

PLANNING COMMISSION MEETING MINUTES

April 18, 2018 (City Hall Council Chambers) 5:30 P.M.

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The City of Foley Planning Commission held a meeting on April 18, 2018 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Ame Wilters, Chad Watkins, Phillip Hinesley, Wes Abrams, Calvin Hare, Sue Steigerwald and Gary Rogers. Absent members were: Ralph Hellmich and Cindy Hamrick. Staff Present were: Miriam Boutwell, City Planner; Chad Christian, City Engineer; Amanda Cole, Planning and Zoning Assistant; and Melissa Ringler, Recording Secretary.

Chairman Hinesley called the meeting to order at 5:30 p.m. He introduced and welcomed new Commission member Gary Rogers.

MINUTES:

Approval of March 14, 2018 and March 21, 2018 meeting minutes.

Commissioner Watkins made a motion to approve the March 14, 2018 and March 21, 2018 meeting minutes. Commissioner Wilters seconded the motion. All Commissioners voted aye.

Motion to approve the March 14, 2018 and March 21, 2018 meeting minutes passes.

Chairman Hinesley recessed the regular meeting and opened the public hearing. He explained item #3 would be moved to first on the agenda due to the number of people present for the item.

PUBLIC HEARING:

1. Re-subdivision of Lot 3 of Broadway-Lawson Ave and Lots 1 & 2 of Cate Hudson- Request for Preliminary & Final Approval

The City of Foley Planning Commission has received a request for preliminary and final approval of the re-subdivision of Lot 3 Broadway Lawson and Lot 1 and 2 Cate Hudson Subdivision which consists of 20.54+/- acres and 5 lots. Property is located at the NW corner of S. McKenzie St. and N. of 9th Ave. Applicant is Magnolia Land Company, Inc.

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

2. Wilson Trailer Sales & Service, Inc.- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of .71+/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is B-3 (Local Business District). Property is located S. of Chestnut Dr. Applicant is Wilson Trailer Sales & Service, Inc.

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

3. Request for Pre-Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of multiple parcels.

Ms. Miriam Boutwell explained every year the City of Foley does a legislative annexation which

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goes to the State Legislature for approval. She stated the legislative annexation allows the City to annex parcels which are noncontiguous and fill in gaps within the City limits. She explained the parcels being rezoned were on a legislative annexation which was not approved. She stated the city would like the parcels to be annexed and the owners may sign a petition to proceed with the annexation. She explained the rezoning approval is valid for 6 months if the owners choose not to be annexed the rezoning will be a moot point and the zoning will not exist.

Ms. Rustee Karolyi asked if Mr. Don Bolton's property would be annexed and questioned the proposed rezoning of the property.

Ms. Boutwell explained Mr. Don Bolton's property is included in the rezoning and the proposed zone is AO Agricultural Open Space.

Mr. Rusty Willis asked what the proposed zone is for Dr. Marvin Taylor's property at the corner of US Hwy 98. He explained whatever is going to be located on the property will be in his front yard.

Ms. Boutwell explained that B-3 is a commercial zone but does not allow gas stations. She stated the property is currently located in Baldwin County and is unzoned. She explained the land use map shows the property as retail concentration.

Marilyn Morrow asked what the proposed zone was for the property located to the south of Graham Creek Estates.

Ms. Boutwell explained the property to the south of Graham Creek is proposed as AO Agricultural Open Space. She explained Wolf Bay Landing and Orange Beach Water & Sewer will not be annexed due to not being contiguous. She stated several owners have opted out of the rezoning and three parcels are being changed to different zones than advertised.

Mr. Jerry Anderson resident of 18352 US Hwy. 98 asked about two parcels owned by the King's which is located beside his property. He explained he has lived in this located for 17 years and never had any problem until a clay pit was filled in and now all the water runs off onto his property and the ditch has turned into a retention pond.

Ms. Boutwell stated Mr. Anderson needed to speak with the City Engineer about the drainage issues. She explained the King's have chosen to opt out of the annexation.

Ms. Morrow asked if only one home could be built on each parcel in the AO zone.

Ms. Boutwell explained only one home may be built on a lot or they would have to subdivide the property.

Mr. Mark Pumphrey asked about a large parcel of land off of James Rd that is proposed to be zoned B3. He stated his family has property around the parcel and has concerns about the property being proposed as a business zone.

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Ms. Boutwell explained the rezoning of the parcel Mr. Pumphrey is referring to is being modified to AO Agricultural Open Space.

Chairman Hinesley stated the parcel off of James Rd. is currently in Baldwin County District 30 and zoned Agricultural.

Ms. Boutwell explained the parcel being proposed as MH1 is an existing mobile home park. She stated the front half of the mobile home park was previously annexed and this parcel was left off in error.

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

NEW BUSINESS:

1. Parkside Subdivision- Request for Preliminary Extension

The City of Foley Planning Commission has received a request for a preliminary extension for Parkside Subdivision, which consists of 61.2+/- acres and 17 lots. Property is located N. of Cater Lee Way and W. of Hickory St. Applicant is Stephen Lambert. Received preliminary plat approval on 06/15/2016.

Commissioner Abrams made a motion to approve the requested 6 month extension. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested 6 month extension passes.

2. Lakeview Gardens- Request for Preliminary Extension

The City of Foley Planning Commission has received a request for a preliminary extension for Lakeview Gardens, which consists of 50+/- acres and 94 lots. Property is located east of Foley Beach Express and south of County Rd 20 (aka Mifflin Rd). Applicant is Michael Thomas. Received preliminary plat approval on 06/15/2016.

Commissioner Hare made a motion to approve the requested 1 year extension. Commissioner Steigerwald seconded the motion. Commissioner Watkins abstained. All other Commissioners voted aye.

Motion to approve the requested 1 year extension passes.

3. Re-subdivision of Lot 3 of Broadway-Lawson Ave and Lots 1 & 2 of Cate Hudson- Request for Preliminary & Final Approval

The City of Foley Planning Commission has received a request for preliminary and final approval of the re-subdivision of Lot 3 Broadway Lawson and Lot 1 and 2 Cate Hudson Subdivision which consists of 20.54+/- acres and 5 lots. Property is located at the NW corner of S. McKenzie St. and N. of 9th Ave. Applicant is Magnolia Land Company, Inc.

Chairman Hinesley asked staff if there were any issues they were aware of with the requested preliminary and final. Staff replied no.

Commissioner Abrams made a motion to approve the requested preliminary and final.

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Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary and final passes.

4. Wilson Trailer Sales & Service, Inc.- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of .71+/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is B-3 (Local Business District). Property is located S. of Chestnut Dr. Applicant is Wilson Trailer Sales & Service, Inc.

Chairman Hinesley stated the applicant has provided signatures of adjacent owners who were not opposed to the requested rezoning.

Commissioner Rogers made a motion to recommend to Mayor and Council the requested rezoning. Commissioner Watkins seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor the requested rezoning passes.

5. Request for Pre-Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of multiple parcels.

Commissioner Watkins made a motion to recommend to Mayor and Council the prezoning as requested with the exclusions of the owners who have chosen to opt out and parcels that are non contiguous and changes in the proposed zoning of 3 parcels. Commissioner Wilters seconded the motion.

Mr. Rogers asked if the property off of James Rd owned by was being prezoned as AO.

Ms. Boutwell answered yes and stated a new letter would be sent to Mr. Horne to make him aware of the new proposed zoning.

Chairman Hinesley asked if the Commissioners wanted to change the proposed zoning on the property at the corner of US Hwy 98 owned by Dr. Marvin Taylor or keep it as B3.

Ms. Boutwell stated she could change the zone to AO and send the owners another letter. She stated the owner may or may not agree to the change in the proposed zone and sign the petition. She explained if they do not sign the petition they will remain in Baldwin County as unzoned.

Commissioners decided not to change the prezoning on Dr. Marvin Taylor's property.

All Commissioners voted aye.

Motion to recommend to Mayor and Council the prezoning as requested with the exclusions of the owners who have chosen to opt out and parcels that are non contiguous and changes in the proposed zoning of 3 parcels passes.

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6. Elect Vice- Chairman

Commissioner Abrams made a motion to nominated Calvin Hare for Vice-Chairman. Sue Steigerwald seconded the motion. All Commissioners voted aye.

Motion to nominated Calvin Hare for Vice-Chairman passes.

ADJOURN

Meeting adjourned at 6:04 p.m.