

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: September 6, 2012****DEVELOPMENT NAME**

Chinnis Holdings LLC

LOCATION5401 Cottage Hill Road
(Southwest corner of Cottage Hill Road and Vivian Drive)**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

2 Lots / 1.1 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access between two building sites to include an 8' X 20' trailer.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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. Any and all proposed development within the property lines will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
3. A complete set of construction plans for the site work (including drainage, utilities, grading, storm water systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.

**TRAFFIC ENGINEERING
COMMENTS**

The parking layout along Cottage Hill Rd should be illustrated in a straight line parallel with the building and driving aisle, and not parallel with the roadway right-of-way. As illustrated the first space nearest the Cottage Hill Rd driveway is non-standard length, and the three spaces nearest the Vivian Dr driveway require excessive backing to exit the spaces. As noted, the driveway size, location and design are to be approved by Traffic Engineering and conform to AASHTO standards. Driveway radii are not shown; a 20' radius is

typical for passenger cars and a 30' radius is desirable for large trucks. The site plan does not include sidewalk along either roadway frontage.

Revised for the October 4th meeting: A revised site plan and additional information about the development of the site were submitted and reviewed. With the exception of parking lot restriping, no construction is planned on site with this application. Traffic Engineering comments for the September 6th PC meeting were made about the construction of the driveways on Vivian Drive. The approved PUD from 2008 required closing the continuous opening on Vivian Drive and replacing it with two single curb cuts with size, design and location to be approved by Traffic Engineering. It appears as though no permits were obtained for this work, and therefore no approval was obtained from Traffic Engineering regarding the size, design and location.

A site visit was conducted as a result of a Service Request Order placed by a tenant from the property citing a line of sight problem exiting the Cottage Hill Road driveway. The initial issue had been reported as trees and bushes, however upon inspection, the first and foremost line of sight problem was a result of vehicles from the property parking in the right-of-way immediately west of the driveway. In addition to the line-of-sight problem, vehicles for the automotive repair shop were also noted as stacking 3 vehicles deep outside the building in the vicinity of the entrances to the garage. Under the existing layout of the site, the stacking vehicles were a hindrance to entering and exiting traffic near the Cottage Hill Road driveway. Moving the parking spaces 10', as intended in the proposed site plan, will impose additional limitations to the circulation in this area of the site. Parking should be prohibited in the right-of-way, designated driving aisles and within any landscaped areas.

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).

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

Revised for the October 4th meeting: Per an on-site meeting with the applicant, three (3) frontage trees will be provided along the Cottage Hill Road frontage, in the Northeast portion of the site.

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.

REMARKS

The applicant is requesting Planned Unit Development approval to amend a previously approved Planned Unit Development to allow shared access between two building sites to include an 8' X 20' trailer.

The applicant specifically wishes to create a barbecue take-out restaurant, and park a cooking trailer on the front portion of the property, for use on site and for use off-site.

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 two story multi-tenant building and a one-story metal building, and has frontage on Cottage Hill Road, a major street, and Vivian Drive, a minor street.

The site first came before the Planning Commission for Subdivision and Planned Unit Development approval in 2008, and was approved at the December 18, 2008 meeting. The approval created the two lots and the planned unit development now again before the Commission, even though the property was originally developed in approximately 1985.

The approved 2008 site plan included landscaping improvements, changes to the parking area and layout, and the removal of a “carwash” structure between the existing multi-tenant building and the adjacent metal auto repair building; none of the proposed 2008 improvements were undertaken. The subdivision plat was recorded.

The site plan now under consideration includes modification of the existing parking area to eliminate the continuous curb-cut along Vivian Drive, with two 24-foot wide curb-cuts along Vivian Drive to remain. The proposed barbecue trailer will be parked in the front parking area, with parking adjusted to accommodate the trailer. It appears that the trailer will be parked on new landscape area. The site plan also depicts three new handicap parking spaces, a dumpster, and a total of 49 parking spaces.

There are several deficiencies regarding the provided site plan and associated information. First, there is no information regarding the existing or proposed uses in the buildings, including the total gross square feet of the building and by use: staff cannot determine the total amount of required parking.

The proposed location of the barbecue trailer results in a modified front parking area that creates parking spaces of various alignments. As commented by Traffic Engineering, the parking spaces facing Cottage Hill Road should be realigned to be parallel to the parking spaces facing the building, providing a uniform row of parking. Also, the trailer itself should not be placed on an unpaved area. The site plan should be revised to realign the parking and depict the trailer on an asphalt or concrete surface.

It appears that a dumpster is proposed to be located within the building setback line along Vivian Drive, in a landscape area. Dumpsters must meet all required building setbacks and must be enclosed on three sides by a fence or wall, located on a dumpster pad, and be situated so that servicing of the dumpster occurs entirely on private property. Furthermore, all dumpsters must now be connected to the sanitary sewer system and include a grease trap. The site plan should be revised to show the dumpster relocated to meet all setbacks, be serviceable by a truck completely on private property, and to have a connection via a grease trap to the sanitary sewer.

The site plan includes the area dedicated to the City of Mobile for the Vivian Drive right-of-way. The site plan should no longer include any dedicated land as part of the site, and instead this area should now just be a part of the right-of-way for Vivian Drive, with the right-of-way width revised to reflect the dedication.

As the carwash portion of the building was not demolished per the approved 2008 site plan, there may now be Building and or Fire Code issues due to the fact that a property line now divides the structure in two. Therefore, any approved Planned Unit Development must include full compliance with any Building or Fire Code requirements relating to firewall separation, if applicable.

It is apparent that vehicles are parking in landscape areas. Provisions should be shown on the site plan to prevent vehicles from maneuvering in landscape areas, including the provision of curbs or parking bumpers.

Landscape areas are shown on the site plan, but no quantitative information is provided regarding how much landscape area is provided. The site plan should include total landscape area in square feet, and total frontage landscape area in square feet. Urban Forestry has additionally requested compliance with the frontage tree requirements of the Zoning Ordinance. Therefore the site plan should be revised to depict frontage tree compliance, and should depict any existing trees within the frontage area that will remain and be claimed for credit.

Finally, the site plan depicts three proposed handicap accessible parking spaces. The Americans with Disabilities Act requires at least one of the spaces to be van accessible, and requires all spaces to be properly signed. None of the proposed spaces appear to meet van accessibility requirements, and their location does not appear to be near any ramp that allows clear access into the tenant spaces. The site plan should be revised to comply with all applicable federal laws regarding handicap accessibility, as Planned Unit Development approval is site plan specific, and any redesign of the parking area will change the site plan.

RECOMMENDATION

Planned Unit Development: Based upon the preceding, this application is recommended for Holdover until the October 4th meeting, with revisions provided to the Planning Section by September 14th, so that the following modifications can be made to the site plan:

- 1) Revision of the site plan to include or submittal of a listing of all existing and proposed uses on the site, listed by suite number and by square feet;

- 2) Revision of the front parking area to reflect Traffic Engineering comments (*The parking layout along Cottage Hill Rd should be illustrated in a straight line parallel with the building and driving aisle, and not parallel with the roadway right-of-way. As illustrated the first space nearest the Cottage Hill Rd driveway is non-standard length, and the three spaces nearest the Vivian Dr driveway require excessive backing to exit the spaces. As noted, the driveway size, location and design are to be approved by Traffic Engineering and conform to AASHTO standards. Driveway radii are not shown; a 20' radius is typical for passenger cars and a 30' radius is desirable for large trucks. The site plan does not include sidewalk along either roadway frontage.*), and to ensure that the front parking area consists of uniform rows of parking;
- 3) Revision of the site plan to place the barbeque trailer on a concrete or asphalt paved surface;
- 4) Revision of the site plan to relocate the proposed dumpster and enclosure to be on a dumpster pad connected to sanitary sewer via a grease trap, meeting all required setbacks, and providing adequate room for dumpster servicing on site;
- 5) Revision of the site plan to properly show the right-of-way width of Vivian Drive reflecting the previous dedication, and depiction of the property line to reflect dedication;
- 6) Provision of parking bumpers or curbing as necessary to prevent vehicles from being parked in landscape areas, and depiction of said curbing or bumpers on the site plan;
- 7) Revision of the site plan to provide landscape area quantities in square feet for both overall and frontage landscape areas;
- 8) Revision of the site plan to depict frontage tree compliance as required by 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). Full compliance with frontage tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.*), as well as the location, size and species of any existing trees on the site;
- 9) Compliance with Engineering comments (*1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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. Any and all proposed development within the property lines will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, storm water systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.*);
- 10) Revision of the site plan to show handicap parking spaces that comply with any requirements of the Americans with Disabilities Act (*for example, ensure that one of the spaces is "van accessible," that all spaces are appropriately signed, and that an accessible route is provided to all tenant spaces*).

Revised for the October 4th meeting:

A revised site plan, narrative and suite/tenant information was provided by the applicant, as requested.

The applicant no longer intends to make any significant modifications to the site. Instead, the site plan indicates that the front and rear parking areas will be striped to provide 49 parking spaces, more than adequate for the existing and proposed tenant mix. The front parking area will be shifted South approximately 10-feet to make room for the proposed barbecue trailer, with the parking shift only requiring restriping.

As shown on the site plan, the trailer will be parked in the 25-foot setback along Cottage Hill Road. It is recommended that the applicant shift the location of the trailer to meet the 25-foot setback from both Cottage Hill Road and Vivian Drive, and it appears that there will be adequate space for the shift.

The existing dumpster on the site, located on an existing dumpster pad, will be removed from the site. The applicant states that relocating the dumpster and connecting it to the sanitary sewer is cost prohibitive. Individual cans will be used, and will be placed in the existing can wash area.

A representative of Urban Forestry met with the applicant on-site, and it was determined that only three (3) frontage trees in the existing landscape area at the Northeast portion of the site will be required. The site plan should be revised to depict the three trees.

A representative of Traffic Engineering visited the site and observed that the auto repair tenant is parking vehicles on landscape areas in the right-of-way of Cottage Hill Road, and in such a manner as to partially block entry to the site from Cottage Hill Road. They also commented on the fact that the 10-foot shift in parking, as proposed, will partially complicate exiting the site at the Cottage Hill Road driveway.

Due to Traffic Engineering observations, the applicant may wish to remove one parking space at the Western end of the relocated parking to allow for smoother traffic flow at the Cottage Hill entry, and may wish to delineate with striping the 24-foot wide access aisle and paint "no parking" in the aisle to ensure that the auto repair tenant does not block entry/exit of the site at the Cottage Hill Road curb-cut.

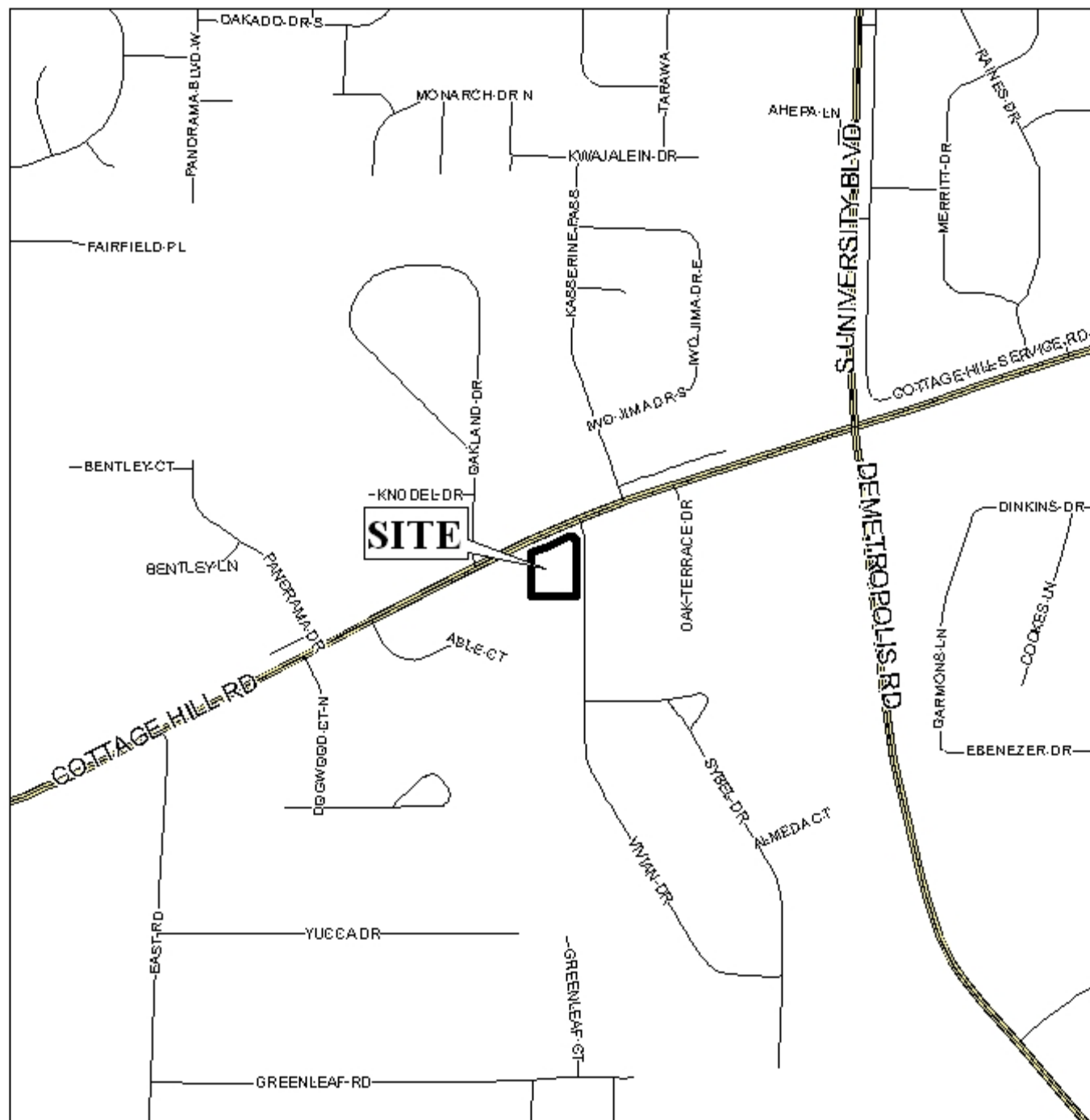
Any improvements to the site, such as the parking area restriping and the frontage tree planting, should be completed prior to any request for a business license for the barbecue take-out restaurant. Site plans must be submitted via the Permitting section of Urban Development and routed to Engineering, Traffic Engineering, Urban Forestry and Planning to ensure compliance with any approvals by the Planning Commission.

RECOMMENDATION

Planned Unit Development: Based upon the revised submittal and the review comments, this application is recommended for Approval, subject to the following conditions:

- 1) Revision of the site plan to reflect revised Urban Forestry comments (*Per an on-site meeting with the applicant, three (3) frontage trees will be provided along the Cottage Hill Road frontage, in the Northeast portion of the site.*);
- 2) Revision of the site plan to reflect Traffic Engineering comments (*remove one parking space at the Western end of the relocated parking to allow for smoother traffic flow at the Cottage Hill entry, and delineate with striping the 24-foot wide access aisle and paint “no parking” in the aisle to ensure that the auto repair tenant does not block entry/exit of the site at the Cottage Hill Road curb-cut*);
- 3) Revision of the site plan to relocate the trailer to meet 25-foot setbacks from Cottage Hill Road and Vivian Drive;
- 4) Elimination of all parking in landscape areas in the Cottage Hill Road right-of-way;
- 5) 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.*)
- 6) Compliance with revised Engineering comments (*1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, 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. Any and all proposed development within the property lines will need to be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 3. A complete set of construction plans for the site work (including drainage, utilities, grading, storm water systems, paving) will be required to be submitted with the Land Disturbance permit. These plans are to be submitted and approved prior to beginning any of the construction work.*);
- 7) Submission of site plans for review to the Permitting section of Urban Development, for final Traffic Engineering, Engineering, Urban Forestry and Planning review prior to undertaking any improvements;
- 8) Completion of tree planting and restriping (and inspection thereof) prior to requesting a business license for the proposed restaurant; and
- 9) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 5 DATE October 4, 2012
 APPLICANT Chinnis Holdings LLC
 REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Businesses are located to the west, north, and east of the site.
Single-family residences are located to the south of the site.

APPLICATION NUMBER 5 DATE October 4, 2012

APPLICANT Chinnis Holdings LLC

REQUEST 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
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

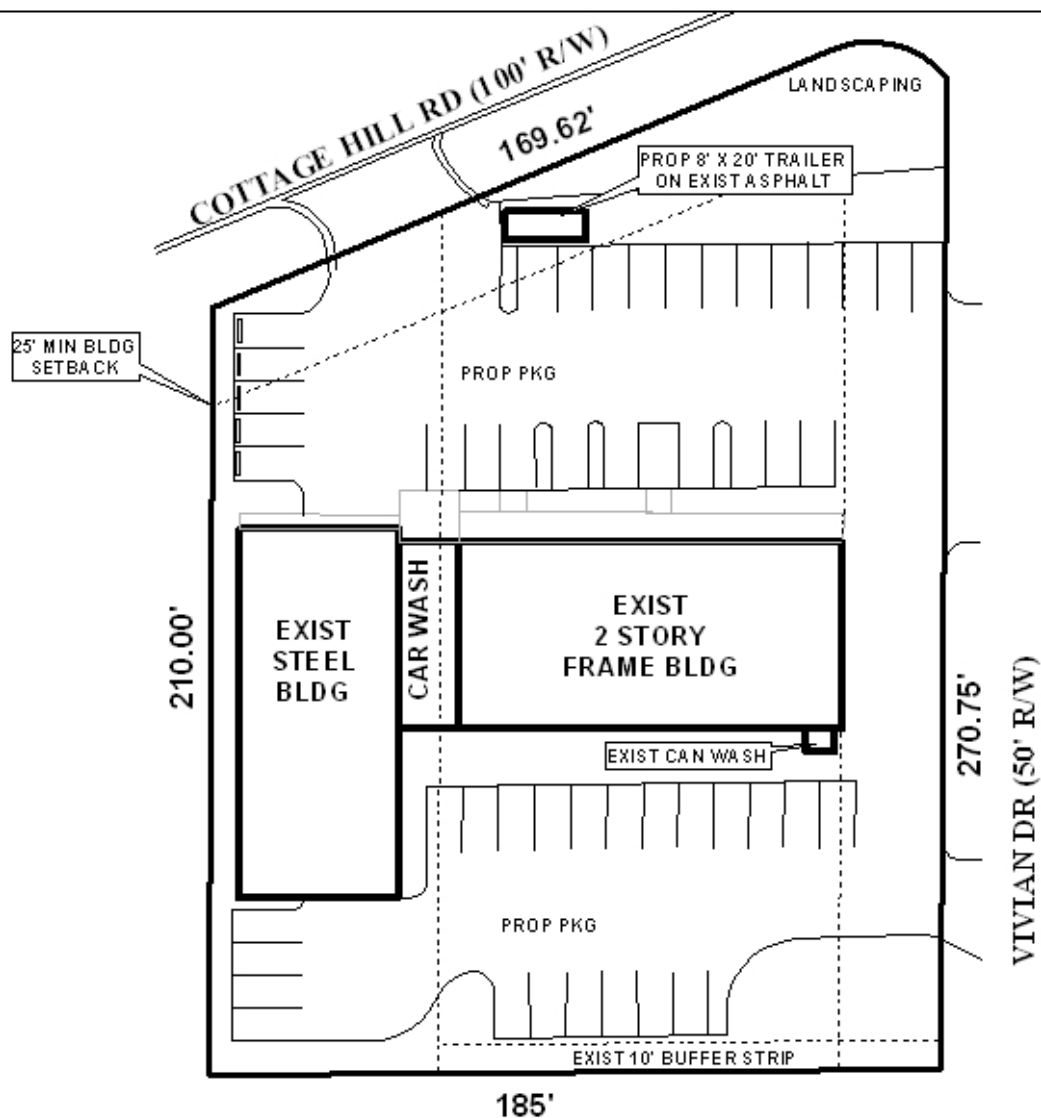


Businesses are located to the west, north, and east of the site.
Single-family residences are located to the south of the site.

APPLICATION NUMBER 5 DATE October 4, 2012
APPLICANT Chinnis Holdings LLC
REQUEST Planned Unit Development

N
NTS

SITE PLAN



The site plan illustrates the existing buildings, proposed parking, and proposed trailer.

APPLICATION NUMBER 5 DATE October 4, 2012
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N
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