

Minutes
Orange Beach Planning Commission
Monday, November 9, 2020 – 4:00 P.M.
Council Chambers – Orange Beach Municipal Complex
4099 Orange Beach Blvd.

A. CALL TO ORDER

Vice Chairman Ralph Moore called the meeting to order at 4:00 p.m.

B. INVOCATION

Commissioner Pat Simpson gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Bill Jeffries
Commissioner Annette Mitchell
Commissioner Pat Simpson
Commissioner Lannie Smith
Commissioner Matt Wilson
Vice Chairman Ralph Moore

Staff Present:

John Lawler, City Attorney
Kit Alexander, Director
Griffin Powell, Planner II
Paulette Taylor, Planner I

Absent:

Commissioner Kathy Lindsey
Commissioner Matt Wilson
Chairman Robert Stuart

E. APPROVAL OF AGENDA – There were no changes to the agenda and the agenda stands approved as submitted.

F. CONFLICTS OF INTEREST – Commissioner Pat Simpson stated he would recuse himself on 1106-PUD-20, The Ridge at Romar PUD.

G. APPROVAL OF MINUTES AND CERTIFIED RECORDS – There was no change to the minutes and the minutes stand approved as submitted.

1. Approval of minutes from the Work Session on October 12, 2020.
2. Approval of minutes from the Regular Meeting on October 12, 2020.

H. PUBLIC HEARINGS

1. **Case No. 1101-SD-20, Blackburn Family Division Plat #1 Revision**
Paul and Elizabeth Taupeka, Daniel G. Blackburn, Grant Blackburn, H. Wade Faulkner, and Jay B. Faulkner request approval of **Preliminary and Final Minor Subdivision** to revise the

Blackburn Family Subdivision Plat #1 to move the private 60-foot right-of-way ingress/egress easement on Lot 2 to the south approximately 40 feet. The utilities will remain in the original location, and the current utility easement will stay the same. The property is located at 28251 CANAL ROAD in the RS-1 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. The plat request only pertains to Lot 2 of the subdivision and there are no changes in the lot lines with this plat. The utilities will remain in the original location and easements will remain the same. The plat complies with the Zoning Ordinance and Subdivision Regulations. There are no staff conditions.

Vice Chairman opened the public hearing Frank Leatherbury was present to address the Planning Commission. No one spoke in favor or opposition.

Motion made (Jeffries/Mitchell) to approve preliminary/final plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Approved (6-0).**

2. Case No. 1102-RZ-20, Harbor Club, Portion of Lot 2 Rezoning

Sawgrass Consulting LLC, on behalf of Coleman Bryars, requests recommendation to City Council for approval of the **Rezoning** of the north 550 feet of Lot 2 of the Harbor Club Subdivision from GB (General Business) to MR (Marine Resort) to allow for the same zoning of the entire lot. The property is located on the south end of GRIFFITH MARINA ROAD. Griffin Powell presented staff comments to the Planning Commission. Lot 2 is located at the end of Griffith Marina Road and encompasses 21.6 acres. In 2019 the Planning Commission gave site plan approval for a 71-unit condominium on the MR zoned section. There are no staff conditions.

Vice Chairman opened the public hearing and no one was signed up to speak. Ercil Godwin was present to address the Planning Commission. Bryan Jones was concerned about wetlands. Ercil Godwin stated the wetlands are delineated on the plan and there will be minimal impact to them. Commissioner Bill Jeffries asked when construction would start on the project. Ercil Godwin replied they hoped to start construction before site plan approval expires in February 2021.

Motion made (Jeffries/Simpson) to recommend approval of MR (Marine Resort) rezoning to City Council. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Forwarded to City Council with a positive recommendation (6-0).**

3. Case No. 1103-SD-20, Replat of Lot 1, Oxford Investments LLC Subdivision

Lucido Engineering and Surveying LLC, on behalf of GCOF Orange Beach Gulf Front LLC, requests approval of **Preliminary and Final Minor Subdivision** to subdivide 4.1 acres into two lots. The property is located at 25610 PERDIDO BEACH BOULEVARD in the BR-2 (Beach Resort High Density) zoning district. Griffin Powell presented staff comments to the Planning Commission. Prior to 2010, the beachfront property was two lots before being combined. The two lots meet the minimum area and width requirements in BR-2 zoning and comply with the Subdivision Regulations. The Atlas Condominiums will be located on the west lot next to Hampton Inn. The west lot has an easement on the northwest corner, allowing

it to share driveway access to Highway 182 with Hampton Inn. The east lot will be part of a future beachfront development. There are no staff conditions.

Vice Chairman Ralph Moore opened the public hearing for comments and no one was signed up to speak.

Motion made (Lannie Smith/Glenn Smith) to approve preliminary/final plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Approved (6-0).**

4. Case No. 1105-SD-20, Buena Vista PUD, Phase 2B Subdivision

Hercules Investments LLC, on behalf of Orange Beach RV Investments LLC, requests approval of **Preliminary Major Subdivision** for Phase 2B of the Buena Vista on the Beach RV Resort consisting of 13 lots or Lots 78 through 90. The property is located at 23601 PERDIDO BEACH BOULEVARD in the Buena Vista Planned Unit Development Master Plan. Griffin Powell presented staff comments to the Planning Commission. In 2016 the Planning Commission approved the preliminary major plat for Phase 2B, but it expired in 2017. Lots will have front, rear and side setbacks of 5 feet. All lots will front on a 50-foot right-of-way with a 30-foot wide street. The walking path is delineated within the street as approved by the PUD.

Vice Chairman Ralph Moore opened the public hearing and no one spoke in favor or opposition.

Motion made (Simpson, Lannie Smith) to approve preliminary major plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Approved (6-0).**

Commissioner Pat Simpson recused himself at 4:20 p.m. and left the City Council Chambers.

5. Case No. 1106-PUD-20, The Ridge at Romar PUD

Hercules Investments LLC, on behalf of Carol Hines, requests recommendation to City Council for **Preliminary and Final PUD Approval** to rezone 1.39 acres from RS-1 (Single-Family Residential) to PUD (Planned Unit Development) to remove the existing single-family house and to construct two new single-family houses with swimming pools and parking. The property is located at 23708 PERDIDO BEACH BOULEVARD. Griffin Powell presented staff comments to the Planning Commission. The maximum density allowed for this RS-1 lot is two dwellings. By right, the owner has three options: one single-family house, or two single-family houses or a duplex with conditional use approval.

Each house will be three stories in height with seven sleeping rooms. Each house will have eight parking spaces. More than 57 percent of the developable site will be dedicated to natural and landscaped areas with a pedestrian-oriented area and sidewalk along Highway 182. The PUD proposes the two single-family houses to have 10-foot separation. The PUD is placing the houses side by side for habitat and environmental protection between the houses and the beach.

Vice Chairman Ralph Moore opened the public hearing for comments and no one was signed up to speak.

Jim Brown was present to address the Planning Commission. He stated that a land surveyor has determined the site is four feet wider than as shown on the submittal and the development will meet the side setbacks required. He stated the existing house will be removed.

Motion made (Jeffries/Lannie Smith) to recommend approval of Preliminary and Final PUD to City Council subject to staff comments with a 10-foot side setback. Roll call revealed: Jeffries, yes; Mitchell, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Forwarded to City Council with a positive recommendation (5-0).**

Commissioner Pat Simpson returned to the meeting at 4:28 p.m.

6. Case No. 1109-SD-20, The Bluffs of Orange Beach PUD Subdivision

Dewberry, on behalf of Sky Land Company LLC, requests approval of **Final Major Subdivision** to subdivide 2.01 acres into a residential subdivision containing 10 cottage lots. The property is located at 25768 PERDIDO BEACH BOULEVARD in The Bluffs of Orange Beach Planned Unit Development Master Plan. Griffin Powell presented staff comments to the Planning Commission. The project received preliminary plat approval in August 2019. The subdivision has 10 cottage lots; three are beachfront and seven are non-beachfront lots. The right-of-way and streets are privately owned and maintained.

Vice Chairman Ralph Moore opened the public hearing for comments and no one was signed up to speak.

Motion made (Mitchell/Glenn Smith) to approve final major plat subject to staff comments. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Approved (6-0).**

I. SITE PLAN REVIEWS

1. Case No. 1107-SP-20, Atlas Condominium

Forrest Daniell and Associates, on behalf of GCOF Orange Beach Gulf Front LLC, requests approval of **Site Plan Review** to construct a 38-unit, 13-story condominium. The property is located at 25610 PERDIDO BEACH BOULEVARD in the BR-2 (Beach Resort High Density) zoning district. Griffin Powell presented staff comments to the Planning Commission. The beachfront lot encompasses two acres. The density is 19 units/acre. The condominium will have 3, 4, 5, and 6-bedroom units and 106 parking spaces provided. The project driveway will be on the northwest corner, connecting to the existing Hampton Inn driveway. The project will have an emergency access driveway on the east side. Griffin Powell showed a revised color rendering of the condominium.

Forrest Daniell was present to address the Planning Commission. Commissioner Annette Mitchell stated she appreciated the new blue color and coastal look for the condominium.

Motion made (Mitchell/Jeffries) to approve site plan request subject to the coastal color presented at today's meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Approved (6-0).**

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

1. Case No. 0802-PUD-20, Orange Beach Cantina PUD

Sawgrass Consulting, on behalf of Liquid Life Real Estate, requests recommendation to City Council for **Preliminary and Final PUD Approval** to rezone 2.47 acres from NB (Neighborhood Business) to PUD (Planned Unit Development) for a commercial development containing two buildings, with the first building being a restaurant with outdoor seating and the second building including a restaurant with a drive-thru along with additional floor space for offices. The property is located at 4241 ORANGE BEACH BOULEVARD at the northwest corner of the intersection of Rose Lane and Orange Beach Boulevard. *Deferred from the Regular Meeting on October 12, 2020.*

No action. A new project has been submitted for this location.

2. Case No. 1110-PUD-20, CoastAL Beach Development PUD

WAS Design, on behalf of GCOF Orange Beach Gulf Front LLC, requests recommendation to City Council for **Preliminary and Final PUD Approval** to rezone 8+ acres from BR-2 (Beach Resort High Density) to PUD (Planned Unit Development) for a beachfront development comprising of a restaurant, a parking garage for additional parking, public beach access parking and a separate bar and entertainment space on the top floor, and a second parking garage with a future condominium. The property is located at 25610 and 25722 PERDIDO BEACH BOULEVARD.

Motion made (Lannie Smith/Mitchell) to defer until the November 30 Special Called Meeting. Roll call revealed: Jeffries, yes; Mitchell, yes; Simpson, yes; Glenn Smith, yes; Lannie Smith, yes; Moore, yes. **Deferred (6-0).**

K. OTHER BUSINESS

1. Election of Officers.

Motion made (Mitchell/Lannie Smith) to elect Robert Stuart as Chairman and Ralph Moore as Vice Chairman. Roll call vote by viva voce was unanimous.

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 4:42 p.m.



Kit Alexander, Secretary



Ralph Moore, Vice Chairman