

**PLANNING COMMISSION
MEETING MINUTES JANUARY 15, 2025
(Council Chambers of City Hall) 5:30 P.M.**

The City of Foley Planning Commission held a meeting on January 15, 2025 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 and Tommy Gebhart. Absent member was Bill Swanson. Staff present were: Wayne Dyes, Director of Infrastructure and Development; Miriam Boone, City Planner; Chad Christian, City Engineer; Angie Eckman, Environmental Manager; Nelson Bauer, Infrastructure and Development Program Manager; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

MINUTES:

Approval of the December 4, 2024 and December 11, 2024 meeting minutes.

Commissioner Hinesley made a motion to approve the December 4, 2024 and December 11, 2024 meeting minutes. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the December 4, 2024 and December 11, 2024 meeting minute's passes.

AGENDA ITEMS:

1. *Foley Pointe Phase 1- Preliminary Extension 1 Year and Name Change

The City of Foley Planning Commission has received a request for approval of a 1 year preliminary extension and subdivision name change for Foley Pointe Phase 1 formally Cove at Cotton Bayou which consists of 35.27 +/- acres and 53 lots. Property is located E. of County Rd. 65 and S. of Dairy Ln. and is located in the City of Foley Planning Jurisdiction. Applicant is Jade Consulting, LLC.

Mrs. Miriam Boone stated staff is recommending approval of the requested 1 year preliminary extension and subdivision name change.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the request based on the fact that it is nearing completion. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested 1 year preliminary extension and subdivision name change passes.

2. Outpost Orchard Phase 3 & Phase 4- Preliminary Extension 6 months

The City of Foley Planning Commission has received a request for approval of a 6 month preliminary extension for Outpost Orchard Phases 3 & 4 which consists of 20.38 acres and 116 lots. Property is located S. of E. Michigan Ave. and W. of S. Pecan St. Applicant is S.E. Civil, LLC.

Planning Commission Action:

Chairman Abrams stated the item has been withdrawn from the agenda by the applicant.

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3. Cox Pools- Site Plan Extension 1 Year

The City of Foley Planning Commission has received a request for approval of a 1 year site plan extension for Cox Pools. Property is located S. of US Hwy. 98 and E. of the Foley Beach Express. Applicant is Pillar, LLC.

Mrs. Boone stated the original staff report recommended denial which has been changed to approval. She explained they have gone vertical with a fence which is a structure and shows progress.

Planning Commission Action:

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

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

4. Bella Vista Townhomes Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of the Bella Vista Townhomes Subdivision a minor subdivision which consists of 19.34 +/- acres and 3 lots. Property is located at 105 Cody Ln. Applicant is Ramsey Land Surveying LLC.

Public Hearing:

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

Ms. Deb Swiontek resident of 8169 Carmel Circle stated she lives adjacent to the property. She asked how the request will impact Bella Vista and who currently owns the retention pond.

Mrs. Angie Eckman explained the pond is owned by the current property owner, not Bella Vista. She stated she has reached out to the owner and they are going to start maintaining the pond.

Ms. Swiontek stated it has been a struggle finding out who owns the pond and getting it maintained. She explained Bella Vista Home Owners Association has had to pay to have the pond cleaned. She had questions regarding the proposed development and potential roads within the proposed subdivision.

A representative was not present at the meeting.

Planning Commission Action:

Mrs. Boone stated there were comments from the Engineering Department regarding the labeling of lots which has been addressed. She explained the Fire Department had comments on the staff report in regards to the Fire Code.

Commissioner Engel asked about the plans for the property. He stated it appears some of the property includes wetlands.

Mrs. Eckman stated the wetlands are located within the common area.

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Commissioner Hellmich made a motion to approve the requested subdivision to include staff comments particularly the Fire Department comments and all conditions being met. Commissioner Hinesley seconded the motion.

Commissioner Engel stated he has several questions in regards to the request and is not in favor until conditions are met and questions can be answered.

Commissioner Hellmich stated it does concern him the applicant is not present to answer questions.

Commissioner Hellmich and Commissioner Hinesley rescinded their motion. Commissioner Hellmich made a motion to carry the item over to next month's meeting. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to carry the item over to next month's meeting passes.

5. Haley Subdivision a Resub of Lots 3 & 4 Foley Professional Park and Lot 4 Peachtree Center Commercial Center Commercial Park Unit 2- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of the Haley Subdivision a Resubdivision of Lots 3 & 4 Foley Professional Park and Lot 4 Peachtree Center Commercial Park Unit 2 which consists of 9.14 +/- acres and 6 lots. Property is located S. of E. Peachtree Ave. and E. of N. McKenzie St. Applicant is Lieb Engineering Company.

Public Hearing:

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

Planning Commission Action:

Mrs. Boone stated staff had previously recommended a conditional approval. She explained the applicant has addressed staff comments regarding street trees and they are now recommended for approval.

Mr. Dyess stated the applicant has done a very good job on the street tree plan.

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

Motion to approve the requested preliminary passes.

6. Wolf Ridge-Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 43.44 +/- acres. Property is currently zoned PUD (Planned Unit Development) proposed zoning is PUD (Planned Unit Development), with a higher density than previously approved. Property is located N. of County Rd. 12 and E. and W. of Clarke Ridge Rd. Applicant is Lieb Engineering Company.

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Public Hearing:

Mr. Curtis Chaudoin resident of 9094 Albatross Dr. asked about the number of lots in the new proposed plan. He stated the common area was proposed to be a gravel lot for boats, campers and RV'S. He explained his house is to the west of this common area. He asked if all lots would have access to the common area and if there would be any types of restrictions. He explained he does not want to have to look at what will be a trailer park. He stated if every house has a boat and RV they could possibly be looking at 70 boats and RV's parked on the lot. He asked if they thought about paving the common area rather than using gravel and if there would be security installed. He asked if there would be any type of buffer between the proposed common area and existing houses.

Mrs. Boone explained the proposed change in density is for the eastern portion off of Clarke Ridge Rd. She stated the proposed change is to modify the current approved lots from 17 to 23.

Commissioner Hinesley explained any restrictions on the common area would be handled through a Home Owners Association.

Mrs. Sarah Filley resident of 9071 Albatross Dr. stated the homeowners are asking for a buffer to be put into place between the two communities.

The attorney representing Mr. & Mrs. Jim Quinlan residents of 9195 Clarke Ridge Rd. stated the resident's property currently has serious flooding issues. He asked that the Commissioners consider the type of road construction being proposed beside Mr. & Mrs. Quinlan's property. He asked if the proposed gravel road to the common area is adequate and can support the expected amount of traffic. He stated his clients ask the Commissioners to consider storm water management and that a buffer be provided.

Mr. Chad Christian stated the road will have to be built to minimum standards and asphalted.

Mr. Wayne Dyess stated at this time construction plans for the road and drainage details have not been submitted and will be reviewed with the subdivision submittal.

Mr. Scott Murry resident of 3920 Aqua Ln. stated the revised plan puts a walking trail, pavilion and golf cart path at his front door. He explained the revised plans created an eye sore for him. He stated the previous plan had this area as green space. He bought his property because it is peaceful and quiet. He asked how much added traffic will be created from another 35 homes in the area.

Mr. Zan Blue resident of 3922 Aqua Ln. stated the home owners in the area have come and talked with the City Council previously about water run off issues in this area. He explained the area has serious drainage and road problems. He explained the added traffic and construction vehicles will cause further road issues.

Ms. Orlinda McKinley stated the current construction vehicles are coming in front of her house behind her mailbox instead of using the construction entrance which is causing ruts and standing water. She explained with the detour on County Rd. 20 traffic on Clarke Ridge Road has increased. She stated the added traffic has made it difficult for her to get in and out of her driveway. Commissioner Hellmich stated the road construction being done on County Rd. 20 is being done

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through Baldwin County.

Mr. Tom Foster resident of 9065 Clarke Ridge Rd. stated the traffic on Clarke Ridge Rd. is a constant problem with no enforcement.

Commissioner Hellmich suggested the residents talk with Baldwin County. He explained the city cannot enforce a County maintained roadway.

Mr. Chris Lieb explained the buffer area on the east common area has been increased. He stated the west common area will have a dedicated landscape buffer. He explained the City does have landscape and buffer requirements which will have to be met. He stated it is his job to ensure no storm water goes onto anyone else's property. He explained if additional retention is needed it will be added.

Mr. Murry stated he requests if the retention area is needing to be increased it is done more towards County Rd. 12 and not by the existing residents.

Mr. Dyess asked why they are requesting to increase the density.

Mr. Lieb stated they may potentially have a new owner and they would like more lots to sell. He explained the PUD is below the allowed density.

Planning Commission Action:

Commissioner Hellmich made a motion to deny the request based on what was originally planned for the area. Commissioner Engel seconded the motion.

Commissioner Hellmich stated he would like to add that the buffer on the proposed PUD is larger than previously proposed. He stated they have committed to a vegetated buffer. He explained the common area was proposed to be gravel rather than paved due to help with run off.

All Commissioners voted aye.

Motion to deny the requested rezoning passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 6:26 p.m.

Motion to adjourn the meeting at 6:26 p.m. passes.