

Minutes  
Orange Beach Planning Commission  
Monday July 12, 2021 4:00 PM  
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 PM

**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 Pat Simpson  
Commissioner Matt Wilson  
Commissioner Jack Robertson  
Commissioner Glenn Smith  
Commissioner Nelson Bauer  
Chairman Robert Stuart

Staff Present:

Kit Alexander, Community Development Director  
Griffin Powell, Planner II  
Sherri Descaizo, P&Z Coordinator  
John Lawler City Attorney

**E. APPROVAL OF AGENDA**

There were no changes to the agenda and the agenda stands approved as submitted.

**F. CONFLICTS OF INTEREST-**

None

**G. APPROVAL OF MINUTES AND CERTIFIED RECORDS**

There were no changes to the minutes and the minutes stand approved as submitted.

1. Approval of minutes from Regular Meeting on June 14, 2021.
2. Approval of minutes from Work Session on June 14, 2021.

## H. PUBLIC HEARINGS

Chairman Stuart asked that all people who want to speak; stand at the podium, state name, and present positive attitudes. No negative harsh behavior will be tolerated.

### 1. Case No. 0703-SD-21. Broken Sound PUD Subdivision

Dewberry, on behalf of 68V Broken Sound 2020 LLC, requests approval of **Final Major Subdivision** to subdivide 7.46 acres into a single-family residential subdivision containing 36 lots along with a private right-of-way and common area in accordance with the Broken Sound PUD Master Plan. The property is located at the northeast corner of the intersection of Lauder Lane and Pelican Place. Griffin Powell presented staff comments to the Planning Commission. No one was present to speak and the Planning Commission called for a vote.

*Motion to recommend approval of Final Major Subdivision subject to staff comments.*

Motion made and seconded (Jeffries/Mitchell) Jeffries, yes; Mitchell, yes; Simpson, yes; Smith, yes; Robertson, yes; Wilson, yes; Bauer, yes; Stuart, yes. **Approved (8-0).**

### 2. Case No. 0704-PUD-21. Romar Beach Hotel PUD

ANR Group, on behalf of Romar Beach Baptist Church Inc., requests recommendation to the City Council for **Preliminary and Final PUD Approval** to rezone 1.7 acres from RM-2 (Multi-Family Residential High Density) to PUD (Planned Unit Development) for the purpose of converting the existing church into a hotel. The property is located at 23370 Perdido Beach Boulevard. Griffin Powell presented staff comments to the Planning Commission.

Chairman Stuart opened discussion to the public. Craig Johnson spoke for the applicant; Marriott is requesting a change of use from church to hotel. The church had a very rough year with COVID 19 and Hurricane Sally. Prior to the pandemic, camps were held with 3000 youths in attendance.

Ian Boyles stated that he owns the Beach Music Villas to the west of the property. He stated that the present structure does not block the view of the beach but the addition will block the sun from the pool area and the view of the beach. Also there will be overcrowding of the beach within a small area. He stated that he would like the land use to remain a church and he would assist the church with their debt. He stated that this is an up zone of the property and the Mayor stated that no up zoning will be supported in Orange Beach.

Craig Johnson stated that the RM2 "by-right" zoning district allows for a 20-story building and the proposal is a much less intense development.

Commissioner Mitchell said that a hotel in the RM2 zoning district is not permitted. The current look of this project is not coastal or attractive. The proposed building elevation looks like a dormitory, not a quality Marriott hotel. She also stated there needs to be more green space.

Chairman Stuart asked about the twelve requirements for a PUD. Craig Johnson stated that it meets one of the requirements of the PUD as required by the zoning ordinance and that the loft concept is a better design than the present building. The proposal is less invasive than the demolition of the structure and construction of a 20-story structure. The architects are open to design changes to incorporate coastal design elements.

Kit Alexander stated that the building is nonconforming with regard to fire access and the proposed site layout will bring it into compliance. Fire Marshal Bryant said the current onsite condition do not provide for a firetruck turnaround. Police Chief Brown said they had no problem with the proposed development.

Joe Harrell, Trustee, said no one has been sleeping in the building since March 15, 2020 due to COVID 19 pandemic and damage from Hurricane Sally. The church meets on the first floor and cannot use the other floors.

Ian Boyles said the church is in good order and has been a good neighbor. He would like the land use to remain as a church.

Griffin Powell stated that a 26-story condominium can be built in the RM2 zoning district and could be rented out like a hotel.

Commissioner Mitchell stated that a zoning change could not go forward without a clear and true representation of the proposal. Chairman Stuart said that it can go to City Council with recommended Planning Commission conditions. Commissioner Simpson stated that he supports voting with recommended Planning Commission conditions. Commissioners Jeffries, Wilson and Smith all agreed to vote with conditions. Chairman Stuart asked for John Lawler's opinion. Attorney John Lawler said conditions need to be clear to ensure applicant can address the conditions prior to City Council consideration.

*Motion for favorable recommendation of the Preliminary and Final PUD Approval to City Council subject to staff comments and the incorporation of coastal design components into the building plans.*

Motion made and seconded (Jeffries/Simpson) Jeffries, yes; Mitchell, no; Simpson, yes; Smith, yes; Robertson, yes; Wilson, yes; Bauer, no; Stuart, no. **Approved (5-3).**

## **I. SITE PLANREVIEWS**

### **1. Case No. 0701-SP-21, All About Storage Drive Extension**

Engineering Design Group, on behalf of All About Storage, requests approval of **Site Plan Review** to construct a 22-foot wide drive across wetlands to an upland area south of the existing mini-warehouse buildings. The proposed drive will have a length of roughly 250 feet. The property is located at 24140 Canal Road in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. Kit Alexander stated that approval for wetland impacts from federal and state agencies will be necessary. Tamara Pierce, applicant, said that in about a year they will be expanding the mini-warehouse facility to the south in the upland area.

*Motion to approve Site Plan Review subject to staff comments.*

Motion made and seconded ( Mitchell/Wilson) Jeffries, yes; Mitchell, yes; Simpson, yes; Smith, yes; Robertson, yes; Wilson, yes; Bauer, yes; Stuart, yes. **Approved (8-0).**

### **2. Case No. 0702-SP-21, Tacky Jacks Cigar Bar Relocation**

Safe Harbor Holdings LLC requests approval of **Site Plan Review** to relocate the Cigar Bar from its current location north of the restaurant to a new location above the Gift Shop. The property is located at 27204 Safe Harbor Drive in the MR (Marine Resort) zoning district. Case has been withdrawn.

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

**1. Case No. 0404-SP-21. Sunset Auto**

Charlie Guy requests approval of **Site Plan Review** to convert and refurbish the property and existing building for an automobile sales business. The property is located at 25893 Canal Road in the GB (General Business) zoning district. *Deferred from the Regular Meeting on June 14, 2021.* Chairman Stuart stated this is the third deferral request and the applicant needs to resubmit.

*Motion to defer to August 9, 2021 Planning Commission Meeting.*

Motion made and seconded (Mitchell/Smith) Jeffries, no; Mitchell, no; Simpson, no; Smith, no; Robertson, no; Wilson, no; Bauer, no; Stuart, no. **Not Approved (8-0).**

**K. OTHER BUSINESS**

Chairman Stuart stated that a new Vice Chairman needs to be elected to replace Ralph Moore. Commissioner Lindsey has indicated that she is willing to serve as Vice Chairman.

*Motion to nominate for Vice Chairman Commissioner Lindsey.*

Motion made and seconded (Simpson/Mitchell) Jeffries, yes; Mitchell, yes; Simpson, yes; Smith, yes; Robertson, yes; Wilson, yes; Bauer, yes; Chairman Stuart, yes. **Approved (8-0)**

**L. PUBLIC COMMENTS**

**M. ADJOURN**

Adjourned at 5:02 PM



Kit Alexander



Robert Stuart, Chairman