

**PLANNED UNIT DEVELOPMENT  
STAFF REPORT****Date: December 19, 2019****DEVELOPMENT NAME** Don Carlos, Inc.**LOCATION** 5805 U.S. Highway 90 West  
(East side of Government Boulevard, 50'± South of Fore Road (private road).**CITY COUNCIL  
DISTRICT** District 4**AREA OF PROPERTY** 1 Lot / 1.64± Acres**CONTEMPLATED USE** Planned Unit Development Approval to allow multiple buildings on a single building site.**TIME SCHEDULE  
FOR DEVELOPMENT** Immediately upon approval.**ENGINEERING  
COMMENTS****P.U.D.:**

1. The proposed structure may need to be assigned a 911 address. Please contact the Engineering Department (208-6216) to discuss the options.
2. Retain NOTES #1 - #5 and NOTE #11, as shown on the PUD SITE PLAN drawing C1.0.

**TRAFFIC ENGINEERING****COMMENTS** Government Boulevard (U.S. Highway 90) is an ALDOT maintained roadway. Site is limited to its existing curb cuts with any changes in size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Owner/developer should confirm the appropriate number of accessible spaces are provided based on the overall parking count on the site. If an additional ADA space is needed, it appears it can be accommodated without reducing the overall parking count.**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). Private removal of trees in the right-of-way will

require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

## **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.

The subject site was originally developed as a restaurant prior to annexation into the City of Mobile. The applicant now proposes to construct an additional building on the site to serve as an office/warehouse in support of the restaurant operation. Since the site would then have multiple buildings, Planned Unit Development Approval is required to allow such; hence this application.

The site has been given a Mixed Commercial Corridor (MCC) land use designation, per the adopted Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

PUD 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.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The applicant states:

**#7 Project Description:**

*This project consists of construction of a 5,000 s.f. pre-engineered metal building with office and warehouse space to be utilized by the existing restaurant located on the same parcel.*

*Time schedule is to start construction as soon as all permits have been obtained and to finish approx. in April of 2020.*

**#8 Plan Consistency Analysis:**

- 1. The proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is a developed lot that was previously designed for additional construction on the existing site.*
- 2. The proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the current site has land that is developable.*
- 3. The proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land), because the site already contains an existing building and is located within a developed area.*
- 4. The proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the project does not eliminate any existing*

*urban amenities or natural features, and the existing urban fabric is retained.*

5. *The proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the project is within an existing developed area.*
6. *The proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because no new public infrastructure must be constructed to meet the applicant's needs.*

The site is a legal lot of record, Lot 1 Los Tres Amigos Subdivision, Number One, recorded while in the City's Planning Jurisdiction. The recorded plat indicates a 63' minimum building setback line across the frontage. The PUD site plan indicates the line, but it is not labeled as the minimum building setback line, nor is it dimensioned from the front property line/right-of-way line. Therefore, the site plan should be revised to label and dimension the setback line. The recorded plat also limits lot development to a maximum of two curb cuts to U.S. Highway 90. The site plan should be revised to contain a note stating such. The note currently on the site plan stating that the site is denied access to Fore Road should be retained. The site plan should be revised to label the lot with its size in both square feet and acres, or a table should be furnished on the site plan providing the same information.

The existing restaurant building is 7,935 square feet, and the proposed office/warehouse building is 5,000 square feet. As this would be a total building footprint expansion of over 50%, the Zoning Ordinance requires full compliance with landscaping and tree planting. Calculations on the site plan indicate landscaping ratio compliance. However, there is only a note on the site plan stating that the site will comply with the tree planting requirements. As the City is looking closely at the spacing of heritage overstory tree plantings to provide a more favorable growth space, a spacing of at least 40' between trees is being considered as per the proposed Right Tree/Right Place concept. Therefore, the applicant should coordinate with staff on the location of frontage heritage trees and the possibility of reducing the number of required trees with contributions to the City Tree Bank for any reduction in required plantings.

As the site was originally developed to County standards, no frontage public sidewalk was required nor constructed. Therefore, the site plan should be revised to provide a compliant public sidewalk, or a sidewalk waiver should be requested. The site plan indicates compliant parking sufficient for the existing and proposed building square footages and uses.

The site abuts other commercial and industrial zonings; therefore, no residential buffering is required.

As per the Traffic Engineering comments, Government Boulevard (U.S. Highway 90) is an ALDOT maintained roadway. Site is limited to its existing curb cuts with any changes in size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Owner/developer should confirm the appropriate number of accessible spaces are provided based on the overall parking count on the site. If an additional ADA space is needed, it appears it can

be accommodated without reducing the overall parking count. A note should be required on the site plan stating these comments.

As PUD's are site-plan specific, any changes to the approved site plan will require an amended PUD to the Planning Commission. The note on the site plan stating such should be retained. A revised site plan incorporating all conditions of approval should be submitted to and approved by Planning and Zoning prior to the submittal for development permits on the site.

## **RECOMMENDATION**

Staff recommends the following Findings of Fact for Approval for the Planned Unit Development:

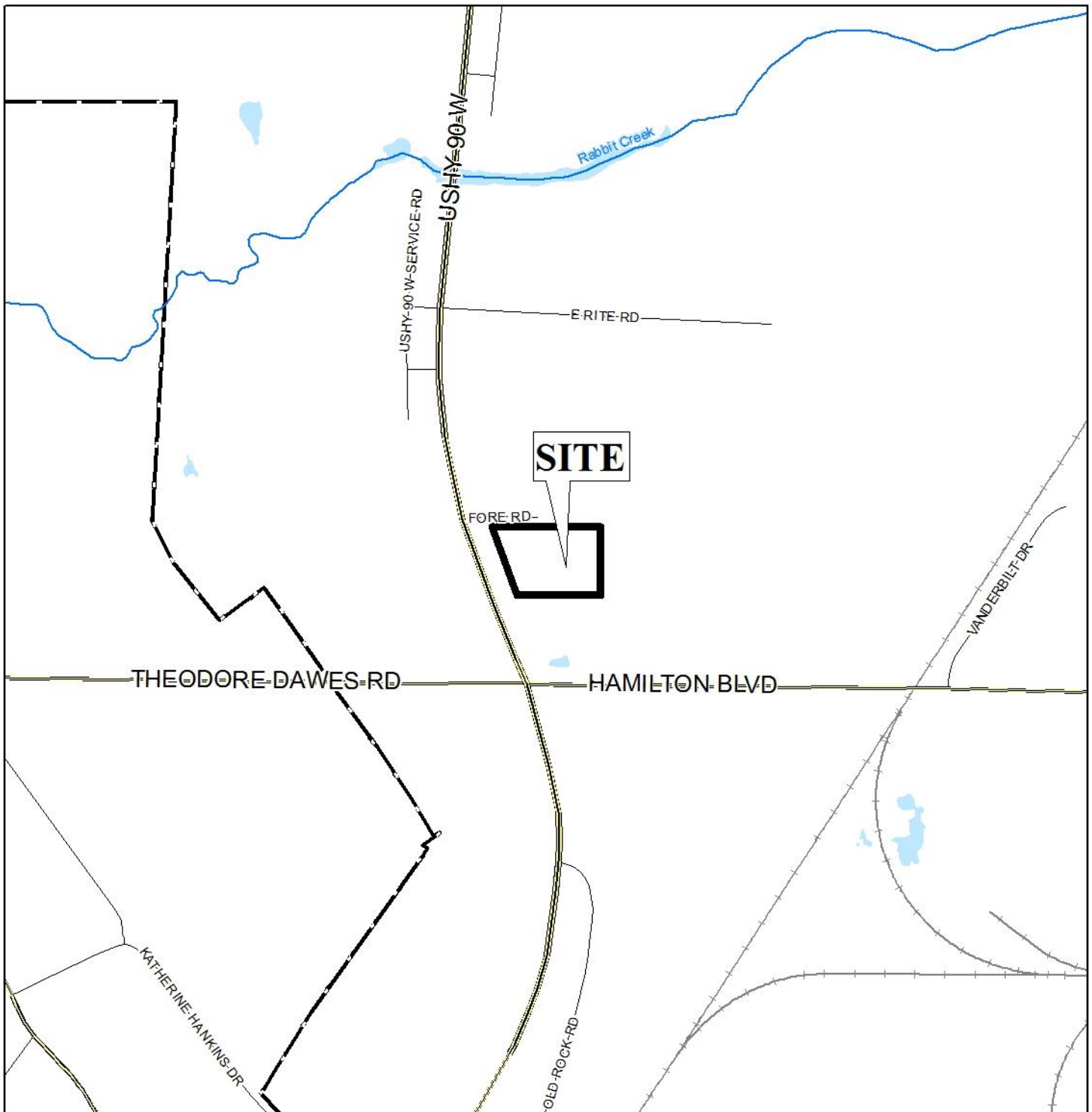
- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it is a developed lot that was previously designed for additional construction on the existing site.
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because the current site has land that is developable.
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because the site already contains an existing building and is located within a developed area.
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the project does not eliminate any existing urban amenities or natural features, and the existing urban fabric is retained.
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the project is within an existing developed area.
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because no new public infrastructure must be constructed to meet the applicant's needs.

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

- 1) revision of the site plan to label and dimension the 65' minimum building setback line along the property frontage;
- 2) placement of a note on the site plan stating that the site is limited to a maximum of two curb cuts to U.S. Highway 90;
- 3) retention of the note on the site plan stating that the site is denied access to Fore Road;
- 4) revision of the site plan to label the lot with its size in both square feet and acres, or the furnishing of a table on the site plan providing the same information;
- 5) full compliance with tree plantings and landscape area, to include coordination with staff on the location of frontage heritage trees and the possibility of reducing the number of required trees with contributions to the City Tree Bank for any reduction in required plantings;

- 6) revision of the site plan to provide a City-standard public sidewalk within the right-of-way, or the granting of a Sidewalk Waiver;
- 7) retention of the note on the site plan stating that any changes to the approved site plan will require an amended PUD to the Planning Commission;
- 8) compliance with the Engineering comments: *[1. The proposed structure may need to be assigned a 911 address. Please contact the Engineering Department (208-6216) to discuss the options. 2. Retain NOTES #1 - #5 and NOTE #11, as shown on the PUD SITE PLAN drawing C1.0.];*
- 9) placement of a note on the site plan stating the Traffic Engineering comments: *[Government Boulevard (U.S. Highway 90) is an ALDOT maintained roadway. Site is limited to its existing curb cuts with any changes in size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Owner/developer should confirm the appropriate number of accessible spaces are provided based on the overall parking count on the site. If an additional ADA space is needed, it appears it can be accommodated without reducing the overall parking count.];*
- 10) compliance with the 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). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.);*
- 11) compliance with the 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).];*
- 12) submittal to and approval by Planning and Zoning of a revised site plan incorporating all conditions of approval prior to the submittal for development permits on the site; and
- 13) full compliance with all other municipal codes and ordinances.

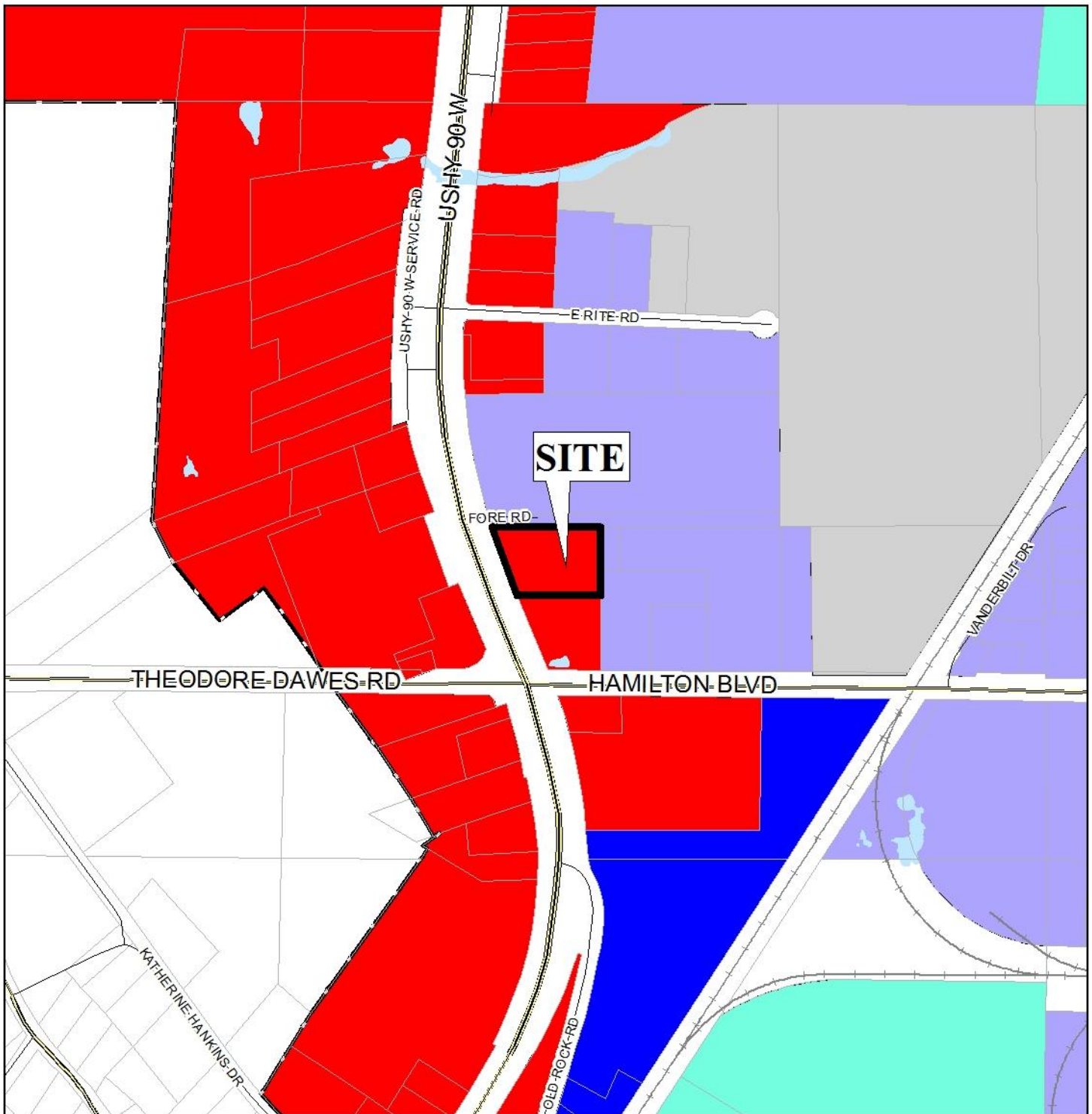
# LOCATOR MAP



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# LOCATOR ZONING MAP



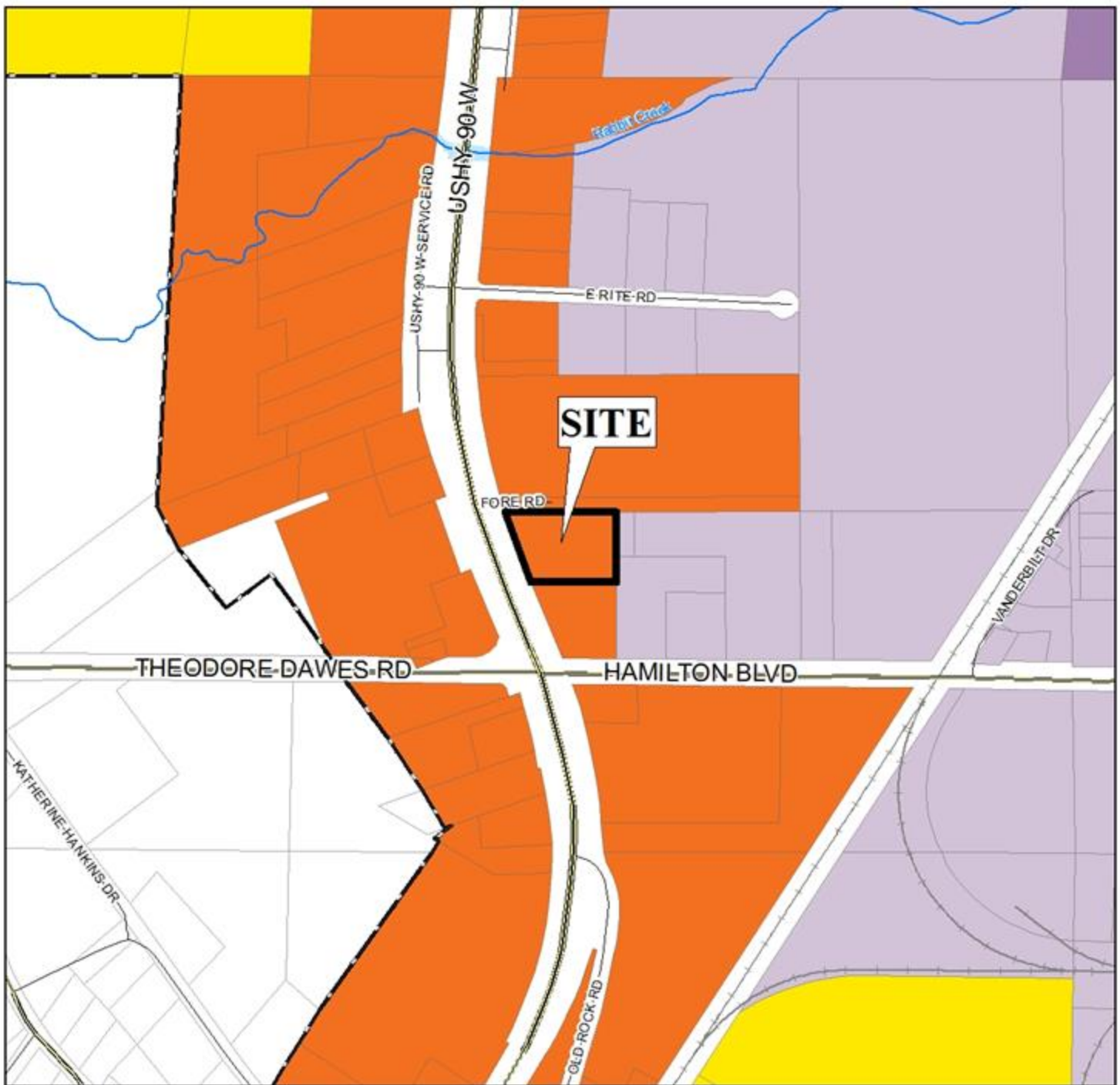
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# FLUM LOCATOR MAP



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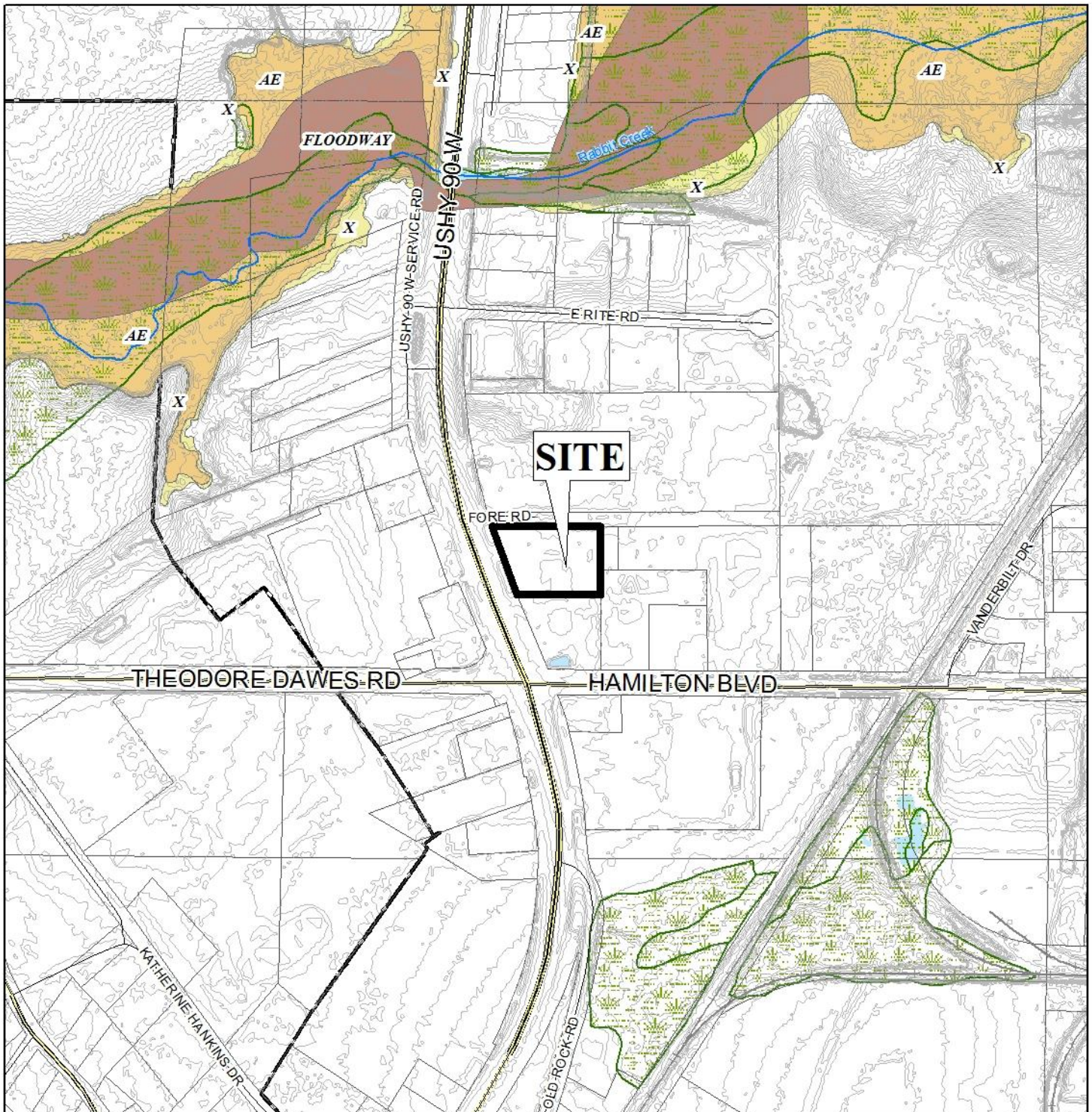
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



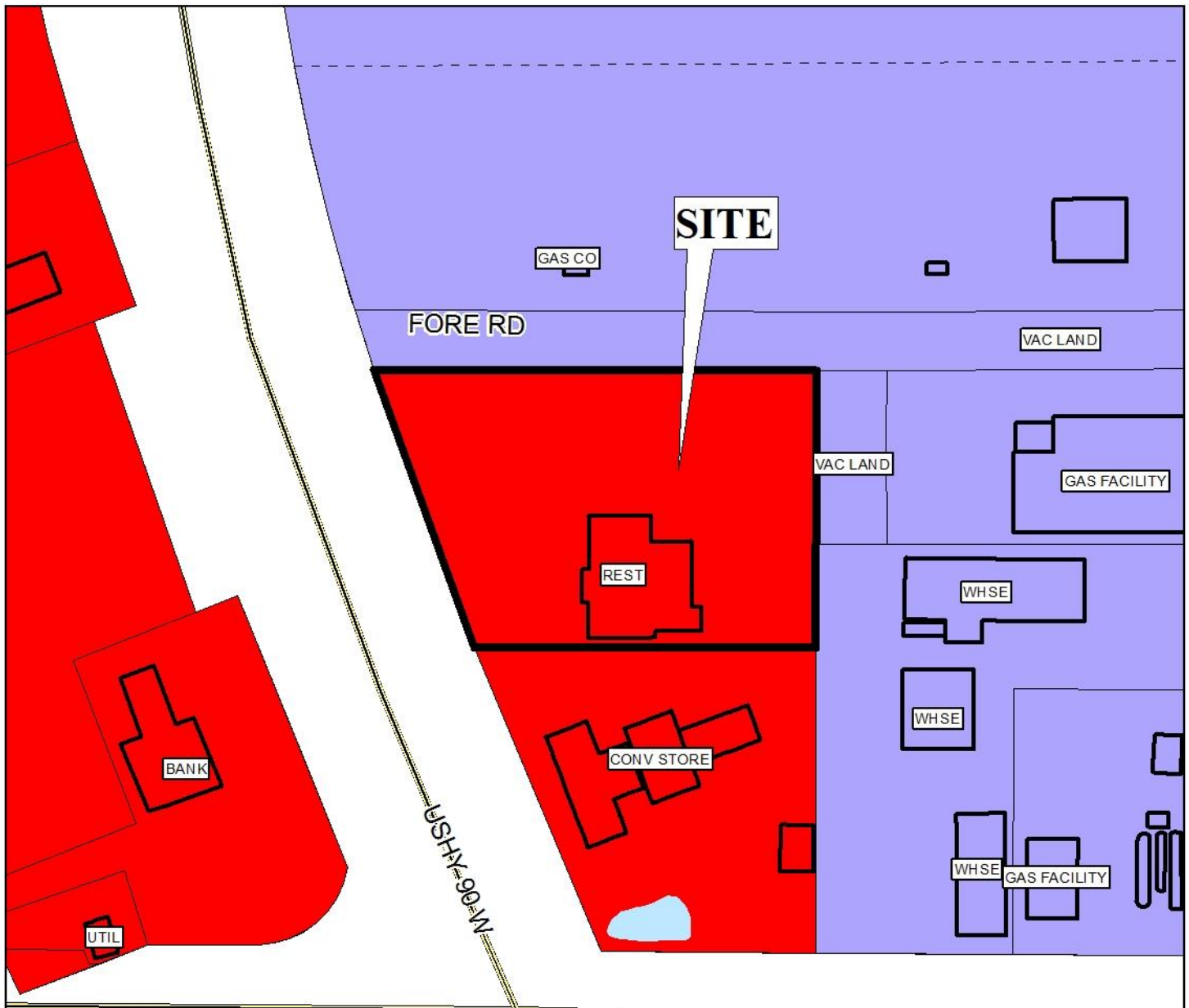
# ENVIRONMENTAL LOCATOR MAP



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> R-A	<span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> R-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> T-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> B-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> B-5	<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> MUN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightcoral; border: 1px solid black;"></span> SD-WH	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> T5.1
<span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> R-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> R-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> B-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> B-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> I-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> OPEN	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpink; border: 1px solid black;"></span> T3	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; border: 1px solid black;"></span> T5.2
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> R-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: peachpuff; border: 1px solid black;"></span> H-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> LB-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> B-4	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgrey; border: 1px solid black;"></span> I-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> T4	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black;"></span> T6



# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



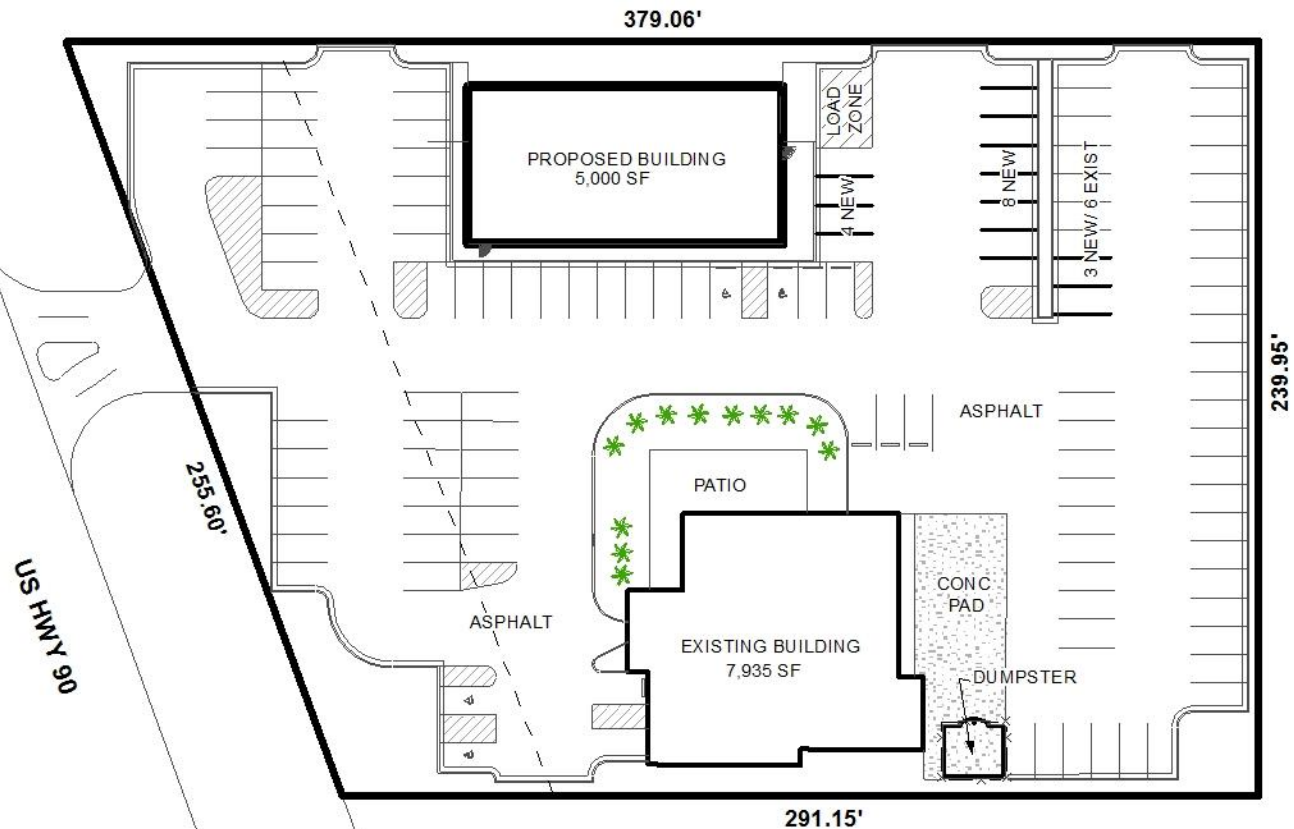
The site is surrounded by commercial units.

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# SITE PLAN

FORE RD 50' PRIVATE RD



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

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