

# **PLANNING COMMISSION MEETING MINUTES**

**September 15, 2021 (Civic Center of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a regular scheduled meeting on September 15, 2021 at 5:30 p.m. in the Civic Center of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Bill Swanson, Sue Steigerwald, Phillip Hinesley, Calvin Hare, Wes Abrams and Vera Quaites. Absent member was Ralph Hellmich. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer and Melissa Ringler, Recording Secretary.

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

## **MINUTES:**

Approval of the August 11, 2021 and August 18, 2021 meeting minutes.

Commissioner Abrams made a motion to approve the August 11, 2021 and August 18, 2021 meeting minutes. Commissioner Swanson seconded the motion. All Commissioners voted aye.

**Motion to approve the August 11, 2021 and August 18, 2021 meeting minutes passes.**

Chairman Hinesley adjourned the regular meeting and opened the public hearing.

## **PUBLIC HEARING:**

### **1. River Oaks Phase II- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of River Oaks Phase II which consists of 20.25 +/- acres and 100 lots. Property is located E. of Hickory St. and S. of Michigan Ave. Applicant is River Oaks Development, LLC.

Ms. Elsie Reed resident of 808 W. Michigan Ave. stated the development previously came for approval for 265 lots. She stated at the time of approval drainage specs and other details were needing to be worked out. She explained Southern Lifestyle came back at a later date for the approval of 171 lots. She stated now River Oaks LLC is requesting 100 lots. She asked if the development is going to consist of 171 lots that were previously approved.

Mr. Trey Jinwright with Jade Consulting stated the item came before the Commission for the PUD zoning approval of 265 lots and a preliminary approval for River Oaks Phase I which consists of 62 lots. He stated this request is for River Oaks Phase II which consists of 100 lots. He explained that will bring the total lots to 162 of the 265 that were approved for the PUD.

Ms. Reed asked if the Crescent at River Oaks is a part of this subdivision.

Mr. Jinwright stated the Crescent at River Oaks is on the South side of Hickory St. and is a different subdivision.

Commissioner Hare stated the applicant originally came for the approval of the zoning to a PUD. He explained each phase will have to come before the Commission to ensure they are meeting the original PUD requirements.

Mrs. Anya Swindle resident of 710 W. Michigan Ave. asked if the development will touch Michigan Ave.

Mr. Jinwright stated this phase will not touch Michigan Ave.

Note: \*Denotes property located in the Planning Jurisdiction

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Mrs. Swindle asked if there would be any woods between the subdivision and Michigan Ave.

Mr. Jinwright stated ultimately the subdivision will come to Michigan Ave. but not this phase.

Mrs. Swindle stated the homes in Phase I were built at a higher level than other homes in the area and she is concerned when it rains the water will come onto their property.

Mr. Jinwright stated the development was designed with an underground drainage system. He explains the drainage is collected and goes to an onsite pond.

A resident asked what will happen to the roads in the area. More homes being built will create more traffic and they would like to know how that will be handled.

Mr. Jinwright stated this phase will require a turn lane to be added on to Hickory Street.

Mr. Mark Irwin asked if this phase will touch Michigan Ave. and about the current road that is touching Michigan Ave. from the subdivision.

Mr. Jinwright stated this phase will not touch Michigan Ave. He explained this phase wraps around the existing phase. He stated the current road touching Michigan Ave. is a construction entrance only.

Commissioner Engel stated something has to be done with the traffic in the area.

Mr. Chad Christian stated an engineer is currently conducting a study of the intersection. He explained they are aware that improvements need to be made which may include turn lanes or a roundabout.

Mr. Jack Swindle resident of 710 W. Michigan Ave. stated he has concerns about the traffic. He explained he currently has to wait through five lights if he is turning East on to Michigan Ave. and this is not an acceptable delay. He stated it is a mess on Hickory St. now and we haven't even gotten to the maximum lots that were approved for this development. He explained he is concerned and doesn't want to hear about a study or acceptable delay before all these homes are built. He stated he would like accurate information on what is going to be done to improve the problems.

Mr. Christian explained the City is aware improvements need to be made and have funded the traffic study of the intersection. He stated there will be improvements but he cannot tell him what the improvements will be at this time.

Mr. Swindle asked if the improvements will be made before or after all of the homes are built in the subdivisions.

Mr. Christian stated the developer will be installing turn lanes before the plat is signed. He stated the engineer performing the traffic study is currently counting traffic and working on the study.

### **2. Bay Street Village Phase 1- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of Bay Street Village Phase 1 which consists of 3.38+/- acres and 27 lots. Property is located  
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at the NW corner of Michigan Ave. and Bay Street. Applicant is Magnolia Land Company.

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

### **3. Bay Street Village Phase 2- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of Bay Street Village Phase 2 which consists of 13.22+/- acres and 50 lots. Property is located at the NW corner of Michigan Ave. and Bay Street. Applicant is Magnolia Land Company.

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

### **4. Janet Smith- Rezone**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 46.55 +/- acres. Property is currently zoned B-1A (Extended Business District) and R-4 (Residential Single Family & Duplex). Proposed zoning is RV Park District. Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Janet L. Smith.

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

Commissioners received an opposition letter from Mr. and Mrs. Manning residents of 1101 Sloane Cove.

### **5. RV Park at OWA- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of the RV Park at OWA Subdivision which consists of 40+/- acres and 1 lot. Property is located S. of Lay Ln. and E. of E. Pride Blvd. Applicant is Foley Holdings LLC.

Mr. Mark Chard resident of 2121 Bourbon St. asked if the developer was present and could address concerns he has regarding noise, lighting and privacy.

Mr. Jimmy Peavy stated there will be a dedicated right of way for a future road and a berm around the development. He explained they are currently working with the city regarding the traffic entrance.

Mr. Chard asked how the noise will be kept down and if there would be regulations regarding a cut off time for the amenities and noise.

Mr. Peavy explained the berm and landscape will help buffer any noise. He stated there will be operational rules for the park but those have not been setup at this time.

Mr. Chard asked if there is a time frame for when the park would be complete.

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Mr. Peavy stated they hoped to have the park open in 2023.

A resident asked how many lots would be located in the RV Park.

Mr. Peavy stated there would be a total of approximately 190 lots. He explained the lots will be short term rentals other than the possibility of snowbirds staying for a few months during the off season. He stated it will be a very nice park with rules.

A resident stated they were previously told there would be a fence around the RV Park.

Mr. Peavy stated he was not aware of any plans for fencing. He explained the area will include a 4' to 5' landscaped berm.

Mr. Charles Dover resident of 1012 Pheasant Cir. stated he would like to see a rendering of the park and the landscaped berm.

Mrs. Miriam Boone stated a copy of the proposed layout can be viewed at the Community Development office.

A resident asked about the location of the entrance for the RV Park.

Mr. Peavy stated they are currently working with the City Engineer on the entrance details. He explained the entrance will be on a new road off of the Pride Dr. roundabout. He stated they expect most of the traffic for the RV Park will come off of the Foley Beach Express.

### **6. Zoning Ordinance Amendments-** Portable billboards

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

Mrs. Miriam Boone explained a couple of months ago staff was approached regarding a portable sign. She stated the sign would be considered a special events sign, would require a permit, and would not be allowed in residential areas. She explained the signage also has capabilities to play movies and could be used for that purpose.

Commissioner Swanson asked if the sign was something that is connected to a truck.

Mrs. Boone answered yes the signage is connected to a truck and pulled to the location for display.

Chairman Hinesley closed the public hearing and reconvened the regular meeting.

### **NEW BUSINESS:**

#### **1. River Oaks Phase II- Preliminary**

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Commission Abrams made a motion to approve the requested preliminary. Commissioner Hare seconded the motion.

Chairman Hinesley stated he hopes the developer does not clear cut the entire area.

All Commissioners voted aye.

### **Motion to approve the requested preliminary passes.**

#### **2. Bay Street Village Phase 1- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of Bay Street Village Phase 1 which consists of 3.38+/- acres and 27 lots. Property is located at the NW corner of Michigan Ave. and Bay Street. Applicant is Magnolia Land Company.

Commissioner Abrams made a motion to approve the requested preliminary. Commissioner Swanson seconded the motion.

Chairman Hinesley stated it is a little disturbing the subdivision is being developed in a B-1A zone.

Mrs. Boone explained Building Code would come into play if they were to try and open a business in any of the residential homes.

Commissioner Engel asked what the distance is between the homes and the size of the lots.

Ms. Amanda Thompson stated the houses are 10' feet apart and the lots are 42' wide.

All Commissioners voted aye.

### **Motion to approve the requested preliminary passes.**

#### **3. Bay Street Village Phase 2- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of Bay Street Village Phase 2 which consists of 13.22+/- acres and 50 lots. Property is located at the NW corner of Michigan Ave. and Bay Street. Applicant is Magnolia Land Company.

Commissioner Abrams made a motion to approve the requested preliminary. Commissioner Steigerwald seconded the motion. All Commissioners voted aye.

### **Motion to approve the requested preliminary passes.**

#### **4. Janet Smith- Rezone**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 46.55 +/- acres. Property is currently zoned B-1A (Extended Business District) and R-4 (Residential Single Family & Duplex). Proposed zoning is RV

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Park District. Property is located S. of County Rd. 20 and W. of the Foley Beach Express. Applicant is Janet L. Smith.

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

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

### **5. Foley Villas- Site Plan Review**

The City of Foley Planning Commission has received a request for a site plan approval for Foley Villas. Property is located N. of US Hwy. 98 and E. of Bodenhamer Rd. Applicant is Villa Sawgrass Consulting, LLC.

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

Mr. Chad Christian stated he has not received a traffic study at this time.

Mr. Tom Granger stated they are working on the traffic study. He explained a study was done but the developer has requested a change. He stated a revision has been submitted on the study to make the Bodenhamer Rd. access as an exit only.

All Commissioners voted aye.

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

### **6. RV Park at OWA- Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of the RV Park at OWA Subdivision which consists of 40+/- acres and 1 lot. Property is located S. of Lay Ln. and E. of E. Pride Blvd. Applicant is Foley Holdings LLC.

Commissioner Steigerwald made a motion to approve the requested preliminary. Commissioner Hare seconded the motion.

Commissioner Swanson asked when construction would begin.

Mr. Peavy stated they would like to begin construction once they receive all approvals that are needed.

Chairman Hinesley asked if the applicant would have to come back before the Commission if any changes are made.

Mrs. Boone stated if there is an increase in density the item would have to be presented to the Commission for approval.

All Commissioners voted aye.

**Motion to approve the requested preliminary passes.**

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**7. Zoning Ordinance Amendments-** Portable billboards

Commissioner Abrams made a motion to recommend the requested zoning ordinance amendments to Mayor and Council. Commissioner Quaites seconded the motion. All Commissioners voted aye.

**Motion to recommend the requested zoning ordinance amendments to Mayor and Council passes.**

**ADJOURN:**

Chairman Hinesley made a motion to adjourn at 6:17 p.m.