

**PLANNED UNIT DEVELOPMENT  
STAFF REPORT****Date: April 7, 2016****DEVELOPMENT NAME**

Asarisi &amp; Associates, LLC

**LOCATION**2409 Wolf Ridge Road  
(Southwest corner of Wolf Ridge Road and Feedmill Road  
[private street])**CITY COUNCIL  
DISTRICT**

District 1

**PRESENT ZONING**

B-3, Community Business District

**AREA OF PROPERTY**

1 Lot / 3.5 ± Acres

**CONTEMPLATED USE**Planned Unit Development Approval to allow multiple  
buildings on a single building site and shared access and  
parking between building sites.**TIME SCHEDULE  
FOR DEVELOPMENT**Work to begin immediately after approval of the necessary  
permits, and to be completed within 12 months.**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**

Site is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

## **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).

#### ***Revised for the May 5<sup>th</sup> meeting:***

*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 allow multiple buildings on a single building site and shared access and parking between building sites.

The site first received PUD, Subdivision and Zoning approval from the Planning Commission at its December 15, 2011 meeting, and since that time the final plat has been recorded and the Zoning approved by City Council. During the permitting process for site improvements, however, it was discovered that the site plan submitted for permitting differed substantially enough from the plan approved by the Planning Commission that a new application for PUD review was required, which was approved at the September 5, 2013 meeting of the Planning Commission. Permits based upon the revised PUD site plan were never issued, thus the 2013 approval expired.

The property had been used as a single-family residence until 2006, when the applicant purchased it. At some time after the purchase, the applicant began to use the site for a plumbing business and obtained a home occupation business license in April, 2009. In February, 2011, it was discovered by Planning Staff that the site was not being used as a home occupation, but actually a full-scale commercial operation developed without any of the required plan reviews, permits, or Zoning approvals. The property owner was taken to Environmental Court, which

triggered previous applications, however, the application at hand is due to a Circuit Court case brought by the City against the property owner due to continuing to operate despite a failure to act on previous Planning Commission approvals.

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 if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

The site is developed with a single family dwelling that is now used as an office, and a trailer building that is used for storage. There are two existing sheds on the site, and the site plan indicates that two shipping containers will be brought to the site for additional storage (aerials show them to already be on site). A paved parking area is proposed with seven parking spaces, and access to the adjacent (and private) Feed Mill Road will be eliminated. To the rear of the property is a large cleared area with no specified use, and a proposed detention pond.

The use of the existing residential structure for office space was undertaken without permits, as was the placement of the trailer building and the clearing of over an acre of land. Aerial photos show that the cleared area has been filled and leveled.

Since the site is zoned B-3, which allows contractor offices but not contractor storage yards (that includes the storage of heavy equipment), and as PUD approval is site plan specific, the site plan must be revised to include the actual use of the large cleared area, its surfacing, and how it will be accessed.

A 6-foot high privacy fence is shown within the 25-foot setback of Wolf Ridge Road, which is a violation of the height restrictions for fences within the front setback. Either the fence must be lowered to 3 feet in height, or it must be relocated to outside of the 25-foot front setback.

The 3.46 acre site is required to have a minimum landscape area of 18,072 square feet, of which 10,843 square feet must be located between the building and the street. No landscape calculations are provided with the site plan. New trees and a few existing trees are depicted on the site plan, however, any tree and landscape plan submitted for land disturbance permits must show all existing trees that will be claimed for credits, as well as any new trees.

The site abuts residentially-zoned property on all sides, and across Wolf Ridge Road. Proper screening, in the form of a 6-foot high wooden privacy fence and 10-foot building setback or 10-foot wide landscaped privacy buffer is required along all side and rear property lines where the site abuts residentially-zoned property.

A dumpster is not shown on the site plan, however, there is a note stating that curb-side pickup will be utilized.

A note on the site plan states that any new lighting of the site must comply with Zoning Ordinance requirements.

Finally, a note on the site plan references the 2009 International Fire Code. The adopted code is now the 2012 version, thus the note should be revised to reflect the more recent code.

### **RECOMMENDATION**

**Planned Unit Development:** Based upon the preceding, this application is recommended for Holdover until the May 5<sup>th</sup> meeting, with revisions due by April 15<sup>th</sup>, so that the following can be undertaken:

- 1) Revision of the site plan to indicate how the acre of cleared area will be surfaced, utilized and accessed;
- 2) Revision of the site plan to delineate required landscape areas;
- 3) Revision of the site plan to depict the required residentially adjacency buffer along all side and rear property lines; and
- 4) Revision of the International Fire Code reference to reflect the 2012 version.

### ***Revised for the May 5<sup>th</sup> meeting:***

*The application was heldover from the April 7<sup>th</sup> meeting to allow for revisions.*

*The revised site plan now depicts a six-foot high fence along the Feed Mill Road frontage, eliminating the access from the private road to the site. A note on the site plan indicates that the large cleared area will be stabilized and will not be used for materials or equipment storage.*

*Privacy fences are depicted where the site abuts residentially zoned property, and a note indicates that the existing six-foot high privacy fence along Wolf Ridge Road will be relocated to beyond the 25-foot minimum building setback line. A 24-foot wide gate is depicted, setback approximately 35-feet from the front property line, there is, however, sufficient room to push the gate further back to provide approximately a 50-foot setback, which may better ensure adequate queuing space.*

*Tree information now clearly shows full compliance. Landscape area calculations show that the site will not meet front landscape area requirements, but that the overall site will meet overall landscape area requirements. As this is a Planned Unit Development, the Planning Commission has the flexibility to allow the reduction in the front landscape area, which staff will support for this site.*

*Accessible parking is shown on the site plan, however, there is no indication of the provision of an access ramp into the structure that is used as an office. The site plan should be revised to indicate a ramp if such an improvement is necessary to bring the site into compliance with International Building Code accessibility requirements.*

*Since the site was developed without review for compliance with Building, Plumbing, Mechanical, Electrical or Fire codes, and as improvements were made to the site without a land disturbance permit, permits for full compliance must be obtained and all activities completed before the expiration of the PUD request, if approved.*

*Finally, it should be noted that the scale of the drawing is noted as 1 inch equals 20 feet, however, it appears that it is actually 1 inch equals 30 feet. The scale of the drawing should be verified and changed if necessary.*

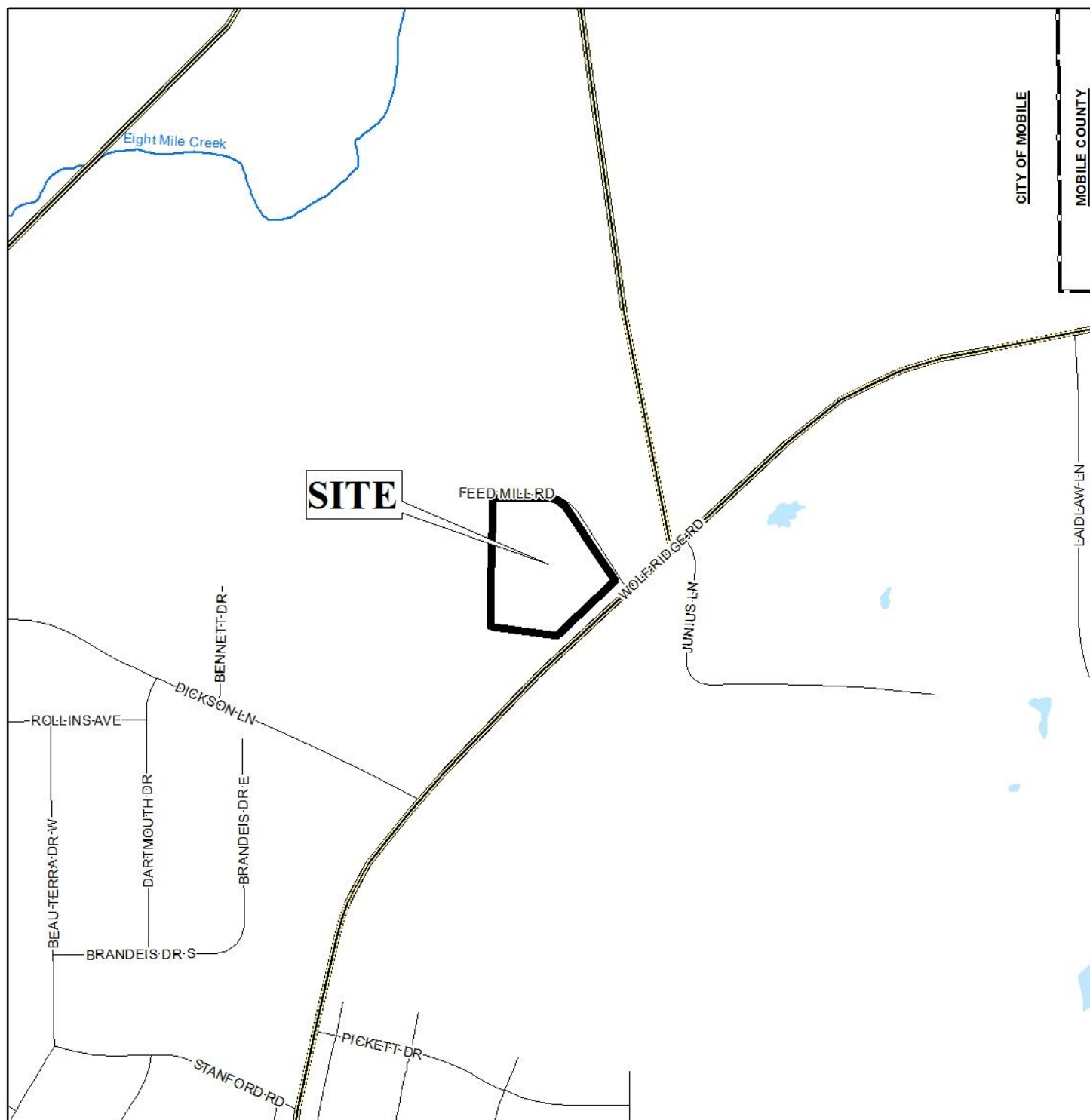
### **RECOMMENDATION**

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

- 1) 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.);*
- 2) Compliance with Traffic Engineering comments (*Site is limited to one curb cut, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 3) Compliance with revised 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).);*
- 4) Compliance with Fire 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));*
- 5) Revision of the site plan to show the vehicle gate 50-feet from the front property line, to allow adequate vehicle queuing space;

- 6) Revision of the site plan to show an access ramp meeting Building Code accessibility requirements;
- 7) Revision of the site plan to show the correct scale of the drawing;
- 8) Completion of the Building, Plumbing, Mechanical, Electrical, and Fire Code compliance process for commercial buildings within one year of the PUD approval;
- 9) Completion of the land disturbance permit process within one year of the PUD approval; and
- 10) Full compliance with all other municipal codes and ordinances, including permitting of the sign and obtaining of a business license after all other compliance issuances have been met.

# LOCATOR MAP



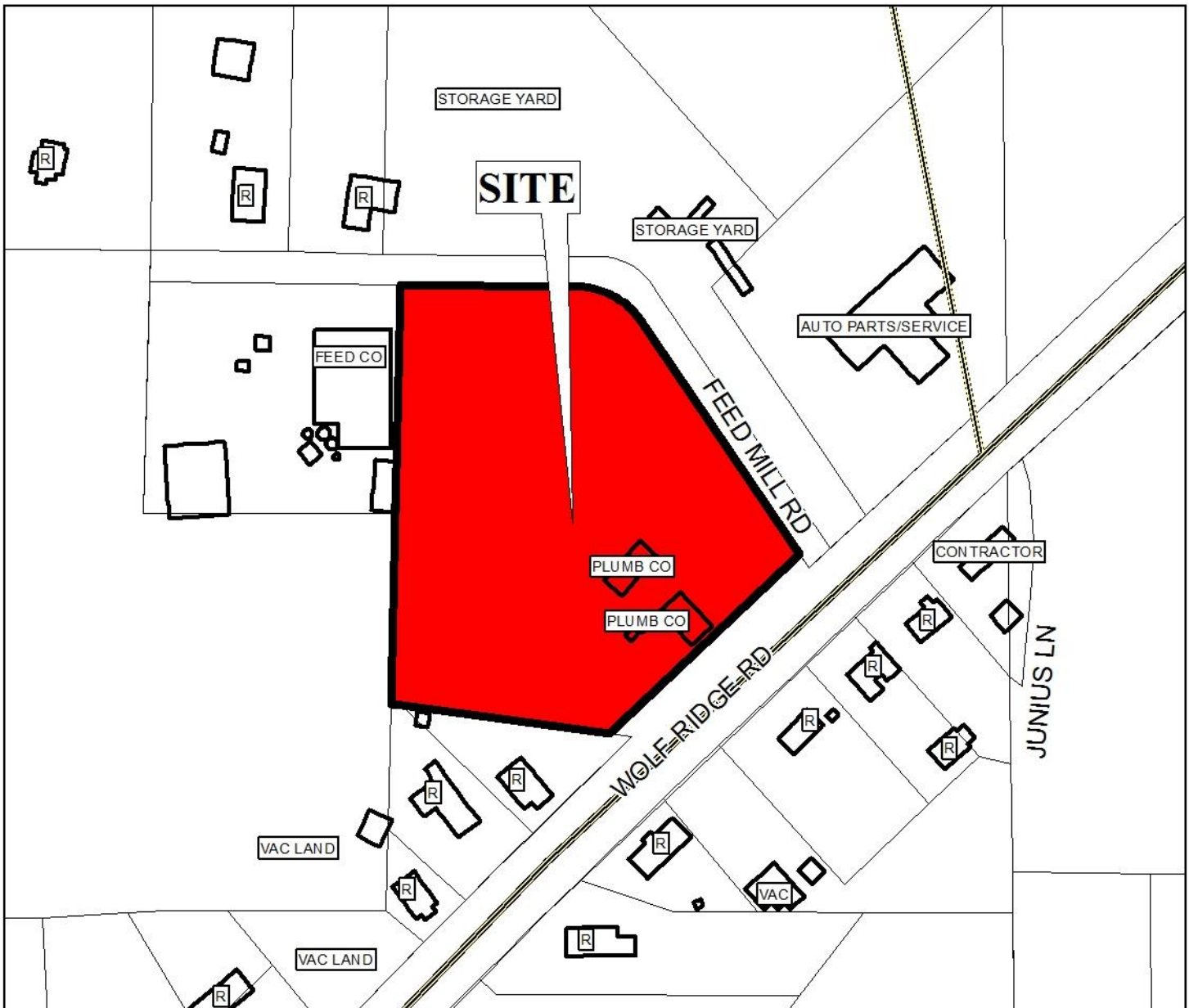
APPLICATION NUMBER 2 DATE May 5, 2016

APPLICANT Asarisi & Associates, LLC

REQUEST Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units and commercial units to the northeast.

APPLICATION NUMBER 2 DATE May 5, 2016

APPLICANT Asarisi & Associates, LLC

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 ZONING



The site is surrounded by residential units and commercial units to the northeast.

APPLICATION NUMBER 2 DATE May 5, 2016

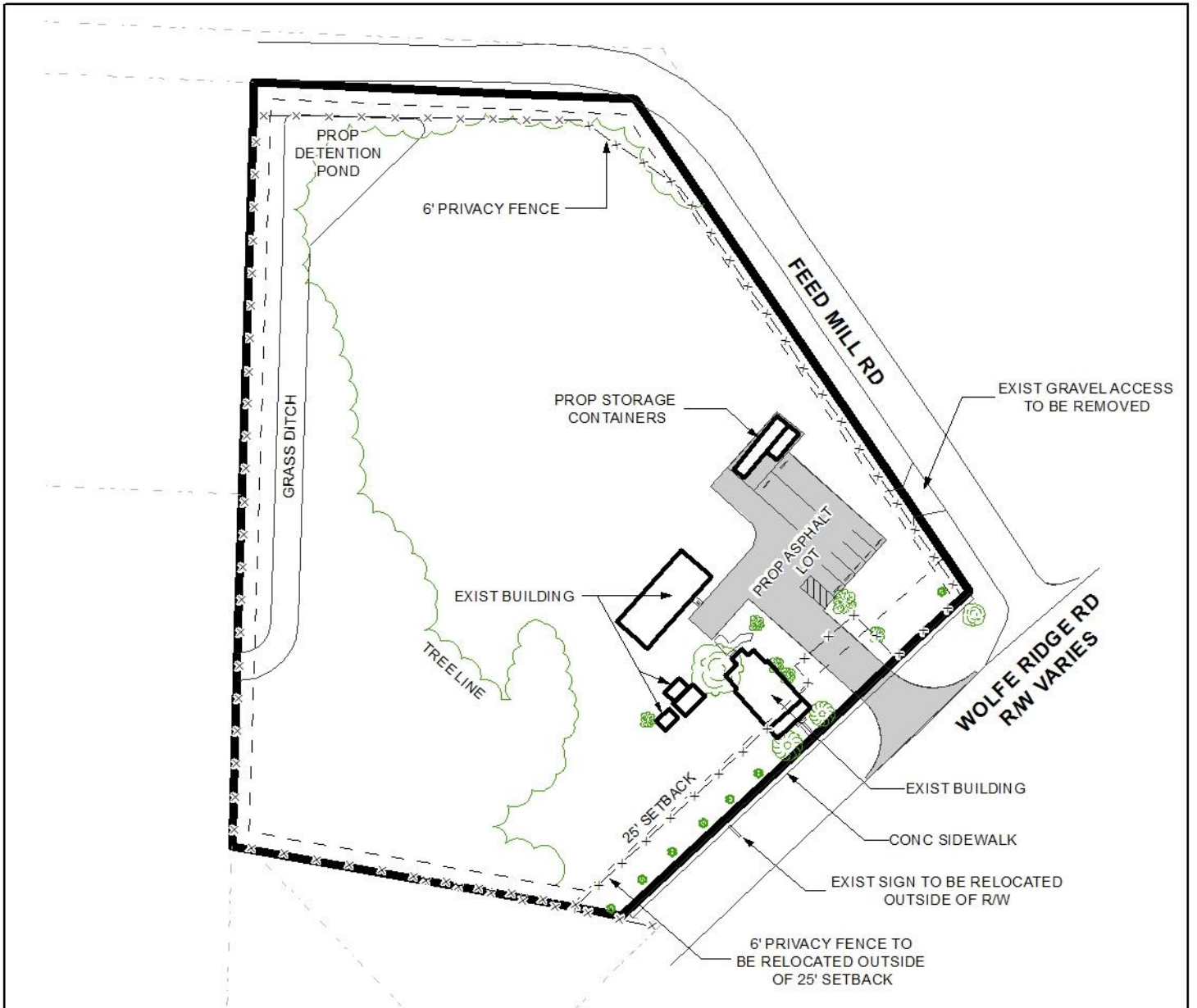
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# SITE PLAN



The site plan illustrates the existing buildings, setback, proposed detention pond, proposed storage containers, and proposed asphalt parking lot.

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