

COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011

June 26, 2018

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

RE: Rezoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on June 20, 2018 and the following action was taken:

McMath Properties LLC- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.47+/- acres. Property is currently zoned B-2 (Neighborhood Business District) and R-1D (Residential Single Family) proposed zoning is PUD (Planned Unit Development). Property is located W of Hickory St. and N of County Rd. 12. Applicant is McMath Properties LLC.

Commissioner Hellmich made a motion to recommend to Mayor and Council the requested rezoning. Commissioner Steigerwald seconded the motion. All Commissioners voted aye.

Motion to approve the requested rezoning passes.

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

Respectfully,

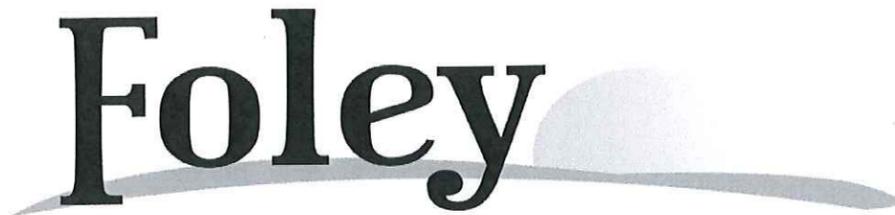
Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III



**CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY**

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):

Response: Hickory St., PPIN #274139, Owner McMath Properties LLC,

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

Response: Please see attached list of property owners.

3. APPROXIMATE SIZE OF PROPERTY:

Response: The proposed PUD request will rezone a 24.47 acre portion of the 43.7 acres.

4. PRESENT ZONING OF PROPERTY:

Response: The property is currently zoned R-1D and B-2.

5. REQUESTED ZONING:

Response: Planned Unit Development (PUD).

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:

Response: The property has remained vacant and has not been proposed for development.

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)

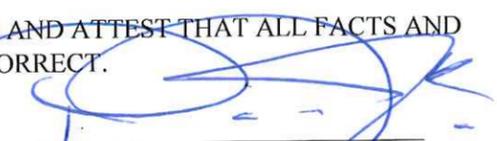
The proposed PUD will allow for a multi-family project on a 24.47-acre portion of the 43.47-acre parent tract. The multi-family development is proposing a density that will not exceed the 11 units per acre allowed in the City's Zoning Ordinance. All required parking, open space, utility and storm water improvements will be provided as required by the City of Foley's land development regulations.

8. PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20.

Response: Total check amount is \$567.05 (\$500.00 + \$15.00 per additional acre over 20)

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: May 25, 2018


PROPERTY OWNER/APPLICANT

208 N. Greeno Rd, Ste. C, Fairhope, AL 36532

PROPERTY OWNER ADDRESS

251-928-3443

PHONE NUMBER

tjinright@jadengineers.com / sruth@jadengineers.com

EMAIL ADDRESS



**Baldwin County
Revenue Commissioner**

**Property Appraisal Link
BALDWIN COUNTY, AL**

Current Date 5/24/2018

Tax Year 2018
Valuation Date October 1, 2017

OWNER INFORMATION

PARCEL 61-03-07-0-000-008.011 **PPIN** 274139 **TAX DIST** 07
NAME MCMATH PROPERTIES L L C
ADDRESS 1125 N CAUSEWAY BLVD #2
 MANDEVILLE LA 70471
DEED TYPE IN **BOOK** 0000 **PAGE** 1440418
PREVIOUS OWNER JADE CONSULTING L L C
LAST DEED DATE 1/23/2014

DESCRIPTION

45 AC(C) COM AT SE COR SEC 7, TH N 397.5', TH W 40' TO W R/W
 OF HICKORY ST FOR POB, TH W 834.5', TH N 278.9', TH W 466.6
 ', TH N 1300.4', TH E 1294' TO W R/W OF HICKORY ST, TH S 158
 7' TO POB SEC 7-T8S-R4E (WD)

PROPERTY INFORMATION

PROPERTY ADDRESS HICKORY ST
NEIGHBORHOOD FOLEYSO
PROPERTY CLASS **SUB CLASS**
LOT BLOCK
SECTION/TOWNSHIP/RANGE 00-00 -00
LOT DIMENSION **ZONING**

PROPERTY VALUES

LAND: 553500 **CLASS 1:** **TOTAL ACRES:** 45.00
BUILDING: **CLASS 2:** **TIMBER ACRES:** 45.00
 ===== **CLASS 3:** 553500
TOTAL PARCEL VALUE: 553500
ESTIMATED TAX: \$92.94
TOTAL USE VALUE: 26725

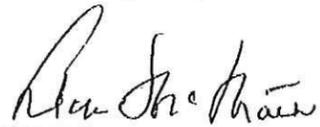
DETAIL INFORMATION

<u>CODE</u>	<u>TYPE</u>	<u>REF</u>	<u>METHOD</u>	<u>DESCRIPTION</u>	<u>LAND USE</u>	<u>TC</u>	<u>Hs</u>	<u>Pn</u>	<u>MARKET USE</u>	<u>VALUE</u>	<u>VALUE</u>
M	LAND	2	MA MA-30000	45.00 acres	8100-AGRICULTURAL	3	N	N	553500		
U	USE	3	MA MA-30000	11.00 acres	8310-TIMBER (GOOD C1)	3	N	N		8261	
U	USE	4	MA MA-30000	28.00 acres	8320-TIMBER (AVG. C2)	3	N	N		16016	
U	USE	5	MA MA-30000	6.00 acres	8330-TIMBER (POOR C3)	3	N	N		2448	

NOTARIZED AUTHORIZATION OF OWNER

I/We, McMath Properties, LLC, as the sole or joint fee simple title holder(s) of the property described as 43.7 acres, more or less, Parcel No. 61-03-07-0-000-008.011, authorize JADE Consulting, LLC and/or their consultants to act as our agent to seek site plan/development plan approval, DOT approvals, and/or all regulatory approvals in connection therewith, on the above referenced property.

Owner: McMath Properties, LLC

By: 
Don McMath

Address: 1125 N. Caseway Blvd. #2
Mandeville, LA 70471

Phone: 985-624-9010 Fax: _____
Email: Don@mcmathconstruction.com

STATE OF LOUISIANA

PARISH OF ST TAMMANY

The forgoing instrument was acknowledged before me this 24th day of May, 2018 by Don McMath who is personally known to me or who has produced driver's license (type of ID) as identification and who did not take an oath.


NOTARY PUBLIC - STATE OF Louisiana

Gina V. Broussard
NAME OF NOTARY - TYPED OR PRINTED

COMMISSION NO: for life

The following information is furnished in accordance with Code of Alabama 1975, Section 40-22-1, and is verified by the signature of the Grantor below:

Grantor's name: Jade Consulting, LLC

Mailing address: Post Office Box 1929
Fairhope, AL 36533

Grantee's name: McMath Properties, LLC

Mailing address: 1125 N. Causeway Blvd. #2
Mandeville, LA 70471

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 2/5/2014 11:24 AM
DEED TAX \$ 0.50
TOTAL \$ 16.50
3 Pages

1440418



Property address: Parcel #61-03-07-0-000-008.011

Date of Sale: 01/23/14

Total Purchase Price: _____

or Actual Value: _____

or Assessor's Market Value: 23770

The purchase price or actual value claimed can be verified in the following documentary evidence: (check one)

Bill of Sale, Sales Contract, Closing Statement, Appraisal, other Property Tax Link

WARRANTY DEED

STATE OF ALABAMA:

COUNTY OF BALDWIN:

KNOW ALL MEN BY THESE PRESENTS, that JADE CONSULTING, LLC, a Limited Liability Company, the GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration hereby acknowledge to have been paid to the said GRANTOR by MCMATH PROPERTIES, LLC, the GRANTEE, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said GRANTEE, in fee simple, subject to the provisions hereinafter contained, all that real property in said County, State of Alabama described as follows, to-wit:

Commence at the Southeast corner of Section 7, Township 8 East, Range 4 East, Baldwin County, Alabama; Run thence North 00° 14' 35" West, 397.45 feet to a point; Thence North 89° 49' 45" West, 40.00 feet to an iron pin on the West right-of-way of Hickory Street (80 foot right-of-way) and the Point of Beginning; Thence North 89° 09' 19" West, 834.49 feet to an iron pin; Thence North 00° 00' 00" East, 278.96 feet to an iron pin; Thence 89° 59' 23" West, 466.58 feet to an iron pin; Thence North 00° 00' 37" East, 1300.40 feet to an iron pin; Thence South 89° 47' 26" East, 1294.03 feet to an iron pin on the West right-of-way of Hickory Street. Thence along said right-of-way South 00° 14' 35" East, 1587.01 feet to the Point of Beginning. Said tract being in Section 7, Township 8 South, Range 4 East, Baldwin County, Alabama.

EXCEPTING THEREFROM such oil, gas and other minerals in, on and under said property, together with all rights in connection therewith as have been previously reserved by or conveyed to others than the Grantor, but including in this conveyance such oil, gas and other minerals and rights in connection therewith as are owned by Grantor.

THIS CONVEYANCE AND THE WARRANTIES HEREUNDER ARE SUBJECT TO THE FOLLOWING:

Any and all easements, building lines, right-of-ways, reservations and restrictive covenants, liens, mortgages, encumbrances, etc. of record applicable to said property in the Office of the Judge of Probate of said County.

TOGETHER WITH ALL AND SINGULAR the rights, privileges, tenements, hereditaments and appurtenances hereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD unto the said GRANTEE, and to the successors and assigns of said GRANTEE, in fee simple, FOREVER.

And, except as to the above and taxes hereafter falling due, which are assumed by the GRANTEE, the GRANTOR, for itself, its successors and assigns, does hereby COVENANT AND WARRANT to and with the said GRANTEE, the successors and assigns of said GRANTEE, that GRANTOR is seized of an indefeasible estate in fee simple in and to said real property, and has a good and lawful right to sell and convey the same; and that said real property is, except as is recited above, free and clear of all liens and encumbrances of every kind and nature

whatsoever; and GRANTOR does hereby WARRANT AND WILL FOREVER DEFEND the title to said real property, and the possession thereof, unto the said GRANTEE, and the successors and assigns of said GRANTEE, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has set its hand and seal on this the 23rd day of JANUARY, 2014.

JADE CONSULTING, LLC, a Limited Liability Company

By: [Signature]
Its: Member

STATE OF LOUISIANA :
COUNTY OF St. TAMMANY :
PARISH

Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared DON MEMATH as MEMBER of JADE CONSULTING, LLC, a Limited Liability Company, whose name as Grantor is signed to the foregoing instrument, and who is known to me, who after by me first being duly sworn on oath did depose and say that being informed of the contents of said instrument, (s)he executed the same voluntarily and with full power and authority to act on behalf of said limited liability company, on the day the same bears date.

Given under my hand and seal on this 23rd day of January, 2014.

[Signature]
NOTARY PUBLIC
My Commission Expires: AT DEATH

This instrument prepared by:
Lori Meadows, P.C.
24407 Lauder Place
Orange Beach, AL 36561
(251) 942-5541



LEGAL DESCRIPTION

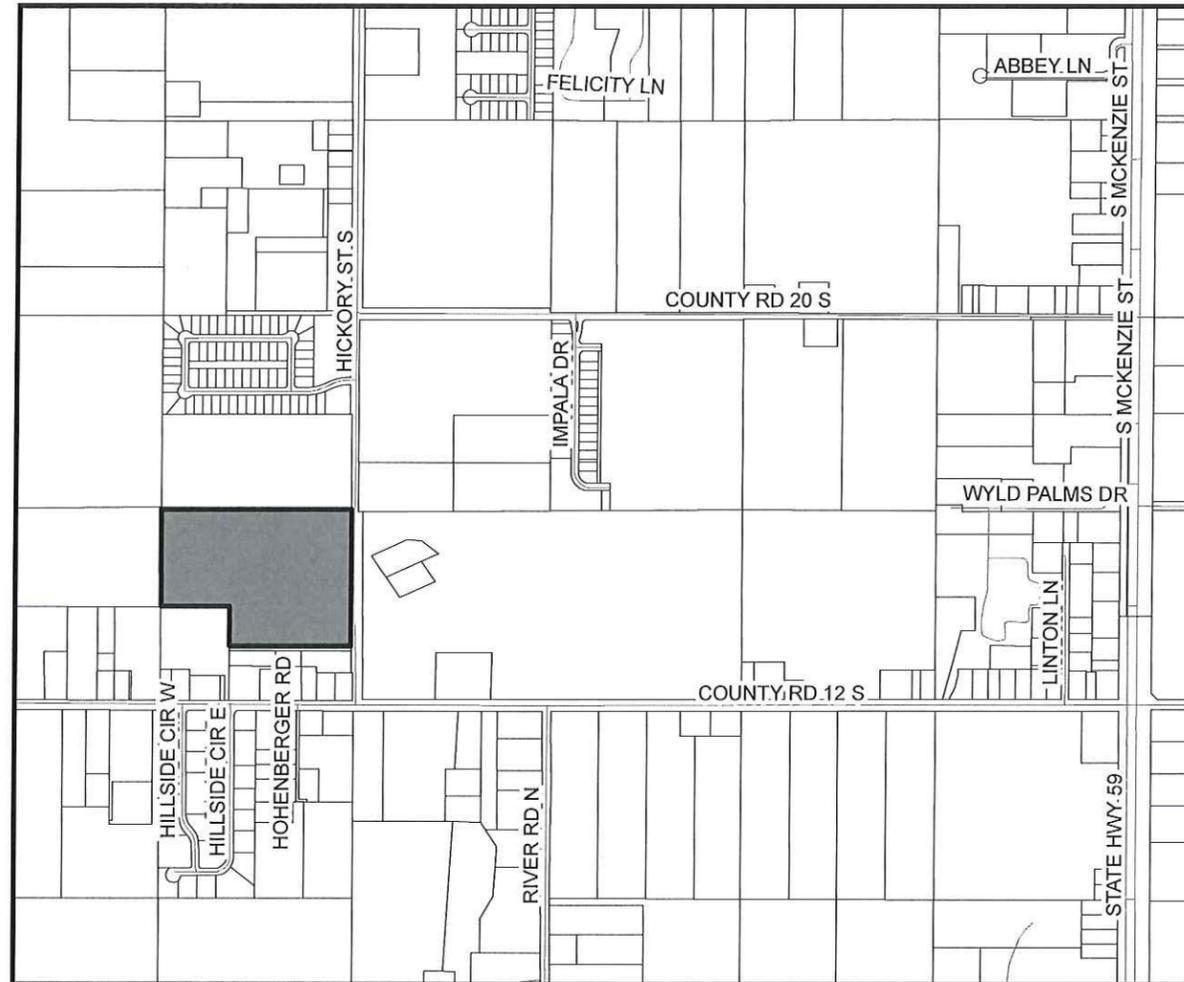
STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, THENCE RUN N00°08'49"E, ALONG THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 397.26 FEET TO A POINT; THENCE RUN N89°09'53"W, A DISTANCE OF 40.04 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY OF HICKORY STREET; THENCE RUN N89°09'53"W, A DISTANCE OF 818.57 FEET TO A POINT; THENCE RUN N00°02'22"W, A DISTANCE OF 278.85 FEET TO A POINT; THENCE RUN S89°57'49"W, A DISTANCE OF 466.43 FEET TO A POINT; THENCE RUN N00°00'02"W, A DISTANCE OF 649.08 FEET TO A POINT; THENCE RUN S89°51'11"E, A DISTANCE OF 1287.52 FEET TO A POINT; THENCE RUN S00°08'49"W, A DISTANCE OF 936.27 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 24.47 ACRES, MORE AND LESS AND SITUATED IN SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.



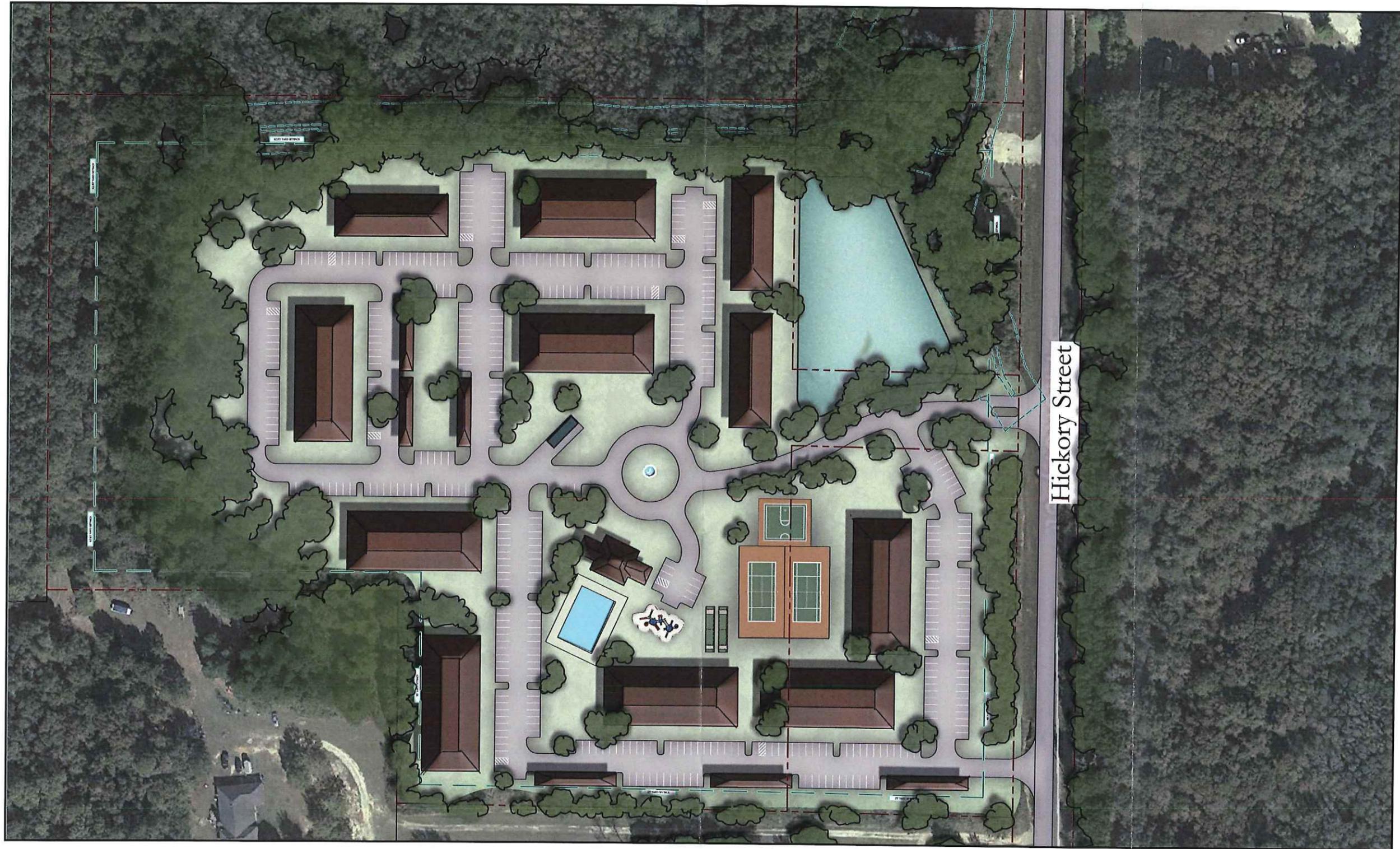
PUBLIC NOTICE



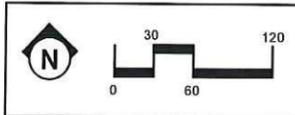
The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24.47 +/- acres. Property is currently zoned B-2 (Neighborhood Business District) and R-1D (Residential Single Family) proposed zoning is PUD (Planned Unit Development). Property is located W of Hickory St. and N of County Rd 12. Applicant is McMath Properties, LLC.

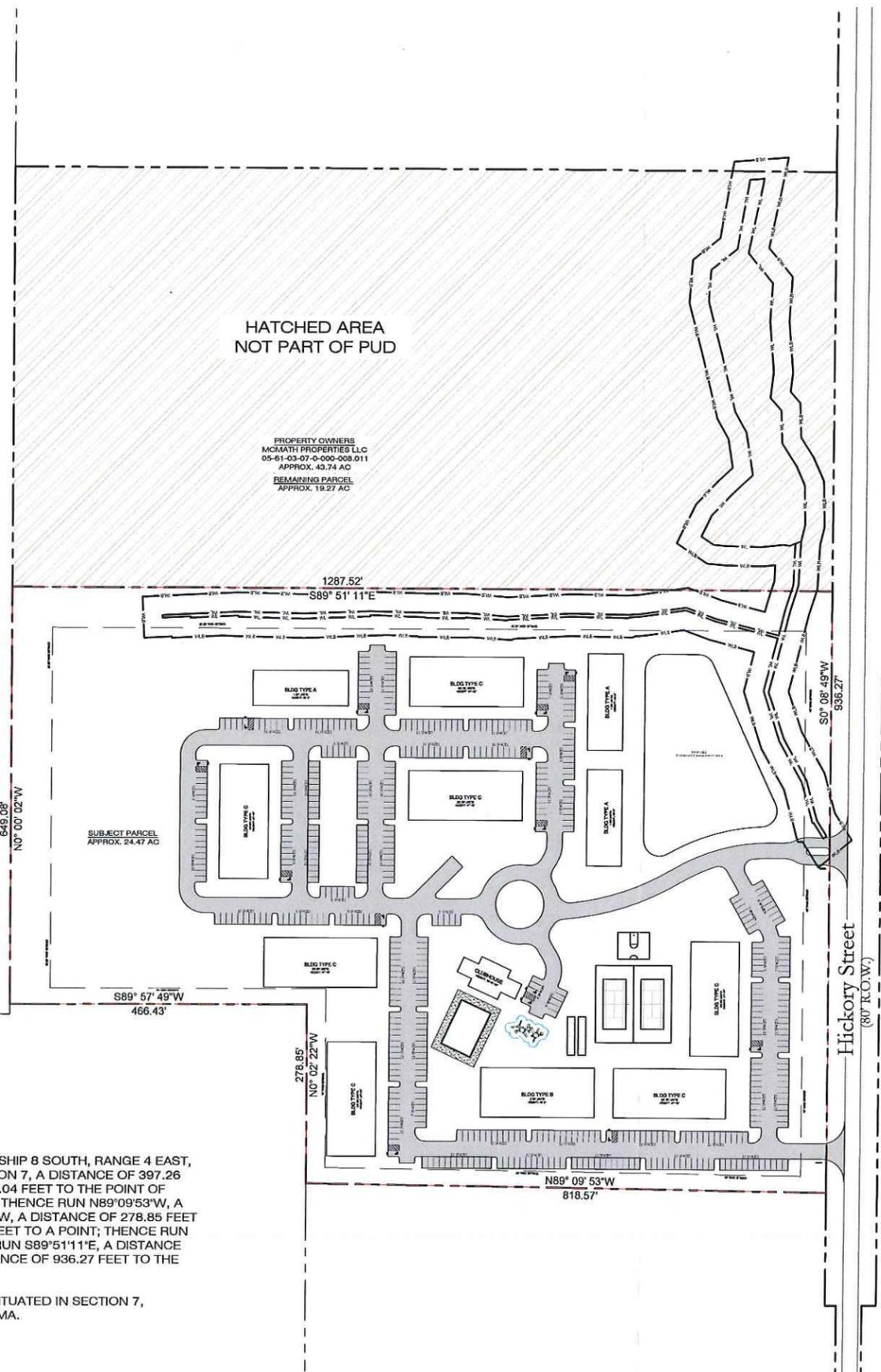
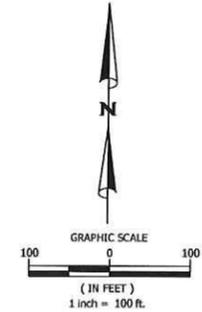
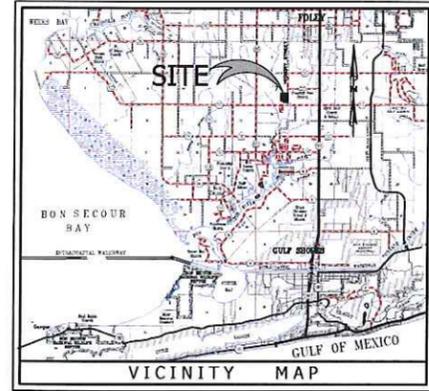
Anyone interested in this rezoning request may be heard at a public hearing scheduled for Wednesday, June 20, 2018 in the Council Chambers of City Hall located at 407 E. Laurel Ave. at 5:30 p.m. or may respond in writing to 200 N. Alston St., Foley, AL 36535.

Phillip Hinesley
Planning Commission Chairman



MASTER PLAN
SCALE: 1" = 60'





HATCHED AREA
NOT PART OF PUD

PROPERTY OWNERS
MCMATH PROPERTIES LLC
05-61-03-07-0-000-008.011
APPROX. 43.74 AC
REMAINING PARCEL
APPROX. 19.27 AC

SUBJECT PARCEL
APPROX. 24.47 AC

Hickory Street
(80' R.O.W.)

LEGAL DESCRIPTION

STATE OF ALABAMA
COUNTY OF BALDWIN

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, THENCE RUN N00°08'49"E, ALONG THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 397.26 FEET TO A POINT; THENCE RUN N89°09'53"W, A DISTANCE OF 40.04 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY OF HICKORY STREET; THENCE RUN N89°09'53"W, A DISTANCE OF 818.57 FEET TO A POINT; THENCE RUN N00°02'22"W, A DISTANCE OF 278.85 FEET TO A POINT; THENCE RUN S89°57'49"W, A DISTANCE OF 466.43 FEET TO A POINT; THENCE RUN N00°00'02"W, A DISTANCE OF 649.08 FEET TO A POINT; THENCE RUN S89°51'11"E, A DISTANCE OF 1287.52 FEET TO A POINT; THENCE RUN S00°08'49"W, A DISTANCE OF 936.27 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 24.47 ACRES, MORE AND LESS AND SITUATED IN SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA.

SITE DATA

PARCEL: 05-61-03-07-0-000-008.011
 EX. ZONING: R1D (RESIDENTIAL SINGLE FAMILY)
 B2 (NEIGHBORHOOD BUSINESS DISTRICT)
 PROP. ZONING: PUD (PLANNED UNIT DEVELOPMENT)
 TOTAL PARCEL AC.: 43.74 ± AC.
 TOTAL PROP. PUD AC.: 24.47 ± AC.
 YARD SETBACKS:
 FRONT: 40'
 SIDE: 25'
 62.83' (ABUTS SINGLE FAMILY RES.)
 REAR: 30'
 62.83' (ABUTS SINGLE FAMILY RES.)

PARKING:

PARKING REQUIRED:
 MULTI-FAMILY RESIDENTIAL: 2 SPACE/UNIT
 11 BLDG * 24 UNITS/BLDG = 264 UNITS
 264 UNITS * 2 SPACE/UNIT = 528 SPACES
 TOTAL REQUIRED = 528 SPACES
 PARKING PROVIDED:
 TOTAL PARKING PROVIDED = 528 SPACES (INC. 14 H/C SPACES)

DENSITY:

MAX DENSITY:
11.00 UNITS/ACRE
 PROP. DENSITY:
264 UNITS/24.47 ACRES = 10.79 UNITS/ACRE

BUILDING REQUIREMENTS:

MAX BLDG HEIGHT:
50'-0"
 PROP. MAX BLDG HEIGHT:
49'-6"
 MAX BLDG AREA:
40%
 PROP BLDG AREA:
142,000 SF/1,065,982 SF = 13.3%

OPEN SPACE REQUIREMENTS (*SEE EXHIBIT):

REQUIRED OPEN SPACE:
25%
 PROVIDED OPEN SPACE:
430,000 SF/1,065,982 SF = 40%
 REQUIRED USABLE OPEN SPACE:
15%
 PROVIDED USABLE OPEN SPACE:
290,000 SF/1,065,982 SF = 27%

APPROX. 24.47 ACRES
 PROPOSED PLANNED UNIT DEVELOPMENT
 HICKORY ST
 FOLEY, AL