

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: August 4, 2011****DEVELOPMENT NAME**

Airport Waffle House Subdivision

SUBDIVISION NAME

Airport Waffle House Subdivision

LOCATION3024 Airport Boulevard
(North side of Airport Boulevard Service Road, 490'±
West of Sage Avenue)**CITY COUNCIL
DISTRICT**

District 5

AREA OF PROPERTY

3 Lots / 3.7± acres

CONTEMPLATED USE

Planned Unit Development Approval to allow multiple buildings on a single building site, with shared access and parking between two building sites, and Subdivision approval to create 2 lots from one metes-and-bounds parcel.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

**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 61-929 and City Code Chapters 57 and 64).

Lots 1 and 3 will require overstory frontage Live Oak Trees to be planted on the right of way with an approved right of way permit. Number and location to be coordinated with Urban Forestry. This planting would compliment existing Live Oak Trees within the area.

FIRE DEPARTMENT**COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

MAWSS COMMENTS

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

REMARKS

The applicant is seeking Planned Unit Development Approval to allow multiple buildings on a single building site, with shared access between two building sites, and Subdivision approval to create 2 lots from one metes-and-bounds parcel. The site is located in Council District 5, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to create two legal lots of record from one metes and bounds parcel, and creating a PUD that allows multiple buildings on a single building site with shared access and parking across two building sites. The applicant proposes to construct a 1,875 square foot restaurant on the newly created lot, and share access and parking with the existing adjacent commercial development with two existing structures, also owned by the applicant.

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.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The site is zoned B-3, Community Business District, thus the restaurant and automobile sales uses are allowed by right. Furthermore, this district allows up to 50% site coverage and a 25-foot front yard setback and zero-foot side and rear yard setbacks, except where adjacent to residentially zoned property.

The site has marked, paved parking which serves the existing buildings currently being used as an automobile sales location. However, it should be noted that the only parking shown on the PUD site plan is proposed to specifically serve the new restaurant. Before the site plan can be approved, it should be revised to show the layout of all existing and proposed parking for the site

to ensure that adequate size, spacing, number and layout exists to meet the minimum parking requirements for both sites as set forth in Section 64-6.A.6. of the Zoning Ordinance.

The proposed parking area will be accessed via a shared two-way curb-cut that is 25' wide. Reviewing aerial photos of the site reveals that there is an existing curb cut on the East side of the property that is not shown on the site plan. This should be removed and the area landscaped. It also appears that the site shares access to the site immediately to the West: this adjacent site should also be made a part of the PUD application, or access between these sites should be eliminated.

Landscaping is illustrated for the newly proposed restaurant; however, no existing landscaping for the automobile sales business is illustrated. The site plan should be revised to depict compliance with the tree and landscaping requirements of the Zoning Ordinance, as well as the per-unit landscaping requirements of the PUD regulations.

A dumpster appears to be depicted on the site plan behind the restaurant, but is not labeled. If a dumpster is used for the automobile sales business, it should be shown as well, or a noted placed on the site plan that curb-side pickup is used instead. All dumpsters proposed should be easily accessed, illustrated on the site plan, labeled, and screened with a 6' high privacy fence or wall.

Regarding the proposed two-lot Subdivision, the proposed lots should be limited to one shared curb-cut, with the size, design, and exact location of all curb cuts to be approved by Traffic Engineering and conform to AASHTO standards.

It should be noted that per Section V.A.8. of the Subdivision Regulations, buffer plantings or fences must be provided for all commercial developments that are adjacent to residential areas. The subject property is bordered by three residentially zoned properties with the following uses: to the North, a church with a day care; to the East, a school; and to the West, a school. It appears that existing vegetation may fulfill the buffer requirements adjacent to the church and the Western school; however it seems there is no vegetation to buffer the Eastern school. The site plan should be revised to illustrate a proper vegetative buffer or 6' privacy fence.

A 75-foot minimum building setback is shown and labeled on the preliminary plat, and should be retained, if approved; however, a minimum setback of 25-feet is allowed.

It should also be noted that Lot 1 is 72'± wide at the building setback line and 309.82'± deep, and Lot 2 is 184.78' wide at the building setback line and 705.57' deep. Section V.D.3. of the Subdivision Regulations states that the maximum depth of any lots, exclusive of unusable land shall not be more than 3.5 times the width at the building setback line. Using this calculation, proposed Lot 1 is 57.82'± deeper than allowed, and Lot 2 is 58.84'± deeper than allowed. It appears that there are several parcels in the area that exceed this width-to-depth ratio in the area, however, none of them have been approved by the Planning Commission. Therefore, a waiver of Section V.D.3. would be required, if approved.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for Holdover until the September 1, 2011 meeting so that the applicant can submit additional information by August 10, 2011 for the PUD application, and comply with the following:

- 1) compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.*);

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the September 1, 2011 meeting so that the applicant can provide the following information by August 10, 2011:

- 1) revision of the site plan to illustrate all parking to be provided on site;
- 2) inclusion of the property located to the immediate West as part of the PUD (showing parking, total building area and use, footprint area, landscape area, etc), with owner approval and new labels and postage for the entire notification area to be provided to Planning by Wednesday, August 10th, or revision of the site plan to eliminate shared access between the lots;
- 3) revision of the site plan to depict elimination and landscaping of any curb-cuts determined unnecessary for the development;
- 4) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance, as well as the per-unit landscaping requirements of the PUD regulations, and potentially provision of a statement about the innovative nature of the development to explain why not all of the 60% of the 12% of the required landscaping can be placed within the frontage area (if this is the case), and explaining how it will be accommodated elsewhere within the development;
- 5) revision of the site plan to depict / calculate site coverage area for any portion of the site covered by a roofed structure;
- 6) revision of the site plan to include illustrate the provision of all screened dumpsters, or placement of a note on the site plan stating that dumpsters will not be provided as part of the development;
- 7) revision of the site plan to illustrate a proper 10' wide vegetative or 6' privacy fence buffer in compliance with Section V.A.8. of the Subdivision Regulations;
- 8) revision of the site plan to comply with Engineering Comments (*Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.*); and
- 9) provision of five (5) copies of the revised site plan and any other supporting documentation to the Planning Section of Urban Development by Wednesday, August 10, 2011.

Revised for the September 1, 2011 meeting:

The application was heldover from the August 4, 2011 meeting at the Commission's request. The Commission required information to be submitted by August 10, 2011, so the following items could be addressed:

- 1) compliance with Engineering comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.);*
- 2) revision of the site plan to illustrate all parking to be provided on site;*
- 3) inclusion of the property located to the immediate West as part of the PUD (showing parking, total building area and use, footprint area, landscape area, etc), with owner approval and new labels and postage for the entire notification area to be provided to Planning by Wednesday, August 10th, or revision of the site plan to eliminate shared access between the lots;*
- 4) revision of the site plan to depict elimination and landscaping of any curb-cuts determined unnecessary for the development;*
- 5) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance, as well as the per-unit landscaping requirements of the PUD regulations, and potentially provision of a statement about the innovative nature of the development to explain why not all of the 60% of the 12% of the required landscaping can be placed within the frontage area (if this is the case), and explaining how it will be accommodated elsewhere within the development;*
- 6) revision of the site plan to depict / calculate site coverage area for any portion of the site covered by a roofed structure;*
- 7) revision of the site plan to include illustrate the provision of all screened dumpsters, or placement of a note on the site plan stating that dumpsters will not be provided as part of the development;*
- 8) revision of the site plan to illustrate a proper 10' wide vegetative or 6' privacy fence buffer in compliance with Section V.A.8. of the Subdivision Regulations;*
- 9) revision of the site plan to comply with Engineering Comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.); and*
- 10) provision of five (5) copies of the revised site plan and any other supporting documentation to the Planning Section of Urban Development by Wednesday, August 10, 2011.*

The applicant has submitted a letter requesting that the application be heldover until the September 15, 2011 meeting to allow for the inclusion of the adjacent property to the West to the project. However, at the time of this report, no additional information has been received, therefore, it is recommended that the application be heldover until the October 7, 2011 meeting, with the additional information to be submitted by September 7, 2011.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for Holdover until the October 7, 2011 meeting so that the applicant can submit additional information by September 7, 2011 for the PUD application, and comply with the following:

- 1) compliance with Engineering comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.).

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the October 7, 2011 meeting so that the applicant can submit additional information by September 7, 2011 for the PUD application, and comply with the following:

- 1) revision of the site plan to illustrate all parking to be provided on site;
- 2) inclusion of the property located to the immediate West as part of the PUD (showing parking, total building area and use, footprint area, landscape area, etc), with owner approval and new labels and postage for the entire notification area to be provided to Planning by Wednesday, August 10th, or revision of the site plan to eliminate shared access between the lots;
- 3) revision of the site plan to depict elimination and landscaping of any curb-cuts determined unnecessary for the development;
- 4) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance, as well as the per-unit landscaping requirements of the PUD regulations, and potentially provision of a statement about the innovative nature of the development to explain why not all of the 60% of the 12% of the required landscaping can be placed within the frontage area (if this is the case), and explaining how it will be accommodated elsewhere within the development;
- 5) revision of the site plan to depict / calculate site coverage area for any portion of the site covered by a roofed structure;
- 6) revision of the site plan to include illustrate the provision of all screened dumpsters, or placement of a note on the site plan stating that dumpsters will not be provided as part of the development;
- 7) revision of the site plan to illustrate a proper 10' wide vegetative or 6' privacy fence buffer in compliance with Section V.A.8. of the Subdivision Regulations;
- 8) revision of the site plan to comply with Engineering Comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.); and
- 9) provision of five (5) copies of the revised site plan and any other supporting documentation to the Planning Section of Urban Development by Wednesday, August 10, 2011.

Revised for the October 6, 2011 meeting:

The application was heldover from the September 1, 2011 meeting at the Commission's request. The Commission required information to be submitted by September 7, 2011, so the following items could be addressed:

- 1) *compliance with Engineering comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.).*
- 2) *revision of the site plan to illustrate all parking to be provided on site;*
- 3) *inclusion of the property located to the immediate West as part of the PUD (showing parking, total building area and use, footprint area, landscape area, etc), with owner approval and new labels and postage for the entire notification area to be provided to Planning by Wednesday, August 10th, or revision of the site plan to eliminate shared access between the lots;*
- 4) *revision of the site plan to depict elimination and landscaping of any curb-cuts determined unnecessary for the development;*
- 5) *revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance, as well as the per-unit landscaping requirements of the PUD regulations, and potentially provision of a statement about the innovative nature of the development to explain why not all of the 60% of the 12% of the required landscaping can be placed within the frontage area (if this is the case), and explaining how it will be accommodated elsewhere within the development;*
- 6) *revision of the site plan to depict / calculate site coverage area for any portion of the site covered by a roofed structure;*
- 7) *revision of the site plan to include illustrate the provision of all screened dumpsters, or placement of a note on the site plan stating that dumpsters will not be provided as part of the development;*
- 8) *revision of the site plan to illustrate a proper 10' wide vegetative or 6' privacy fence buffer in compliance with Section V.A.8. of the Subdivision Regulations;*
- 9) *revision of the site plan to comply with Engineering Comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.); and*
- 10) *provision of five (5) copies of the revised site plan and any other supporting documentation to the Planning Section of Urban Development by Wednesday, August 10, 2011.*

The applicant has since submitted revised site plans to include the adjacent property to the West in both the subdivision and the planned unit development applications.

It should be noted that the newly proposed "Lot 1" does not meet the minimum standards for lot width or width-to-depth ratio. Section V.D.2. of the Subdivision Regulations requires that lots served by public water and sanitary sewer systems must be at least 60' wide at the building setback line, and Section V.D.3. states that lot depth should not exceed 3.5 times the width of the lot. As proposed, Lot 1 will be 30' wide and 309.8' deep, resulting in a lot that is half as wide as required and more than 200' deeper than would normally be allowed. It should also be noted that, as mentioned previously, Lots 2 and 3 also exceed this width-to-depth ratio.

The submitted site plan shows that the applicant wishes to have two existing curb-cuts to remain on Lot 3 with a 25' wide ingress/egress easement illustrated to allow shared access between Lots

2 and 3. There is also an existing shared curb-cut proposed to remain between Lots 1 and 2 with a 13' wide ingress/egress easement to allow the owner of Lot 1 access to the rear of his property. If approved, a note should be placed on the Final Plat limiting Lots 1 and 2 to one shared curb-cut to Airport Boulevard Service Road, and Lot 3 limited to 2 curb-cuts to Airport Boulevard Service Road with the size, design, and location of all curb-cuts to be approved by City of Mobile Engineering and conform to AASHTO standards.

It is important to note that of the three proposed lots; only Lot 2 is currently proposed to be redeveloped. At such a time as the owners of Lot 1 and Lot 3 decide to redevelop these lots, full compliance will be required with all municipal codes and ordinances. However, all lots will be required to provide frontage Live Oak trees. Because both Lots 1 and 3 do not have adequate landscaping area to plant these trees, it is the recommendation of Urban Forestry that the trees be placed in the right-of-way with an approved right-of-way permit. As the Planned Unit Development is proposed with several common interior property lines, staff has in the past allowed these interior property lines not be counted as perimeter lot lines, but rather look at the overall Planned Unit Development (PUD). With this in mind, Lot 2 illustrates full compliance with tree and landscaping requirements.

It should be noted that while no parking information is provided, it appears that all three lots will have at least the minimum amount of required parking. If approved, a revised PUD site plan should be submitted with parking calculations.

It should also be noted that the only lot that illustrates a dumpster on-site is Lot 2. If approved, a revise PUD site plan should be submitted illustrating dumpsters on all lots, or placement of a note on the revised site plan stating that curb-side service is used.

RECOMMENDATION

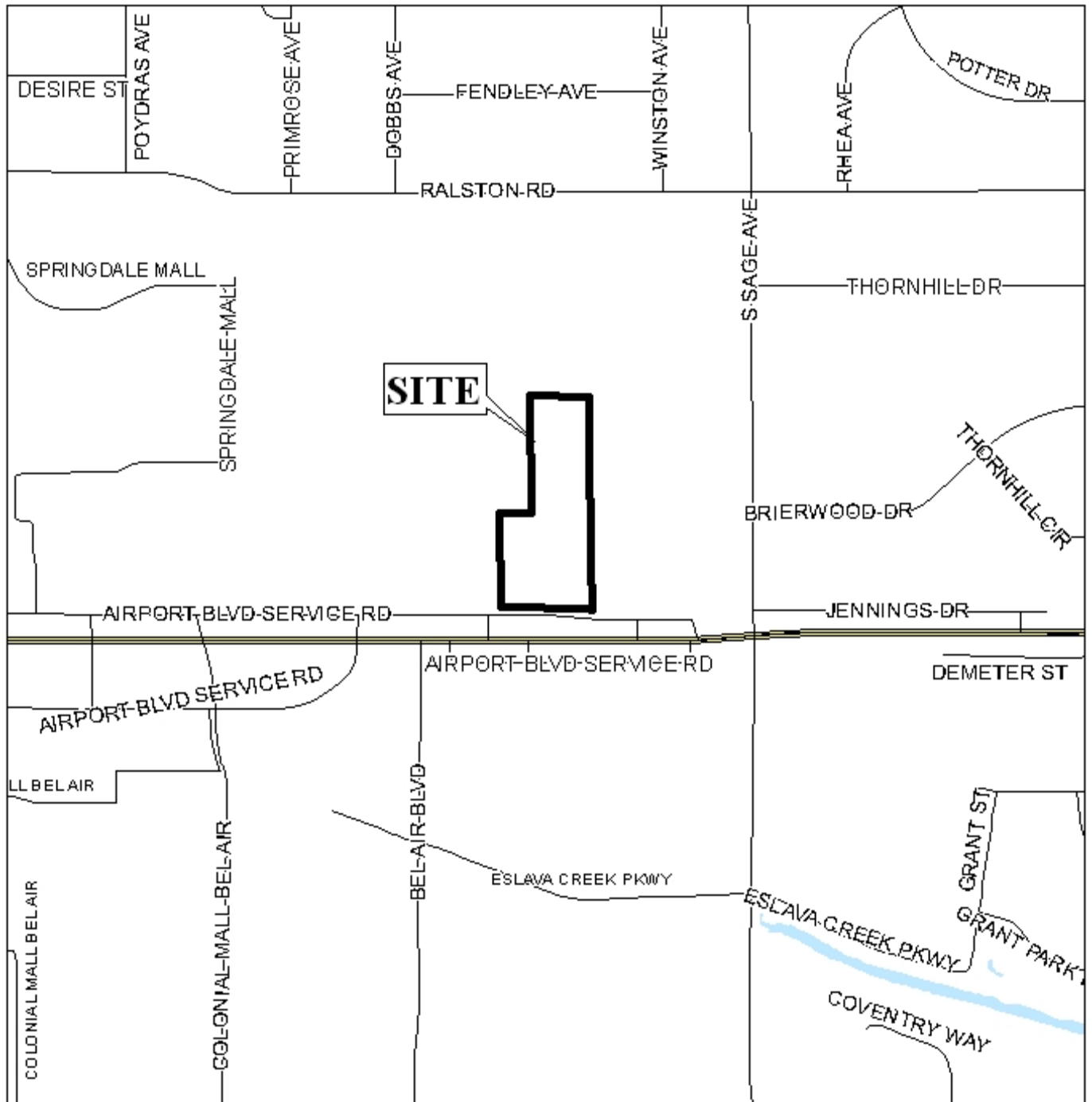
Subdivision: Based upon the preceding, this application is recommended tentative approval with a waiver of Sections V.D.2. and V.D.3. of the Subdivision Regulations subject to the following conditions:

- 1) labeling of the lot area size, in square feet, or provision of a table on the Final Plat with the same information;
- 2) depiction of the 75-foot minimum building setback line along all right-of-way frontages;
- 3) placement of a note on the Final Plat limiting Lots 1 and 2 to a shared curb-cut to Airport Boulevard Service Road and Lot 3 is limited to two curb-cuts to Airport Boulevard Service Road, with the size, design, and location of all curb cuts to be approved by City of Mobile Engineering and conform to AASHTO standards;
- 4) placement of a note on the Final Plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and
- 5) compliance with Engineering comments (Must comply with all storm water and flood control ordinances. Any increase in impervious area in excess of 4,000 square feet will require detention. Any work performed in the right of way will require a right of way permit. Drainage from any dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer.).

Planned Unit Development: Based upon the preceding, this application is recommended for approval subject to the following conditions:

- 1) inclusion of parking data;
- 2) retention of landscaping and tree planting information;
- 3) placement of required Live Oak frontage trees in right-of-way with right-of-way permits for Lots 1 and 3;
- 4) revision of the site plan to illustrate a proper 10' wide vegetative or 6' privacy fence buffer in compliance with Section V.A.8. of the Subdivision Regulations;
- 5) provision of a dumpster for each building, screened from view and in compliance with Section 64-4.D.9 of the Zoning Ordinance, or the placement of a note on the site plan stating that garbage collection will be curb-side via a private pick-up service and no dumpster will be utilized; and
- 6) provision of two (2) revised site plans to the Planning Section of Urban Development.

LOCATOR MAP



APPLICATION NUMBER 2 & 3 DATE October 6, 2011

APPLICANT Airport Waffle House Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

APPLICATION NUMBER 2 & 3 DATE October 6, 2011

APPLICANT Airport Waffle House Subdivision

REQUEST Subdivision, Planned Unit Development

LEGEND															
	R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use.

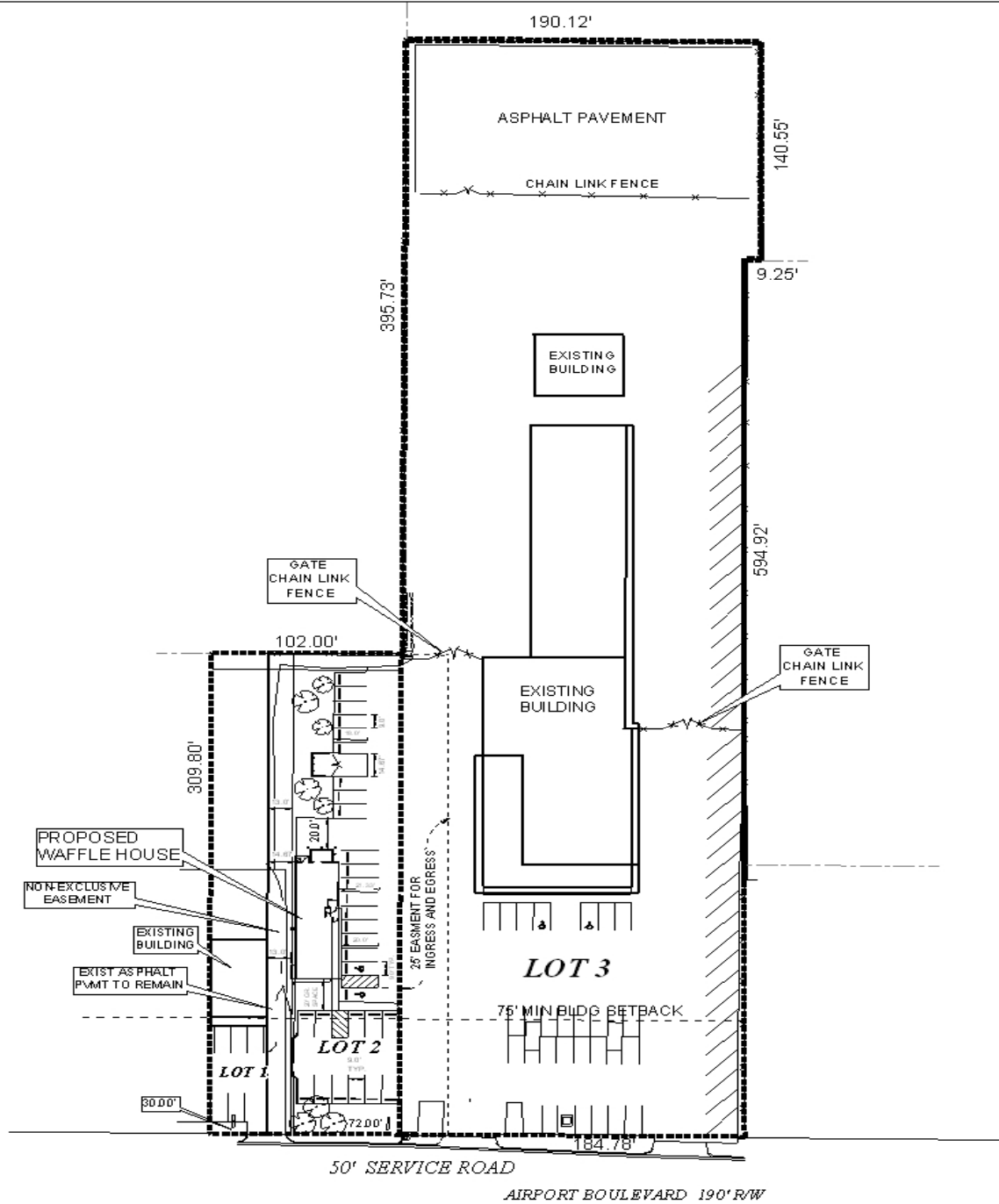
APPLICATION NUMBER 2 & 3 DATE October 6, 2011

APPLICANT Airport Waffle House Subdivision

REQUEST Subdivision, Planned Unit Development



SITE PLAN



The site plan illustrates easements, lot configuration, parking, and buildings.

APPLICATION NUMBER 2 & 3 DATE October 6, 2011

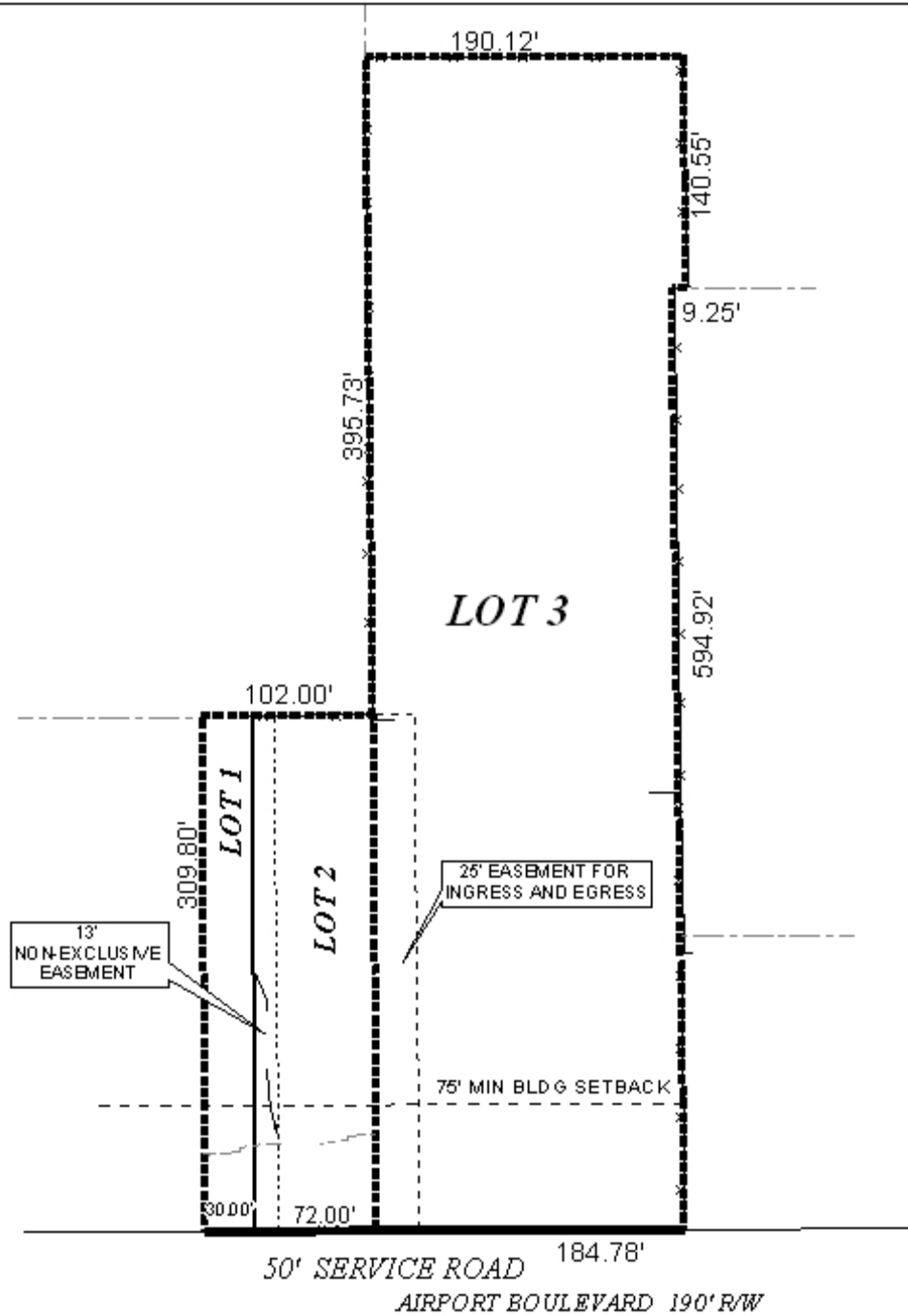
APPLICANT Airport Waffle House Subdivision

REQUEST Subdivision



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 2 & 3 DATE October 6, 2011
APPLICANT Airport Waffle House Subdivision
REQUEST Subdivision, Planned Unit Development

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