

Minutes
Orange Beach Planning Commission
Monday, October 12, 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 John Davis
Commissioner Bill Jeffries
Commissioner Christina McInnis
Commissioner Annette Mitchell
Commissioner Ralph Moore
Commissioner Lannie Smith
Commissioner Mark Williams
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

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 Work Session on September 14, 2015.
2. Approval of minutes from the Regular Meeting on September 14, 2015.

H. PUBLIC HEARING

1. **CASE NO. 0704-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 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-floor, 114-unit condominium. The municipal address is 25494 PERDIDO BEACH BOULEVARD. *Deferred from Regular Meeting on 09/14/2015.* Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and one person spoke. Richard Gilbert asked where the proposed project was located in relation to Highway 161. It was stated that the project is approximately 1,500 feet from the intersection. Pat Nelson was present to represent the applicant and address the Planning Commission. He stated that the existing right-in, right-out driveway on the west side of the Hampton Inn will be closed. He also stated that the drainage design accommodates Highway 182 stormwater runoff which will help remove standing water in the State right-of-way. Mr. Nelson told the commission that the project includes a beach access on the east side of the property for City emergency vehicles as well as beach services. When asked why the project was being submitted as a rezoning, he stated that they are requesting PUD approval to allow for more condominium units than what would be allowed by right. Annette Mitchell stated that she could not support a PUD with the primary purpose being the need for additional units. Kit Alexander stated that the applicant has received conceptual approval from ALDOT.

Motion made (Stuart/Williams) to recommend approval of Preliminary and Final PUD Zoning and Master Plan Approval to City Council subject to staff comments. Roll call revealed: Roll call revealed: Callaghan, no; Davis, no; Jeffries, no; Mitchell, no; McInnis, no; Moore, no; Smith, no; Williams, yes; Stuart, no. **Forwarded to City Council with a negative recommendation (1-8).**

2. **CASE NO. 1002-RZ-15 – REZONING – BARNHILL PROPERTY REZONING – OWNER: GORDON BARNHILL, JR. – APPLICANT: W. ALLEN COX, JR.** – Request by the applicant for recommendation to City Council for approval to rezone 27.94 acres from RS-1 (Single-Family Residential) to GB (General Business). The subject property is S ½ OF THE NW ¼ OF THE SW ¼ OF SECTION 5, T-9-S, R-5-E and W ½ OF THE SW ¼ OF THE NE ¼ OF THE SW ¼ OF SECTION 5, T-9-S, R-5-E (PIN 47431, Parcel ID: 05-65-03-05-0-000-062.000). Griffin Powell presented staff comments to Planning Commission. He stated that access to the property will be through a lot abutting State Highway 180. Chairman Robert Stuart opened the public hearing for comments and seven people were signed up to speak. Richard Gilbert asked if there would be any access from the south and whether a

traffic signal would be provided on Canal Road. Staff provided that there is no access from the south and a traffic light would probably not be warranted. Sheila Gilbert passed and did not speak. Patty King voiced concerns about noise. She stated that the police already receive loud noise complaints against Christian Life Church. Glenda Lee voiced concerns about preserving the wetlands. Janice Mason also had concerns about wetlands preservation, the types of businesses allowed on the property and excessive noise. Claude Lanier passed and did not speak. Suzanne Lanier stated she thinks that the City needs more single-family development.

Allen Cox, representing the owner, then addressed the Planning Commission. He stated that when Mr. Barnhill purchased the property he thought it was zoned GB. He stated that no site plan has been provided but the property will possibly be developed as townhomes. Gordon Barnhill also addressed the Planning Commission. He stated that he purchased the 25 acres and an additional parcel in the early 1980's.

Motion made (Stuart/Williams) to recommend approval of GB zoning to City Council subject to staff comments. Roll call revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; McInnis, yes; Moore, yes; Smith, yes; Williams, yes; Stuart, yes. **Forwarded to City Council with a positive recommendation (9-0).**

I. SITE PLAN REVIEW

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE SUBMITTAL

1. **CASE NO. 0705-PUD-15 – PRELIMINARY PLANNED UNIT DEVELOPMENT ZONING AND MASTER PLAN APPROVAL – COTTAGES AT PARK'S EDGE 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 77 cottage lots along with an open-air pavilion and pool area. The municipal address is 23063 PERDIDO BEACH BOULEVARD. *Deferred from Regular Meeting on 09/14/2015.*
2. **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.

Motion made (Stuart/Mitchell) to defer until the November 10, 2015 meeting. Roll call revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; McInnis, yes; Moore, yes; Smith, yes; Williams, yes; Stuart, yes. **Deferred (9-0).**

K. OTHER BUSINESS

1. Request for a 12-month extension for Case No. 0802-SP-14, C-Mart Site Plan Approval.

Motion made (Stuart/Jeffries) to approve 12-month site plan extension. Roll call revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; McInnis, yes; Moore, yes; Smith, yes; Williams, yes; Stuart, yes. **Approved (9-0).**

L. PUBLIC COMMENTS

M. ADJOURN

The meeting adjourned at 4:40 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Robert Stuart, Chairman