

Minutes  
Orange Beach Planning Commission  
Monday, September 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 4:00 p.m.

**B. INVOCATION**

Commissioner Pat Simpson gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

Board Members Present:

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

Staff Present:

John Lawler, City Attorney  
Kit Alexander, Director  
Griffin Powell, Planner II  
Paulette Taylor, Planner I  
Mindy Smith, Office Manager

Absent:

Commissioner Bill Jeffries  
Commissioner Glenn Smith

**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 August 13, 2018.
2. Approval of minutes from the Regular Meeting on August 13, 2018.

**H. PUBLIC HEARINGS**

**1. Case No. 0811-ZT-18, Article 15, Roof and Window Signage.**

The Community Development Department requests recommendation to City Council for a **Zoning Text Amendment** to Article 15 of the Zoning Ordinance regarding roof and window signage. *Deferred from the Regular Meeting on August 13, 2018.* Griffin Powell presented the proposed zoning text amendment to the Planning Commission. The changes will affect

three sign definitions, prohibit signs affixed to roofs, limit the area of a window sign and limit the period of time for signs not affixed to a window or door. The Sign Administrator may permit temporary window signs for a maximum of fourteen (14) days. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

**Motion made (Mitchell/Moore) to recommend approval of zoning text amendment to City Council.** Roll call revealed: Lindsey, yes; Mitchell, yes; Moore, yes; Simpson, yes; Lannie Smith, yes; Wilson, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (7-0).**

**2. Case No. 0901-PUD-18, Summer Salt PUD**

Dewberry, on behalf of OKS Investments LLC, requests recommendation to City Council for **Preliminary 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 and Flipdaddy's restaurants. Griffin Powell presented staff comments to the Planning Commission. The development will consist of two phases. The first phase will contain 31 cottages and 54 single-family residences. The second phase will contain 27 cottages. The master plan indicates 6.91 acres of open space along with 7.03 acres of lakes and 13.97 acres of wetlands.

The 58 cottages will have four sleeping rooms and will require four parking spaces. Each cottage will have three parking spaces located underneath the cottage. The fourth required space per unit will be provided in the 114 additional parking spaces being provided throughout the development. The 54 single-family residences will have four sleeping rooms and each lot will have two driveways to accommodate four vehicles. The cottage lots will have front, rear and side setbacks of five feet. The single-family residential lots will have a front setback of 20 feet, a rear setback of 15 feet, and side setbacks of 5 feet.

The Subdivision Regulations require 60 feet for the right-of-way width and the PUD will have ROW widths of 32 feet in front of the cottage lots and 40 feet in front of the single-family residential lots. The roadway width requirement is 24 feet and the PUD will have a 20 foot width.

Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak. Police Chief Fierro voiced concerns about the 20-foot roadway width and only three parking spaces located at each cottage. Steve Pumphrey was present to address the Planning Commission. He stated they realize the sites are tight and have tried to provide as many guest parking spaces as possible. He stated there will be 58 additional parking spaces, over and above what is required. He stated the density is low for the present GB zoning. The roadway will be private.

Chairman Robert Stuart stated he has an issue with the parking and a 20-foot road. He voiced a concern about the need for more overflow parking spaces. Commissioner Annette Mitchell

stated the parking area needs to be closer to the proposed dwellings. Commissioner Lannie Smith stated he has concerns about the fire separation of the buildings. Commissioner Annette Mitchell asked the intent of housing being provided. Steve Pumphrey stated there will be weekly rentals. Commissioner Annette Mitchell stated that her concerns include public safety and flooding. Commissioner Pat Simpson asked about the possibility of eliminating two lots in order to provide more parking. Steve Pumphrey stated that project representatives had met with staff and thought the proposed PUD would be acceptable. Truland Home Development will be the contractor.

**Motion made (Commissioner Lannie Smith/Wilson) to recommend approval of Preliminary PUD to City Council subject to staff comments.** Roll call revealed: Lindsey, no; Mitchell, no; Moore, no; Simpson, no; Lannie Smith, no; Wilson, no; Stuart, no. **Forwarded to City Council with a negative recommendation (0-7).**

**3. Case No. 0902-SD-18, High Tide Resubdivision**

Russell & Company Construction, on behalf of High Tide Holdings LLC and Cliff Moss, requests **Preliminary and Final Minor Subdivision Approval** to resubdivide and combine Lots 2 and 3 of Perdido Gardens Subdivision into a single lot. The property is located at 29733 and 29755 HAYDEN DRIVE in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. The applicant indicates the residences will be removed to accommodate a larger residence on the proposed single lot. The plat meets the requirements of the Subdivision Regulations. There are no staff conditions.

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

**4. Case No. 0903-SD-18, Beach Village Subdivision**

Rowe Engineering & Surveying, on behalf of Cottages at Romar LLP, requests **Final Major Subdivision Approval** to subdivide 22+ acres into a subdivision with 69 residential lots with pool, clubhouse, and common areas, and a commercial lot with parking, boardwalks, and an open air food court and eating area. The property is located at 23063, 23071 and 23105 PERDIDO BEACH BOULEVARD in the Beach Village Planned Unit Development. Griffin Powell presented staff comments to the Planning Commission. The residential and common are lots will front on a 40-foot private right-of-way. There will be three roadways within the new subdivision. The applicant stated that there will be no roadway markings due to the roadways being privately owned and maintained. Sidewalks will not be provided. Griffin stated that the City approved the request to waive the subdivision requirements for sidewalks and roadway markings. The waivers are part of the PUD master plan. The plat meets the Subdivision Regulations. Chairman Robert Stuart opened the public hearing and Eric Jackson, Rowe Engineering was present to address the Planning Commission.

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

## I. SITE PLAN REVIEWS

### 1. Case No. 0805-SP-18, Orange Beach Hotel

Innisfree Hotels, on behalf of Saltaire Association Inc., requests approval of **Site Plan Review** to construct a 192-room hotel. The property is located at 26026 PERDIDO BEACH BOULEVARD in the BR-2 (Beach Resort High Density) zoning district. *Deferred from the Regular Meeting on August 13, 2018.* Griffin Powell presented staff comments to the Planning Commission. The proposed site plan complies with the building setbacks with building footprint coverage of 22%. The site plan requires 254 parking spaces and 258 spaces to be provided. The location of the proposed offsite laydown yard and construction employee parking must be provided. Rich Chism was present to address the Planning Commission. Commissioners Annette Mitchell stated she loves the building would like the wave design added to the west side of the building. Commissioner Lannie Smith stated that approval of the site plan does not include approval of the retaining wall. The retaining wall requires a wave study, ADEM and US Fish and Wildlife approval. Rich Chism stated that the retaining wall will be used to support the pool. He agreed to provide the wave design on the west side of the building.

**Motion made (Commissioner Lannie Smith/Wilson) to approve site plan request subject to staff comments and the wave design added on the west side of the building.** Roll call revealed: Lindsey, yes; Mitchell, yes; Moore, yes; Simpson, yes; Lannie Smith, yes; Wilson, yes; Stuart, yes. **Approved (7-0).**

## J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

### 1. Case No. 0606-PUDA-18, Orange Beach PUD Modification

Lucido Engineering & Surveying LLC, on behalf of Earle Long III and OBM Inc., requests recommendation to City Council for approval of **Major PUD Modification** to the Orange Beach Marina Planned Unit Development (PUD) Master Plan for the following: (1) to rezone 2.22 acres from RS-1 (Single-Family Residential) to PUD for inclusion into the Orange Beach Marina PUD; and (2) to expand the parking area and add a boat storage area. The property is located at 27075 MARINA ROAD. *Deferred from the Regular Meeting on July 9, 2018.*

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

### 2. Case No. 0810-SP-18, Cactus Cantina Outside Patio

Michael Smith, on behalf of Cantina Properties LLC, requests approval of **Site Plan Review** to add a 1,200-SF outdoor patio seating area with fencing to the front of the Cactus Cantina restaurant. The property is located at 25311 PERDIDO BEACH BOULEVARD in the GB (General Business) zoning district. *Deferred from the Regular Meeting on August 13, 2018.*

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

**3. 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.

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

**K. OTHER BUSINESS**

City offices will be closed November 12, 2018 in observance of Veterans Day. The November Planning Commission was rescheduled to Wednesday, November 14.

**L. PUBLIC COMMENTS**

**M. ADJOURN**

Adjourned at 4:57 p.m.

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Kit Alexander, Director

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Robert Stuart, Chairman