

**PLANNING COMMISSION  
MEETING MINUTES MARCH 15, 2023  
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on March 15, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Ralph Hellmich, Wes Abrams, Calvin Hare and Tommy Gebhart. Absent members were: Bill Swanson, Larry Engel, Vera Quaites and Phillip Hinesley. 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 Wes Abrams called the meeting to order at 5:30p.m.

**MINUTES:**

Approval of the February 8, 2023 and February 15, 2023 meeting minutes.

Commissioner Gebhart made a motion to approve the February 8, 2023 and February 15, 2023 meeting minutes. Commissioner Hare seconded the motion. All Commissioners voted aye.

**Motion to approve the February 8, 2023 and February 15, 2023 meeting minute's passes.**

**AGENDA ITEMS:**

**1. Southwood at Arborwalk Phase 1- Request for 2 year Preliminary Extension**

The City of Foley Planning Commission has received a 2 year preliminary extension request for Southwood at Arborwalk Phase 1. Property is located N. of County Rd. 12 & S. of Hickory St. Applicant is Dewberry Engineers Inc.

**Planning Commission Action:**

Chairman Abrams stated agenda items 1, 2 and 3 will be combined due to them being all within the same subdivision.

**2. Southwood at Arborwalk Phase 2- Request for 2 year Preliminary Extension**

The City of Foley Planning Commission has received a 2 year preliminary extension request for Southwood at Arborwalk Phase 2. Property is located N. of County Rd. 12 & S. of Hickory St. Applicant is Dewberry Engineers Inc.

**Planning Commission Action:**

Agenda items 1, 2 and 3 were combined.

**3. Southwood at Arborwalk Phase 3- Request for 2 year Preliminary Extension**

The City of Foley Planning Commission has received a 2 year preliminary extension request for Southwood at Arborwalk Phase 3. Property is located N. of County Rd. 12 & S. of Hickory St. Applicant is Dewberry Engineers Inc.

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve a one year preliminary extension for Phases 1, 2 and 3. Commissioner Hare seconded the motion.

Note: \*Denotes property located in the Planning Jurisdiction

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Chairman Abrams stated the length of one year is consistent with previous approvals issued by the Commission.

**Motion to approve a one year preliminary extension for Phases 1, 2 and 3 passes.**

**4. Roberts Cove- Request for 4 year Preliminary Extension**

The City of Foley Planning Commission has received a 4 year preliminary extension request for the remaining phases of Roberts Cove. Property is located at the SE corner of County Rd. 12 and the Foley Beach Express. Applicant is Engineering Design Group Inc.

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve a one year preliminary extension. Commissioner Gebhart seconded the motion.

Commissioner Hellmich stated the Commissioners recognize that the subdivision will take more than a year to complete and that it will be taken into consideration on future extension requests.

Mr. Craig Johnson with Engineering Design Group asked for clarification on the maximum number of extensions that can be granted.

Mrs. Miriam Boone explained the amount of extensions is at the discretion of the Planning Commission.

All Commissioners voted aye.

**Motion to approve a one year preliminary extension passes.**

**5. \*Bailey Dillon Line Shift- Request for Minor/Exempt Subdivision**

The City of Foley Planning Commission has received a request for approval of the Bailey Dillon Line Shift a minor/exempt subdivision that consists of 22.71 +/- acres and 2 lots. Property is located E. of County Rd. 65 and S. of County Rd. 26 and is located in the City of Foley Planning Jurisdiction. Applicant is Michele Bailey.

**Planning Commission Action:**

Mrs. Boone explained Chad Christian stated at the last meeting the comment regarding septic and disposal lines needing to be shown on the plat had been addressed.

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

**Motion to approve the requested minor/exempt subdivision passes.**

**6. Pedro Subdivision- Request for Minor/Exempt Subdivision**

The City of Foley Planning Commission has received a request for approval of Pedro Subdivision, a minor/exempt subdivision that consists of 10 +/- acres and 2 lots. Property is located S. of Breckner Rd. and E. of Bodenhamer Rd. Applicant is Weygand Wilson Surveying Inc.

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**Planning Commission Action:**

Chairman Abrams stated the applicant requested the item to be withdrawn from the agenda.

**7. \*HossCat's Place- Request for Minor Subdivision**

The City of Foley Planning Commission has received a request for approval of HossCat's Place, a minor subdivision that consists of 8.8 +/- acres and 2 lots. Property is located at the SW corner of Charolais Rd. and County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is Daniel Scott Johnston.

**Public Hearing:**

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

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve the requested minor subdivision based on staff's recommendation. Commissioner Gebhart seconded the motion. All members voted aye.

**Motion to approve the requested minor subdivision based on staff's recommendation passes.**

**8. Lot 1A, 1B & 7 of the Resubdivision of Lot 1 of the Replat of Woerner's Two Lots- Request for Minor Subdivision**

The City of Foley Planning Commission has received a request for approval of Lot 1A, 1B & 7 of the Resubdivision of Lot 1 of the Replat of Woerner's Two Lots, a minor subdivision which consists of 60.14 +/- acres and 3 lots. Property is located E. of S. McKenzie St. and S. of County Rd. 20. Applicant is Woerner Land, LLC.

**Public Hearing:**

Mrs. Boone explained a revised plat was received showing the street names.

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

**Planning Commission Action:**

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

Commissioner Hellmich stated he would highly recommend connecting the proposed road to S. Juniper St. which will benefit future tenants. He explained at some point the City may take over the maintenance of the proposed road.

Mrs. Amanda Thomson with Goodwyn Mills Caywood stated they have signed the contract for the road construction. She explained the driveway for lot 7 is coming off a part of the road that is already built.

All Commissioners voted aye.

**Motion to approve the requested minor subdivision passes.**

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**9. Grand Riviera Phase 1 a Resubdivision of Lot 5 Little Woerner Subdivision- Request for Minor Subdivision**

The City of Foley Planning Commission has received a request for approval of Grand Riviera Phase 1 a Resubdivision of Lot 5 Little Woerner Subdivision, a minor subdivision which consists of 25.29 +/- acres and 2 lots. Property is located S. of County Rd. 20 and W. of James Rd. Applicant is Weygand Wilson Surveying LLC.

**Public Hearing:**

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

**Planning Commission Action:**

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

**Motion to approve the requested minor subdivision passes.**

**10. Darby Subdivision/City of Foley- Request for Minor**

The City of Foley Planning Commission has received a request for approval of Darby Subdivision, a minor subdivision which consists of 23 +/- acres and 2 lots. Property is located E. of the Foley Beach Express and S. of Industrial Parkway. Applicant is The City of Foley.

**Public Hearing:**

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

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve the requested minor subdivision. Commissioner Mixon seconded the motion. All members voted aye.

**Motion to approve the requested minor subdivision passes.**

**11. Riverside at Arborwalk Phase 3- Request for Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 1.26 +/- acres. Current zoning is M-1 (Light Industrial District). Proposed zoning is R-1D (Residential Single Family). Property is located E. of County Rd. 65 and S. of Pencarro Blvd. Applicant is Dewberry Engineers, Inc.

**Public Hearing:**

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

**Planning Commission Action:**

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

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

**12. \*Foley Crossings- Request for Preliminary**

The City of Foley Planning Commission has received a request for preliminary approval of Foley Crossings which consists of 66.18 +/- acres and 18 lots. Property is located at the NE corner of County Rd. 65 and County Rd. 26 and is located in the City of Foley Planning Jurisdiction. Applicant is Smith Clark and Associates, LLC.

**Public Hearing:**

Chairman Abrams asked if there were any members of the public to speak on the item.

Ms. Lynn Lantis resident of 11651 County Rd. 65 stated she lives across the street from the property and would like to know what will be built on the proposed lots.

Mr. Hunter Smith a representative with Smith Clark & Associates stated the plan is for residential homes to be constructed on the lots. He stated a modification will be made to include common areas for the purpose of retention along the west line and lot 13, and between lots 16, 17 and 18.

Mrs. Boone stated the area is located in unzoned Baldwin County.

**Planning Commission Action:**

Commissioner Gebhart made a motion to approve the requested preliminary. Commissioner Hare seconded the motion.

Commissioner Hellmich explained the property is located in unzoned Baldwin County. He stated the only control the city has over the property is to ensure they are meeting the City's subdivision criteria.

All Commissioners voted aye.

**Motion to approve the requested preliminary passes.**

**13. Wolf Ridge- Request for Prezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the prezoning of 43.44 +/- acres. Proposed zoning is PUD (Planned Unit Development). Property is located N. of County Rd. 12 and E. and W. of Clarke Ridge Rd. Applicant is Creek Ridge LLC.

**Public Hearing:**

Chairman Abrams asked if there were any members of the public to speak on the item.

Ms. Orlinda McKinley resident of 9011 Clarke Ridge Rd. stated there is currently a drainage problem in the area. She explained she has concerns the subdivision being built will cause more issues. She stated Baldwin County has cleaned out the culverts but they are still having problems.

Mr. Chaudoin resident of 9094 Albatross Dr. asked who would be the builder of the homes.

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Mr. David Green stated the lots will be individually sold and built on by the owners.

Ms. Maria Foster resident of 9065 Clarke Ridge Rd. asked if there would be an access added from Glenlakes to Clarke Ridge Rd. and the size of the proposed lots.

Mr. Green answered no there will not be an access from Glenlakes. He stated the lots are larger in order to blend with the area. He explained some of the lots had to be reduced in size due to required drainage areas. He stated there are areas between some of the lots that will be left open for drainage purposes.

Ms. Foster asked if the sizes of the lots could change in the future.

Chairman Abrams stated the property is being zoned to a PUD. He explained if there are changes in the lot sizes they would have to come before the Commission for approval.

Commissioner Hellmich stated a PUD allows us to see a design and negotiate items within the design. He explained the property is being annexed into the City. He stated the residents may want to speak with Baldwin County regarding the current drainage problems on Clarke Ridge Rd.

Mr. Wayne Dyess stated in a previous meeting it was requested that the development be considered a rural subdivision in order for sidewalks not be required and to allow open ditches. He suggested adding verbiage in the motion regarding the sidewalks, open ditches and rural subdivision.

Commissioner Hellmich explained the engineering design will come at a later date which may help address some issues in the area. He stated he has no objections to the request to not install sidewalks due to there currently being no sidewalks in the area to connect into.

Chairman Abrams stated the requested plan blends well with the area.

Commissioner Hellmich asked Chad Christian to speak with Baldwin County in regards to the issues residents are currently having along Clarke Ridge Rd. in regards to drainage.

**Planning Commission Action:**

Commissioner Hellmich made a motion to recommend the requested pre-zoning and to consider the design of a rural subdivision in order to allow for open ditches and no required sidewalks to the Mayor and Council. Commissioner Mixon seconded the motion. All members voted aye.

**Motion to recommend the requested pre-zoning to the Mayor and Council passes.**

**ADJOURN:**

Chairman Abrams adjourned the meeting at 6:12 p.m.

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