

PLANNING COMMISSION MEETING MINUTES

October 19, 2016 (Council Chambers) 5:30 P.M.

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The City of Foley Planning Commission held a regular scheduled meeting on October 19, 2016 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Ralph Hellmich, Jeff Rouzie, Phillip Hinesley, Roderick Burkle, Wes Abrams, Calvin Hare, Sue Steigerwald, and Chad Watkins. Staff present were: Miriam Boutwell, City Planner; Chad Christian, City Engineer; and Melissa Ringler, Recording Secretary.

MINUTES:

Approval of the September 14, 2016 and September 21, 2016 meeting minutes.

Commissioner Hellmich made a motion to approve the September 14, 2016 and September 21, 2016 meeting minutes. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

Motion to approve the September 14, 2016 and September 21, 2016 meeting minutes passes.

Chairman Burkle recessed the regular meeting and opened the public hearing.

PUBLIC HEARING:

1. Mattie DiBenedetto –Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.40+/- acres. Property is currently zoned R-1A (Residential Single Family), proposed zoning is PO (Preferred Office District). Property is located at 214 W. Camellia Ave. Applicant is Mattie DiBenedetto.

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

2. Evelyn Cadenhead- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.40+/- acres. Property is currently zoned R-1A (Residential Single Family), proposed zoning is PO (Preferred Office District). Property is located at 1605 N. Alston St. Applicant is Evelyn Cadenhead.

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

3. Sute Farm Estates- Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Sute Farm Estates, a minor subdivision which consists of 4 lots on 7.74+/- acres. Property is located at 808 W. Azalea Ave. Applicant is Frances Sute.

Resident of 1024 Summerton Dr. asked if the property had to be rezoned, if the drainage would be looked at and if the proposed lots will be for residential homes.

Ms. Miriam Boutwell explained the property is not being rezoned, the request is to subdivided the property. She stated the property is AO which allows one residential structure per one acre lot.

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Mr. Chad Christian explained if they are not adding a street and homes will be built on the parcels engineering will not review any drainage plans.

Commissioner Hellmich stated the drainage in this area has been a challenge. He explained the City has a maintenance agreement in this area with Baldwin County and it is being watched closely.

4. Greystone Village- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 31+/- acres being annexed into the corporate limits. The proposed zoning is R-1D (Residential Single Family). Property is located between US Hwy. 98 and Charolais Rd., west of County Rd. 65. Applicant is Jerald and Sam Styron.

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

5. Greystone Village- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 4.60+/- acres. Property is currently zoned B-3 (Local Business District) proposed zoning is R-1D (Residential Single Family). Property is located south of US Hwy. 98, west of County Rd. 65. Applicant is Jerald and Sam Styron.

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

6. Greystone Village- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Greystone Village which consists of 35.89+/- acres and 109 lots. Property is located on between US Hwy. 98 and Charolais Rd., west of County Rd. 65.Hwy 98. Applicant is R-Squared Global LLC (Jerald and Sam Styron).

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

7. Sherwood, Phase One- Request for Preliminary & Final

The City of Foley Planning Commission has received a request for preliminary & final approval of Sherwood Subdivision PI which consists of 30 lots on 14.61+/- acres. Property is located on the west side of Hickory Street, between Michigan Ave and CR 20. Applicant is S. Hickory, Inc.

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

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

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NEW BUSINESS:

1. Foley Holdings LLC- Request for PDD modification

The City of Foley Planning Commission has received a request for approval of a PDD modification for 521.1+/- acres located at the corner of County Rd. 20 (aka Miflin Rd.) and the Foley Beach Express. Applicant is Foley Holdings LLC.

Ms. Boutwell explained the Planning Commission had asked to review the development in stages. She stated they are not modifying the approved uses just clarifying the areas for the uses.

Commissioner Rouzie made a motion to approve the requested PDD modification. Commissioner Hare seconded the motion.

Vice-Chairman Hinesley stated he has concern over the hotel proposed near Parish Lakes Subdivision.

Ms. Gloria Boatwright stated the area was chosen due to interest, proximity to ball fields and to help with added parking for the sports fields.

Vice-Chairman Hinesley asked if the hotel could possibly be moved further south to give more of a buffer between Parish Lakes Subdivision and the hotel.

Ms. Boatwright stated they do not have a problem with moving the hotel further south.

Commissioner Hellmich abstained, all other Commissioners voted aye.

Motion to approve the requested PDD modification passes.

2. Foley Holdings LLC- Landscaping Site Plan Review

The City of Foley Planning Commission has received a request for a site plan approval for the landscaping plan for the development located at the corner of County Rd. 20 (aka Miflin Rd.) and the Foley Beach Express. Applicant is Foley Holdings LLC.

Chairman Burkle stated he is in favor of the plan which meets and exceeds the regulations.

Commissioner Rouzie made a motion to approve the requested landscaping site plan. Vice-Chairman Hinesley seconded the motion. Commissioner Hellmich abstained, all other Commissioners voted aye.

Motion to approve the requested landscaping site plan passes.

3. Foley Holdings LLC- Temporary Signage Site Plan Review

The City of Foley Planning Commission has received a request for a site plan approval for the temporary signage for the development located at the corner of County Rd. 20 (aka Miflin Rd.) and the Foley Beach Express. Applicant is Foley Holdings LLC.

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Ms. Boatwright explained they will be using some of the existing frames and removing two existing frames.

Commissioner Hare made a motion to approve the requested temporary site plan review. Commissioner Rouzie seconded the motion. Commissioner Hellmich abstained, all other Commissioners voted aye.

Motion to approve the requested temporary site plan review passes.

4. Foley Holdings LLC- Permanent and Wayfinding Signage Site Plan Review

The City of Foley Planning Commission has received a request for a site plan approval for the permanent and wayfinding signage for the development located at the corner of County Rd. 20 (aka Miflin Rd.) and the Foley Beach Express. Applicant is Foley Holdings LLC.

Commissioner Hare made a motion to approve the requested permanent and wayfinding signage. Commissioner Rouzie seconded the motion. Commissioner Hellmich abstained, all other Commissioners voted aye.

Motion to approve the requested permanent and wayfinding signage passes.

5. Mattie DiBenedetto –Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor (Single Family), proposed zoning is PO (Preferred Office District). Property is located at 214 W. Camellia Ave. Applicant is Mattie DiBenedetto.

Commissioner Hellmich made a motion to recommend the requested rezoning to Mayor and Council. Commissioner Rouzie seconded the motion.

Chairman Burkle read an opposition letter received from Ms. Marie Hamburg resident of 1525 N. Alston St.

Commissioner Hellmich made a motion to approve the requested rezoning contingent upon if the neighboring property is combined with this parcel (214 W. Camellia Ave and 1605 N Alston St.) the access be restricted to Alston St. or the alley. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

Motion to approve the requested rezoning contingent upon if the neighboring property is combined with this parcel (214 W. Camellia Ave and 1605 N Alston St.) the access be restricted to Alston St. or the alley passes.

6. Evelyn Cadenhead- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.40+/- acres. Property is currently zoned R-1A (Residential Single Family), proposed zoning is PO (Preferred Office District). Property is located at 1605 N. Alston St. Applicant is Evelyn Cadenhead.

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Commissioner Hellmich made a motion to approve the requested rezoning contingent upon if the neighboring property is combined with this parcel (214 W. Camellia Ave and 1605 N Alston St.) the access be restricted to Alston St. or the alley. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

Mr. Harold Cox a neighboring property owner stated he is not opposed to the rezoning. He stated the parcels are already adjacent to office buildings and the rezoning to PO would be contiguous.

Motion to approve the requested rezoning contingent upon if the neighboring property is combined with this parcel (214 W. Camellia Ave and 1605 N Alston St.) the access be restricted to Alston St. or the alley passes.

7. Sute Farm Estates- Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Sute Farm Estates, a minor subdivision which consists of 4 lots on 7.74+/- acres. Property is located at 808 W. Azalea Ave. Applicant is Frances Sute.

Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

8. Greystone Village- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 31+/- acres being annexed into the corporate limits. The proposed zoning is R-1D (Residential Single Family). Property is located between US Hwy. 98 and Charolais Rd., west of County Rd. 65. Applicant is Jerald and Sam Styron.

Vice-Chairman Hinesley made a motion to recommend the requested initial zoning to Mayor and Council. Commissioner Hare seconded the motion. Commissioner Watson abstained, all other Commissioners voted aye.

Motion to recommend the requested initial zoning to Mayor and Council passes.

9. Greystone Village- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 4.60+/- acres. Property is currently zoned B-3 (Local Business District) proposed zoning is R-1D (Residential Single Family). Property is located south of US Hwy. 98, west of County Rd. 65. Applicant is Jerald and Sam Styron.

Commissioner Hellmich made a motion to recommend the requested rezoning to Mayor and Council. Commissioner Rouzie seconded the motion. Commissioner Watson abstained, all other Commissioners voted aye.

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

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10. Greystone Village- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Greystone Village which consists of 35.89+/- acres and 109 lots. Property is located between US Hwy. 98 and Charolais Rd., west of County Rd. 65. Applicant is R-Squared Global LLC (Jerald and Sam Styron).

Commissioner Hellmich asked if the issues with the sewer have been resolved.

Mr. Barry Dees explained he has been working with Riviera who currently does not have any available service in the area. He stated Riviera Utilities is working on a new technology that will allow them to use the existing pipes already in the ground. He explained it is a pump system but will not require individual grinder pumps. He stated it is new and he is not sure of the fees or maintenance but Riviera Utilities has committed they can provide service.

Commissioner Hellmich made a motion to approve the requested preliminary approval.

Chairman Burkle asked if there are any concerns regarding the existing older lines currently in the ground.

Mr. Dees stated they will have to prove the mains are acceptable through a pressure test and sizing is adequate.

Vice-Chairman Hinesley seconded the motion.

Vice-Chairman Hinesley stated he has concerns regarding drainage.

Mr. Dees stated they will have to meet the City's regulations.

Neighboring property owner stated the current retention pond is not large enough and the water floods her yard.

Mr. Dees stated the subdivision and outlet structure was never completed. He explained once the outlet structure is complete it should alleviate the problem.

Commissioner Hellmich explained the front parcel was brought into the City limits through a legislative annexation. He stated it is advantageous to have the property in the City limits so we have better control over the development.

Vice-Chairman Hinesley stated the lack of drainage from Baldwin County causes serious issues in this area and the development will not help the matters.

Commissioner Hellmich asked if accel or decel lanes were required.

Mr. Dees explained a left turn lane will be required.

Chairman Burkle stated he is glad the subdivision will be complete but has concerns over drainage and street access.

Note: *Denotes property located in the Planning Jurisdiction

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Mr. Dees stated they would be happy to work out any issues. He explained the incomplete subdivision has been vacant for a while and they want to get a subdivision in with a nice front entrance which will help the appearance of the City.

Vice-Chairman Hinesley voted nay, Commissioner Watson abstained, all other Commissioners voted aye.

Motion to approve the requested preliminary approval passes.

11. Sherwood, Phase One- Request for Preliminary & Final

The City of Foley Planning Commission has received a request for preliminary & final approval of Sherwood Subdivision PI which consists of 30 lots on 14.61+/- acres. Property is located on the west side of Hickory Street, between Michigan Ave and CR 20. Applicant is S. Hickory, Inc.

Chairman Burkle asked if the outstanding issues had been resolved.

Mr. Christian referred to the list provided to the Planning Commission item # 6 street sign not installed has been resolved. He stated items # 1, 2, 3, 4, 5 still have not been completed and item # 9 they are working with Casey on. He explained he received a copy of the as built plans yesterday and there is a difference in the plan grade and what was constructed.

Mr. Casey Pipes stated he has been talking with the applicant in regards to the letter of credit but has not received it in hand but feels he will receive one soon. He explained the letter of credit needs to be in hand before the plat is signed but feels there may not be a need for another public hearing and the approval could be contingent upon receiving the letter.

Commissioner Hellmich asked if the items that have not been resolved on the Engineers list could be a contingency on the approval.

Mr. Christian stated the items have not been resolved but are being included in the bond.

Vice-Chairman Hinesley stated items #1, 2, 3, and 4 need to be cleared up immediately.

Mr. Pipes stated those items need to be addressed now.

Chairman Burkle asked if the sidewalks will be built upfront as previously requested by the Commission.

Mr. Pipes stated if the Commission would like to have the sidewalks built up front the regulations will need to be amended to exclude sidewalks from the bond.

Commissioner Hellmich stated a modification to the regulations needs to be made to remove the acceptance of a letter of credit.

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Commissioner Hellmich made a motion to accept the requested preliminary and final plat contingent upon receiving the financial instrument and it being reviewed by legal counsel. Commissioner Hare seconded the motion.

Mr. Christian stated he has concerns about the as built plans and in future phases they need to provide them in time for the professionals to built and lay out per the plans. He stated while reviewing the plans there have been substantial differences in the grade which can cause problems in the future phases.

Commissioner Abrams abstained; Chairman Burkle voted nay, all other Commissioners voted aye.

Motion to accept the requested preliminary and final plat contingent upon receiving the financial instrument and it being reviewed by legal counsel passes.

ADJOURN

Commissioner Hellmich made a motion to adjourn at 6:30 p.m. Vice-Chairman Hinesley seconded the motion. All Commissioners voted aye.