

120 S. MCKENZIE STREET
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011

October 7, 2024

Mayor and City Council City of Foley 407 East Laurel Avenue Foley, Alabama 36535

RE: Request for Rezoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on September 18, 2024 and the following action was taken:

Haley Commercial Subdivision- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 9.14+/- acres. Property is currently zoned R-1A (Residential Single Family). Proposed zoning is PUD (Planned Unit Development). Property is located S. of E. Peachtree Ave. and E. of N. McKenzie St. Applicant is Lieb Engineering Co.

Planning Commission Action:

Commissioner Hellmich made a motion to recommend the requested rezoning to the Mayor and Council contingent upon no open ditches, 4' berm and a 6' non wood fence or equivalent. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning to the Mayor and Council contingent upon no open ditches, 4' berm and a 6' non wood fence or equivalent passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler

Melissa Ringler Planning & Zoning Coordinator



	APPLICATION FOR ZONING OF PROPERTY					
1.	LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION): Please see attached exhibit.					
2.	ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:					
3.	APPROXIMATE SIZE OF PROPERTY: 9.14 Acres					
4.	PRESENT ZONING OF PROPERTY: PO and B1-A					
5.	REQUESTED ZONING: PUD					
6.	BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: Please see attached exhibit.					
7.	BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.) Please see attached exhibit.					
8.	PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20.					
	EERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND FORMATION SUBMITTED ARE TRUE AND CORRECT.					
DA	ATE:					
	PROPERTY OWNER/APPLICANT					
	PROPERTY OWNER ADDRESS					

PHONE NUMBER

EMAIL ADDRESS

CITY OF FOLEY AGENT AUTHORIZATION FORM

I/We authorize and permit Lieb Engineering Company LLC to act as My/Our representative and agent in any manner regarding this application which relates to property described as tax parcel ID#05-54-05-21-2-000-002.003, .006, .007, .008, .041 I/We understand that the agent representation may include but not be limited to decisions relating to the submittal, status, conditions, or withdrawal of this application. In understanding this, I/We release the City of Foley from any liability resulting from actions made on My/Our behalf by the authorized agent and representative. I hereby certify that the information stated on and submitted with this application is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application and any work performed will be at the risk of the applicant.

*Note: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

PROPERTY OWNER(S):

PROPERTY OWNER(S):	SSTORA Park, LLC	NAMES STATE OF THE
Name(s) printed 561 Fairhage	Are Suite 201	
Address Parchape AL	36532	
City/State 251)12178-4720	Chalon & haley development	ent.com
Phone	Email Fax	24
Signature(s)	Date	9
PROPERTY OWNER(S):		
Name(s) printed		***
Address		
City/State		
Phone	Email Fax	
Signature(s)	Date	



Alabama Secretary of State



Foley Professional Park, LLC					
Entity ID Number	001-095-037				
Entity Type	Domestic Limited Liability Company				
Principal Address	Not Provided				
Principal Mailing Address	Not Provided				
Status	Exists				
Place of Formation	Alabama				
Formation Date	08/18/2023				
Registered Agent Name	Haley, Chris				
Registered Office Street Address	561 Fairhope Avenue, Suite 201 Fairhope, AL 36532				
Registered Office Mailing Address	561 Fairhope Avenue, Suite 201 Fairhope, AL 36532				
Nature of Business					
Organizers					
Organizer Name	O'Dowd, J.M.				
Organizer Street Address	104 Saint Francis Street, Suite 300 Mobile, AL 36602				
Organizer Mailing Address	Post Office Box 123 Mobile, AL 36601				
Scanned Documents					
Document Date / Type / Pages	08/18/2023 Certificate of Formation 4 pgs.				

Browse Results

New Search

BALDWIN COUNTY, ALABAMA HARRY D'OLIVE, JR. PROBATE JUDGE Filed/cert. 09:25:2023 01:50:56 PM

Deed Tax: \$110.00 Total: \$129.00 3 Pages 08759

REAL ESTATE VALUATION FORM

The following information is provided pursuant to Alabama Code Section 40-22-1 and is verified by the signature of Grantor below:

Grantor Name:

Grantee Name:

Foley Professional Park Developers, Inc.

Foley Professional Park, LLC

Mailing Address:

30,000

Mailing Address:

36532

Property Address: Vacant/unimproved

Date of Sale:

September 2023

Purchase Price: Loan Amount: \$550,000.00 \$440,000.00

Equity:

\$110,000.00

CORPORATION FORM WARRANTY DEED

STATE OF ALABAMA COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Grantor, Foley Professional Park Developers, Inc., an Alabama Corporation, in hand paid by the Grantee named herein, for good and valuable consideration as referenced hereinabove, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Foley Professional Park, LLC (herein referred to as "Grantee") the following described real estate, situated in BALDWIN County, Alabama, to-wit:

TRACT 1:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE SOUTH 00°24'06" EAST A DISTANCE OF 1,079.59 FEET TO A POINT; THENCE NORTH 89°35'02" EAST A DISTANCE OF 57.55 FEET TO A POINT; THENCE CONTINUE NORTH 89°35'02" EAST A DISTANCE OF 262.79 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°12'13" EAST A DISTANCE OF 89.93 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°35'21" EAST A DISTANCE OF 87.26 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°36'47" EAST A DISTANCE OF 125.02 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); AND THE POINT OF BEGINNING; THENCE NORTH 00°09'12" WEST A DISTANCE OF 332.40 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 83°32'41" WEST A DISTANCE OF 24.56 FEET TO THE POINT OF CURVATURE OF A 654.59' RADIUS CURVE TO THE LEFT MARKED BY AN IRON ROD (REBAR); THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 78.76 FEET (CHORD BEARS NORTH 86°58°19" WEST, 78.72') TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE SOUTH 89°33'38" WEST A DISTANCE OF 21.98 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE NORTH 00°08'36" WEST A DISTANCE OF 310.10 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE NORTH 89°37'05" EAST A DISTANCE OF 511.75 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°09'49" EAST A DISTANCE OF 650.16 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 89°37'49" WEST A DISTANCE OF 386.94 FEET TO THE POINT OF BEGINNING, CONTAINING 290,536 SQUARE FEET (6.670 ACRES), MORE OR LESS.

TRACT 2:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 7 SOUTH, RANGE 4, EAST, BALDWIN COUNTY, ALABAMA; THENCE SOUTH 00°24'06" EAST A DISTANCE OF 1,079.59 FEET TO A POINT; THENCE NORTH 89°35'02" EAST A DISTANCE OF 57.55 FEET TO A POINT; THENCE CONTINUE NORTH 89°35'02" EAST A DISTANCE OF 262.79 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); BEING THE POINT OF BEGINNING THENCE SOUTH 00°12'13" EAST A DISTANCE OF 89.93 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°35'21" EAST A DISTANCE OF 87.26 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE RUN NORTH TO THE SOUTHEAST CORNER OF LOT 4 OF FOLEY PROFESSIONAL PARK, A MAP OR PLAT OF WHICH IS RECORDED ON SLIDE 1243-B IN THE PROBATE OF BALDWIN COUNTY, ALABAMA, THENCE RUN WEST ALONG SOUTH LINE OF SAID LOT 4 TO THE POINT OF BEGINNING

Subject to taxes for the current and subsequent years, easements, restrictions, reservations, rights-of way, limitations, covenants and conditions of record, if any, and mineral and mining rights, if any, as well as the following specific exceptions:

- 1. Oil, Gas and Mineral Lease granted to shell Oil Company recorded in Real Property Book 97, Page 186
- 2. Reservation of Oil, Gas and Minerals as contained in Real Property Book 328, Page 333.

TO HAVE AND TO HOLD, together with all and singular, the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining unto the grantee, its successors and assigns forever, subject to the Exceptions, to the Grantee forever. The Grantor(s), its successors, heirs, executors and administrators, hereby covenant and warrant to and with the said Grantee(s), its heirs and assigns, that they are seized of an indefeasible estate in and to the said property; that they will guarantee the peaceable possession thereof; that the said property is free from all liens and encumbrances, and that they will, along with their successors, heirs, executors and administrators forever warrant and defend the same unto the said Grantee(s), its heirs and assigns against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its representative who is authorized to execute this conveyance, has hereto set its signature and seal on the date referenced hereinabove.

Foley Professional Park Developers, Inc. an Alabama Corporation Grantor

BY:

Larry E. Chason, its President

STATE OF ALABAMA COUNTY OF BALDWIN

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Larry E. Chason as President of Foley Professional Park Developers, Inc., whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority executed the same voluntarily and as the act of the company on the day the same bears date.

Given under my hand and official seal this day of September, 2023.

Notary Public

Commission Expires:

<u>INSTRUMENT PREPARED BY:</u>

Kevin Hays, Attorney at Law 112 North Hoyle Avenue Bay Minette, AL 36507

BALDWIN COUNIY

ALABAMA

LOT 3, RE-SUBDIVISION OF L01S 3 & 4, FOLEY PROFESSIONAL PARK, AS RECORDED ON INSTRUMENT NO. 1989363 IN 1HE OFFICE OF 1HE JUDGE OF PROBATE BALDWIN COUNLY, ALABAMA

LESS AND EXCEPTING THE PROPERIY TAKEN FOR RIGHT OF WAY AS RECORDED IN REAL PROPERTY BOOK 546, PAGE 1745, IN 1HE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNLY, ALABAMA.

LOT 4, RE-SUBDIVISION OF L01S 3 & 4, FOLEY PROFESSIONAL PARK, AS RECORDED ON INSTRUMENT NO. 1989363 IN 1HE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNLY, ALABAMA

LOT 4, PEACHTREE COMMERCIAL PARK, UNIT 2, AS RECORDED ON SLIDE 1878-A IN 1HE OFFICE OF 1HE JUDGE OF PROBATE BALDWIN COUNIY, ALABAMA.

LESS AND EXCEPTING THE PROPERIY TAKEN FOR RIGHT OF WAY AS RECORDED IN REAL PROPERIY BOOK 546, PAGE 1773, IN 1HE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNIY, ALABAMA

PARCEL 1:

COMMENCING AT 1HE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 7 SOU1H, RANGE 4 EAST, BALDWIN COUNIY, ALABAMA; THENCE SOUTH 00"24'06" EAST A DISTANCE OF 1,079.59 FEET TO A POINT; 1HENCE NORJH 89"35'02" EAST A DISTANCE OF 57.55 FEET TO A POINT; THENCE CONTINUE NORTH 89"35'02" EAST A DISTANCE OF 262.79 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00'12'13" EAST A DISTANCE OF 89.93 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89'35'21' EAST A DISTANCE OF 87.26 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89'36'47" EAST A DISTANCE OF 125.02 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); AND THE POINT OF BEGINNING; THENCE NORTH 00'09'12' WEST A DISTANCE OF 332.40 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 83"32'41" WEST A DISTANCE OF 24.56 FEET TO THE POINT OF CURVATURE OF A 654.59' RADIUS CURVE TO THE LEFT MARKED BY AN IRON ROD (REBAR); THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 78. 76 FEET

(CHORD BEARS NORTH 86"58'19' WEST, 78.72') TO A POINT MARKED BY AN IRON ROD /REBAR); THENCE SOUTH 89'33'JB" WEST A DISTANCE OF 21.98 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE NORJH 00"08'36' WEST A DISTANCE OF 310.10 FEET TO A POINT MARKED BY AN IRON ROD (REBAR); THENCE NORTH 89'37'05" EAST A DISTANCE OF 511.75 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00"09'49" EAST A DISTANCE OF 650.16 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 89'37'49" WEST A DISTANCE OF 386.94 FEET TO THE POINT OF BEGINNING, CONTAINING 290,536 SQUARE FEET (6.670 ACRES), MORE OR LESS.

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PUD NARRATIVE

Foley Professional Park subdivision is a proposed commercial development intended to accommodate the continually growing medical service needs in our area. With its close proximity to the South Baldwin Medical Hospital, this development will offer supporting medical care opportunities for Foley's residents. Besides its proximity to the hospital, it is centrally located to serve the residents of Foley as well as the surrounding areas with quick access to the Beach Express and Highway 98. The subdivision will be a great complement to the surrounding area and Foley as a whole.

Specific to the ordinance, additional information is addressed below:

PUBLIC BENEFITS

Job creation, during construction and operation will benefit the City and its residents. It will also bring in much needed medical infrastructure to meet the needs of the growing City and surrounding population.

PRIVATE BENEFITS

A minimum of 20% open space will be required on each site plan. This will allow the opportunity for staff and patients to enjoy the outdoor spaces while on site.

SITE LOCATION AND SIZE WITH LEGAL DESCRIPTION:

Please see the attached survey included in application.

OWNERSHIP INTERESTS ·

The Architectural elements will be controlled by the Mediacal Overlay District requirements in the Code set forth by the City. An architectural review committee will be created and will review the building plans to ensure homogenous design elements.

SITE CONTEXT

(The relationship of the site to existing development in the area. Including streets. Utilities, residential and commercial development, and physical features of the land including pertinent ecological features)

Site zoning map from City GIS is included to show the surrounding zoning and the required buffers.

SITE DATA TABLE

(The density or intensity of land use to be allocated to all parts of the site td be developed together with tabulations by acreage and percentages thereof.)

See chart on C4.0.

COMMON INTERESTS

(The location, size and character of any common open space, common owned facilities and the form of organization proposed to own and maintain any common open space and common owned facilities.)

The lots will be sold fee-simple. The common areas will be owned by the individual lot owners and maintenance rrequirements will be set forth by the POA.

BUILDINGS

(The use and type of buildings, i.e., single-family detached, townhouses, or garden apartments, proposed for each portion of the area included within the outline development plan.)

The conceptual layout of potential buildings and parking on site are noted on the plan but are subject to change by the owner of the lot and their programming needs. The site plans are required to be submitted and approved by the City of Foley.

ENGINEERING FEASIBILITY

(The engineering feasibility and proposed method of providing required improvements such as streets, water supply and storm drainage and sewage collection.)

Streets are to be publicly owned. Water, sewer and electric to be connected to on either HWY 59 or Elecia Lane. Storm drainage to be handled to satisfy current jurisdictional requirements.

COVENANTS ETC

(The substance of covenants, grants or easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements for public utilities.)

The covenants or restrictions will be supplied with the preliminary plat application,

PARKING/PEDESTRIAN ACCOMMODATIONS

(The provisions for parking vehicles and the function and location of vehicular and pedestrian system facilities.)

The subdivision provides new infrastructure, access and utilities, to the proposed lot frontage. Each site will provide their own parking as required by the City Ordinances.

OPEN SPACE ·

(The provisions for the disposition of open space including its development or non-development character and function.)

Open space of 20% will be required on each lot.

PHASE DEVELOPMENT

(In the case of plans which call for development over a period of years. A schedule showing the proposed

This will be subdivided and developed all at one time.

ADDITIONAL INFO

(Any additional data, plans or specifications as the applicant or the city may believe are pertinent to the proposed planned unit development)

Nothing at this time.

APPLICATION AND FEES

Included as separate documentation.

MASTER SIGNAGE PLAN

(A master signage plan meeting the criteria of article xxi, section 21.7)

There will be a subdivision sign at the entrance that complies with the city code.

THE REASON A PLANNED UNIT DEVELOPMENT WOULD BE CONSISTENT WITH THE CITY'S STATEMENT OR PURPOSE

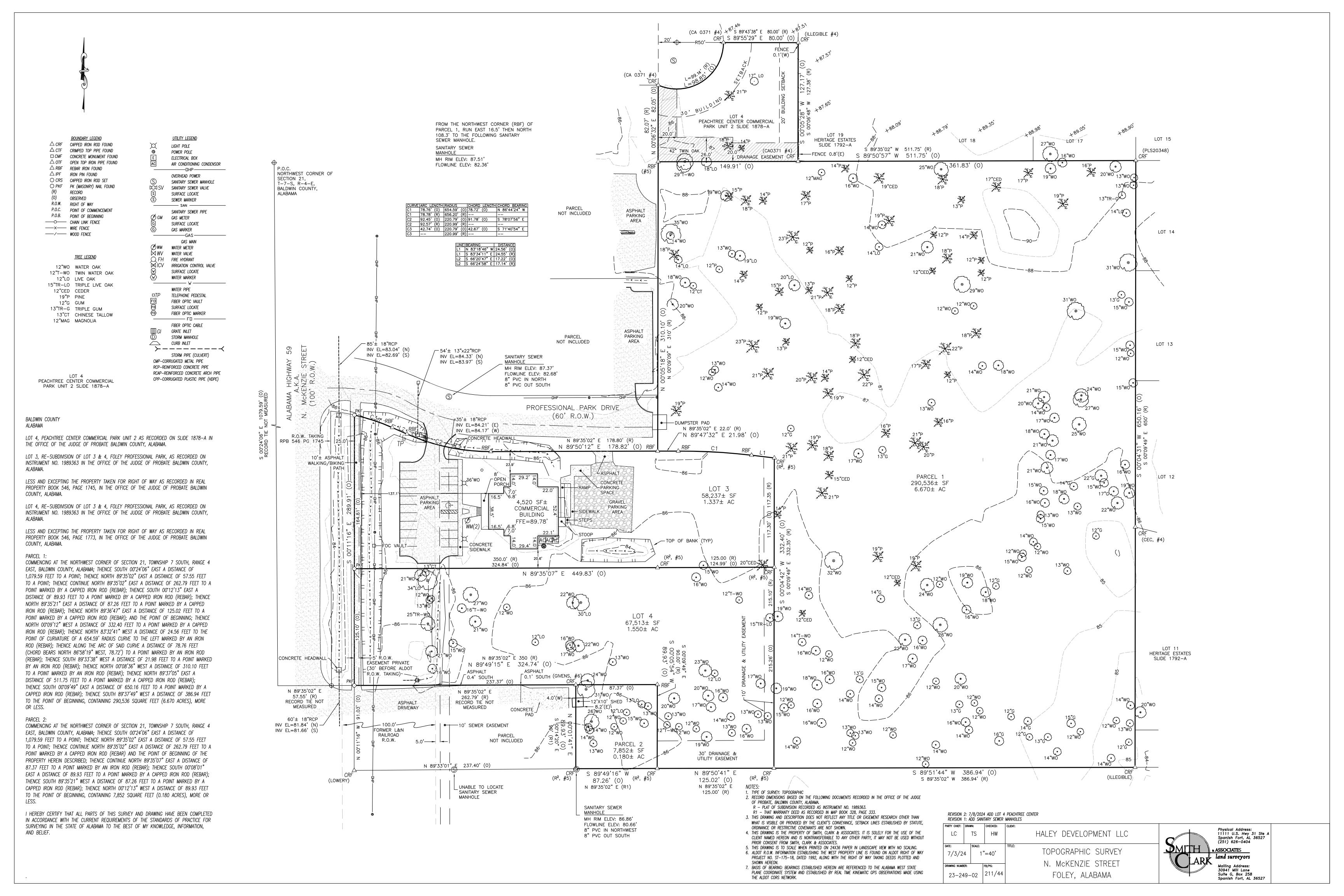
ON PLANNED UNIT DEVELOPMENT

The main reason is that this PUD fits this property location is as follows:

The lots being created match the surrounding lots in size and character and will meet the growing medical needs of the community.

Sidewalks shall be required to be built by each of the individual property owners at time of development.

The stormwater will be handled in open ditches and infiltration trenches in leiu of closed conduits or hardscape to allow for more infiltration and treatment of the runoff before it is discharged off site to the adjacent property.



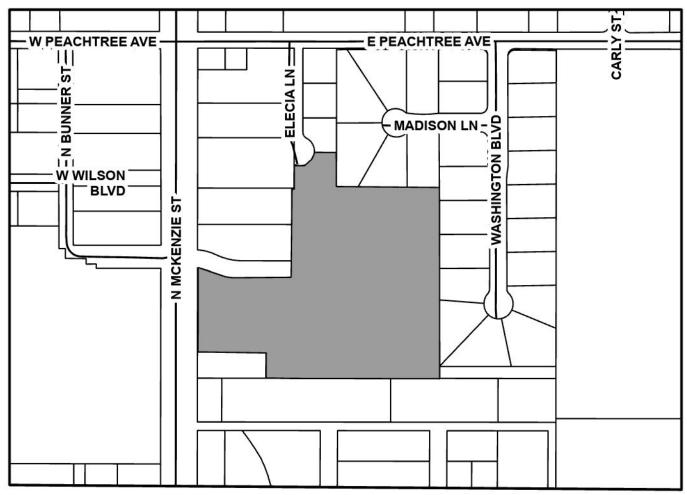


NEIGHBORHOOD SCALE BUILDINGS - MODERN COASTAL STYLE



PUBLIC NOTICE





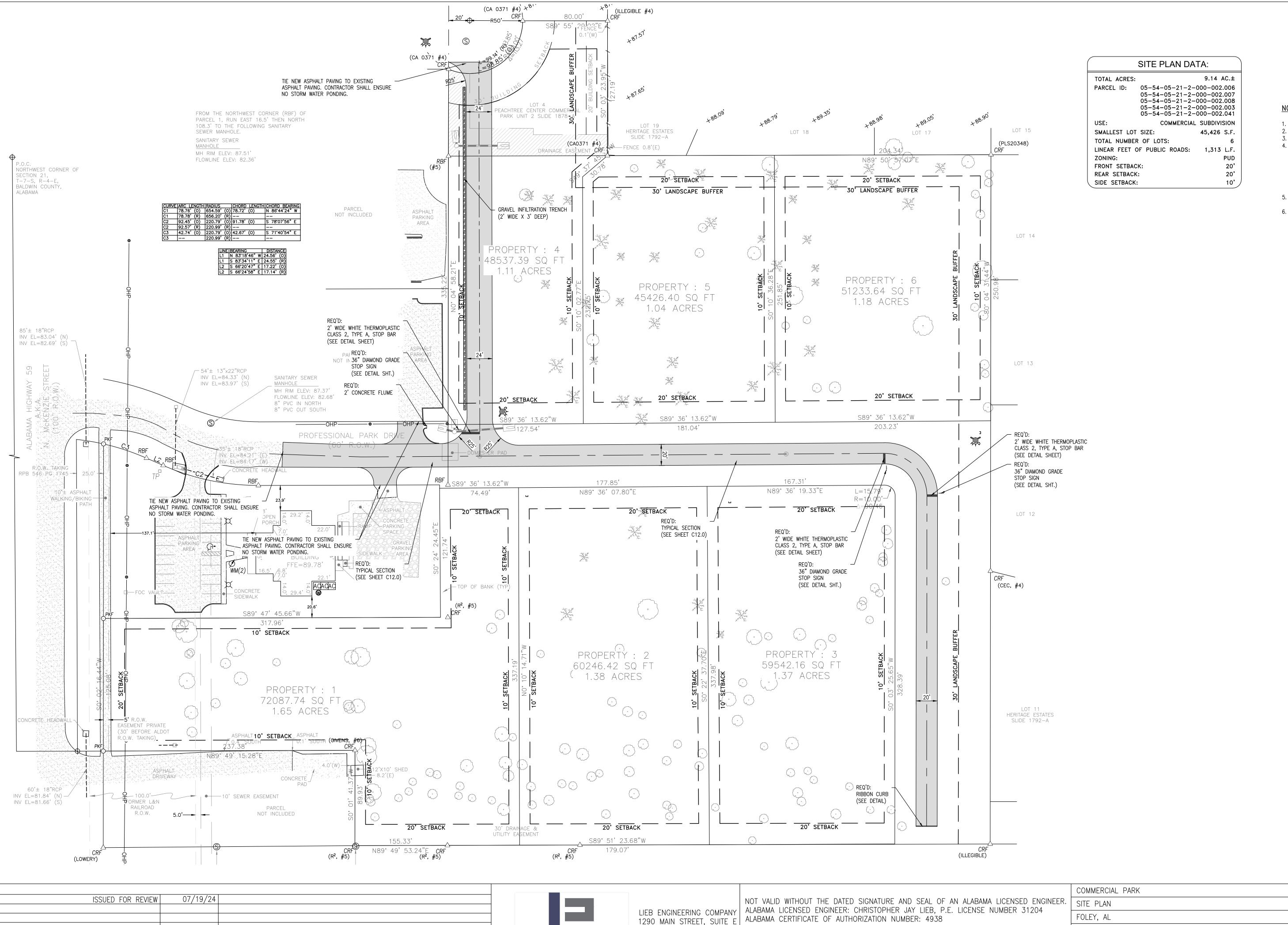
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Property is currently zoned R-1A (Residential Single Family). Proposed zoning is PUD (Planned Unit Development). Property is located S. of E. Peachtree Ave.

and E. of N. McKenzie St. Applicant is Lieb Engineering Co.

Anyone interested in this rezoning request may be heard at a public meeting scheduled for September 18, 2024 in the Council Chambers of City Hall located at 407 E. Laurel Ave., at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman



DAPHNE, AL 36526

JOB NUMBER

2023-043

DRAWN BY: <u>JLG</u>

DATE: <u>07/19/2024</u> SCALE: <u>1"=40'</u>

CHECKED BY: <u>CJL</u> APPROVED BY: <u>CJL</u> ENGR: <u>CJL</u>

PH: (251) 978-9779

LIEBENGINEERING COMPANY

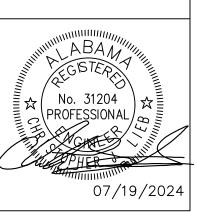
REVISIONS



NOTES:

- 1. SEE SHEET C2.0 FOR ALL GENERAL NOTES.
- 2. NO SIDEWALKS WILL BE INSTALLED. 3. NO CURB AND GUTTER WILL BE INSTALLED.
- 4. FLOOD ZONE MAP: THIS PROPERTY IS IN ZONE "X" AS PER THE MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION COMMUNITY PANEL NUMBER 816 FOR BALDWIN COUNTY AND MAP NUMBER 01003C0816M AS PER REVISED MAP DATED APRIL 19, 2019
- 5. NO OPEN DITCHES WILL BE INSTALLED IN RIGHT OF WAY

	KIGHT OF WAT.				
6.	MASTER SIGNAGE	WILL BE	PLACED	NEAR	Н
	59 ROW.				



OWNER: CHRIS HALEY

SHEET NUMBER

4 OF 21