

**PLANNING COMMISSION
MEETING MINUTES MARCH 20, 2024
(Council Chambers of City Hall) 5:30 P.M.**

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The City of Foley Planning Commission held a meeting on March 20, 2024 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; Wayne Dyess, Director of Infrastructure and Development; 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 5:30 p.m.

MINUTES:

Approval of the February 14, 2024 and February 21, 2024 meeting minutes.

Commissioner Hare made a motion to approve the February 14, 2024 and February 21, 2024 meeting minutes. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

Motion to approve the February 14, 2024 and February 21, 2024 meeting minutes passes.

AGENDA ITEMS:

1. Goodwill Gulf Coast – Site Plan Extension 6 months

The City of Foley Planning Commission has received a 6 month site plan extension request for Goodwill Gulf Coast. Property is located at 200 E. Azalea Ave. Applicant is Piedmont Companies.

Mrs. Miriam Boone stated there have been no changes in the regulations that would affect the site plan. She explained the Fire Department is working with the applicant in regards to hydrants. She stated staff is recommending approval of the extension.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the requested 6 month site plan extension. Commissioner Gebhart seconded the motion.

Motion to approve the requested 6 month site plan extension passes.

2. CHS South Baldwin Ambulatory Surgery Center – Site Plan

The City of Foley Planning Commission has received a request for site plan approval of CHS South Baldwin Ambulatory Surgery Center. Property is located at 1605 N. Alston St. Applicant is Gresham Smith.

Mrs. Boone explained the Fire Department noted on the staff report fire hydrants locations will need to be shown on the plans. She explained signs #1 and #4 will require a variance approval from the Board of Adjustment and Appeals for the sign face square footage. She stated staff is recommending approval of the requested site plan.

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Planning Commission Action:

Commissioner Hare made a motion to approve the requested site plan. Commissioner Quaites seconded the motion.

Mrs. Boone explained they have received a variance for the parking space sizes, buffer width and number of parking spaces. She stated the variances were requested in order to save live oak trees.

Commissioner Hellmich stated he appreciated the applicants working with staff to save the trees.

Mrs. Boone stated as discussed at work session the applicant has noted on the plan they would like to request a 5' stormwater setback instead of the required 10'.

Mr. Chad Christian stated he feels the applicant will be able to meet the required 10' and shrink the area set aside for stormwater.

Mr. Wayne Dyess stated situations like this are when shared parking agreements between uses should be encouraged to reduce the number of parking spaces.

Commissioner Hellmich stated there will be more parking added at the hospital. He explained the city has discussed working with them on adding cross walks.

All Commissioners voted aye.

Motion to approve the requested site plan passes.

3. Hickory Street RV and Boat Storage – Site Plan

The City of Foley Planning Commission has received a request for site plan approval of Hickory Street RV and Boat Storage. Property is located N. and E. of Fielding Park Dr. and W. of S. Hickory St. Applicant is Steve Rohal.

Mrs. Boone explained the applicant has been working with his Engineer on an amended plan. She stated the plan was amended due to a change in the location of the retention area and acquiring more property. She explained the 14 parking stalls to the East will require approval from the Board of Adjustment and Appeals. She stated the applicant will be on the April Board of Adjustment and Appeals agenda for the 14 additional stalls. She explained the revised plan is showing a reduction in spaces from the previous plan and staff is recommending approval.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the revised site plan with the condition that the additional 14 stalls are approved by the Board of Adjustment and Appeals. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the revised site plan with the condition that the additional 14 stalls are approved by the Board of Adjustment and Appeals passes.

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4. Riviera and Minto Subdivision - Minor

The City of Foley Planning Commission has received a request for approval of the Riviera and Minto Subdivision, a minor subdivision which consists of 2.24 +/- acres and 2 lots. Property is located at 198 County Rd. 20. Applicant is Sawgrass Consulting, LLC.

Mrs. Boone stated staff is recommending approval of the minor subdivision.

Planning Commission Action:

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

Motion to approve the requested minor subdivision passes.

5. Resubdivision of Lot 1B of Old Time Pottery Foley Subdivision - Minor

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 1B of Old Time Pottery Foley Subdivision, a minor subdivision which consists of 1.55 +/- acres and 2 lots. Property is located E. of State Hwy. 59 and S. of Keller Rd. Applicant is the Engineering Design Group.

Public Hearing:

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

Mrs. Boone stated staff is recommending approval of the minor subdivision.

Planning Commission Action:

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

Motion to approve the requested minor subdivision passes.

6. Hidden Meadows - Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 10 +/- acres. Property is currently zoned R-4 (Residential Single Family and Duplex). Proposed zoning is R-2 (Residential Single Family and Duplex). Property is located E. of James Rd. and N. of County Rd. 12 S. Applicant is Lieb Engineering Company.

Public Hearing:

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

Mr. Mark Pumphrey resident of 9700 James Rd. asked about the difference between the current zone and proposed zone.

Mrs. Boone explained this area ties into the next agenda item which is zoned R-2. She stated the R-4 and R-2 zones both allow duplexes but the R-2 does not allow manufactured homes.

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Mrs. Rebecca Manning asked if the property touches Kennedy Park Subdivision.

Mrs. Boone stated the parcel does not touch Kennedy Park Subdivision.

Commissioner Hellmich stated the requested zone is better and will make the development consistent and all the same zone.

Planning Commission Action:

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

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

7. Hidden Meadows – Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Hidden Meadows Subdivision which consists of 30 +/- acres and 58 lots. Property is located E. of James Rd. and N. of County Rd. 12 S. Applicant is Divergent Engineering, LLC.

Public Hearing:

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

Mr. Palmer Manning resident of 1101 Sloane Cove asked if there would be a connection between the proposed development and Kennedy Park Subdivision. He stated they do not want the traffic pouring through Kennedy Park Subdivision. He asked if the previous agenda item would be a part of this subdivision.

Mrs. Boone explained agenda item #6 will be a phase of the subdivision. She explained after the rezoning is complete the applicant will come back for a preliminary approval.

Mr. Pumphrey stated his family owns the 50 acres to the north of the property. He asked if there would be a common area left between the development and his property.

Mr. Baker Davis stated there will be a 15' drainage area between the two properties. He explained there will be swales within the 15' that will drain into a retention pond.

Mr. Pumphrey asked who would be responsible for the upkeep of the drainage areas.

Mrs. Angie Eckman stated the developer will have to place funds into an account which will help the Home Owners Association with the future maintenance.

Commissioner Hellmich stated typically once the subdivision has reached 75% completion a Home Owners Association will be formed. He explained the maintenance of the drainage areas is the Home Owners Associations responsibility.

Mr. Pumphrey asked if the north side of the development will be fenced.

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Mr. Rob Pingrey stated they have not planned on it but are not opposed to adding fencing.

Mr. Pumphrey asked what type of street lighting will be used.

Commissioner Hellmich stated the area is serviced by Baldwin EMC. He explained they will work with Baldwin EMC on the style of lighting. He stated once completed the city will take over the roads and street lights.

Mr. Pumphrey asked if the City had adopted a lighting plan. He explained the lights at the mini golf are invasive and light up south Baldwin County.

Commissioner Hellmich stated the city has talked about adopting a lighting policy but one currently is not in place.

Mr. Pumphrey explained with this development, the RV park and apartments the already congested road is going to get worse. He asked if any road improvements would be required.

Commissioner Hellmich stated he did not think improvements were required for this development. He explained the city has an outstanding request in Washington to make improvements to County Rd. 20.

Mr. Pumphrey asked about the location of the utilities.

Mr. Davis explained the utilities are located on the west side of James Road.

Mr. Manning asked if the ditch on the east side will be used for drainage. He stated he is afraid the ditch will not be able to handle additional water.

Mr. Davis explained the area will have 1' swales.

Commissioner Hellmich stated the drainage will be routed to the retention pond. He explained they are required to release at or below what is currently coming off the property.

Mrs. Eckman stated phase 1 is meeting the open space requirements. She explained phase 2 will have to make some changes in order to meet the requirements.

Mrs. Boone stated she wanted to clarify the development will be a duplex subdivision.

Planning Commission Action:

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

Motion to approve the requested preliminary passes.

8. Zoning Ordinance Amendments

Public Hearing:

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

Planning Commission Action:

Mr. Dyess went over the proposed amendments with the Commissioners.

Commissioner Hellmich made a motion to approve the Zoning Ordinance amendments regarding recreational vehicles and amendments 1, 2 and 3. Commissioner Quaites seconded the motion. All Commissioners voted aye.

Motion to approve the Zoning Ordinance amendments regarding recreational vehicles and amendments 1, 2 and 3 passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:35 p.m.

Motion to adjourn the meeting at 6:35 p.m. passes.