (5.6 ACRES)
TOTAL OPEN SPACE - 74,742 S.F. (1.71 ACRES) - 30%

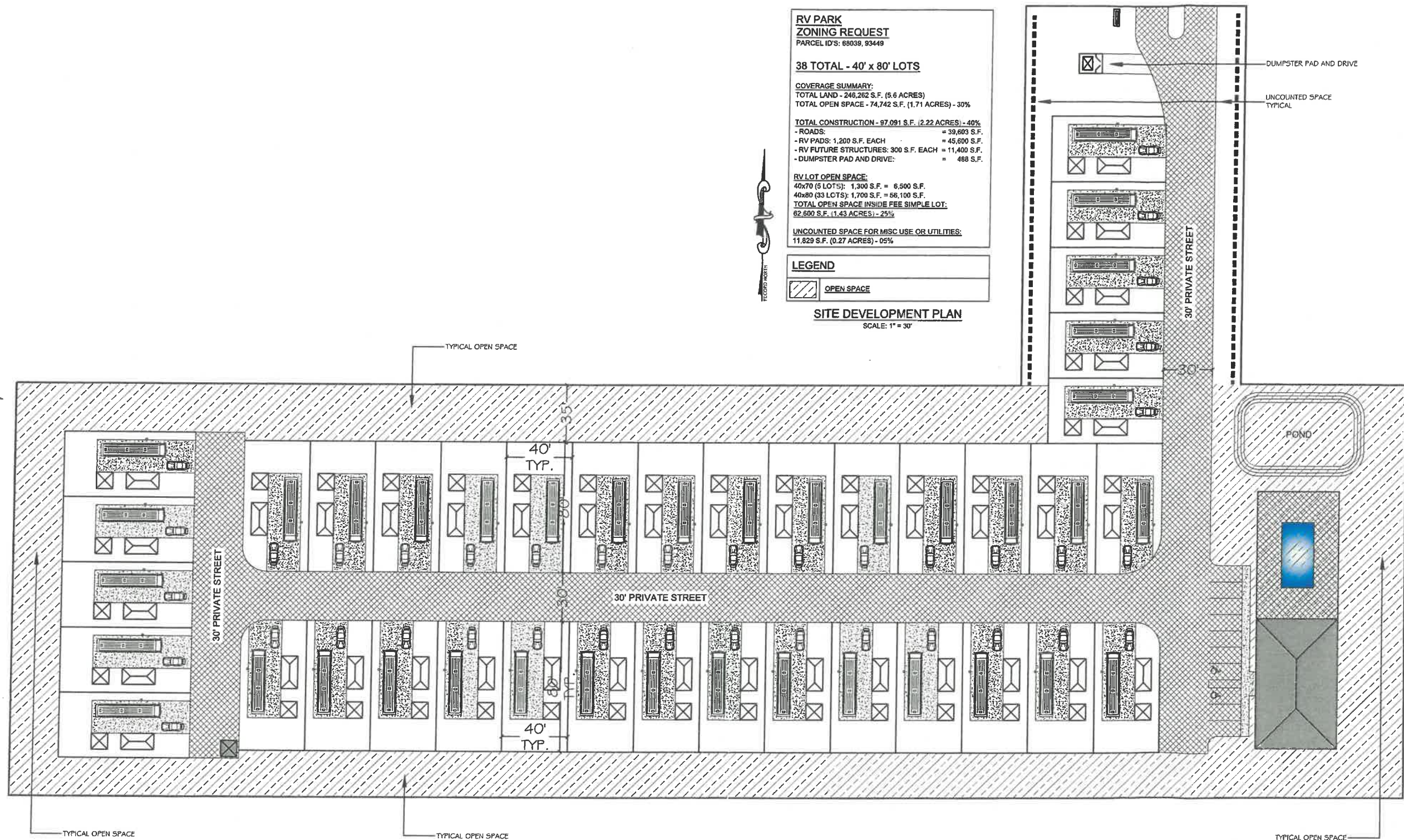
TOTAL CONSTRUCTION - 97,091 S.F. (2.22 ACRES) - 40%
- ROADS: = 39,603 S.F.
- RV PADS: 1,200 S.F. EACH = 45,600 S.F.
- RV FUTURE STRUCTURES: 300 S.F. EACH = 11,400 S.F.
- DUMPSTER PAD AND DRIVE: = 488 S.F.

RV LOT OPEN SPACE:
40x70 (5 LOTS): 1,300 S.F. = 6,500 S.F.
40x80 (33 LOTS): 1,700 S.F. = 56,100 S.F.
TOTAL OPEN SPACE INSIDE FEE SIMPLE LOT:
62,600 S.F. (1.43 ACRES) - 25%

UNCOUNTED SPACE FOR MISC USE OR UTILITIES:
11,829 S.F. (0.27 ACRES) - 05%

LEGEND
 OPEN SPACE

SITE DEVELOPMENT PLAN
SCALE: 1" = 30'



RECEIVED
9/12/22 AC



PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Hawthorn Investments LLC / Brinks Willis BEX

REQUEST:
Rezone to PUD

OWNER / APPLICANT:
Hawthorn Investments LLC

ACREAGE: 44.1 ac

PIN#(s): 270565

DESCRIPTION:
One parcel split by Brinks Willis Rd to west of FBE requesting to rezone to PUD for Residential and Commercial uses

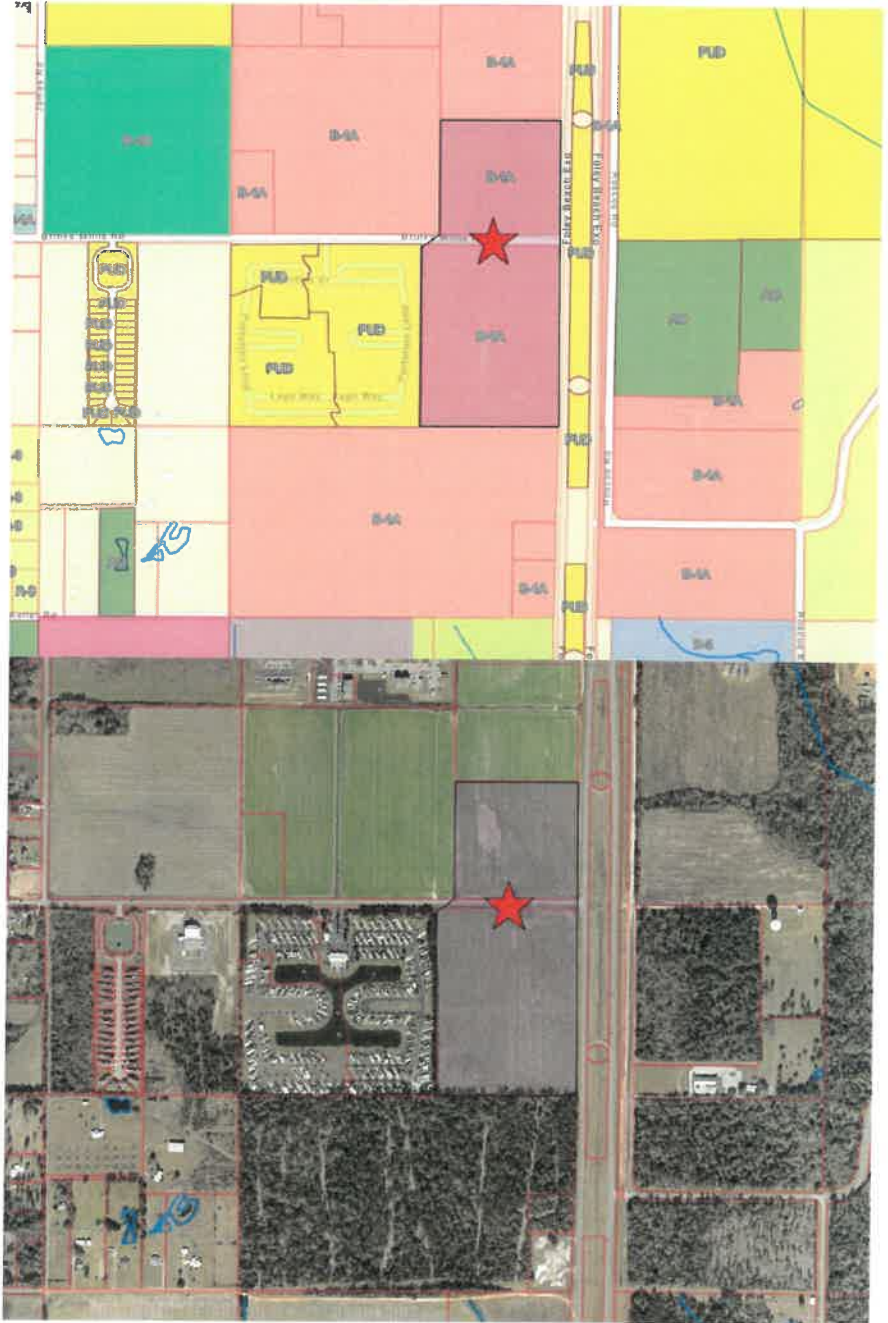
CURRENT ZONING:
B-1A (Extended Business District)

REQUESTED ZONING:
PUD (Planned Unit Development)

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

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 -

Rezone to PUD for residential & mixed use units. Overall density 13.6 units an acre, allowed 14 units. We need the heights of the structures. Staff preferred the taller structures along the FBE.

It appears the parking does not meet the minimum requirement of 2 spaces per unit. Section 21.3.4B Submission Requirements states "The applicant for any type of PUD shall provide a drawing and a written narrative specifically calling out all zoning relaxations that are being request through the PUD."

ENGINEERING:

Chad/Taylor -

Engineering is not opposed to the rezoning request. The two proposed accesses to FBE do not meet the minimum spacing requirements (1 per ¼ mile of frontage) set forth in the AMP. The south parcel qualifies for one full access right-in / right-out with necessary acceleration and deceleration lanes. Alternatively, consideration could be given to improving Brinks Willis Road access point, with a possible reduced access unit for the south parcel. Brinks Willis Road was not a grandfathered intersection within the AMP. The Traffic Consultant will need to study this location.

ENVIRONMENTAL:

Angie -The site will need to meet the 1.65 acre active open space requirement prior to LDP approval.

FIRE:

Brad - not opposed

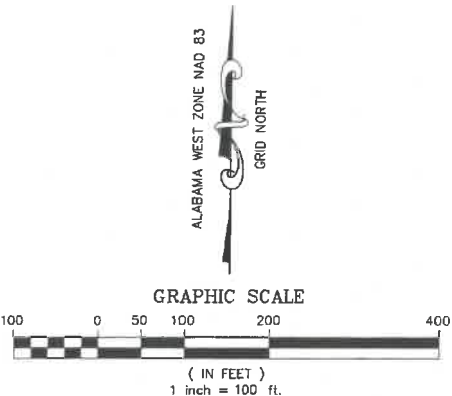
FLOODPLAIN ADMINISTRATOR:

Chuck - NA

BOUNDARY SURVEY OF
PARCEL #
05-61-05-15-0-000-002.012

SITUATED IN SECTION 15,
TOWNSHIP 8S, RANGE 4E,
BALDWIN COUNTY, ALABAMA

PARCEL # 05 61 05 15 0 000 002.012
HAWTHORN INVESTMENTS LLC
P.O BOX 66705, MOBILE, AL 36660



FOLEY BEACH EXPRESS
R.O.W. VARIES

BRINKS WILLIS DRIVE
80' ROW
1.67 AC

TOTAL ACREAGE 45.36 AC
R.O.W. 1.67 AC
ACREAGE MINUS R.O.W. 43.69 AC

RECORD DESCRIPTION:
COMMENCE AT THE NORTHEAST CORNER OF SECTION 15, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ST. STEPHENS MERIDIAN, AND RUN THENCE S-89°58'40"-W, ALONG THE NORTH LINE OF SAID SECTION 15, A DISTANCE OF 1875.47 FEET; THENCE RUN S-00°01'26"-W, 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY NUMBER 12 AT THE INTERSECTION WITH THE WEST RIGHT-OF-WAY OF THE FOLEY BEACH EXPRESS; THENCE RUN S-00°01'26"-W, ALONG THE WEST RIGHT-OF-WAY OF THE FOLEY BEACH EXPRESS, A DISTANCE OF 103.68 FEET; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF FOLEY BEACH EXPRESS, RUN S-00°09'47"-W, 1696.32 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S-00°09'47"-W, 2151.95 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 968.18 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE RUN N-89°57'23"-W, ALONG SAID SOUTH LINE OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE RUN N-00°02'36"-W, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SOUTHEAST QUARTER, 1330.28 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE RUN S-89°58'42"-E, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SOUTHEAST QUARTER, 123.97 FEET; THENCE RUN N-00°09'47"-E, A DISTANCE OF 820.66 FEET; MORE OR LESS; THENCE RUN N-89°58'40"-E, 850.0 FEET TO THE POINT OF BEGINNING, SUBJECT TO A 60-FOOT WIDE RIGHT-OF-WAY EASEMENT OVER AND ACROSS SUBJECT PROPERTY IN USE AS PART OF BRINKS WILLIS ROAD. TRACT CONTAINS 45.70 ACRES, MORE OR LESS, (NET AREA 44.03 ACRES AFTER ROAD), AND LIES IN SECTION 15, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.

I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

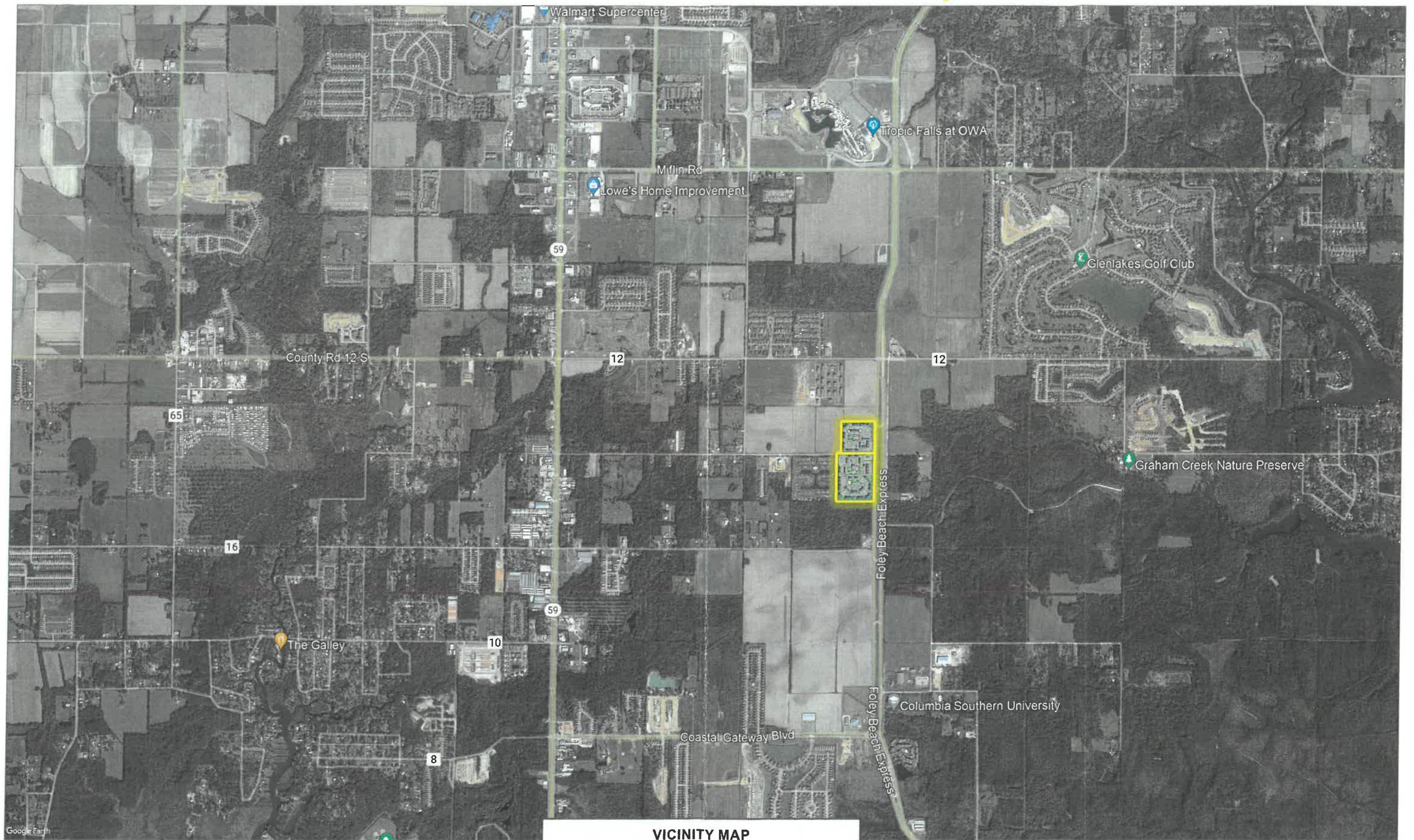
Surveyor's Signature: *[Signature]*
Alabama License Number 23004, Date: June 20, 2022

Address: BRINKS WILLIS ROAD
Date of Fieldwork: 5/13/2022
Date of Survey: 5/13/2022
Job Number: F-ROBB0002
Drawn By: CB
Survey For: HAWTHORN INVESTMENTS
Type of Survey: BOUNDARY SURVEY

ALABAMA
LICENSED
No. 23004
PROFESSIONAL
LAND
SURVEYOR
R.C. JOHNSON

- NOTES:
- NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAYS, RECORDED OR UNRECORDED. THE PARCEL SHOWN HEREON IS SUBJECT TO SETBACKS, EASEMENTS, ZONING, AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORD OF SAID COUNTY.
 - ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON.
 - THE UNDERGROUND UTILITIES HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. HOWEVER, THERE MAY EXIST UNDERGROUND UTILITIES OR BURIED PIPES WHICH WERE NOT LOCATED OR OF WHICH THE SURVEYOR HAS NO KNOWLEDGE. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED BECAUSE THE UNDERGROUND UTILITIES WERE NOT PHYSICALLY LOCATED.
 - BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
 - ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA (COMMUNITY PANEL) 0100300932M, EFFECTIVE DATE (4/19/2019), THIS SITE LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
 - SURVEY PREPARED FOR: HAWTHORN INVESTMENTS.
 - THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.

DATE	REVISIONS	PROJECT	TITLE
		PARCEL # 05-61-05-15-0-000-002.012	BOUNDARY SURVEY
		120 BISHOP CIRCLE, SUITE 300 PELHAM, AL 35124 TEL - (205) 403-9158 FAX - (205) 403-9175	
		EDG ENGINEERING DESIGN GROUP, LLC CIVIL ENGINEERING & LAND SURVEYING (205) 403-9169	
		SHEET NO. 1 OF 1	



VICINITY MAP
Scale: N.T.S.

Brinks Willis BEX PUD - Foley, Alabama



PERMITTING DESIGN
09.26.22 | Page 2 of 2

Project Number: 223255-002



LEGEND	
ID	ITEM
A	TOWNHOME UNITS
B	GARDEN APARTMENTS
C	MIXED-USEW/ RESIDENTIAL ABOVE
D	CLUBHOUSE
E	POOL AMENITY
F	DOG PARK
G	COMMUNITY GREEN SPACE
H	RETENTION POND
I	PUBLIC PLAZA
J	PARKING
K	EMERGENCY ACCESS
L	STREETSCAPE ENHANCEMENTS
M	PROJECT ENTRANCE
N	GOLF CART PATH ALONG ROW

PUD SITE DATA					
ITEM	EXISTING	REQUIRED	NORTH PARCEL	SOUTH PARCEL	OVERALL PUD
TOTAL SITE AREA:			684,376 SF (15.9 AC.)	1,229,360 SF (28.2 AC.)	1,913,736 (44.1 AC.)
MIXED-USE OUT PARCEL:				149,772 SF (3.4 AC.)	149,772 (3.4 AC.)
MULTIFAMILY DEVELOPMENT AREA:			684,376 SF (15.9 AC.)	1,079,588 SF (24.8 AC.)	1,763,964 SF (38 AC.)
ZONING:	B-3		PUD	PUD	PUD
LAND USE:	VACANT		MULTI-FAMILY/MIXED USE	MULTI-FAMILY/MIXED USE	MULTI-FAMILY/MIXED USE
SETBACK:					
FRONT YARD:		Min.20'	20'	20'	20'
REAR YARD:		Min.15'	15'	15'	15'
SIDE YARD:		Min.5'	10	10	10
DETENTION AREA:			94,933 SF (2.2 AC.)	269,530 SF (6.2 AC.)	364,463 SF (8.4 AC.)
OPEN SPACE AREA:		Min. 25%	36%	35%	35%
TOTAL UNITS:			224 UNITS	376 UNITS	600 UNITS
GARDEN APT. UNITS:			192 UNITS	312 UNITS	504 UNITS
TOWNHOUSE UNITS:			32 UNITS	48 UNITS	80 UNITS
MIXED-USE UNITS:				16 UNITS	16 UNITS
DENSITY:		Max. 14 DU/AC	14.1 DU/AC	13.3 DU/AC	13.6 DU/AC
PARKING:		1,228 SPACES	440 SPACES	673 SPACES	1,113 SPACES
GARDEN APT. UNITS: (2 SP / UNIT)		1,008 SPACES			
TOWNHOUSE UNITS: (2 SP / UNIT)		160 SPACES			
MIXED-USE, FIRST FLOOR COMMERCIAL: (1 SP / 400 SF)		30 SPACES (11,900 SF)			
MIXED-USE, SECOND & THIRD FLOOR UNITS: (2 SP / UNIT)		26 SPACES			
CLUBHOUSE: (1 SP / EMPLOYEE)		4 SPACES (4 EMPLOYEES)			

PUD NARRATIVE:

THIS DEVELOPMENT, THROUGH THE USE OF PLANNED UNIT DEVELOPMENT ZONING, INTENDS TO PROVIDE MULTIFAMILY HOUSING, WITH SOME MIXED-USE COMMERCIAL, IN A WALKABLE, CONNECTED PATTERN. THE STREETSCAPES CREATED INTEND TO CREATE COMFORTABLE PEDESTRIAN MOVEMENT THROUGHOUT THE PROJECT WITH THE GOAL OF A MORE DESIRABLE COMMUNITY FEEL AND AESTHETIC.

SPECIFIC TO THE ORDINANCE, ADDITIONAL INFORMATION IS ADDRESSED BELOW:

PUBLIC BENEFITS:

- JOB CREATION, DURING CONSTRUCTION AND OPERATION
- SALES AND TAX REVENUE
- MIXED-USE SPACE AT NEIGHBORHOOD CORE ALONG BRINKS WILLIS
- ATTRACTIVE SIGNAGE ALONG BRINKS WILLIS AND/OR BEACH EXPRESS
- PRIVATE STREETS, THUS LESSENING MAINTENANCE COSTS TO CITY VS OTHER DEVELOPMENT TYPES
- MULTIPLE EXIT POINTS FROM PROPERTY, THUS IMPROVING AREA TRAFFIC FLOW

PRIVATE BENEFITS:

- HIGH-QUALITY COMMON AMENITIES, SUCH AS POOL, CLUBHOUSE, PICKLE BALL, HORSESHOES, GRILLING STATIONS, ETC.
- MULTIMODAL CIRCULATION INCLUDING A GOLF CART AND WALKING TRAIL, WHICH COULD BE CONNECTED TO A BROADER NETWORK WITH PARTNERSHIP(S)
- LUSH LANDSCAPING CREATING PERIMETER BUFFER AND WILDLIFE HABITAT
- PROXIMITY TO LOCAL DESTINATIONS
- PROXIMITY TO ON-SITE COMMERCIAL USE
- ATTRACTIVE CLUBHOUSE, BUILDING, AND LANDSCAPE ARCHITECTURE

SITE LOCATION AND SIZE WITH LEGAL DESCRIPTION:

SURVEY INCLUDED IN APPLICATION SET.

OWNERSHIP INTERESTS:

DOCUMENTS INCLUDED IN APPLICATION SET.

SITE CONTEXT:

(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) SITE CONTEXT MAP FROM CITY GIS IS INCLUDED AS SHEET 2 OF 3 IN APPLICATION SET.

SITE DATA TABLE:

(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) SEE GRAPHIC AT LEFT.

COMMON INTERESTS:

(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.) T.B.D., BUT THE INTENTION IS FOR THE PROPERTY TO BE MAINTAINED BY THE OWNER'S OPERATIONS/MANAGEMENT GROUP.

BUILDINGS:

(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.) THE PROPOSED BUILDINGS ON SITE ARE NOTED ON THE PLAN AND NAMED DESCRIPTIVELY. FINAL UNIT BEDROOM ALLOCATION SUBJECT TO CHANGE.

FUTURE DEVELOPMENT LOT USES:

THE PROPOSED FUTURE DEVELOPMENT LOT IS INDICATED TO HAVE A MIXED-USE BUILDING WITH SOME PARKING. THE BUILDING WILL HAVE OFFICE OR RESIDENTIAL OVER A COMMERCIAL GROUND FLOOR.

ENGINEERING FEASIBILITY:

(THE ENGINEERING FEASIBILITY AND PROPOSED METHOD OF PROVIDING REQUIRED IMPROVEMENTS SUCH AS STREETS, WATER SUPPLY, AND STORM DRAINAGE AND SEWAGE COLLECTION) STREETS ARE TO BE PRIVATELY OWNED. WATER, SEWER AND ELECTRIC TO BE CONNECTED TO UTILITY SERVICE ON BRINKS WILLIS ROAD. STORM DRAINAGE TO BE HANDLED TO SATISFY CURRENT JURISDICTIONAL REQUIREMENTS.

COVENANTS, ETC.:

(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.) GIVEN THE RELATIVE SIMPLICITY OF THE PROJECT, THERE ARE NO MAJOR COVENANTS OR RESTRICTIONS. THE BUSINESSES WILL OPERATE PER STANDARD PRACTICE AND COMMON AREA MAINTENANCE WILL BE THE RESPONSIBILITY OF THE OWNER'S OPERATIONS/MANAGEMENT GROUP.

PARKING/PEDESTRIAN ACCOMMODATIONS:

(THE PROVISIONS FOR PARKING VEHICLES AND THE FUNCTION AND LOCATION OF VEHICULAR AND PEDESTRIAN SYSTEM FACILITIES.) AS INDICATED ON PLAN AT LEFT. SOME GARAGE PARKING MAY BE OFFERED FOR RESIDENTS.

OPEN SPACE:

(THE PROVISIONS FOR THE DISPOSITION OF OPEN SPACE INCLUDING ITS DEVELOPMENT OR NON-DEVELOPMENT CHARACTER AND FUNCTION.) OPEN SPACE IS SHOWN GRAPHICALLY ON PLAN TO THE LEFT. % CALCULATIONS ARE INDICATED IN THE SITE DATA TABLE. MINIMUM OPEN SPACE SHALL BE (T.B.D.)% OF THE OVERALL PUD NOT INCLUDING AREAS RESERVED FOR DRAINAGE PURPOSES.

PHASE DEVELOPMENT:

(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.) THE PROJECT IS INTENDED TO BE BUILT IN MULTIPLE PHASES.

ADDITIONAL INFO:

(ANY ADDITIONAL DATA, PLANS OR SPECIFICATIONS AS THE APPLICANT OR THE CITY MAY BELIEVE ARE PERTINENT TO THE PROPOSED PLANNED UNIT DEVELOPMENT.) NOTHING AT THIS TIME

APPLICATION AND FEES:

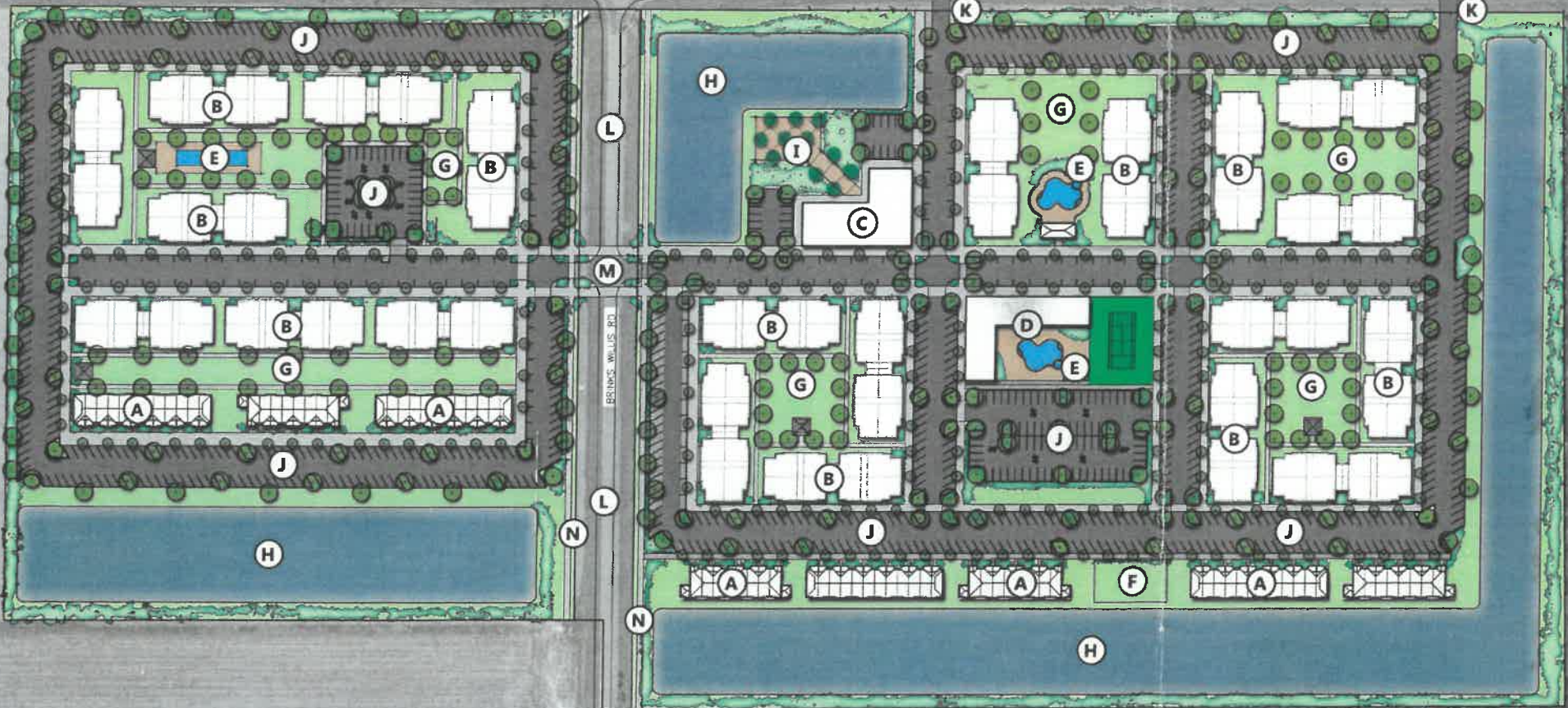
INCLUDED AS SEPARATE DOCUMENTATION.

MASTER SIGNAGE PLAN:

(A MASTER SIGNAGE PLAN MEETING THE CRITERIA OF ARTICLE XXI, SECTION 21.7) IN LIEU OF A FULL SIGNAGE PLAN, THE LOCATIONS FOR SIGNAGE ARE NOTED ON THE PLAN.

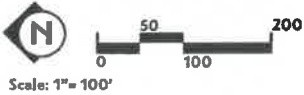
THE REASON A PLANNED UNIT DEVELOPMENT WOULD BE CONSISTENT WITH THE CITY'S STATEMENT OF PURPOSE ON PLANNED UNIT DEVELOPMENT:

THE MAIN REASONS ARE THAT THIS PROPERTY HAS MIXED-USE DEVELOPMENT THAT DOES NOT FIT OTHER ZONING CLASSIFICATIONS WELL. ADDITIONALLY, THE INNOVATIVE DESIGN INCLUDING ON-STREET PARKING, PEDESTRIAN-ORIENTED STREETSCAPES, AND BUILDING LOCATIONS RELATIVE TO THIS CONFIGURATION INTENDED TO CREATE A WALKABLE NEIGHBORHOOD IN CONJUNCTION WITH THE WEALTH OF OPEN SPACE THAT THIS DEVELOPMENT PROVIDES, SEEMS TO FIT THE SPIRIT OF THE PUD ORDINANCE.



ILLUSTRATIVE PUD MASTER PLAN
Scale: 1" = 100'

Brinks Willis BEX PUD - Foley, Alabama



PERMITTING DESIGN
09.26.22 | Page 1 of 2

Project Number: 223255-002





PLANNING COMMISSION JOINT STAFF REPORT: October 2022

STAFF RECOMMENDATION: Approve / Deny / **WORK SESSION ONLY**

PROJECT NAME: Phil & Chris Johnson

REQUEST: Discussion of Rezoning to PUD

OWNER / APPLICANT:
Phil & Chris Johnson

ACREAGE: 2+/-

PIN#(s): 6874 & 67829

LOCATION: Azalea Avenue, west
of Juniper Street

DESCRIPTION: Rezoning to
PUD for a cottage development

CURRENT ZONING: R1C -
Residential Single Family

REQUESTED ZONING: PUD -
Planned Unit Development

ADJACENT ZONING:
R1C - Residential Single Family

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

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 - The request is to rezone to a PUD with 13 cottage units that include a carriage house living unit above 3 of the garages. Since the garages are in a separate area than the cottages, this brings the total to 16 units. The PUD parking requirements are 2 per unit or 32 spaces. They are showing 24 parking spaces on this site plan.

ENGINEERING:

Chad/Taylor - Engineering is not opposed to the rezoning request.

ENVIRONMENTAL:

Angie - Environmental is not opposed to a rezoning request.

FIRE:

Brad - No fire access to the west. Radius street corners for larger vehicle access.

FLOODPLAIN ADMINISTRATOR:

Chuck - NA



September 24, 2022

Dear Planning Commission Members,

I am writing to thank you in advance for your careful consideration of the rezoning request for the enclosed proposal. We believe that a successful effort to utilize the City of Foley's Planned Unit Development for this project will bring the following mutual benefits to the City and our community:

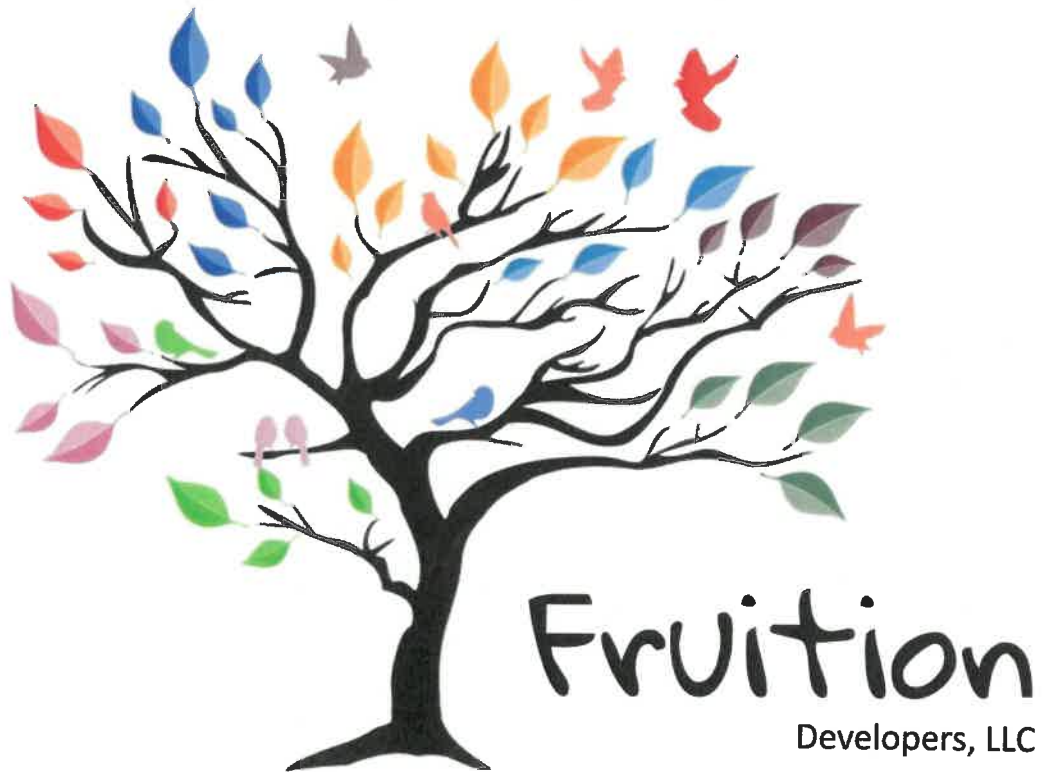
1. Create quality built, well-designed single family dwellings while preserving open spaces and existing natural landscapes
2. Help promote flexibility in design and development of land to its most appropriate use
3. Repurpose two long, narrow 1 acre lots currently zones for a single family home into a cottage development for up to 13 dwellings with close proximity to city amenities.
4. Provide community-oriented, long-term rental home options to a target audience of single or newly single, young or empty nester couples, young professionals, retirees or pre-retirees looking to resettle in the area.
5. Demonstrate in a real-world sense how city/developer collaboration can deliver successful projects within new zoning and planning development strategies

We hope the information provided about this small-scale neighborhood gives you further insight into new ways to provide flexibility in housing products. These key ideas support the market demand for smaller detached housing units and address density, while allowing increased efficiency in the development of existing residential land.

We believe strongly in creating a cottage community that nourishes the individual, supports healthy relationships and fosters a strong sense of community.

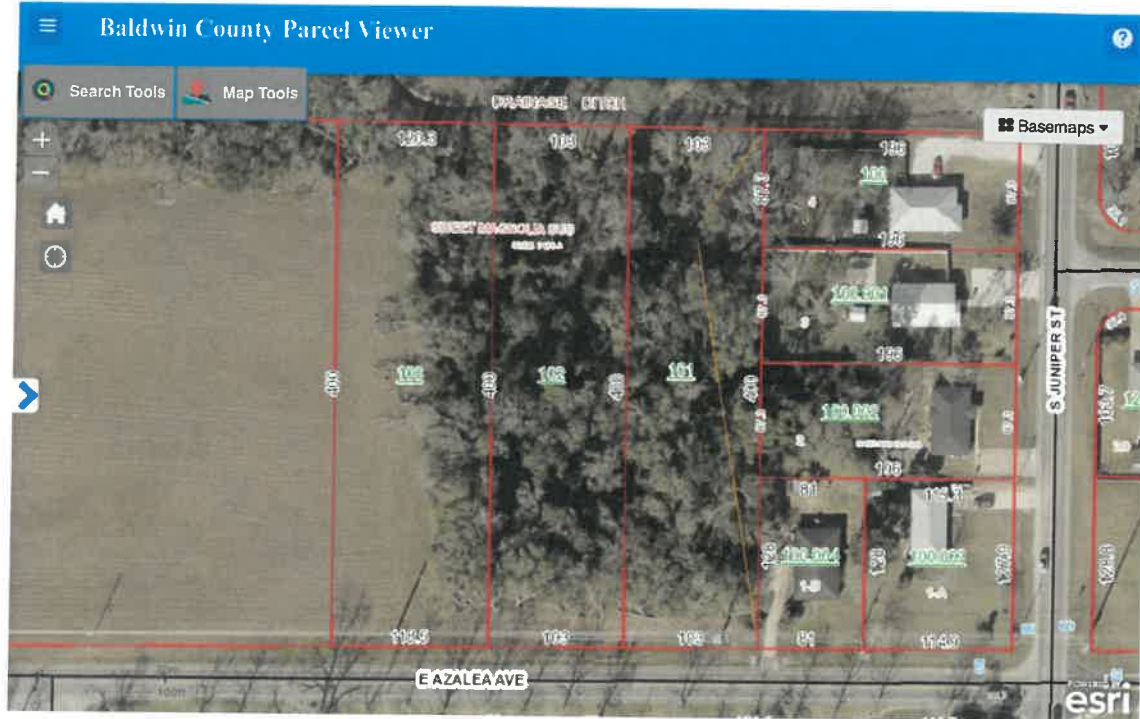
Thank you again for your careful consideration of this request. We look forward to working with your entire team to bring this to fruition.

Very respectfully,
Philip and Chris Johnson



East Azalea Avenue property rezoning to Planned Unit Development

- Two (approx 1 acre lots) on East Azalea Avenue, Foley, Alabama. South of Hwy 98, North of Mifflin Road (Hwy20), East of Hwy 59, and West of Foley Beach Express. Property is approximately 12 miles from the Gulf of Mexico, 2.4 miles from South Baldwin Regional Medical Center, 2 miles from major shopping centers, 2.8 miles from OWA Parks and Resort Entertainment District
 - “East” Lot Parcel 102 Tax PPIN# 006874 Parcel ID/TaxID: 54-08-28-3-000-102.00 is west of 591 East Azalea Ave and is .946 acres (103’x400’).
 - “West” Lot Parcel 106 Tax PPIN# 067829 Parcel ID/TaxID: 54-08-28-3-000-106.00 is approx 1.08 acres (118.5’x400’).



- Currently zoned R-1C
- We are pursuing Planned Unit Development (PUD) zoning for multiple single-family detached dwellings/cottages. Cottages would be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features
- Property will not be subdivided into lots. The entire development will remain under our ownership.
- Cottages shall be offered as long-term rental homes with a target audience of single or newly single, young or empty nester couples, young professionals, retirees or pre-retirees looking to resettle in the area.
- The two lot buildout would follow all guidelines for PUD Residential Use as listed in the City of Foley Zoning Ordinance Article XXI most specifically as follows :

CITY OF FOLEY ZONING ORDINANCE June 2021

ARTICLE XXI. MIXED USE DEVELOPMENTS

21.1 PUD – PLANNED UNIT DEVELOPMENT 21.1.1 REQUIREMENTS

A. A PUD must have a minimum of one (1) or more contiguous acres that are not separated by any right-of-way.

B. PUDs will not increase density but should attempt to create larger and more significant open spaces through the use of reduced lot sizes, setbacks, clustering of dwellings, etc.

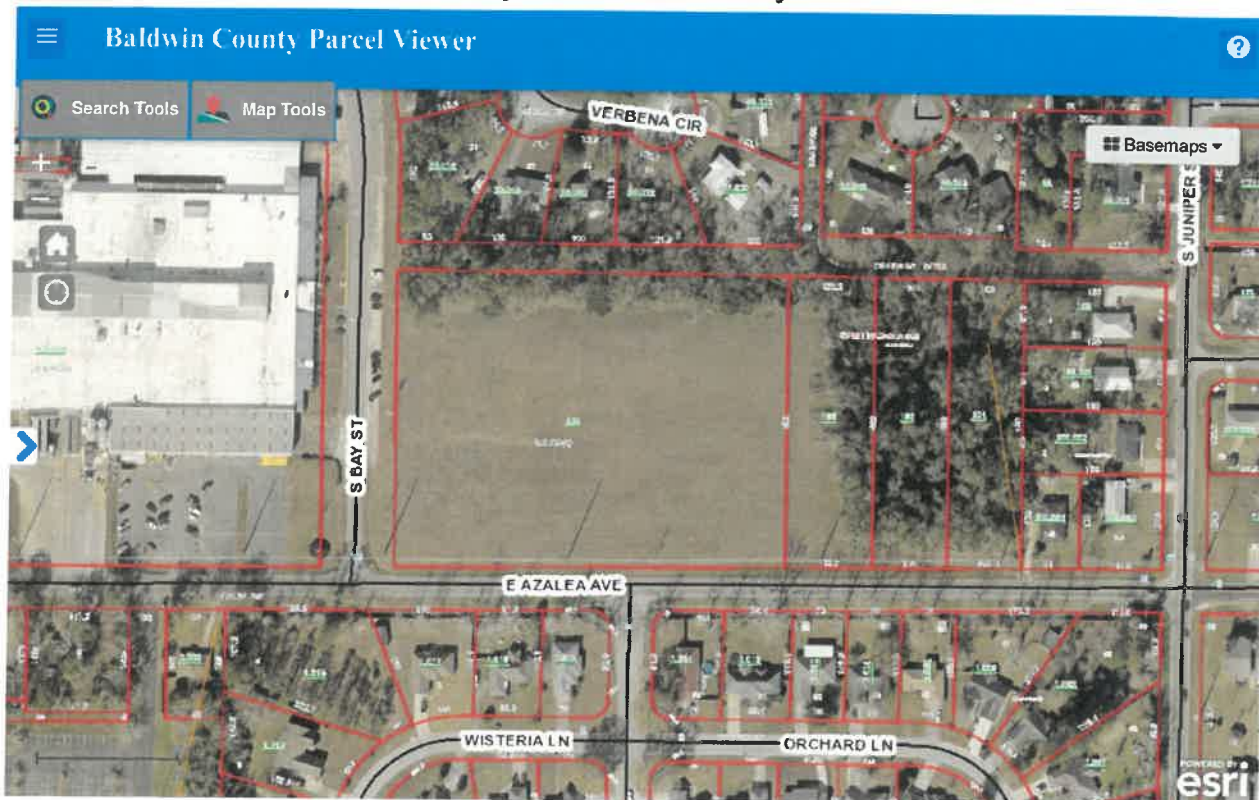
C. Principal Uses: PUDs may have a mixture of principal uses selected from any of the following categories:

1. Residential Uses: Single family dwellings, attached dwellings, Townhomes and multi-family dwellings including Modular Structures. Excluding: Mobile/Manufactured Homes & Recreational Vehicles.

Overview of Immediate Area

Ascend Performance Manufacturing facility to the West includes a 5 acre lot on the East side of S. Bay Street that abuts the lots in question. Property on the southside of East Azalea Ave is a 100+ home Azalea Trace subdivision (circa 2000). The two lots are bordered to the north by a developed drainage way and further north is another subdivision (circa 1970s-80s).

The two lots are located approximately 1/2 mile east of Hwy 59.



Initial Concept:

- The initial concept included below is based on [Ross Chaplin Architects](#)' site plan used in the [Greenwood Avenue Cottages](#) development in the Pacific Northwest
 - Ross Chapin is the principal of Ross Chapin Architect and has been designing Pocket Neighborhoods in the Pacific Northwest for more than a generation. He has won numerous design awards for his "Pocket Neighborhood" projects and his homes have been featured in more than 25 books on the subject.

Proposed Buildout: Complete buildout in three phases to include 13 cottages, 13 unassigned parking spaces, and 12 one car garages (three of which will have an ~800 sq ft carriage house apartment above)

- Phase 1: Build three ~900-1100 sq ft cottages toward the southwest side of proposed lots. (See preliminary site plan below)



- Cottages will be nested together to provide the utmost privacy and arranged in planned locations on the site to take advantage of the natural features of the property. Each dwelling has its own private yard, surrounded by a low fence and garden gate.
- Initial cottages will be based on Ross Chapin's CoHo B floor plan - Two Bedroom, 2 Bath with loft.



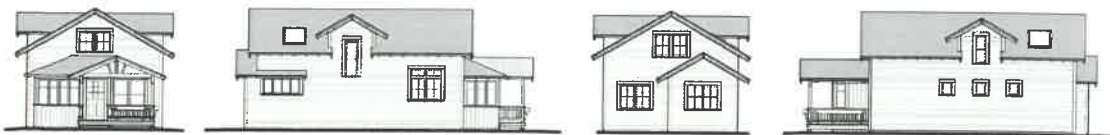
Cottage Plan Floor Plan and Elevations - CoHo vB

First Floor
 Kitchen/Living 14' x 21'
 Dining Alcove 7' x 5'-6"
 Bedroom 12'-4" x 11'-4"
 Bathroom full

Second Floor >5'
 Bedroom 11'-4" x 11'-4"
 Bathroom three-quarter

Total Heated Area 1168 sq ft

Footprint 22' x 46'



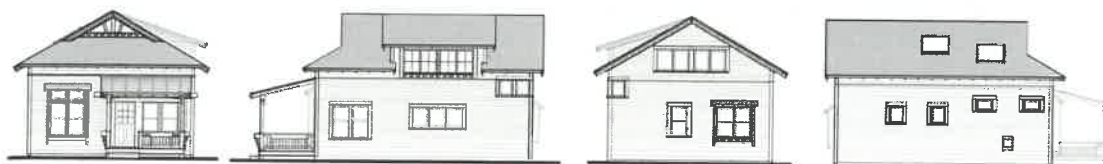
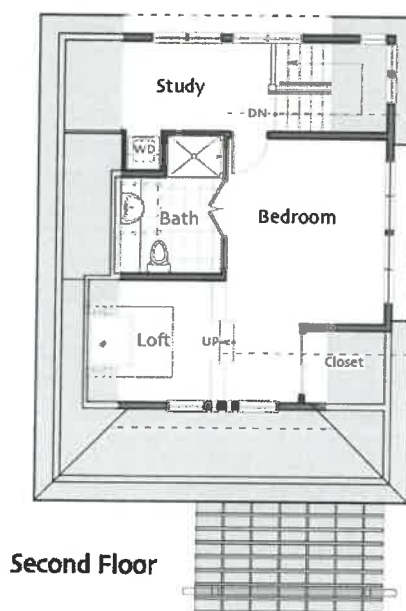


- Cottages in Phase 1 overlook a 30'x35' common greenspace with surrounding sidewalks to provide easy pedestrian mobility throughout the community
 - Specific attention will be paid to preserve existing wooded areas to shield the neighborhood and maintain a park like setting
 - 3 Single car common garage structure in a Carriage House design (with approx 800 sq ft studio apartment unit above) and 3 unassigned parking spaces to accommodate Phase 1 buildout are clustered off to the side —a design feature that has residents walking through the commons as a way to foster a strong sense of community.
 - An integral aspect of the site plan is the space between buildings— including landscape plantings, walkways, fencing, benches, etc. Vegetative screening will shield parking areas/garages from view of the street as well as the community.
- Phase 2: Will include 5 additional cottages on the West side of the property bringing the total number of cottages to eight.
 - Phase 2 will include 2 additional green space common areas (30'x35' and 18'x36' respectively) along with a 24'x35' outdoor living area located just east of the green.
 - Additional cottages in Phase 2 will be based on Ross Chapin's Edgemoor Cottage floor plan 2 bedroom, 1¾ bath with loft and study. (See floor plan, elevations, and photos below)
 - 4 additional one car garages and 4 additional unassigned parking spaces will be added to accommodate Phase 2.

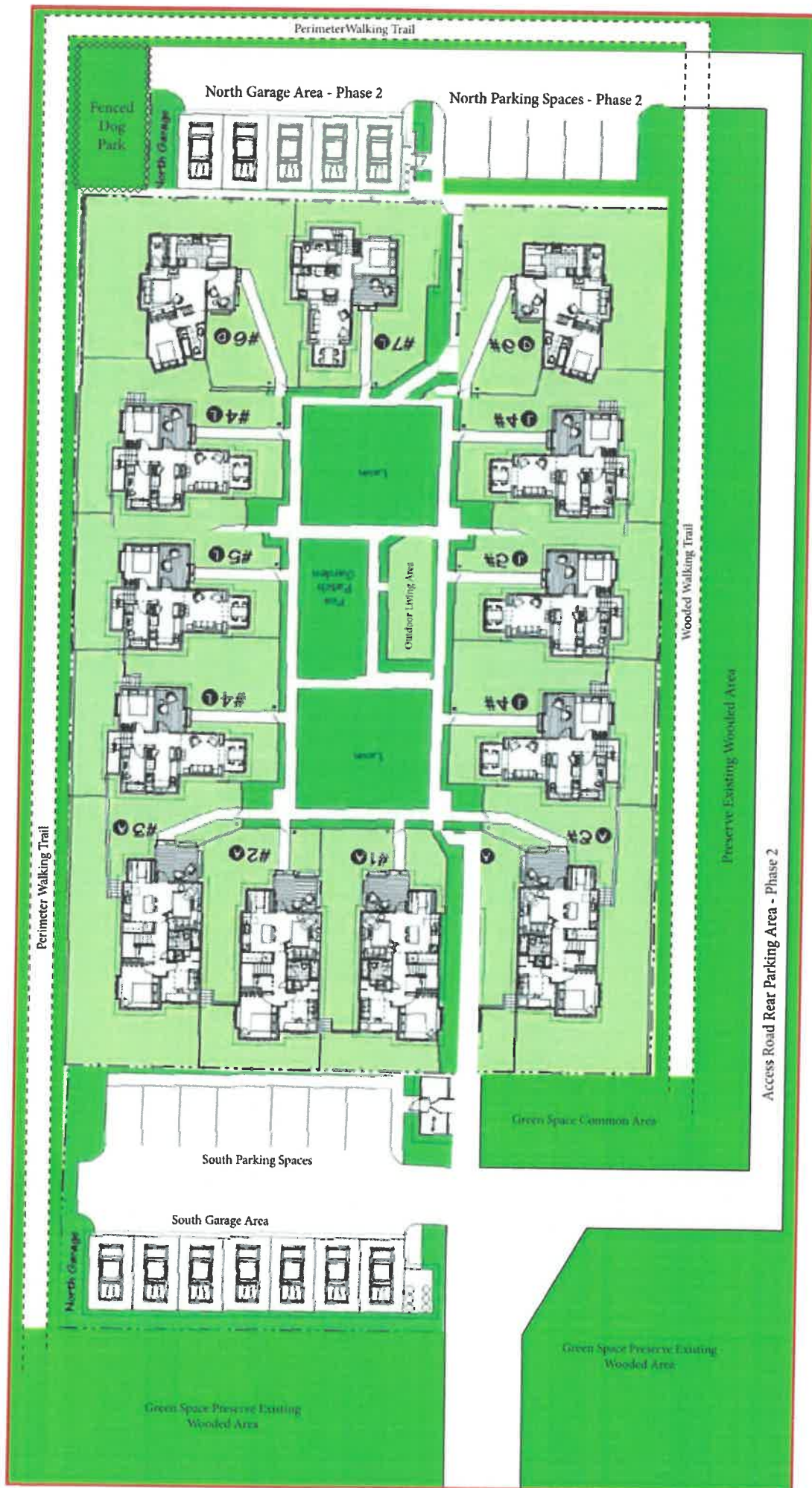
Cottage Plan Floor Plan and Elevations - Edgemoor Cottage



First Floor	
Living Room	12' x 10'
Kitchen	13' x 12'
Dining Room	10'-6" x 11'
Bedroom	13' x 12'-6"
Bathroom	full
Second Floor >5'	
Bedroom Suite	13' x 11'-6"
Study	6' x 7'
Bathroom	three-quarter
Total Heated Area	1292 sq ft
Footprint	24' x 40'



- Phase 3: Will conclude the build out with 5 additional cottages (bringing the total number of cottages to 13), five additional one car garages, and five unassigned parking spaces at the rear of the property. A side access road (alley) built along the far East side property will lead to the additional rear parking area.



Setbacks

- Front yards will face the common green areas
- Setbacks from the central common area – private area between sidewalk and unit. Minimum of 5 feet to porch.
- Exterior side and rear yards (facing public right-of-way) shall be a minimum of 10 feet.
- Interior units on a common lot shall be spaced at least 10 feet apart at the roofline.

Preserving the Natural Landscape

The two prospective lots have remained virtually untouched for decades and provide an excellent opportunity to tuck the cottage development into the existing landscape while preserving much of the natural surroundings. Specific care will be taken to ensure that the existing wooded areas are well preserved –A walking trail around the entire perimeter of the property winds through the natural wooded area on the east side, spilling into a common greenspace at the front of the property. A dog park area is strategically located at the rear of the property just off the walking trail for easy access.

Nesting Cottages

To ensure privacy between neighbors, the cottages “nest” together: the ‘open’ side of one house faces the ‘closed’ side of the next. You could say the houses are spooning! The open side has large windows facing its side yard (which extends to the face of the neighboring house), while the closed side has high windows and skylights. The result is that neighbors do not peer into one another’s world.

Central Commons

The cottages overlook the central commons which is not merely a pretty space to look at, but provides residents with the opportunity to interact in the daily flow of life.

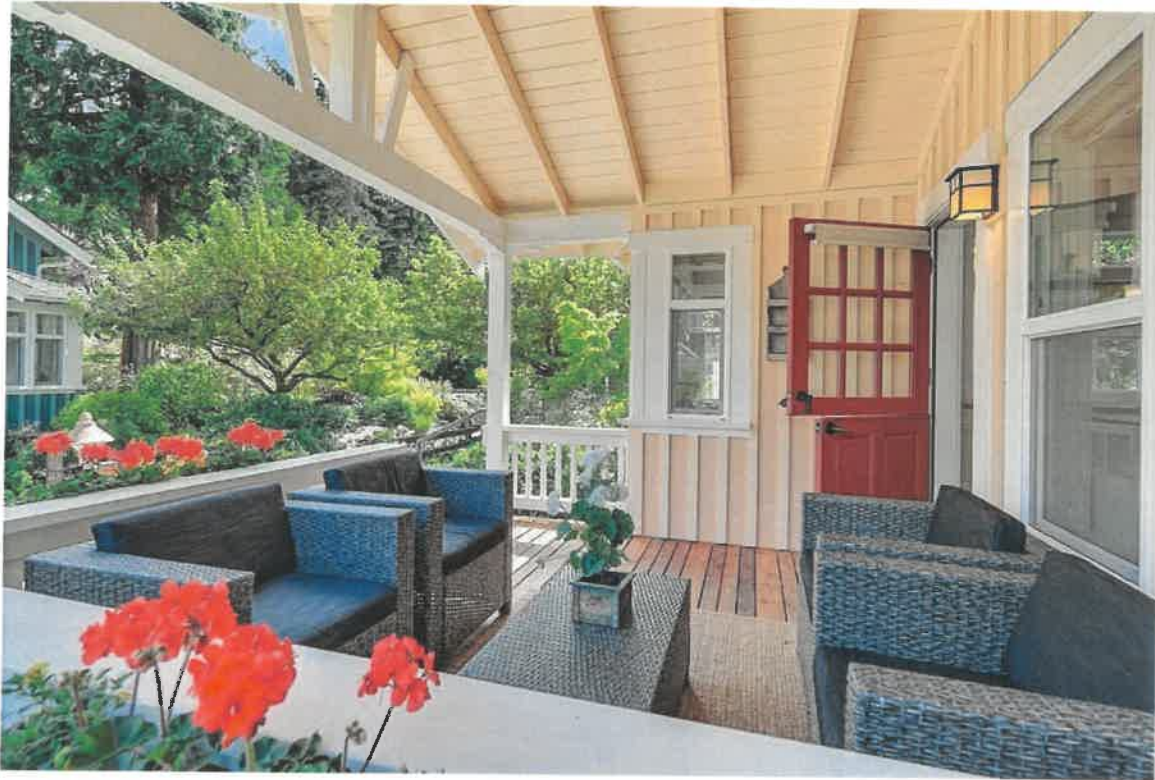


The shared common space is the heart of a cottage design. It is what holds the community together and gives it vitality. This space may take the form of a garden courtyard, a gathering space for residents to mingle, or a playspace at the center of a block. The commons is neither private or public, but rather a

defined space between the home and the public realms. Arranged mailbox kiosks, parking areas and an outdoor living area have residents walking through the commons to their front doors.

A Design to Provide “Layers of Personal Space”

Between the commons and the front door create a series of layers – such as a border of shrubs and plantings at the edge of the sidewalk/ a low fence / a private yard / a covered porch with a low railing and flower boxes / and then the front door. With this layering, residents will feel comfortable being on the porch –enough enclosure to be private with enough openness to acknowledge passersby.



Smaller, High-Quality, Well-Designed Dwellings

One and a half story cottages offer residents a balance between enough space and not too much space. If houses are too large, residents tend to spend all their time indoors. With right-sized houses, the porch, gardens, and shared common areas get used more, which fosters connections among neighbors. As well as, a house that is “not so big” is more likely to be fully lived in and cared for.

Slightly smaller, high-quality houses, together with the common open area and cottage development elements, help ensure the intensity of development is compatible with the surrounding neighborhood. Together, the common areas and individual home elements, such as the porch, gardens and shared common spaces serve as additional living areas. There are opportunities for privacy while fostering connection among neighbors with a spacious feeling and without a sense of overcrowding. See the interior space photos at the end of this section.

A Carriage House

A carriage house design for the Phase 1 Three car garages elevates the garage structure to better shield the adjacent assigned parking spaces from the frontage street, while creating a more aesthetically pleasing elevation for the community’s entrance. This provides an additional benefit of a studio apartment (approx 800 sq ft) as a “guest house”, if tenants desire extra space for visiting family members.

These are some of the core tenets and design patterns created by Architect Ross Chapin in creating successful “pocket neighborhoods” for more than a generation.

We look forward to working with you and the City of Foley to bring this concept to fruition.

To recap, we are:

- Looking to build up to 13 single family cluster cottages, and 1 carriage house unit (approx 800 sq ft studio apartment) above the 3 car garages on two approx 1 acre lots (118x400 and 103x400) in Foley, Alabama
- Cottage site plan will be based on Ross Chapin Architects' modified Greenwood avenue site plan for concept
 - 3 cottages in Phase 1 based on CoHo vB floor plan and elevation
 - 2nd and 3rd Phases (5 additional cottages in each phase) based on CoHo and Edgemoor floor plan and elevations
- Lots are currently zoned single family residential. We are seeking to obtain PUD zoning for this property
- Cottages would be offered as long term rental homes with a target audience of single or newly single, young or empty nester couples, young professionals, retirees or pre-retirees looking to resettle in the area.

Proposed Build Out: West and East Lot Azalea Ave, Foley, Alabama approximately 2 acres total
West Lot 108'x400' and East Lot 103'x400'

Phase 1 West Lot 108'x400'

Phase One building 3 Cottages (Closet to Azalea Avenue entrance), One 30'x35' green space common area, 3 Unassigned parking spaces, 3 one car garage structure –Carriage House design.

Phase 2 - West Lot

Build out an additional 5 cottages (for a total of 8 cottages), 4 additional unassigned parking spaces, and 4 one car garages added to existing parking area. Two additional green space areas in the commons, and one 24'x35' outdoor living area.

Phase 3 East Lot 103'x400'

Add 5 additional cottages, 5 one car garages, and 5 unassigned parking spaces at rear of property.

Includes side access road (alley) along far east side of east lot to provide access to additional rear parking area

Additional Interior Photos of CoHo Cottage











Additional Interior Photos of Edgemoor Cottage



















