

PLANNING COMMISSION MEETING MINUTES
March 16, 2022 (Council Chambers of City Hall) 5:30 P.M.

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The City of Foley Planning Commission held a meeting on March 16, 2022 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, Vera Quaites, Ralph Hellmich, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent member was Wes Abrams. Staff present were: Miriam Boone, City Planner; Jeff Phillips, Construction Projects Manager; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Vice-Chairman Hare called the meeting to order at 5:30 p.m.

MINUTES:

Approval of the February 9, 2022 and February 16, 2022 meeting minutes.

Commissioner Hellmich made a motion to approve the February 9, 2022 and February 16, 2022 meeting minutes. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the February 9, 2022 and February 16, 2022 meeting minutes passes.

Vice-Chairman Hare adjourned the regular meeting and opened the public hearing.

PUBLIC HEARING:

1. *Pecan Way Acres- Request for Minor

The City of Foley Planning Commission has received a request for approval of Pecan Way Acres, a minor subdivision which consists of 46.51 +/- acres and 2 lots. Property is located N. of Charolais Rd., E. of Grantham Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is SE Civil, LLC.

Mr. Robert Jeffrey resident of 233 Rhineheart Ln. stated he lives east of the property in Greystone Village. He asked about the plans for the drainage. He stated there is a very low area on the property that holds a tremendous amount of water when it rains.

Commissioner Hellmich stated he thinks the low area holding water was a dirt pit at one time. He explained if anything is developed on the property the water will be a big challenge and any drainage issues will have to be addressed.

Mrs. Miriam Boone stated she is not aware of any plans for development of the property.

2. Foley Villas Subdivision- Request for Minor

The City of Foley Planning Commission has received a request for approval of the Foley Villas Subdivision a minor subdivision which consists of 32.63 +/- acres and 5 lots. Property is located at the NE corner of Bodenhamer Rd. and US Highway 98. Applicant is Sawgrass Consulting LLC.

Mr. Ted Ott resident of 17773 State Hwy. 98 stated he lives east of the property and wants to know about plans for development on the property.

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Mrs. Boone stated at this time they are subdividing the property into individual parcels to match the current zoning. She explained the front parcels are currently zoned B-1A and B-2 which is a commercial zone and the back parcels are zoned R-3 residential multi-family.

Mr. Tom Granger with Sawgrass Consulting LLC. stated at this time there are no plans for the commercial lots.

3. David Smith- Request for Rezone

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.10 acres. Property is currently zoned PUD (Planned Unit Development). Proposed zoning is R-1A (Residential Single Family). Property is located at the NW corner of Brinks Willis Rd. and James Rd. Applicant is David Smith.

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

4. Live Oak Village Phase IV- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase IV which consists of 19.04 +/- acres and 77 lots. Property is located W. of Cedar St. and N. of Peachtree Ave. Applicant is CHS Properties, Inc.

Ms. Kathy Rafetto resident of 1793 Breckinridge Place stated there are several residents present who have property abutting the proposed development. She explained they have concerns regarding drainage. She asked if the city had received any plans for the drainage.

Commissioner Hellmich stated they will have to provide detailed drainage information to the City Engineer and any drainage issues or concerns will have to be addressed.

Mr. Jeff Phillips stated staff is reviewing this phase very closely to ensure it does not impact any of the surrounding properties.

Ms. Rafetto stated they would like to see the design and want to know if there are going to have drainage swales in their backyards.

Commissioner Hellmich stated they will have to contain the drainage within the development. He explained there is a master drainage plan and it will be checked to ensure it will not have a negative impact on the area.

Commissioner Hinesley asked if the streets would be private.

Mr. Phillips answered yes the streets will be private.

Ms. Raffetto stated the retention pond looks very small.

Commissioner Engle stated he also has concerns about the size of the retention pond.

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Ms. Carah Vuncannon with McCrory and Williams, Inc. stated the drainage water for the development will be going into two ponds. She explained a new pond which will be located on Hudson Rd. and also into an existing pond.

Ms. Raffetto stated one of the houses on Hudson Rd. already had issues with flooding in their backyard and had to have drains installed. She stated this is a lot of new homes and there are already flooding issues in the area.

Commissioner Hellmich explained the water handling is a lot more stringent today than it was years ago when the other phases of Live Oak were developed. He asked that staff keep in touch with the residents to ensure their questions regarding the drainage are answered satisfactorily.

5. Comprehensive Plan- Update to the SW Quad of the Comprehensive Plan

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

6. Comprehensive Plan- Update to the NE Quad of the Comprehensive Plan

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

7. Zoning Ordinance Amendments

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

Vice-Chairman Hare closed the public hearing and reconvened the regular meeting.

NEW BUSINESS:

1. Primland Phase 3- Request for Extension

The City of Foley Planning Commission has received a request for a 1 year extension. Property is located at the NE corner of Wolf Bay Dr. Applicant is Goodwyn Mills Cawood.

Mrs. Boone explained this is the second extension request for Primland Phase 3.

Vice-Chairman Hare stated they have completed several other phases of Primland.

Ms. Amanda Thompson with Goodwyn Mills & Cawood stated they are currently in the clearing stage for Phase 3.

Commissioner Hellmich made a motion to approve the request for a 1 year extension. Commissioner Swanson seconded the motion. All Commissioner voted aye.

Motion to approve the request for a 1 year extension passes.

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2. Riverside at Arbor Walk Phase 3- Request for Extension

The City of Foley Planning Commission has received a request for a 1 year extension. Property is located E. of County Rd. 65 and N. of County Rd. 12. Applicant is Dewberry.

Ms. Boone stated this is the second extension request for Riverside at Arbor Walk Phase 3.

Commissioner Hellmich stated he wants to make sure the development will be adhering to current FEMA flood maps and flood requirements.

Mrs. Boone stated they will have to meet current flood requirements if the property is located in a flood zone.

Commissioner Hinesley made a motion to approve the requested 1 year extension. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

Motion to approve the requested 1 year extension passes.

3. RaceTrac- Request for Site Plan Review

The City of Foley Planning Commission has received a request for a site plan review. The property is located at the SE corner of the Foley Beach Express and County Rd. 28. Applicant is S.E. Civil Engineering & Surveying.

Commissioner Hellmich made a motion to approve the requested site plan. Commissioner Engel seconded the motion. All Commissioners voted aye.

Commissioner Hellmich stated the applicant has been working with the city engineer. He explained the access management plan and all other requirements will have to be met before any permits will be issued for construction.

Motion to approve the requested site plan passes.

4. *Pecan Way Acres- Request for Minor

The City of Foley Planning Commission has received a request for approval of Pecan Way Acres, a minor subdivision which consists of 46.51 +/- acres and 2 lots. Property is located N. of Charolais Rd., E. of Grantham Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is SE Civil, LLC.

Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Quaites seconded the motion.

Commissioner Hellmich stated there have been concerns about the drainage in the area. He stated drainage will be looked at closely if and when the property is developed.

All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

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5. Foley Villas Subdivision- Request for Minor

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Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Swanson seconded the motion.

Commissioner Swanson asked if the neighboring property owners to the east would get notification if anything is developed on the property.

Mrs. Boone answered not necessarily. She explained the property is zoned commercial and a site plan review by the Planning Commission would be needed if the structure exceeds 50,000 sq. ft. She stated a site plan has been done and approved for a portion of the multi-family property.

All Commissioners voted aye.

Motion to approve the requested minor subdivision passes.

6. David Smith- Request for Rezone

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 1.10 acres. Property is currently zoned PUD (Planned Unit Development). Proposed zoning is R-1A (Residential Single Family). Property is located at the NW corner of Brinks Willis Rd. and James Rd. Applicant is David Smith.

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

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

7. Live Oak Village Phase IV- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase IV which consists of 19.04 +/- acres and 77 lots. Property is located W. of Cedar St. and N. of Peachtree Ave. Applicant is CHS Properties, Inc.

Commissioner Hellmich made a motion to approve the requested preliminary. Commissioner Swanson seconded the motion.

Commissioner Hellmich stated the lot sizes are mirroring what is already established in the subdivision. He explained there has been concern from citizens regarding drainage. He explained he has great faith that staff will make sure the development does not increase any drainage issues.

Commissioner Engel stated he has reservations regarding the drainage ponds and they need to be looked at closely.

All Commissioners voted aye.

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Motion to approve the requested preliminary passes.

8. Comprehensive Plan- Update to the SW Quad of the Comprehensive Plan

Mrs. Boone explained the city received a grant from ACDNR to update the SW and NW quad portions of the comprehensive plan.

Commissioner Hellmich stated the comprehensive plan is a guiding tool. He explained committees were formed from property owners within the areas and meetings were held to get the public's input.

Commissioner Hinesley made a motion to adopt the SW and NE quad Comprehensive Plan updates. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to adopt the SW and NE quad Comprehensive Plan updates passes.

Commissioner Hellmich thanked Mr. Brandon Bias for his help with the updates to the comprehensive plan.

9. Comprehensive Plan- Update to the NE Quad of the Comprehensive Plan

This item was discussed and voted on with item # 8.

10. Zoning Ordinance Amendments

Ms. Boone went over the proposed zoning ordinance amendments with the Commissioners.

Commissioners gave feedback on the definition for density and allowable fencing.

Commissioner Hinesley made a motion to recommend the proposed zoning ordinance amendments to Mayor and Council. Commissioner Swanson seconded the motion. All Commissioners voted aye.

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

ADJOURN:

Vice-Chairman Hare adjourned the meeting at 7:31 p.m.