

Minutes  
Orange Beach Planning Commission  
Monday, February 10, 2010 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 4:02 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 – arrived at 4:18 p.m.  
Vice Chairman Ralph Moore  
Chairman Robert Stuart

Staff Present:

John Lawler, City Attorney  
Kit Alexander, Director  
Griffin Powell, Planner II  
Paulette Taylor, Planner I

Absent:

Commissioner Kathy Lindsey  
Commissioner Pat Simpson

**E. APPROVAL OF AGENDA** – There were no changes to the agenda and the agenda stands approved as submitted.

**F. CONFLICTS OF INTEREST** – Chairman Robert Stuart stated he would recuse himself for Item 0104-SP-20, Legacy Key Storage Building.

**G. APPROVAL OF MINUTES AND CERTIFIED RECORDS** - There were no changes and the minutes stand approved as submitted.

1. Approval of minutes from the Work Session on January 13, 2020.
2. Approval of minutes from the Regular Meeting on January 13, 2020.

## H. PUBLIC HEARINGS

### 1. Public Hearing on the *City of Orange Beach Community Preservation and Growth Management Plan, 2020 – 2035*.

Griffin Powell presented a modification to the Future Land Use Map (FLUM) for the south side of Cotton Bayou between St. Thomas Catholic Church and the Perdido Beach Resort property on the north side of Perdido Beach Boulevard. Residents in this area have expressed concerns about the Resort High Intensity (Orange) category being designated for this stretch along Cotton Bayou.

Staff proposes the following amendments to the proposed FLUM:

- a. Extending Residential Mixed (Purple) to the St. Thomas Catholic Church property.
- b. Changing the Zeke's marina property from Resort High Intensity (Orange) to Mixed Use (Blue).
- c. Changing the RS-1 properties between Zeke's Marina and the Perdido Beach Resort property from Resort High Intensity (Orange) to Residential Mixed (Purple). This change will make this area consistent with the residential areas to the west of Zeke's Marina. Vacation rentals are allowed in the Beach Overlay District.
- d. Leaving the Perdido Beach Resort property located on the north side of Perdido beach Boulevard as Resort High Intensity (Orange).

Kit Alexander stated the change is due to public comments requesting lower intensity land use for properties in this area.

Chairman Robert Stuart opened the public hearing for comments and the following people were signed up to speak. Linda Gates stated she saw the draft and felt she needed to speak about the Future Land Use Map. She feels her neighborhood is residential and should be the same as Neighborhood Preservation. Kit Alexander stated that Neighborhood Preservation prohibits vacation rentals. In the Beach Overlay District vacation rentals are not prohibited.

Marshall Rogers asked what has been changed and what is Residential Mixed Use? Kit Alexander stated Residential Mixed Use is not a zoning change but a future land use designation. Chairman Robert Stuart stated we are seeing more residential PUD's. Kit Alexander stated the current City Council is committed to not changing zoning in order to increase the allowable density of a property.

Marshall Rogers stated she appreciates the proposed change in this area to residential. Linda Gates stated that the current City Council is committed to not up-zoning property but the future council might be different.

Marilyn Parker, representing the Grand Caribbean Condominiums, stated she has zoning experience but is confused with the Future Land Use plan. Kit Alexander stated this is a guide with fewer categories. Any zoning changes need to match the Future Land Use Map. Marilyn Parker stated they are delighted to be mixed use low density. She stated they are working to preserve the wetlands. Condominium owners were not happy with the November zoning amendment that restricted residential uses in the GB zoning district.

Commissioner Annette Mitchell, who owns a unit at Grand Caribbean Condominiums, stated that the condominiums are fine and there are no concerns with the current City Council.

**Motion made (Jeffries/Wilson) to prepare final draft of the Orange Beach Comprehensive Plan subject to staff and public comments including recommended proposed changes to the Future Land Use Map as presented in the meeting.** 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. 1205-SD-19, Rose Lane Subdivision**

Sawgrass Consulting, on behalf of Liquid Life Real Estate Sales LLC and the State of Alabama, requests approval of **Preliminary and Final Minor Subdivision** to subdivide 29,215 SF from the State of Alabama right-of-way and to combine the subdivided portion with Lot 1 of the FBC Subdivision. The property is located at 4251 ORANGE BEACH BOULEVARD in the NB (Neighborhood Business) zoning district. *Deferred from the Regular Meeting on January 13, 2020.* Griffin Powell presented staff comments to the Planning Commission. The new lot meets the minimum lot area and width for NB zoning and the plat complies with the Subdivision Regulations. The east property line of the new lot will align with the east property line of the Dollar General lot to the south.

Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak. Gena Overstreet Robinson did ask to speak but stated that her comments are for the next application.

**Motion made (Lannie Smith/Wilson) 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. 1206-SD-19, Hall Subdivision**

Liquid Life Real Estate Sales, on behalf of FBC Bay Minette and Fleetwood Baptist Church, requests approval of **Preliminary and Final Minor Subdivision** to subdivide Parcel PIN 031966 to remove two acres from the southwest corner and combine the two acres with Parcel PIN 034395, increasing the size of Parcel PIN 034395 to fifteen acres and providing a contiguous border to the north property line of the Gulf State Park. Parcel PIN 031966 is located northwest of the Oak Ridge Subdivision and in the MHS (Mobile Home Subdivision) zoning district, while Parcel PIN 034395 is a conservation area south of Pelican Lane in the Wood Glen Planned Unit Development. *Deferred from the Regular Meeting on January 13, 2020.* Griffin Powell presented staff comments to the Planning Commission. The applicant will transfer ownership of the Fleetwood Baptist parcel to the State of Alabama in exchange of 29,215 SF parcel in the Rose Lane Subdivision.

Chairman Robert Stuart opened the public hearing for comments and one person spoke. Gena Overstreet Robinson asked if the proposed plat would affect the end of West Oakridge Drive. She stated the new sidewalk is ten feet from her backyard and the City has cleared a path to the woods.

Kit Alexander spoke to address concerns expressed by Gena Overstreet Robinson. The City has established a fire break and constructed a sewer force main directly south of the Oak Ridge Subdivision. Within this area, the City has constructed a sidewalk connecting State Highway 161 to the Sportsplex and new school. The property for the land swap is all

wetlands and is protected by the Alabama Department of Conservation and Natural Resources (ADCNR). There is no proposal for development of these lands and they will be preserved.

Randy Hall stated he is grateful for the help provided by staff. First Baptist Church of Bay Minette was willing to add land to the parcel to make it comply with the Subdivision Regulations.

Gena Overstreet Robinson stated her concern was safety and she has no problems now.

**Motion made (Lannie Smith/Wilson) 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).**

## **I. SITE PLAN REVIEWS**

Chairman Robert Stuart recused himself and left the Planning Commission meeting and 5:01 p.m. Vice Chairman Ralph Moore presided over the meeting for the next item.

### **1. Case No. 0104-SP-20, Legacy Key Storage Building**

Lucido Engineering & Surveying, on behalf of Legacy Key COA, requests approval of **Site Plan Review** to construct a 15' by 58' (870 SF) storage building at Legacy Key Condominium. The property is located at 29235 PERDIDO BEACH BOULEVARD in the GB (General Business) zoning district. *Deferred from the Regular Meeting on January 13, 2020.* Griffin Powell presented staff comments to the Planning Commission. He stated staff comments have been addressed. The applicant has revised the parking layout to provide 86 parking spaces.

Commissioner Annette Mitchell stated River Run residents are very appreciative of the revised plan. She asked about the exterior of the proposed building. John Barton, resident of Legacy Key Condominiums, stated the proposed building will be concrete with Hardie Board painted and trimmed to match and blend in with the condominiums.

**Motion made (Mitchell/Jeffries) to approve site plan request subject to staff comments.** Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Wilson, yes; Moore, yes. **Approved (6-0).**

Chairman Robert Stuart returned to the Planning Commission meeting as Chairman at 5:06 p.m.

## **J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE**

## **K. OTHER BUSINESS**

## **L. PUBLIC COMMENTS**

**M. ADJOURN**

Adjourned at 5:08 p.m.

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Kit Alexander, Director

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Robert Stuart, Chairman