

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: October 6, 2016****DEVELOPMENT NAME**

Checker's Drive-In Restaurant, Inc.

LOCATION

1924, 1965, 2000 & 2222 Dauphin Island Parkway and
1923 Ryders Lane
(Northwest corner of Dauphin Island Parkway and Old
Military Road, extending to the Northeast corner of Old
Military Road and Ryders Lane.)

**CITY COUNCIL
DISTRICT**

District 3

AREA OF PROPERTY

8.7± Acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a
previously approved Planned Unit Development to allow shared access and parking on multiple
building sites.

**TIME SCHEDULE
FOR DEVELOPMENT**

Not specified.

**ENGINEERING
COMMENTS**

ADD THE FOLLOWING NOTES TO THE PUD SITE
PLAN:

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 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, paving, and all above ground structures, 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. 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.

5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Dauphin Island Parkway is an ALDOT maintained roadway. Lot is limited to its existing curb cuts, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The site plan appears to include provisions to meet ADA accessibility to the order window and dining, but the plan does not illustrate ADA parking spaces in the vicinity of the building. It is the owner/developers responsibility to conform to federal ADA requirements.

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 (State Act 2015-116 and City Code Chapters 57 and 64).

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).

REMARKS

The applicant is requesting Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking on multiple building sites.

The site was the subject of Subdivision and Planned Unit Development approvals at the November 5th, 2015 meeting of the Planning Commission to create four legal lots of record from several metes-and-bounds parcels, and to allow shared access and parking between the four lots. It should be noted that the subdivision has neither been recorded in Mobile County Probate Court, nor has it been presented for signatures. The subdivision should be recorded, with seven (7) copies submitted to the City of Mobile Planning and Zoning Department prior to the issuance of any permits.

The purpose of this application is to renovate a Checker's Drive-In Restaurant on the site by constructing a 110 square foot addition to the existing building; providing ADA access to proposed fixed, outdoor seating; and re-locating two existing drive-thru canopies, menu boards, and clearance bars.

It should be noted that the site is located along what the Map for Mobile Comprehensive Plan considers a Suburban Corridor, along which the intent for development includes:

- accommodation of all users: automobile, bicycle, pedestrian, and transit;

- greater connectivity to surrounding neighborhoods;
- development concentrated in centers rather than in strips along the corridor;
- eventual increase in density with residential above retail and services;
- increased streetscaping; and
- improved traffic flow.

It should also be noted that Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission.

The site plan illustrates an existing 450 square foot building with a proposed 110 square foot addition towards the front of the property to accommodate changing design standards required by Checker's Drive-In Restaurants. Additional changes to the existing site include the replacement of six existing, fixed outdoor tables to the North of the property with six new, fixed outdoor tables in a slightly different configuration, also to the North of the property. The demolition of an existing walkway providing access to an adjacent lot north of the property is proposed, with a new walkway to be installed east of the original walkway. The new walkway will provide ADA access to the proposed, fixed outdoor seating via a concrete ramp.

The replacement of two menu boards and speakers at the entrance of each ordering station, with newer designs and slightly different locations, is also proposed. Additionally, two new clearance bars are proposed prior to the entrance of each ordering station. It should be noted that sign permits will be required for the new menu boards.

Queuing spaces for the northernmost drive-thru lane comply with requirements of Section 64-4.F.2. of the Zoning Ordinance regarding vehicle stacking; however, it does not appear that the southernmost drive-thru lane complies with such regulations, with its entrance to the ordering station and menu board being situated on a separate lot to the West of the site. Previous Planned Unit Development approval allowed such shared access, thus facilitating compliance with drive-thru design standards regarding drive-thru businesses integrated in a shopping center. However, it is unclear if variations in the placement of ordering stations, clearance bars, etc., will impact existing shared drive-thru configuration with respect to the lot to which the site in question has access since site plans for the entire development were not provided. Nevertheless, the applicant does not propose to make changes to existing drive-thru lanes, and changes in the placement of ordering stations and clearance bars are minimal. Therefore, given the site's lengthy existence and its previous Planned Unit Development review and approval, vehicle stacking on the subject site may be in compliance.

Parking is not illustrated on the site plan, therefore Staff cannot determine if the site complies with parking requirements as they are impacted by the proposed addition to the existing building;

or, if any additional parking is proposed. As such, Staff also cannot confirm if potential changes in parking resulting from the proposed renovation of the site will impact site lighting requirements. Parking requirements are based upon outside seating and the maximum allowed employees during a shift.

Landscaping is proposed on the site, but not for the overall development; and information regarding landscaping is not depicted with regards to the calculations needed to ensure compliance. While no significant structural enhancements to the site are proposed that would necessitate full compliance with tree and landscaping requirements of the Zoning Ordinance, all existing and proposed landscaping and tree plantings for the entire development need to be illustrated, along with their calculations, on a revised site plan.

A dumpster enclosure is illustrated on the site plan, but is not located on the lot whereon Checker's Drive-In Restaurant is situated; and it is unclear if the existing dumpster meets enclosure and sanitary sewer requirements of Section 64-4.D.9. of the Zoning Ordinance. Again, previous Planned Unit Development approval allows shared access between the subject site and the lot on which the aforementioned dumpster is located, therefore the dumpster may be in compliance; nevertheless, it should be noted that if the subject site chooses to utilize their own dumpster, a revised site plan should illustrate its compliance with Section 64-4.D.9., or a note placed on the site plan stating curb-side pick-up will be utilized should be required.

A sidewalk is located along the frontage(s) of the subject site, but it is not clearly illustrated on the site plan. A revised site plan should clearly indicate existing sidewalks to ensure compliance with the Zoning Ordinance.

With regards to Map for Mobile, the site currently accommodates automobiles via drive-thru restaurant lanes; pedestrian traffic via a pedestrian-accessible ordering station; and public transit via Dauphin Island Parkway, along which The Wave bus system operates. The subject site also inherently represents development concentrated within a commercial center considering its location, as well as its access to surrounding commercial lots via a previously approved Planned Unit Development. And, finally, proposed landscaping will contribute to increased streetscaping. As such, the proposed Planned Unit Development may reflect the character of the existing neighborhood as well as the development objectives of a Suburban Corridor; therefore approval of this application may be appropriate. However, while no changes are anticipated for the remaining portions of the development, those sites should nevertheless be detailed since they are a part of the Planned Unit Development. A full site plan illustrating the entire development, to include sidewalks, the existing commercial buildings, parking facilities, sign structures, landscaping, etc., should all be illustrated on a revised site plan prior to approval of the proposed amendments to the original Planned Unit Development.

RECOMMENDATION

Based on the preceding, the request is recommended for Holdover to the November 3, 2016 meeting, with revisions submitted by October 20, 2016, to allow the applicant to address the following:

- 1) submit a full site plan illustrating all existing and proposed site improvements to the entire Planned Unit Development.

Revised for the November 3rd meeting:

The application was heldover to allow the applicant to submit a full site plan illustrating all existing and proposed site improvements to the entire Planned Unit Development.

The site plan illustrates the changes proposed by Checker's Drive-In Restaurant on proposed Lot 4 of the subdivision approved by the Planning Commission at its November 5, 2015 meeting, as well as the revisions to the original Planned Unit Development required by the Planning Commission, at that same time. Such revisions include: provision of a table providing information that reflects parking compliance on the site, which includes information regarding the changes proposed by Checker's Drive-In Restaurant; dedication along Dauphin Island Parkway and Ryders Lane, along with illustration of a corner radius at the intersection of those streets; the illustration of curbing for the parking spaces along the northern side of the existing commercial building on proposed Lot 2; illustration of all existing developments on the site; illustration of all sidewalks and signage on the site; provision of a note stating compliance with Section 64-4.D.9. of the Zoning Ordinance regarding dumpster regulations for the dumpster on proposed Lot 4; and, provision of landscaping notes proposing 3 understory parking trees and retention of all existing landscaping.

It should be noted that the site plan should be revised to illustrate the lot sizes in square feet and acres, as well as to illustrate the 25' minimum building setback line along all street frontages, in coordination with the Final Plat. Also, the site plan should be revised to depict a dumpster on proposed Lot 2 in compliance with enclosure and sanitary sewer requirements of Section 64-4.D.9. of the Zoning Ordinance, or a note should be placed on the site plan stating curbside pickup will be utilized on that lot. Any existing dumpsters should be illustrated and labeled as such.

The changes proposed by Checker's Drive-In Restaurant do not impact parking in a way that would require compliance with regulations regarding parking lot lighting. However, any new lighting on the site must comply with Sections 64-4.A.2, 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance, and a note stating as much should be included on a revised site plan. Additionally, any new lighting on the site should be oriented in such a way that reduces the illumination of adjacent residential properties.

While not required by the original Planned Unit Development with respect to its conditions of approval, the site plan does not illustrate compliance with Sections 64-4.D.1. and 64-6.A.3.i. of the Zoning Ordinance regarding screening requirements that ensure commercial developments and parking facilities are appropriately screened from adjacent residential properties. Therefore, if approved, an appropriate protection buffer in the form of a wall, wooden privacy fence, or the inclusion of a screen planting strip is recommended where the site abuts residential properties to the North and West to ensure compliance with the aforementioned protection buffer requirements, and should be illustrated on a revised site plan(s).

Finally, the applicant should keep in mind that as Planned Unit Developments are site-plan specific, any future redevelopment of the site will require a new PUD application to the Planning Commission to amend the existing PUD. The applicant should also keep in mind that the subdivision has neither been recorded in Mobile County Probate Court, nor has it been

presented for signatures. The subdivision should be recorded, with seven (7) copies submitted to the City of Mobile Planning and Zoning Department prior to the issuance of any permits.

RECOMMENDATION

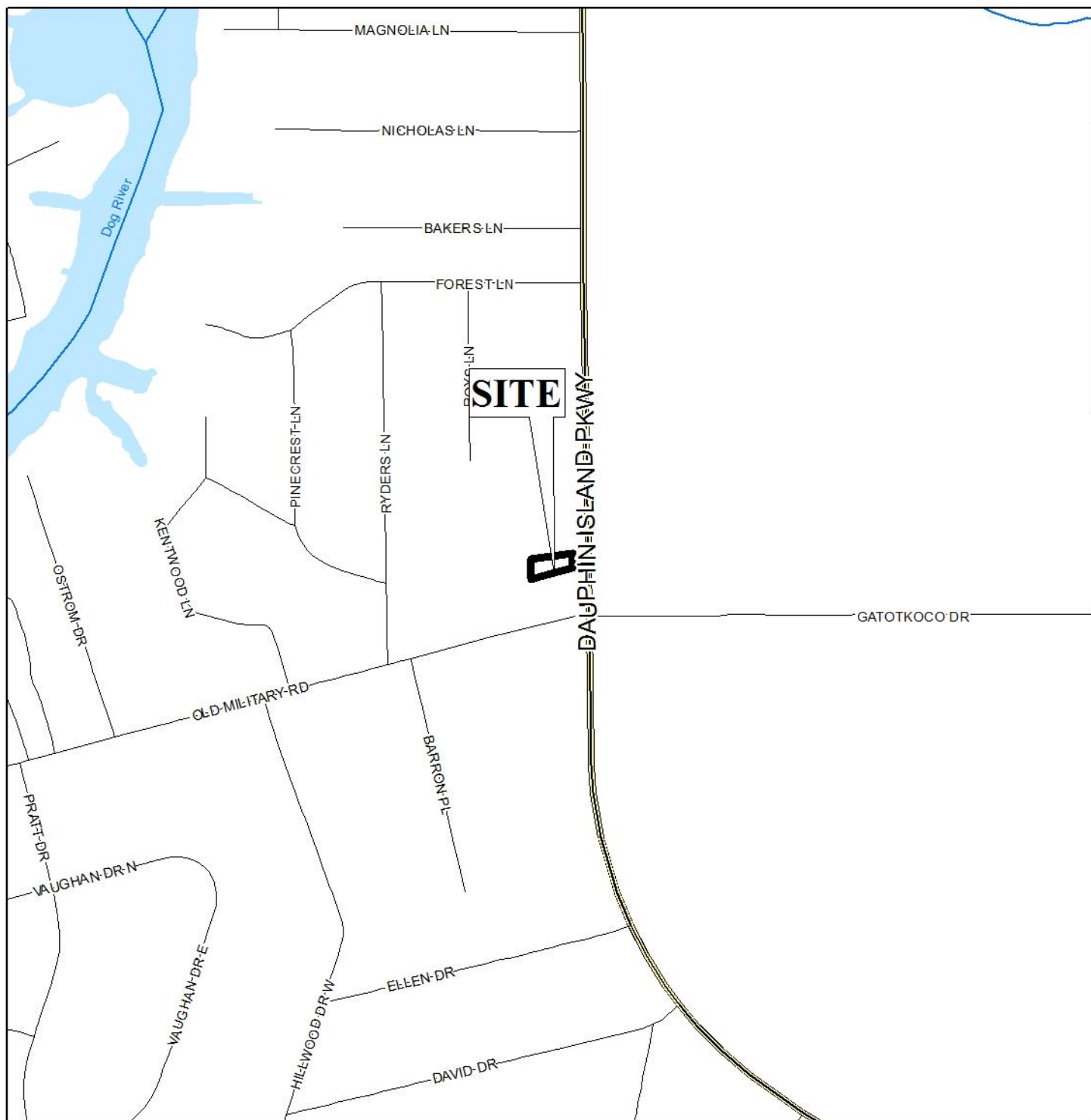
Based on the preceding, the request is recommended for Approval, subject to the following conditions:

- 1) revision of the site plan to illustrate the lot sizes in square feet and acres;*
- 2) revision of the site plan to illustrate a 25' minimum building setback line all street frontages;*
- 3) revision of the site plan to illustrate a dumpster on Lot 2 in compliance with enclosure and sanitary sewer requirements of Section 64-4.D.9. of the Zoning Ordinance, or provision of a note stating curbside pickup will be utilized on that lot;*
- 4) placement of a note on the site plan stating any new site lighting must comply with Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance;*
- 5) revision of the site plan to illustrate compliance with Sections 64-4.D.1. and 64-6.A.3.i. of the Zoning Ordinance regarding screening requirements that ensure commercial developments and parking facilities are appropriately screened from adjacent residential properties;*
- 6) compliance with Engineering comments: (ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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 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, paving, and all above ground structures, 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) 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. 5) The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*
- 7) compliance with Traffic Engineering comments: (Dauphin Island Parkway is an ALDOT maintained roadway. Lot is limited to its existing curb cuts, with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. The site plan appears to include provisions to meet ADA accessibility to the order window and dining, but the plan does not illustrate ADA parking spaces in the*

vicinity of the building. It is the owner/developers responsibility to conform to federal ADA requirements.);

- 8) compliance with 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 (State Act 2015-116 and City Code Chapters 57 and 64).);*
- 9) compliance with 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).*
- 10) submission of two revised site plans to the City of Mobile Planning and Zoning Departments;*
- 11) completion of the subdivision process prior to any requests for new construction; and*
- 12) compliance with all other applicable Building Codes and Zoning Ordinances.*

LOCATOR MAP



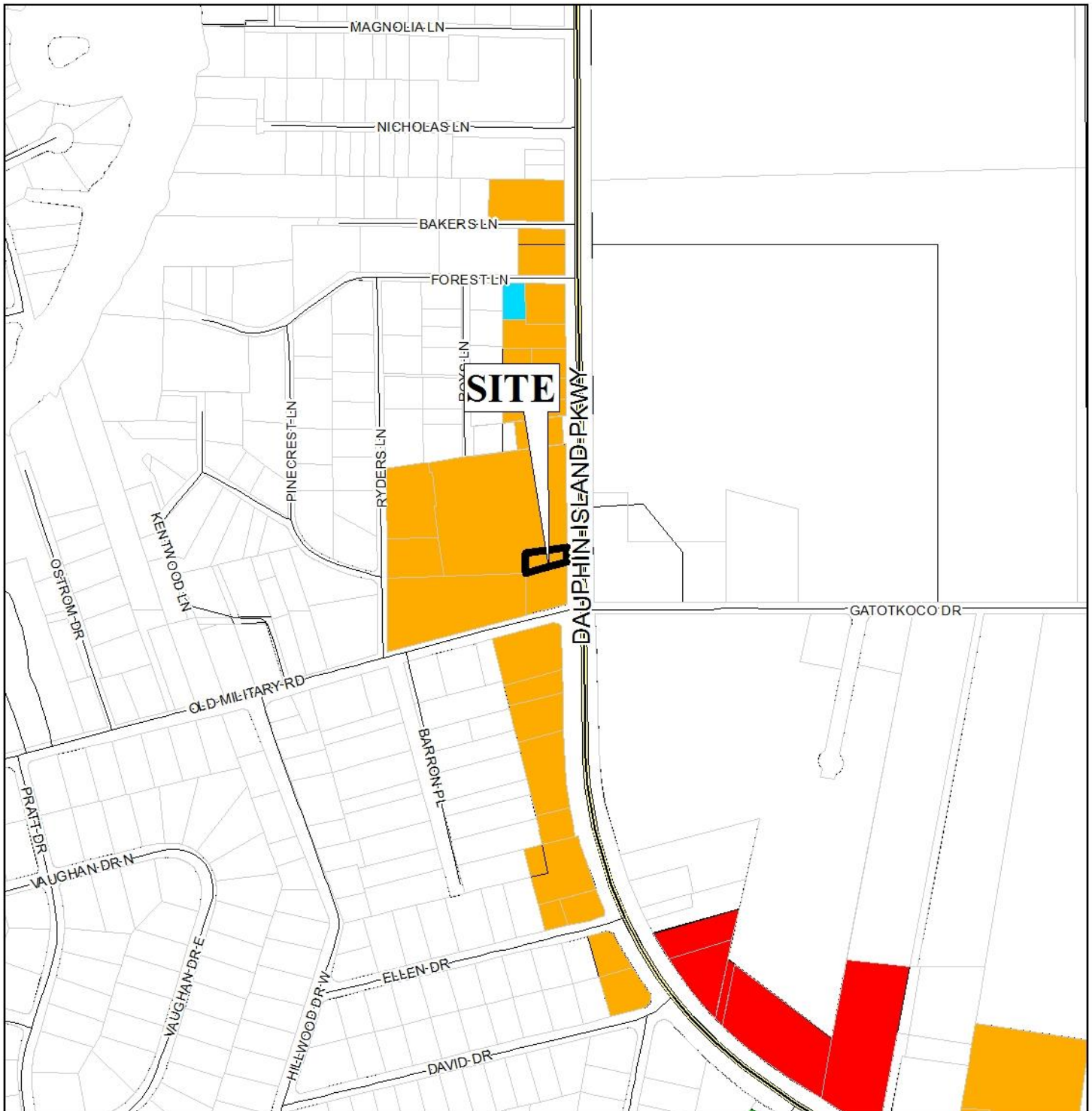
APPLICATION NUMBER 1 DATE November 3, 2016

APPLICANT Checkers Drive-In Restaurant, Inc.

REQUEST Planned Unit Development



LOCATOR ZONING MAP



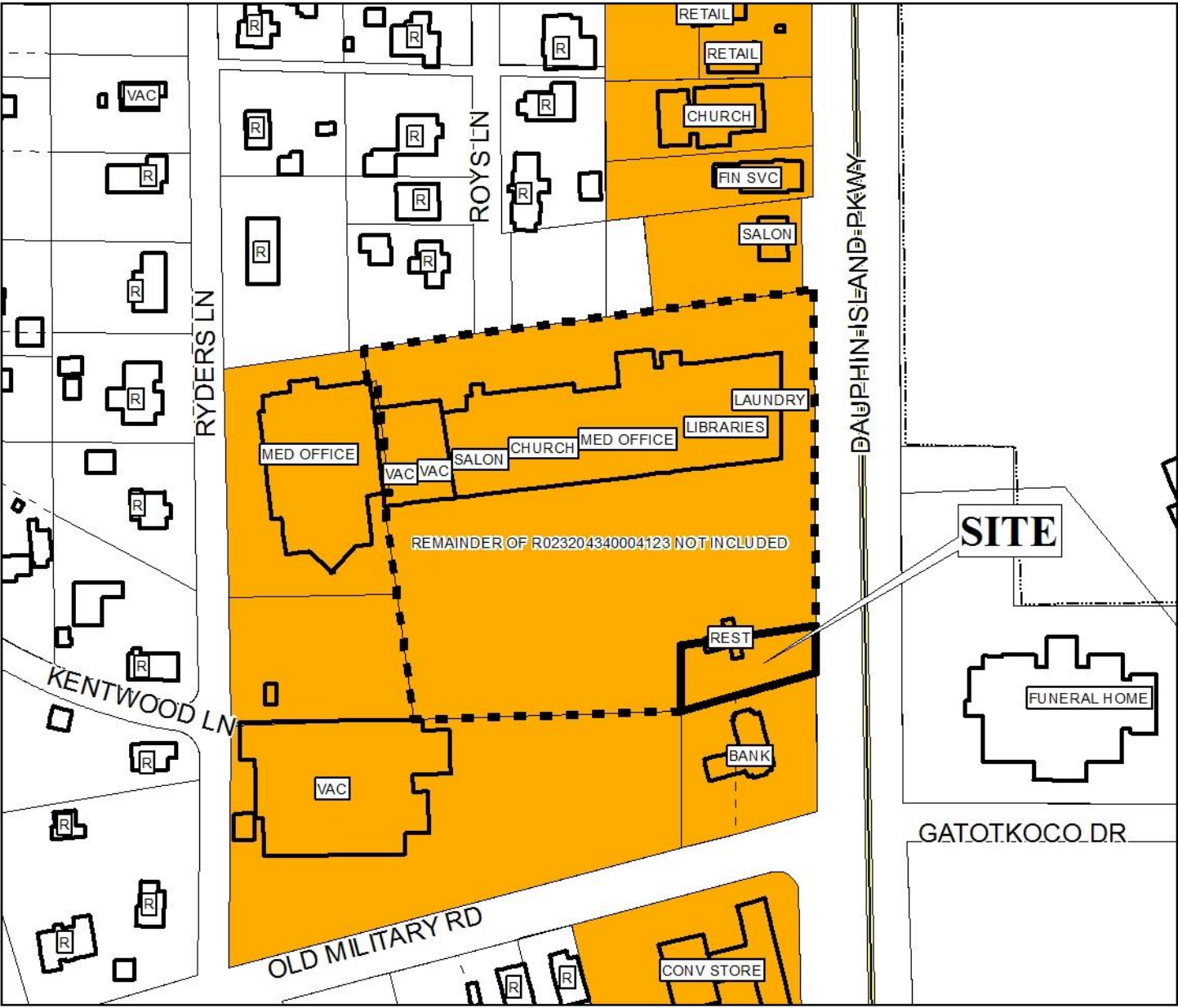
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING




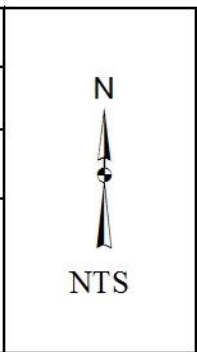
The site is surrounded by residential units to the west. Commercial units are located to the north, south, and east.

APPLICATION NUMBER 1 DATE November 3, 2016

APPLICANT Checkers Drive-In Restaurant, Inc.

REQUEST Planned Unit Development

	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 to the west. Commercial units are located to the north, south, and east.

APPLICATION NUMBER 1 DATE November 3, 2016

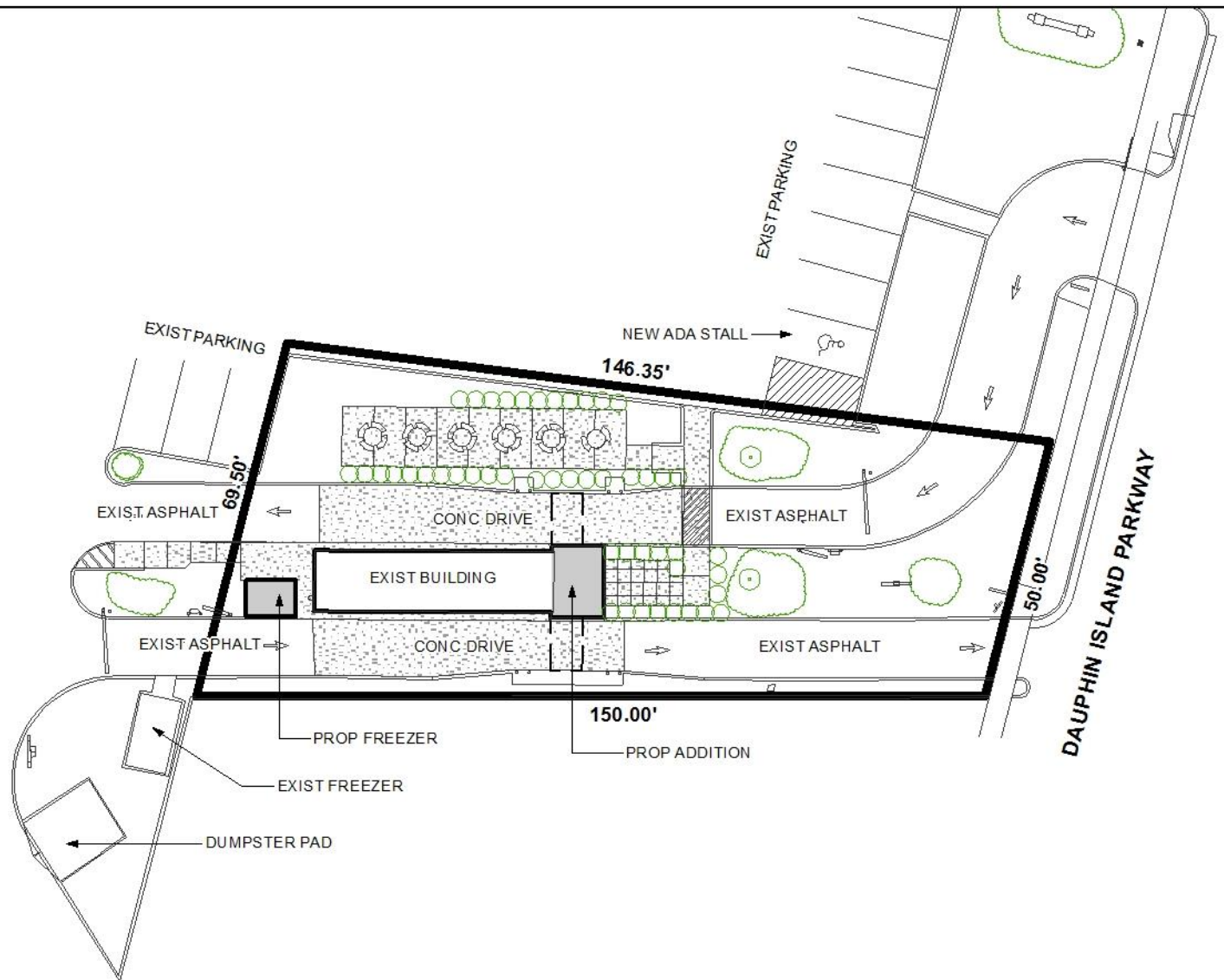
APPLICANT Checkers Drive-In Restaurant, Inc.

REQUEST Planned Unit Development



NTS

SITE PLAN



The site plan illustrates the existing building, proposed addition, and proposed building.

APPLICATION NUMBER 1 DATE November 3, 2016

APPLICANT Checkers Drive-In Restaurant, Inc.

REQUEST Planned Unit Development



NTS