

Minutes  
Orange Beach Planning Commission  
Monday, January 14, 2019 – 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 Kathy Lindsey  
Commissioner Glenn Smith  
Commissioner Pat Simpson  
Commissioner Lannie Smith  
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 Matt Wilson

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

**F. CONFLICTS OF INTEREST**

**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 December 10, 2018.
2. Approval of minutes from the Regular Meeting on December 10, 2018.

**H. PUBLIC HEARINGS**

**1. Case No. 0102-PUD-19, Broken Sound PUD**

Dewberry, on behalf of Charles W. Daniel, requests recommendation to City Council for **Preliminary PUD Approval** to rezone 7.5 acres located at the northeast corner of the intersection of LAUDER LANE and PELICAN PLACE from RM-2 (Multi-Family

Residential High Density) to PUD (Planned Unit Development) for a single-family residential subdivision with 40 lots. Griffin Powell presented staff comments to the Planning Commission. The development will have 40 single-family dwellings with three housing types. The dwellings will have three to four bedrooms and four parking spaces. There will be 20 additional parking spaces located on the east side of the subdivision near the gazebo. The proposed setbacks will be front (18 feet), rear (8 feet) and sides (5 feet). The proposed right-of-way width will be 40 feet. The sidewalk will be located within the front yard of each lot. Grant Rish and Steve Pumphrey were present to address the Planning Commission.

Chairman Robert Stuart opened the public hearing for comments and the following people spoke. Cheryl Quinn voiced concerns about the traffic. Ashley Ouelette was concerned about traffic and rainwater standing on Lauder Lane. Jeff Price stated there has been a lot of water standing in the Lauder Place subdivision and was concerned about the traffic.

Kit Alexander addressed drainage in the Lauder Place subdivision. She stated the primary drainage issues are located on Tarpon Lane east of the Sportsplex. Two houses were built having finished floor elevations below the street. The City lowered the Yellowfin Street – Tarpon Lane intersection to help with drainage. A sidewalk is being built south of the subdivision and will connect to Oak Ridge Drive and the Sportsplex. The sidewalk will help the southerly lots to drain to the south. The City also reconstructed Cobia Avenue to correct a drainage issue on the north side of the street. The new development will drain to the north, away from Lauder Place subdivision. Cheryl Quinn stated that Lauder Lane and Pelican Place have been totally under water. Kit Alexander stated that the new development will not drain in that direction.

Mayor Tony Kennon stated that traffic is a concern and the City is working on adding a Lauder Lane right-turn lane as soon as possible. He has spoken with Vince Calametti, ALDOT Chief Engineer, about a traffic signal at the Canal Road – Lauder Lane intersection. ALDOT requires that the signal is warranted and this project will definitely help towards getting a light at Lauder Lane. He also stated the proposed development will be less dense than the number of apartment units that can be built by-right.

Commissioner Pat Simpson asked about the timeline for a traffic signal. Mayor Tony Kennon stated that a traffic study will be conducted immediately. The Mayor stated that the City recognizes that this is a dangerous intersection. He also stated the City will pay for the additional Canal Road traffic signal and the traffic signal at Gulf Bay Road cannot be relocated due to the configuration of the frontage road on the north side of Canal Road.

Commissioner Bill Jeffries stated the proposed development will have a positive effect on getting a Canal Road traffic signal. Wayne Riser stated water gets backed up at Wood Glen and the drainage infrastructure on Pelican Place needs to be brought up-to-date.

Commissioner Bill Jeffries asked how many apartments could be built by right. Grant Rish stated 70 apartments could be built by right. Steve Pumphrey stated that actually 199 apartments could be built but there is nothing planned to do so at this time. Grant Rish stated the proposed dwellings will be built by Truland Homes. Steve Pumphrey stated that rentals would be restricted to a minimum of six months.

Commissioner Annette Mitchell asked if the proposed subdivision will drain towards the north and if the project will be at a higher elevation than Lauder Place. Kit Alexander stated that the entire development will be required to drain to the wetland to the north, away from Lauder Place subdivision.

Commissioner Ralph Moore stated he preferred larger lots and thought the project was too dense. Commissioner Lannie Smith stated that RM-2 zoning is high density and the project is proposing a lower density than what is allowed. The Police and Fire Departments relayed they had no concerns with the project.

**Motion (Lindsey/Lannie Smith) to recommend approval of Preliminary PUD to City Council subject to staff comments and no rentals less than six months.** Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, no; Stuart, yes. **Forwarded to City Council with a positive recommendation (7-1).**

**2. Case No. 0103-RZ-19, Lauder Pelican Subdivision Rezoning**

Dewberry, on behalf of Charles W. Daniel, requests recommendation to City Council for **Rezoning** to rezone 2.41 acres located east of LAUDER LANE and 300 feet south of the intersection of CANAL ROAD and LAUDER LANE and northeast of the intersection of LAUDER PLACE and LAUDER LANE from GB (General Business) and RM-2 (Multi-Family Residential High Density) to RS-1 (Single-Family Residential). Griffin Powell presented staff comments to the Planning Commission. The property to be rezoned will be part of the Lauder Pelican Subdivision and will create three RS-1 lots. The plat complies with the Subdivision Regulations. Grant Rish and Steve Pumphrey were present to address the Planning Commission.

Chairman Robert Stuart opened the public hearing for comments. Wayne Riser stated he was good.

**Motion made (Lannie Smith/Jeffries) to recommend approval of rezoning to City Council.** Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (8-0).**

**3. Case No. 0104-SD-19, Lauder Pelican Subdivision**

Dewberry, on behalf of Charles W. Daniel, requests **Preliminary/Final Minor Subdivision Approval** to subdivide 33+ acres into a subdivision containing one commercial lot, five residential lots, and two conservation areas. The property is located on the south side of CANAL ROAD, east of LAUDER LANE, and north of PELICAN PLACE in the GB (General Business) and RM-2 (Multi-Family Residential High Density) zoning districts. Griffin Powell presented staff comments to the Planning Commission. The minimum lot area and lot width for each lot complies with the Zoning Ordinance. City Council approval of the rezoning of Lots 2, 3 and 4 from GB and RM-2 to RS-1 will be required prior to the Chairman's signature on the final plat. Grant Rish and Steve Pumphrey were present to address the Planning Commission.

Chairman Robert Stuart opened the public hearing for comments. Wayne Riser stated that he was good with the proposal.

Grant Rish stated that there are no plans for the commercial lot at this time. Commissioner Annette Mitchell stated that, with regard to the Broken Sound PUD, there are only three types of proposed dwellings and she doesn't want a cookie-cutter subdivision. Grant Rish stated he can work with Truland Homes to add more types of dwellings that complement the surrounding area.

**Motion made (Jeffries/Glenn Smith) to approve preliminary/final plat request subject to staff comments.** Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Approved (8-0).**

**4. Case No. 0105-ZT-19, Article 4, Section 4.03, Canal Road Side Yard Setbacks**

The Community Development Department requests a recommendation to City Council for a **Zoning Text Amendment** to amend Section 4.03 of the Zoning Ordinance, Minimum Setbacks, to modify the side yard setbacks of corner lots with side yards abutting Canal Road east of Sampson Avenue. Griffin Powell presented the proposed zoning text amendment to the Planning Commission. The Zoning Ordinance presently requires all lots to have a 30-foot setback from the rights-of-way of Canal Road, Orange Beach Blvd and the Foley Beach Express. This requirement also applies to side yards of corner lots abutting the said roadways.

Staff has identified three vacant residential lots on Canal Road east of Sampson Avenue that have side yards abutting Canal Road. The Board of Adjustment has received requests for variances to the 30-foot side requirement on two of the locations. The proposed amendment will pertain only to Canal Road east of Sampson Avenue and will reduce the required yard setback from 30 feet to 20 feet. Kit Alexander stated this is a very reasonable request.

**Motion made (Moore/Jeffries) to recommend approval of zoning text amendment to City Council.** Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, no; Moore, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (7-0-1).**

**I. SITE PLAN REVIEWS**

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

**1. Case No. 0904-SP-18, The Shores Townhouses**

Chris Govan, on behalf of Jeff Patterson, requests approval of **Site Plan Review** to construct a residential development containing three buildings and seven units on 4.35 acres. The property is located at 23727 PERDIDO BEACH BOULEVARD in the GB (General Business) zoning district. *Deferred from the Regular Meeting on December 10, 2018.* Griffin Powell stated that the applicant did not meet second deadline. On January 4, 2019, the applicant submitted documentation from the USACE showing that the property permitting had been granted. There was no one present to address the Planning Commission.

**Motion made (Mitchell/Lannie Smith) to defer until the February 11, 2019 meeting.**  
Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Simpson, yes; Glenn Smith, yes;  
Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (8-0).**

**2. Case No. 0101-SP-19, Harbor Club**

Sawgrass Consulting, on behalf of Coleman Bryars, requests approval of Site Plan Review to construct a multi-family residential development with three, four-story buildings and a total of 72 units. The property is located at the south end of GRIFFITH MARINA ROAD in the MR (Marine Resort) zoning district. Griffin Powell stated the applicant has requested deferral until the February meeting.

**Motion made (Lannie Smith/Glenn Smith) to defer until the February 11, 2019 meeting.**  
Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Simpson, yes; Glenn Smith, yes;  
Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (8-0).**

**K. OTHER BUSINESS**

**L. PUBLIC COMMENTS**

**M. ADJOURN**

Adjourned at 5:20 p.m.

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Kit Alexander, Director

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Robert Stuart, Chairman