

The Oaks at the Colony

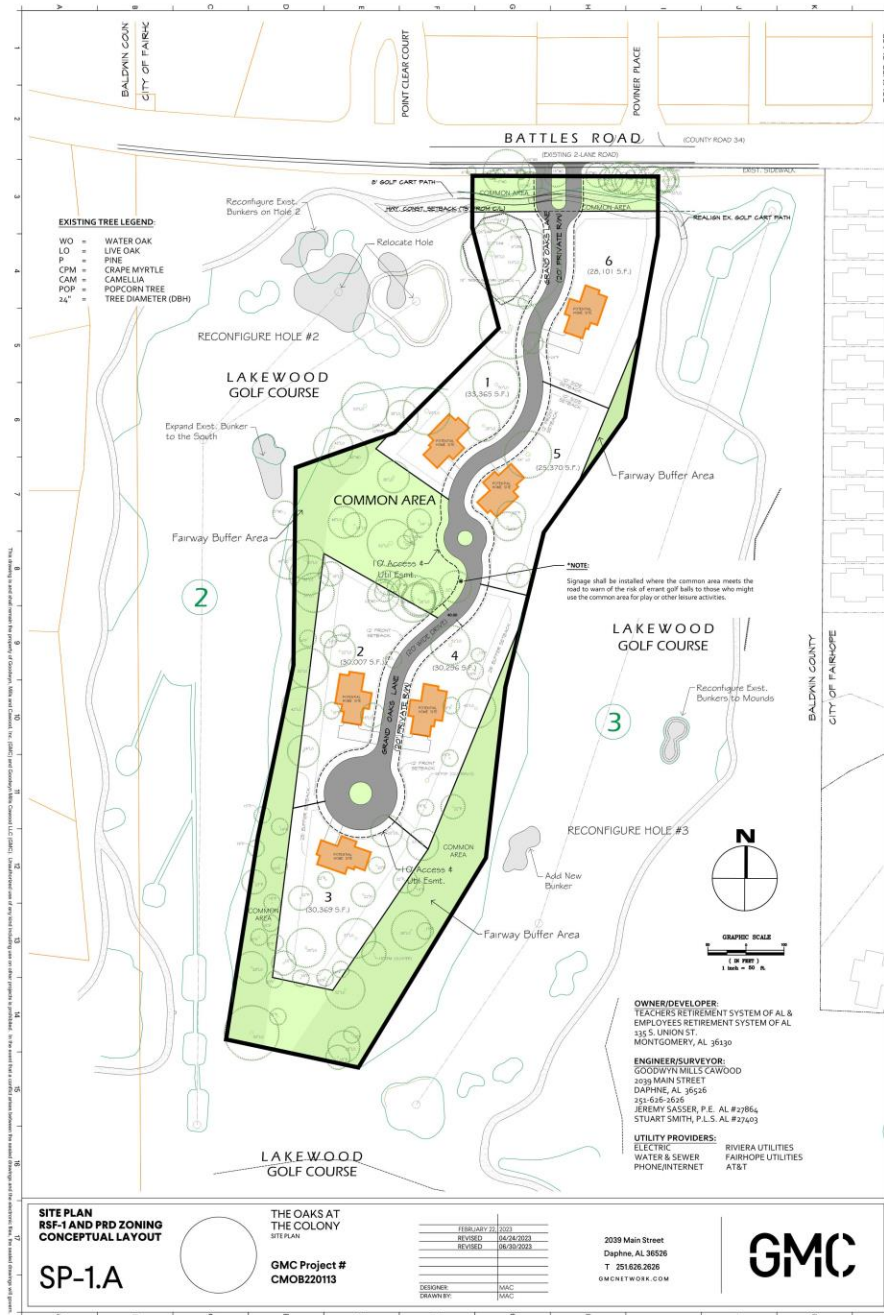
Presentation to the Baldwin County Commission

July 5, 2023

Planning Commission Meeting May 4, 2023



Conceptual Master Plan



SITE DATA:

PARCEL ID = PIN 282038
 TOTAL AREA = 7.2 AC. (+/- 314,978 S.F.)
 EXIST. ZONING = OR - OUTDOOR RECREATION
 BALDWIN CO., PLANNING DIST. 19
 FLOOD ZONE = X (UNSHADED)

DEVELOPMENT SUMMARY:

PROPOSED ZONING = RSF-1, SINGLE FAMILY & PRD
 PROPOSED USE = SINGLE FAMILY, 6 LOTS
 PROPOSED DENSITY = 0.83 DU/AC (GROSS)
 OPEN SPACE = 110,814 SF (2.54 AC) 35.3% OF SITE
 PROPOSED ROAD = 918 L.F.
 IMPERVIOUS SURFACE = 26,632 SF

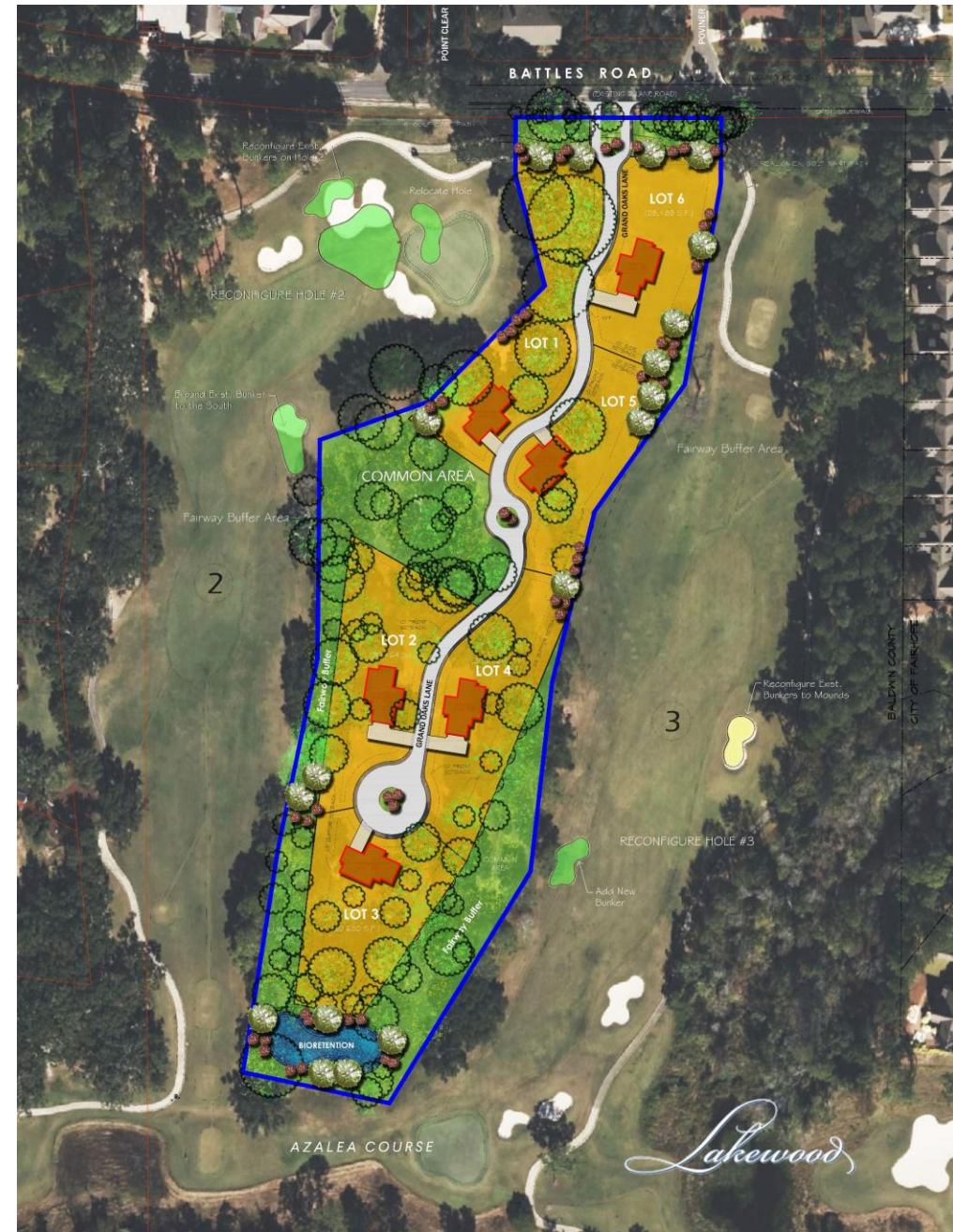
MAX. BLDG. HEIGHT = 35'
 SETBACKS = 12' FRONT, 10' SIDE, 15' REAR
 25' TO FAIRWAY BUFFER
 MIN. LOT SIZE = 30,000 SF ~ (4) LOTS WITH MAX. OF
 TWO (2) LOTS @ <30,000 SF
 SMALLEST LOT = 25,370 SF (LOT 5)

NOTE: ALL ROADS & COMMON AREAS ARE TO BE PRIVATELY OWNED & MAINTAINED BY FUTURE POA. PROPOSED ROAD TO BE GATED AT ENTRANCE.

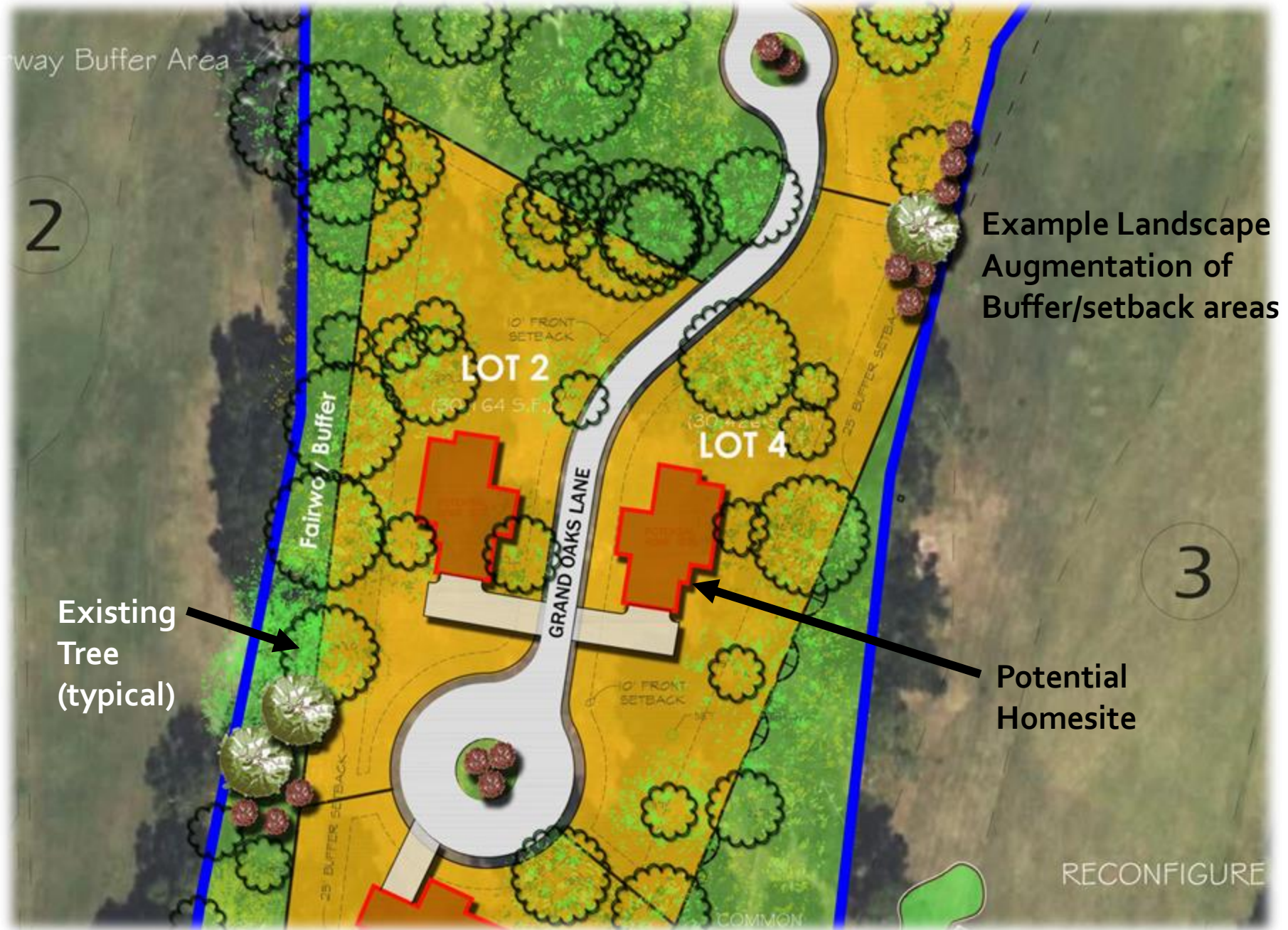
Conceptual Master Plan

Design Considerations:

- Preserve and protect existing trees
- Low density
- Minimize impervious surface
- Golf Course modifications per recommendations
- Careful home siting
- Landscape requirements
- Signage
- Incorporate LID techniques
- CCRs and POA



Enlargement of typical lot arrangement

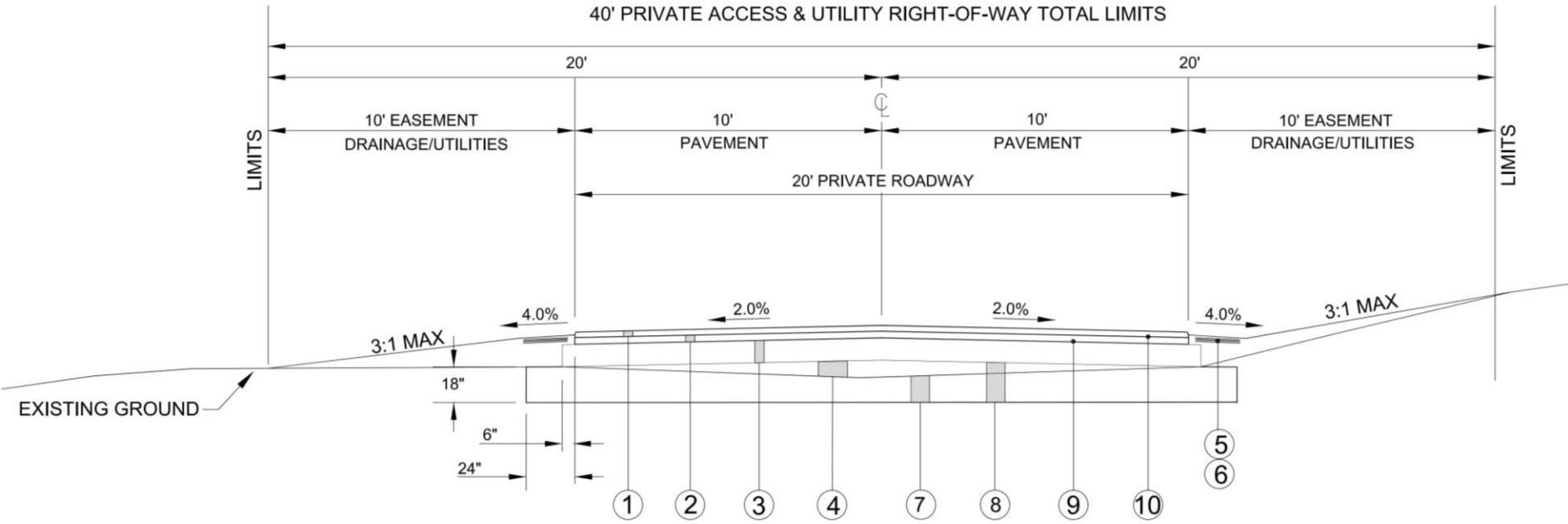


Example Landscape Augmentation of Buffer/setback areas

Existing Tree (typical)

Potential Homesite

Typical Proposed Roadway Section – Grand Oaks Lane (Private, Gated Drive)



(Included in PUD Document)

Example of divided road and neighborhood entrance with gate.



Typical Road Section

2.25 Access Lane

This classification of roadway links **isolated areas** with a minimal number of houses to a higher functional classification roadway.

- A. Links isolated areas serving a minimal number of parcels, and has no potential for further development
- B. Design speeds are very low, 10 mph
- C. Access to served property is main function
- D. Right-of-way width is typically the same as the roadway width, and may only include the prescriptive area of the roadway
- E. Truck or recreational vehicle usage would not typically use this type of roadway
- F. This level of service provides restricted traffic flow and will require stopping and backing to allow opposing traffic to pass

CHAPTER 3

3. Elements of Design for Major or Minor Local Streets / Roads

The following roadway design criteria will be used for roads functionally classified as Local Streets/Roads (both Major and Minor), Residential, and Cul-de-sacs.

3.1 Minimum Roadway Design Criteria

1 – 750 ADT

Design Speed mph	Min. Traveled Way Width (a) Feet	Min. Shoulder Width (b/c) Feet	Min. Clear Zone (d) Feet
15	18	2	2
20	18	2	2
25	18	2	2
30	18	2	2
35	18	2	2
40	18	2	2
45	18	2	2

(a) Traveled way is defined as the portion of the roadway for the movement of vehicles, excluding Valley Gutters, Curb & Gutters, Shoulders, and Bicycle Lanes. The width of the traveled is determined above.
(b) 4 feet or wider shoulders should be used on open-ditch type roadway cross section, unless special constraints restrict their use.
(c) On some open-ditch type roadways 1-2 feet paved shoulder may be approved by Baldwin County. If approved, this paved area would be sloped at the same rate as the traveled way, but would be considered as part of the shoulder width.
(d) The area adjacent to the traveled way with a curb and gutter cross section design or open ditch will have a minimum clear zone of 2 feet.

Clyde B. Johnston

- Professional Golf Course Design Expert with over 40 years of experience in designing golf courses
- Served as Board Member and President of the American Society of Golf Course Architects

March 9, 2023

To Whom It May Concern:

I was contacted by RSA representatives to review a proposed sketch plan for six homesites on 7.2 acres located between golf holes 2 & 3 of the Azalea Course at the Lakewood Club, in order to determine whether the design and layout met appropriate best practices for residential developments adjoining golf courses. The sketch plan is identified as "THE OAKS AT THE COLONY" and prepared by GMC.

Methodology

I reviewed a detailed survey of the property in question, which depicted:

1. The rear lot lines for properties along Woodland Drive.
2. All the golf hole features: tees, fairway, bunkers, green, cart path, trees and the topography.
3. The rear lot lines of properties to the east of golf hole 3, which is also the dividing line between Baldwin County and the City of Fairhope.
4. The Dingles Road right of way and property north of the road.

March 9, 2023

To Whom It May Concern:

I was contacted by RSA representatives to review a proposed sketch plan for six homesites on 7.2 acres located between golf holes 2 & 3 of the Azalea Course at the Lakewood Club, in order to determine whether the design and layout met appropriate best practices for residential developments adjoining golf courses. The sketch plan is identified as "THE OAKS AT THE COLONY" and prepared by GMC.

Applying the data from Broadie's book to the Oaks, the lot locations of the homesites in the Oaks (all of which are outside the 175-foot corridor) would avoid encroachment from errant tee shots from the White tee approximately 98.25% of the time.

On January 26, 2023, I contacted Niall Fraser, Director of Golf at the Lakewood Golf Club, to inquire about the two golf holes adjoining the Oaks. One of my questions involved the quantity of golf balls that landed in the development area. Mr. Fraser offered to have one of the club's rangers stationed on one of golf holes to observe where balls were landing with tee shots. On January 28,

Homesite 1: Based on the relocation of the 2nd green as shown on GMC's plan, this homesite has very little risk of having a golf ball enter the lot due to the distance from the green and the fact that

Homesite 2: This homesite has a very low risk of errant shots


Homesite 3: This homesite is low risk

Homesite 4: This homesite is located to the right of golf hole 3 and is positioned opposite the landing area for almost all golfers. This homesite has a very low risk of errant shots as it is the

Homesite 5: This homesite is located midway between the tees and the landing area of the golf hole. It is the appropriate distance from the third golf hole and therefore a very low risk factor.

Homesite 6: This homesite is located to the right of the back three tees of the third hole and has very little to no chance of being impacted by an errant golf shot.

Respectfully Submitted,



Clyde Johnston, ASGCA

About the Author

Clyde Johnston, ASGCA, is a golf course architect based on Hilton Head Island, South Carolina with 40 years of professional experience. He is a member and past president of the American Society of Golf Course Architects. Johnston is also a member of the Country Club Hall of Fame. Johnston has been involved in over 700 golf course projects with both new golf courses and renovations of existing golf courses. He established Clyde Johnston Limited, Inc. in 1987 to provide golf course design, construction and golf course maintenance services to the community in the Palmetto State. Johnston has been honored and recognized with distinguished golf course awards in the United States and internationally.

Homesite 5: This homesite is located midway between the tees and the landing area of the golf hole. It is the appropriate distance from the third golf hole and therefore a **very low risk factor**.

Homesite 6: This homesite is located to the right of the back three tees of the third hole and has **very little to no chance of being impacted by an errant golf shot**.

CLYDE JOHNSTON DESIGNS, INC.

GOLF COURSE ARCHITECTURE

April 26, 2023

Mr. Marshall Gardner
Maynard Nexsen
11 North Water Street
RSA Battle House Tower
Suite 24290
Mobile, AL 36602

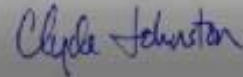
Re: The Oaks at The Colony

Dear Marshall:

I have reviewed the latest Site Plan prepared by GMC dated April 24, 2023 and find that no changes have been made to layout that would change my opinion from my previous correspondence. This plan also reflects the proposed changes to the fairway bunkers on both golf holes.

It is my opinion that the risk from errant golf balls is no greater at The Oaks than other development in and around the Lakewood Golf Courses and is no greater than recently designed golf courses on similar land.

Sincerely,



Clyde Johnston, ASGCA
Golf Course Architect

It is my opinion that the risk from errant golf balls is no greater at The Oaks than other development in and around the Lakewood Golf Courses and is no greater than recently designed golf courses on similar land.

31 MIMTOSH ROAD
HILTON HEAD ISLAND, SOUTH CAROLINA 29916
(843) 384-3886

Dr. Michael J. Hurdzan

- 50+ years experience designing golf courses
- Special emphasis in golf course safety
- Has designed over 400 golf courses around the world – including US Open golf courses
- Received Design Excellence Award from the American Society of Golf Course Architects on Multiple Occasions
- Past President of the American Society of Golf Course Architects
- Recipient of the "triple crown" of awards for golf course architecture, an honor shared only with Jack Nicklaus, Arnold Palmer, Byron Nelson, Robert Trent Jones Sr., Rees Jones and, as of 2015, Pete Dye.
- Identified in Ken Tannar's Report as "The Renowned American Golf Course Architect"

MICHAEL J. HURDZAN
2321 LANE ROAD
COLUMBUS, OHIO 43220

May 1, 2023

Mr. Marshall Gardner
Maynard Nessen
11 May 2023

I was contacted by two people, Tracy Frost and Clyde Johnston, separately, to offer my opinion on the relative safety of six (6) home locations between holes two and three on the Lakewood Golf Course. Tracy Frost contacted me by email on Thursday, 27 April at 9:24

the Lakewood Golf Course. Tracy Frost contacted me by email on Thursday, 27 April at 9:24 p.m., and I responded on Friday at 9:25 a.m. asking for more information. At 11:13 a.m., I received some photographs, a Google Earth photo and a site plan for the six homes. At 1:04

p.m., I emailed back and offered my opinion of the relative safety of those locations from errant golf hole balls.

materials from Frost, and I shared that opinion with Mr. Johnston.

Basically, after reviewing and applying some safety guidelines to the Lakewood plan

Basically, after reviewing and applying some safety guidelines to the Lakewood plan that I use in my golf course architectural practice, I concluded that those six home locations were reasonably safe from errant balls. Obviously there will be some errant balls that would

should plant some shrubs or trees in the area closer to the tee to force golfers to aim further left. Lastly I suggest that the developer should warn a prospective buyer that living on a golf

My major point of disagreement with Mr. Tannar's report is in his paragraph 17 where he vastly underestimates trees as effective protection from golf balls. Granted, some

21 April and 26 April 2024. Mr. Tannar's report was dated 19 March 2023. Both reports are

their foliage, for golfers don't believe that trees are all air. The trees on the Lakewood site plan appear to be of such size and placement to be reasonably good safety devices, and cannot be ignored.

safety. Trees and shrubs can indeed be effective safety devices because they influence where golfers will aim their shots to avoid trees, as well as stop or slow golf balls. I don't know any golfer who would summarily dismiss trees as ineffective ball barriers, no matter how thin their foliage, for golfers don't believe that trees are all air. The trees on the Lakewood site plan appear to be of such size and placement to be reasonably good safety devices, and cannot be ignored.

I also disagree with Mr. Tannar in his paragraph 37, where he concludes his first sentence with the phrase "...unacceptable amount of risk to damage." I believe that the

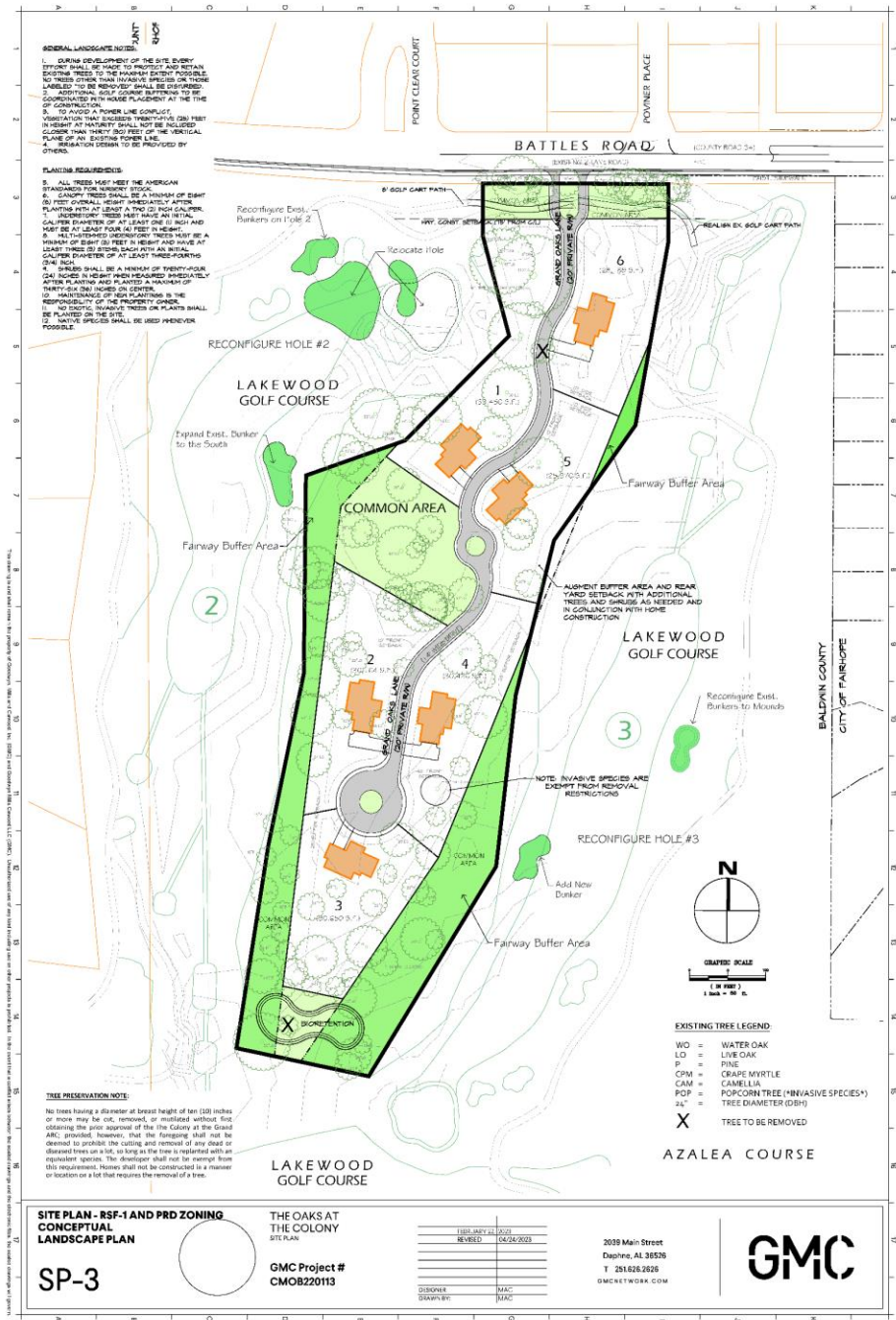
I also disagree with Mr. Tannar in his paragraph 37, where he concludes his first sentence with the phrase "...unacceptable amount of risk to damage." I believe that the

Summary Opinion:

It is my professional opinion based upon a reasonable degree of certainty, that the plan for the six home sites is well thought out and that safety from errant golf balls was respected. However supplemental planting on the golf course close to the teeing areas and in

All recommendations made by golf course architect experts for course modifications and buffer augmentation will be followed, including fairway design changes and new plantings or additional vegetation.

Conceptual Landscape Plan



TREE PRESERVATION NOTE:

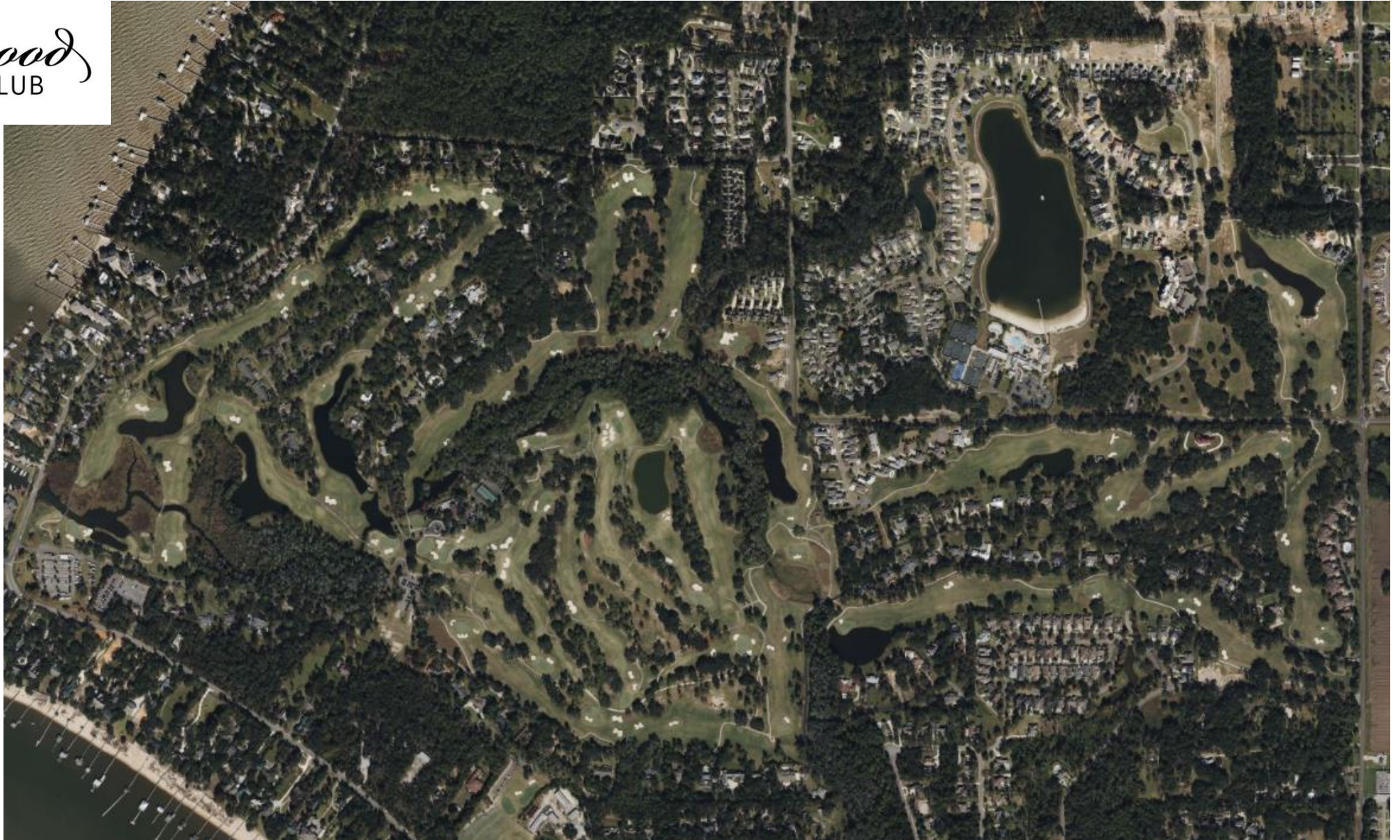
With the exception of trees specifically identified as invasive species on this site plan and the trees specifically noted for removal on this site plan, no trees having a diameter at breast height of ten (10) inches or more may be cut, removed, or mutilated without first obtaining the prior approval of The Colony at the Grand ARC, and such power shall not be vested in the ARC until the ARC has been turned over to the residents of The Colony at the Grand; provided, however, that the foregoing shall not be deemed to prohibit the cutting and removal of any dead or diseased trees on a lot, so long as the tree is replanted with an equivalent species. The developer shall not be exempt from this requirement. Homes shall not be constructed in a manner or location on a lot that requires the removal of a tree.

General Note:

AUGMENT BUFFER AREA AND REAR YARD SETBACK WITH ADDITIONAL TREES AND SHRUBS AS NEEDED AND IN CONJUNCTION WITH HOME CONSTRUCTION.

Existing Development Patterns on Golf Course Fairways

THE *Lakewood*
CLUB



 *The Oaks at the Colony*

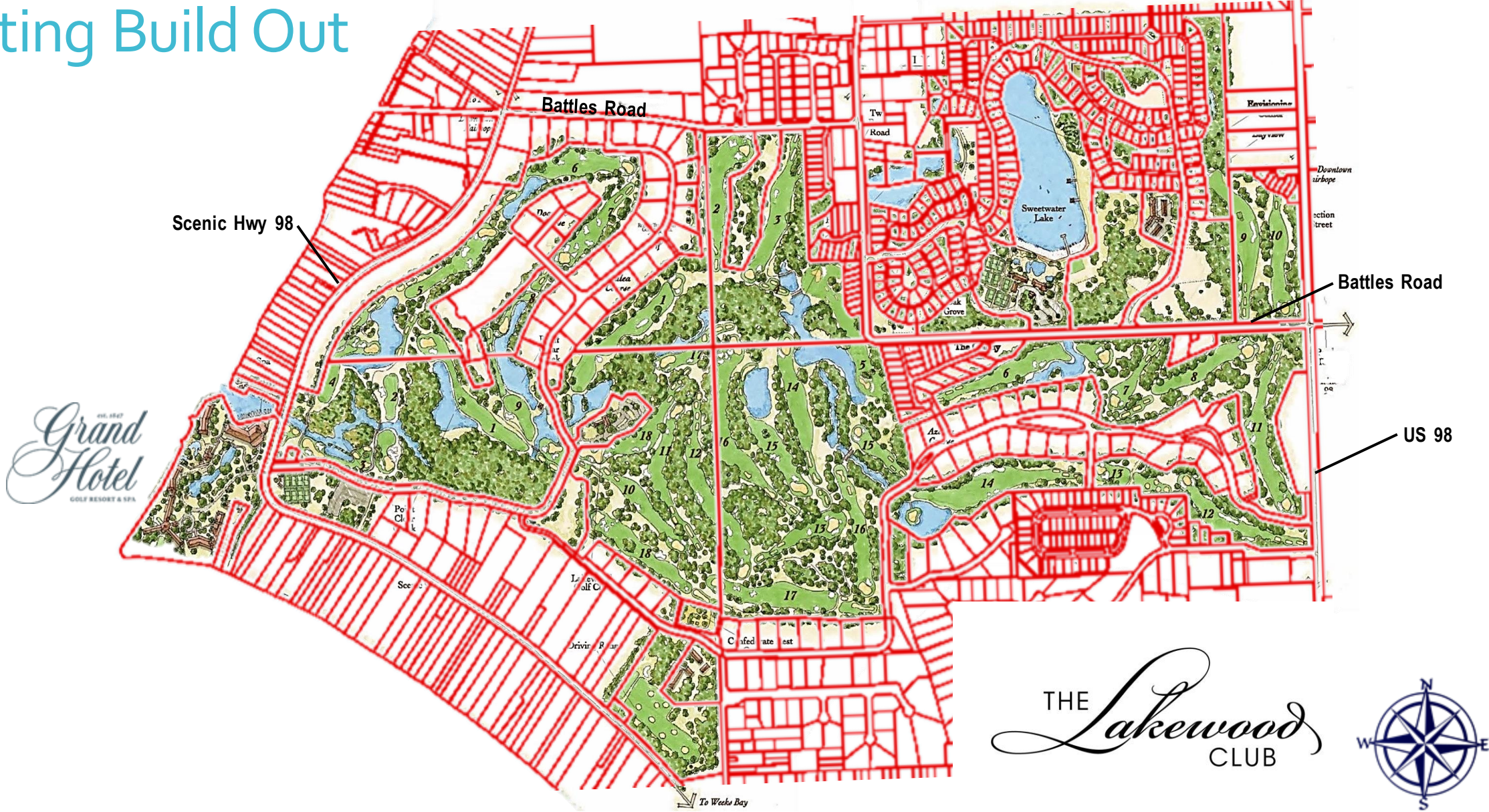


Grand Hotel
POINT CLEAR RESORT & SPA
Marriott

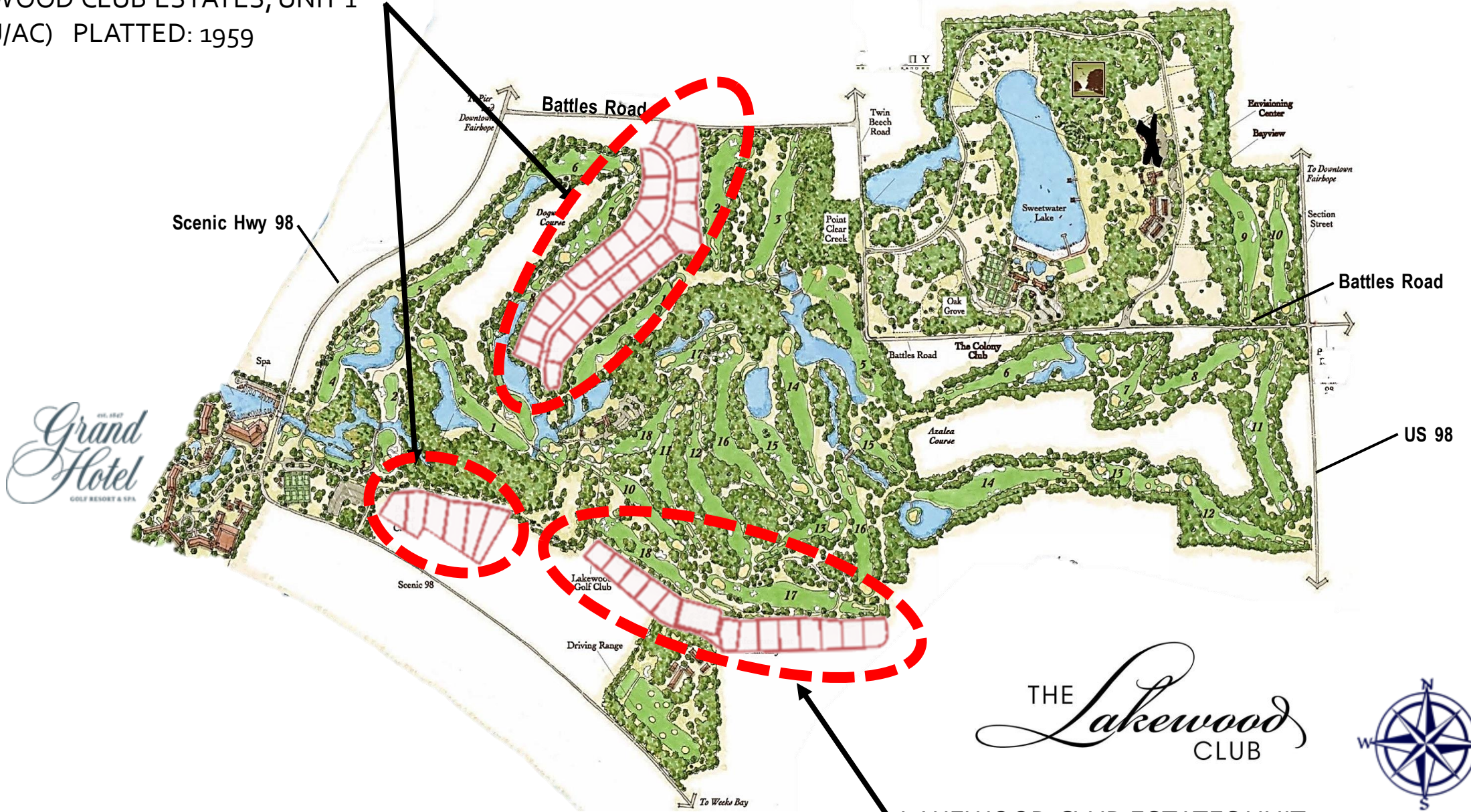
Grand Hotel
POINT CLEAR RESORT & SPA
Marriott.

GRAND HOTEL MARRIOTT RESORT, GOLF CLUB & SPA
ONE GRAND BLVD (PO BOX 639)
POINT CLEAR, AL 36564-0639
251.928.9201
www.marriottgrand.com

Existing Build Out



LAKWOOD CLUB ESTATES, UNIT 1
(~1 DU/AC) PLATTED: 1959



Grand Hotel
GOLF RESORT & SPA

THE *Lakewood*
CLUB



LAKWOOD CLUB ESTATES UNIT 2
PLATTED: 1962

The Oaks at the Colony

GMC

LAKWOOD CLUB ESTATES
UNIT 3 (PLATTED: 1967)

LAKWOOD CLUB ESTATES, UNIT 4 (0.99 DU/AC)
PLATTED: 1973



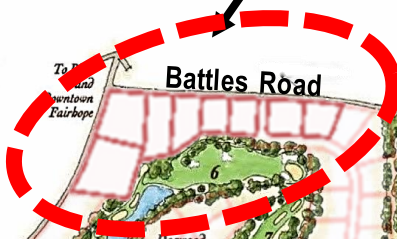
THE
Lakewood
CLUB



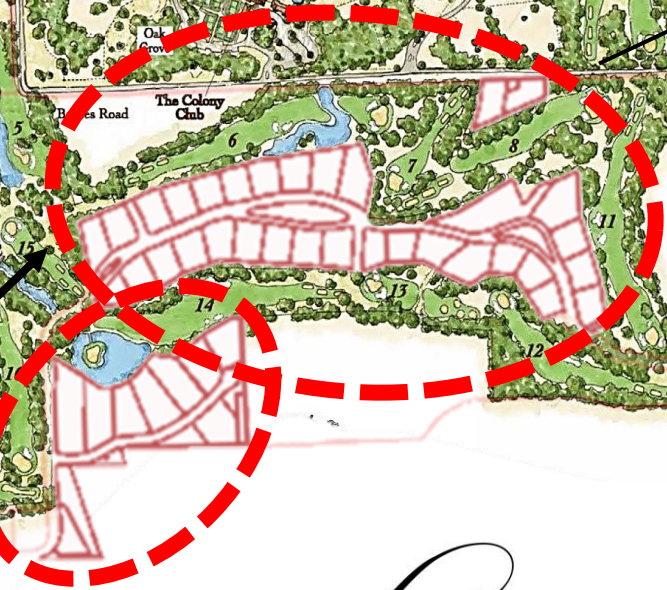
The Oaks at the Colony

GMC

LAKEWOOD CLUB ESTATES, UNIT 5 (0.99 DU/AC)
PLATTED: 1982



LAKEWOOD CLUB ESTATES, UNIT 6 (0.64 DU/AC)
PLATTED: 1987



Grand Hotel
GOLF RESORT & SPA

THE *Lakewood*
CLUB



The Oaks at the Colony

GMC



POINT CLEAR COURT PLATTED: 1994

**COLONY AT THE GRAND NORTH
PLATTED: 2005-2006**



Scenic Hwy 98

Battles Road

1982

1973

1959

1967

1959

1987

1987

1962

Grand Hotel
GOLF RESORT & SPA

THE *Lakewood*
CLUB

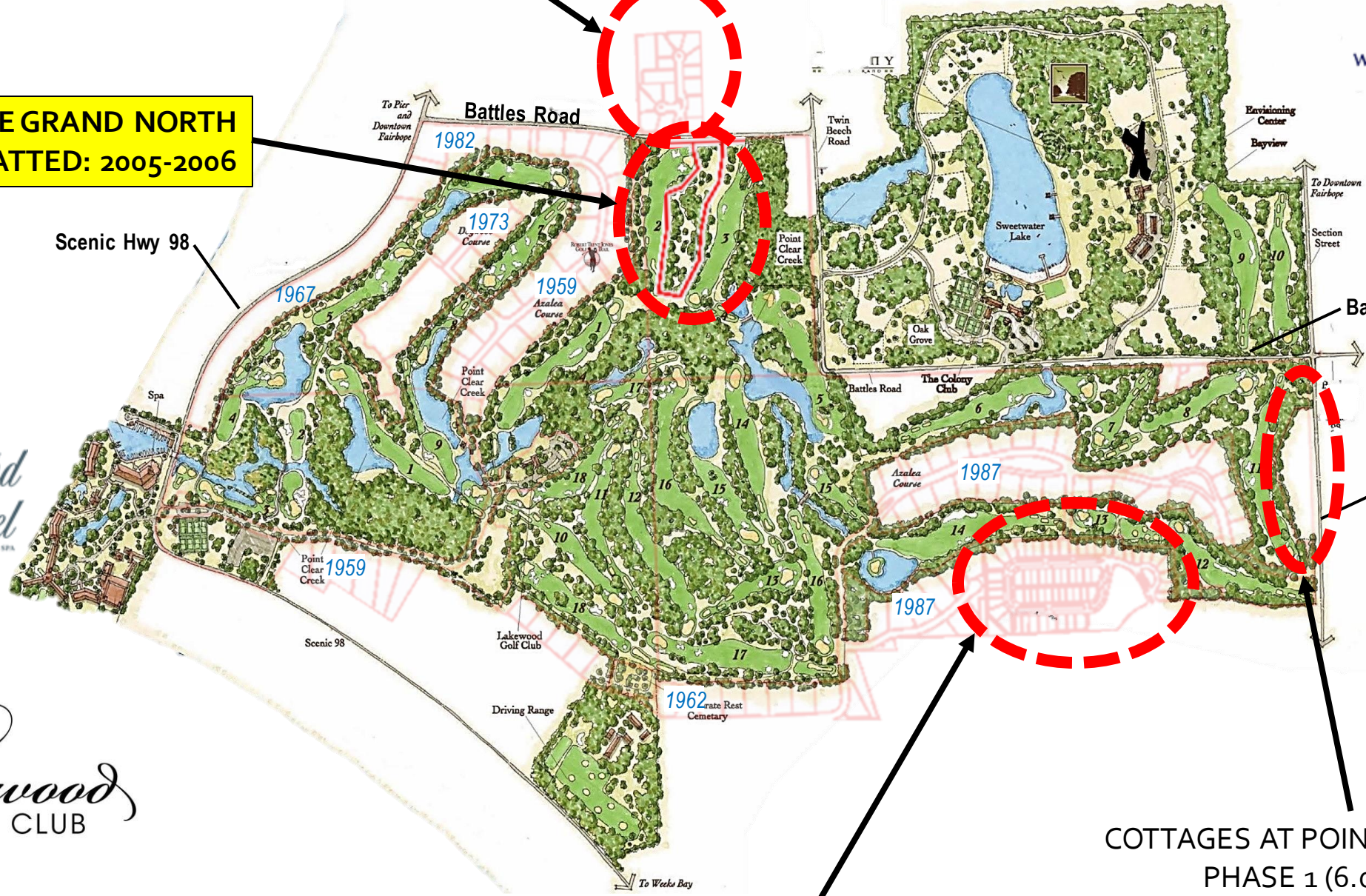
The Oaks at the Colony

POINT CLEAR STABLES,
PHASE 1 PLATTED: 2004

COTTAGES AT POINT CLEAR,
PHASE 1 (6.08 DU/AC)
PLATTED: 2005

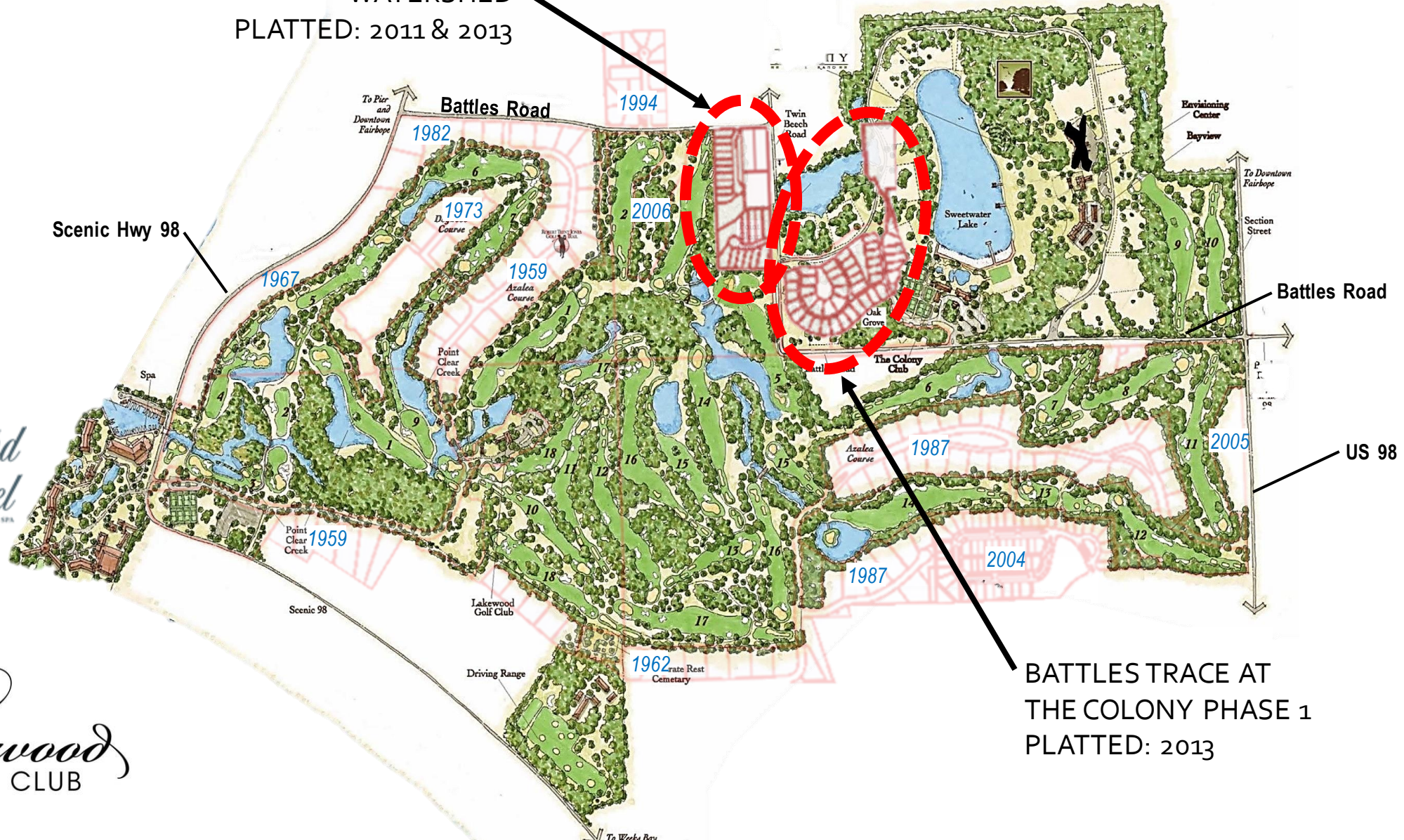
US 98

Battles Road





WATERSHED
PLATTED: 2011 & 2013



Scenic Hwy 98

Grand Hotel
GOLF RESORT & SPA

THE *Lakewood*
CLUB

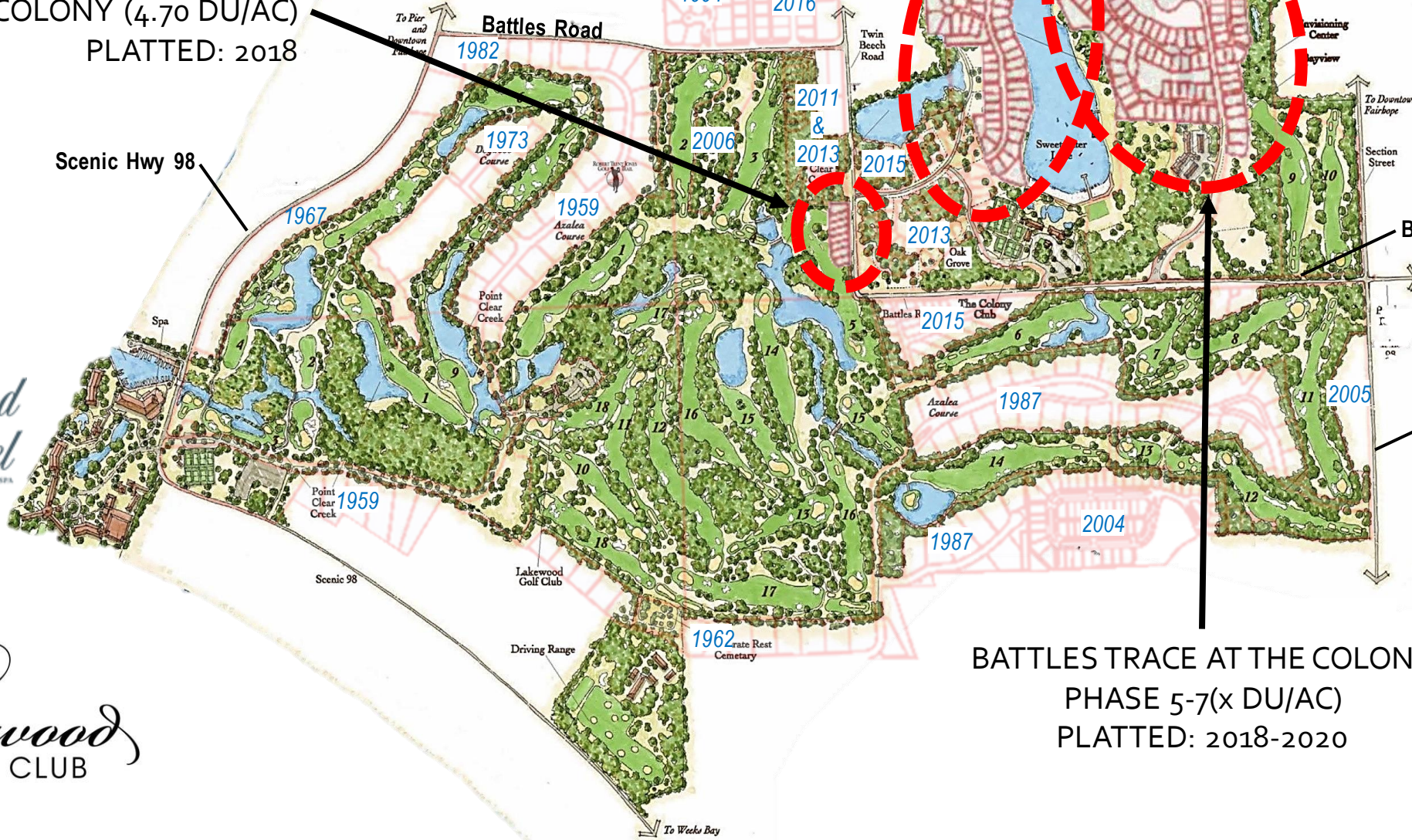
BATTLES TRACE AT
THE COLONY PHASE 1
PLATTED: 2013

The Oaks at the Colony

BATTLES TRACE AT THE COLONY PHASE 3 & 4 (x DU/AC)
PLATTED: 2016 & 2017

CAMELLIA AT THE COLONY (4.70 DU/AC)
PLATTED: 2018

Scenic Hwy 98



BATTLES TRACE AT THE COLONY
PHASE 5-7(x DU/AC)
PLATTED: 2018-2020

THE *Lakewood* CLUB



The Oaks at the Colony

Existing Build Out



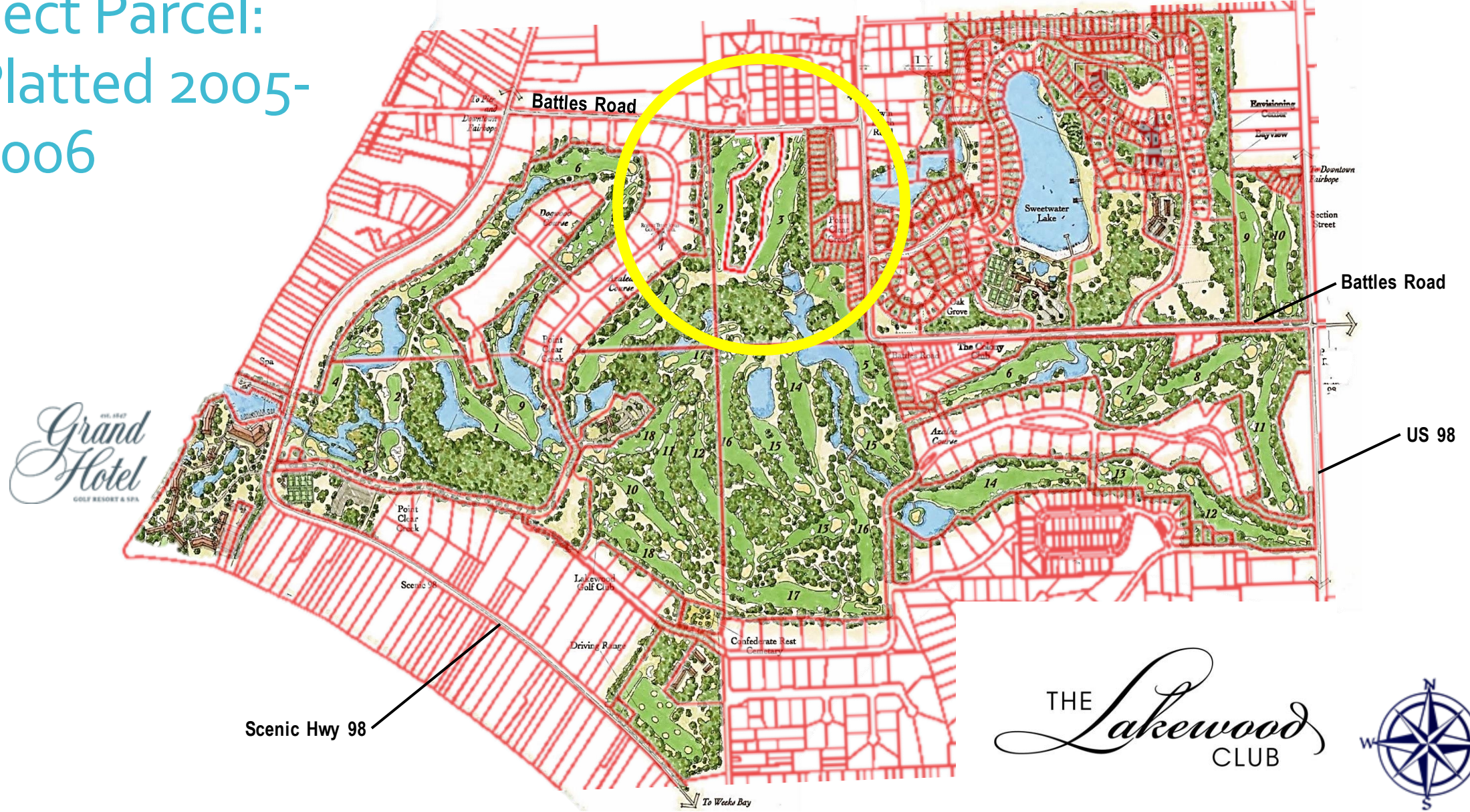
Grand Hotel
GOLF RESORT & SPA

THE Lakewood CLUB



Subject Parcel:

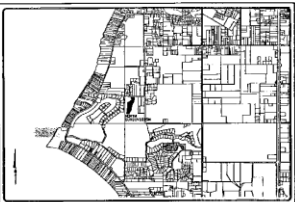
- Platted 2005-2006



2269E

2264-E

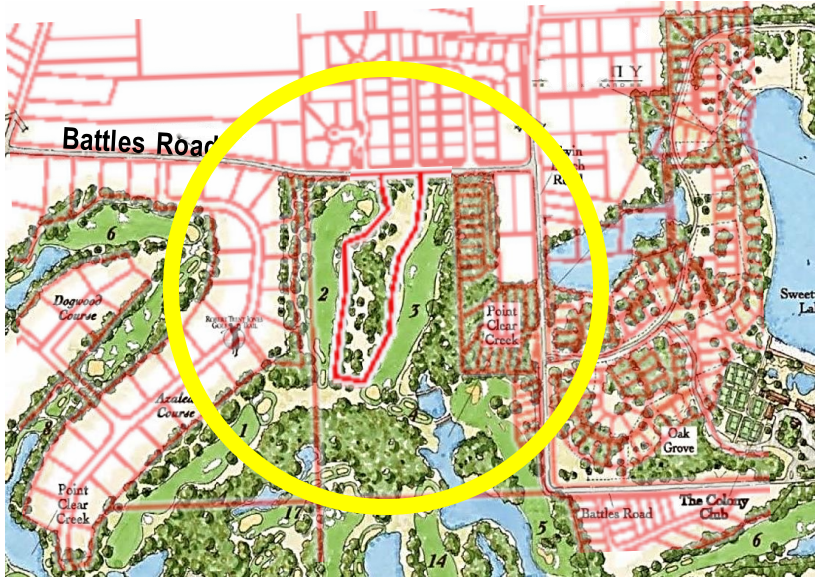
THE COLONY AT THE GRAND NORTH SUBDIVISION



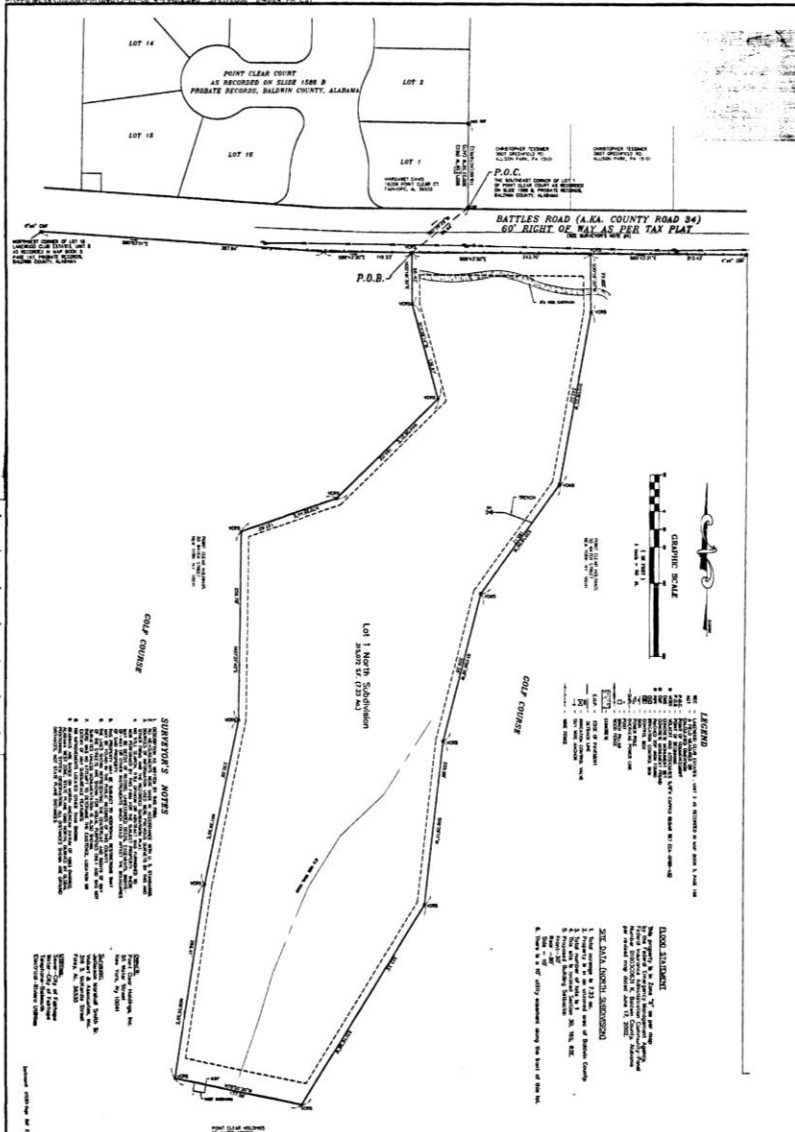
VOLKERT & ASSOCIATES, INC.
ENGINEERS

POINT CLEAR PARTNERS, LLC
FINAL PLAT

2269E



2269-F



LOT 1 NORTH SUBDIVISION

VOLKERT & ASSOCIATES, INC.
ENGINEERS

POINT CLEAR PARTNERS, LLC
FINAL PLAT

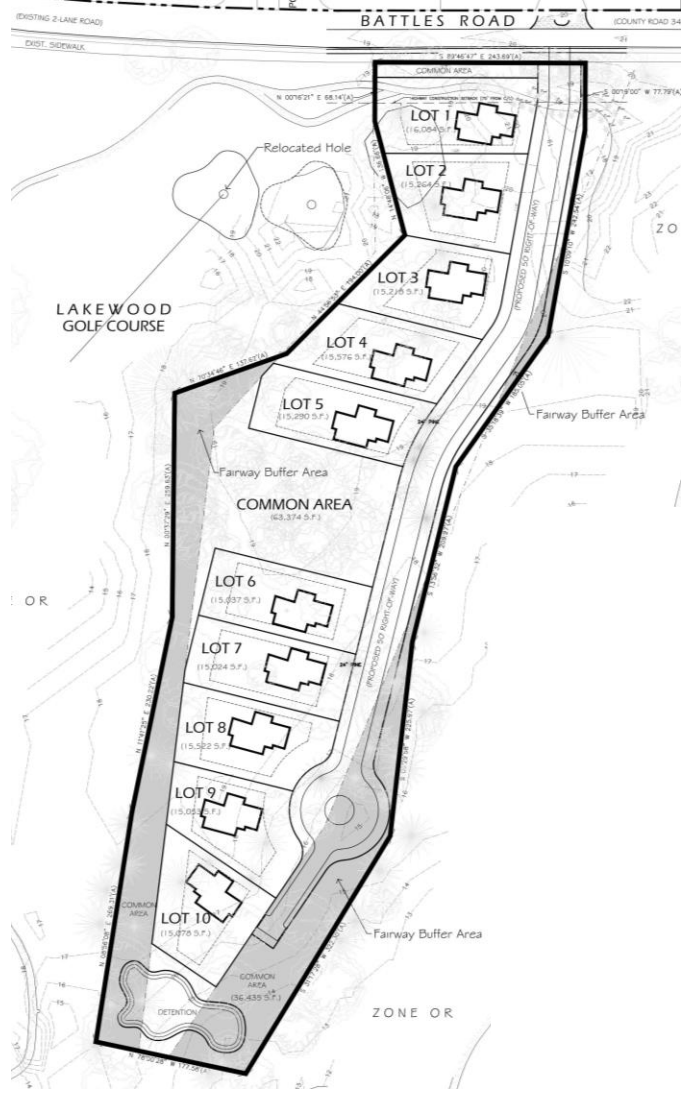
2269F

Subject Parcel:

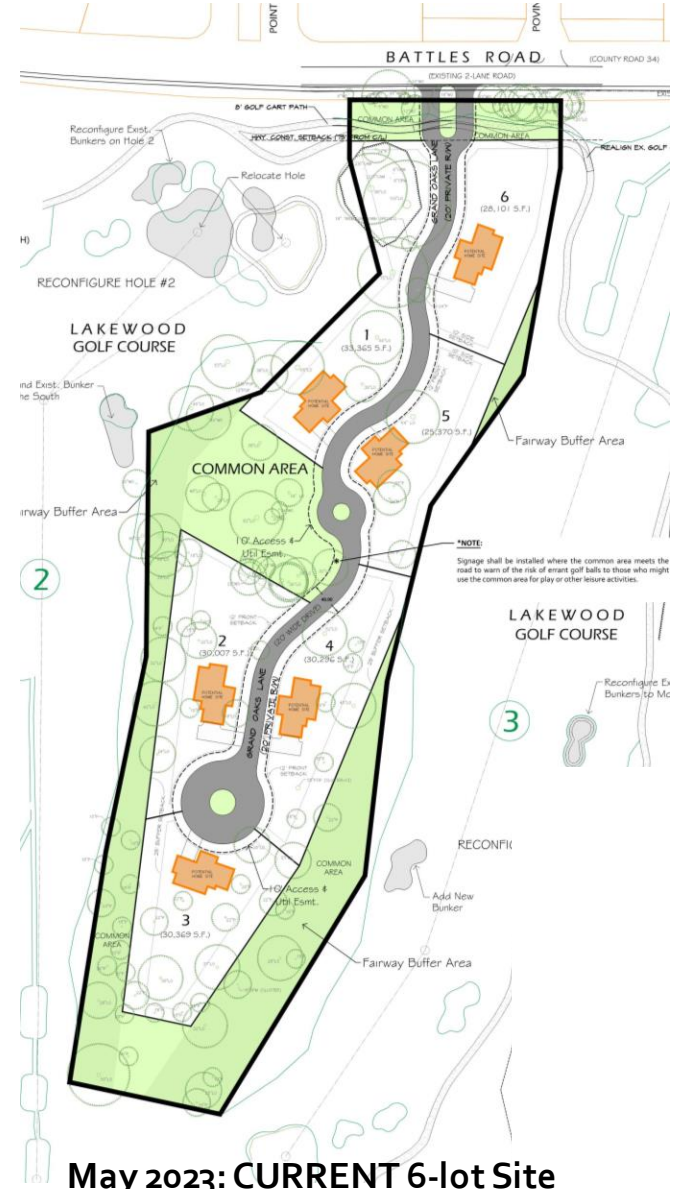
- Parcel platted in 2005-2006
- Unzoned Baldwin County
- Plat approved by Baldwin County Engineer and City of Fairhope Planning Commission

A DIFFERENT PLAN FROM PREVIOUS VERSIONS:

Feb. 2020: 10-lot Sketch Plan submitted to Baldwin County and the City of Fairhope



Dec. 2022: 10-lot Sketch Plan submitted to Baldwin County



May 2023: **CURRENT** 6-lot Site Plan submitted to Baldwin County

- Existing Development within Lakewood

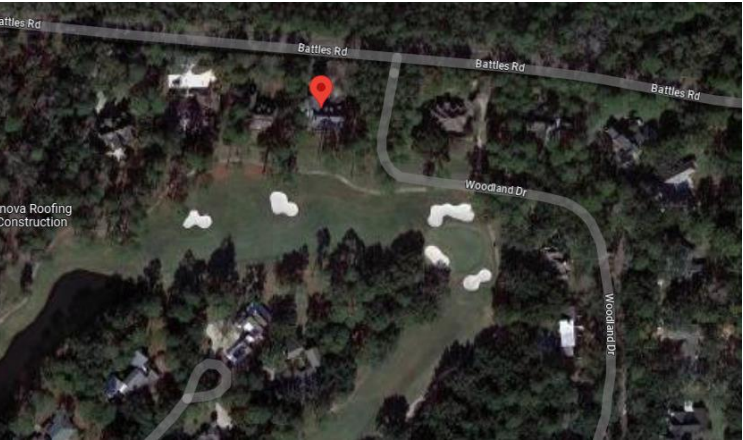
Homes on Fairway #4, Crane Place



Existing Development within Lakewood



Homes on Fairway #6, Pheasant Run



- Existing Development within Lakewood

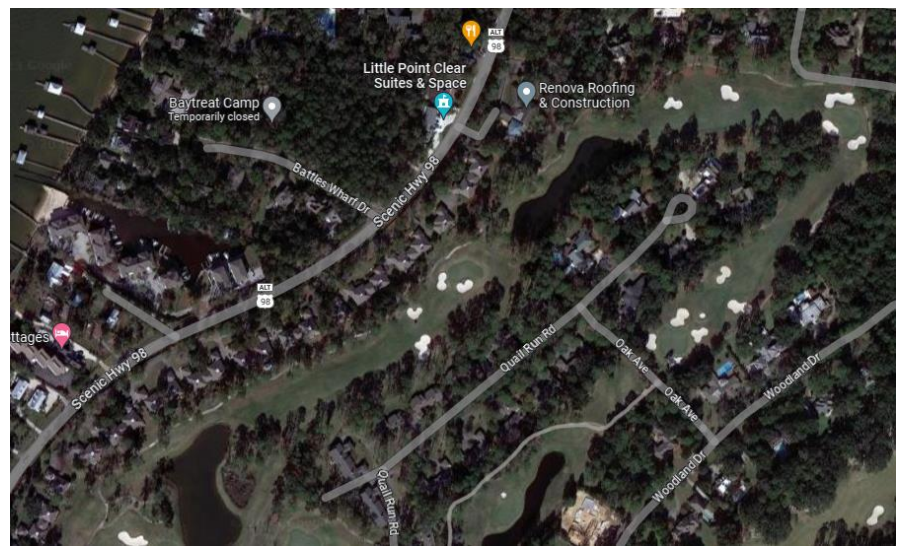
Homes on Fairway #14, Willowbridge Dr.



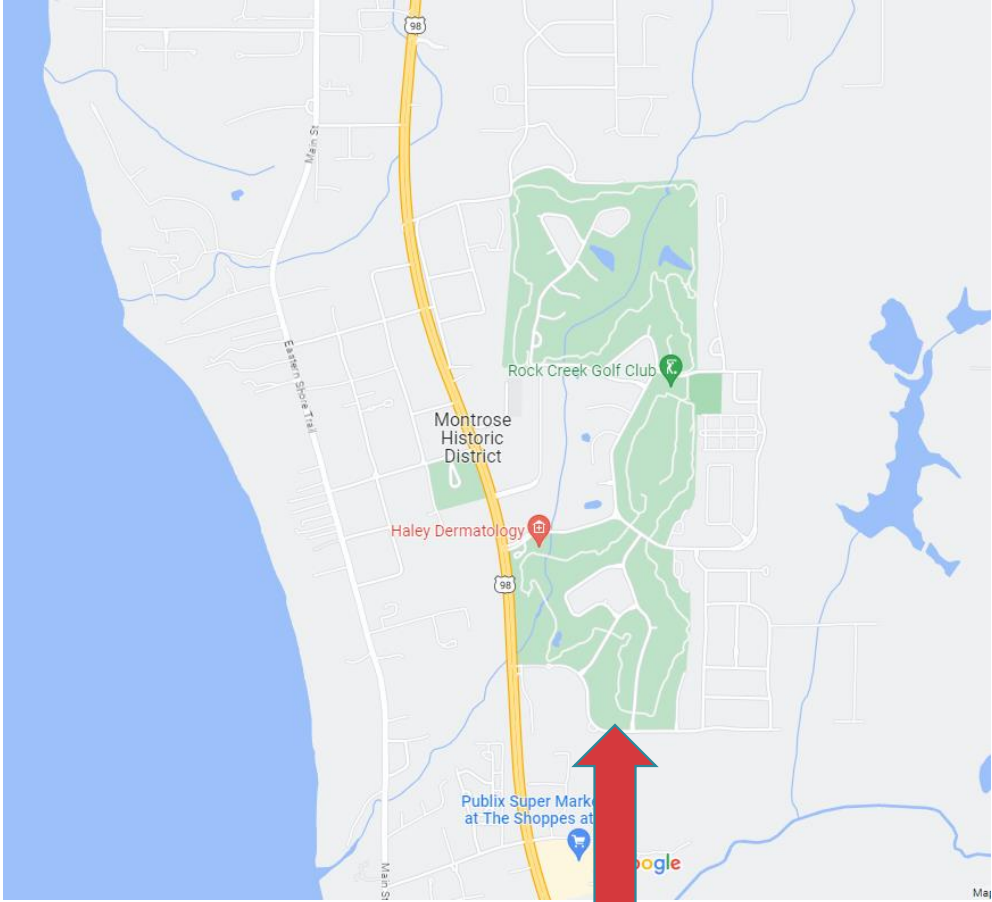
- Existing Development within Lakewood



BALDWIN/MLS
Homes on Fairway #5, Quail Run Road



- Other Local Existing Golf Course Development – Rock Creek Golf Club, Fairhope



Fairways
#6 and #7



Fairways #6 and #7



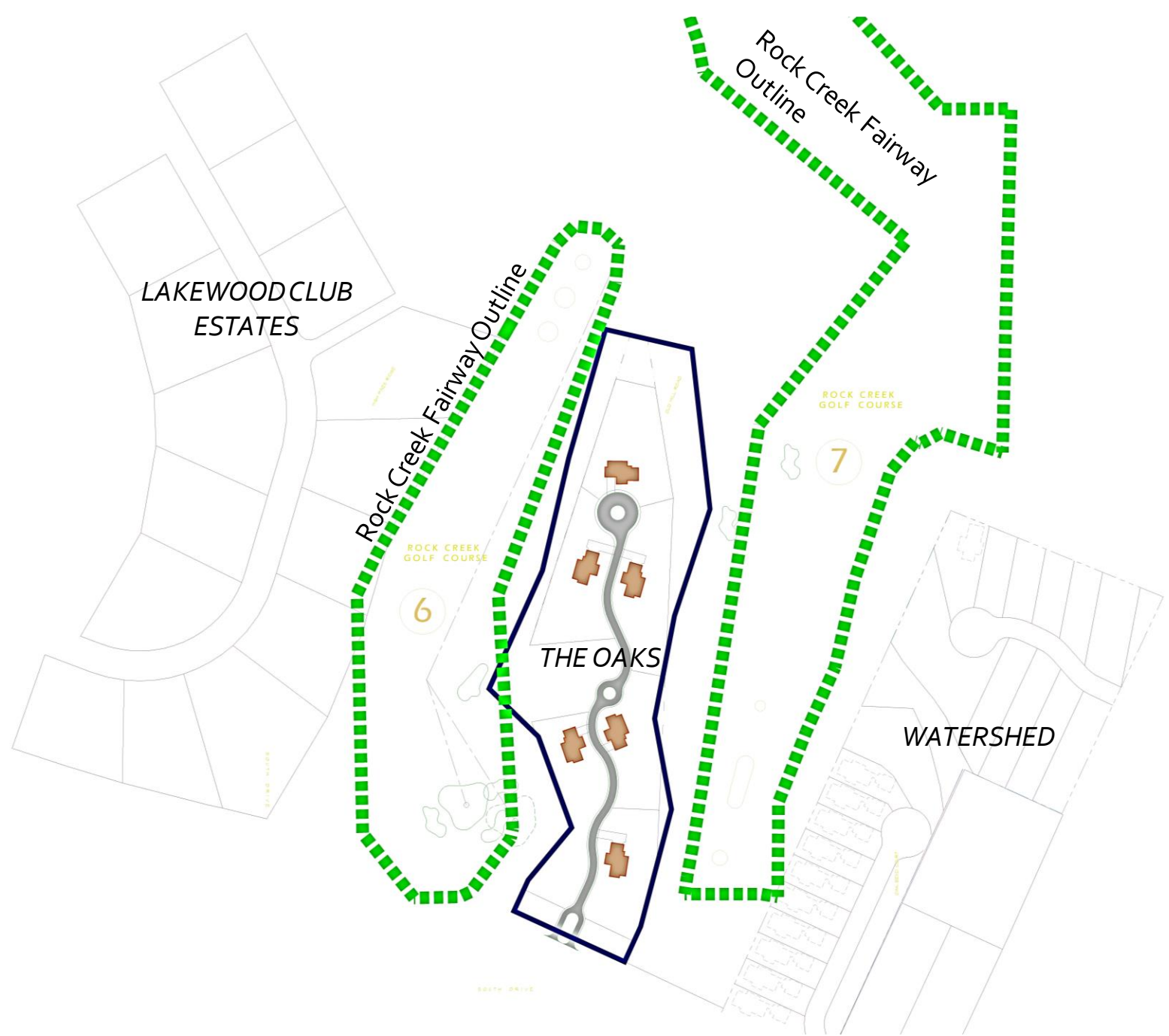


ANALYSIS:

Fairways #6 and #7 of Rock Creek with proposed Oaks at the Colony overlay.

Note: Scale is the same.

The Oaks at the Colony is shown in the background.





Fairways #6 and #7 of Rock Creek with proposed Oaks at the Colony overlay

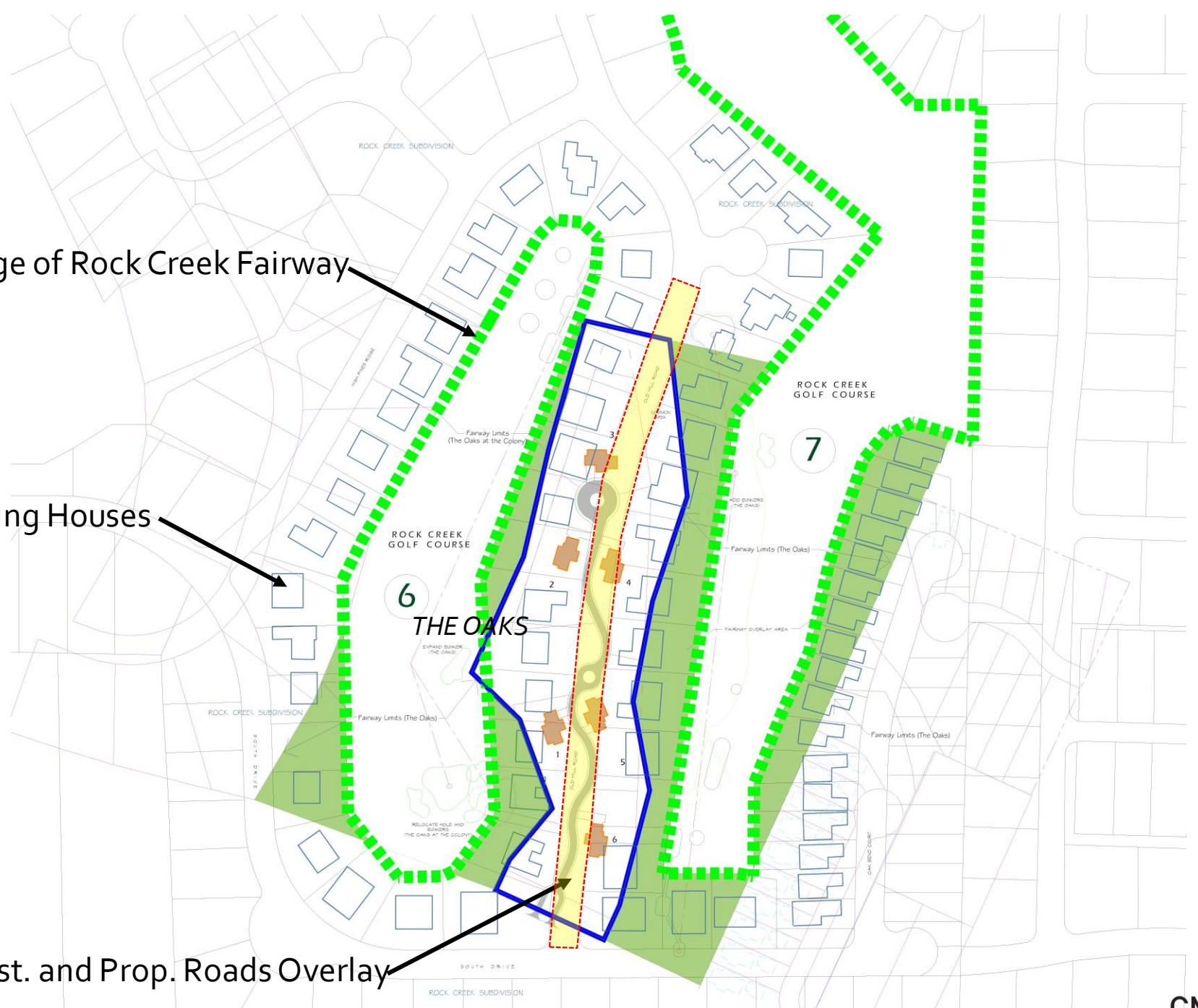
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Rock Creek Existing Houses

Edge of Rock Creek Fairway

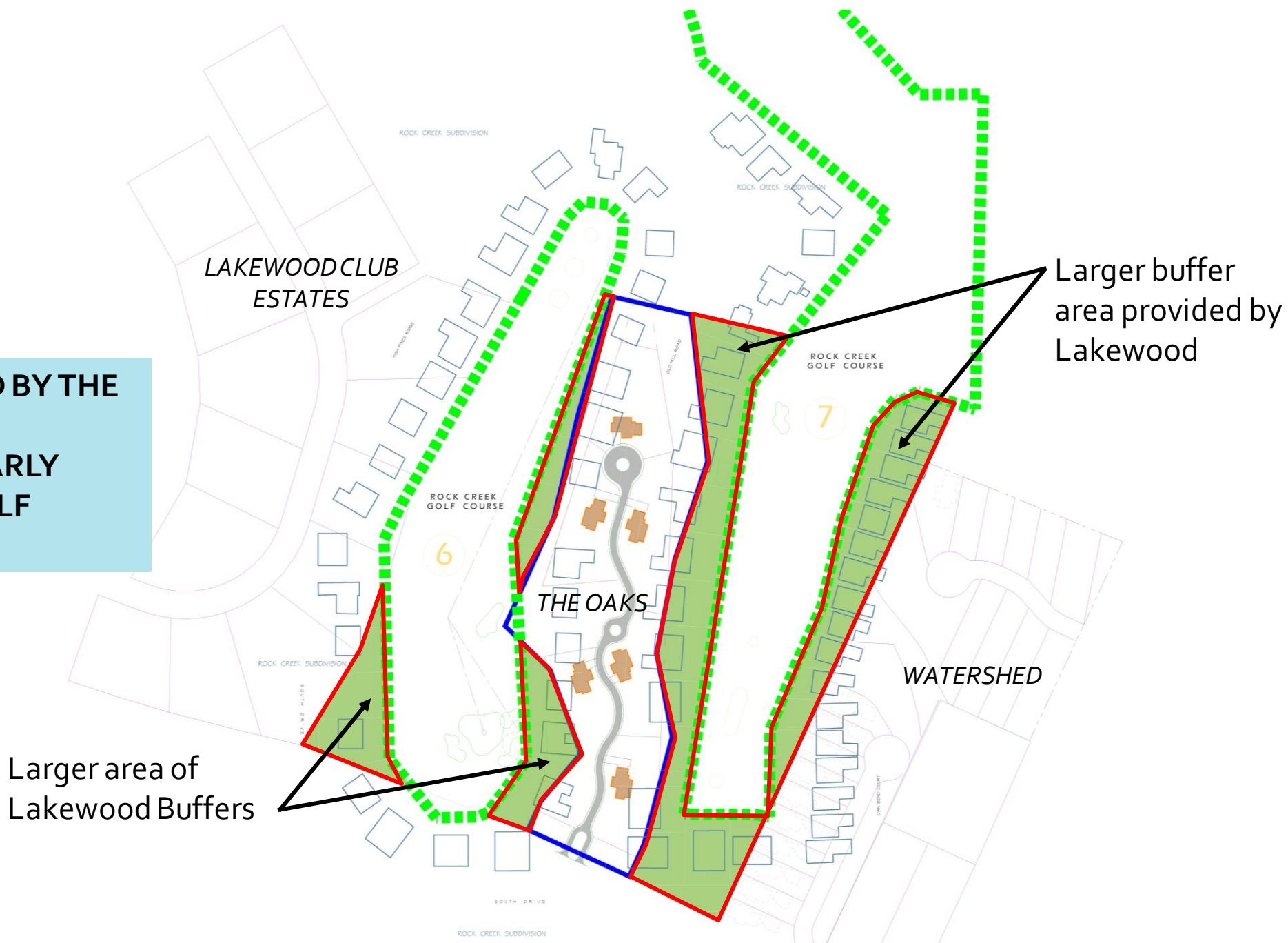
Exist. and Prop. Roads Overlay





Fairways #6 and #7 of Rock Creek with proposed Oaks at the Colony overlay

BUFFER AREA PROVIDED BY THE OAKS AT THE COLONY IS GREATER THAN IN A NEARLY IDENTICAL EXISTING GOLF COURSE CONDITION.



- Other Local Existing Golf Course Development – Rock Creek



Homes on Oak Bend Court, Rock Creek Golf Course – Daphne, AL



- Other Local Existing Golf Course Development – Rock Creek

Fairway #6, Rock Creek Golf Course – Old Mill Road

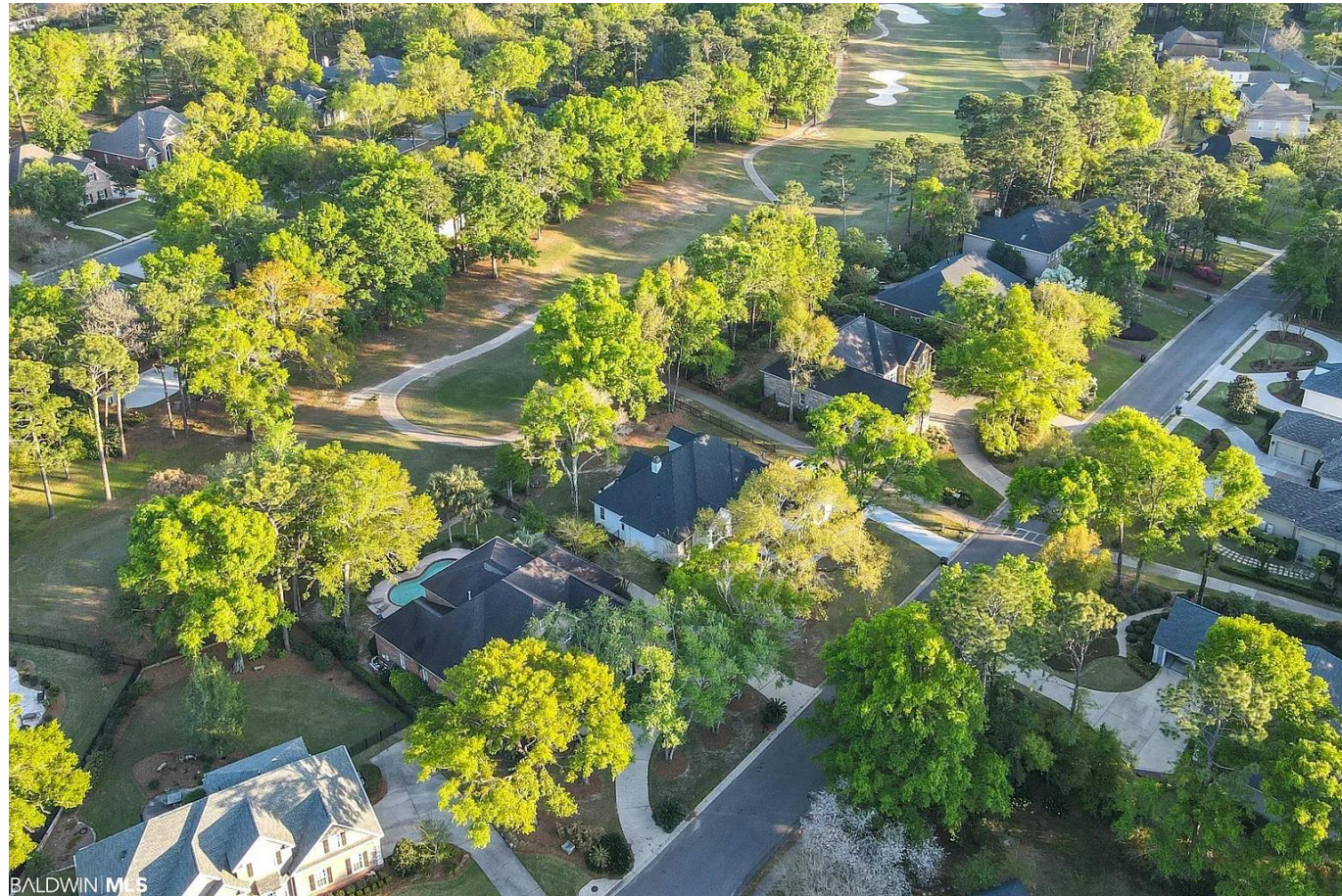


- Other Local Existing Golf Course Development – Rock Creek

Fairway #6, Rock Creek Golf Course – Old Mill Road



- Other Local Existing Golf Course Development – Rock Creek



Fairway #6, Rock Creek Golf Course – High Pines Ridge



CLYDE B. JOHNSTON

PROFESSIONAL GOLF COURSE DESIGN EXPERT
WITH OVER 40 YEARS OF EXPERIENCE IN
DESIGNING GOLF COURSES

SERVED AS BOARD MEMBER AND PRESIDENT OF
THE AMERICAN SOCIETY OF GOLF COURSE
ARCHITECTS

CLYDE JOHNSTON DESIGNS, INC.
GOLF COURSE ARCHITECTURE

However, the risk from errant golf balls in the proposed development is no greater than it is in the other residential developments adjacent to golf holes along the Lakewood golf course.

CLYDE JOHNSTON DESIGNS, INC.

GOLF COURSE ARCHITECTURE

March 9, 2023

To Whom It May Concern:

I was contacted by RSA representatives to review a proposed sketch plan for six homesites on 7.2 acres located between golf holes 2 & 3 of the Azalea Course at the Lakewood Club, in order to determine whether the design and layout met appropriate best practices for residential developments adjoining golf courses. The sketch plan is identified as "THE OAKS AT THE COLONY" and prepared by GMC.

Methodology

I reviewed a detailed survey of the property in question, which depicted:

1. The rear lot lines for properties along Woodland Drive.
2. All the golf hole features; tees, fairway, bunkers, green, cart path, trees and the topography.
3. The rear lot lines of properties to the east of golf hole 3, which is also the dividing line between Baldwin County and the City of Fairhope.
4. The Battles Road right of way and property north of the road.

From the survey data, I was able to establish the centerline of both golf holes in the same manner that I establish a centerline for new golf courses and for golf course renovations. This centerline runs from the middle of the back tee to the middle of the fairway to the middle of the green. With each golf hole centerline, I could establish the outer limits of the golf hole corridor based on commonly accepted dimensions in the golf course design industry.

In my opinion as an architect specializing in golf course design, it is best practice to maintain the following corridor distances for residential lots adjoining golf course fairways, such as the property at issue here:

1. A 75-foot circle radius around the middle of the back tee.
2. A 175-foot circle radius around the turning point or middle of the fairway.
3. A 175-foot circle radius around the middle of the proposed new green
4. The circles are then connected by tangent lines to form the outside limits of the golf hole corridor.

For a historical perspective, when these two golf holes were built, the dimensions commonly used to establish the outer corridor lines were much shorter. Due to the introduction of more advanced golf equipment in the early 1990's, golf course architects took a more defensive stance with respect to liability and safety, and most of the golf course design industry adopted a slightly wider golf hole corridor, particularly as to the landing area and green. I will note that the golf hole corridor widths will probably not contain 100% of all golf shots. **However, the risk from errant golf balls in the proposed development is no greater than it is in the other residential developments adjacent to golf holes along the Lakewood golf course.**

31 McINTOSH ROAD
HILTON HEAD ISLAND, SOUTH CAROLINA 29926
(843) 384-3806

CLYDE JOHNSTON DESIGNS, INC.

GOLF COURSE ARCHITECTURE

Homesite 1: Based on the relocation of the 2nd green as shown on GMC's plan, this homesite has very little risk of having a golf ball enter the lot ...

Homesite 2: This homesite has a very low risk of errant shots ...

Homesite 3: This homesite is low risk ...

Homesite 4: This homesite has a very low risk of errant shots as it is the appropriate distance from the center of the golf hole and is also well protected by trees.

Golf Course Architect Report
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Applying the data from Broadie's book to the Oaks, the lot locations of the homesites in the Oaks (all of which are outside the 175-foot corridor) would avoid encroachment from errant tee shots from the White tee approximately 98.25% of the time.

On January 26, 2023, I contacted Niall Fraser, Director of Golf at the Lakewood Golf Club, to inquire about the two golf holes adjoining the Oaks. One of my questions involved the quantity of golf balls that landed in the development area. Mr. Fraser offered to have one of the club's rangers stationed on one of golf holes to observe where balls were landing with tees shots. On January 28, 2023, Mr. Fraser sent the results from the club ranger's observations on January 27, 2023 and January 28, 2023: "We only had 57 golfers play on January 27th and no balls were hit over the fence (development area). Today we had 66 players and nobody was over the fence." The fence referenced by Mr. Fraser is the fence previously installed along the original boundary of the Oaks development site and is closer to the golf hole than the proposed rear property line of the residential homesites as shown on the GMC sketch plan.

I was also asked to provide a homesite by homesite review of the proposed six lots at the Oaks. The way to play each golf hole is infinite, so I will address each homesite with the most common way an average golfer playing the White tees will play the golf hole. Each homesite is located an appropriate distance from the golf holes and fairways consistent with industry best practices for residential homes adjoining golf courses. In fact, the 175-foot corridor applied to each homesite at the Oaks is greater than the corridor applied to numerous other residential homesites already located along Lakewood golf course. For example, residential homesites at the landing areas and greens on holes 5 and 7 of the Dogwood course, and at the green on hole 13 of the Azalea course, are inside the 175-foot corridor. The risk from errant golf balls in the proposed development (with the 175-foot corridor) is certainly no greater than (if not less than) it is for other residential developments adjoining the golf course with smaller corridors.

Homesite 1: Based on the relocation of the 2nd green as shown on GMC's plan, this homesite has very little risk of having a golf ball enter the lot due to the distance from the green and the fact that there are quite a few trees between the home and the golf hole to stop/deflect any errant shots. Another factor is that most golfers are hitting a shorter, more accurate iron shot into the green as opposed to the common use of the driver from the tee.

Homesite 2: This homesite has a very low risk of errant shots and would only be impacted by a terrible tee shot, or a tee shot that hits a tree and ricochets onto the homesite. I will note that there is a fairway bunker on the right side of hole two that will make most golfers aim a little more left with their tee shot in order to avoid it.

Homesite 3: This homesite is low risk but could potentially be impacted by an errant shot hit to the third green. The homesite is located an appropriate distance from that green. The homesite is also adjacent to the White and Teal tees of the second hole but the likelihood of being impacted by a tee shot would be extremely rare.

Homesite 4: This homesite is located to the right of golf hole 3 and is positioned opposite the landing area for almost all golfers. This homesite has a very low risk of errant shots as it is the appropriate distance from the center of the golf hole and is also well protected by trees.

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GOLF COURSE ARCHITECTURE

Homesite 5: It is the appropriate distance from the third golf hole and therefore a very low risk factor.

Homesite 6: ... has very little to no chance of being impacted by an errant golf shot.

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Homesite 5: This homesite is located midway between the tees and the landing area of the golf hole. It is the appropriate distance from the third golf hole and therefore a very low risk factor.

Homesite 6: This homesite is located to the right of the back three tees of the third hole and has very little to no chance of being impacted by an errant golf shot.

Respectfully Submitted,



Clyde Johnston, ASGCA

About the Author

Clyde Johnston, ASGCA, is a golf course architect based on Hilton Head Island, South Carolina with 49 years of professional experience. He is a member and past president of the American Society of Golf Course Architects. Johnston is also a member of the Lowcountry Golf Hall of Fame. Johnston has been involved in over 200 golf course projects with both new golf courses and renovations of existing golf courses. He established Clyde Johnston Designs, Inc. in 1987 to provide golf course design, land planning and golf course consultation primarily in the southeastern United States. Prior to having his own firm, Johnston apprenticed with established golf course architects Willard Byrd, Ron Kirby and Gary Player.

Johnston grew up in the golf business as the son of longtime North Carolina golf professional C.B. "Johnny" Johnston, PGA, who also dabbled in golf course design. Johnston himself has been playing golf for 66 years.

CLYDE JOHNSTON DESIGNS, INC.
GOLF COURSE ARCHITECTURE

It is my opinion that the risk from errant golf balls is no greater at The Oaks than other development in and around the Lakewood Golf Courses and is no greater than recently designed golf courses on similar land.

CLYDE JOHNSTON DESIGNS, INC.
GOLF COURSE ARCHITECTURE

April 26, 2023

Mr. Marshall Gardner
Maynard Nexsen
11 North Water Street
RSA Battle House Tower
Suite 24290
Mobile, AL 36602

Re: The Oaks at The Colony

Dear Marshall:

I have reviewed the latest Site Plan prepared by GMC dated April 24, 2023 and find that no changes have been made to layout that would change my opinion from my previous correspondence. This plan also reflects the proposed changes to the fairway bunkers on both golf holes.

It is my opinion that the risk from errant golf balls is no greater at The Oaks than other development in and around the Lakewood Golf Courses and is no greater than recently designed golf courses on similar land.

Sincerely,



Clyde Johnston, ASGCA
Golf Course Architect

31 McINTOSH ROAD
HILTON HEAD ISLAND, SOUTH CAROLINA 29926
(843) 384-3806

DR. MICHAEL J. HURDZAN

50+ YEARS EXPERIENCE DESIGNING GOLF COURSES

HAS DESIGNED OVER 400 GOLF COURSES AROUND THE
WORLD

RECEIVED DESIGN EXCELLENCE AWARD FROM THE
AMERICAN SOCIETY OF GOLF COURSE ARCHITECTS ON
MULTIPLE OCCASIONS

IDENTIFIED IN KEN TANNAR'S REPORT AS "THE
RENOWNED AMERICAN GOLF COURSE ARCHITECT"

Tracy,

I have looked at the materials that you have sent me and I would say that the developer has made a good faith attempt to protect the home locations.

If I were advising the developer I would strongly suggest that they plant some trees or shrubs closer to the teeing areas to force golfers not to aim right of middle.

Lastly, it is imperative that the new green be built to the left of the existing one as the drawing shows.

Otherwise, based on what I have reviewed, I think that those six building locations are reasonably safe.

From: Michael J. Hurdzan [mailto:mike@hurdzangolf.com]

Sent: Friday, April 28, 2023 2:04 PM

To: 'Tracy Frost'

Subject: RE: Assessment of site plan to replace fairway buffer with 6 home residential subdivision

Tracy,

I have looked at the materials that you have sent me and I would say that the developer has made a good faith attempt to protect the home locations. However I was disturbed a bit by the photos from the tees that showed so much openness off to the right. If I were advising the developer I would strongly suggest that they plant some trees or shrubs closer to the teeing areas to force golfers not to aim right of middle. Most golfers tend to hit errant shots to the right of intended target line, so forcing them to aim a bit more left further protects the properties. I would also suggest the developer provide some sort of warning to prospective buyers that living on a golf course comes with certain associated risks, like errant balls.

Lastly, it is imperative that the new green be built to the left of the existing one as the drawing shows.

Otherwise, based on what I have reviewed, I think that those six building locations are reasonably safe.

MICHAEL J. HURDZAN

Basically, after reviewing and applying some safety guidelines to the Lakewood plan that I use in my golf course architectural practice, I concluded that those six home locations were reasonably safe from errant balls.

MICHAEL J. HURDZAN
2321 LANE ROAD
COLUMBUS, OHIO 43220

May 1, 2023

Mr. Marshall Gardner
Maynard Nexsen
11 North Water Street
Mobile, Alabama 36602

Re: Golf Course Architect's Safety Assessment of Development Plan for The Oaks at the Colony, Baldwin County, Alabama

Dear Mr. Gardner,

I was contacted by two people, Tracy Frost and Clyde Johnston, separately, to offer my opinion on the relative safety of six (6) home locations between holes two and three on the Lakewood Golf Course. Tracy Frost contacted me by email on Thursday, 27 April at 9:24 p.m., and I responded on Friday at 9:25 a.m. asking for more information. At 11:13 a.m., I received some photographs, a Google Earth photo and a site plan for the six homes. At 1:04 p.m., I emailed back and offered my opinion of the relative safety of those locations from errant golf hole balls.

At about 2:40 p.m. on Friday, I received a call from Clyde Johnston, who I have known professionally for perhaps 25-years or more, referencing the same situation as Tracy Frost. I told Mr. Johnston that I was familiar with the situation as I had reviewed the materials from Frost, and I shared that opinion with Mr. Johnston.

Basically, after reviewing and applying some safety guidelines to the Lakewood plan that I use in my golf course architectural practice, I concluded that those six home locations were reasonably safe from errant balls. Obviously there will be some errant balls that would enter the "Fairway Buffer Area" shown in dark green on the GMC plan, but should rarely reach the home location. To reduce even that likelihood, I suggested that the developer

MICHAEL J. HURDZAN

My major point of disagreement with Mr. Tannar's report is in his paragraph 17 where he vastly underestimates trees as effective protection from golf balls.

... Mr. Tannar completely ignores the psychological and visual effect on golfers, and benefit to safety.

It is my professional opinion based upon a reasonable degree of certainty, that the plan for the six home sites is well thought out and that safety from errant golf balls was respected.

should plant some shrubs or trees in the area closer to the tee to force golfers to aim further left. Lastly I suggest that the developer should warn a prospective buyer that living on a golf course carries some risks.

Then Mr. Johnston asked if I had seen either his report or that of Mr. Ken Tanner, and I said that I had not. Mr. Johnston offered to forward me those reports and asked if I would offer my opinion on them, and reply back to you.

Mr. Johnston's report was dated 9 March 2023, with two subsequent letters dated 21 April and 26 April 2023. Mr. Tannar's report was date 19 March 2023. Both reports are trying to predict errant golf shots, but in my opinion that is a game of probabilities that cannot be precisely quantified. I don't think any expert can definitively say exactly how many golf balls may go into the Fairway Buffer Area shown on the plan, or beyond, other than that there will be some.

My major point of disagreement with Mr. Tannar's report is in his paragraph 17 where he vastly underestimates trees as effective protection from golf balls. Granted, some canopy's of some trees are more dense and effective in slowing or stopping a ball, but Mr. Tannar completely ignores the psychological and visual effect on golfers, and benefit to safety. Trees and shrubs can indeed be effective safety devices because they influence where golfers will aim their shots to avoid trees, as well as stop or slow golf balls. I don't know any golfer who would summarily dismiss trees as ineffective ball barriers, no matter how thin their foliage, for golfers don't believe that trees are all air. The trees on the Lakewood site plan appear to be of such size and placement to be reasonably good safety devices, and cannot be ignored.

From my experience of working on over 400-golf course projects over a 55-year period, trees and shrubs can be significant and important safety devices when planted close to teeing areas and in proximity of restricted areas such as home development. Not 100% effective like a net or ball barrier, but when intelligently planted to supplement already adequate spatial separation, trees and shrubs can unquestionably increase safety.

I also disagree with Mr. Tannar in his paragraph 37, where he concludes his first sentence with the phrase "...unacceptable amount of risk to damage." I believe that the amount of risk must be weighted against the benefits of living on a golf course, and that is a decision that only the homeowner can decide.

Summary Opinion:

It is my professional opinion based upon a reasonable degree of certainty, that the plan for the six home sites is well thought out and that safety from errant golf balls was respected. However supplemental planting on the golf course close to the teeing areas and in

MICHAEL J. HURDZAN

MICHAEL J. HURDZAN
2321 LANE ROAD
COLUMBUS, OHIO 43220

June 21, 2023

The more that I analyze the above information, from my perspective as a golf course designer with over 50-years experience with a special interest in safety, I believe that the six-proposed residences at Lakewood Azalea Golf Course, are reasonably safe and will be at minimal risk from errant golf balls, if some vegetative planting and minor feature modifications are made to the golf course as set forth on the 2 June GMC plans.

I believe that the magnitude of risk is comparatively minor for the six properties being proposed.

Mr. Marshall Gardner
Maynard Nexsen
11 North Water Street
Mobile, Alabama 36602

Re: Dr. Michael Hurdzan's Response to Tannar and Johnston Reports Dated 19 March, 30 April, and 1 May 2023, and 9 March, 21 April and 6 April 2023, Respectively, Regarding the Safety of the Development Plan Between Holes #2 and #3 at Lakewood Azalea Golf Course

Dear Mr. Gardner;

As per your request I have again reviewed the reports of Mr. Ken Tannar and Mr. Clyde Johnston, as well as the GMC drawing, and two overlays of Broadie Scatter – plot prepared by Mr. Johnston (not dated) for holes #2 and #3 (see attachment #1). I have also looked at 12 photographs showing the trees and vegetation at the proposed development site along holes #2 & #3 of the Azalea Course, and I used Google Earth Pro to obtain some distances for relative measurements on those holes.

The more that I analyze the above information, from my perspective as a golf course designer with over 50-years experience with a special interest in safety, I believe that the six-proposed residences at Lakewood Azalea Golf Course, are reasonably safe and will be at minimal risk from errant golf balls, if some vegetative planting and minor feature modifications are made to the golf course as set forth on the 2 June GMC plans. I further believe that the buyers of those six properties will have thoughtfully and personally balanced the benefits of living on a golf course against the potential risk of errant golf balls. Any property with a special, adjoining, non-residential use carries some risks whether it is on the seashore from storms, mountains from slopes or snows, or country estates from native critters and plants. I believe that the magnitude of risk is comparatively minor for the six properties being proposed.

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MICHAEL J. HURDZAN

In other words, I think that the proposed dwelling sites are well located from the tees to minimize any potential harm.

However, I would like to elaborate on my earlier opinion of 1 May, based on Mr. Tannar's 1 May report and Johnston's Broadie scatter plot overlay that I recently received.

In assessing risks there are established and methodical steps that should be followed. The first is to identify the risk and its potential for harm, the second is to determine the probability of that risk and its real danger, and third is to analyze possible mitigation or corrective measures to lessen or control the risk. To this point much of the discussion has centered only on half of step two, probable landing area of errant shots, without trying to assess the true magnitude of the danger associated with them or the other half of step two, or step three of mitigation.

No one disagrees that a flying golf ball carries some potential for harm. And there is general agreement that not every golfer hits the ball with the same force, and that a golf ball loses its energy pretty quickly in flight. Intuitively, when a golf ball is first hit it carries the maximum potential for harm compared to when it is at the end of its flight. So when assessing golf ball risks, I start by examining the type(s) of golfer hitting the ball to get some idea of initial ball speed, as well as proximity of where that golfer hit from, and then the spatial separation of hitting to landing area. In this case, Lakewood players are pretty much an average cross-section of golfers with average or slower swing speeds, hitting from already located tees, to tree lined fairways. Since the proposed locations for dwellings are generally at least halfway into the flight of the ball from the tee to landing area, an errant ball has lost a good bit of its energy before getting to that location. These errant balls can still carry a risk of harm, but not as much as when they were closer to the tee. I believe that the site planners considered this separation in developing the plan for them, too, want it to be safe. In other words, I think that the proposed dwelling sites are well located from the tees to minimize any potential harm. In addition, because the current plan is to make the development limited access by installing gates and requiring a code or key card, there will be mostly resident and service traffic, thus further limiting any potential exposure to those very few vehicles, who will be aware of the golf course.

In my earlier report I disagreed with Mr. Tannar's assertion that trees are not "good protection" (his paragraph #17), and I still do. Trees can not only be good ball deflectors or stoppers, they also have the psychological impact on golfers to "aim away," for golfers know trees can stop or deflect balls. The six properties on Lakewood Golf Course are in trees so they are afforded some additional protection on top of their good siting of being some distance from the tees and landing areas. I carefully examined the photographs of the Azalea golf course sent to me, and although I am not able to determine the precise health or age of the trees, but they appear to be mature, healthy, and thick Alabama native trees that could stop or deflect a golf ball. However, as yet another precaution, I suggested some additional planting for safety further down the hole from the tee, at least on the golf course near the right golf course boundary, if not also in the buffer area. An additional vegetative planting of

MICHAEL J. HURDZAN

I believe that Mr. Tannar misrepresented my 200 foot starting point guideline as if it were set in stone or a standard, and it is not.

The Broadie data are just a scattering of points that may or may not have been accurately recorded, and thus may be unconsciously skewed in one way or another that he didn't care about for his research objective.

Mr. Tannar was trying to use the Broadie data to demonstrate a higher probability of errant golf balls onto the development property, while Mr. Johnston's properly scaled overlay showed just the opposite effect, or a low probability of errant golf balls.

dense shrubs should also be considered close to the tees to further dissipate a miss-hit ball's energy just after it is struck.

As I wrote earlier, the basis Mr. Tannar's report was only on the first part of step two of the risk assessment method, which is probability or likelihood that a golf ball will reach someone or something. I would like to reiterate my opinion on that assessment. Because such assessments are estimated and unpredictable probabilities, they should be seen only as guidelines, and not standards that can be rigidly applied in every situation. These guidelines have utility for designers as a starting point for planning, allowing them to adjust the golf hole corridor as necessary to fit the specific site conditions. Those site conditions may include but are not limited to elevation, vegetation, wind, golfer perceived penalty areas, slope of the landing zone, and adjoining property uses. I believe that Mr. Tannar misrepresented my 200 foot starting point guideline as if it were set in stone or a standard, and it is not. I revised my guidelines originally developed in the 1970s, because more people are playing and the golf ball is going further for the more elite players, however that starting point is still just a flexible planning guideline, that is adjusted for site conditions.

Therefore, one issue that I have with Mr. Tannar's use of the Broadie data is that it does not consider or describe influences of hazards or site conditions on the probability of errant golf balls, such as trees and penalty areas. Thus, that data is just a piece of information that must be evaluated on its face value and it, too, should not be used as a design or safety standard, either. The Broadie data are just a scattering of points that may or may not have been accurately recorded, and thus may be unconsciously skewed in one way or another that he didn't care about for his research objective. Thus, that data can be erroneously misapplied as one sees fit. For example, when Mr. Johnston used an AutoCAD program to properly scale the Broadie data or scatter plot, and applied it to holes #2 and #3, he got a different result than Mr. Tannar concluded. Mr. Tannar was trying to use the Broadie data to demonstrate a higher probability of errant golf balls onto the development property, while Mr. Johnston's properly scaled overlay showed just the opposite effect, or a low probability of errant golf balls. Same data, but when properly interpreted gives a different result. This is why I don't put much stock in relying on the Broadie data.

The probability method that I developed, and have used successfully for nearly 50-years now, uses percentage of ball dispersion when golfers have no distracting influences, and are simply trying to aim their shots. My data gathering had no confounding site influences and was only focused on the aiming point. My research showed that there is a 92%, probability that golf shots will finish within a 15 degrees arc on either side of the play line to the aiming point. Move the aiming point, and the arc moves with it. This allows the designer to mitigate potentially dangerous areas by using influencing factors such as penalty areas or vegetation in their design. This amounts to step three in the risk assessment method.

MICHAEL J. HURDZAN

As I previously mentioned, the more that I analyze the plan and information, the more comfortable I am that the probability and risk to would-be residents is minimal, and is consistent with the safety of other developments that I am familiar with around the country. The planners have done a very good job of understanding those risks, and addressing them.

These opinions are based on a reasonable degree of professional certainty developed over my 60 plus years of education, experience and study as a golf course architect, with a special interest in golf course safety.

There may indeed be some golf balls land in the designated Fairway Buffer Areas, but few or none would get much beyond the designated 25' buffer setback area.

As I previously mentioned, the more that I analyze the plan and information, the more comfortable I am that the probability and risk to would-be residents is minimal, and is consistent with the safety of other developments that I am familiar with around the country. The planners have done a very good job of understanding those risks, and addressing them.

I also believe that it is in everyone's best interest to forewarn potential buyers that living on a golf course does carry some risks.

These opinions are based on a reasonable degree of professional certainty developed over my 60 plus years of education, experience and study as a golf course architect, with a special interest in golf course safety. However, if new information is made available, I would reserve the right to evaluate that information and adjust my opinion if I thought it was necessary.

Respectfully submitted,



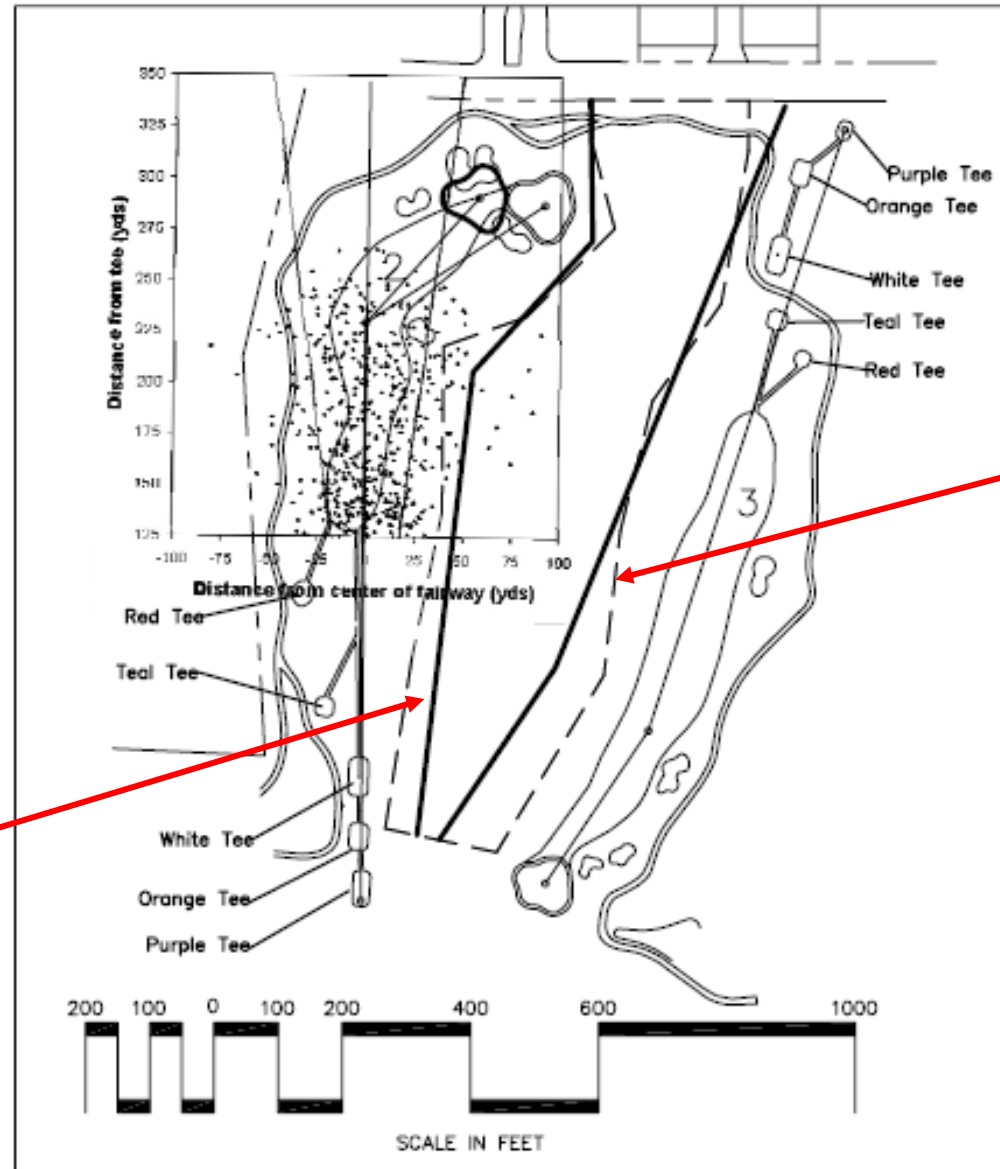
Michael J. Hurdzan, Ph.D., *ASGCA Fellow*

Excerpt from Clyde Johnston's June 27, 2023 Report:

6. Assuming that Broadie's paper utilized an average cross section of golfers and incorporated unique features of Azalea Holes two and three (it does not), I have attached properly scaled overlays of the Broadie scatter plot using the correct hole locations, aiming lines and middle teeing grounds for both golf holes. Instead of Google Earth, I utilized AutoCad software, which is based on an accurate site survey of the area to create my overlays. As my overlays plainly demonstrate, Mr. Tannar's projections regarding the numbers of errant golf balls in the proposed development area are clearly false.

Scatter plot showing 500 shots of high-handicap golfers only (from Broadie).

Fairway #2.



Fairway Buffers (solid line)

Perimeter Property Line – The Oaks at the Colony (dashed line).

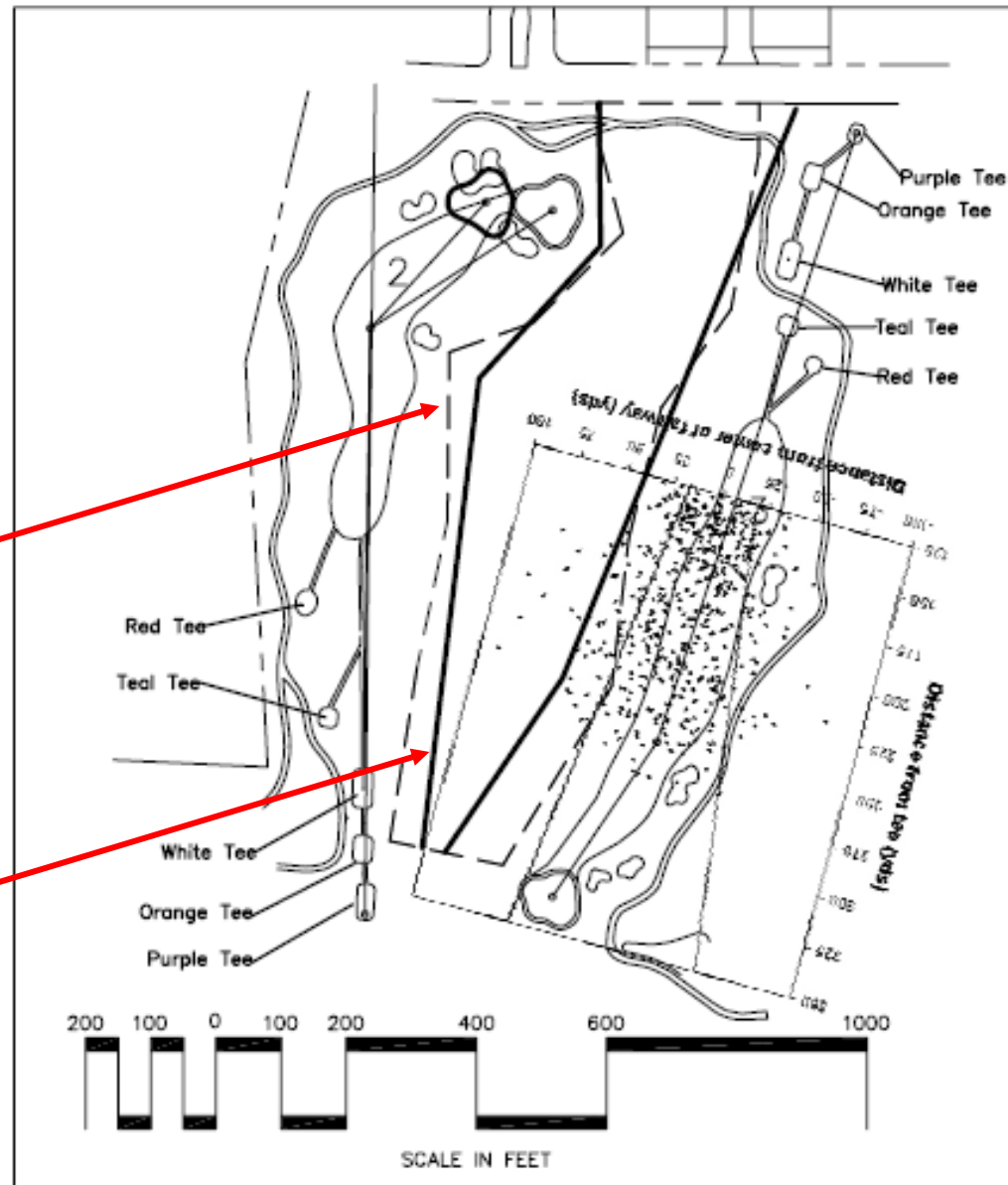
Broadie Scatter—Plot of High Handicap Golfers
GOLF HOLE 2
THE AZALEA COURSE AT LAKEWOOD GOLF CLUB

Scatter plot showing
500 shots of high-
handicap golfers only
(from Broadie).

Fairway #3.

Perimeter property
Line – The Oaks at the
Colony
(dashed line).

Fairway Buffers
(solid line)



Broadie Scatter-Plot of High Handicap Golfers
GOLF HOLE 3
THE AZALEA COURSE AT LAKEWOOD GOLF CLUB