

Minutes
Orange Beach Planning Commission
Monday, July 8, 2019 – 4:05 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 4:05 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 - left at 4:35 p.m.
Commissioner Pat Simpson
Commissioner Glenn Smith
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 Kathy Lindsey
Commissioner Matt Wilson

E. APPROVALS 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 and the minutes stand approved as submitted.

1. Approval of minutes from the Work Session on June 10, 2019.
2. Approval of minutes from the Regular Meeting on June 10, 2019.

H. PUBLIC HEARINGS

1. Case No. 0604-SD-19, Cotton Dunes Subdivision

Sawgrass Consulting, on behalf of Chris & Barbara Ybarra, Island Dunes Resort Condominium, Donald M. Russell, Jr., and Blue Palms LLC, requests approval of **Preliminary and Final Minor Subdivision** for a subdivision containing five lots. The property is located at 26009, 26023 and 26021 PERDIDO BEACH BOULEVARD and is in

the GB (General Business) and RM-1 (Multi-Family Residential Low to Medium Density) zoning districts. *Deferred from the Regular Meeting on June 10, 2019.* Griffin Powell stated that the applicant has applied for a variance before the Board of Adjustment to reduce the minimum lot area requirement for a new lot in GB zoning. Kit Alexander stated that Chris Ybarra, owner of Cotton's Restaurant, would like to purchase the lot currently used for restaurant parking. Chairman Robert Stuart opened the public hearing for comments and no one spoke in favor or opposition.

Motion made (Simpson/Jeffries) to defer until the August 12 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (7-0).**

2. Case No. 0701-PUD-19, Cotton Bayou Cottages PUD

Lieb Engineering, on behalf of Cotton Bayou Place LLC, requests recommendation to City Council for **Preliminary PUD Approval** to rezone 4.38 acres from RM-1 (Multi-Family Residential Low to Medium Density) to PUD (Planned Unit Development) for a residential development containing 34 cottage lots. The property is located on the north side of PERDIDO BEACH BOULEVARD across from Admiral Quarters Condominium. Griffin Powell stated there was a discrepancy in the plans, which caused a redesign of the detention ponds. Chairman Robert Stuart opened the public hearing for comments and no one spoke in favor or opposition.

Motion made (Mitchell/Moore) to defer until the August 12 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (7-0).**

3. Case No. 0702-PUD-19, Broken Sound PUD

Dewberry, on behalf of Zachris Limited Partnership I, requests recommendation to City Council for **Final PUD Approval** to rezone 7.5 acres from RM-2 (Multi-Family Residential Low to Medium Density) to PUD (Planned Unit Development) for a single-family residential subdivision containing 40 lots. The property is located at the northeast corner of the intersection of LAUDER LANE and PELICAN PLACE. Griffin Powell stated that the landscape plan was submitted late and there was insufficient time for staff to review the tree survey and landscape plan. Chairman Robert Stuart opened the public hearing for comments and no one spoke in favor or opposition.

Motion made (Moore/Jeffries) to defer until the August 12 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (7-0).**

4. Case No. 0703-SD-19, Broken Sound Subdivision

Dewberry, on behalf of Zachris Limited Partnership I, requests approval of **Preliminary Major Subdivision** to subdivide 7.5 acres into a single-family residential subdivision containing 40 lots and 3+ acres of common area. The property is located at the northeast corner of the intersection of LAUDER LANE and PELICAN PLACE and is concurrent with the Broken Sound Final PUD Approval (Case No. 0702-PUD-19). Griffin Powell stated this application is related to the Broken Sound Final PUD request. Chairman Robert Stuart opened the public hearing for comments and no one spoke in favor or opposition.

Motion made (Simpson/Moore) to defer until the August 12 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (7-0).**

5. Case No. 0704-PUDA-19, Hammock Dunes PUD, Phase II

K.O. Investments LLC, on behalf of Peter C. Kern Family Holdings LLC and K.O. Investments LLC requests recommendation to City Council for approval of **Major PUD Modification** to the Hammock Dunes PUD Master Plan to rezone 1.74 acres from RS-1 (Single-Family Residential) to PUD (Planned Unit Development) for inclusion into the Hammock Dunes PUD and to keep the existing single-family residential structure and add 11 cottages. The property is located at 23916 and 23926 PERDIDO BEACH BOULEVARD. Griffin Powell stated all owners' signatures are required before consideration by the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one spoke in favor or opposition.

Motion made (Mitchell/Jeffries) to defer until the August 12 meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes; Stuart, yes. **Deferred (7-0).**

I. SITE PLAN REVIEWS

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

K. OTHER BUSINESS

L. PUBLIC COMMENTS

Chairman Robert Stuart opened the meeting for public comments and asked if there were any concerns from the audience. Helen Clark stated she was attending the meeting to learn what was going on in the city. Ginny Russell, who owns property on Perdido Beach Blvd located between Turquoise Place and the Island House Hotel, was interested in up-zoning and development of these seven RS-1 parcels. She stated they have an offer to develop the property and will be meeting with staff.

Mrs. Fitts stated she is trying to learn the process for the Planning Commission and City Council. She asked the policy for golf carts. Chairman Robert Stuart stated that the Police Chief was present and requested that he speak on the subject. Joe Fierro, Police Chief, stated that the City is drafting an ordinance to address golf carts. There have been many complaints, specifically with children on golf carts. Commissioner Annette Mitchell, who is also a City Councilmember, stated the City wants to preserve the flavor of a small town but there is a problem with children driving golf carts. The City is looking at a solution to allow golf carts and it may be addressed in August. She said that the public can come and voice their opinions at the end of every City Council meeting.

Mike Kimmerling, Fire Chief and Nelson Bauer, Deputy Fire Marshal, were present at the request of Commissioner Bill Jeffries to address fire sprinkling pertaining to multi-family developments. Commissioner Bill Jeffries stated he was concerned about the recent condominium fire east of the Florabamaon Perdido Key. We are approving projects with small setbacks. Mike Kimmerling stated the condominiums destroyed were made of wood, not sprinkled and there was limited

access to the structures. He stated Orange Beach had personnel and equipment to assist with the fire, which was very difficult because it was wind driven. Commissioner Bill Jeffries asked how a fire sprinkler system works. Nelson Bauer, Fire Marshal provided an explanation of sprinkler effectiveness but there are limitations. Fire walls can also help. Mike Kimmerling stated that with smoke detectors, escape times have been greatly reduced. He also stated that sleeping with bedroom doors closed helps to keep fires from spreading.

M. ADJOURN

Adjourned at 4:47 p.m.

Kit Alexander, Director

Robert Stuart, Chairman