

PLANNING APPROVAL STAFF REPORT**Date: August 5, 2021****NAME**

Kawauna Gill

LOCATION

105 North Jackson Street
(West side of North Jackson Street, 84'± North of St. Michael Street).

**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

T-5.1 Mixed-Use Sub-District of Medium Intensity

AREA OF PROPERTY

0.1± Acre

CONTEMPLATED USE

Planning Approval to an occupancy load of more than 100 persons for a lounge in a T5.1 Sub-District of the Downtown Development District.

**TIME SCHEDULE
FOR DEVELOPMENT**

None provided.

**ENGINEERING
COMMENTS**

1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in

the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.

5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

No comments.

URBAN FORESTRY

COMMENTS

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

REMARKS

The applicant is requesting Planning Approval to allow an occupancy load of more than 100 persons for a lounge in a T5.1 Sub-District of the Downtown Development District. The Form Based Code Ordinance requires Planning Approval for lounges with occupancy loads over 100 persons in a T5.1 District.

The site has been given a Downtown (DT) land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the City's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 du/ac); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7, active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

It is very important to note that the Planning Approval review is site plan specific; therefore *any* future changes to the site plan or to the scope of operations for the facility, as approved, by current or future applicants must be submitted for Planning Approval.

The applicant states the following concerning the request;

Downtown Mobile is on the rise, and we are overly excited to be a part of the growth process. Canary Bar would like to offer a redeveloped bar/lounge that caters to the average downtown connoisseurs. This clientele could vary from shoppers, business individuals, tourists, and residents. Being in the middle of Dauphin Street and St. Louis allows us the perfect spot to provide a casual, relaxed entertainment venue that coincides with all the other business entities that downtown has to offer.

We are requesting a capacity load for 178. Our building is 4368 sq total it has 2 floors. We have had architect Carlos Gant with the city of mobile to come inside of our building and he ha! that he will deliver to you as well ...

The subject site was issued a building permit in 2012 for a change of occupancy from office/retail use to a 2,010 square-foot lounge with an occupancy load of 89 persons.

Renovations were completed and the site began operation as Tag Nightclub in 2013. The applicant states that the building has 4,368 square feet with two floors, which would seem to indicate a larger occupancy load than the smaller area which was previously used as a lounge. However, as no site plan/floor plan was submitted with the application, no accurate review of the applicant's request can be conducted to determine an allowable occupancy load. Therefore, staff recommends that this request be heldover to the meeting of August 19th to allow the applicant to submit a site plan/floor plan for review. Plans should be submitted to Planning and Zoning no later than July 26th.

RECOMMENDATION

Planning Approval: Based upon the preceding, this application is recommended for holdover to the meeting of August 19th to allow the applicant to submit a site plan/floor plan for review. Plans should be submitted no later than July 26th.

Revised for the August 5th meeting:

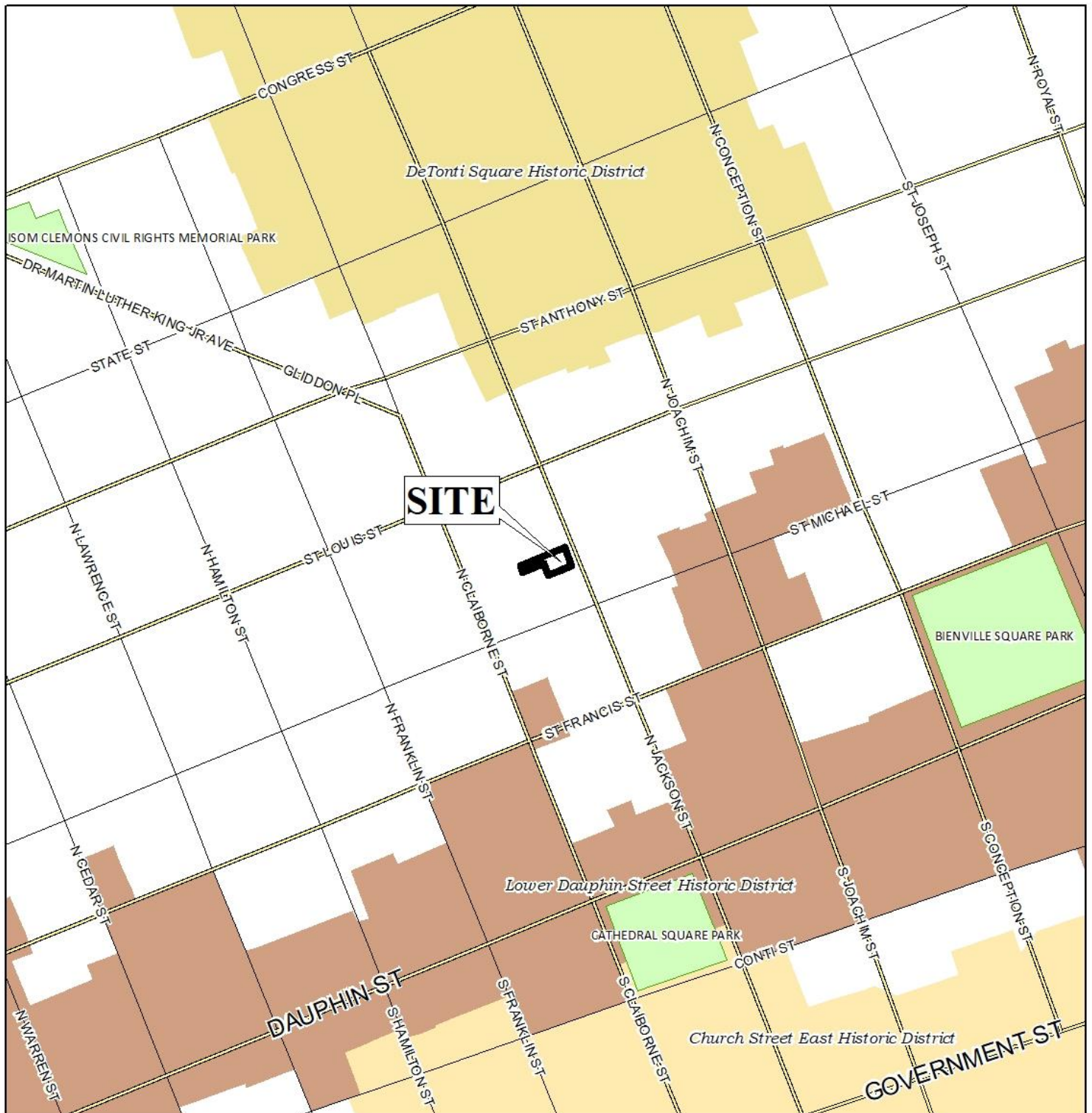
This application was heldover from the July 15th meeting to allow staff to review the building plan submitted at that meeting, and to allow the applicant to meet with neighbors.

The plan submitted indicates the interior lay-out of both floors of the subject site. The plan submitted was done in 2012 for the fire alarm system installed for the previously-referenced Tag Nightclub, and clearly indicates a lounge/serving area on the ground floor and a stage/dance area on the second floor. However, the plan is not a sealed architectural plan and there are no calculations provided giving an occupancy load for how the applicant intends to utilize the building.

As occupancy load calculations are dependent upon plans prepared by a registered architect, and as no such plans or calculations have been provided, a current occupancy load capacity based upon current building codes and fire codes cannot be determined.

RECOMMENDATION: *As no site plan/floor plan prepared by a registered architect was submitted including occupancy load calculations based upon current building codes and fire codes, this application is recommended for denial.*

LOCATOR MAP



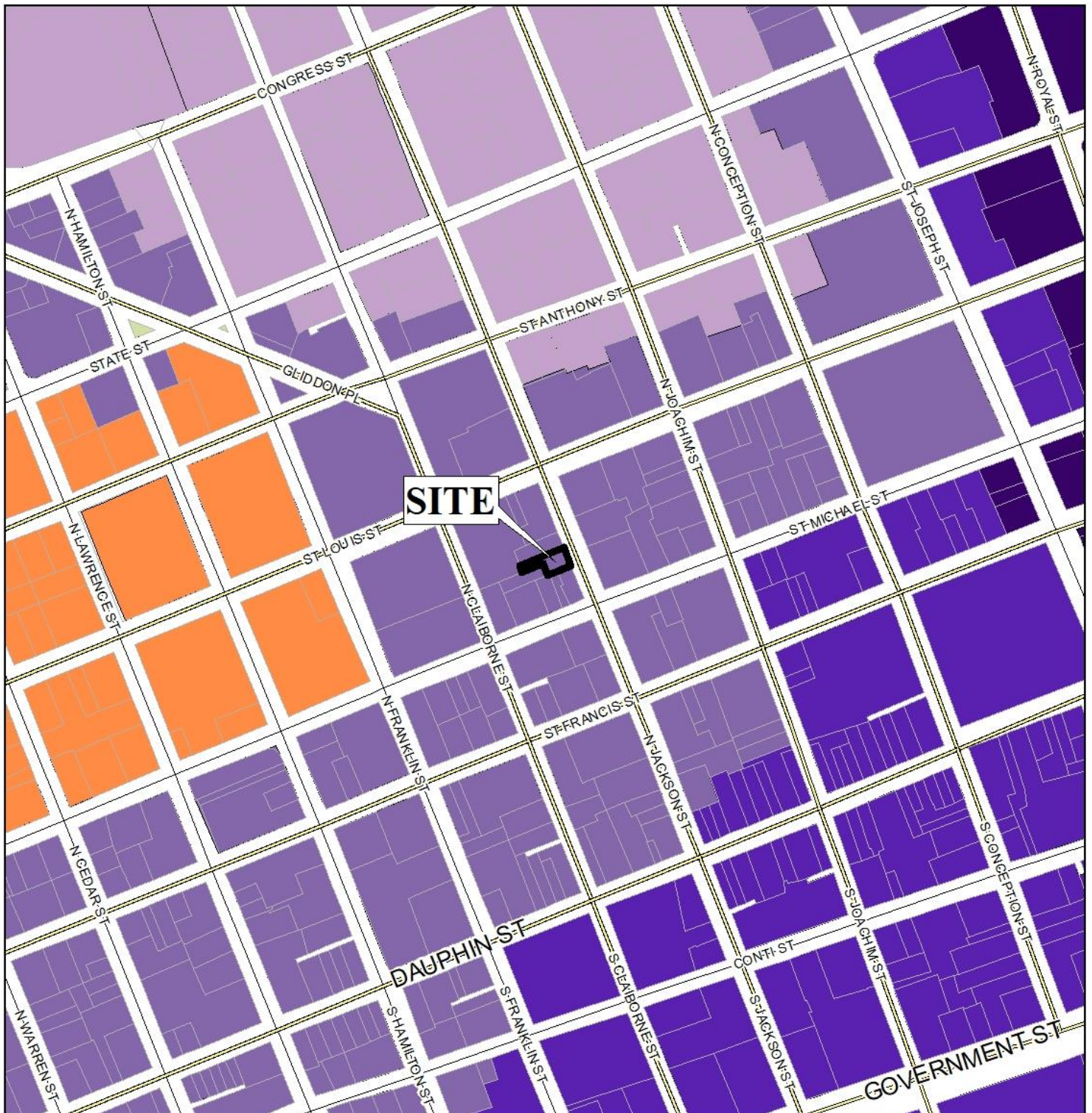
APPLICATION NUMBER 1 DATE August 5, 2021

APPLICANT Kawauna Gill

REQUEST Planning Approval



LOCATOR ZONING MAP



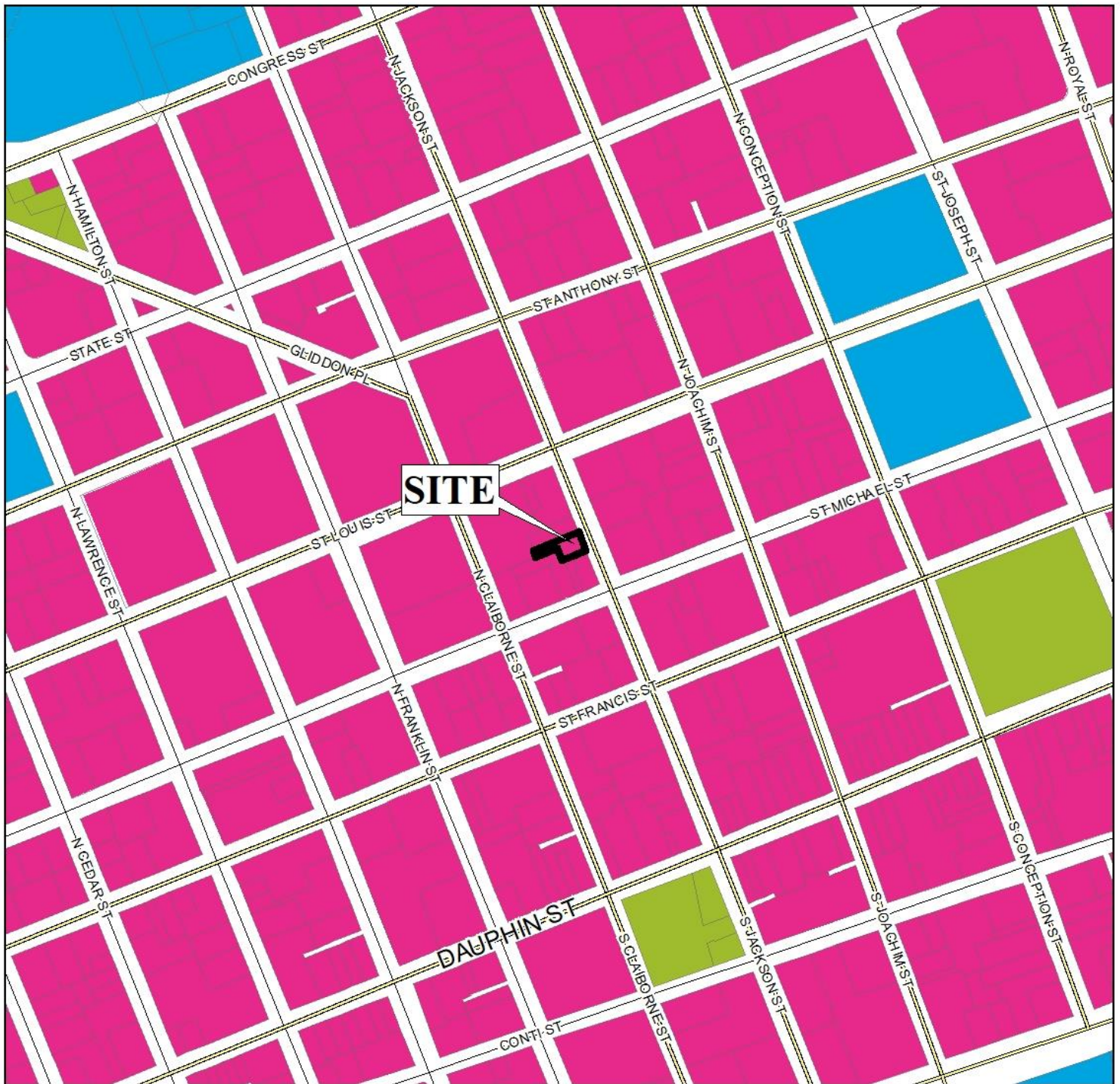
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FLUM LOCATOR MAP



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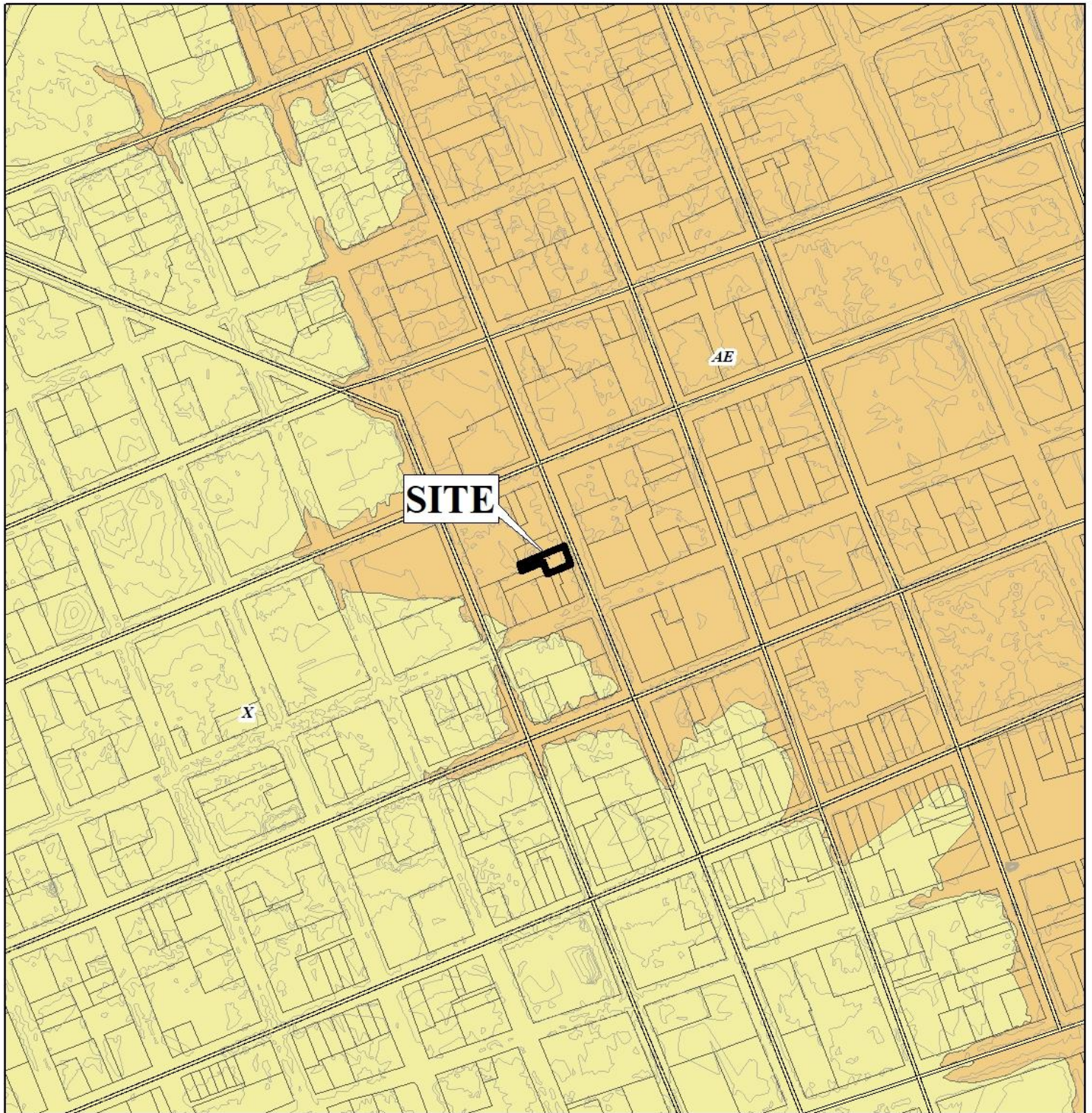
REQUEST Planning Approval

- | | | | |
|--|---|--|---|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



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ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units, vacant lands, offices, parking lots and residential units.

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REQUEST Planning Approval

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

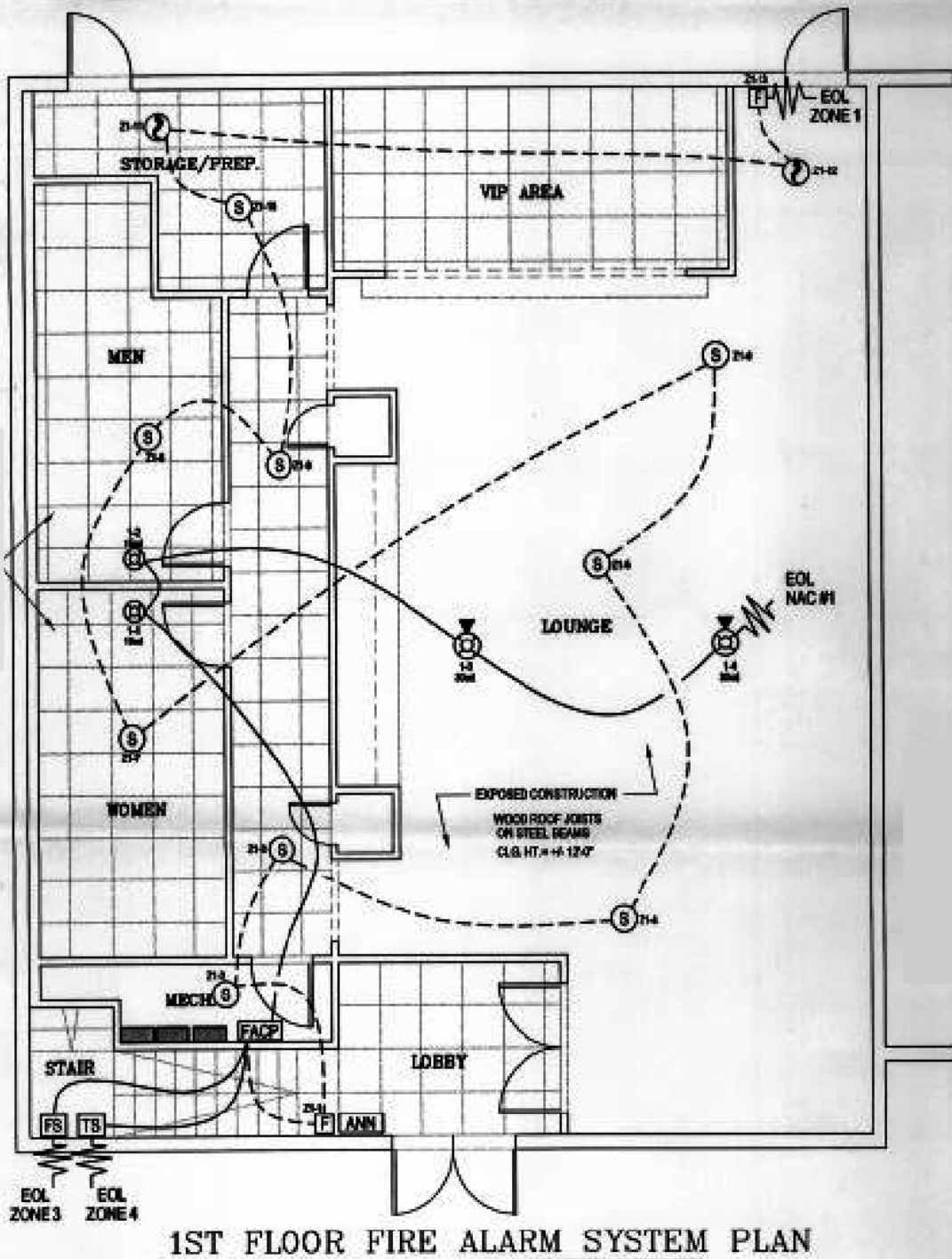


The site is surrounded by commercial units, vacant lands, offices, parking lots and residential units.

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 APPLICANT Kawauna Gill
 REQUEST Planning Approval



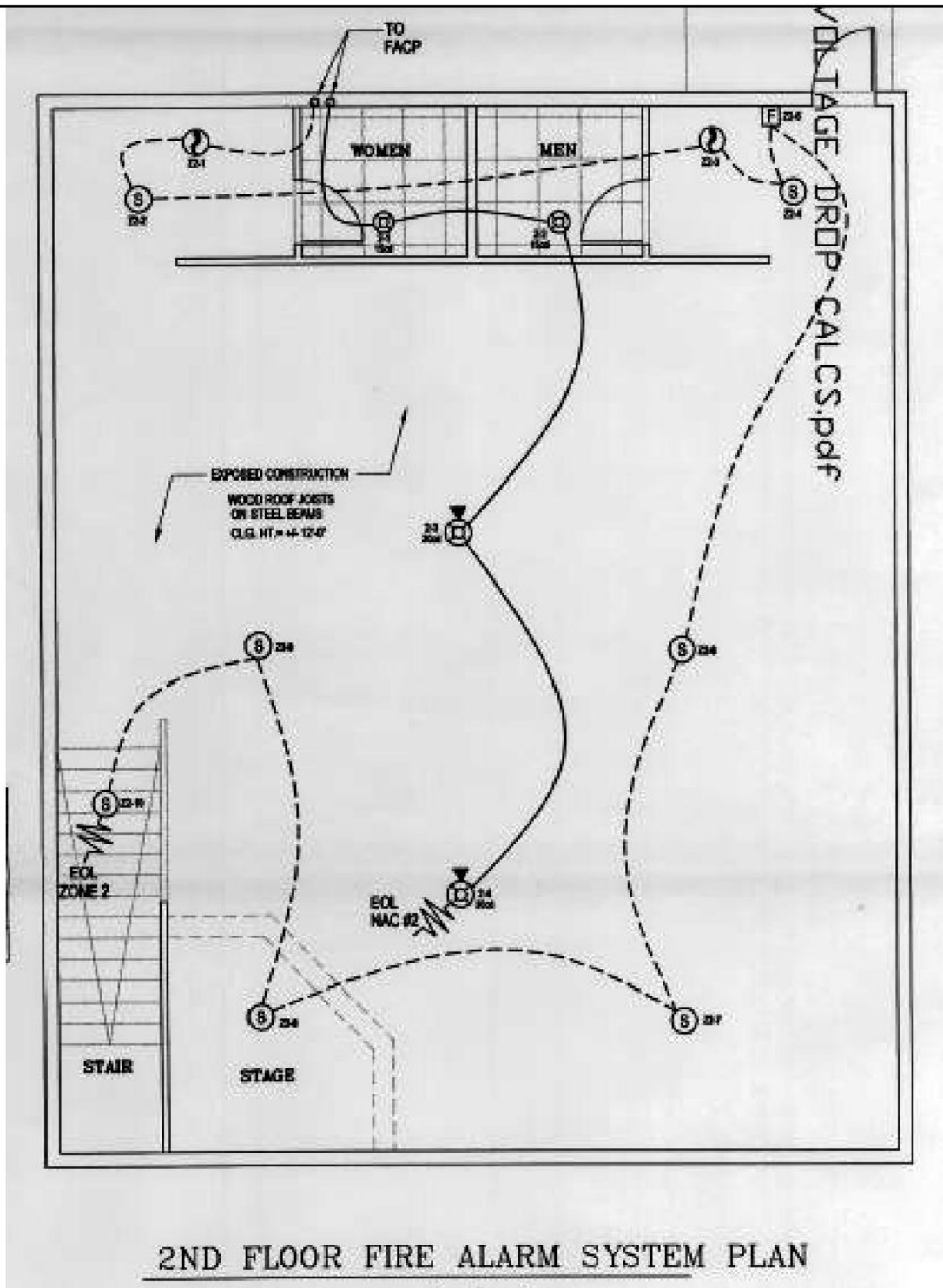
DETAIL SITE PLAN



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