

Minutes  
Orange Beach Planning Commission  
Monday, September 12, 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**

Vice Chairman Chris Callaghan gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

Board Members Present:

Commissioner Jeff Boyd  
Commissioner Bill Jeffries  
Commissioner Christina McInnis  
Commissioner Annette Mitchell  
Commissioner Ralph Moore  
Commissioner Lannie Smith  
Vice Chairman Chris Callaghan  
Chairman Robert Stuart

Staff Present:

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

Absent:

Commissioner John Davis

**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 0604-PUDA-16 – Buena Vista. Commissioner Jeff Boyd stated he would be abstaining from items 0502-PUDA-16 and 0604-PUDA-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 Work Session meeting on August 8, 2016.
2. Approval of minutes from the Regular Meeting on August 8, 2016.

## H. PUBLIC HEARING

1. **CASE NO. 0502-PUDA-16 – PLANNED UNIT DEVELOPMENT MAJOR MODIFICATION – BUENA VISTA PUD SUBDIVISION LAND USE, BUILDING FOOTPRINT AND SETBACKS – OWNER: ORANGE BEACH RV INVESTMENTS – APPLICANT: SAWGRASS CONSULTING** – Request by the applicant for recommendation to City Council for approval of a Major Modification to the Buena Vista PUD Master Plan to: (a) change the development from a RV subdivision to a RV and single-family residential subdivision; (b) increase the average building footprint of the coach houses from 650 square feet to 808 square feet; (c) establish a proposed average gross floor area of 1,061 square feet; (d) establish a building footprint size range between 560 square feet to 1,056 square feet and a gross floor area range between 560 square feet and 1,562 square feet; (e) allow coach houses to have up to three bedrooms with all coach houses meeting the required parking for single-family residential land use as specified in Article 8 of the Zoning Ordinance; (f) reduce the front and rear setbacks from 10 feet to 5 feet; and (g) request special provisions for Lot 77 to have a total building footprint of 2,500 square feet and a gross floor area of 3,105 square feet. The municipal address is 23601 PERDIDO BEACH BOULEVARD. Griffin Powell present staff comments to the Planning Commission. The applicant requests approval to change the development from an RV subdivision to an RV and single-family residential subdivision and to increase the average building footprint of the coach houses. The development requires every lot to have an RV pad, but does not require every lot to have a coach house. As of September 7, 2016, there were nine outstanding violations related to the Buena Vista RV Resort. The unpermitted work involved tiki huts that had been built on the lots. Building permits have been issued for the nine violations. The permitted work has passed inspections. Ercil Godwin and Jimmy Grantham were present to address the Planning Commission. Chairman Robert Stuart opened the public hearing for comments. Mike Kilgore, lot owner, supports the modifications for the Buena Vista PUD. He feels the changes will enhance the property.

Jimmy Grantham stated he does not know how many lots will be rentals. Ercil Godwin stated that a coach house type will be designated for each lot. The coach houses will be either one, two or three bedrooms and agree with the parking requirements. Parking for the lots and overflow parking was discussed. Chairman Robert Stuart asked about impact fees. Kit Alexander stated that the Planning Commission could recommend that City Council consider whether the change in use would require increase of the impact fee assessment. She stated she will research the impact fee ordinance and provide a complete report for the City Council.

**Motion made (Mitchell/Jeffries) to recommend approval of PUD modification to City Council subject to staff comments and for staff to provide an impact fee report to City Council.** Roll call revealed: Jeffries, yes; McInnis, abstained; Mitchell, yes; Moore, no; Smith, yes; Boyd, abstained; Callaghan, no; Stuart, no. **Forwarded to City Council with a negative recommendation (3-3-2).**

2. **CASE NO. 0604-PUDA-16 – PLANNED UNIT DEVELOPMENT MAJOR MODIFICATION – BUENA VISTA CLUBHOUSE COMMERCIAL – OWNER/APPLICANT: ORANGE BEACH RV INVESTMENTS** – Request by the applicant for recommendation to City Council for approval of a Major Modification to the Buena Vista PUD Master Plan to permit commercial uses on the first floor of the clubhouse that will be open to the general public. The modification will allocate floor area on the first floor for an ice cream shop and deli and a real estate office. The second floor will be for the exclusive use of the resort owners, developer, and their guests. The municipal address is 23651 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. Ercil Godwin and Jimmy Grantham were present to address the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak. Commission Annette Mitchell stated she does not believe there is enough parking for the modification due to the size of the event center. Jimmy Grantham stated that the event center is not rented. However, real estate agents do use the facility free and pay the cleaning fee. He stated the homeowners association will control the event center and there will be no rental of the second floor space.

**Motion made (Smith/Jeffries) to recommend approval of PUD modification to City Council subject to staff comments and a staff report to City Council on the need for impact fees.** Roll call revealed: Jeffries, yes; McInnis, abstained; Mitchell, no; Moore, no; Smith, yes; Boyd, abstained; Callaghan, no; Stuart, no. **Forwarded to City Council with a negative recommendation (2-4-2).**

3. **CASE NO. 0804-ZT-16 – ZONING TEXT AMENDMNET – ARTICLE 5 – FENCING REGULATIONS** – Request by the Community Development Department for recommendation to City Council for approval of amendments to Article 5 of the Zoning Ordinance to prohibit the use of barbed wire, razor wire, and similar fences in the City of Orange Beach. *Deferred from the Regular Meeting on August 8, 2016.* Griffin Powell presented the proposed zoning text amendment to the Planning Commission. 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: Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes; Stuart, yes. **Forwarded to City Council with a favorable recommendation (8-0).**

4. **CASE NO. 0901-SD-16 – PRELIMINARY/FINAL MINOR PLAT – MCKENZIE PLAT #1 – OWNER: BARRY & BONNIE MCKENZIE – APPLICANT: LUCIDO ENGINEERING & SURVEYING** – Request by the applicant for approval of Preliminary/Final Minor Plat to combine Lots 9 and 10 of the Resubdivision of Lot 4 in Block 2 of Gulf Bay Tract Subdivision into one lot. The municipal addresses are 4811 and 4813 BAY CIRCLE 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 for comments and no one was signed up to speak.

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

5. **CASE NO. 0902-SD-16 – PRELIMINARY/FINAL MINOR PLAT – MARK SMITH PLAT #1 – OWNER: MARK SMITH – APPLICANT: LUCIDO ENGINEERING & SURVEYING** – Request by the applicant for approval of Preliminary/Final Minor Plat to combine Lots 417 and 418 of Bear Point Estates Subdivision into one lot. The municipal addresses are 5465 and 5473 PENSACOLA AVENUE in the RS-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.

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

6. **CASE NO. 0903-SD-16 – PRELIMINARY/FINAL MINOR PLAT – STERNBERGH PLAT #1 – OWNER: MARTHA STERNBERGH – APPLICANT: LUCIDO ENGINEERING & SURVEYING** – Request by the applicant for approval of Preliminary/Final Minor Plat to re-plat Lots 3 and 4 of a Resubdivision of Lots 3 and 4 of Ono Keys Subdivision into two lots. The municipal address is 5351 SANDY KEY 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.

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

**I. SITE PLAN REVIEW**

1. **CASE NO. 0801-SP-16 – SITE PLAN APPROVAL – ALL ABOUT STORAGE – OWNER: WINNETKA PROPERTIES – APPLICANT: R<sup>2</sup> GLOBAL** – Request by the applicant for approval of Site Plan to construct a climate controlled mini storage facility comprised of four buildings and an office. The municipal address is 24130 CANAL ROAD in the GB (General Business) zoning district. *Deferred from the Regular Meeting on August 8, 2016.* Griffin Powell presented staff comments to the Planning Commission. Griffin Powell presented staff comments to the Planning Commission. The Board of Adjustment granted a variance with conditions to reduce the parking requirements from 52 to 8 spaces. Any change of use for the site will require Board of Adjustment approval. Barry Dees and Craig Johnson were present to address the Planning Commission. Barry Dees stated he provided parking regulations for other cities and decided one space above the most restrictive requirement. Discussion was held on gravel versus asphalt parking.

**Motion made (Mitchell/Callaghan) to approve site plan request subject to staff comments and the requirement that the entire vehicular use area must be paved with asphalt or concrete.** Roll call revealed: Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, no; Callaghan, yes; Stuart, no. **Approved (6-2).**

**J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE SUBMITTAL**

1. **CASE NO. 0602-SP-16 – SITE PLAN APPROVAL – HUDSON MARINA OFFICE – OWNER/APPLICANT: RODNEY & LAURIE JONES** – Request by the applicant for approval of Site Plan to convert an existing garage building into an office for Hudson Marina for administration, maintenance and reservations. The municipal address is 4685 SOUTH WILSON BOULEVARD in the GB (General Business) zoning district. *Deferred from the Regular Meeting on August 8, 2016.* Griffin Powell stated the applicant requests deferral until the October meeting. The Planning Commission will grant final deferral.

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

**K. OTHER BUSINESS**

**L. PUBLIC COMMENTS**

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**M. ADJOURN**

The meeting adjourned at 5:42 p.m.

Respectfully submitted,

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Kit Alexander, Secretary

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Robert Stuart, Chairman