

**PLANNING COMMISSION
MEETING MINUTES JANUARY 17, 2024
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on January 17, 2024 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, Ralph Hellmich, Calvin Hare, Phillip Hinesley, Bill Swanson and Tommy Gebhart. Absent members were: Wes Abrams and Vera Quaites. Staff present were: Miriam Boone, City Planner; Chad Christian, City Engineer; Wayne Dyess, Executive Director of Infrastructure and Design; Angie Eckman, Environmental Manager and Melissa Ringler, Recording Secretary.

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

Mrs. Miriam Boone explained the applicants have requested to carry over agenda items # 12 Scurlock Subdivision and #11 the Resubdivision Lot C Curtis Creek South Addition to Curtis Cove. She stated an item #13 the Planning Jurisdiction Agreement has been added to the agenda.

MINUTES:

Approval of the December 6, 2023 and December 13, 2023 meeting minutes.

Commissioner Hellmich made a motion to approve the December 6, 2023 and December 13, 2023 meeting minutes. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the December 6, 2023 and December 13, 2023 meeting minutes passes.

AGENDA ITEMS:

1. Bay Street Village Phase 1 & Phase 2- Preliminary 3 Month Extension

The City of Foley Planning Commission has received a 3 month preliminary extension request for Bay Street Village Phase 1 & 2. Property is located at the NW corner of Michigan Ave. and S. Bay Street. Applicant is Goodwyn Mills Cawood, LLC.

Planning Commission Action:

Mrs. Boone stated a 6 month extension was approved in August for both phases. She explained they have submitted for final plat and staff is recommending approval of the 3 month extension request.

Commissioner Hinesley made a motion to approve the 3 month preliminary extension request for phases 1 and 2. Commissioner Gebhart seconded the motion. All members voted aye.

Motion to approve the 3 month preliminary extension request for phases 1 and 2 passes.

2. *The Cove at Cotton Bayou Phase 1- Preliminary 1 Year Extension

The City of Foley Planning Commission has received a 1 year preliminary extension request for The Cove at Cotton Bayou Phase 1. Property is located E. of County Rd. 65 and N. of Arbor Walk Subdivision. Applicant is Jade Consultants, LLC.

Planning Commission Action:

Mrs. Boone stated this is the first extension request and staff is recommending approval.

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Commissioner Hellmich made a motion based on staff recommendation to approve the 1 year preliminary extension request. Commissioner Gebhart seconded the motion.

Commissioner Hinesley stated Arbor Walk residents had voiced concern at a previous meeting before construction started about construction vehicles and drainage. He asked if staff were aware of any issues.

Mrs. Angie Eckman stated she has not received any complaints.

Mr. Christian stated also he had received no complaints.

All Commissioners vote aye.

Motion based on staff recommendation to approve the 1 year preliminary extension request passes.

3. Outpost Orchard- Preliminary 1 Year Extension

The City of Foley Planning Commission has received a 1 year preliminary extension request for Outpost Orchard. Property is located S. of E. Michigan Ave. and W. of S. Pecan St. Applicant is SE Civil, LLC.

Planning Commission Action:

Mrs. Boone stated this is the first extension request. She explained they have received the final plat for Phase 1 in October. She stated staff is recommending approval of the extension.

Commissioner Hellmich stated there were previous issues with the roads not being paved. He asked if the roads are now paved.

Mr. Christian stated the roads are all paved now with at least the base layer.

Commissioner Hellmich asked if the issues with dust have been resolved.

Mrs. Eckman stated she has not gotten any more complaints regarding dust.

Commissioner Hellmich made a motion to approve the requested 1 year preliminary extension based on staff's recommendation. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to approve the requested 1 year preliminary extension based on staff's recommendation passes.

4. Cox Pools Office/Warehouse- Site Plan

The City of Foley Planning Commission has received a request for a site plan approval for Cox Pools Office/Warehouse. Property is located S. of US Hwy. 98, between the Foley Beach Express and Barin Field Rd. Applicant is Pillar.

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Planning Commission Action:

Mrs. Boone explained staff are recommending approval for the site plan. She stated they previously came before the Board of Adjustment and Appeals for RV and boat storage. She stated they have since changed the use and are not currently doing storage.

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

Motion to approve the requested site plan passes.

5. Stowaway Storage Phase II- Site Plan

The City of Foley Planning Commission has received a request for a site plan approval for Stowaway Storage Phase II. Property is located E. of Foley Beach Express & N. of Hwy. 98. Applicant is Pillar.

Planning Commission Action:

Mrs. Boone stated staff is recommending approval. She explained this is phase II and a continuation of what is currently on the property.

Commissioner Hellmich stated the future land use for the area is retail commercial concentration.

Commissioner Hellmich made a motion to approve the requested site plan based on staff's recommendation. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plan based on staff's recommendation passes.

6. *Resubdivision of Lot 2 Mills Community Park Section 24, Township 7 South, Range 3 East- Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 2, Mills Community Park Section 24, Township 7 South, Range 3 East a minor subdivision which consists of 28.4 +/- acres and 4 lots. Property is located N. of Breckner Rd. and E. of Mills Rd. and is located in the City of Foley Planning Jurisdiction. Applicant is Survey Consults, Inc.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone stated the property is located in unzoned Baldwin County. She explained they are requesting to subdivide the lot into 4 large lots.

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

Motion to approve the requested minor subdivision passes.

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7. Resubdivision of Lot 4, Old Time Pottery Foley Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 4, Old Time Pottery Foley Subdivision a minor subdivision which consists of 20.76 +/- acres and 2 lots. Property is located S. of Keller Rd. and E. of State Hwy. 59. Applicant is Jade Consulting, LLC.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone stated staff is recommending approval. She explained the requested subdivision is to break off a piece of property for agenda item # 8 Tractor Supply Company.

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

Motion to approve the requested minor subdivision passes.

8. Tractor Supply Company- Site Plan

The City of Foley Planning Commission has received a request for a site plan approval for Tractor Supply Company. Property is located S. of Keller Rd. and E. of State Hwy. 59. Applicant is Jade Consulting, LLC.

Planning Commission Action:

Mrs. Boone explained the request is for a site plan approval for Tractor Supply Company and staff is recommending approval.

Commissioner Hellmich wanted clarification that there would be no direct access to the lot from State Hwy. 59.

Mr. Christian stated there will be no access off of State Hwy. 59.

Commissioner Hellmich made a motion to approve the requested site plan for Tractor Supply Company based on the recommendation from staff. Commissioner Gebhart seconded the motion.

Commissioner Engel stated he had access concern regarding the lot to the south when it develops and it potentially being a residential development.

Mrs. Boone explained the current zoning does not allow residential.

Commissioner Engel stated he feels they are limiting themselves on access to the remaining lots.

All Commissioners voted aye.

Motion to approve the requested site plan for Tractor Supply Company based on the recommendation from staff.

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9. OWA Tropic Falls Hotel- Site Plan

The City of Foley Planning Commission has received a request for a site plan approval for OWA Tropic Falls Hotel. Property is located E. of the Foley Beach Express and W. of S. OWA Blvd. Applicant is Goodwyn Mills Cawood, LLC.

Planning Commission Action:

Mrs. Boone explained that staff is recommending approval. She stated a letter was received from Randy Roy with the Navy.

Commissioner Hellmich stated they are in phase 1 of the review process with the State.

Mr. Jeremy Sasser with Goodwyn Mills Cawood stated they are expected to address the States comments and have them submitted early next week.

Commissioner Swanson asked the number of stories of the hotel.

Mr. Sasser explained the hotel will be 8 stories.

Commissioner Hinesley asked the brand of the hotel.

Mr. Sasser explained it will not be a chain hotel.

Commissioner Engel asked where the hotel will be located on the property.

Mr. Sasser explained the hotel will connect to the water park. He stated it will extend into the current parking lot which will result in a loss of approximately 60 spaces. He explained they have worked with the Fire Department and things were added to accommodate their requests.

Commissioner Swanson made a motion to approve the requested site plan for OWA Tropic Falls Hotel. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plan for OWA Tropic Falls Hotel passes.

10. The Village at Foley Crossroads Master Signage & Grocer- Site Plan

The City of Foley Planning Commission has received a request for a site plan for a Grocer and a master signage plan for The Village at Foley Crossroads. Property is located at the SW corner of the Foley Beach Express and County Rd. 20. Applicant is BRE Foley, LLC.

Planning Commission Action:

Mrs. Boone stated staff is recommending approval.

Mr. Wayne Dyess stated the property is in the Foley Beach Express Overlay District. He worked with the application and negotiated to get the proposed elevations which include different pitches in the roof, windows and facade colors. He explained the applicants were very gracious and worked with staff on the design. He stated he hopes this will set a standard and tone for future developments along the Foley Beach Express.

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Commissioner Hellmich stated the applicant is allowed to have taller than requested sign. He explained appreciation was expressed for the style of signage that was chosen.

Commissioner Hellmich made a motion to approve The Village at Foley Crossroads Master Signage and Grocer site plan as requested. Commissioner Swanson seconded the motion. All members voted aye.

Motion to approve The Village at Foley Crossroads Master Signage and Grocer site plan passes.

11. *Resubdivision Lot C Curtis Creek South Addition to Curtis Cove- Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision Lot C Curtis Creek South Addition to Curtis Cove a minor subdivision which consists of 2.9 +/- acres and 3 lots. Property is located N. of Cool Springs Dr. and E. of River Rd. N. and is located in the City of Foley Planning Jurisdiction. Applicant is Rowe Engineering and Surveying.

Public Hearing:

Vice Chairman Hare 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 carry over the item until further notice per the applicant's request. Commissioner Engel seconded the motion. All members voted aye.

Motion to carry over the item until further notice per the applicant's request passes.

12. *Scurlock Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Scurlock Subdivision, a minor subdivision which consists of 5 +/- acres and 4 lots. Property is located W. of Nall Rd. and N. of County Rd. 16 and is located in the City of Foley Planning Jurisdiction. Applicant is Weygand Wilson Surveying.

Public Hearing:

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

Planning Commission Action:

Commissioner Engel made a motion to carry over the item until further notice per the applicant's request. Commissioner Mixon seconded the motion. All members voted aye.

Motion to carry over the item until further notice per the applicants request passes.

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13. Planning Jurisdiction Agreement

Planning Commission Action:

Mr. Wayne Dyess stated the agreement is for a six month period. Commissioner Hellmich made a motion to approve the 6 month Planning Jurisdiction Agreement. Commissioner Hinesley seconded the motion. All Commissioners voted aye.

Motion to approve the 6 month planning jurisdiction agreement passes.

Commissioners and staff discussed issues regarding signage and ways to address the violations.

ADJOURN:

Vice Chairman Hare adjourned the meeting at 6:27 p.m.