

Minutes
Orange Beach Planning Commission
Monday, August 10, 2020 – 4:00 P.M.
Council Chambers – Orange Beach Municipal Complex
4099 Orange Beach Blvd.

A. CALL TO ORDER

Chairman Robert Stuart called the meeting to order at 4:00 p.m.

B. INVOCATION

Chairman Robert Stuart gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Bill Jeffries
Commissioner Annette Mitchell
Commissioner Glenn Smith
Commissioner Lannie Smith
Commissioner Matt Wilson
Vice Chairman Ralph Moore
Chairman Robert Stuart

Staff Present:

John Lawler, City Attorney
Kit Alexander, Director
Sean Brumley, GIS Specialist
Griffin Powell, Planner II
Paulette Taylor, Planner I

Absent:

Commissioner Kathy Lindsey
Commissioner Pat Simpson

E. APPROVAL OF AGENDA – There was no change to the agenda and the agenda stands approved as submitted.

F. CONFLICTS OF INTEREST – None.

G. APPROVAL OF MINUTES AND CERTIFIED RECORDS – There was no change to the minutes and the minutes stand approved as submitted.

1. Approval of minutes from the Regular Meeting on July 13, 2020.

H. PUBLIC HEARINGS

1. Case No. 0701-SD-20, Rayfield Subdivision

Daniel Rayfield and First Baptist Church of Bay Minette request approval of **Preliminary and Final Minor Subdivision** to subdivide a 105' by 69' section from the southwest corner of Parcel PIN 59395 and combine it with Lot 71 of the Oak Ridge Subdivision. The property is located at 25007 OAK RIDGE DRIVE WEST in the MHS (Mobile Home Subdivision)

zoning district. Griffin Powell presented staff comments to the Planning Commission. This plat facilitates a property transfer from the First Baptist Church of Bay Minette to enable the property owner to construct an accessory structure in the rear yard. Both lots will comply with the minimum requirements for the MHS zoning district and the plat complies with the Subdivision Regulations. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Jeffries/Moore) to approve preliminary/final plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (7-0).**

2. Case No. 0801-SD-20, Bear Point Estates, Resubdivision of Lots 558 & 559

Albert Turner requests approval of **Preliminary and Final Minor Subdivision** to combine Lots 558 and 559 of the Bear Point Estates Subdivision into a single lot. The property is located at 5360 PENSACOLA AVENUE in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. The single-family house sits on the property line between the two lots and is legally nonconforming. The proposed carport will increase the nonconformity. This plat is required to bring the house into conformity with the Subdivision Regulations. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Lannie Smith/Glenn Smith) to approve preliminary/final plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (7-0).**

3. Case No. 0803-PUDA-20, Wharf PUD Modification – Wharf East Side Storage

Sawgrass Consulting, on behalf of Wharf Entertainment, requests recommendation to City Council for approval of **Major PUD Modification** to The Wharf PUD Master Plan for the following: (1) to construct a mini warehouse storage facility containing four buildings and nearly 130,000 SF of gross floor area; and (2) to construct an exterior storage area encompassing more than 33,000 SF and composed of gravel. The property is located on the east side of WHARF PARKWAY EAST and is southeast of the intersection of Wharf Parkway East and Wharf Lane. Griffin Powell presented staff comments to the Planning Commission. Building A will be stucco with a masonry veneer on the west, north and south sides. The east side will have corrugated metal panels. Building B will have corrugated metal panels on all sides. The east side will be an open canopy area. Building C will have corrugated metal panels on all sides. Building D will have corrugated metal panels on all sides. The corrugated metal panels will be primarily vertical panels with horizontal panels on the bottom.

The applicant is requesting the following deviations from the Zoning Ordinance.

- Deviation #1 – The rear side of Buildings C & D will not be in the enclosed fenced area. Code requires sides to meet architectural guidelines if facing residential. Project will request a deviation to allow the rear side facing existing vegetation and Cypress Village to be metal.
- Deviation #2 – Enclosing the exterior storage area and metal-sided mini warehouse buildings with a black vinyl coated chain link fence instead of a privacy fence.

- Deviation #3 – Utilizing the existing vegetation and trees along the east property line as a buffer along the residential property line instead of planting new trees and landscaping.
- Deviation #4 – Utilizing the existing vegetation instead of hedge materials along the east and north property lines.
- Deviation #5 – Utilizing the preserved wetland areas between the mini warehouse area and exterior storage for the hardwood tree requirement for the vehicular use area.
- Deviation #6 – Forgoing the 10-foot perimeter landscaping along Wharf Parkway East and applying the existing nine palm trees and four new palms to the north toward the tree planting requirement that is required along the right-of-way.

Staff recommends adding shutters or architectural features to the south facades of Buildings B and D facing Wharf Parkway East and Canal Road.

Ercil Godwin, Sawgrass Consulting and Jim Bibby were present to address the Planning Commission. Chairman Robert Stuart opened the public hearing and no one was signed up to speak.

Chairman Robert Stuart asked about the south elevations of Buildings B and D. Ercil Godwin stated shutters could be added to dress up the buildings. He stated the outdoor storage area is for temporary use and will be screened and landscaped.

Chairman Robert Stuart asked about outside lighting for the storage buildings. Ercil Godwin stated there will be no light poles and lighting will be on the side of the buildings. There will be no ambient lighting. The storage facility will be open to the public. You will enter the building and go to your unit. All units are climate controlled. The office will be on the southwest corner of Building A. The chain link fencing will be vinyl with a landscape buffer along the outside of the fence.

Jim Bibby stated the storage building will be climate controlled. Ercil Godwin stated the RV sites are all individual and all controlled with fourteen to sixteen foot doors.

Nelson Bauer, Fire Marshal stated the buildings will be sprinkled and meet the fire codes.

Commissioner Ralph Moore stated we have letters from the public with concerns about the proposed storage facility. Chairman Robert Stuart stated the storage facility will be less dense than the originally proposed retail use. Ercil Godwin stated retail with big parking lots were originally proposed with minimal buffering. He stated they will submit a proposal to staff to possibly use shutters.

Motion made (Mitchell/Wilson) to recommend approval of PUD Modification to City Council subject to staff comments, add architectural features that break up the south side of the buildings, and the wetlands will remain in the current natural state and undisturbed. Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Forwarded to City Council with a favorable recommendation subject to staff comments (7-0).**

I. SITE PLAN REVIEWS

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

1. Case No. 0802-PUD-20, Orange Beach Cantina PUD

Sawgrass Consulting, on behalf of Liquid Life Real Estate, requests recommendation to City Council to **Preliminary and Final PUD Approval** to rezone 2.47 acres from NB (Neighborhood Business) to PUD (Planned Unit Development) for a commercial development containing two buildings, with the first building being a restaurant with outdoor seating and the second building including a restaurant with a drive-thru along with additional floor space for offices. The property is located 4241 ORANGE BEACH BOULEVARD at the northwest corner of the intersection of Rose Lane and Orange Beach Boulevard.

Motion made (Moore/Jeffries) defer until the September 14 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Deferred (7-0).**

K. OTHER BUSINESS

- 1.** Request from Dewberry, on behalf of Katherine LTD, for approval of a 12-month extension to the preliminary plat approval for Broken Sound PUD Subdivision (Case No. 0703-SD-19).

Motion made (Mitchell/Jeffries) to approve 12-month extension to the preliminary plat approval. Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (7-0).**

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 4:45 p.m.

Kit Alexander, Secretary

Robert Stuart, Chairman