

PLANNING COMMISSION MEETING MINUTES

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

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The City of Foley Planning Commission held a meeting on November 15, 2017 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Chad Watkins, Ralph Hellmich, Phillip Hinesley, Wes Abrams, and Calvin Hare. Absent members were: Sue Steigerwald, Roderick Burkle, Cindy Hamrick, and Ame Wilters. Staff present were: Miriam Boutwell, City Planner; Chad Christian, City Engineer; Leslie Gahagan, Environmental Manager; Amanda Cole, Planning & Zoning Assistant; and Melissa Ringler, Recording Secretary.

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

MINUTES:

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

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

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

OLD BUSINESS:

1. Sawgrass Consulting, LLC- Request for Rezoning

At the October 18, 2017 Planning Commission meeting there was confusion on the vote for the motion to recommend denial of this rezoning request. The minutes reflect a voice vote of 2 aye votes and 3 nay votes, which would mean that the motion would fail. A subsequent roll call vote resulted in 3 aye votes and 2 nay votes which would mean that the motion would pass. The change in vote from the voice vote to the roll call vote was due to confusion by one member as to how the motion was presented. That member expressed their confusion to the Chairman and the other members at the prior meeting but after the meeting adjourned and after most of the public left. The result of the initial voice vote was to not adopt the motion to deny the rezoning request, which was the will of a majority of the members at that meeting, but no subsequent motion was made to address the application due to the confusion created by the roll call vote. To ensure the public has full knowledge of the Commission's handling of this application, another public hearing will be conducted and another vote will be taken by the Planning Commission on this application.

PUBLIC HEARING:

1. Primland Phase 1A & 1B- Request for Preliminary Approval

The City of Foley Planning Commission has received a request for preliminary approval of Primland Phase 1A & 1B which consists of 79.55+/- acres and 173 lots. Property is located at the southeast corner of County Rd. 12 and Wolf Bay Dr. Applicant is WLG #10, LLC.

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

2. Sawgrass Consulting, LLC- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24+/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is R-1C (Residential Single Family). Property is located north of E. Peachtree Ave. and west of N. Juniper St. Applicant is Ercil Godwin as agent.

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Commissioner Hellmich and Ms. Boutwell explained all comments from the previous public hearing are on record.

Vice-Chairman Hinesley stated the Commission received letters from the Wyatt family and they will be entered into the record.

Mr. Ercil Godwin with Sawgrass Consulting, LLC explained he has spoken with the developer and they have worked out a compromise which will be a little more favorable for both sides. He stated they would like to change the requested re-zoning from R-1C to R-1B. He explained the R-1B lots will be a minimum of 85' in width and the density will be reduced to 2.3 per acre.

Vice-Chairman Hinesley asked if there would be a buffer.

Mr. Godwin stated there will be a 20' natural buffer everywhere the property abuts an existing residential home. He explained the layout is a general layout and the number of lots could be reduced once they get into the environmental research. He stated he currently has 9 acres out of the 24 to develop lots on.

Commissioner Hellmich asked if the green space in the center of the subdivision will remain wooded.

Mr. Godwin answered yes, and stated they will be using it as part of the LID requirement.

Ms. Tina Phelps resident of 1819 N. Juniper St. stated her home is next to one of the proposed entrances. She explained there has already been a 200 lot RV park and a huge subdivision approved on Peachtree Avenue which is going to bring a millions of cars on the roads. She stated she is already terrified for her daughter to walk to the bus stop. She explained eventually they will want to widen the road and take her property to do so. She stated there is no way to do a 20' buffer when the property is only 50'. She explained she is 100% opposed to the subdivision and asked the Commission to please vote no.

Mr. James Warthen resident of 107 Washington Blvd. stated he had read the Comprehensive Plan which stated the vision should in every way protect Foley including landscaping, history, culture and environmental. He stated the section of E. Peachtree Ave. to Highway 59 is shown on the map as rural in character and encourages low density and agriculture uses. He explained low density is 2 to 4 residents per acre.

Vice-Chairman Hinesley stated on the future land use map the area is classified as residential medium density which is 4 to 7 units per acre.

Mr. Faye Weeks resident of 2007 N. Juniper St. stated traffic in the area is bad. She explained the County barn is in the area and there are a lot of big trucks that use the road. She stated she likes to ride her bicycle and hopes the city will look into at installing sidewalks in the area. She asked if the entrance could possibly be placed in another location.

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Mr. Godwin explained the Fire Department requires two entrances and the developer owns the property being used for the entrance. He stated the owner would have to purchase another parcel to change the location of the entrance.

Mr. Brock Wells resident of 115 Washington Blvd. stated America is doing well and with that wealth and growth come at a rate that requires studious control. The issues are property value, children's safety, traffic and drainage. He explained this item has been up for rezoning before and has been turned down every time. He asked why the developer is looking at rezoning again and stated it is because of growth and it is up to the Commission to listen to the voters. He explained the zoning needs to stay how it is today and they need to conform to the housing that is currently in place in the area. He stated the area can still be developed with larger homes. He explained some of the homes on Peachtree are million dollar homes and this developer will be building \$150,000 homes which may be turned into rental property. He stated they will go to Council and there will be standing room only at the meeting. He asked the applicant if the request is denied what they would do.

Mr. Godwin stated the decision on how to proceed would be up to his client.

Mr. Wells stated it comes down to if the zoning is not approved the land will be left as it is. He explained he would not bump the ball to City Council and Mayor.

Mr. Mark Sprunger resident of 704 E. Peachtree Ave. stated he lives to the east of the development and has been at this location for 3 or 4 years. He explained he chose the area due to the larger lots and the proposed smaller lots will take value away from the current residents. He explained there are drainage issues which he has reported and a new drainage tube was put in which is not helping. He stated he will get a petition if needed.

NEW BUSINESS:

1. County Road 20 RV Park- Request for Preliminary Extension

The City of Foley Planning Commission has received a request for a preliminary extension for County Road 20 RV Park, which consists of 9.2+/- acres and 59 lots. Property is located at 21240 Miflin Rd. Preliminary was approved by the Commission on November 18, 2015. Applicant is Hutchinson, Moore & Rauch. LLC.

Commissioner Hellmich stated at work session there was a question about the zoning of the property.

Ms. Miriam Boutwell stated the PUD originally had 61 lots and they had dropped two lots in order to meet the open space requirements. She explained the zoning and preliminary approval was for 59 lots.

Commissioner Hellmich made a motion to approve the requested preliminary extension. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary extension passes.

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2. Sherwood Phase Two- Request for Final

The City of Foley Planning Commission has received a request for final approval of Sherwood Phase Two which consists of 7.18 +/- acres and 21 lots. Property is located on the west side of Hickory St., between Michigan Ave and County Rd. 20. Applicant is Gulf Beach Investment Company LLC.

Commissioner Abrams made a motion to approve the request for final as presented. Commissioner Hare seconded the motion. All members voted aye.

Motion to approve the request for final as presented passes.

3. The Re-subdivision of The Villages at Arbor Walk- Request for Final

The City of Foley Planning Commission has received a request for final approval of A Re-subdivision of The Villages at Arbor Walk which consists of 15.68 +/- acres and 51 lots. Property is located north of County Rd. 12S, east of County Rd. 65. Applicant is GCOF Arborwalk, LLC.

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

Motion to approve the requested final passes.

4. Primland Phase 1A & 1B- Request for Preliminary Approval

The City of Foley Planning Commission has received a request for preliminary approval of Primland Phase 1A & 1B which consists of 79.55 +/- acres and 173 lots. Property is located at the southeast corner of County Rd. 12 and Wolf Bay Dr. Applicant is WLG #10, LLC.

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

Motion to approve the preliminary approval passes.

5. Sawgrass Consulting, LLC- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 24 +/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is R-1C (Residential Single Family). Property is located north of E. Peachtree Ave. and west of N. Juniper St. Applicant is Ercil Godwin as agent.

Vice-Chairman Hinesley stated the applicant has requested to re-zone the property to R-1B.

Commissioner Hellmich made a motion to approve the rezoning to R-1B. Commissioner Watkins seconded the motion.

Commissioner Hellmich stated he understands the frustration and they do take into account the comments and concerns. He explained the City has made a lot of modifications to increase drainage requirements. He stated there is growth in the City and it is the Commission's job to try to manage it and also not violate the property owner's rights. He explained the City is at a

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challenging time with the growth and they are in the processes of updating the Comprehensive Plan. They will be looking to see how improvements can be made for improve drainage and traffic. He stated there was a lot of concern with the original requested zone of R-1C and the R-1B is a compromise with less density.

Mr. Wells asked when the item would be on the Council agenda.

Mrs. Katy Taylor stated the item will be on the December 4th agenda for a public hearing.

Mr. Wells asked the applicant if he could have a conceptual plan of the subdivision at the Council public hearing.

Mr. Godwin stated he would try to have a conceptual plan at the meeting.

All Commissioners voted aye.

Motion to approve the rezoning to R-1B. Commissioner Watkins seconded the motion passes.

6. Adoption of the Proposed 2018 Meeting & Deadline Schedule

Commissioner Hellmich made a motion to approve the proposed 2018 meeting and deadline schedule. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to approve the proposed 2018 meeting and deadline schedule passes.

7. Extra-Territorial Jurisdiction Agreement with Baldwin County-

Recommend to Mayor and Council approving an agreement with the Baldwin County Commission and authorizing a representative to sign the agreement.

Commissioner Hellmich made a motion to recommend to Mayor and Council approving the agreement with the Baldwin County Commission and authorizing a representative to sign the agreement. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor and Council approving the agreement with the Baldwin County Commission and authorizing a representative to sign the agreement passes.

8. Public Project- 9th Avenue Extension

Commissioner Hellmich made a motion to recommend the public project to Mayor and Council. Commissioner Abrams seconded the motion.

Commissioner Hellmich stated the road will connect to Hickory Street. He explained the extension of the road and fits within the comprehensive plan and will be added for the proposed new school.

All Commissioners voted aye.

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Motion to recommend the public project to Mayor and Council passes.

ADJOURN

Vice-Chairman Hinesley adjourned the meeting at 6:27 p.m.