

PLANNING COMMISSION MEETING MINUTES
December 8, 2021 (Council Chambers of City Hall) 5:30 P.M.

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The City of Foley Planning Commission held a regular scheduled meeting on December 8, 2021 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Phillip Hinesley, Wes Abrams, Calvin Hare, Sue Steigerwald and Bill Swanson. Absent members were: Vera Quaites and Ralph Hellmich. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Eden Lapham, Planner 1 and Melissa Ringler, Recording Secretary.

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

Chairman Hinesley explained Sue Steigerwald has moved out of the City limits and her position will need to be filled. He thanked her for her time serving as a Commissioner.

MINUTES:

Approval of the November 3, 2021 and November 10, 2021 meeting minutes.

Commissioner Abrams made a motion to approve the November 3, 2021 and November 10, 2021 meeting minutes. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the November 3, 2021 and November 10, 2021 meeting minutes passes.

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

PUBLIC HEARING:

1. Magnolia Landing- Rezoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 19 +/- acres. Property is currently zoned R-1D (Residential Single Family) and B-2 (Neighborhood Business District) proposed zoning is PUD (Planned Unit Development). Property is located W. of Hickory St. and N. of County Rd. 12. Applicant is Jade Consulting.

Commissioner Hinesley stated the requested rezoning for Magnolia Landing has been withdrawn per the applicant's request.

Mrs. Miriam Boone stated the item will be re-advertised and certified letters will be resent when the item is placed on the agenda.

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

2. Holmes-Graham Creek- Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Holmes-Graham Creek a minor subdivision which consists of 163 +/- acres and 4 lots. Property is located E. of Roscoe Rd. and S. of County Rd. 12 S. Applicant is Holmes Family, LLC.

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

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3. Zoning Ordinance Amendments-

Discuss proposed amendments

Mrs. Boone stated the amendments are to reorganize and cleanup items within the Zoning Ordinance.

Commissioner Hare asked about the joint residential/commercial use and which use would be required to be built first.

Mrs. Boone stated that question regarding the order of building residential or commercial first has come up and no definite decision has been made. She explained they could look at the order of uses and make revisions at a later date once a decision is made. She stated as requested the PUD minimum lot width has been changed from 40' to 60'.

Commissioner Abrams asked if the PUD 60' lot width would be negotiable. He explained some developers like a mix of lot sizes within a PUD.

Mrs. Boone stated since it is a PUD the Commission may negotiate lot widths.

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 12 month preliminary extension for Sherwood Phase 3. Property is located W. of Hickory St and S. of Michigan Ave. Applicant is Wooten Engineering.

Mr. Chad Christian stated the construction plans for the subdivision have been approved.

Commissioner Engel made a motion to approve the requested 12 month preliminary extension. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested 12 month preliminary extension passes.

2. Primland- PUD Modification

The City of Foley Planning Commission has received a request for a PUD Modification for Primland North. Property is located at the SE corner of County Rd. 12 and Wolf Bay Dr. Applicant is 68V Primland 2018, LLC.

Chairman Hinesley stated the modification is to leave the eastern abutment in place.

Mr. Christian stated removing the abutment would cause damage.

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

Motion to approve the requested PUD modification passes.

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3. Magnolia Landing- Rezoning

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Chairman Hinesley stated the applicant has requested to withdraw the item from the agenda.

Commissioner Abrams made a motion to accept the withdrawal request. Commissioner Steigerwald seconded the motion. All Commissioners voted aye.

Motion to accept the withdrawal request passes.

4. Holmes-Graham Creek- Minor Subdivision

The City of Foley Planning Commission has received a request for approval of Holmes-Graham Creek a minor subdivision which consists of 163 +/- acres and 4 lots. Property is located E. of Roscoe Rd. and S. of County Rd. 12 S. Applicant is Holmes Family, LLC.

Chairman Hinesley explained the request is for a four lot subdivision. He stated the City of Foley will be purchasing two of the lots.

Commissioner Abrams made a motion to approve the requested minor subdivision. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

5. Zoning Ordinance Amendments-

Discuss proposed amendments

Commissioner Abrams made a motion to recommend the proposed Zoning Ordinance amendments to Mayor and Council. Commissioner Swanson seconded the motion.

Commissioner Engel stated he would like to see the height allowed in a PUD reduced. He explained this would prevent the problems of a three story apartment abutting someone's residential backyard.

Mrs. Boone stated Magnolia Landing Apartments would normally be in a multifamily zone. She explained they are requesting a PUD since a phase of the development has already been completed in a PUD zone.

Commissioner Abrams stated the distance of the required setbacks could be based upon the height of the building.

Mrs. Boone stated staff can research possibly adding setback requirements based on the height of the buildings and bring the item to work session.

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Commissioner Hare stated adjustments need to be made to find a way to protect the attractive, quiet, serene areas people moved to and ensure they are not compromised.

Mrs. Boone stated her concern is not to become too restrictive.

Mr. Jim Wallace resident of 1141 Crown Walk Dr. stated he has a concern over the water that will be coming off the roofs of the proposed Magnolia Landing apartments. He explained there are already drainage issues in the area which have caused houses to flood in the past.

Mrs. Boone explained the applicant for Magnolia Landing has requested to table the item until further notice.

Mr. Wallace stated there are issues with retention ponds not being maintained and trees growing in them. He explained if this happens in the proposed Magnolia Landing apartments it will cause serious problems for Crown Walk.

Mrs. Boone stated the applicant will have to go through the city's engineering department for a land disturbance permit. She explained the city is continuing to make more stringent amendments in order to protect the neighborhoods.

All Commissioners voted aye.

Motion to recommend the proposed Zoning Ordinance amendments to Mayor and Council passes.

6. By-Laws 2022

Commissioner Engel made a motion to approve the By-laws for 2022. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to approve the by-laws for 2022 passes.

7. Election of Officers for 2022

Commissioner Engel made a motion to nominate Wes Abrams as Chairman and Calvin Hare as Vice-Chairman. Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to nominate Wes Abrams as Chairman and Calvin Hare as Vice-Chairman passes.

ADJOURN:

Chairman Hinesley made a motion to adjourn the meeting at 6:00 p.m.