



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



**ORANGE BEACH
PLANNING COMMISSION
WORK SESSION**

**Monday, February 13, 2023, 3:00 PM
City Council Chamber
4099 Orange Beach Boulevard**

A. CALL TO ORDER

B. ROLL CALL

C. DISCUSSION ITEMS

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 Major 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 January 9, 2023.*

2. 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. *Deferred from Regular Meeting on January 9, 2023.*

3. Case No. 0201-SD-23, Lost Bay Townhomes, A Subdivision of Parcel A and Parcel C

Engineering Design Group, on behalf of Alva Gordon Barnhill, requests approval of **Preliminary and Final Minor Subdivision** to combine two lots into one lot. The property is located south of the Brett/Robinson Laundry Facility and Posh Interiors and west of The Island Church in the General Business (GB) zoning district.

4. Case No. 0202-CU-23, JPEM Duplex at 29110 Perdido Beach Boulevard

JPEM LLC requests recommendation to the City Council for approval of **Conditional Use** to construct a duplex on a beachfront lot located at 29110 Perdido Beach Boulevard in the Single-Family Residential (RS-1) zoning district.

5. Case No. 0204-CPA-23, Comprehensive Plan Amendment, PIN 58938 & PIN 47431

The Community Development Department requests approval of a **Comprehensive Plan Amendment** to change the Future Land Use Map (FLUM) designations for Property PIN 58938 and PIN 47431 from *Commercial High Intensity* to *Residential Mixed*.

6. **Case No. 0107-SP-23, Orange Beach Board of Education Central Office**

Sawgrass Consulting, on behalf of the City of Orange Beach, requests approval of **Site Plan Review** to construct a 6,400-SF office building for the Orange Beach Board of Education. The property is located at 4544 and 4550 Orange Beach Boulevard in the General Business (GB) zoning district.

7. **Case No. 0203-SP-23, Abaco Orange Beach**

Abaco Orange Beach LLC requests approval of **Site Plan Review** for a condominium development consisting of 9 buildings and 259 total dwelling units along with a marina on Terry Cove. The development will be constructed in four phases. The property is located at the southern end of Griffith Marina Road and Captain Trent Lane at 4443 and 4459 Captain Trent Lane in the MR (Marine Resort) zoning district.

D. **ADJOURN**



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



**ORANGE BEACH
PLANNING COMMISSION
REGULAR MEETING**

**Monday, February 13, 2023, 4:00 PM
City Council Chamber
4099 Orange Beach Boulevard**

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. APPROVAL OF AGENDA
- F. CONFLICTS OF INTEREST
- G. APPROVAL OF MINUTES AND CERTIFIED RECORDS
 - 1. Approval of minutes from the Work Session on January 9, 2023.
 - 2. Approval of minutes from the Regular Meeting on January 9, 2023.
- 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 Major 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 January 9, 2023.*
 - 2. **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. *Deferred from Regular Meeting on January 9, 2023.*
 - 3. **Case No. 0201-SD-23, Lost Bay Townhomes, A Subdivision of Parcel A and Parcel C**
Engineering Design Group, on behalf of Alva Gordon Barnhill, requests approval of **Preliminary and Final Minor Subdivision** to combine two lots into one lot. The property is located south of the Brett/Robinson Laundry Facility and Posh Interiors and west of The Island Church in the General Business (GB) zoning district.

4. **Case No. 0202-CU-23, JPEM Duplex at 29110 Perdido Beach Boulevard**
JPEM LLC requests recommendation to the City Council for approval of **Conditional Use** to construct a duplex on a beachfront lot located at 29110 Perdido Beach Boulevard in the Single-Family Residential (RS-1) zoning district.
5. **Case No. 0204-CPA-23, Comprehensive Plan Amendment, PIN 58938 & PIN 47431**
The Community Development Department requests approval of a **Comprehensive Plan Amendment** to change the Future Land Use Map (FLUM) designations for Property PIN 58938 and PIN 47431 from *Commercial High Intensity* to *Residential Mixed*.

I. SITE PLAN REVIEWS

1. **Case No. 0107-SP-23, Orange Beach Board of Education Central Office**
Sawgrass Consulting, on behalf of the City of Orange Beach, requests approval of **Site Plan Review** to construct a 6,400-SF office building for the Orange Beach Board of Education. The property is located at 4544 and 4550 Orange Beach Boulevard in the General Business (GB) zoning district.
2. **Case No. 0203-SP-23, Abaco Orange Beach**
Abaco Orange Beach LLC requests approval of **Site Plan Review** for a condominium development consisting of 9 buildings and 259 total dwelling units along with a marina on Terry Cove. The development will be constructed in four phases. The property is located at the southern end of Griffith Marina Road and Captain Trent Lane at 4443 and 4459 Captain Trent Lane in the MR (Marine Resort) zoning district.

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

K. OTHER BUSINESS

L. PUBLIC COMMENTS

M. ADJOURN

Minutes

Orange Beach Planning Commission Work Session

January 9, 2023 3:00 PM

Council Chambers - Orange Beach Municipal Complex

4099 Orange Beach Boulevard

A. CALL TO ORDER

Chairman Stuart called the meeting to order at 3:00 PM.

B. 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:

Griffin Powell, City Planner

Sherri Descalzo, P&Z Coordinator

Sean Brumley, GIS Specialist

C. DISCUSSION ITEMS

1. Case No. 1207-ZT-22, Zoning Text Amendment, Article 15, Sections 15.0702 and 15.0902, Temporary Signs and Standards

The Community Development Department requests recommendation to City Council for approval of a **Zoning Text Amendment** to modify Sections 15.0702 and 15.0902 with regard to temporary residential real estate signs. *Deferred from Regular Meeting on December 12, 2022.* Griffin Powell presented to the Planning Commission. Griffin Powell said that staff met with members of the Baldwin County Realtor Association for input on the proposed real estate sign changes.

2. Case No. 0104-SD-23, Buena Vista RV Resort PUD Subdivision, Phase 3A

75/25 Investments requests approval of a **Final Major Subdivision** for Phase 3A of the Buena Vista RV Resort PUD Subdivision consisting of 10 lots (Lots 24-29, 42-43, and 63-64). Phase 3A is located on Parkside Lane and Lakeside Drive on the west side of the Buena Vista RV Resort. Griffin Powell presented to the Planning Commission.

Chairman Stuart asked how many overall phases there are in this project. Griffin Powell stated there are five phases total and each phase will be platted.

3. Case No. 0105-SD-23, Mariner One Subdivision

Dewberry, on behalf of Windward Lakes Villas LLC and Bel Air Developers LLC, requests approval of a **Preliminary and Final Minor Subdivision** to combine four lots into one lot in accordance with the major amendment to the Mariner Lakes Planned Unit Development Master Plan that was approved in October 2022. The property is located at 3299 Loop Road. Griffin Powell presented to the Planning Commission.

Chairman Stuart asked if the strip of land behind the Rouses Market is owned by the homeowners' association and Griffin Powell said that it is.

4. Case No. 0106-PUD-23, 3T's Shrimping Company PUD

October Investments LLC requests recommendation to the City Council for approval of a **Preliminary and Final PUD** to rezone 5.2 acres from GB (General Business) to PUD (Planned Unit Development) for a commercial development consisting of a 7,300 SF restaurant and 20,800 SF warehouse. The property is located at 25431 Canal Road. Griffin Powell presented to the Planning Commission.

Commissioner Mitchell asked about the fast food restaurant. Griffin said the restaurant is classified as a fast food restaurant and has a drive-through window.

Commissioner Simpson asked whether the length of the drive-through lane is sufficient to prevent obstruction of vehicular movement. Griffin Powell said there is adequate length for proper drive-through vehicular queuing.

5. Case No. 0101-SP-23, OSO Early Restaurant Kitchen Expansion

Robertson Commercial requests approval of a **Site Plan Review** to expand the kitchen more than 400 square feet at the OSO Early Restaurant. The property is located at 27370 Canal Road in the MR (Marine Resort) zoning district. Griffin Powell presented to the Planning Commission.

6. Case No. 0102-SP-23, Orange Beach Store

Orange Beach Store, on behalf of AGLC LLC, requests approval of a **Site Plan Review** to construct a 7,000 SF commercial building at the northwest corner of the intersection of Orange Beach Boulevard and Perdido Beach Boulevard at The Shoppes at Palm Pointe. The property is located at 25777 Perdido Beach Boulevard in the GB (General Business) zoning district. Griffin Powell presented to the Planning Commission.

Commissioner Mitchell asked whether there is adequate parking proposed. Griffin Powell stated they are providing 55 spaces and are only required to have 35 spaces. Commissioner Mitchell expressed concern that the Orange Beach Store parking will be utilized for CoastAL parking across the street.

Chairman Stuart stated that the lighting needs to be in accordance with the turtle lighting regulations.

D. ADJOURN

Adjourned at 3:31 PM

Griffin Powell

Robert Stuart, Chairman

**NOTE: THESE DRAFT MINUTES HAVE NO LEGAL STATUS UNTIL APPROVED
BY THE BOARD OF COMMISSION FROM WHICH THEY ARE TAKEN**

Minutes
Orange Beach Planning Commission
January 9, 2023 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 4:02 PM.

B. INVOCATION

Commissioner Simpson 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

Commissioner Robertson Case No. 0102-SP-23

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 Planning Commission Work Session on December 12, 2022.
2. Approval of minutes from Planning Commission Meeting on December 12, 2022.

H. PUBLIC HEARINGS

1. **Case No. 1207-ZT-22, Zoning Text Amendment, Article 15, Section 15.0702 and 15.0902, Temporary Signs and Standards**

The Community Development Department requests recommendation to City Council for approval of **Zoning Text Amendment** to modify Sections 15.0702 and 15.0902 with regard to temporary real estate signs. *Deferred from Regular Meeting on December 12, 2022.*

Griffin Powell presented to the Planning Commission. Kit Alexander added that staff met with local realtors for their input on the amendment. Chairman Stuart opened the public hearing.

Jennifer Foutch, Baldwin County Realtors, thanked staff for including them in the process.

Chairman Stuart closed the public hearing and called for a motion.

Motion to recommend approval of the zoning text amendment to City Council subject to staff comments.

Motion made and seconded (Simpson/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).**

2. **Case No. 0104-SD-23, Buena Vista RV Resort PUD Subdivision, Phase 3A**

75/25 Investments requests approval of **Final Major Subdivision** for Phase 3A of the Buena Vista RV Resort PUD Subdivision consisting of 10 lots (Lots 24-29, 42-43, and 63-64). Phase 3A is located on Parkside Lane and Lakeside Drive on the west side of the Buena Vista RV Resort. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the public hearing and no one spoke. Chairman Stuart closed the public hearing and called for a motion.

Motion to approve the Final Major Subdivision 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).**

3. **Case No. 0105-SD-23, Mariner One Subdivision**

Dewberry, on behalf of Windward Lakes Villas LLC and Bel Air Developers LLC, requests approval of **Preliminary and Final Minor Subdivision** to combine four lots into one lot in accordance with the major amendment to the Mariner Lakes Planned Unit Development Master Plan approved in October 2022. The property is located at 3299 Loop Road. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the public hearing.

Cathy Barnette, Dewberry Engineers, stated she is available to answer any questions. Chairman Stuart closed the public hearing and called for a motion.

Motion to approve the Preliminary and Final Minor Subdivision subject to staff comments.

Motion made and seconded (Mitchell/Jeffries) Commissioner Jeffries, yes; Commissioner Mitchell, yes; Vice Chairman Lindsey, yes; Commissioner Smith, yes; Commissioner Robertson, yes; Commissioner Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (9-0).

4. **Case No. 0106-PUD-23, 3 T's Shrimping Company PUD**

October Investments LLC requests recommendation to the City Council for approval of **Preliminary and Final PUD** to rezone 5.2 acres from GB (General Business) to PUD (Planned Unit Development) for a commercial development consisting of a 7,300-SF restaurant and

20,800-SF warehouse. The property is located at 25431 Canal Road. Griffin Powell presented to the Planning Commission. Chairman Stuart opened the public hearing.

Juanita Motely spoke for the Bayside Estates Mobile Home Subdivision. She stated that their concerns range from drainage issues, increase of traffic, smell of the dumpsters, and noise and light impacts. She stated that a wall is needed in addition to the landscape buffer on the west side of the property. She is opposed to the reduction of the required buffer. She expressed concern about the location of the dumpster and the smell of seafood waste on the adjacent property. She asked whether an ABC sign is necessary on Canal Road since it is a warehouse, not a retail establishment.

Debbie Minor, Martha Champion, and Naomi Bullock, residents of the Bayside Estates Mobile Home Subdivision, stated they agree with Juanita's concerns.

Chairman Stuart closed the public hearing.

Greg Scott, representing the applicant, stated an ABC sign is not needed on Canal Road and the applicant will consider relocating the dumpster further east.

Kit Alexander, Community Development, said the project is not allowed to drain onto neighboring properties. They will need to direct site runoff to the bay to the north.

Chairman Stuart stated the plans show parking to be two less than what is required by the zoning ordinance. Greg Scott said the ABC warehouse is only open Monday through Friday with hours of operation 8am to 5pm. There will be ample parking after hours and on the weekend for the restaurant.

Kit Alexander directed the Commissioners' attention to reduction of the zoning buffers to ten feet.

Commissioner Bauer expressed concern about the warehouse being metal-sided and whether it will be seen from Canal Road. He expressed that the proposal is for a large building being located in a small space. Gregg Scott said the warehouse is 200 feet off the road, with landscaping to enhance the location.

Commissioner Mitchell expressed concern about the reduction of the zoning buffers.

Commissioner Smith questioned why the warehouse building is showing two tenant spaces. John Price, applicant's attorney, said one side of the building will be for the ABC warehouse and the other for future storage. He said metal siding is required by the ABC board for all of their buildings.

Commissioner Simpson said this project will cause a life safety issue on Canal Road due to the location of the driveway.

John Price said the applicant will consider constructing a wall along the residential property lines. Kit Alexander said the zoning ordinance requires an 8-foot wall with the exception of the wall located within the front yard setback being no taller than 4 feet due to visibility concerns.

Chairman Stuart called for a motion.

Motion to recommend approval of the Planned Unit Development to City Council subject to staff comments and no ABC sign on Canal Road, the ABC facility to be wholesale only, 23 additional trees, dumpster relocation to a central location, an 8-foot wall and landscaping within the zoning buffers with the wall to be 4 feet tall in the front yard setback.

Motion made and seconded (Mitchell/Bauer) Commissioner Jeffries, no; Commissioner Mitchell, no; Vice Chairman Lindsey, no; Commissioner Smith, no; Commissioner Robertson, no; Commissioner Wilson, no; Commissioner Bauer, no; Chairman Stuart, no.

Not Approved (9-0).

I. SITE PLAN REVIEWS

1. Case No. 0101-SP-23, OSO Early Restaurant Kitchen Expansion

Robertson Commercial requests approval of **Site Plan Review** to expand the kitchen more than 400 square feet at the OSO Early Restaurant. The property is located at 27370 Canal Road in the MR (Marine Resort) zoning district. Griffin Powell presented to the Planning Commission.

Wayne Peterson, owner of property, stated he is available to answer any questions.

Motion to approve the Site Plan subject to staff comments.

Motion made and seconded (Robertson/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. **Approve (9-0).**

2. Case No. 0102-SP-23, Orange Beach Store

Orange Beach Store, on behalf of AGLC LLC, requests approval of **Site Plan Review** to construct a 7,000-SF commercial building at the northwest corner of the intersection of Orange Beach Boulevard and Perdido Beach Boulevard at The Shoppes at Palm Pointe. The property is located at 25777 Perdido Beach Boulevard in the GB (General Business) zoning district. Commissioner Robertson recused himself and left the room. Griffin Powell presented to the Planning Commission.

Paul Marchuk, Jade Engineering, stated he is available to answer any questions.

Commissioner Mitchell expressed concerns that the proposed store parking will be used for CoastAL patrons and employees. Cameron Price said the parking will be designated for the store only. They intend to enforce store parking to the best of their ability.

Cameron price stated the owner will be requesting a variance for the proposed roof-top sign from the Board of Adjustment.

Chairman Stuart called for a motion. After the vote he asked Commissioner Robertson to come back to the meeting.

Motion to approve the Site Plan 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 Wilson, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

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 December 12, 2022.* Griffin Powell stated the applicant did not make deadline and the case needs to be deferred.

Motion to defer the item to the February 13, 2023 Planning Commission meeting.

Motion made and seconded (Simpson/Mitchell) 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. **Approve (9-0).**

2. **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. *Deferred from Regular Meeting on December 12, 2022.* Griffin Powell stated the applicant did not make deadline and the case needs to be deferred.

Motion to defer the item to the February 13, 2023 Planning Commission meeting.

Motion made and seconded (Mitchell/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. **Approve (9-0).**

K. OTHER BUSINESS

1. Request for a 12-month extension for Case No. 0202-SD-22, Summer Salt Phase 2 Subdivision.

Motion to extend the Preliminary Plat approval for 12 months.

Motion made and seconded (Bauer/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. **Approve (9-0).**

L. PUBLIC COMMENTS

M. ADJOURN

Adjourned at 5:16PM

Kit Alexander

Robert Stuart, Chairman

**NOTE: THESE DRAFT MINUTES HAVE NO LEGAL STATUS UNTIL APPROVED
BY THE BOARD OF COMMISSION FROM WHICH THEY ARE TAKEN**



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



Orange Beach Planning Commission
 Meeting – February 13, 2023

Case No. 1102-SD-22
Bickers Acres, Resubdivision of Lot 4 of the Resubdivision of Bickers Acres
Preliminary Major Subdivision

Owner/Applicant: KO Investments LLC, Greg Kennedy (Owner/Applicant)
 P.O. Box 6971, Gulf Shores, AL 36547
 (251) 968-7447, gregkennedyinc@gmail.com

Address of Property:
 5211 Carleton Lane North

Tax Parcels:
 05-62-07-37-0-005-057.000

PPIN:
 18826

I. GENERAL INFORMATION

Request: Preliminary Major Subdivision

KO Investments LLC requests approval of preliminary major subdivision to subdivide Lot 4, Resubdivision of Bickers Acres, into two lots.

Location: Lot 4 is located south of Lots 1-3 of the Resubdivision of Bickers Acres on Sampson Avenue. This lot presently contains a single-family house that was constructed in 1974. This lot fronts on Carleton Lane North, which is an unimproved right-of-way (ROW) that will be improved so that the proposed southerly lot will have access to Sampson Avenue.

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

Present Use: Vacant

Future Land Use: Neighborhood Preservation
The proposed plat will subdivide Lot 4 into two lots. Single-family houses will be constructed. The proposed plat is consistent with the designated land use on the Future Land Use Map.

Surrounding Land Use and Zoning:
North: Single-Family Residential, RS-1 (Single-Family Residential)
South: Single-Family Residential, RS-1 (Single-Family Residential)
East: Single-Family Residential, Undeveloped, Orange Beach United Methodist Church, RS-1 (Single-Family Residential)
West: Single-Family Residential, RS-1 (Single-Family Residential)

Special Districts: **Overlay Zoning:** Restricted Height Overlay District
Neighborhood District: East Orange Beach
Airport Zone: Precision Instrument Approach
Flood Zone: X

Nearby Streets: Lot 4 fronts on the northern part of the Carleton Lane ROW. There is presently a gravel driveway from Sampson Avenue that runs along the east sides of Lot 3 and Lot 4 for 170 feet. The applicant will extend the driveway to the south by roughly 100 feet so that the proposed Lot B or southerly lot will have access to Sampson Avenue.

Site History:

<i>Date</i>	<i>Description</i>
November 2017	Planning Commission approved the preliminary and final minor plat to subdivide a 2.12-acre lot into four lots, with three lots fronting on Sampson Avenue. <i>(Case No. 1101-SD-17)</i>
April 2018	The property owner at the time submitted a request for preliminary and final minor plat to subdivide Lot 4 from the November 2017 plat into two lots. Due to staff requesting improvements to the Carleton Lane North right-of-way for access to Sampson Avenue, the property owner pulled the application from consideration. <i>(Case No. 0401-SD-18)</i>
April 2019	The current owner, KO Investments LLC, applied for preliminary and final minor plat to subdivide the 2.12-acre lot into four lots, with three lots fronting Sampson Avenue. It appears the plat approved from November 2017 by the previous owner was not recorded with the Baldwin County Probate Office. The Planning Commission approved this plat request. <i>(Case No. 040-SD-19)</i>

II. PLAT REVIEW

<i>Review/Item</i>	<i>Compliance</i>	<i>Comments</i>
<u>Application Completeness</u> It is the intent of the Planning Commission to hear only those applications which have fully complied with all requisite application requirements. <i>(Subdivision Regulations, Section 3.6)</i>	Yes	All items required for application completeness have been submitted.
<u>Zoning Requirement (Minimum Lot Area)</u> It is the intent of the Planning Commission to hear only those applications which have fully complied with all requirements of the Zoning Ordinance, No. 172 as amended. <i>(Subdivision Regulations, Section 3.6)</i> The minimum lot area in the RS-1 zoning district is 9,000 square feet. <i>(Zoning Ordinance, Section 4.02)</i>	Yes	The plat complies. Lot A will have a lot area of 28,300 SF or 0.65 acres, and Lot B will have a lot area of 28,352 SF or 0.65 acres.
<u>Zoning Requirement (Minimum Lot Width)</u> It is the intent of the Planning Commission to hear only those applications which have fully complied with all requirements of the Zoning Ordinance, No. 172 as amended. <i>(Subdivision Regulations, Section 3.6)</i> The minimum lot width in the RS-1 zoning district is 75 feet. <i>(Zoning Ordinance, Section 4.02)</i>	Yes	The plat complies. Lot A will have a lot width of 99 feet, while Lot B will have a lot width of 98 feet.

<p>Utility Services The proposed lots will be served by potable water, sewer and electrical service. (<i>Subdivision Regulations, Sections 3.1.1 (a), 3.2.1 (a), and 3.1.1. (a)</i>)</p>	Yes	All required utilities will be provided to the lots. The plans will need to be amended to show the utilities being provided directly from the Carleton Lane ROW instead of the utility easements on the private lots.
<p>Minimum Public Roadway The proposed lots will have the minimum public roadway access as required by code. (<i>Subdivision Regulations, Sections 3.1.1. (b) and 3.2.1 (b)</i>)</p>	Yes	Both lots front on the Carlton Lane North ROW. There is presently a gravel driveway from Sampson Avenue that runs along the east sides of Lot 3 and Lot 4 for 170 feet. The applicant will extend the driveway to the south by roughly 100 feet so that the proposed Lot B or southerly lot will have access to Sampson Avenue. The Fire Department is requesting that the width of the driveway be increased to 20 feet and be constructed to support a gross weight of at least 75,000 pounds.
<p>Flood Plain Requirement All new principal structures shall have a minimum Finish Floor Elevation (F.F.E.) of 12 inches above the centerline of the nearest paved or public street and comply with the minimum F.F.E. as required by the City of Orange Beach Flood Plain Prevention Ordinance, whichever is greater.</p>	Yes	This lot is located in the X flood zone. All new structures will comply with the City of Orange Beach Flood Damage Prevention Ordinance.
<p>Plat Requirement It is the intent of the Planning Commission to hear only those applications which have fully complied with the Subdivision Regulations, as amended. (<i>Subdivision Regulations, Section 3.6</i>)</p>	Yes	The preliminary plat complies with the Subdivision Regulations.

III. DESIGN REVIEW

- **Roadway:** There is presently a gravel driveway that is situated to the east of Lot 3 and the proposed Lot A. The length of the gravel driveway is 170 feet, and the width is 18 feet. This gravel driveway will be extended to the south by roughly 100 feet so that the proposed Lot B will have access to Sampson Avenue to the north. The Fire Department is requesting that the width of the driveway be increased to 20 feet and be constructed to support a gross weight of at least 75,000 pounds.
- **Water:** The plans show water services being provided to the proposed Lot A through a 5-foot utility easement between Lots 2 and 3 to the north. On the proposed Lot A, the plans show utility easements of 5 feet on the north side and 10 feet on the east side along Carleton Lane providing water services to the proposed Lot B. The plans will need to be amended to show the utilities being provided directly from the Carleton Lane ROW instead of the utility easements on the private lots.
- **Sewage Collection and Treatment:** The plans show sewer services being provided to the proposed Lot A through a 5-foot utility easement between Lots 2 and 3 to the north. On the

proposed Lot A, the plans show utility easements of 5 feet on the north side and 10 feet on the east side along Carleton Lane providing sewer services to the proposed Lot B. The plans will need to be amended to show the utilities being provided directly from the Carleton Lane ROW instead of the utility easements on the private lots.

- **Electricity:** Baldwin EMC has indicated that they will provide electrical power to the two lots.

IV. STAFF COMMENTS

1. This request is for preliminary plat approval only. Once the improvements have been installed or bonded, the application will need to apply for final plat approval.
2. The Fire Department have the following comments regarding the roadway improvements: (a) providing an approved turn around in accordance with appendix D in the IFC; (b) the width of the roadway shall be 20 feet; and (c) the roadway support a gross weight of at least 75,000 gross pounds.
3. The plans show the utility and sewer lines in a private easement between Lots 2 and 3 serving the two new lots for this plat. The two new lots can be serviced directly from the Carleton Lane right-of-way (ROW). The plans will need to be amended to show services being provided directly from the Carleton Lane ROW.

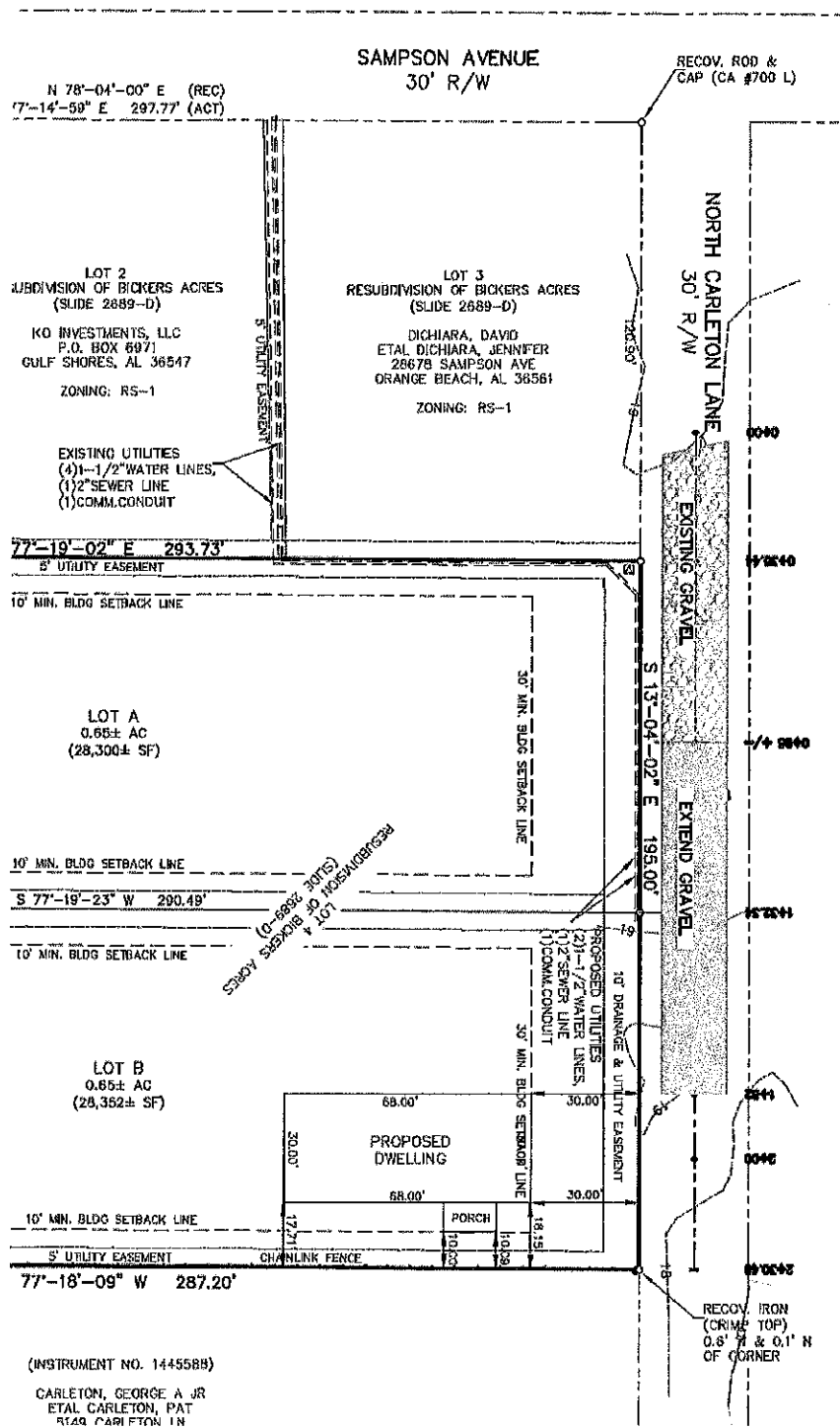
V. PLANNING COMMISSION ACTION

1. **APPROVE** the requested preliminary and final plat to subdivide Lot 4, Resubdivision of Bickers Acres, into two lots.
2. **DISAPPROVE** the requested preliminary and final plat with explanation.
3. **CONDITIONALLY APPROVE** the requested preliminary and final plat with modifications.

STAFF CONDITIONS:

1. The plans show the utility and sewer lines in a private easement between Lots 2 and 3 serving the two new lots for this plat. The two new lots can be serviced directly from the Carleton Lane right-of-way (ROW). The plans will need to be amended to show services being provided directly from the Carleton Lane ROW.
2. This subdivision will require final plat approval.
3. Providing an approved turn around in accordance with appendix D in the IFC.
4. The roadway width shall be 20 feet.
5. The roadway shall support a gross weight of at least 75,000 gross pounds.

Proposed Improvements





Bickers Acres Resub of Lot 4 1102-SD-22

Aerial



February 2023





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



Orange Beach Planning Commission
Meeting – February 13, 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

Address of Property: 26480 Perdido Beach Blvd.	Tax Parcels: 05-65-02-09-0-002-071.000	PPIN: 18196
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I. GENERAL INFORMATION

Request: Preliminary and Final PUD Approval

Lucido Engineering and Surveying LLC, on behalf of Rodney Jones, requests recommendation to City Council for 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.

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. (Case No. 0503-PUD-04)
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. (Case No. 0804-PUD-04)
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 which 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 impervious 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. PLANNING COMMISSION ACTION

1. Recommend to City Council **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. Recommend to City Council **APPROVAL WITH CONDITIONS** of preliminary and final PUD.

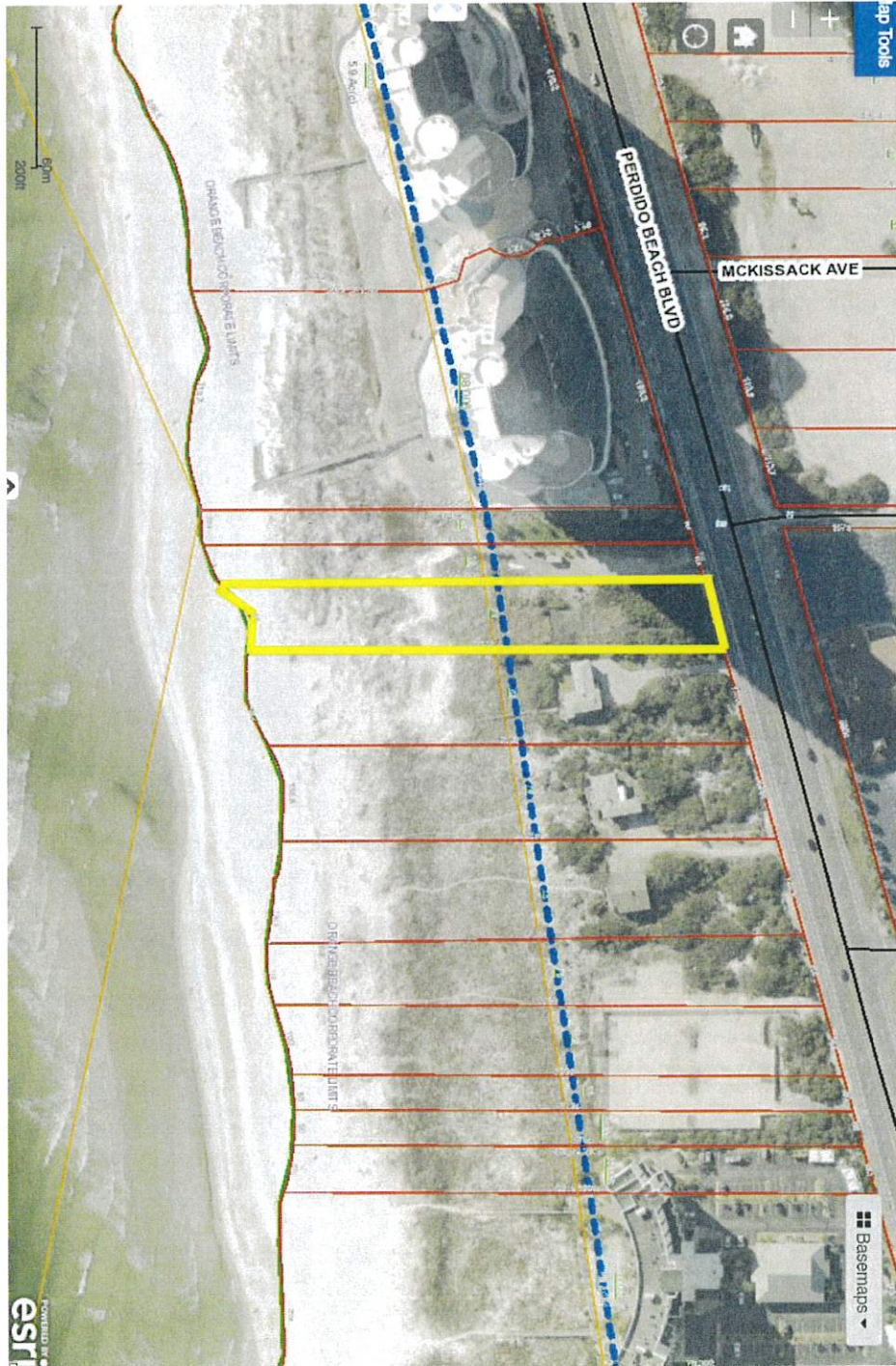
STAFF CONDITIONS:

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.

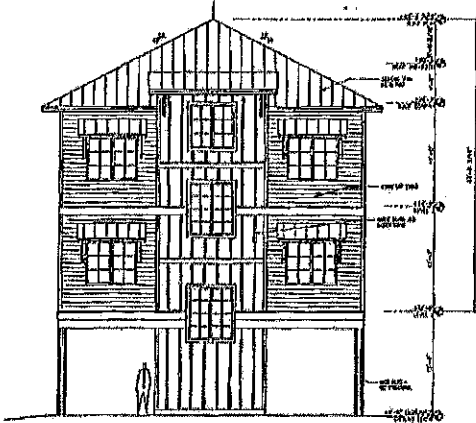
9. The proposed project will require a Coastal Permit.
 10. The landscape plan provided did not include a tree survey. Applicant should provide a tree survey and amend the landscape plan to reflect tree mitigation requirements if necessary.
3. Recommend to City Council **DENIAL** of preliminary and final PUD.

VIII. MAPS & PLANS

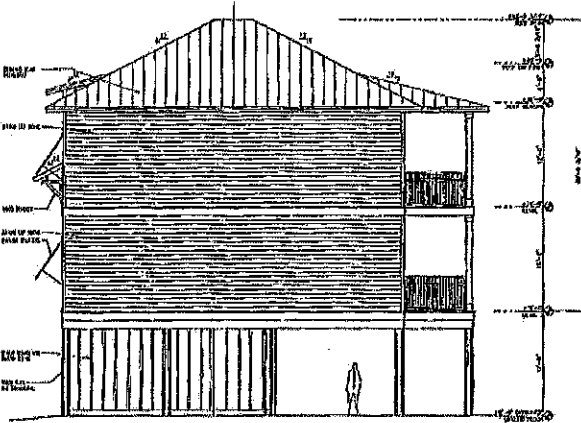
Aerial Map



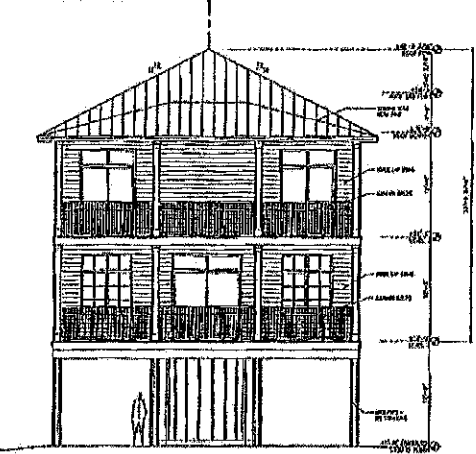
Elevations of the Single-Family Houses



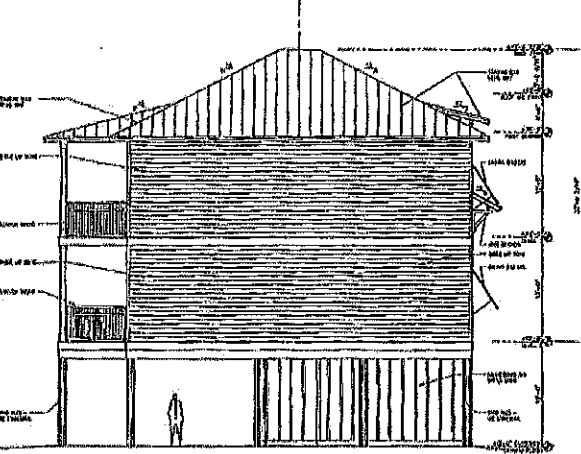
① FRONT (EAST) ELEVATION



② SIDE (NORTH) ELEVATION

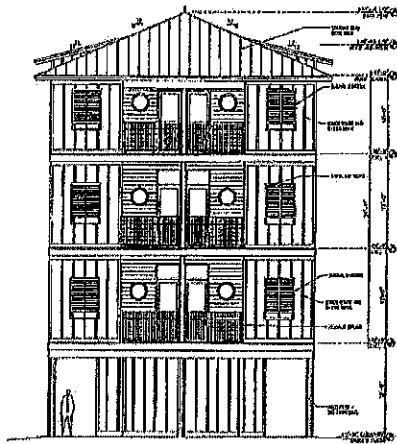


③ REAR (WEST) ELEVATION

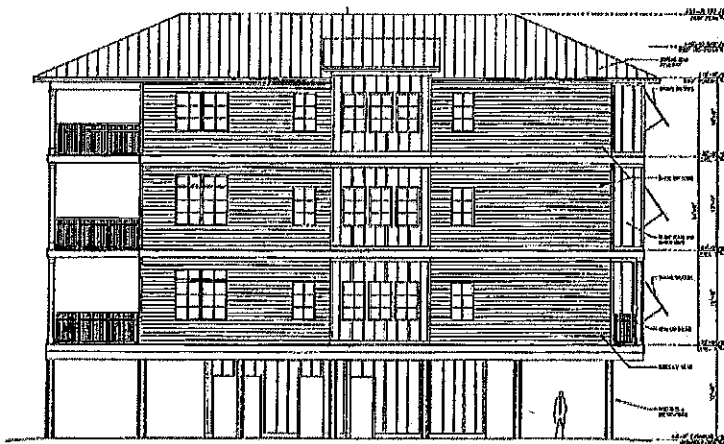


④ SIDE (SOUTH) ELEVATION

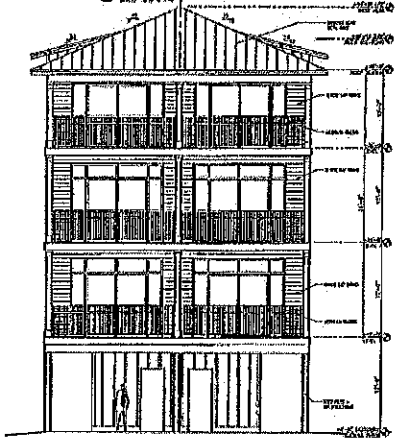
Elevations of the Duplexes



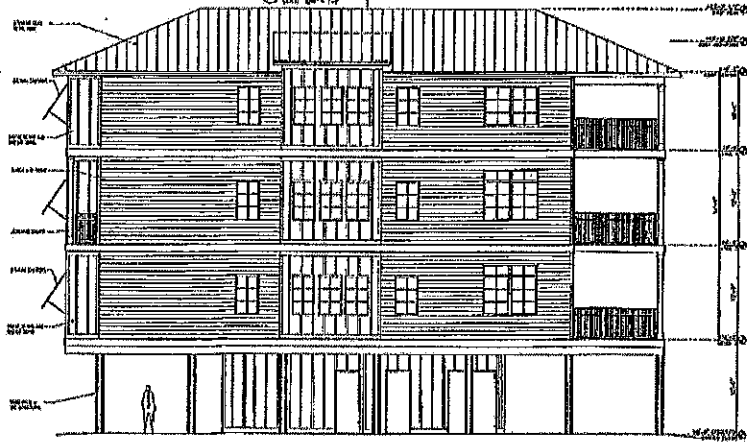
① NORTH ELEVATION



② EAST ELEVATION



③ SOUTH ELEVATION



④ WEST ELEVATION

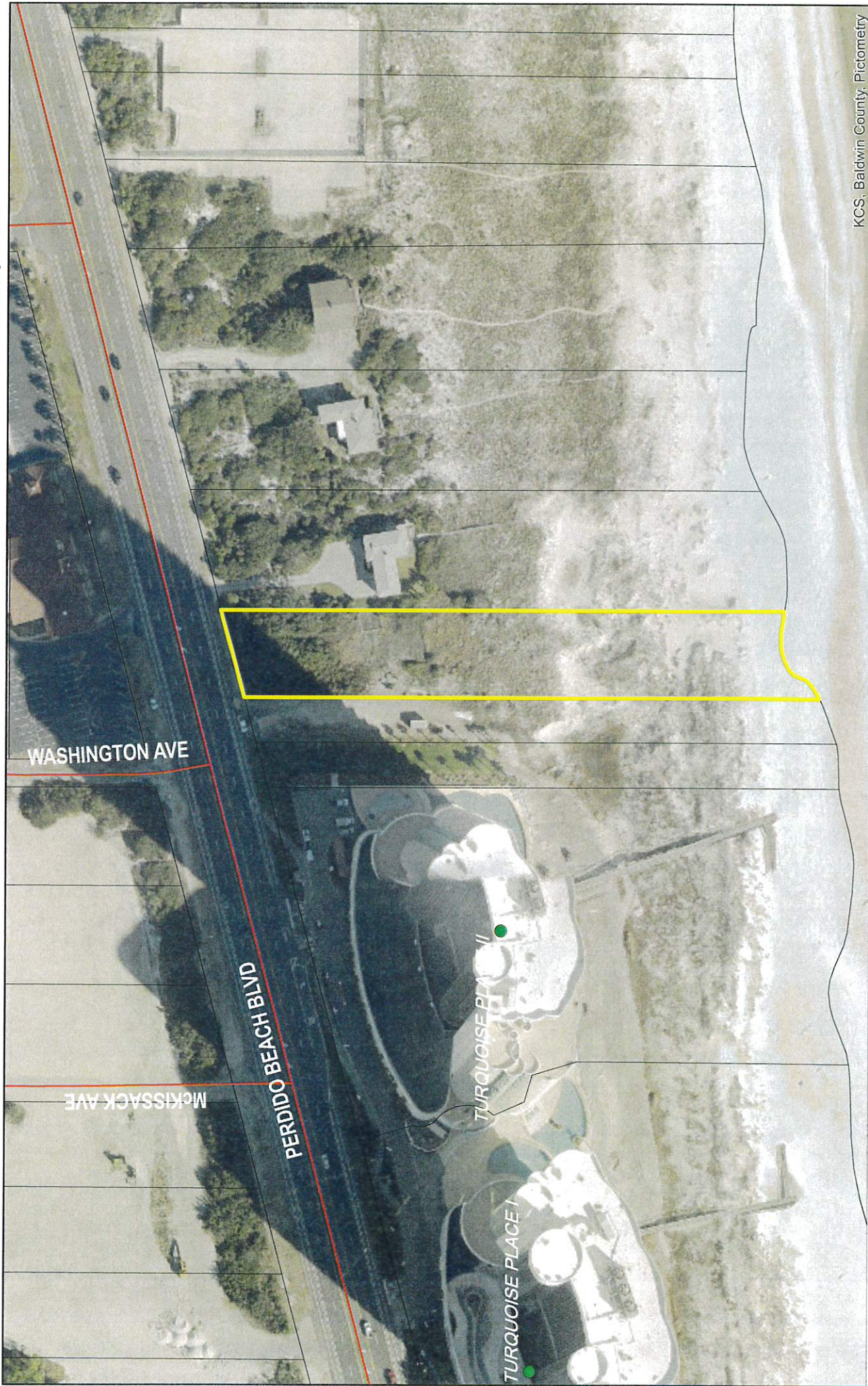


Jones Duplexes PUD 1205-SD-22 Aerial



0 100 200 Feet

February 2023





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



Orange Beach Planning Commission
Meeting – February 13, 2023

Case No. 0201-SD-23
Lost Bay Townhomes, A Subdivision of Parcel A and Parcel C
Preliminary/Final Minor Subdivision Approval

Owner/Applicant: Alva Gordon Barnhill, Phillip Barnhill (Owner)
P.O. Box 644, Robertsedale, AL 36567
(251) 979-7507, barnhpg@yahoo.com

Engineering Design Group, David Diciara (Applicant)
1000 East Laurel Ave., Foley, AL 36535
(251) 943-8960, diciara@edgalabama.com

Property Address:	Tax Parcels:	PPIN:
Canal Rd.	05-65-03-05-0-000-059.001	58938
	05-65-03-05-0-000-062.000	47431

I. GENERAL INFORMATION

Request: Preliminary/Final Minor Subdivision Approval

Engineering Design Group, on behalf of Alva Gordon Barnhill, requests approval of preliminary and final minor subdivision to combine two lots into one lot.

Location: This undeveloped property covers 27.8 acres located south of the Brett/Robinson Laundry Facility and Posh Interiors and west of The Island Church. The entrance onto the property is an undeveloped section on Canal Road between Posh Interiors and Advanced Marine & Power Service.

Present Zoning: GB (General Business)

Present Use: Undeveloped

Future Land Use: Commercial High Intensity (present)
Residential Mixed (proposed)
The proposed plat for the combination of two lots will accommodate a multi-family residential development. Also, on the February 2023 agenda for the Planning Commission is a request to change the land use designation for this property from Commercial High Intensity to Residential Mixed, as multi-family

residential developments are a common feature in the Residential Mixed land use designation.

Surrounding Land Use and Zoning: **North:** Brett/Robinson Laundry Facility, Morgan Boat Storage, Dollar General, Posh Interiors, Advanced Marine & Power Service, GB (General Business)
South: Undeveloped, MHS (Mobile Home Subdivision)
East: The Island Church, RS-1 (Single-Family Residential)
West: Vacant, GB (General Business); Single-Family Residential, RS-1 (Single-Family Residential)

Special Districts: **Overlay Zoning:** Restricted Height Overlay District
Neighborhood District: Northwest Orange Beach
Airport Zone: Precision Instrument Approach
Flood Zone: X-Shaded, X

Nearby Streets: This property fronts on Canal Road between Posh Interiors and Advanced Marine & Power Service

Site History:

<i>Date</i>	<i>Description</i>
November 2015	City Council approved the rezoning of this property from RS-1 to GB. (Case No. 1002-RZ-15)
October 2022	Planning Commission approved the site plan review to construct a multi-family residential development on 27.8 acres consisting of 14 buildings and 82 units. (Case No. 1007-SP-22)

II. PLAT REVIEW

<i>Review/Item</i>	<i>Compliance</i>	<i>Comments</i>
Application Completeness It is the intent of the Planning Commission to hear only those applications which have fully complied with all requisite application requirements. (Subdivision Regulations, Section 3.6)	Yes	All items required for application completeness have been submitted.
Zoning Requirement (Minimum Lot Area) It is the intent of the Planning Commission to hear only those applications which have fully complied with all requirements of the Zoning Ordinance, No. 172 as amended. (Subdivision Regulations, Section 3.6) The minimum lot area in the GB zoning district is 20,000 square feet. (Zoning Ordinance, Section 4.02)	Yes	The plat complies. The combination of Parcel A and Parcel C will cover 27.82 acres or 1,211,840 square feet.
Zoning Requirement (Minimum Lot Width) It is the intent of the Planning Commission to hear only those applications which have fully complied with all requirements of the Zoning Ordinance, No. 172 as amended. (Subdivision Regulations, Section 3.6) The minimum lot width in the GB zoning district is 50 feet. (Zoning Ordinance, Section 4.02)	Yes	The plat complies. The combination of Parcel A and Parcel C will have a lot width of 167 feet measured from Canal Road.
Utility Services The proposed lots will be served by potable water, sewer and electrical service. (Subdivision Regulations, Sections 3.1.1 (a), 3.2.1 (a), and 3.1.1. (a))	Yes	All required utilities will be provided to this property.

<p>Minimum Public Roadway The proposed lots will have the minimum public roadway access as required by code. <i>(Subdivision Regulations, Sections 3.1.1. (b) and 3.2.1 (b))</i></p>	Yes	This property fronts on Canal Road. The Lost Bay Townhomes will have a 24-foot wide roadway within the development providing access to Canal Road.
<p>Capital Improvements Minor plats shall not be required for the lots in the requested plats to meet the requirements of the Subdivision Regulations. <i>(Subdivision Regulations, Sections 3.1.1 (d) and 3.2.1 (d))</i></p>	Yes	This is a minor plat. Capital improvements are not required for this plat to comply with the Subdivision Regulations.
<p>Flood Plain Requirement All new principal structures shall have a minimum Finish Floor Elevation (F.F.E.) of 12 inches above the centerline of the nearest paved or public street and comply with the minimum F.F.E. as required by the City of Orange Beach Flood Plain Prevention Ordinance, whichever is greater.</p>	Yes	This property is located in the X and X-Shaded flood zones. All new structures will comply with the City of Orange Beach Flood Damage Prevention Ordinance.
<p>Plat Requirement It is the intent of the Planning Commission to hear only those applications which have fully complied with the Subdivision Regulations, as amended. <i>(Subdivision Regulations, Section 3.6)</i></p>	Yes	The final plat submitted complies with the Subdivision Regulations.

III. STAFF COMMENTS

1. In October 2022 the Planning Commission approved the site plan review to allow for a multi-family residential development consisting of 14 buildings and 82 total unit covering 27.8 acres. One of the conditions of the approval was to combine the two lots into one lot to ensure single ownership of the townhome development.

IV. PLANNING COMMISSION ACTION

1. **APPROVE** the requested preliminary and final minor subdivision to combine two lots into one lot.
2. **DISAPPROVE** the requested preliminary and final minor subdivision with explanation.
3. **CONDITIONALLY APPROVE** the requested preliminary and final minor subdivision with modifications.

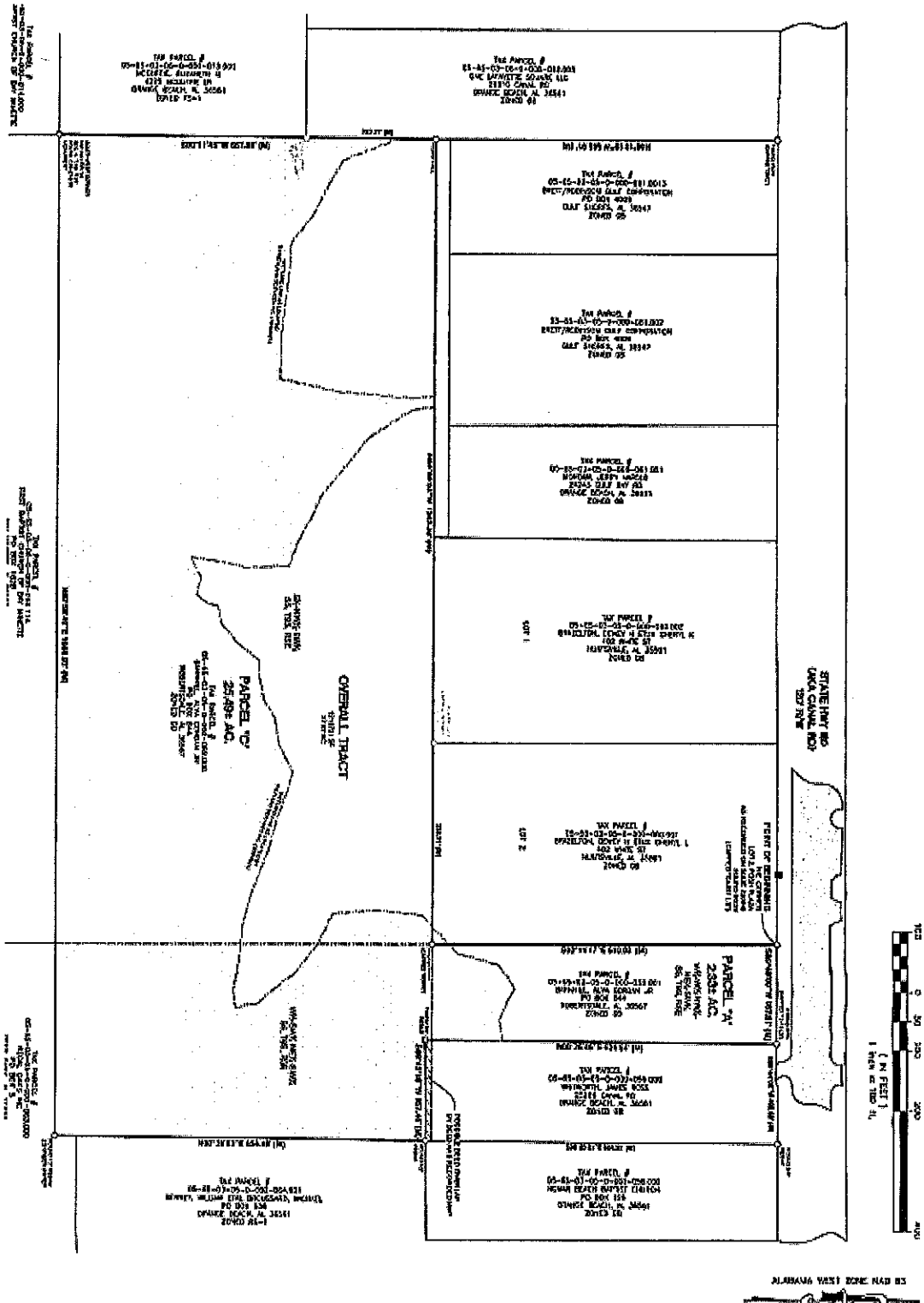
STAFF CONDITIONS: None

V. MAPS & PLANS

Aerial Map



Final Plat



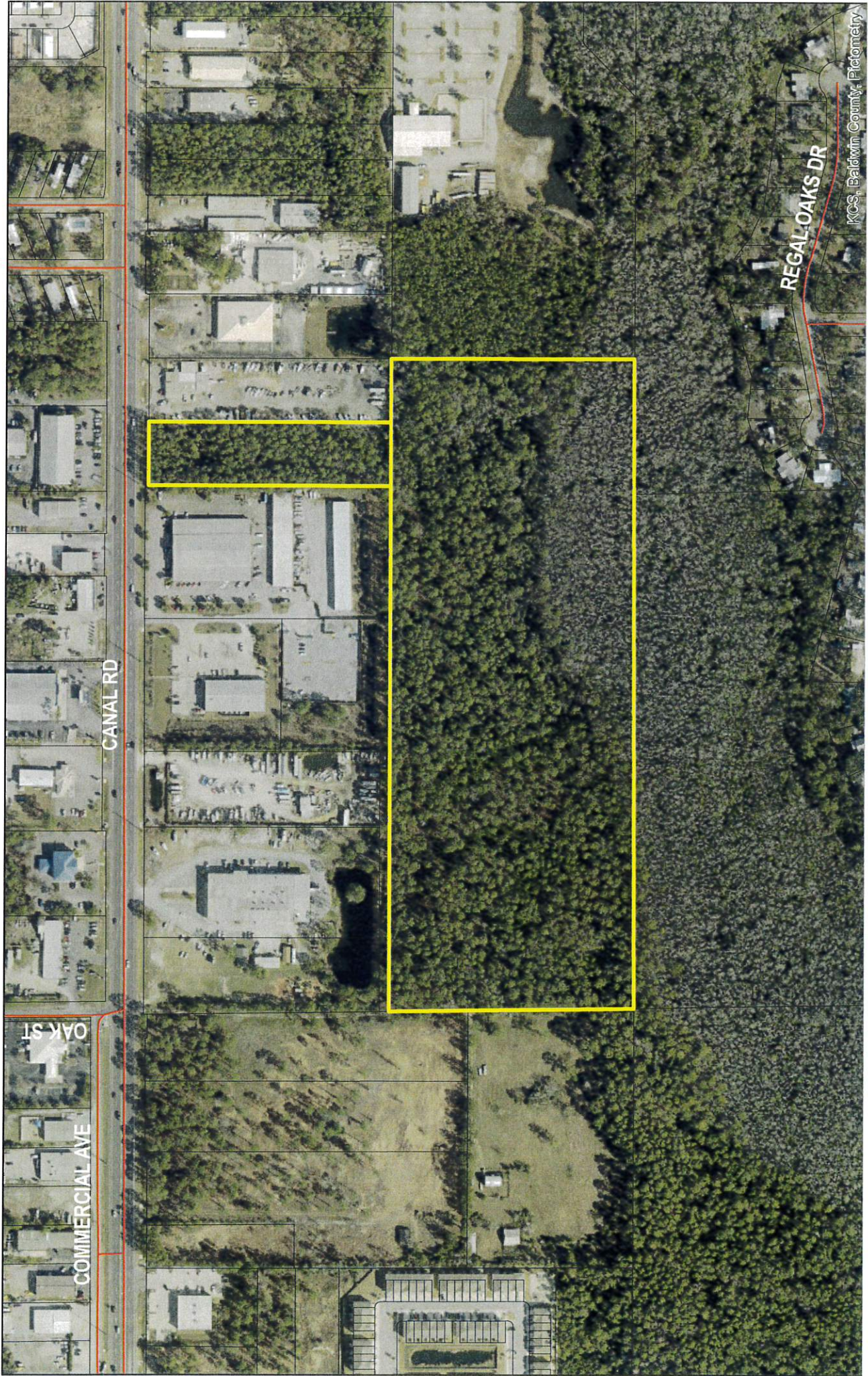


Lost Bay Townhomes, A Subdivision of Parcel A and C 0201-SD-23

Aerial



February 2023





Orange Beach Planning Commission
Meeting – February 13, 2023

Case No. 0202-CU-23
JPEM Duplex – 29110 Perdido Beach Boulevard
Conditional Use Approval

Owner/Applicant: JPEM LLC, Joey M. Parker (Owner/Applicant)
4864 Mill House Rd., Gulf Shores, AL 36542
(251) 269-8328, jmparker@southstatebank.com

Property Address:
29110 Perdido Beach Blvd.

Tax Parcels:
05-65-05-02-0-000-005.034

PPIN:
108243

I. GENERAL INFORMATION

Request: Conditional Use Approval

JPEM LLC requests recommendation to the City Council for approval of conditional use to construct a duplex on a beachfront lot located at 29110 Perdido Beach Boulevard in the Single-Family Residential (RS-1) zoning district.

Location: The vacant beachfront lot, located southwest of Jubilee Landing Condominium, is Lot 11 of the East Perdido Keys Subdivision, Phase 1 and is one of the former lots of the Verandas PUD project. Prior to Hurricane Ivan in September 2004, there was a single-family house on the lot.

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

Present Use: Vacant

Future Land Use: Residential Mixed
This land use designation provides for various housing types, including duplexes.

Surrounding Land Use and Zoning: **North:** Vacant, RM-2 (Multi-Family Residential High Density); Jubilee Landing Condominium, RS-2 (Single-Family Residential)
South: Gulf of Mexico
East: Vacant, RS-1 (Single-Family Residential)
West: Vacant, RS-1 (Single-Family Residential)

Special Districts: **Overlay Zoning:** Beach Overlay District
Neighborhood District: Beach Resort
Airport Zone: Precision Instrument Approach
Flood Zone: AE-11, VE-13

Nearby Streets: This lot fronts on Perdido Beach Boulevard.

Site History:

<i>Date</i>	<i>Description</i>
August 2005	City Council gave preliminary PUD approval to rezone the subject lot and other adjacent lots from RS-1 to PUD for two, 34-story condominium towers with a total of 336 units. The project was called The Verandas. (Case No. 0701-PUD-05)
November 2005	City Council gave final PUD approval for two, 34-story condominium towers with a total of 336 units. The project was called The Verandas. (Case No. 1005-PUD-05)
November 2006	City Council approves a 12-month extension.
December 2007	City Council approves a 12-month extension.
October 2008	City Council approves a 12-month extension.
October 2009	The Verandas PUD expired.
January 2010	City Council reverted the zoning of the subject lot and other adjacent lots from PUD back to RS-1.
September 2022	The applicant submitted a request to the Planning Commission for recommendation to the City Council for conditional use approval for a duplex on this lot. Planning Commission expressed concerns with the proposed parking layout and gave the request a negative recommendation. The applicant chose not to go to City Council and pulled the request. (Case No. 0801-CU-22)

II. BUILDING & SITE PLAN REVIEW

1. To apply for conditional use approval for a duplex, the request must meet the following requirements.

<i>Criteria</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Zoning	RS-1	RS-1	Yes
Lot Width	75 feet	75 feet	Yes
Lot Area	10,500 SF	24,828 SF	Yes
Location	Navigable Waterway or Arterial/Collector Roadway	Navigable Waterway and Arterial Roadway	Yes

2. The project will have the following setbacks.

<i>Setback</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Front	30 feet	79 feet	Yes
Rear	CCL or 20 feet	CCL	Yes
East Side	10 feet	10 feet, 6 inches	Yes
West Side	10 feet	12 feet	Yes

The project will also have exterior side stairs. The Zoning Ordinance permits exterior stairs to encroach up to 4 feet into the side setback and be at least 6 feet from the side lot line. The exterior stairs on the east side will be 7+ feet from the east side lot line, and the exterior stairs on the west side will be 8+ feet from west side lot line.

3. The duplex will have a total footprint coverage of 4,018 SF. The overall total living area for the duplex will be 8,876 SF, with each unit having 4,438 SF. The total under roof area for the duplex will be 14,640 SF, with each unit having 7,320 SF.
4. The duplex will have three habitable levels on top of a ground level for a total height of four stories. The building height, measured from grade to the mean height of the highest roof surface, will be 48 feet and 3 inches, which is under the 50-foot height limit for duplexes on the beach.
5. Each unit will have six sleeping rooms. The second and third habitable levels in the unit will each have three sleeping rooms.
6. Each unit is required to have six parking spaces. Underneath the building, each unit will have four parking spaces arranged in two tandem stacks with each stack having two parking spaces. Each unit will have two parking spaces located in the front setback area. Two parking spaces will be located on the east side of the driveway, and two parking spaces will be on the other or west side.
7. The predominant exterior building materials or cladding will be hardie lap siding. The front or north side will have hardi board with batten strips as its siding.

III. STAFF COMMENTS

1. Planning Commission had expressed concerns with the parking layout in the previous submission, which showed more than two parking spaces in the tandem stack underneath the building. In this submission, each unit will have four parking spaces arranged in two tandem stacks with each stack having two parking spaces. Each unit will also have two parking spaces located in the front setback area. Two parking spaces will be located on the east side of the driveway, and two parking spaces will be on the other or west side.
2. With the surface parking spaces being located in the front setback area, landscaping is needed between the parking spaces and the front lot line along Perdido Beach Boulevard to provide buffering and screening.
3. The conditional use approval shall terminate when one of the following occurs:
 - Termination of the site plan in accordance with Article 10.0310.
 - Transfer, lease or sale of the use permitted as a conditional use to another person, persons, or other entities.
 - Transfer, lease, or sale of the property on which the conditional use approval has been granted.
 - Any change to the conditions or requirements on which the conditional use was approved.
 - Rezoning.
4. The conditional uses shall not be transferrable, and conditional uses shall not be considered grandfathered under any circumstances.
5. No extensions of the conditional uses approval are permitted. The conditional use approval is good for 12 months after the date of approval by the City Council.
6. The project requires permits for Coastal Permitting and Perdido Key Beach Mouse.

7. Alabama Department of Transportation approval is required for the access onto Perdido Beach Boulevard.
8. A dune walkover will be required for proper access onto the beach.

IV. PLANNING COMMISSION ACTION

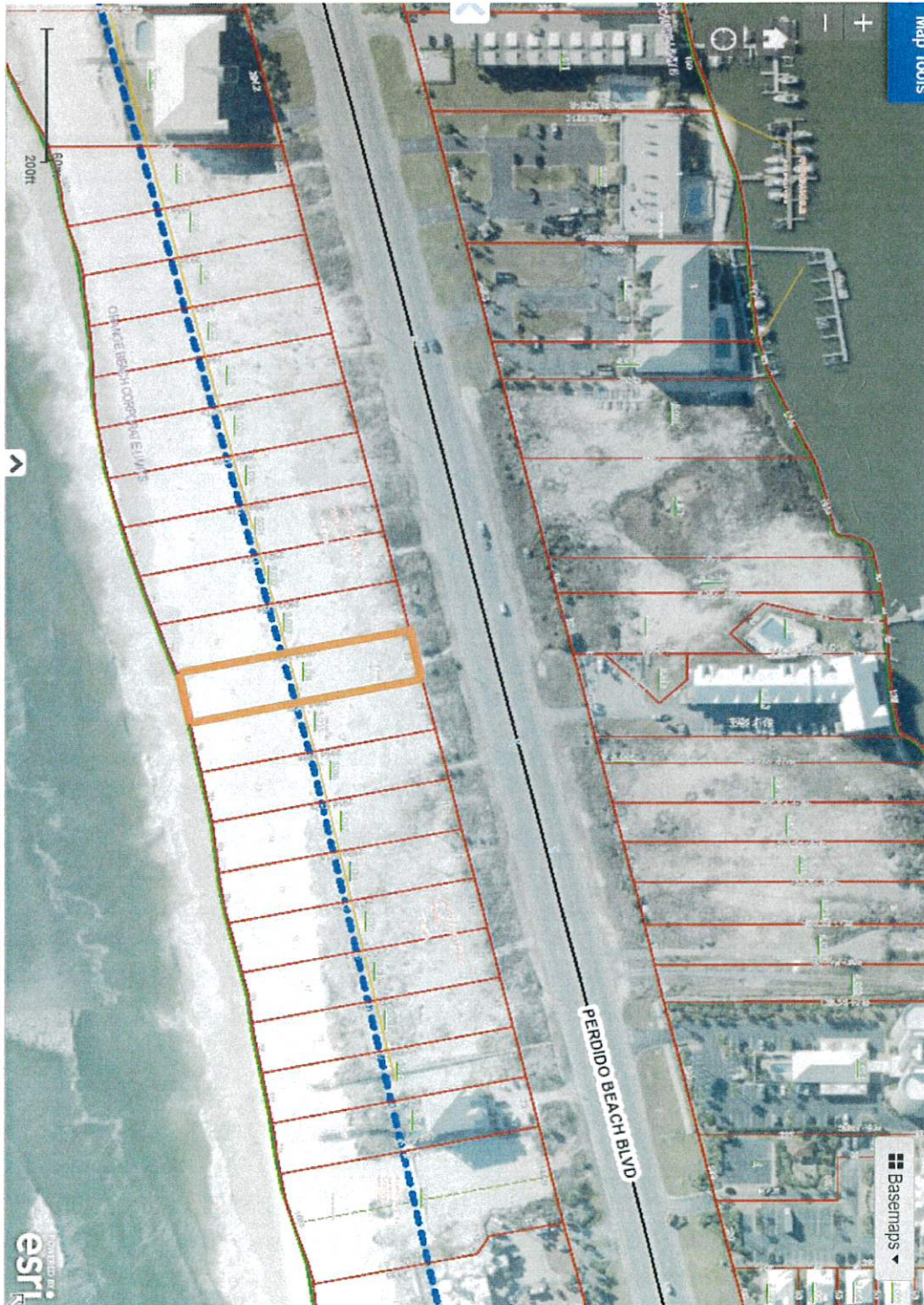
1. Recommend to City Council to **APPROVE AS SUBMITTED** the request for conditional use approval to construct a duplex on a beachfront lot located at 29110 Perdido Beach Boulevard in the Single-Family Residential (RS-1) zoning district.
2. Recommend to City Council to **APPROVE WITH CHANGES OR CONDITIONS** the request for conditional use approval.

STAFF CONDITIONS:

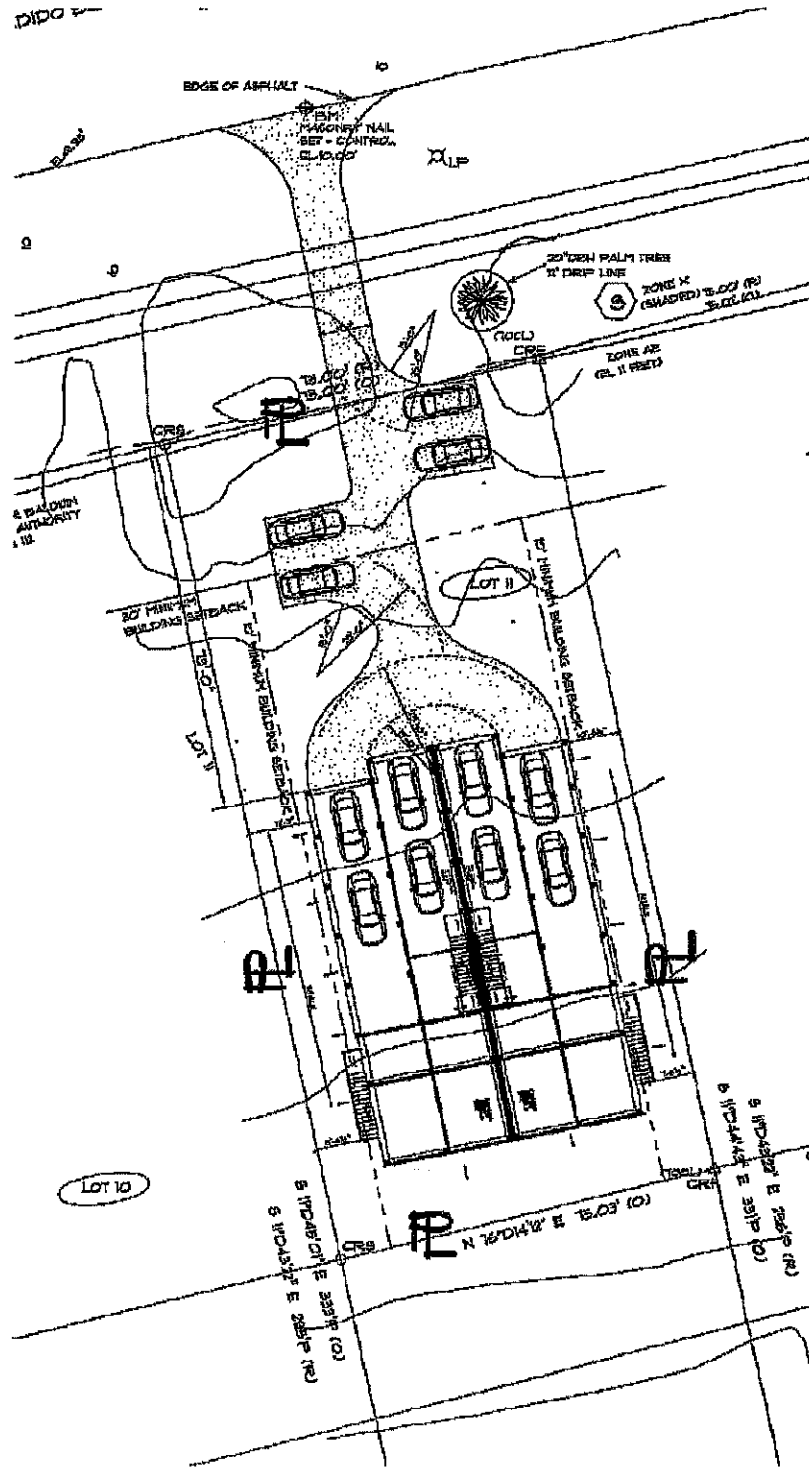
1. Landscaping is needed between the surface parking areas in the front setback and the front lot line along Perdido Beach Boulevard for buffering and screening.
 2. Obtaining approval from Alabama Department of Transportation (ALDOT) for the access onto Perdido Beach Boulevard.
 3. A dune walkover being required for proper access onto the beach.
 4. Perdido Key Beach Mouse Permit being required for construction on Perdido Key prior to any site construction commencing. Please contact City of Orange Beach Coastal Resources Department for additional information. PH: 251-981-1063.
 5. Coastal Permits being required for this project. Please contact City of Orange Beach Coastal Resources Department at 251-981-1063 for details on initiating consultation.
 6. A NFPA 13R sprinkler system will be required to be installed.
 7. The roadway shall hold a gross weight of no less than 75,000 gross pounds.
3. Recommend to City Council to **DISAPPROVE** the request for conditional use approval.

V. MAPS & PLANS

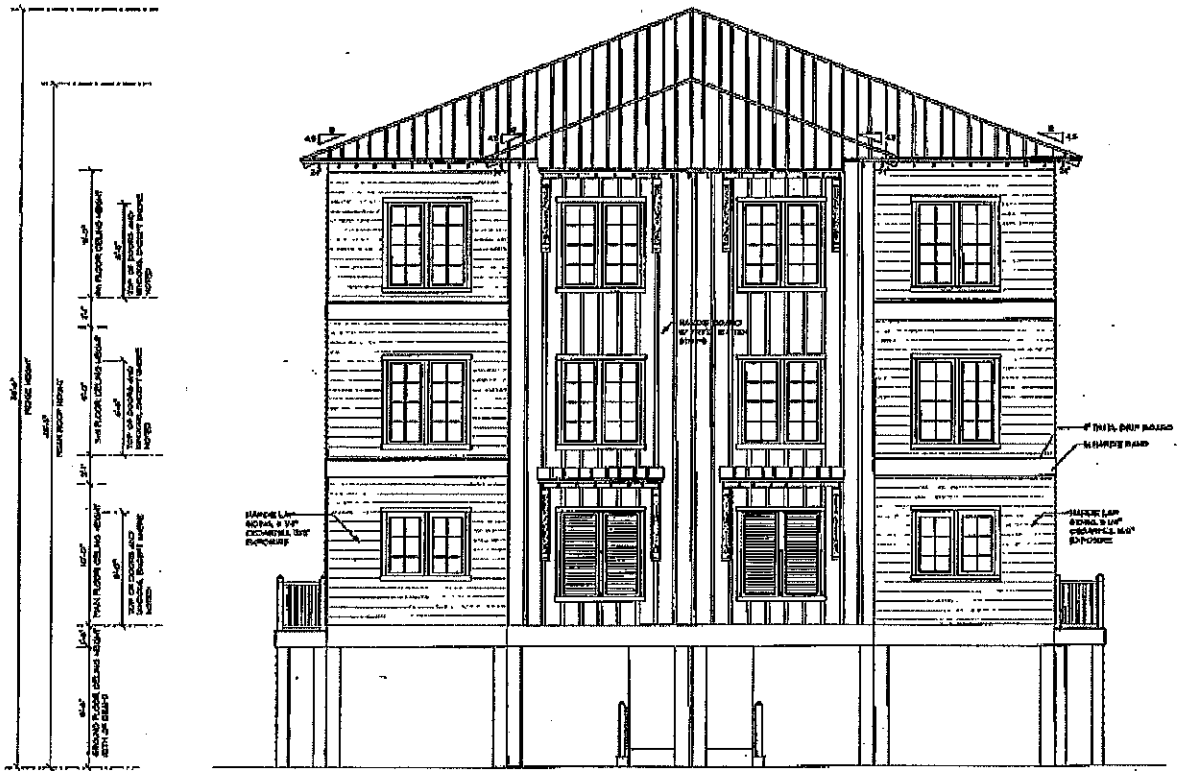
Aerial Map



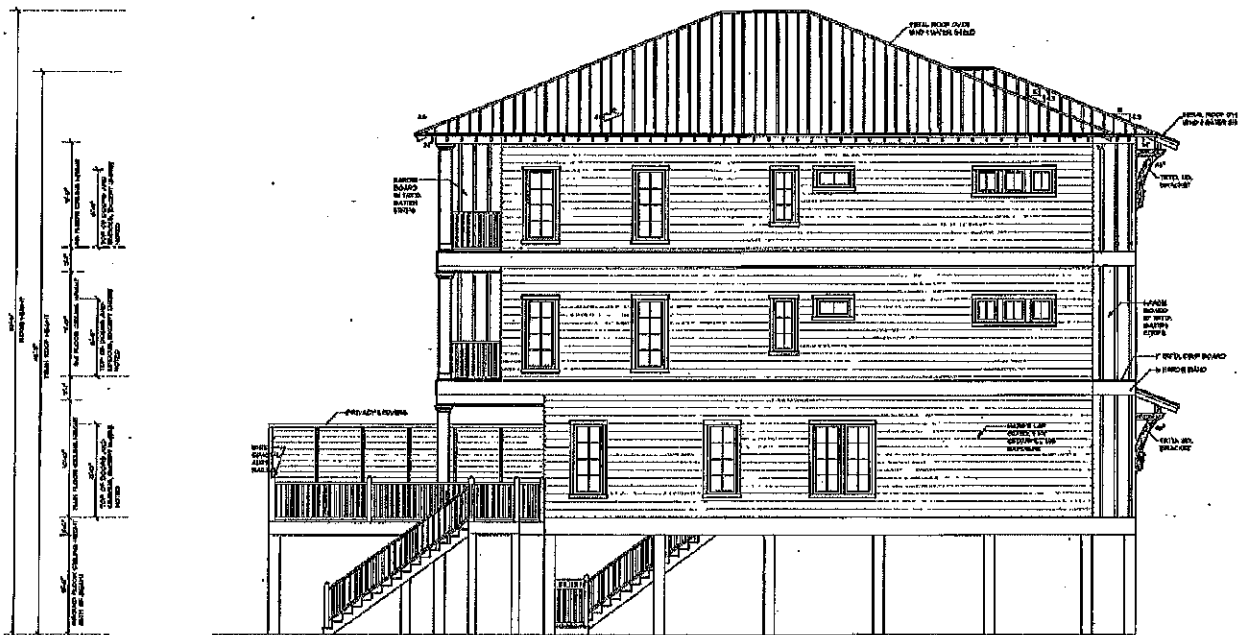
Site Plan



Front and Left Side Elevations



FRONT ELEVATION
SCALE 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"

JPEM Duplex 0202-CU-23

Aerial

February 2023





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



Memorandum

TO: Planning Commission

FROM: Griffin Powell, City Planner

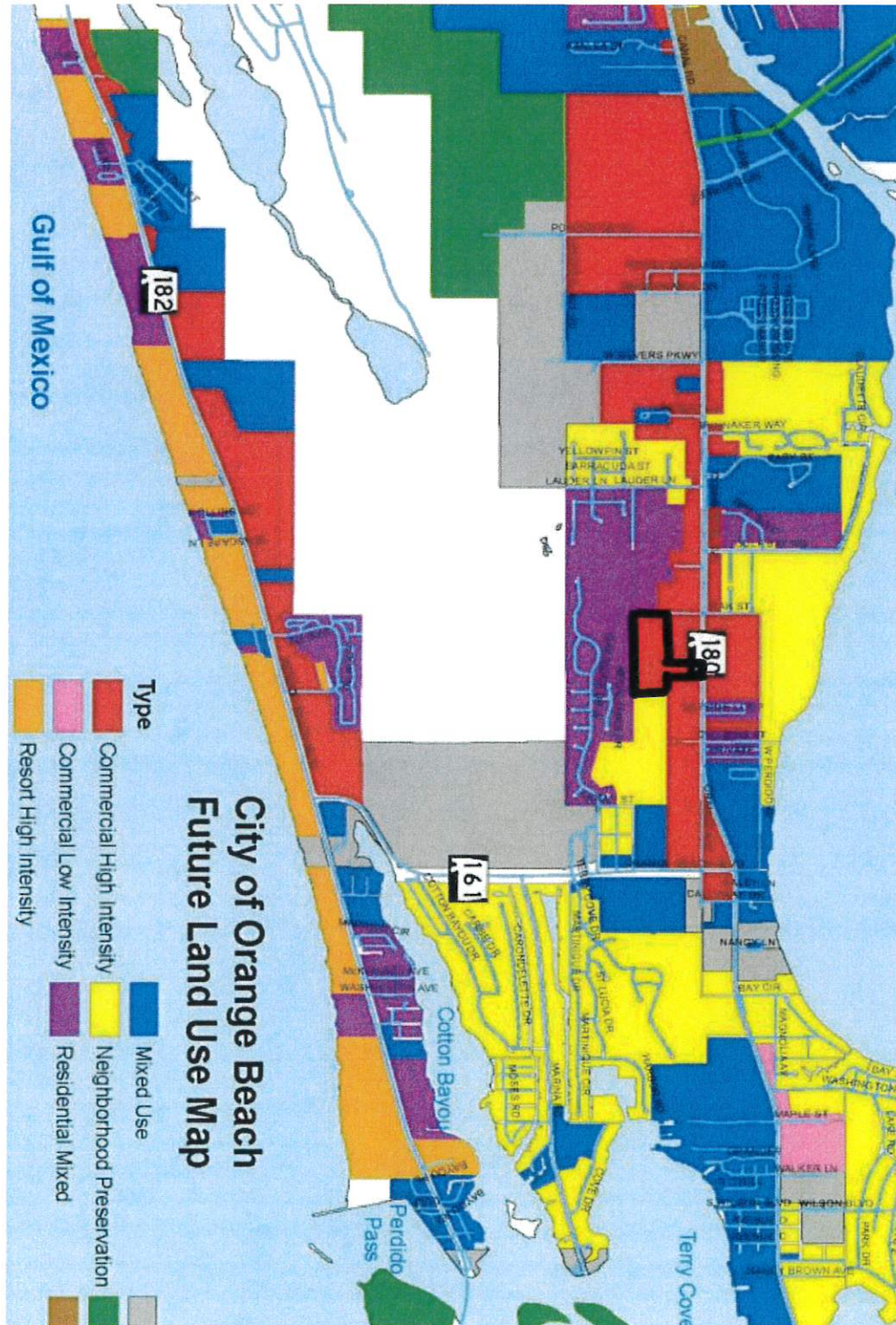
CC: Kit Alexander, Community Development Director
Sean Brumley, GIS Specialist
Sherri Descalzo, Planning Coordinator
Jamie Logan, City Attorney

DATE: February 13, 2023

SUBJECT: **Case No. 0204-CPA-23**
Comprehensive Plan Amendment
Future Land Use Map
Lost Bay Townhomes
Property PIN 58938, Property PIN 47431

1. The Community Development Department requests approval of a comprehensive plan amendment to change the Future Land Use Map (FLUM) land use designations for Property PIN 58938 and Property PIN 47431 from Commercial High Intensity to Residential Mixed.
2. In October 2022 the Planning Commission approved the site plan review for Lost Bay Townhomes (Case No. 1007-SP-22). The objective of this site plan review is to construct a multi-family residential development on the two parcels covering 27.8 acres and consisting of 14 buildings and 82 total units. The two parcels are zoned General Business (GB).
3. The FLUM presently designates the two parcels for Commercial High Intensity land uses. The Comprehensive Plan describes this land use designation as one providing general business areas that are important to the local tax base and located on major arterial roadways and around major intersections. This land use category provides a full range of office, retail and service establishments and some limited industrial uses. Residential uses are not recommended in this land use category.
4. One of the conditions of the site plan review in October 2022 was to amend the land use designations of the two parcels from Commercial High Intensity to Residential Mixed so that the Lost Bay Townhomes project will be consistent with the FLUM.
5. The Comprehensive Plan describes the Residential Mixed land use designation as one providing a variety of housing types, including single-family houses on standard and non-standard lots, duplexes, townhouses, mobile homes, and low-density multi-family residential developments. Some common features allowed are single-family houses, duplexes, patio/garden houses, townhouses, apartments, multi-family residential buildings, and mobile homes.

Future Land Use Map: The Lost Bay Townhomes project site is located in the black box area on this map. The red color denotes the current land use designation for Commercial High Intensity. With the approval of this amendment, the color will change to purple to indicate Residential Mixed.



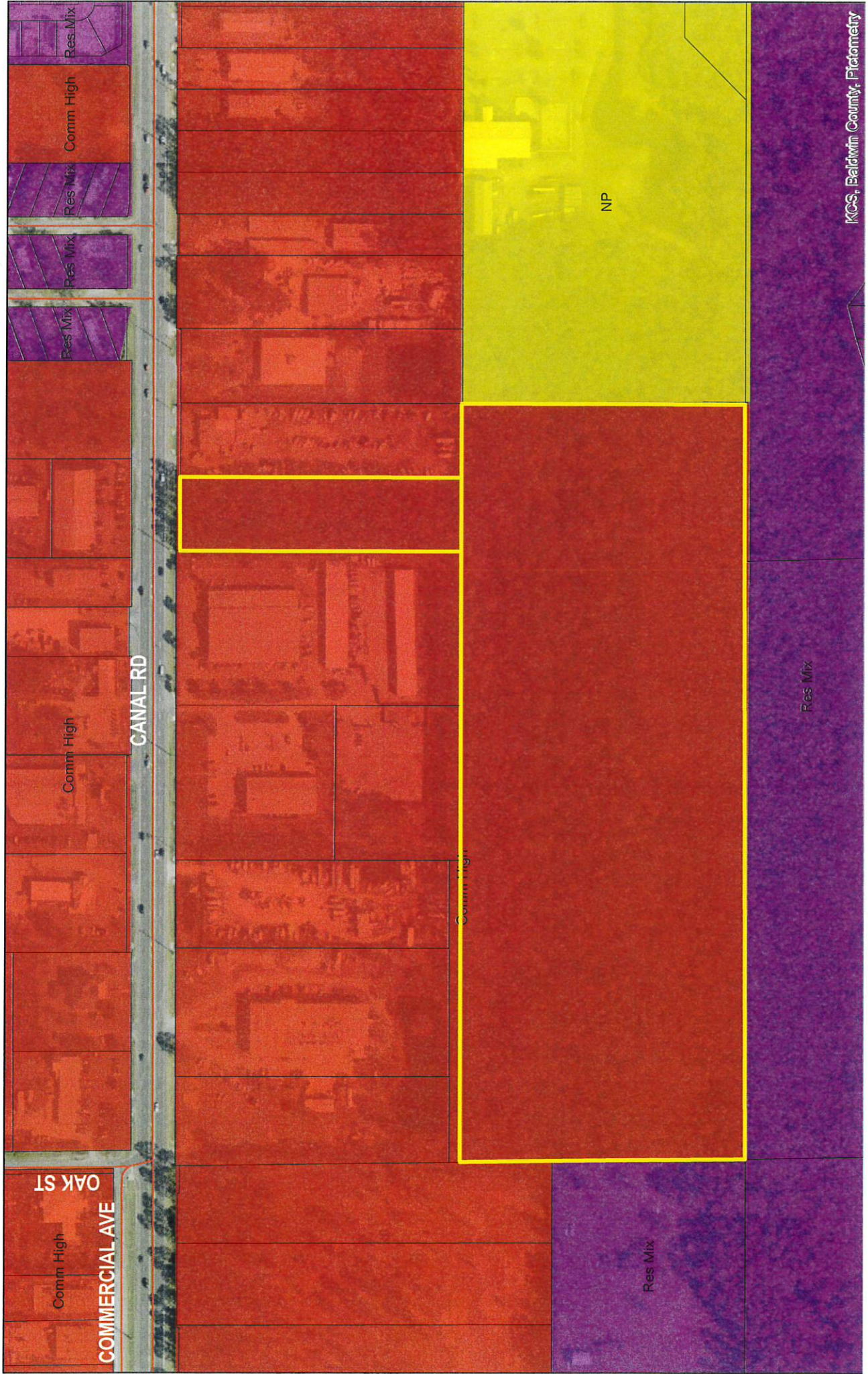


Comp Plan Amendment, PIN: 58938 & 47431 from Commercial High Intensity to Residential Mix

0204-CPA-23



February 2023





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



**Orange Beach Planning Commission
Meeting – February 13, 2023**

**Case No. 0107-SP-23
Orange Beach Board of Education Central Office
Site Plan Review**

Owner/Applicant: City of Orange Beach (Owner)
P.O. Box 458, Orange Beach, AL 36561
(251) 974-5398

Sawgrass Consulting LLC, Ercil E. Godwin (Applicant)
30673 Sgt. E.I. Boots Thomas Dr., Spanish Fort, AL 36527
(251) 544-7900, sawgrassadmin@sawgrassllc.com,
egodwin@sawgrassllc.com

Property Address: 4544 Orange Beach Blvd.	Tax Parcels: 05-65-02-04-2-001-052.000	PPIN: 66296
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I. GENERAL INFORMATION

Request: Site Plan Review

Sawgrass Consulting, on behalf of the City of Orange Beach, requests approval of site plan review to construct an office building for the Orange Beach Board of Education.

Location: This property is located on the east side of Orange Beach Boulevard between the Orange Beach Justice Center and the Circle K Convenience Store. The site was formerly home to a marine/auto supply store and also a boat sales office and yard. The City of Orange Beach purchased the property, and the Orange Beach Board of Education presently occupies the remodeled former marine/auto supply store building.

Present Zoning: GB (General Business)

Present Use: Orange Beach Board of Education Office

Future Land Use: Commercial High Intensity
Professional office buildings are a common feature in this land use designation, and this project complies with the Future Land Use Map.

Surrounding Land Use and Zoning: North: Circle K Convenience Store, GB (General Business)
 South: Orange Beach Justice Center, GB (General Business)
 East: Vacant, Undeveloped, GB (General Business)
 West: The Commons Shopping Center, Tom Thumb Convenience Store, GB (General Business)

Special Districts: **Overlay Zoning:** Restricted Height Overlay District
Neighborhood District: Gateway
Airport Zone: Precision Instrument Approach
Flood Zone: X

Nearby Streets: This property fronts on Orange Beach Boulevard. Callaway Drive is located on the rear side of this property. The project will have a driveway extending to Callaway Drive.

Site History:

<i>Date</i>	<i>Description</i>
July 2017	This property was part of a preliminary and final PUD approval request that the Planning Commission considered proposing to rezone 5.62 acres from GB to PUD for a commercial development containing a Rouses grocery store. The Planning Commission held a public hearing but deferred consideration of a recommendation to City Council to the August 2017 meeting to give the applicant time to modify the plans. The applicant later pulled the request from consideration. (Case No. 0704-PUD-17)

II. BUILDING & SITE PLAN REVIEW

- Density, Building Size, Building Setbacks, Building Height:** Pursuant to Section 4.02, 4.03 and 4.04 of the Zoning Ordinance, the following standards apply:

<i>Standards</i>	<i>Required/Allowed</i>	<i>Proposed</i>
Lot Area		159,102 SF
Building Footprint	89,098 SF	Existing – 7,155 SF, Proposed – 6,523 SF Total – 13,628 SF
Maximum Building Footprint Coverage	56%	8.6%
Gross Floor Area		13,628 SF
Floor Area Ratio		0.86
Building Footprint Setback	Front	30 feet
	Rear	30 feet
	North Side	10 feet
	South Side	10 feet
Building Height	50 feet	35 feet to peak

- The separation between the two buildings will be 62 feet. Whenever multiple buildings are proposed for a lot, the zoning ordinance requires the separation between the two side walls to be at least 20 feet.

2. **Parking:** Pursuant to Section 8.0101 of the Zoning Ordinance, the following parking standards apply:

Use	Unit of Measure	Required		Provided		
		Parking Ratio	Parking		Parking	
			Regular	HC	Regular	HC
Office Space	5,325 SF	1 per 280 SF	19			
Meeting Space	70 seats	1 per 4 seats	18			
Existing Building			12			
Regular & Handicapped Required & Provided			47	2	49	
TOTAL SPACES REQUIRED & PROVIDED			49		52	

- This property has a full-movement driveway onto Orange Beach Boulevard.
- The site plan shows a driveway connecting to Callaway Drive on the rear side of this property.

3. **Landscaping and Buffering:** Pursuant to Article 16 and Section 4.05 of the Zoning Ordinance, the following landscaping and buffering requirements apply:

- The site plan shows 82 percent of the site being preserved and landscaped. The zoning ordinance requires a minimum of 20 percent of the developable property to be landscaped and preserved.
- Land use buffering is not required.
- The project will retain most of the existing trees on the property, but 28 trees will be removed for the footprint of the new building, vehicular use area, and driveway to Callaway Drive.

4. **Architectural Appearance:** Pursuant to Sections 10.0305 and 10.0306 of the Zoning Ordinance, the following architectural standards apply:

- The new office building will be a single-story structure with the building height being 35 feet to the peak of the highest roof surface.
- White hardie lap siding will be the predominant exterior building material or cladding. There will be "diamond white" brick around the lower part.
- On the awning structure on the front façade over the main entrance, hardie white shake exterior cladding will be used.
- The new office building will have dark bronze shutters with some of the windows and brackets underneath the roof overhangs.
- The roof will be galvalume metal. The roofing design will have eaves and overhangs and multiple slopes.

5. **Site Layout:** Pursuant to Section 10.0305 of the Zoning Ordinance, the following site layout standards apply:

- There will be no parking between the front façade of the buildings and Orange Beach Boulevard. All parking will be located to the side and rear of the buildings.
- Sidewalks will be provided from the parking areas to entrances into the buildings.
- All mechanical equipment and exterior utility service areas will be harmonious with the building and located or screened from public view.

III. STAFF COMMENTS

No staff comments.

IV. PLANNING COMMISSION ACTION

1. **APPROVE** the requested site plan review to construct an office building for the Orange Beach Board of Education.
2. **CONDITIONALLY APPROVE** the requested site plan review with any conditions, limitations or requirements necessary to effectuate the requirements of the Zoning Code and carry out the spirit and purpose of the Comprehensive Plan.

STAFF CONDITIONS: None

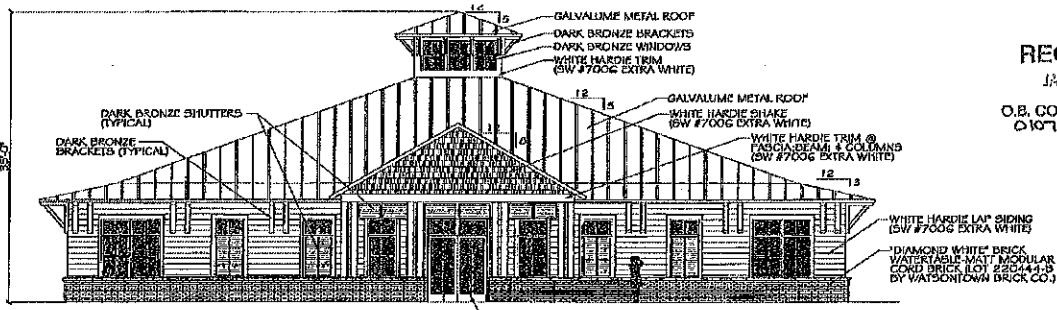
3. **DISAPPROVE** the requested site plan review stating the reasons the said plan was denied with specific references to those sections of applicable municipal ordinances on which the said denial was based.

V. MAPS & PLANS

Aerial Map

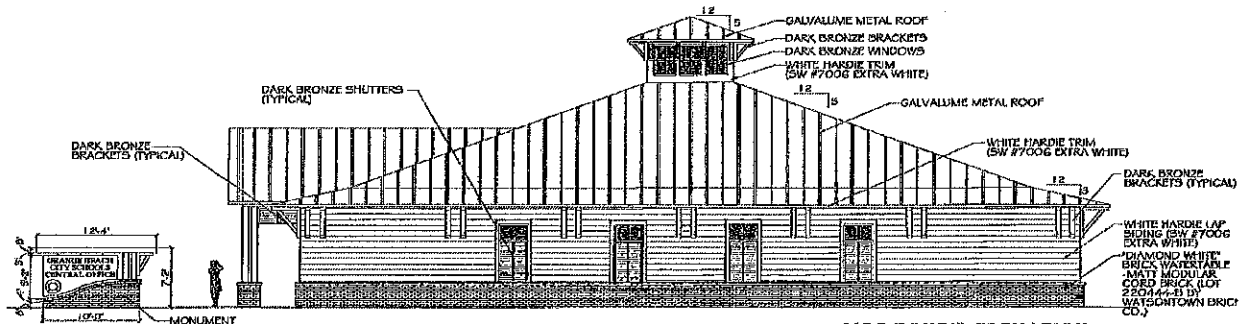


Building Elevations

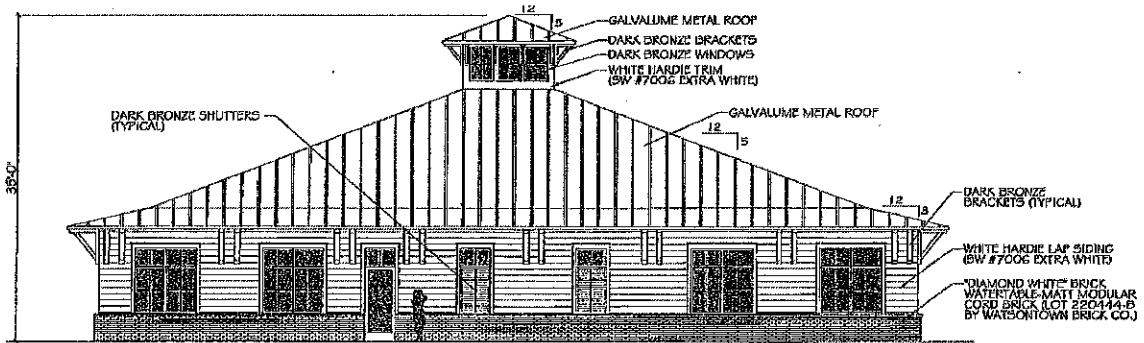


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 0107-SP-23 *File Co.*

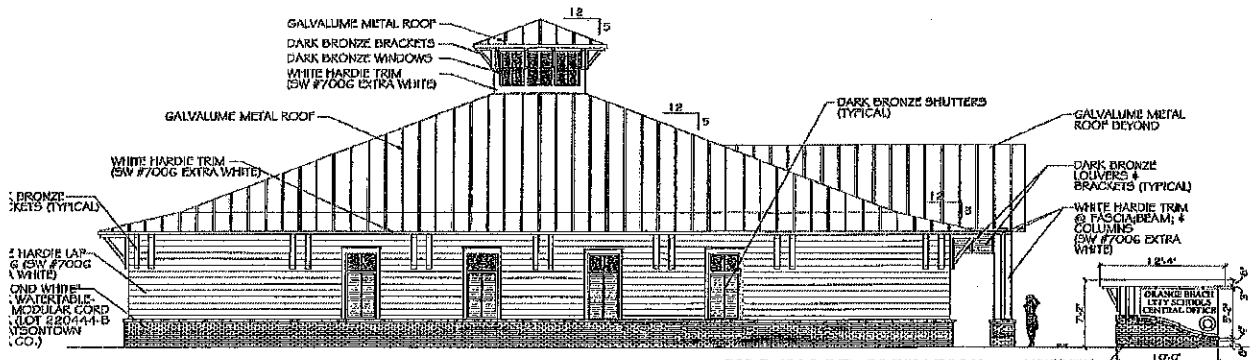
FRONT (WEST) ELEVATION
 SCALE 1/4" = 1'-0"



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



REAR (EAST) ELEVATION
 SCALE 1/4" = 1'-0"



SIDE (NORTH) ELEVATION
 SCALE 1/4" = 1'-0"



Orange Beach Board of Education Central Office 0107-SP-23

Aerial



February 2023





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



Orange Beach Planning Commission
 Meeting – February 13, 2023

Case No. 0203-SP-23
Abaco Orange Beach
Site Plan Review

Owner/Applicant: Abaco Orange Beach LLC, Robb Cunningham (Owner/Applicant)
 2122 Main St., Daphne, AL 36526
 (251) 689-1895, roberttcunningham3@gmail.com

Property Address:	Tax Parcels:	PPIN:
4459 Captain Trent Lane	05-65-02-12-0-000-058.000	23795
4443 Captain Trent Lane	05-65-02-12-0-000-057.001	287640
Griffith Marina Road	05-65-02-12-0-000-053.001	65328
Griffith Marina Road	05-65-02-04-4-001-002.000	65329

I. GENERAL INFORMATION

Request: Site Plan Review

Abaco Orange Beach LLC requests approval of site plan review for a four-phased condominium development project consisting of 8 buildings and 259 total dwelling units in addition to a marina on Terry Cove.

Location: This property encompasses three waterfront parcels and one landlocked parcel between Griffith Marina Road and Captain Trent Lane. The combined area of the four parcels is 23.3 acres. The site is presently vacant and zoned Marine Resort (MR). In 2005 the City approved the Grand Harbour at Terry Cove PUD on this property. The PUD expired in 2009.

Present Zoning: MR (Marine Resort)

Present Use: Vacant

Future Land Use: Mixed-Use, Low to Medium Intensity Residential
This land use designation allows for lower density multi-family residential developments and marinas. This project is consistent with this land use designation and the Future Land Use Map.

Surrounding Land Use and Zoning: **North:** Ryan Forbess MD, GB (General Business); Single-Family House, MR (Marine Resort); Terry Cove Motorcoach Resort, PUD (Planned Unit Development – *Terry Cove Motorcoach Resort*)
South: Terry Cove
East: The Grander, PUD (Planned Unit Development – *The Grander*)
West: Spyglass Townhouses, PUD (Planned Unit Development – *Spyglass*); Undeveloped (Harbor Cove Condominium proposed), MR (Marine Resort)

Special Districts: **Overlay Zoning:** Restricted Height Overlay District
Neighborhood District: East Orange Beach
Airport Zone: Precision Instrument Approach
Flood Zone: X, X-Shaded, AE-10, AE-11, AE-12, VE-13

Nearby Streets: The property is located at the southern ends of Griffith Marina Road and Captain Trent Lane and has about 190 feet of frontage on Canal Road.

The main access for this project will be Griffith Marina Road, while Captain Trent Lane will be a gated emergency access. According to the applicant, Griffith Marina Road will be extended 667 feet per the approved Griffith Marina Road Extension plans prepared by Sawgrass Consulting in 2019 in conjunction with the Harbor Cove Condominium project to the west. If the traffic study for this project recommends additional improvements, it will be addressed in the civil plans. No improvements are planned for Captain Trent Lane.

Site History:

<i>Date</i>	<i>Description</i>
May 2005	City Council gave preliminary PUD approval to rezone 20+ acres from MR to PUD for a 20-story tiered building with 462 units and a marina with 135 boat slips. The residential part comprised of 3 levels of parking and 17 habitable floors. (Case No. 0308-PUD-05)
July 2005	City Council gave final PUD approval to rezone 20+ acres from MR to PUD for a 20-story tiered building with 462 units and a marina with 135 boat slips. The residential part comprised of 3 levels of parking and 17 habitable floors. The only change from the preliminary approval was a decrease in the number of slips for the marina. This development was called Grand Harbour at Terry Cove PUD. (Case No. 0611-PUD-05)
July 2005	City Council approved a minor modification the Grand Harbor PUD master plan permitting the Terry Cove Motorcoach Resort PUD to extract Lot 3 from its PUD and transfer to Grand Harbour for inclusion in its PUD. (Case No. 0617-PUDA-05)
May 2016	City Council approved a major modification to the Grand Harbour PUD master plan converting the design of the project to 4 towers on top of a single-story parking garage, with the east and west towers having 21 floors and the two central towers having 27 floors. Also, the number of units increased from 462 units to 496 units. (Case No. 0403-PUDA-06)
June 2007	City Council granted the PUD master plan a 12-month extension.
May 2008	City Council granted the PUD master plan a 12-month extension.
August 2009	After the PUD expiration, City Council rescinded Ordinance No. 2005-891, granting the Grand Harbor project its PUD approval, and the 20+ acres returned to its previous zoning of MR.
November 2021	Planning Commission approved the site plan review for a mixed-use development consisting of 132 total dwelling units along with a dry boat storage facility, marina with wet slips, restaurants, retail and commercial space, and a parking garage. (Case No. 1001-SP-21)

II. BUILDING & SITE PLAN REVIEW

Site Information

Lot Area	1,014,100 SF (23.3 acres)
Upland Area	791,050 SF (18.2 acres)
Wetland Area	223,050 SF (5.1 acres)
Building Coverage	208,915 SF
Building Coverage Percentage	21%
Vehicular Use Area	159,410 SF
Other Impervious Area (pool, pavers)	55,960 SF
Total Impervious Coverage	424,285 SF
Gross Floor Area	600,615 SF
Gross Floor Area Ratio	0.59
Total Units Proposed	259
Total Density Proposed	11.1 units per acre
Maximum Density Allowed	28 units per acre
Maximum Unit Allowed	652
Landscaped & Preserved Area	589,815 SF (58%)

Building Information: This development will consist of eight condominium buildings and will be constructed in four phases.

PHASE ONE

2 buildings – Building IV and Building III A

73 total units

swimming pool area, green space, pickle ball court

Building IV

Building Footprint	41,703 SF
Gross Floor Area	125,109 SF
Number of Floors	4 1 st Level (95 internal parking spaces, 36 surface parking spaces, 131 total spaces) 2 nd Level (18 total units) 3 rd Level (18 total units) 4 th Level (18 total units)
Building Height	50 feet Elevator bulkhead will be 4 feet and 8 inches and emergency stairwell bulkhead will be 5 feet and 4 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet. Emergency stairwells to the roof are required by the Building Code.
Total Units	54
Unit Breakdown	4-bedroom units (12 units) 3-bedroom units (42 units)
Other	The units on the fourth level will have rooftop decks above the units with canvas shades. The rooftop decks will be accessed via a spiral stairwell from the unit balcony.

Building III A

Building Footprint	15,450 SF
Gross Floor Area	46,350 SF
Number of Floors	4 1 st Level (35 internal parking spaces, 11 surface parking spaces, 46 total spaces) 2 nd Level (5 total units)

	3 rd Level (7 total units) 4 th Level (7 total units)
Building Height	49 feet and 11 inches Elevator bulkhead will be 5 feet and 4 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet.
Total Units	19
Unit Breakdown	4-bedroom units (6 units) 3-bedroom units (13 units)

PHASE TWO
1 building – Building I
60 total units

Building I

Building Footprint	46,630 SF
Gross Floor Area	139,890 SF
Number of Floors	4 1 st Level (108 internal parking spaces, 36 surface parking spaces, 144 total spaces) 2 nd Level (20 total units) 3 rd Level (20 total units) 4 th Level (20 total units)
Building Height	50 feet Elevator bulkhead will be 3 feet and 6 inches and emergency stairwell bulkhead will be 3 feet and 4 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet. Emergency stairwells to the roof are required by the Building Code.
Total Units	60
Unit Breakdown	4-bedroom units (9 units) 3-bedroom units (51 units)

PHASE THREE
3 buildings – Building III B, Building III C and Building II
74 total units

Building III B

Building Footprint	15,450 SF
Gross Floor Area	46,350 SF
Number of Floors	4 1 st Level (34 internal parking spaces, 18 surface parking spaces, 52 total spaces) 2 nd Level (7 total units) 3 rd Level (7 total units) 4 th Level (7 total units)
Building Height	49 feet and 11 inches Elevator bulkhead will be 5 feet and 4 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet.
Total Units	21
Unit Breakdown	4-bedroom units (6 units) 3-bedroom units (14 units) 2-bedroom units (1 unit)

Building III C

Building Footprint	15,450 SF
Gross Floor Area	46,350 SF
Number of Floors	4 1 st Level (36 internal parking spaces, 16 surface parking spaces, 52 total spaces) 2 nd Level (7 total units) 3 rd Level (7 total units) 4 th Level (7 total units)
Building Height	49 feet and 11 inches Elevator bulkhead will be 5 feet and 4 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet.
Total Units	21
Unit Breakdown	4-bedroom units (6 units) 3-bedroom units (14 units) 2-bedroom units (1 unit)

Building II

Building Footprint	25,525 SF
Gross Floor Area	75,240 SF
Number of Floors	4 1 st Level (57 internal parking spaces, 26 surface parking spaces, 83 total spaces) 2 nd Level (10 total units) 3 rd Level (11 total units) 4 th Level (11 total units)
Building Height	50 feet Elevator bulkhead will be 4 feet and 4 inches and emergency stairwell bulkhead will be 4 feet and 2 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet. Emergency stairwells to the roof are required by the Building Code.
Total Units	32
Unit Breakdown	4-bedroom units (9 units) 3-bedroom units (23 units)
Other	The units on the fourth level will have rooftop decks above the units with canvas shades. The rooftop decks will be accessed via a spiral stairwell from the unit balcony.

PHASE FOUR

2 buildings – Building V and Building VI
52 total units

Building V

Building Footprint	24,693 SF
Gross Floor Area	49,386 SF
Number of Floors	3 1 st Level (62 internal parking spaces, 0 surface parking spaces, 62 total spaces) 2 nd Level (11 total units) 3 rd Level (11 total units)
Building Height	49 feet and 2 inches
Total Units	22
Unit Breakdown	4-bedroom units (4 units) 3-bedroom units (17 units) 2-bedroom units (1 unit)

Building VI

Building Footprint	24,080 SF
Gross Floor Area	74,240 SF
Number of Floors	4 1 st Level (59 internal parking spaces, 13 surface parking spaces, 72 total spaces) 2 nd Level (10 total units) 3 rd Level (10 total units) 4 th Level (10 total units)
Building Height	50 feet Elevator bulkhead will be 2 feet and 6 inches above the 50-foot height limit. Per Section 5.06 of the zoning ordinance, elevator bulkheads, equipment rooms, fire towers are allowed to go over the maximum height up to 10 feet.
Total Units	30
Unit Breakdown	4-bedroom units (6 units) 3-bedroom units (18 units) 2-bedroom units (6 units)

BUILDING AND PARKING OVERVIEW

	<i>Building Footprint</i>	<i>Gross Floor Area</i>	<i>Units</i>	<i>Parking Required</i>	<i>Parking Provided</i>
Phase 1 Building IV Building III A	57,153 SF	171,459 SF	73	179	177
Phase 2 Building I	46,630 SF	139,890 SF	60	141	144
Phase 3 Building III B Building III C Building II	56,425 SF	167,940 SF	74	184	187
Phase 4 Building V Building VI	48,773 SF	121,626 SF	52	124	134
TOTAL	208,981 SF	600,915 SF	259	628	642

Notes:

- While the development overall will exceed the number of parking spaces required, two additional spaces are needed for Phase 1.

Setbacks: Griffith Marina Road on the west side of the project area will be considered the front side when applying setbacks. The closest building on the west side has a setback of 30 feet to the west side lot line. The south side along Terry Cove will be considered the side yard, and there is a setback of 10 feet between the waterfront buildings and the side lot line according to the site plan. The east side will be considered the rear side, and the closest building has a setback of 39 feet and 2 inches between it and the east side lot line.

Exterior Building Material: The predominant exterior building material or cladding will be painted hardie board siding. From the color elevations, it appears the predominant color for the buildings will be white. The buildings will also contain stained wood louvers along with painted compost brackets. The roof designs will be parapets, overhangs and slopes. Sloped roofs will have galvalume metal roofing.

Exterior Lighting: The plans have a notation stating that the proposed exterior lighting will not have a negative impact on the neighboring properties. The height of the mounting poles will be 18 feet, which is well below the height limit of 26 feet.

Land Use Buffer: A 30-foot land buffer is required between the Lattof residential property to the north and Building VI. The plans show a buffer distance (no build zone) of 40 feet along with a solid fence 8 feet in height and landscaping.

Access: A traffic study is required and is being conducted. Griffith Marina Road, on the west side of the development, will be the main access. Captain Trent Lane, on the east side of the development, will be gated and used primarily for emergency access.

According to the applicant, Griffith Marina Road will be extended 667 feet per the approved Griffith Marina Road Extension plans prepared by Sawgrass Consulting in 2019 in conjunction with the Harbor Cove Condominium project to the west. If the traffic study for this project recommends additional improvements, it will be addressed in the civil plans. No improvements are planned for Captain Trent Lane.

Landscaping: Roughly 58 percent of the site will be preserved and landscaped. The tree mitigation calculations indicate that the development will preserve and have a tree credit of 522 trees. The new trees planted will be Dahoon Holly, Crepe Myrtle, Southern Live Oak, and Sabal Palms. Based on the vehicular use area proposed, 109 hardwood or shade trees will be required and will be provided through a combination of preserved and planted trees. The new landscaping for this project will be around the buildings and vehicular use areas.

Marina: This project proposes a marina on Terry Cove, and the applicant indicates that there will be 265 total slips. Of these, 259 slips will be for the 259 multi-family units. The applicant indicates that the remaining 6 slips will be "private slips for neighbor." Staff is requesting more information on the arrangements with the neighbor. In the second review response letter, the applicant stated that the neighbor "will park on his parcel when accessing slips."

The parking guidelines in Article 8 require additional parking whenever the number of marina slips for a proposed multi-family residential development exceeds the number of units. The required parking is 1.5 spaces per slip. In this case, with 6 additional slips, 9 spaces are needed. Based on staff's parking calculations, the development will exceed the parking requirement by 12 spaces.

Again, staff is requesting additional information on the neighbor arrangement. The Planning Commission may consider limiting the marina to 259 slips equaling the number of units proposed.

Staff has requested that a notation be provided on the plans indicating that the marina slips will be dedicated to the multi-family residential units and will not be rented or leased.

The applicant needs to provide information on which phase or phases the marina will be built.

III. STAFF COMMENTS

1. Staff is requesting additional information on the neighbor arrangement for the six additional slips at the marina. More specifically, the identification of the neighbor is needed and clarification if the arrangement will extend to the future owner should there be a transfer in ownership of the neighboring property. The restriction on slip rentals and leasing will also apply to the neighbor.

2. The applicant is currently having a traffic study performed. The main access to the site will be via Griffith Marina Road, and the traffic study will determine any roadway and intersection improvements that will be needed to accommodate this project.
3. Staff has requested that the applicant provide details on how the construction of the marina will be phased.
4. A preliminary and final minor subdivision plat will be needed to combine the four parcels into a single parcel and to comply with Section 3.2 of the Subdivision Regulations.
5. Any filling of wetlands must be approved and permitted by State and Federal regulatory agencies.
6. The marina must be approved by State and Federal regulatory agencies.
7. The Public Works Department is requesting more details be provided for the sewer lift station.
8. The Fire Department has the following comments: (a) a Knox padlock assembly shall be used for locking the removable bollards at the green space area; and (b) no parking signage is needed around the approved apparatus turnaround.

IV. PLANNING COMMISSION ACTION

1. **APPROVE** the requested site plan review for a four-phased condominium development project consisting of 8 buildings and 259 total dwelling units in addition to a marina on Terry Cove.
2. **CONDITIONALLY APPROVE** the requested site plan review with any conditions, limitations or requirements necessary to effectuate the requirements of the Zoning Code and carry out the spirit and purpose of the Comprehensive Plan.

STAFF CONDITIONS:

1. Providing information on the arrangement with the neighbor for the six slips at the proposed marina. Identify the neighbor and whether or not the arrangement will extend to future owners should there be a transfer in ownership of the neighboring property. Please note that the slip rental and lease restrictions also apply to the neighbor.
2. Amending the errors in the notation on the site plan regarding the rental and lease restrictions on slip rentals.
3. Providing the results of the traffic study and any recommendations on roadway and intersection improvements needed to accommodate this project.
4. Indicating which phase or phases that the marina will be constructed.
5. While the project overall exceeds the required parking, two additional parking spaces are needed in the first phase. Staff calculates that 179 spaces are required for the first phase buildings, but 177 spaces are provided. Clarification is needed.

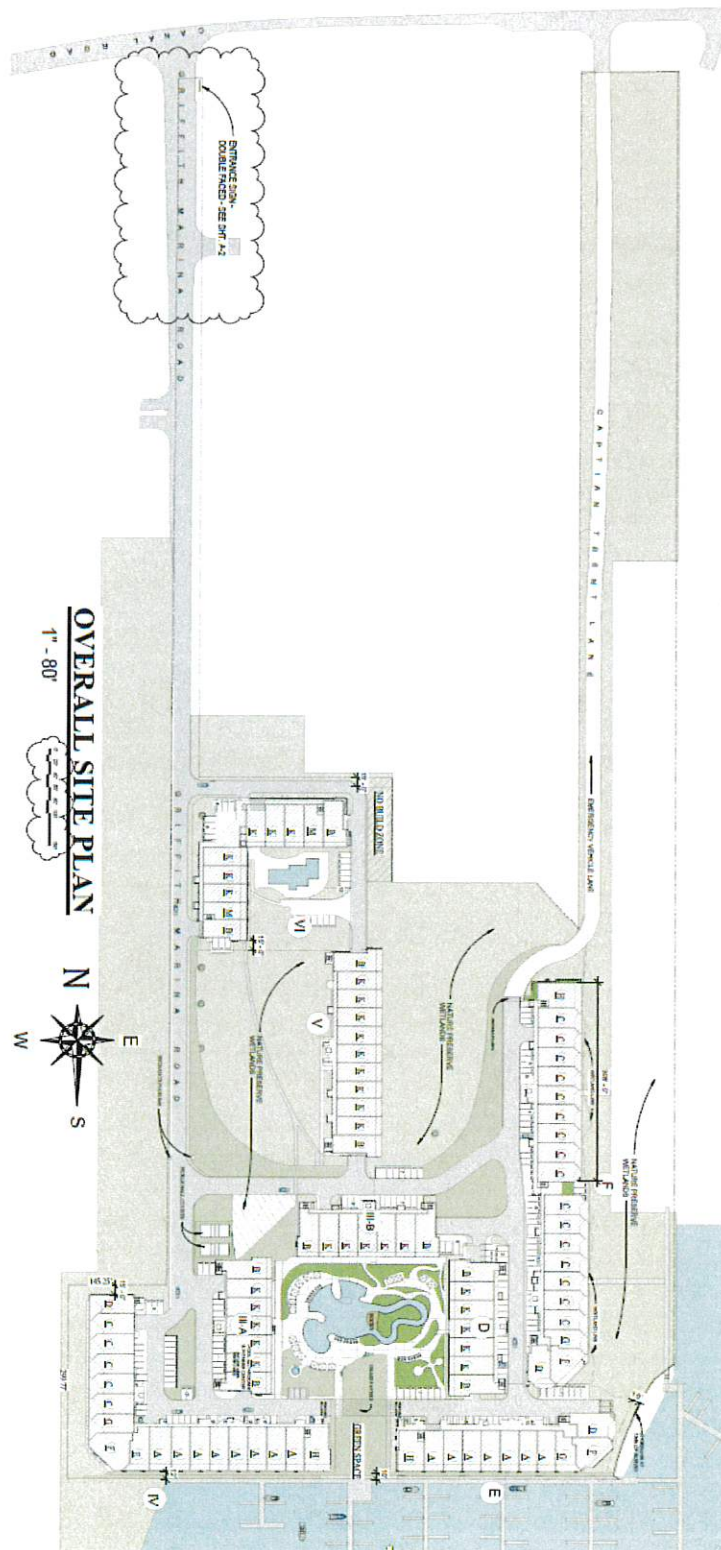
6. Ensuring that all drive aisle widths between parking spaces in the lower levels are at least 24 feet.
 7. A preliminary and final minor subdivision plat will be needed to combine the four parcels into a single parcel and to comply with Section 3.2 of the Subdivision Regulations.
 8. Any fill in wetlands must be approved and permitted by State and Federal Regulatory agencies.
 9. Marina must be approved by State and Federal Regulatory agencies.
 10. Project requires Coastal Consistency approval from ADEM.
 11. Sheet C-11 shows a 4" sewer force main attaching to a "4" Water Stub". Since the existing line is private, please verify that it is in fact a sewer main and revise accordingly.
 12. Providing details on the sewer lift station.
 13. A Knox padlock assembly shall be used for locking the removable bollards. The following URL provides information on the padlocks.
<https://www.knoxbox.com/products/gate-key-switches/knox-padlock/c-24/c-83/p-8604>
 14. Placing appropriate no parking signage around the approved apparatus turn around.
3. **DISAPPROVE** the requested site plan review stating the reasons the said plan was denied with specific references to those sections of applicable municipal ordinances on which the said denial was based.

V. MAPS & PLANS

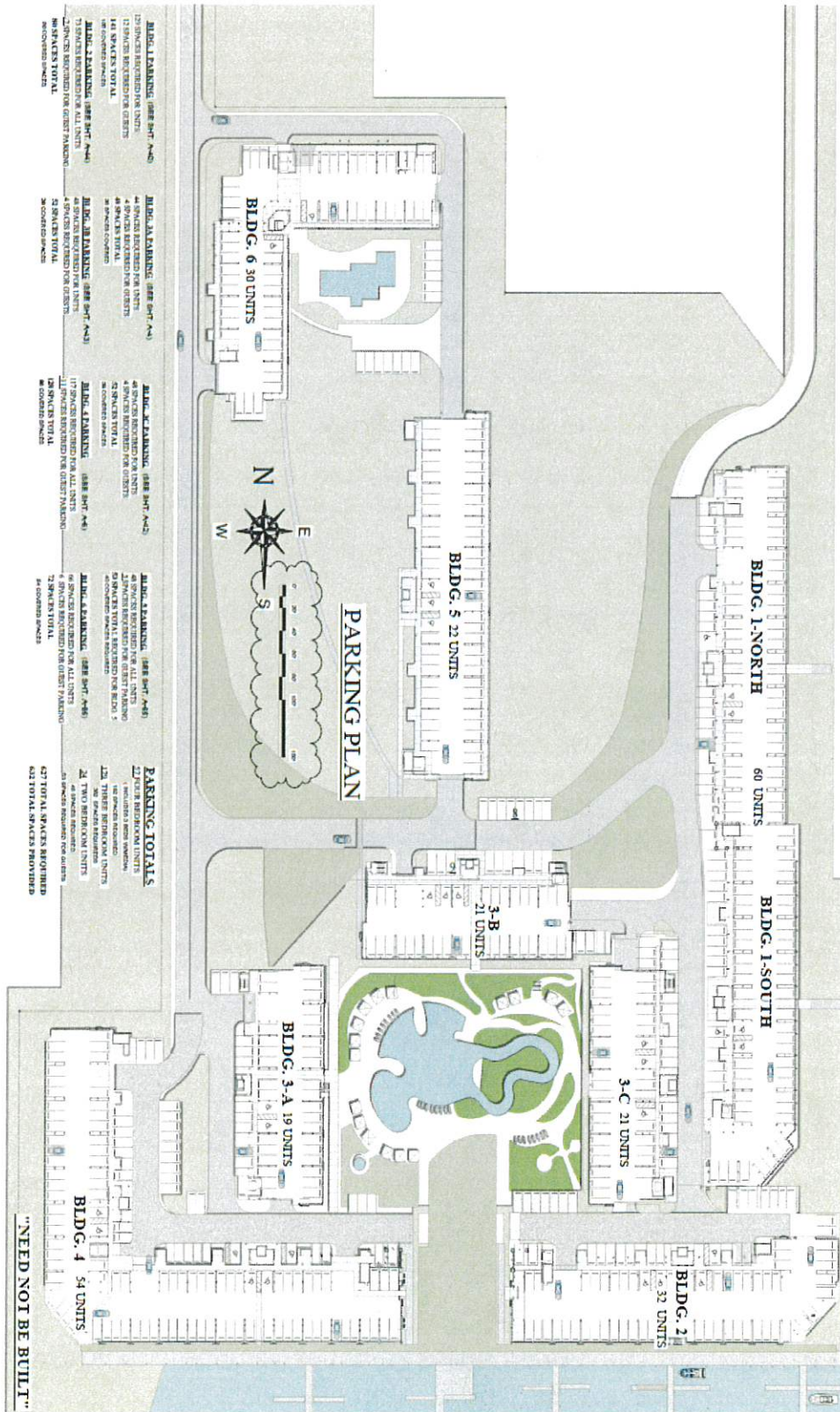
Aerial Map



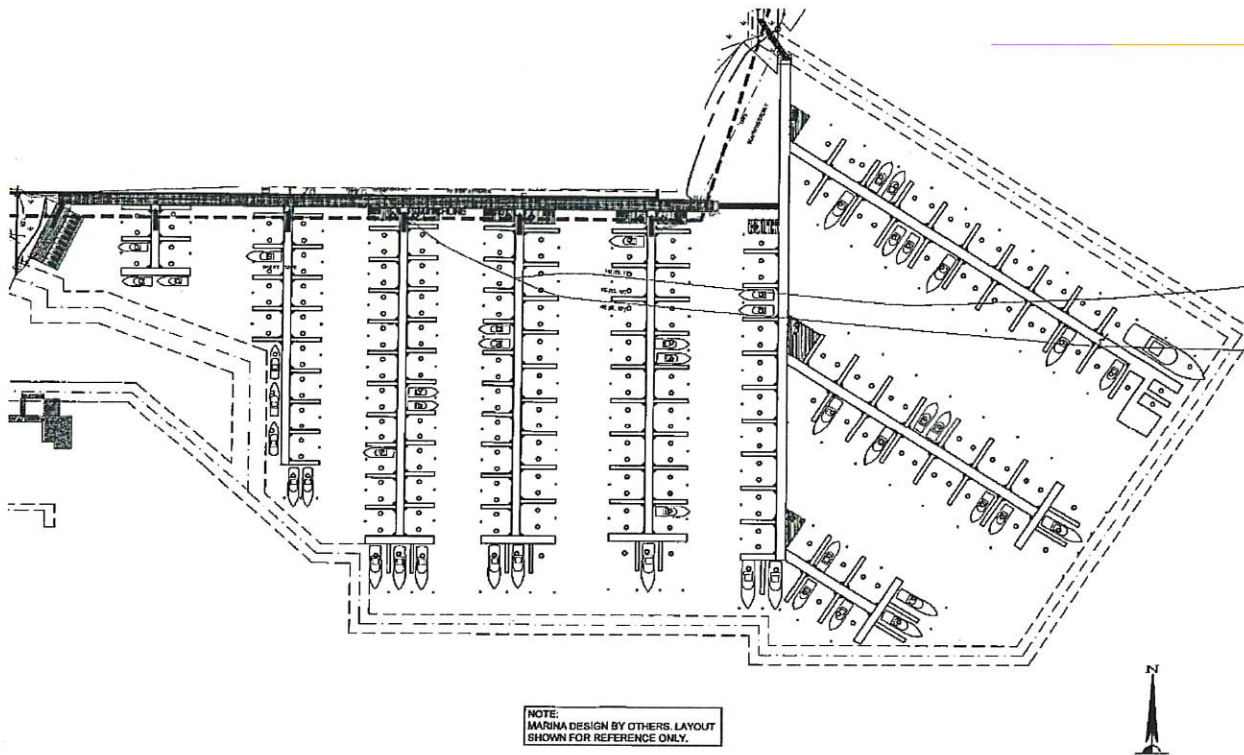
Site Plan



Parking Layout



Marina Layout



Project Elevations





Abaco Orange Beach 0203-SP-23

Aerial

February 2023

1,000 Feet

500

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