

**PLANNING COMMISSION
MEETING MINUTES OCTOBER 19, 2022
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on October 19, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Vera Quaites, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley and Tommy Gebhart. Absent members were: Larry Engel and Bill Swanson. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

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

MINUTES:

Approval of the September 14, 2022 and September 21, 2022 meeting minutes.

Commissioner Hinesley made a motion to approve the September 14, 2022 and September 21, 2022 meeting minutes. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the September 14, 2022 and September 21, 2022 meeting minutes passes.

AGENDA ITEMS:

1. Rosewood Phase 2 & 3- Request for 1 year Preliminary Extension

The City of Foley Planning Commission has received a request for a 1 year preliminary extension for Rosewood Phases 2 & 3. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is Dewberry.

Planning Commission Action:

Mrs. Miriam Boone explained staff are recommending approval of the preliminary extension. She stated staff has been in contact with the applicant regarding the 6 lots that contain a portion of the flood zone. She explained the lots were not in a flood zone originally and were added when flood maps were updated. She stated the applicant is aware they will have to follow the current regulations in regards to the lots containing flood zones.

Commissioner Hellmich made a motion to approve the requested one year preliminary extension with the condition that the applicant is aware of the current FEMA guidelines and restrictions regarding the flood zones. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the requested one year preliminary extension with the condition that the applicant is aware of the current FEMA guidelines and restrictions regarding the flood zones passes.

2. OWA/Tropic Hideaway RV Park- Request for Temporary Signage

The City of Foley Planning Commission has received a request for temporary signage for Tropic Hideaway RV Park. Property is located adjacent to the roundabout at Pride Dr. and N. of OWA Blvd. Applicant is OWA.

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Planning Commission Action:

Mrs. Boone explained the request is for temporary signage for Tropic Hideaway RV Park. She stated an expiration on the approval was discussed at the work session meeting. She explained the applicant is requesting the signage be allowed until the spring of 2023.

Commissioner Hinesley made a motion to approve the temporary signage for 6 months. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested temporary signage for 6 months passes.

3. Element Townhomes- Request for 1 year Site Plan Extension

The City of Foley Planning Commission has received a request for a 1 year site plan extension for Element Townhomes. Property is located S. of County Rd. 20 and E. of State Hwy. 59. Applicant is KTC Development, LLC.

Planning Commission Action:

Mrs. Boone explained the property is located in a B-1A zone and has an approved site plan that will expire on January 19, 2023. She stated the applicant is requesting a one year extension. She explained the applicant is working with the Environmental and Engineering Departments on resolving issues and obtaining a land disturbance permit.

Commissioner Hellmich stated the extension would extend the approval to October 19, 2023.

Commissioner Hellmich made a motion to approve the requested extension approval to October 19, 2023 contingent upon the applicant working with staff to clarify issues regarding the wetlands and sidewalk location. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to approve the requested extension approval to October 19, 2023 contingent upon the applicant working with staff to clarify issues regarding the wetlands and sidewalk location passes.

4. Magnolia Walk East Phase I- Request for Site Plan

The City of Foley Planning Commission has received a request for site plan approval for Magnolia Walk East Phase I. Property is located at the NE corner of the Foley Beach Express and County Rd. 20. Applicant is Burton Property Group.

Planning Commission Action:

Mr. Wayne Dyess explained he has provided the Commissioners with a memo summarizing the conditions to be placed on the approval. He stated he would like to thank Mr. Burton for meeting with staff and working on the issues. He explained he feels the conditions cover all design and overlay district standards and staff concerns.

Commissioner Hellmich stated the condition provides some clarity on the access points.

Mr. Burton stated they will work with staff on the egress and ingress and would like a caveat to be added which states or as recommended by traffic consultant and the traffic engineer.

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Mr. Dyess stated the provided memo of conditions are for agenda items # 4 and #5.

Commissioner Hellmich made a motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress passes.

5. Magnolia Walk East Phase II- Request for Site Plan

The City of Foley Planning Commission has received a request for a site plan approval for Magnolia Walk East Phase II. Property is located at the NE corner of the Foley Beach Express and County Rd. 20. Applicant is Burton Property Group.

Planning Commission Action:

Commissioner Hinesley made a motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to accept the requested site plan with the conditions provided in the memo to be included in the approval, a completed traffic analysis and that an agreement can be reached regarding the egress and ingress passes.

6. *Henson Subdivision- Request for Minor/Exempt

The City of Foley Planning Commission has received a request for approval of Henson Subdivision, a minor/exempt subdivision which consists of 9.29 +/- acres and 2 lots. Property is located N. of Keller Rd. and E. of River Rd. N. and is located in the City of Foley Planning Jurisdiction. Applicant is Weygand Wilson Surveyors.

Planning Commission Action:

Commissioner Hellmich asked about the sewer provider for the lots.

Mr. Chad Christian stated the lots will be served by Riviera Utilities.

Commissioner Hellmich made a motion to approve the requested minor/exempt subdivision. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor/exempt subdivision passes.

7. Next to Last LLC- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 5 +/- acres. Property is currently zoned B-3 (Local Business District). Proposed zoning is RV (Recreational Vehicle Park District). Property is located S. of Mifflin Rd. and E. of James Rd. Applicant is Chris Govan.

Note: *Denotes property located in the Planning Jurisdiction

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Public Hearing:

Planning Commission Action:

Commissioner Hellmich stated the walking trail is not continuous and blocked by a lot. He explained at last week's meeting Mr. Jim Brown stated he would resolve the issue and make changes to ensure the trail would be continuous.

Mr. Chris Govan stated he was not present at the meeting last week. He explained there is plenty of room to shift things around in order to accommodate the request for the trail to be continuous.

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

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

8. Hawthorne Investment LLC.- Request for Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 44.1 +/- acres. Property is currently zoned B-1A (Extended Business District). Proposed zoning is PUD (Planned Unit Development). Property is located at W. of the Foley Beach Express and N. and S. of Brinks Willis Rd. Applicant is Hawthorne Investments LLC.

Public Hearing:

Planning Commission Action:

Chairman Abrams explained the applicant has requested to carry over the item.

Mr. Wayne Dyess stated he is working closely with the applicant on the mixed use design to ensure it is meeting design guidelines.

Commissioner Hinesley made a motion to carry over the item. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the request to carry over the item passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 5:45 p.m.