

PLANNING COMMISSION MEETING MINUTES
August 16, 2017 (Council Chambers) 5:30 P.M.

Page 1 of 6

The City of Foley Planning Commission held a meeting on August 16, 2017 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Roderick Burkle, Ralph Hellmich, Chad Watkins, Jeff Rouzie, Wes Abrams, Sue Steigerwald and Calvin Hare. Absent member was Phillip Hinesley. Staff Present were: Miriam Boutwell, City Planner; Chad Christian, City Engineer and Melissa Ringler, Recording Secretary.

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

MINUTES:

Approval of the July 12, 2017 and July 19, 2017 meeting minutes.

Commissioner Hellmich made a motion to approve the July 12, 2017 and July 19, 2017 meeting minutes. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

Motion to approve the July 12, 2017 and July 19, 2017 meeting minutes passes.

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

PUBLIC HEARING:

1. Riviera Utilities - Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 3.6+/- acres being annexed into the corporate limits. Proposed zoning is B-1A (Extended Business District). Property is located on the south side of Co. Rd. 24 (aka Underwood Rd.), west of State Hwy. 59. Applicant is Utilities Board of the City of Foley dba Riviera Utilities.

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

2. Riviera Underwood Subdivision-Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Riviera Underwood Subdivision, a minor subdivision which consists of 13.95+/- acres and 2 lots. Property is located on the south side of Co. Rd. 24 (aka Underwood Rd), west of State Hwy. 59. Applicant is Utilities Board of the City of Foley DBA Riviera.

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

3. *Westmont-Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Westmont, a minor subdivision which consists of 29.26+/- acres and 2 lots. Property is located on the south side of Co. Rd. 10, west of State Hwy. 59 and is in the City of Foley Extra-Territorial Jurisdiction. Applicant is R-Squared Global.

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

Note: *Denotes property located in the Planning Jurisdiction

PLANNING COMMISSION MEETING MINUTES
August 16, 2017 (Council Chambers) 5:30 P.M.

Page 2 of 6

4. Woerner Holdings Two Lot Subdivision- Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Woerner Holdings Two Lot subdivision, a minor subdivision which consists of 76.01+/- acres and 2 lots. Property is located east of State Hwy 59, south of Co. Rd. 20 (aka Mifflin Rd.). Applicant is Woerner Holdings, Inc.

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

5. Ethos- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Ethos Subdivision which consists of 26.76+/- acres and 100 lots. Property is located south of Michigan Ave. between Pecan St. and Doc McDuffie Rd. Applicant is DR Horton Inc-Birmingham.

Mr. Jared Landry addressed Commissioners comments and concerns from the work session meeting.

Approximate build out duration is 2 years after road construction is complete. The homes will be considered high end "Estate" type houses approximately 1700 sf. ft. HOA and Covenants Restriction documents are being prepared by attorneys but are not typically complete until after plat approval. DR Horton has stated the subdivision will be aimed more towards a retirement community. The homes will be higher end than starter homes. HOA will pay for maintenance of the roads, sidewalks, lights, gates and amenities. HOA dues will be approximately \$1,500 or more and the full build out budget will be disclosed before anyone buys a home so they will be fully aware of the dues. The gates are proposed to be built immediately after the road construction is complete and before the first CO is approved. Since there are 100 proposed lots each person will pay 1/100th of the full build out budget once all amenities are completed. If the amenities are not complete once home owners start paying dues, the HOA dues will be prorated. DR Horton will pay the remaining HOA dues until there is full build out. Whether there are 3 houses or 100 houses, each homeowner will have the same HOA dues. The community will be an active adult community. HOA dues will include a lawn mowing service and there will be a maintenance staff available that can help with trimming trees, picking up the newspaper, checking mail, etc. The maintenance staff is available so the owners can go out of town for a week and have nothing to worry about. The latest plan shows a curb cut median on the north entrance so people will have somewhere to turn around if they cannot get in the gate. The secondary west gate is an exit only for pedestrian and emergency vehicles will be able to enter/ exit with a SOS and Knox box on each gate. The west gate is pushed as far west as possible so people are not encouraged to pull in the exit.

Commissioner Hellmich asked if the HOA would also be responsible for the drainage maintenance.

Mr. Landry answered yes the HOA will be responsible for drainage maintenance.

PLANNING COMMISSION MEETING MINUTES
August 16, 2017 (Council Chambers) 5:30 P.M.

Page 3 of 6

6. Cypress Gates Phase 1-B- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Cypress Gates Phase 1-B which consists of 32.98+/- acres and 59 lots. Property is located south of Fern Ave., west of Cedar St. Applicant is Cypress Gates, LLC.

Mr. Clifford Stump resident of Fern Ave. stated his property borders the subdivision. He explained his greatest concern is preserving the natural wetland area.

Mr. Charles Miller stated they need protection from the new developments drainage. He explained occasionally the current drainage area overflows. He stated on one end of the property there are a lot of tortoises that need to be protected.

Mr. Doug Bailey stated the development will not affect any of the wetlands. He explained the City Engineer has required information which does verify the existing drainage is adequate. He stated the lots on the west side are going from the previously approved 40' to 50' lots and the numbers of lots have been reduced. He explained there is a required buffer from the wetlands which they are meeting.

Resident asked if the area would be fenced and stated she has concerns toddlers may get into the wetland area and disturb it.

Mr. Cliff Guidry explained they are not allowed to add and fencing in the wetland area.

Ms. Cynthia Dudgeon resident of 1475 Surrey Loop and president of the HOA stated they have guidelines regarding fencing. She explained the fencing around the perimeter will continue.

7. BJ's Residential Properties, LLC.- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.10+/- acres being annexed into the corporate limits. Proposed zoning is PUD (Planned Unit Development). Property is located at the North West corner of Brinks Willis Rd and James Rf. Applicant is BJ's Residential Properties, LLC.

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.

NEW BUSINESS:

1. Riviera Utilities - Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 3.6+/- acres being annexed into the corporate limits. Proposed zoning is B-1A (Extended Business District). Property is located on the south side of Co. Rd. 24 (aka Underwood Rd.), west of State Hwy. 59. Applicant is Utilities Board of the City of Foley dba Riviera Utilities.

PLANNING COMMISSION MEETING MINUTES
August 16, 2017 (Council Chambers) 5:30 P.M.

Page 4 of 6

Commissioner Hellmich made a motion to recommend the requested initial zoning to Mayor and Council. Commissioner Hare seconded the motion. Commissioner Abrams abstained, all other Commissioners voted aye.

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

2. Riviera Underwood Subdivision-Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Riviera Underwood Subdivision, a minor subdivision which consists of 13.95+/- acres and 2 lots. Property is located on the south side of Co. Rd. 24 (aka Underwood Rd), west of State Hwy. 59. Applicant is Utilities Board of the City of Foley DBA Riviera.

Commissioner Rouzie made a motion to approve the requested minor subdivision. Commissioner Watkins seconded the motion. Commissioner Abrams abstained, all other Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

3. *Westmont-Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Westmont, a minor subdivision which consists of 29.26+/- acres and 2 lots. Property is located on the south side of Co. Rd. 10, west of State Hwy. 59 and is in the City of Foley Extra-Territorial Jurisdiction. Applicant is R-Squared Global.

Commissioner Hellmich made a motion to approve the requested minor subdivision based on staff recommendation. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision based on staff recommendation passes.

4. Woerner Holdings Two Lot Subdivision- Request for Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Woerner Holdings Two Lot subdivision, a minor subdivision which consists of 76.01+/- acres and 2 lots. Property is located east of State Hwy 59, south of Co. Rd. 20 (aka Mifflin Rd.). Applicant is Woerner Holdings, Inc.

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

Motion to approve the requested minor subdivision passes.

5. Ethos- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Ethos Subdivision which consists of 26.76+/- acres and 100 lots. Property is located south of Michigan Ave. between Pecan St. and Doc McDuffie Rd. Applicant is DR Horton Inc-Birmingham.

PLANNING COMMISSION MEETING MINUTES
August 16, 2017 (Council Chambers) 5:30 P.M.

Page 5 of 6

Commissioner Hellmich made a motion to approve the requested preliminary. Commissioner Rouzie seconded the motion. Commissioner Watkins abstained, all other Commissioners voted aye.

Motion to approve the requested preliminary passes.

6. Cypress Gates- PUD Modification

The City of Foley Planning Commission has received a request for a PUD modification for Cypress Gates. Property is located south of Fern Ave., west of Cedar St. Applicant is Cypress Gates, LLC.

Commissioner Hellmich made a motion to approve the requested PUD modification. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to approve the requested PUD modification passes.

7. Cypress Gates Phase 1-B- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Cypress Gates Phase 1-B which consists of 32.98+/- acres and 59 lots. Property is located south of Fern Ave., west of Cedar St. Applicant is Cypress Gates, LLC.

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

Motion to approve the requested preliminary passes.

8. *Kings Court- Request for Final

The City of Foley Planning Commission has received a request for final approval of Kings Court which consist of 33.2+/- acres and 14 lots. Property is located on the NW corner of County Rd 26 and Grantham Rd. Applicant is Kings Court Trust.

Commissioner Hellmich made a motion to approve the requested final. Commissioner Watkins seconded the motion.

Chairman Burkle stated he would like to see more subdivisions with larger lots like this one.

All Commissioners voted aye.

Motion to approve the requested final passes.

9. The Reserve of Foley Apartments- Site Plan Approval

The City of Foley Planning Commission has received a request for a site plan approval for The Reserve of Foley Apartments which consists of 228 units. The property is located on County Rd. 12. Applicant is Wesscorp Communities LLC.

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

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PLANNING COMMISSION MEETING MINUTES
August 16, 2017 (Council Chambers) 5:30 P.M.

Page 6 of 6

Rouzie seconded the motion.

Commissioner Watkins abstained. All other Commissioners voted aye.

Motion to approve the requested site plan approval passes.

10. BJ's Residential Properties, LLC.- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.10+/- acres being annexed into the corporate limits. Proposed zoning is PUD (Planned Unit Development). Property is located at the North West corner of Brinks Willis Rd and James Rf. Applicant is BJ's Residential Properties, LLC.

Commissioner Hellmich made a motion to recommend to Mayor and Council the requested initial zoning. Commissioner Abrams seconded the motion.

Commissioner Hellmich asked if this request is part of their petition for annexation.

Ms. Boutwell answered yes and explained the provided PUD drawing will become a part of the zoning.

Chairman Burkle stated after looking at the surrounding areas he has some concerns.

Chairman Burkle abstained, all other Commissioners voted aye.

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

ADJOURN

Commissioner Abrams made a motion to adjourn at 6:06 p.m. Commissioner Hare seconded the motion. All Commissioners voted aye.

Meeting adjourned at 6:06 p.m.