

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: February 18, 2016****DEVELOPMENT NAME**

Pinebrook Investment, LLC

LOCATION

3950, 3952, 3954, 3958, 3960, 3962, 3964, 3966, 3968,
3972 Airport Boulevard and 271, 273, 275, 277, 279, 281
and 283 South McGregor Avenue
(Northwest corner of Airport Boulevard and South
McGregor Avenue)

**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

3 Lots / 15.3 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
changes in parking layout, location of marque signs,
sidewalk designs and expansion of westernmost driveway
to accommodate an additional turning lane.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan for the detention facility that is signed and notarized by the Owner(s). 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

Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Any 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. There are several parking spaces on the west side of the site that restrict the access aisle to 14' – 15', and a staircase on the north side of the site (Petsmart) that restrict the access aisle to 17'. These widths are not conducive to two-way traffic and should be improved to provide a minimum 20' access aisle. There is also a curb extension on the northeast corner of the property that further restricts the access aisle to 15', as previously approved for one-way traffic. The parallel parking spaces proposed on the east side of the site do not meet the city's standard for parallel parking spaces, as defined in Section 64-6.

Revised for the March 17th meeting:

Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Any 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. There are several parking spaces on the west side of the site that restrict the access aisle to 14' – 15', and a staircase on the north side of the site (Petsmart) that restrict the access aisle to 17'. These widths are not conducive to two-way traffic and should be improved to provide a minimum 20' access aisle. The angled parking spaces proposed on the east side of the site do not meet the city's standard for required access aisle width, as defined in Section 64-6. Aisles 24' wide are required for two-way traffic (17' – 20.5' is not recommended).

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).

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 changes in parking layout, location of marque signs, sidewalk designs and expansion of westernmost driveway to accommodate an additional turning lane.

This site has been the subject of multiple Planned Unit Development requests, with the most recent request approved by the Planning Commission at its July 11, 2013 meeting. The request in 2013, as well as two approved requests in 2012, were to allow for the reconfiguration of the site, to relocate existing tenants, accommodate a new major tenant, provide altered access to abutting streets, and provide additional parking.

The July 2013 approval was subject to the following conditions:

- 1) Limited to the revised PUD site plan submitted on July 11, 2013;
- 2) Provision of a minimum 25-foot natural vegetative buffer along the northern portion of the site, with infill planting to be approved by staff, between the western boundary of the existing detention pond West, to the North and Western boundary of the property;
- 3) The provision of overstory and understory trees, at a minimum, as depicted on the site plan;
- 4) Removal of any existing trees in the right-of-way to be via appropriate approvals, including the Mobile Tree Commission;
- 5) 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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan for the detention facility that is signed and notarized by the Owner(s). 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.”:

- 6) Compliance with Traffic Engineering comments: *“Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Owner/Developer is responsible for constructing all improvements as identified in the traffic study completed in 2012;”*
- 7) Compliance with Fire 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;”*
- 8) Curb-cuts to McGregor Avenue and Airport Boulevard limited to an approved Planned Unit Development plan, with minimal adjustments to the size, design, and location to be approved by Traffic Engineering, Planning and Engineering, and to comply with AASHTO standards;
- 9) Provision of a buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential districts;
- 10) New dumpsters to be installed in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 11) New lighting on the site to comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 12) Vacation of the Airport Boulevard service road right-of-way prior to the recording of the Final Plat;
- 13) The marking and signing of the service drive to be one-way in from Airport Boulevard and one-way out (with “do not enter” signs) where the service drive rejoins the parking and circulation at the Northeast portion of the site;
- 14) Submission of a revised PUD site plan prior to the signing of the Final Plat; and,
- 15) Full compliance with all other municipal codes and ordinances.

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.

During the process of site improvements, the applicant determined that the existing pylon signs along Airport Boulevard were to remain, that truck access along the rear of the shopping complex should be two-way instead of the previously approved one-way, and that a driveway connection to the most Western access to the site is needed in order to facilitate site access to Westbound Airport Boulevard. The applicant is also proposing the provision of parallel parking along a portion of McGregor Avenue in order to accommodate the required right-of-way dedication.

A sidewalk waiver application was approved for a portion of the property in 2013, but a sidewalk was still required between the new proposed signalized intersection and the Western-most property line. The sidewalk has not as of yet been constructed, and the provided civil site plans do not show the sidewalk, while the landscape plans do show the sidewalk. If the applicant does not desire to construct the sidewalk, an application for Sidewalk Waiver will be required.

Regarding differences between the civil site plan and the landscape plans, it appears that there are other discrepancies as well, including the orientation of parking along the East side of the property, parking on gravel in the rear, and some of the other site improvements.

While the previous PUD site plan depicted the proposed location of dumpsters, the current set of plans do not depict dumpsters. All new dumpsters placed as part of the redevelopment of the shopping center were to be placed according to the current screening and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance.

Other changes between the 2013 approved PUD site plan and the plans submitted for this review include the number of trees. The 2013 plan depicted a total of 124 new trees, of which 64 would be overstory and 60 would be understory. The proposed 2016 plan has a total of only 112 new trees, of which 61 are overstory and 51 are understory. Thus the new plan proposes 12 fewer trees than before, however, full tree and landscape compliance was never required due to the fact that the scope of change to the building footprints did not trigger compliance via Section 64-4.E.2.b. of the Zoning Ordinance.

It also appears that the number of parking spaces was increased from 799 on the 2013 plan to 805 on the proposed 2016 plan. The applicant should ensure that the future tenant mix of the property falls within the available parking provided on-site.

The proposed connection between the main signalized driveway and the Western-most driveway will facilitate left-turning traffic, as the signalized intersection handles both East and West-bound turning movements with just one lane. The applicant proposes that the connection be one-way Westbound, however, the other request of allowing two-way traffic to circulate behind the buildings will perhaps result in traffic circulating against the marked direction.

Traffic Engineering has also noted that the request to allow two-way circulation behind the buildings should be carefully considered due to the numerous choke points along the route, which restrict a proposed two-way traffic width to 15 feet total at several points. Traffic volumes behind the building may be low enough to minimize potential conflicts, however, the Planning Commission may wish to consider the request only if an indemnify and hold harmless agreement is provided, protecting both the Commission and the City of Mobile.

Finally, if approved by the Commission, “as-built” civil site plans and tree and landscape plans will be required for the associated building permits, to allow staff to conduct final inspections with accurate plans.

RECOMMENDATION

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

- 1) The marking and signing of the service drive to be one-way in from Airport Boulevard at the building and one-way out (with “do not enter” signs) where the service drive rejoins the parking and circulation at the Northeast portion of the site (*thus the requested two-way circulation is denied*);
- 2) Limited to the PUD site plan submitted for this meeting, subject to any required revisions;
- 3) Provision of a minimum 25-foot natural vegetative buffer along the northern portion of the site, with infill planting to be approved by staff, between the western boundary of the existing detention pond West, to the North and Western boundary of the property;
- 4) The provision of overstory and understory trees, at a minimum, as depicted on the submitted site plan;
- 5) 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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan for the detention facility that is signed and notarized by the Owner(s). 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.*”;
- 6) Compliance with Traffic Engineering comments: “*Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Any 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. There are several parking spaces on the west side of the site that restrict the access aisle to 14’ – 15’, and a staircase on the north side of the site (Petsmart) that restrict the access aisle to 17’. These widths are not conducive to two-way traffic and should be improved to provide a minimum 20’ access aisle. There is also a curb extension on the northeast corner of the property that further restricts the access aisle to 15’, as*

previously approved for one-way traffic. The parallel parking spaces proposed on the east side of the site do not meet the city's standard for parallel parking spaces, as defined in Section 64-6.;"

- 7) 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);"
- 8) Curb-cuts to McGregor Avenue and Airport Boulevard limited to an approved Planned Unit Development plan, with minimal adjustments to the size, design, and location to be approved by Traffic Engineering, Planning and Engineering, and to comply with AASHTO standards;
- 9) Provision of a buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential districts;
- 10) New dumpsters to be installed in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 11) New lighting on the site to comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 12) Provision of a sidewalk between the signalized intersection and the Western-most boundary of the site, or submission of a Sidewalk Waiver request;
- 13) The correction of discrepancies between the civil site plan and the landscape plan;
- 14) Submission of revised PUD site plans (civil and landscape) to Planning & Zoning Department prior to the request for final inspections;
- 15) Submission of signed "As-Built" site plans (civil and landscape) to Permitting for the associated land disturbance and building permits, prior to the request for final inspections; and
- 16) Full compliance with all other municipal codes and ordinances.

Revised for the March 17th meeting:

The application was heldover from the February 18th meeting, at the applicant's request, to allow them to meet with the residents of the adjacent Wimbledon Park development.

A revised site plan was received by staff, and it appears that the primary revision is to the parking on the East side of the shopping center, along McGregor Avenue. A revised tree and landscape plan was not submitted.

The revised site plan now depicts two rows of angled parking on the East side, facing in opposite directions, with a 17 to 20.5 foot wide two-way drive aisle: Section 64-6.A.2. of the Zoning Ordinance requires that two-way drive aisles be a minimum of 24 feet in width.

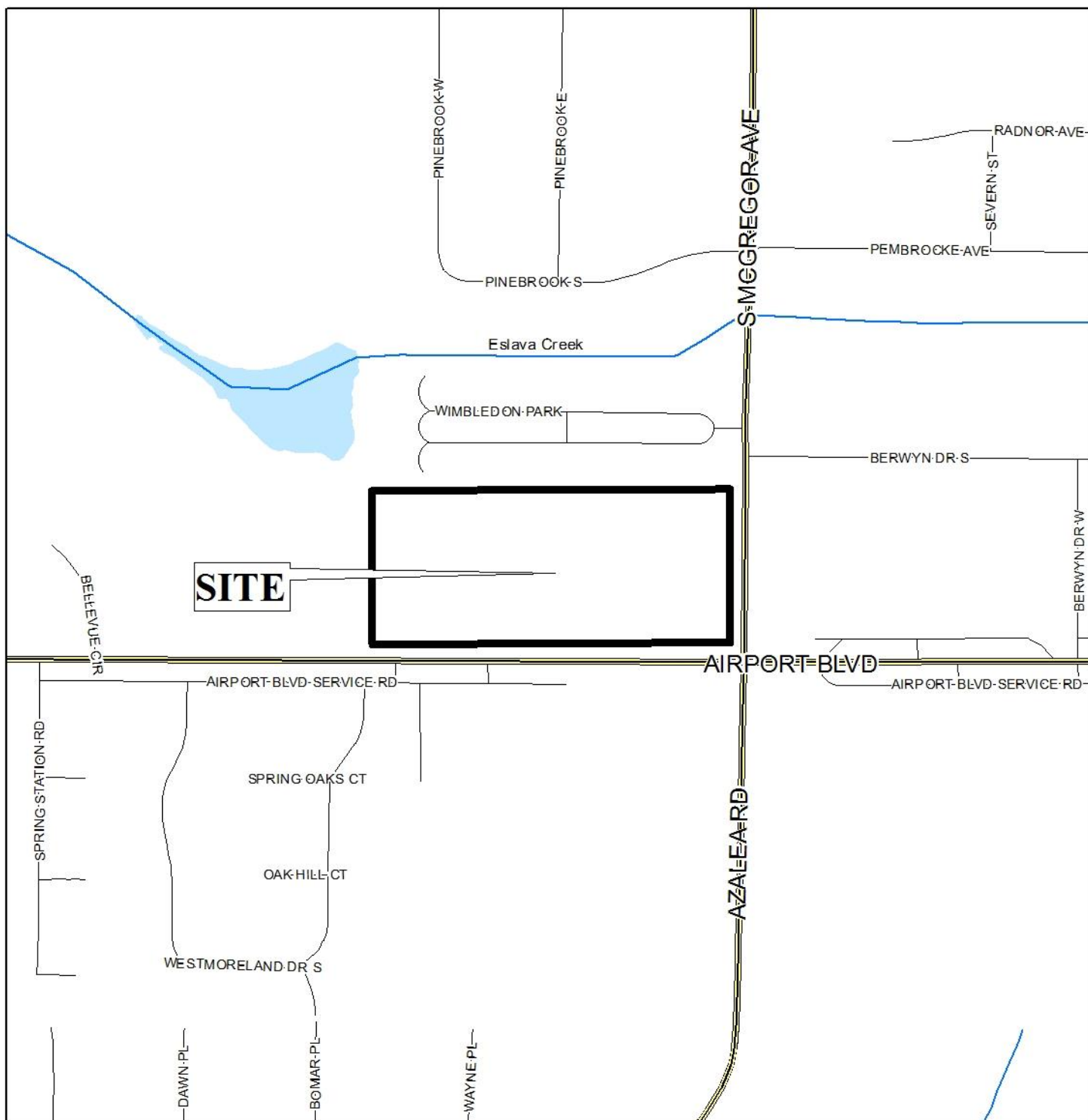
No information was provided with the revision regarding if a sidewalk would be provided on the West end of the development along Airport Boulevard, as originally required, or if a Sidewalk Waiver request would be submitted to remove this last remaining unbuilt but required segment of sidewalk.

RECOMMENDATION

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the April 21st meeting so that the following revisions can be made, to be submitted by April 1:

- 1) Revision of the site plan to depict the marking and signing of the service drive to be one-way in from Airport Boulevard at the building and one-way out (with “do not enter” signs) where the service drive rejoins the parking and circulation at the Northeast portion of the site (*thus the requested two-way circulation is denied*);
- 2) Revision of the site plan to depict a 24-foot wide parking drive aisle if two-way access is proposed on the East side of the center, along McGregor Avenue, and rearrangement of parking spaces to comply with minimum size requirements found in Section 64-6. of the Zoning Ordinance.;
- 3) Revision of the site plan to comply with Traffic Engineering comments: “*Driveway number, size, location and design are subject to the approved PUD for this site, and shall be approved by Traffic Engineering and conform to AASHTO standards. Any 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. There are several parking spaces on the west side of the site that restrict the access aisle to 14’ – 15’, and a staircase on the north side of the site (Petsmart) that restrict the access aisle to 17’. These widths are not conducive to two-way traffic and should be improved to provide a minimum 20’ access aisle. The angled parking spaces proposed on the east side of the site do not meet the city’s standard for required access aisle width, as defined in Section 64-6. Aisles 24’ wide are required for two-way traffic (17’ – 20.5’ is not recommended).*”;
- 4) Revision of the site plan to depict a sidewalk between the signalized intersection and the Western-most boundary of the site, or provision of a statement that a Sidewalk Waiver will be requested; and
- 5) Correction of discrepancies between the civil site plan and the landscape plan, and submission of revised plans as part of the PUD submittal.

LOCATOR MAP



APPLICATION NUMBER 2 DATE March 17, 2016

APPLICANT Pinebrook Investment, LLC

REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units to the south and east and residential units to the north and southwest.

APPLICATION NUMBER 2 DATE March 17, 2016

APPLICANT Pinebrook Investment, 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

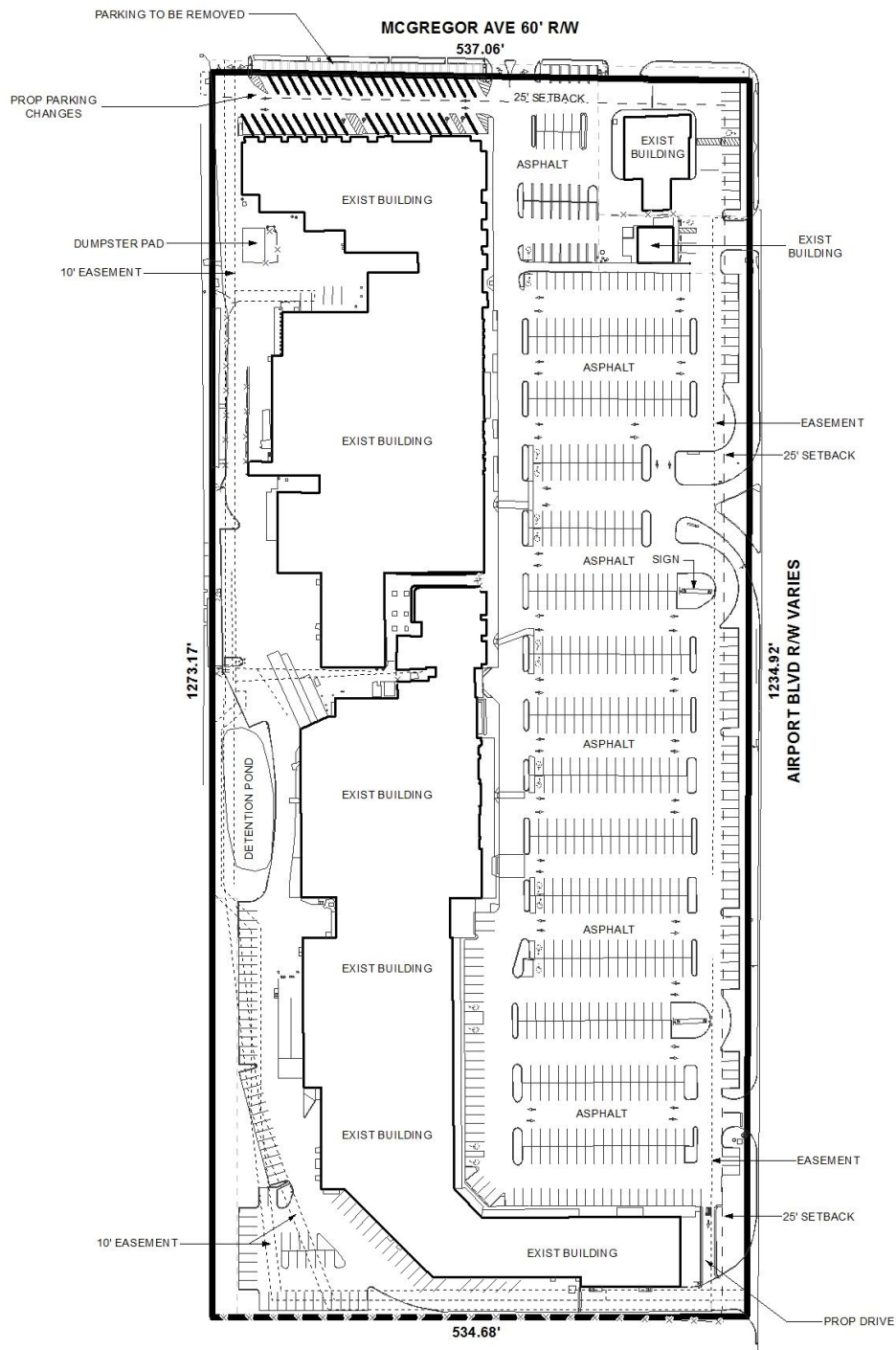


The site is surrounded by commercial units to the south and east and residential units to the north and southwest.

APPLICATION NUMBER 2 DATE March 17, 2016
 APPLICANT Pinebrook Investment, LLC
 REQUEST Planned Unit Development



SITE PLAN



The site plan illustrates the existing buildings, existing parking facility, setbacks, easements, proposed parking changes, and proposed drive.

APPLICATION NUMBER 2 DATE March 17, 2016

APPLICANT Pinebrook Investment, LLC

REQUEST Planned Unit Development

NTS