

**PLANNING APPROVAL
STAFF REPORT****Date: May 6, 2021****NAME**

Matthew LeMond

LOCATION508 & 518 Dauphin Street
(North side of Dauphin Street, 47'± West of North
Lawrence Street).**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONINGT-5.1, Sub-District within the Downtown Development
District**AREA OF PROPERTY**

0.02± Acre

CONTEMPLATED USEPlanning Approval to allow a bar and restaurant with an
occupancy load of over 100 people in a T5.1 Sub-District
of the Downtown Development District.**TIME SCHEDULE
FOR DEVELOPMENT**

November 2021

**ENGINEERING
COMMENTS**

No comments.

**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.

Revised for the May 6th meeting: 6-foot wooden fence shown on site plan will block access to fire hydrant and FDC connection at the rear of the building.

REMARKS

The applicant is requesting Planning Approval to allow a bar and restaurant with an occupancy load of over 100 people in a T5.1 Sub-District of the Downtown Development District. Planning Approval is required for bar/restaurant uses with an occupant load of more than 100 people in a T5.1 Sub-District of the Downtown Development 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 applicant states:

Application Description

The project at hand takes up a portion of a larger site on Dauphin Street. Between Lawrence and Cedar Streets. Per the attached survey, the project will take up Parcels "4" and "3-C", and will utilize Parcels "3-F", "3-E", and "1-C", which are vacant lots. No site work is to be done during this application, nor are any additions being planned. Once approved, we expect the project to be complete by November of 2021.

Plan Consistency Statement

Located in a T5.1 (Mixed use of medium intensity) zone, the project is consistent with the framework laid out by the City in that it will be house a restaurant and bar use, while renovating the facades to maintain appropriateness to the Lower Dauphin Historic District and overall breathing life into a long-neglected section of Dauphin Street.

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/floor plan or to the scope of operations for the restaurant that will increase the occupant load beyond what is approved, by current or future applicants must be submitted for Planning Approval review.

The site has a history of mixed uses. The proposed use as a bar/restaurant is allowed by right within the Downtown Development District (DDD) with an occupancy load of no more than 100 persons. For more than 100 persons, Planning Approval is required for such use within the DDD. The narrative did not mention the proposed occupancy load. However, an addendum to the narrative later submitted states that the proposed maximum occupancy load is 246 persons. The narrative should be revised to include the proposed occupancy load.

The site is located within a mixed-use area consisting of parking lots and garages, offices, bars/lounges/restaurants, and residential townhouses.

There is some parking available on-site, behind the building, and there are numerous on-street parking spaces available within the area. While parking is not required for the reuse of existing buildings within the DDD, the availability of parking helps to address any concerns relating to creating any additional vehicular congestion. The narrative states that Parcels "3-F", "3-E" and "1-C" will be utilized, which are vacant parking areas, but no improvements are indicated for these areas. As Planning Approval is both site plan and use specific, the site plan should be revised to indicate improvements to these parking areas, to include screening compliant with Section 64-3.I.11.(b) (3) of the Zoning Ordinance.

The site plan submitted shows all properties owned by the applicant including some which are not related to the current application. Therefore, the site plan should be revised to illustrate only the structures and spaces to be used in connection with this application. Also, no floor plan was submitted with this application. For a clearer understanding of the proposed uses, a floor plan should be submitted.

The subject site consists of three contiguous buildings along the North side of Dauphin Street. The middle and Western-most buildings are proposed for conversion to bar/restaurant use with common interior access. As the site is located within the Lower Dauphin Street Historic District and within the Downtown Development District, a Certificate of Appropriateness and approval from the Consolidated Review Committee are both required for any exterior work prior to the issuance of permitting for exterior alterations, additions and signage for the structure. Approvals for exterior building renovations have been granted by those two reviewing entities.

RECOMMENDATION

Planning Approval: Based upon the preceding, staff recommends that this application be heldover to the May 6th meeting, with revisions due by April 16th, to allow the applicant to address the following:

- 1) revision of the narrative to include the proposed occupancy load requested;
- 2) revision of the narrative to address the use of the outdoor areas “3-F”, “3-E” and “1-C”;
- 3) revision of the site plan to only include the parcels associated with the proposed use which are specifically listed in the narrative;
- 4) revision of the site plan to show improvements to the indicated parking areas, to include screening; and
- 5) provision of a floor plan for the building area associated with this application.

Revised for the May 6th meeting:

This application was heldover from the April 1st meeting to allow the applicant to submit additional information, with revisions due by April 16, 2021.

The applicant submitted the following revised narrative for the proposed project:

Application Description

The project at hand takes up a portion of a larger site on Dauphin Street, between Lawrence and Cedar Streets. Per the attached survey, the project (enclosed space) will take up Parcels "4" and "3-C", and will utilize Parcels "3-F", "3-E", and "1-C", which are currently vacant lots.

The occupant load for the project being requested is 246. This is made up of 162 for the bar portion of the project and 84 for the food hall portion of the project. For reference,

the occupant load of the current O'Daly's group (O'Daly's Irish Pub, Draft Picks, Dauphin Street Blues Company, and Hole in the Wall) that will be moving down the street in to this space is 283, so the occupant load being requested is lower than what currently exists by 37 occupants.

Refer to the attached colored site plan- parcels "3-E" and "3-F", and a portion of "1-C" will be utilized as a large open field, similar to what is there now. The bar hosts a wiffle ball league periodically and this will be utilized for that by in large. A small non-attached, non-covered, low platform deck will be provided. There will be no building addition. The remainder of parcel "1-C" will house a fenced trash enclosure and will be gated to only allow for limited employee parking only, similar to what is there now. New wood fencing and vegetative buffers will be added between parcels "1-C" and "3-E/3-F" to help mitigate sound transmission outside the property. Once approved, we expect the project to be complete by November of 2021.

Plan Consistency Statement

Located in a T5.1 (Mixed use of medium intensity) zone, the project is consistent with the framework laid out by the City in that it will be house a restaurant and bar use, while renovating the facades to maintain appropriateness to the Lower Dauphin Historic District and overall breathing life into a long-neglected section of Dauphin Street.

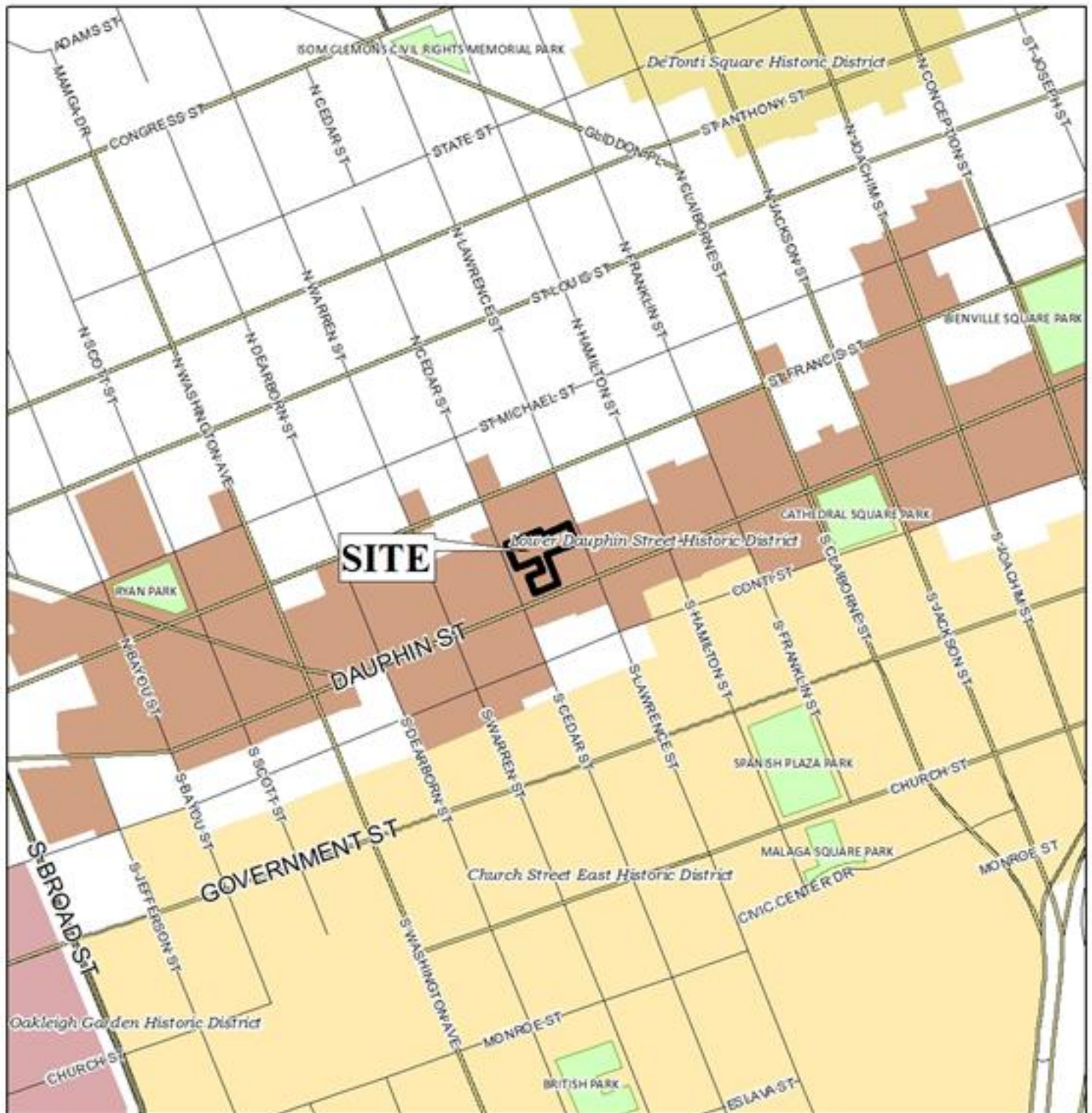
In conjunction with the revised narrative, the applicant submitted a revised site plan and interior floor plans for the buildings.

The revised site plan indicates that the large vacant area adjacent to the North (Parcels 3-E and 3-F, and a portion of Parcel 1-C) will be used as a wiffle ball field. The remainder of Parcel 1-C to the East and adjacent to North Lawrence Street, will be used for limited employee parking. It should be noted that the originally-submitted site plan indicated the area proposed as a wiffle ball field was originally designated as a parking area. This would seem to indicate a more intense use of the site than originally presented, and the likelihood of having 283 occupants when including the wiffle ball area.

The site is not located within an Entertainment District designated by the City Council, but is within approximately twenty feet of the Eastern boundary of Entertainment District 3. The Planning Commission has both approved and denied properties within Entertainment Districts for similar requests, and has both approved and denied properties not located within Entertainment Districts for similar requests. Inasmuch as the re-development of vacant commercial properties is encouraged Downtown to promote economic activity, the City also has encouraged the development of residential properties Downtown. The site is directly across Dauphin Street from established residential townhouses. As such, the proposed use and the proposed occupancy load may be in conflict with existing residential development.

RECOMMENDATION *Based upon the preceding, staff is of the opinion that the Commission should consider all relevant facts and make a decision based upon the input of the applicant and neighborhood residents.*

LOCATOR MAP



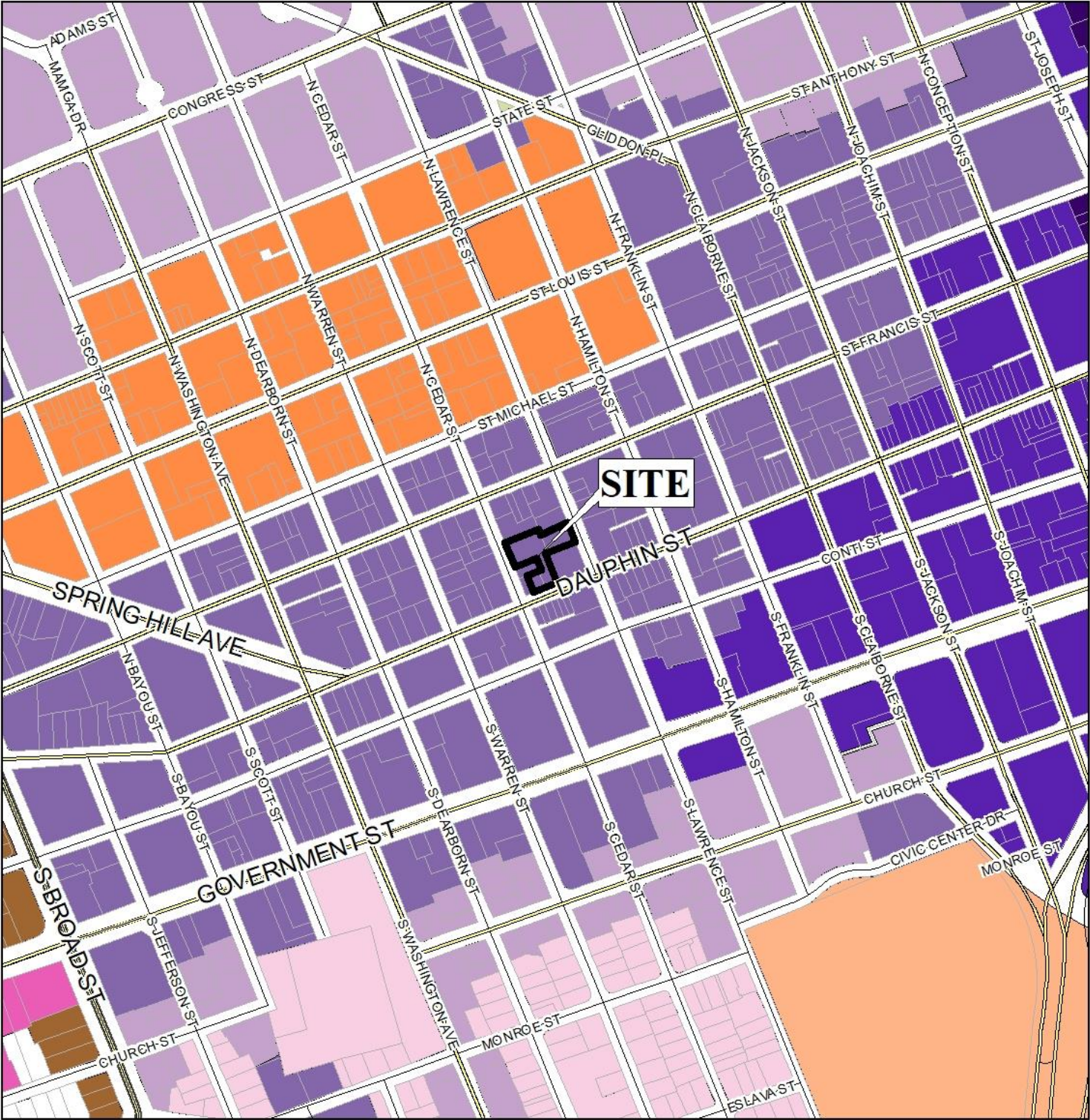
APPLICATION NUMBER 1 DATE May 6, 2021

APPLICANT Matthew Lemond

REQUEST Planning Approval



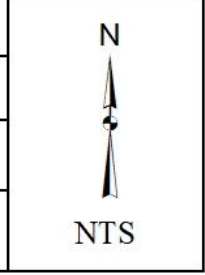
LOCATOR ZONING MAP



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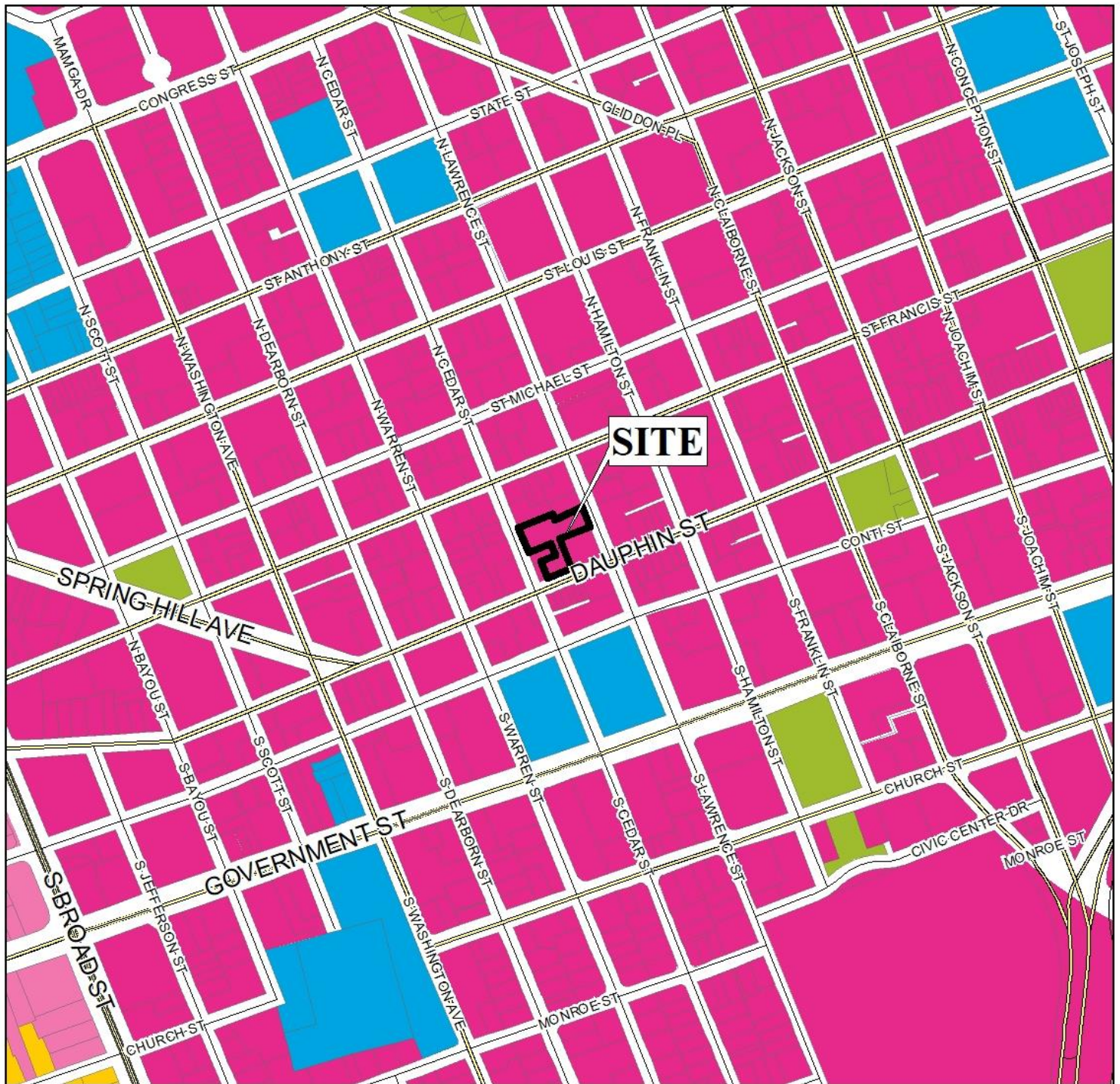
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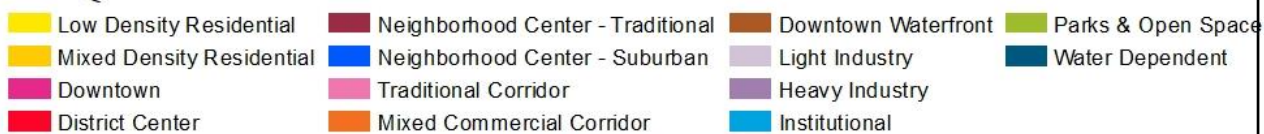
FLUM LOCATOR MAP



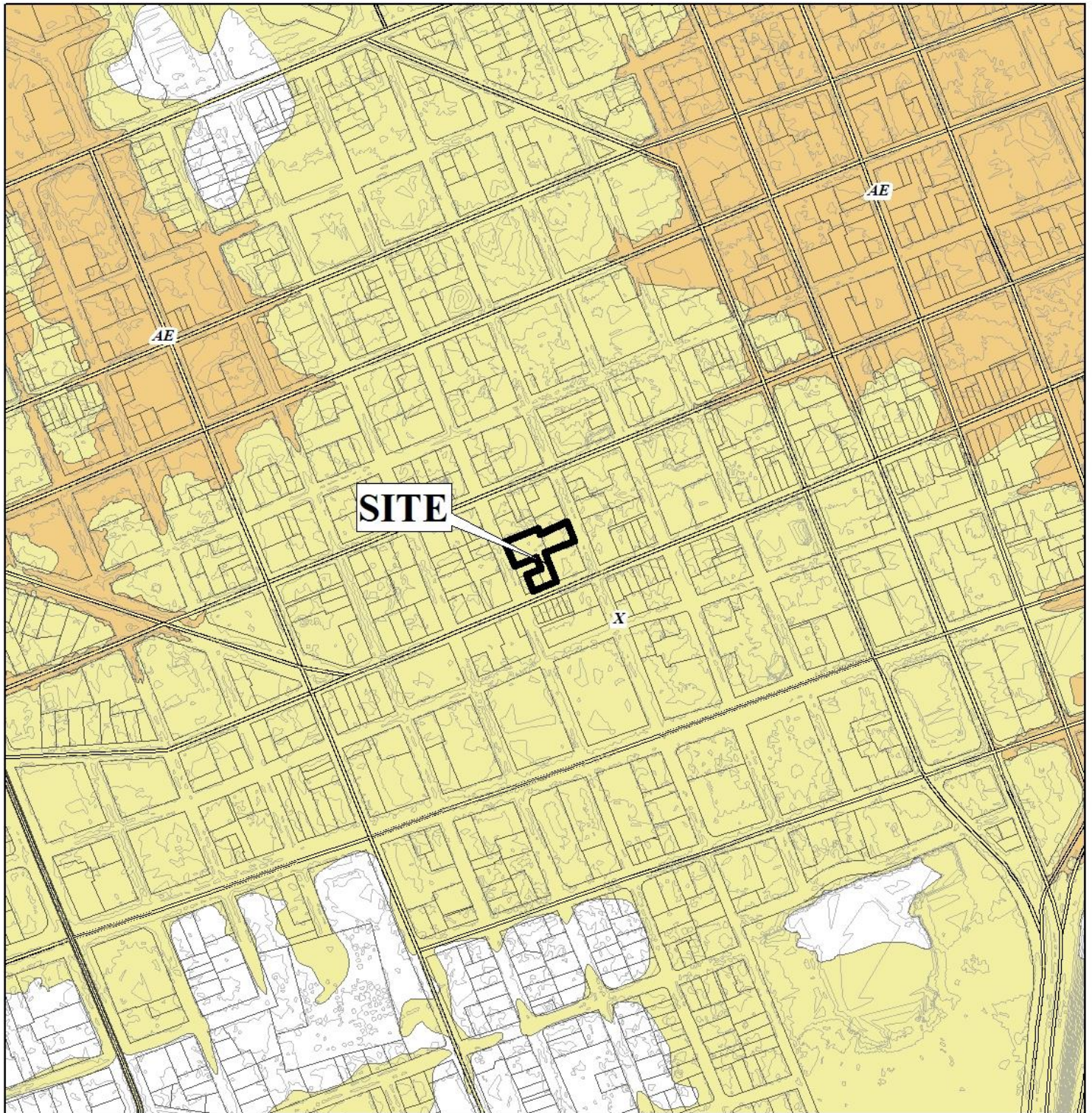
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ENVIRONMENTAL LOCATOR MAP



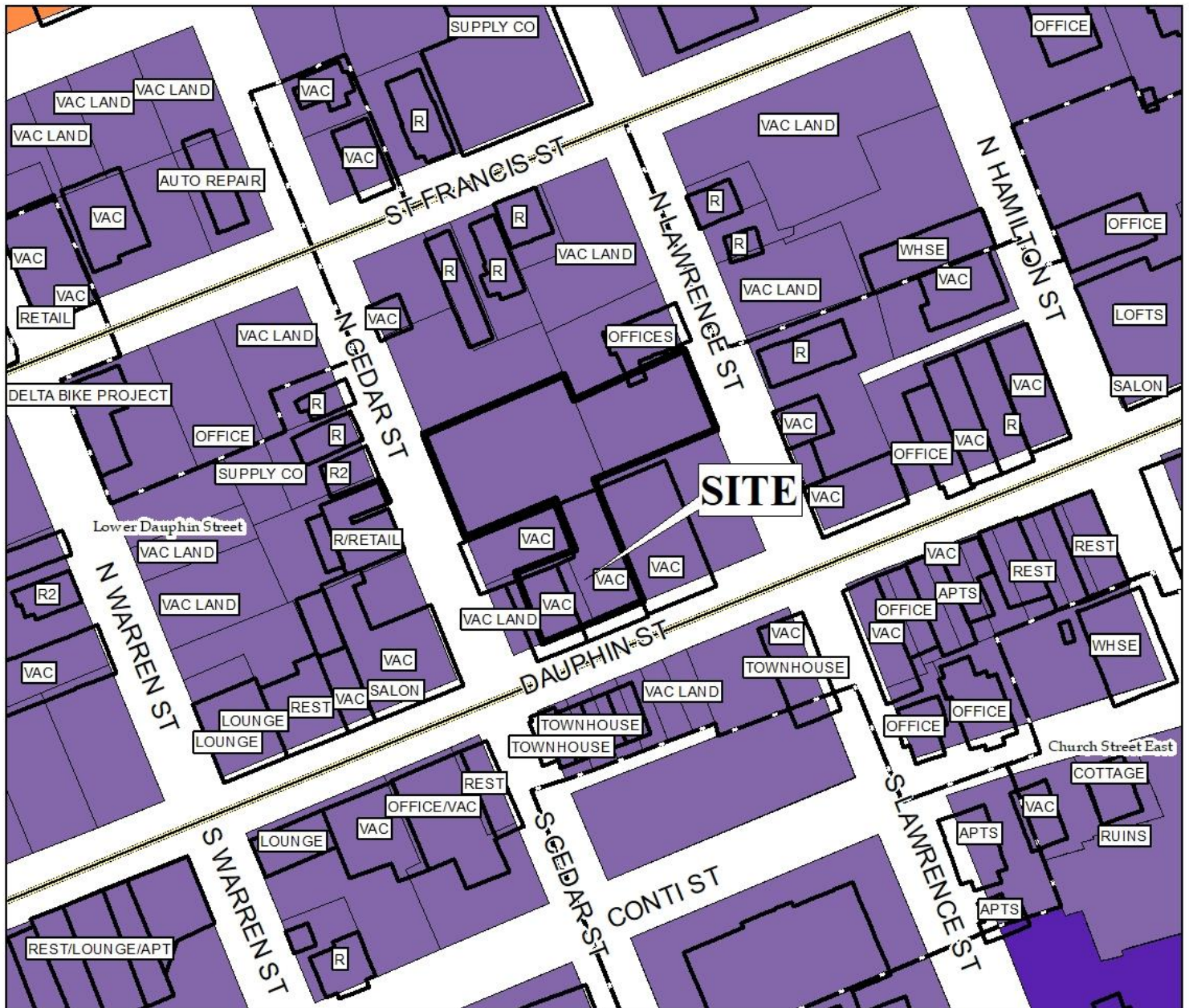
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

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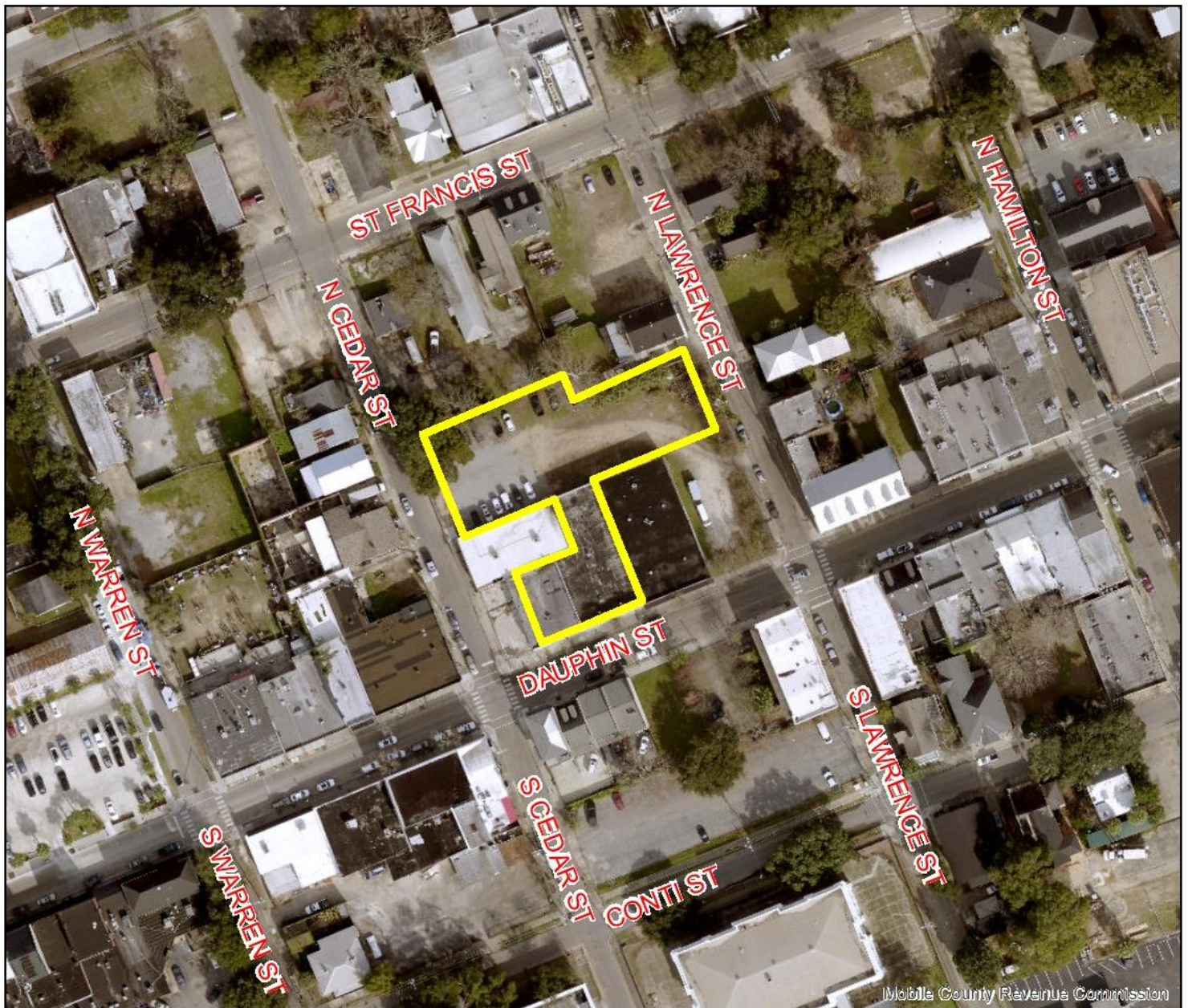
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



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

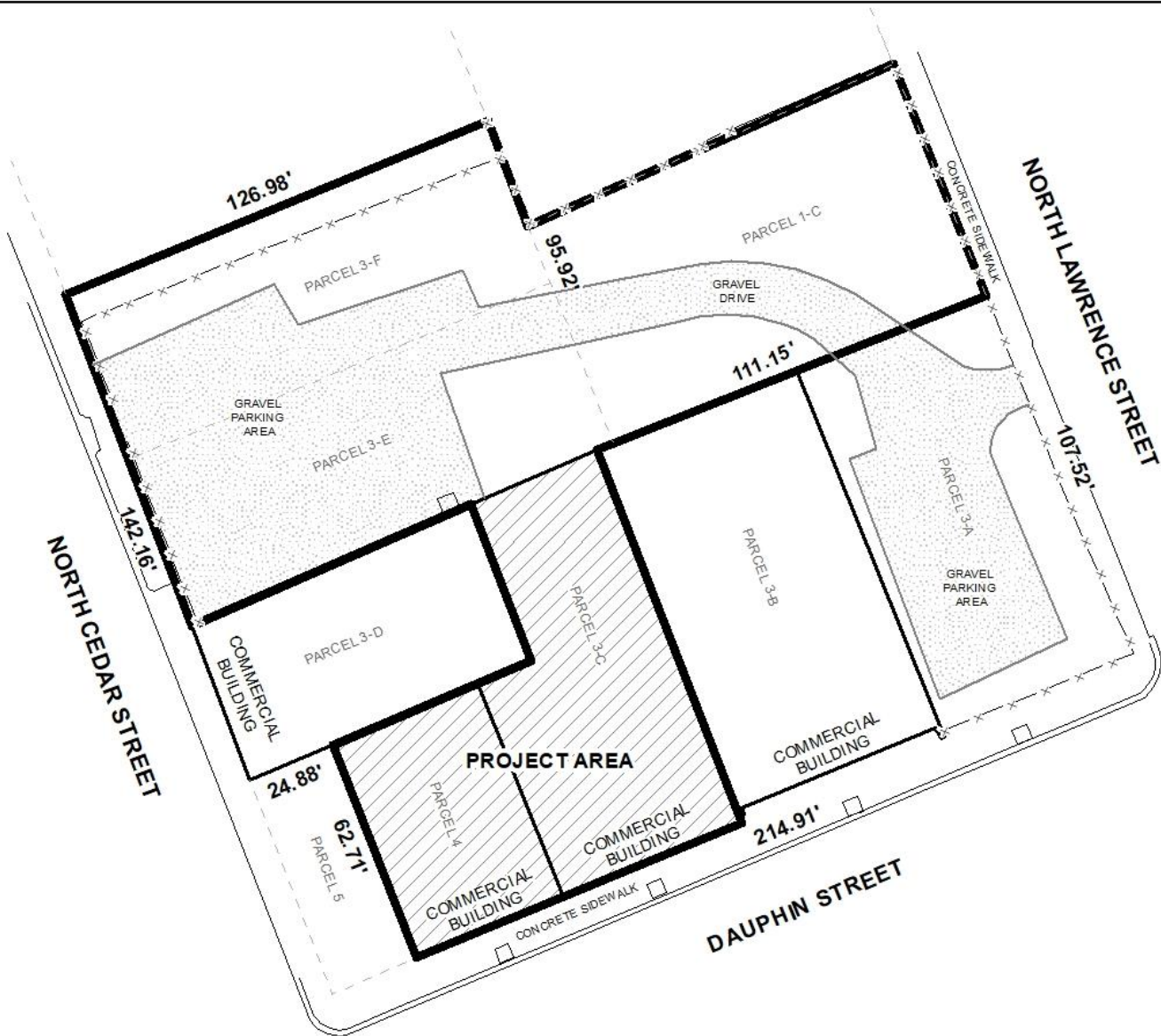
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SITE PLAN



The site plan illustrates existing buildings, parking areas and proposed project area.

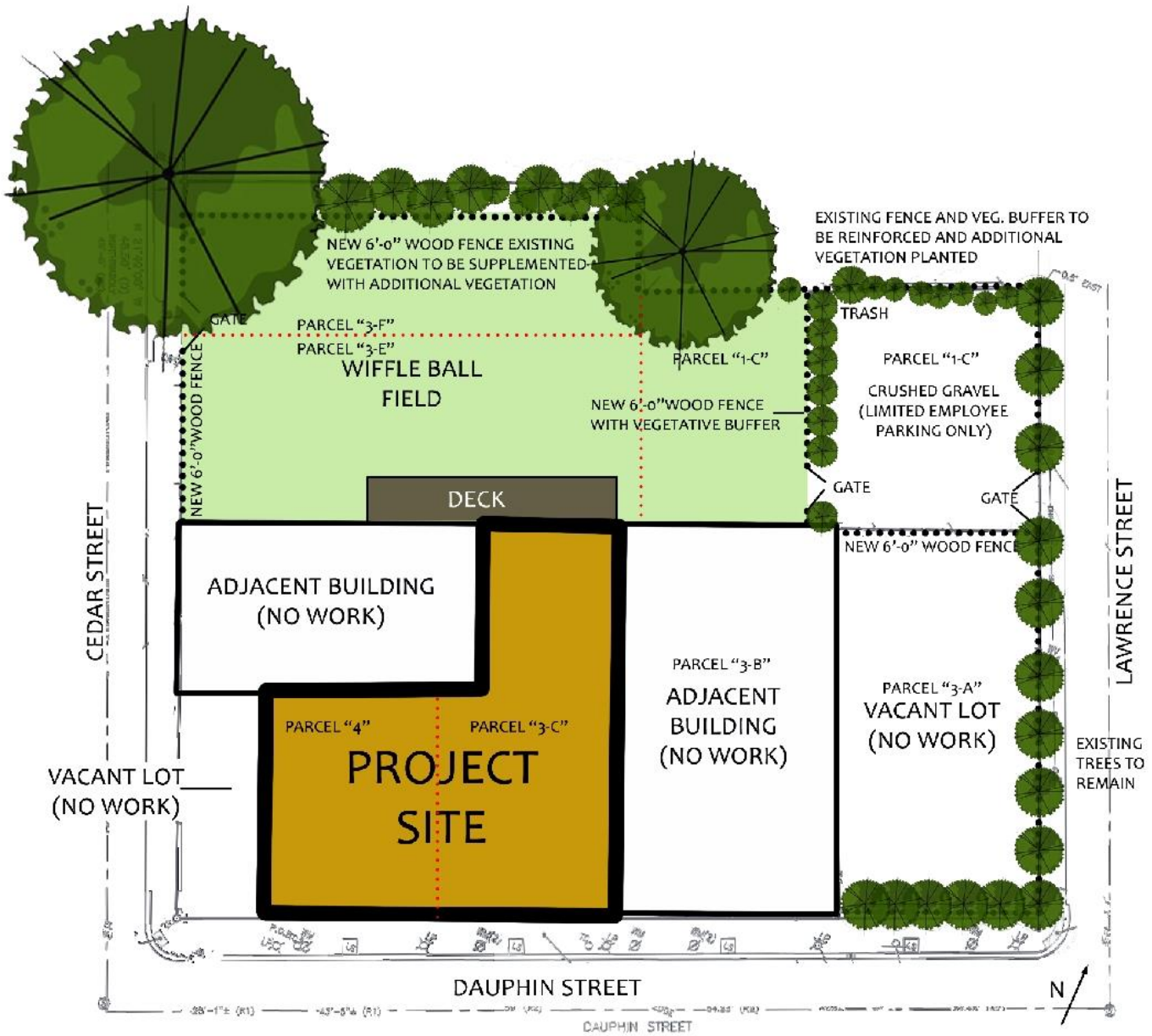
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DETAIL SITE PLAN



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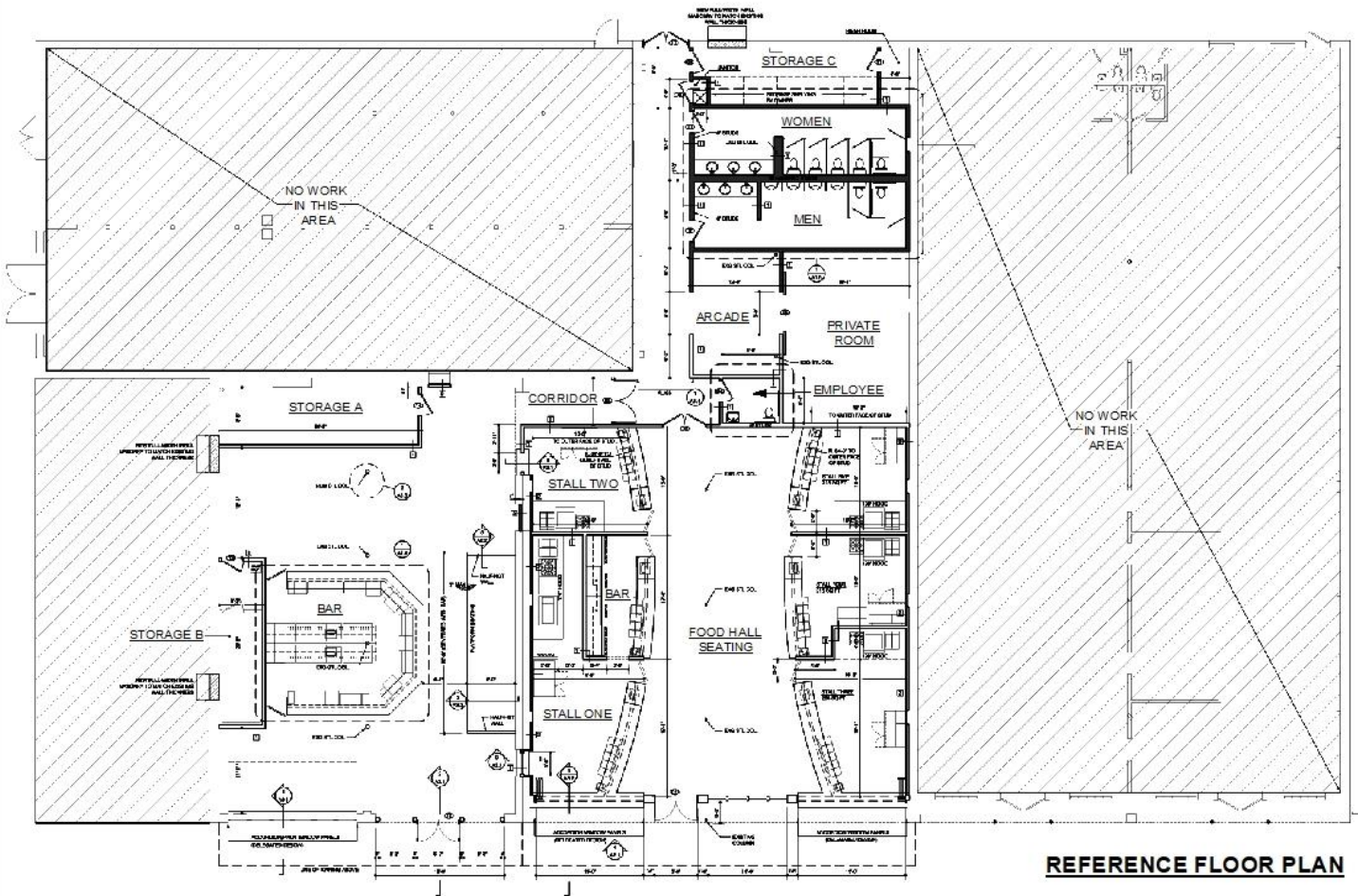
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DETAIL SITE PLAN



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