

PLANNING COMMISSION MEETING MINUTES

July 17, 2019 (Council Chambers) 5:30 P.M.

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The City of Foley Planning Commission held a regular scheduled meeting on July 17, 2019 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Ame Wilters, Ralph Hellmich, Phillip Hinesley, Wes Abrams, Sue Steigerwald, and Bill Swanson. Absent members were: Cindy Hamrick and Calvin Hare. Staff present were: Miriam Boutwell, City Planner; Amanda Cole, Planning and Zoning Assistant; and Melissa Ringler, Recording Secretary.

Chairman Hinelsey called the meeting to order at 5:31 p.m.

MINUTES:

Approval of the June 19, 2019 work session and meeting minutes.

Commissioner Hellmich made a motion to approve the June 19, 2019 work session and meeting minutes. Commissioner Wilters seconded the motion. All Commissioners voted aye.

Motion to approve the June 19, 2019 work session and meeting minutes passes.

PUBLIC HEARING:

1. Reynolds Ace Hardware Inc. - Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 3.58 +/- acres. Property is currently zoned AO (Agricultural Open Space) proposed zoning is B-1A (Extended Business District). Property is located E. of S. McKenzie St. and S. of E. Sunflower Ave. Applicant is Reynolds Ace Hardware Inc.

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

2. Legislative Annexation- Request for Initial Zoning

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

Ms. Boutwell explained the process of the legislative annexation and initial zoning. She stated the Governor has signed the bill and the parcels will be incorporated into the city limits on September 1, 2019.

Mr. Ted Kinsey resident of 252 Meadow Run stated he is contiguous to a parcel with a proposed zone of B-3. He explained this will be detrimental and will drastically affect his property value. He stated he could end up with a minor auto repair, restaurant, shopping center, and dumpsters in his back yard. He asked about connectivity to the parcel.

Commissioner Hellmich stated current the only access to the parcel is off of James Rd. and he has no knowledge of added connectivity or development plans for the property.

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Mr. Rusty Willis resident of 512 N. Hickory St. stated he has concern with the property owned by Mr. Marvin Taylor being zoned commercial. He explained the property is right in the middle of a residential area. He stated the traffic on Hickory St. is already a nightmare.

Ms. Boutwell stated the parcel is being proposed as B-3 zoning. She explained there is commercial zoning around the property and the B-3 zone does not allow gas stations.

Commissioner Hellmich stated he knows of no plans for the property and the B-3 zone will more than likely be a holding pattern until the property is developed and could possibly be rezoned to a PUD.

Mr. Willis stated currently the property is in Baldwin County and unzoned.

Mr. Ralph Brock resident of 118 Meadow Run Loop stated he has 3 words water, water, and water. He explained there is a problem with water on County Rd. 12 and more roof tops will increase the problem.

Commissioner Hellmich stated Meadow Run was built along a ditch that had no right of way. He explained recently Baldwin County quitclaimed the west ditch area to the city to allow maintenance. He stated the city has been working on maintaining and improving the ditch. He explained the maintenance of the ditch has been a challenge due to some of the Meadow Run homeowner's fences being located in the ditch which prevents heavy equipment from being able to be used. He stated any new developments will have to meet the low impact development guidelines which are some of the most stringent in the State.

Mr. Brock stated he had been told the city would maintain the ditch to the east if the church would come into the city limits and it is a part of the legislative annexation.

Commissioner Hellmich stated there are more opportunities for improvements to the ditch if it is located in the city limits.

3. Comprehensive Plan-Proposed Amendments

Ms. Boutwell stated a transportation study has been done for a ten year plan. She stated the transportation plan includes new streets which need to be incorporated into the Comprehensive Plan.

Commissioner Hellmich stated there will be a public meeting in the future to view and receive public input regarding the transportation plan. He stated money is not available currently for all the improvements but there will be grants becoming available and the plan needs to be in place. He stated the improvements will help our citizens with alternative routes other than Highway 59 and Highway 98.

Ms. Boutwell stated the Mayor and Council are always listening to the citizens and working on improvements. She stated we all drive the same streets and understand the issues and frustrations.

Ms. Darleen Hallstrom resident of 14594 Abacus Dr. asked if the parcel around her property is being proposed as B-1A.

Note: *Denotes property located in the Planning Jurisdiction

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Ms. Boutwell stated the property is proposed as B-3 which is a business zone. She stated there will be a required buffer and she has no knowledge of any proposed plans for the property.

Chairman Hinesley asked if the property abutting Meadow Run had requested B-3.

Ms. Boutwell stated the owners had not requested B-3 zone and it was being proposed as B-3 due to the commercial zoning surrounding the property.

Commissioner Hellmich stated the property could be zoned AO as a holding pattern and the property owner could come back at a later date to rezone once a use is decided for the property.

Ms. Boutwell explained the AO zone allows one residential home per lot and a minimum lot acreage of 1 acre.

Mr. Joe Hester resident of 12275 Barin Field Rd. asked if he was included in the annexation. He showed where his property is located on the map.

Ms. Boutwell stated Mr. Hester's property was not included in the annexation and the adjoining property owners included in the annexation are being zoned B-3.

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

NEW BUSINESS:

1. Reynolds Ace Hardware Inc. - Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 3.58 +/- acres. Property is currently zoned AO (Agricultural Open Space) proposed zoning is B-1A (Extended Business District). Property is located E. of S. McKenzie St. and S. of E. Sunflower Ave. Applicant is Reynolds Ace Hardware Inc.

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

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

2. OWA- PDD Modification

The City of Foley Planning Commission has received a request for a PDD modification. Property is located W. of the Foley Beach Express and N. of County Rd. 20.

Commissioner Abrams made a motion to approve the requested PDD modification. Commissioner Wilters seconded the motion.

Chairman Hinesley stated he has looked at the location of the proposed RV site and stated there appears to be an electrical right of way. He feels between the required buffer, electrical right of way and future road there will be adequate buffering.

Commissioner Hellmich abstained, all other Commissioners voted aye.

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Motion to approve the requested PDD modification passes.

3. OWA-Request for Site Plan Review for Fall Festival

The City of Foley Planning Commission has received a request for a site plan approval for the Fall Festival.

Commissioner Abrams made a motion to approve the requested site plan approval for the OWA fall festival with the condition that the festival be removed by January 1, 2020. Commissioner Swanson seconded the motion. Commissioner Hellmich abstained, all other Commissioners voted aye.

Motion to approve the requested site plan approval for the OWA fall festival with the condition that the festival will be removed by January 1, 2020 passes.

4. Legislative Annexation- Request for Initial Zoning

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

Commissioner Hellmich made a motion to recommend the requested initial zoning as presented to Mayor and Council with a modification to pin # 119451 owned by Charles and Elizabeth Horne to be zoned AO. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to recommend the requested initial zoning as presented to Mayor and Council with a modification to pin # 119451 owned by Charles and Elizabeth Horne to be zoned AO passes.

5. Comprehensive Plan-Proposed Amendments

Commissioner Hellmich made a motion to amend the Comprehensive Plan to include the additional public road projects as listed in the transportation plan. Commissioner Wilters seconded the motion. All Commissioners voted aye.

Motion to amend the Comprehensive Plan to include the additional public road projects as listed in the transportation plan passes.

ADJOURN

Meeting adjourned at 6:10 p.m.