

Minutes
Orange Beach Planning Commission
Monday, November 13, 2017 – 4:00 P.M.
Council Chambers – Orange Beach Municipal Complex
4099 Orange Beach Blvd.

A. CALL TO ORDER

Vice Chairman Chris Callaghan called the meeting to order at 4:00 p.m.

B. INVOCATION

Commissioner Jimmy Boyd gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Jimmy Boyd
Commissioner Bill Jeffries
Commissioner Christina McInnis
Commissioner Annette Mitchell
Commissioner Ralph Moore
Commissioner Pat Simpson
Commissioner Lannie Smith
Vice Chairman Chris Callaghan

Staff Present:

John Lawler, City Attorney
Kit Alexander, E&ES Director
Griffin Powell, Planner II
Paulette Taylor, Planner I

Absent:

Chairman Robert Stuart

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 - There were no changes and the minutes stand approved as submitted.

1. Approval of minutes from the Work Session meeting on October 9, 2017.
2. Approval of minutes from the Regular Meeting on October 9, 2017.

H. PUBLIC HEARINGS

1. **Case No. 0703-PUD-17, Greenway Apartments at Orange Beach PUD**
Hutchinson, Moore & Rauch LLC, on behalf of Larry Snyder & Company, requests recommendation to City Council for **Preliminary PUD Approval** to zone 4.41 acres to PUD (Planned Unit Development) for an apartment complex with 108 micro-

efficiency units and a parking area with 146 paved spaces and 76 grassed overflow spaces. The property is located at the northeast corner of ROSCOE ROAD and UNIVERSITY LANE. Griffin Powell presented staff comments to the Planning Commission. The property is located east of EMC and outside the city limits. If approved, the property will be annexed into the city. There will be two buildings with 108 micro-efficiency apartments and the parking will be located in the middle with 146 paved spaces and 76 grassed overflow spaces. Each unit will have a floor area of 340 square feet. The project will have full-movement driveways onto Roscoe Road on the property's south and west sides. The Planning Commission may allow grassed area parking. Doug Bailey was present to address the Planning Commission. Vice Chairman Chris Callaghan opened the public hearing for comments. Rick Cooper, CSU, asked what an efficiency apartment is. Doug Bailey stated there will be one-bedroom efficiency apartments and 60 – 70% will be furnished for students or work-force housing. They anticipated one person per unit and not typically more occupants.

Commissioner Annette Mitchell stated that the site plan is short 16 parking spaces and would like for the parking requirements met. Commissioner Lannie Smith asked what type material would be used for the grassed parking. Doug Bailey stated that the grassed parking area will be reinforced and will have wheel stops. Commissioner Jimmy Boyd asked about asphalt parking. Doug Bailey stated paving would actually be cheaper. Doug Bailey stated that the parking could be expanded to the east.

Motion made (Mitchell/Boyd) to recommend approval of Preliminary PUD approval to City Council subject to staff comments, the provision of sixteen additional parking spaces, and the grassed parking area to be paved with landscaped islands. Roll call revealed: Boyd, yes; Jeffries, abstained; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, yes. **Forwarded to City Council with a positive recommendation (7-0-1).**

2. **Case No. 1101-SD-17, Bickers Acre Subdivision**

Matthew L. Bickers requests approval of **Preliminary and Final Minor Subdivision** plat to subdivide a 2.12-acre lot into four lots, with three lots fronting on Sampson Avenue. The property is located at 28670 SAMPSON AVENUE in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Sampson Avenue bounds the subject property on the east side. The existing residence will utilize a modified dirt driveway in the Carlton Lane ROW to access Sampson Avenue. Lots 1 through 3 will have direct frontage on Sampson. There are no outstanding issues. Vice Chairman Chris Callaghan opened the public hearing for comments and no one spoke.

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

3. **Case No. 1102-SD-17, Hyatt/Rogers Common Lot Line Move**

Hutchinson, Moore & Rauch LLC, on behalf of Bob Rogers and Wayne Hyatt, requests approval of **Preliminary and Final Minor Subdivision** plat to move the common lot line between two lots 50 feet so that both lots will have lot widths of approximately 150 feet. The properties are located at 6862 SOUTH BAYOU DRIVE and 6868 SOUTH BAYOU DRIVE. Griffin Powell presented staff comments to the Planning Commission. The subject lots are located outside of the city limits in the Josephine area in our Planning Jurisdiction. There are no outstanding issues. Vice Chairman Chris Callaghan opened the public hearing for comments and no one spoke.

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

I. SITE PLAN REVIEWS

1. **Case No. 0706-SP-17, Matt Foster Storage Yard**

Lucido Engineering & Surveying LLC, on behalf of Matt Foster, requests approval of **Site Plan Review** for an outdoor storage yard. The property is located at 4404 MONEY BAYOU DRIVE in the GB (General Business) zoning district. (*Deferred from the October 2017 meeting*) Griffin Powell presented staff comments to the Planning Commission. The site plan is for a storage yard and there are no outstanding issues.

Motion made (Smith/Boyd) to approve site plan request subject to staff comments. Roll call revealed: Boyd, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, yes. **Approved (8-0).**

2. **Case No. 0707-SP-17, Keel Storage Building**

Mark Keel requests approval of **Site Plan Review** for a storage building and outdoor storage yard. The property is located 27085 CANAL ROAD in the GB (General Business) zoning district. (*Deferred from the October 2017 meeting*) Griffin Powell presented staff comments to the Planning Commission. The storage building will be 2400 SF. There are several outstanding violations on the site that will be corrected when the site is developed per the site plan.

Motion made (Simpson/Jeffries) to approve site plan request subject to staff comments. Roll call revealed: Boyd, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, yes. **Approved (8-0).**

3. **Case No. 1005-SP-17, Caribe on the Beach East Condominium**

Dewberry/Preble-Rish, on behalf of Caribe on the Beach East LLC, requests approval of **Site Plan Review** for a condominium with 100 units. The property is located at 26026 PERDIDO BEACH BOULEVARD in the BR-2 (Beach Resort High Density) zoning district. (*Deferred from the October 2017 meeting*) Griffin Powell presented staff comments to the Planning Commission. The floor plans have been revised to show that 77 units will have a foyer entry with a bedroom and kitchen facility (no stove). The project will provide a public beach

access to the Cotton Bayou public beach access to the west. The driveway will be right-in, right-out only. A total of 261 parking spaces are required and they are provided 262 spaces. Larry Wireman was present to address the Planning Commission.

Commissioner Lannie Smith stated that the previous concern was the kitchen and not the door. Commissioner Christina McInnis asked about turtle lighting requirements. Kit Alexander stated that turtle lighting is dictated by the beach overlay district and US Fish and Wildlife Service.

Motion made (Mitchell/Boyd) to approve site plan request subject to staff comments. Roll call revealed: Boyd, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, yes. **Approved (8-0).**

4. **Case No. 1103-SP-17, LaDolce Vita Condominium**

Henry Norris & Associates, on behalf of Ed Trehern, requests approval of **Site Plan Review** for a condominium development with 140 units and a marina on 3.35 acres. The property is located at 29041 PERDIDO BEACH BOULEVARD in the RM-2 (Multi-Family Residential High Density) zoning district. Griffin Powell presented staff comments to the Planning Commission. The site plan shows 25 stories with 140 condominium units, 114 boat slips for the condo owners and 315 parking spaces. The project will have two driveways onto Perdido Beach Blvd. The driveway on the east side will be one-way and for entering only and the driveway on the west side will be one-way and for exiting only. The subject property is located in a critical Perdido Key Beach Mouse habitat area. Ercil Godwin was present to address the Planning Commission. He stated that Jubilee Landing has an easement for the encroachment of their gravel parking. Discussion was held on private and commercial marina usage. Ercil Godwin stated there will be a marina strictly for the use by condo owners but they have not received approval from the State Lands Division.

Yachtsman Condominium owners were concerned about density and boat traffic. Walt Darte stated that this is a low density area and they have done an outstanding job developing the site. However, he doesn't like 120 boat slips next door and people crossing the street to go to the beach is a hazard. Debbie Chapman also stated this is a low density area. She is against the project because of the traffic. Owen Warren stated that Yachtsman only has 26 boat slips and the request for 114 boat slips is ridiculous. The marina should require Planning Commission approval.

Larry Wireman spoke in support of the proposed project. He stated that they will be required to go through US Corp of Engineers and Alabama State Lands as Caribe did for their marina.

Motion made (Smith/Callaghan) to approve site plan request subject to staff comments, configuration and number of boat slips limited in quantity upon approval by governing authority, US Corps of Engineers, Alabama State Lands and staff. Roll call revealed: Boyd, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, yes. **Approved (8-0).**

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

K. OTHER BUSINESS

1. Request for 12-month extension of site plan review approval for Caribe on the Beach Condominium, Case No. 1003-SP-16. Griffin Powell presented staff comments to the Planning Commission. He stated that the applicant has revised the floor plans similar to Caribe on the Beach East. Larry Wireman was present to address the Planning Commission.

Motion made (Boyd/Moore) to approve 12-month site plan extension. Roll call revealed: Boyd, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, yes. **Approved (8-0).**

2. Election of officers.

Motion made (Mitchell/Simpson) to nominate Robert Stuart as Chairman and Chris Callaghan as Vice Chairman. Roll call revealed: Boyd, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Simpson, yes; Smith, yes; Callaghan, abstained.

Approved (7-0-1).

L. PUBLIC COMMENTS

M. ADJOURN

The meeting adjourned at 5:25 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Chris Callaghan, Vice Chairman