

**PLANNING COMMISSION
MEETING MINUTES APRIL 15, 2026
(Council Chambers of City Hall)
Immediately Following Work Session**

The City of Foley Planning Commission held a meeting on April 15, 2026 immediately following the work session in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Deborah Mixon, Larry Engel, Vera Quaites, Wes Abrams and Calvin Hare. Absent members were: Tommy Gebhart, Ralph Hellmich, Bill Swanson and Phillip Hinesley. Staff present were: Shawn Mitchell, Planning Manager; Nelson Bauer, Infrastructure and Development Manager; Taylor Davis, City Engineer; Raven Roberts, Deputy City Engineer; Jackie McGonigal, Environmental Manager; Buford King, Director of Public Projects Infrastructure and Development; Miriam Boone, Planning Director; Eden Lapham, Planner 1 and Amanda Cole, Acting Recording Secretary.

Chairman Abrams called to meeting to order at 4:41 p.m.

MEETING MINUTES:

Approval of the March 18, 2026 work session and meeting minutes.

Commissioner Quaites made a motion to approve the March 18, 2026 work session and meeting minutes. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the March 18, 2026 work session and meeting minute's passes.

AGENDA ITEMS:

1. Gulf Self Storage- Site Plan

The City of Foley Planning Commission has received a request for approval of the Gulf Self Storage site plan. Property is located at 3501 S. McKenzie St. Applicant is Axis Engineering Company.

Mrs. Miriam Boone stated staff is recommending conditional approval.

Planning Commission Action:

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

Motion to approve the requested site plan passes.

2. United Bank- Site Plan

The City of Foley Planning Commission has received a request for approval of the United Bank site plan. Property is located at 516 S. McKenzie St. Applicant is S.E. Civil Engineering & Surveying.

Mrs. Boone stated staff is recommending conditional approval.

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Mr. Taylor Davis stated the Engineering Department recommends this case moves forward for all phases. Mr. Davis stated this would allow the applicant to be able to move into the technical design review with the land development permit which would allow staff to continue the review process.

Planning Commission Action:

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

Commissioner Hare asked to clarify the applicant is agreeing to comply with any comments the Engineering Department may find in their technical review.

Mr. David Lavery with S.E. Civil stated the applicant was expecting a technical review process and will work with staff on any review comments.

Motion to approve the requested site plan passes.

3. Live Oak Village Phase 4- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase 4, which consists of 30 +/- acres and 54 lots. Property is located S. of Underwood Rd. and W. of Cedar St. Applicant is S.E. Civil Engineering & Surveying.

Public Hearing:

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

Stephen Rogosky resident of 1621 Hudson Rd. asked if turn lanes were going to put in off of Underwood and Cedar St.

Chairman Abrams asked for any answers/comments to questions be provided after all the questions have been received.

Mr. Rogosky asked if there would be a secure construction entrance, and if the builder was known yet. Mr. Rogosky stated the construction entrance now is not secure and there have been issues of people stealing out of cars.

Sharon Bertschi resident of 1625 Hudson Rd. asked what kind of buffer was going to be placed across from the swale shown and how many trees will be removed. Ms. Bertschi also asked about the plan for the debris removal.

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Rick Stephens resident of 311 Savannah Cir. asked if sidewalks were required for these phases.

Robert Benning resident of 1745 Breckinridge Pl. asked about the infrastructure.

Pat McDonald resident of 1804 Charleston Cir. asked about the amenities. Ms. McDonald stated the existing clubhouse and amenities can't accommodate the addition of these homes.

Chairman Abrams stated he can address the infrastructure question pertaining to utilities as he works for Riviera Utilities. For electric they have extreme extra capacity right now, for water several new wells have been added and a wastewater upgrade was done to the system 4-5 years ago. There is room to possibly double the current capacity.

Chloe Kelly with 68 Ventures stated there is not a proposed amenity center with these phases from their group. There will be left and right turn lanes installed at the entrance on Underwood Rd.

Ms. Kelly stated the construction entrance will be accessed through the public right-of-way because a separate construction entrance would require crossing wetlands. Ms. Kelly stated they are not contracted with any builders at this time. They are probably 8-9 months out from knowing who the builder will be.

Ms. Kelly stated any clearing on the site will not begin until a land disturbance permit is received. Sidewalks are included in the plan.

Ms. McDonald asked about the buffer area by the swale and the debris removal process.

Ms. Kelly stated Alabama did have burn bans regarding when burning can take place.

Chief Darby, the Fire Chief for the City of Foley, stated a city ordinance prohibits the burning of debris from land clearing practices with the exception of approval of a forced air incinerator. The use of a forced air incinerator is approved under very specific conditions.

Chief Darby stated he is unlikely to permit any burning at this site due to the proximity of residences and the municipal airport. A conversation would need to be had with the developer.

An audience member asked who will be paying to widen the entrance off of Underwood Rd. that was mentioned.

Ms. Kelly answered they would be.

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An audience member asked if security will be provided at the construction entrance since it will likely be used during all hours. The gates now are permanently closed due to issues in the past.

Michael with CHS Properties stated the gates can be put on a schedule or can open through command. The gates are brand new and can take the multiple times of opening and closing.

Susan Stephens resident of 311 Savannah Cir. asked about an agreement regarding the wear and tear of the roads.

Ms. Kelly stated they have agreed to pay contributions on a per lot basis to off-set any wear and tear that may happen.

Ray Nilssen resident at 301 Savannah Cir. asked if turn lanes were still going to be installed on Co Rd 24.

Chairman Abrams stated yes.

Ms. McDonald asked about the buffer along the swale.

Ms. Kelly stated she can't speak on the buffer as the plans have not be done yet.

Mrs. Boone stated staff was recommending approval.

Planning Commission Action:

Commissioner Quaites made a motion to approve the requested preliminary subdivision based on staff's comments. Commissioner Hare seconded the motion.

Commissioner Engel stated he had concerns regarding the wetlands, smaller lot sizes and would like to see sidewalks. Commissioner Engel also stated he would like to have seen a separate construction entrance.

Commissioner Engel voted nay. All other Commissioners voted aye.

Motion to approve the requested preliminary subdivision passes.

4. Live Oak Village Phase 5- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase 5, which consists of 6.75 +/- acres and 36 lots. Property is located S. of Underwood Rd. and W. of Cedar St. Applicant is S.E. Civil Engineering & Surveying.

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Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item. An audience member stated the current clubhouse and amenities will not accommodate these proposed homes.

Karen Przysucha a resident at 1785 Breckinridge Pl. was concerned about the small lot sizes and stated there is not enough parking right now and didn't see any additional parking shown for these new lots. Ms. Przysucha asked for more parking to be added.

An audience member wanted to add they were in favor of preserving the current woodlands on site.

Mrs. Boone stated staff is recommending approval.

Planning Commission Action:

Commissioner Hare made a motion to approve the requested preliminary subdivision. Commissioner Quaites seconded the motion.

Commissioner Engel stated he understands this development was approved under old guidelines however the city has a new Comprehensive Plan in place right now with requirements for larger houses and lots and he would like to start seeing those.

Commissioner Hare stated this PUD was approved under different regulations and hoped going forward we can see more progress for the developments we want to see.

Commissioner Engel stated he would like to see an expiration date on projects.

Mr. Davis stated he wanted to mention these phases will include sidewalks that will meet our standards.

Commissioner Engel voted nay. All other Commissioners voted aye.

Motion approve the request preliminary subdivision passes.

5. Live Oak Village Phase 7- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of Live Oak Village Phase 7, which consists of 6.65 +/- acres and 11 lots. Property is located S. of Underwood Rd. and W. of Cedar St. Applicant is S.E. Civil Engineering & Surveying.

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Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item. An audience member stated he is concerned about the trees along Live Oak Village Rd. not being preserved.

Mr. Stephens of 311 Savannah Cir. stated he didn't have an issue with the additional homes being added however he was concerned about the drainage and the wetlands.

Jackie McGonigal stated phases 4 and 7 do back up to wetlands. When a land development permit is submitted they will have to provide full detailed plans and supplemental materials including a wetland delineation. Post storm and random inspections are completed by Environmental Staff throughout the development process with the power to place stop work orders and require remediation in the event that adverse wetland impacts are found.

An audience member stated trees have already started being cut down across from the Savannah Cir. entrance and asked if approvals have been received.

Mr. Davis stated he observed what appeared to some clearing for surveying.

Mrs. McGongial stated a site visit would be made to the site.

Planning Commission Action:

Commissioner Mixon made a motion to approve the requested preliminary subdivision. Commissioner Quaites seconded the motion.

Commissioner Engel voted nay. All other Commissioners voted aye.

Motion to approve the requested preliminary subdivision passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 5:28 p.m.

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Planning Commission Chairman

Date

Acting Recording Secretary

Date