

Minutes
Orange Beach Planning Commission
December 12, 2022 4:00 PM
Council Chambers - Orange Beach Municipal Complex
4099 Orange Beach Boulevard

A. CALL TO ORDER

Chairman Stuart called the meeting to order at 4:01 PM.

B. INVOCATION

Chairman Stuart gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Bill Jeffries
Commissioner Annette Mitchell
Commissioner Pat Simpson
Commissioner Jack Robertson
Commissioner Glenn Smith
Commissioner Matt Wilson
Commissioner Nelson Bauer
Vice-Chairman Kathy Lindsey
Chairman Robert Stuart

Staff Present:

Kit Alexander, Community Development Director
Griffin Powell, Planner II
Sherri Descalzo, P&Z Coordinator
Sean Brumley, GIS Specialist
Jamie Logan City Attorney

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 to the minutes and the minutes stand approved as submitted.

1. Approval of minutes from Work Session Planning Commission meeting on November 14, 2022.
2. Approval of minutes from regular Planning Commission meeting on November 14, 2022.

H. PUBLIC HEARINGS

1. Case No.1102-SD-22, Bickers Acres, Resubdivision of Lot 4 of the Resubdivision of Bickers Acres

KO Investments LLC requests approval of **Preliminary and Final Minor Subdivision** to subdivide Lot 4, Resubdivision of Bickers Acres, into two lots. The property is located at 5211 Carleton Lane North in the Single-Family Residential (RS-1) zoning district. *Deferred from Regular Meeting on November 14, 2022.* Griffin Powell stated the applicant is asking for a deferral to the January 9, 2023 Planning Commission meeting.

Motion to defer the item to the January 9, 2023 meeting.

Motion made and seconded (Simpson/Wilson) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

2. Case No. 1201-SD-22, Saltwater Cottages Resubdivision

Jim Brown, on behalf of JWB Bruckmann, requests approval of **Preliminary and Final Minor Subdivision** to combine three lots into one lot in accordance with the approved master plan for the Saltwater Cottages Planned Unit Development. The property is located at 23518, 23524 and 23530 Perdido Beach Boulevard. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the Public Hearing and no one was signed up to speak. Chairman Stuart closed the Public Hearing.

Motion to approve the Minor Subdivision subject to staff comments.

Motion made and seconded (Bauer/Wilson) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

3. Case No. 1202-SD-22, Cotton Bayou Cottages Subdivision

Hercules Investments LLC requests approval of **Preliminary and Final Minor Subdivision** to subdivide a 1.62-acre lot into two lots. The property is located at 26400 Cotton Bayou Drive in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the Public Hearing and no one was signed up to speak. Chairman Stuart closed the Public Hearing.

Motion to approve the Minor Subdivision subject to staff comments.

Motion made and seconded (Jeffries/Simpson) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

4. Case No. 1203-PUD-22, Romar Beach Hotel PUD

ANR Group, on behalf of Shiv Sugar Hospitality LLC, requests approval of **Preliminary and Final PUD** to rezone 1.8 acres from RM-2 (Multi-Family Residential High Density) to PUD (Planned Unit Development) for the purpose of converting the existing building into a hotel. The property is located at 23370 Perdido Beach Boulevard. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the Public Hearing.

Ben Boles stated he received the public notice the same day as tonight's meeting. He expressed concerns that there is insufficient proposed parking and no spaces are being provided for the hotel workers. The plans show the fire lane will be used for deliveries. He expressed concern that the guests would use the neighboring properties' pools. He expressed concerns about the ability for a

fire apparatus to access the upper stories. He stated that the roof bar does not have buffers on the east and west sides and he has concerns about noise and trash from the bar. He questioned whether the bar will be open to the general public or strictly patrons.

Buddy Trahan, Phoenix West 2 Board President, expressed concerns about the insufficient number of parking spaces.

Ian Boles said that there are an insufficient number of parking spaces being provided. He also expressed concerns about the patrons using the pools on the Beach music property directly west.

Vince Lucido spoke on behalf of the Boles. He asked about the additional parking deck. Craig Johnson, consultant for the applicant, stated there is no additional parking deck proposed. He stated that the ramp and the front entrance will be widened.

Adam Martin, developer, stated the hotel will have full time security to police all areas of the property. Full time work staff will be shuttled to the property from another location.

Chairman Stuart asked about the coastal elements of the building façade. Adam Martin said the brown brackets mimicked the local high and middle school buildings. Louvers on the roof were taken from new construction in the area. They are willing to change the color of the building if that is desired. Chairman Stuart asked if they would be willing to add more shutters. Commissioner Mitchell said a lighter color would allow look coastal and the addition of gooseneck lighting is desirable.

Commissioner Jeffries asked about food service to the bar area. Adam Martin said all the food would be prepared in the first floor kitchen.

Chairman Stuart asked the Fire Department if they had concerns about the site layout. Chief Kimmerling said that there is a 20-foot clearance underneath the building. The truck only requires a 19-foot clearance and the department will work off the front of the building. Commissioner Bauer stated concerns about delivery trucks parking in the fire lane. There will need to be signs posted designating the fire lane.

Ian Boles said he would rather have a 17-story building that conforms to the setbacks. This project is too tight.

Chairman Stuart closed the Public Hearing.

Commissioner Bauer stated that the plans do not show the stairwell landing in the parking lot. The stairwell in the parking lot will cause the loss of parking spaces and the loss of one room. Kit Alexander said that could be handled administratively, prior to the City Council meeting.

Chairman Stuart called for a vote.

Motion to recommend approval of the Planned Unit Development to City council subject to staff comments.

Motion made and seconded (Simpson/Wilson) Commissioner Jeffries, yes; Commissioner, Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

5. Case No. 1204-SD-22, Port Washington Subdivision

Dewberry, on behalf of 68V Port Washington 2021 LLC, requests approval of **Final Major Subdivision** for a subdivision containing 16 lots and a common area on 9.14 acres. Lots 1 through 15 will be a single-family residential subdivision and Lot 16 will contain a multi-family residential development. Lots 1 through 15 will on the part of the property that is zoned RS-1 (Single-Family Residential) and Lot 16 will on the part that is zoned GB (General Business). The property is located on the east side of Washington Boulevard north of the intersection of Washington Boulevard and Magnolia Avenue. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the Public Hearing and no one was signed up to speak. Chairman Stuart closed the

Public Hearing.

Commissioner Jeffries asked about the status of the multi-family construction on Lot 16. Kit Alexander stated that permits have not been applied for.

Chairman Stuart called for a vote.

Motion to approve the Final Major Subdivision subject to staff comments.

Motion made and seconded (Jeffries/Bauer) Commissioner Jeffries, yes; Commissioner, Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

6. Case No. 1206-SD-22, Ray's Subdivision Plat #1

Lucido Engineering & Surveying LLC, on behalf of Donald W. Ray, requests approval of **Preliminary and Final Minor Subdivision** to combine Lots 872 and 881 of Bear Point Estates Subdivision into one lot. The property is located at 29373 and 29741 Bayshore Drive South in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the Public Hearing and no one was signed up to speak. Chairman Stuart closed the Public Hearing.

Motion to approve subject to staff comments.

Motion made and seconded (Bauer/Robertson) Commissioner Jeffries, yes; Commissioner, Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

7. Case No. 1207-ZT-22, Zoning Text Amendment, Article 152 Section 15.0902, Temporary Signs and Standards

The Community Development Department requests recommendation to City Council for approval of **Zoning Text Amendment** to modify Section 15.0902, Temporary Signs and Standards, with regard to the size of temporary real estate signs. Griffin Powell requested a deferral until January 2023.

Motion to defer the item to the January 9, 2023 meeting.

Motion made and seconded (Mitchell/Lindsey) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

I. SITE PLAN REVIEWS

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

1. Case No. 1205-PUD-22, Jones Duplexes PUD

Lucido Engineering & Surveying LLC, on behalf of Rodney C. Jones, requests recommendation to City Council for approval of **Preliminary and Final PUD** to rezone 1.8 acres from RS-1 (Single-Family Residential) to PUD (Planned Unit Development) for a residential development containing five duplexes. The property is located at 26480 Perdido Beach Boulevard. Griffin Powell asked for a deferral to the January 2023 meeting.

Motion to defer the item to the January 9, 2023 meeting subject.

Motion made and seconded (Mitchell/Wilson) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Smith,

yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes. **Approved (9-0).**

K. OTHER BUSINESS

Griffin Powell provided the items expected on the January 9, 2023 meeting agenda.

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 5:11PM



Kit Alexander



Robert Stuart, Chairman