

**CITY OF FOLEY
PLANNING COMMISSION**

**WORK SESSION
December 7, 2022
City Hall
Council Chambers
At 5:30 p.m.**

&

**MEETING
December 14, 2022
City Hall
Council Chambers
At 5:30 p.m.**

**PLANNING COMMISSION
WORK SESSION AGENDA DECEMBER 7, 2022
&
MEETING AGENDA DECEMBER 14, 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 on December 7, 2022 at 5:30 p.m. and a meeting on December 14, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the November 2, 2022 and November 9, 2022 meeting minutes.

AGENDA ITEMS:

1. West Laurel Apartments- Request for 1 year Site Plan Extension

The City of Foley Planning Commission has received a 1 year site plan extension for West Laurel Apartments. Property is located N. of US Hwy. 98 and E. of N. Beech St. Applicant is Engineer Design Group, LLC.

Planning Commission Action:

2. A & R Townhomes- Request for 1 year Site Plan Extension

The City of Foley Planning Commission has received a 1 year site plan extension for A & R Townhomes. Property is located S. of E. Michigan Ave. and E. of S. McKenzie St. Applicant is Hopkins & Associates.

Planning Commission Action:

3. *Jacob Snow Subdivision- Request for Minor/Exempt

The City of Foley Planning Commission has received a request for approval of Jacob Snow Subdivision a minor/exempt subdivision which consists of 3.5 +/- acres and 2 lots. Property is located N. of Hwy. 98 and W. of County Rd. 55 and is located in the City of Foley Planning Jurisdiction. Applicant is Jacob Snow.

Planning Commission Action:

4. Richard Lord RV Park – RV Park Modification

The City of Foley Planning Commission has received a request for a RV Park modification. Property is located at 22410 US Hwy. 98. Applicant is Kenneth and Richard Lord.

Planning Commission Action:

5. *Paxton Farms Phase 2- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Paxton Farms Phase 2 which consists of 16.02 +/- acres and 60 lots. Property is located at the SW corner of County Rd. 12 and County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Note: *Denotes property located in the Planning Jurisdiction

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Public Hearing:

Planning Commission Action:

6. Kaymac, LLC/Chris & Phil Johnson- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 2.02 +/- acres. Property is currently zoned R-1 C (Residential Single Family) requested zone is PUD (Planned Unit Development). Property is located N. of Azalea Ave. and W. of S. Juniper St. Applicant is Kaymac, LLC/Chris & Phil Johnson.

Public Hearing:

Planning Commission Action:

7. Approval of the 2023 Bylaws

Planning Commission Action:

8. Election of 2023 Officers

Planning Commission Action:

ADJOURN:

**PLANNING COMMISSION
WORK SESSION MINUTES NOVEMBER 2, 2022
(Council Chambers of City Hall) 5:30 P.M.
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The City of Foley Planning Commission held a work session on November 2, 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, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent members were: Vera Quaites, Wes Abrams and Calvin Hare. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Eden Lapham, Planner 1; Angie Eckman, Environmental Manager; Melissa Ringler, Recording Secretary.

Commission Hellmich made a motion to appoint Commissioner Hinesley as the acting chairman of the meeting. Commissioner Swanson seconded the motion. All members voted aye.

Motion to appoint Commissioner Hinesley as acting chairman for the meeting passes.

AGENDA ITEMS:

1. Fuzzy's Taco- Request for Site Plan Approval

The City of Foley Planning Commission has received a request for a site plan approval for Fuzzy Taco. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Moore Civil Consulting, LLC.

Mrs. Miriam Boone explained the site plan is meeting zoning requirements and staff is recommending approval.

Commissioner Hellmich asked if there would be a right in access off of State Hwy. 59.

Mrs. Boone explained the PUD approval for the property states no access off of State Hwy. 59 would be allowed.

Mr. Wayne Dyess stated staff has requested the applicant replace the landscaping with native species.

2. *Magnolia Pines Phases 2 & 3- Request for 1 year Preliminary Extension

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

Mrs. Boone explained the subdivision is located in unzoned Baldwin County District 11. She stated this is the first extension request and staff is recommending approval.

3. Sherwood Phase 3- Request for 6 month Preliminary Extension

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

Mr. Chad Christian stated staff is recommending a conditional approval due to a revised traffic study being done. He explained the plans were reviewed several years ago but construction has not begun.

Note: *Denotes property located in the Planning Jurisdiction

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Mrs. Boone explained a portion of the property is currently zoned B-2. She stated amendments have been made to the Zoning Ordinance which does not allow residential use in a B-2 zone. She explained the applicant understands the property will have to be rezoned before any residential homes can be built on the lots currently zoned B-2.

Commissioner Hellmich stated if construction does not start within the next 6 months they will need to reapply for preliminary approval.

Mr. Wooten explained his client is securing a traffic consultant. He stated the extension will allow him time to work on getting the traffic study completed.

Commissioner Hellmich stated turn lanes being added on Hickory Street were discussed when the preliminary was approved and feels certain the traffic study will show they are required. He stated he has requested staff to clarify the extension process within the regulations to ensure it is clear for the applicants.

4. The Exchange at Foley Apartments- Request for Minor/Exempt

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

Mrs. Boone stated a site plan has been approved for the apartments. She explained the property is zoned R-3 and staff is recommending approval.

Mr. Trey Jinright with Jade Consulting stated the request is to combine the lots into one lot to clean up the boundary lines.

5. *Bayou Ridge Estates- Request for Preliminary

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

Mrs. Boone explained the subdivision is located in unzoned Baldwin County district 27. She stated they are staying out of the wetlands and flood area of the property and staff is recommending approval.

Commissioner Hellmich stated he recalled a previous issue with a fence or easement in the area and asked if it has been resolved.

Mr. Christian stated if he recalls the issue was on the eastern margin and it and all the drainage concerns have been worked out.

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6. Hadley Village- Request for Preliminary

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

Mrs. Boone stated at a previous meeting neighbors requested the entrance to the subdivision be shifted to prevent headlights from shining in their windows. She explained the roads have been shifted as requested and staff is recommending approval.

Commissioner Hellmich stated the applicant has donated a portion of property for a right of way.

Mr. Dyess explained the applicant worked with staff to locate the open space in the center of the development. He stated fence heights around the open space will be restricted.

7. 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.

Commissioner Hellmich stated his understanding was a meeting was held with the developer and the Plantation and Magnolia River's HomeOwners Association and an emergency gate located between the two subdivisions was agreed upon. He stated the Commission has now received a letter from the HomeOwners Association requesting no emergency gate and instead a cul-de-sac be installed between the two subdivisions.

Mr. Trey Jinwright stated he had a positive meeting with the HomeOwners Association several weeks ago. He explained they discussed pricing of homes, elevations and the emergency access and he left the meeting on a positive note. He stated they could do a gravel connection to the existing road if it would make the neighboring property owners feel more comfortable.

Commissioner Gebhart stated he feels the road needs to be paved instead of gravel.

Mr. Joey Darby stated the Fire Code specifications state the surface has to be an approved and rated all weather surface able to withstand a minimum of 75,000 lbs. He explained his preference would be for the road to be connected without a gate or any other obstacles that make it harder for the department to get through.

Mr. Jinwright stated they are willing to do whatever is requested.

Commissioner Hellmich stated he feels the road needs to be paved with a gated access for emergency vehicles. He explained the drainage issues have been addressed, the mail kiosk was moved as requested and lot sizes abutting the neighbors have been increased in size.

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Mr. Dyess stated the applicant is requesting SALT to take ownership of a portion of the property as a conservation easement. He asked when SALT would be meeting to determine if they will retain the property.

The applicant stated SALT will make a determination at their quarterly meeting. He stated they will donate to anyone who is willing to take it as a conservation easement.

Commissioner Hellmich stated the approval could be contingent upon the acceptance of the conservation easement by SALT.

Mr. Dyess stated the Plat will not be approved until the conservation easement requirements have been met.

Commissioner Hellmich thanked Mr. Jinwright for meeting with the adjoining property owners to work out the issues.

8. Public Projects- Request for Recommendation

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

Mrs. Rachel Keith discussed and explained the proposed public projects with the Commissioners.

9. Approval of the 2023 Deadline/Meeting Calendar

ADJOURN:

Meeting adjourned at 6:25 p.m.

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 9, 2022
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on November 9, 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, Wes Abrams, Phillip Hinesley, 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 Wes Abrams called the meeting to order at 5:30 p.m.

MINUTES:

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

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

Motion to approve the September 14, 2022 and September 21, 2022 meeting minute's passes.

AGENDA ITEMS:

1. Fuzzy's Taco- Request for Site Plan Approval

The City of Foley Planning Commission has received a request for a site plan approval for Fuzzy Taco. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Moore Civil Consulting, LLC.

Planning Commission Action:

Chairman Abrams explained a request was received from the applicant to withdraw the item from the agenda.

2. *Magnolia Pines Phases 2 & 3- Request for 1 year Preliminary Extension

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

Planning Commission Action:

Mrs. Miriam Boone explained the property is located in unzoned Baldwin County and staff is recommending approval.

Commissioner Hinesley made a motion to approve the requested 1 year preliminary extension. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested 1 year preliminary extension passes.

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3. Sherwood Phase 3- Request for 6 month Preliminary Extension

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

Planning Commission Action:

Mrs. Boone explained the applicant is requesting a 6 month extension conditional upon working out the traffic study details with the Engineering Department. She stated the applicant has been made aware that a portion of the property which is zoned B-2 will need to be rezoned before any homes can be built on the lots.

Commissioner Swanson made a motion to approve the requested 6 month preliminary extension. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the requested 6 month preliminary extension passes.

4. The Exchange at Foley Apartments- Request for Minor/Exempt

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

Planning Commission Action:

Mrs. Boone explained the property is zoned R-3 and a site plan has been approved for a multi-family development. She stated the request is to combine multiple lots into 1 lot.

Commissioner Hinesley made a motion to approve the requested Minor/Exempt subdivision. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested Minor/Exempt subdivision passes.

5. *Bayou Ridge Estates- Request for Preliminary

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

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

Planning Commission Action: Mrs. Boone explained the property is in unzoned Baldwin County. She stated the Land Disturbance Permit is ready to be issued upon the Commission's approval.

Commissioner Hinesley stated an opposition email was received from a neighboring property owner. He explained the items which included traffic, noise etc. that were mentioned in the opposition letter are not something the city can control since the property is not located in the city limits.

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Commissioner Engel asked if the city had any control over the lot sizes.

Mrs. Boone answered no.

Commissioner Swanson made a motion to approve the requested preliminary. Commissioner Hinesley seconded the motion. Commissioner Engel voted nay. All other Commissioners voted aye.

Motion to approve the requested preliminary passes.

6. Hadley Village- Request for Preliminary

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

Public Hearing:

Mrs. Boone explained the request is meeting zoning requirements and staff is recommending approval. She stated the driveway has been shifted as requested by the neighboring property owners to prevent headlights from shining into their homes.

Ms. Shelby Middleton resident of 20239 Hadley Rd. asked what the next step would be if the request is approved.

Mrs. Boone stated the Land Disturbance Permit will be issued which allows them to start moving dirt. She explained once the infrastructure is in place they will request a final plat and then homes can start to be built.

A resident asked if there would be a wall between her property and the development.

Mr. Aaron Collins stated there will be live oaks planted in the area between the neighboring property and the subdivision. He explained no structures are being built in between the properties to prevent potential drainage issues.

Planning Commission Action:

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

Motion to approve the requested preliminary passes.

7. 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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Public Hearing:

Mrs. Boone explained the request is for initial zoning of the property. She stated SALT will be reviewing the proposed conservation easement request in December to consider acceptance. She explained a gate is being proposed between the development and Plantation at Magnolia River.

Mr. Dyess stated part of the approval will require the conservation easement to be in place.

A resident asked what will prevent the developer or future HomeOwners Association from removing the gate between the two subdivisions.

Mr. Dyess explained removal of the gate would require city action.

Commissioner Hinesley stated the gate removal would not be a HomeOwners Association issue.

Ms. Pam Monroe Blaylock, resident of 11928 Venice Blvd. asked if the City will require the gate to have a lock. She asked if the Fire Department is in agreement with the locked gated access.

Commissioner Gebhart stated the Fire Department has approved the locked gated access. He explained there are a number of developments within the city with similar access gates.

Commissioner Swanson asked if the connection between the two roads will be paved or gravel.

Ms. Boone stated the connection will be paved.

Mr. Larry Lauger resident of 16281 explained the development will increase the traffic in the area by an average of 160 cars. He stated his concern is the traffic and public safety within the city. He asked if a traffic study is being done to show how this will affect the downtown area during the tourist season. He stated it currently takes him 25 minutes to get out of the Plantation at Magnolia River on US Hwy. 98. He explained the city needs to be smart with all the development in the area or it is going to create a mess.

Mr. Trey Jinright stated a traffic study has been done. He explained US Hwy. 98 is controlled by ALDOT. He stated they will be required to add turn lanes at both entrances.

Mr. Al Lugo resident of 11792 Venice Blvd. stated he is a retired Police Officer and Fireman and it makes absolutely no sense to use a gated access through Plantation at Magnolia River for an emergency access. He stated the closest access is off of US Hwy. 98 and going through Plantation at Magnolia River is about six miles longer. He stated it would be much safer to use the accesses off of US Hwy. 98.

Commissioner Gebhart explained the gated access will be used in the event the other two entrances are blocked. He stated the access would not be used in every emergency instance and is a backup emergency entrance.

Mr. Lugo stated that Plantation at Magnolia River only has two entrances and the new development also has two off of US Hwy. 98.

Note: *Denotes property located in the Planning Jurisdiction

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Mr. Dyess asked Commissioner Gebhart if the emergency access is meeting the current fire code requirements.

Commissioner Gebhart answered yes.

Ms. Donnette Burkhalter resident of 12386 Venice Blvd. asked if the gate is allowed will the permitted uses of the gate be in writing.

Mr. Dyess explained there will be city regulations that will control the gate.

Ms. Burkhalter stated she wants to know if the gate will be left in place and permanent. She asked what will prevent the other subdivision from removing the gate.

Mr. Dyess stated if there were a request to remove the gate the removal would have to be approved by the City Council.

Mrs. Boone explained the Fire Code that is in place today requiring the gated access was not in place when the Plantation at Magnolia River was developed.

Mr. Larry Lauger asked if the gate would be a bar style gate with a padlock.

Mr. Jinright explained they will work with the Fire Department regarding the required gate style.

Mr. Craig Olmstead stated he is adjacent to the property on the west side and will have 20 houses up against his property. He asked if there would be a buffer and what is being done to prevent polluting the Magnolia River and runoff water.

Mr. Jinwright stated there will be a 30' natural buffer between the adjacent property and the development. He explained if the zoning request is approved a very extensive engineered drainage design plan will be submitted. He stated the Engineering Department will have to review and approve the drainage details before they are allowed to submit for a preliminary approval which will require a public meeting.

Mr. Larry Lauger asked if an EPA study had been conducted.

Mr. Jinright explained the engineered details will come at a later date.

Commissioner Hinesley stated the jurisdictional wetlands are excluded from the project.

Mr. Dyess explained the request is to zone the property. He stated the city has very high water quality standards. He explained there will be additional steps that will have to be completed once a request for a preliminary approval for the development is submitted.

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Ms. Bulkhalter stated she has had the river come within 4' of her home and over her ankles in her yard. She stated she is not really impressed with the drainage pond and this development is going to cause the water to be at her front door.

Chairman Abrams stated the drainage standards for the Plantation at Magnolia River subdivision are not the same as today's standards.

Mr. Dyess stated a lot of the homes in the neighboring subdivision would not be able to be built under our current standards.

A resident explained that two wrongs do not make a right. She stated a lot of her neighbors homes have taken on water and they are 1/3 of a mile from the River. She explained her concern is protecting the river and hopes the city will protect the residents. She stated a lot of seniors in the area had to move because they could not handle the flooding. She explained she would appreciate the zoning approval not being given until the agreement with SALT has been reached.

Mr. Dyess explained today's regulations do not allow building in a flood zone.

Ms. Debbie Wright resident of 16274 Macbeth Ln. stated every time it rains she has sewage in her yard.

Chairman Abrams stated the request tonight is for zoning. He stated a lot of the concerns discussed tonight are design issues.

A resident asked how many citizens have to say no to a development before they are taken seriously.

A resident asked if the water pressure will be adequate and if a new fire station is planned to be built within the vicinity in the future which can have effects on insurance rates.

Mr. Lunghard explained one of the reasons he moved here was due to all the building in Ohio. He stated Ohio had one huge rain storm that wiped out half the county. He explained the building and flooding was a result of poor planning. He stated he would like the city to hit the brakes and slow down. He asked how many more homes have to be built before we have failed and inadequate infrastructure.

Planning Commission Action:

Commissioner Hinesley asked for the total acreage being developed.

Mr. Jinwright explained the majority of the property is being reserved for a conservation easement or storm water. He stated 50 acres will be donated to SALT. He explained a large footprint has been reserved to handle Foley's very strong requirements for handling storm water.

Commissioner Mixon asked about the lot sizes in Plantation at Magnolia River that are backing up to the new development.

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Commissioner Hinesley stated the lots in Plantation at Magnolia River are 100' wide and the lots backing up to the lots appear to be 95' + wide.

Commissioner Engel stated he is still looking at the proposed lot sizes. He explained the lots backing up to the existing subdivision are larger and the others in the development are half the size. He stated this is not going to help the property values for the surrounding property owners. He explained the area around it is zoned R-1C and has larger lots and this development does not fit in the area. He stated he is not in favor of the PUD. He stated the lady is correct in asking when will the building stop. He explained he has people ask him every day and he tells them he voted no for the developments. He stated it is up to us to do something about it.

Chairman Abrams stated the things we can control are run off water and infrastructure details. He explained we cannot not allow them to build on their property.

Commissioner Engel stated he hates to be a negative Nelly but does not see how this fits in the area. He explained it is the Commission's job to represent the Citizens of Foley. He stated if larger lots were created with trees the lots would sell.

Mr. Jinright explained this is a very low density development. He stated the development density is less than 1 unit per acre.

Commissioner Swanson made a motion to recommend the requested initial zoning to the Mayor and Council. Commissioner Gebhart seconded the motion. Commissioner Engel voted nay. Commissioner Hinesley abstained. All other Commissioners voted aye.

Motion to recommend the requested initial zoning to the Mayor and Council passes.

8. Public Projects- Request for Recommendation

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

Planning Commission Action:

Mr. Dyess explained the Wolf Bay Drive Extension public project needs to be withdrawn from the requested public projects.

Commissioner Hinesley made a motion to recommend the requested public projects with the exception of the Wolf Bay Drive Extension. Commissioner Engel seconded the motion All Commissioners voted aye.

Motion to approve the requested public projects with the exception of the Wolf Bay Drive Extension passes.

9. Approval of the 2023 Deadline/Meeting Calendar

Note: *Denotes property located in the Planning Jurisdiction

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Planning Commission Action:

Commissioner Hinesley made a motion to approve the 2023 Deadline/Meeting calendar. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the 2023 Deadline/Meeting calendar passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:23 p.m.



PLANNING COMMISSION JOINT STAFF REPORT: December 2022

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STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: West Laurel Ave Apartments

REQUEST: Site Plan Extension

OWNER / APPLICANT:
Waterway 101, LLC /
Engineering Design
Group LLC

ACREAGE: 1.93 acres

PIN#(s): 19105

LOCATION: N of Hwy 98,
W of N Cedar St

DESCRIPTION: 21 unit
apartment complex

CURRENT ZONING:
B-2 (this was approved
before stand alone
residential was removed
from commercial zones)

REQUESTED ZONING:
n/a

ADJACENT ZONING:
R-3 to the north, B-2 to
east, west & south

FUTURE LAND USE:
RCC - Retail
Commercial
Concentration

EXISTING LAND USE:
vacant



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

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ZONING:

Miriam Boone - The zoning site plan has not changed.

ENGINEERING:

Chad Christian - LDP has been issued.

ENVIRONMENTAL:

Angie Eckman - Environmental permit has been issued.

FIRE:

Brad Hall - No issues currently.

BUILDING/FLOODPLAIN:

Chuck Lay - No issues.



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November 14, 2022

City of Foley Planning and Zoning Department
120 South McKenzie Street
Foley, AL 36535

Attn: Melissa Ringler

Re: Site Plan Extension – West Laurel Avenue Apartments

Dear Mrs. Ringler,

West Laurel Avenue Apartments received site plan approval on 01/19/2022. We submitted and have received the ALDOT Turnout Permit along with the City of Foley Land Disturbance Permit and the site work is currently underway. We will be submitting for the Building Permit the first quarter of 2023. We are requesting an extension for this project since the actual building permit has not been received.

Should you have any questions please don't hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read "B. Craig Johnson".

B. Craig Johnson, PLS

Engineering Design Group

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SEAL 12-23-21

ISSUE: ISSUED FOR PERMIT - 12-23-2021
REVISIONS:

DRAWN BY: AGI
CHECKED BY: DAD
PROJECT No.: F. WATER0003
CAD FILE: SITE LAYOUT PLANDWG
DATE: December 23, 2021

PROJECT LOCATION: FOLEY, ALABAMA
SHEET TITLE: SITE LAYOUT PLAN

PROJECT: WEST LAUREL AVENUE APARTMENTS

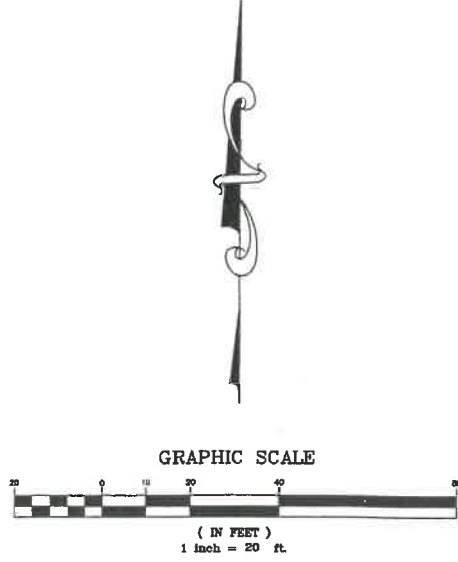
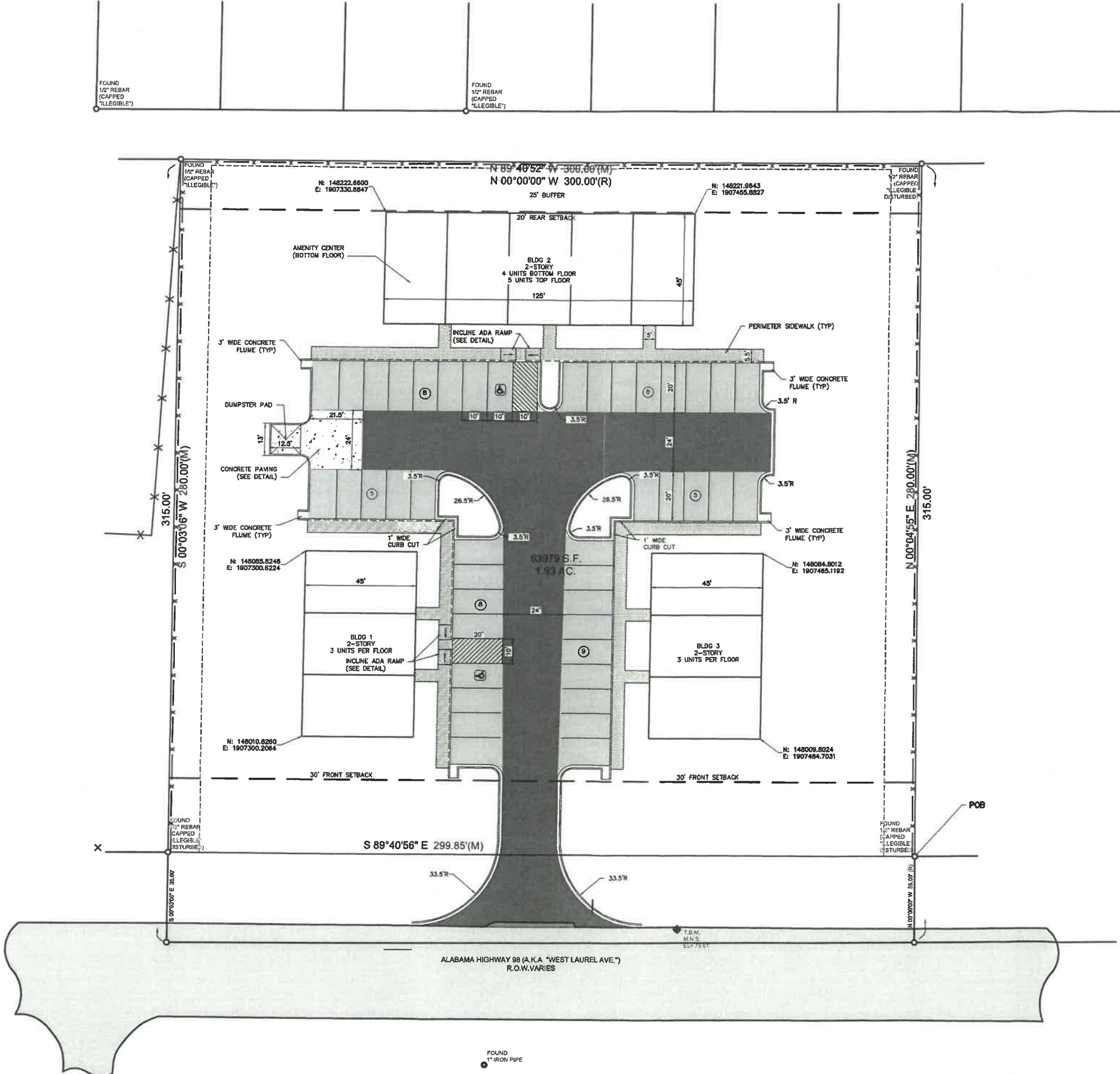


SHEET NO. C2.0

SITE DATA TABLE:	
PARCEL NUMBER	05-54-09-29-2-000-155.000
SITE AREA	1.93 AC
CURRENT ZONING	B-2
SETBACK	
FRONT:	30'
REAR:	20'
SIDE:	NONE
UNIT DENSITY	11 UNITS/ ACRE
PROPOSED UNITS	21 UNITS
MAX BUILDING HEIGHT	50'
PARKING REQUIRED	42 (2 SPACES PER UNIT)
PARKING PROVIDED	43 SPACES

SITE LAYOUT LEGEND	
	STANDARD DUTY ASPHALT PAVEMENT (SEE DETAIL)
	HEAVY DUTY ASPHALT PAVEMENT (SEE DETAIL)
	CONCRETE SIDEWALK (SEE DETAIL)
	CONCRETE PAVING (SEE DETAIL)

- NOTES:
- SEE SHEET C0.1 FOR GENERAL SITE LAYOUT NOTES.
 - THE COORDINATES SHOWN FOR THE BUILDING CORNERS ARE FOR BUILDING ENVELOPES AS DIMENSIONED ON PLAN. THE CONTRACTOR SHOULD REVIEW THE BUILDING PLANS TO MAKE ANY NECESSARY ADJUSTMENTS FOR LAYOUT OF BUILDING.





PLANNING COMMISSION JOINT STAFF REPORT: December 2022

19

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: A & R Townhomes

REQUEST: Site Plan Extension

OWNER / APPLICANT:
Gerald J Hopkins,
Architect

ACREAGE: 1.29 acre

PIN#(s): 209587

LOCATION: S of E
Michigan, E of S McKenzie

DESCRIPTION: 25 two
story townhouse
apartments

CURRENT ZONING:
B-1A (project was
approved in January 2022
prior to joint res/comm
changes)

REQUESTED ZONING: n/a

ADJACENT ZONING:
R-3 to east, B-1A to north,
south & west

FUTURE LAND USE:
RCC



20

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

ZONING:

Miriam Boone - Zoning site plan was approved by PC on 1/19/22. This was for stand-alone residential in a commercial zone.

The Zoning Ordinance states "The site plan approval will be valid for 12 months but will expire after this date if no building permits have been obtained. The Planning Commission may extend the site plan approval if it is determined there is an extenuating circumstance."

ENGINEERING:

Chad Christian - No LDP application received yet.

ENVIRONMENTAL:

Angie Eckman - A partial environmental permit application was submitted in December of 2021. An environmental permit was not issued due to a lack of payment, the CBMPP, and landscaping plans. It appears the site plan does not meet the current green space requirements of the Land Disturbance Ordinance.

FIRE:

Brad Hall - not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - not opposed

21

HOPKINS ASSOCIATES ARCHITECT

437 ALICIA DRIVE

-

BILOXI, MISSISSIPPI 39531

-

ph. 229-697-5899

e-mail

geraldhaa@gmail.com

November 14, 2022

Melissa Ringle
Planning & Zoning Coordinator
Foley, AL

Re: Request for Site Plan Approval Time Extension.

The purpose of this letter is to Request for one year time extension for the Site Plan Approval for the Foley Townhouse Development, South Cypress St., Foley, AL. I trust this is the information you need and it is sufficient.

Respectfully Submitted,



Gerald J. Hopkins, Architect

Cc: Zack Hoyt
ANR Group

22

A & R TOWNHOME DEVELOPMENT

INTERSECTION OF SOUTH COMMERCIAL DRIVE & SOUTH CYPRESS STREET FOLEY, ALABAMA

PROJECT INFORMATION:

ZONING: B-1A
PROPERTY: 1.29 ACRE
25 TWO STORY TOWNHOUSE UNITS
50 PARKING SPACES (2 ADA)

BUILDING TYPE: V PROTECTED

SLAB ON GRADE, WOOD FRAME, HARDI-PLANK SIDING,
IECC COMPLIANT, ENERGY STAR APPLIANCES,

PARKING:

ASPHALT PAVEMENT, CONCRETE CURBS

SITE:

SIGN - 32 SF - 5 FT HIGH - 2 SIDES, INDIRECT LIGHT
OUTDOOR LIGHTING
DUMPSTER ENCLOSURE WITH GATES.
6 FOOT WOOD PERIMETER FENCE WHERE SHOWN

LANDSCAPING:

GRASS SOD COMPLETE SITE
TREES WHERE SHOWN ON PLAN
4 FT HEDGE WHERE SHOWN ON PLAN
LOW PROFILE PLANTING AT BUILDING
& AROUND SIGN
IRRIGATION SYSTEM FOR MAINTENANCE

UTILITIES:

WATER & SANITARY SEWER AVAILABLE AT SITE
POWER - AVAILABLE AT SITE
DRAINAGE: DETENTION POND WITH EARTHEN DIVERSION
STRUCTURE AND LEVEL SPREADER OUTFLOW STRUCTURE

OWNER

A & R TOWNHOMES
VIRENDRA PATEL

ARCHITECT

HOPKINS ASSOCIATES ARCHITECT
437 ALICIA DR.
BILOXI, MS 39531
PH: 228-697-5899
EMAIL: geraldhaa@gmail.com

ENGINEER:

TERRY MORAN & ASSOC., PLLC
P. O. BOX 4075
BILOXI, MS 39535
PH: 228-243-4194
EMAIL: msbulldog3@msn.com

PROJECT DESCRIPTION:

DEVELOPMENT IS A 25 UNIT ATTACHED RESIDENTIAL COMPLEX IN AN URBAN ENVIRONMENT THAT
IS WALKING DISTANCE TO COMMERCIAL BUSINESS.

GENERAL CHARACTER:

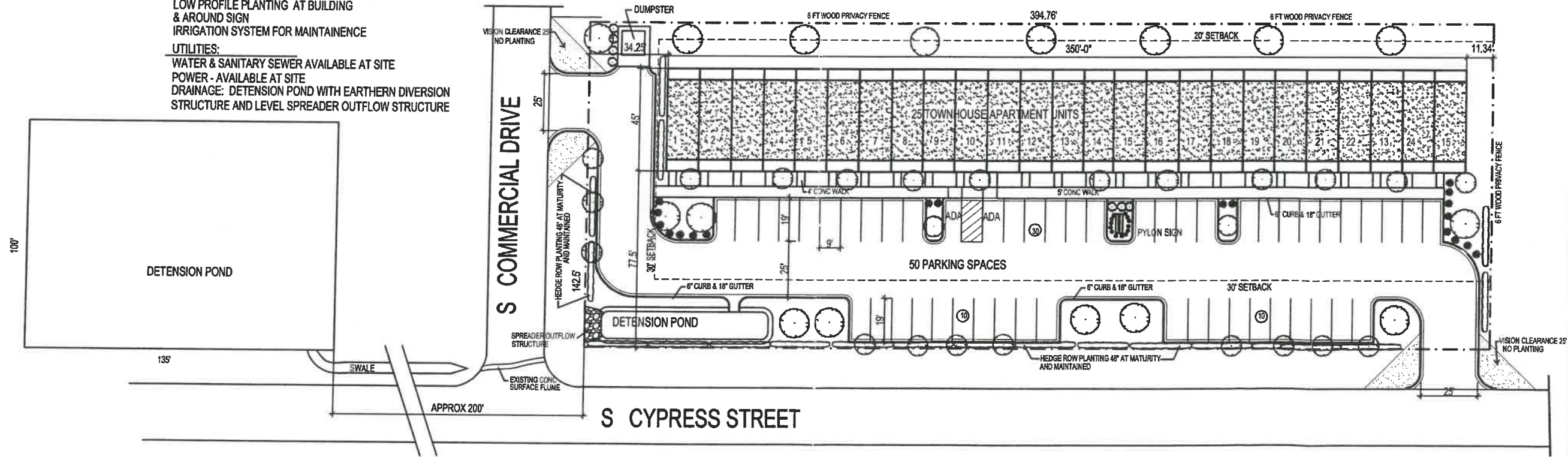
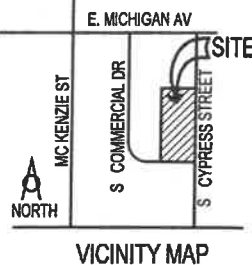
BUILDINGS ARE TRADITIONAL ARCHITECTURE TWO STORY TOWNHOMES, PAINTED LAP SIDING
EXTERIOR, 8/12 SLOPE ARCHITECTURAL SHINGLES WOOD TONE ROOF, WITH MULTIPLE LARGE
FALSE DOMERS, SET IN A LANDSCAPED SITE, TREES, 48 INCH HIGH HEDGING AT PERIMETER TO
SCREEN PARKING, SHURBBERY AND LOW PROFILE PLANTING AS REQUIRED. 6 FOOT HIGH WOOD
PRIVACY FENCE AT REAR AND NORTH END OF PROPERTY, DUMPSTER ENCLOSURE WITH SCREENED
GATES AND SHURBBERY.

**PROJECT SIGN, 32 SQUARE FOOT, TWO FACED, 5 FOOT HIGH WITH MASONRY BASE, LOW LEVEL
INDRECT LIGHTING ATGRADE LEVEL.**

PARKING AREA- ASPHALT PAVEMENT WITH CONCRETE CURB & GUTTER.

**SITE & BUILDING LIGHTING TO BE POLE MOUNTED 16 FOOT HIGH WITH DOWN LIGHTING HEADS
(FRONT & REAR OF BUILDING AND PARKING AREA.**

**DRAINAGE - SITE GENERALLY DRAINS SOUTH, FLOW WILL BE HANDLED WITH CURB & GUTTER TO
DETENSION POND, DETIENSION POND WITH EARTHEN DIVERSION STRUCTURE, OUTFLOW WILL BE
DRAINED OVER LEVEL SPREADER OUTFLOW STRUCTURE TO SPREAD AND DISPERSE STORM WATER.
STORM WATER WILL CROSS STREET VIA AN EXISTING CONCRETE FLUME AND INTO EXISTING SWALE
(APPROXIMATELY 200 FEET) TO AN EXISTING RETENSION POND THAT IS OWNED BY THIS
DEVELOPER.**



25 TOWNHOUSE APARTMENTS

UNIT SCHEDULE

FIRST FLOOR (HTG)	490 SF
SECOND FLOOR (HTG)	560 SF
UNIT TOTAL (HTG)	1050 SF
OPEN PORCH	126 SF

TOTAL SF AREA

FIRST FLOOR (HTG)	12,250 SF
SECOND FLOOR (HTG)	14,000 SF
TOTAL BLDG AREA	26,250 SF

HOPKINS & ASSOCIATES ARCHITECTS	
REGISTERED ARCHITECTS, STATE OF MISSISSIPPI	
PROJECT: A & R TOWNHOMES	
SHEET: SITE PLAN	
DATE: 12-22-23	BY: [Signature]
SCALE: 1" = 50'	1



PLANNING COMMISSION JOINT STAFF REPORT: December 2022

23

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Jacob Snow SD

REQUEST: Minor/Exempt Subdivision in Planning Jurisdiction

OWNER / APPLICANT:
Gulf Coast Housing LLC /
Jacob Snow, President

ACREAGE: 3.5 acres

PIN#(s): 003801

LOCATION: N of Hwy 98
& W of County Rd 55

DESCRIPTION:
2 LOTS

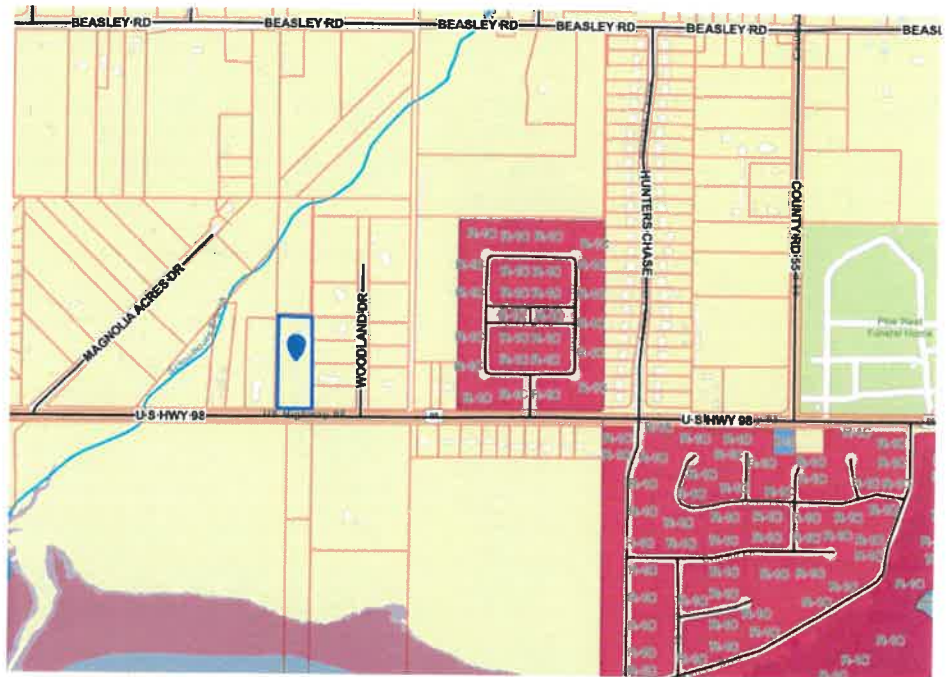
CURRENT ZONING:
Unzoned BC District 11

REQUESTED ZONING:
n/a

ADJACENT ZONING:
Unzoned BC District 11

FUTURE LAND USE:
Unspecified

EXISTING LAND USE:
SFR



24

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

ZONING:

Miriam Boone - This property is in unzoned BC District 11.

ENGINEERING:

Chad Christian - No infrastructure. Not opposed.

ENVIRONMENTAL:

Angie Eckman - not opposed

FIRE:

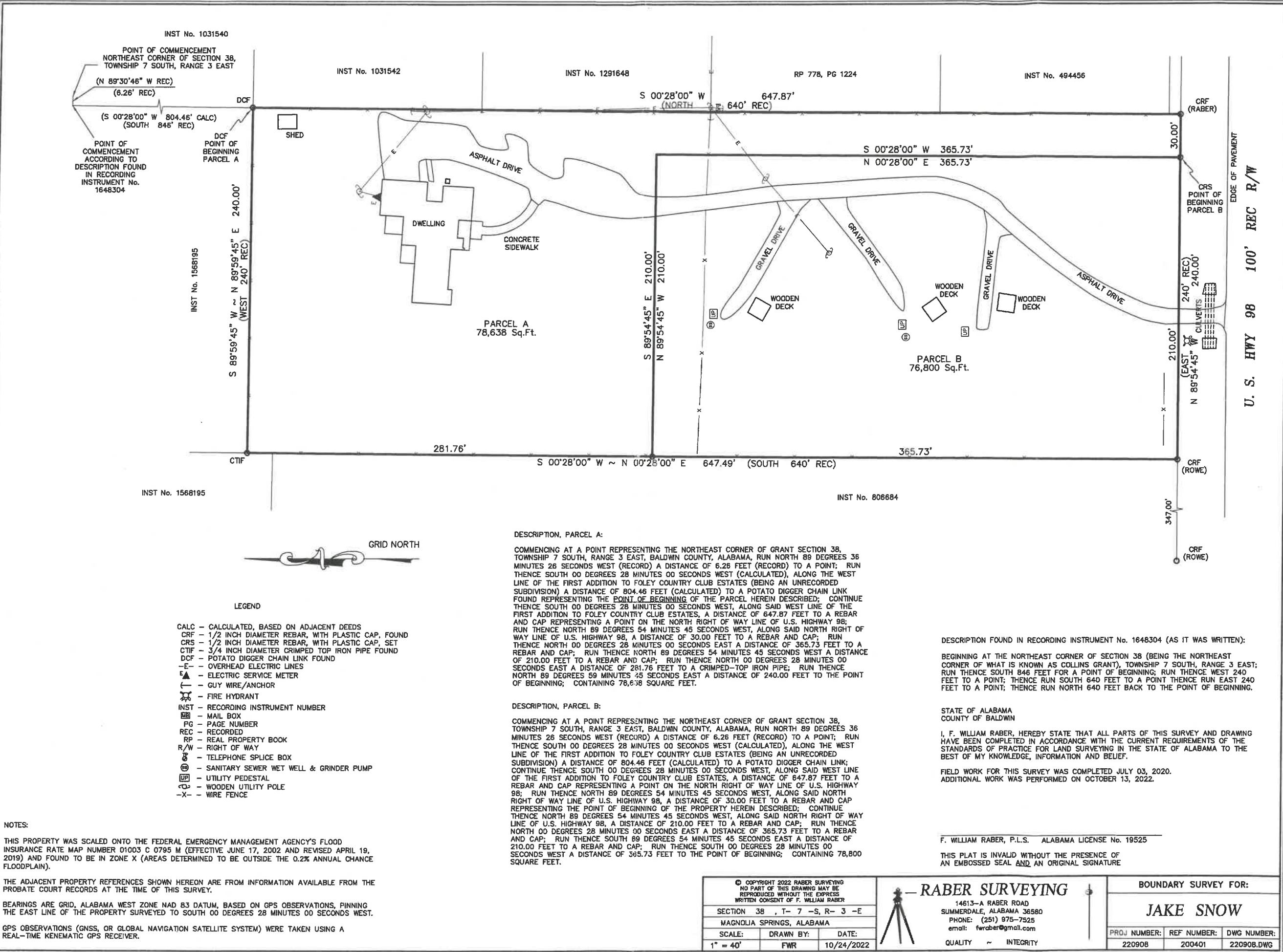
Brad Hall - not opposed

BUILDING/FLOODPLAIN:

Chuck Lay - Outside of CDD jurisdiction.

25

RECEIVED
11/14/23





PLANNING COMMISSION JOINT STAFF REPORT: December 2022

26

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Richard Lord RV Park

REQUEST: RV Park Zoning Modification

OWNER / APPLICANT:
Richard E. Lord, Jr

ACREAGE: ±3 ac

PIN#(s): 115844, rear portion

DESCRIPTION: Requesting to modify existing planned RV Park Zone to remove the 4ft berm along the east edge.

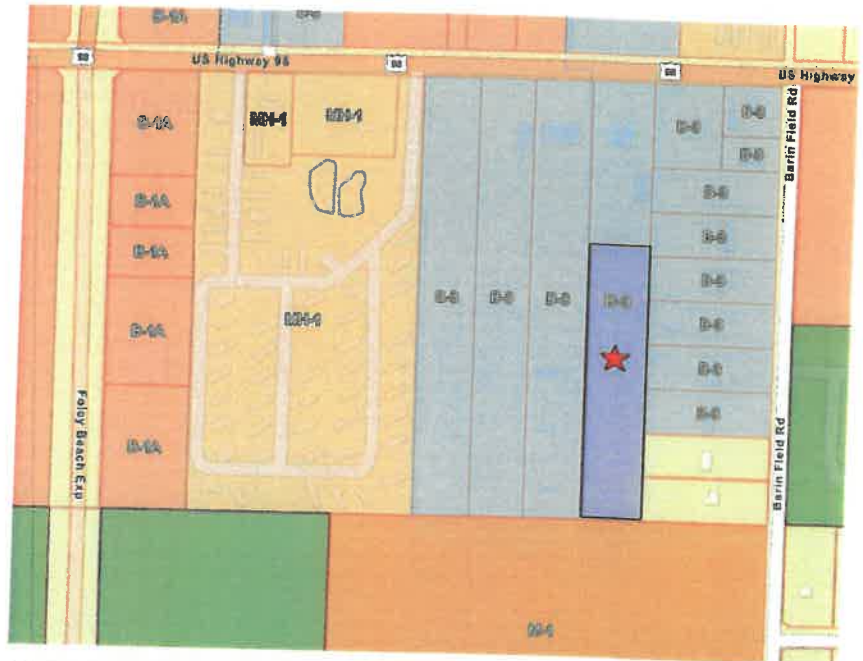
CURRENT ZONING:
RV PARK (rezoned back portion of lot on 10/20/2021)

REQUESTED ZONING: N/A

ADJACENT ZONING:
N & W = B-3
E = B-3 & unzoned BC
S = M-1

FUTURE LAND USE:
MXU, Mixed Use

EXISTING LAND USE:
Vacant



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

27

ZONING:

Miriam Boone - The applicant had proposed a 4' berm and a 6' fence along the east boundary of the RV Park. The adjacent neighbors have signed a petition requesting the berm not be built. They prefer a fence only. Their plan is still showing the 20' buffer along with landscaping along the east boundary. The west side was approved with no berm, just a 6' fence & landscaping.

This is a "planned" RV Park zoning designation, the zoning was approved 12/6/21. The buffer regulation states: "B. In accordance with the following standards, the width of a required buffer may be reduced by up to fifty (50) percent if a wall together with landscaping (including trees) is used and up to twenty-five (25) percent if a berm together with landscaping is used."

ENGINEERING:

Chad Christian - If berm is waived in concept, LDP must be amended for grading.

ENVIRONMENTAL:

Angie Eckman - not opposed

FIRE:

Brad Hall - no issues

BUILDING/FLOODPLAIN:

Chuck Lay - defer to PC

28

We are requesting not to do the berm. We and our neighbors do not want it and it will cause a pest problem due to the ability to keep the berm maintained due to the location.

Kenneth Lord

29

6/30/2022

RV Park at Economy Car Service

To Whom it may concern

This Letter is provided stating that the residents on the west side of the RV Park property will be satisfied with just a 6ft tall privacy fence and that a 4ft tall berm is not nessacary.

Residents Signatures

Alex McDuffie

12391 Barin Field Rd Foley AL 36535

Caul Thompson

12315 Barin Field Rd Foley AL 36535

Dorinda Buchanan

12357 Barin Field Rd
Foley AL 36535

Barbara Buchanan

12349 Barin Field Rd
Foley AL 36535

James A. Eiland

12259 Barin Field Rd
Foley AL 36535

Benjamin Campos

12305 Barin Field Rd
Foley AL 36535

PAUL MARUR

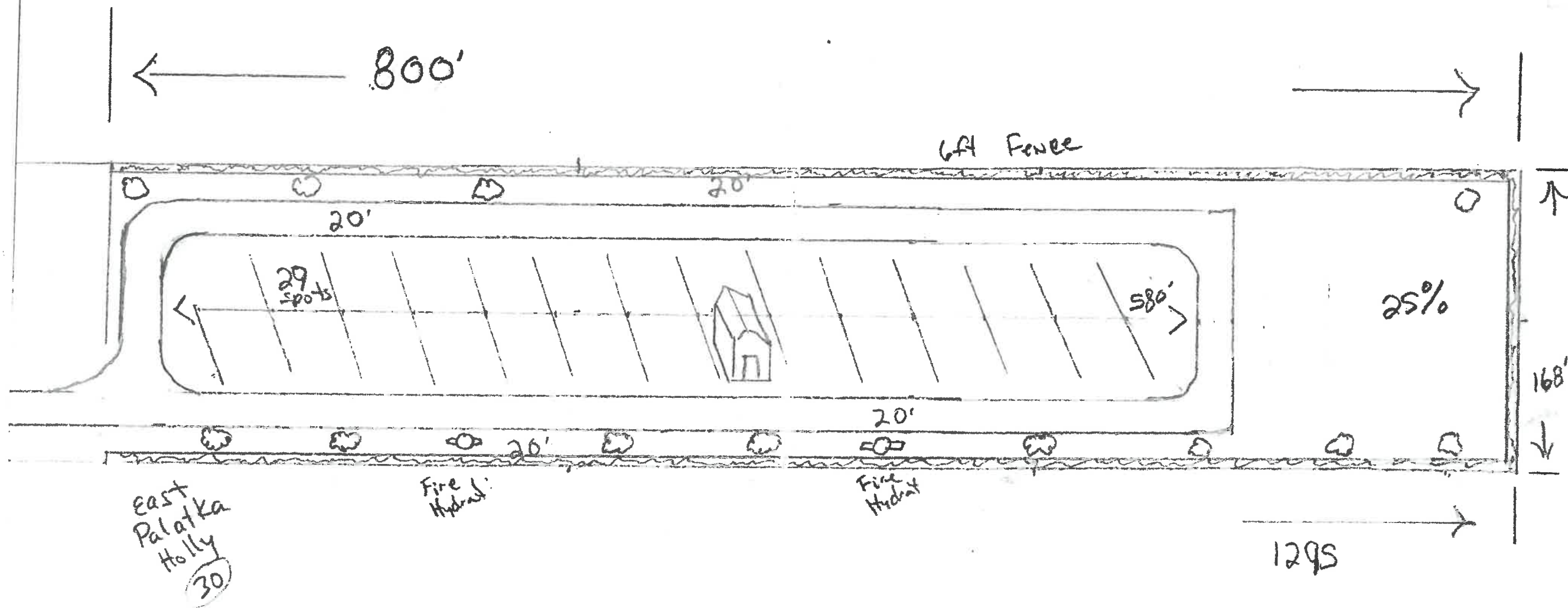
12275 BARIN Field RD
FOLEY AL 36535

RECEIVED

7/14/22 AC

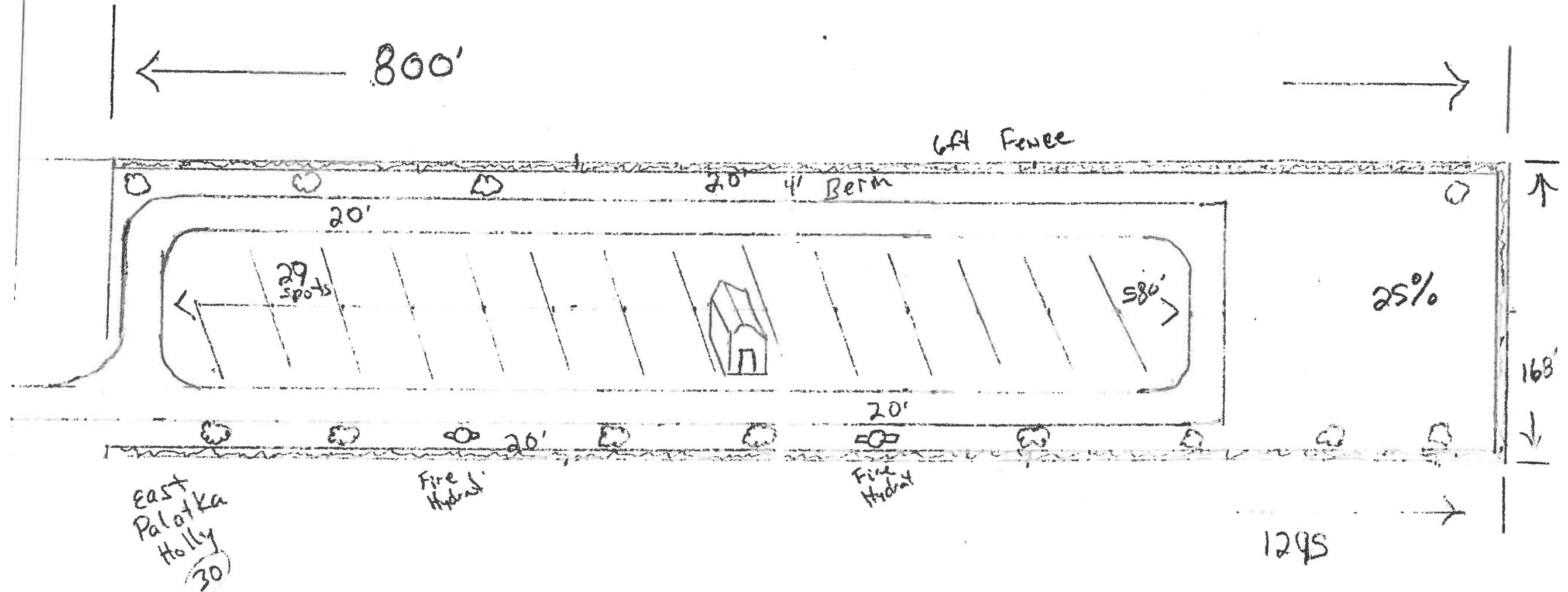
Requesting no
berm.

30
SEP 17 2021
CDE



previously approved
w/ the 4-ft berm.

code





PLANNING COMMISSION JOINT STAFF REPORT: December 2022

32

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Paxton Farms - Phase 2

REQUEST: Preliminary Subdivision in Planning Jurisdiction

OWNER / APPLICANT:
RAM - Paxton Farms
Subdivision Partners, LLC

ACREAGE: 16.02 ac

PIN#(s): 68612

LOCATION: SW corner of
CR-12 & CR-65

DESCRIPTION:
Phase 2 = 60 lots
(Ph 1 = 50 lots)

CURRENT ZONING:
Unzoned BC, District 34

REQUESTED ZONING:
n/a

ADJACENT ZONING:
Unzoned BC to N, E, & S
BC Dist21 RSF-2 to W

FUTURE LAND USE:
RR, Rural Residential

EXISTING LAND USE:
Vacant



33

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

ZONING:

Miriam Boone - This property is in unzoned BC District 34.

ENGINEERING:

Chad Christian - The Land Development Permit is deemed "ready to issue".

ENVIRONMENTAL:

Angie Eckman - Environmental department is not opposed. The plans do meet the minimum CBMPP, landscaping, and green space requirements of the Land Development Ordinance.

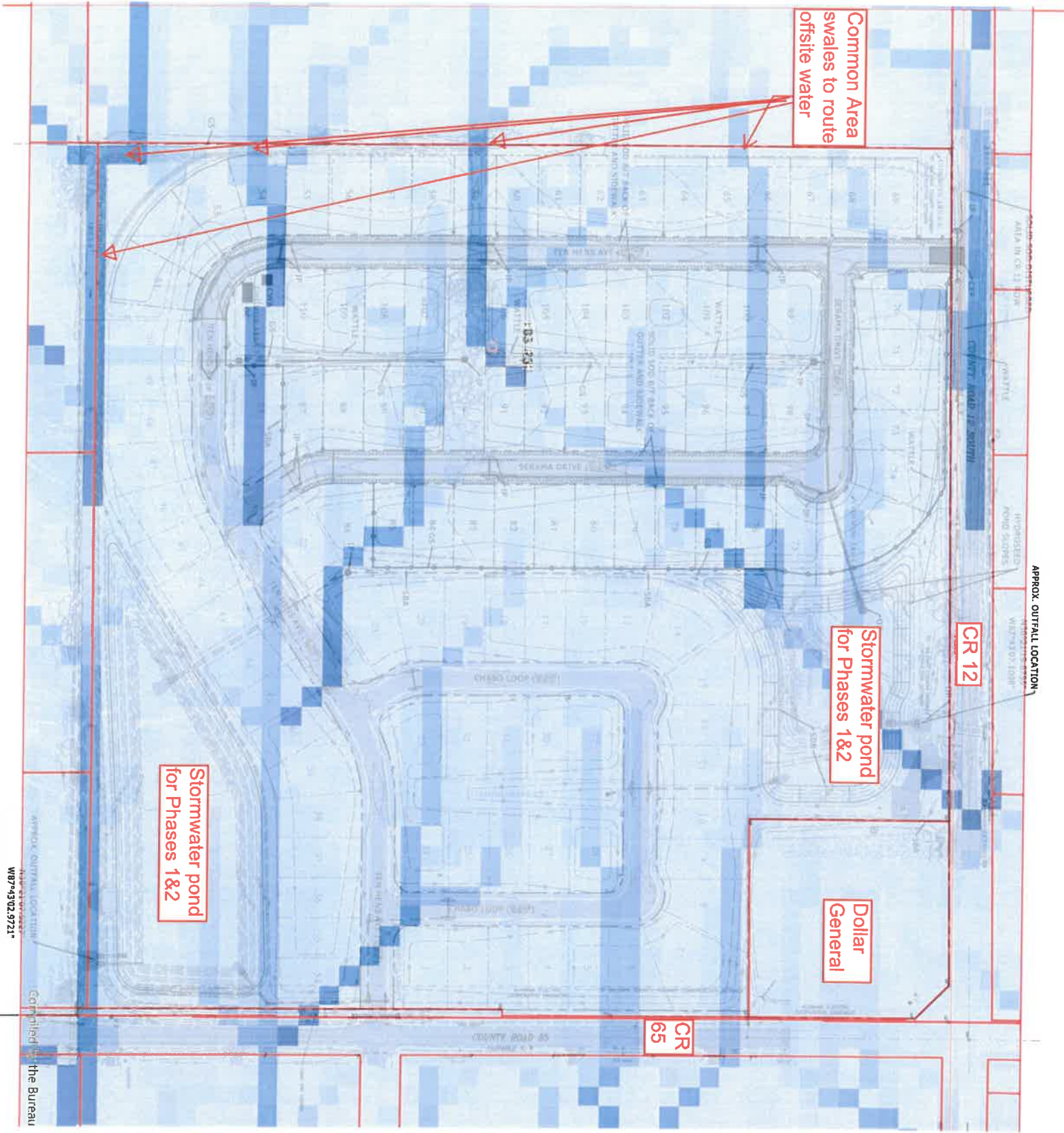
FIRE:

Brad Hall - Fire is not opposed

FLOODPLAIN ADMINISTRATOR:

Chuck Lay - Out of CDD jurisdiction, not opposed

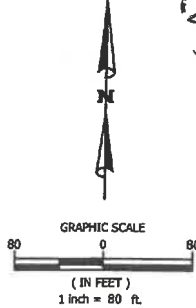
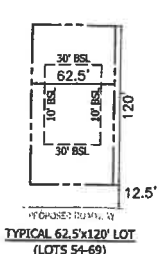
31



WB7-4302.9721"

APPROX. OUTFALL LOCATION

the Bureau



SIDEWALK & RAMP NOTES:
1. ALL ADA RAMPS AND SIDEWALKS SHALL BE CONSTRUCTED AT THIS TIME.

SITE DATA TABLE - PHASE 2		
STATE OF ALABAMA COUNTY OF BALDWIN		
TAX PARCEL ID (PPIN):	05-60-06-13-0-000-001.000 (68612)	
EXISTING ZONING:	UNZONED BALDWIN COUNTY, PLANNING DISTRICT CITY OF FOLEY PLANNING JURISDICTION	
TOTAL TRACT ACREAGE:	36.36 ACRES	
TOTAL PHASE ACREAGE:	16.02 ACRES	
<u>LOT DATA:</u>		
PROPOSED LOTS:	60	
PROPOSED NET DENSITY:	3.75 LOTS/AC	
AVERAGE RES. LOT SIZE:	7,753 SF	
SMALLEST RES. LOT SIZE:	7,500 SF	
<u>STREET DATA:</u>		
R.O.W. WIDTH:	50'	
LINEAR FEET OF NEW STREETS:	2,268 LF	
SIDEWALK WIDTH:	5'	
<u>BUILDING SETBACKS:</u>		
FRONT:	30'	
SIDE:	10'	
SIDE (CORNER LOT):	20'	
REAR:	30'	
<u>COMMON AREA REQUIREMENTS:</u>		
	REQUIRED:	PROVIDED:
TOTAL COMMON AREA:	-	2.76 AC
TOTAL GREEN SPACE:	2.40 AC (15%)	2.45 AC (15.3%)
TOTAL ACTIVE GREEN SPACE:	0.61 AC (25% OF TOTAL GREEN SPACE)	1.01 AC (41.2%)

LEGEND

- | | | | |
|--|--|--|---|
| | BENCHMARK | | EXIST. SANITARY SEWER PUMP |
| | CAPPED ROD FOUND | | EXIST. TELEPHONE BOX |
| | CAPPED ROD SET | | EXIST. MAILBOX |
| | RIGHT-OF-WAY | | EXIST. ASPHALT PAVING |
| | PROPERTY LINE | | EXIST. CONCRETE |
| | PROPERTY LINE (ADJACENT) | | EXIST. GRAVEL |
| | EXIST. EASEMENT LINE | | PROPOSED ASPHALT |
| | EXIST. OVERHEAD UTILITY AND UTILITY POLE | | PROPOSED COUNTY ASPHALT BUILDUP |
| | EXIST. GUY WIRE AND UTILITY POLE | | PROPOSED LIGHT DUTY CONCRETE (BROOM FINISH) |
| | EXIST. 16" WATER LINE | | |
| | EXIST. 6" SANITARY SEWER FORCE MAIN | | |
| | EXIST. UNDER GROUND CABLE LINE | | |
| | EXIST. WOOD PRIVACY FENCE | | |
| | EXIST. CHAINLINK FENCE | | |
| | EXIST. WIRE FENCE | | |
| | EXIST. VINYL RAIL FENCE | | |
| | EXIST. PIPE | | |
| | PROPOSED EASEMENT LINE | | |
| | PROPOSED SETBACK LINE | | |
| | PROPOSED 30" CONCRETE VALLEY GUTTER | | |
| | PROPOSED 6" CONCRETE CURB | | |
| | EXIST. POWER POLE | | |
| | EXIST. LIGHT POLE | | |
| | EXIST. HIGH TENSION POWER POLE | | |
| | EXIST. WATER METER | | |
| | EXIST. FIRE HYDRANT | | |
| | EXIST. SANITARY SEWER MANHOLE | | |

NOTES:

- ALL PROPOSED PHYSICAL IMPROVEMENTS AND NOTES RELATING TO SAID IMPROVEMENTS SHOWN HEREON (IE STORM DRAINAGE INLETS & PIPE, DETENTION POND LOCATION, SIDEWALK, CURBING, TREES TO BE REMOVED, ETC) ARE SHOWN BASED UPON INFORMATION PROVIDED BY THE PROJECT ENGINEER. IT IS THE OPINION OF WATTIER SURVEYING, INC. THAT THESE PROPOSED PHYSICAL IMPROVEMENTS SHOULD NOT BE SHOWN ON A SUBDIVISION PLAT. HOWEVER, THEY ARE BEING SHOWN HEREON FOR THE PURPOSE OF COMPLYING WITH THE REQUIREMENTS OF THE GOVERNING BODIES THAT HAVE AUTHORITY OVER THE DIVISION OF LAND IN THIS JURISDICTION. WATTIER SURVEYING, INC. BEARS NO RESPONSIBILITY FOR THE ADEQUACY OF THE DESIGN OF SAID PHYSICAL IMPROVEMENTS NOR FOR THE INSTALLATION OF SAID IMPROVEMENTS.
- FOR THE LOCATION OF ALL UTILITIES, SEE CONSTRUCTION PLANS.
- THERE IS A DEDICATED DRAINAGE, UTILITY, AND MAINTENANCE EASEMENT OVER THE ENTIRETY OF COMMON AREAS 6, 7 & 8.
- A HOME OWNERS ASSOCIATION (HOA) IS REQUIRED TO BE FORMED. THE HOA IS REQUIRED TO MAINTAIN ANY AND ALL STORM WATER FACILITIES AND STRUCTURES LOCATED OUTSIDE OF THE PUBLICLY ACCEPTED RIGHT-OF-WAY. THE HOA IS RESPONSIBLE FOR COMMON AREA MAINTENANCE.
- STORM WATER DETENTION AREAS ARE NOT THE RESPONSIBILITY OF BALDWIN COUNTY OR THE CITY OF FOLEY TO MAINTAIN.
- THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE, IF APPLICABLE, AND ENERGY COSTS OF THE STREET LIGHTS.
- THIS SURVEY DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH OTHER THAN WHAT IS READILY VISIBLE ON THE SURFACE OR PROVIDED BY THE CLIENT.
- BEARINGS SHOWN HEREON ARE STATE PLANE COORDINATE GRID BEARINGS AND ARE NOT GEODETIC BEARINGS. CONVERGENCE ANGLE FROM GRID NORTH TO GEODETIC NORTH IS -00° 03' 25".
- THERE IS DEDICATED HERewith A 15 FOOT DRAINAGE & UTILITY EASEMENT ON THE FRONT AND REAR OF ALL LOTS AND A 7.5 FOOT DRAINAGE & UTILITY EASEMENT ALONG ALL SIDE LINES OF ALL LOTS, UNLESS OTHERWISE NOTED.
- THERE IS A 30 FOOT MINIMUM BUILDING SETBACK ON THE FRONT AND REAR OF ALL LOTS AND A 10 FOOT BUILDING SETBACK ON THE SIDE OF ALL LOTS, UNLESS OTHERWISE NOTED.
- CAPPED REBARS (WATTIER) HAVE BEEN SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
- TEMPORARY ACCESS, UTILITY, & DRAINAGE EASEMENT TE#1 LOCATED AT THE WESTERN TERMINUS OF TEN HENS AVENUE AND TEMPORARY ACCESS, UTILITY, & DRAINAGE EASEMENT TE#2 AS SHOWN ON THE PLAT OF PAXTON FARMS SUBDIVISION, PHASE ONE, AS RECORDED ON SLIDE ????????????? OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA ARE HEREBY VACATED.
- PROJECT PROVIDES FOR 75' HIGHWAY CONSTRUCTION SETBACK FROM CENTERLINE OF COUNTY ROAD 12 SOUTH.
- R.O.W. WITHIN THE DEVELOPMENT WILL BE PUBLIC R.O.W.
- PROPOSED STREETS PROVIDE 10' LANES WITH 30" VALLEY GUTTER.
- PROJECT PROPOSES NO OVERHEAD UTILITIES.

SITE DATA
LINEAR FEET OF STREETS: 2,205 LF
NUMBER OF LOTS: 60
SMALLEST LOT SIZE: 7,500 SF
AVERAGE LOT SIZE: 7,753 SF
COMMON AREAS: 120,505 SF
TOTAL AREA: 697,744 SF
ZONING CLASSIFICATION: UNZONED AND PLANNING DISTRICT 34

LOT DRAINAGE & UTILITY EASEMENTS
FRONT & REAR: 15'
SIDE: 7.5'

REQUIRED SETBACKS
FRONT: 30'
REAR: 30'
SIDE: 10'
CORNER LOT SIDE: 20'

UTILITIES
WATER, SEWER, GAS & ELECTRIC SERVICE:
RIVERA UTILITIES - (251) 943-5001
413 E. LAUREL AVE, FOLEY, AL 36536

PHONE/INTERNET SERVICE
CENTURY LINK - (251) 952-5286
19812 UNDERWOOD AVE.
FOLEY, AL 36535

FLOOD CERTIFICATE:
THE PROPERTY DESCRIBED HEREON IS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NO'S. 01003C0927 M & 01003C0930 M, DATED 04/19/2019, AND IS SHOWN TO BE IN FLOOD ZONE "X"-UNSHADED.

ENGINEER:
JADE CONSULTING, LLC.
P.O. BOX 1929
FAIRHOPE, AL 36533
251-928-3443
PERRY C. JNRIGHT, III, PE 25748

SURVEYOR:
WATTIER SURVEYING, INC.
4318 DOWNTOWNER LOOP N., STE. H
MOBILE, AL 36609
251-342-2640
MARK A. WATTIER, PLS 20364

DEVELOPER/OWNER:
RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC
RODNEY BARSTEIN - SPECIAL PURPOSE MANAGER
2200 MAGNOLIA AVE SOUTH, STE. 100
BIRMINGHAM, AL 35205

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF THE PAXTON FARMS SUBDIVISION, PHASE ONE, FOLEY, ALABAMA IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING AND ZONING COMMISSION, THIS THE _____ DAY OF _____ 20____

CHAIRMAN, PLANNING COMMISSION

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER

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

CITY ENGINEER

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES - POWER:

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

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES - WATER & SANITARY SEWER:

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

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES - GAS:

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

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY CENTURYLINK:

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

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY 911:

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

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

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

COUNTY ENGINEER

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY PLANNING DIRECTOR:

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA THIS THE _____ DAY OF _____ 20____

PLANNING DIRECTOR

CERTIFICATION OF OWNERSHIP AND DEDICATION

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

DATED THIS _____ DAY OF _____ 20____

OWNER: RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC
RODNEY BARSTEIN - SPECIAL PURPOSE MANAGER

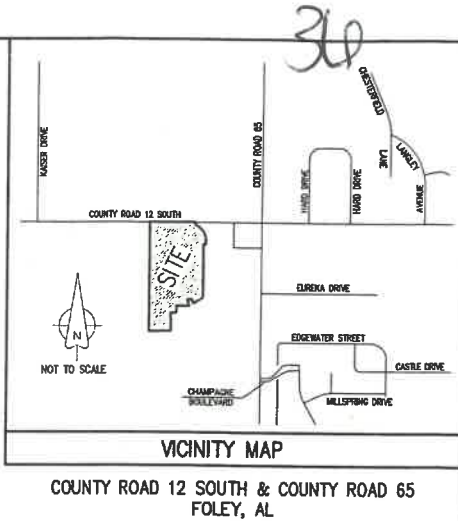
CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, HEREBY CERTIFY THAT RODNEY BARSTEIN, WHOSE NAME AS SPECIAL PURPOSE MANAGER OF RAM - PAXTON FARMS SUBDIVISION PARTNERS, LLC, IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY, THAT BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, AND AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

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

NOTARY PUBLIC



LOT & COMMON AREA DATA

LOT 51	8,997 SF	0.186 AC	LOT 82	7,500 SF	0.172 AC
LOT 52	8,997 SF	0.172 AC	LOT 83	7,500 SF	0.206 AC
LOT 53	8,997 SF	0.172 AC	LOT 84	7,500 SF	0.172 AC
LOT 54	8,515 SF	0.172 AC	LOT 85	7,500 SF	0.172 AC
LOT 55	7,500 SF	0.172 AC	LOT 86	9,676 SF	0.172 AC
LOT 56	7,500 SF	0.209 AC	LOT 87	8,100 SF	0.172 AC
LOT 57	7,500 SF	0.371 AC	LOT 88	7,505 SF	0.182 AC
LOT 58	7,500 SF	0.225 AC	LOT 89	7,500 SF	0.216 AC
LOT 59	7,500 SF	0.184 AC	LOT 90	7,500 SF	0.173 AC
LOT 60	7,500 SF	0.185 AC	LOT 91	7,500 SF	0.172 AC
LOT 61	7,500 SF	0.185 AC	LOT 92	7,500 SF	0.172 AC
LOT 62	7,500 SF	0.182 AC	LOT 93	7,500 SF	0.172 AC
LOT 63	7,500 SF	0.230 AC	LOT 94	7,500 SF	0.172 AC
LOT 64	7,500 SF	0.262 AC	LOT 95	7,500 SF	0.186 AC
LOT 65	7,500 SF	0.195 AC	LOT 96	7,500 SF	0.190 AC
LOT 66	7,500 SF	0.172 AC	LOT 97	7,500 SF	0.188 AC
LOT 67	7,500 SF	0.172 AC	LOT 98	7,500 SF	0.179 AC
LOT 68	7,500 SF	0.172 AC	LOT 99	7,500 SF	0.172 AC
LOT 69	7,500 SF	0.172 AC	LOT 101	7,500 SF	0.172 AC
LOT 70	7,500 SF	0.195 AC	LOT 102	7,500 SF	0.172 AC
LOT 71	7,500 SF	0.246 AC	LOT 103	7,500 SF	0.172 AC
LOT 72	7,500 SF	0.190 AC	LOT 104	7,500 SF	0.172 AC
LOT 73	7,500 SF	0.230 AC	LOT 105	7,500 SF	0.172 AC
LOT 74	8,890 SF	0.188 AC	LOT 106	7,500 SF	0.172 AC
LOT 75	8,297 SF	0.172 AC	LOT 107	7,500 SF	0.172 AC
LOT 76	7,500 SF	0.172 AC	LOT 108	7,500 SF	0.172 AC
LOT 77	7,500 SF	0.172 AC	LOT 109	7,500 SF	0.172 AC
LOT 78	7,500 SF	0.227 AC	LOT 110	7,500 SF	0.172 AC
LOT 79	7,500 SF	0.239 AC	C.A. 6	51,733 SF	4.258 AC
LOT 80	7,500 SF	0.172 AC	C.A. 7	166,850 SF	0.040 AC
LOT 81	7,500 SF	0.172 AC	C.A. 8	26,654 SF	0.429 AC

LOT WIDTH AT FRONT
BUILDING SETBACK LINE

LOT 51	70.71'
LOT 52	60.00'
LOT 53	60.00'
LOT 54	60.00'
LOT 74	60.00'
LOT 75	60.00'
LOT 86	60.00'
LOT 87	60.00'
LOT 88	62.12'
LOT 98	60.00'
LOT 99	60.00'

PAXTON FARMS SUBDIVISION
PHASE TWO

A RE-PLAT OF A PORTION LOT "B" OF
PAXTON FARMS PARENT TRACT SUBDIVISION
AS RECORDED IN SLIDE 2818-B&c

PLAT OF SUBDIVISION

OCTOBER 14, 2022

WATTIER SURVEYING, INC.
PROFESSIONAL LAND SURVEYORS
4318 DOWNTOWNER LOOP N., SUITE H
MOBILE, ALABAMA 36609 251-342-2640

SHEET 1 OF 5



PLANNING COMMISSION JOINT STAFF REPORT: December 2022

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STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Kaymac LLC/Chris & Phil Johnson

REQUEST: Rezone to PUD

OWNER / APPLICANT:

Kaymac LLC (current owner, but scheduled to close before PC meeting) / Chris & Phil Johnson

ACREAGE: 2.02 acres

PIN#(s): 67829 & 6874

LOCATION: N of E Azalea, W of S Juniper

DESCRIPTION:

11 managed Rental Cottages to remain in one ownership

CURRENT ZONING:

R-1C (Single Family)

REQUESTED ZONING:

PUD (Planned Unit Development)

ADJACENT ZONING:

R-1C (Single Family)

FUTURE LAND USE:

RM, Residential Med. Density (4-7)

EXISTING LAND USE:

Vacant



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DENSITY COMPATIBILITY ANALYSIS:

Proposed density is 6 units/acre which does exceed the max density for current R-1C zoning (3.8 units/acre), but falls within the Future Land Use requirements for Residential Medium Density (4-7 units/acre) & below the PUD multifamily allowance of 14 units/acre.

REQUIRED BUFFER: 30' between PUD & single family

PROPOSED BUFFER: 30'+ buffer on all sides plus there is a 60' drainage ditch along the north boundary. The property to the west is owned by Ascend.

UTILITY LETTERS RECEIVED: YES / NO / NOT APPLICABLE

DEED RECEIVED: YES / NO / NOT APPLICABLE

AGENT AUTHORIZATION: YES / NO / NOT APPLICABLE

ZONING:

Miriam Boone: The applicant has amended the plan as directed by staff and the Planning Commission at a work session.

- The drive has been moved to the west side where there are fewer trees in order to leave a wooded buffer on the east side.
- The allowed density is 14 units per acre in a PUD, they are proposing 6 units per acre.
- Required open space is 25%, they have 66%.
- They have a large greenspace & pavilion for a gathering space centrally located for the tenants. A walking trail is built around the perimeter. A fenced dog park is also shown on the plans.
- The carriage house above the garage will not be offered to the public but will be available for tenants who may wish to rent this space on a weekly basis for visitors.
- Renderings of the cottages are included in the PC packet.
- They are constructing a 5' public sidewalk along Azalea Avenue.

ENGINEERING:

Chad Christian: Engineering is not opposed to the Rezoning. LDP will be required for development and all drainage and water quality requirements will be applied.

ENVIRONMENTAL:

Angie Eckman: Environmental is not opposed to rezoning.

FIRE:

Brad Hall: Fire is not opposed.

BUILDING/FLOODPLAIN:

Chuck Lay: Not opposed

521 ORCHARD LN, FOLEY, ALABAMA 36535

Owner Name: CHAMBERS, PHILLIP L ETAL CHAMBERS, SHARO

Mailing Address: 521 ORCHARD LN, FOLEY, ALABAMA 36535

PIN: 207366

Parcel ID: 05-54-08-33-2-000-001.009

3. Approximate Size of Lot(s)
 - a. Lot 106 (West lot) 108.5'x400' 1.08 acres
 - b. Lot 102 (East lot) 103'x400' .94 acres
4. Present Zoning of Property: Residential Single Family R1C
5. Requested Zone: Planned Unit Development (PUD)
6. Land is currently undeveloped wooded acreage. No structures exist on either lot
7. We are pursuing Planned Unit Development (PUD) zoning for multiple (total of 11) single-family detached dwellings/cottages. Cottages will be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features.

Public and Private Benefits:

The Cottage Development concept has been around for over 100 years dating back to the early 1900's creation of Bungalow Courts on the West Coast and cottage housing communities in New York City and the Northeast. Hundreds of these communities have been preserved and still thrive today! Cottage development is defined as projects that feature clusters of units – often between four and twelve – built around a common open green space. Historic patterns of small housing units clustered around small parks (Commons) and shared open spaces can be found in some parts of older cities.

Modern cottage developments, as a form of smaller single family residential units, provide diverse housing choices that are more attractive to some households than traditional single family homes. Cottage housing developments have been established as infill projects, offering middle ground between single-family residences and multifamily development. Cottage housing offers a smaller scale housing choice, suitable for meeting a variety of needs, compared to traditional detached single-family dwellings.

This cottage development allows for locating 11 cottage households with close proximity (walking distance) to historic downtown Foley, providing access to a variety of local shops, services, and restaurants —And just a short drive away from amenities such as medical facilities, entertainment districts, world-class shopping and beautiful beaches!

The two acre lot selected for this project has remained virtually untouched for decades and provides an excellent opportunity to tuck the cottage development into the existing landscape while preserving much of the natural surroundings – Making more efficient use of land otherwise zoned for a single family residence while improving the aesthetic appeal and fostering a neighborhood within a neighborhood feeling.

Specific care will be taken to ensure that the existing wooded areas are well preserved to provide significant buffering from adjacent sites while further enhancing the overall scenic nature of the area. The interior of the community will have significant garden and common green space areas, and plenty of shaded seating affording neighbors the opportunity to gather and socialize.

The room-sized front porches on each cottage are a key element in fostering neighborly connections. Its magic comes from the way it is both private and public, belonging to the household while being open to passersby. A walking trail around the perimeter of the property winds through the natural wooded areas on the north and east sides, spilling into a common greenspace at the front of the property. A large fenced dog park area is strategically located adjacent to the parking area providing easy access to and from the walking trail. These amenities provide residents many opportunities to be outdoors without leaving the community. Beyond being amenities, these common area features foster relationships among neighbors and strengthen their sense of Community.

Additionally, a 5' wide public sidewalk will be constructed the entire width of the development to enhance pedestrian mobility and safety along the East Azalea Avenue easement.

Items of note:

- Property will NOT be subdivided into lots. The entire development will remain as one entity under our ownership.
- Cottages shall be offered as long-term rental homes (not less than annual lease) 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.

8. **Preliminary Traffic Analysis:** See Attached
Official Utility Commitment Letter: See Attached
Drawing: See Attached

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Below is a copy of an email correspondence regarding the need for a traffic analysis of the East Azalea project. The email is an opinion and only for reference and not to be misconstrued as a report or analysis from the individual in his professional capacity. If it is determined that a traffic study is needed, we will comply with the requirement.

Foley Cottages  



Cochran, Charles <CCochran@sain.com>
to Chris

Fri Oct 21, 10:42 AM



Chris,

Following up on our phone call - a residential development with 12 single family cottages would not generate enough traffic to trigger the need for a traffic impact analysis. Per ITE's *Trip Generation*, this development is projected to generate the following number of vehicle trips:

- AM Peak Hour - 11 Trips (3 entering, 8 exiting)
- PM Peak Hour - 14 Trips (9 entering, 5 exiting)

Thanks,

Charles Cochran, P.E. PTOE, RSP
Project Manager

Two Perimeter Park South
Suite 500 East
Birmingham, Alabama 35243
205.263.2174



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NARRATIVE as defined in the City of Foley Zoning Ordinance:**Location and size of the site including legal description:**

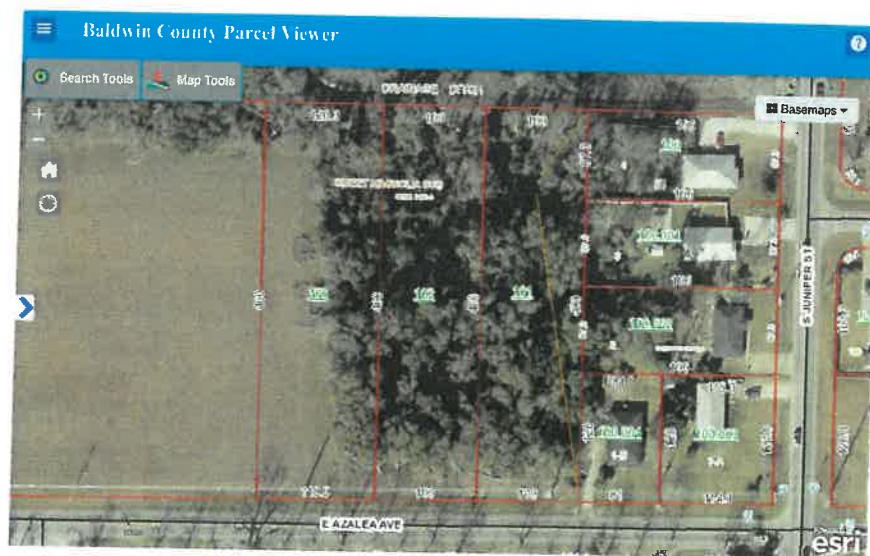
- Two (approx 1 acre lots) on East Azalea Avenue, Foley, Alabama
- Approximately ½ mile (walkable) from Historic Downtown Foley.
- Property location is south of Hwy 98, north of Hwy20 (Mifflin Road), east of Hwy 59, and ~2 miles west of the Foley Beach Express.
- Community will provide easy access to amenities and area attractions and is approximately 12 miles from the Gulf of Mexico, 2.4 miles from South Baldwin Regional Medical Center, 2 miles from major shopping centers, 2.5 miles from OWA Parks and Sports Tourism Resort Entertainment District
- "West" Lot Parcel106 is approx 1.08 acres (118.5'x400'). Tax PPIN# 067829 Parcel ID/TaxID: 54-08-28-3-000-106.00

LEGAL DESCRIPTION: 118.5' X 400' IRR BEG AT SE COR OF SE1/4 OF THE SW1/4 SEC 28 RUN N 30', TH W 435'(S) FOR THE POB, TH CONT W 118.5', TH N 400', TH E 120.3', TH S 400' TO THE POB IN CITY OF FOLEY SE C 28-T7S-R4E (WD)

- "East" Lot Parcel 102 is west of 591 East Azalea Ave and is .946 acres (103'x400'). Tax PPIN# 006874 Parcel ID/TaxID: 54-08-28-3-000-102.00

LEGAL DESCRIPTION: 103' X 400' BEG AT THE SE COR OF THE SW1/4 OF SEC 28 RUN N 2 0' TH W 20' TH N 400' TH W 309' FOR POB IN THE CITY OF FOLEY SEC 28-T7S-R4E (WD - SURVIVORSHIP)

East Azalea Avenue borders these two lots to the south, providing immediate access to both South Juniper Street to the east and Highway 59 to the west.



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- Property is currently zoned Residential Single Family R1C. Rezoning to a Planned Unit Development (PUD) zoning for multiple single-family detached dwellings/cottages.
- Property will NOT be subdivided into lots. The entire development will remain as one entity 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.

Recorded Ownership Interests: See Owner/Seller authorization letter attached. Property is under contract with a scheduled closing date of December 5th, 2022.

Relationship of the site to existing development in the area:

(Two Acre lot is highlighted in light green below)

Ascend Performance Manufacturing facility to the West also owns the 5.2 acre lot (East of S. Bay Street) that abuts the property.

On the East side of the property is a ~1 acre lot zoned single family residence and was purchased by a private owner in November 2021. Property on the southside of East Azalea Ave is a 100+ home Azalea Trace subdivision (circa 2000). The subject property is bordered to the north by a developed drainage way and further north is another subdivision (circa 1970s-80s). See attached list of all adjacent property owners and their information.

The land is heavily wooded with no existing structures. Utilities including sewer, water, gas and electric are available to the development (See attached Official Utility Commitment Letter).



Density or intensity of land use to be allocated to all parts of the site will be a total of 11 single-family (1 to 2 person occupancy) detached dwellings/cottages. Cottages shall be clustered or otherwise concentrated or arranged in planned locations on the site to take advantage of its natural features. When completed the community will include a total of 11 cottages, 18 unassigned parking spaces, 7 one car garages with a carriage house structure built above garage structure to include an ~800 sq ft apartment, 3 greenspace common areas (with one outdoor pavilion), 1 fenced dog park and a perimeter walking trail. Density is 6 cottages per acre with the following tabulation by acreage and percentage:

- Total Lot Size: 88,252.56 sq ft / 2.026 Total Acres
- Density per acre: 6 cottages per acre (total of 11 cottages on 2 acres)
- Dedicated greenspace and wooded areas: 58,553 sq ft / 1.35 Acres / 66% of Total
- Parking areas, access roads and sidewalks: 17,763 sq ft / .41 Acres / 20.1% of Total
- Buildings: 10,924 sq ft / .25 Acres / 12.34% of Total
- Stormwater management: 1,012 sq ft / .023 acres / 1.15% (Excluded from the greenspace amount)

Location, size and character of any common open spaces:

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.



Cottage front porches will face the common green space areas surrounded by sidewalks to provide easy pedestrian mobility throughout the community. Cottages in Phase 1 overlook a 36'x67' common greenspace bordered by sidewalks leading up to each home.

Phase 2 will include 4 to 5 additional cottages bringing the total number to eight. Additional green space areas (36'x46'). Within the common green, a 10'x25'

covered outdoor living pavilion provides seating and tables for impromptu pot luck dining among residents or just a place to gather and relax.

A walking trail around the entire perimeter of the property winds through the naturally wooded lands on the north and east side, spilling into a common greenspace area –giving residents ample opportunity to be outdoors without leaving the community. A 38'x65' fenced Dog Park is strategically located adjacent to the southern parking area for easy access to and from the walking trail.

Phase 3 will conclude with an additional 3 cottages bringing the total buildout to 11 cottages.

This is a rental community, therefore no common-owned facilities or forms of organization are planned for this development.

The use and type of buildings: 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

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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 in the supplemental information section at the end of this document.

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.

A Carriage House

A carriage house design for the Phase 2 parking 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. The carriage house design provides an additional benefit of a studio apartment above (approx 800 sq ft) that will be offered for weekly rental as a "guest house" if tenants desire extra space for visiting family members.

Proposed method of providing required improvements i.e., streets, water supply, and storm drainage and sewer collection: The property will remain as one contiguous property and will not be subdivided. Cottages will be built at a minimum of 10.5 feet roofline to roofline (most are 12' to 15' spacing). Meetings with the City of Foley Fire Inspector concluded the following: A 20' wide access road capable of 75,000lb load limit is required down the westside of the property; a 60' turn around area will be provided; a minimum of two fire hydrants located within the property; and any additional requirements as needed to ensure adherence to fire service requirements. Parking areas will provide 10'x20' parking spaces with 24' wide parking aisle. Per our previous meeting with the City Engineer, we have elected to drop one cottage on the Northeast side of the property to set aside a stormwater management area. Stormwater facilities will be built out per engineering and stormwater design requirements as needed in the designated area.

See attached Official Utility Commitment Letter for sewer, water, gas and electric service. All utility easements will comply with the requirements of Riviera Utilities.

Substance of covenants, grants or easements: There are no substance of covenants, grants or easements other than those required by Utilities as noted in the Official Utility Commitment Letter (attached) which states "Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines". All property plats will reflect the easements.

Provisions for parking vehicles:

In Phase 1 Eight unassigned parking spaces and the entry and access road will be constructed. Specific attention will be paid to preserve existing wooded areas to shield the parking areas and maintain a park-like setting. Each phase will include appropriate access and entry sidewalks to enhance pedestrian mobility throughout the community. A 5' wide

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public sidewalk will be constructed in the easement along East Azalea Avenue and run the entire width of the property to improve safety and enhance pedestrian access in the area.

In Phase 2: A total of 7 single car garages will be built on the south side of the existing Phase 1 parking area. The parking garages will be configured as a four 1-car garage structure and a three 1 car garage structure. The four 1-car garage structure will be a Carriage House design (with ~800 sq ft studio apartment unit above) alongside the additional three 1-car garage structure. See photo of notional design of the carriage house garage in the Supplemental information section at the end of this document.

Additionally in Phase 2, a west parking area will be constructed to include ten additional unassigned parking spaces to accommodate the Phase 2 and Phase 3 buildout. Cars will be corralled off to the side and screened with vegetation and possibly a storage or garden shed on the eastern edge of the parking area.

The existing 20' wide west access road will be extended to allow access to a newly constructed west parking lot. The road will be extended north past the parking area to accommodate fire service requirements of a 60' turnaround with appropriate radius curves at the entry points. The access road will terminate into the perimeter walking trail.

Provision for disposition of open space including its development and non-development character and function: Preserving the Natural Landscape—

The two acre lot has remained virtually untouched for decades and provides an excellent opportunity to tuck the cottage development into the existing landscape while preserving much of the natural surroundings. Cottages will open to face common greenspace areas surrounded by sidewalks to enhance mobility throughout the community. Specific care will be taken to ensure that the existing wooded areas are well preserved —A walking trail around the perimeter of the property winds through the natural wooded area on the north and east side, spilling into a common greenspace at the front of the property. A fenced dog park area is strategically located adjacent to the south parking area just off the walking trail for easy access.

Proposed times within which application for final approval of all sections are intended to be filed:

This rezoning application request will include the plan for all three phases of the project and will be filed no later than noon November 14, 2022 for consideration at the December 14, 2022 Planning and Zoning Commission Meeting. The following outlines the anticipated timeline for the build out of each of the three phases of the project.

Proposed Build Out: East Azalea Ave, Foley, Alabama approximately 2 acres total - West Lot 108'x400' and East Lot 103'x400' combined for this site.

Phase 1 - Begin construction NLT 1JAN24. Applications for final approval of all sections are anticipated to be filed 4-6 months ahead of commencement of each phase of construction.

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Phase One building 3 to 4 Cottages (Closet to Azalea Avenue entrance), One 36'x67' green space common area, 8 Unassigned parking spaces. A 38' x 65' fenced Dog Park area will be constructed adjacent to the parking area.

Phase 2 Begin construction NLT 1JAN25

Build out an additional 4 to 5 cottages (for a total of 8 cottages), (4) one car garage structure –Carriage House design. and (3) one car garages added to the existing parking area. Additional green space area (36'x46') includes a 10'x25' covered outdoor living pavilion located within the green.

Phase 3 Begin construction NLT 1JAN26

Add 3 cottages on the north side of the property. The walking trail around the entire perimeter of the property will be completed by Phase 3, if not before.

All three phases when completed include a total of 11 cottages, 18 unassigned parking spaces, 7 one car garages (A carriage house structure will be built above garage structure with an ~800 sq ft apartment above), 3 greenspace areas (with one outdoor pavilion), 1 fenced dog park and a perimeter walking trail.

Our cottages will be built using the GoodFit House Plans designed by Ross Chapin, Architect. [Ross Chaplin](#) is 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. Our Cottage Community concept presented here has been reviewed and critiqued by Ross Chapin himself and we are pleased to bring this time-honored cottage community concept to the City of Foley. Please see the floor plan and elevations for the cottage designs and interior photos included below in the Additional Information Section.

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ADDITIONAL INFORMATION: Proposed Buildout - Complete buildout in three phases to include 11 cottages, 18 unassigned parking spaces, and 7 one car garages (A carriage house design of the garage structure will allow an ~800 sq ft apartment above)

PROPOSED SITE PLAN -

NOTE Regarding Vegetation: Existing wooded areas will be preserved and are noted on the drawings. Renderings of trees on the site plan drawing below depict *additional* trees and vegetation that will be added to the site where there are currently no existing trees. The vegetative renderings illustrated here are in no way representative of the entirety of existing trees that will be preserved on the project site. For example, it is anticipated that portions of the dedicated common greenspace areas at the center of the community will be densely shaded with existing trees. However, this will not be known until a full tree survey can be done of the property – removal of felled and storm damaged trees etc. A full landscape site plan will be developed to reflect additional landscape plantings, walkways, fencing, benches, etc. between buildings. Additional vegetative screening will shield parking areas/garages from view of the street as well as the community.

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BUILDOUT PLAN:

- Phase 1: Build three or four ~1100 sq ft cottages toward the southeast side of proposed lots. Photo below illustrates the proposed cottages in Phase 1.



- 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 - See Floor Plan and Elevation below.



Cottage Plan Floor Plan and Elevations - CoHo vB in Phase 1

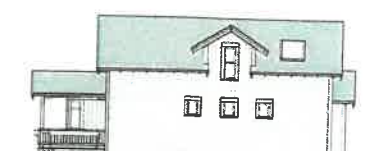
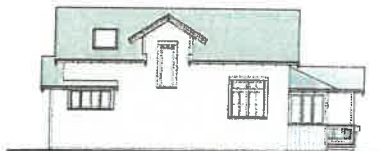
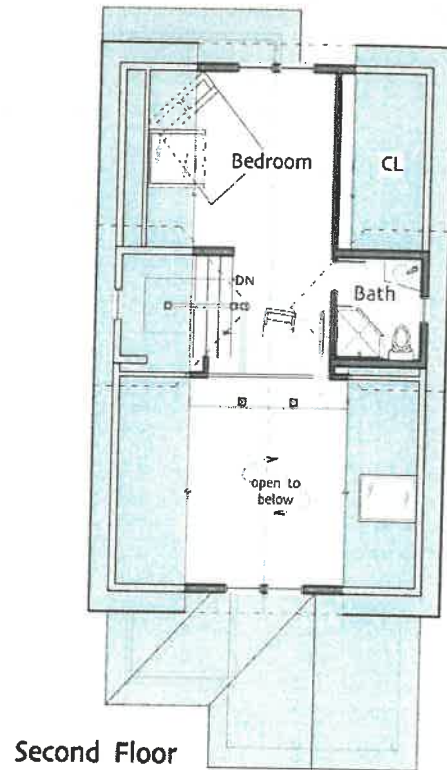
51

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'



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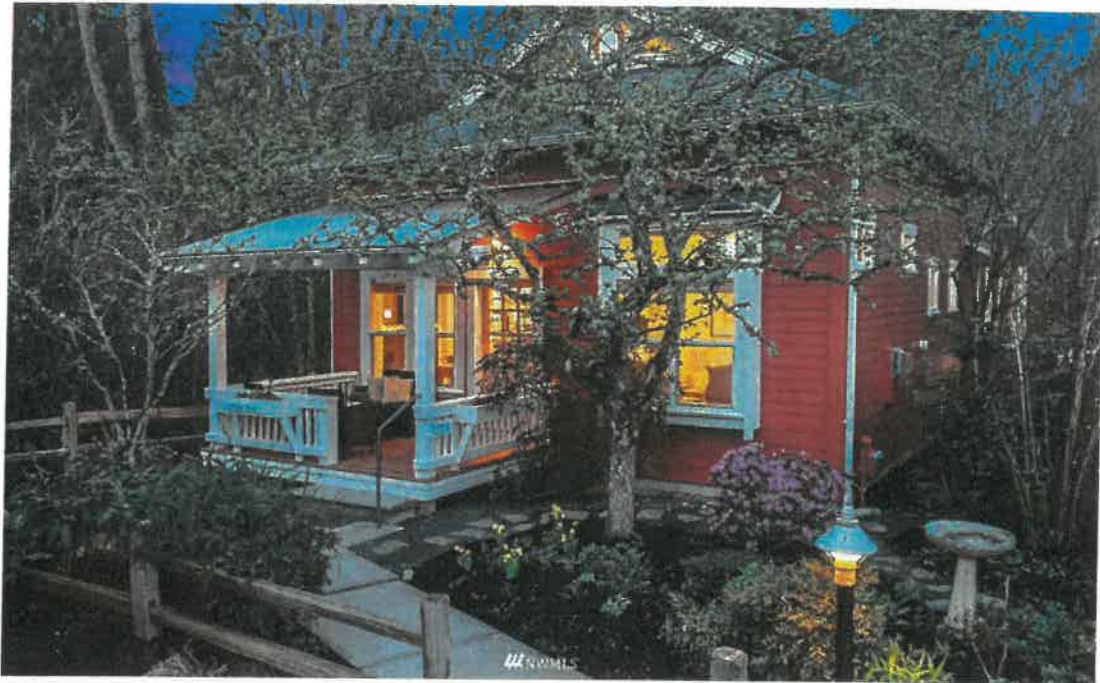
- Cottages in Phase 1 overlook a 36'x67' common greenspace with surrounding sidewalks to provide easy pedestrian mobility throughout the community
- Specific attention will be paid to preserve existing wooded areas to shield the neighborhood and maintain a park like setting
- 8 Unassigned parking spaces and the entry and access road will be constructed in Phase 1
- 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 4 to 5 additional cottages bringing the total number of cottages to eight.
 - Additional cottages in Phase 2 will be based on Ross Chapin's Edgemoor Cottage floor plan 2 bedroom, 1¼ bath with loft and study. (See floor plan, elevations, and photos below)
 - Additional green space common areas (36'x46') with a 10'x25' cover outdoor living pavilion located within the green. A 38'x65' fenced Dog Park will be located adjacent to the south parking area.
 - The existing 20' wide west access road (constructed in Phase 1) will be extended to allow access for a newly constructed West parking area. The road will extend north past the parking area to meet fire service requirements of a 60' turnaround. The parking area will include ten additional unassigned parking spaces to accommodate the Phase 2 and Phase 3 buildout. Cars will be corralled off to the side and screened with vegetation — a design feature that has residents walking through the commons as a way to foster a strong sense of community. The perimeter walking trail will be completed in Phase 2 and terminate into the extended access road on the west side of the property.
 - A four car garage structure in a Carriage House design (similar in style to the one pictured below) with approx 800 sq ft studio apartment unit above will be built in Phase 2. The studio apartment will be offered for weekly rental as a "guest

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house” to residents with visiting guests. Additionally a three 1-car garage structure (making a total of 7 single car garages) will be built in the south parking area to provide additional garage parking for the residents. The single car garages will be offered on annual lease to tenants.



Cottage Plan Floor Plan and Elevations - Edgemoor Cottage Phase 2

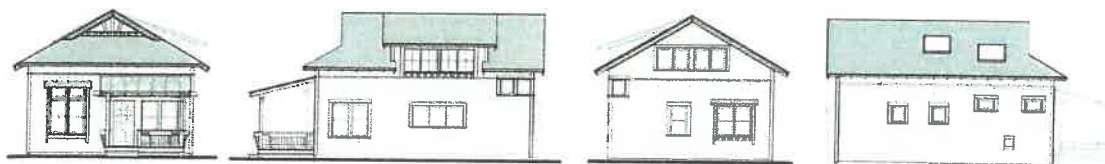
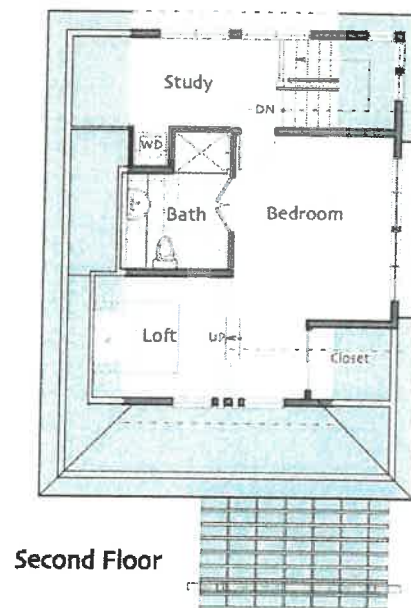
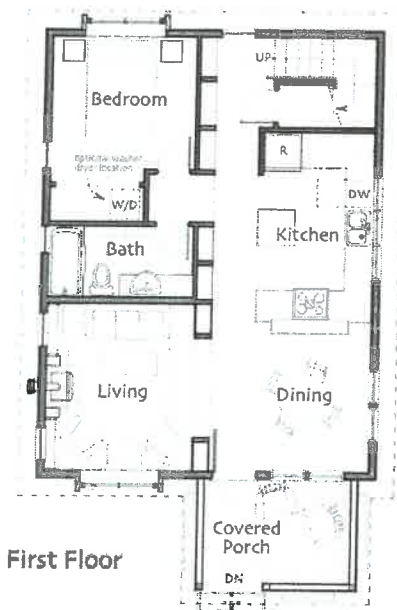


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First Floor
 Living Room 12' x 10'
 Kitchen 13' x 12'
 Dining Room 10'-6" x 11'
 Bedroom 13' x 12'-6"
 Bathroom full

Second Floor >5'
 Bedroom Suite 13' x 11'-6"
 Study 6' x 7'
 Bathroom three-quarter

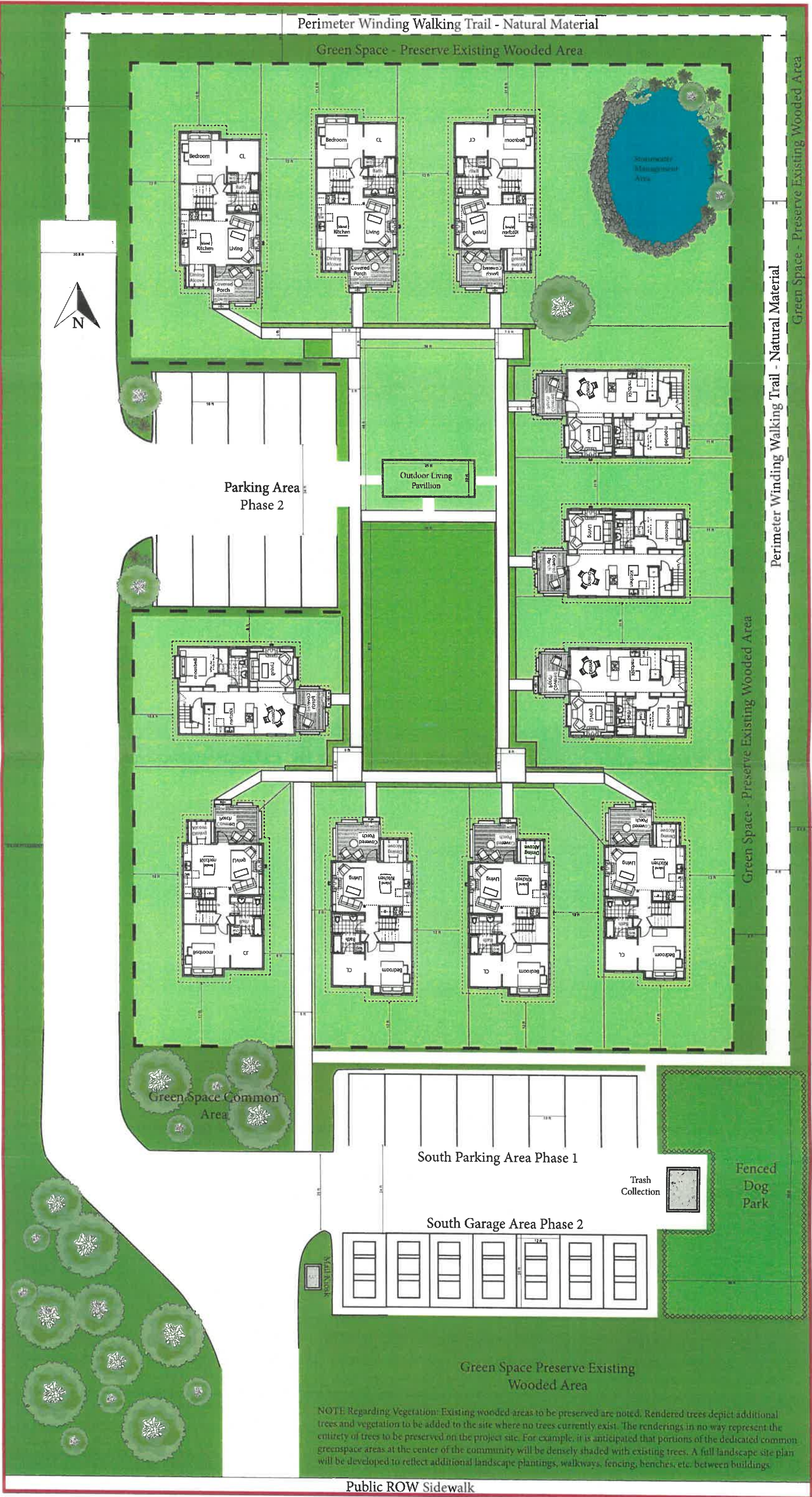
Total Heated Area 1292 sq ft
Footprint 24' x 40'



- Phase 3: Will conclude the build out with 3 additional cottages (bringing the total number of cottages to 11).

400'

FB



NOTE: Regarding Vegetation: Existing wooded areas to be preserved are noted. Rendered trees depict additional trees and vegetation to be added to the site where no trees currently exist. The renderings in no way represent the entirety of trees to be preserved on the project site. For example, it is anticipated that portions of the dedicated common greenspace areas at the center of the community will be densely shaded with existing trees. A full landscape site plan will be developed to reflect additional landscape plantings, walkways, fencing, benches, etc. between buildings.

PLANNING COMMISSION BY-LAWS

THE CITY OF FOLEY, ALABAMA

Article 1 – Authorization

1. The City of Foley Planning Commission, hereinafter called the Commission, is organized pursuant to Section 11-52-2, et. Seq., Code of Alabama, 1975, as amended.
2. As an agency of the City of Foley, the principal office of the Commission shall be located within the Foley Municipal Complex. The Commission may have such other offices located in the City as may be necessary for the effective fulfillment of its duties.

Article II – Compensation

1. Members of the Commission serve without compensation, but may be reimbursed for actual expenses incurred in connection with official duties.

Article III – Officers

1. The commission shall elect a Chairman and a Vice-Chairman from among the six members appointed by the Mayor and fill such other offices as it may determine necessary for the proper functioning of the Commission. The Chairman and other officers shall be elected at the annual meeting of the Commission by a majority of the full Commission membership.
2. The terms of office of the Chairman, Vice-Chairman and any other offices shall be one year with eligibility for re-election. Each officer shall hold office until his/her term expires or until he/she shall resign or be removed.
3. The Chairman shall preside at all meetings of the Commission: call special meetings as required, sign documents of the Commission and see that all actions of the Commission are properly taken. If the Chairman or the Vice-Chairman is not able to preside at any meeting of the Commission and a quorum is present, an Acting Chairman to serve only at that meeting shall be elected by a majority of the quorum present.
4. The Vice-Chairman shall, during the absence, disability or disqualification of the Chairman, exercise and perform all the powers and duties and be subject to all the responsibilities of the Chairman. The Vice Chairman shall succeed the Chairman if the Chairman vacates the office before his/her term is completed. In that event, a new Vice-Chairman shall be elected from among the Commission membership at the next regular meeting of the Commission.

Article IV – Administrative Staff

1. The administrative staff of the Commission shall be a Secretary and others deemed necessary and appointed by the City.
2. The Secretary shall see that the minutes of all meetings are recorded in an appropriate minute book; give or serve all notices required by law; prepare an agenda for all meetings; inform the Commission of any correspondence relating to the business of the Commission; and see that all action of the Commission are dealt with as directed by the Commission
3. Staff, including but not limited to, Planner, Engineer, Fire Inspector, Environmental Manager and Building Official shall provide input to the Commission as needed on plans, applications and other activities undertaken by the Commission.
4. The Commission may secure the services of Legal Counsel to the City as required in specific cases. In this case, the Commission member should contact the Commission Chairperson. The Chairperson would then contact the Planner/Building Official to route the request through standard City procedures for legal counsel.

Article V – Meetings

1. The regular meeting of the Commission shall be the third Wednesday of each month beginning at 5:30 P.M. in the Council Chamber at the Foley City Hall, or as otherwise determined by a majority vote of the Commission membership. The regular monthly meeting may be changed for good reason by the Chairman.
2. The annual meeting of the Commission shall be the first regular meeting in January of each year. New officers, elected in December, will begin serving their term.
3. Workshops and other special meetings may be called by the Chairman at any time upon giving at least forty-eight hours notice to each Commission member.
4. A quorum for the official transaction of business by the Commission shall consist of five members. Each member of the Commission shall have one vote on any matter requiring a decision of the Commission. Except as otherwise required by law, a majority vote of the members present shall suffice to take action on any motion presented to the Commission. The method of voting may be verbal, a show of hands or, if requested by a Commission member, by roll call.

5. Any member of the Commission who may have a conflict of interest on any item that is on the Commission agenda shall voluntarily recuse himself and refrain from discussing and voting on said item.
6. The Chairman shall determine the order of business for each meeting and shall generally conduct each meeting in compliance with Robert's Rules of Order, as last amended.

Article VI – Agenda

1. All applications, maps, plats and other correspondence shall be initially filed in the Office of the Community Development Department. No application or other matter for Commission consideration shall be placed on the agenda for any meetings unless it is complete in every detail, the proper fees have been posted with application, and it shall have been received in the Community Development Department within the time frame stipulated in the Zoning Ordinance or Subdivision Regulations currently in effect within the City of Foley.

Article VII – Amendment

1. These By-Laws may be amended at any meeting of the Commission by a concurring vote of a majority of the full Commission membership; provided that five days advance notice of such amendment shall be given to each member.

Article VII – Adoption

1. These By-Laws were reviewed, approved and officially adopted by the City of Foley Planning Commission. All previous By-Laws of the Commission are hereby repealed.