

**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.

**PLANNING COMMISSION
WORK SESSION AGENDA May 10, 2023
&
MEETING AGENDA May 17, 2023
(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 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 Dyess

ADJOURN:

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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 Engel, Vera Quaites, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. 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 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.

Item was discussed with agenda item # 1.

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.

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 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.

Item was discussed with agenda item # 3.

Note: *Denotes property located in the Planning Jurisdiction

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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 50,000 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

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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 prezoning 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.

Note: *Denotes property located in the Planning Jurisdiction

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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 6' 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.

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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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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 minute's 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

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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 Gebhart 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.

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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 +/- acres 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 Quaites 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

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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 Rezoning

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.

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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.

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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 Quaites 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

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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.

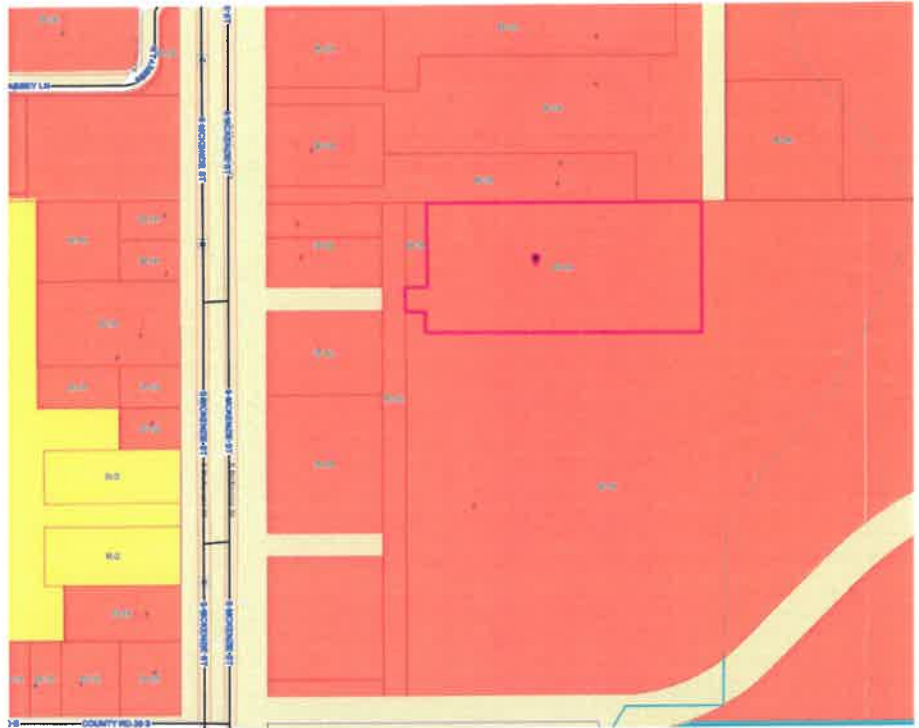
CURRENT ZONING:
B-1A

REQUESTED ZONING:
n/a

ADJACENT ZONING:
B-1A

FUTURE LAND USE:
RCC - Retail
Commercial
Concentration

EXISTING LAND USE:
vacant



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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

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Anil Badve, P. E.

P. O. Box 9662, Mobile, AL 36691

Tel.: (251) 661-2305, Fax: (251) 661-2394

Mobile: (251) 943-5052

E-mail: anilbadve@hotmail.com

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,

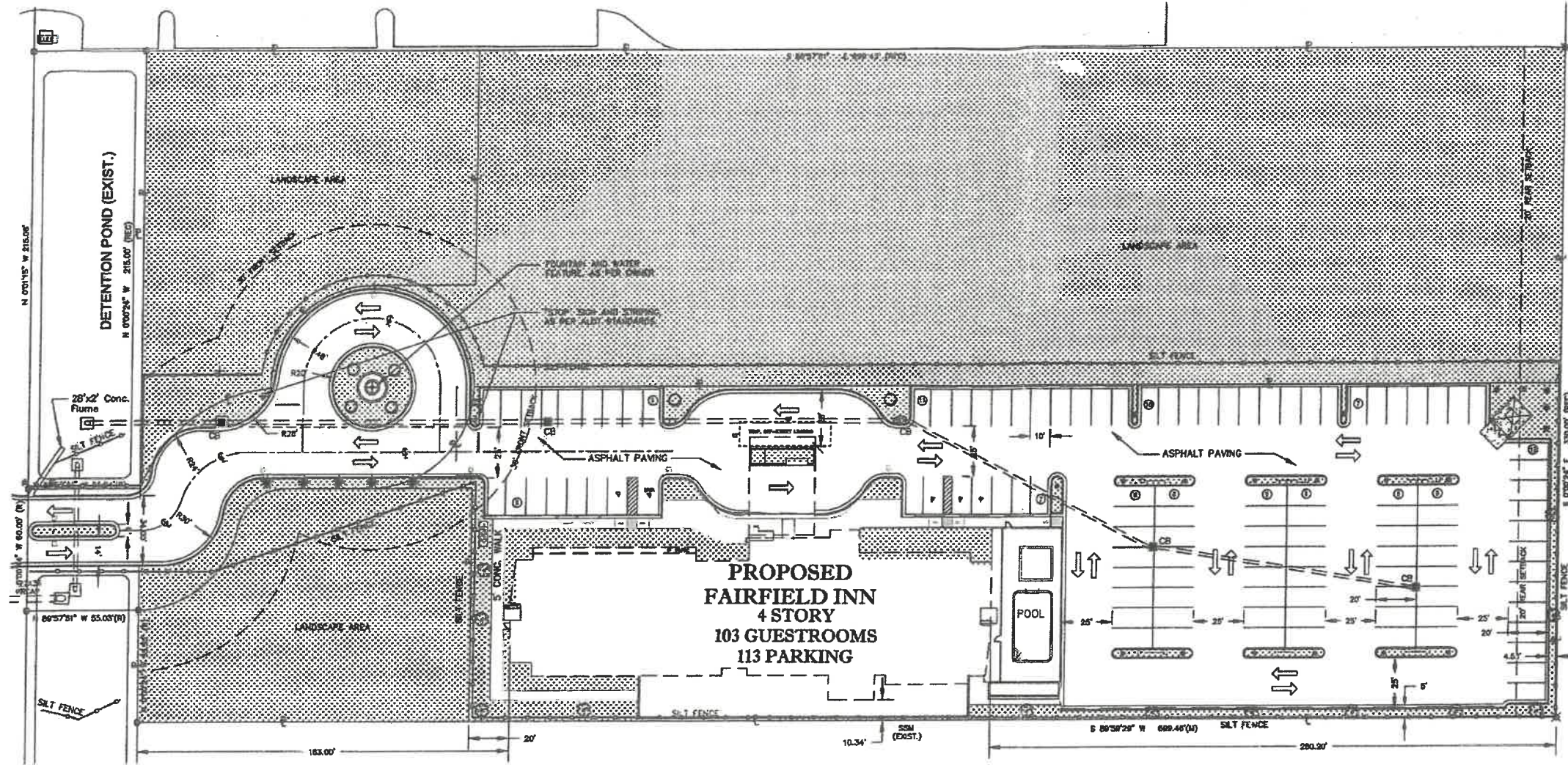
Anil Badve

Anil Badve, P. E.

Tel.: (251) 943-5052

PALM BEACH WAY

SO. MCKENZIE ST.
R.O.W. VARIES



SITE PLAN

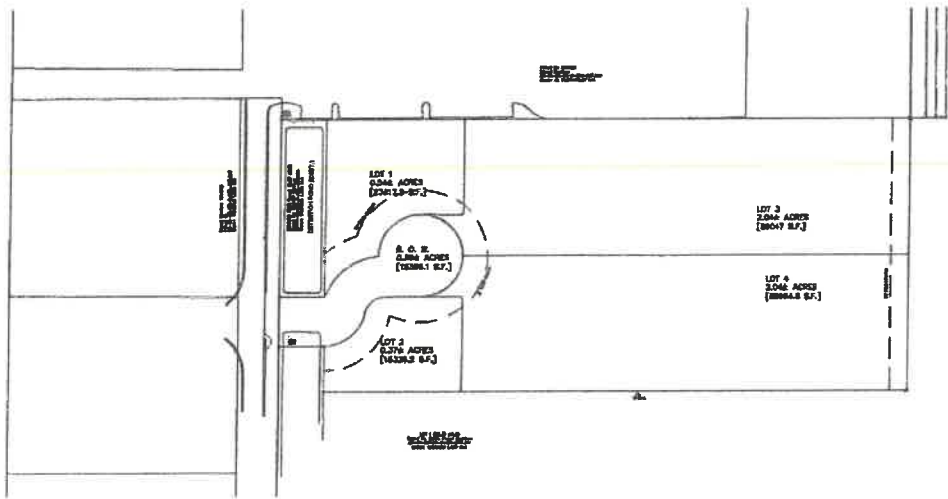
SCALE: 1" = 30' (24"x36" SHEET)

BUILDING FIRST FLOOR AREA = 14,803 SF
2/3/4TH FLOOR AREA (EA) = 14,470 SF

TOTAL AREA = 58,213 S.F.

NOTE: CONTRACTOR SHALL EMPLOY SERVICES OF THE SURVEYOR TO LAY OUT THE BUILDING AND PARKING LOT, USING STAKING PLAN.

NOTE: SEE ARCH./MECH./PLUMBING/ELECTRICAL PLANS FOR CONNECTION TO BUILDING LOCATIONS, SPECIFICATIONS, AND DETAILS.



AREA PLAN

SCALE: 1" = 100' (24"x36" SHEET)



JOBSITE

LOCAL VICINITY MAP
NOT TO SCALE



LEGEND

- S— SETBACK LINE
- EOR— EDGE OF ROAD (EXIST.)
- C— ROADWAY CENTERLINE
- P— PROPERTY LINE
- EOPN— EDGE OF PAVING (NEW)
- WM WATER METER
- HP HANDICAP PARKING
- HW HANDICAP WALK
- PP POWER POLE
- PLP PARKING LIGHT POLE (NEW)
- HA FIRE HYDRANT ASSEMBLY (EXIST.)
- CONC. WALKWAY
- PS PARKING SPACE (10'x20' TYP.)
- LA LANDSCAPE AREA
- SM SEWER MANHOLE
- TS TEMPORARY SEDIMENT TRAP
- X SILT FENCE
- CB STORM DRAIN CATCH BASIN

LEGAL DESCRIPTION:

PROPERTY BOUNDARY AS PER STUART SMITH, PLS, DATED NOV. 2019.

"LOT 4, RESUBDIVISION OF LOT 5 OF THE REPLAT OF WOERNER'S TWO LOTS, AS SHOWN ON THE PLAT THEREOF RECORDED ON SLIDE 2624-B, IN PROBATE RECORDS, BALDWIN COUNTY, ALABAMA."

PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X", BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS PER FIRM NO. 01003C0931M, COMMUNITY NO. 010007, DATED APRIL 19, 2019.

SITE DATA:

ZONING DISTRICT: B-2, NBD USE: HOTEL/RETAIL

LOT AREA: 88984.8 SF (2.04± ACRES), WIDTH: 165 FT.

ACTUAL BUILDING HEIGHT: 42± NO. OF STORIES: 4

| YARD SETBACKS: | ALLOWED | ACTUAL |
|----------------|---------|---------|
| FRONT | 30' | 62.34' |
| REAR | 20' | 280.20' |
| SIDE | 0' | 10.34' |

PARKING SPACES: REQ'D. 113 ACTUAL 113 (108 +5 H/C)

LANDSCAPE: REQ'D. 5,286 SF (10% Parking Area):

ACTUAL 6,282 SF (12±%)

PROJECT SIGNAGE TO CONFORM TO CITY OF FOLEY REQUIREMENTS.

REVISION

1/31/23 AC

REVISIONS

DATE DESCRIPTION

1/31/23 AC

ANIL BADVE, P. E.
CIVIL/STRUCTURAL/OCEAN
ARCHITECTURAL ENGINEERING

4119 BURMA ROAD, MOBILE, AL
P. O. BOX 9882, MOBILE, AL 36609
TEL/FAX: (251)943-0002/941-2384
E-MAIL: ANIL@ANILBADVE.COM



SITE PLAN

FAIRFIELD INN

SOUTH MCKENZIE STREET, FOLEY, ALABAMA

DRAWN BY:

AB

DESIGNED BY:

ANIL B.

CHECKED BY:

SCALE:

AS SHOWN

DATE:

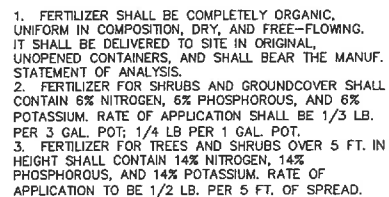
FEB. 2022

DWG. FILE:

FFifoleyCivil

SHEET NO.

C 1.1



| | |
|--------------|---------------|
| DRAWN BY: | AB |
| DESIGNED BY: | ANIL B. |
| CHECKED BY: | |
| SCALE: | AS SHOWN |
| DATE: | JAN. 2022 |
| DWG. FILE: | FFIfoleyCivil |
| SHEET NO. | C 4.1 |





PLANNING COMMISSION JOINT STAFF REPORT: May 2023

19

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

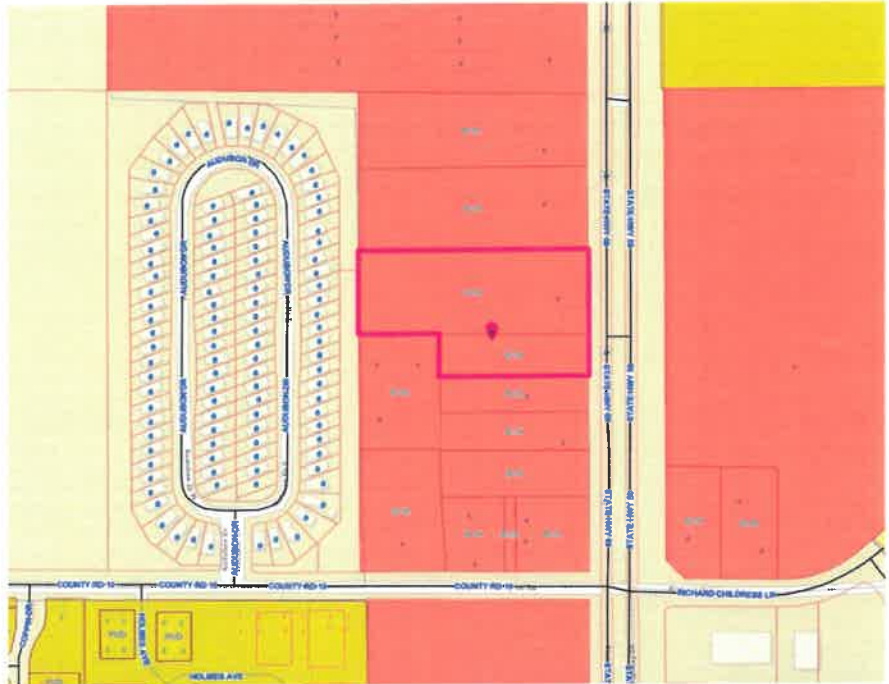
CURRENT ZONING:
B-1A

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



20

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



21
1290 Main Street Suite E
Daphne, AL 36526
Phone: 251.978.9779

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,



04-24-2023

Christopher Lieb,

LIEB ENGINEERING
COMPANY



CLARKTTECTS, P.C.
ARCHITECTURE
(251) 680-7131

22

OCEAN MARINE
FOLEY, ALABAMA

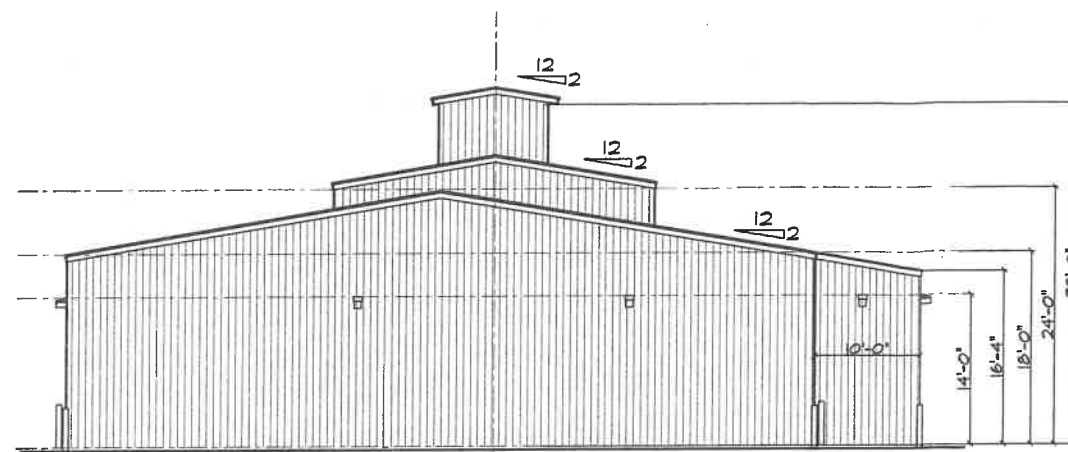
[illegible]

SHEET TITLE:

EXTERIOR ELEVATIONS

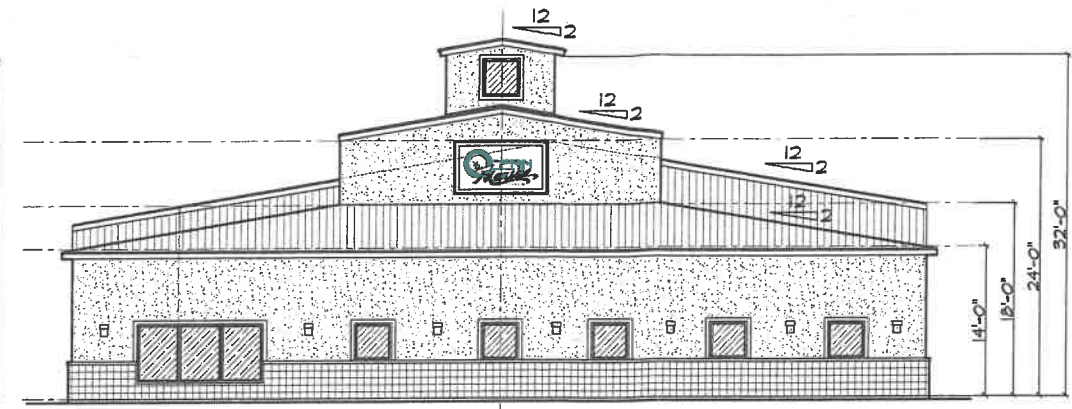
SHEET NUMBER:

A-7



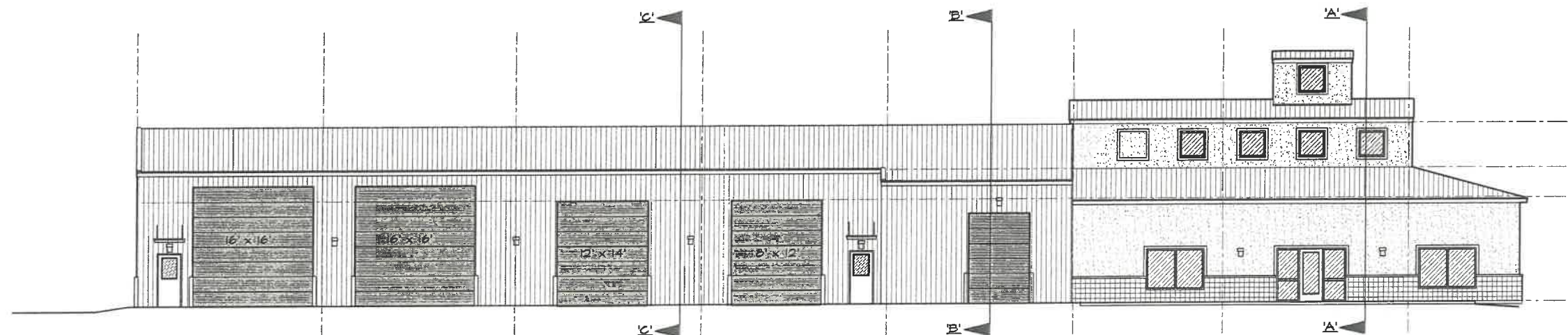
WEST (REAR) ELEVATION

SCALE: $\frac{1}{8}" = 1'-0"$



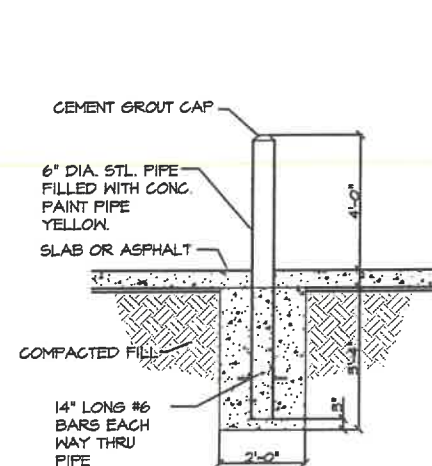
FRONT (EAST) ELEVATION

SCALE: $\frac{1}{8}" = 1'-0"$

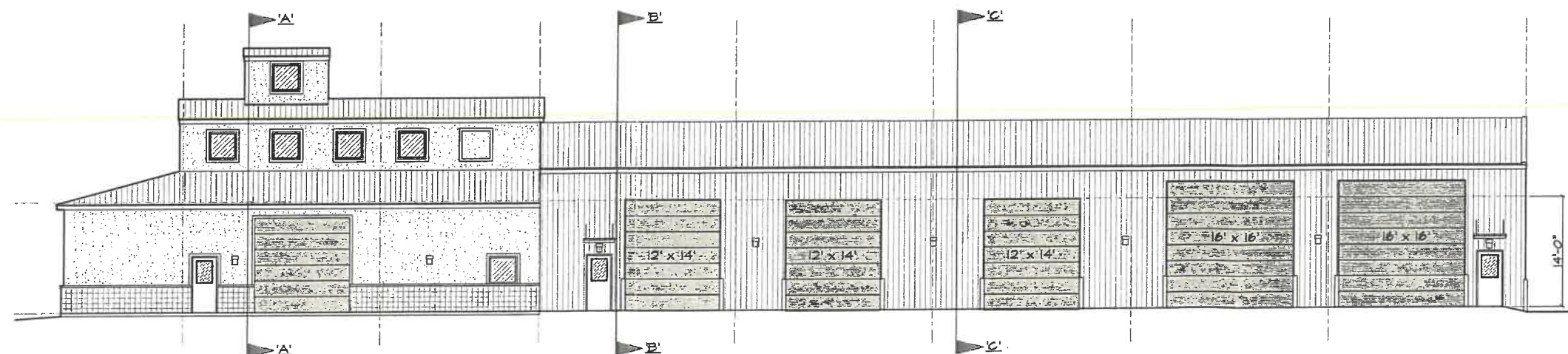


SOUTH SIDE ELEVATION

SCALE: $\frac{1}{8}" = 1'-0"$



TYP. BOLLARD DETAIL



NORTH SIDE ELEVATION

SCALE: $\frac{1}{8}" = 1'-0"$

| GLAZING PERFORMANCE MINIMUM: | |
|--|--------------|
| $\frac{1}{8}$ " - VLT = 46% $U = .25$ SHGC = .25 | (STOREFRONT) |
| $\frac{3}{4}$ " - VLT = 51% $U = .48\%$ SHGC = .25 | (DOORS) |

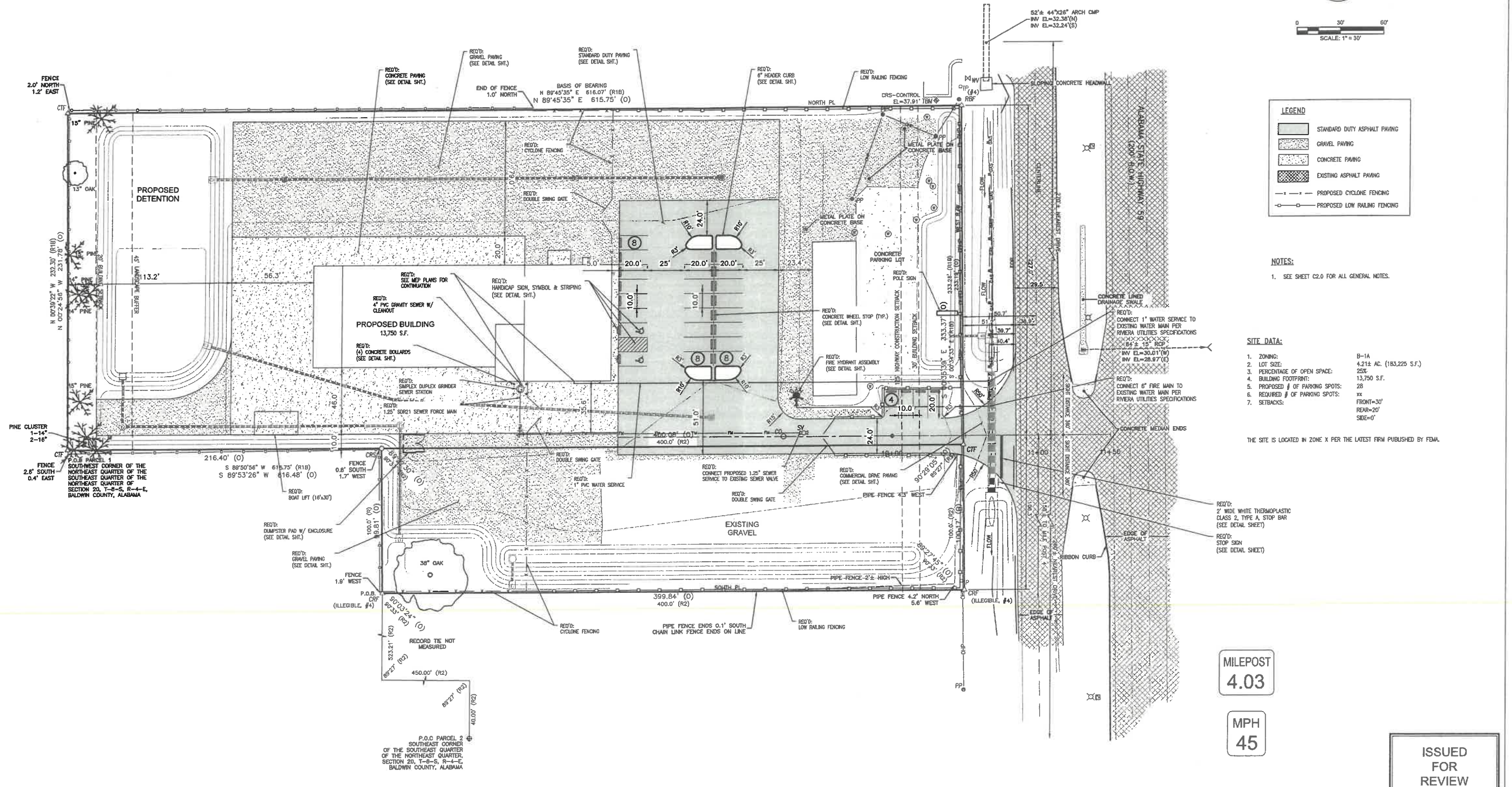
ALL EXTERIOR GLAZING TO BE
 LARGE MISSILE IMPACT RATED

WINDOW NOTES:

1. STOREFRONT AND/OR WINDOW UNITS TO MEET OR EXCEED WIND-LOAD REQUIREMENTS.
2. VERIFY COLOR OF STOREFRONT, WINDOW AND GLAZING w/ OWNER.
3. ALL EXTERIOR GLAZING TO BE INSULATING UNITS w/ LOW-E COATING ON #2 SURFACE.
4. ALL STOREFRONT FRAMING AND WINDOW UNITS TO BE THERMALLY-BROKEN.
5. ALL EXTERIOR GLAZING SHALL BE $\frac{1}{8}"$ OR $\frac{3}{8}"$ LARGE-MISSILE IMPACT RATED.

MISSILE IMPACT RATED.
4129123
RECEIVED

23



| REVISIONS | ISSUED FOR REVIEW | 4/24/2023 |
|-----------|-------------------|-----------|
| A | | |
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| | | |



LIEB ENGINEERING COMPANY
1290 MAIN STREET, SUITE E
DAPHNE, AL 36526
PH: (251) 978-9779

NOT VALID WITHOUT THE DATED SIGNATURE AND SEAL OF AN ALABAMA LICENSED ENGINEER.
ALABAMA LICENSED ENGINEER: CHRISTOPHER JAY LIEB, P.E. LICENSE NUMBER 31204
ALABAMA CERTIFICATE OF AUTHORIZATION NUMBER: 4938

JOB NUMBER 2021-013
DRAWN BY: JLG
CHECKED BY: CJL
DATE: 10/27/2022
APPROVED BY: CJL
SCALE: 1"=30'
ENGR: CJL

OCEAN MARINE
SITE & UTILITY PLAN
FOLEY, AL
OWNER: W A MAY & SONS, LLC

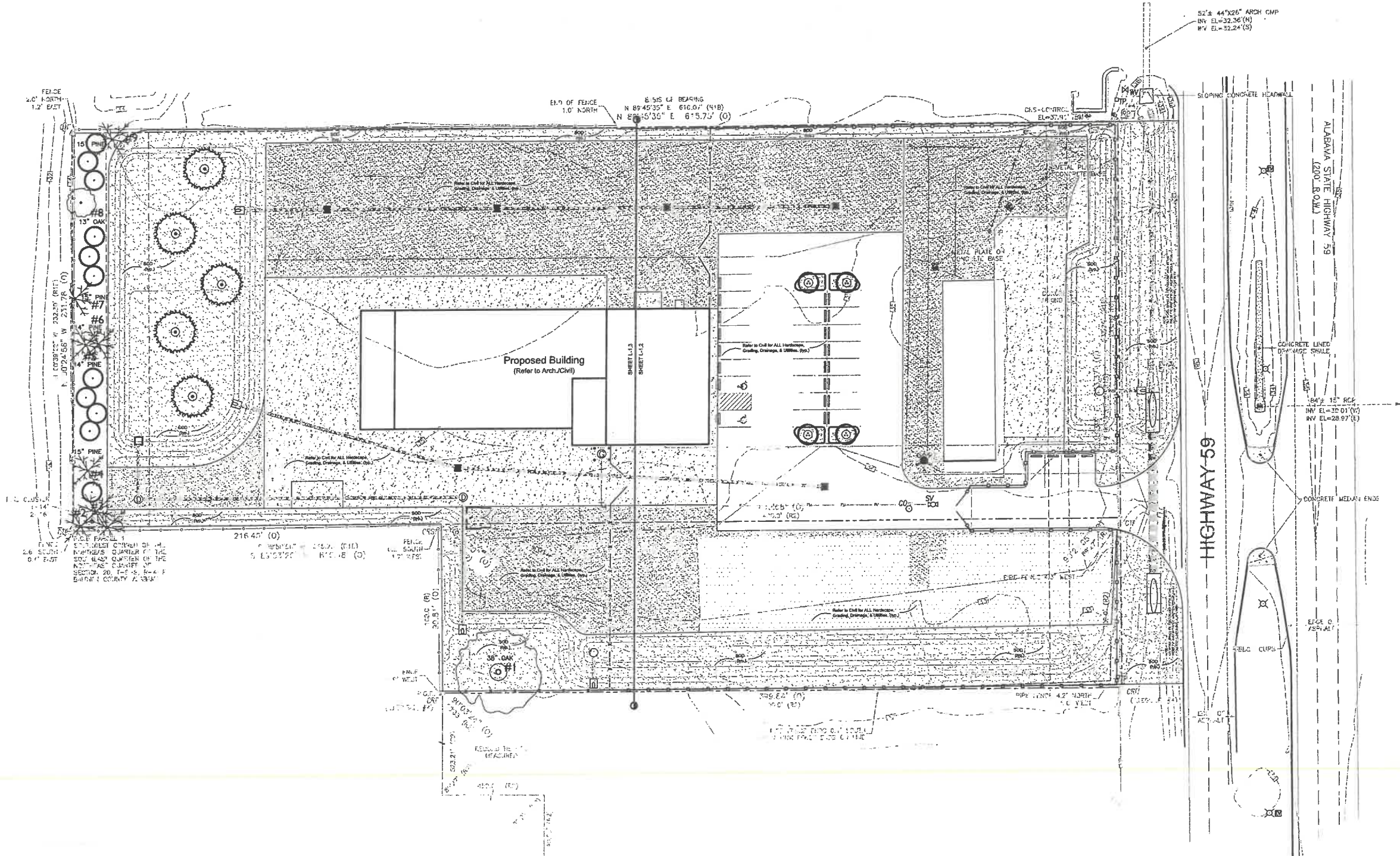
SHEET NUMBER
4 OF 10

C4.0

A



4/24/2023



- NOTES:
1. SURVEY PROVIDED BY LEB ENGINEERING.
 2. LOCATION OF STRUCTURES, HARDSCAPE, AND EXISTING VEGETATION SHALL BE FIELD VERIFIED.
 3. VERIFY ALL LAYOUT AND DIMENSIONS IN FIELD.
 4. PLANT COUNTS ARE FOR CONVENIENCE ONLY. FIELD VERIFY ACCORDINGLY.
 5. CONTRACTOR IS RESPONSIBLE FOR ENSURING POSITIVE DRAINAGE.
 6. CONTRACTOR TO OBTAIN ALL REQUIRED PERMITS.
 7. NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES IN DRAWINGS OR FIELD CONDITIONS.
 8. REFER TO ARCH./CIVIL FOR ALL UTILITIES, GRADING, DRAINAGE, & HARDSCAPE.

All areas disturbed by construction shall be sodded unless otherwise noted. (Typ.)



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NOT FOR CONSTRUCTION

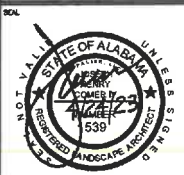
ESPALIER
landscape architecture

Espalier, LLC
P.O. Box 1247
Fairhope, Alabama 36533
P: 251.454.3500
espalierdesign.com

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OCEAN MARINE

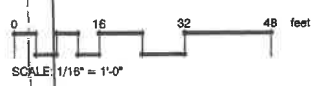
7651 HIGHWAY 59
FOLEY, AL

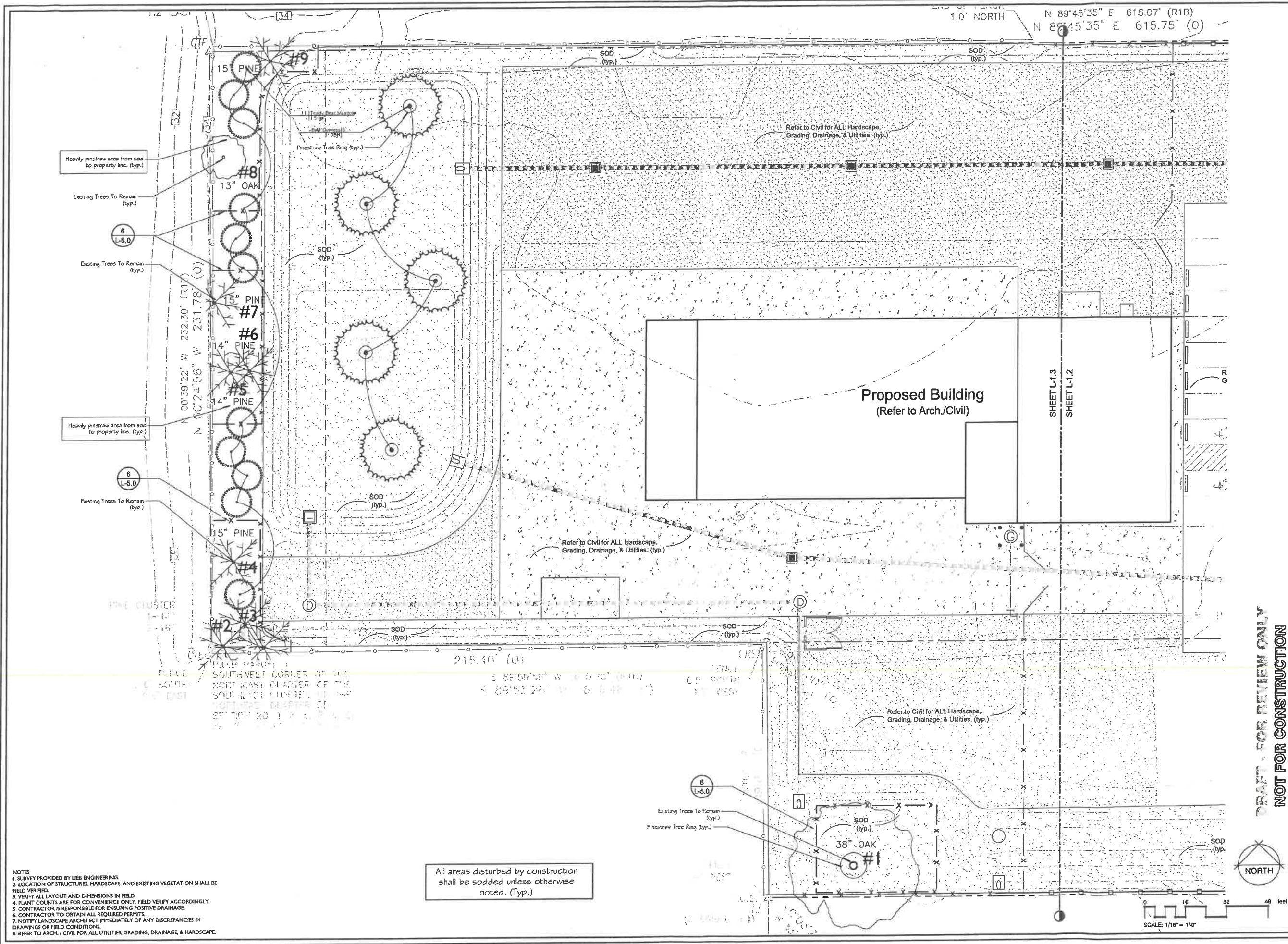


ISSUED/REVISED
Permitting 4/24/23

SHEET TITLE
LANDSCAPE PLAN

| | |
|---------------------|-----------------------|
| DESIGNED BY JC | FILE NAME OCEANMAR |
| DRAWN BY JC | SHEET L-1.1 |
| CHECKED BY JC | |
| PROJECT NO. 2330 | |
| DATE 4/19/23 | |





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26

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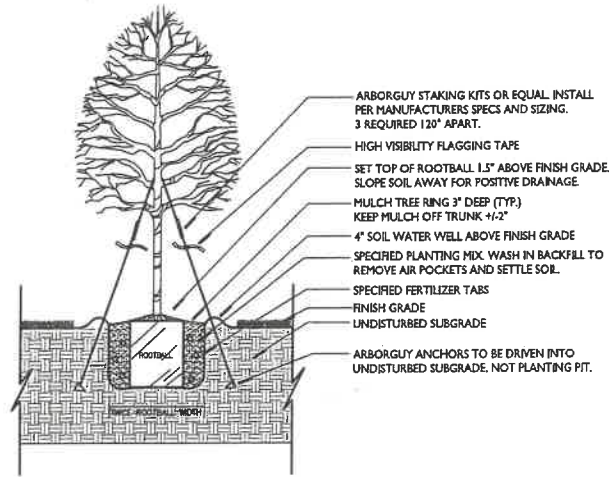
OCEAN MARINE

7651 HIGHWAY 59
FOLEY, AL



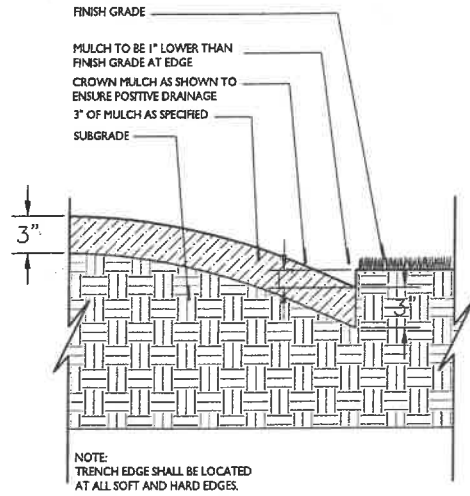
| ISSUED/REVISED |
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| Permitting 4/24/23 |
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| SHEET TITLE | |
|-------------------|------------------------|
| LANDSCAPE PLAN | |
| DESIGNED BY JC | FILE NAME OCEANMILA |
| DRAWN BY JC | SHEET L-1.3 |
| CHECKED BY JC | PROJECT NO. 2330 |
| DATE 4/18/23 | |



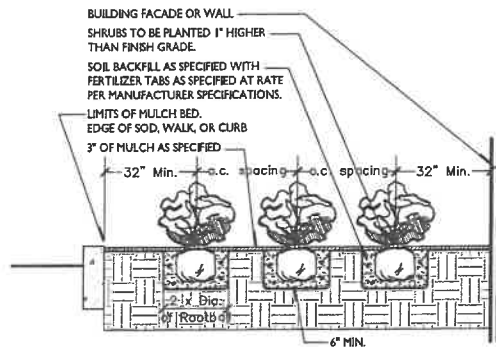
1 TREE PLANTING
N.T.S.

LA-01



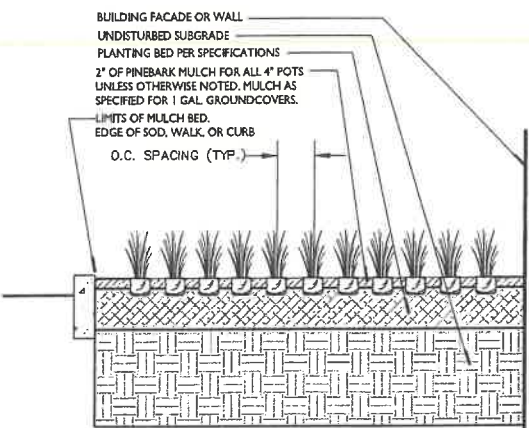
4 TRENCH BED EDGE
N.T.S.

LA-04



2 SHRUB PLANTING DETAIL
N.T.S.

LA-02



3 GROUNDCOVER PLANTING DETAIL
N.T.S.





LA-03

- LANDSCAPE NOTES:
1. This section covers furnishing and installing all landscape plants and non-plant materials covered by the drawings and these specifications. The work shall include materials, labor, equipment and services as described herein and indicated on the drawings. Also, the work shall include the maintenance of all plants and planting areas until acceptance by the Owner, and fulfillment of all guarantee provisions as herein specified.
 2. Before beginning work, the contractor shall thoroughly acquaint himself with the existing site conditions and proposed plans. The intent is to provide a smooth transition between existing conditions that are to remain and the new site features with minimal damage to existing trees and vegetation.
 3. Contractor is made aware of active existing underground utilities. It is the contractors responsibility to familiarize himself with the location of said utilities and other obstructions. The contractor shall investigate and verify, in the field, the existence and location of all utilities and any existing irrigation piping, and take necessary precautions to prevent their disturbance and avoid interruption of service. Contractor is responsible for calling appropriate line location service. All damaged utilities shall be replaced to owners satisfaction by contractor with no additional charge to owner.
 4. Discrepancies between site conditions and conditions on plans shall be call to the attention of the Owner immediately.
 5. Existing grades shall be verified in field prior to beginning any work. Discrepancies shall be brought to the landscape architects attention immediately. Landscape contractor to provide fine grading to ensure positive drainage.
 6. The landscape architect shall have the right to reject any and all work and/or materials at any stage of progress which in his opinion do not meet the requirements of these plans and specifications. Such rejected material shall be removed from the site immediately and replaced with acceptable materials.
 7. Landscape contractor is responsible for obtaining all state and local permits and licenses required to perform this work.
 8. Landscape contractor shall abide by all state and local laws and ordinances. Contractor shall also conform to POA or ARB guidelines if applicable.
 9. All work shall comply with the current edition of the Standard Building Code published by the Southern Building Code Congress International, Inc.
 10. Topsoil shall be sandy/loam natural, friable, and fertile with a PH of 5.5 to 6.5. Topsoil shall be free from roots, stones, debris, noxious weeds, or any substance harmful to plant growth. Quality of Topsoil to be approved by Landscape Architect.
 11. Once delivered to the site, the contractor is responsible for the protection, including theft, of all materials.
 12. The landscape plan is to serve as a guide for installation. Field adjustment and changes to layout may be made by Landscape Architect.
 13. Contractor shall layout all plant material per planting plans and schedule a site meeting with landscape architect for approval with a minimum of 48 hours notice.
 14. Quantities shown on plant list are for convenience only.
 15. All groundcover & flower beds shall receive 3" minimum of planting mix consisting of decomposed pinebark or mushroom compost and blended into the top 6" of existing soil. Rake beds smooth and top dress with 2" min. of ground pinebark prior to planting.
 16. All tree and shrub planting pits shall be backfilled with 75% excavated soil & 25% planting mix consisting of decomposed pinebark or mushroom compost.
 17. All trees shrubs and groundcovers shall be planted with Woodace fertilizer tabs at rates per manufactures recommendations. All planting beds shall also be top dressed with a slow release Osmocote fertilizer or equal per manufactures recommendations prior to mulching.
 18. All beds shall receive Freehand pre-emergent herbicide or equal.
 19. Unless otherwise noted, all beds shall receive 3" compacted depth of fresh Long Leaf pine straw free from sticks and pine cones. Groundcover areas with 4" plants or plugs shall be mulched with pulverized pinebark mulch unless otherwise noted.
 20. All bed lines shall have 3" V-shaped trenches. See detail.
 21. All plant material shall meet or exceed federal, state, and county laws requiring inspection for plant disease and insect control.
 22. All plant material shall be Florida #1 or better and meet the latest standards of the "American Standards for Nursery Stock".
 23. All trees shall be staked with arbor guy (or equal) tree stakes per manufactures recommendations.
 24. All disturbed areas shall be irrigated and sodded.
 25. Contractor shall maintain all plantings and lawn areas until final acceptance by owner and landscape architect. Unless specified otherwise, maintenance includes mowing, edging, weeding, blowing, pruning, watering, mulching, etc.
 26. Brown or defoliated plants shall be removed and replaced immediately.
 27. All materials and workmanship for landscape and irrigation shall be guaranteed for a minimum of one year from final acceptance.
 28. No work shall be performed in any R.O.W. without approval by the appropriate Federal, State, County, or City authority.

5 LANDSCAPE NOTES
N.T.S.

LA-16

PLANT SCHEDULE

| TREES | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONT | CAL | REMARKS | |
|---|------|-----------|-----------------------------------|---------------------|--------|--------------|---|---|
|  | LT | 4 | Lagerstroemia x 'Tonto' | Tonto Crape Myrtle | 15 gal | | Multi. Trunk, Tree Form, 3 Cane Min., 3/4" Cane Min. | |
|  | MT | 11 | Magnolia grandiflora 'Teddy Bear' | Teddy Bear Magnolia | 15 gal | 1" Cal. Min. | Full to Ground, 1" Cal. Min. Container Grown Material Only. | |
|  | TD | 5 | Taxodium distichum | Bald Cypress | 3" DBH | | 8' of Clear Trunk Min. DBH is measured 4' above grade. | |
| GROUND COVERS | CODE | QTY | BOTANICAL NAME | COMMON NAME | CONT | FIELD2 | SPACING | REMARKS |
|  | CT | 39,423 sf | Cynodon dactylon 'T4 419' | 419 Bermuda Grass | sod | | | Contractor shall field verify quantity. Quantity is for convenience only. |

- NOTES:
1. MULCH ALL TREE RINGS & PLANTINGS 3 GAL. & LARGER WITH LONG LEAF PINESTRAW.
 2. 4" & 1 GAL. POTS TO BE PLANTED IN 3" OF PLANTING MIX AND TOP DRESSED WITH GROUND PINEBARK.
 3. USE WOODACE FERTILIZER TABS IN ALL PLANTING PITS. SEE NOTES.
 4. PREP PLANTING PITS & GROUND COVER AREAS WITH PLANTING MIX. SEE NOTES.
 5. SOD ALL AREAS DISTURBED BY CONSTRUCTION NOT SHOWN TO BE PLANTED.
 6. NO OVERSTORY TREE SHALL BE PLANTED WITHIN 20' OF OVERHEAD ELECTRICAL LINES.
 7. ALL PLANTINGS THAT DIE OR ARE DESTROYED MUST BE REPLACED DURING THE NEXT PLANTING SEASON.
 8. THIS PLANT LIST IS FOR CONVENIENCE ONLY. CONTRACTOR TO VERIFY.
 9. SEE LANDSCAPE NOTES & SPECIFICATIONS.

APPROVED NURSERIES:
1. GREEN FOREST NURSERY
2. FLOWERWOOD NURSERY
3. GREENS NURSERY
4. CHERRY LAKE NURSERY
Other nurseries may be approved at the discretion of the landscape architect.

CITY OF FOLEY LANDSCAPE REQUIREMENTS:

TREE REQUIREMENTS:

Minimum tree density of ten (10) trees per acre
Site Acreage = 4.2 ac x 10 = 42 Trees Required
22 Tree Credits are Existing. See table below.
42-22=20 New Trees are Required

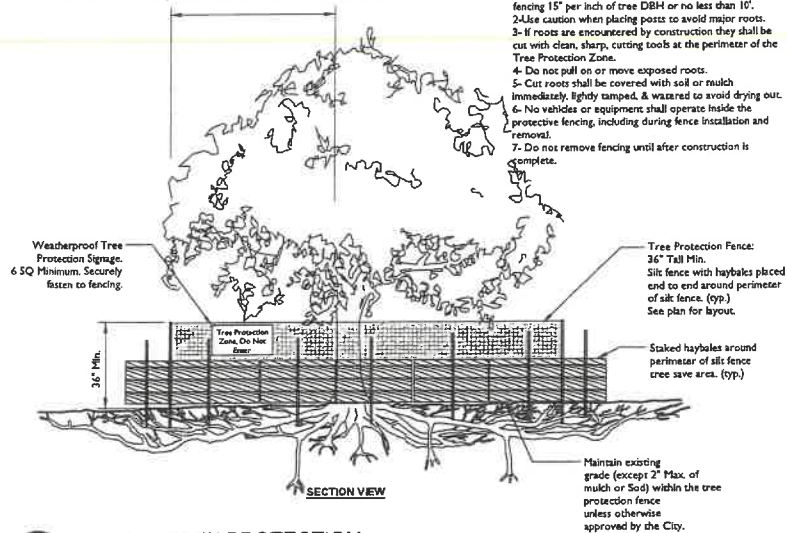
EXISTING TREE CREDIT TABLE

TREES PROPOSED TO REMAIN:

| | | |
|--------------------|----------|--------|
| 1. | 38" Oak | /6 = 6 |
| 2. | 14" Pine | /6 = 2 |
| 3. | 16" Pine | /6 = 2 |
| 4. | 15" Pine | /6 = 2 |
| 5. | 14" Pine | /6 = 2 |
| 6. | 14" Pine | /6 = 2 |
| 7. | 14" Pine | /6 = 2 |
| 8. | 13" Oak | /6 = 2 |
| 9. | 15" Pine | /6 = 2 |
| Total Tree Credits | | = 22 |

All areas disturbed by construction shall be sodded unless otherwise noted. (Typ.)

Place fencing 15" per inch of tree DBH. (ie. 10" DBH = Fence 150" (12.5') from trunk)
In no case shall TP fencing be less than Ten (10) feet from edge of trunk. (TYP.)



6 TYPICAL TREE PROTECTION
1/4" = 1'-0"

LA-56

ESPALIER
landscape architecture

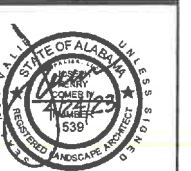
Esparier, LLC
P.O. Box 1247
Fairhope, Alabama 36533
P: 251.454.3500
esparierdesign.com

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OCEAN MARINE

7651 HIGHWAY 59
FOLEY, AL

DRAFT - FOR REVIEW ONLY
NOT FOR CONSTRUCTION



ISSUED/REVISED

Permitting 4/24/23

SHEET TITLE

LANDSCAPE
DETAILS

| | |
|---------------------|-------------------------|
| DESIGNED BY JC | FILE NAME OCEANMARLA |
| DRAWN BY JC | SHEET |
| CHECKED BY JC | L-5.0 |
| PROJECT NO. 2330 | |
| DATE 4/19/23 | |

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~~ 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 be 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

~~Strike Through~~ - delete language

Underline – add language

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

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~~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 a~~ Multi-family is when-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, ~~N~~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.

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