CITY OF FOLEY
PLANNING COMMISSION

WORK SESSION
May 10, 2023
City Hall
Council Chambers
At 5:30 p.m.

&

MEETING
May 17, 2023
City Hall
Council Chambers
At 5:30 p.m.
The City of Foley Planning Commission will hold a work session on May 10, 2023 at 5:30 p.m. and a meeting on May 17, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:
Approval of the April 12, 2023 and April 19, 2023 meeting minutes.

AGENDA ITEMS:

1. **Fairfield Inn & Suites - Site Plan Extension**
The City of Foley Planning Commission has received a request for a 6 month site plan extension for Fairfield Inn & Suites. Property is located S. of County Rd. 20 and E. of S. McKenzie St. Applicant is Anil Badve.

**Planning Commission Action:**

2. **Ocean Marine - Site Plan Review**
The City of Foley Planning Commission has received a request for a site plan review for Ocean Marine. Property is located W. of State Hwy. 59 and N. of County Rd. 10. Applicant is Lieb Engineering.

**Planning Commission Action:**

3. **Zoning Ordinance - Amendments**
The City of Foley Planning Commission has received a request to recommend Zoning Ordinance Amendments to the Mayor and Council.

**Public Hearing:**

**Planning Commission Action:**

**WORK SESSION ONLY:**

4. **Presentation - Wayne Dress**

**ADJOURN:**

Note: *Denotes property located in the Planning Jurisdiction
The City of Foley Planning Commission held a work session on April 12, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engd, Vera Quaites, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gobhart. Staff present were: Miriam Boone, City Planner; Angie Eckman, Environmental Manager; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

AGENDA ITEMS:

1. **William Crosby Duplex - Site Plan Review**
   The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Juniper St. and S. of E. Michigan Ave. Applicant is William Crosby.

   Chairman Abrams stated items 1 & 2 on the agenda will be discussed together.

   Commissioner Hellmich asked if the requests are meeting the city’s design criteria.

   Mrs. Boone explained the requests are meeting the city’s zoning requirements and staff is recommending approval.

2. **Crosby Properties L.L.C. Duplex - Site Plan Review**
   The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Juniper St. and S. of E. Michigan Ave. Applicant is Crosby Properties LLC.

   Item was discussed with agenda item # 1.

3. **CGHC L.L.C. (Lot 22) Duplex - Site Plan Review**
   The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Elm St. and S. of W. Laurel Ave. Applicant is CGHC LLC.

   Chairman Abrams stated items 3 & 4 on the agenda will be discussed together.

   Mrs. Boone stated staff is recommending approval of the items.

   Chairman Abrams explained there was a comment by the Environmental Department which stated a heritage tree survey would be required.

4. **CGHC L.L.C. (Lot 23) Duplex - Site Plan Review**
   The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Elm St. and S. of W. Laurel Ave. Applicant is CGHC LLC.

   Item was discussed with agenda item # 3.

Note: *Denotes property located in the Planning Jurisdiction
5. **Goodwill- Site Plan Review**  
The City of Foley Planning Commission has received a request for a site plan review for Goodwill. Property is located S. of E. Azalea Ave. and E. of S. McKenzie St. Applicant is Piedmont Companies for Goodwill Gulf Coast.

Mrs. Boone stated staff is recommending approval of the site plan.

Mr. Gary Faulkenbury stated the design of the building is still being finalized. He explained the building will be a total of 50,080 square feet.

Mr. Frank Harkins CEO for Goodwill stated the store will be their largest operation in the County and serve as a HUB for planned growth in the area. He explained the building will include a retail store, bargain store, community resource center, donation center and warehouse.

Mr. Faulkenbury explained the items that are not sold in the retail portion of the store will go to the bargain portion and be sold by the pound. He stated they try to take every step they can to keep the items out of the land fill.

6. **Cobblestone Hotel & Suites- Site Plan Review**  
The City of Foley Planning Commission has received a request for a site plan review for Cobblestone Hotel & Suites. Property is located at the NE corner of County Rd. 20 and Koniar Way. Applicant is Excel.

Mrs. Boone stated staff is recommending approval of the site plan.

Commissioner Hellmich explained the city is selling the property to the developer. He stated the city has discussed with the applicant a landscaped berm, parking, sidewalks and connectivity. He explained more lodging is needed in the area due to the sports tourism. He stated there are many improvements planned in the area which include a lighting project along Koniar Way, pickleball courts and possibly a playground/park area.

7. **City of Foley Public Works- Site Plan Review**  
The City of Foley Planning Commission has received a request for a site plan review for the City of Foley Public Works. Property is located at the SE corner of N. Poplar St. and E. Section Ave. Applicant is the City of Foley.

Mrs. Boone explained the property is split zoned. She stated setbacks are being met and staff is recommending approval. She explained the proposed signage is not included as part of the approval due to dimensions not being provided. She stated the sign criteria can be verified and approved by staff at a later date.

8. **Resub of Lots 1-10 of Magnolia Land Co Addition to Foley- Request for Exempt/Minor Subdivision**  
The City of Foley Planning Commission has received a request for approval of the Resub of Lots 1-10 of Magnolia Land Co Addition to Foley, an exempt/minor subdivision which

Note: *Denotes property located in the Planning Jurisdiction
PLANNING COMMISSION
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consists of .72 +/- acres and 2 lots. Property is located at 307 S. McKenzie St. Applicant is Engineering Design Group, LLC.

Mrs. Boone explained the request is to move the lot line to match the footprint of the existing building. She stated staff is recommending approval.

9. Resubdivision of Lot 1B Old Time Pottery- Request for Minor Subdivision
   The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1B Old Time Pottery, a minor subdivision which consist of 1.55 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Engineering Design Group, LLC.

Chairman Abrams stated the item has been withdrawn per the applicant’s request.

10. Last Resort- Request for Preliminary
    The City of Foley Planning Commission has received a request for preliminary approval of Last Resort which consists of 5.74 +/- acres and 38 lots. Property is located S. of County Rd. 20 and E. of James Rd. Applicant is Next to Last, LLC.

Mrs. Boone explained the property is zoned Recreation Vehicle (RV) Park. She stated the requested preliminary is matching the approved zoning for the property and staff is recommending approval.

11. Young Properties- Request for Minor
    The City of Foley Planning Commission has received a request for approval of Young Properties, a minor subdivision which consist of 6.54 +/- acres and 2 lots. Property is located W. of State Hwy. 59 and S. of County Rd. 20 S. Applicant is Charles Rosser.

Mrs. Boone explained the staff report recommendation was conditional based on Chad’s comments. She stated she believes the comments had been addressed. She explained the back portion of the property will be owned by the RV Park but will still be a separate lot and is not showing the lots combined on the plat. She stated her concern is that a landlocked lot is possibly being created.

Representative for the item was not present.

Chairman Abrams asked staff to check with Chad and see if his concerns were addressed and let the Commission know before next week’s meeting.

12. Turf Properties LLC- Request for Prezoning
    The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 619 +/- acres. Proposed zoning is PID (Planned Industrial District). Property is located S. of County Rd. 26 and W. of County Rd. 65. Applicant is Turf Properties LLC.

Mrs. Boone stated the request is for a prezoning of the property for a solar farm.

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Commissioner Hellmich stated the applicant has donated the right of way for a planned future roundabout on County Rd. 65. He explained drainage should not be an issue.

Mrs. Boone stated the perimeter of the property will be fenced with a 6’ chain link fence with 1’ barb wire at the top of the 5’ fencing.

Commissioner Hellmich stated staff is also requesting landscaping along County Rd. 65.

Mr. Andrew Boggs representative of Hecate stated the panels will be 6’ in height.

Commissioners asked if there would be any glare caused from the panels.

Mrs. Boone stated they will be adding buffers and landscaping.

Commissioner Hellmich stated the item has been before the Industrial Development Board. He explained the farms are located all over the United States. He explained some of the solar farms are near airports and a glare has not been an issue.

Mr. Boggs explained the color of the solar panel is darker and not reflective. He stated the development will have very little traffic and employ approximately four full time employees.

Chairman Abrams asked about heat being radiated from the panels.

Mr. Boggs explained heat radiating will not be an issue as the panels function better when they are cool. He stated the panels are rated for hurricane winds. He explained the position of the panels are changed during a hurricane to prevent damage.

Commissioner Gebhart stated he understands there will be a buffer along County Rd. 65. He asked if a buffer would be provided for the areas where residents in the area will have a view of the panels.

Mrs. Boone stated a 250 ft. buffer is being proposed in areas adjacent to a residential use.

Mrs. Eckman stated trees will be required.

Commissioner Hinesley asked about the access points.

Mr. Boggs explained there will be a construction level gravel entrance along the south side of the property. He stated there will possibly be utility paths used for bringing in lawn maintenance equipment.

Commissioner Engel asked how much of the area will be utilized by the solar panels.

Mr. Boggs stated the panels will be placed on all of the property other than what is being used for drainage.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Hellmich stated this should increase the rating of the local water. He explained the current use of the property causes nutrients in the runoff water.

13. Zoning Ordinance- Amendments
The City of Foley Planning Commission has received a request to recommend Zoning Ordinance Amendments to the Mayor and Council.

Mrs. Boone stated the amendments are to define a borrow pit and prohibit the use in the M-1 and PID zones.

WORK SESSION ONLY:
14. Zoning Ordinance- Amendments
Discussion only

Mrs. Boone went over the proposed amendments with the Commission.

Mrs. Wayne Dyess went over topics of zoning amendments that are being looked at and the Commission may see in a future meeting.

ADJOURN:

Meeting adjourned at 6:49 p.m.
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(Council Chambers of City Hall) 5:30 P.M.

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The City of Foley Planning Commission held a meeting on April 19, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Vera Quaites, Wes Abrams, Calvin Hare, Phillip Hinesley and Tommy Gebhart. Absent members were: Ralph Hellmich and Bill Swanson. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

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

MINUTES:
Approval of the March 8, 2023 and March 15, 2023 meeting minutes.

Commissioner Hare made a motion to approve the March 8, 2023 and March 15, 2023 meeting minutes. Commissioner Engel seconded the motion. All members voted aye.

Motion to approve the March 8, 2023 and March 15, 2023 meeting minutes passes.

AGENDA ITEMS:

1. William Crosby Duplex- Site Plan Review
   The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Juniper St. and S. of E. Michigan Ave. Applicant is William Crosby.

   Planning Commission Action:
   Chairman Abrams stated items 1 & 2 on the agenda will be discussed and voted on together.

   Mrs. Miriam Boone stated staff is recommending approval of the site plans for agenda items 1 and 2.

   Commissioner Hinesley made a motion to approve the requested site plans. Commissioner Engel seconded the motion. All Commissioners voted aye.

   Motion to approve the requested site plans passes.

2. Crosby Properties LLC. Duplex- Site Plan Review
   The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Juniper St. and S. of E. Michigan Ave. Applicant is Crosby Properties LLC.

   Planning Commission Action:
   Item was discussed and voted on with agenda item # 1.

Note: *Denotes property located in the Planning Jurisdiction
3. CGHC LLC (Lot 22) Duplex- Site Plan Review

The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Elm St, and S. of W. Laurel Ave. Applicant is CGHC LLC.

Planning Commission Action:
Chairman Abrams stated items 3 & 4 on the agenda will be discussed and voted on together.

Mrs. Boone stated there was some concern regarding the road servicing the duplex not being up to current standards for emergency vehicle access. She explained she spoke with Ms. Yarborough about the concerns regarding the road.

Mr. Joseph Yarborough stated they recognize the road needs repairs and will make the needed repairs while they are doing the site work. He explained the construction of the duplexes will take approximately 5 months. He stated the road construction would be done before the building construction and take about 30 days to complete.

Commissioner Engel stated he would like to see the applicant save as many trees as possible.

Mr. Yarborough stated he has ordered a tree survey. He explained if needed they will move the location of the building or possibly ask for a variance if needed in order to save the trees.

Commissioner Gehart made a motion to approve the requested site plans with the condition that the needed road repairs are completed prior to the issuance of the certificate of occupancy. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plans with the condition that the needed road repairs are completed prior to the issuance of the certificate of occupancy passes.

4. CGHC LLC (Lot 23) Duplex- Site Plan Review

The City of Foley Planning Commission has received a request for a site plan review for a duplex. Property is located W. of S. Elm St, and S. of W. Laurel Ave. Applicant is CGHC LLC.

Planning Commission Action:
Item was discussed and voted on with agenda item # 3.

5. Goodwill- Site Plan Review

The City of Foley Planning Commission has received a request for a site plan review for Goodwill. Property is located S. of E. Azalea Ave. and E. of S. McKenzie St. Applicant is Piedmont Companies for Goodwill Gulf Coast.

Planning Commission Action:
Mrs. Boone stated staff is recommending approval of the site plan.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Quaites made a motion to approve the requested site plan. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plan passes.

6. Cobblestone Hotel & Suites- Site Plan Review
   The City of Foley Planning Commission has received a request for a site plan review for Cobblestone Hotel & Suites. Property is located at the NE corner of County Rd. 20 and Koniar Way. Applicant is Excel.

Planning Commission Action:
Mrs. Boone explained staff are recommending approval of the site plan. She stated the applicant will be adding a sidewalk in the right of way along Koniar Way and Farmers Market Lane. She explained the city is working on a lighting project for the area.

Mr. Chad Christian stated there is a proposed cross walk that will feed into a roundabout along Kenny Stabler Ave.

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

Motion to approve the requested site plan passes.

7. City of Foley Public Works- Site Plan Review
   The City of Foley Planning Commission has received a request for a site plan review for the City of Foley Public Works. Property is located at the SE corner of N. Poplar St. and E. Section Ave. Applicant is the City of Foley.

Planning Commission Action:
Mrs. Boone stated staff is recommending approval of the site plan. She explained the signage is not included in the approval due to dimensions not being provided. She stated the signage will be reviewed by staff at a later date.

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

Motion to approve the requested site plan passes.

8. Resub of Lots 1-10 of Magnolia Land Co Addition to Foley- Request for Exempt/Minor Subdivision
   The City of Foley Planning Commission has received a request for approval of the Resub of Lots 1-10 of Magnolia Land Co Addition to Foley, an exempt/minor subdivision which consists of .72 +/- acres and 2 lots. Property is located at 307 S. McKenzie St. Applicant is Engineering Design Group, LLC.

Planning Commission Action:

Note: *Denotes property located in the Planning Jurisdiction
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Mrs. Boone explained the request is to move the lot line to match the footprint of the existing building. She stated staff is recommending approval.

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

**Motion to approve the requested exempt/minor subdivision passes.**

### 9. Resubdivision of Lot 1B Old Time Pottery- Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1B Old Time Pottery, a minor subdivision which consists of 1.55 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Engineering Design Group, LLC.

**Public Hearing:**

**Planning Commission Action:**

Chairman Abrams stated the agenda item has been withdrawn per the applicant’s request.

### 10. Last Resort- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Last Resort which consists of 5.74 +/- acre and 38 lots. Property is located S. of County Rd. 20 and E. of James Rd. Applicant is Next to Last, LLC.

**Public Hearing:**

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

Mr. John Bennett owner of the storage units located at 21188 Miflin Rd. Asked if any fencing would be added around the development.

Mr. Jim Brown stated there will be a fence added to the east and west sides of the property and a fence, berm and vegetation added to the front. He explained there is a natural buffer being left between the development and the mini storage. He stated the natural buffer would be damaged if a fence was added to the area.

**Planning Commission Action:**

Commissioner Quailes made a motion to approve the requested preliminary. Commissioner Mixon seconded the motion. All Commissioners voted aye.

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

### 11. Young Properties- Request for Minor

The City of Foley Planning Commission has received a request for approval of Young Properties, a minor subdivision which consists of 6.54 +/- acres and 2 lots. Property is located W. of State Hwy. 59 and S. of County Rd. 20 S. Applicant is Charles Rosser.

**Note:** *Denotes property located in the Planning Jurisdiction*
Public Hearing:
Chairman Abrams asked if there were any members of the public to speak on the item.

Mr. Tim Arant with Remax Realty stated he is representing Mr. Rosser if anyone has any questions.

Planning Commission Action:
Mrs. Boone stated there was discussion regarding the new lot possibly being landlocked. She explained the lot will be combined with the existing RV park.

Mr. Christian stated the plat will be modified to accomplish what is noted on the plat. He stated he will sign the plat once the lots are combined and all lots front the County Rd. 20 S.

Commissioner Engel asked what the intended use is for the back parcel.

Mrs. Boone stated her understanding is the lot will be used for storage of RV’s which will require the Board of Adjustment and Appeals approval.

Commissioner Hare made a motion to approve the requested minor subdivision with the conditions that the plat will be modified in order to reflect the note of combining lots. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision with the conditions that the plat will be modified in order to reflect the note of combining lots passes.

12. Turf Properties LLC - Request for Prezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 619 +/- acres. Proposed zoning is PID (Planned Industrial District). Property is located S. of County Rd. 26 and W. of County Rd. 65. Applicant is Turf Properties LLC.

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

Ms. Lisa Kennedy resident of 17594A Brewer Rd. stated she is concerned about the effects the solar farm will have on her property value, the solar panels becoming projectiles during a hurricane, and the wildlife on the property. She asked if a buffer would be provided.

Mr. Kenneth Kennedy resident of 17594A Brewer Rd. asked about the benefits the solar farm will have to the community. He stated he is going to have to stare at solar panels that will decrease his property that has been in his family for 40 years.

Mr. Andrew Boggs stated in the event of heavy winds the solar panels go into a stow mode. He explained the stow mode turns the panels flat to prevent them from being damaged. He stated they are offering fencing as a buffer. He stated if the use is discontinued the land can be restored easily to its current state.

Note: *Denotes property located in the Planning Jurisdiction
A resident asked about the people working in the sod farm currently that will lose their jobs.

Mr. Boggs explained the project will employ approximately 10 job contracts which include maintaining the grass.

A resident asked what would happen if the solar farms became nonoperational and decided not to continue the use on the property.

Mr. Boggs stated the equipment would be removed and the property would be restored to its current state. He explained the power generated from the farm will be sold to Alabama Power which will benefit Foley citizens.

Mr. Kennedy stated residents in the area don’t use Alabama Power.

Mr. Boggs stated Riviera Utilities and others will be receiving transmission from Alabama Power. He explained there will not be additional transmission lines. He explained there will be a smaller substation installed in the SW corner of the property. He stated they currently have a 25 to 40 year contract which is the useful life of the panels.

A resident asked how the heat from the panels will affect the surrounding residents. He stated the panels will be flying objects all over Baldwin County during a hurricane event.

Mr. Boggs explained the panels perform low in heat. He stated they do not generate much heat. He explained tests have been performed which indicate the depth needed for the poles which are installed with a cement footer.

Residents asked how many solar farms the company currently has operating.

Mr. Boggs stated they have approximately 20 operating solar farm locations which are much larger than the one being proposed for this location. He stated it is a quiet operation with minimal traffic. He explained there was research done to ensure no endangered animals would need to be relocated from the site.

Mrs. Boone explained since the property is being zoned to a PID if the uses change the Planning Commission would have to approve a different use.

A resident stated he would like to see the panels moved back off of Poser Rd.

Mrs. Boone explained there will be a 250’ buffer between the solar farm and the residence.

Planning Commission Action:
Commissioner Hinesley made a motion to recommend the requested pre-zoning to the Mayor and Council with the condition that a landscaped buffer and fence will be in place along the areas that are adjacent to residences.

Note: *Denotes property located in the Planning Jurisdiction
Commissioner Hare seconded the motion.

Commissioner Gebhart explained he understands the residents' concerns and also recognizes the use could be worse. He stated he challenges the developer to find a middle ground for the residents that live in the area.

Mr. Boggs stated the trees will be something native that grow well in the area. He explained the proposed fencing will be 6' with barbed wire on top which will make the total fence height 7'. He explained the trees will be much taller than the fencing. He stated the use of barbed wire is optional and can be eliminated if needed.

Mrs. Boone explained the property is currently in unzoned Baldwin County. She stated the city is encouraging annexation so the City can have some control over the approved use.

Commissioner Engel stated he understands the concern and also understands the use could be a lot worse.

Commissioner Hinesley stated solar panels are the way of the future and the use will not be a large traffic generator.

All Commissioners voted aye.

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

13. Zoning Ordinance - Amendments
   The City of Foley Planning Commission has received a request to recommend Zoning Ordinance Amendments to the Mayor and Council.

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

Planning Commission Action:
Commissioner Hinesley made a motion to recommend the proposed Zoning Ordinance Amendments to the Mayor and Council. Commissioner Quattre seconded the motion. All members voted aye.

**Motion to recommend the proposed Zoning Ordinance Amendments to the Mayor and Council passes.**

**ADJOURN:**
Chairman Abrams adjourned the meeting at 6:25 p.m.

Note: *Denotes property located in the Planning Jurisdiction*
PLANNING COMMISSION
JOINT STAFF REPORT:
May 2023

STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Fairfield Inn
REQUEST: Site Plan Extension

OWNER / APPLICANT: Anil Badve

ACREAGE: 5.46 ac total

PIN#(s): 384971

LOCATION: East of Hwy 59, South of Co Rd 20 (directly south of El Paso)

PROJECT DESCRIPTION:
Site Plan Extension. Permits are nearing issuance, awaiting General Contractor info.

CURRENT ZONING:
B-1A

REQUESTED ZONING:
n/a

ADJACENT ZONING:
B-1A

FUTURE LAND USE:
RCC - Retail
Commercial Concentration

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

ZONING:
Miriam Boone - E911 is requiring a road name for the roundabout area linking the hotel to the Access Road / Palm Beach Way. Once that is approved we can issue the structure address. The building permit is ready to issue, we are waiting on the approved LDP & General Contractor to be named. The site plan meets zoning requirements.

ENGINEERING:
Chad Christian - LDP comments were returned 3/13 and we are awaiting revised plans. Engineering is not opposed to Site Plan Extension.

ENVIRONMENTAL:
Angie Eckman - Environmental is not opposed

FIRE:
Brad Hall - Fire is not opposed to the site. There is an updated utility plan with the relocation of hydrants and FDC. On update there is also a change to 107 guest rooms and 121 parking spaces.

BUILDING/FLOODPLAIN:
Chuck Lay - Not opposed
April 24, 2023

Planning Commission, City of Foley
Community Development
200 N. Alston Street,
Foley, Alabama 36535

RE: Site Plan Approval Extension Request, Fairfield Inn and Suites, Foley, Alabama

Dear Foley Planning Commission Members,

Proposed Fairfield Inn and Suites hotel 'Site Plan' received approval from Planning Commission On May 18, 2022. As the project engineer of record (E-O-R) I had submitted said plans and attended The said meeting at the time of approval, granted for a period of one year. I am hereby requesting extension of said approval for a duration of additional six months to sort out legal issues with storm drainage easement and pre-development water release in Woerner Subdivision drainage ditch. I will attend the PC meeting in May to explain the issue in detail. The current civil engineering company working for Woerner Properties is working on the required drainage easement documents put together.

At present the building plans have been approved pending approval of LDP permit. ADEM permit is Approved, and Foley Environmental department has approved the Civil Plans. All utility availability Letters are on file. Once legal easement document is in place and recorded, revised civil plans will be Submitted to Engineering Department for review.

Your support and help is sincerely appreciated. Please feel free to call me if there are any questions.
Sincerely,

Anil Badve

Anil Badve, P. E.
Tel.: (251) 943-5052
STAFF RECOMMENDATION: Approve / Deny / Conditional

PROJECT NAME: Ocean Marine

REQUEST: Site Plan Review

OWNER / APPLICANT: Lieb Engineering

ACREAGE: 4.2 ac

PIN#(s): 39654 & 54897

LOCATION: W of Hwy59, N of CR-10

PROJECT DESCRIPTION: Boat Dealership

CURRENT ZONING: B-1A

REQUESTED ZONING: n/a

ADJACENT ZONING: B-1A to N, E, & S
BC Dist 35 RSF-6 to W

FUTURE LAND USE: RCC - Retail Commercial Concentration

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

ZONING:
Miriam Boone - The site plan appears to meet all zoning requirements.

ENGINEERING:
Chad Christian - Engineering is not opposed.

ENVIRONMENTAL:
Angie Eckman - Environmental is not opposed.

FIRE:
Brad Hall - Fire is not opposed.

BUILDING/FLOODPLAIN:
Chuck Lay - Not opposed
April 24, 2023
City of Foley
Attn: Staff
Re: Ocean Marine Project Narrative

Staff,

I am providing a generalized development plan and written narrative for the properties. The existing conditions of the property are partially improved and are being used as commercial. The property is being developed into a boat dealership. The development will be across 2 lots. The larger lot to the north contains the main detention pond, the proposed building, required parking and boat storage inside the building and outside. The area outside the building is slated to be finished in concrete. The parking and access drive to the facility is slated to be asphalt. The rest of the site is going to be covered in asphalt.

Please feel free to contact me if you have any questions or need any clarifications.

Sincerely,

Christopher Lieb,
Zoning Ordinance Proposed Amendment

21.5.1-PDD – PLANNED DEVELOPMENT DISTRICT

A. Purpose: The purpose of the Planned Development District is to achieve more flexibility and orderly commercial mixed use developments in a unified grouping of development than would be possible through the strict application of the existing business and commercial zoning districts. This district is intended to encourage innovative development that is integrated with adjacent land uses through the zoning approval process.

B. The PDD should be located to assure maximum compatibility with neighboring developments. It is the intent of the regulations to encourage a cluster of commercial activities mixed use development approach in appropriate locations identified in the Comprehensive Plan. A mixture of uses should functionally and physically integrated with a pedestrian scale and orientation and the economical provision of utilities with open space preservation objectives, through the utilization of an overall planned design.

Planned Development Districts should be located to minimize traffic impacts; therefore its use is intended for large lot developments and locations along or near thoroughfares that are capable of handling the proposed traffic.

C. Requirements: Prior to the rezoning or initial zoning of an area to a PDD district, a conceptual master plan with supporting plans and narrative for the entire proposed development, including all phases, must be submitted to the Planning Commission and then to the City Council. PDDs should conform to the City of Foley Comprehensive Zoning Plan and should be located in primarily non-residential zones.

D. The applicant for any type of PDD shall provide a drawing and site plan, architectural elevations of proposed structures, land use plan, open space plan, landscape plan, lighting plan, vehicular and pedestrian circulation plan with street cross sections, accompanied by a written narrative specifically calling out all zoning relaxations that are being requested through the PDD. These may include reduced right-of-way width, clustering of units, reduced lot size and setbacks, use considerations, building height variances, design considerations, etc., and shall also identify the benefits of the PDD, including but not limited to:

1. Public Benefits - Traffic and utility improvements, regional and local bicycle/pedestrian improvements, buffering from adjacent sites, aesthetic improvements, dedication of school or park sites, enhancement of property values, sign enhancements, preservation of natural areas and views, creating public access to water or other popular sites.

2. Private Benefits - Amenities for site users, open space and recreation, clustering of uses, creation of neighborhoods, landscaping, traffic circulation, multi-modal circulation, private
space for units, parking, tree preservation, preserving unique views and natural areas in
common areas for the use and enjoyment of all residents/guests, enhanced architecture and
site layout.

E. A Site Plan shall also be submitted to the Planning Commission for each development phase.
The proposed development may provide, through an agreeable design, deviations from
development standards otherwise applicable under regular zoning district requirements.
Minimum setbacks, lot sizes, and height restrictions may be waived, provided that the intent of
this article is complied with in the plan.

The Planning Commission / City Council may establish certain restrictions and prohibitions for a
particular development when it determines that such is required to preserve the purpose and
intent of the Zoning Ordinance.

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

G. There shall be a minimum of at least fifteen twenty percent of the gross lot area (1520%)
designated open space in a PDD exclusive of all drives, walkways, parking areas and required
drainage. Access roads and drainage infrastructure, water, sewer, electricity, telephone and
other utilities shall be provided to serve the development at the completion of construction of
each development phase. Performance bonds may not be posted for drainage and sewer work.

21.5.1 PDD – PLANNED DEVELOPMENT DISTRICT Development Standards

A. Uses / Structures Permitted: Hotel, motel, conference center, theater, indoor or
outdoor entertainment center, recreation facility, museum, community center,
restaurant, night club, bar, shopping center, retail store, retail service, personal
service, craft studio, bank, professional office, business office, and other similar
tourist related entertainment, recreation, service or commercial uses, class 4 clubs
or lodges, churches; daycares and high density residential.
B. Uses / Structures Permitted on Appeal: Automobile filling stations; and amusement
parks.

C. Uses / Structures Prohibited: Any use or structure not specifically permitted or
permitted on appeal in this section or in Section 13.1.1 or 13.1.2 of Article XIII,
including any residential, commercial, industrial, or agricultural use or structure not
specifically permitted by the City Council when zoning an area as a PDD; major
automobile repairs; manufacturing; outdoor storage, heavy commercial, industry,
adult entertainment, building materials, pawn shops, tattoo parlors, auto body
shops, auto sales, parts and services, towing company storage yards and
junkyards.

D. Requirements:
Minimum District Area 5 Acres
Minimum Buffer on all Project Area Boundaries 30 feet

Strike Through - delete language
Underline – add language
Minimum Buffer Between Different Uses-30 feet
Maximum Building Area (% of Gross Project Area) 20%
Maximum Building Height (feet): 85 feet
Maximum Building Height (stories): 6 Stories
Maximum Residential Density per Acre 20 units**
Off – Street Parking (commercial): See Article X, Section 10.1
Off-Street Parking (Residential) 2 per family unit
Off - Street Loading See Article X, Section 10.1.4

*The residential portion of a PDD shall not exceed A minimum of 25% of the total project cumulative floor area must be mixed use. The use, building type, ratio of density and intensity and design characteristics of a mixed use project shall be determined through guidance contained in Comprehensive Plan and with consideration of adjoining development patterns.

Unless a specific integration method of building type and use deemed compatible with adjacent development is specifically approved by the Planning Commission, Where Multi-family is located adjacent to single family residential, the minimum setbacks shall be a minimum of fifty (50’) feet for 1 story. An additional 50’ of setback will be required per story. A maximum of 2 stories can be built adjacent to single family residential. Planning Commission may require additional height and location restrictions adjacent to single family residential including but not limited to a berm & fence. Buffer areas cannot be clear cut without written approval from our Environmental Department (see Environmental regulations for landscaping). A landscape plan will be required as well.

E. Landscape Regulations: In addition to the landscape section contained in the Zoning Ordinance. Native vegetation shall be preserved and incorporated into the development, ensuring the preservation of environmentally sensitive areas. A landscaped buffer is required between different uses. It shall be at least 30 feet wide and planted with native materials or trees in groups, to create a visual barrier. This is to be maintained by the developer and/or owner.