

**CITY OF FOLEY  
PLANNING COMMISSION**

**WORK SESSION  
March 13, 2024  
City Hall  
Council Chambers  
At 5:30 p.m.**

**&**

**MEETING  
March 20, 2024  
City Hall  
Council Chambers  
At 5:30 p.m.**

**PLANNING COMMISSION  
WORK SESSION AGENDA March 13, 2024  
&  
MEETING AGENDA March 20, 2024  
(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 March 13, 2024 at 5:30 p.m. and a meeting on March 20, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue.

**MINUTES:**

Approval of the February 14, 2024 and February 21, 2024 meeting minutes.

**AGENDA ITEMS:**

**1. Goodwill Gulf Coast – Site Plan Extension 6 months**

The City of Foley Planning Commission has received a 6 month site plan extension request for Goodwill Gulf Coast. Property is located at 200 E. Azalea Ave. Applicant is Piedmont Companies.

**Planning Commission Action:**

**2. CHS South Baldwin Ambulatory Surgery Center – Site Plan**

The City of Foley Planning Commission has received a request for site plan approval of CHS South Baldwin Ambulatory Surgery Center. Property is located at 1605 N. Alston St. Applicant is Gresham Smith.

**Planning Commission Action:**

**3. Hickory Street RV and Boat Storage – Site Plan**

The City of Foley Planning Commission has received a request for site plan approval of Hickory Street RV and Boat Storage. Property is located N. and E. of Fielding Park Dr. and W. of S. Hickory St. Applicant is Steve Rohal.

**Planning Commission Action:**

**4. Riviera and Minto Subdivision - Minor**

The City of Foley Planning Commission has received a request for approval of the Riviera and Minto Subdivision, a minor subdivision which consists of 2.24 +/- acres and 2 lots. Property is located at 198 County Rd. 20. Applicant is Sawgrass Consulting, LLC.

**Planning Commission Action:**

**5. Resubdivision of Lot 1B of Old Time Pottery Foley Subdivision - Minor**

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1B of Old Time Pottery Foley Subdivision 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.

**Public Hearing:**

Note: \*Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION  
WORK SESSION AGENDA March 13, 2024  
&  
MEETING AGENDA March 20, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

2

Page 2 of 2

**Planning Commission Action:****6. Hidden Meadows - Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 10 +/- acres. Property is currently zoned R-4 (Residential Single Family and Duplex). Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located E. of James Rd. and N. of County Rd. 12 S. Applicant is Lieb Engineering Company.

**Public Hearing:****Planning Commission Action:****7. Hidden Meadows – Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of Hidden Meadows Subdivision which consists of 30 +/- acres and 58 lots. Property is located E. of James Rd. and N. of County Rd. 12 S. Applicant is Divergent Engineering, LLC.

**Public Hearing:****Planning Commission Action:****8. Zoning Ordinance Amendments****Public Hearing:****Planning Commission Action:****ADJOURN:**

**PLANNING COMMISSION  
WORK SESSION MINUTES FEBRUARY 14, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

Page 1 of 5

The City of Foley Planning Commission held a work session on February 14, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Vera Quaites, Ralph Hellmich, Wes Abrams, Calvin Hare and Tommy Gebhart. Absent members were: Phillip Hinesley, Larry Engel and Bill Swanson. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Wayne Dyess, Executive Director of Infrastructure and Design; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

**AGENDA ITEMS:**

**1. Southwood at Arbor Walk Phases 1-3- Preliminary 8 Month Extension**

The City of Foley Planning Commission has received an 8 month preliminary extension request for Southwood at Arbor Walk Phases 1-3. Property is located at the N. of County Rd. 12 S. and E. of County Rd. 65. Applicant is Dewberry Engineers Inc.

Mrs. Miriam Boone explained the subdivision received preliminary approval on April 21, 2021. She stated a 1 year extension was approved on March 15, 2023. She explained the subdivision is under construction and they are requesting an 8 month extension. She stated staff is recommending approval.

**2. Roberts Cove - Preliminary 2 Year Extension**

The City of Foley Planning Commission has received a 2 year preliminary extension request for Roberts Cove. Property is located S. of County Rd. 12 S. and E. of the Foley Beach Express. Applicant is Engineering Design Group, LLC.

Mrs. Boone explained the applicant received preliminary approval on April 21, 2021. She stated a 1 year extension was granted on March 15, 2023 and phases 1 and 2 have completed. She explained at the time of the zoning the applicant noted this would be a multi-year project.

Commissioner Hellmich asked what phases of the subdivision are being extended.

Mr. Craig Johnson stated phases 1 and 2 are complete. He explained the extension would be for phases 3, 4 and 5.

Commissioner Hellmich stated if anything has changed in the regulations and standards they may have to adhere to the changes.

Mr. Johnson stated the PUD is not changing they are only requesting a preliminary extension.

Commissioner Hellmich explained there were issues with smaller lots not having adequate parking resulting in vehicles being parked on the sidewalks. He stated there were revisions to the Zoning Ordinance to help prevent this issue.

Mrs. Boone stated the PUD was approved and they are meeting the 20' front setback.

Mr. Johnson stated the construction plans for the subdivision are completed and approved. He explained revisions that were made to the regulations would have been after the LDP and

Note: \*Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION**  
**WORK SESSION MINUTES FEBRUARY 14, 2024**  
**(Council Chambers of City Hall) 5:30 P.M.**

4

Page 2 of 5

preliminary were approved. He stated the required front yard setback was increased to 20' to alleviate some of the parking issues. He explained the new regulations of only disturbing 25 acre at a time has caused additional time for the construction of the subdivision to be completed.

Commissioner Hellmich stated the applicant needs to be aware and keep track of any changes in the regulations that are made before the subdivision is completed.

**3. Re-Sub of Lot 1 Gopher Fork Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Re-Sub of Lot 1 Gopher Fork Subdivision a minor subdivision which consists of 51.74 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates LLC.

Mrs. Boone explained Chuck Lay commented on the staff report that building safety and floodplain management are not opposed and noted the southern 1/3 of the property is in a special flood hazard area. She stated staff is recommending approval.

**4. Resubdivision of Lot 5 of Foley Crossroads Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 5 of Foley Crossroads Subdivision, a minor subdivision which consists of 10 +/- acres and 2 lots. Property is located at the SW corner of the Foley Beach Express and County Rd. 20. Applicant is Engineering Design Group, LLC.

Mrs. Boone stated staff is recommending approval. She explained the Engineering department commented on the staff report that access for the proposed lot will be from Progress Way right of way and a note needs to be added regarding access restriction.

Chairman Abrams stated there have been discussions previously about potential changes to County Rd. 20 medians. He asked if this request will have any impact on those changes.

Commissioner Hellmich explained there was previously discussions about moving the OWA entrance. He stated he does not think there are going to be any changes in OWA entrance location.

**5. Crimson Land Development, LLC- Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of .55 +/- acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is R-3 (Residential Multi-Family). Property is located at 212 E. Michigan Ave. Applicant is Crimson Land Development, LLC.

Mrs. Boone explained staff is recommending approval. She stated the parcel will be a part of the multi-family development site plan which is agenda item # 6.

**6. Crimson Land Development, LLC/Wenzel Farm- Site Plan**

Note: \*Denotes property located in the Planning Jurisdiction



**PLANNING COMMISSION**  
**WORK SESSION MINUTES FEBRUARY 14, 2024**  
**(Council Chambers of City Hall) 5:30 P.M.**

5

Page 3 of 5

The City of Foley Planning Commission has received a request for approval of the site plan for Crimson Land Development, LLC/Wenzel Farm. Property is located S. of E. Michigan Ave. and E. of S. McKenzie St. Applicant is Crimson Land Development, LLC.

Mrs. Boone explained staff is recommending approval. She stated there are comments from the Fire and Engineering department on the staff report that will need to be addressed.

Mr. Dyess stated staff worked with the developer on shielding the parking from the street and adding sidewalks.

Chairman Abrams asked about the residential home that is located in the middle of the development.

Mr. Austin Hynson stated the realtor for the owner of the property contacted them last week about purchasing the lot. He stated they have no plans for the parcel but if it is bought it will be included into the development.

Commissioner Hellmich stated he feels this is a transition zone for what it is surrounding.

Mr. Dyess stated the south side of the property is currently very commercialized.

**7. Phillip & Chris Johnson/Cottages- Site Plan**

The City of Foley Planning Commission has received a request for a PUD modification. Property is located N. of E. Azalea Ave. and W. of S. Juniper St. Applicant is Engineering Design Group, LLC.

**Planning Commission Action:**

Mrs. Boone explained her understanding is due to the amount of area need for retention/detention the density of the previously approved development has decreased.

Mr. Dyess explained the plan presented does not meet what was previously approved. He stated changes were made in order to meet storm water requirement and in order to save trees.

Commissioner Hellmich stated the road was moved to the west side as previously requested. He explained the parking has been moved, the development is less intense and he feels it is a better plan.

**8. Fern Medical Office Complex/Fikes Wholesale Inc. - Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 12.18 +/- acres. Property is currently zoned B-1A (Extended Business District) & M-1 (Light Industrial District). Proposed zoning is PUD (Planned Unit Development). Property is located E. of N. McKenzie St. and N. of E. Berry Ave. Applicant is Engineering Design Group, LLC.

Mrs. Boone explained the request is for a rezoning to a PUD. She stated the property is located in the medical overlay district. She stated the Engineering department has a few comments on the staff report. She explained staff is recommending approval.

Note: \*Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION  
WORK SESSION MINUTES FEBRUARY 14, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

6

Page 4 of 5

Mr. Dyess stated Mr. Adam Spangurd worked very closely with staff and he feels this is a good plan. He explained renderings of the buildings were provide which show the medical village with some street parking and parking behind the buildings.

Mr. Adam Spangurd stated there has been interest from specialty providers in the area to own an office that is in close proximity to the hospital. He explained there has been great feedback and this will allow residents to see a specialty doctor without having to travel a long distance. He stated there will be an architectural review of all the buildings. He explained there will be a green space in the center with a boulevard. He stated there is street parking with the majority of the parking in the rear of the buildings to allow for walkability. He explained they worked with the Fire Department to achieve the road width required. He stated the boulevard will be 13' of paved roadway with an additional 7' of turf reinforcement. He explained the 13' wide road will help in preventing speeding issues.

Commissioner Hellmich stated this will help bring in more specialized doctors for the hospital expansion.

**9. Minor Subdivision of Magnolia Walk- Minor**

The City of Foley Planning Commission has received a request for approval of the Minor Subdivision of Magnolia Walk a minor subdivision which consists of 103.17 +/- acres and 2 lots. Property is E. of the Foley Beach Express and N. of County Rd. 20. Applicant is SCP/BPG Magnolia Holdings, LLC.

Mrs. Boone stated staff is recommending approval. She noted a report was not provided from the Engineering and Environmental departments.

Mr. Christian stated he did not see where a water availability letter was provided.

Mr. Andrew Prescott stated Riviera Utilities has service on the Foley Beach Express. He explained if a utility availability letter was not provided one can provide one.

**10. Hyatt Studios- Site Plan**

The City of Foley Planning Commission has received a request for a site plan for the Hyatt Studios. Property is located E. of the Foley Beach Express and N. of County Rd. 20. Applicant is Kimley Horn.

Mrs. Boone stated a letter was received from the Navy stating the location is outside of the accident zone. She explained the Navy is recommending the applicant file an obstruction evaluation with the FAA. She stated the Engineering and Fire Department commented on the staff report that a left turn lane will need to be provided from the proposed boulevard, secondary access location will require asphalt paving to eliminate stone from being tracked onto the Foley Beach Express and the stub out to the SW corner of the property shall be attached to future development for secondary access.

Commissioner Hellmich asked if lighting and a sidewalk will be installed along the boulevard.

Note: \*Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION**  
**WORK SESSION MINUTES FEBRUARY 14, 2024**  
**(Council Chambers of City Hall) 5:30 P.M.**

7

Page 5 of 5

Mr. Andrew Prescott stated there will be a sidewalk and acorn style lighting installed. He explained they will work with the fire department on the secondary emergency access.

Commissioner Gebhart stated it is important that the secondary access is well marked indicating it is a usable access.

**WORK SESSION:**

**11. Review of Glenlakes**

Mrs. Boone stated there is some confusion over a motion regarding the approval of the Glenlakes Preliminary.

Commissioner Hellmich stated he worded the motion as Glenlakes and the engineer will work together regarding the orientation of the houses. He stated his intent was for the developers engineer to work with Glenlakes.

Mr. Dyess stated the issue is regarding the orientation of the homes.

Mrs. Boone stated two houses that face Carnoustie Dr. are the issue. She explained they changed the orientation of the houses and added a buffer.

Commissioner Hellmich asked what type of buffer is being used.

Mrs. Angie Eckman stated she was told it will be a grass buffer.

Mr. Christian stated he will not sign the plat that include the two lots in question until the issue is resolved.

Commissioner Hellmich stated he wants Glenlakes and the developer to get together and work out the issue.

Commissioners stated the developer needs to provide a landscape plan for the buffer area.

Mr. Wayne Dyess went over amendments regarding public projects.

**ADJOURN:**

Chairman Wes Abrams made a motion to adjourn the meeting at 6:27 p.m.



**PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 21, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

8

Page 1 of 6

The City of Foley Planning Commission held a meeting on February 21, 2024 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 and Bill Swanson. Absent members were: Tommy Gebhart and Phillip Hinesley. Staff present were: Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Wayne Dyess, Executive Director of Infrastructure and Design; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

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

**MINUTES:**

Approval of the January 10, 2024 and January 17, 2024 meeting minutes.

Commissioner Hellmich made a motion to approve the January 10, 2024 and January 17, 2024 meeting minutes. Commissioner Mixon seconded the motion. All Commissioners voted aye.

**Motion to approve the January 10, 2024 and January 17, 2024 meeting minutes passes.**

**AGENDA ITEMS:**

**1. Southwood at Arbor Walk Phases 1-3- Preliminary 8 Month Extension**

The City of Foley Planning Commission has received a 8 month preliminary extension request for Southwood at Arbor Walk Phases 1-3. Property is located at the N. of County Rd. 12 S. and E. of County Rd. 65. Applicant is Dewberry Engineers Inc.

**Planning Commission Action:**

Mrs. Lapham explained preliminary approval was issued on 4/21/21. She stated a one year extension was granted on 3/15/23. She explained they are under construction and staff is recommending approval.

Commissioner Hellmich made a motion to approve the 8 month requested preliminary extension. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Commissioner Mixon asked if more guidelines could be set on extensions.

Mr. Dyess stated he will be glad to bring some suggestions regarding criteria and guidelines to the next meeting.

**Motion to approve the 8 month requested preliminary extension passes.**

**2. Roberts Cove - Preliminary 2 Year Extension**

The City of Foley Planning Commission has received a 2 year preliminary extension request for Roberts Cove. Property is located S. of County Rd. 12 S. and E. of the Foley Beach Express. Applicant is Engineering Design Group, LLC.

**PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 21, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

9

Page 2 of 6

**Planning Commission Action:**

Mrs. Lapham stated when the preliminary was issued the applicant stated the development would take approximately 6 years to complete. She explained a one year extension was approved on 3/15/23 and phases 1 & 2 have completed.

Commissioner Hellmich made a motion to approve the requested two year extension. Commissioner Hare seconded the motion.

Mr. Craig Johnson stated they are ahead of schedule on the project.

Commissioner Hellmich stated they are meeting current regulations and setbacks were adjusted to prevent parking issues. He explained the subdivision is zoned PUD so a final design was approved.

Mr. Johnson stated all the required improvements to County Rd. 20 were completed with the first phase. He explained they are participating in the Roscoe Rd. access improvements.

Commissioner Engel voted nay. All other Commissioners voted aye.

**Motion to approve the requested 2 year extension passes.****3. Re-Sub of Lot 1 Gopher Fork Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Re-Sub of Lot 1 Gopher Fork Subdivision a minor subdivision which consists of 51.74 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is Smith Clark & Associates LLC.

**Public Hearing:**

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

**Planning Commission Action:**

Mrs. Lapham stated they are splitting off a section of the property to make a pot handle lot to the backlot. She explained that the staff is recommending approval.

Commissioner Quaite 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.****4. Resubdivision of Lot 5 of Foley Crossroads Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 5 of Foley Crossroads Subdivision, a minor subdivision which consists of 10 +/- acres and 2 lots. Property is located at the SW corner of the Foley Beach Express and County Rd. 20. Applicant is Engineering Design Group, LLC.

**PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 21, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

10

Page 3 of 6

**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. Lapham explained there was previously a question about the access to the lot. She stated the lot will be deed restricted not to allow access off of the Foley Beach Express.

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

**Motion to approve the requested minor subdivision passes.****5. Crimson Land Development, LLC- Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of .55 +/- acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is R-3 (Residential Multi-Family). Property is located at 212 E. Michigan Ave. Applicant is Crimson Land Development, LLC.

**Public Hearing:**

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

**Planning Commission Action:**

Commissioner Swanson made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Hare seconded the motion.

Commissioner Engel asked if we had approved something for the property previously.

Staff explained the parcel will be part of a multi-family development which is agenda item #6.

Commissioner Engel voted nay. All other Commissioners voted aye.

**Motion to recommend the requested rezoning to the Mayor and Council passes.****6. Crimson Land Development, LLC/Wenzel Farm- Site Plan**

The City of Foley Planning Commission has received a request for approval of the site plan for Crimson Land Development, LLC/Wenzel Farm. Property is located S. of E. Michigan Ave. and E. of S. McKenzie St. Applicant is Crimson Land Development, LLC.

**Planning Commission Action:**

Mrs. Lapham explained the property is zoned R-3 which is a planned development district.

Mr. Dyess thanked the applicant for working with staff. He explained the parking was moved to be shielded from the street. He stated the townhomes are located near existing single family homes and he feels this is a good transition. He stated the development will have sidewalks and be in close perimeter to employment and the use is appropriate for the property.

Note: \*Denotes property located in the Planning Jurisdiction

**PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 21, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

11

Page 4 of 6

Commissioner Hellmich stated at the work session it was mentioned that the developer is in negotiation with the owner of the house in the center of the development.

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

**Motion to approve the requested site plan passes.**

**7. Phillip & Chris Johnson/Cottages- Site Plan**

The City of Foley Planning Commission has received a request for a PUD modification. Property is located N. of E. Azalea Ave. and W. of S. Juniper St. Applicant is Engineering Design Group, LLC.

**Planning Commission Action:**

Mrs. Lapham explained the storm water area was larger than planned which resulted in a modification and a decrease in density.

Commissioner Hellmich stated they moved the parking area to the back and are preserving trees as asked.

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

**Motion to approve the requested PUD modification passes.**

**8. Fern Medical Office Complex/Fikes Wholesale Inc. - Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 12.18 +/- acres. Property is currently zoned B-1A (Extended Business District) & M-1 (Light Industrial District). Proposed zoning is PUD (Planned Unit Development). Property is located E. of N. McKenzie St. and N. of E. Berry Ave. Applicant is Engineering Design Group, LLC.

**Public Hearing:**

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

**Planning Commission Action:**

Mrs. Lapham stated the property is located in the Foley Medical Overlay District.

Mr. Dyess explained the applicant worked closely with staff. He stated a Boulevard will be used to narrow streets for a pedestrian friendly environment. He stated this development will give our citizens a larger variety of specialty doctors.

Commissioner Hellmich stated he likes that a plan is provided. He explained this development will be an asset for the hospital.

**PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 21, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

12

Page 5 of 6

Mr. Dyess stated the architecture is nice and this will set the standards for other developers coming into the Medical Overlay District.

All Commissioner voted aye.

**Motion to recommend the requested rezoning to the Mayor and Council passes.**

**9. Minor Subdivision of Magnolia Walk- Minor**

The City of Foley Planning Commission has received a request for approval of the Minor Subdivision of Magnolia Walk a minor subdivision which consists of 103.17 +/- acres and 2 lots. Property is E. of the Foley Beach Express and N. of County Rd. 20. Applicant is SCP/BPG Magnolia Holdings, LLC.

**Public Hearing:**

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

**Planning Commission Action:**

Mrs. Lapham stated the requested subdivision is consistent with the plan that was brought several months ago. She stated staff is recommending approval.

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

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

**10. Hyatt Studios- Site Plan**

The City of Foley Planning Commission has received a request for a site plan for the Hyatt Studios. Property is located E. of the Foley Beach Express and N. of County Rd. 20. Applicant is Kimley Horn.

**Planning Commission Action:**

Mrs. Lapham stated the Navy sent a letter recommending evaluation from the FAA. She explained they do not anticipate any issues and the evaluation is a formality. She stated staff is recommending approval of the site plan.

Commissioner Hellmich asked how many stories the hotel would be.

The applicant stated the hotel will be four stories.

Commissioner Quaites made a motion to approve the requested site plan. Commissioner Engel seconded the motion.

Commissioner Swanson asked the expected start date of construction.



**PLANNING COMMISSION  
MEETING MINUTES FEBRUARY 21, 2024  
(Council Chambers of City Hall) 5:30 P.M.**

13

Page 6 of 6

The applicant stated they would like to start construction in October. He explained this product is new and one of the first to be constructed in the State. He stated they are very focused and excited to get the product out.

All Commissioners voted aye.

**Motion to approve the requested site plan passes.**

**ADJOURN:**

Chairman Abrams made a motion to adjourn the meeting at 6:05 p.m.

**Motion to adjourn the meeting at 6:05 p.m. passes.**



# PLANNING COMMISSION JOINT STAFF REPORT: March 2024

14

**STAFF RECOMMENDATION:** Approve  
**PROJECT NAME:** Goodwill Gulf Coast  
**REQUEST:** Application for Extension  
**SUB TYPE:** Application for Extension

**OWNER / APPLICANT:** Piedmont Companies  
 - Gary Faulkenbury

**ACREAGE:** 7.6  
**NUMBER OF LOTS:** 1

**PIN#(s):** 263717

**LOCATION:** 200 E AZALEA AVE

**PROJECT DESCRIPTION:** Goodwill Gulf Coast

**CURRENT ZONING:** B-1A

**OVERLAY DISTRICT:** N/A

**REQUESTED ZONING:** N/A

**ADJACENT ZONING:** N: M-1, E: B-2, AO, B-3, R-3, PO; S: B-1A; W: M-1 & B-1A

**FUTURE LAND USE:** MXU, Mixed Use  
 Commercial/Residential

**EXISTING LAND USE:** VACANT



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

15

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

1. There have been no zoning changes to affect this site plan.

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

1. Engineering recommends site plan approval. A Land Development Permit has been applied for and comments have been returned to the applicant; awaiting resubmittal.

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

1. Environmental has completed an initial review of plans for the LDP application. Comments were sent on February 22nd.

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

1. This project meets the fire flow but it requires 3 hydrants. There is one hydrant shown on the utility page. Add a hydrant to the south of the property and one to the western side of the project. The hydrant to the north east is good.

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

1. Neither Building Safety nor Floodplain Management have any concerns with this request

S:\2023 Projects\2023-18 Goodwill Foley\DWG\Civil\23-18\_C20X\_GEOMETRY PLAN.dwg, Aug 24, 2023 - 4:57:33PM, priscilla

1  
2  
3  
4  
5  
6

A

B

C

D

E

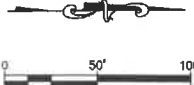
F

G

H

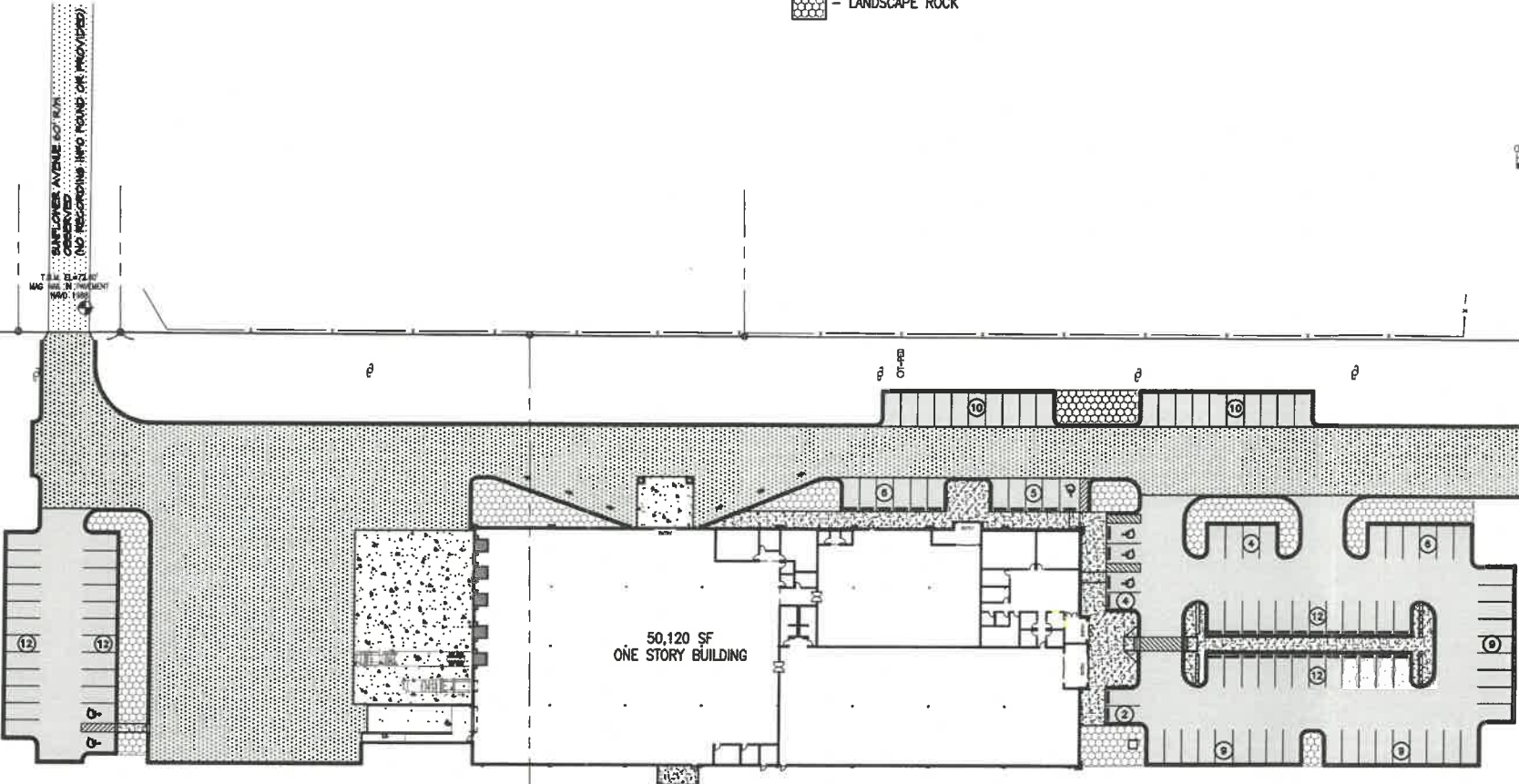
PROPOSED LEGEND

- MEDIUM DUTY ASPHALT PAVEMENT (1) C501
- HEAVY DUTY ASPHALT PAVEMENT (2) C501
- CONCRETE PAVEMENT (3) C501
- CONCRETE SIDEWALK (4) C501
- LANDSCAPE ROCK



20' REAR BLDG SETBACK

EXTRA LAND  
(USE TO BE DETERMINED AT  
A LATER DATE)



1 OVERALL GEOMETRY PLAN  
C200 1" = 50'

PARKING REQUIREMENTS  
WAREHOUSE - 1 SPACE PER 3,000 SF = 26,415 SF / 3,000 = 9 SPACES  
RETAIL/SALVAGE - 1 SPACE PER 400 SF = 24,381 SF / 400 = 61 SPACES  
TOTAL SPACES REQUIRED = 70 SPACES  
TOTAL SPACES PROVIDED = 122 SPACES

GOODWILL FOLEY

Kenneth Horne & Associates, Inc.  
CIVIL ENGINEERS

PO BOX 10669, PENSACOLA, FLORIDA 32524  
7201 N. 9TH AVENUE, SUITE 6, PENSACOLA, FLORIDA 32504  
(850) 471-9005 info@kh-a.com FAX (850) 471-0093

FL CERTIFICATE OF AUTHORIZATION NO. 8288

OVERALL GEOMETRY PLAN

BALDWIN ALABAMA

DRAWN BY: PC  
DESIGNED BY: CK  
CHECKED BY: CK  
DATE: 08/24/2023  
SCALE: 1" = 50'  
NOT FOR CONSTRUCTION  
BY: DATE:

PROJECT NO: 2023-18  
C200

SHEET: 4 12

NO. DATE

REVISIONS

THIS DRAWING IS THE PROPERTY OF KENNETH HORNE & ASSOCIATES, INC. IT IS NOT TO BE REPRODUCED IN WHOLE OR IN PART, OR FOR ANY OTHER PROJECT AND IS TO BE RETURNED UPON REQUEST.

KENNETH C. HORNE  
AL. PE 17429

3

4

5

6

1





# PLANNING COMMISSION JOINT STAFF REPORT: March 2024

17

**STAFF RECOMMENDATION:** Approve  
**PROJECT NAME:** CHS South Baldwin Ambulatory Surgery Center  
**REQUEST:** Zoning - Site Plan Approval  
**SUB TYPE:** FMOD (Foley Medical Overlay District)

**OWNER / APPLICANT:** Gresham Smith - Liz Briggs

**ACREAGE:** 1.42

**PIN#(s):** 17062

**LOCATION:** 1605 N ALSTON ST

**PROJECT DESCRIPTION:** CHS South Baldwin Ambulatory Surgery Center

**CURRENT ZONING:** PO

**OVERLAY DISTRICT:** Medical Overlay District

**REQUESTED ZONING:** N/A

**ADJACENT ZONING:** N, E & W: PO; S: R-1A

**FUTURE LAND USE:** RM, Residential Med. Density (4-7)

**EXISTING LAND USE:** Vacant Residential





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

18

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

1. SITE PLAN TEMPLATE:

DATE: 2/28/24

NAME: CHS AMBULATORY SURGERY CENTER

PIN#: 17062

ACRES: 1.5

ZONE: PO

OVERLAY DISTRICT: FMOD

TYPE OF DEVELOPMENT: AMBULATORY SURGERY CENTER

PO INFORMATION:

REQUIRED PROPOSED

FRONT SETBACK 20' 20'

REAR SETBACK 20' 20'

SIDE SETBACK 10' 10'

CORNER SIDE SETBACK NA

HEIGHT / FEET 50' MAX 20'

HEIGHT / STORIES 8 MAX

PARKING SPACES 46 43 (Going to BAA)

BUFFERS: ADJACENT TO R1A ON SOUTH SIDE. BUFFER "C" REQUIRED - WIDTH 20', THE SETBACK IS 20' & CAMILLA AVE IS 40' WIDE. 3 TREES PER 100 LINEAR FEET & 20 SHRUBS PER 100 LINEAR FEET.

COMMENT:

NOT SPECIFIC TO ZONING BUT TAXES WERE DUE ON 10/1/23. THE COUNTY RECORDS SHOW A PAST DUE AMOUNT OF \$3,145.36.

FOLEY MEDICAL OVERLAY DISTRICT REQUIREMENTS:

E. Site Plan Requirements. All development within the Medical Overlay District shall be governed by a site plan, constituted as a binding site plan and shall be reviewed and approved by the Planning Commission. In addition to other applicable sections of the Zoning Ordinance, the site plan shall include the following:

1. Architectural elevations of proposed structures.
2. Open active space plan.
3. Landscape plan.
4. Lighting plan.
5. Vehicular and pedestrian circulation plan.
6. Rooftop Equipment.
7. Fencing/Walls.
8. Signage.

**Reviewer:** Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering

**Review Status:** Approved

1. Engineering recommends site plan approval. There may need to be adjustments to some site items once LDP is applied for.

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

1. Environmental has no issues with the site plan. A more extensive review will be completed with the LDP application.

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

1. UTILITY PLAN REUIRED. SHOW HYDRANT LOCATIONS.

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

1. Neither Building Safety nor Floodplain Management have any concerns with this project at this time





LEGAL DESCRIPTION: TITLE COMMITMENT PACKAGE

LOTS 37 AND 38, KUHN'S PARK ADDITION TO THE TOWN OF FOLEY, ACCORDING TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, IN MAP BOOK 5, PAGE 135.

GENERAL SURVEY NOTES:

1. THIS IS A ALTA/NSPS LAND TITLE SURVEY.
2. THE FIELD SURVEY WAS PERFORMED ON 1/31/23 AND RECORDED IN FIELD BOOK 286, PAGE 42 AND 2/01/23 AND RECORDED IN FIELD BOOK 286, PAGE 43 & 2/23/23.
3. THE SURVEY DATUM SHOWN HEREON IS BASED ON THE ALABAMA STATE PLANE COORDINATE SYSTEM (ALABAMA WEST ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000) AND WERE DERIVED UTILIZING A GLOBAL POSITIONING SYSTEM (GPS) TRIMBLE R12 INTEGRATED GNSS SYSTEM. THE RECEIVER WAS UTILIZED IN A STATIC SURVEY AND PROCESSED USING AN OPUS SOLUTION.
4. A TITLE COMMITMENT, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. CT-2210-20541 WITH A COMMITMENT DATE OF OCTOBER 19, 2022 WAS FURNISHED AND USED IN PREPARING THIS SURVEY.
5. ELEVATIONS RELATIVE TO NAVD83, BASED ON THE NGS STATION W 515, ELEVATION: 77.84.
6. IMPROVEMENTS ARE AS SHOWN HEREON.
7. THE STRUCTURE DIMENSIONS DO NOT INCLUDE THE EAVE OVERHANG OR FOUNDATION FOOTINGS.
8. THE BUILDING SETBACKS SHOWN PER INFORMATION PROVIDED ONLY. IT IS THE RESPONSIBILITY OF THE OWNER/BUILDER TO VERIFY BUILDING SETBACKS PRIOR TO CONSTRUCTION.
9. THE ENCROACHMENTS ARE AS SHOWN.
10. SHOWN UTILITIES ARE BASED ON FIELD OBSERVATIONS AND UTILITY LOCATE MARKS BY GROUNDHAWK SUBTERRANEAN INTELLIGENCE.
11. IT IS THE OPINION OF THE UNDERSIGNED SURVEYOR THAT THE PARCEL OF LAND SHOWN HEREON IS IN ZONE "X" AREA DETERMINED TO BE IN ZONE "X" AREA BASED ON THE 0.2% ANNUAL CHANCE FLOODPLAIN, BASED ON THE FLOOD INSURANCE RATE MAP FOR BALDWIN COUNTY, MAP NUMBER 01003C0816M, DATED OR REVISED APRIL 19, 2019.
12. MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS AND ARE EXPRESSED IN FEET AND DECIMALS.
13. THIS SURVEY DOES NOT REPRESENT OR GUARANTEE OWNERSHIP.
14. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
15. ALL FOUND OR SET PROPERTY CORNER MONUMENTS OR WITNESSES THEREOF HAVE BEEN LOCATED BY THE METHOD OF OBSERVING REDUNDANT MEASUREMENTS. THE RELATIVE POSITIONAL ACCURACY IS 0.04' HORIZONTALLY AND OBTAINED BY A LEAST SQUARES ADJUSTMENT USING TRIMBLE BUSINESS CENTER.

ALTA NOTES:

1. ADDRESS: 1605 ALSTON STREET N, FOLEY, ALABAMA
2. PARCEL NO. 54-04-20-1-000-016.000
3. ZONED = PO PREFERRED OFFICE DISTRICT
4. MAX BLDG AREA = 50%
5. MAX BLDG HEIGHT = 30 FEET/3 STORIES
6. GROSS LAND AREA = 61909.11±SQ.FT., 1.42± ACRES
7. THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
8. THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS, NOR ANY PROPOSED RIGHT OF WAY CHANGES.
9. THERE IS NO EVIDENCE THAT THE SITE IS BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
10. THERE IS NO EVIDENCE OF WETLANDS.
11. SETBACKS: FRONT = 20 FEET, REAR = 20 FEET, SIDE = 10 FEET

SCHEDULE B, PART II

EXEMPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attached, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part II requirements are met. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
2. Taxes and assessments for the year 2023 and subsequent years, not yet due and payable. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
3. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
4. Any facts, rights, interests or claims which are not shown by the Public Records, but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
5. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
6. Any encumbrance, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
7. Any lien, or right to a lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the Public Records. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
8. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.
9. Restrictive covenants as contained in Deed from Edith Carson, et al. to Robert B. Grantham and

NOTE: The Company has set forth these exceptions as disclosure matters of record. Should you have questions regarding any portion of this commitment, including but not limited to the interpretation of the exceptions set forth, you are advised to contact your attorney, legal counsel, and if applicable, the owners association of the development, prior to closing for explanation thereof, or for additional covenants and/or restrictions not specifically set out herein. The Company is not to be considered your legal counsel and no insurance is afforded to the explanation or interpretation of the exceptions set forth, or covenants which are in file with the owners association of the development named herein, whether or not specifically set out herein.

NOTE: Any reference above to recorded documents include any amendments or additions thereto. NOTE: Any reference above to restrictive covenants or other covenants, conditions or restrictions based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. § 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. § 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

Ada Maureen Grantham, dated November 7, 1972 and recorded in Deed Book 436, page 546. EASEMENT LOCATION IS SHOWN ON THE FACE OF THE SURVEY.

10. Oil, gas and mineral lease from Robert B. Grantham and Ada Maureen Grantham to Shell Oil Company, dated October 21, 1981 and recorded in Real Property Book 105, page 356. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

11. Ten foot easement for street purposes granted to the City of Foley as referenced in Deed Book 436, page 546. EASEMENT LOCATION IS SHOWN ON THE FACE OF THE SURVEY.

12. Discrepancies between certain distances of record ("rec") and certain distances actual ("act") which exist on that plat of survey by Parkway Surveying & Engineering Co., Inc. dated June 28, 1994. THIS DOCUMENT AFFECTS THE SUBJECT PROPERTY BUT HAS NOT BEEN PROVIDED.

13. Rules, Regulations, including Subdivision Regulations, Ordinances, and other matters relating to the City of Foley, Alabama, including but not limited to:

a) Subdivision Regulations dated January 7, 2008, and recorded in Instrument 1099026, as may be amended. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

b) Tree and Natural Feature Preservation Ordinance Number 1009-07, recorded in Instrument 1079588, as the same may have been modified at Instrument 1556569, Heritage Tree Preservation Ordinance Number 15-1003 as recorded in Instrument 1508545, and Ordinance Number 15-1003 Regulating Environmental Permits Related to Land Disturbance within the City of Foley recorded in Instrument 1508544. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

c) City of Foley Ordinance No. 986-07, adopting the 2006 International Building (IBC) codes and supplemental provisions to upgrade the various codes relating to the inspection activities of the City of Foley and enforcement of the building provisions and fire safety as provided in said codes, dated June 18, 2007, as amended at Instruments 1110234, 1118864, 1159497, Ordinance No. 1200-12 adopting the 2009 codes, dated July 2, 2012 and recorded in Instrument 1348178; Ordinance No. 13-1025 approving the amendments to the City of Foley Building Codes, dated January 7, 2013, and recorded in Instrument 1380798; Ordinance No. 13-1043 adopting and amending the 2009 codes, dated November 4, 2013 and recorded in Instrument 1429467, as amended in Ordinance 13-1054 at Instrument 1452409; Ordinance No. 15-1019 adopting the 2012 codes, dated June 1, 2015 and recorded in Instrument 1517983; and Ordinance No. 16-2020-ORD adopting the 2012 codes, dated September 6, 2016 and recorded in Instrument 1546554. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

d) Ordinance granted by The City of Foley, recorded in Instrument 1610495. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

14. Zoning. If any, planning, subdivision regulations, and other ordinances, laws, restrictions or regulations upon the use or division of the land comprising the Subdivision as may be legally imposed by the County of Baldwin, Alabama, any municipality in which the property may be, the State of Alabama, or any other governmental authorities having jurisdiction over the land in the subdivision. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

15. Any matters affecting the Title to the property, that are not properly indexed in the probate records of the county where the property is located. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

16. No insurance is afforded as to the accuracy of the tax records by the Baldwin County Tax Assessor's Office, for appeals, re-appraisals, re-assessments, escape taxes or roll-back taxes posted after the effective date herein. BOWMAN DID NOT EXAMINE THIS ITEM.

17. No insurance is afforded to any covenant, condition or restriction which may have been violated. BOWMAN DID NOT EXAMINE OR ADDRESS THIS ITEM.

NOTE: Any reference above to recorded documents include any amendments or additions thereto. NOTE: Any reference above to restrictive covenants or other covenants, conditions or restrictions based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. § 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. § 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

ALTA/NSPS LAND TITLE SURVEY CERTIFICATE:

TO: FOLEY HOSPITAL CORPORATION d/b/a SOUTH BALDWIN REGIONAL MEDICAL CENTER  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 5, 6, 9b, 7, 8, 9, 10a, 11, 13, 16, 18, AND 20 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 23RD, 2023.

DATE OF PLAT OR MAP: FEBRUARY 28, 2023.

SURVEYORS CERTIFICATE:

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

Digitally signed by  
Jonathan B Sanchez  
Date: 2023.02.28  
16:28:35 -06'00'

JONATHAN B. SANCHEZ, P.L.S., ALABAMA PROFESSIONAL LAND SURVEYOR.  
LICENSE NO. 50387  
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL SEAL OF AN ALABAMA PROFESSIONAL LAND SURVEYOR, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

FEBRUARY 28, 2023

DATE

ALTA/NSPS LAND TITLE SURVEY  
1605 NORTH ALSTON STREET, FOLEY, ALABAMA  
BEING IN A PORTION OF SECTION 20  
TOWNSHIP 7 SOUTH, RANGE 4 EAST  
BALDWIN COUNTY, ALABAMA

PROJECT NO.  
260111-01-001

PLAN STATUS

DATE	DESCRIPTION
FIELD BOOK	PAGE
286	42
286	43
FIELD CREW:	JL, RCP, PW
R/S	JL, JBS
DRAWN	CHKD
SCALE	H: 1" = 20'
	V: N/A
JOB NO.	260111-01-001
DATE	FEB 28, 2023
FILE No.	260111Alta.dwg

SHEET 1 OF 1

Bowman Consulting Group, Ltd., Inc.

21850 Professional Drive

Robertsdale, AL 36587

Phone: (251) 945-1937

Fax: (860) 434-7862

www.bowmanconsulting.com

© Bowman Consulting Group, Ltd.

FOLEY HOSPITAL CORPORATION d/b/a SOUTH BALDWIN REGIONAL MEDICAL CENTER

PREPARED FOR:





**Gresham  
Smith**

GreshamSmith.com

222 Second Avenue South  
Suite 1400  
Nashville, TN 37201  
615.770.8100



**L.C. Thomasson Associates, Inc.**

**CONSULTING ENGINEERS**  
2950 KRAFT DRIVE  
NASHVILLE, TN. 37204  
PHONE (615) 346-3400  
FAX (615) 346-3550  
[www.ichomazinc.com](http://www.ichomazinc.com)

**Ambulatory Surgery Center**  
**Package 1 - Site and Shell**  
South Baldwin  
Foley, Alabama

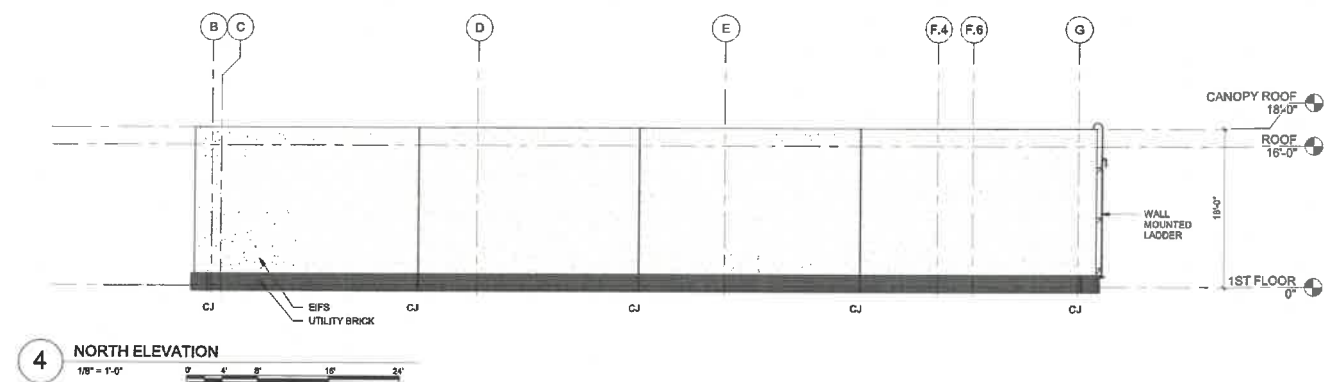
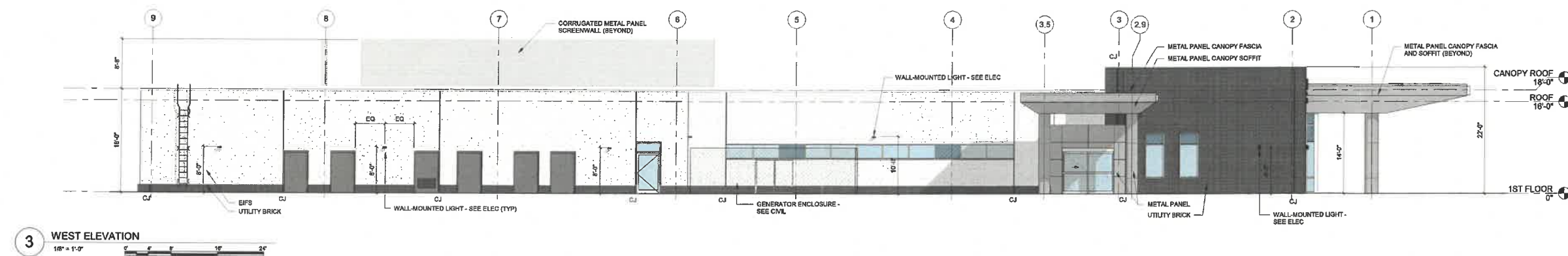
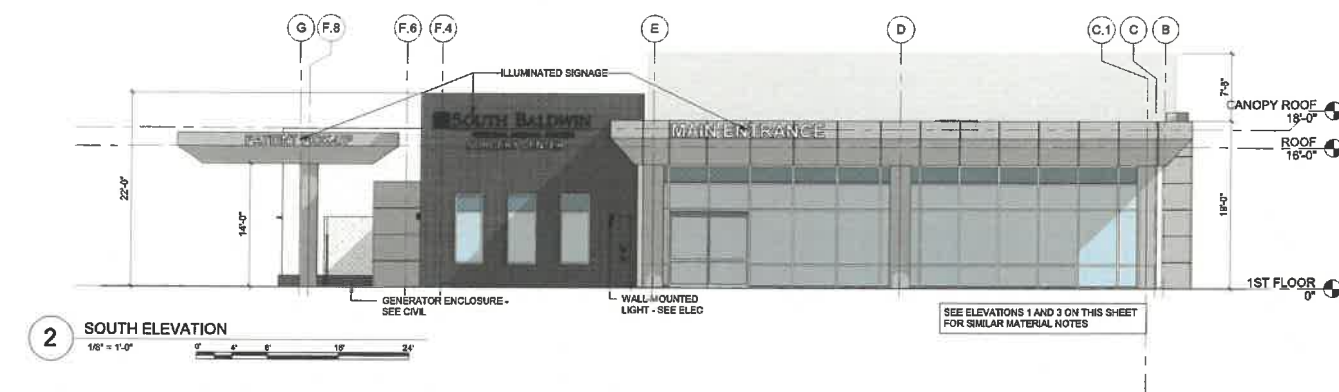
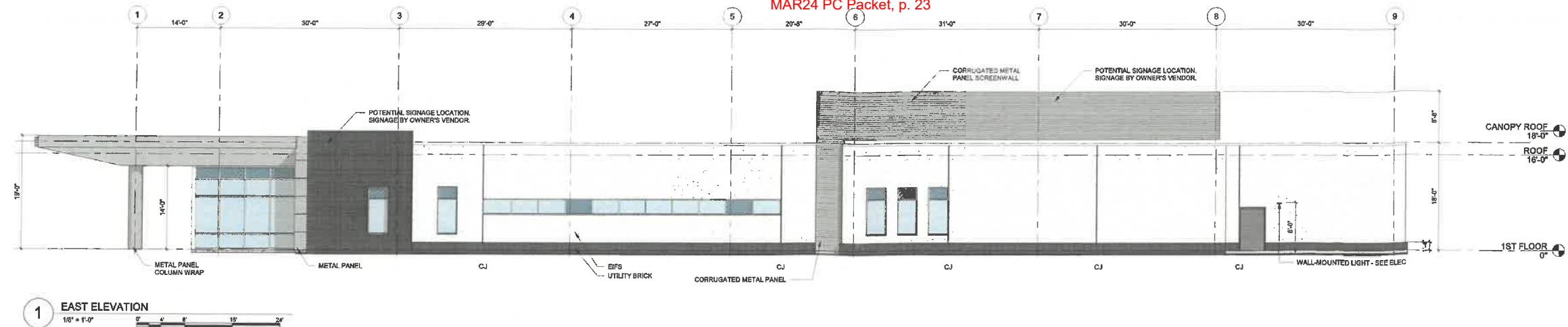
NOT FOR  
CONSTRUCTION

[illegible]

## EXTERIOR ELEVATIONS

**1A301**

45866.00  
February 8, 2024



### MATERIAL LEGEND



### GENERAL NOTES FOR EXTERIOR ELEVATIONS

G300. PAINT EXPOSED WALL MOUNTED EQUIPMENT, PIPING, SCREENS, ETC. IN A COLOR AS SELECTED BY THE DESIGN PROFESSIONAL; EXCEPT THAT, ITEMS WHICH ARE ALUMINUM OR STAINLESS STEEL SHALL NOT BE PAINTED.

G301. PAINT EXTERIOR METAL STAIRS, PIPE RAILS, HANDRAILS AND GUARDRAILS IN A COLOR AS SELECTED BY THE ARCHITECT (IF NOT OTHERWISE INDICATED).

REFER TO OWNER'S VENDOR PACKAGE FOR WALL MOUNTED SIGNAGE.

G302. PROVIDE BLOCKING AND WEATHERTIGHT ATTACHMENTS FOR ALL EXTERIOR WALL MOUNTED EQUIPMENT AND DEVICES, INCLUDING, BUT NOT LIMITED TO, SIGNAGE, ARTWORK, MECHANICAL PIPING, ELECTRICAL, AND/OR LOW VOLTAGE ITEMS, ETC.



<b>SHRUB REQUIREMENTS</b>	
<b>REQUIRED</b>	175
<b>PROVIDED</b>	305

CODE	BOTANICAL NAME	COMMON NAME	ROOT	SIZE	QTY	REMARKS
<b>CANOPY TREE</b>						
JUN-TAZ	Juniperus virginiana 'Taylor'	Taylor Eastern Redcedar	#65	2" Cal./ 6' Ht.	7	
QUE-VIR	Quercus virginiana 'Higgin's'	Southern Live Oak	#95	4" Cal	10	8' Clear Trunk
TAX-DIS	Taxodium distichum	Bald Cypress	#95	4" Cal	5	6' Clear Trunk
<b>UNDERSTORY TREE</b>						
CHI-VIR	Chionanthus virginicus	White Fringetree	#65	3" Cal	3	Multi-Trunk
ILE-FOS	Ilex exilis 'Forten's'	Forten's Holly	#45	8" hc.	3	Full to Base
LAG-DYN	Lagerstroemia 'X Dynasty'	Dynastio Cam Myrtle	#65	3" Cal	3	Multi Trunk
<b>CLIMBER</b>						
CODE	BOTANICAL NAME	COMMON NAME	CALIFER/CONTAINER	MIN HEIGHT	QTY	REMARKS
<b>SHRUBS</b>						
HYD-QUE	Hydrangea quercifolia	Oakleaf Hydrangea	24" HL	cont.	11	Full
ILE-COR	Ilex cornuta 'Dwarf Burford'	Dwarf Burford Holly	24" HL	cont.	58	Full
ILE-VER	Ilex verticillata 'Red Sprite'	Winterberry	24" HL	24" Int.	41	full, plant 1 1/2in Dandy male per female
ILE-VOM	Ilex vomitoria 'Nana'	Dwarf Yaupon	19" HL	cont.	48	Full
ITE-VIR	Itea virginica	Sweetgum	24" HL	cont.	46	Full
MYR-CER	Myrica cerifera 'Don's Dwarf'	Don's Dwarf Wax Myrtle	24" HL	cont.	57	Full
PIT-TOB	Pittosporum tobira 'Wheeler's Dwarf'	Dwarf Pittosporum	19" Sp.	cont.	12	Full
ZAM-FLO	Zamia floridana	Coinc. Palm	18" HL	cont.	32	Full
<b>GROUND COVERS</b>						
JUN-EFF	Junco effusus	Common Rush	cont.	1 gal.	746	Plant 18" o.c.
LIR-MUSC	Liriodendron muscifer 'Evergreen Giant'	Evergreen Giant Liriod.	cont.	4" pot	303	Plant 12" o.c.
LIR-WHI	Liriodendron capillaris 'White Cloud'	White Cloud Mulberry Grass	cont.	1 gal.	91	Plant 24" o.c.
PAN-VIR	Panicum virgatum 'Dallas Blue'	Switch Grass	cont.	1 gal.	122	plant 36" o.c.
SPO-HET	Sporobolus heterolepis	Prairie Dropseed	cont.	1 gal	117	plant 2" o.c.
TAX-ASI	Tracholoparmum asiaticum	Asiatic Jasmine	cont.	4" pot	1,831	Plant 12" o.c.

**Gresham  
Smith**

222 Second Avenue South  
Suite 1400  
Nashville, TN 37201  
615.770.8100



**CHS** COMMUNITY HEALTH  
SYSTEMS, INC.



**SOUTH BALDWIN**  
REGIONAL MEDICAL CENTER

**Community Health  
Systems Ambulatory  
Surgery Center**

1405 North Alston St., Foley, AL 36535  
Client No.: Client Project #

NOT FOR  
CONSTRUCTION

Rudolph, Trey  
Rudolph, Trey 2024.02.26  
12:01:36-06'00'

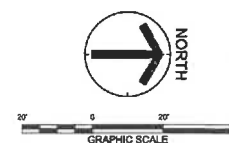
## Revision

No.	Date	Description
-----	------	-------------

LANDSCAPE PLAN

**L201**

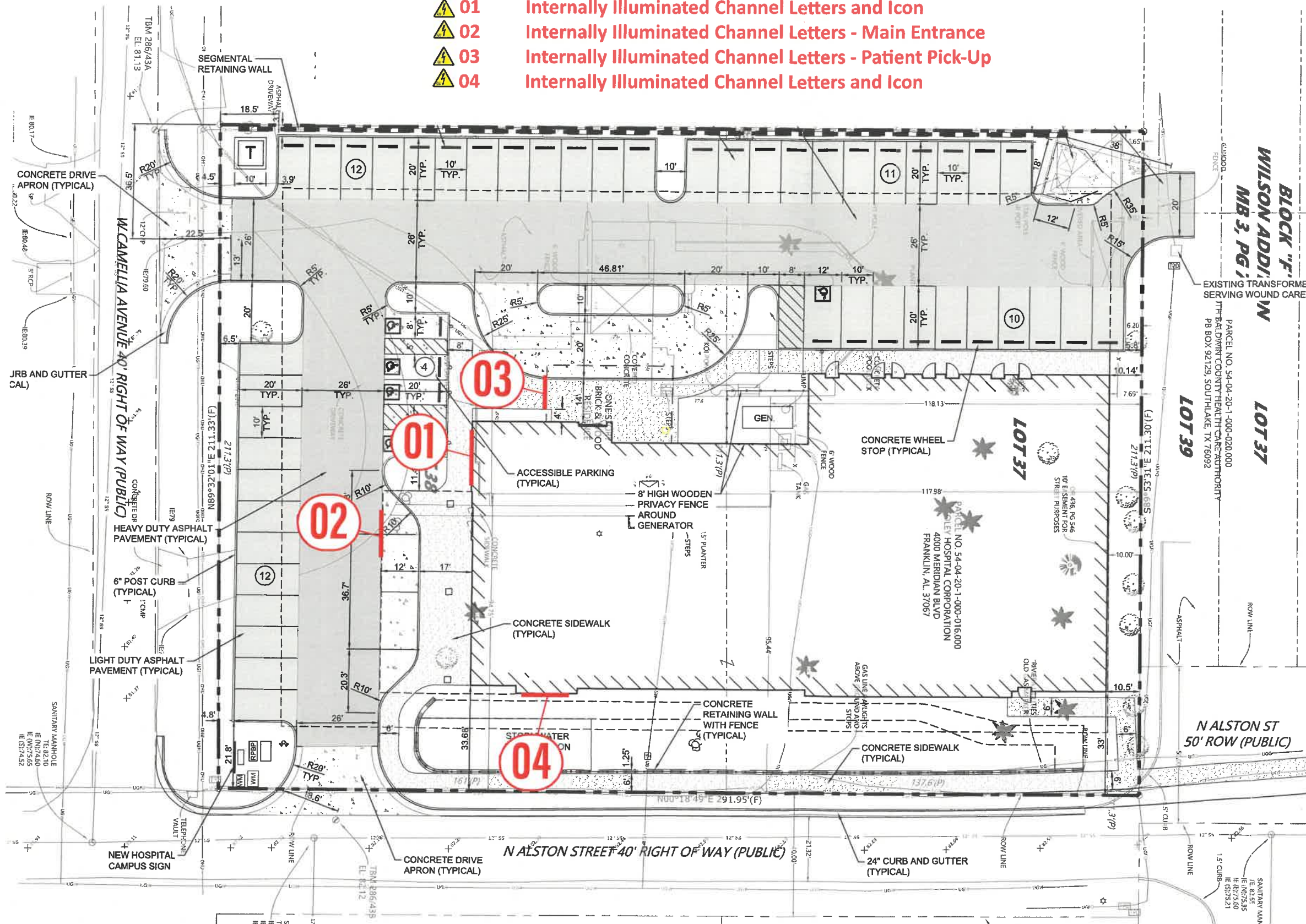
45866.00  
02/08/2024





⚡ 120V/120A Electrical Circuit Required at Location

- ⚡ 01 Internally Illuminated Channel Letters and Icon
- ⚡ 02 Internally Illuminated Channel Letters - Main Entrance
- ⚡ 03 Internally Illuminated Channel Letters - Patient Pick-Up
- ⚡ 04 Internally Illuminated Channel Letters and Icon



**SOUTH BALDWIN**  
REGIONAL MEDICAL CENTER

Foley, AL

Date: 02/08/24

Revised: \_\_\_\_\_

Designer: RPB

File Name: Foley ASC Site Plan.ai

File Folder: S\South Baldwin (CHS)\Foley  
ASC\Shop Drawings

Project Manager: CR

**Site Plan**

Exterior Signage

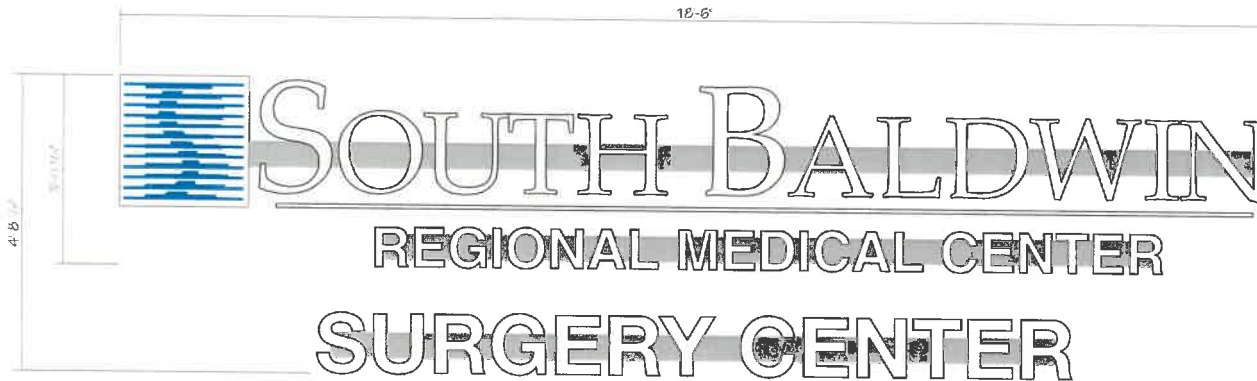
**signcraft** USA  
identifying your way

1301 Antioch Pike, Nashville, TN 37211  
p. 615-885-2900 | f. 615-885-2989



This design is being submitted for use as a product being manufactured for you by Signcraft, Inc. It is not to be reproduced, copied or manufactured by you or given to any other manufacturer without written permission from Signcraft, Inc. Unauthorized use is subject to design charge and will include any collection fees.

FINAL LOGO TO BE PROVIDED PRIOR TO PRODUCTION

**Front View**

Scale: 1/2" = 1' - 0"

Current Logo and Letter Set  
Logo Set: 87.7 Sq Ft**Location: 01 - Internally Illuminated Channel Logo****Construction Details:**

- ① 5" Deep Aluminum Channel Letters with returns painted white, inside of letters painted High Gloss White, 1" trimcap painted white. Standard white LED internal illumination. 3/16" thick white translucent acrylic faces. Letters mounted on 5" Narrow Aluminum raceway painted TBD to match facade.
- ② 5" Deep Aluminum Channel Letters with returns painted white, inside of letters painted High Gloss White, 1" trimcap painted white. Standard white LED internal illumination. 3/16" thick white translucent acrylic faces. Letters mounted on 5" Narrow Aluminum raceway painted TBD to match facade.
- ③ 5" Deep Aluminum Cabinet with returns painted white, inside of cabinet painted High Gloss White, 1" trimcap painted white. Standard white LED internal illumination. 3/16" thick white translucent acrylic faces with first surface applied blue translucent vinyl to match PMS 3005c. Letters mounted on 5" Narrow Aluminum raceway painted TBD to match facade.
- ④ 1/2" thick Flat Cut aluminum accent bar to be painted white.

All penetrations through building exterior to be sealed with GE 50 year/100% Siliconized sealant or GC approved equivalent to prevent water intrusion.

**Notes:**

GC to provide timer if required. No photo Cells. GC to provide one 20amp/277V Electrical Circuit with junction box in wall behind sign. \*ACCESS TO JUNCTION BOX IS NECESSARY FOR FINAL CONNECTIONS.

Installation to be coordinated with General Contractor and Glazing Contractor for necessary attachment method.

**SOUTH BALDWIN**  
REGIONAL MEDICAL CENTER

Foley, AL

Date: 02/08/24

Revised: \_\_\_\_\_

Designer: RPB

Loc 01\_ICL South  
File Name: Elevation.ai

File Folder: S:\South Baldwin (CHS)\Foley  
ASC\Shop Drawings

Project Manager: CR

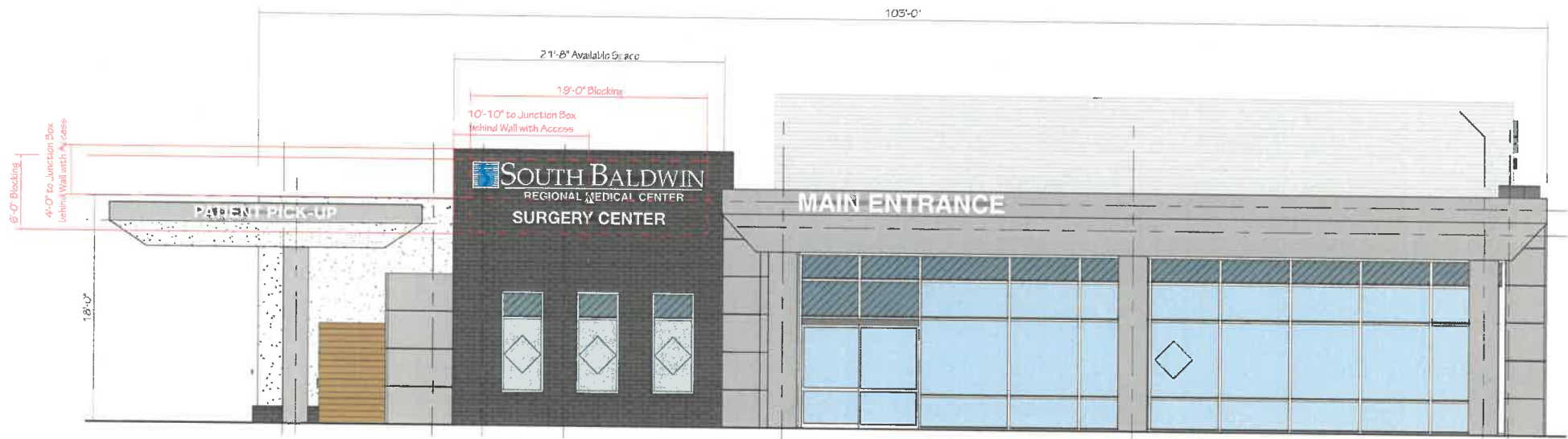
**Location 01**

Internally Illuminated  
Channel Letters on Raceway

**signcraft**  
USA  
identifying your way

1301 Antioch Pike, Nashville, TN 37211  
p. 615-885-2900 | f. 615-885-2989

This design is being submitted for use as a product being manufactured for you by Signcraft, Inc. It is not to be reproduced, copied or manufactured by you or given to any other manufacturer without written permission from Signcraft, Inc. Unauthorized use is subject to design charge and will include any collection fees.



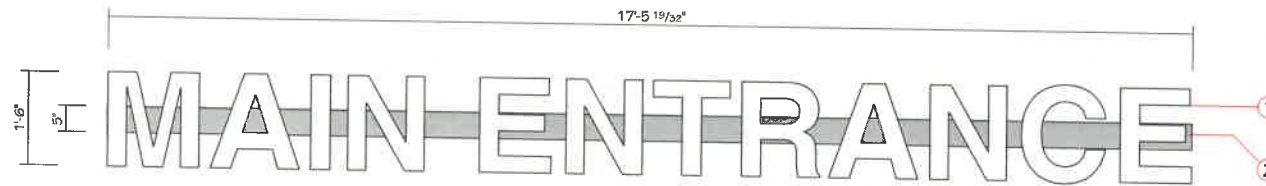
**South Elevation**

Scale: 1/8" = 1'-0"

Elevation: 1,854 Sq Ft

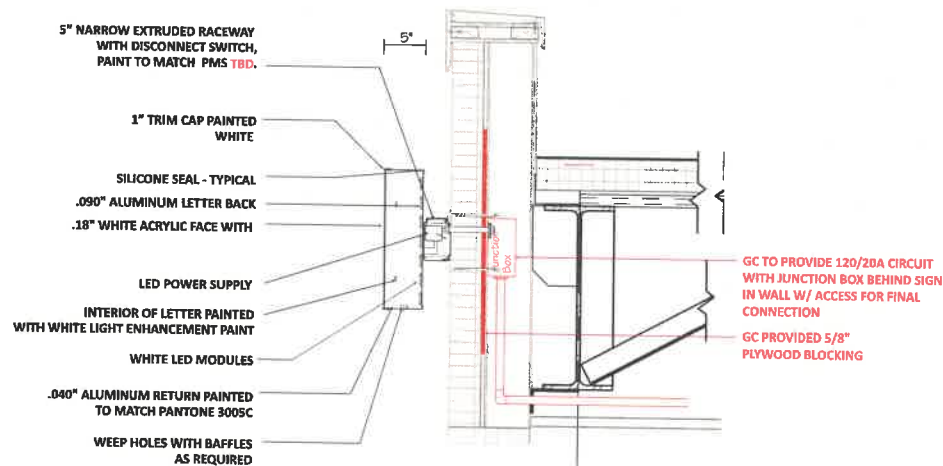
24



**Front View**

Scale: 1/2" = 1' - 0"

26.2 Sq Ft

**Typical Canopy Section Detail**

Scale: 3/4" = 1'-0"

**Location: 02 - Internally Illuminated Channel Letters****Construction Details:**

- ① 5" Deep Aluminum Channel Letters Painted white, inside of letters painted High Gloss White, 1" trimcap painted white. 3/16" thick translucent white acrylic faces. Standard white LED internal illumination.
- ② Letters mounted on 5" Narrow Aluminum raceway painted TBD to match Canopy.

All penetrations through building exterior to be sealed with GE 50 year/100% Siliconized sealant or GC approved equivalent to prevent water intrusion.

Font: Helvetica Bold

**Notes:**

GC to provide timer if required. No photo Cells. GC to provide one 20amp/277V Electrical Circuit with junction box in wall behind sign. \*ACCESS TO JUNCTION BOX IS NECESSARY FOR FINAL CONNECTIONS.

GC to provide 5/8" thick plywood blocking for securing sign

**SOUTH BALDWIN**  
REGIONAL MEDICAL CENTER

Foley, AL

Date: 02/08/24

Revised:

Designer: RPB

Loc 02\_ICL Main\_  
File Name: South Elevation.ai

File Folder: S:\South Baldwin (CHS)\Foley  
ASC\Shop Drawings

Project Manager: CR

**Location 02**

Internally Illuminated  
Channel Letters on Raceway

**signcraft** USA  
identifying your way

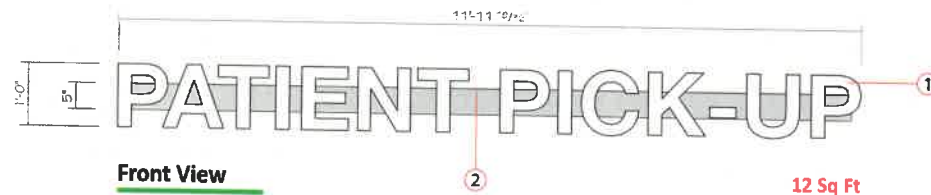
1301 Antioch Pike, Nashville, TN 37211  
p. 615-885-2900 | f. 615-885-2989

This design is being submitted for use as a product being manufactured for you by Signcraft, Inc. It is not to be reproduced, copied or manufactured by you or given to any other manufacturer without written permission from Signcraft, Inc. Unauthorized use is subject to design charge and will include any collection fees.

37

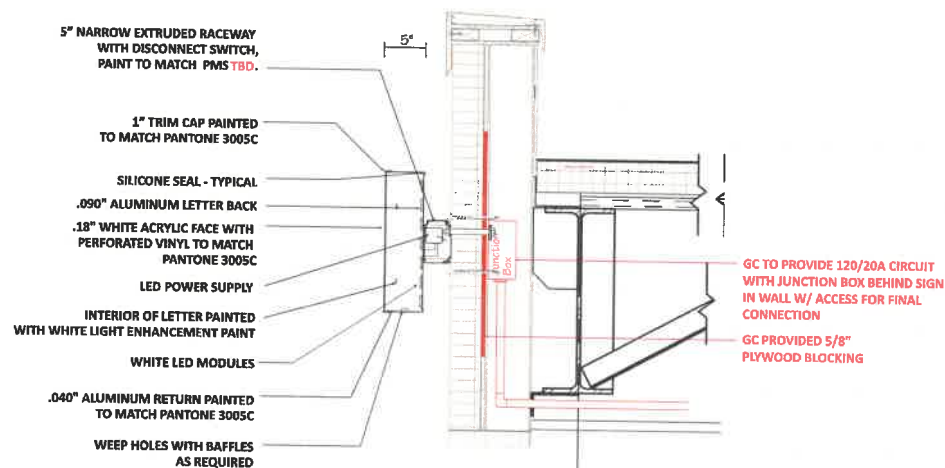




**Front View**

Scale: 1/2" = 1' - 0"

12 Sq Ft

**Typical Canopy Section Detail**

Scale: 3/4" = 1'-0"

**Location: 03 - Internally Illuminated Channel Letters****Construction Details:**

- ① 5" Deep Aluminum Channel Letters Painted white, inside of letters painted High Gloss White, 1" trimcap painted white. 3/16" thick translucent white acrylic faces. Standard white LED internal illumination.
- ② Letters mounted on 5" Narrow Aluminum raceway painted TBD to match Canopy.

All penetrations through building exterior to be sealed with GE 50 year/100% Siliconized sealant or GC approved equivalent to prevent water intrusion.

Font: Helvetica Bold

**Notes:**

GC to provide timer if required. No photo Cells. GC to provide one 20amp/277V Electrical Circuit with junction box in wall behind sign. \*ACCESS TO JUNCTION BOX IS NECESSARY FOR FINAL CONNECTIONS.

GC to provide 5/8" thick plywood blocking for securing sign

**SOUTH BALDWIN**  
REGIONAL MEDICAL CENTER

Foley, AL

Date: 02/08/24

Revised:

Designer: RPB

Loc 03\_ICL Pat Pick\_  
File Name: South Elevation.ai

File Folder: S:\South Baldwin (CHS)\Foley  
ASC\Shop Drawings

Project Manager: CR

**Location 03**

Internally Illuminated  
Channel Letters on Raceway

**signcraft**  
USA  
identifying your way

1301 Antioch Pike, Nashville, TN 37211  
p. 615-885-2900 | f. 615-885-2989

This design is being submitted for use as a product being manufactured for you by Signcraft, Inc. It is not to be reproduced, copied or manufactured by you or given to any other manufacturer without written permission from Signcraft, Inc. Unauthorized use is subject to design charge and will include any collection fees.

100

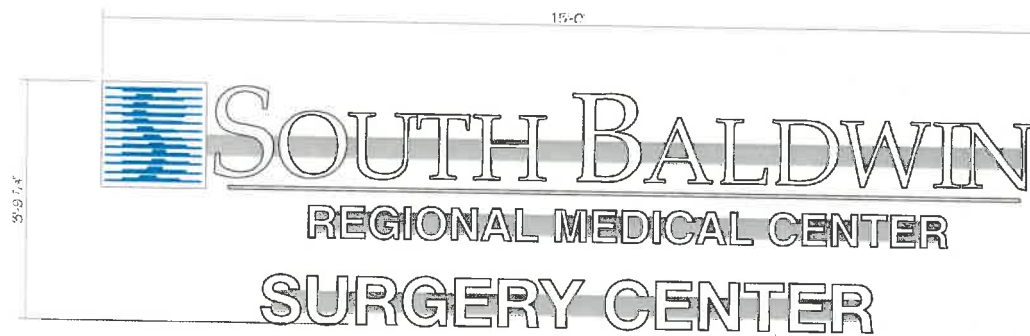


**South Elevation**

Scale: 1/8" = 1'-0"

Elevation: 1,854 Sq Ft

FINAL LOGO TO BE PROVIDED PRIOR TO PRODUCTION



### Front View

Scale: 1/2" = 1' - 0"

Current Logo and Letter Set  
Logo Set: 57.3 Sq Ft

### Location: 04 - Internally Illuminated Channel Logo

#### Construction Details:

- ① 5" Deep Aluminum Channel Letters with returns painted white, inside of letters painted High Gloss White, 1" trimcap painted white. Standard white LED internal illumination. 3/16" thick white translucent acrylic faces. Letters mounted on 5" Narrow Aluminum raceway painted TBD to match facade.
- ② 5" Deep Aluminum Channel Letters with returns painted white, inside of letters painted High Gloss White, 1" trimcap painted white. Standard white LED internal illumination. 3/16" thick white translucent acrylic faces. Letters mounted on 5" Narrow Aluminum raceway painted TBD to match facade.
- ③ 5" Deep Aluminum Cabinet with returns painted white, inside of cabinet painted High Gloss White, 1" trimcap painted white. Standard white LED internal illumination. 3/16" thick white translucent acrylic faces with first surface applied blue translucent vinyl to match PMS 3005c. Letters mounted on 5" Narrow Aluminum raceway painted TBD to match facade.
- ④ 1/2" thick Flat Cut aluminum accent bar to be painted white.

All penetrations through building exterior to be sealed with GE 50 year/100% Siliconized sealant or GC approved equivalent to prevent water intrusion.

#### Notes:

GC to provide timer if required. No photo Cells. GC to provide one 20amp/277V Electrical Circuit with junction box in wall behind sign. \*ACCESS TO JUNCTION BOX IS NECESSARY FOR FINAL CONNECTIONS.

Installation to be coordinated with General Contractor and Glazing Contractor for necessary attachment method.

**SOUTH BALDWIN**  
REGIONAL MEDICAL CENTER

Foley, AL

Date: 02/08/24

Revised:

Designer: RPB

Loc 04\_JCL\_East  
File Name: Elevation.ai

File Folder: S:\South Baldwin (CHS)\Foley  
ASC\Shop Drawings

Project Manager: CR

### Location 04

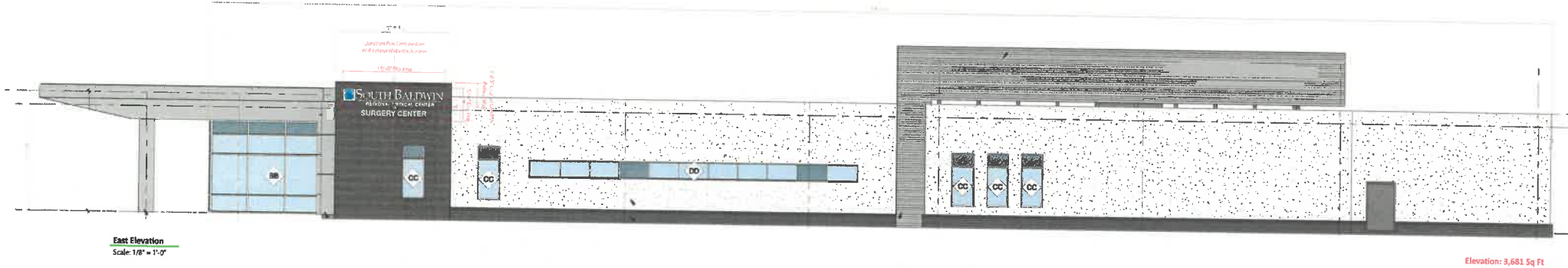
Internally Illuminated  
Channel Letters on Raceway

**signcraft** USA  
identifying your way

1301 Antioch Pike, Nashville, TN 37211  
p. 615-885-2900 | f. 615-885-2989

This design is being submitted for use as a product being manufactured for you by Signcraft, Inc. It is not to be reproduced, copied or manufactured by you or given to any other manufacturer without written permission from Signcraft, Inc. Unauthorized use is subject to design charge and will include any collection fees.

31







# PLANNING COMMISSION JOINT STAFF REPORT: March 2024

33

**STAFF RECOMMENDATION:** Approve

**PROJECT NAME:** Hickory Street RV & Boat storage facility

**REQUEST:** Zoning - Site Plan Approval

**SUB TYPE:** Commercial developments where the total area exceed three (3) gross acres

**OWNER / APPLICANT:** Steve Rohal

**ACREAGE:** 5.4

**PIN#(s):** 216367

**LOCATION:** N of E Fielding Park Dr, W of S Hickory St

**PROJECT DESCRIPTION:** Hickory Street RV & Boat storage facility

**CURRENT ZONING:** B-3

**OVERLAY DISTRICT:** N/A

**REQUESTED ZONING:** N/A

**ADJACENT ZONING:** N: GPH-1; E&S: B-3; W: B-2

**FUTURE LAND USE:** RL - Residential Low Density (2 - 4)

**EXISTING LAND USE:** VACANT



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

34

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

1. The BAA approved the use & layout. The only modification is the owners engineer said the proposed detention pond had to be moved from the conceptual plan.

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

1. Engineering recommends site plan approval. A Land Development Permit will be required with any construction improvements.

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

1. Environmental review recommends approval for the site plan; further review will occur during the LDP application.

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

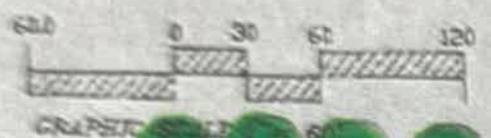
1. Be aware of potential wetlands on the Northwest and Northeast sections of the property. No other concerns from Building Safety or Floodplain Management at this time



# TAYLOR'S MANOR

A SUBDIVISION OF A PORTION OF SECTION 6,  
T-8-S, R-4-E, BALDWIN COUNTY, ALABAMA

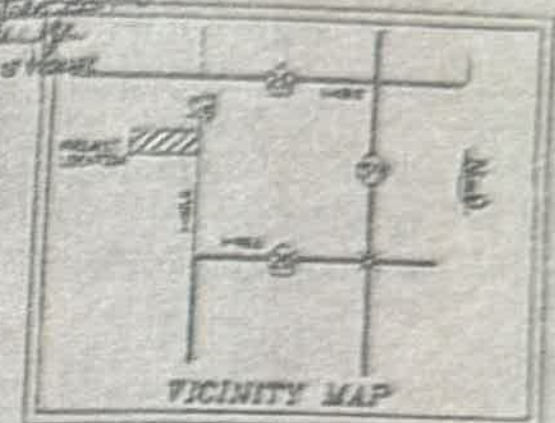
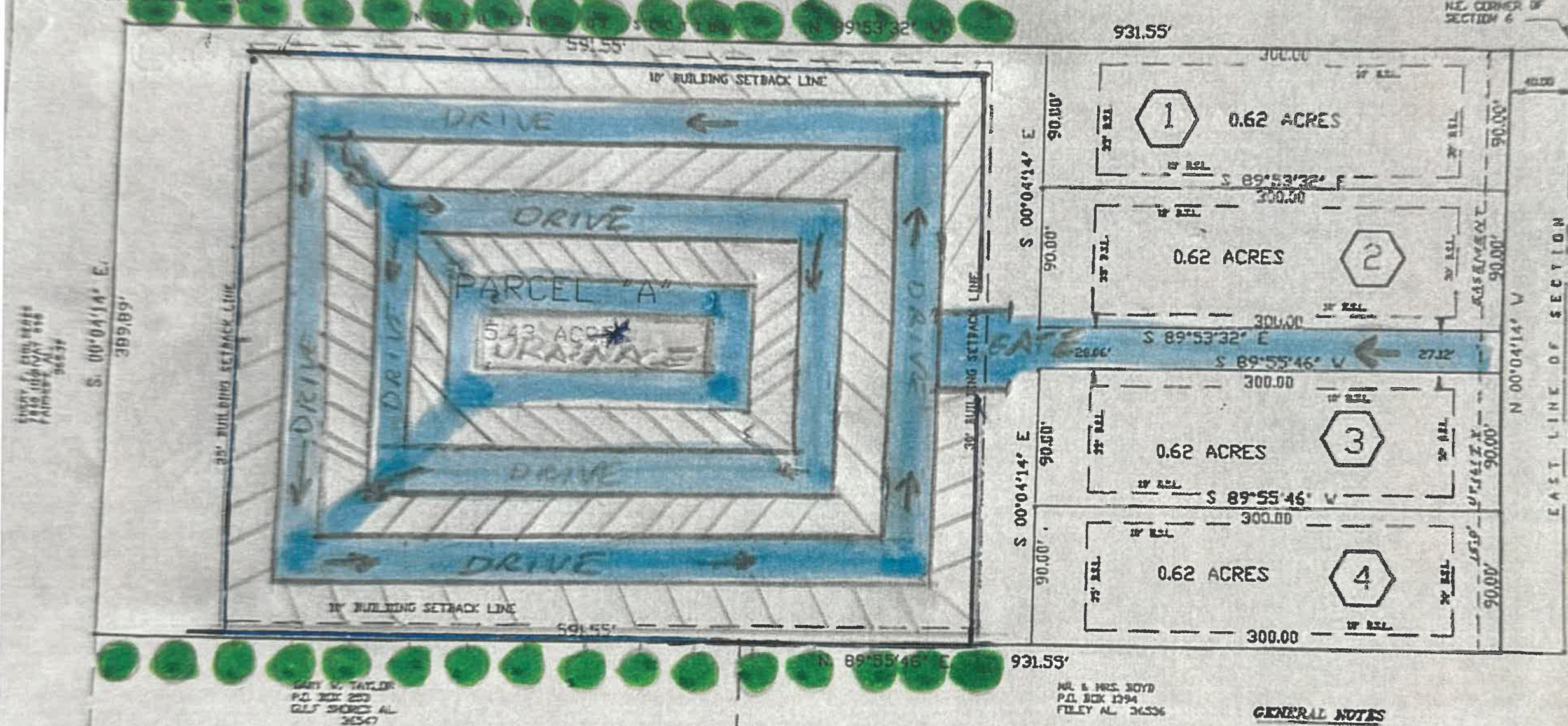
MAY, 1997



STATE OF ALABAMA  
COUNTY OF BALDWIN  
DEED BOOK 201, PAGE 101  
RECORDING DATE 05/14/97

017598

35



\*-FOLEY ENGINEERING  
TBD

OWNER AND DEVELOPER

GARY W. TAYLOR  
P.O. BOX 253  
GULF SHORES AL 36547

● = TREE/SHRUB

— = FENCE

/// = STORAGE SPACE

### CERTIFICATE OF FINAL PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT FOR GARY W. TAYLOR'S MANOR HAS BEEN FILED TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF FOLEY, ALABAMA, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE REMARKS OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE PROBATE JUDGE OF BALDWIN COUNTY, ALABAMA.

SEPARATE 17 1997  
*Robert M. Davis*  
CHAIRMAN, PLANNING COMMISSION  
*David M. Williams*  
CITY CLERK, CITY OF FOLEY

### CERTIFICATE OF APPROVAL BY THE ELECTRIC UTILITY

THE UNDERSIGNED AS AUTHORIZED BY MISSISSIPPI UTILITIES, ELECTRICAL SERVICE DEPARTMENT, HEREBY APPROVES THE VISION PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE 27th DAY OF MAY, 1997  
*Donald R. Brown*  
ELECTRIC UTILITY REPRESENTATIVE

### CERTIFICATE OF APPROVAL BY THE TELEPHONE UTILITY

THE UNDERSIGNED AS AUTHORIZED BY THE GULF TELEPHONE COMPANY, HEREBY APPROVES THE VISION PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE 27th DAY OF MAY, 1997  
*Marvin H. King*  
TELEPHONE UTILITY REPRESENTATIVE

### SURVEYOR'S CERTIFICATE

I, VICTOR E. SMOKE, A LICENSED SURVEYOR IN THE STATE OF ALABAMA, DO HEREBY CERTIFY THAT I HAVE PERSONALLY EXAMINED THE PLAT AND THE FIELD NOTES AND THAT THE SAME ACCURATELY REPRESENT THE ACTUAL SURVEY.

### GENERAL NOTES

- 1. BUILDING SETBACK REQUIREMENTS ARE FROM 30' SIDE 10' REAR 30'.
- 2. THE ENTIRE SUBDIVISION AS SHOWN LIES WITHIN FLOOD ZONE "C".
- 3. FENCES AND ENCLOSURES ARE AS SHOWN OR NOTED.
- 4. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
- 5. NO ATTEMPT HAS BEEN MADE BY THIS FIRM TO CONDUCT A TITLE RESEARCH SEARCH FOR THIS SITE ON THE ADJACENT PROPERTY.
- 6. ALL LOT CORNERS SET WITH PIN AND CAP MARKS.
- 7. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- 8. DRAINAGE EASEMENTS SHALL NOT BE FENCED NOR SHALL ANY STRUCTURES OR DEPOSITS BE PERMITTED IN SAID EASEMENTS THAT WOULD IN ANY WAY IMPERE THE FLOW OF STORM WATER OR ACCESSIBILITY.
- 9. A 10' UTILITY EASEMENT ALONG EACH SIDE OF EACH LOT LIES TOTALING 100' UNLESS OTHERWISE NOTED.

### OWNERS ACCEPTANCE

I, THE UNDERSIGNED AS OWNER AND DEVELOPER OF THE LAND SHOWN HEREON, DO HEREBY ACCEPT AND APPROVE THIS PLAT AND SUBDIVISION AS SHOWN HEREON.

THIS THE 29th DAY OF MAY, 1997  
*Gary W. Taylor*

### ACKNOWLEDGEMENT

STATE OF ALABAMA  
COUNTY OF BALDWIN

*Gary W. Taylor*  
GARY W. TAYLOR, OWNER AND DEVELOPER OF THE LAND SHOWN HEREON, DO HEREBY ACCEPT AND APPROVE THIS PLAT AND SUBDIVISION AS SHOWN HEREON.

BALDWIN COUNTY HEALTH DEPARTMENT

LEGAL DESCRIPTION:



NY 100-1- VILLAR MARTIN- A WHITE ATT  
PA BOX 7  
VILLAR AL 2675

MAY. 1992

PENGED  
BUFFER ZONE 35'

N.E. CORNER OF  
SECTION 6

1987 SEP 24 A:11:40

DEPT. \_\_\_\_\_ MORTGAGE \_\_\_\_\_  
MIN. L.A. \_\_\_\_\_ REC'D \_\_\_\_\_  
RECORDED IN \_\_\_\_\_

**OWNER AND DEVELOPER**

GARY W. TAYLOR  
P.O. BOX 252  
GULF SHORES AL  
36547

SIGNATURE:

HICKORY STREET

STORAGE - PARKING  
32 S.F. 'LL.

FENCED  
BUFFER ZONE \*  
DECIDUOUS TREES  
10' TALL

OWNERS ACCEPTANCE

2. THE UNDERSIGNED, AS OWNER AND DEVELOPER OF THE LAND SHOWN HEREIN, DO HEREBY ACCEPT AND APPROVE THIS PLAT AND SUBDIVISION AS SHOWN HEREIN.

THIS THE 29<sup>th</sup> DAY OF May 1995.

### ACKNOWLEDGEMENT

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, John A. Taylor, a Notary Public in and for  
said County and State, do hereby certify that Earl A. Taylor whose  
name is signed to the foregoing instrument and who is known to  
me, acknowledged before me on this day, that he is the owner of  
the contents of the instrument, he executed the same voluntarily  
and with full authority.

OPTION UNDER IT WAS APPROVED BY THE \_\_\_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC  
MY COMMISSION EXPIRES 9-31-2000

150.0 0 30 60 120

GRAPHIC SCALE 1" = 60'

ORTH LINE OF SECTION

N. 89°53'32" W.

PARCEL "A"  
5.43 ACRES

PAVED FOR  
14' x 45' 15' STALLS  
14' x 40'  
4 CANOPIES 2 CARS  
100' x 50' x 16'  
28-5' STALLS  
30' BUILDING SETBACK LINE

GARY W. TAYLOR  
P.O. BOX 203  
GULF SHORES AL  
36547

MR. & MRS. BOYD  
P.O. BOX 1394  
FLEET AL 36536

### GENERAL NOTES

- BUILDING SETBACK REQUIREMENTS ARE FROM 30' SIDE 1/4' REAR 20'.
- THE ENTIRE SUBDIVISION AS SHOWN LIES WITHIN FLOOD ZONE "C".
- FLOODS AND OVERSIGHTS ARE AS SHOWN OR NOTED.
- NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAYS AND/OR OWNERSHIP WERE FURNISHED THIS SURVEYOR EXCEPT AS SHOWN.
- NO ATTEMPT HAS BEEN MADE BY THIS FIRM TO CONDUCT A TITLE RECORDS SEARCH FOR THIS SITE OR THE ADJOINING PROPERTY.
- ALL LOT CORNERS SET WITH PPM AND CAP 1/4"X1/2".
- NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- SHADOWN EASEMENTS SHALL NOT BE FENCED NOR SHALL ANY STRUCTURES OR DEPOSITS BE PERMITTED IN SAID EASEMENTS THAT WOULD IN ANY WAY IMPERE THE FLOW OF STORM WATER OR ACCESSIBILITY.
- A 30' UTILITY EASEMENT ALONG EACH SIDE OF SIDE LOT LINES TOTALING 200', UNLESS OTHERWISE NOTED.

LEGAL DESCRIPTION:

BEGINNING AT THE NE CORNER OF SECTION 6, T-6-S, R-4-E, BALDWIN COUNTY, ALABAMA  
THENCE N. 89°30'45" E. ALONG THE NORTH LINE OF SAID SECTION FOR 102.553 THENCE  
S. 00°04'14" E. FOR 309.049 THENCE N. 89°30'45" E. FOR 102.553 TO THE EAST LINE  
OF SAID SECTION THENCE N. 00°04'14" E. ALONG SAID EAST SECTION LINE FOR 309.049  
TO THE POINT OF BEGINNING.  
LESS AND EXCEPT THE EAST 4000' FOR ROAD RIGHT OF WAY.  
CONTAINING 7.93 ACRES MORE OR LESS.

**CERTIFICATE OF APPROVAL BY THE ELECTRIC UTILITY**

THE UNDERSIGNED AS AUTHORIZED BY "MOVERA UTILITIES", ELECTRICAL SERVICE DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PUBLIC OFFICE OF SAID COUNTY.

DATE 27th DAY OF May 1997  
Donald R. Boone  
 ELECTRIC UTILITY REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE TELEPHONE UTILITY

THE UNDERSIGNED, AS AUTHORIZED BY THE GULF TELEPHONE COMPANY, HEREBY  
APPROVES THE WITHIN PLAY FOR THE RECORDINGS OF SAME ON THE PREMISE  
OFFICE OF SAID COUNTY, THIS THE 22<sup>nd</sup> DAY OF MAY, 1997  
William H. King  
TELEPHONE UTILITY REPRESENTATIVE

### SURVEYOR'S CERTIFICATE

2. VICTOR G. SUMNER, A REGISTERED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF TAYLOR, A PROPRIETOR, SITUATED IN BALDWIN COUNTY, ALABAMA, AND DESCRIBED AS SHOWN HEREON, AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDER SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED GIVING THE LENGTH AND BEARING OF THE BOUNDARIES OF EACH LOT AND

CERTIFICATE OF FINAL PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT FOR GARY W. TAYLOR  
KNOWN AS TAYLOR'S NAME SUBDIVISION HAS BEEN FOUND TO  
COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MOBILE, ALABAMA, WITH  
THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MARGINS OF  
THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE  
OFFICE OF THE PROMOTE, JUDGE OF BALDWIN COUNTY, ALABAMA.

SEPTEMBER 17 1977

Robert M. Davis  
CHAIRMAN, FINANCING COMMISSION  
CITY CLERK, CITY OF ST. LOUIS

BALDWIN COUNTY HEALTH DEPARTMENT

THIS SURVEILLANCE MEETS THE APPROVAL OF THE BALDWIN COUNTY HEALTH DEPARTMENT SUBJECT TO CERTAIN CONDITIONS OF APPROVAL AND LIMITATIONS SET FORTH IN THE BALDWIN COUNTY HEALTH DEPARTMENT ORDER. THESE CONDITIONS ARE MADE A PART OF THE APPROVAL, AS IT SET FORTH HEREIN.

Canella Park

BALDWIN COUNTY HEALTH DEPARTMENT

DATE 6-7-71

CERTIFICATE OF APPROVAL BY THE BOARD OF DIRECTORS





## PLANNING COMMISSION JOINT STAFF REPORT: March 2024

**STAFF RECOMMENDATION:** Approve  
**PROJECT NAME:** Riviera and Minto-Teem Commercial Park Ph1  
**REQUEST:** Subdivision  
**SUB TYPE:** Minor

**OWNER / APPLICANT:** Heather Bell

**ACREAGE:** 1.01  
**NUMBER OF LOTS:** 2

**PIN#(s):** 208849

**LOCATION:** 198 COUNTY RD 20

**PROJECT DESCRIPTION:** Teem Commercial  
Park PH 1-Riviera and Minto

**CURRENT ZONING:** B-1A

**OVERLAY DISTRICT:** N/A

**REQUESTED ZONING:** N/A

**ADJACENT ZONING:** N: B-1A; E & S: R-3;  
W:PUD

**FUTURE LAND USE:** RCC - Retail Commercial  
Concentration

**EXISTING LAND USE:** Dentist office





38

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. OVERALL ACREAGE: 2.24, NUMBER OF LOTS: 2 , LARGEST LOT:1.23 Acres, SMALLEST LOT: 1.01 Acres

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

1. Engineering recommends approval of the minor subdivision / lot line adjustment.

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

1. Environmental recommends approval of lot line shift.

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

1. Fire has no comment for resubdivision

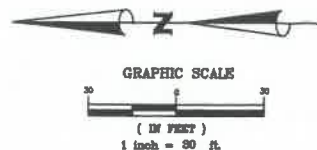
**Reviewer:** Chuck Lay, 251-952-4011, clay@cityoffoley.org, Building Department  
**Review Status:** Approved

1. Neither Building Safety nor Floodplain Management are not opposed to this subdivision

## LEGEND

● C.R.F.	CAPPED REBAR FOUND
● R.B.F.	REBAR IRON FOUND
○ C.R.S.	1/2" CAPPED REBAR SET "CA 1007-13"
—	POWER POLE
—	GUY WIRE
□	AIR CONDITIONER
★	LIGHT POLE
● SSCO	SANITARY SEWER CLEAN OUT
---	EASEMENT LINE
---	SETBACK LINE
---	PROPERTY LINE

# RIVIERA AND MINTO SUBDIVISION



**SITE DATA**  
NUMBER OF LOTS = 2  
SMALLEST LOT SIZE = 1.01± ACRES  
TOTAL SITE = 2.24± ACRES

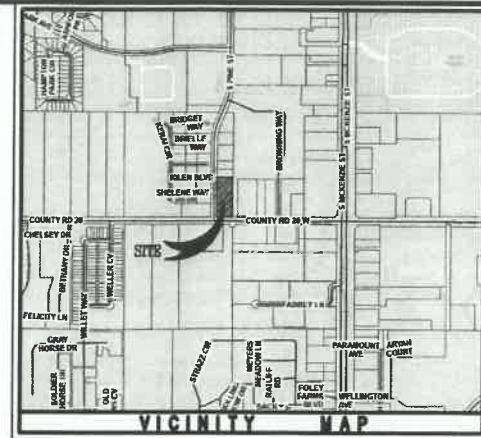
**OWNERS**  
RIVIERA PROPERTIES LLC  
198 CO RD 20 W  
FOLEY, AL 36535  
  
MINTO PROPERTIES LLC  
19748 GREENO RD  
FAIRHOPE, AL 36532

**SURVEYOR**  
ERIC L. GODWIN, PLS  
ALABAMA LICENSE NO. 26621  
SAVGRASS CONSULTING, LLC  
30873 SGT B BOOTS THOMAS DR  
SPANISH FORT, AL 36527

**ZONING**  
CITY OF FOLEY, B-1A  
(EXTENDED BUSINESS DISTRICT)

**SETBACKS**  
FRONT = 30 FEET  
REAR = 20 FEET  
SIDE = 10 FEET  
SIDE STREET = 30 FEET

**UTILITIES**  
POWER = BALDWIN COUNTY EMC  
WATER AND GAS = RIVIERA UTILITIES  
SEWER = RIVIERA UTILITIES



## SURVEYOR'S NOTES:

- INFORMATION USED TO PERFORM AND PRODUCE THIS SURVEY ARE PREVIOUS SURVEYS, BY THIS FIRM OR OTHERS, DEEDS OF RECORDS AND/OR OTHER INFORMATION AS PROVIDED BY THE CLIENT. NO TITLE SEARCH, OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM OR BY OTHERS UNDER THE DIRECTION OF THIS FIRM. IN ADDITION, THERE MAY BE OTHER INSTRUMENTS OF RECORD WITHIN THE OFFICE OF THE JUDGE OF PROBATE, AS WELL AS OTHER UNRECORDED INSTRUMENTS COULD ENCUMBER AND/OR AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT THE TIME OF SURVEY.
- BASES OF BEARING: BASED ON GRID NORTH AS DETERMINED BY RTK GPS AND REFERENCED TO NAD83, ALABAMA WEST STATE PLANE COORDINATES.
- DATE OF FIELD WORK: JANUARY, 2024
- I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION MAP, COMMUNITY PANEL NUMBER 0100300927M, EFFECTIVE APRIL 19, 2019, AND HAVE FOUND THAT THE DESCRIBED PROPERTIES ARE LOCATED IN ZONE "X" (UNSHADED). AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- ANY FLOOD ZONES GIVEN OR SHOWN ON THE FACE OF THIS DRAWING ARE SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE MAPS (SCALED ONLY)
- THERE IS DEDICATED HERewith A 10 FOOT UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO ALL RIGHTS-OF-WAY, AND A 5 FOOT UTILITY EASEMENT ON EACH SIDE OF ALL OTHER LOT LINES AND COMMON AREA LINES SHOWN WITHIN THE PROPERTY DESCRIBED HEREON, UNLESS OTHERWISE NOTED.

## OWNER'S DEDICATION

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, DAVID G. MINTO JR., OWNER OF MINTO PROPERTIES, LLC, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS RIVIERA AND MINTO SUBDIVISION, A PART OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, AND THAT THE (STREETS, DRIVES, ALLEYS, EASEMENTS, ETC.) AS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

MINTO PROPERTIES, LLC (DAVID G. MINTO JR.)

DATE

## OWNER'S DEDICATION

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, CHANCELLOR D. MCLEMORE, OWNER OF RIVIERA PROPERTIES, LLC, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS RIVIERA AND MINTO SUBDIVISION, A PART OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, AND THAT THE (STREETS, DRIVES, ALLEYS, EASEMENTS, ETC.) AS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

RIVIERA PROPERTIES, LLC (CHANCELLOR D. MCLEMORE)

DATE

## CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT DAVID G. MINTO JR., OWNER OF MINTO PROPERTIES LLC, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS A OWNER IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME, ON THIS DAY THAT BEING DULY INFORMED OF THE CONTENTS OF SAID INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC

## CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT CHANCELLOR D. MCLEMORE, OWNER OF RIVIERA PROPERTIES LLC, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS A OWNER IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME, ON THIS DAY THAT BEING DULY INFORMED OF THE CONTENTS OF SAID INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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 RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CITY ENGINEER

## CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN PLAT OF RIVIERA AND MINTO SUBDIVISION, FOLEY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY PLANNING COMMISSION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CITY PLANNING COMMISSION CHAIRMAN

## CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY E-911 ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

(AUTHORIZED SIGNATURE)

## CERTIFICATE OF APPROVAL BY BALDWIN COUNTY EMC: (POWER)

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

(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.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

(AUTHORIZED SIGNATURE)

## CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES (WATER AND 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.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

(AUTHORIZED SIGNATURE)

## SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED:

I, ERIC L. GODWIN, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF RIVIERA PROPERTIES LLC AND MINTO PROPERTIES LLC, SITUATED IN BALDWIN COUNTY, ALABAMA AND DESCRIBED AS FOLLOWS:

RECORD DESCRIPTION PARCEL A: (MINTO PROPERTIES, LLC)(INST.1921756)

LOT 5, TEEM COMMERCIAL PARK, PHASE ONE, AS PER PLAT THEREOF RECORDED ON SLIDE 2053-D IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

RECORD DESCRIPTION PARCEL B: (RIVIERA PROPERTIES, LLC)(INST.1352697)

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE SOUTH 00 DEGREES 04 MINUTES 05 SECONDS EAST, 290.03 FEET TO A CAPPED IRON SET (CA 0804 LS) AND THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 20; THENCE ALONG SAID RIGHT-OF-WAY NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 150.02 FEET TO A CAPPED IRON SET (CA 0804 LS); THENCE NORTH 00 DEGREES 03 MINUTES 53 SECONDS WEST, 290.00 FEET TO A CAPPED IRON SET (CA 0604 LS); THENCE NORTH 89 DEGREES 59 MINUTES 38 SECONDS EAST, 150.00 FEET TO SAID CAPPED IRON FOUND (0371) AND THE POINT OF BEGINNING. LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.

DESCRIPTION OF SURVEY:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4B, RE-SUBDIVISION OF LOT 4 TEEM COMMERCIAL PARK, PHASE TWO, AS RECORDED AS SLIDE 2134-C, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN S00°04'22"E, ALONG THE WEST LINE OF LOT A, EXCHANGE AT FOLEY, AS RECORDED AS SLIDE 2582-D, IN SAID OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, 490.03 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 20 WEST; THENCE RUN S89°57'35"W, LEAVING SAID WEST LINE OF LOT A, AND ALONG SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 20 WEST, 200.12 FEET TO THE POINT OF INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 20 WEST, AND THE EAST RIGHT-OF-WAY LINE OF SOUTH PECAN STREET; THENCE RUN N00°00'28"E, LEAVING SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 20 WEST, AND ALONG SAID EAST RIGHT-OF-WAY LINE OF SOUTH PECAN STREET, 490.22 FEET TO POINT BEING THE SOUTHWEST CORNER OF SAID LOT 4B, RE-SUBDIVISION OF LOT 4 TEEM COMMERCIAL PARK PHASE TWO; THENCE RUN S89°59'08"E, LEAVING SAID EAST RIGHT-OF-WAY LINE, AND ALONG THE SOUTH LINE OF SAID LOT 4B, 189.44 FEET TO THE POINT OF BEGINNING, CONTAINING 2.24 ACRES MORE OR LESS AND LYING IN SECTION 5, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.

AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED GIVING THE LENGTH AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTH, WIDTH AND NAMES OF THE STREETS, SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS MARKED THIS "COR" AS HEREON SHOWN HEREON. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

AND FURTHER CERTIFY THAT WE HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, PANEL NO. 0100300927M, REVISED DATE APRIL 19, 2019 AND FOUND THAT THE DESCRIBED PROPERTY LIES IN ZONE "X" (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

ERIC L. GODWIN, PLS  
ALABAMA LICENSE NUMBER 26621

DATE



30873 Sgt. E. L. "Boots" Thomas Drive, Spanish Fort, AL 36527  
202 Government Street, Suite 225, Mobile, AL 36602  
Phone: (251) 544-7900

FINAL PLAT

RIVIERA AND MINTO SUBDIVISION

CHANCE MCLEMORE



SCALE: 1" = 30'

DATE: JANUARY 25, 2024

DRAWN BY: HL

CHECKED BY:

SHEET: 1 OF 1





# PLANNING COMMISSION JOINT STAFF REPORT: March 2024

40

**STAFF RECOMMENDATION:** Approve  
**PROJECT NAME:** Resubdivision of lot 1B of old time pottery foley subdivision  
**REQUEST:** Subdivision  
**SUB TYPE:** Minor

**OWNER / APPLICANT:** Engineering Design Group, LLC - Courtney Harris

**ACREAGE:** 1.55  
**NUMBER OF LOTS:** 2

**PIN#(s):** 360427

**LOCATION:** S of Keller Rd, E of State Hwy 59

**PROJECT DESCRIPTION:** Resubdivision of lot 1B of old time pottery foley subdivision

**CURRENT ZONING:** PUD

**OVERLAY DISTRICT:** n/a

**REQUESTED ZONING:** n/a

**ADJACENT ZONING:** N,E,&S- PUD; W:B-1A

**FUTURE LAND USE:** RCC - Retail Commercial Concentration

**EXISTING LAND USE:** VACANT



UTILITY LETTERS  
RECEIVED: Yes

DEED RECEIVED: Yes

AGENT AUTHORIZATION: Yes

41

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

1. The lots appear to meet zoning requirements.

**Reviewer:** Engineering Team, 251-952-4021, tdavis@cityoffoley.org; cchristian@cityoffoley.org, Engineering  
**Review Status:** Approved

1. Engineering recommends approval of the resubdivision of Lot 1B. A Land Development Permit will be required for site work with future development.

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

1. Environmental has no concerns with the proposed subdivision of lot 1B.

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

1. Fire has no issues with the subdivision.

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

1. Neither Building Safety nor Floodplain Management are opposed to this subdivision



# RESUBDIVISION OF LOT 1B OF OLD TIME POTTERY FOLEY SUBDIVISION

AS RECORDED IN SLIDE 2842-D IN THE OFFICE OF THE JUDGE OF PROBATE IN  
BALDWIN COUNTY, ALABAMA

SITUATED IN SECTION 21, TOWNSHIP 8 SOUTH, RANGE 4 EAST,  
BALDWIN COUNTY, ALABAMA

THE PURPOSE OF THIS RESUBDIVISION IS TO SUBDIVIDE ONE LOT INTO TWO LOTS.

## 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 \_\_\_\_\_, 2024.

CITY ENGINEER

## CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION

THE WITHIN RESUBDIVISION OF LOT 1B OF OLD TIME POTTERY FOLEY SUBDIVISION, FOLEY, ALABAMA IS HEREBY APPROVED  
BY THE CITY OF FOLEY PLANNING COMMISSION THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CITY PLANNING COMMISSION CHAIRMAN

## CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (GAS)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE  
PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

AUTHORIZED SIGNATURE

## CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (WATER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE  
PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

AUTHORIZED SIGNATURE

## CERTIFICATE OF APPROVAL BY BALDWIN EMC (ELECTRIC)

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE  
PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

AUTHORIZED SIGNATURE

## CERTIFICATE OF APPROVAL BY BALDWIN COUNTY SEWER SERVICES

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY SEWER SERVICES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING  
OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

AUTHORIZED SIGNATURE

## CERTIFICATE OF APPROVAL BY BRIGHT SPEED COMMUNICATIONS

THE UNDERSIGNED, AS AUTHORIZED BY BRIGHT SPEED COMMUNICATIONS, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME  
IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA: THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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 THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

AUTHORIZED REPRESENTATIVE

## NOTES:

- NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED  
FOR EASEMENTS AND/OR RIGHTS OF WAYS, RECORDED OR UNRECORDED. THE PARCEL SHOWN HEREON IS SUBJECT TO SETBACKS,  
EASEMENTS, ZONING, AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORD OF SAID COUNTY.
- ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HEREON.
- THE UNDERGROUND UTILITIES HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR EXISTING DRAWINGS. HOWEVER, THERE  
MAY EXIST UNDERGROUND UTILITIES OR BURIED PIPES WHICH WERE NOT LOCATED OR OF WHICH THE SURVEYOR HAS NO KNOWLEDGE.  
THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER  
IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT  
LOCATION INDICATED BECAUSE THE UNDERGROUND UTILITIES WERE NOT PHYSICALLY LOCATED.
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE)  
(NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
- ACCORDING TO THE FLOOD INSURANCE RATE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR ALABAMA  
(COMMUNITY PANEL 01003C0933M, EFFECTIVE DATE APRIL 19, 2019), THIS SITE LIES WITHIN ZONE X, DEFINED AS "AREAS DETERMINED TO BE  
OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".
- SURVEY PREPARED FOR: BROCO FOLEY, LLC, A GEORGIA LLC.
- THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.

## PROPERTY DESCRIPTION:

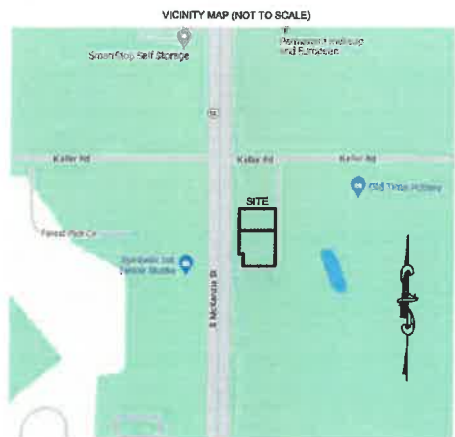
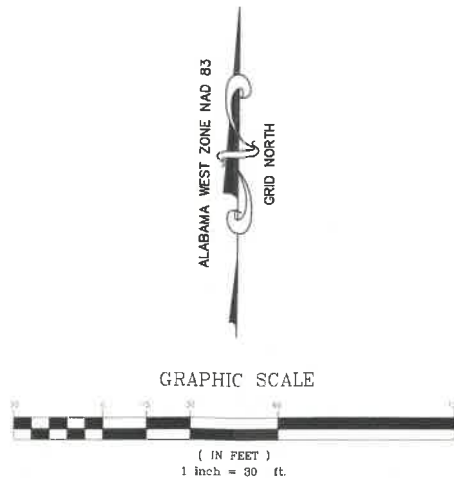
LOT 1B OF OLD TIME POTTERY SUBDIVISION FOLEY AS RECORDED ON SLIDE 2842-D IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN  
COUNTY, ALABAMA.

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:

MICHAEL A. JOHNSON  
ALABAMA LICENSE NO. 31573

DATE: February 23, 2024



## 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 \_\_\_\_\_, 2024.

BROCO FOLEY, LLC, A GEORGIA LLC,  
3455 HARDEE AVENUE  
ATLANTA, GEORGIA 30341

PRINTED NAME

## 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  
\_\_\_\_\_, 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 \_\_\_\_\_, 2024.

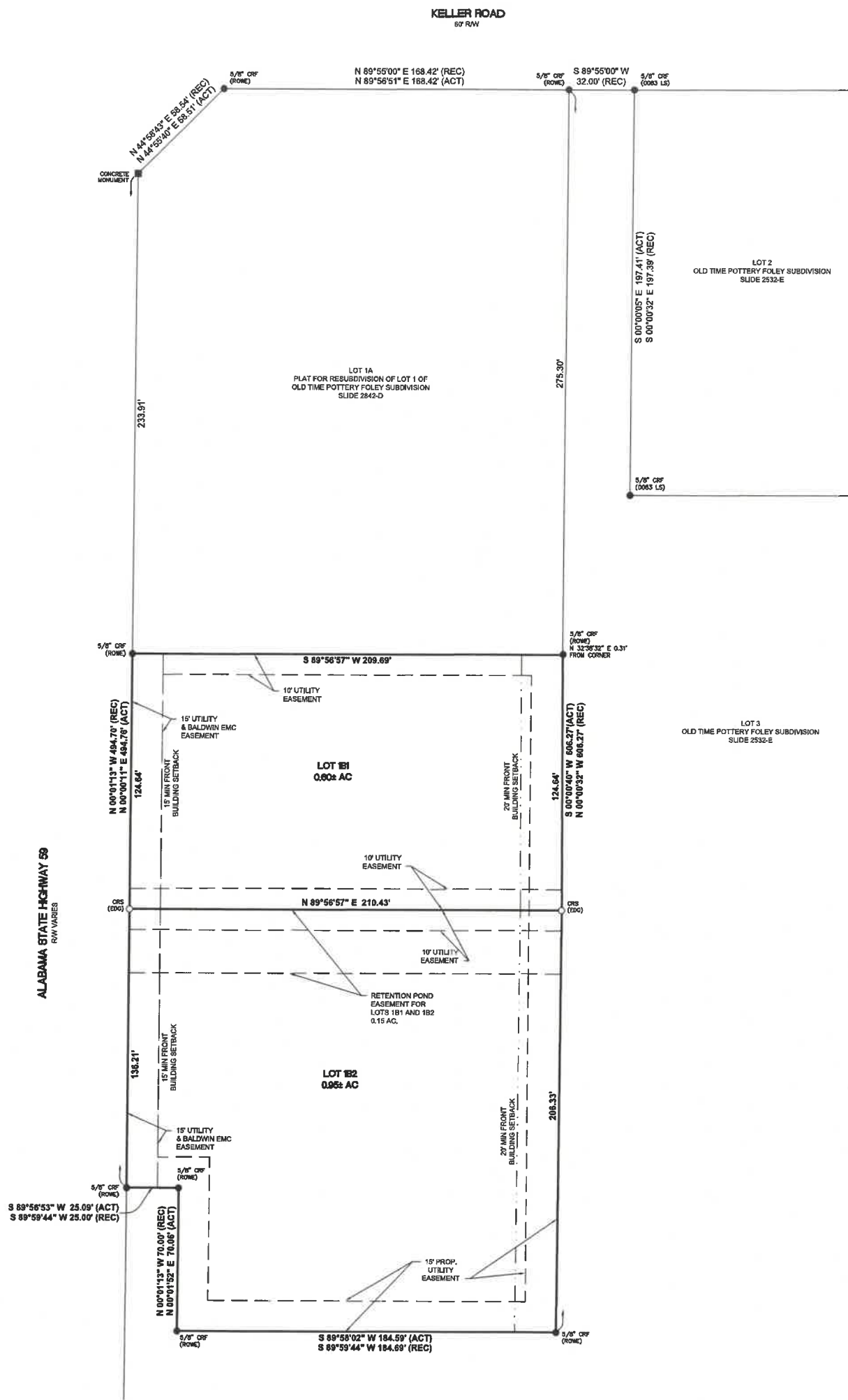
SIGNATURE OF NOTARY PUBLIC

OWNER  
BROCO FOLEY, LLC, A GEORGIA LLC,  
3455 HARDEE AVENUE

ZONING  
PLANNED UNIT DEVELOPMENT (PUD)  
CITY OF FOLEY, AL 38535

SURVEYOR  
ENGINEERING DESIGN GROUP, LLC  
1000 EAST LAUREL  
FOLEY, AL 36535  
(251) 943-8960  
CONTACT: MICHAEL A. JOHNSON, P.L.S.

SITE DATA  
TOTAL ACRES = 1.55 AC.  
NUMBER OF LOTS = 2  
15' FRONT SETBACK  
20' REAR SETBACK  
LARGEST LOT = 0.95 AC  
SMALL LOT = 0.60 AC



DATE

REVISIONS

DRAWN BY: JAT  
CHECKED BY: MAJ

PROJECT No.: F\_BROCO004  
DATE: February 23, 2024

SCALE: 1" = 30'

RESUBDIVISION OF LOT 1B OF  
OLD TIME POTTERY FOLEY SUBDIVISION

PRELIMINARY PLAT

1000 E. LAUREL AVENUE  
Foley, AL 36535  
251.943.8960

EDG

ENGINEERING DESIGN GROUP, LLC  
CIVIL ENGINEERING • LAND SURVEYING  
(205) 943-8960 (FOLEY)

SHEET NO.

1 OF 1



# PLANNING COMMISSION JOINT STAFF REPORT: March 2024

43

**STAFF RECOMMENDATION:** Approve

**PROJECT NAME:** Hidden Meadows Phase 2 Rezoning/Grey Contracting of Greenville, LLC

**REQUEST:** Zoning Application

**SUB TYPE:** Re-Zoning Application

**OWNER / APPLICANT:** Lieb Engineering Company, Christopher Lieb

**ACREAGE:** 10

**PIN#(s):** 385624

**LOCATION:** S of Co Rd 20, W of Foley Beach Express

**PROJECT DESCRIPTION:** Hidden Meadows Phase 2 Rezoning

**CURRENT ZONING:** R-4

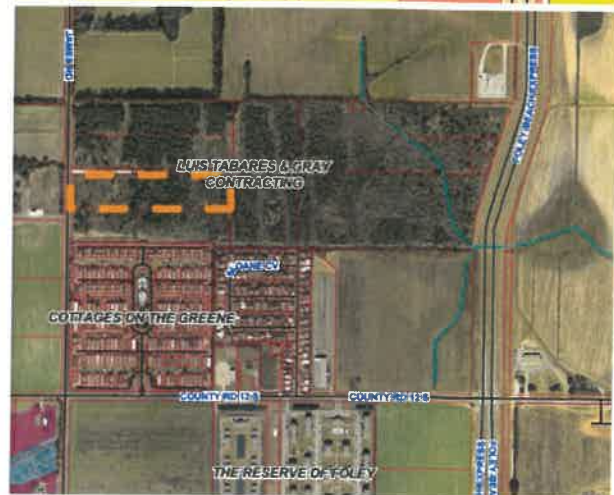
**OVERLAY DISTRICT:** n/a

**REQUESTED ZONING:** R-2

**ADJACENT ZONING:** North & East: R-2; South: R-4; West: BC Dist 20 zone RA

**FUTURE LAND USE:** MXU, Mixed Use Commercial/Residential

**EXISTING LAND USE:** VACANT



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

44

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

1. The request is to rezone 10 acres from R4 to R2 to become part of Hidden Meadows SD.

**Reviewer:** Engineering Team, 251-952-4021, tdavis@cityoffoley.org; cchristian@cityoffoley.org, Engineering

**Review Status:** Approved

1. Engineering is ok with the proposed rezoning for Phase 2 of Hidden Meadows. A Land Development Permit will be required for Phase 2 construction. The proposed layout may need to be altered to meet the current Land Development Ordinance requirements.

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

1. Not opposed

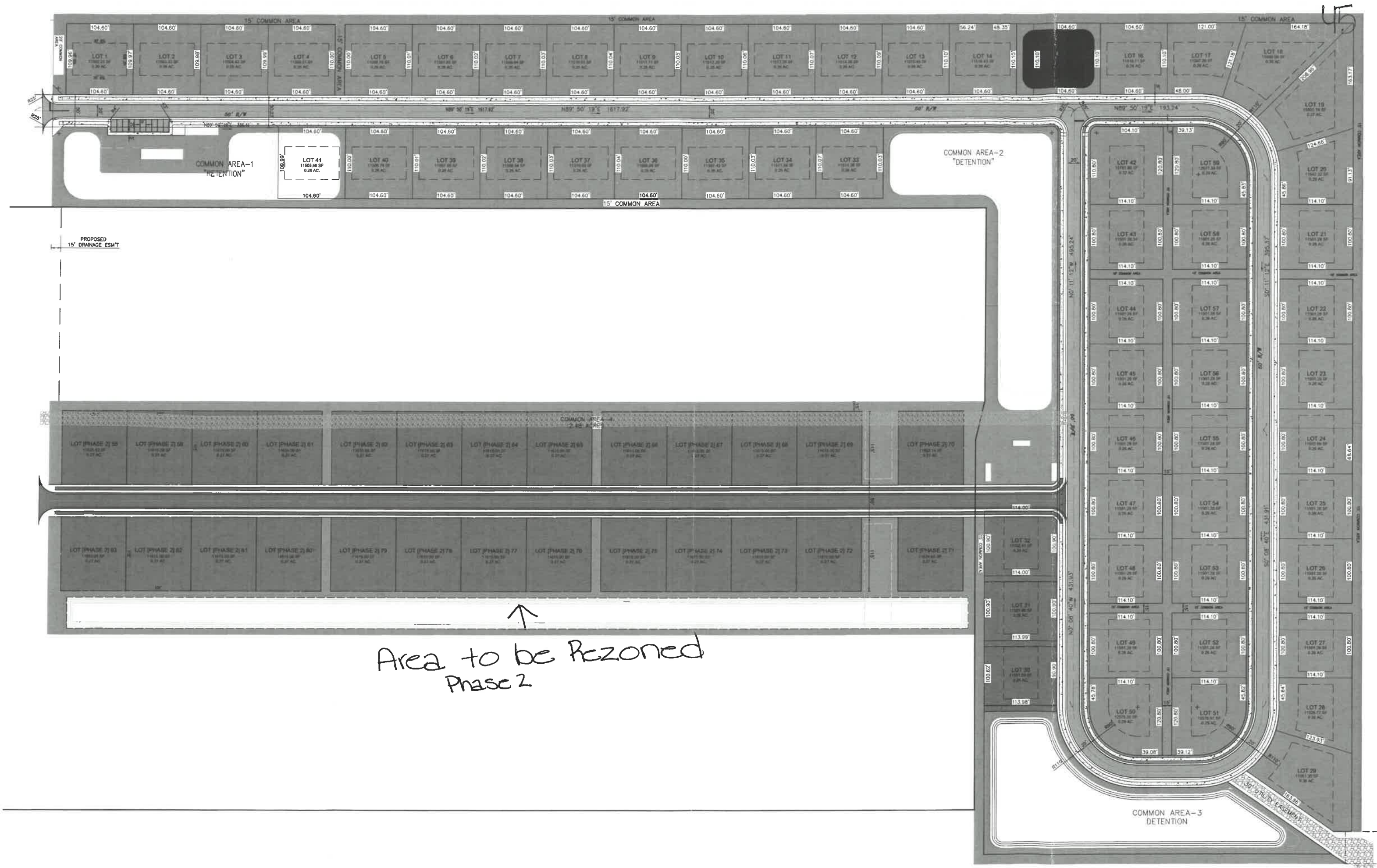
**Reviewer:** Brad Hall, 251-971-6028, bhall@cityoffoley.org, Fire Department  
**Review Status:** Approved

1. Not opposed

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

1. It should be noted that there are potential wetlands on the east and west ends of the property that may need mitigation and no other concerns from Building Safety or Floodplain Management at this time.









# PLANNING COMMISSION JOINT STAFF REPORT: March 2024

46

**STAFF RECOMMENDATION:** Approve  
**PROJECT NAME:** Hidden Meadows Subdivision  
**REQUEST:** Subdivision  
**SUB TYPE:** Preliminary

**OWNER / APPLICANT:** Divergent Engineering, Baker Davis

**ACREAGE:** 30  
**NUMBER OF LOTS:** 58

**PIN#(s):** 385622

**LOCATION:** S of Co Rd 20, W of Foley Beach Express

**PROJECT DESCRIPTION:** Hidden Meadows Subdivision-New development on unimproved land for Residential Duplexes

**CURRENT ZONING:** R-4

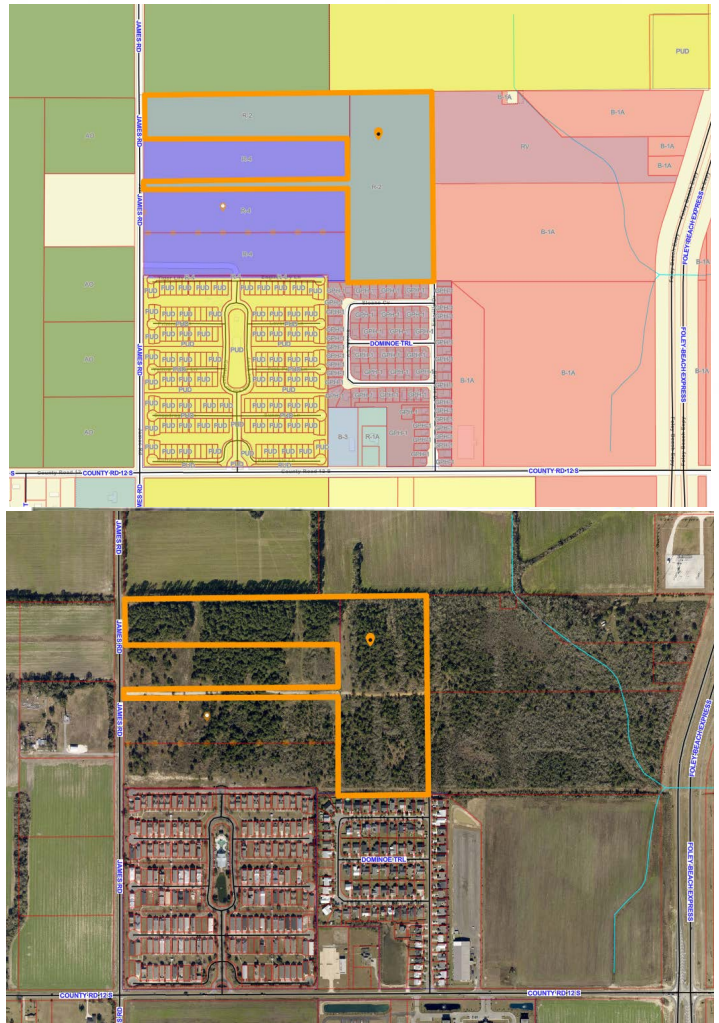
**OVERLAY DISTRICT:** n/a

**REQUESTED ZONING:** R-2 (rezoning in process)

**ADJACENT ZONING:** West: BC Dist 30 RA;  
 North&East: R-2; South: R-4

**FUTURE LAND USE:** MXU, Mixed Use Commercial/Residential

**EXISTING LAND USE:** VACANT



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

47

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

1. The subdivision appears to meet the zoning requirements.

**Reviewer:** Engineering Team, 2519524021, tdavis@cityoffoley.org;cchristian@cityoffoley.org, Engineering

**Review Status:** Under Review

1. The LDP has been reviewed and comments addressed. The applicant will need to confirm that the preliminary plat and other required documents conform to the CDD requirements, otherwise the LDP will need to be modified.

**Reviewer:** Angie Eckman , Environmental

**Review Status:** Under Review

1. The environmental review of site plans for the LDP application is complete and concurs with the Engineering Department's sentiments.

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

**Review Status:** Approved

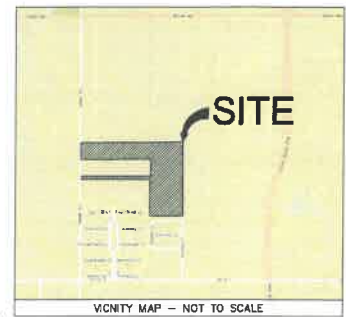
1. Not opposed. Layout meets minimum for fire.

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

**Review Status:** Approved

1. Neither Building Safety nor Floodplain Management have any concerns with this project at this time

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	125.00	37.56	37.52	S 81°31'50" E
C2	125.00	61.06	60.46	S 58°24'28" W
C3	125.00	61.05	60.44	N 30°55'06" E
C4	125.00	36.82	36.82	S 08°11'25" E
C5	125.00	117.79	106.04	N 45°10'27" W
C6	125.00	36.45	36.33	N 08°12'37" E
C7	125.00	71.12	71.12	N 44°41'01" E
C8	125.00	33.41	33.31	N 08°29'32" E
C9	125.17	47.33	47.05	N 8°59'26" E
C10	125.00	196.39	176.80	S 45°09'10" E
C11	125.00	84.73	84.73	S 68°38'50" W
C12	100.00	157.11	141.44	N 45°09'10" E
C13	75.00	117.53	106.08	N 45°09'10" W
C14	75.00	117.79	106.05	S 44°50'50" E
C15	100.00	157.09	141.42	N 45°09'10" E
C16	100.00	157.04	141.39	N 45°09'27" W



**HIDDEN MEADOWS SUBDIVISION  
PRELIMINARY PLAT  
JAMES ROAD  
FOLEY, AL**

**DRAWING NOT VALID UNLESS BEARING  
SURVEYOR'S ORIGINAL SIGNATURE AND SEAL**

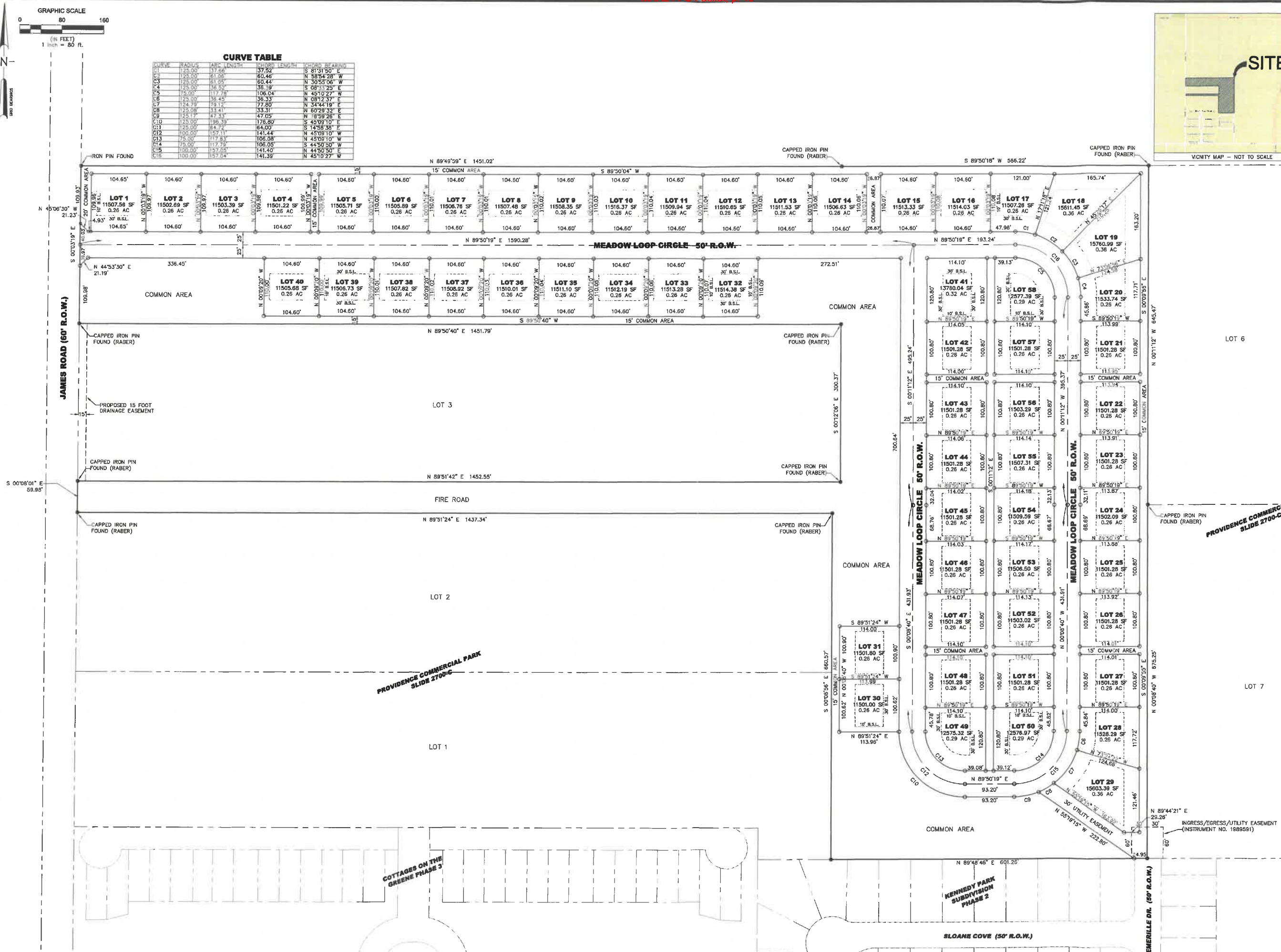
Designed	ITJ
Checked	JML
Approved	JML

Revisions		
No.	Date	Description
1	11/11/11	

[illegible]

## SUBDIVISION PLAT

Issue Date	Sheet No.
02-29-2024	1 OF 2









50

## CITY OF FOLEY ZONING ORDINANCE – March 2024

### ARTICLE II – DEFINITIONS

**Recreational Vehicle:** For the purposes of this Ordinance, a recreational vehicle shall consist of any of the following as herein defined:

**Travel Trailer:** A travel trailer is a vehicular portable structure mounted on wheels, of such size or weight as not to require special highway movement permits when drawn by a stock passenger automobile. It is primarily designed and constructed to provide temporary living quarters for recreation, camping, or travel use.

**Camping Trailer:** A camping trailer is a vehicular portable structure mounted on wheels, constructed with collapsible partial side walls of fabric, plastic, or other pliable material for folding compactly while being drawn by another vehicle. When unfolded at the site or location, it provides temporary living quarters, and its primary design is for recreation, camping, or travel use.

**Truck Camper:** A truck camper is a portable structure designed to be loaded onto, or affixed to, the bed or chassis of a truck. It is constructed to provide temporary living quarters and is primarily designed for recreation, camping, or travel use.

**Motor Home:** A motor home is a structure built on and made an integral part of a self-propelled motor vehicle chassis other than a passenger car. Its primary purpose is to provide temporary living quarters for recreation, camping, and travel.

**Boat:** A boat is any recreational vehicle designed or intended for operation on water. Boats and trailers used to transport them shall be considered recreational vehicles and are subject to the same requirements and restrictions applying to other recreational vehicles.

**Utility Trailer:** A separate vehicle, not driven or propelled by power, designed to transport vehicles and/or other types of personal property or equipment.

### ARTICLE XIV - SINGLE FAMILY RESIDENTIAL & DUPLEX DISTRICTS

#### 14.2 Miscellaneous Provisions in Residential Zones

##### 14.2.1 Recreational Vehicles, Utility Trailers, and Equipment Parked, Stored, or Kept on a Lot or Parcel

A. The owner of the recreational vehicle shall be the owner or lessee of the principal structure of the lot or parcel on which it is located.

B. All recreational vehicles parked, stored, or kept on a lot or parcel zoned residential shall be fully operable, readily movable, kept in good repair, and display the current license plate and/or registration as may be appropriate under state law for the particular type of vehicle.

C. A recreational vehicle may not be permanently attached to utility connections, except as may periodically be required to maintain the equipment and its appliances, if any. Boats and similar recreational vehicles must be on functional operational trailers and stored without the benefit of cradles or other stationary supports.

D. A recreational vehicle may be temporarily parked in a front yard for the limited purposes of loading, unloading, and/or cleaning before or after a trip, not to exceed seven (7) days.

E. Parking is permitted in the rear or side yard provided it is not closer than five (5) feet to any parcel line, lot line, and does not block operable windows or doors of a room of a house used for human habitation through the maintenance of a three (3) foot clearance from the side of the house.

F. The maximum number of recreational vehicles permitted to be parked, stored, or kept on the lot or parcel shall be calculated as follows depending on the zoning of the lot or parcel:

Table 1

Residential Zoning District	Maximum number of Recreational Vehicles
R-1R	3
R-1A	2
R-1B	2
R-1C	2
R-1D	1
R-2	1
R-4	1

G. Multiple recreational vehicles may be on a parcel subject to Table 1 and the following: (1) One RV may be parked, stored, or kept on a parcel without any screening. (2) Up to 3 RVs may be stored on a parcel when screened from view in such a manner that the RVs are not visible from public roadways.

H. Recreational vehicles may only be parked, stored, or kept in a location behind the front façade line of the principal buildings or behind the portion of the front building line farthest from the front lot line if the front of the building is not a continuous straight line (This is not the same as the front yard building set back line).

I. When located in the exterior side yard of a corner lot, screening of the visible side of the recreational vehicle shall be required. Aesthetically sensitive screening shall be provided, which may include evergreen trees and bushes or a combination of fencing and vegetative screening.

52

J. Recreational vehicles parked, stored, or kept inside any fully enclosed legally permitted accessory structure, carport, or garage shall not be counted against the maximum number of recreational vehicles permitted on a lot or parcel.

K. A recreational vehicle may not be used or occupied for living, sleeping, or housekeeping purposes in residential districts, except as provided herein: Guests may occupy a recreational vehicle for up to fourteen (14) days in a calendar year.

L. It shall be unlawful for any person, whether owner or operator, to leave any recreational vehicle, mobile home, motor home, boat, trailer, utility trailer, or equipment on any public street.

#### **14.3. Utility Trailers and Equipment**

A. It shall be unlawful for any person or entity to park, store, or keep utility trailers and equipment used in the operation of a business on any lot or parcel zoned for residential use except as follows:

One (1) single-axle utility trailer may be stored in a residential area when screened from public view.

B. Commercial construction equipment, whether on or off a trailer, such as bobcats, dozers, and similar equipment typically used in construction, shall not be stored in residential areas.

14.4. Notwithstanding the prohibitions in 14.3(a) and (b), temporary parking of utility trailers and equipment used to provide services to residential properties shall be permitted.

(a) Temporary parking for service provision shall be limited to the duration of the service being provided and shall not exceed 48 hours, unless otherwise authorized by the municipal authorities.

(c) Any utility trailers and equipment parked temporarily for service provision must not impede traffic flow, pedestrian access, or otherwise create a nuisance to the surrounding residential properties.



## City of Foley Planning Commission

### Staff Report – Zoning Text Amendment and Associated Map Amendments

**Title:** Zoning Applicability to Public Structures Uses and, Streets and Public Ways, and Public Utilities (Publicly or Privately Owned)

**Comments:** These series of zoning amendments are intended to clarify and establish clear procedures for review of public projects within the City and its jurisdiction as defined herein. Review criteria is also provided to provide clear direction and standards of review. The map amendments will reflect the intent of the text amendments for consistency in the two documents.

#### Justification of Amendments:

##### Applicability of Zoning Ordinances to Public Projects:

The prevailing literature on the application of zoning ordinances to public properties and projects for a general government purpose, often referred to as government function, generally asserts that, in the absence of specific state enabling statutes mandating adherence, such projects are not subject to the Zoning Ordinance. Notably, Alabama draws a distinction between public projects of a governmental nature and public projects of a proprietary nature.

Litigation dating back to the 1950s in Alabama addresses this matter, forming the basis for recent decisions, as seen in the case of *Barnes v. TOWN COUNCIL OF PERDIDO BEACH* (Alabama Supreme Court 2022). In this case, the court concluded that, in undertaking the boat-launch project, the Town Council is performing a governmental function, not a proprietary one. As a result, the Town Council is "immune" from the wetland-setback provisions in the zoning ordinance and subdivision regulations. While the topic of the boat ramp in Perdido Beach involves numerous nuances accumulated over years of litigation, the most recent court decision effectively

articulates the interpretation of the law that appears to be consistent with previous decisions on the matter of public projects of a governmental function.

The court has consistently asserted that "Zoning and other land-use regulations act to limit and restrict the development of private property." This perspective aligns with a consensus view across America and is further affirmed in the notes of the Standard Zoning Enabling Act published in 1926. However, this does not exempt the City from oversight in public project development. Once a Comprehensive Plan (master plan) has been adopted by the City, all public projects must undergo review by the Planning Commission. In numerous instances, the implementation of zoning is contingent upon having a Comprehensive Plan (master plan) in place. According to Code of Alabama 11-52-11, in the context of governmental public projects, the zoning ordinance is not the legal instrument of review; instead, the Planning Commission holds reviewing authority based on consistency with the Comprehensive Plan (master plan), with the provision for council appeal under certain circumstances.

### **Zoning Ordinance Application in Foley**

Foley has consistently applied the Zoning Ordinance to all public projects, aiming to treat them on par with the general private development. However, there's a realization that we are surpassing the standards applicable to the private development. For City public projects, we adhere to the 11-52-11 standard of review for location, extent, and character, as well as the general zoning ordinance enabled by 11-52-70. In contrast, private development projects only need to comply with zoning ordinance.

While all public projects are mandated to undergo review by the Planning Commission when the municipality has adopted a comprehensive plan (master plan) for location, character, and extent, it's evident that this review is contingent upon the adoption of a comprehensive plan. Therefore, master plan consistency is not only encouraged but also implied as a primary review document in addition to considerations of location, extent, and character.

55

Importantly, no public project is exempt from some level of City review, be it through the 11-52-11 review conducted by the Planning Commission for public buildings or uses for governmental purposes, or the general zoning review for public buildings or uses of a proprietary nature.

### **Governmental Function vs. Proprietary Function**

Clear and concise definitions of "governmental function" and "proprietary function" are not explicitly provided; however, through the years courts have offered insights. The Alabama Supreme Court, for example, has defined governmental function as an action done by authority of law, not for profit, and not of a proprietary nature. It operates under the police power to promote public health and well-being, essential for carrying out statutorily authorized functions and purposes. The power and authority to perform a function involve activities reasonably necessary for the city's authorized functions.

While numerous scenarios exist for governmental and proprietary uses, certain guidelines help distinguish between them. If there is a commercial or business purpose for the public building or items stored within, the city gains revenue from their use, the building is made available to the public or commercial establishments, or the building is an adjunct to any commercial activity, it is typically considered proprietary. Additionally, when a city is involved in the business of supplying for compensation, it falls under the proprietary category.

However, a "common sense" approach should guide the determination of governmental proprietary uses. For instance, the act of requiring an incidental fee or collecting money at a public building or on public grounds does not automatically make it a proprietary use. It becomes pertinent to assess whether the anticipated fee or money collected will result in de minimis revenue. In the context of government proprietary use, de minimis revenue refers to an amount so minimal or negligible that it is inconsequential or trivial in relation to the overall financial operations of the government.



56

**Planning Commission Review of Public Utilities whether Publicly or Privately Owned**

The amendment activates the authority outlined in Code of Alabama, 11-52-11, (established in 1935) empowering the Planning Commission to assess public utilities, whether publicly or privately owned. The focus of the commission's review is not on intricate technical design and construction specifications or the general conduct of business. Instead, it centers on the general location and geographic areas to be served, aiming to prevent potential conflicts with municipal improvements such as roads and streets and to ensure coordination with the Comprehensive Plan (master plan) in regards to coordinating growth with new or expanded utilities service areas.

Effectively guiding capital utility investment in conjunction with other municipal capital investments is a key aspect of an efficient planning program as envisioned by the Alabama enabling planning acts. A comprehensive review of all public projects leads to operational efficiencies. For instance, coordinating street improvements with the installation of new utilities reduces road cuts, costly utility relocations, promoting cost-effective installation and construction while safeguarding the City's investment in the street.

Moreover, aligning new streets or improvements with a major street plan in coordination with the Comprehensive Plan (master plan) embodies the total planning process. This approach allows street and utility upgrades and improvements to be tailored to the type and intensity of development along and near the new street. The utility achieves maximum returns on infrastructure investments by strategically prioritizing upgrades in areas with the highest growth potential. This approach aligns with and complements the City's planning efforts for optimal coordination.

This coordinated strategy exemplifies real "smart growth," representing the most fiscally conservative and responsible approach to planning and the effective use of tax dollars.

The Planning Commission's role then transforms from “zoning” activities into implementing the Comprehensive Plan (master plan) through public project review and coordinating the timing of infrastructure improvements. This approach not only offers clear direction for developers but also defines expectations for the public regarding the types and intensities of development. Ultimately, it fosters predictability and stability in the City's development process.

### **Handling of Public Projects in Baldwin County Municipalities**

Following discussions with other municipalities in Baldwin County, it is evident that there is no consensus on how public projects are handled, or if they are considered at all for review. There exists a diverse range of perspectives on how these projects should be approached, reflecting a lack of uniformity in views across the municipalities. The Baldwin County Commission has no such statutory authorization to review public projects.

### **Amendment for Consistency and Efficiency in Public Project Review**

The proposed amendment is crucial to establish consistency and efficiency in the City's review of public projects. This ensures that public projects undergo a level of review consistent with state law, tailored to the context and needs of the community, while avoiding unnecessary burdens on the City with reviews lacking clear authorization and guidance.

### **Why should the review of Public Governmental Building and/or Uses be different than private land development applications?**

Public governmental buildings and facilities are funded through public tax dollars, typically as a result of long-term budgeting and capital planning efforts. These structures, along with streets and public spaces, play a significant multi-functional role

in shaping a city's character. They encompass city halls, libraries, squares, boulevards, neighborhood playgrounds, city parks, and other public spaces. Public buildings require careful architectural consideration, representing symbolic needs, functional requirements, and aesthetics, exerting a strong influence over the city's development. The municipality's long-term planning efforts, often contained in a master plan or comprehensive plan, guide the development. The Planning Commission's review is contingent on the adoption of a master plan. This emphasizes the drafter's of the Alabama planning legislations desire for the master plan to be a comprehensive, long-range document for investment in public buildings and uses and their coordination with private development.

Quoting note 31 in the Standard Planning Enabling Act, "the planning commission can greatly promote the beautification of the city in locating public buildings and streets and squares, to take account of opportunities for interesting and beautiful vistas or for sites for monuments and the like." This discussion underscores that public buildings and spaces work together to form the fabric of the city through high level coordination and a focus on aesthetics and livability. The planning commission's authorized design-oriented approach, empowered to go beyond isolated private development decisions, deals with subject matter on a non-private development typology.

It's logical that the creator and implementing agency of a master plan must also have broad discretion over public project design review, free from detailed "zoning" rules designed for private development with dissimilar profit motive goals. For governmental public projects, the decision is not whether it conforms to zoning plans but whether it aligns with the master plan. The intent and goals of a zoning plan for private development versus the goals and intent of a Comprehensive Plan (master plan) differ significantly in scale, scope, and subject matter. This distinction is reflected in the process and scope of review outlined in 11-52-11. Moreover, local governments play a crucial role in ensuring the adequate provision of these spaces, especially given the



59

limited incentive for the private sector, a key player in urban development, to provide them. In a city, these defining urban design structures and public uses are exclusively provided by municipal government, devoid of competition from the private development sector based on market demand.

The purpose of public buildings and uses differs from the profit-driven motives of the private development sector, necessitating a distinct level of review. Municipal investment and development in public buildings and uses focus on public health, safety, and general welfare. Creating a city where public facilities support these purposes requires a perspective beyond isolated private development project reviews. Instead, the goals are broader and long-range, necessitating a comprehensive city-wide review separate from private development to ensure alignment with public demands and harmonious design with other municipal infrastructure. This level of review was reflected in the Standard Planning Enabling Act and later in the Code of Alabama planning statutes adopted in 1935.

The aforementioned points make it evident that the planning commission and the master plan are appropriate review bodies and documents for government-led public projects. This stance is emphasized by the distinctive role that public governmental buildings and spaces play in the long-range planning approach, as outlined in master plans, guiding the development of these structures. The distinctions between public and private development are numerous, encompassing factors such as funding through public tax dollars and playing a primary role in shaping a city's urban design and character. These structures and facilities would not be provided if solely subjected to the market forces and profit-driven demands of private development. Moreover, it is crucial to underscore the pivotal role of municipal government in providing essential public services, spaces and structures, with a specific focus on ensuring public health,

60

safety, and overall welfare. This also highlights the historical significance of planning statutes that advocate for intentional city-wide development and urban design.

**Amendment #1. (text amendment)**

Amend Article 2.1 definitions in the Zoning Ordinance for "Public Buildings, Governmental" and "Public Building, Proprietary" in alignment with the legislative intent and for consistency with prevailing case law.

**Public Building:** A building used or designed to be used principally by a municipality, county, state, public corporation, public utility or by the federal government as a courthouse, jail, city hall, auditorium, library, civic center, music hall, art gallery, art center, museum, municipal building, post office, office, warehouse, storage, and other uses deemed necessary by these types of entities.

**Public Building, Governmental:** ~~A public building used or designed to be used principally by a municipality, county, state, or by the federal government for purposes directly related to the discharge of their governmental powers, such as for courthouses, jails, city hall, post offices, office spaces, and other similar uses.~~

A public building, intended primarily for use by a municipality, county, or state, is authorized by law for the execution of the entity's statutorily sanctioned functions and purposes. This authorization is grounded in the power and authority to perform functions essential for activities reasonably necessary to fulfill the city's governmentally authorized functions and activities.

**Public Building, Proprietary:** A public building or structure with proprietary purposes serves a commercial or business function through its function or structure, designed to generate revenue. It may be available to the public or commercial establishments A



62

~~building used or designed to be used principally by a municipality, county, state, public corporation, public utility or by the federal government for purposes that are proper for these entities but which are not directly related to the discharge of their governmental powers, such as for auditoriums, libraries, civic centers, gymnasiums, music halls, art galleries, art centers, museums, warehouses, storage, and other similar uses.~~

## **Amendment #2 (text amendment)**

Amend Article 4. Purpose and Method of the Zoning Ordinance to include a new section 3.6 entitled "Zoning Applicability to Public Buildings, Structures and Uses."

### **Section 3.6. Zoning Applicability to Public Buildings, Structures and Uses**

No street, park, or other public place, open space, or public building or structure, public utilities (publicly or privately owned) within the jurisdiction of the City of Foley, as specified herein, shall be authorized or constructed without compliance with the provisions of this regulation.

#### **3.6.1. Zoning Ordinance Applicability**

1. Public Building, Governmental: While it is encouraged to adhere to specific zoning regulations for Public Building, Governmental in nature, such as parks, public places, open spaces, or public buildings, it is not required. The approval criteria remain in accordance with the requirements outlined in the Code of Alabama, Section 11-52-11. The Planning Commission's review focusing on location, character, and extent, in conjunction with the Comprehensive Plan (master plan).
2. Public Building, Proprietary: Compliance with the zoning ordinance is mandatory for buildings and uses defined as Public Building, Proprietary. Additionally, the

63

Code of Alabama, Section 11-52-11 review by the Planning Commission is mandatory.

3. Change in Use or Conditions: When changes occur affecting the status of public buildings, structures and uses, the following provisions apply:
  - a. If a public building and/or property ceases to be used for general government purposes, the property shall immediately become subject to the zoning ordinance and other relevant municipal ordinances as applicable.
  - b. Upon the sale of public property or a change of use for property used for general government purposes, the buyer or public entity must initiate a rezoning request within 60 days. Failure to initiate this request within the specified timeframe will result in the property being ineligible for subdivision, site plan approval, or a building permit until it has been properly zoned in accordance with this section.
  - c. At the discretion of the Planning Commission, a zoning amendment may be initiated through Article V. 5.3.

### **Amendment #3 (map amendment)**

**Zoning Map Adjustment for Governmental Public Structures and/or Uses:** Any public building, use, or structure of a general governmental nature, or the parcel it occupies, currently contains a "zoning" designation, shall have its "zoning" designation removed. The subject parcels should bear an appropriate descriptive title, accompanied by "public use," for example, "Max Griffin Park – Public Use." The review and approval of projects

within this category will be exclusively through the Planning Commission pursuant COA, 11-52-11, for location, character and extent.

#### **Amendment #4 (text amendment)**

Amend Article VI – General Regulations, Section 6.1.4 Public Utilities, to strike construction and erection of poles, wires etc. and to provide intent that utility providers must comply with municipal ordinance and regulations on the subject matter of utilities.

#### **6.1.4 PUBLIC UTILITIES**

Utility structures including, but not limited to, poles, wires, cross arms, transformers attached to poles, guy wires, insulators, conduits and other facilities necessary for the transmission or distribution of electric power or to provide telephone service or cable television, and pipe lines, vents, valves, hydrants, regulators, meters and other facilities necessary for the transmission or distribution of gas, oil, water or other utilities may be ~~constructed, erected~~, repaired, maintained or replaced within any district within the City unless specifically prohibited by municipal ordinance or regulations. This is not to be construed to include the erection or construction of buildings. Electric substations are conditional uses in all zoning districts of the City.

#### **Amendment #5 (text amendment)**

Amend Article 4. Purpose and Method of the Zoning Ordinance to include a new section 3.7 entitled “Planning Commission Review of Public Uses, Structures, Streets, Public Ways, and Public Utilities (Publicly or Privately Owned)”.



65

### **3.7. Planning Commission Review of Public Uses, Structures, Streets, Public Ways, and Public Utilities (Publicly or Privately Owned)**

No street, park, or other public place, open space, or public building or structure, public utilities (publicly or privately owned) within the jurisdiction of the City of Foley, as specified herein, shall be authorized or constructed without Planning Commission approval in compliance with Code of Alabama 11-52-11, and these provisions.

A. The limitations of this review are as follows:

1. Normal routine maintenance and repairs of public buildings and structures do not require review and alterations or additions that do not materially affect or impact to location, aesthetics and scale.
2. Secondary distribution lines, lower-voltage power lines branching off from primary distribution lines serving end-users, do not require Planning Commission approval.
3. Water and sewer project review is limited to large-scale projects that involve extensive upgrades in capacity or introduce new services to a significant geographic area, which may affect the City's planning efforts.
4. Telecommunications installation review is limited to projects in any right-of-way exceeding 3,500 linear feet.

B. These limitations do not apply to the following:

1. Primary distribution lines, commonly referred to as primaries, responsible for carrying high-voltage power from substations to various distribution points.
2. Upgrades to the infrastructure of existing served areas that involve the relocation or replacement of existing poles with larger diameter or girth, taller poles, which

66

materially affect the use of a right of way, potential future road related improvements or impact aesthetics.

### **3.7.1 Geographic Applicability:**

- a. Review of public uses, buildings, and structures shall be limited to projects within the municipal corporate limits.
- b. Review of transportation-related public ways is applicable to projects within the corporate limits. Specifically, in the planning jurisdiction, the focus is on subdivision development including private streets with connections to public streets or roads.
- c. Review of publicly or privately owned public utilities is conducted for projects within the corporate limits and planning jurisdiction.

### **3.7.2. Standards of 11-52-11 Review and Approval**

In adherence to Code of Alabama 11-52-11, the prerequisite to the Planning Commission's authority for the review is the adoption of a Comprehensive Plan (master plan) and 11-52-34 Major Street Plan for the evaluation of streets and transportation-related public ways. The Comprehensive Plan (master plan) and Major Street Plan shall serve as the primary tools in the long-range planning decision-making process. In addition to these overarching standards of review, the following specific criteria will be considered in the decision making process of the Planning Commission.

- a. **Location, Character, and Extent of Public Buildings, Structures and Uses**  
**Standards of Review:**

67

In the context of public uses and structures:

1. "Location" pertains to the specific area, considering factors such as context, transportation, amenities, and urban or rural setting.
2. "Character" encompasses visual appearance, architectural style, and design elements, influenced by historical, cultural, and contextual factors.
3. "Extent" addresses the size, scale, and scope of the project, including physical dimensions, height, and footprint.

**b. Location, Character, and Extent of Streets and Transportation-Related Public Ways Standards of Review:**

1. The evaluation process should consider street location and context based on the Comprehensive Plan (master plan) and Future Land Use Plan, and Major Street Plan—identified as primary documents in the review process.
2. Street design context, user requirements, and transportation functions.
3. The connectivity and character of land use.
4. Context-sensitive street location and design.
5. Alignment, coordination, and consistency with major street plan as required in Code of Alabama Section 11-52-34.
6. In the context of subdivision development, this review should occur at the time of site plan and/or plat approval by the Planning Commission.

**c. Location, Character, and Extent of Public Utilities, whether publicly or privately owned, Standards of Review:**

1. The general location and areas to be served, ensuring consistency with the



Comprehensive Plan and Future Land Use Plan, and aligning with recommended density and intensity of development.

2. Coordination with other municipal capital investments, including roads, buildings, and other capital projects.
3. Accomplishing coordinated, adjusted, and harmonious development of the City and its environs consistent with present and future needs.
4. Ensuring efficiency in service delivery to prevent wasteful redundancy of utilities and overcrowding of right of ways.

### **3.7.3. Timely Approval**

The failure of the planning commission to act on a proposal request within 60 days from the official submission date shall be deemed as approval.

### **3.7.4 Planning Commission Disapproval**

In the case of disapproval the planning commission shall communicate its reasons to the City Council, which shall have the power to overrule such disapproval by a recorded vote of not less than two thirds of its entire membership