

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

The City of Foley Planning Commission held a meeting on July 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, Wes Abrams, Calvin Hare, Phillip Hinesley and Bill Swanson. Absent members were: Vera Quaites and Tommy Gebhart. Staff present were: Wayne Dyess, Executive Director of Infrastructure and Development; 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 June 12, 2024 and June 19, 2024 meeting minutes.

Commissioner Hare made a motion to approve the June 12, 2024 and June 19, 2024 meeting minutes. Commissioner Swanson seconded the motion. All Commissioners voted aye.

**Motion to approve the June 12, 2024 and June 19, 2024 meeting minute's passes.**

**AGENDA ITEMS:**

**1. \*Paxton Farms Phase 1- Preliminary Extension**

The City of Foley Planning Commission has received a request for a 6 month preliminary extension for Paxton Farms Phase 1 which consists of 20.34+/- acres and 50 lots. Property is located at the SW corner of County Rd. 12 S and County Road 65 and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Mrs. Eden Lapham explained the property is in unzoned Baldwin County District 34. She stated the applicant has submitted for a final. She explained they are requesting a 6 month extension in order to get the request completed and through the administrative process.

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve the requested 6 month extension based on staff's recommendation and the final being near completion. Commissioner Mixon seconded the motion. All Commissioners voted aye.

**Motion to approve the requested 6 month extension based on staff's recommendation and the final being near completion passes.**

**2. \*Eastgate Subdivision- Preliminary Extension**

The City of Foley Planning Commission has received a request for a 6 month preliminary extension for Eastgate Subdivision which consists of 30+/- acres and 101 lots. Property is located at the NW Corner of Bender Rd and Springsteen Ln. Applicant is Dewberry.

Mrs. Lapham stated the property is in unzoned Baldwin County District 18. She explained they are nearing completion and are requesting a 6 month extension.

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

**Planning Commission Action:**

Commissioner Swanson made a motion to approve the requested 6 month extension. Commissioner Hare seconded the motion. All Commissioners voted aye.

**Motion to approve the requested 6 month extension passes.**

**3. UHaul- Site Plan Extension**

The City of Foley Planning Commission has received a request for a 1 year site plan extension for U-Haul. Property is located at 8220 State Hwy. 59. Applicant is Goodwyn Mills Cawood.

Mrs. Lapham explained the property is zoned B-1A. She stated they have submitted for a Land Disturbance Permit and are requesting a 1 year extension. She explained there have been no significant changes in the zoning ordinance that would affect the site plan.

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve the request for a 1 year extension. Commissioner Engel seconded the motion.

Commissioner Swanson asked if any more extensions would be allowed.

Mrs. Lapham stated if another extension is requested it would come before the Commission for approval.

Mr. Chad Christian explained the first round of Land Disturbance review comments have been provided to the applicant. He stated the applicant is actively working on addressing the comments.

All Commissioners voted aye.

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

**4. Cook Out- Site Plan**

The City of Foley Planning Commission has received a request for site plan approval for Cook Out. Property is located S. of E. Pride Blvd. and W. of S. McKenzie St. Applicant is Sambatek Engineering.

Mrs. Lapham explained the property is located within a PDD zone. She stated staff is recommending approval.

**Planning Commission Action:**

Commissioner Swanson made a motion to approve the requested site plan. Commissioner Mixon seconded the motion. All members voted aye.

**Motion to approve the requested site plan passes.**

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

**5. Express Oil Change and Tire Engineers- Site Plan**

The City of Foley Planning Commission has received a request for site plan approval for Express Oil Change and Tire Engineers. Property is located W. of the Foley Beach Express and S. of Mifflin Rd. Applicant is Bohler.

Mrs. Lapham explained the property is zoned B-1A. She stated staff is recommending approval.

Mr. Christian stated they are working with the applicant in regards to the access.

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve the requested site plan. Commissioner Hare seconded the motion. All members voted aye.

**Motion to approve the requested site plan passes.**

**6. \*Resubdivision of Lot 3 of Givens Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 3 of Givens Subdivision, a minor subdivision which consists of 64.75+/- acres and 2 lots. Property is located S. of Charolais Rd. and E. of County Rd. 65 and is located in the City of Foley Planning Jurisdiction. Applicant is Smith Clark and Associate.

**Public Hearing:**

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

Mrs. Lapham stated the property is located in unzoned Baldwin County District 34. She explained the lots are meeting the minimum lot size requirements.

**Planning Commission Action:**

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

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

**7. Schlichting Family Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Schlichting Family Subdivision, a minor subdivision which consists of 13.54+/- acres and 2 lots. Property is located at the SW corner of US Hwy. 98 and Foley Beach Express. Applicant is Weygand Wilson Surveying LLC.

**Public Hearing:**

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

Ms. Amanda Weygand stated they are requesting the item to be carried over to the September meeting.

Note: \*Denotes property located in the Planning Jurisdiction

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

**Planning Commission Action:**

Commissioner Abrams made a motion to carry over the item to the September meeting. Commissioner Hellmich seconded the motion. All members vote aye.

**Motion to carry over the item to the September meeting passes.**

**8. Resubdivision of Lot 2 Little Woerner Subdivision- Minor**

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lot 2 Little Woerner Subdivision, a minor subdivision which consists of 3.03+/- 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 to speak on the item. There were none.

Mrs. Lapham stated staff is recommending approval of the requested minor subdivision.

**Planning Commission Action:**

Commissioner Hinesley asked if the width of the flag portion of the lot is meeting city requirements.

Mr. Christian stated yes the minimum width required is 30'.

Mrs. Lapham stated they are planning to access the lot internally.

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

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

**9. Resubdivision of Lots 132 through 137 Grand Riviera RV Resort- Minor**

The City of Foley Planning Commission has received a request for approval of the Resubdivision of Lots 132 through 137 Grand Riviera RV Resort, a minor subdivision which consists of 0.41 +/- acres and 6 lots. Property is located S. of County Rd. 20 and W. of James Rd. Applicant is Weygand Wilson Surveyors.

Mrs. Lapham stated the request is to move a few lot lines in order to maintain the open space requirements within the development.

**Planning Commission Action:**

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

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

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

**10. Grand Riviera- PUD Modification**

The City of Foley Planning Commission has received a request for a PUD Modification for Grand Riviera. Property is located S. of County Rd. 20 and W. of James Rd. Applicant is WAS Design.

Mrs. Lapham explained the applicant is requesting to modify the existing PUD. She stated the modification includes public and private RV and boat storage. She explained they are also requesting to add accessory buildings and pavilions onto the individual RV lots. She stated they have included a maximum allowed size for the pavilions and accessory structures.

**Planning Commission Action:**

Commissioner Hellmich made a motion to approve the PUD modification. Commissioner Swanson seconded the motion.

Commissioner Engel stated he would have liked to see the site plan for the storage area before approving the modification.

Mrs. Lapham explained the site plan will have to be presented and approved by the Commission at a later date.

Commissioner Hellmich asked if they have discussed the possibility of the storage being for RV owners only.

Mr. Chad Watkins stated the storage is being added as an amenity and primarily for internal use. He explained they would like to have the availability to offer the storage for public and private use.

Ms. Amanda Weygand stated the use of the storage could be restricted to Lot 2B if it would make the Commissioners more comfortable.

Commissioner Hellmich stated the lot is located in a primarily commercial area.

Commissioner Hellmich amended the previous motion to approve the requested PUD modification with restricting the approval of the boat and RV storage to Lot 2B. Commissioner Swanson seconded the motion. All Commissioners voted aye.

**Motion to approve the requested PUD modification with restricting the approval of the boat and RV storage to Lot 2B.**

**11. South Juniper Street Multi Family PUD- Rezoning**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 50.48 +/- acres. Property is currently zoned B-1A (Extended Business District) and PDD (Planned Development District). Proposed zoning is PUD (Planned Unit Development). Property is located E. of S. McKenzie St. and S. of Mifflin Rd. Applicant is WAS Design.

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

**Public Hearing:**

Mr. James Bratton resident of 353 Collinwood Loop stated he does not want a two story structure located behind his home looking into his backyard and pool area. He explained the benefit of the Juniper Street extension was to alleviate traffic. He stated the added structures will increase traffic on Juniper Street.

Commissioner Hellmich explained there would be a 100' vegetated buffer, a berm and 6' to 8' fence. He stated the buildings abutting Collinwood Subdivision would be limited to two stories.

Mr. Ronald Graddy, resident of 365 Collinwood Loop, asked if the walking trail would be located on the applicant's property. He stated he is concerned about the walking trail being located so close to the rear of his property and the buildings being two stories.

Commissioner Hellmich stated the density could be reduced once the detailed engineering work is completed for the proposed site.

A resident stated he is afraid the proposed roundabout will slow down traffic and cause more traffic issues.

Mr. Wayne Dyess explained the city has very stringent design standards. He stated when you have a high volume of traffic roundabouts and street parking are added to ensure the road does not become a freeway.

Mr. Chad Watkins stated the townhomes will be two story and the apartments will be three story. He explained they are requesting two of the apartment buildings to be four stories. He stated the traffic circle and the on street parking is being added as a traffic calming measure. He explained there will be sidewalks added to make the area walkable. He stated there will be a 100' green space with existing vegetation left in place to provide separation between the development and the Collinwood Subdivision. He stated the location of the walking trail is not critical and can be modified.

Commissioner Hellmich stated the goal is to prevent visibility between the development and Collinwood Subdivision. He explained the berm, fence and vegetation will decrease the visibility between the two properties.

Mrs. Barbara Henson resident of 341 Collinwood Loop stated she moved to the area from Atlanta. She stated she doesn't feel safe with the kind of people and traffic this development will bring to the area.

Mr. Jim Morrison asked how many total units are being proposed.

Mrs. Lapham stated they are proposing a total of 592 units.

Mr. Dennis Halloran stated traffic and drainage is a concern.

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

Mr. James Bratton stated the development will be built up higher than their residence and will cause additional water to run into Collinwood Subdivision.

Mr. Gary Champagne explained another way to calm the traffic is to make the development single family. He stated just because the owner cannot optimize their return doesn't not mean a single family cannot be built in the area.

Ms. Theresa King explained she has concerns regarding the drainage which is already an issue within Collinwood Subdivision. She stated the number of units multiplied by two drivers per unit would add an additional 1,200 drivers to the already congested roads. She explained as a citizen, mother and grandmother parking on the street horrors and appalls her. She stated she would like to see single family one story homes built on the property abutting Collinwood Subdivision.

Mr. Watkins showed renderings of the proposed style of the buildings to be constructed on the lot.

Mr. Dyess explained the purpose of the Comprehensive Plan and Land Use Maps. He stated he has been working closely with the applicant to try and mitigate some of the concerns.

A resident asked about the proposed lease rates for the townhomes.

The applicant stated the plan is to sell the townhomes.

**Planning Commission Action:**

Commissioner Hellmich stated he would like to carry over the item in order to give the applicant time to go over and make any updates needed to reflect and address the residents' concerns.

The applicant stated he will be glad to meet and work with the Home Owners Association representative.

Commissioner Hellmich made a motion to carry over the item. Commissioner Hinesley seconded the motion.

Commissioner Engel stated 592 units are going to add at least 1,000 cars to the area. He explained he understands we cannot stop the growth but feels we need to get our feet under us in this town. He stated he has no issue with the roundabout but would like to see something with a lower density and similar to Collinwood Subdivision built on the property.

Commissioner Hinesley stated he agrees that the development is too much density.

Chairman Abrams explained he understands there is concern regarding traffic and drainage which the Commission and City take very seriously. He stated there are some things that can be controlled and some things they are unable to control. He explained this is a nice development and if we are going to have growth he wants to see nice growth. He stated he likes the split plan with the less dense half backing up to the single family homes.

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

Commissioner Hellmich stated growth will happen. He explained there are half a million tourists that travel through our area and that is a contributing factor to the traffic issues. He stated regulations have been changed in order to improve and provide good growth.

All Commissioners voted aye.

**Motion to carry the item over passes.**

**12. Satsuma Two- Minor**

The City of Foley Planning Commission has received a request for approval of Satsuma Two, a minor subdivision which consists of 1.37 +/- acres and 2 lots. Property is located at 410 W. Persimmon Ave. Applicant is Charles Guy.

**Public Hearing:**

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

Mr. Bill Bruton resident of 1101 N. Oak St. stated he is a neighboring property owner. He explained the issues the area has regarding flooding and his concerns that any construction on this lot will increase flooding in the area.

Mr. Christian explained since the previous meeting Public Works has been working in the area and have jetted out pipes. He stated there has been a drainage easement added in the middle of the lot. He explained there will be a note added to the plat stating nothing can be added in the easement area and the city will have access for maintenance if needed.

Mr. David Dichiara explained the easement was added to the low spot on the lot. He stated the area holds water with or without a house being constructed on the lot. He explained based on a model using the soil type the difference with the house being constructed onto the lot only shows a difference of 1/3".

Mr. Wayne Dyess stated a lot of drainage work has been done in the area recently.

Commissioner Hellmich asked residents to get with Mr. Dyess with specific locations of drainage issues.

Mr. Marvin York resident of 403 W. Satsuma Ave. stated his main concern is any type of building on the lot will increase the flooding onto his property.

Mr. Lapham stated staff is recommending approval of the two lots which are meeting zoning requirements.

**Planning Commission Action:**

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

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

Commissioner Hellmich stated the plan shows building up only around the house.

Commissioner Hellmich amended the previous motion to include the commitment to maintain the easement across the lot and the only fill dirt to be added is around the house as shown in the submitted rendering. Commissioner Engel seconded the motion. Commissioner Engel voted nay. All other members voted aye.

**Motion to approve to include the commitment to maintain the easement across the lot and the only fill dirt to be added is around the house as shown in the submitted rendering.**

**13. Public Project- Wayfinding Signage**

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the wayfinding signage.

Mrs. Lapham stated staff is recommending approval of the wayfinding signage.

**Planning Commission Action:**

Commissioner Hinesley made a motion to recommend the Public Project-Wayfinding Signage to the Mayor and Council. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

**Motion to recommend the Public Project Wayfinding Signage to the Mayor and Council passes.**

**14. Zoning Ordinance- Proposed Amendments**

**Public Hearing:**

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

**Planning Commission Action:**

Mr. Wayne Dyess stated he is requesting the item be carried over.

Commissioner Hellmich made a motion to carry over the item as requested. Chairman Swanson seconded the motion. All members voted aye.

**Motion to carry over the item as requested passes.**

**ADJOURN:**

Chairman Abrams adjourned the meeting at 7:45 p.m.