

Work Session Minutes
Orange Beach Planning Commission
Monday, April 8, 2019 – 2:30 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 2:30 p.m.

B. ROLL CALL

Board Members Present:

Commissioner Bill Jeffries
Commissioner Kathy Lindsey
Commissioner Annette Mitchell
Commissioner Pat Simpson
Commissioner Glenn Smith
Commissioner Lannie Smith
Commissioner Matt Wilson
Commissioner Ralph Moore
Chairman Robert Stuart

Staff Present:

Wanda Cochran, City Attorney
Kit Alexander, Director
Griffin Powell, Planner II
Paulette Taylor, Planner I

C. DISCUSSION ITEMS

Update to the Comprehensive Plan presented by Diane Burnett was moved to the first discussion item.

- 1. Discussion on the Update to the Comprehensive Plan.** Diane Burnett read the Goals and Recommendations for the Natural Resources section.

Discussion was held on the Goals and Recommendations listed on page 12. Chairman Robert Stuart asked about the property located north of the Intracoastal Waterway listed on the Orange Beach city limits map on page 4. Kit Alexander identified the parcels as Commerce Park and other parcels that have not been annexed into the City. Commissioner Lannie Smith asked about the shading of Gulf front parcels on Perdido Pass. Diane Burnett stated we could use a different color of shading. Commissioner Lannie Smith would like the map to show the special flood hazard area. He stated Sean Brumley can provide the most recent flood zone shapes files.

Diane Burnett stated the Comprehensive Plan becomes a legal document upon adoption. It should be a guide used for proposed development requirements and incorporate the type development we envision. She warned that, if not followed, it could be used against the City.

- Require environmentally sensitive areas of the community be preserved as open space. Diane Burnett recommended that the Planning Commission appoint a committee to identify environmentally sensitive areas to be preserved as open space. Commissioner Annette Mitchell stated that every area is environmentally

sensitive and doesn't think it's feasible. Chairman Robert Stuart stated we are surrounded by environmentally sensitive areas and we do not want people in grass beds and on the sand dunes. Commissioner Lannie Smith thinks it's a great idea but questioned who would make this determination. It sounds like a mandate. Commissioner Annette Mitchell thought it should be changed. Commissioner Bill Jeffries stated we have no jurisdiction over grass beds. Chairman Robert Stuart asked if this should be reworded or removed. He is in favor of protecting the grass beds for the fish. Commissioner Pat Simpson agrees with Commissioner Annette Mitchell that all areas are environmentally sensitive.

Commissioner Kathy Lindsey agrees with everyone but it doesn't support the way it is stated. It should be concrete or deleted. Kit Alexander suggested changing the word "require" to "promote", which gives us some flexibility. Chairman Robert Stuart suggested removing this goal and revisiting it before final draft. After hearing the concerns, staff will review the goal again. Diane Burnett stated she will simply strike through the goal.

- Amend currently adopted Subdivision Regulations to include protective measures for the area's watersheds and require more stringent low impact development (LID) methods to be implemented in all new developments. Diane Burnett stated that this is an action item that should be addressed by amending the subdivision regulations. Kit Alexander stated that basically low impact development is green infrastructure such as rain gardens and the utilization of drainage ditches instead of hardened infrastructure for stormwater conveyance. She suggested instead of making it a requirement we may want to provide incentives. A lot of cities in South Alabama have turned to low impact development by providing incentives. Commissioner Annette Mitchell stated she likes the word encourage rather than incentivize. Kit Alexander stated we would not be amending our Subdivision Regulations but rather amending our stormwater management regulations. City Council would be the entity who would consider the stormwater management regulations amendment. Commissioner Annette Mitchell said she is good with that.
- Adopt development and dredging policies and permits that protect sand retention and placement on construction sites. Diane Burnett asked which municipal ordinance addresses these regulations. Kit Alexander asked for clarification on what exactly she was proposing. Diane Burnett asked if we had sand retention and dredging regulations. Commissioner Bill Jeffries stated this is regulated by ADEM. Chairman Robert Stuart stated that this doesn't fall under the City's jurisdiction. Commissioner Lannie Smith stated that State Lands regulates water bottoms and is not something the City can regulate.
- Create more public awareness and education of responsible environmental and wildlife stewardship. Commissioner Ralph Moore stated that we have done a great job with the Leave Only Footprints program. Diane Burnett stated we could change this to promote public awareness.
- Create additional public beach access points and parking facilities throughout the community. Commissioner Annette Mitchell stated we do not own any of the

beach accesses. Diane Burnett said she is thinking property north of the city. Kit Alexander would like to see it changed to say water access. Chairman Robert Stuart stated to change “beach access” to “water access” points.

- Amend the zoning ordinance to add additional green infrastructure and green landscaping practice incentives and requirements for all new developments. Diane Burnett stated that Kit Alexander addressed this goal earlier. Kit Alexander asked what was meant by green landscaping practice incentives. Diane Burnett stated development, such as cluster homes, that allow more green space. Kit Alexander asked the Planning Commission if they are happy with the current requirements or do they need to be changed. Chairman Robert Stuart stated this is an action item and he would feel more comfortable if the word “amend” was changed to “promote”. Commissioner Lannie Smith stated that this item should be combined with the previous low impact development item.
- Implement “Living Shorelines” development practices along waterways to control erosion and mitigate flooding. Kit Alexander and Commissioner Bill Jeffries stated we are already doing this. Chairman Robert Stuart asked to change the word “implement” to “continue”. Commissioner Bill Jeffries stated that we have residents who are already doing this. Kit Alexander and Commissioner Bill Jeffries would like it changed to support living shorelines development practices along waterways.
- Continue and expand upon beach restoration programs currently underway to build additional beach and provide shoreline stabilization. Commissioner Lannie Smith asked if we should say currently underway if it’s going to be used for twenty years. The words “currently underway” will be struck from this item.
- Install educational signage throughout the community to promote public awareness to the area’s environmentally and ecologically sensitive areas. Chairman Robert Stuart suggested changing the word “install” to “continue to provide” educational signage.
- Continue to expand and improve upon storm water management efforts through the continued use of green infrastructure and green landscaping practices. This goal goes with items two and six. All three items will be combined.
- Develop a comprehensive landscaping plan, water quality plan, wetland conservation plan, and wildlife rescue and management plan. Chairman Robert Stuart stated we already have a landscaping plan. Commissioners Annette Mitchell and Bill Jeffries stated we also have a wildlife plan. This item will be changed to read “continue to enhance” as opposed to “develop”.
- Continue to develop eco-tourism opportunities throughout the area. We already do this goal.

Kit Alexander stated she would like to discuss the riparian buffer along the wetlands. Currently we allow fill to be placed adjacent to jurisdictional wetlands. Many parts of the country require have a fifteen or 25 foot buffer adjacent to wetland areas. The

Planning Commission could grant exceptions based on certain criteria. The Planning Commission would like to discuss this request at the next meeting.

2. Case No. 0401-SD-19, Bickers Acres Resubdivision

KO Investments LLC requests approval of **Preliminary and Final Minor Subdivision** to resubdivide 2.12 acres into four lots. Three lots will have frontage on Sampson Avenue. The property is located 28670 SAMPSON AVENUE in the RS-1 (Single-Family Residential) zoning district. Bickers Acres was originally approved in November, 2017. The proposed plat will cause the Sampson lots to be deeper. The plat meets all RS-1 and subdivision requirements.

3. Case No. 0402-PUD-19, Summer Salt PUD

Dewberry, on behalf of OKS Investments LLC, requests recommendation to City Council for **Final PUD Approval** to rezone 42.67 acres from GB (General Business) to PUD (Planned Unit Development) for a residential development containing 54 single-family residential lots and 58 cottage lots. The property is located on the north end of SUMMER SALT PLAZA BOULEVARD north of The Ruby Slipper restaurant. The plans for the Final PUD have changed since the applicant received preliminary approval from the City Council. The proposed larger lake was eliminated due to the impact to wetlands. The total number of parking spaces for the single-family lots will decrease from 270 to 258 spaces with thirty overflow parking spaces on six private lots. The cottage lots will have five foot front, rear and side setbacks. The single-family lot setbacks will be twenty foot front, ten foot rear and five foot sides. The roadway width will be 22 feet.

The Final PUD approval will require Planning Commission and City Council approvals for the following waivers to the Zoning Ordinance and Subdivision Regulations: 1) reduce the right-of-way width from sixty feet to forty and 32 feet; 2) reduce the roadway width from 24 feet to 22 feet; 3) permit part of the sidewalks in the cottage portion of the PUD to be on private individual lots; 4) permit four overflow parking areas near the lakes to have no sidewalks; and 5) reduce the rear setback for the single-family residential lots from 14 feet to ten feet. Approvals from Army Corps of Engineers and ADEM are required for any potential impacts to jurisdictional wetlands.

4. Case No. 0403-SD-19, Summer Salt PUD, Phase One

Dewberry, on behalf of OKS Investments LLC, requests approval of **Preliminary Major Subdivision** for the first phase of the Summer Salt PUD that will contain 54 single-family residential lots and 31 cottage lots located on approximately 21.41 acres. The property is located on the north end of SUMMER SALT PLAZA BOULEVARD north of The Ruby Slipper restaurant. This application is related to the Summer Salt Final PUD request. The plat complies with the subdivision regulations. The plat will be for the first phase of the Summer Salt PUD. Twelve overflow parking spaces will not have sidewalks due to the parking areas being near the lakes.

5. **Case No. 0404-SD-19, Resubdivision of Lot 5A, A Resubdivision of Lots 2 and 5 of Summer Salt Plaza Subdivision**
Dewberry, on behalf of OKS Investments LLC, requests approval of **Preliminary and Final Minor Subdivision** to subdivide 42.67 acres into two lots to accommodate a future residential development. The property is located on the north end of SUMMER SALT PLAZA BOULEVARD north of The Ruby Slipper restaurant in the GB (General Business) zoning district. This application is related to the Summer Salt Final PUD request. The plat complies with the subdivision regulations. Approvals from USACE and ADEM are required for the potential impacts to jurisdictional wetlands. Subdivision covenants will need to be amended to reflect the changes made to the final plat.
6. **Case No. 0406-PUDA-19, The Wharf PUD Maintenance Building**
Sawgrass Consulting LLC, on behalf of Wharf Entertainment Properties, requests recommendation to City Council for approval of a **Major PUD Modification** to The Wharf PUD Master Plan to construct a 14,900-SF maintenance facility. The facility will be located on WHARF LANE east of MAIN STREET. The proposed facility will have two areas. The first area will include 11,300 square feet of storage space and 600 square feet of office space. The second area will have 1,975 square feet of space for marina storage. Parking will be west of the building in an enclosed gravel area. Landscaping will be provided in the front along Wharf Lane. Staff has no issues with the application. Ercil Godwin stated no boats will be stored outside the building. He stated they will use a shadow box wooden fence.
7. **Case No. 0201-SP-19, Advanced Carpet Cleaning & Restoration**
Lieb Engineering, on behalf of ACR Properties LLC, requests approval of **Site Plan Review** to construct a 6,000-SF commercial building. The property is located on the south side of CANAL ROAD 450 feet west of the intersection of CANAL ROAD and the FOLEY BEACH EXPRESS in the GB (General Business) zoning district. *Deferred from the Regular Meeting on March 11, 2019.* This application was deferred at the March meeting. There will be a total of twenty parking spaces, which includes three parking spaces in front of the building. Offices spaces will have upstairs storage areas. Chris Lieb stated the revised site plan shows the building reduced to provide parking spaces in the back. He stated the business will have roll out garbage cans. The upstairs will be storage area only and no occupants.
8. **Case No. 0405-SP-19, Matt Foster Equipment Storage Yard**
Lucido Engineering & Surveying LLC, on behalf of Matt Foster, requests approval of **Site Plan Review** for a RV and boat storage building (45' x 144') with six storage units. The property is located at 4404 MONEY BAYOU DRIVE in the GB (General Business) zoning district. Planning Commission granted site plan approval for an outdoor storage yard in November, 2017. The building meets all setback requirements. There will be no outside storage on the property.

D. ADJOURN

Adjourned at 3:50 p.m.

Kit Alexander, Director

Robert Stuart, Chairman