



**PLANNING & ZONING**  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 2432  
ORANGE BEACH, ALABAMA 36561



Orange Beach City Council  
Meeting – March 21, 2023

**Case No. 1205-PUD-22**  
**Jones Duplexes Residential PUD**  
**Preliminary and Final PUD Approval**

**Owner/Applicant:** Rodney Jones (Owner)  
P.O. Box 2523, Opelika, AL 36803  
(334) 319-1246  
  
Lucido Engineering and Surveying LLC, Vince Lucido (Applicant)  
24693 Canal Rd., Suite A, Orange Beach, AL 36561  
(251) 967-3250, [vincelucido@lucidoeng.com](mailto:vincelucido@lucidoeng.com)

<b>Address of Property:</b>	<b>Tax Parcels:</b>	<b>PPIN:</b>
26480 Perdido Beach Blvd.	05-65-02-09-0-002-071.000	18196

**I. GENERAL INFORMATION**

**Request:** Preliminary and Final PUD Approval

Lucido Engineering and Surveying LLC, on behalf of Rodney Jones, requests approval of preliminary and final PUD to rezone 1.88 acres from RS-1 to PUD for a beachfront residential development consisting of two duplexes and three single-family houses.

**Location:** This property is a vacant beachfront lot located at 26480 Perdido Beach Boulevard and is east of the proposed four-story parking garage for the Turquoise Place Condominium. Prior to Hurricane Ivan, there was a single-family house on the property. The house was removed after 2005.

**Planning Commission:** The Planning Commission held a public hearing and considered this application at its regular meeting on February 13, 2023. There was one participant in the public hearing. The Planning Commission approved its motion for **favorable recommendation (7-1)** subject to staff conditions.

**Present Zoning:** RS-1 (Single-Family Residential)

**Present Use:** Vacant

**Future Land Use:** Residential Mixed  
*The proposed PUD with duplexes and single-family houses is consistent with the land use designation on the Future Land Use Map.*

**Surrounding Land Use and Zoning:** **North:** St. Thomas by the Sea Catholic Church, GB (General Business)  
**South:** Gulf of Mexico  
**East:** Single-Family House, RS-1 (Single-Family Residential)  
**West:** Vacant (proposed parking garage), PUD (Planned Unit Development – *Turquoise Place*)

**Special Districts:** **Overlay Zoning:** Beach Overlay District  
**Neighborhood District:** Beach Resort  
**Airport Zone:** Transitional Surface E  
**Flood Zone:** X, X-Shaded, VE-14, VE-15

**Nearby Streets:** This property fronts on Perdido Beach Boulevard.

**Site History:**

<i>Date</i>	<i>Description</i>
July 2004	City Council gave preliminary PUD approval to rezone this property and the properties to the east and west from RS-1 to PUD for the Turquoise Place East PUD consisting of two condominium towers and 241 total units. <i>(Case No. 0503-PUD-04)</i>
November 2004	City Council gave final PUD approval to rezone this property and the properties to the east and west from RS-1 to PUD for the Turquoise Place East PUD consisting of two condominium towers and 241 total units. <i>(Case No. 0804-PUD-04)</i>
April 2008	The Turquoise Place East PUD expired. City Council reverted the zoning of this property and the properties to the east and west to RS-1.

**II. COMPREHENSIVE PLAN REVIEW**

Section 7.03 of the Zoning Ordinance states that it is the purpose and intent of the PUD Ordinance to have developments that promote the goals of the Comprehensive Plan and that no PUD shall be approved unless it is consistent with the goals of the Comprehensive Plan. The *City of Orange Beach Preservation and Growth Management Plan, 2020-2035* shows the property as part of the **Beach Resort District**. The proposed PUD complies with the mission of this district as follows:

***Mission Statement for the Beach Resort District***

*The City of Orange Beach seeks to continue to adhere to the Beach Overlay District requirements, increase pedestrian paths that encourage pedestrian traffic between developments, sustain and enhance commercial development and expand facilities at existing beach access points.*

The applicant states that the proposed PUD will increase the pedestrian paths by connecting to the upcoming Turquoise Place parking garage to the west, as well as the neighboring properties to the east. This PUD will help sustain and enhance commercial development by providing a low density residential development that is connected to a pedestrian path within walking distance of several existing commercial developments. The development impact fees and rental taxes will also help finance the expansion of facilities at existing beach access points.

### III. PUD DESIGN STANDARDS

Section 7.03 of the Zoning Ordinance states that all proposed PUD shall achieve one or more of the following design standard objectives. According to the applicant, this PUD will meet 3 of the 12 design standard objectives.

- **Promote a transition between adjacent and nearby zoning districts, land use, and development intensities:** The applicant states that this PUD will help provide an appropriate low density transition between the high impact parking garage for Turquoise Place to the west and the single-family residential property to the east.
- **An efficient use of land resulting in small networks of utilities and streets and thereby lowering housing costs:** The applicant states that this PUD is an efficient and compact placement of residences, which will minimize the length of the required utilities and will lower housing costs.
- **Superior development and redevelopment which is more desirable than that which would occur through strict application of the zoning code:** The applicant states that this PUD will provide a better aesthetic and use transition from the Turquoise Place parking garage to the adjacent RS-1 property to the east than a single-family development would.

### IV. PUD MASTER PLAN REVIEW

Section 7.04 of the Zoning Ordinance states that an approved PUD shall be considered a separate zoning district in which development plans, as approved, establish the specific restrictions and regulations customized to fit the type of plan proposed by which the development shall be governed. Restrictions may be greater or lesser than the ones otherwise imposed by the Zoning Ordinance and Subdivision Regulations to achieve a development with fits the Comprehensive Plan and PUD Design Standards.

1. **Density:** The criteria for establishing an average density includes the land use plan for the area, existing surrounding density, density permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Density must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan. (Section 7.04, A.)

This PUD request is for two duplexes and three single-family houses for a total of seven dwelling units.

Each of the duplexes will have eight total bedrooms (four bedrooms per unit), and each of the three single-family houses will have five bedrooms. Overall, the total number of bedrooms in this PUD will be 31 bedrooms.

Based on the number of bedrooms proposed, 31 parking spaces are required, and this PUD overall will provide 32 parking spaces.

The by-right plan provided by the applicant shows two duplexes or four dwelling units. This plan is inaccurate based on the following: (a) Section 5.0601 of the zoning ordinance limits RS-zoned lots to a maximum of two dwelling units; and (b) Section 5.0602 requires the side walls between two structures to have a separation of at least 20 feet. Before City Council consideration, the by-right plan will need to be amended to show two single-family houses with a total number of bedrooms meeting or exceeding 31 bedrooms and both structures meeting the building separation distance.

Based on comparing the by-right plan with the proposed PUD, the proposed PUD does offer more pervious coverage and landscaping.

- 2. Common Open Space: At least 20 percent of the area covered by a Final Development Plan shall be landscaped or provide common open space owned and operated by the owner/developer or dedicated to a homeowner association or similar group. (Section 7.04, B.)**

The two duplexes and three single-family houses will be owned and rented by the property owner, Rodney Jones. There will be no condominium association or property owners association, as the property will be under single ownership and will be maintained by Rodney Jones.

- 3. Access and Parking: All streets, thoroughfares and access ways shall be designed to effectively relate to the major thoroughfare plans of the City of Orange Beach. Adequate off-street parking shall generally conform to the off-street parking requirements set forth in Article 8 of the Zoning Ordinance unless otherwise approved. (Section 7.04, C.)**

There are three single-family houses. Each single-family house will contain five bedrooms and will require five parking spaces. Five parking spaces will be provided. Four parking spaces will be located underneath the structure via two tandem spaces with two parking spaces per tandem. Three of the six surface parking spaces between the single-family houses and duplexes will be dedicated as required parking for each of the single-family houses.

There are two duplexes. Each duplex will contain eight bedrooms (4 bedrooms per unit) and will require eight parking spaces. Eight parking spaces will be provided per duplex. Five total parking spaces will be located underneath the structure. There will be a tandem space with two parking spaces located in the surface area between the structure and side lot line. Two of the six surface parking spaces between the single-family houses and duplexes will be also be dedicated for each of the duplexes.

Overall, this PUD will require 31 parking spaces, and there are 32 parking spaces provided. The extra space will be in the surface parking space area between the single-family houses and duplexes.

- 4. Perimeter Requirements: The Planning Commission the City Council may impose the requirement that structures, buildings and streets located at the perimeter of the development be permanently screened to protect the privacy of the adjacent existing uses. (Section 7.04, D.)**

No land use buffering is required. The Turquoise Place Condominium has proposed to construct a four-story parking garage on the property to the west. On the neighboring lot to the east, there is a single-family house. The applicant contends that the proposed PUD will be a medium-impact development located between a high-impact development located to the west and a low-impact development located to the east.

- 5. Signage: The size, location, design and nature of signs, if any, and the intensity and direction of area floodlighting shall be detailed in the application and must generally conform to the sign regulations in Article 15, unless the massing and scale of the PUD would make additional or different requirements desirable. Signs must nonetheless fit the design character of the development. (Section 7.04, E.)**

No project signage is being proposed at this time according to the applicant. If one is proposed in the future, it will be required to comply with the sign regulations in Article 15.

6. **Height Limitation:** The criteria for establishing height limitations includes the land use plan for the area, existing surrounding building heights, heights permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services and site characteristics. Height limitations must generally conform to the requirements as set out in Article 4 of this ordinance and conform to the Comprehensive Plan as well as the architectural standards set out in Article 10. (Section 7.04, F.)

The single-family houses will be two habitable floors on pilings for three total floors. The mean building height will be 40 feet and 6 inches.

The duplexes will be three habitable floors on pilings for four total floors. The mean building height will be 49 feet and 11 inches.

The mean building heights proposed are below the 50-foot height limit for single-family houses and duplexes in the Beach Overlay District.

7. **Landscaping and Tree Protection:** The criteria for landscaping, removal of trees and protection of heritage trees should generally conform to the requirements of Article 16. (Section 7.04, G.)

Of the developable area north of the Coastal Construction Line (CCL), more than 34 percent will be landscaped. The total landscaped area, including the grass pave areas for parking, will be more than 83 percent.

The landscape plan shows landscaping being provided between the buildings, around the enclosed trash receptacle or dumpster area in the front, and along the side lot lines. The new trees planted will be sabal palms.

A tree survey will need to be provided to reflect any tree mitigation requirements.

## V. DEVIATIONS FROM THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS

1. The applicant requests the following deviations to the zoning ordinance.
  - a. *Section 5.0601, Number of Principal Buildings on Lot:* This property is a 1.88-acre lot with a lot width close to 100 feet that is currently zoned RS-1. By right, only one single-family house may be constructed on any lot in the RS zoning district. However, if the lot has a lot area meeting or exceeding 26,250 square feet (0.60 acres) and a lot width meeting or exceeding 75 feet, then two single-family houses may be constructed on the lot. No RS lot may have a density exceeding two residential dwellings, single-family or duplex.  
  
This PUD proposes seven residential dwellings on the lot, consisting of three single-family houses and two duplexes.
  - b. *Section 5.0602, Spaced between Buildings:* Whenever multiple buildings are allowed on a property, spacing requirements between the buildings are required based on which walls face one another. If two side walls face one another, then the building separation distance must be at least 20 feet.

This PUD proposes a separation of 10 feet between the side walls among the three single-family houses and between the two duplexes. There are no issues with the separation between the southerly single-family houses and duplex and the setbacks between the buildings and perimeter lot lines.

## VI. STAFF COMMENTS

1. The applicant indicates that this PUD will have the following objectives:

- With the approval of the proposed parking garage for the Turquoise Place Condominium to the west, there will be a high-impact development adjacent to this property, which is currently zoned RS-1. To mitigate the adverse impact of the parking garage on this property, the main objective of this PUD is to create a low-density, medium-impact residential development that will create a practical and aesthetic transition from the high-impact development to the west. This medium-impact development will not be as dwarfed by the proposed parking garage as a low-impact development would be.
- The second objective is to create a development with more varied, smaller structures that can be arranged to take advantage of the parking garage wall and landscape buffer, as well as provide a greater variety of residential structures. This will result in greater visual interest and rental options.
- The third objective is to provide a transition from the high-impact development to the west, to low impact RS-1 properties to the east. In this manner, there will be a high-impact development, followed by a medium-impact development, followed by a low-impact property. Should the RS-1 properties be rezoned into similar PUDs as this PUD, the same medium-impact character will be maintained.

2. The following table presents details on the proposed buildings in this PUD.

	Single-Family Houses	Duplex
Number of Structures	3	2
Building Footprint per Structure	1,746 SF	2,853 SF
Gross Floor Area per Structure	3,137 SF	7,140 SF
Proposed Height (Floors)	3	4
Bedrooms Proposed per Structure	5	8 (4 per unit)
Parking Required per Structure	5	8 (4 per unit)
Parking Provided per Structure	5 (4 underneath, 1 surface)	8 (5 underneath, 3 surface)

3. The centrally located trash receptacle or dumpster area will be located in the front setback area along Perdido Beach Boulevard. The landscape plan shows landscaping being provided on the west side of the area. This area is required to be enclosed with a solid fence six feet in height. Staff is requesting details be provided on how this area will be shielded and screened from public view.
4. The single-family houses will have a swimming pool area located behind it and the west side lot line. The swimming pools must maintain a setback of five feet to the west side lot line.
5. There are six surface parking spaces, constructed with grass pavers, located between the single-family houses and duplexes. Of these spaces, three spaces will be required parking for the single-

family houses and two spaces will be required parking for each duplex building. Staff is requesting that signage be provided showing the five spaces as designated required parking spaces.

6. The Fire Department has the following comments: (a) no parking signage is needed around the approved turnaround area; and (b) removing the current FDC on the site plan and placing a 1.5-inch connection on the structure to tie directly into the NFPA 13R sprinkler system.
7. A 2-inch common sewer force main is recommended instead of the 1.5-inch main as shown on the plans.
8. The project will need to provide a tree survey to determine if any tree mitigation is necessary.

## VII. CITY COUNCIL ACTION

1. **APPROVAL** of preliminary and final PUD to rezone 1.88 acres from RS-1 to PUD for a beachfront residential development consisting of two duplexes and three single-family houses.
2. **APPROVAL WITH CONDITIONS** of preliminary and final PUD.

### STAFF CONDITIONS:

1. The by-right plan will need to be amended. The plan submitted shows two duplexes. However, per Section 5.0601, no lot in the RS zoning district may have a density to exceed two residential units, single family or duplex. This lot exceeds 0.60 acres, so it may have two single-family houses. In addition, Section 5.0602 requires the side walls between two structures to have a separation distance of at least 20 feet. The plan submitted shows 10 feet. Again, the purpose of the by-right plan is to demonstrate that the proposed PUD will have less impact than what can be built under the current zoning.
2. Planning Commission and City Council approval of the requested deviations for the proposed PUD:
  - Section 5.0601, Number of Principal Buildings on Lot: To allow the proposed PUD to have seven residential dwellings, exceeding the maximum of two residential dwellings that is allowed for RS lots with lot areas more than 26,250 square feet.
  - Section 5.0602, Spaced between Buildings: To allow the building separation between the side walls of the buildings to be 10 feet, which is less than the 20 feet that is required.
3. Providing the screening details for the enclosed trash receptacle or dumpster area in the front setback area. The height of the solid enclosure fence must be at least 6 feet.
4. Noting that the swimming pools for the single-family houses are required to have a setback of 5 feet from the west side lot line.
5. For the six surface parking spaces between the single-family houses and the duplexes, signage is needed to designate that these spaces are required parking for specified units.
6. No parking signage is needed around the approved turnaround area.
7. Removing the current FDC on the site plan. A 1.5-inch connection can be placed on the structure and tied directly into the NFPA 13R sprinkler system.

8. A 2-inch common sewer force main is recommended instead of the 1.5-inch main as shown.
  9. The proposed project will require a Coastal Permit.
  10. The landscape plan provided did not include a tree survey. Applicant should provide a tree survey and amend the landscape plan to reflect tree mitigation requirements if necessary.
3. **DENIAL** of preliminary and final PUD.

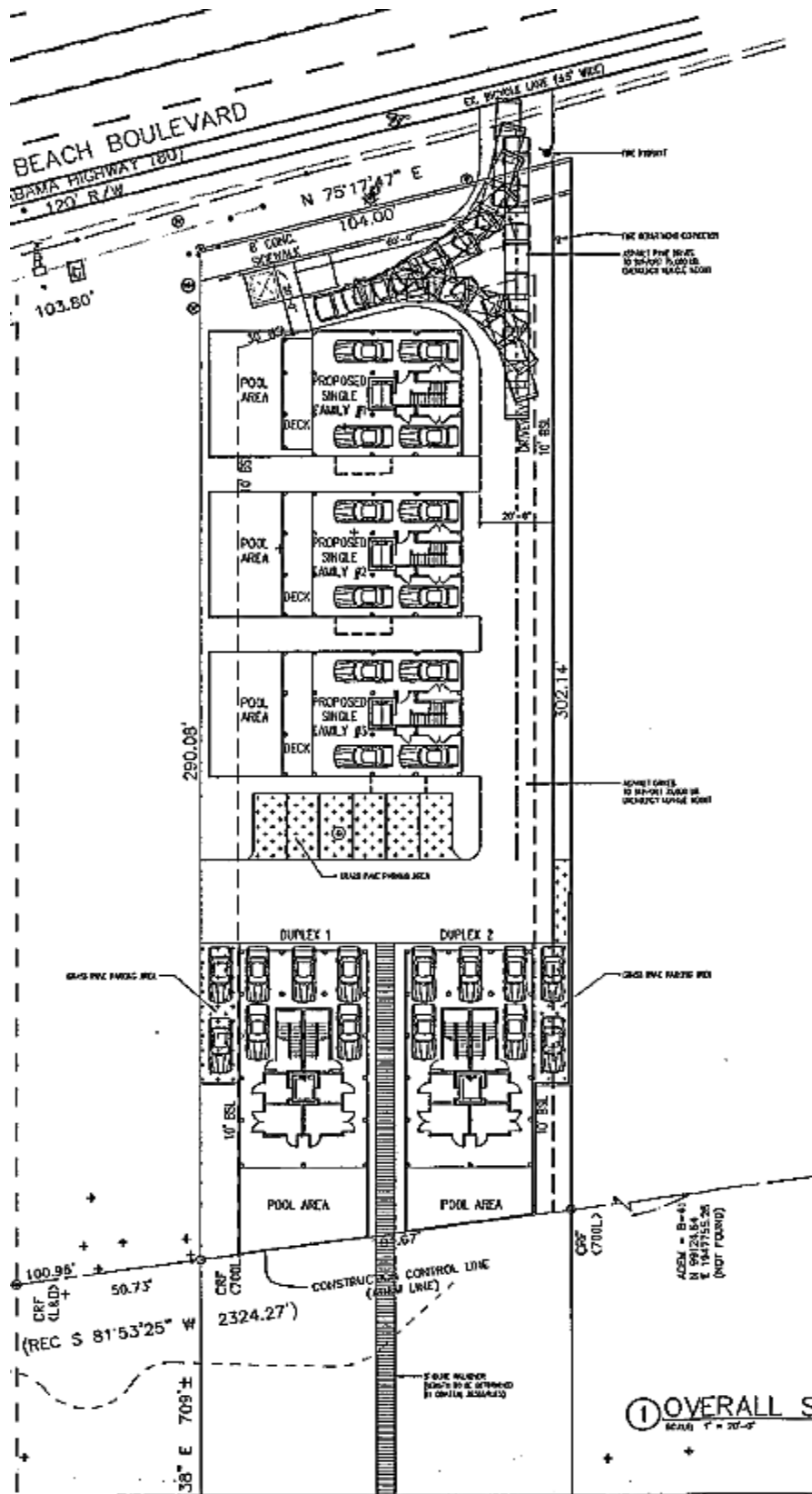


# VIII. MAPS & PLANS

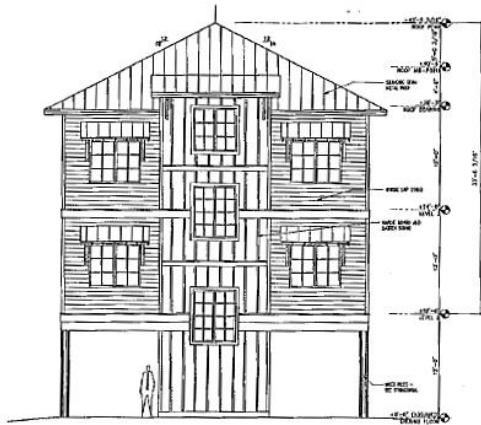
## Aerial Map



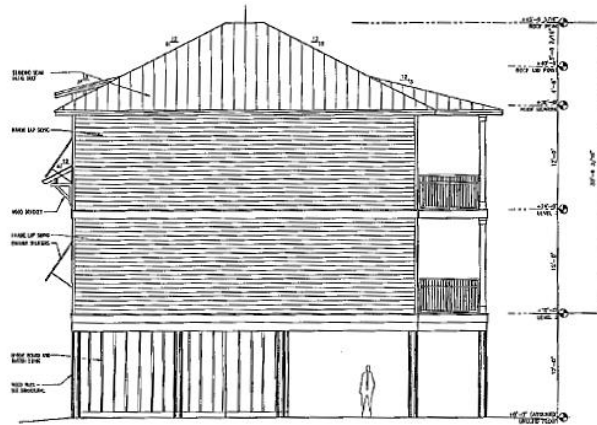
PUD Master Plan



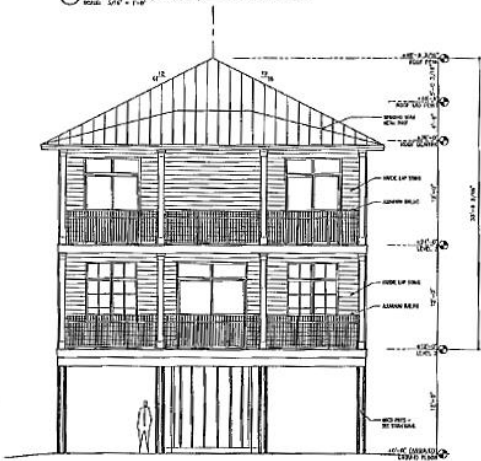
# Elevations of the Single-Family Houses



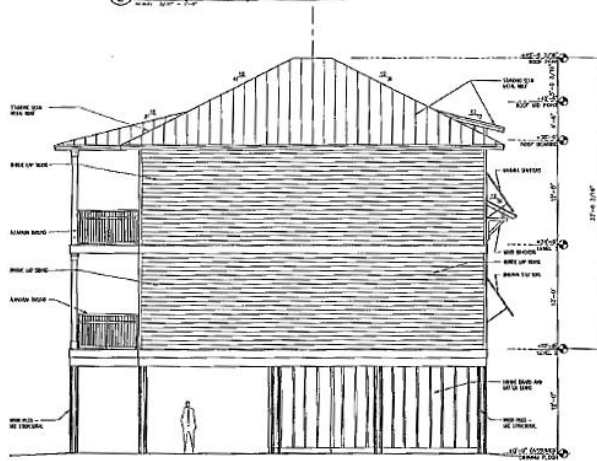
① FRONT (EAST) ELEVATION  
Scale 1/8" = 1'-0"



② SIDE (NORTH) ELEVATION  
Scale 1/8" = 1'-0"

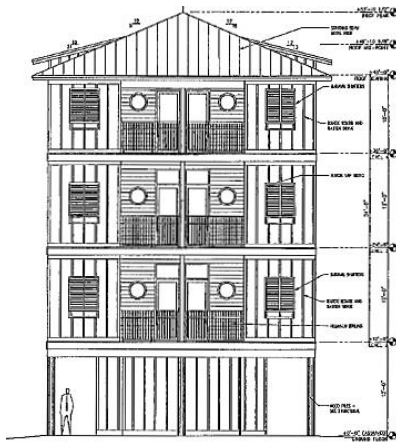


③ REAR (WEST) ELEVATION  
Scale 1/8" = 1'-0"

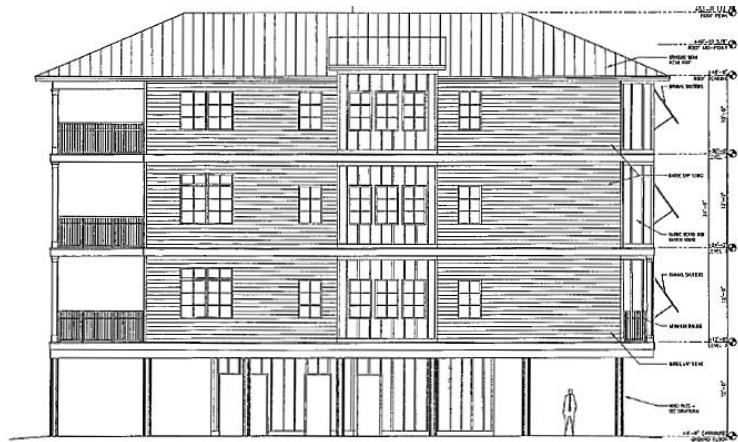


④ SIDE (SOUTH) ELEVATION  
Scale 1/8" = 1'-0"

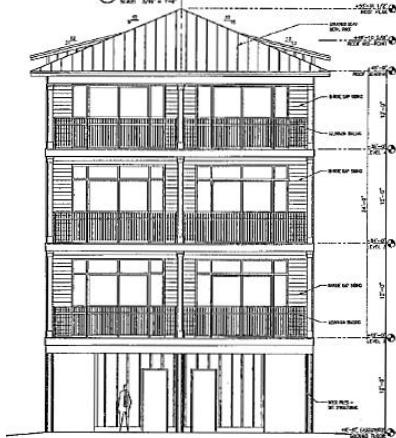
# Elevations of the Duplexes



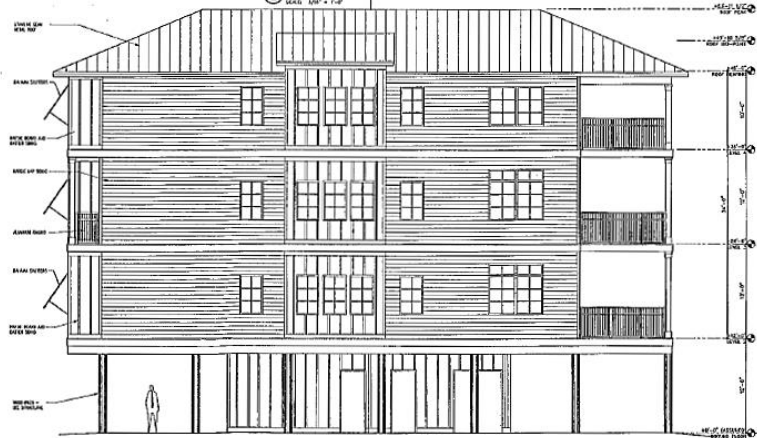
① NORTH ELEVATION



② EAST ELEVATION



③ SOUTH ELEVATION



④ WEST ELEVATION