

Minutes
Orange Beach Planning Commission
Monday, December 9, 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 Kathy Lindsey
Commissioner Annette Mitchell
Commissioner Glenn Smith
Commissioner Matt Wilson – left at 5:30 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 Pat Simpson
Commissioner Lannie Smith

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

1. Approval of minutes from the Work Session on November 13, 2019.
2. Approval of minutes from the Regular Meeting on November 13, 2019.

H. PUBLIC HEARINGS

1. Case No. 1111-PUD-19, Ocean Edge PUD

David S. Lamar, on behalf of Orange Beach Ventures LLC, requests recommendation to City Council for **Preliminary and Final PUD Approval** to rezone Lots 32, 33, 35, 38, 41, 42, 44, 45 and 50 of Romar Vista Subdivision (3+ acres) located on Romar Vista Place from RM-2 (Multi-Family Residential High Density) and NB (Neighborhood Business) to PUD (Planned

Unit Development) for a residential subdivision containing 14 lots. The property is located at 25050, 25075, 25092, 25097, 25100, 25111 and 25123 ROMAR VISTA PLACE. *Deferred from the Regular Meeting on November 13, 2019.* Griffin Powell presented staff comments to the Planning Commission. There will be three housing types for eight sleeping rooms, three sleeping rooms and four sleeping rooms. There will be two common areas: north (swimming pool, restrooms) and south (dune walkover and beach access). All lots will front on Romar Vista Place, a 22-foot roadway. Lot 14 will provide a hammerhead, which will be platted as part of the Romar Vista Place right-of-way. The beachfront houses will each have eight parking spaces. The back tier houses and lot 14 will each have four parking spaces. Kit Alexander stated she met with the engineer and applicant before the meeting to resolve issues with the drainage retention.

Chairman Robert Stuart opened the public hearing for comments and the following people were signed up to speak. David Lamar, Wesley Spruill and David Lee were present to address concerns about the development. David Lamar, Civil Engineer, stated Dr. Spruill is a developer and has constructed seven upscale houses in Orange Beach. He stated that Lot 14 will provide a hammerhead as a public benefit for the houses on the street. There will be a retention system, which will handle a 25-year storm. There will be parking located in the front of the houses and two can park underneath. They will have a management company that will caution renters about parking in the hammerhead. There will also be no parking signs posted.

Wesley Spruill stated the houses will be quality and upscale. It will be a beautiful community and the hammerhead will allow people a place to turn around.

David Lee, land owner, stated he and Wesley Spruill will develop the property together.

Tammy Lowe did not speak but stated she was here to listen.

Jill Rivera stated she is in support of the PUD and pleased to see this development instead of condominiums.

Jose Rivera stated he has talked with David Lee and is in favor of this type of development. He did ask whether the houses would be built at one time.

Jerry Smith, builder, stated they will build half of the houses on the north side and two on the south side first to allow for staging during construction.

Kyle Temple stated he had no comments.

Jim White wanted to go on record to state he owns one lot in the middle of the development and other lots on Romar Vista Drive that have permanent easements.

Commissioner Annette Mitchell asked if a den is considered a sleeping room. Griffin Powell stated that a loft is considered a sleeping room but not a den.

Chairman Robert Stuart stated that Romar Vista Place is a small street and voiced concerns about stacked parking with no overflow parking. David Lamar stated they do not want people to park on the street.

Jill Rivera, who lives in Opal Condominiums, stated there has not been an issue with parking on Romar Vista Place. She stated that usually some of the renters do not move their cars after they have arrived.

Craig Stephenson, Fire Marshal, stated the development meets code with the hammerhead and that the 22-foot roadway is sufficient.

Steve Brown, Police Chief, stated there is a concern if, during emergencies, vehicles are parked in the street.

Jose Rivera stated that the by-right options are worse than the proposed development.

Motion made (Wilson/Moore) to recommend approval of Preliminary and Final PUD to City Council subject to staff comments. Roll call revealed: Jeffries, no; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (6-1).**

2. Case No. 1202-SD-19, JG Concepts LLC Plat #1

Lucido Engineering & Surveying, on behalf of JG Concepts LLC, requests approval of **Preliminary and Final Minor Subdivision** to subdivide Lot 1 of Island Properties Subdivision into two lots. The property is located at 24401 CANAL ROAD in the Orange Beach Golf Center Planned Unit Development. Griffin Powell presented staff comments to the Planning Commission. The property owner plans to construct a personal office and vehicle showroom on Lot 1A, which will have frontage on Easy Street. Lot 1B will be a corner lot with frontage on Commercial Avenue and Easy Street. The proposed plat complies with the Subdivision Regulations and there are no staff conditions.

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

Motion made (Jeffries/Wilson) to approve preliminary/final plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Approved (7-0).**

3. Case No. 1203-PUDA-19, JG Concepts LLC Vehicle Showroom

Lucido Engineering & Surveying, on behalf of JG Concepts LLC, requests recommendation to City Council for approval of a **Major PUD Modification** to the Orange Beach Golf Center Planned Unit Development Master Plan to construct a motor vehicle showroom on the west side of Easy Street and north of the West Marine retail store. Griffin Powell presented staff comments to the Planning Commission. In the original PUD, the site was designated for a hotel land use. In 2013 the PUD was amended to allow for commercial retail. The proposed building will be two stories in height. The building will have enclosed display and storage areas with office space on the second floor. The west side will be a non-enclosed storage area. There are 26 parking spaces provided. The main driveway will be on Easy Street.

Chairman Robert Stuart opened the public hearing for comments and one person spoke. Marla Webb, resident of Easy Street and member of the homeowner's association, asked about access to the site.

Vince Lucido and James Harrell were present to address the Planning Commission. James Harrell, property owner, stated he would not be selling cars. The cars would only be on display.

Commissioner Kathy Lindsey asked why he is building a showroom. James Harrell stated that he collects high end cars. The cars are not for sale.

James Harrell stated he would like to request permission to cross the median at his access on Easy Street.

Chairman Robert Stuart stated the median cut can be part of the motion. He stated without the cut there is an impact on the neighborhood.

Commissioner Annette Mitchell asked if the showroom could have a more coastal look. Vince Lucido stated he would have to address the coastal look with the architect. James Harrell stated all vehicles will only be displayed on the inside of the building.

Motion made (Jeffries/Wilson) to recommend approval of Major PUD modification to City Council subject to staff comments and the architect will submit a plan to City staff with a coastal look. Roll call revealed: Jeffries, yes; Mitchell, no; Lindsey, yes; Glenn Smith, yes; Wilson, yes; Moore, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (6-1).**

Chairman Robert Stuart stated to Vince Lucido that he is disappointed with how Vince treats the staff and the Planning Commission. Chairman Robert Stuart stated this behavior would no longer be allowed. When Vince Lucido approaches the Planning Commission, he will be respectful. Vince Lucido apologized for his behavior. Chairman Robert Stuart stated he was angry with the remark made at the end of the November meeting. He accepted the apology.

4. Case No. 1208-ZT-19, Section 10.02 – Metal Siding for Mini-Warehouse Buildings

The Community Development Department requests recommendation to City Council for approval of **Zoning Text Amendment** to Section 10.02 of the Zoning Ordinance to remove the allowance for mini-warehouse buildings to have metal siding as exterior building material. Griffin Powell presented the proposed zoning text amendment. Section 10.02 regarding mini warehouses will be deleted from the Zoning Ordinance.

Chairman Robert Stuart opened the public hearing for comments and one person spoke. Jeff Silvers stated that the new recreation center is awesome and it has metal siding. Kit Alexander stated that metal siding would be allowed in a PUD.

Motion made (Mitchell/Moore) to recommend approval of zoning text amendment to City Council. Roll call revealed: Jeffries, yes; Mitchell, no; Lindsey, yes; Glenn Smith, yes; Moore, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (6-0).**

I. SITE PLAN REVIEWS

1. Case No. 1201-SP-19, Boat and RV Storage – Enclosed Recreation Space

Lieb Engineering, on behalf of FM Holdings LLC, requests approval of **Site Plan Review** to convert 2,500 SF of the northwesterly boat and RV storage building into an enclosed sports and recreation space and to add a 400-SF building to the northeast side of the development. The property is located at 27085 CANAL ROAD in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. The applicant requests to convert two of the six units into an enclosed sports and recreation venue. Fourteen parking spaces are required. With the change from boat and RV storage to recreation, the northwesterly building becomes a mixed-use building and must comply with the exterior building material standards. The vehicular use and parking area will be constructed of gravel.

Mark Keel was present to address the Planning Commission. He stated his request would allow for instructors to teach sports. There will be handicap parking and there will be a key pad entry. Commissioner Annette Mitchell stated she has a problem with gravel parking. Mark Keel stated that the entryway will be paved. The existing gravel is good for drainage.

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

2. Case No. 1204-SP-19, Orange Beach Mini Golf

Lakewood Holdings LLC requests approval of **Site Plan Review** to construct a mini-golf facility on Lot 2B of the Summer Salt Plaza Subdivision. The property is located on the west side of Slipper Boulevard and north of The Ruby Slipper Restaurant in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. The facility will have an 18-hole mini-golf course, office/lobby/restroom building and parking on the north side. There will be eighteen parking spaces along Ruby Lane. The facility also has a shared parking agreement with the neighbor to the east. Jim Brown was present to address the Planning Commission.

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

3. Case No. 1207-SP-19, McCarron Parking Addition

Lucido Engineering & Surveying, on behalf of McInvestments, requests approval of **Site Plan Review** to construct an additional parking area for McCarron Insurance on the adjoining vacant lot to the east. The property is located at 25260 CANAL ROAD in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. In August 2013 the Planning Commission gave site plan approval for this project but the site expired with no site permits being obtained. A waiver by the Planning Commission is required to allow the parking area to be constructed of gravel.

Kit Alexander stated there are no issues with drainage and the lot could be leased. Griffin Powell stated concrete was approved in 2013. Commissioner Annette Mitchell stated the parking lot needs to be asphalt. Commissioner Bill Jeffries stated he likes pavers.

Motion made (Jeffries/Moore) to approve site plan request subject to staff comments and the parking lot will have pervious pavers or asphalt. Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, yes; Stuart, yes. **Approved 6-0).**

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

1. 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.

Motion made (Moore/Lindsey) to defer until the January 13, 2020 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, yes; Stuart, yes. **Deferred 6-0).**

2. 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.

Motion made (Mitchell/Lindsey) to defer until the January 13, 2020 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, yes; Stuart, yes. **Deferred 6-0).**

K. OTHER BUSINESS

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 6:08 p.m.

Kit Alexander, Director

Robert Stuart, Chairman