

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: March 19, 2015****DEVELOPMENT NAME**

Grant Harkness

LOCATION1607 E I-65 Service Road South
(East side of East I-65 Service Road South, 820'± North of
I-65 Commerce Drive)**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

B-3, Community Business District

AREA OF PROPERTY

2 Lots / 4.9± Acres

CONTEMPLATED USEPlanned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
an additional building.**TIME SCHEDULE
FOR DEVELOPMENT**

None provided

**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. Add a note to the Plat stating that 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

Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT 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.

URBAN FORESTRY

COMMENTS

Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

REMARKS

The applicant is requesting Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow an additional building.

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 was the subject of Planned Unit Development and Subdivision applications at the February 17, 2005 meeting of the Planning Commission. The proposal, approved by the Planning Commission, was to add a new warehouse and showroom on Lot 1, and a new warehouse building on Lot 2. Neither the warehouse building on Lot 2 or the showroom proposed for Lot 1 were built, however, the warehouse facility on Lot 1 was constructed. The 2005 approval required that the new development on Lot 1 fully comply with the tree and landscape requirements of the Zoning Ordinance, while Lot 2 was only required to provide frontage trees. An application for an Administrative PUD was also required prior to the

development of the proposed building on Lot 2, however, the application was apparently never made. A PUD application in June 2009 was withdrawn by the applicant prior to any ruling by the Planning Commission. The applicant submitted another PUD that was approved at the Planning Commission's October 21, 2010 meeting to allow the construction of the new showroom on Lot 1 similar to what was originally proposed in 2005. The applicant now wishes to obtain approval to place an 8,000 square foot warehouse on Lot 2.

Parking and access/maneuvering surface variances to allow aggregate surfacing for the front display area on Lot 1 were approved by the Board of Adjustment for the site for a maximum of two years on January 8, 2007, and was once again approved for another two years on September 14, 2009. The site plan illustrates compliant asphalt surfacing for the parking area currently.

The site plan provides information regarding parking on Lot 2, but does not include Lot 1. Based on the existing 3,000 square foot showroom and warehouse, it appears that Lot 1 will have sufficient parking as long as there are no more than 24 warehouse employees. The site plan should be revised to include parking calculations for both lots.

No new tree plantings are proposed for the site, and the submitted site plan matches previously approved tree plans for the site; however Lot 2 was previously required to have frontage trees only. Because the proposed warehouse will result in an increase of more than 50% of building area, Lot 2 should be required to come into full compliance with tree planting and landscaping requirements.

Regarding Lot 2, the site plan indicates that the bulk of Lot 2 is crushed limestone, and it appears to serve as a storage area that has been expanded since 1984, with no apparent permits. It should be noted that while the site did obtain variances to allow gravel surfacing for the parking area in the front of the site, the variance approval expired in 2011, and the applicant did not express a desire to have a gravel storage area on site. All storage areas in B-3, Community Business Districts are required to be paved with asphalt or concrete.

Furthermore, the aerials show that the storage area for Lot 2 contains other buildings not indicated on the PUD site plan, that it appears to accommodate employee parking on gravel surfacing, and that a variety of truck trailers, trucks and other equipment are stored in the rear area: one of the Planning Commission conditions of the approval from 2005 is *"the submission and approval of a Planning Approval application if the heavy equipment rental operation is expanded."* Thus the applicant should provide a more detailed description of the activities on the site, and should revise the site plan to accurately reflect all existing buildings, and improvement of the entirety of the site to meet paved surfacing requirements of the Zoning Ordinance.

It should be noted that the submitted site plan shows a 10' water and sewer easement as well as a 20' sanitary sewer easement on the rear portion of Lot 2 which was not indicated on any of the previous Subdivision, Planned Unit Development, or Variance site plans. Furthermore, there is an existing building located on top of these easements. Due to the location of the easements, the structure should be relocated, or the easements vacated.

There is a note on the site plan indicating that preservation status will be granted to “the 42” Live Oak Tree located on the North side of Parcel A”. There is no such tree illustrated on the site plan, nor has Urban Forestry made such a stipulation for this site. If this note was indeed placed on the site plan by mistake, it should be removed.

RECOMMENDATION

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the April 16, 2015 meeting, with revisions due by March 27, 2015, so that the following revisions to the site plan can be made:

- 1) revision of the site plan to show all existing buildings on the site, and label their use and size;
- 2) revision of the site plan to show full compliance with the paving requirements of the Zoning Ordinance;
- 3) revision of the site plan and provision of a written description that describes the storage area for Lot 2 – the types of vehicles and equipment kept in the area;
- 4) submission of a Planning Approval application if heavy equipment is being stored on site for rental purposes;
- 5) illustration of full compliance with tree planting and landscaping requirements for both lots;
- 6) comply 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. Add a note to the Plat stating that 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.); and*
- 7) comply with Traffic Engineering comments (*Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT 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.*).

Revised for the April 16th meeting:

The application was heldover from the March 19, 2015 meeting to allow the applicant time to provide additional information, and if needed, submit a Planning Approval application. The applicant has submitted a revised site plan and narrative, with no Planning Approval application submitted.

The applicant has revised the site plan to reduce the size of the proposed warehouse from 8,000 square feet to 6,900 square feet, resulting in an increase of 49.6% in building area, therefore the site will not be required to come into full compliance with landscape area and tree planting requirements at this time. A note should be placed on the site plan stating that any future additions to the site will require full compliance with landscape area and tree planting requirements.

The revised narrative the applicant submitted states that a few trees required to be planted on the site in conjunction with a previous Planned Unit Development approval have since died. The applicant proposes to replace the missing trees to obtain compliance with the previous approvals.

The applicant has revised the site plan and narrative to request that the residential buffer required in Section 64-4.D.1. of the Zoning Ordinance be waived until such a time that the adjacent residentially zoned properties are developed. It should be noted that a condition of approval associated with a 2010 Planned Unit Development application states "Placement of a note on the site plan stating that no additional development on Lots 1 or 2 will be allowed until buffering of Lot 2 is brought into compliance with the development requirements of the City of Mobile, for that portion of the lot improved since 1997." Therefore, the residential buffer requirement should be a condition of approval associated with the current application.

The applicant was asked to revise the site plan to show all existing buildings on the site, and label their use and size. Instead, the site plan was revised to illustrate all permanent buildings on the subject site. The revised narrative states that items that "The items that appear on the aerial photograph consist of portable storage pods, temporary tent-type structures, and miscellaneous rental equipment. There is one small portable shed located on the site." This, however, does not explain the disappearance from the site plan of an approximately 1,250 square foot structure previously illustrated on the site plan in existing easements. The applicant was requested to illustrate all existing buildings on the site, not just what they deem as permanent.

The site plan has been revised to show continuous asphalt paving from the parking area in the front of the site continuing to the newly proposed warehouse for fire truck access. Regarding paving requirements for the storage area on Lot 2, the applicant states the following:

Since this site is zoned B-3 storage areas are required to be paved with asphalt or concrete. According to the owner, the present business, Blue Rents, has occupied this site since 1967. Gradually over the past 50 years the rear storage area has been expanded as the business grew. The storage gravel area limits have not been altered during the last 25 years. As a condition of this PUD application, the owner

requests that the storage area remain a gravel storage area since it has existed for such a long time, is not visible from any public roadway and is surrounded on the east, north and a portion of the west by heavily wooded areas.

After reviewing aerial photographs, it appears that the storage area has indeed been expanded slightly since 1997, and significantly since 1984 with no permits. The fact that the applicant has expanded the storage area significantly without permits over the past 31 years is not sufficient justification to allow the continued use of inappropriate surfacing materials. Furthermore, it appears that the area is used for employee parking. Therefore, the site plan should be revised to illustrate a compliant surfacing for the storage area, or obtain a variance to allow continued use of aggregate surfacing.

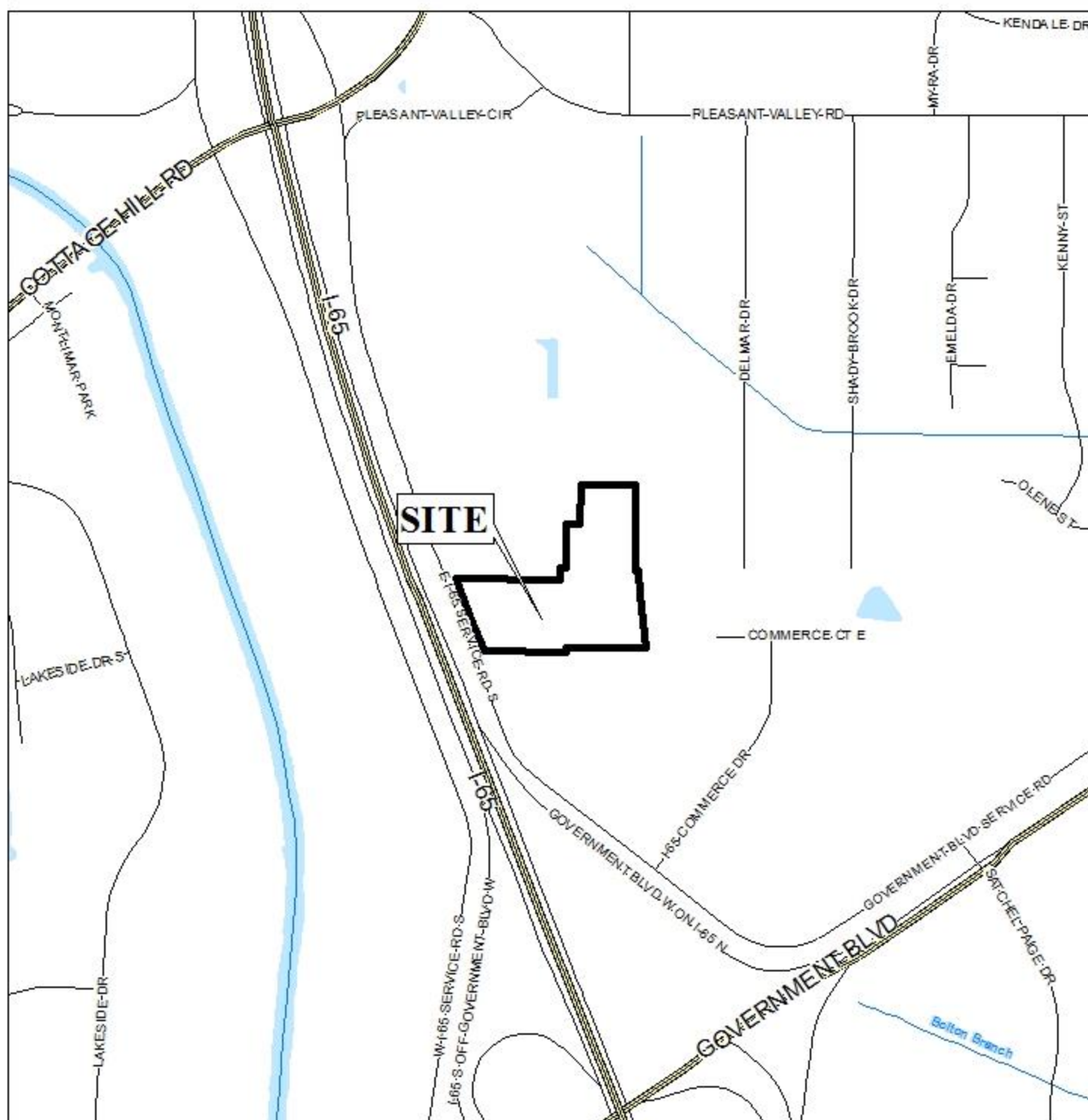
The applicant was asked to provide the types of vehicles and equipment stored on Lot 2 in order for staff to determine if Planning Approval will be required for the site to allow heavy equipment rental and leasing in a B-3, Community Business District. The applicant submitted a revised narrative simply stating "None of the equipment, in our opinion, is classified as 'heavy' equipment." Unfortunately, this is not sufficient for staff to concur. Information provided on the Blue Rents website illustrate stump cutters, skid steers, and excavators, all of which would be considered heavy equipment. If this is an accurate representation of some of the equipment available for rent or lease at the subject site, the applicant should indeed be required to submit a request for Planning Approval.

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

- 1) obtaining Planning Approval to allow heavy equipment rental and leasing in a B-3, Community Business District;*
- 2) revision of the site plan to show full compliance with the paving requirements of the Zoning Ordinance, or obtaining a variance to allow continued use of aggregate surfacing;*
- 3) provision of tree plantings as required by the 2005 Planned Unit Development approval;*
- 4) placement of a note on the site plan stating that any future expansions will require full tree planting and landscape area requirements;*
- 5) provision of a residential buffer compliant with Section 64-4.D.1. of the Zoning Ordinance;*
- 6) illustration of **all** buildings on the site;*
- 7) comply 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.*

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- 8) comply with Traffic Engineering comments (Interstate 65 Service Road is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT 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.); and
- 9) provision of two (2) revised PUD site plans to the Planning Section of Urban Development prior to issuance of any permits.

LOCATOR MAP



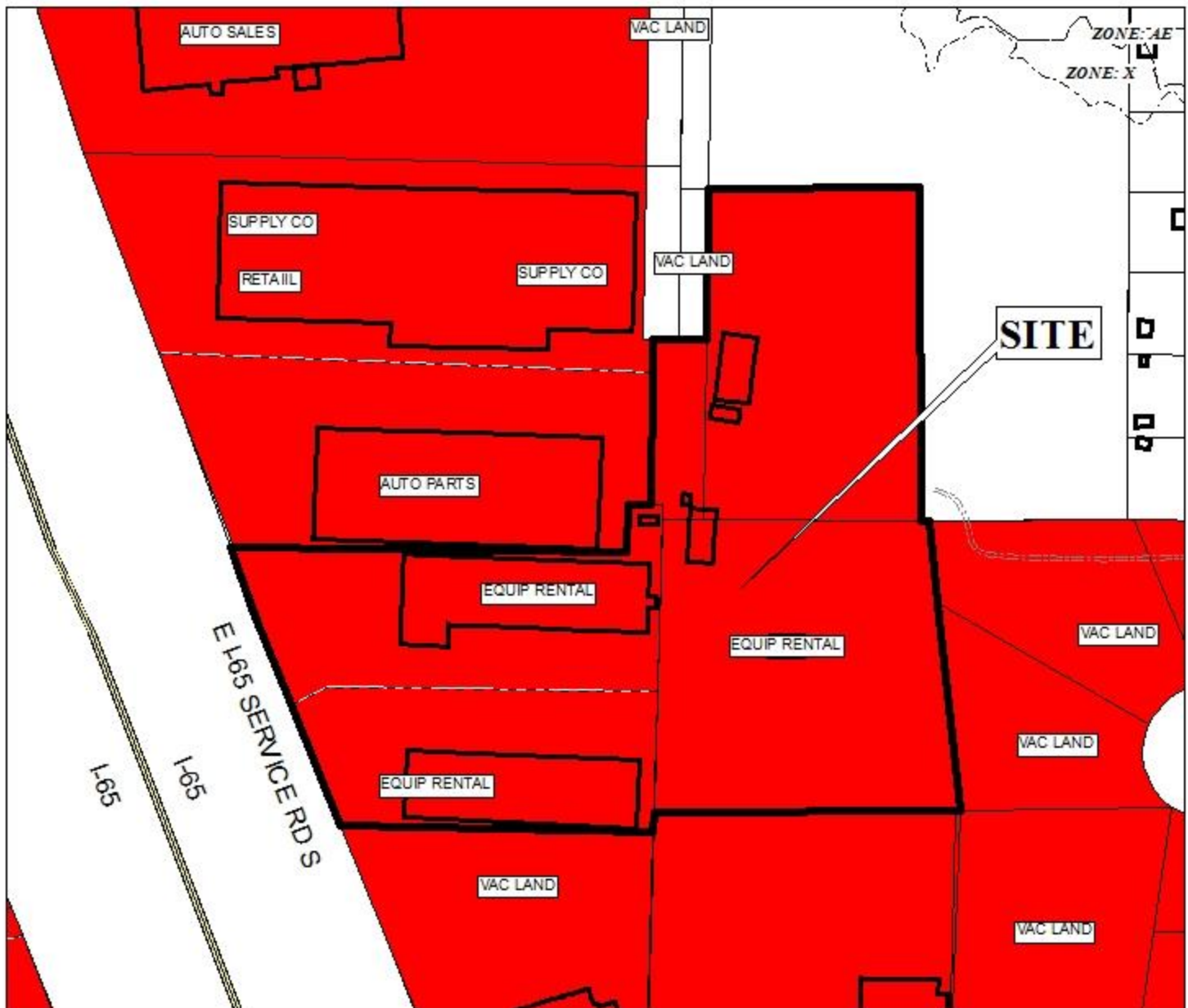
APPLICATION NUMBER 3 DATE April 16, 2015

APPLICANT Grant Harkness

REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 3 DATE April 16, 2015

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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.

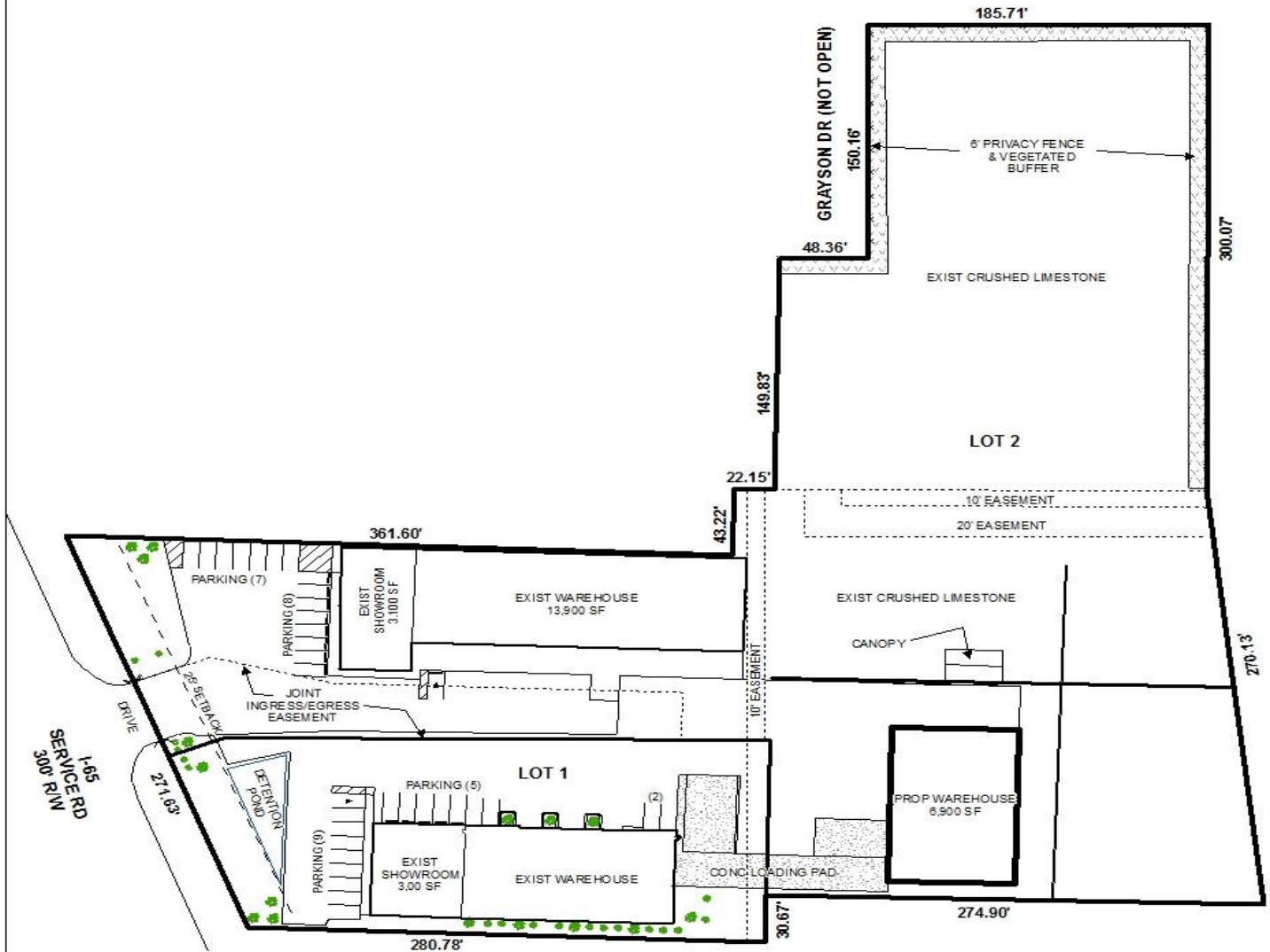
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SITE PLAN



The site illustrates the existing buildings, easements, setback, trees, and the proposed warehouse.

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REQUEST Planned Unit Development



NTS