

PLANNING COMMISSION MEETING MINUTES
December 9, 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 December 9, 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: Deborah Mixon, Vera Quaites, Phillip Hinesley, Wes Abrams, Calvin Hare, Cindy Hamrick and Bill Swanson. Absent members were: Ralph Hellmich and Sue Steigerwald. Staff present were: Miriam Boone, 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.

MINUTES:

Approval of the November 4, 2020 and November 10, 2020 meeting minutes.

Commissioner Abrams made a motion to approve the November 4, 2020 and November 10, 2020 meeting minutes. Commissioner Hamrick seconded the motion. All Commissioners voted aye.

Motion to approve the November 4, 2020 and November 10, 2020 meeting minutes passes.

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

PUBLIC HEARING:

1. *R & P Development, LLC.- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Magnolia Pines Subdivision Phases 2 & 3 which consists of 42.22+/- acres and 159 lots. Property is located E. of County Rd. 55, S. of Rhodes Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is R & P Development, LLC.

Mr. Thomas Harris resident of 1210 Shea Circle asked why the city is doing planning on the property when it is located outside of the city limits. He asked if the subdivision would be provided with Foley Police services. He explained there are vacant lots in the first phase that are not being maintained. He asked at what point a halt is put on new development so they have to finish what has already been started.

Mrs. Miriam Boone explained the property is located in the City of Foley's extra territorial jurisdiction. She stated the property gets dual review from Baldwin County and the City of Foley and whichever regulations are the most stringent would apply. She explained the police department does not go outside of the city limits.

Chairman Hinesley explained since the property is located in Baldwin County's jurisdiction the only control the City would have over the site development would be the city's subdivision regulations.

Mr. Albert Stevens stated the area is pretty but the vacant lots are grown up and a snake pit. He explained he has concerns over heavy equipment using the current roads in the subdivision. He stated there are a lot of children in the neighborhood who ride bikes on the road. He explained they have people outside of the subdivision that use the road as a thorough fare.

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Mr. Robert Eads resident of Shea Circle stated it doesn't sound like the City of Foley has much jurisdiction and asked when Baldwin County would be holding a meeting.

Mrs. Boone explained her understanding is that Baldwin County does not have meetings and the subdivision is reviewed by Baldwin County staff.

Mr. Chad Christian stated Baldwin County may have some control over getting the overgrown lots cut.

Mr. Eads asked if the current developer also developed phase 1. He stated during the hurricane there were trees that are located in a drainage easement that fell over. He explained he spoke with the developer and was told they would be removing the trees. He stated they have moved some of the trees to a large pile and haven't been back to finish.

Mrs. Cherice Brannan with Dewberry stated she did not have an answer regarding the tree removal and would have to get the information from the developer.

Chairman Hinesley asked about the time frame for completion of the subdivision.

Mrs. Brannan stated she would have to get the information on the completion time frame.

Mr. Eads stated he is not getting any answers to his questions.

Chairman Hinesley stated unfortunately since the property is not in the city limits we cannot answer some of the questions.

Mr. Eads stated this meeting is being held without the developer. He explained the developer needs to be at the meetings to answer the questions.

Mrs. Boone stated the engineering firms usually attend the meetings to represent the developers. She explained typically once the infrastructure is complete the property is sold to the builder.

Mr. Eads stated the developer has responsibilities and if they were involved there may not be as many issues.

Chairman Hinesley stated the Commission and staff review the request to make sure it is meeting the city's subdivision regulations.

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

NEW BUSINESS:

1. Sherwood Phase 3- Preliminary Extension

The City of Foley Planning Commission has received a request for a one year extension for the preliminary approval of Sherwood Phase 3 which consists of 27 +/- acres and 32 lots. Property is located W. of Hickory St. and S. of Michigan Ave. Applicant is Gulf Beach Investment Company of Perdido LLC.

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

Motion to approve the requested one year preliminary extension passes.

2. Rosewood Subdivision- Preliminary Extension

The City of Foley Planning Commission has received a request for a one year extension for the preliminary approval of Rosewood Subdivision. Property is located S. of County Rd. 20 and E. of County Rd. 65. Applicant is Dewberry.

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

Motion to approve the requested one year preliminary extension passes.

3. Quail Landing Phase 2, 3 & 4- Preliminary Extension

The City of Foley Planning Commission has received a request for a one year extension for the preliminary approval of Quail Landing Phase 2, 3 & 4. Property is located E. of Pecan St. and N. of Lay Ln. Applicant is Breland Homes Coastal, LLC.

Commissioner Hamrick made a motion to approve the requested one year preliminary extension. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested one year preliminary extension passes.

4. *R & P Development, LLC.- Request for Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Magnolia Pines Subdivision Phases 2 & 3 which consists of 42.22+/- acres and 159 lots. Property is located E. of County Rd. 55, S. of Rhodes Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is R & P Development, LLC.

Commissioner Hare made a motion to approve the request for preliminary approval.

Mr. Christian stated the plans have been reviewed and the land disturbance permit is ready to be issued.

Commissioner Abrams seconded the motion.

Chairman Hinesley stated he understands the frustration but a lot of the issues are not in the city's control since the property is not in the city limits.

Mr. Christian stated the best thing for the current subdivision would be for the subdivision to be built out and an active HOA to be formed.

Commissioner asked if Ms. Brannan knew who the builder would be.

She stated she believed the builder will be DR Horton.

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All Commissioners voted aye.

Motion to approve the requested preliminary approval passes.

5. By-Laws

Commissioner Abrams made a motion to approve the by-laws for 2021. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the by-laws for 2021 passes.

6. 2021 Election of Officers

Commissioner Abrams made a motion to carry over the existing officers from 2020 Phillip Hinesley, Chairman and Calvin Hare, Vice-Chairman to 2021. Commissioner Hamrick seconded the motion. All Commissioners voted aye.

Motion to carry over the existing officers from 2020 Phillip Hinesley, Chairman and Calvin Hare, Vice-Chairman to 2021 passes.

ADJOURN:

Meeting adjourned at 6:07 p.m.