

PLANNING COMMISSION MEETING MINUTES
August 19, 2020 (City Hall Council Chambers) 5:30 P.M.

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The City of Foley Planning Commission held a regular scheduled meeting on August 19, 2020 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Due to COVID-19 we will accept email comments (mringler@cityoffoley.org or acole@cityoffoley.org). Or you may call 952-4011 and Melissa or Amanda can take your verbal comments. These will be entered into the meeting minutes. If you choose to attend the meeting please follow social distancing rules. Members present were: Ralph Hellmich, Deborah Mixon, Bill Swanson and Wes Abrams. Members present via teleconference were: Phillip Hinesley, Cindy Hamrick, Ame Wilters and Sue Steigerwald. Absent members was Calvin Hare. Staff present were: Miriam Boone, City Planner and Melissa Ringler, Recording Secretary. Chad Christian, City Engineer and Amanda Cole, Planning and Zoning Assistant were present via teleconference.

Chairman Hinesley called the meeting to order at 5:32 p.m.

MINUTES:

Approval of the July 15, 2020 meeting minutes.

Commissioner Hellmich made a motion to approve the July 15, 2020 meeting minutes. Commissioner Abrams seconded the motion. All members voted aye.

Motion to approve the July 15, 2020 meeting minutes passes.

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

PUBLIC HEARING

1. *Grantham Road Estates- Request for Preliminary Approval

The City of Foley Planning Commission has received a request for preliminary approval of Grantham Road Estates which consists of 17.86+/- acres and 6 lots. Property is located at the NE corner of Grantham Rd. and Charolais Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is 1M2D Investment Co., LLC.

Chairman Hinesley stated the request has been withdrawn per the applicant's request.

2. Little Rock Park- Request for Preliminary Approval

The City of Foley Planning Commission has received a request for preliminary approval of Little Rock Park which consists of 2.53+/- acres and 14 lots. Property is located at the NE corner of Little Rock Rd. and County Rd. 65. Applicant is STS Holdings, LLC.

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

3. *Kipling Meadows Subdivision- Request for Preliminary Approval

The City of Foley Planning Commission has received a request for preliminary approval of Kipling Meadows Subdivision which consists of 36.10+/- acres and 121 lots. Property is located S. of County Rd. 16, W. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is John D. Flowers.

Mrs. Miriam Boone stated to clarify there was an error on the application the number of requested lots is 119.

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Resident of 17501 Lewis Smith Dr. stated her lot backs up to the proposed development. She explained the drawing shows approximately 22' of a buffer area. She stated that 22' is currently wooded and asked if it would remain wooded.

Commissioner Hellmich stated we do require a common area but it doesn't have to be vegetated. He explained the property is not located in the City limits and our zoning ordinance would not apply to this area.

Ms. Cherice Brannan with Dewberry stated there are no plans to clear the buffer area. She stated she cannot guarantee the area wouldn't be cleared in the future. She explained they are not anticipating any clearing in the area as of right now.

Commissioner Hellmich asked that they make sure the developer and crews cleaning are aware of the plan to keep the wooded area.

Ms. Brannan stated they have had a meeting and outlined the areas to be cleared with a clearing plan.

Ms. Linda Bradley resident of 7985 Honeysuckle Rose Ln. stated she lives to the east of the property. She asked if there are any plans to clear or improve any of the right of way areas.

Ms. Brannan stated not to her knowledge.

Ms. Bradley explained she has a significant amount of water on her property now without this property being developed.

Ms. Brannan stated the pond has been sized to handle the water. She stated there will also be a ditch area filled with rock to slow down the water before it enters the pond.

Ms. Bradley asked if a fence would be installed around the development.

Ms. Brannan stated she did not know of any fencing requirements or plans.

Ms. Bradley asked if the common areas would be cleared and if there would be a second entrance into the development.

Ms. Brannan stated the common areas will be cleared. She explained there will be an emergency exit on the east side of the development. She stated the road will be gravel with a gate for emergency vehicles only.

Ms. Bradley stated this development can bring approximately 240 more cars to the area and asked if a traffic study was done.

Ms. Brannon stated a traffic study was done and the results showed no improvements were needed. She stated the study did indicate the intersection of County Rd. 65 and 16 need to be looked at by Baldwin County in approximately 5 years.

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Ms. Bradley stated she is concerned about the traffic. She stated the road is already congested.

Commissioner Hellmich stated a detailed study was done which uses the number of trips, peak times and current traffic is taken into account when the study is done. He stated Chad Christian the City Engineer has the study and can talk with her more about the study.

Mr. Christian stated he would be glad to provide Ms. Bradley with the traffic information.

Ms. Bradley stated she is very concerned about more water being brought onto her property.

Ms. Brannon stated the release rate is going to be less than it is now on the east side of the property.

Ms. Bradley asked if they knew who would be building the homes.

Ms. Brannon stated DR Horton will be the builder.

Commissioner Swanson asked if the covenants can require the finished sides of the fencing to be facing outward.

Ms. Casey Hill stated if the Commission would like they can have the client add the fencing request to the covenants.

4. Zoning Ordinance Amendments

Mrs. Boone asked if there were any members of the public to speak on the proposed amendments. There were none. She went over the proposed amendments.

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

NEW BUSINESS:

1. Peachtree Subdivision- Request for Preliminary Extension

The City of Foley Planning Commission has received a request for a preliminary extension for Peachtree Subdivision. Property is located at the NW corner of Juniper St. and Peachtree Ave. Applicant is Sawgrass Consulting, LLC.

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

Motion to approve the requested 6 month preliminary extension passes.

2. Joe Lesley- Request for PUD Modification

The City of Foley Planning Commission has received a request for a PUD Modification. The request is for a 20' rear yard setback. The property is located at 9500 Dornock Lane. Applicant is Joe Lesley.

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

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Motion to approve the requested PUD modification passes.

3. Primland- Request for PUD Modification

The City of Foley Planning Commission has received a request for a PUD modification. The request is to add a new 80' x 110' lot to Phase 2. The property is located at the corner of County Rd. 12 S and Wolf Bay Dr. Applicant is 68V Primland 2018, 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.

4. *Grantham Road Estates- Request for Preliminary Approval

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Mrs. Boone explained the request has dropped from 14 lots to 13 lots.

Commissioner Steigerwald stated the property is located at the NW corner.

Commissioner Mixon asked if all the lots/ structures will be going in the same direction.

Commissioner Hellmich stated yes the lots are all shown to be perpendicular.

Mrs. Boone stated she has made the applicant and owner aware they cannot create any non-conforming lot. She explained they may have some structures that are over the setbacks and they are aware those will have to be moved.

Commissioner Abrmans made a motion to approve the requested preliminary approval. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to approve the requested preliminary approval passes.

6. *Kipling Meadows Subdivision- Request for Preliminary Approval

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Mrs. Boone stated the agenda an application stated there are 121 lots. She explained there was an error and there are 119 lots.

Commissioner Hellmich asked if the Commission can request that any fences built along the eastern side facing the neighboring property be built with the finished side out.

Mrs. Boone stated since they are outside the city limits and in unzoned Baldwin County, the applicant would have to ask the developer to add the requirement to their covenants.

Chairman Hinesley stated they are not required to build a fence.

Commissioner Hellmich made a motion to approve the preliminary with the contingency that the covenants reflect any lots along the eastern boundary that install a fence will have to construct the fence with the finished side facing outward. Commissioner Hamrick seconded the motion.

Chairman Hinesley stated he has some concern with dictating covenants.

Commissioner Hellmich stated we can request the information be added and it will be up to the home owners association to enforce the requirement.

Mrs. Boone stated she wanted to clarify the outward facing fences is only a requirement for the eastern boundary.

Commissioner Hellmich stated yes the eastern boundary will be the only requirement. He explained the western boundary has a wooded buffer.

All Commissioners voted aye.

Motion to approve the preliminary with the contingency that the covenants reflect any lots along the eastern boundary that install a fence will have to construct the fence with the finished side facing outward passes.

7. Zoning Ordinance Amendments

Commissioner Abrams made a motion to recommend the zoning ordinance amendments to Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend the zoning ordinance amendments to Mayor and Council passes.

8. ADJOURN

Chairman Hinesley adjourned the meeting at 5:57 p.m.