

Minutes
Orange Beach Planning Commission
Monday, March 9, 2015 – 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

Commissioner Chris Callaghan gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Chris Callaghan
Commissioner John Davis
Commissioner Bill Jeffries
Commissioner Annette Mitchell
Commissioner Lannie Smith
Commissioner Mark Williams
Vice Chairman Tim Blackwell
Chairman Robert Stuart

Staff Present:

John Lawler, City Attorney - arrived
at 4:25 p.m.
Kit Alexander, E&ES Director
Griffin Powell, Planner II
Paulette Taylor, Planner I

Board Member Absent:

Commissioner Ralph Moore

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 – The minutes were approved with one correction showing Commissioner Mark Williams in attendance.

1. Approval of minutes from the Regular Meeting on February 9, 2015.

H. PUBLIC HEARING

1. **CASE NO. 0301-RZ-15 – REZONING – CONNER PROPERTY REZONING – OWNER/APPLICANT: GEORGENE G. CONNER** – Request by the applicant for a recommendation to City Council to rezone 62+ acres located on Powerline Road, on the south side of Canal Road west of the Money Bayou Subdivision, and north of the new

wastewater treatment plant from AG (Agricultural) to GB (General Business). Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments but no one spoke.

Motion made (Stuart/Jeffries) to recommend approval of rezoning to City Council. Roll call revealed: Callaghan, no; Davis, yes; Jeffries, yes; Mitchell, yes; Smith, yes; Williams, yes; Blackwell, yes; Stuart, yes. **Forwarded to City Council with a favorable recommendation (7-1).**

- CASE NO. 0302-PUDA-15 – MAJOR PLANNED UNIT DEVELOPMENT MODIFICATION – AMBER ISLE PUD, WHITESANDS HOTEL – OWNER/APPLICANT: WHITE SANDS RESORT, L.L.C. – AGENT: FORREST DANIELL & ASSOCIATES, P.C.** – Request by the applicant for a recommendation to City Council for a major modification to the Amber Isle PUD Master Plan to convert the second proposed restaurant into a hotel with 36 lodging room and a small restaurant on the first level. The municipal address is 22753 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and two people spoke in opposition. Linda Bradley voiced concerns about trespassing and noise. She requests neighborly consideration for the single family property owners. Cecil Young stated that the hotel guests do not have public access to the beach. He requested consideration for the neighbors and stated that he doesn't want the liability of trespassers. There was much discussion concerning the addition of an outside swimming pool and removal of the previously approved berm. Forrest Daniell was present to address the Planning Commission. Hotel Indigo requested an outside pool. He stated there is no outdoor seating for restaurants. There will be a shuttle service provided to the State Park for beach access.

Motion made (Stuart/Jeffries) to recommend approval of major PUD modification to City Council subject to staff comments and Fish and Wild Life approving 3 1/2 feet tall fence on the southern boundary of Highway 182. Roll call revealed: Callaghan, no; Davis, no; Jeffries, no; Mitchell, no; Smith, no; Williams, no; Blackwell, no; Stuart, no. **Forwarded to City Council with a negative recommendation (0-8).**

- CASE NO. 0303-PUDA-15 – MAJOR PLANNED UNIT DEVELOPMENT MODIFICATION – SPRINGHILL SUITES AT THE WHARF – OWNER/APPLICANT: WHARF ENTERTAINMENT, L.L.C. – AGENT: SAWGRASS CONSULTING** – Request by the applicant for a recommendation to City Council for a major modification to The Wharf PUD Master Plan to construct a SpringHill Suites hotel with 140 lodging rooms along with an amenity area, meeting rooms, and a restaurant. The municipal address is 4673 WHARF PARKWAY at the Bimini Bob's Restaurant site north of The Wharf Event Center. Griffin Powell presented staff comments to the Planning Commission. Ercil Godwin and Jim Bibby were present to address the Planning Commission. Angela Bateman asked the timeline for construction. Jim Bibby stated that the project will take 11 months to complete and demolition will start May 1. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Stuart/Callaghan) to recommend approval of major PUD modification to City Council subject to staff comments. Roll call revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; Smith, yes; Williams, yes; Blackwell, yes; Stuart, yes. **Forwarded to City Council with a favorable recommendation (8-0).**

I. SITE PLAN REVIEW

1. **CASE NO. 0103-SP-15 – SITE PLAN APPROVAL – ROMAR HOTEL – OWNER/APPLICANT: ROMAR HOTELS, INC.** – Request by the applicant for approval of Site Plan to construct a 7-story hotel with 86 lodging rooms. The municipal address is 26032 PERDIDO BEACH BOULEVARD and is located in the BR-2 (Beach Resort High Density) zoning district. *Deferred from the Regular Meeting on 02/09/2015.* Griffin Powell presented staff comments to the Planning Commission. Griffin Powell stated that the applicant is providing the required 108 parking spaces excluding the shared spaces. Phillip Partington and Mark Seiner were present to address the Planning Commission. Mark Seiner stated that the current site plan will accommodate trash service. Craig Stephenson, Fire Code Official, stated that 17 feet is wide enough for fire trucks to access the property.

Sam Irby, Jason Lashley and Richard Tice were present to address the Planning Commission. Sam Irby, attorney for Emerald Skye, stated that he disagrees with approval of the project. Emerald Skye is a 37-unit condominium and they have used joint access for 20 years. He stated that both parties have a legal right to use shared parking. Richard Tice stated that Emerald Skye did not lose any parking when the swimming pool was added. Kit Alexander stated that both the Days Inn and Emerald Skye condominium were one ownership at the time of construction. The Romar Hotel site plan as presented does not count any of the shared parking as part of the hotel's parking requirements. Jason Lashley, Sigma Consulting Group, that the biggest concern is traffic circulation especially for fire codes.

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

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE SUBMITTAL

K. OTHER BUSINESS

1. Discussion on a proposed zoning text amendment to regulate accessory structures on single-family residential properties. Griffin Powell stated that the Zoning Ordinance needs to be changed to better define building and lot coverage. The Zoning Text Committee will consist of Robert Stuart, John Davis, Mark Williams and Annette Mitchell.

L. PUBLIC COMMENTS

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H. PUBLIC COMMENTS

I. ADJOURN

The meeting adjourned at 6:05 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Robert Stuart, Chairman