

Minutes
Orange Beach Planning Commission
Monday, April 11, 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:

Kit Alexander, E&ES Director
Griffin Powell, Planner II
Paulette Taylor, Planner I

Staff Absent:

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 – 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 Regular Meeting on March 14, 2016.

H. PUBLIC HEARING

1. **CASE NO. 0401-SD-16 – PRELIMINARY/FINAL PLAT – SUBDIVISION OF LOT 15, PERDIDO GARDENS SUBDIVISION– OWNER/APPLICANT: BRYANT COKER** – Request by the applicant for approval of Preliminary/Final Plat to subdivide Lot 15 of Perdido Gardens Subdivision into two lots. The subject property is a corner lot on DOWTY LANE in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented the staff comments to the Planning Commission. Chairman Robert Stuart opened the public

hearing for comments and four people were signed up to speak. Scott Smith, representing his mother, asked if there was an entire plat for the Perdido Gardens subdivision. He stated that the lot lay dormant for 40 years. Chairman Robert Stuart explained the subdivision process and stated that prior to Planning Commission consideration, staff reviews the applications. Kit Alexander stated that staff determines whether subdivision requests meet the criteria of both the Zoning Ordinance and the Subdivision Regulations. She stated that if the proposed subdivision complies, Planning Commission must either approve the subdivision or table the petition. The City does not have the ability to enforce covenant restrictions. Joan States-Davidson asked if other RS-1 lots on Dowty could be subdivided if they meet the City regulations. Staff stated that other RS-1 lots could be subdivided if they meet the minimum 75 feet front lot width and minimum 9,000 SF lot area.

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

2. **CASE NO. 0403-SD-16 – PRELIMINARY/FINAL PLAT – SUBDIVISION OF LOT 29, VILLAGE OF TANNIN UNIT 1 – OWNER/APPLICANT: HERCULES INVESTMENTS, L.L.C.** – Request by the applicant for approval of Preliminary/Final Plat to subdivide Lot 29 of the Village of Tannin Unit 1 into two lots. The subject property is located at MEETING SQUARE in the Village of Tannin Planned Unit Development. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and one person spoke. George Gounares stated that type 5 lots were designated as special purpose lots and there was no interest for the lot to be used as a church due to the limited parking and inability to grow in size.

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

3. **CASE NO. 0405-SD-16 – PRELIMINARY/FINAL PLAT – RESUBDIVISION OF LOTS 17, 18 AND 19, ONO ISLAND SUBDIVISION UNIT 18 – OWNER/APPLICANT: CAROLINE MCCARTHY** – Request by the applicant for approval of Preliminary/Final Plat to resubdivide Lots 17, 18 and 19 of the Ono Island Subdivision Unit 18 into two lots. The municipal addresses are 31675 DOLPHIN DRIVE and 31642 SHOALWATER DRIVE in the RSF-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak. Kit Alexander stated that One Island is in our planning jurisdiction.

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

4. **CASE NO. 0407-SD-16 – PRELIMINARY/FINAL PLAT – FRANCO RESUBDIVISION – OWNER/APPLICANT: JOSE FRANCO** – Request by the applicant for approval of Preliminary/Final Plat to combine Lots 1 and 14 of Block 2, Walker’s Second Addition to Bear Point Subdivision into one lot. The municipal address is 28563 JACKSON AVENUE in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing and no one was signed up to speak.

Motion made (Smith/Davis) to approve preliminary/final plat request subject to staff comments. 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. Griffin Powell presented staff comments to the Planning Commission. The applicant is requesting approval for outdoor seating area, which will eliminate five parking spaces. Griffin Powell stated that the shopping center has sufficient parking for an expansion of seating at the restaurant. He also stated the owner of the shopping center is aware that any development on the outparcels could be required to provide additional parking for the outparcel development. The site plan shows a new 6” curb and aluminum fence around the outdoor seating. The Planning Commission voiced concerns for the safety of customers seated outside due to proximity to moving vehicles in the parking lot. No one was present to represent the applicant.

Motion made (Davis/Jeffries) to defer the site plan request until the May 9, 2016 meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Callaghan, no; Stuart, yes. **Deferred (7-1).**

2. **CASE NO. 0408-SP-16 – SITE PLAN APPROVAL – TRANSCENDENCE CONDOMINIUM – OWNER: GCOF ORANGE BEACH GULF FRONT, L.L.C. – APPLICANT: PREBLE-RISH, L.L.C.** – Request by the applicant for approval of Site Plan to construct a 27-story condominium with 166 units and to provide a 15-foot easement for a public beach access. The municipal address is 25610 PERDIDO BEACH BOULEVARD in

the BR-2 (Beach Resort High Density) zoning district. Griffin Powell presented staff comments to the Planning Commission. Forrest Daniell was present to address the Planning Commission.

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

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.

K. OTHER BUSINESS

L. PUBLIC COMMENTS

M. ADJOURN

The meeting adjourned at 4:58 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Robert Stuart, Chairman