

Work Session Minutes
Orange Beach Planning Commission
Monday, May 13, 2019 – 2:30 P.M.
Council Chambers – Orange Beach Municipal Complex
4099 Orange Beach Blvd.

A. CALL TO ORDER

Chairman Robert Stuart called the meeting to order at 2:30 p.m.

B. ROLL CALL

Board Members Present:

Commissioner Bill Jeffries
Commissioner Kathy Lindsey
Commissioner Annette Mitchell - arrived at 2:45 p.m.
Commissioner Pat Simpson
Commissioner Glenn Smith – arrived at 2:40 p.m.
Commissioner Lannie Smith
Commissioner Matt Wilson
Commissioner Ralph Moore
Chairman Robert Stuart

Staff Present:

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

C. DISCUSSION ITEMS

1. Discussion on Wetland Setbacks.

Woody Speed, Environmental Specialist, provided a presentation on requiring wetland buffers for new development. Currently there are no buffer requirements in place between wetland areas and new development. Contractors can perform work abutting jurisdictional wetland limits. Well-designed buffers protect and maintain pollutants from surface water runoff, removing, detaining, or detoxifying nutrients and contaminants from upland sources, influencing the temperature and microclimate of a water body, and providing organic matter to the wetland. Buffers also maintain habitat for aquatic, semi-aquatic, and terrestrial wildlife, and can serve as corridors among local habitat patches, facilitating movement of wildlife through the landscape.

The City of Foley requires a minimum jurisdictional wetland buffer of 30 feet and applies to all new construction. Baldwin County requires the building setback from jurisdictional wetlands to be 30 feet, with a minimum 5-foot natural buffer. This applies to multifamily and commercial developments. Walton County Florida requires all lands within 25 feet landward of jurisdictional wetlands to be designated as a primary wetland protection zone for all development including single family dwellings.

Commissioner Lannie Smith asked if this would be considered a “taking” of property from land owners. Chairman Robert Stuart received a message from Jimmy Boyd in opposition. Woody Speed suggested he draft proposals for wetland setbacks. Commissioner Bill Jeffries stated he is concerned about the loss of land, which would change the value of subject properties. Woody Speed stated there could be exclusions for smaller lots. Chairman Robert Stuart asked if staff should provide a draft of proposed wetland buffering requirements.

Commissioner Kathy Lindsey asked if there was a way to distinguish between single family and commercial.

Wood Speed stated the buffering could be distinguished by land use. Kit Alexander suggested a draft to the Zoning Text Committee for review.

2. Discussion on the Update to the Comprehensive Plan.

Diane Burnett, SARPC, presented the Natural Resources section for the Comprehensive Plan. Kit Alexander stated she would like for the Planning Commission to discuss goals and recommendations.

Goals and Recommendations

The following is a list of goals and recommendations.

1. Amend the stormwater management regulations to encourage protective measures for the area's watersheds and incorporate low impact development (LID) methods, which include green infrastructure and design standards. No changes.
2. Continue to promote public awareness of responsible environmental and wildlife stewardship. No changes.
3. Create additional public water access points and parking facilities throughout the community. No changes.
4. Support "Living Shorelines" development practices along waterways to control erosion and mitigate flooding. No changes.
5. Continue and expand upon beach restoration programs to build additional beach and provide shoreline stabilization. No changes.
6. Continue to provide educational signage throughout the community to promote public awareness to the area's environmentally and ecologically sensitive areas. No changes.
7. Continue to enhance a comprehensive landscaping plan, water quality plan, wetland conservation plan, and wildlife rescue and management plan. No changes.
8. Continue to develop eco-tourism opportunities throughout the area. No changes.
9. Consider adopting the requirement of a fifteen or 25-foot buffer adjacent to jurisdictional wetland areas. Omit #9.

Diane Burnett presented the draft of the Population and Economy section for the Comprehensive Plan. The permanent population projections were estimated using two methods. The first method used average growth rate to estimate future permanent population growth. The second method calculated the City's population as a percentage of the county's population and then applied that percentage to the county's population projections.

The seasonal population projections will fluctuate monthly, depending on the season and types of visitors. The 2017 American Community Survey showed the permanent population for Orange Beach to be 5,826 persons.

There are 2,185 acres north of the Intracoastal Waterway with residential potential. These acres are zoned Agricultural (AG), General Business (GB), Marine Resort (MR), Multi-Family Residential Low Density (RM-1), Planned Unit Development (PUD), and Annexed – To Be Determined (A-TBD).

There are 19 acres zoned Agricultural. Based on the maximum density of 4.84 lots per acre, 91 single-family residential lots would be allowable. There are 40 acres zoned Multi-Family Residential Low Density and roughly 225 acres zoned Marine Resort. Based on the maximum density of 35 units per acre, the allowable dwellings in these two zoning districts would be 9,275 units.

The remaining 1,901 acres are zoned General Business, Planned Unit Development, and Annexed – To Be Determined. The allowable multi-family residential dwellings in these zoning districts would be 79,842 units. Kit Alexander stated that Orange Beach could anticipate another 10,000 acres to be annexed into the City.

The median age in Orange Beach is 51.3 years. As of 2017, Orange Beach has a significant percentage of elderly population 65 years of age and older. The word elderly will be omitted and 65 years and older will be used. The population under 18 years is 15.5 percent of Orange Beach's population.

Diane Burnett stated that Orange Beach has a tourism-based economy and work force. She stated there are 5,000 people 16 years and older in the labor force. Kit Alexander stated that a goal is to market and draw younger families to Orange Beach.

Griffin Powell gave a brief description of the items to be presented at the May 13, 2019 Planning Commission meeting.

3. Case No. 0402-PUD-19, Summer Salt PUD

Dewberry, on behalf of OKS Investments LLC, requests recommendation to City Council for **Final PUD Approval** to rezone 42.67 acres from GB (General Business) to PUD (Planned Unit Development) for a residential development containing 54 single-family residential lots and 58 cottage lots. The property is located on the north end of SUMMER SALT PLAZA BOULEVARD north of The Ruby Slipper restaurant. *Deferred from the Regular Meeting on April 8, 2019.* The applicant is requesting deferral of 0402-PUD-19 Summer Salt PUD, 0403-SD-19 Summer Salt PUD, Phase One and 0404-SD-19, a Resubdivision of Lot 5A, A Resubdivision of Lots 2 and 5 of Summer Salt Plaza Subdivision until the June 10 Planning Commission meeting to address staff comments for parking requirements.

4. Case No. 0403-SD-19, Summer Salt PUD, Phase One

Dewberry, on behalf of OKS Investments LLC, requests approval of **Preliminary Major Subdivision** for the first phase of the Summer Salt PUD that will contain 54 single-family residential lots and 31 cottage lots located on approximately 21.41 acres. The property is

located on the north end of SUMMER SALT PLAZA BOULEVARD north of The Ruby Slipper restaurant. *Deferred from the Regular Meeting on April 8, 2019.*

5. **Case No. 0404-SD-19, Resubdivision of Lot 5A, A Resubdivision of Lots 2 and 5 of Summer Salt Plaza Subdivision**

Dewberry, on behalf of OKS Investments LLC, requests approval of **Preliminary and Final Minor Subdivision** to subdivide 42.67 acres into two lots to accommodate a future residential development. The property is located on the north end of SUMMER SALT PLAZA BOULEVARD north of The Ruby Slipper restaurant in the GB (General Business) zoning district. *Deferred from the Regular Meeting on April 8, 2019.*

6. **Case No. 0501-PUDA-19, Caribe PUD Modification (Caribe East & West)**

Forrest Daniell & Associates, on behalf of Caribe Inc., requests recommendation to City Council for approval of **Major PUD Modification** to The Caribe PUD Master Plan for the following: (a) reduce the total units for Caribe East from 234 to 228 units and increase the height from 22 to 24 floors to accommodate more parking for the condominium; and (b) reduce the total units from Caribe West from 312 to 252 units and increase the height from 22 to 25 floors to accommodate more parking for the condominium and a parking level for the marina and overflow parking area for Cobalt Restaurant. The property is located at 28101 and 28273 PERDIDO BEACH BOULEVARD. The existing three Caribe towers were approved in the early 2000's. They consist of 200 units each (600 total units) and 14 stories in height. In 2005 a major PUD modification was approved for Caribe East, 234 units, and Caribe West, 312 units. Both towers are 22 stories in height. The proposed modification will reduce the density from 41.8 to 39.4 units/acre. Parking spaces will increase from 434 to 580 spaces. Zoning and subdivision waivers will be required for the landscaping and for the setbacks. Architectural renderings were provided.

Kit Alexander stated that Griffin Powell had presented an outstanding report for the proposed modification and history for the Caribe towers. She stated that Caribe East and West were vested due to the existing three towers. This is a modification to the approved Caribe East and West towers. The towers were approved with less strict parking requirements. This modification is more in line with existing regulations and would help solve a parking issue.

Commissioner Annette Mitchell stated she was excited to see Forrest Daniell before the Planning Commission again. Chairman Robert Stuart stated he wished everyone was providing more for parking. Commissioner Annette Mitchell was concerned about ingress/egress onto the property and the effect it will have on Perdido Beach Blvd. Kit Alexander stated staff would be happy to voice traffic concerns to ALDOT.

D. ADJOURN

Adjourned at 3:40 p.m.

Kit Alexander, Director

Robert Stuart, Chairman