

**MINUTES OF THE PLANNING COMMISSION
CITY OF GULF SHORES, ALABAMA
REGULAR MEETING OF AUGUST 27, 2020**

COMMISSION PRESENT:

Chairman Steiskal, Commissioner Vakakes, Commissioner Guthrie, Commissioner Malone, Commissioner Young, Commissioner Harris, Commissioner Eberlein

COMMISSION ABSENT:

Commissioner Eubank, Commissioner Long

STAFF PRESENT:

Lee Jones, Director of Community Development & Planning; Zoning Administrator Andy Bauer, Planner, Jennifer Watkins; Secretary, Mell Davis; City Engineer, Mark Acreman; Fire Marshall, George Surry

CALL TO ORDER:

Chairman Steiskal called the meeting to order at 4:00 p.m.

ROLL CALL:

The secretary called the roll.

APPROVAL OF MINUTES: Regular Meeting of July 28, 2020

Commissioner Eberlein made a motion to approve the minutes from July 28, 2020 and was seconded by Commissioner Vakakes. The minutes were approved 7-0.

ITEMS FOR DEFFERAL OR WITHDRAWAL:

A. ZA20-000047 Cottages at Craft Farms

Applicant requested deferment to the September 22nd meeting.

Commissioner Vakakes made the motion to defer ZA20-000047 to the next scheduled Planning Commission meeting in September; Commissioner Young seconded the motion and it passed 7-0.

PUBLIC HEARINGS:

A. Adoption of the Major Street Plan

The City of Gulf Shores seeks to adopt the Major Street Plan that would serve as a City-wide guide to transportation needs through the year 2040.

Commissioners requested to defer the adoption of the Major Street Plan due to need to study proposal further.

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Commissioner Eberlein made the motion to defer the Adoption of Major Street plan to a future meeting. Commissioner Malone seconded the motion, it passed 7-0.

B. ZTA20-06 Garage Setbacks and Minimum Raised Foundations-Zoning Text Amendment

The City of Gulf Shores seeks to amend the Garage Setback standards in Article 6-3 and the Modification of Height Regulation standards in Article 6-4.

Chairman Steiskal opened the public hearing at 4:25 p.m.

68 Ventures representative, Richard Davis, said that what was being proposed broad and to move forward without thoughtful public input would be a mistake. Other contractors and developers agreed that more discussion was needed to the significant changes being sought.

Commissioner Steiskal closed the public hearing at 4:51 p.m.

Commissioners agreed that a work session was needed due to the scope of the project.

Commissioner Malone made the motion to defer to a later date with more study by the commission and public input. Commissioner Harris seconded the motion and it passed 7-0.

C. ZA20-000036 The Waterways Cottage Subdivision- Site Plan

The applicant seeks approval of 60 lot single family subdivision. The project is located in the 800 block of Waterway West Boulevard.

D. ZA20-000039 The Waterways Marina-Conditional Use Permit (CUP)

The applicant seeks a Conditional Use Permit to construct a 44 slip marina, boat ramp and trailer storage area.

*The Commission decided to handle these two applications, ZA20-000036 & ZA20-000039 together. Commissioners had questions regarding entrances, driveways, fencing, landscaping and the boat storage area.

Chairman Steiskal opened the public hearing at 5:20 p.m.

One resident commented that boat traffic has increased significantly and requested that the developer seek a no wake zone for the development.

Chairman Steiskal closed the public hearing at 5:25 p.m.

Commissioner Vakakes made the motion to approve ZA20-000036, Waterways Cottage Subdivision Site Plan with the following special conditions:

1. A subdivision plat shall be submitted for City signature and approval.
2. Prior to recordation of the subdivision plat, covenants and restrictions shall be submitted and approved by the City, demonstrating the cottage subdivision complies

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with the Article §6-14 Ownership and Management of Common Open Spaces and the housing architecture design regulations.

3. Details of the fencing along the east and west property lines and screen fencing of the boat storage area shall be provided. For fences longer than 100', wood or masonry columns shall be provided every 50' on center.
4. The applicant shall pay \$44,495 fee in lieu of construction 5' bike land and 6' sidewalk along Waterway West Boulevard prior to the issuance of Building Permits.
5. The Planning Commission grants a deviation to the minimum 5' setback requirement along the southern property line.
6. The Planning Commission grants a modification to the perimeter landscape buffering requirements along the southern property line.
7. The Planning Commission grants a waiver to allow the construction of houses prior to recordation of the plat.
8. Revised plans shall be submitted addressing the Engineering Department's minor comments, as referenced on plans sent to the applicant on August 21, 2020, prior to the issuance of Land Disturbance or Building Permits.

Commissioner Young seconded the motion and it passed with a 7-0 vote.

Commissioner Vakakes made the motion to approve ZA20-000039, The Waterways Marina with the following special conditions:

1. Prior to the issuance of construction approvals for the marina, all marina criteria as referenced on the applicants response to city staff's review comments (educational components, waste management, cleaning of vessels, and operational regulations) shall be included in The Waterways Subdivision covenants and restrictions and approved by the City.
2. Prior to the issuance of construction approvals for the marina, all required state and Federal approvals shall be obtained.

Commissioner Harris seconded the motion, it passed 7-0.

E. ZA20-000045 The Haven Preliminary Plat

The applicant seeks approval to re-subdivide lots 46-61 (excluding lots 40, 53, 57) and lot 14 in the Haven Subdivision. The re-subdivision will increase the number of lots from 16-21 lots by making each lot smaller. The Haven Subdivision is within the Peninsula Development.

Chairman Steiskal opened the public hearing at 5:35 p.m.

One resident spoke her concern about the reducing the size of lots & will depreciate her property value.

Chairman Steiskal closed the public hearing at 5:40 p.m.

Commissioner Harris made the motion to approve ZA20-000045, the Haven Preliminary Plat; Commissioner Malone seconded the motion, it passed 7-0.

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F. ZA20-000046 Crystal Shores West- Conditional Use Permit (CUP)

The applicant seeks approval of a Conditional Use Permit to allow a beach access easement located across the street at 944 West Beach Boulevard.

Commissioners asked about upkeep of easement if approved and if the utilities will be moved.

Chairman Steiskal opened the public hearing at 5:58 p.m.

Several representatives of the Crystal Shores HOA stated that owners have had several discussions with the developer, Jim Brown and did have concerns about construction of the crosswalk and liability.

Chairman Steiskal closed the public hearing at 6:02 p.m.

Commissioner Vakakes made the motion to approve ZA20-000046, Crystal Shores West Conditional Use Permit (CUP) with the following special conditions.

1. Any and all landscaping that is removed shall be replanted with a similar species and inspected by the City prior to a Certificate of Completion is issued for the water access walkway by the Building Department.
2. The water access is contingent upon Planning Commission approval of the 43-lot cottage subdivision (ZA20-000058.)
3. The water access shall only be utilized by the approved 43-lot cottage subdivision. Any other development of the site which increases density shall render the water access approval null and void.
4. The developer of the proposed Cottage Subdivision and Crystal Shores West Property Owners Association shall work together to incorporate all the concerns/issues with the water access discussed at the Planning Commission meeting prior to approval of the CUP.

Commissioner Young seconded the motion and it passed with a 6-0 vote with Commissioner Malone abstaining.

G. ZA20-000048 Aventura Subdivision Phase 3- Preliminary Plat

Applicant seeks preliminary subdivision plat approval for a 91 lot single family subdivision on 51.98 acres of land. The proposed subdivision is to be Phase 3 of the Aventura development.

Chairman Steiskal opened the public hearing at 6:32 p.m.

There was no public comment

Chairman Steiskal closed the public hearing at 6:35 p.m.

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Commissioner Vakakes made the motion to approve ZA20-000046, Aventura Phase 3 Preliminary Plat, Commissioner Guthrie seconded the motion, it passed 6-0 with Commissioner Malone abstaining.

H. ZA20-000049 Campbell's Addition to River Manor Subdivision- Final Plat

The applicant seeks final subdivision plat approval for a 2 lot single family subdivision on 0.82 acres of land. The proposed subdivision divides 1 lot into 2 lots and the applicant requests a waiver to the Subdivision Regulations requirement for minimum 11,000sf lot size for properties located outside of the jurisdiction of the City of Gulf Shores and outside the zoning district for Baldwin County; with smallest lot size proposed being 10,018sf.

Chairman Steiskal opened the public hearing at 6:42 p.m.

There were no public comments

Chairman Steiskal closed the public hearing at 6:44 p.m.

Commissioner Young made the motion to approve ZA20-000046, Campbell's Addition to River Manor Subdivision Final Plat. Commissioner Harris seconded the motion, it passed 7-0.

SITE PLANS:

A. ZA20-000009 Sandy Toes Cottage Subdivision – Site Plan

The applicant seeks approval to construct a 7-lot cottage subdivision on 0.52 acres located on the south side of West Lagoon Avenue within the 1100 block. The site plan proposes to preserve 9 protected trees along the north side of the lot and wetlands located along the south property line. The site plan adheres to the conditions of a wetland waiver (Resolution No. 6132-19) approved on April 22, 2019.

Commissioner Vakakes made the motion to approve ZA20-000009, Sandy Toes Cottage Subdivision Site Plan with the following special conditions:

1. The conservation easement shall be recorded with the Baldwin County Probate Judge's Office.
2. Tree protection fencing shall be installed prior to any construction or land disturbance of the lot. Fencing shall remain in place throughout construction.
3. No trash containers will be allowed to be placed along West Lagoon Avenue for servicing.
4. The sidewalk fee of \$4,500.00 in lieu of construction shall be paid prior to the issuance of a building permit.
5. The following waiver requests are granted:
 - a. Allow the buffer vegetation to be planted along the interior of the buffer fencing.
 - b. Covenants and Restrictions along with Home Owners Association documentation is waived as long as Sandy Toes LLC owns and operates the

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development. If at any time the development is sold or individual lots are sold, the aforementioned documentation will be required.

- c. Building permits may be obtained prior to the completion of common area infrastructure and recordation of the plat.

Commissioner Young seconded the motion, it passed 7-0.

B. ZA20-000059 The Cottages at Dunes Park – Site Plan

The applicant seeks Site Plan approval to construct a 10-lot cottage subdivision at 588 East Beach Boulevard. The original site plan was approved April 23, 2019, and expired April 23, 2020. The applicant states that no changes have been made to the project or plans previously approved.

Commissioner Eberlein made the motion to approve ZA20-000059 Cottages at Dunes Park Site Plan with the following special conditions:

1. The Planning Commission approves the requests to waive the internal sidewalk system and to allow the applicant to obtain building permits prior to the recording of the plat.
2. Trash containers shall be serviced within the development. Containers shall not be placed along East Beach Boulevard.
3. A copy of the approved ALDOT Turnout Permit shall be provided to the Planning and Zoning Department prior to the issuance of a certificate of occupancy for any structure within the subdivision.
4. The turnaround shall be labeled Fire Access Turnaround.
5. The landscape and architectural base plans shall be updated to correspond with the civil base plan.
6. The architectural plans shall be revised to indicate a maximum 12” roof overhang. Roof overhangs shall not project across any adjacent property line.
7. The structure on Lot J shall provide architectural on the southern elevation in order to address the street view along East Beach Boulevard.

Commissioner Malone seconded the motion, it passed 7-0.

HEARING OF PERSONS NOT LISTED ON FORMAL AGENDA:

None

OTHER BUSINESS:

COMMUNICATIONS FROM STAFF:

City Engineer, Mark Acreman, that 4th Street bridge needed a traffic study, West Lagoon Avenue striping had begun.


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COMMUNICATIONS FROM COMMISSION:

None

ADJOURN:

There being no further business to come before the Commission, Chairman Steiskal adjourned the meeting at 7:02 p.m.



Secretary, Mell Davis



Date



Chairman, Bob Steiskal