



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. MCKENZIE STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

November 14, 2023

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

RE: Request for PDD Modification

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on November 8, 2023 and the following action was taken:

Wolf Creek Village- PDD Modification

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

Planning Commission Action:

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

Motion to approve the requested PDD modification passes.

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

Respectfully,

Melissa Ringler

Melissa Ringler
Planning & Zoning Coordinator

MAYOR: Ralph Hellmich

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Richard Dayton; Cecil R. Blackwell; Charles Ebert III



**CITY OF FOLEY, ALABAMA
APPLICATION FOR
PDD MODIFICATION**

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

Please see attached survey with legal description.

The PIN # is 17683.

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

Please see attached.

3. APPROXIMATE SIZE OF PROPERTY:

+/- 103.17 acres

4. PRESENT ZONING OF PROPERTY:

PDD

5. REQUESTED ZONING:

PDD Modification (Amendment)

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

There are no structures located on the property.

The site is undeveloped farmland. Two site plans have been approved on the property. The latest requires a PDD amendment.

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

Please see attached letter and map.

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

DATE: 10/23/23

SCP/BPG Magnolia Holdings LLC

PROPERTY OWNER/APPLICANT

P.O. Box 16167 Mobile, AL 36616

PROPERTY OWNER ADDRESS

251-341-5777

PHONE NUMBER

grant@burtonprop.com

EMAIL ADDRESS

SCP/BPG Magnolia Holdings, LLC
P. O. Box 16167
Mobile, AL 36616
251-341-5777

October 23, 2023

VIA ELECTRONIC MAIL

Foley Planning Commission
c/o Miriam Boone, MPA, AICP, CFM
120 S McKenzie Street
Foley, AL 36535
mboone@cityoffoley.org

Re: PDD Amendment #2 Request
Magnolia Walk East
Northeast Corner of Foley Beach Expressway and County Road 20


Dear Planning Commissioners,

SCP/BPG Magnolia Holdings, LLC is pleased to present for your consideration the attached Application for PDD Modification for the master planned development concept for the property at the northeast corner of Foley Beach Expressway and County Road 20.

Along with the application submitted, we have provided a revised plan showing general land uses being requested for approval by the Planning Commission. We understand that we will return to the Planning Commission for each phase of the project for approval of a more detailed plan.

We look forward to advancing this development in coordination with the City of Foley and respectfully request your consideration and approval of this amendment request. The following amendments have been reviewed and were recommended by the Planning Commission during the October 18, 2023 meeting as conditions for approving our Cottages at the Creek – Site Plan. Should you have any questions, please let us know. My direct line is 251-650-7246 or email grant@burtonprop.com.

Sincerely,



Grant McCaleb

Amendment #2 – Magnolia Walk East PDD

The Magnolia Walk East PDD was previously amended by Amendment #1 approved by the Foley Planning Commission on April 20, 2022 and effective on October 24, 2022 (date of property acquisition by applicant), and is being hereby further amended as follows:

1. Amend the Conceptual Plan Map: Amend the Magnolia Walk East PDD Conceptual Master Plan Map to reflect the appropriate approximate land use boundaries for the desired land uses representative of the update required by the Cottages at the Creek development. (See Exhibit 1 attached).
2. Amend the PDD (USE): Amend the Magnolia Walk East PDD Conceptual Master Plan to clarify that the density shown on the Cottages at the Creek Site Plan is permissible. The Magnolia Walk East PDD currently permits high density- An additional residential category shall be added for “medium — high density,” which is defined in the City of Foley Comprehensive Plan. The “Cottages at the Creek Site Plan” would be listed as “medium — high” density. The PDD is amended to allow both medium-high and high density residential on 51% of the acreage in the PDD. Residential uses may vary in intensity from nine (9) to thirty (30) units per acre.
3. The City of Foley Zoning Ordinance and any portions of the Magnolia Walk East PDD that may conflict with the “Cottages at the Creek” Site Plan, submitted and conditionally approved on October 18, 2023¹, are amended for the Cottages at the Creek site as follows:
 - a. Courtyard Areas: The development site plan shall generally be consistent with the submitted site plan and shall provide a “cottage court” type development. The “courtyard” areas are those green areas and with amenities and open areas bounded on at least two sides by residential units. All “courtyard areas” must contain delineated walking paths adjacent to and connecting to the residential frontage on each side in order to define the outer perimeter of the courtyard space.
 - b. Design — Building Orientation: To implement the “cottage court” development concept the following conditions to site plan approval are made:
 - i. All residential structures adjacent to the courtyard areas shall have a “front” orientation towards the courtyard through the provision of an attached

¹ This PDD Amendment is being submitted in connection with the City’s conditional approval of the “Cottages at the Creek” Site Plan that was heard on October 18, 2023.

covered porch with minimum depth of approximately five (5) feet and minimum width of approximately five (5) feet with a door, oriented to face the courtyard.

ii. Perimeter residential structures (those not fronting courtyard areas) are encouraged to front onto perimeter green areas and open space areas where practicable. Creation of intentional shared green spaces is encouraged for the perimeter units not fronting the street.

c. Landscape. The development shall provide a buffer along western perimeter of the Cottages at the Creek adjacent to the Foley Beach Express (FBE). This buffer is intended to serve as a sound and visual barrier between the residential units and FBE. In addition, the dumpster locations and garages adjacent to FBE must be landscaped to provide a visual screen. The buffer shall consist of one of the following:

- i. Landscaped buffer minimum thirty (30) feet in width and landscaped in accordance with 10.2.3 including a perimeter berm a minimum of four (4) feet in height with a maximum side slope of three horizontal to one vertical (3H:1V), or
- ii. Visual screen consistent with 10.2.3 a minimum of 40' in depth, landscaped with varying heights and species in accordance with 10.2.3, or
- iii. A combination of a wall and landscaped buffer a minimum of 20' in depth as described in 10.2.2(B)(1). The wall may be a wooden fence of at least six (6) feet in height. The buffer shall be landscaped in accordance with 10.2.3.

Notwithstanding any requirement to the contrary, a secondary emergency vehicle access as shown on site will be allowed through either the buffer or screen. The emergency access must be gated, with a style and color that blends with the landscaping and acceptable to the Fire Department.

d. Except as modified herein or in the PDD, landscaping must be provided in accordance with the development standards contained in the Zoning Ordinance and Land Development Ordinance

The “Cottages at the Creek Site Plan” was approved at the October 18, 2023 meeting, subject to the above conditions. Such approval included the following items:

1. The architectural style should conform generally to the style presented to the commission. (See Exhibit 2 attached)
2. Parking shall be provided generally as shown on the site plan notwithstanding any other location or orientation criteria in any other sections of the ordinance. Parking shall be provided at a rate not less than 2 spaces/residential unit, but the location of the spaces may be adjusted to accommodate design needs. Garage spaces may be counted toward meeting this minimum parking requirement.
3. Streets within the cottages development are private and shall meet fire access requirements, but are not subject to the design standards of the City of Foley. The paving width should be generally as represented on the submitted site plan.
4. Interior portions of the parking areas shall be broken by provision of landscaped islands which shall be provided with a minimum of one (1) shade tree and five (5) shrubs per island. The shrubs shall be minimum one (1) gallon size at the time of planting and are not subject to the minimum height requirements of the City of Foley Zoning Ordinance §10.2.3. A maximum of twelve (12) parking spaces shall be allowed in a row without an island. Driveways to garage-type or covered parking that fall in a row of parking spaces shall not count toward the twelve (12) contiguous spaces of this requirement. The remaining interior parking area landscape requirements of the ordinance, including but not limited to Section 10.1.2, do not apply to this development given City’s request and developer’s willingness to focus beautification efforts to the shared court yards and encourage pedestrian focus on the same.
5. The development is approved with the above conditions in consideration of the submitted information. Other sections of the City of Foley Zoning Ordinance, such as the district regulations for other similar districts, are not applicable to the proposed development.

WOLF CREEK VILLAGE

(FORMERLY MAGNOLIA WALK EAST AND/OR
MAGNOLIA WALK VILLAGE)

Exhibit 1



Burton
PROPERTY GROUP



WOLF CREEK
ESTATES

FRANK COLE LANE








WOLF CREEK

CREEKVIEW BOULEVARD

FOLEY BEACH EXPRESSWAY

COUNTY ROAD 20

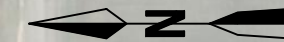
OWA

-  OPEN SPACE / CONSERVATION
-  STORMWATER MANAGEMENT
-  RESIDENTIAL
-  COMMERCIAL
-  COMMERCIAL / RESIDENTIAL (MULTI-FAMILY)
-  RESIDENTIAL (MULTI-FAMILY)
-  RIGHT OF WAY

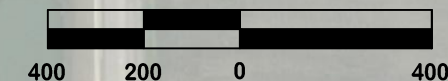
TOTAL PDD SIZE = 103.17 ACRES

LAND USE NOTES:

1. ALLOWED USES SHALL BE AS INDICATED ON THIS PLAN AND IN APPLICABLE PDD AMENDMENT DOCUMENTS.
2. EXACT BOUNDARIES OF EACH USE ARE SUBJECT TO CHANGE BASED ON THE PROGRESSION OF DESIGN. CHANGES TO THESE BOUNDARIES AND AREAS ARE ALLOWABLE PROVIDED THAT THE TOTAL RESIDENTIAL USE DOES NOT EXCEED 51% OF THE TOTAL PDD AREA.
3. EACH SPECIFIC PHASE OF DEVELOPMENT SHALL DEMONSTRATE PROVISION OF AT LEAST 5% OPEN SPACE IN ITS SPECIFIC PHASE AND 15% MINIMUM OVERALL PDD OPEN SPACE AT THE TIME OF DEVELOPMENT. THIS SHALL BE CALCULATED AS THE TOTAL OPEN SPACE IN THE PDD AREA DIVIDED BY THE TOTAL DEVELOPED AREA (AREAS HAVING RECEIVED OR CURRENTLY PURSUING SITE PLAN APPROVAL).



SCALE IN FEET



WOLF CREEK VILLAGE (A PDD AMENDMENT)
FOLEY, AL
FOR BURTON PROPERTY GROUP

DDG
16564 E. BREWSTER ROAD | SUITE 101
COVINGTON, LA
985.249.6180

PRELIMINARY NOT
FOR
CONSTRUCTION

PROJECT NO. 21-1111
SUBMITTAL NAME
10/16/2023

10/23/2023 COTTAGES AT THE CREEK JMS

CHECKED BY EMG
DRAWN BY JMS

PDD PLAN

PDD-1

Z:\2021\21-1111\WOLF CREEK VILLAGE\21-1111 PDD PLAN_20231016.DWG

Exhibit 2

revision log:		
no.	date	remarks

Magnolia Walk Cottages
 Single Family Home Apartments
 FOLEY BEACH EXPRESS - FOLEY, ALABAMA

professional seal:



released for:	
review	<input checked="" type="checkbox"/>
permitting	<input type="checkbox"/>
construction	<input type="checkbox"/>

Architect



DESIGN
BUILD
SOLUTIONS

P.O. BOX 1436
FAIRHOPE, AL 36533
251.751.6383
jeffhudson@hrgdesignbuild.com

job number:

2307

date:

10 OCT 2023

sheet title & no.

FRONT ELEVATIONS

A3.0



Elevation "A"
Scale: 3/16" = 1'-0"

Elevation "B"
Scale: 3/16" = 1'-0"

Elevation "C"
Scale: 3/16" = 1'-0"

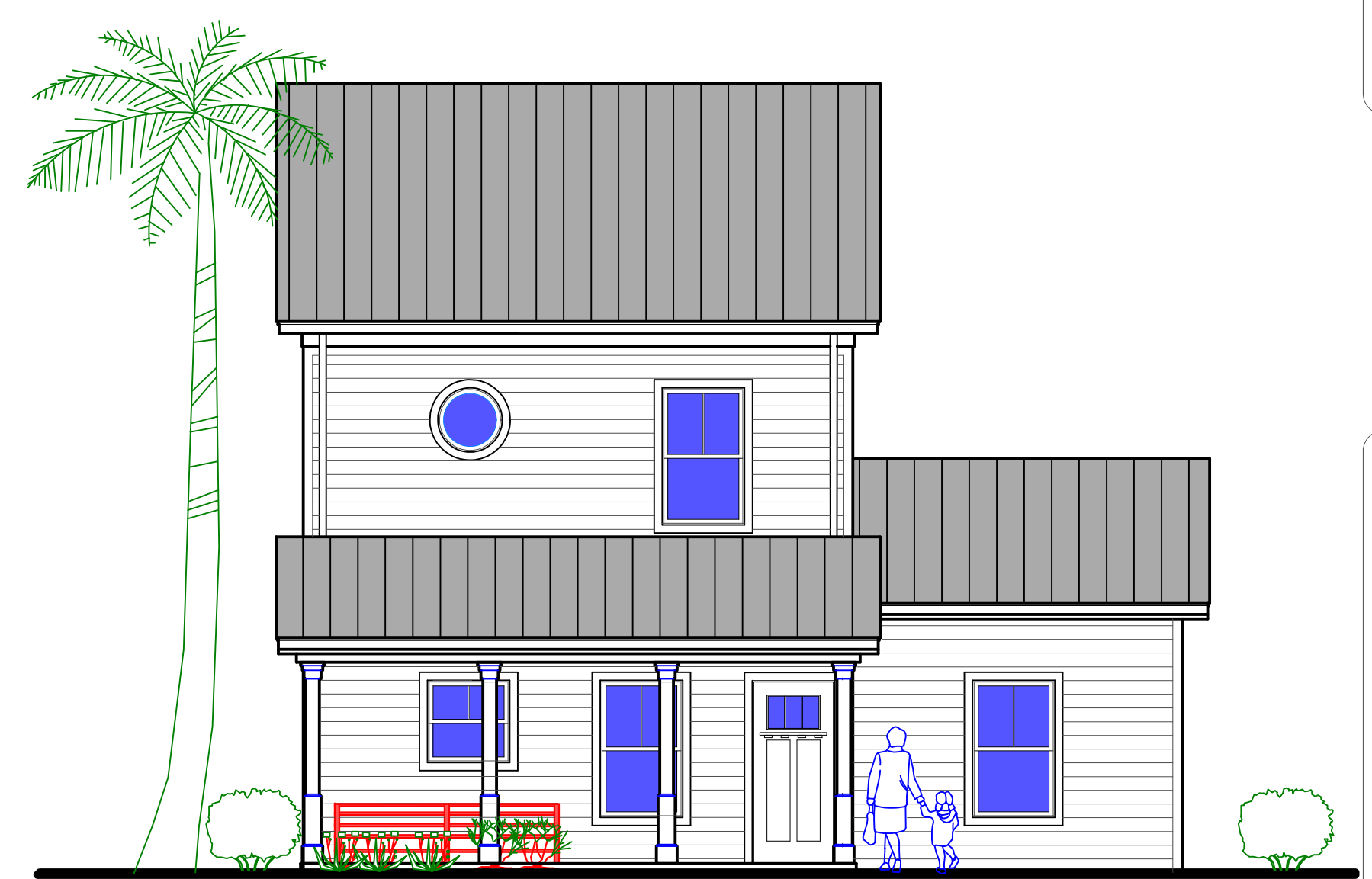
Elevation "D"
Scale: 3/16" = 1'-0"

Elevation "E"
Scale: 3/16" = 1'-0"

1 Story Unit Options

Exhibit 2

revision log:		
no.	date	remarks



Elevation "K1"
Scale: 3/16" = 1'-0"

Magnolia Walk Cottages
Single Family Home Apartments
FOLEY BEACH EXPRESS - FOLEY, ALABAMA

professional seal:



released for:	
review	<input checked="" type="checkbox"/>
permitting	<input type="checkbox"/>
construction	<input type="checkbox"/>

Architect



DESIGN
BUILD
SOLUTIONS

P.O. BOX 1436
FAIRHOPE, AL 36533
251.751.6383
jeffhudson@hrgdesignbuild.com

job number:

2307

date:

10 OCT 2023

sheet title & no.

FRONT ELEVATIONS

A3.1



Elevation "F"
Scale: 3/16" = 1'-0"

Elevation "G"
Scale: 3/16" = 1'-0"

Elevation "H"
Scale: 3/16" = 1'-0"

Elevation "J"
Scale: 3/16" = 1'-0"

Elevation "K2"
Scale: 3/16" = 1'-0"

2 Story Unit Options

**LEGAL DESCRIPTION
WOERNER GULF BEACH EXPRESS, INC TRACT**

A CERTAIN PIECE OR PARCEL OF LAND, LOCATED IN SECTION 3, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ST. STEPHENS MERIDIAN, CITY OF FOLEY, COUNTY OF BALDWIN, STATE OF ALABAMA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 4"X4" CONCRETE SECTION CORNER MONUMENT FOUND, COMMON TO SECTIONS 3 AND 2 OF TOWNSHIP 8 SOUTH - RANGE 4 EAST AND SECTIONS 34 AND 35 OF TOWNSHIP 7 SOUTH - RANGE 4 EAST; THENCE ALONG SAID SECTION LINE OF SECTIONS 3 AND 2 S00°13'53"W A DISTANCE OF 373.87 FEET TO A 5/8" CAPPED IRON ROD SET ON THE EASTERLY RIGHT OF WAY LINE OF FOLEY BEACH EXPRESSWAY AND THE POINT OF BEGINNING; DEPARTING SAID EASTERLY RIGHT OF WAY AND ALONG SAID SECTION LINE S00°13'53"W A DISTANCE OF 4872.87 FEET TO A 1/2" CAPPED IRON ROD (LINDSEY CAE6321) ON THE NORTHERLY RIGHT OF WAY OF MIFLIN ROAD; THENCE DEPARTING SAID SECTION LINE AND ALONG SAID RIGHT OF WAY N89°59'43"W A DISTANCE OF 1108.83 FEET TO A 5/8" IRON ROD FOUND ON THE EASTERLY RIGHT OF WAY OF FOLEY BEACH EXPRESSWAY; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY AND ALONG SAID EASTERLY RIGHT OF WAY N00°06'23"W A DISTANCE OF 2538.33 FEET TO A 6"X6" MONUMENT FOUND CAPPED (PC 372+84.79/100); THENCE ALONG SAID EASTERLY RIGHT OF WAY A CURVE TO THE RIGHT HAVING A RADIUS OF 2191.83 FEET, CHORD BEARING N17°26'02"E, CHORD LENGTH OF 1329.17 FEET AND ARC LENGTH OF 1350.43 FEET TO A 6"X6" MONUMENT FOUND CAPPED (PC 336+07/100); THENCE ALONG SAID EASTERLY RIGHT OF WAY N35°03'51"E A DISTANCE OF 1279.10 FEET TO A 5/8" CAPPED IRON ROD SET AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 103.17 AS SHOWN ON A SURVEY BY DUPLANTIS DESIGN GROUP, PC, DATED 10/18/2022, PROJECT NUMBER 21-1111. THE ABOVE DESCRIBED PARCEL IS SUBJECT TO ANY SERVITUDES OR RESTRICTIONS THAT MAY BE OF RECORD.