

# PLANNING COMMISSION MEETING MINUTES

February 15, 2017 (Council Chambers) 5:30 P.M.

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The City of Foley Planning Commission held a regular scheduled meeting on February 15, 2017 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Phillip Hinesley, Chad Watkins, Ralph Hellmich, Sue Steigerwald, Calvin Hare, Wes Abrams, and Jeff Rouzie. Absent member was Roderick Burkle. Staff present were: Miriam Boutwell, City Planner; Chad Christian, City Engineer; and Melissa Ringler, Recording Secretary.

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

## **MINUTES:**

Approval of the January 11, 2017 and January 18, 2017 meeting minutes.

Commissioner Hellmich made a motion to approve the January 11, 2017 and January 18, 2017 meeting minutes. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

**Motion to approve the January 11, 2017 and January 18, 2017 meeting minutes passes.**

Vice-Chairman Hinesley recessed the regular meeting and opened the public hearing.

## **PUBLIC HEARING:**

### **1. Cotton Bayou Development LLC- Request for Pre-Zoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre zoning of 75+/- acres being annexed into the corporate limits. The proposed zoning is R-1D (Residential Single Family). Property is located east of County Rd. 65, north of County Rd. 12. Applicant is Cotton Bayou Development LLC.

Resident stated Dairy Lane is a small service road with a tilt that drains across the back portion of the property and is used for farm equipment. She asked if the new development will have City water and sewer and if it will change the topography and cause flooding.

Mr. Dave Rauch the representative for Cotton Bayou Development explained Dairy Lane is not on the proposed property being rezoned and will not be affected. He stated the drainage for the development will have to meet Subdivision Regulation criteria. He explained the water cannot run off site and cause damage to other property. He stated at this point they are just asking to pre-zone the property to ensure the purchasing developer will be able to develop the land.

Mr. Elvin Dillon explained he has 50 acres to the north of the property and Dairy Lane has been opened and used for 40 years and wants to know if it will remain open and useable.

Mr. Rauch stated yes, Dairy Lane is not on the property requesting pre-zoning.

### **2. \*Turnberry Crossing- Request for Preliminary Approval**

The City of Foley Planning Commission has received a request to modify the preliminary plat for Turnberry Crossing which consists of 65 lots on 20.18 +/- acres. Property is located south of County Rd. 20S, east of Hickory St. and is in the City of Foley Extra-Territorial Jurisdiction. Applicant is Turnberry Development 2016 LLC.

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

### **3. Henry Burge-Request for Re-Zoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 19+/- acres. Property is currently zoned B-1A (Extended Business District), B-3 (Local Business District), and AO (Agricultural Open Space) proposed zoning is PDD (Planned Development District). Property is located e of Hwy 59, south of County Rd. 20 (aka Mifflin Rd.). Applicant is Henry Burge.

Ms. Julie Zills president of the Meadow Run Estates Home Owners Association stated their primary residents are military retirees with many having major medical issues. She stated some of the concerns with the residents include: barriers, green space, retention pond size, lighting, RV and boat storage, safety, property value and businesses potentially operating out the storage units.

Ms. Boutwell stated staff has met with the developers and made them aware Collinwood and Meadow Run Estates would have concerns regarding drainage and buffers. She explained they will demolish the building currently located on the front of the property and leave the RV's on the middle portion of the property. She stated there will be a buffer around the property with the retention area to be located in the rear of the property. She explained to her knowledge there are no plans to use the storage as offices but there may be office warehouse areas closer to Hwy. 59. These would be between the businesses on the front and the RV's.

Commissioner Hellmich explained the requested zone requires open space which will have a lower impact than the current zone. He stated if they decide to develop the back portion of the property they will have to come before the Commission to modify the PDD. He stated the city and Commission are well aware of the drainage issues in this area.

Ms. Boutwell explained the size of the retention area shown is proposed and it will have to meet specific standards before getting approval. She stated we do not know at this time if there will be a barrier around the detention area or what type of lighting would be used but those issues can be addressed at site plan approval.

Resident stated the ditches between Collinwood and Meadow Run Estates currently stay full of water. He stated if more pavement is added it will cause more water and he is concerned the ditches will not be able to handle the extra water.

Commissioner Hellmich stated they have discussed the dysfunctional ditches and any type of development on the property will have to take into account where the runoff water will go.

Mr. Christian stated the retention for the development will have to meet the 100 year flood.

Mr. Norman Reno resident of 329 Collinwood Loop explained there is a lake behind the proposed property that runs through his yard. He stated the trees need to be removed and a ditch installed between his property and the neighbors to help with the water flow.

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Mr. Dennis Halloran with the Collinwood Home Owners Association said he doesn't understand how the water is supposed to make the 90 degree turn and go out.

Mr. Christian stated the item is on the capital plan.

Commissioner Hellmich stated a quit claim deed was done on the ditch to the east by the County and the City is now maintaining it.

Mr. Howard King asked if there would be another meeting for the site plan review.

Ms. Boutwell stated by law the City has to send out notification on subdivisions and zoning of property but not on site plan reviews. She explained if the Home Owners Association would like to provide their email addresses staff can send them an email when the item is placed on the agenda. She stated the agenda is also located on the City of Foley web site.

Mr. Robert Benton president of the Collinwood Homeowners Association and Ms. Julie Zills President of Meadow Run Estates asked for notification of site plan meeting by email.

Resident asked if the City owns the east and west ditches.

Commissioner Hellmich stated those ditches are privately owned and the City cannot maintain them since they are located on private property.

Mr. Dave Theo asked about the possible RV storage that was mentioned earlier.

Ms. Boutwell stated she is not aware of any specific RV storage at this time. The applicant is proposing the uses on the front of the property at this time. She explained they would have to come before the Commission to request the use of RV storage which requires a buffer and fencing.

#### **4. Sterling Stoudenmire- Request for Re-Zoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 27+/- acres. Property is currently zoned PUD (Planned Unit Development) proposed zoning is TH1 (Residential Townhouse). Property is located east of Hickory St., south of Michigan Ave. Applicant is Sterling Stoudenmire.

Ms. Boutwell stated to clarify the current zoning of the property is a PUD which was approved for a 163 lot RV park. She explained the applicant is proposing to build quad town homes which will be subdivided and sold with lots. She stated the design is in progress which will include a required 20% open space and storm water drainage.

Commissioner Hellmich stated the proposed zone is more residential in nature than the current zone.

Mr. Bob Webb resident of 2538 Ashburn Lane asked if the units will be one story.

Mr. Sterling Stoudenmire stated he built similar units in 1983 in Pensacola and they look beautiful.

Note: \*Denotes property located in the Planning Jurisdiction

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He explained they will be single story and sold as homes with a possible asking price of \$140,000.

Resident of Pebble Creek stated she has lived here for 8 years and begged someone to repair Hickory Street. She asked what will be done to accommodate the drainage problems, extra traffic on Hickory Street and the problem of overcrowding in the schools.

Commissioner Hellmich stated all City roads go through a grading process. He stated there have been discussions regarding the repaving which will be a joint effort from the City and Baldwin County. He explained he hopes this year or next the repaving will be done.

Ms. Boutwell stated the City does have a traffic impact ordinance which may require the developer to hire a traffic Engineer to determine if any turn lanes, accel, or decel lanes are required to be added.

Mr. Webb asked about the traffic impact study that was done for Sherwood.

Mr. Chad Christian asked Mr. Webb to email him and he would provide the traffic impact study information.

## **NEW BUSINESS:**

### **1. Cotton Bayou Development LLC- Request for Pre-Zoning**

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre zoning of 75+/- acres being annexed into the corporate limits. The proposed zoning is R-1D (Residential Single Family). Property is located east of County Rd. 65, north of County Rd. 12. Applicant is Cotton Bayou Development LLC.

Commissioner Hellmich stated at work session there was discussion regarding a contingency to limit density to 5 units per acre.

Mr. Rauch stated the applicant has no problem with a contingency of 5 units per acre.

Vice-Chairman Hinesley stated he has concerns since the future land use map shows the area as a low density which is 2 to 4 units per acre and also traffic on County Road 65.

Mr. Rauch stated if the property stays in Baldwin County they will not have to limit themselves on the density.

Commissioner Hellmich made a motion to recommend to Mayor and Council the requested pre-zoning approval with a volunteered contingency by the developer to limit the density to 5 units per acre. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

**Motion to recommend to Mayor and Council the requested pre-zoning approval with a volunteered contingency by the developer to limit the density to 5 units per acre passes.**

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## 2. \*Turnberry Crossing- Request for Preliminary Approval

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Commissioner Hellmich made a motion to approve the request for preliminary approval. Commissioner Abrams seconded the request. Commissioner Watkins abstained, all other Commissioners voted aye.

**Motion to approve the request for preliminary approval passes.**

## 3. Henry Burge-Request for Re-Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 19+/- acres. Property is currently zoned B-1A (Extended Business District), B-3 (Local Business District), and AO (Agricultural Open Space) proposed zoning is PDD (Planned Development District). Property is located e of Hwy 59, south of County Rd. 20 (aka Mifflin Rd.). Applicant is Henry Burge.

Commissioner Hare made a motion to recommend the requested re-zoning to Mayor and Council. Commissioner Watkins seconded the motion.

Commissioner Hellmich stated they are aware of the concerns regarding lighting, buffers and drainage. He stated he hopes the development and rezoning will make an improvement on the drainage issues.

Vice-Chairman stated he hopes staff can notify the Home Owners Associations when the site plan reviews come before the Commission are there is some more information on the drainage for the development.

All Commissioners voted aye.

**Motion to recommend the requested re-zoning to Mayor and Council passes.**

## 4. Sterling Stoudenmire- Request for Re-Zoning

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

**Motion to recommend the requested re-zoning to Mayor and Council passes.**

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Commissioner Hellmich stated revisions are in the progress for the Zoning Ordinance, Construction Manual and Subdivision Regulations. He explained he hopes the Commission will see some of the revision at the March meeting.

Vice-Chairman Hinesley stated revisions are also being made to the Comprehensive Plan.

### **ADJOURN**

Commissioner Watkins made a motion to adjourn at 6:36 p.m. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

**Meeting adjourned at 6:36 p.m.**