

**CITY OF FOLEY
PLANNING COMMISSION**

**WORK SESSION
DECEMBER 6, 2023**

**City Hall
Council Chambers
At 5:30 p.m.**

&

**MEETING
DECEMBER 13, 2023**

**City Hall
Council Chambers
At 5:30 p.m.**

**PLANNING COMMISSION
WORK SESSION AGENDA DECEMBER 6, 2023
&
MEETING AGENDA DECEMBER 13, 2023
(Council Chambers of City Hall) 5:30 P.M.**

Page 1 of 2

The City of Foley Planning Commission will hold a work session on December 6, 2023 at 5:30 p.m. and a meeting on December 13, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

MINUTES:

Approval of the November 1, 2023 and November 8, 2023 meeting minutes.

AGENDA ITEMS:**1. West Laurel Apartments- Request for 1 year Site Plan Extension**

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

Planning Commission Action:**2. *Bedsole Moseley Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of Bedsole Moseley Subdivision, a minor subdivision which consists of 38.11 +/- acres and 2 lots. Property is located at the SW corner of Underwood Rd. and County Rd. 55 and is located in the City of Foley Planning Jurisdiction. Applicant is Engineering Design Group.

Public Hearing:**Planning Commission Action:****3. The Resubdivision of Lot 1B and the Replat of Lot 7 of the Replat of Woerner's Two Lots- Minor**

The City of Foley Planning Commission has received a request for approval of The Resubdivision of Lot 1B and the Replat of Lot 7 of the Replat of Woerner's Two Lots, a minor subdivision which consists of 35.69 +/- acres and 3 lots. Property is located S. of County Rd. 20 (Mifflin Rd.) and E. of S. McKenzie St. Applicant is Goodwyn Mills Cawood, LLC.

Public Hearing:**Planning Commission Action:****4. Mills- Initial Zoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the initial zoning of 170 +/- acres. Proposed zoning is R-4 (Residential Single Family and Duplex) and AO (Agricultural Open Space). Property is located N. of US Hwy. 98 and W. of County Rd. 65. Applicant is the City of Foley.

**PLANNING COMMISSION
WORK SESSION AGENDA DECEMBER 6, 2023
&
MEETING AGENDA DECEMBER 13, 2023
(Council Chambers of City Hall) 5:30 P.M.**

2

Page 2 of 2

Public Hearing:**Planning Commission Action:****5. Mills Park- Initial Zoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the initial zoning of 4 +/- acres. Proposed zoning is OSP (Open Space/Preservation District). Property is located E. of Mills Rd. and N. of Breckner Rd. Applicant is the City of Foley.

Public Hearing:**Planning Commission Action:****6. Live Oak Village- PUD Modification**

The City of Foley Planning Commission has received a request for a PUD modification for Live Oak Village. The property is located W. of Cedar St. and N. of W. Peachtree Ave. Applicant is McCrory & Williams, Inc.

7. Approval of the 2024 By-Laws**8. Election of 2024 Officers****WORK SESSION ONLY:****9. Riviera Utilities-Providing Training****ADJOURN:**

**PLANNING COMMISSION
WORK SESSION MINUTES NOVEMBER 1, 2023
(Council Chambers of City Hall) 5:30 P.M.**

Page 1 of 4

The City of Foley Planning Commission held a work session on November 1, 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, Wes Abrams, Calvin Hare and Tommy Gebhart. Absent members were: Vera Quaites, Ralph Hellmich and Phillip Hinesley. 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.

AGENDA ITEMS:

1. Streamline Addition to Foley Plat No. 2- Minor

The City of Foley Planning Commission has received a request for approval of Streamline Addition to Foley Plat No. 2 a minor subdivision which consists of 2.18 +/- acres and 2 lots. Property is located W. of State Hwy. 59 and N. of County Rd. 20 W. Applicant is Joseph A. Schneider.

Mrs. Miriam Boone stated staff is recommending approval of the requested minor subdivision.

2. Equity Trust Resubdivision of Lot 3- Minor

The City of Foley Planning Commission has received a request for approval of Equity Trust Resubdivision of Lot 3 a minor subdivision which consists of 10.02 +/- acres and 4 lots. Property is located S. of Breckner Rd. and E. of Bodenhamer Rd. Applicant is PLS Group Inc.

Mrs. Boone stated staff is recommending approval of the requested minor subdivision.

3. Peace Subdivision-Minor

The City of Foley Planning Commission has received a request for approval of Peace Subdivision a minor subdivision which consists of 29 +/- acres and 3 lots. Property is located E. of the Foley Beach Express and E. and N. of Roscoe Rd. Applicant is Weygand Wilson Surveying.

Mrs. Boone stated staff is recommending approval of the requested minor subdivision.

4. Fairfield Inn & Suites- Site Plan Extension

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

Mrs. Boone stated staff is recommending approval of the site plan extension. She explained the applicant is working with the State on their plan review. She stated the plan has not changed since the previous approval.

5. Terry Prince Family Division- Minor

The City of Foley Planning Commission has received a request for approval of Terry Prince Family Division a minor subdivision which consists of 2.09 +/- acres and 2 lots. Property is located E. of County Rd. 12 and S. of Aqua Ln. Applicant is Andrew Grant.

Note: *Denotes property located in the Planning Jurisdiction

4

**PLANNING COMMISSION
WORK SESSION MINUTES NOVEMBER 1, 2023
(Council Chambers of City Hall) 5:30 P.M.**

Page 2 of 4

Mrs. Boone stated the property is located in Baldwin County district 30. She explained the City does not issue building permits or regulate the flood regulations for the property. She stated staff is recommending approval of the minor subdivision.

6. Wolf Creek Village- PDD Modification

The City of Foley Planning Commission has received a request for a PDD modification for Wolf Creek Village. Property is located N. of County Rd. 20 and E. of Foley Beach Express. Applicant is SCP BPG Magnolia Holdings, LLC.

Mrs. Boone stated staff is recommending approval and appreciates the applicant working with staff on the PDD modifications.

7. Satsuma Two- Minor

The City of Foley Planning Commission has received a request for approval of Satsuma Two a minor subdivision which consists of 1.37 +/- acres and 2 lots. Property is located at 410 W. Persimmon Ave. Applicant is Charlie Guy.

Mrs. Boone stated engineering staff noted a recommended approval pending drainage analysis with minimum pad elevations.

Mr. Christian stated the drainage report and minimum pad elevations were received from the applicant. He explained the staff is ok with the recommended pad elevations. He stated additional information is being requested to show how the pad elevation will affect the neighboring properties. He explained pictures of drainage issues were received from a neighboring owner.

Mr. Charlie Guy stated the analysis was done as requested. He explained water from neighboring properties drains onto this lot. He stated currently he could build a large house on the lot and there would still be a problem. He explained the lots are both large lots and they will be building nice homes on the lots.

Mr. Bill Bruton resident of 1101 N. Oak St. stated the lot sizes are fine the problem is when there is a heavy rain the property is 3' under water which then goes onto neighboring lots. He explained the entire area has drainage issues. He stated all the water in the area goes onto the lot being proposed to be subdivided. He explained they would love to have nice homes on the lots but the area cannot handle the additional water.

Mr. Christian stated the drainage analysis was well done and established the recommended elevation at 81 which is 1' above the road. He explained the issue is the neighboring homes are not 1' above the road and the possible impacts it could have on the existing homes.

Chairman Abrams stated it sounds like there is an existing drainage issue and asked if the city had any drainage improvements planned for the area.

Mr. Christian stated there is not a drainage improvement plan in the works for the area but it could be looked at. He explained a report showing the impacts of the elevation of the future construction and amount of fill brought in has not been completed.

5

**PLANNING COMMISSION
WORK SESSION MINUTES NOVEMBER 1, 2023
(Council Chambers of City Hall) 5:30 P.M.**

Page 3 of 4

Mr. Gebhart stated he is not opposed to the subdivision but would like to see the drainage impact report and a solution to the drainage issues.

Mrs. Boone explained the building code does not require set elevations unless the property is located in a flood zone. She stated the property is not located within a flood zone.

Commissioners asked if the drainage report could be provided at next week's meeting.

Mr. Christian stated he could not speak for the applicant but would think having the report completed by next week could be challenging.

8. Riviera Plaza Division 1- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Riviera Plaza Division 1 which consists of 16.32 +/- acres and 2 lots. Property is located E. of S. McKenzie St. and S. of County Rd. 20. Applicant is Stacey Ryals.

Mrs. Boone explained engineering staff included a memo in regards to the request.

Mr. Christian stated the final plat will not be signed until the road is completed and adequate utilities are provided. He explained the existing RV's are being serviced by septic tanks which will not be a solution for the future development on Lot 2.

Mrs. Boone asked if the lots will be accessed off of Juniper St.

Mr. Christian stated there is currently not an access management plan for Juniper St. He stated they can do separate driveways or the preferred option would be a shared driveway.

9. *Scurlock Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of Scurlock Subdivision a minor subdivision which consists of 5 +/- acres and 4 lots. Property is located W. of Nall Rd. and N. of County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Weygand Wilson Surveying.

Mrs. Boone stated the applicant split the property through an exempt family subdivision a few years ago. She explained her understanding is the property was given to family members who then sold the property. She stated the applicant is requesting to subdivide the property through a minor subdivision with all lots fronting a public road. She explained there is litigation between the applicant and an adjacent neighbor regarding the covenants and restrictions of the property which cannot be enforced by the city. She stated the neighboring property owner's attorney may be at the meeting and request the item be carried over due to the current litigation. She explained the applicant would have to agree to carry the item over or action by the Commission must be taken.

Chairman Abrams explained he had spoken with Mr. Dyess who advised the city is not currently involved in the litigation and recommended the Commission request the applicant to carry over the item.

**PLANNING COMMISSION
WORK SESSION MINUTES NOVEMBER 1, 2023
(Council Chambers of City Hall) 5:30 P.M.**

6

Page 4 of 4

10. Keystone Subdivision Phase 1- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Keystone Subdivision Phase 1 which consists of 121.79 +/- acres and 88 lots. Property is located S. of US Hwy 98 and W. of Venice Blvd. Applicant is Jade Consulting, LLC.

Mrs. Boone stated the applicant has worked with staff regarding previous engineering concerns. She explained the request matches the approved PUD and staff is recommending approval.

11. 2024 Meeting and Deadline Calendar**ADJOURN:**

Chairman Abrams adjourned the meeting at 6:00 p.m.

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

7

Page 1 of 8

The City of Foley Planning Commission held a meeting on November 8, 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, Bill Swanson and Tommy Gebhart. Absent members were: Ralph Hellmich and Phillip Hinesley. Staff present were: Wayne Dyess, Executive Director of Infrastructure and Design; 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 October 11, 2023 and October 18, 2023 meeting minutes.

Commissioner Swanson made a motion to approve the October 11, 2023 and October 18, 2023 meeting minutes. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the October 11, 2023 and October 18, 2023 meeting minutes passes.

AGENDA ITEMS:

1. Streamline Addition to Foley Plat No. 2- Minor

The City of Foley Planning Commission has received a request for approval of Streamline Addition to Foley Plat No. 2 a minor subdivision which consists of 2.18 +/- acres and 2 lots. Property is located W. of State Hwy. 59 and N. of County Rd. 20 W. Applicant is Joseph A. Schneider.

Public Hearing:

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

Planning Commission Action:

Mrs. Miriam Boone stated staff is recommending approval of the requested minor subdivision.

Commissioner Quaites made a motion to approve the requested minor subdivision. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

2. Equity Trust Resubdivision of Lot 3- Minor

The City of Foley Planning Commission has received a request for approval of Equity Trust Resubdivision of Lot 3 a minor subdivision which consists of 10.02 +/- acres and 4 lots. Property is located S. of Breckner Rd. and E. of Bodenhamer Rd. Applicant is PLS Group Inc.

Planning Commission Action:

Mrs. Miriam Boone stated staff is recommending approval of the requested minor subdivision.

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

8

Page 2 of 8

Commissioner Quaites made a motion to approve the requested minor subdivision. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

3. Peace Subdivision-Minor

The City of Foley Planning Commission has received a request for approval of Peace Subdivision a minor subdivision which consists of 29 +/- acres and 3 lots. Property is located E. of the Foley Beach Express and E. and N. of Roscoe Rd. Applicant is Weygand Wilson Surveying.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone explained the request is meeting the required regulations and staff is recommending approval. She stated staff had noted the 30' flag would preclude them from subdividing Lot 2 in the future.

Commissioner Gebhart made a motion to approve the requested minor subdivision. Commissioner Swanson seconded the motion.

Commissioner Engel asked if they were subdividing the lot in order to sell one of the lots.

Staff was unaware of the future plans for the lots and a representative was not present.

All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

4. Fairfield Inn & Suites- Site Plan Extension

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

Mrs. Boone explained there have been no changes in the regulations since the site plan was approved. She stated the applicant has been working out details regarding an easement. She explained the building and drainage plans have been reviewed by staff.

Commissioner Engel made a motion to approve the requested 6 month site plan extension. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested 6 month site plan extension passes.

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

9

Page 3 of 8

5. Terry Prince Family Division- Minor

The City of Foley Planning Commission has received a request for approval of Terry Prince Family Division a minor subdivision which consists of 2.09 +/- acres and 2 lots. Property is located E. of County Rd. 12 and S. of Aqua Ln. Applicant is Andrew Grant.

Planning Commission Action:

Mrs. Boone stated staff is recommending approval of the requested minor subdivision.

Commissioner Quaites made a motion to approve the requested minor subdivision. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

Commissioner Hare joined the meeting.

6. Wolf Creek Village- PDD Modification

The City of Foley Planning Commission has received a request for a PDD modification for Wolf Creek Village. Property is located N. of County Rd. 20 and E. of Foley Beach Express. Applicant is SCP BPG Magnolia Holdings, LLC.

Planning Commission Action:

Mrs. Boone explained staff has worked with the applicant on the requested PDD modification and is recommending approval.

Commissioner Gebhart made a motion to approve the requested PDD modification. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the requested PDD modification passes.**7. Satsuma Two- Minor**

The City of Foley Planning Commission has received a request for approval of Satsuma Two a minor subdivision which consists of 1.37 +/- acres and 2 lots. Property is located at 410 W. Persimmon Ave. Applicant is Charlie Guy.

Public Hearing:

Chairman Abrams stated a letter was received regarding the request. He asked if there were any members of the public to speak on the item.

Mr. Bill Bruton resident of 1101 N. Oak St. stated his property is contiguous to this property. He explained he has sent several pictures to staff showing the flooding on the property. He stated the two lots are not a problem. The problem is any time it rains there is 3' of water on the property. He explained that to approve the subdivision would be the wrong thing to do without a detailed engineer report showing what will happen to all the water that is currently going onto this property.

Mrs. JaNay Dawson resident of 420 W. Satsuma Ave. explained she has lived in the area for 33 years. She stated the property doesn't just have standing water but has over flowing water which

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

10

Page 4 of 8

has caused road closures. She explained not too long ago the culvert on Section Ave. collapsed due to the flooding. She stated her property and this property are not currently in a flood zone. She explained if this property is built up and the water has nowhere to go they will become a flood zone which will require them to have flood insurance. She stated she understands certain requirements have to be met. She asked when it becomes a requirement to look at the impacts it will have on the citizens. She asked when the citizens get protect as much as the applicant.

Mr. Wayne Hollis resident of W. 412 Satsuma Ave. stated this property is 4 to 6' below the sea level. He explained he is not sure how much fill it will take to bring up to a buildable level. He stated they will remove all the trees currently on the property.

Mr. Marvin York stated he has lived in the area for 20 years and has been through many storms. He explained the water has come inches from coming into his home. He stated he understands development but not unmanaged growth. He explained he has complained about the drainage which has been unresolved. He asked how this will affect the surrounding properties if it gets built up. He explained there is currently nowhere for the water to go. He stated until the drainage issue in the area is addressed the request needs to be denied.

Mr. Danny McHenry resident of 1105 N. Oak St explained he has lived in the area for a year and has already seen the drainage issues. He stated the water comes up into his back yard and is close to coming into his home. He explained if anything is built on the lot it will make the issues worse.

Chairman Abrams closed the public hearing.

Mrs. Boone stated as requested by staff the applicant has provided a drainage analysis for the lot and minimum pad elevations.

Mr. Wayne Dyess stated the Commissioners have heard a lot of testimony tonight regarding the citizens' concerns. He explained he feels it is a reasonable approach to request additional information on the offsite impacts on adjacent properties. He stated the Commission and City is to look at the public's health, safety and welfare. He stated if the Commission feels the testimony is accurate and credible he thinks it is a reasonable approach for the item to require additional review.

Mr. Charlie Guy explained he understands the comments. He stated the lot is twice as big as required for the zone. He explained he is wanting to subdivide the 1.3 acre lot into two buildable lots. He stated he is not a builder and purchased the property as an investment. He explained there is a common drainage issue in the area. He asked if it would be the property owner's responsibility to correct the current drainage issue.

Mr. Dyess stated more information is needed in regards to the impacts on the surrounding properties if this lot is built up.

Mr. Chad Christian stated the applicant did provide pad elevations for the new structure. He explained more detail is needed to show the effects the elevation will have on surrounding properties.

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

11
Page 5 of 8

Chairman Abrams stated he doesn't have an issue with the subdivision; the issue is the loads of dirt that will be brought in and additional water on the surrounding area.

Commissioner Engel stated he has no issue with the lot sizes. He stated the drainage in the area is a mess.

Mr. Guy asked if the city would look into correcting the drainage issue.

Mr. Dyess stated the analysis cost would be borne by the applicant developing the property and the applicant would be responsible for the fees.

Mr. Guy requested the item be carried over.

Planning Commission Action:

The Planning Commissioners accepted the request to carry the item over.

8. Riviera Plaza Division 1- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Riviera Plaza Division 1 which consists of 16.32 +/- acres and 2 lots. Property is located E. of S. McKenzie St. and S. of County Rd. 20. Applicant is Stacey Ryals.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone stated a memo was provided from staff stating the final plat can be signed once adequate utilities are provided and the road is completed and open to the public.

Mr. Christian stated the current sewer is inadequate for future development. He explained the City is in the process of building the road. He stated staff is ok with a conditional approval and the plat will not be signed until the road and utilities are in place.

Commissioner Hare made a motion to approve the requested preliminary contingent upon the road and utilities being in place. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary contingent upon the road and utilities being in place passes.

9. *Scurlock Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of Scurlock Subdivision a minor subdivision which consists of 5 +/- acres and 4 lots. Property is located W. of Nall Rd. and N. of County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Weygand Wilson Surveying.

Public Hearing:

Note: *Denotes property located in the Planning Jurisdiction

12

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

Page 6 of 8

Mr. Jim Coleman stated he is representing Amy and Gregory Campbell. He explained a lawsuit has been filed in Baldwin County with the complaint that the presented lots are subject to covenants and restrictions that would prevent the requested subdivision. The lawsuit was filed a month ago and Mr. Scurlock has been served notice. He stated he has communicated with the city by letter and spoken with the city attorney Casey Pipes in regards to the suit. He explained there are deed restrictions placed on the property that prevent the applicant from doing what is being requested. He stated he would like to ask the Commission to deny the application or at least delay it until the lawsuit reaches some kind of resolution. He explained if the request is approved they will have to file a temporary restraining order and injunctive relief which is inefficient and a waste of resources. He stated at this time they are awaiting drainage information regarding water being directed onto the Campbell's property. He explained based on the information they receive from the drainage information the complaint may be amending the suite to include trespassing of diverted water. He stated they are asking the Commission to delay or deny the request due to the case pending in circuit court.

Mr. Dyess explained he has spoken with Mrs. Campbell several times in regards to the offsite drainage and driveway location and intersection concerns. He stated the covenants and deed restrictions are outside of the city's authority. He explained based on the property and topography it is a low area. He stated based on the comments he has received from neighboring properties additional review may be necessary to ensure it will not cause any off site impact on neighboring properties. He explained additional information can be requested.

Chairman Abrams asked if anyone was present to represent the applicant or item. There was no one present.

Mr. Dyess stated the Planning Commission has to take action on the item within 30 days

Mr. Coleman stated if necessary they can request the item to be moved up on the Circuit Court docket.

A resident stated he lives on Macbeth Ln. and is not involved with the item but feels the item needs to be denied until the applicant can get his stuff together. He explained since the applicant did not have the common sense to show up at the meeting it needs to be denied.

Planning Commission Action:

Commissioner Engel made a motion to deny the requested minor subdivision. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to deny the requested minor subdivision passes.

10. Keystone Subdivision Phase 1- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Keystone Subdivision Phase 1 which consists of 121.79 +/- acres and 88 lots. Property is located S. of US Hwy 98 and W. of Venice Blvd. Applicant is Jade Consulting, LLC.

Public Hearing:

Note: *Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

Page 7 of 8

Mr. Ted Johnson resident of 12289 Venice Blvd. stated he is a HomeOwners Association board member and property owner. He thanked the city and applicant for their cooperation with the development. He stated there have been several very beneficial meetings held. He explained they are ok with the plan other than one exception that was not previously presented. He stated the small retention area on the east side was not shown on the previous plan. He explained there was to be a 50' buffer on the entire east side of the property line. He stated the retention area is being shown in the 50' buffer area and would require removal of trees. He explained this would place the retention area up against the neighboring properties. He stated if the small pond is moved 50' to the west the plan will be in compliance.

A resident stated he lives on County Rd. 26 and is concerned about the impacts of the runoff water and increased traffic. He explained the school traffic has the road backed up for 45 minutes to an hour. He stated the traffic problems hinder the roads needed for evacuation routes. He explained there are constant accidents at the intersection.

Ms. Sam Meyers resident of 11807 Venice Blvd. stated she has lived in her residence for two years. She explained she bought the property knowing there were issues with the river and it was going to be repaired. She stated she is nervous the river is going to back up further and cause several of them to flood again.

A resident asked if the proposed roads would be tied into the roads within Plantation at Magnolia River or just used for emergency access as previously discussed.

Ms. Toche resident of 11836 Venice Blvd. asked for information regarding the builder and proposed home sizes. She asked if there would be any construction traffic coming through the Plantation at Magnolia River subdivision.

Mr. Bob Christopher stated he has concerns in regards to the retention pond location and clearing out all the trees in the required buffer area. He asked where all the runoff water will be going. He stated he is going to take legal action against the city if his property floods or is devalued.

Planning Commission Action:

Mr. Trey Jinright with Jade Consulting stated the road between the development and Plantation and Magnolia River will be gated with a Knox box and used for emergency access only and no construction vehicles. He explained they will move the slope and entire pond 50' in order to preserve the buffer area as requested. He stated approximately 49 acres of the development has been dedicated into a conservation easement.

Ms. Meyers asked about the status of the river repairs.

Mr. Dyess stated the city cannot do anything with the river since it is outside of the city of Foley's corporate limits.

Mrs. Boone stated the land disturbance permit is ready to be issued and staff is recommending approval.

**PLANNING COMMISSION
MEETING MINUTES NOVEMBER 8, 2023
(Council Chambers of City Hall) 5:30 P.M.**

14

Page 8 of 8

Commissioner Hare made a motion to approve the request preliminary. Commissioner Gebhart seconded the motion.

Commissioner Engel stated during the zoning process he had some reservation in regards to the lot sizes. He explained the current lots in the area are larger.

Mr. Jinright stated he would like to point out the request is matching the previously approved zoning plan.

Commissioner Gebhart stated he appreciates the applicant working with the neighboring residence in regards to the location of the pond and preserving the trees and buffer area.

Commissioner Engel voted nay. All other Commissioners voted aye.

Motion to approve the requested preliminary passes.

11. 2024 Meeting and Deadline Calendar

Commissioner Abrams made a motion to approve the 2024 meeting and deadline calendar. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the 2024 meeting and deadline calendar passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:49 p.m.



PLANNING COMMISSION JOINT STAFF REPORT: December 2023

15

STAFF RECOMMENDATION: Approve
PROJECT NAME: WEST LAUREL AVENUE APARTMENTS-SITE PLAN EXTENSION
REQUEST: Application for 1 year extension

OWNER / APPLICANT: Courtney Harris

ACREAGE: 1.93

NUMBER OF LOTS:

PIN#(s): 19105

LOCATION: 524 W LAUREL AVE

PROJECT DESCRIPTION: WEST LAUREL AVENUE APARTMENTS-SITE PLAN EXTENSION

CURRENT ZONING: B-2

REQUESTED ZONING: N/A

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

FUTURE LAND USE: RCC- Retail Commercial Concentration

EXISTING LAND USE: Vacant



UTILITY LETTERS RECEIVED: No
 DEED RECEIVED: No
 AGENT AUTHORIZATION: Yes

16

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. The LDP has been issued, ALDOT has approved the turnout & the Building permit is in process.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering is not opposed to the site plan extension request

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Environmental concedes to the site plan extension as work on the site has already begun, provided best management practices are maintained until construction resumes.

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

1. Not opposed.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. Building/FPM in favor of extension



17

November 15, 2023

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

Attn: Melissa Ringler

Re: Site Plan Extension – West Laurel Avenue Apartments

Dear Mrs. Ringler,

West Laurel Avenue Apartments received site plan approval on 01/19/2022. We submitted and have received the ALDOT Turnout Permit along with the City of Foley Land Disturbance Permit . The Site work began and paused to let building permits be acquired.

It's my understanding that the building plans have been submitted to the buiding department and the owner is working through addressing building plan comments. The owner would like to request an extension for this project to finalize building permits and resume project construction.

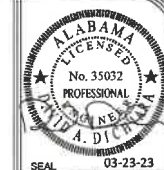
Should you have any questions please don't hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Dichiara".

David Dichiara, PE

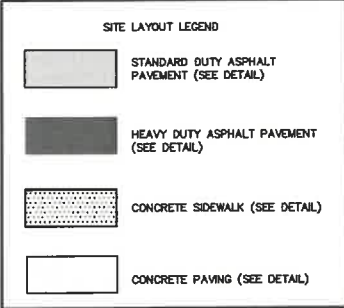
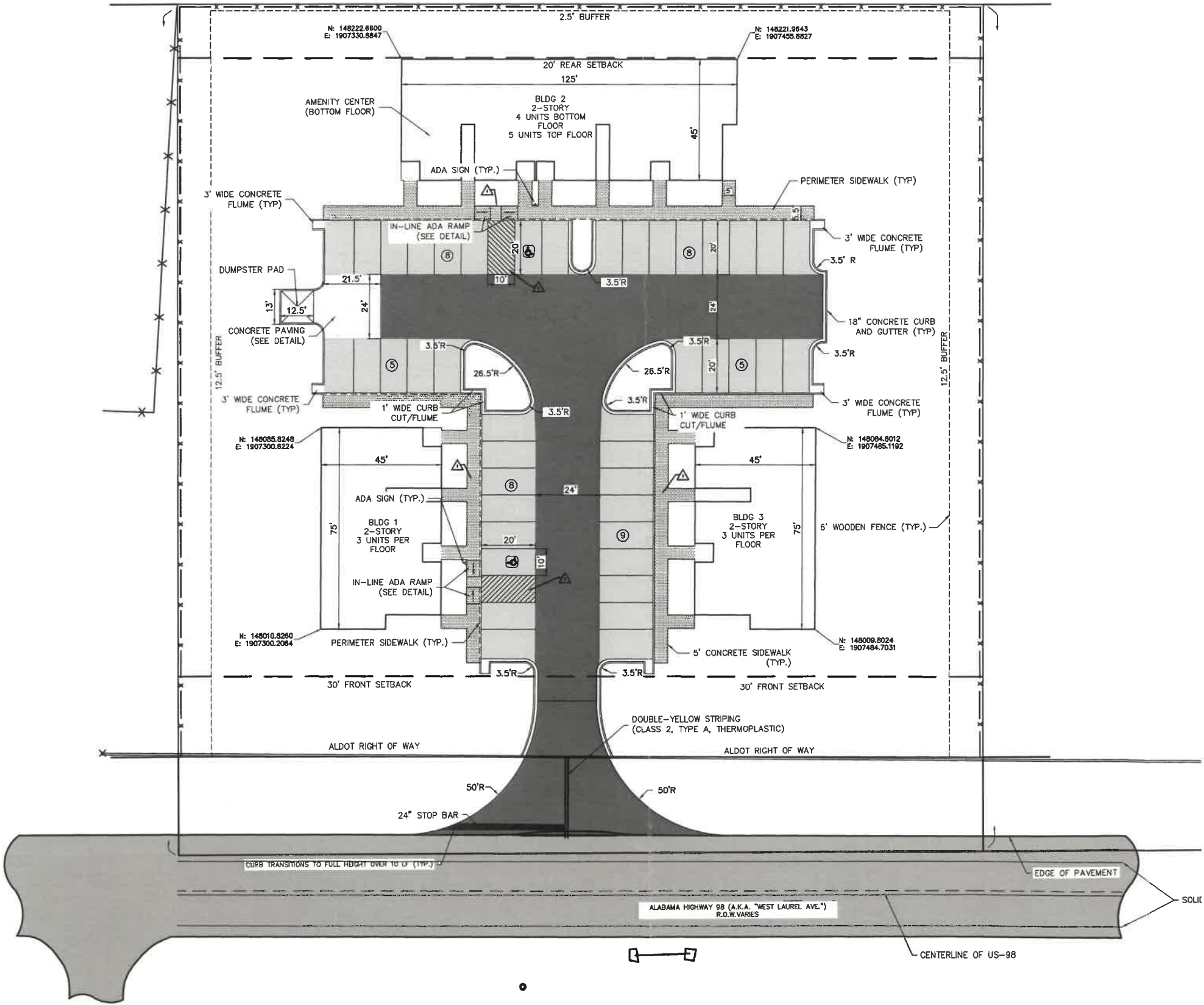
Engineering Design Group



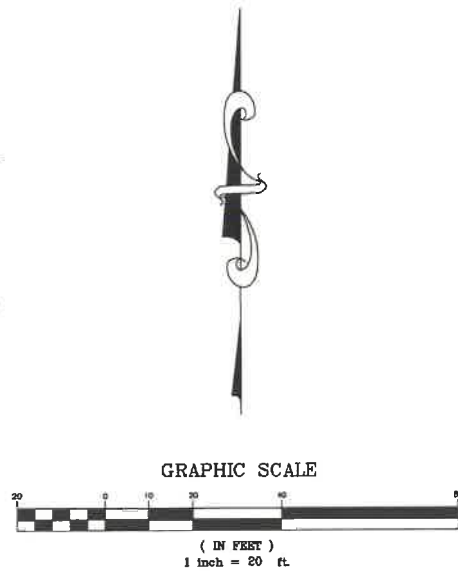
18

SITE DATA TABLE:

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



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



PROJECT LOCATION: FOLEY, ALABAMA

PROJECT: WEST LAUREL AVENUE APARTMENTS

ISSUED FOR CONSTRUCTION

REVISIONS:

REV 1:	SIDEWALK AND ADA PARKING REVISION	03-23-23
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DRAWN BY: AGI

CHECKED BY: DAD

PROJECT NO.: F. WATER003

CAD FILE: SITE LAYOUT PLANDWG

DATE: March 23, 2023

EDG ENGINEERING

ENGINEERING DESIGN GROUP, LLC

FOLEY, ALA

1351 944-8960

1351 403-9158

www.edgengineers.com

SHEET NO. C2.0



PLANNING COMMISSION JOINT STAFF REPORT: December 2023

STAFF RECOMMENDATION: Approve
PROJECT NAME: Bedsole Moseley Subdivision- 2 Lot Subdivision
REQUEST: Subdivision

OWNER / APPLICANT: Engineering Design Group

ACREAGE: 38.11

NUMBER OF LOTS: 2

PIN#(s): 30440

LOCATION:

PROJECT DESCRIPTION: Bedsole Moseley Subdivision- 2 Lot Subdivision

CURRENT ZONING: Unzoned BC

REQUESTED ZONING: N/A

ADJACENT ZONING: Unzoned BC

FUTURE LAND USE: RR- Rural Residential

EXISTING LAND USE: Vacant



UTILITY LETTERS
RECEIVED: Yes
DEED RECEIVED: Yes
AGENT AUTHORIZATION: Yes

20

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. This is outside the city limits in unzoned Baldwin County.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. We concur with Riviera Utilities Sewer Service and will disregard the Baldwin County Sewer Service letter.

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Not opposed.

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

1. Not opposed.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. Not opposed.

CERTIFICATE OF OWNERSHIP AND DEDICATION
STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED IN THE PLAT THAT I (WE) HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS AND DEDICATE STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACE TO PUBLIC OR PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT

DATED THIS ____ DAY OF _____, 2023.

NELSON BEDSOLE MOSELEY FAMILY LIMITED PARTNERSHIP
2253 PRUITT RD
LEROY, AL 36548

CERTIFICATE OF APPROVAL BY NOTARY PUBLIC
STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT _____ (OWNERS NAME) WHOS NAME IS SIGNED TO THE FOREGOING INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL.

THIS ____ DAY OF _____, 2023.

SIGNATURE OF NOTARY PUBLIC

CERTIFICATE OF APPROVAL BY THE CITY ENGINEER
THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

SIGNED THIS ____ DAY OF _____, 2023.

CITY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION
THE WITHIN PLAT RESUBDIVISION OF LOT 1 FOLEY CROSSROADS SUBDIVISION, FOLEY, ALABAMA IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION THIS THE ____ DAY OF _____, 2023.

CITY PLANNING COMMISSION CHAIRMAN

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (GAS)
THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2023.

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (WATER)
THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2023.

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY BALDWIN ELECTRIC (ELECTRIC)
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN ELECTRIC, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2023.

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (SEWER)
THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2023.

AUTHORIZED SIGNATURE

CERTIFICATE OF APPROVAL BY BRIGHTSPEED COMMUNICATIONS
THE UNDERSIGNED, AS AUTHORIZED BY CENTURYLINK COMMUNICATIONS, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE ____ DAY OF _____, 2023.

AUTHORIZED SIGNATURE

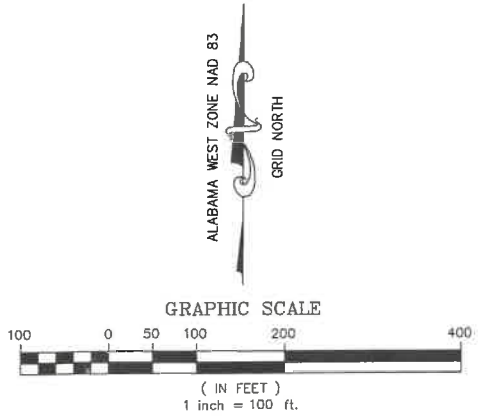
CERTIFICATE OF APPROVAL BY E-911 GIS/ADDRESSING
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS ____ DAY OF _____, 2023.

AUTHORIZED REPRESENTATIVE

BEDSOLE MOSELEY SUBDIVISION

SITUATED IN SECTION 14,
TOWNSHIP 7 SOUTH, RANGE 3 EAST,
BALDWIN COUNTY, ALABAMA

21



OWNER/DEVELOPER:
NELSON BEDSOLE MOSELEY
FAMILY LIMITED PARTNERSHIP
2253 PRUITT RD
LEROY, AL 36548
PROPERTY ADDRESS:
UNDERWOOD RD
FOLEY, AL 36535

SITE DATA:
Parcel ID: 55-06-14-0-000-011,000
PIN: 30440
Total Acres: 38.11
Zoning: Unzoned
Planning District: 11
Total Lots: 2
Smallest Lot: 6.07 AC
Largest Lot: 32.04 AC
Streets: Existing
Building Setbacks As shown Hereon

UTILITY PROVIDERS:
WATER: RIVIERA WATER
SEWER: RIVIERA UTILITIES
POWER: BALDWIN COUNTY ELECTRIC
GAS: RIVIERA GAS
TELECOMMUNICATIONS: BRIGHTSPEED
COMMUNICATIONS

* NOTE: BALDWIN COUNTY WILL NOT
BE RESPONSIBLE FOR MAINTAINING
ANY DRAINAGE EASEMENTS OR
ANY COMMON AREAS OF DRAINAGE.

LEGEND

- IPF- IRON PIN FOUND
- IPS- IRON PIN SET (EDG)
- ⊙ SECTION CORNER

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

SIGNED THIS ____ DAY OF _____, 2023

COUNTY ENGINEER

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING DIRECTOR

THE UNDERSIGNED, AS BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF

BALDWIN COUNTY, ALABAMA THIS ____ DAY OF _____

2023, ____ PLANNING DIRECTOR

BALDWIN COUNTY NOTE:

THIS DIVISION LIES WITHIN AN AREA WHERE THE MUNICIPAL PLANNING COMMISSION EXERCISES EXCLUSIVE JURISDICTION OVER THE REVIEW AND APPROVAL OF SUBDIVISIONS. THIS SUBDIVISION HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH THE BALDWIN COUNTY SUBDIVISION REGULATIONS. THE PROVISIONS OF ALABAMA CODE SECTION 45-2-261.17 SHALL NOT APPLY TO THIS SUBDIVISION.

NOTES:

- BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA (COMMUNITY PANEL 01003C0815M, EFFECTIVE DATE APRIL 19, 2019), THIS SITE LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
- ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON.
- CONTOURS AND ELEVATIONS WERE OBTAINED FROM BALDWIN COUNTY GIS.
- ZONING: THIS SITE IS ZONED FOR UNZONED BALDWIN COUNTY AND IS SUBJECT TO CHANGE.

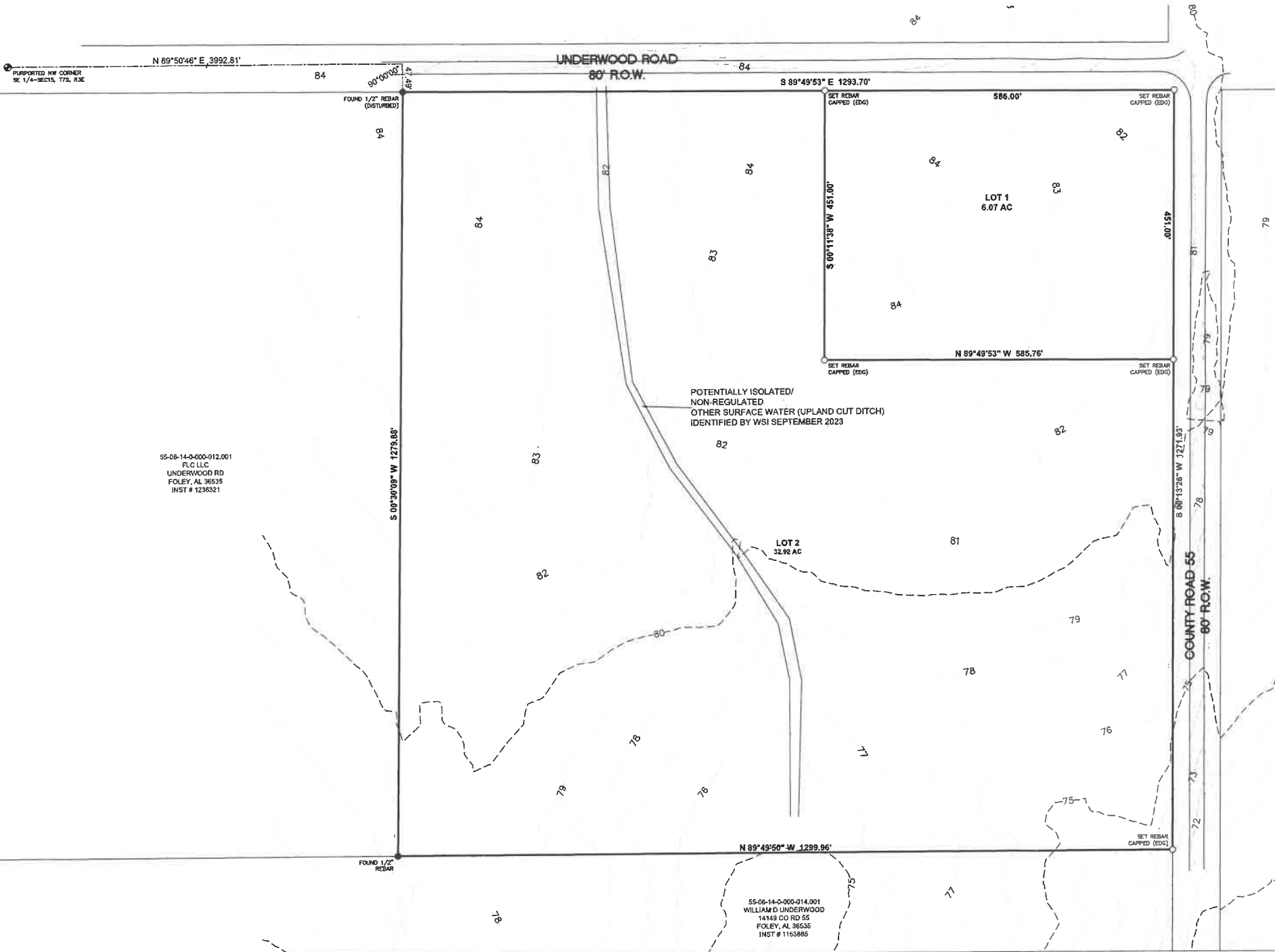
DESCRIPTION (REAL 380, PAGE 1218):

THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

SURVEYOR:

B. Craig Johnson
B. CRAIG JOHNSON
ALABAMA LICENSE NO. 23004
DATE: November 2, 2023



DATE

REVISIONS

DRAWN BY: JAT

CHECKED BY: MAJ

PROJECT No.: F_THAME0005

DATE: November 2, 2023

SCALE: 1" = 100'

BEDSOLE MOSELEY

SUBDIVISION

1000 E. LAUREL AVENUE (FOLEY)
FOLEY, AL 36535
(251) 943-8960

EDG
ENGINEERING DESIGN GROUP, LLC
CIVIL ENGINEERING • LAND SURVEYING
(2025) 403-9165

SHEET NO.

1 OF 1



PLANNING COMMISSION JOINT STAFF REPORT: December 2023

22

STAFF RECOMMENDATION: Approve
PROJECT NAME: Resub of Lot 1B & the replat of Lot 7 of the replat of Woerner's two lots
REQUEST: Subdivision

OWNER / APPLICANT: GMC Daphne

ACREAGE: 35.69

NUMBER OF LOTS: 3

PIN#(s): 621257, 621258

LOCATION: E of S McKenzie St, N of Juniper St Extension

PROJECT DESCRIPTION: Resub of Lot 1B & the replat of Lot 7 of the replat of Woerner's two lots

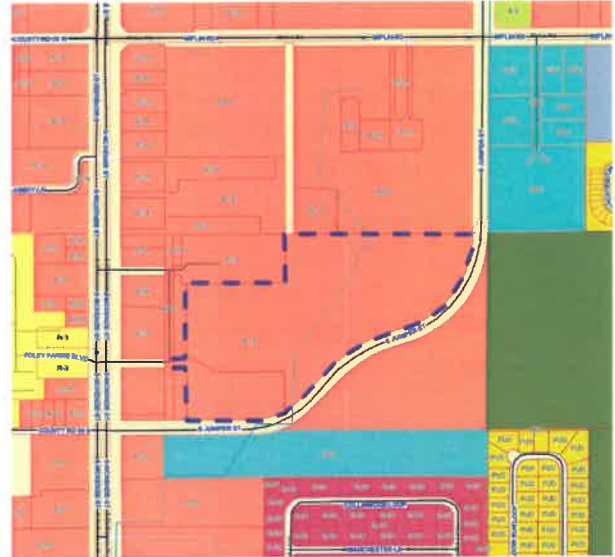
CURRENT ZONING: B-1A

REQUESTED ZONING: N/A

ADJACENT ZONING: B-1A, PDD AND AO

FUTURE LAND USE: RCC- Retail Commercial Concentration

EXISTING LAND USE: Vacant



23

**UTILITY LETTERS
RECEIVED:** Yes
DEED RECEIVED: Yes
AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. These lots meet/exceed the B-1A zoning designation.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. The City is building the frontage road for the proposed rear lots.

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. Not Opposed

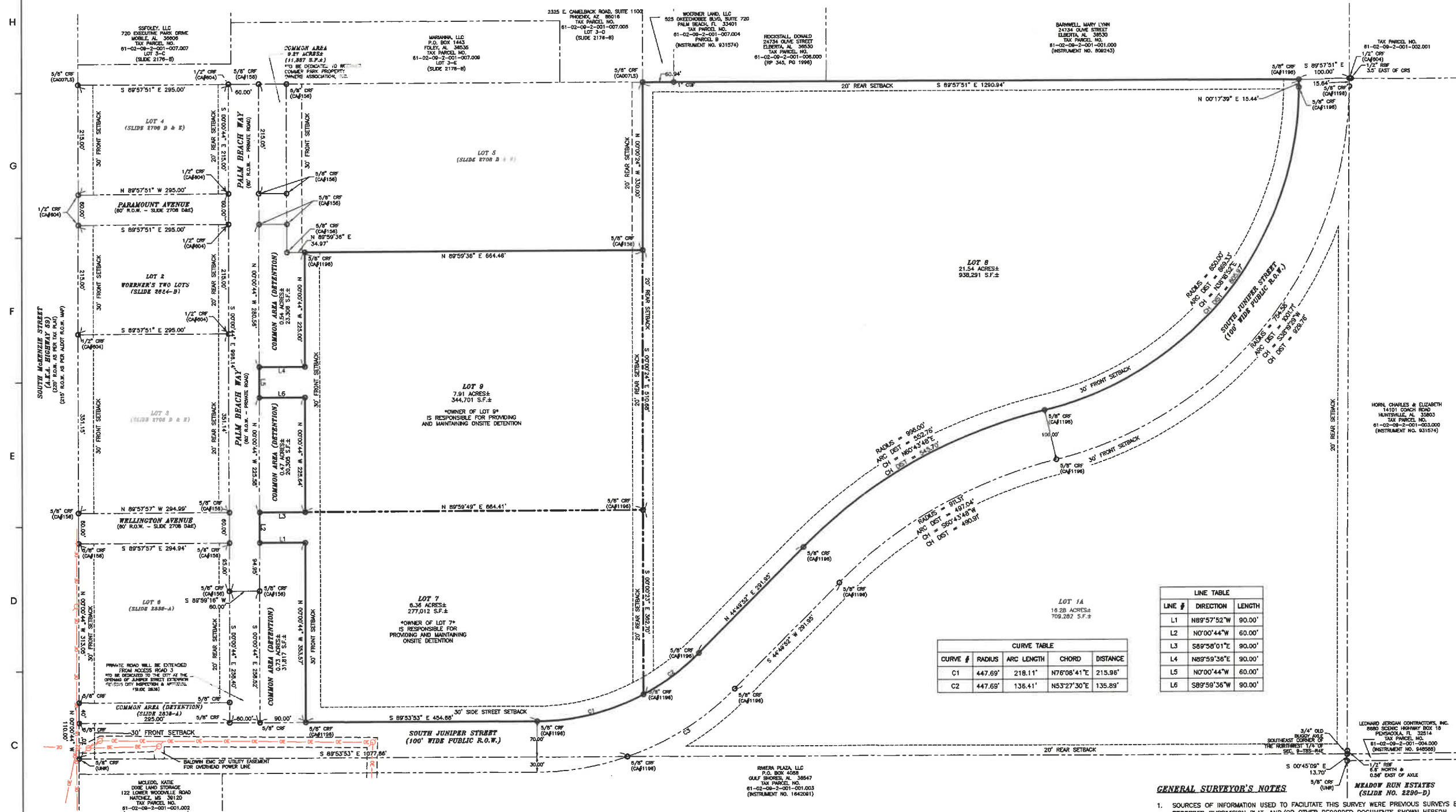
Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

1. Fire is not opposed to resub and replat. Fire will require review of utility plan and access.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. Not opposed.

THE RESUBDIVISION OF LOT 1B AND THE REPLAT OF LOT 7 OF THE REPLAT OF WOERNER'S TWO LOTS



CURVE #	RADIUS	ARC LENGTH	CHORD	DISTANCE
C1	447.69'	218.11'	N76°08'41"E	215.96'
C2	447.69'	136.41'	N53°27'30"E	135.89'

LINE #	DIRECTION	LENGTH
L1	N89°57'52"W	90.00'
L2	N0°00'44"W	60.00'
L3	S89°58'01"E	90.00'
L4	N89°59'36"E	90.00'
L5	N0°00'44"W	60.00'
L6	S89°59'36"E	90.00'

GENERAL SURVEYOR'S NOTES

- SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS, THE RECORDED SUBDIVISION PLAT, AND/OR OTHER RECORDED DOCUMENTS SHOWN HEREON.
- ADJUT. R.O.W. MAP IS REFERENCED FROM PROJECT NO. S-434-4 & S-0222(102 & 103)
- NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
- ALL BEARINGS ARE BASED ON NORTH AMERICAN DATUM 1983, ALABAMA WEST ZONE; STATE PLANE GRID NORTH; DERIVED BY GLOBAL POSITIONING SYSTEM OBSERVATION; ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARD FEET. BEARINGS AND DISTANCES SHOWN ARE ACTUAL AND MATCH THE PLATTED DIMENSIONS REFERENCED TO EACH RECORDED SLIDE.
- THE SURVEYED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 01003C0931M WITH A REVISED DATE OF IDENTIFICATION OF APRIL 19, 2019, FOR COUNTY OF BALDWIN COUNTY, STATE OF ALABAMA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
- THIS IS A BOUNDARY SURVEY.
- THE SURVEYED PROPERTY LIES WITHIN SECTION 9, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.

LEGAL DESCRIPTION

LOT 1B OF THE RESUBDIVISION OF LOT 1 OF THE REPLAT OF WOERNER'S TWO LOTS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2838 A & B IN THE OFFICE OF THE JUDGE OF PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, AND, LOT 7 OF THE RESUBDIVISION OF LOT 1 OF THE REPLAT OF WOERNER'S TWO LOTS, AS SHOWN ON PLAT THEREOF RECORDED ON SLIDE 2888 D & E IN THE OFFICE OF THE JUDGE OF PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

SURVEYOR'S CERTIFICATION

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STUART L. SMITH, PLS
ALABAMA LICENSE NUMBER 27403

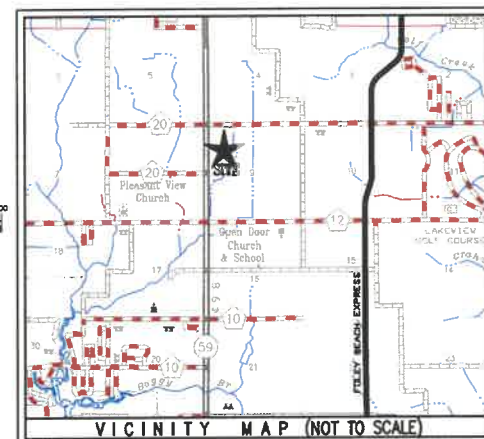
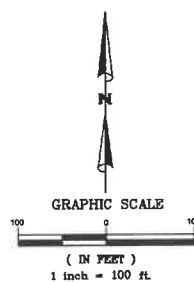
DATE

*DRAWING IS INVALID WITHOUT SIGNATURE & SEAL OF A LICENSED LAND SURVEYOR

LEGEND

P.O.B. POINT OF BEGINNING
(A) ACTUAL
(R) RECORD DEED (INSTRUMENT NO. 931574)
(R1) RECORD DEED (INSTRUMENT NO. 809243)
(R2) RECORD DEED (RP 345, PD 1996)
(P) PLAT DIMENSION FROM SLIDE 2176-B
(TF) OPEN TOP IRON PIPE FOUND
(TF) CRIMP TOP IRON PIPE FOUND
(CR) CAPPED REBAR FOUND
(RFB) 1/2" REBAR FOUND
(CRS) 5/8" CAPPED REBAR SET STAMPED CA#1196
(CMF) CONCRETE MONUMENT FOUND
(CMS) CONCRETE MONUMENT SET
(LS) LICENSED PROFESSIONAL SURVEYOR'S NUMBER
(CA#) CERTIFICATE OF AUTHORIZATION NUMBER
(DIST) DISTURBED
(REF) REFERENCE CORNER SET ON LINE
(UNR) UNREDACTED
(INST) INSTRUMENT NUMBER
(SECT) SECTION
(T) TOWNSHIP
(R) RANGE
(C) POWER POLE
(G) GUY WIRE
(R/W) RIGHT-OF-WAY
(R.O.W.) RIGHT-OF-WAY
(S) SIGN
(E) TELEPHONE PEDESTAL
(E) ELECTRIC METER BOX
(A/C) AIR CONDITIONER
(J) JUNCTION BOX (VAULT)
(EL) ELEVATION
(INV) INVERT
*ALL LOT CORNERS ARE 5/8" REBAR SET WITH CAPS STAMPED CA#1196 UNLESS OTHERWISE STATED.

TELEPHONE BOX (VAULT)
WATER METER
SANITARY SEWER VALVE
WATER VALVE
GAS VALVE
TRANSFORMER BOX
LIGHT POLE
CABLE TV BOX
ELECTRIC BOX
ELECTRIC PANEL
IRRIGATION CONTROL VALVE
SANITARY SEWER MANHOLE
STORM DRAIN MANHOLE
SEWER CLEANOUT
SEWER GROUND PUMP
GREASE TRAP
FLAG POLE
GAS LINE SIGN MARKER
TELEPHONE SIGN MARKER
WATERLINE MARKER
FIBER OPTIC LINE MARKER
(EX) EXCEPTION
(-)- UNDERGROUND FIBER OPTIC LINE
(-)- OVERHEAD ELECTRIC
(-)- BURIED ELECTRIC LINE
(-)- UNDERGROUND TELEPHONE LINE
(-)- UNDERGROUND SEWER LINE
(-)- UNDERGROUND WATERLINE
(-)- UNDERGROUND GAS LINE
(-)- UNDERGROUND TELEVISION
(-)- SPOT GRADE ELEVATIONS
(-)- CORRUGATED METAL PIPE
(-)- REINFORCED CONCRETE PIPE
(-)- CORRUGATED PLASTIC PIPE



OWNER/DEVELOPER
WOERNER LAND, LLC
275 SW 3RD AVENUE
SOUTH BAY, FL 33493

SURVEYOR
STUART L. SMITH
AL. LICENSE NO. 27403

SITE DATA
TAX PARCEL NO.
61-02-09-2-001-007.022
61-02-09-2-001-007.023

TOTAL SITE AREA = 35.69 ACRES±
TOTAL NUMBER OF LOTS = 3 (LOT 7, 8 & 9)
SMALLEST LOT = 6.36 ACRES± (277,012 S.F.±)
LARGEST LOT = 21.54 ACRES± (938,291 S.F.±)

CITY OF FOLEY ZONING
B-1A NEIGHBORHOOD BUSINESS DISTRICT

ZONING REQUIREMENTS
• 30' FRONT SETBACK
• 20' REAR SETBACK
• ZERO SIDE SETBACK
• 30' SETBACK ALONG SIDE ABUTTING STREET
• 85' MAXIMUM HEIGHT REQUIREMENT
• MAXIMUM BUILDING AREA IS 50%

SPECIAL NOTES:

- ALL COMMON AREA (DETENTION) PARCELS ARE OWNED AND RESERVED BY THE DEVELOPER UNTIL SUCH TIME THE DEVELOPER DEDICATES OR CONVEYS ALL RIGHTS, ASSIGNMENTS AND MAINTENANCE OBLIGATIONS TO THE WOERNER COMMERCIAL PARK PROPERTY OWNER'S ASSOCIATION, INC.
- ALL UTILITIES WILL BE CONSTRUCTED UNDERGROUND.
- THERE IS DEDICATED HERewith A 10 FOOT UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHTS-OF-WAY.
- UNDERGROUND POWER - A 5 FOOT UTILITY EASEMENT ON EACH SIDE OF LOT AND COMMON AREA LINES, UNLESS OTHERWISE NOTED.

UTILITIES
POWER - BALDWIN EMC
SEWER - RIVIERA UTILITIES
WATER - RIVIERA UTILITIES
PHONE - BRIGHTSPEED

GMC
GOODWIN MILLS CAYWOOD, LLC

2701 1st Avenue S
Birmingham, AL 35233
T 205-879-4462
GMCNETWORK.COM

PRELIMINARY/FINAL PLAT

FOLEY, AL

GMC Project #
CMOB230094



THE RESUBDIVISION OF LOT 1B
AND THE REPLAT OF LOT 7
OF THE REPLAT OF
WOERNER'S TWO LOTS

PRELIMINARY/FINAL PLAT

Sheet 1 of 2

STATE OF ALABAMA
COUNTY OF BALDWIN

THIS IS TO CERTIFY THAT I (WE), THE UNDERSIGNED AM (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I (WE) HAVE CAUSED THE SAME TO BE SURVEYED AND SUBMITTED AS INDICATED HEREON, FOR THE PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS _____ DAY OF _____, 20____

WOERNER LAND, LLC
BY WOERNER MANAGEMENT, INC, IT'S MANAGER
BY
LESTER J. WOERNER, ITS PRESIDENT

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE
STATE OF ALABAMA, DO CERTIFY THAT _____ (OWNER'S NAME) WHOSE NAME IS
SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS
DAY THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR
AND AS THE ACT OF SAID PERSON OR CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20_____

NOTARY PUBLIC

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

CITY ENGINEER

THE WITHIN PLAT OF (SUBMISSION NAME), FOLEY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION, THIS THE _____ DAY OF _____, 20____.

CITY PLANNING COMMISSION CHAIRMAN

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 20____

(AUTHORIZED SIGNATURE)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 20____

(AUTHORIZED SIGNATURE)

THE UNDERSIGNED, AS AUTHORIZED BY RMRA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING
OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____ 20____

(AUTHORIZED SIGNATURE)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 20____

(AUTHORIZED SIGNATURE)

THE UNDERSIGNED, AS AUTHORIZED BY BRIGHTSPEED, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____, 20____

(AUTHORIZED SIGNATURE)

DRAWING FILE C:\PROGRA~1\Autodesk\AutoCAD 2014\Drawings\Drawing.dwg

25
GMC
GODDWIN MILLS CAYWOOD, LLC

2039 Main Street
Daphne, AL 36526
T 251.626.2626
GMCNETWORK.COM

ISSUE DATE	
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DRAWN BY:	RSK
CHECKED BY:	SLS

PRELIMINARY/FINAL PLAT

FOLEY, AL

GMC Project #
CMOB230094



THE RESUBDIVISION OF LOT 1B
AND THE REPLAT OF LOT 7
OF THE REPLAT OF
WOERNER'S TWO LOTS

PRELIMINARY/FINAL PLAT

sheet 2 of 2



PLANNING COMMISSION JOINT STAFF REPORT: December 2023

26

STAFF RECOMMENDATION: Approve
PROJECT NAME: Mills Annexation Initial Zoning
REQUEST: Initial Zoning of Property

OWNER / APPLICANT: The City of Foley

ACREAGE: 170

NUMBER OF LOTS:

PIN#(s):

LOCATION: N. of US Hwy. 98 and W. of County Rd. 65

PROJECT DESCRIPTION: Mills Annexation Initial Zoning

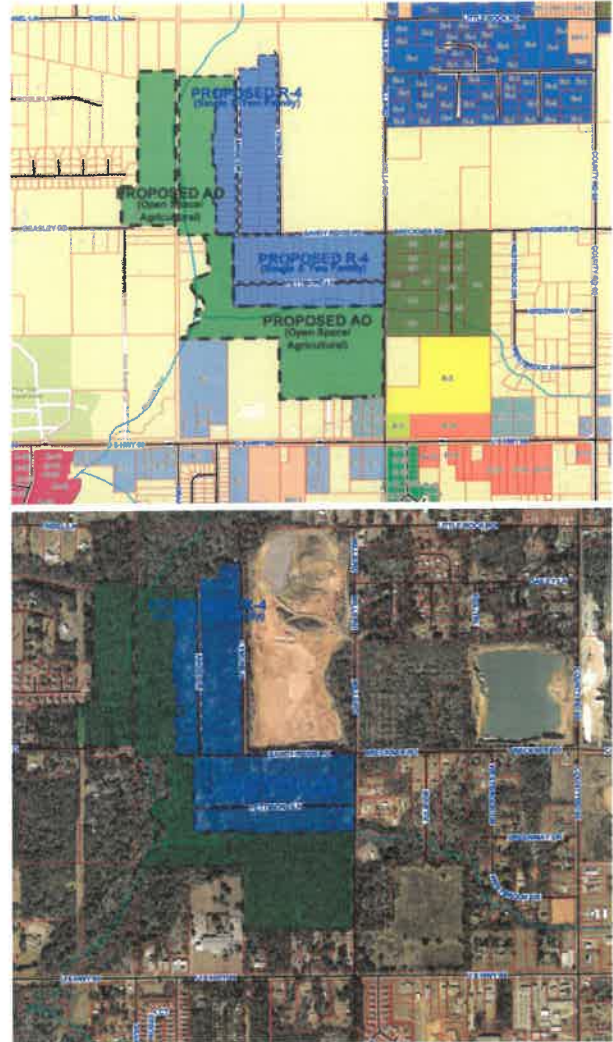
CURRENT ZONING: Unzoned BC

REQUESTED ZONING: R-4 and AO

ADJACENT ZONING: Unzoned BC

FUTURE LAND USE: RR- Rural Residential

EXISTING LAND USE: Residential and Vacant



UTILITY LETTERS
RECEIVED: No
DEED RECEIVED: No
AGENT AUTHORIZATION: No

an

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. We met with Mills Community Committee members & held a public meeting for the residents. They were in agreement on the R4 zoning for the platted lots, the larger lots are proposed AO.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering is not opposed to the initial zoning.

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. No issues with the initial zoning for annexed property.

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

1. Not opposed

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. FPM Note: Not opposed with the understanding that this annexation does contain some FEMA SFHA acreage

Proposed Mills Zoning

28



Zoned Parcels	B-3	PENDING	R-1B	R-3
AO	GPH-1	PID	R-1C	R-4
B-1	MH-1	PO	R-1D	TH-1
B-1A	M-1	PUD	R-1R	
B-2	PDD	R-1A	R-2	





PLANNING COMMISSION JOINT STAFF REPORT:

29

December 2023

STAFF RECOMMENDATION: Approve
PROJECT NAME: Mills Park Initial Zoning
REQUEST: Initial Zoning of Property

OWNER / APPLICANT: City of Foley

ACREAGE: 4

NUMBER OF LOTS: 1

PIN#(s): 622682

LOCATION: NE Corner of Mills Rd & Sandy Ridge Rd

PROJECT DESCRIPTION: Mills Park Initial Zoning

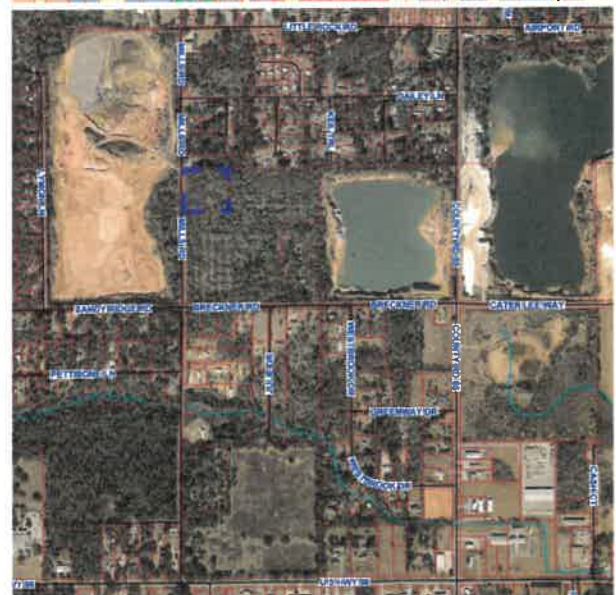
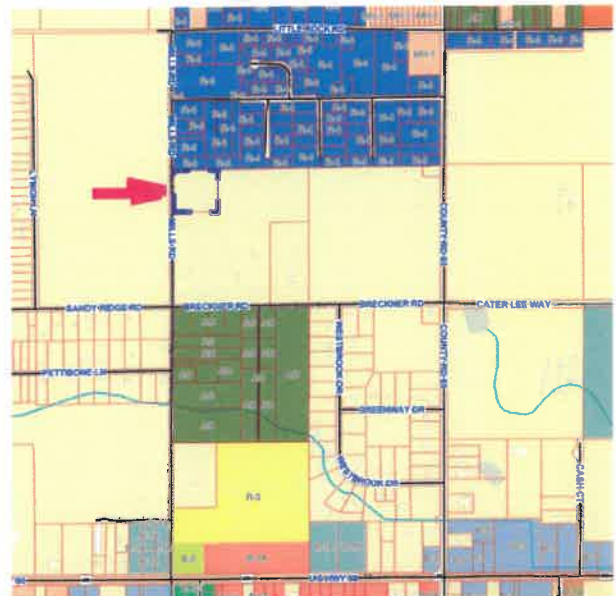
CURRENT ZONING: Unzoned BC

REQUESTED ZONING: OSP- Open Space/Preservation District

ADJACENT ZONING: R-4 & Unzoned BC

FUTURE LAND USE: RL- Residential Low Density

EXISTING LAND USE: vacant



UTILITY LETTERS
RECEIVED: No
DEED RECEIVED: No
AGENT AUTHORIZATION: No

36

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. This property will be used for a public Park for the Mills Community

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org cchristian@cityoffoley.org, Engineering
Review Status: Approved

1. Engineering is not opposed to the initial zoning.

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Approved

1. No issues with the initial zoning.

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

1. Not opposed.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. Not opposed

Live Oak Village Master Plan Revision

Community Health Systems is seeking a revision to the current Master Plan for the Live Oak Village subdivision in Foley, Alabama. Live Oak Village is an active adult (55+) community with an onsite Assisted Living Facility. The 148.5-acre subdivision is phased, and multiple phases have been constructed. Amenities include a community center with a state-of-the-art fitness center, walking trail, indoor pool, outdoor pool and spa, basketball and pickleball courts, a 2.5-acre pond, and two competition level horseshoe pits. There is an activity director staffed at the clubhouse providing residents with coordinated programming and fitness classes.

In the Master Plan revision, the following modifications are proposed:

- 93 Additional Townhome Units
- 32 Additional Apartment Units (4 8-units)
- 52 On-Site Climate Controlled Storage Units
- 23 On-Site Front Access Storage Units
- 26 lots for Patio Homes (verses 33 lots in current master plan)
- Sidewalks in future phases to be constructed by the builder at the time of home construction



PLANNING COMMISSION JOINT STAFF REPORT: December 2023

STAFF RECOMMENDATION: Denied
PROJECT NAME: Live Oak Village PUD Modification
REQUEST: PUD Modification

OWNER / APPLICANT: Carah Vuncannon

ACREAGE: 148.5 Acres

NUMBER OF LOTS:

PIN#(s): 23154

LOCATION: 300 VILLAGE SQUARE BLVD

PROJECT DESCRIPTION: Live Oak Village PUD Modification

CURRENT ZONING: PUD

REQUESTED ZONING: N/A

ADJACENT ZONING: M-1, R-3, R-1C, R-1B R-1D & AO

FUTURE LAND USE: RM- Residential Medium Density

EXISTING LAND USE: Gated Senior Living Community with homes, townhomes and apartments



34

UTILITY LETTERS RECEIVED: No
 DEED RECEIVED: Yes
 AGENT AUTHORIZATION: Yes

Reviewer: Miriam Boone, 251-952-4011, mboone@cityoffoley.org, Building Department
Review Status: Approved

1. The request is to add multi-family, townhomes & storage for the residents. The density would still be 2 less than the overall master plan approved density.

Reviewer: Engineering Team, 2519524021, tdavis@cityoffoley.org cchristian@cityoffoley.org, Engineering
Review Status: Denied

1. Significant concern regarding off-site water flow with respect to proposed layout;
2. Minimum 15' width common area is needed between Lots 5,6,7;
3. Non-accessible green space west of lots 14-22;
4. Lack of stormwater detention north of Lots 3-14 and west of Lots 15-22.

Reviewer: Angie Eckman, 251-923-4267 xt. 885, aeckman@cityoffoley.org, Environmental
Review Status: Under Review

1. What is the overall amount of open space?
2. Identify wetland/stream buffers.

Reviewer: Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department
Review Status: Approved

1. Not opposed.

Reviewer: Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department
Review Status: Approved

1. Not opposed

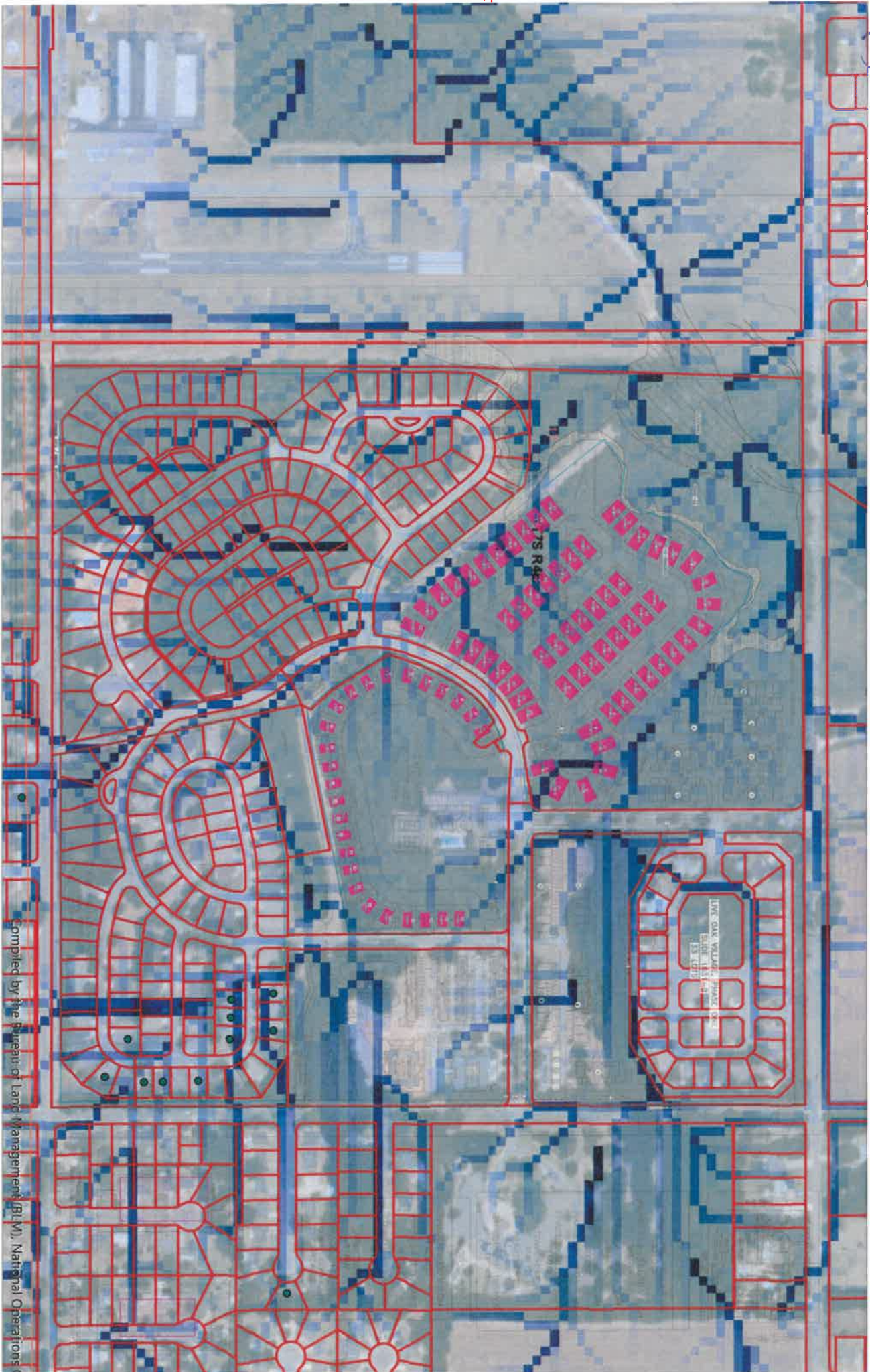
Live Oak Village Master Plan Revision

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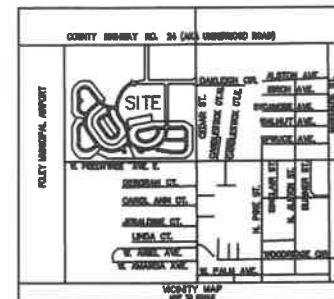
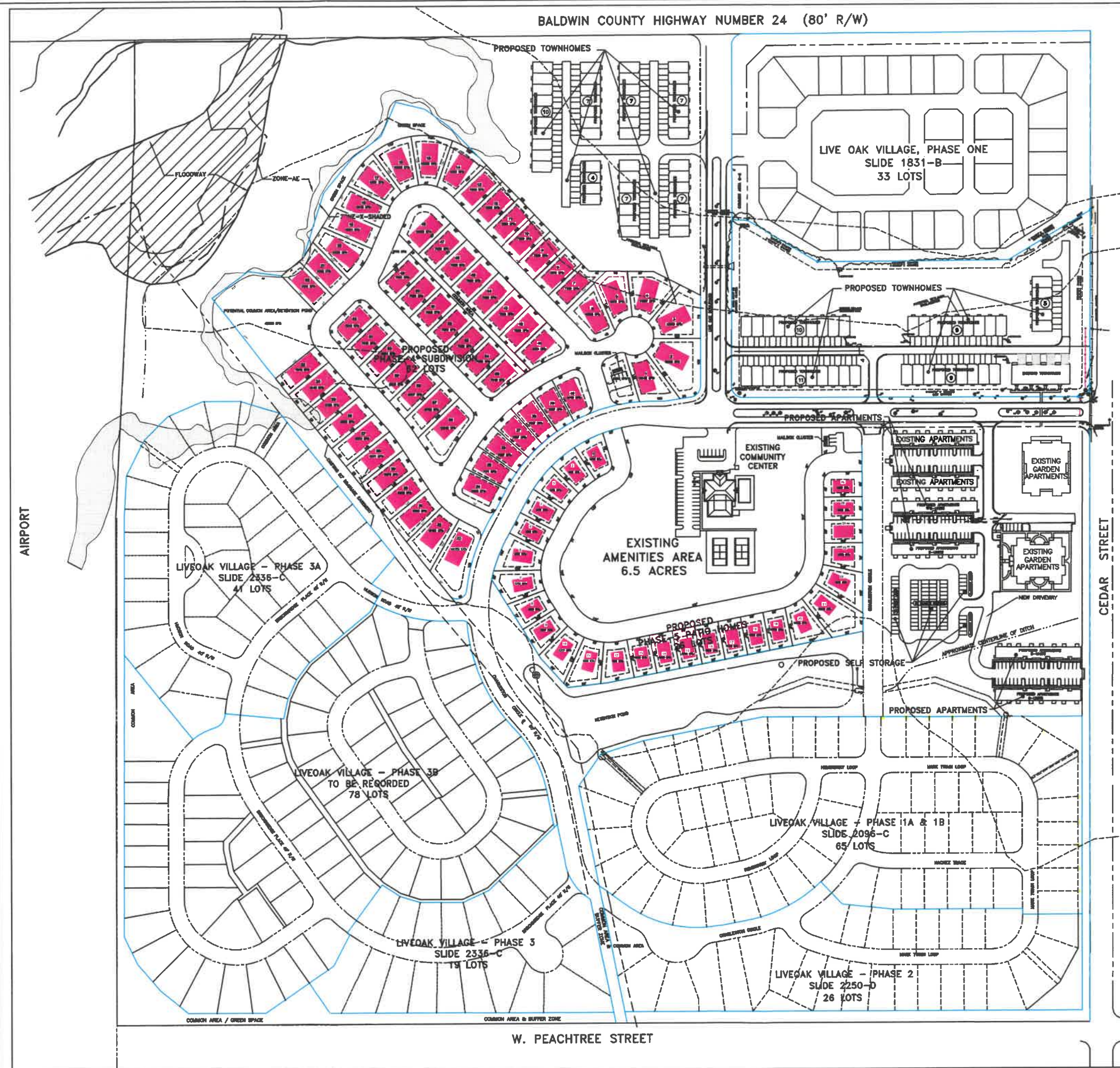
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36



37



EXISTING

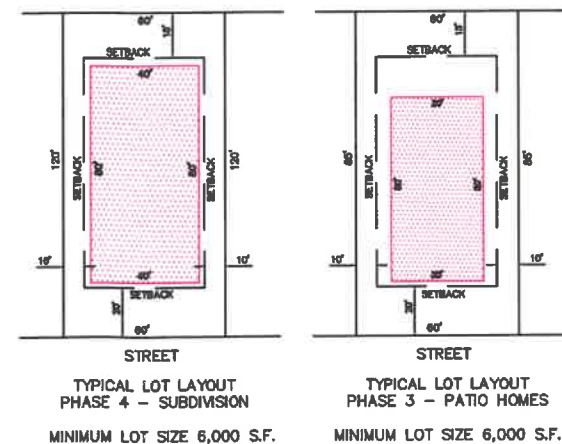
- PHASE ONE SUBDIVISION
33 LOTS
- PHASE 1A & 1B SUBDIVISION
65 LOTS
- PHASE 2 SUBDIVISION
26 LOTS
- PHASE 3 SUBDIVISION
19 LOTS
- PHASE 3A SUBDIVISION
41 LOTS
- PHASE 3B SUBDIVISION
78 LOTS
- TOWN HOMES
4 UNITS
- APARTMENTS
2 - 8 UNIT
- GARDEN APARTMENTS
2 - 12 UNIT

PROPOSED

- PHASE 4 SUBDIVISION
62 LOTS
- PHASE 5 PATIO HOMES
26 LOTS
- TOWN HOMES ADDED
93 UNITS
- APARTMENTS
4 - 8 UNIT
- STORAGE UNITS 10'x 20'
52 CLIMATE CONTROLLED
23 FRONT ACCESS

TOTAL ACREAGE= 148.5 ACRES

CURRENT ZONING REQUIREMENTS



3207 INTERNATIONAL DRIVE
MOBILE, ALABAMA
36606
PHONE: (251) 478-4720
FAX: (251) 478-4721

McCrory Williams
Engineers Surveyors

REVISED MASTER PLAN
LIVE OAK VILLAGE PHASE

PROJECT NO. - C2705-2011

REVISION	
DATE	COMMENTS
NO.	
DATE	COMMENTS
NO.	
DATE	COMMENTS
NO.	
DATE	COMMENTS
NO.	

DATE: 11/08/23

DRAWN BY: D.M.

SHEET NO.

PLANNING COMMISSION BY-LAWS

THE CITY OF FOLEY, ALABAMA

Article 1 – Authorization

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

Article II – Compensation

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

Article III – Officers

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

completed. In that event, a new Vice-Chairman shall be elected from among the Commission membership at the next regular meeting of the Commission.

Article IV – Administrative Staff

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

Article V – Meetings

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

may be verbal, a show of hands or, if requested by a Commission member, by roll call.

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

Article VI – Agenda

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

Article VII – Amendment

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

Article VII – Adoption

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