

**PLANNING COMMISSION
MEETING MINUTES JUNE 17, 2026
(Council Chambers of City Hall)
Immediately Following Work Session**

The City of Foley Planning Commission held a meeting on June 17, 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, Ralph Hellmich, Calvin Hare, Tommy Gebhart and Bill Swanson. Absent members were: Wes Abrams and Phillip Hinesley. Staff present were: Shawn Mitchell, Taylor Davis, Cory Rhodes, Eden Lapham, Jackie McGonigal, Amanda Cole and Melissa Ringler.

Vice Chairman Hare called the meeting to order at 4:20 p.m.

MEETING MINUTES:

Approval of the May 20, 2026 work session and meeting minutes.

Commissioner Hellmich made a motion to approve the May 20, 2026 work session and meeting minutes. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the May 20, 2026 work session and meeting minute's passes.

AGENDA ITEMS:

1. Two Commercial Warehouse Buildings - Site Plan

The City of Foley Planning Commission has received a request for approval of the site plan for Two Commercial Warehouse Buildings. Property is located at 11746 Barin Field Rd. Applicant is Matt Ingram.

Planning Commission Action:

Mrs. Eden Lapham explained the property is located at the north end of the Industrial Parkway and east of the Foley Beach Express. She stated that the request is for approval of two metal commercial buildings located in an M-1 zoning district.

Mrs. Lapham explained that a landscaping plan has been submitted showing additional landscaping within the existing parking area as well as a buffer along the neighboring property zoned MH-1. She stated that staff is recommending conditional approval subject to the following conditions:

- Remove excessive existing asphalt to promote Low Impact Development (LID).
- A pond outfall/overflow will be required.
- If reducing the buffer the fencing cannot be chain link.
- Show buffer width next to MH-1 neighboring property on landscape plan.

Commissioner Hellmich made a motion to approve the site plan subject to the staff's recommended conditions. Commissioner Engel seconded the motion. All Commissioners voted aye.

Motion to approve the site plan subject to the staffs recommended conditions passes.

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2. Magnolia Walk- PDD Modification

The City of Foley Planning Commission has received a request for a PDD modification for Magnolia Walk. Property is located N. of County Rd. 20 and E. of Foley Beach Express. Applicant is Burton Property Group.

Planning Commission Action:

Mrs. Shawn Mitchell stated the property is located north of Mifflin Rd. and east of the Foley Beach Express. She explained the request is to amend the PDD by reducing its size from 102 acres to 76 acres, decreasing the area designated for residential uses, increasing the area designated for commercial uses, and clarifying the open space requirements. Multifamily developments must meet requirements of the Zoning Ordinance/ Subdivision Regulations in effect when each development application is submitted. Reclassify the Open space/Conservation area in north as conservation due to the wetlands, flood zone, floodway. She explained the southern area classified as wetlands had been removed, but was required to be put back until a wetland delineation is completed.

Commissioner Hellmich commented that any wetlands on the property could potentially be donated to a land trust and protected through a conservation easement.

Mrs. Mitchell stated that a master signage plan has been submitted. She explained that one of the proposed signs is located within the right of way and will require City Council approval. She further noted that vision clearance triangles have been provided to demonstrate that no sign visibility obstructions are present. She stated staff is recommending the following conditions:

- City Council approval of PDD26-000009 to modify the Magnolia Walk East PDD Master Plan
- Planning Commission and City Council approval of rezoning application Z26-000009
- The following are the “Conditions of Approval”
- City Council approval to rezone a portion of the PDD to B-1A (Z26-000009).
- A minimum of 15% of the total PDD shall be designated as open space. Multi-family residential developments must comply with the civic open space requirements of the Zoning Ordinance and Subdivision Regulations in effect at the time of a complete application submission
- The location of sign 3 in the master signage plan is subject to City Council approval allowing placement of said sign within the ROW of Crestview Blvd and the execution of any written agreement required by the City Council regarding the same. If the location of sign 3 is denied by the City Council, all other contents of the Master Sign Plan and Master Sign Plan Map shall remain in full force and effect and shall not affect any remaining terms of the PDD modification.

Commissioner Hellmich made a motion to recommend the PDD Master Plan Modification to the Mayor and Council with staffs recommended conditions. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

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Motion to recommend the requested rezoning PDD modification subject to the staff's recommended conditions passes.

3. Magnolia Walk- Rezoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 25.36 +/- acres. Property is currently zoned PDD (Planned Development District). Proposed zoning is B-1A (Extended Business District). Property is located N. of County Rd. 20 and E. of Foley Beach Express. Applicant is Burton Property Group.

Public Hearing: Vice Chairman Hare asked if there were any members to speak on the item. There were none.

Mrs. Shawn Mitchell stated B-1A zoning is appropriate for the Village Place type which the property is located in.

Planning Commission Action:

Mrs. Mitchell stated B-1A is appropriate for the Village Center Place type which the property is located in. She explained staff is recommending the following condition:

- Planning Commission and City Council approval of (PDD26-000004) to modify the Magnolia Walk East PDD master Plan.

Commissioner Hellmich made a motion to recommend the requested rezoning to the Mayor and Council subject to staffs recommend conditions. Commissioner Quaites seconded the motion.

Commissioner Hellmich stated commercial use is the highest and best use for property located along the Foley beach Express.

All Commissioners voted aye.

Motion to recommend the requested rezoning to the Mayor and Council subject to staffs recommended conditions passes.

4. Magnolia Walk Subdivision- Deviation

The City of Foley Planning Commission has received a request for a deviation from the Subdivision Regulations, Section 5.8, required street trees. Property is located N. of County Rd. 20 and E. of Foley Beach Express. Applicant is Burton Property Group.

Planning Commission Action:

Commissioner Engel made a motion to deny the requested deviation for the reasons discussed during the work session. Commissioner Gebhart seconded the motion.

Commissioner Hellmich stated that he did not feel the requirement to install the trees

Note: *Denotes property located in the Planning Jurisdiction

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constituted a hardship. He acknowledged that the applicant does not yet know the exact location of future access points, but noted that new subdivisions are typically required to install street trees before homes are constructed.

A representative of Burton Property Group stated there are existing oak trees currently located approximately 30 to 50 feet apart along the Foley Beach Express.

Commissioner Hellmich suggested that the applicant work with staff to preserve existing trees to potentially receive credit toward the tree requirements for those preserved trees.

Mr. Davis stated that when construction plans for the private road are submitted, the plans will be required to include the installation of the required street trees.

A representative of Burton Property Group asked if there is a problem with the plat for the requested subdivision being recorded without conditions since it is a minor.

Staff stated the denial of the deviation will not hold up the plat approval.

All Commissioners vote aye.

Motion to deny the requested deviation passes.

5. Third Minor Subdivision of Magnolia Walk - Minor

The City of Foley Planning Commission has received a request for approval of the Third Subdivision of Magnolia Walk a minor subdivision which consists of 95.92 +/- acres and 2 lots. Property is located N. of County Rd. 20 and E. of the Foley Beach Express. Applicant is Burton Property Group.

Public Hearing:

Mrs. Shawn Mitchell stated staff is recommending the following conditions:

- Approval of PDD26-000009 the PDD modification of the Magnolia East Walk.
- The zoning information and setback lines reflected on the plat are for B-1A zoning and are subject to Planning Commission and City Council approval of rezoning application Z26-000009 and the same shall be amended if said application is denied to reflect requirements of PDD zoning.
- Previously delineated wetlands/streams must be shown on the subdivision plat.
- Final plats must be recorded within 90 days of approval. The approval date will be based on City Council approval of PDD26-000009.

Mrs. Mitchell stated that a review of the previous records indicate the stream area was shown on the previous plats and needs to be shown until a wetland delineation is completed.

Ms. Kathy Jernigan asked for condition # 1 be removed. She stated they would like the approval to move forward with creation of this lot regardless of the approval of the PDD modification.

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Ms. Mitchell stated condition 1 can be removed since the use is currently commercial.

Planning Commission Action:

Commissioner Hellmich made a motion to approve the requested minor subdivision with the removal of condition number one and other conditions applying. Commissioner Gebhart seconded the motion. All Commissioners voted aye.

Motion to approve the requested minor subdivision with the removal of condition number one and other conditions applying passes.

ADJOURN:

Vice Chairman Hare adjourn the meeting at 4:46 p.m.