

Minutes
Orange Beach Planning Commission
Monday, May 9, 2016 – 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 John Davis
Commissioner Bill Jeffries
Commissioner Christina McInnis
Commissioner Annette Mitchell
Commissioner Ralph Moore
Commissioner Lannie Smith
Vice Chairman Chris Callaghan
Chairman Robert Stuart

Staff Present:

Griffin Powell, Planner II
Paulette Taylor, Planner I

Staff Absent:

Kit Alexander, E&ES Director
John Lawler, City Attorney

E. APPROVAL OF AGENDA

There were no changes to the agenda and the agenda stands approved as submitted.

F. CONFLICTS OF INTEREST – Commissioner Christina McInnis stated she would be abstaining from items 0502-PUDA-16 and 0503-SD-16 – Buena Vista.

G. APPROVAL OF MINUTES AND CERTIFIED RECORDS – There were no changes and the minutes stand approved as submitted.

1. Approval of minutes from the Regular Meeting on April 11, 2016.
2. Approval of minutes from the Special Called Meeting on April 21, 2016

H. PUBLIC HEARING

1. **CASE NO. 0501-PUD-16 – FINAL PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN APPROVAL – HARBOR RIDGE PUD – OWNER: HARBOR RIDGE 2015, L.L.C. – APPLICANT: PREBLE-RISH, L.L.C.** – Request by the applicant for recommendation to City Council for approval of Final Planned Unit Development Zoning and Master Plan to rezone 7.67 acres from RS-1 (Single-Family Residential) to PUD for a single-family residential development with 22 lots. The subject property is located at the end of St. Lucia Drive, west of Terry Cove Harbor Phase II Subdivision and east of Beech Mobile Home Park. Griffin Powell presented staff comments to the Planning Commission. Steve Pumphrey was present to address the Planning Commission.

Chairman Robert Stuart opened the public hearing for comments and the following people voiced concerns with the development. Debbie Okin asked if there would be solid fencing on the east side and will there be a double fence including the fence for Terry Cove. Gary Owen asked if the Harbor Ridge streets would be private and would the developer keep them paved. He also asked if a traffic study was required. Staff has reviewed the development for stormwater compliance and there are no problems. No traffic study was required. Kay Herrin asked if the fence would surround the entire property. She asked if the retention on the north side would work. Commissioner Annette Mitchell replied that there are two retention areas that will work. Tommy Smith asked if the solid fence would guarantee no water runoff into the swimming pool. Tim Jackson asked about the gravel road. Steve Pumphrey stated that engineering has address drainage. Danny Tree asked about water issues and percolation. Joe Cornwell requested that the Planning Commission make a recommendation to the City Council for denial. He feels that it was unfair to his neighbor and friends that the property advertised as wilderness would be taken away. Howard Okin stated he thought that there would be no development behind his property. He asked why the developed could not leave the trees. Gary Owen voiced concerns with runoff during construction. Tommy Smith asked if the developer had submitted different house plans that previously. Howard Okin asked if two-story homes could be restricted on the six lots behind his property. Chairman Robert Stuart stated that the Planning Commission could not make that restriction. Tommy Smith asked if the developer would maintain Terry Cove Drive. Kay Herrin asked about the construction time and would it be sold as spec homes or just lots. Steve Pumphrey stated that there will be swale, trees and a six-foot wooden fence. There will also be privacy fence on lots if desired.

Motion made (Mitchell/Callaghan) to recommend approval of Final PUD Zoning and Master Plan approval to City Council subject to staff comments including a common fence on the south and east property. Final plat approval will not be signed until the fence is installed. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (8-0).**

CASE NO. 0502-PUDA-16 – PLANNED UNIT DEVELOPMENT MAJOR MODIFICATION – BUENA VISTA PUD BUILDING FOOTPRINTS & SETBACKS – OWNER: ORANGE BEACH RV INVESTMENTS, L.L.C. – APPLICANT: SAWGRASS CONSULTING, L.L.C. – Request by the applicant for recommendation to City Council for approval of a major modification to the Buena Vista PUD Master Plan to: (a) increase the average building footprint of the coach houses from 650 square feet to 1,056 square feet; (b) allow coach houses to have up to three bedrooms with all coach houses meeting the required parking as specified in Article 8 of the Zoning Ordinance; and (c) reducing the front and rear setbacks from 10 feet to 5 feet. The municipal address of the subject property is 23601 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments. Harry Burney, motor coach owner, spoke in favor of the modification. He stated that he purchased distress properties. He complimented the City for its stringent building codes. Ercil Godwin and Jimmy Grantham were present to address the Planning Commission. Ercil Godwin stated that some of the lots offer two-story coach houses with a lot and have four different footprints. Jimmy Grantham stated that the covenants do not allow the house to be rented without also renting the RV pad.

Motion made (Jeffries/Davis) to recommend approval of Major PUD Modification to City Council subject to staff comments. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, abstained; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (7-0-1).**

2. **CASE NO. 0503-SD-16 – PRELIMINARY MAJOR PLAT APPROVAL – BUENA VISTA PUD, PHASE 2B SUBDIVISION – OWNER: ORANGE BEACH RV INVESTMENTS, L.L.C. – APPLICANT: SAWGRASS CONSULTING, L.L.C.** – Request by the applicant for approval of Preliminary Major Plat for Lots 78 to 90 of the Buena Vista PUD Subdivision. The municipal address of the subject property is 23601 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. Ercil Godwin was present to address the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Smith/Callaghan) to approve Preliminary Major Plat approval subject to staff comments. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, abstained; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, yes; Stuart, yes. **Approved (7-0-1).**

3. **CASE NO. 0504-SR-16 – SUBDIVISION REGULATIONS AMENDMENT – SECTIONS 1.2 AND 4.1** – Request by the Community Development Department for approval to amend Section 1.2 of Article 1 of the Subdivision Regulations to reword the paragraph in this section and to amend Section 4.1 of Article 4 of the Subdivision Regulations to define “private right-of-way.” Griffin Powell presented the proposed amendment to the Subdivision Regulations.

Motion made (Jeffries/Smith) to approve Subdivision Regulations amendment. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, yes; Stuart, yes. **Approved (8-0).**

I. SITE PLAN REVIEW

1. **CASE NO. 0402-SP-16 – SITE PLAN APPROVAL – CACTUS CANTINA PATIO – OWNER/APPLICANT: CACTUS CANTINA** – Request by the applicant for approval of Site Plan to add an outdoor seating area in front of Cactus Cantina to be located at The Commons Shopping Center. The municipal address is 25910 CANAL ROAD in the GB (General Business) zoning district. *Deferred from the Regular Meeting on 04/11/2016.* Griffin Powell presented the staff comments to the Planning Commission. Bobby Wade and James Brannon were present to address the Planning Commission. James Brannon stated there would be another curb with an aluminum fence installed. Much discussion was held concerning safety. Commissioner Annette Mitchell stated she was concerned with diners and the clinic next door. Commissioner Christina McInnis voiced concerns with children’s safety.

Motion made (Moore/Jeffries) to approve site plan request subject to staff comments. Roll call revealed: Davis, no; Jeffries, yes; McInnis, no; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, no; Stuart, no. **Failed due to lack of affirmative votes (4-4).** The applicant may appeal the decision to the City Council.

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE SUBMITTAL

1. **CASE NO. 0406-SP-16 – SITE PLAN APPROVAL – ROMAR MINI STORAGE – OWNER: GULF SHORES AIRPORT WAREHOUSE, L.L.C. – APPLICANT: HASTY LANEY** – Request by the applicant for approval of Site Plan to construct two storage buildings containing 18 units. The municipal addresses are 4396 MONEY BAYOU DRIVE and 4398 MONEY BAYOU DRIVE in the GB (General Business) zoning district. *Deferred from the Regular Meeting on 04/11/2016.*

Motion made (Mitchell/Callaghan) to defer until the June 13 meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, yes; Stuart, yes. **Deferred (8-0).**

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K. OTHER BUSINESS

L. PUBLIC COMMENTS

M. ADJOURN

The meeting adjourned at 6:33 p.m.

Respectfully submitted,

Paulette Taylor, Planner I

Robert Stuart, Chairman