

Orange Beach Planning Commission
Monday December 14, 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 Matt Wilson
Vice Chairman Ralph Moore
Chairman Robert Stuart

Staff Present:

Wanda Cochran, City Attorney
Kit Alexander, Director
Sean Brumley, GIS Specialist
Griffin Powell, Planner II
Sherri Descalzo, Zoning&Planning Coordinator

Absent

Commissioner Kathy Lindsey
Commissioner Pat Simpson
Commissioner Lannie Smith

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 Work Session on November 9, 2020.
2. Approval of minutes from the Regular Meeting on November 9, 2020.
3. Approval of the minutes from the Special Called Meeting on November 30, 2020.

H. PUBLIC HEARINGS

1. **Case No. 1201-SD-20, Leslie Higgins Plat #1**

Lucido Engineering and Surveying LLC, on behalf of Leslie Higgins, requests approval of **Preliminary and Final Minor Subdivision** to combine Lots 781 and 782 into a single lot. The property is located at 5528 MOBILE AVENUE in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. The proposed plat meets the minimum zoning requirements for RS-2 and complies with the Subdivision Regulations.

Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Mitchell/Jeffries) to approve preliminary/final plat subject to staff comments. Roll called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

2. **Case No. 1202-SD-20, Resubdivision of Lots 2 and 3 of Canal Road Commercial Subdivision**

Canal Road Storage LLC, on behalf of Kent and Kathy Trione, requests approval of **Preliminary and Final Minor Subdivision** to combine Lots 2 and 3 of Canal Road Commercial Subdivision into a single lot. The property is located on COMMERCIAL AVENUE, east of the Orange Beach Golf Center, in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. The proposed plat meets the minimum zoning requirements for GB and complies with the Subdivision Regulations.

Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Wilson/Glenn Smith) to approve preliminary/final plat subject to staff comments. Roll called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

3. **Case No. 1203-SD-20, Steele Subdivision**

Weygand Wilson Surveying LLC, on behalf of Robert Steele, requests approval of **Preliminary and Final Minor Subdivision** to subdivide two lots totaling 7.45 acres into four lots. The property is located at 28996 CANAL ROAD in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. The proposed plat meets the minimum zoning requirements for RS-1 and complies with the Subdivision Regulations.

Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Moore/Jeffries) to approve preliminary/final plat subject to staff comments. Roll called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

4. **Case No. 1205-SD-20, Resubdivision of Lot A, High Tide Subdivision (MCIV Trust Division)**

Smith Clark and Associates, on behalf of The MCIV Trust, requests approval of **Preliminary and Final Minor Subdivision** to subdivide Lot A, High Tide Subdivision (Lots 2 and 3 of Perdido Garden Subdivision) into two lots. The property is located at 29733 and 29755 HAYDEN DRIVE in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Lots combined into one lot in 2018, plat is to return back to 2 lots. Lots meet the minimum zoning requirements for RS-1 and 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 called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

5. **Case No. 1206-SD-20, Lawrence Plat #1 Revised**

Lucido Engineering and Surveying LLC, on behalf of Jeff Ellis, requests approval of **Preliminary and Final Minor Subdivision** to subdivide Lawrence Plat #1 into two lots. The property is located at 27098 MAGNOLIA DRIVE in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Lots combined into one lot in 2014, plat is to return back to 2 lots. Lots meet the minimum zoning requirements for RS-2 and 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 (Mitchell/Wilson) to approve preliminary/final plat subject to staff comments. Roll called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

6. **Case No. 1207-PUDA-20, Zeke's Landing PUD Modification for Additional Parking**

Sawgrass Consulting LLC, on behalf of Zeke's Landing Marina, requests recommendation to City Council for approval of **Major PUD Modification** to the Zeke's Landing PUD Master Plan to rezone 1.6+ acres to the east of the marina from RS-1 (Single-Family Residential) to PUD (Planned Unit Development) for inclusion into the Zeke's Landing PUD Master Plan for the purpose of expanding the parking area for additional parking spaces. The property is located at 26713 and 26619 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. Propose of this request is to expand parking at Zeke's, total parking is currently 237 spaces and request will add 149 spaces. Total parking will increase to 386 spaces. Request will also modify the easternmost driveway into the marina for a better traffic flow pattern. A 30-foot buffer is required along east lot line, per code; buffer distance may be reduced if acceptable alternative method of compliance is provided. Propose trees (10-14' height), shrubs and grass in the buffer area between the parking area and east lot line, additional landscaping on the neighboring property to the east to ensure proper screening. Modified parking area will have exterior lighting, Pureform LED with poles 18 feet high. Exterior lighting will not have an adverse impact on neighboring properties. Freestanding sign will need to comply with the sign guidelines in Article 15.

Chairman Robert Stuart opened the public hearing for comments.

Elizabeth Brinkley who owns to the east is in support with parking lot but would prefer a buffer of foliage, not a fence. She would also like the lighting poles to be lowered from 18 feet.

Lynn Swafford, owner of Zeke's Marina, stated the parking was necessary for the marina and the restaurant to provide a safer environment for the customers. She is willing to work with Ms. Brinkley even though there is not an ordinance in place for lighting.

Ercil Godwin stated he had spoken on the phone with Mr. Watkins for clarification on a lighting plan as Orange Beach has no strict ordinance in place but that they will meet the IES standards for safety, they use dark sky ordinance illumination not up or out. Baller lights will work to create a safe and friendly, the shielding around the lights will help with projecting the light down not out, so the 18 foot polls with not interfere with the neighbors.

Chairman Robert Stuart questioned what kind of lights?

Ercil Godwin stated that the lights and shields need to provide a safe environment and that baller lights would create a dark zone, as they only provide light to a few cars. They would be willing to use less poles/more ballers on the east side and would like approval now and have the opportunity to work with Ms. Brinkley, Lynn Swafford and staff to come to a good compromise.

Commissioner Jeffries asked if it had to have lights.

Ercil Godwin said that light is not required but parking lots always have them for safety.

Chairman Stuart asked about if they needed to review the lighting to match the turtle requirements.

Kit Alexander stated the property line does need to have the evening to have lighting.

Commissioner Mitchell questioned if the parking was limited to vehicular space, not boat trailer parking. Also if the boat slips would increase at the marina?

Ercil Godwin that the spaces could not be used for trailers as they are only 10x12 spaces.

Lynn Swafford said that trailer parking is not allowed and approval is not given to anyone to park them in the parking lot. The slips will be built back in accordance to the Corp of Engineers original footprints. She also stated that they have no room for dry storage.

Commissioner Mitchell wanted to insure that the motion be made with the stipulations; no increase of boat slips which would increase intensity and that the lighting plan be amended per discussion between the property owner to the east, Zeke's and staff prior to the City Council meeting.

Commissioner Jeffries asked for clarification on the sign.

Kit Alexander stated the sign ordinance for digital message is set for sign to change every 15 seconds per Article 15.

Motion made (Jeffries/Moore) to recommend approval of PUD Modification to City Council subject to staff comments and outcome of the discussion with Ms. Brinkley, Lynn Swafford and Ercil Godwin on lighting concerns. Roll called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

7. **Case No. 1209-SD-20, CoastAL Beach Development PUD Resubdivision**

WAS Design Inc., on behalf of GCOF Orange Beach Gulf Front LLC, requests approval of **Preliminary and Final Minor Subdivision** to resubdivide three existing lots into two lots in support of the CoastAL Beach Development Planned Unit Development. The property is located at 25610 and 25722 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. City Council approved the CoastAL PUD on December 1, 2020. Pud entails a restaurant and public beach area and parking Lot A-4.35 acres, 400+ feet and Lot B-4.35 acres, 400+ feet. Final 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 (Mitchell/Wilson) to approve preliminary/final major plat approval subject to staff comments. Roll called revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

I. SITE PLAN REVIEWS

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

1. **Case No. 1204-PUD-20, Popeye's Orange Beach PUD**

SE Civil LLC, on behalf of Liquid Life Real Estate Sales Inc., Collins Enterprises LLC, and Cactus Cantina Properties LLC, requests recommendation to City Council for **Preliminary and Final PUD Approval** to rezone 3.14 acres from NB (Neighborhood Business) to PUD (Planned Unit Development) for a two-phased commercial development containing a Popeye's restaurant with drive-thru in the first phase and a multi-tenant commercial building totaling 4,200 SF in the second phase. The property is located at 4251 ORANGE BEACH BOULEVARD.

K. OTHER BUSINESS

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 4:41 p.m.



Kit Alexander, Secretary

Robert Stuart, Chairman