

Work Session Minutes  
Orange Beach Planning Commission  
Monday, August 12, 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  
Commissioner Pat Simpson  
Commissioner Glenn Smith  
Commissioner Lannie Smith  
Commissioner Matt Wilson  
Chairman Robert Stuart

Staff Present:

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

Absent:

Vice Chairman Ralph Moore

**C. DISCUSSION ITEMS**

Griffin Powell gave a brief description of the items to be presented at the August 12, 2019 Planning Commission meeting.

**1. Case No. 0604-SD-19, Cotton Dunes Subdivision**

Sawgrass Consulting, on behalf of Chris & Barbara Ybarra, Island Dunes Resort Condominium, Donald M. Russell, Jr., and Blue Palms LLC, requests approval of **Preliminary and Final Minor Subdivision** for a subdivision containing five lots. The property is located at 26009, 26023 and 26021 PERDIDO BEACH BOULEVARD and is in the GB (General Business) and RM-1 (Multi-Family Residential Low to Medium Density) zoning districts. *Deferred from the Regular Meeting on July 8, 2019.* In July 2019 the Board of Adjustment granted a variance to reduce the lot area for Lot 3 from the required 20,000 SF to 17,800 SF for additional parking. John Lawler stated the variance was granted due to the odd shape of the lot.

**2. Case No. 0701-PUD-19, Cotton Bayou Cottages PUD**

Lieb Engineering, on behalf of Cotton Bayou Place LLC, requests recommendation to City Council for **Preliminary PUD Approval** to rezone 4.38 acres from RM-1 (Multi-Family Residential Low to Medium Density) to PUD (Planned Unit Development) for a residential development containing 34 cottage lots. The property is located on the north side of PERDIDO BEACH BOULEVARD across from Admiral Quarters Condominium. *Deferred from the Regular Meeting on July 8, 2019.* The PUD will have three, five and six-bedroom cottages with stacked parking underneath the units. The development will also have 101 exterior parking spaces. There will be 20-foot separation between buildings. There will also

be 34 boat slips on Cotton Bayou. The proposed right-of-way width is 24 feet and the roadway width will be 20 feet. Under the current zoning, 153 condominiums and apartments can be built by right. There is no proposed sidewalk but there will be a pedestrian oriented area sidewalk along Perdido Beach Blvd.

**3. Case No. 0702-PUD-19, Broken Sound PUD**

Dewberry, on behalf of Zachris Limited Partnership I, requests recommendation to City Council for **Final PUD Approval** to rezone 7.5 acres from RM-2 (Multi-Family Residential Low to Medium Density) to PUD (Planned Unit Development) for a single-family residential subdivision containing 40 lots. The property is located at the northeast corner of the intersection of LAUDER LANE and PELICAN PLACE. *Deferred from the Regular Meeting on July 8, 2019.* In March 2019, the applicant received Preliminary PUD approval and there have been no changes to the development. There will be three housing types for two and three-bedroom houses. Four parking spaces will be located in front of each house, located partly in the right-of-way. The sidewalk within the subdivision will have connectivity to the Lauder Lane sidewalk. The lease term for the rentals will be six months or more. Under the current zoning, 261 condominiums or apartments can be built by right.

**4. Case No. 0703-SD-19, Broken Sound Subdivision**

Dewberry, on behalf of Zachris Limited Partnership I, requests approval of **Preliminary Major Subdivision** to subdivide 7.5 acres into a single-family residential subdivision containing 40 lots and 3+ acres of common area. The property is located at the northeast corner of the intersection of LAUDER LANE and PELICAN PLACE and is concurrent with the Broken Sound Final PUD Approval (Case No. 0702-PUD-19). *Deferred from the Regular Meeting on July 8, 2019.* This application is concurrent with the Broken Sound Final PUD approval.

**5. Case No. 0704-PUDA-19, Hammock Dunes PUD, Phase II**

K.O. Investments LLC, on behalf of Peter C. Kern Family Holdings LLC and K.O. Investments LLC, requests recommendation to City Council for approval of **Major PUD Modification** to the Hammock Dunes PUD Master Plan to rezone 1.74 acres from RS-1 (Single-Family Residential) to PUD (Planned Unit Development) for inclusion into the Hammock Dunes PUD and to keep the existing single-family residential structure and add 11 cottages. The property is located at 23916 and 23926 PERDIDO BEACH BOULEVARD. *Deferred from the Regular Meeting on July 8, 2019.* The applicant would like to keep the existing 10-bedroom dwelling and add 11 cottages for the modification. Stacked parking will be provided under the structures. The 10-bedroom house will have 10 parking spaces in front of the structure and three unreserved guest parking spaces. The property is zoned RS-1 and surrounded by BR-1, PUD, GB and RM-1 zoning districts.

**6. Case No. 0801-RZ-19, Public Works Department Property**

The City of Orange Beach requests recommendation to City Council for approval to **Zone 19** acres located at the southeast corner of the intersection of ROSCOE ROAD and RUSSIAN ROAD that was recently annexed (Ordinance No. 2019-1325) into the City to GB (General Business) for the purpose of a new facility for the Public Works Department. The property is located southeast of Roscoe Road and northeast of EMC. In July 2019, the property was annexed into the City.

**7. Case No. 0802-PUD-19, The Bluffs of Orange Beach PUD**

Dewberry, on behalf of Sky Land Company LLC, requests recommendation to City Council for **Preliminary and Final PUD Approval** to rezone 2.01 acres from BR-2 (Beach Resort High Density) to PUD (Planned Unit Development) for a single-family residential subdivision containing 10 cottage lots. The property is located at 25768 PERDIDO BEACH BOULEVARD. The proposed development will be located on the former Against the Wind condominium site. There will be three, four, five and six-bedroom cottages with stacked parking underneath. Current zoning would allow 84 condominiums by right.

**8. Case No. 0803-SD-19, The Bluffs of Orange Beach PUD Subdivision**

Dewberry, on behalf of Sky Land Company LLC, requests approval of **Preliminary Major Subdivision** to subdivide 2.01 acres into a single-family residential subdivision containing 10 cottage lots. The property is located at 25768 PERDIDO BEACH BOULEVARD and is concurrent with The Bluff of Orange Beach Preliminary and Final PUD Approval (Case No. 0802-PUD-19).

**9. Case No. 0804-PUD-19, Robinson Grove PUD**

GPJ Investments LLC requests recommendation to City Council for **Preliminary PUD Approval** to rezone 1.69 acres from MR (Marine Resort) to PUD (Planned Unit Development) for a single-family residential subdivision containing 14 cottage lots. The property is located at 4576 WALKER KEY BOULEVARD. There will be three parking spaces under each cottage and seven overflow parking spaces will be provided. Vacation rentals are allowed and there will be 14 boat slips on Terry Cove.

Kit Alexander stated the Mayor would like to discuss land use with the Planning Commission. All City Councilmembers were in attendance. Mayor Tony Kennon stated there are issues with single-family residential development with proposed zero and five foot setbacks. Is this something we should or shouldn't do? He stated he is not supportive of apartments and the City should not use PUDs to up zone property. It is either approved by right or be a PUD with less density.

Councilmember Jerry Johnson stated he appreciates the Planning Commission. His concern is the small setbacks. We need development with more green space and developers should not drive how Orange Beach will look. He likes the diversity of at least three to five housing types and parking should not be allowed in the right-of-way or obstruct sidewalks.

Councilmember Jeff Boyd is also concerned about the small setbacks. He agrees about limiting apartments because they generate the most police calls.

Councilmember Joni Costo agreed with other councilmembers. She stated with the new school she would like to see subdivisions with yards. We need to be able to offer something to families.

Mayor Tony Kennon appreciates the Planning Commission's concern about GB zoning. General Business zoning is moving to be more residential.

Councilmember Jeff Silvers is also in agreement with others. He understands the concerns about apartments. He believes in by right development.

Councilmember and Planning Commissioner Annette Mitchell stated she considers her Planning Commission position to be a privilege. She is not in favor of up zoning property. There needs to be sidewalks for single-family development.

Chairman Robert Stuart stated he is tired of five-foot setbacks. PUDs are being built for rentals not for residential housing. We want families to move here for education and not just for our beaches. Commissioner Pat Simpson shared the same concerns. He would like to see more diversity and is not a fan of cookie cutter housing.

Councilmember Jeff Silvers stated after 2004 there was a condominium boom but we are now seeing cottages on the beach.

Chairman Robert Stuart stated development is cost driven. Commissioner Bill Jeffries would like to see backyards and swing sets. He stated we need the proposed bridge.

Mayor Tony Kennon stated he did not know the answer but he would like to see apartments eliminated. We need to look at GB zoning districts which should be for retail development.

Chairman Robert Stuart stated he appreciated the opportunity to work with the City Council.

Councilmember Jerry Johnson stated he drove to Mexico Beach, which has no zoning. Zoning helps with property values and he feels we are going down the right path.

Commissioner Lannie Smith stated sometimes cottages make sense but we need to do away with roll out trash cans and look at requiring dumpsters.

Mayor Tony Kennon stated that we must be careful reevaluating zoning.

Councilmember Jerry Johnson stated builders have been our success. We need a balance going forward.

Chairman Robert Stuart opened the floor for public comments. Kit Alexander stated that our traffic problems are related to residential developments. People coming onto and leaving the island create more traffic.

Kit Alexander suggested calling a Zoning Text Committee meeting to consider a zoning ordinance amendment.

Councilmember Jerry Johnson congratulated Lannie Smith with recovery after hurricanes. Lannie Smith introduced us to fortified homes.

Chairman Robert Stuart stated this is a team effort. Mayor Tony Kennon stated he appreciates the Planning Commission.

**D. ADJOURN**

Adjourned at 3:47 p.m.

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Kit Alexander, Director

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Robert Stuart, Chairman