

Minutes
Orange Beach Planning Commission
Monday, December 10, 2018 – 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 4:08 p.m.

B. INVOCATION

Commissioner Pat Simpson 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
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
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 November 14, 2018.
2. Approval of minutes from the Regular Meeting on November 14, 2018.

H. PUBLIC HEARINGS

1. Case No. 1001-SD-18, Meeting Square Subdivision

Hercules Investments LLC requests **Preliminary/Final Minor Subdivision Approval** to subdivide Parcels A and B of Lot 29, The Village of Tannin, Unit 1 into four residential lots and a common area. The property is located at MEETINGHOUSE SQUARE in the Village of Tannin PUD (Planned Unit Development). *Deferred from the Regular Meeting on November 14, 2018.* Griffin Powell presented staff comments to the Planning Commission. City Council approved the PUD modification request on December 4, 2018. The original plan for the property was for a small church. Later a minor modification was approved to change the land use from a small church to two single-family detached dwellings. The dwellings will be two stories and have three sleeping rooms. Each dwelling unit will have four parking spaces. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Jeffries/Lindsey) to approve preliminary/final plat 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. 1106-SD-18, Cottages at Tannin Preliminary Plat

Hercules Investments LLC requests approval of **Preliminary Major Subdivision** for a residential subdivision with 14 single-family residential lots and a common area on 1.10 acres located in the Village of Tannin PUD (Planned Unit Development) at the northwest corner of the intersection of PERDIDO BEACH BOULEVARD and MIDDLE GATE and west of MEETINGHOUSE SQUARE. Griffin Powell presented staff comments to the Planning Commission. City Council approved the PUD modification request on December 4, 2018. The lots will be 37' x 41' with a lot area of 1,517 SF. The proposed roadway will be called West Gate and will have a paved width of 20 feet with curbing of one foot on each side. All lots will front on a five foot sidewalk. The dwellings will be two stores in height and have two bedrooms. Each dwelling will have two parking spaces located in the driveway of each lot. Overflow spaces will be provided along Meetinghouse Square and Middle Gate. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

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

3. Case No. 1107-PUDA-18, Sunset Park Subdivision

Sunset Park LLC requests recommendation to City Council for approval of **Major PUD Modification** to the Sunset Park PUD (Planned Unit Development) Master Plan to change the proposed development from a single-family condominium development with 60 units to a single-family residential subdivision with 44 lots. The property is located at 25473 CANAL ROAD at the northwest corner of CANAL ROAD and CYPRESS STREET. *Deferred from*

the Regular Meeting on November 14, 2018. Griffin Powell presented staff comments to the Planning Commission. The single-family dwellings in the modification will be two-story structures on slab foundation. The front setback will be 20 feet with side setbacks of 5 feet and rear setbacks of 2.5 feet. All lots will front on a private 36-foot wide right-of-way. Each dwelling unit will have four bedrooms and four parking spaces. Don Rowe was present to address the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Chairman Robert Stuart stated there is no overflow parking. Don Rowe replied they could get nine parking spaces at the pool with sidewalks on both sides. Chairman Robert Stuart stated public written comments were concerned about getting in and out of Cypress Street. Chairman Robert Stuart and Commissioner Annette Mitchell stated the City is concerned about public safety. Kit Alexander stated that the owner is donating a much needed easement in front of the property. She also stated that Cypress Street is a city street and could be widened and resurfaced.

Motion made (Jeffries/Lindsey) to recommend approval of PUD modification to City Council subject to staff comments and turn overflow parking into 9 spaces. Roll call revealed: Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, no; Stuart, yes. **Forwarded to City Council with a positive recommendation (5-1).**

4. Case No. 1108-SD-18, Sunset Park Subdivision

Sunset Park LLC requests approval of **Preliminary Major Subdivision** for a single-family residential subdivision with 44 lots. The property is located at 25473 CANAL ROAD at the northwest corner of CANAL ROAD and CYPRESS STREET. *Deferred from the Regular Meeting on November 14, 2018.* Griffin Powell presented staff comments to the Planning Commission. The proposed roadway will be called Casablanca Drive and will have a paved width of 24 feet with curbing of one foot on each side. The roadway will be located in a private right-of-way that will be 36 feet wide. Each dwelling will be two stories in height and have four bedrooms. Each lot will accommodate four parking spaces with a two-car garage and a two-car driveway. Each lot will have a front setback of 20 feet, a rear setback of 2.5 feet, and side setbacks of 5 feet. The rear of each lot will abut common area.

Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak. Commissioner Annette Mitchell asked City Councilmember Jerry Johnson about fiber in new developments. Jerry Johnson stated the Telecommunications Committee is working to get fiber in new neighborhoods. He stated it just makes sense for new development to run conduit to the curb. Kit Alexander stated staff will work with developers to have fiber conduit installed at time of subdivision infrastructure construction.

Motion made (Mitchell/Jeffries) to approve preliminary major plat request subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, no; Stuart, yes. **Approved (5-1).**

5. Case No. 1201-SD-18, Boyd Park Subdivision

Scott Boyd requests **Preliminary/Final Minor Subdivision Approval** to move the lot line between East Orange Beach Subdivision, First Addition, Block 9, Lots 1 and 2. The property is located southwest of the intersection of PARK DRIVE and PARK LANE in the RS-2

(Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. The plat submitted meets the requirements of the Subdivision Regulations and complies with RS-2 zoning. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Lindsey/Moore) to approved preliminary/final minor plat request. Roll call revealed: Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, yes; Stuart, yes. **Approved (6-0).**

6. Case No. 1203-PUDA-18, The Wharf PUD Main Street Multi-Use Pad

Sawgrass Consulting LLC, on behalf of Wharf Entertainment Properties LLC, requests recommendation to City Council for approval of **Major PUD Modification** to the Wharf PUD (Planned Unit Development) Master Plan to construct a 48,700-SF multi-use asphalt pad on property located east of the FOLEY BEACH EXPRESS, north of CANAL ROAD, south of WHARF LANE, and west of MAIN STREET. Griffin Powell presented staff comments to the Planning Commission. In 2006 the site was approved for two anchor stores. The Wharf has used the undeveloped property as a multi-use pad to meet the needs of venues such as the World Food Challenge, boat and car shows. Jim Bibby was present to address the Planning Commission. He stated that the World Food Championship has asked for two years for asphalt for the main event. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak. Kit Alexander addressed concerns from the Cook property owners' letter regarding site drainage. She stated the Cook property runoff drains under Canal Road to the north and east of Main Street to the Intracoastal Waterway. She also stated that Canal Road will be widened and the City will see that drainage is properly functioning.

Motion made (Mitchell/Moore) to recommend approval of PUD modification to City Council subject to staff comments. Roll call revealed: Roll call revealed: Jeffries, yes; Mitchell, yes; 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. 1202-SP-18, Sky Condominium

Dewberry, on behalf of Leo Joseph, requests approval of **Site Plan Review** for a condominium with 14 units and parking. The property is located at 25768 PERDIDO BEACH BOULEVARD in the BR-2 (Beach Resort High Density) zoning district. Griffin Powell presented staff comments to the Planning Commission. In September 2017 the property received site plan approval for a 35-unit condominium. There will be 26 floors (20 residential, 5 parking and 1 amenity). There will be 45 parking spaces provided. Each unit will contain 5 bedrooms and 5.5 bathrooms. The project will provide emergency beach access along the east side of the property. Henry Norris and Jared Landry were present to address the Planning Commission.

Motion made (Moore/Glenn Smith) 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).**

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 November 14, 2018.* Chris Govan stated they are still waiting on Army Corps of Engineers approval. Chairman Robert Stuart stated the Planning Commission will only defer applications three times.

Motion made (Mitchell/Moore) to defer until the January 14, 2019 meeting. Roll call revealed: Roll call revealed: Jeffries, yes; Mitchell, yes; Lindsey, yes; Glenn Smith, yes; Moore, yes; Stuart, yes. **Deferred (6-0).**

K. OTHER BUSINESS

Kit Alexander stated that the City is working with South Alabama Regional Planning Commission (SARPC) to update the comprehensive plan and it is essential to have the Planning Commission participate in the update.

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 5:05 p.m.

Kit Alexander, Director

Robert Stuart, Chairman