

**PLANNING COMMISSION
MEETING MINUTES SEPTEMBER 20, 2023
(Council Chambers of City Hall) 5:30 P.M.**

The City of Foley Planning Commission held a meeting on September 20, 2023 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, Wes Abrams, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Wayne Dyess, Executive Director of Infrastructure and Design; 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 August 9, 2023 and August 16, 2023 meeting minutes.

Commissioner Swanson made a motion to approve the August 9, 2023 and August 16, 2023 meeting minutes. Commissioner Hare seconded the motion. All Commissioners voted aye.

Motion to approve the August 9, 2023 and August 16, 2023 meeting minutes passes.

AGENDA ITEMS:

1. Pecan Subdivision II- Minor

The City of Foley Planning Commission has received a request for approval of Pecan Subdivision II a minor subdivision which consists of 1.71 acres and 4 lots. Property is located at the NE corner of S. Pecan St. and E. Bullard Ave. Applicant is Smith Clark & Associates.

Public Hearing:

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

Ms. Annie Smith resident of 1018 S. Pecan St. stated she had no objections but had concerns. She asked what type of homes would be built on the lots and if they would be sold or rented.

Mrs. Miriam Boone explained at this time they are requesting to subdivide the land for 4 single family dwellings.

Mr. Chad Christian stated there is an open space being set aside and not developed. He explained if the open area was created into a lot, detention would have been required.

Commissioner Quaites asked if the vegetation on open space would be cleared.

Mr. Hunter Smith with Smith Clark & Associates stated at this time there are plans to do anything with the open space. He explained the property is being set aside and if anything is developed in the future they are aware drainage will need to be addressed. He stated to the best of his knowledge the homes will be single family with brick or vinyl exterior and similar to an Adams or Benchmark Home.

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Mrs. Boone stated the city does not regulate if the homes will be rental or owner occupied.

Commissioner Hare stated the proposed builders have a good track record and have built homes similar to the style of Heritage and Benchmark Homes in the city. He explained the single family homes will be a good buffer between Ms. Smith and the existing mobile home park.

Planning Commission Action:

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

Motion to approve the requested minor subdivision passes.

2. David Green Duplex- Site Plan Extension

The City of Foley Planning Commission has received a 1 year duplex site plan extension. Property is located S. of Begonia Ave. and W. of Cedar St. Applicant is David Green.

Planning Commission Action:

Mrs. Boone explained the proposed plan is meeting the form based zoning ordinance requirements. She explained at the work session Commissioners had questions regarding the timeline for construction.

Mr. David Green stated he has every intention of building the proposed duplex. He explained the delay is due to the high lumber prices and current interest rates. He stated the duplex will be built to gold fortified standards. He explained the requested duplexes are not a change in the current zoning and the use fits with what is existing in the area.

Commissioner Hellmich stated this is the first extension request. He explained there are no known plans of zoning amendments that could affect the project at this time.

Commissioner Gebhart made a motion to approve the requested 1 year duplex site plan extension. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the requested 1 year duplex site plan extension passes.

3. Grasslands Subdivision- Preliminary Extension

The City of Foley Planning Commission has received a 1 year preliminary extension request for Grasslands Subdivision. Property is located E. of County Rd. 65 and S. of Dairy Ln. Applicant is S.E. Civil Engineering & Surveying.

Planning Commission Action:

Mrs. Boone explained the engineering department staff recommended an approval contingent upon resolving Riviera Utilities concerns regarding sewer service.

Mr. Aaron Collins with S.E. Civil Engineering & Surveying explained the subdivision is under construction and their client has resolved the Riviera Utilities sewer service concerns.

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

Motion to approve the requested 1 year preliminary extension passes.

4. Rosewood Subdivision Phase 2 & 3- Preliminary Extension

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

Planning Commission Action:

Mrs. Boone went over the timeline of the subdivision.

Commissioner Hellmich stated it was discussed at the work session that the plan is meeting current regulations.

Commissioner Hare made a motion to approve the requested 1 year preliminary extension. Commissioner Quaites seconded the motion.

Commissioner Engel stated this needs to be the last extension since three extensions have now been granted for the subdivision.

Ms. Cathy Barnette with Dewberry explained the challenge and delay has been due to working with Baldwin County on the land transfer and layout for the future roundabout. She stated they appreciate the graciousness of the extension and are moving as fast as they can on the project.

All Commissioners voted aye.

Motion to approve the requested 1 year preliminary extension passes.

5. Public Projects- Request for Recommendation

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the following public projects: Symbol Health Building, County Road 20 Extension, Farmers Market Commercial Kitchen & Leased Space, Expansion of Civic Center, Graham Creek Pavilion, Graham Creek Nature Preserve Restroom & Pavilion, Wolf Creek Park Shoreline Project, Max Griffin Upgrade, Wilson/Horse Arena Road, South Pilgrim Street Extension and Beck Road.

Planning Commission Action:

Commissioner Hinesley stated he would like to request the items be discussed and voted on individually.

- **Symbol Health Building**

Commissioner Hinesley made a motion to recommend the requested Symbol Health Building public project to the Mayor and Council. Commissioner Engel seconded the motion. All Commissioners voted aye.

Note: *Denotes property located in the Planning Jurisdiction

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Motion to recommend the requested Symbol Health Building public project to the Mayor and Council passes.

- **County Road 20 Extension**

Mr. Terry Heilmeier stated he lives at the end of the road and has been aware and dealing with Baldwin County over the road proposal. He explained there is a creek in the area that runs into the Bon Secour River. He stated it is ridiculous to spend the amount of money to build a bridge when there are other options for connectivity. He explained if the road is built it will destroy a lot of wildlife habitats. He stated he appreciates the preservation of downtown Foley but it is time to start thinking about preserving other areas in the city.

Mr. Wayne Dyess explained the city cannot stop the growth but the city's role is to regulate the growth. He stated that wildlife is important. He explained there are things such as connecting greenways and paths that create areas of travel for the wildlife.

Commissioner Hellmich stated the city has considerably tightened their regulations. He explained County Road 20 was always designed to be a main arterial collector. He stated with the growth in the population connectivity is very important. He stated Baldwin County is overseeing the project and the city is a 12% participant.

Commissioner Hinesley stated the comprehensive plan states it is designed to protect and preserve the environment for the betterment of the area. He explained he feels the project is too much money and will not resolve anything. He stated he feels there are other options that can be done along Hickory Street that would provide traffic improvements. He explained he does not have enough information regarding the project and the amount of wetlands being impacted.

Commissioner Engel stated he looks at the project the same way as Commissioner Hinesley and feels the rivers in the area need to be protected.

Mr. Dyess stated the comprehensive plan includes a lot of detail regarding connectivity which is extremely important.

Chairman Abrams explained one of the biggest complaints from citizens is traffic. He stated he feels a key item in the comprehensive plan is connectivity.

Commissioner Hinesley stated he has concerns over the unzoned Baldwin County area the extension is being done in which the city has no control over.

Mr. Dyess stated the unzoned area is in the City of Foley extra territorial jurisdiction which does regulate minimum lot sizes.

Mrs. Boone explained the proposed extension was listed in the 10 year 2007 and 2019 transportation plan which is a part of the Comprehensive Plan.

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Commissioner Hellmich made a motion to recommend the County Road 20 Extension public project to the Mayor and Council. Commissioner Hare seconded the motion. Commissioner Hinesley voted nay, Commissioner Engel voted nay and all other Commissioners voted aye.

Motion to recommend the County Road 20 Extension public project to the Mayor and Council passes.

- **Farmers Market Commercial Kitchen & Leased Space**

Commissioner Quaites made a motion to recommend the requested Farmers Market Commercial Kitchen and Leased Space public project to the Mayor and Council. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to recommend the requested Farmers Market Commercial Kitchen and Leased Space public project to the Mayor and Council passes.

- **Expansion of the Civic Center**

Commissioner Hinesley made a motion to recommend the requested Expansion of the Civic Center public project to the Mayor and Council. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to recommend the requested Expansion of the Civic Center public project to the Mayor and Council passes.

- **Graham Creek Pavilion, Graham Creek Nature Preserve Restroom & Pavilion and Wolf Creek Park Shoreline Project**

Commissioner Hinesley made a motion to recommend the requested Graham Creek Pavilion, Graham Creek Nature Preserve Restroom & Pavilion and Wolf Creek Park Shoreline public project to the Mayor and Council. Commissioner Hellmich seconded the motion. All members voted aye.

Motion to recommend the requested Graham Creek Pavilion, Graham Creek Nature Preserve Restroom & Pavilion and Wolf Creek Park Shoreline public project to the Mayor and Council passes.

- **Max Griffin Upgrade**

Commissioner Quaites made a motion to recommend the requested Max Griffin Upgrade public project to the Mayor and Council. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

Motion to recommend the requested Max Griffin Upgrade public project to the Mayor and Council passes.

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- **Wilson/Horse Arena Road**

Commissioner Engle made a motion to recommend the requested Wilson/Horse Arena Road public project to the Mayor and Council. Commissioner Hinesley seconded the motion. All members voted aye.

Motion to recommend the requested Wilson/Horse Arena Road public project to the Mayor and Council passes.

- **South Pilgrim Street Extension**

Commissioner Quaites made a motion to recommend the South Pilgrim Street Extension public project to the Mayor and Council. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Ms. Smith stated S. Pilgrim Street runs behind her property. She explained she has been promised for 50 years the road would be extended and asked if it will be done this year.

Commissioner Hellmich stated the extension is in the budget and will be built this fiscal year.

Commissioner Hare asked if utilities will be added in the area.

Commissioner Hellmich asked Chad to coordinate with Riviera Utilities and see if there is a desire to install utilities in the area so it can be incorporated into the plan.

Motion to recommend the South Pilgrim Street Extension public project to the Mayor and Council passes.

- **Beck Road**

Commissioner Hellmich stated there are no plans to build this road unless development happens in the area and it is needed.

Commissioner Swanson made a motion to recommend the Beck Road public project to the Mayor and Council. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to recommend the Beck Road public project to the Mayor and Council passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:38 p.m.