

Minutes
Orange Beach Planning Commission
Monday, August 8, 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 John Davis
Commissioner Bill Jeffries
Commissioner Christina McInnis
Commissioner Annette Mitchell
Commissioner Ralph Moore
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 Lannie Smith

E. APPROVAL OF AGENDA

Chairman Robert Stuart stated that an item would be added to Other Business to consider a request to amend the May 9, 2016 minutes. The agenda stands approved as submitted with this addition.

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 July 11, 2016.

H. PUBLIC HEARING

1. **CASE NO. 0802-PUD-16 – PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN APPROVAL – SPYGLASS PUD – OWNER: ORANGE BEACH RV AND STORAGE LLC – APPLICANT: DEWBERRY/PREBLE-RISH** – Request by the applicant for recommendation to City Council for approval of Preliminary and Final PUD Zoning and Master Plat to rezone 9.95 acres from GB (General Business) to PUD for a townhouse development with 88 lots. The municipal address is 26952 CANAL ROAD at the intersection of Canal Road and Griffith Marina Road. Griffin Powell presented staff comments to the Planning Commission. He stated that the main driveway will be on Griffith Marina Road. Chairman Robert Stuart opened the public hearing for comments and six people were signed up to speak. Mr. Hixon, who owns a lot in Terry Cove RV Resort asked if the townhomes would be apartments and will it be gated. Chairman Robert Stuart stated that the townhomes would be privately owned. Jennifer Lawrence voiced concerns about increased traffic and short-term rentals. She would prefer a single-family development. Aaron Prossor stated he is opposed to the PUD because it is high density and not single-family homes. Pat Simpson also asked if the townhomes would be gated and if there was an option for an entrance on Canal Road. The only entrance will be off Griffith Marina Road. Robert Stuart stated that ALDOT requires conceptual approval on all state roads. Mr. Simpson also asked if there were rental restrictions.

Steve Pumphrey, Dewberry/Preble-Rish, stated that the two-story townhomes will be for sale and will not be gated. There will be one entrance off Griffith Marina Road thru a deeded easement. Chairman Robert Stuart stated that it appears there is not enough parking even though they meet the requirements. Mr. Pumphrey stated possibly 30 parking spaces, instead of the required 18 spaces, could be located on the east and west sides and at the pool. Chairman Robert Stuart also requested a landscaped screen on the east and north sides. Commissioner Ralph Moore requested an aerator in the pond to keep down growth and mosquitos. Commissioner Christina McInnis asked if the townhomes would be short-term rentals. The HOA documents have not been provided to staff.

Motion made (Mitchell/Callaghan) to recommend Preliminary and Final PUD Zoning and Master Plan approval to City Council subject to staff comments, including 12 parking spaces on the east side, 12 parking spaces on the west side and landscape screen on the north and east property lines. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Callaghan, yes; Stuart, yes. Forwarded to City Council with a positive recommendation (7-0).

2. **CASE NO. 0803-SD-16 – PRELIMINARY MAJOR PLAT – SPYGLASS SUBDIVISION – OWNER: ORANGE BEACH RV AND STORAGE LLC – APPLICANT: DEWBERRY/PREBLE-RISH** – Request by the applicant for approval of Preliminary Plat to subdivide 19 acres into 88 townhouse lots with common areas and a platted 50-foot private right-of-way. The municipal address is 26952 CANAL ROAD in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. A variance from the Subdivision Regulations will be required to allow for right-of-way to be 50 feet instead of 60 feet and a waiver to forgo the roadway marking requirements. Chairman Robert Stuart opened the public hearing for comments and the following persons spoke. Jennifer Lawrence stated she had no comments since the contractor would be D R Horton. Aaron Prossor asked why the subdivision plat was two parcels. Jimmy Boyd spoke about rentals and stated the PUD should be able to enforce covenants. Kit Alexander stated that there can be language in the covenants regarding restrictions, which would require City Council approval to change. John Lawler stated that deed restrictions should be a condition of the project.

Motion made (Mitchell/Callaghan) to approve preliminary major plat approval subject to staff comments. Roll call revealed: Davis, yes; Jeffries, no; McInnis, yes; Mitchell, yes; Moore, yes; Callaghan, yes; Stuart, yes. **Approved (6-1).**

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. Griffin Powell presented the proposed zoning text amendment. He stated that the police would be exempt. Discussion was held regarding exemptions for utilities and agricultural uses.

Motion made (Davis/Moore) to defer until the September meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Callaghan, yes; Stuart, yes. **Deferred (7-0).**

I. SITE PLAN REVIEW

1. **CASE NO. 0801-SP-16 – SITE PLAN APPROVAL – ALL ABOUT STORAGE – OWNER: WINNETKA PROPERTIES – APPLICANT: R² 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. Griffin Powell stated the applicant will be on the Board of Adjustment agenda for August 17, 2016, to request a variance (parking reduction).

Motion made (Callaghan/Jeffries) to defer until the September meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Callaghan, yes; Stuart, yes. **Deferred (7-0).**

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 07/11/2016.* Griffin Powell stated the applicant has requested deferral until the September meeting. Item was tabled at the July 11, 2016 meeting.

Motion made (Stuart/Moore) to remove the item from the table. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Callaghan, yes; Stuart, yes. **Removed from the table (7-0).**

Motion made (Mitchell/Davis) to defer until the September meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Callaghan, yes; Stuart, yes. **Deferred (7-0).**

K. OTHER BUSINESS

1. Discuss request to amend May 9, 2016 minutes. Chairman Robert Stuart stated there is no need to edit the May 9, 2016 minutes. Everyone has access to the audio and the minutes on the city's website.

L. PUBLIC COMMENTS

M. ADJOURN

The meeting adjourned at 5:16 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Robert Stuart, Chairman