

Minutes  
Orange Beach Planning Commission  
Monday, December 14, 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**

Chairman Robert Stuart 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  
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 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 November 9, 2015.

**H. PUBLIC HEARING**

1. **CASE NO. 0705-PUD-15 – PRELIMINARY PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN APPROVAL – BEACH VILLAGE PUD – OWNER: COTTAGES AT ROMAR, L.L.P. – APPLICANT: WAS DESIGN** – Request by the applicant for recommendation to City Council for approval of Preliminary PUD Zoning and Master Plan to rezone to PUD for a single-family residential development with 71 units along

with an open-air pavilion with bathrooms and pool. The municipal address is 23063 PERDIDO BEACH BOULEVARD. *Deferred from Regular Meeting on 11/09/2015.* Griffin Powell presented the staff comments to the Planning Commission. Craig Stephenson stated that the houses will be sprinkled. Troy Strunk was present to address the Planning Commission. He stated the single-family houses will be one to two-bedroom units in a resort rental community with deeded beach access through Middle Gate. Chairman Robert Stuart opened the public hearing and one person was signed up to speak. Phillip Karagan stated that he had no problem with the revised plan.

**Motion made (Stuart/Davis) to recommend approval of Preliminary PUD Zoning and Master Plan to City Council subject to staff comments.** Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Smith, yes, Williams, yes, Callaghan, yes, Stuart, yes. **Forwarded to City Council with a positive recommendation (8-0).**

2. **CASE NO. 1201-SD-15 – PRELIMINARY/FINAL PLAT – DA’ CARWASH SUBDIVISION – OWNER: DA CAR WASH LLC – APPLICANT: SMITH, KOLB & ASSOCIATES** – Request by the applicant for approval of Preliminary/Final Plat to subdivide 10 acres into 4 lots. The municipal address is 24130 CANAL ROAD in the GB (General Business) zoning district. Due to numerous outstanding issues and an incomplete submittal, staff recommended that the application be deferred until the January meeting to give the applicant sufficient time to address all issues.

**Motion made (Stuart/Williams) to defer until the January 11, 2016 meeting.** Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Smith, yes, Williams, yes, Callaghan, yes, Stuart, yes. **Deferred (8-0).**

3. **CASE NO. 1203-PUD-15 – PRELIMINARY PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN APPROVAL – ROBINSON GROVE PUD – OWNER: JIM OWEN & GREG KENNEDY – APPLICANT: WAS DESIGN** – Request by the applicant for recommendation to City Council for approval of Preliminary PUD Zoning and Master Plan to rezone 3.72 acres from MR (Marine Resort) to PUD for a 27-lot single-family residential development with boat docks, private streets, and a common amenity area. The subject property is located on WALKER KEY BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. Greg Kennedy and Troy Strunk were present to address the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and two people were signed up to speak. Roland Walker stated he agrees with the request. Mary Hough was also in agreement.

**Motion made (Stuart/Jeffries) to recommend approval of Preliminary PUD Zoning and Master Plan to City Council subject to staff comments.** Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Smith, yes, Williams, yes, Callaghan, yes, Stuart, yes. **Forwarded to City Council with a positive recommendation (8-0).**

4. **CASE NO. 1204-PUD-15 – PRELIMINARY AND FINAL PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN APPROVAL – PHOENIX ORANGE BEACH CONDOMINIUM PUD – OWNER/APPLICANT: BRETT REAL ESTATE, ROBINSON DEVELOPMENT COMPANY, INC.** – Request by the applicant for a recommendation to City Council for approval of Preliminary and Final PUD Zoning and Master Plan to rezone from BR-2 (Beach Resort High Density) to PUD for a 21-story, 112-unit condominium. The municipal address is 25494 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. ALDOT has approved a right-in, right-out driveway onto Perdido Beach Boulevard. John Brett was present to address the Planning Commission. He apologized for the incorrect information presented on the previous application. John Brett provided a PowerPoint presentation showing the 21-story versus the allowed 26-story condominium. He stated beach access will be provided for emergency and beach services. The western service drive for the Hampton Inn will be eliminated as a component of their sitework, per ALDOT's request. Brett Robinson will share their new driveway with Hampton Inn, allowing service access via their right-in, right-out driveway 200 feet to the west. Chairman Robert Stuart opened the public hearing for comments and five people spoke in favor. Dave Johnson stated that Brett Robinson provides lodging sales tax for the City. Lodging taxes help provide more employees for the City and make Orange Beach a nice place to live. Leonard Kaiser and Greg Kennedy also spoke in favor. Jimmy Nelson stated that other than traffic he supports the project. Kit Alexander stated that staff met with the applicant numerous times and the existing zoning classification of the property allows high density residential. The Planning Commission complimented the applicant for working with the City and their contribution to the community. Commissioner Mark Williams stated that the Planning Commission listens to the citizens and not one citizen has voiced opposition.

**Motion made (Stuart/Williams) to recommend approval of Preliminary/Final PUD Zoning and Master Plan to City Council subject to staff comments.** Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Smith, yes; Williams, yes; Callaghan, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (8-0).**

#### **I. SITE PLAN REVIEW**

1. **CASE NO. 1001-SP-15 – SITE PLAN APPROVAL – THE CUT – OWNER/APPLICANT: STEVEN L. WALL** – Request by the applicant for approval of Site Plan to construct a restaurant with a gross floor area of 24,647 square feet. The municipal address is 22321 CANAL ROAD in the I-1 (Industrial) zoning district. *Deferred from Regular Meeting on 11/09/2015.* Due to numerous outstanding issues and an incomplete submittal, staff recommended that the application be deferred until the January meeting to give the applicant sufficient time to address all issues.

**Motion made (Stuart/Williams) to defer until the January 11, 2016 meeting.** Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Smith, yes, Williams, yes, Callaghan, yes, Stuart, yes. **Deferred (8-0).**

2. **CASE NO. 1101-SP-15 – SITE PLAN APPROVAL – M&J RENTALS – OWNER/APPLICANT: M&J RENTALS** – Request by the applicant for approval of Site Plan to construct a new 4,000-ft<sup>2</sup> building for Orange Beach Auto & Marine. The subject property is located on Canal Road east of Visual Effects and Repeat After Me in the GB (General Business) zoning district. *Deferred from Regular Meeting on 11/09/2015.* Griffin Powell presented staff comments to Planning Commission. ALDOT has approved a right-in, right-out driveway. Brad Kendall and Randy Arp were present to address the Planning Commission.

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

3. **CASE NO. 1202-SP-15 – SITE PLAN APPROVAL – THE RUBY SLIPPER CAFE – OWNER: OKS INVESTMENTS, LLC – APPLICANT: DEES ENGINEERING** – Request by the applicant for approval of Site Plan to construct a 6,500-ft<sup>2</sup> restaurant. The municipal address is 24151 PERDIDO BEACH BOULEVARD in the GB (General Business) zoning district. Griffin Powell presented staff comments to the Planning Commission. Barry Dees and Brad Patterson were present to address the Planning Commission.

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

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

**K. OTHER BUSINESS**

**L. PUBLIC COMMENTS**

**M. ADJOURN**

The meeting adjourned at 5:15 p.m.

Respectfully submitted,