

**PLANNING COMMISSION
MEETING MINUTES MAY 20, 2026
(Council Chambers of City Hall)
Immediately Following Work Session**

The City of Foley Planning Commission will a meeting on May 20, 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, Ralph Hellmich, Wes Abrams, Calvin Hare, Phillip Hinesley and Tommy Gebhart. Absent members were: Vera Quaites and Bill Swanson. Staff present were: Miriam Boone, City Planner; Shawn Mitchell, Planning Manager, Nelson Bauer, Infrastructure and Development Manager, Jackie McGonigal, Environmental Manager, Buford King, Director of Public Projects Infrastructure and Development; Taylor Davis, City Engineer; Raven Roberts, Deputy City Engineer; Eden Lapham, Planner 1; Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Chairman Abrams called the meeting to order at 4:35 p.m.

MEETING MINUTES:

Approval of the April 15, 2026 work session and meeting minutes.

Commissioner Gebhart made a motion to approve the April 15, 2026 work session and meeting minutes. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

Motion to approve the April 15, 2026 work session and meeting minute's passes.

AGENDA ITEMS:

1. Grand Riviera Boat and RV Storage- Site Plan

The City of Foley Planning Commission has received a request for approval of the Grand Riviera Boat and RV Storage site plan. Property is located S. of Mifflin Rd and W. of James Rd. Applicant is Lieb Engineering Company.

Mrs. Miriam Boone stated staff is recommending a conditional approval based on no buildings being located on the site.

Planning Commission Action:

Commissioner Gebhart made a motion to approve the requested site plan with the condition of no buildings being located on the site. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to approve the requested site plan with the conditions of no buildings being located on the site passes.

2. PJ's Coffee- Site Plan

The City of Foley Planning Commission has received a request for approval of the PJ's Coffee site plan. Property is located S. of Mifflin Rd. and W. of James Rd. Applicant is Lieb Engineering Company.

Planning Commission Action:

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Mrs. Boone stated staff is recommending approval of the site plan. Commissioner Hellmich 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.

3. Vulcan, Inc.- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 2 +/- acres. Property is currently zoned M-1 (Light Industrial District). Proposed zoning is B-3 (Local Business District). Property is located at 339 E. Berry Ave. Applicant is Vulcan, Inc.

Public Hearing:

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

Mrs. Boone stated staff is recommending approval of the requested rezoning.

Planning Commission Action:

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

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

4. Harold Motter- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 1.03 +/- acres. Property is currently zoned R-1A (Residential Single Family). Proposed zoning is B-3 (Local Business District). Property is located at 20971 Brinks Willis Rd. Applicant is Harold Motter.

Public Hearing:

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

Mrs. Boone stated staff is recommending approval of the requested rezoning.

Planning Commission Action:

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

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

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5. The Waters at OWA- Site Plan

The City of Foley Planning Commission has received a request for a site plan for The Waters at OWA. Property is located W. of the Foley Beach Express and N. of N. OWA Blvd. Applicant is Stoa Group.

Mrs. Boone stated staff is recommending approval and have noted that the confirmation of the road name will be uploaded into Citizenserve.

Planning Commission Action:

Commissioner Engle asked the number of units proposed.

Mr. Brinson stated that the original density was 324 units, but it has been reduced to 312 units due to open space requirements and other project elements.

Commissioner Gebhart made a motion to approve the requested site plan. Commissioner Mixon seconded the motion. Commissioner Hinesley and Commissioner Engel voted nay. All other Commissioners voted aye.

Motion to approve the requested site plan passes.

6. Climate Storage- Conditional Use

The City of Foley Planning Commission has received a request for a Conditional Use to allow storage structures in a B-1A zone. Property is located at 14965-A State Hwy. 59. Applicant is Trey Potts.

Public Hearing:

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

Mrs. Boone stated staff is recommending a conditional approval with the following conditions and comments:

- Currently, there is no proper fire apparatus turnaround area once entering the property.
- All portions of the building's exterior walls must be accessible within 200ft of the fire apparatus.
- Currently, the apparatus's drivable surface is at the front of the building. Since the building is 250 feet long, fire hose lines cannot reach all exterior portions.
- An access road could be added to one side of the building to meet the requirement.
- Documentation from a fire protection contractor must be provided confirming the current sprinkler design is capable of providing adequate protection for the proposed change of use.
- A building permit will be required for any building modifications.

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Planning Commission Action:

Commissioner Hellmich made a motion to approve the requested conditional use with staffs comments and conditions. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested conditional use with staffs comments and conditions passes.

7. Tretheway Subdivision- Minor

The City of Foley Planning Commission has received a request for approval of Tretheway Subdivision a minor subdivision which consists of 4.92 +/- acres and 2 lots. Property is located E. of Foley Beach Express and W. of Roscoe Rd. Applicant is Engineering Design Group.

Public Hearing:

Chairman Abrams asked if there were any members of the public to speak on the item. There were none. He explained the applicant has requested to carry the item over to next month.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the request to carry over the item 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.

8. Ridge on Wolf Creek Phase II- PUD Modification

The City of Foley Planning Commission has received a request for approval of a PUD modification for the Ridge on Wolf Creek Phase II. Property is located N. of County Rd. 12 S. and E. of Clarke Ridge Rd. Applicant is McGuire Associates.

Mrs. Boone stated staff is recommending approval with the following comments and conditions:

- The Technical Design Manual will apply.
- The current zoning and land disturbance approval will no longer be valid.
- A new Land Disturbance application will be required.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the requested PUD modification with staffs comments and conditions. Commissioner Hare seconded the motion.

Commissioner Hare stated the Technical Design Manual contains higher standards that the applicant will be required to meet.

The applicant stated that they are currently working to obtain their ADEM permit.

All Commissioners voted aye.

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Motion to approve the requested PUD modifications with staffs comments and conditions passes.

9. Nature Walk at Graham Creek Subdivision- Deviation

The City of Foley Planning Commission has received a request for a deviation from the Subdivision Regulations, Section 5.5.F.2.b at least 50% of the civic open space perimeter shall front public streets or active building frontages and Section 5.8.B requiring street trees along Roscoe Rd. and Philomene Holmes Blvd. Property is located N. and S. of Philomene Homes Blvd. Applicant is DHI Engineering, LLC.

Mrs. Boone stated staff is recommending approval with the following comments and conditions:

- A 30 ft. wide greenbelt shall be preserved along both sides of Philomene Holmes. The greenbelt may be located inside the lots rather than the public right of way. A note has added to the plat to notify homeowners that the greenbelt may not be removed. Where there are not adequate trees to create a 30 ft. buffer, the existing trees shall be supplemented with additional canopy trees and understory trees to be shown on the landscape plan.
- Fencing between the rear yards and open space must be no more than 42 inches in height, transparent in design (e.g., metal rail or split rail), and must allow visual and physical permeability on all publicly accessible sides. No side or rear-lot fencing can obstruct views of the civic open space. (Sub Regs §5.5.F.2)

Planning Commission Action:

Commissioner Hinesley stated he has concerns over approval of deviations and the potential for similar requests in the future.

Commissioner Hellmich stated he believes this is a unique situation and a compromise, and that the proposed density is less than what is otherwise allowed. He added that trails will extend to the park and staff will closely monitor construction to ensure there are no impacts on the park.

Commissioner Engel stated that he has concerns regarding the environmental impacts the development may have on the park.

Commissioner Hellmich stated that he understood there were discussions regarding the donation of wetland and issues related to buffer requirements associated with controlled burns, and suggested that these matters could be revisited at a later time.

Commissioner Hellmich made a motion to approve the requested deviation with staffs comments and conditions. Commissioner Hare seconded the motion. Commissioner Engel and Commissioner Hinesley voted nay. All other Commissioners voted aye.

Motion to approve the requested deviation with staff comments and conditions passes.

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10. Nature Walk at Graham Creek Subdivision- Preliminary

The City of Foley Planning Commission has received a request for preliminary approval of the Nature Walk at Graham Creek Subdivision, which consists of 77.16 +/- acres and 41 lots. Property is located N. and S. of Philomene Holmes Blvd. Applicant is DHI Engineering, LLC.

Public Hearing:

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

Mrs. Boone stated staff is recommending approval with the following comments and conditions:

- Provide a crosswalk near the intersection of Philomene Holmes and Roscoe Road to provide connection for the sidewalks.
- As part of the land development permit review, the contractor will be required to overlay the existing asphalt road along Philomene Holmes and Roscoe Rd with the minimum wearing surface requirement as outlined in the 2022 Land Development Ordinance due to the number of open cuts for utilities and current condition of these roads.
- A fire department turn-around shall be provided at the end of the development that meets the requirements of Appendix D in the 2024 IFC.
- A full landscape plan will be required at the LDP phase. LDO 2022 tree density requirements are a minimum of 10 native trees per acre of open and civic space. This density can be offset by preserving native trees 8" DBH or greater.

Planning Commission Action:

Commissioner Engel asked who the builder would be of the homes.

The developer said DR Horton would be the builder of the homes.

Commissioner Hellmich made a motion to approve the requested deviation with staffs comments and conditions. Commissioner Hare seconded the motion. Commissioner Engel and Commissioner Hinesley voted nay. All other Commissioners voted aye.

Motion to approve the requested deviation with staff comments and conditions passes.

11. Flex Office Space- Site Plan

The City of Foley Planning Commission has received a request for a site plan for Flex Office Space. Property is located at 11980 Foley Beach Express. Applicant is Engineering Design Group.

Mrs. Boone stated staff is recommending an approval with the following comments and conditions:

- A 35 foot buffer be provided along the eastern boundary of the development adjacent to the MH-1 zoning district. The buffer must include 7 trees and 40 shrubs per 100 feet.

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Staff noted that the buffer requirement may be reduced by one-half if fencing is installed.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the site plan with staffs comments and conditions. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the site plan with staffs comments and conditions passes.

12. Zoning Ordinance- Signage 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:

Commissioner Hare made a motion to recommend the requested zoning ordinance amendments to the Mayor and Council. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to recommend the requested zoning ordinance amendments to the Mayor and Council passes.

13. Retirement Resolution for Miriam Boone

Chairman Abrams presented a resolution honoring Miriam Boone for thirty years of dedicated service to the City of Foley.

Commissioner Abrams made a motion to approve the resolution. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the resolution passes.

ADJOURN:

Chairman Abrams adjourned the meeting at 5:02 p.m.

Motion to adjourn the meeting at 5:02 p.m. passes.