

**PLANNED UNIT DEVELOPMENT  
STAFF REPORT****Date: August 1, 2019**

<b><u>DEVELOPMENT NAME</u></b>	VWC Of Mobile, LLC dba VooDoo Wing Company
<b><u>LOCATION</u></b>	5753 Old Shell Road (Southeast corner of Old Shell Road and Long Street)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 6
<b><u>PRESENT ZONING</u></b>	B-2, Neighborhood Business District
<b><u>AREA OF PROPERTY</u></b>	2 Lots / 2.1 ± Acres
<b><u>CONTEMPLATED USE</u></b>	Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between two building sites.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Immediate
<b><u>ENGINEERING COMMENTS</u></b>	

**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 and paving 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. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by

the Owner) for the detention facility. 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**

Site is limited to its existing curb cuts with any changes in size, location and design to be approved by 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**

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 amend a previously approved Planned Unit Development to allow shared access and parking between two building sites.

More specifically, the applicant is proposing to amend the PUD approved at the November 19, 2015 meeting of the Planning Commission in order to make the following modifications to the site:

1. addition of a drive-thru window, menu board and drive-thru lane;
2. relocation of dumpster to rear of parking lot;
3. revision of parking spaces on east lot to 60 degree angle to accommodate drive-thru;
4. revision of traffic flow to be one way adjacent to new drive-thru;
5. since the 60 degree angle parking and the relocation of the dumpster will reduce the total number of parking spaces, 11 new parking spaces will be added to the west lot in order to meet minimum parking requirement; and
6. revisions will be made to directional arrows and stop bar in order to accommodate revisions to traffic pattern.

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 has been given a Mixed Commercial Corridor (MCC) land use designation, per the adopted Future Land Use Plan and Map. 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.

The site has been developed with two buildings on two lots, with shared access and parking. The building on the West lot contains four tenant suites, two of which have drive-thrus, while the building on the East lot contained one restaurant. Recently the restaurant tenant on the easterly lot closed and a new restaurant plans to occupy the building but requires a drive-thru.

The PUD approved on November 19, 2015 required a total of 104 parking spaces which incorporated outdoor seating for each of the three restaurants at the time. However, the applicant has stated that only one of the restaurant tenants plans to have outdoor seating thus the required parking would decrease to 98. However, staff would require a note be added to the PUD Site

Plan detailing that A total of 106 spaces are depicted on the site plan. No additional restaurants or outdoor dining areas can be provided on either of the sites due to the lack of excess parking.

The proposed revision to the site plan to accommodate the 3<sup>rd</sup> order station will create a single-direction parking and drive-thru aisle along the South and East side of the development. As designed, the new order station and pick-up window design will comply with the requirements of the Zoning Ordinance.

The applicant has stated the need to relocate the dumpster for the new tenant and has depicted it on the site plan with enclosures indicated. Due to the fact that this is a dumpster relocation, it will be required to be enclosed and drain to sanitary sewer, per the requirements of Section 64-4.D.9. of the Zoning Ordinance.

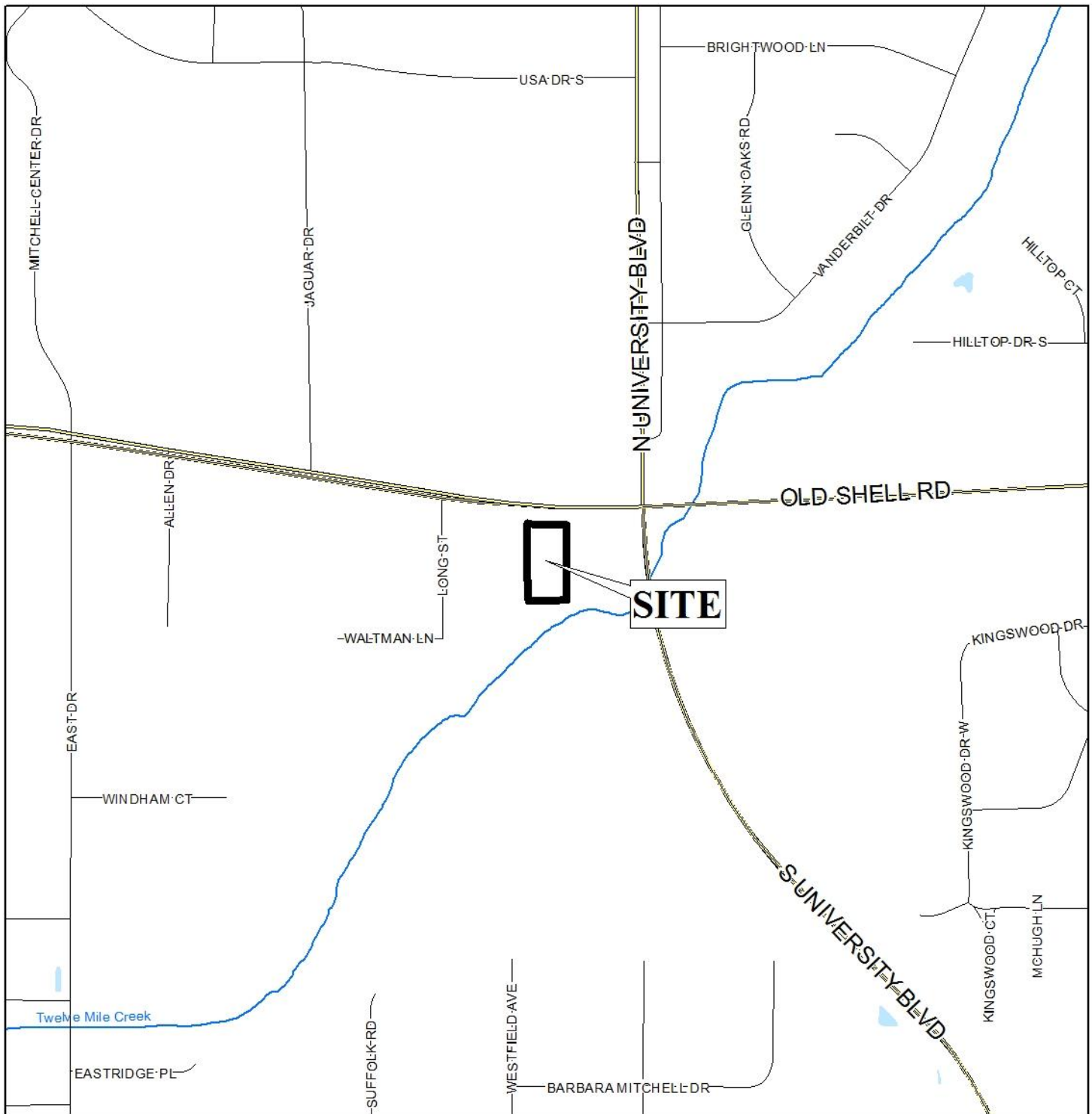
### **RECOMMENDATION**

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

- 1) Full compliance with Section 64-4.D.9. of the Zoning Ordinance regarding dumpsters;
- 2) Full compliance with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance regarding site and parking area lighting;
- 3) Approval limited to the maximum square footage of food and/or beverage establishments as proposed (8,952 square feet);
- 4) Revision of the site plan to indicate any and all outdoor dining areas;
- 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 and paving 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. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. 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 (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.);
  - 7) Compliance with 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.);
  - 8) 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)*); and
  - 9) Full compliance with all other municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 7 DATE August 1, 2019

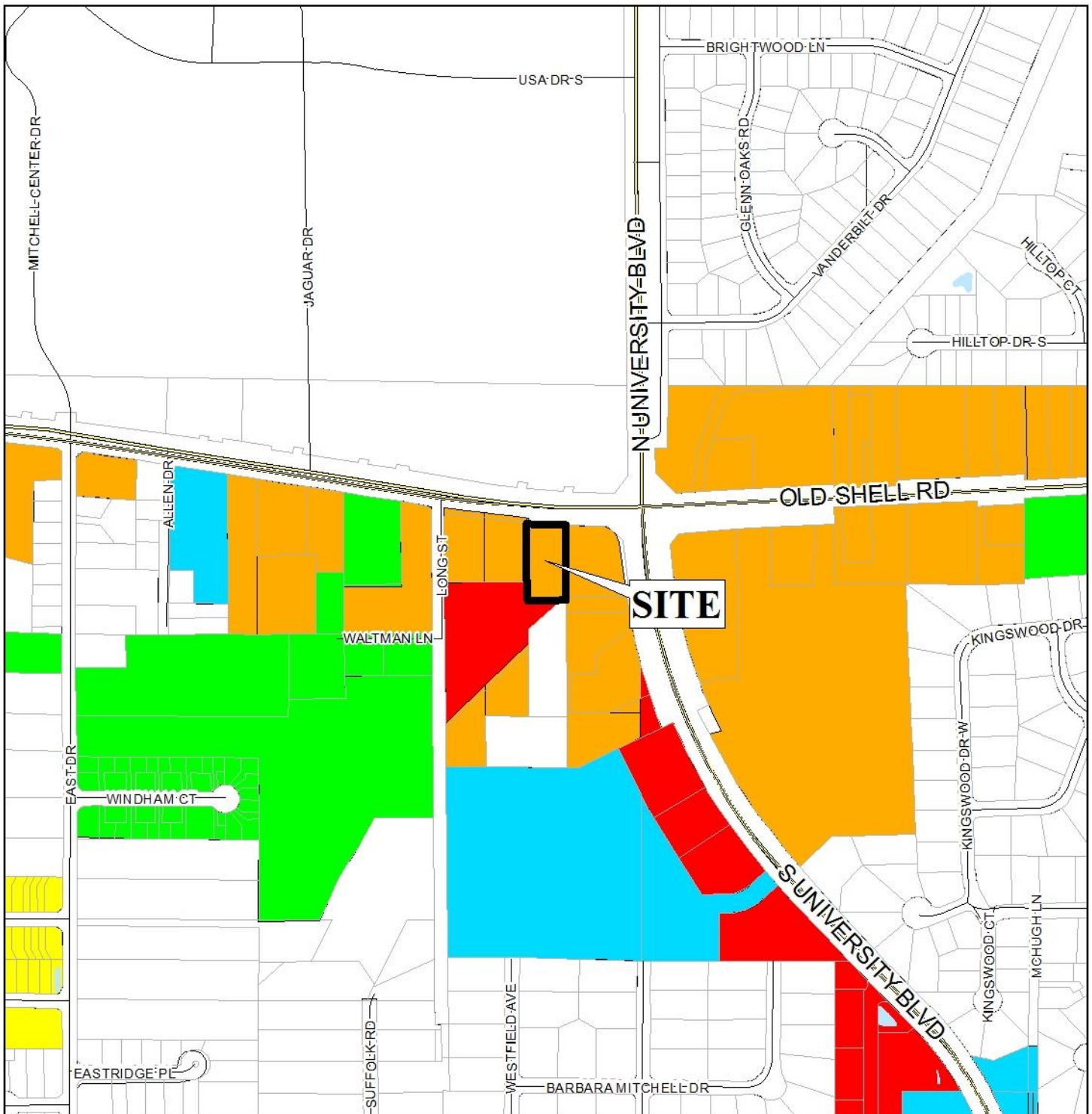
APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company

REQUEST Planned Unit Development



NTS

# LOCATOR ZONING MAP

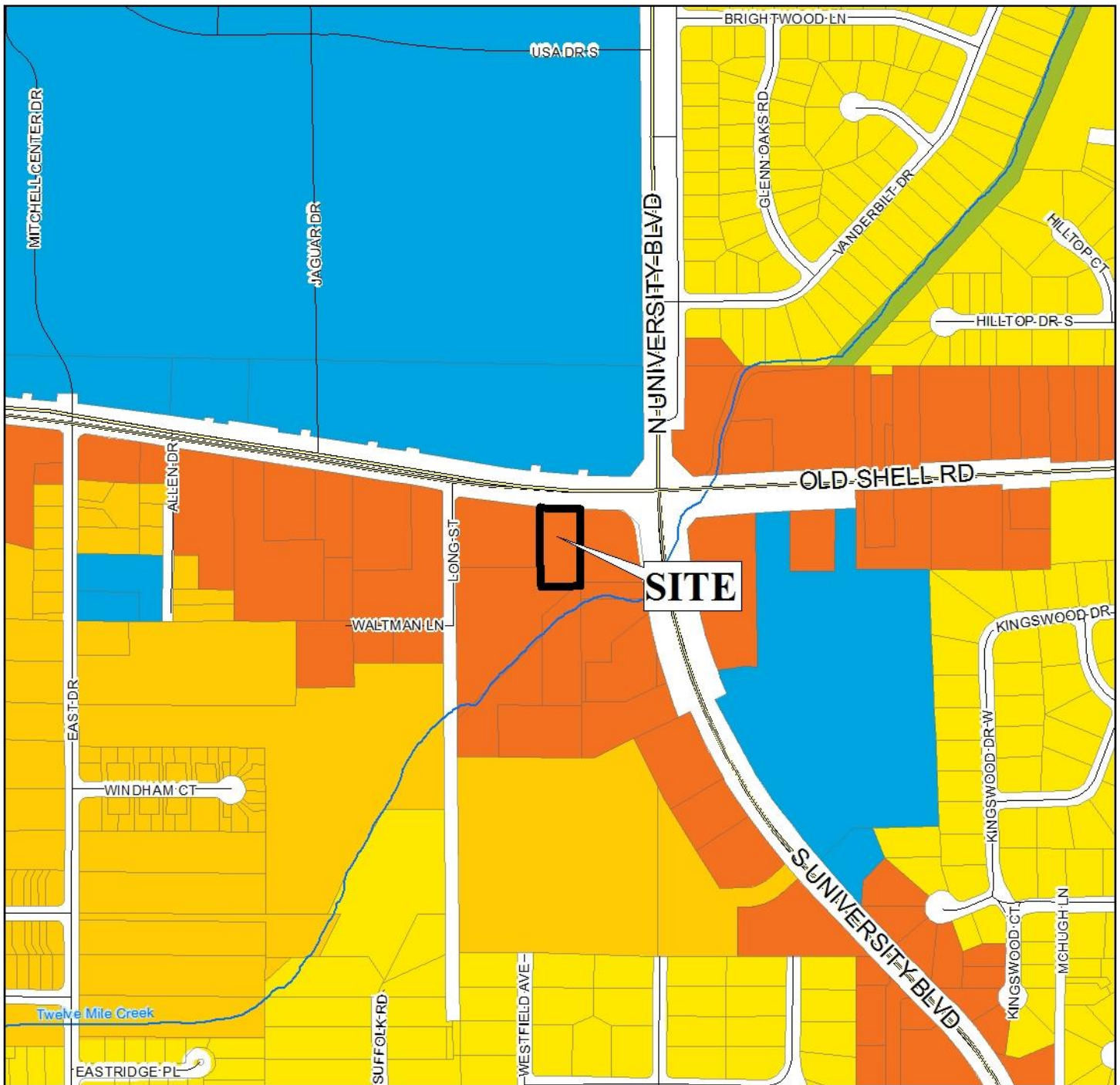


APPLICATION NUMBER 7 DATE August 1, 2019  
APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company  
REQUEST Planned Unit Development





# FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE August 1, 2019

APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company

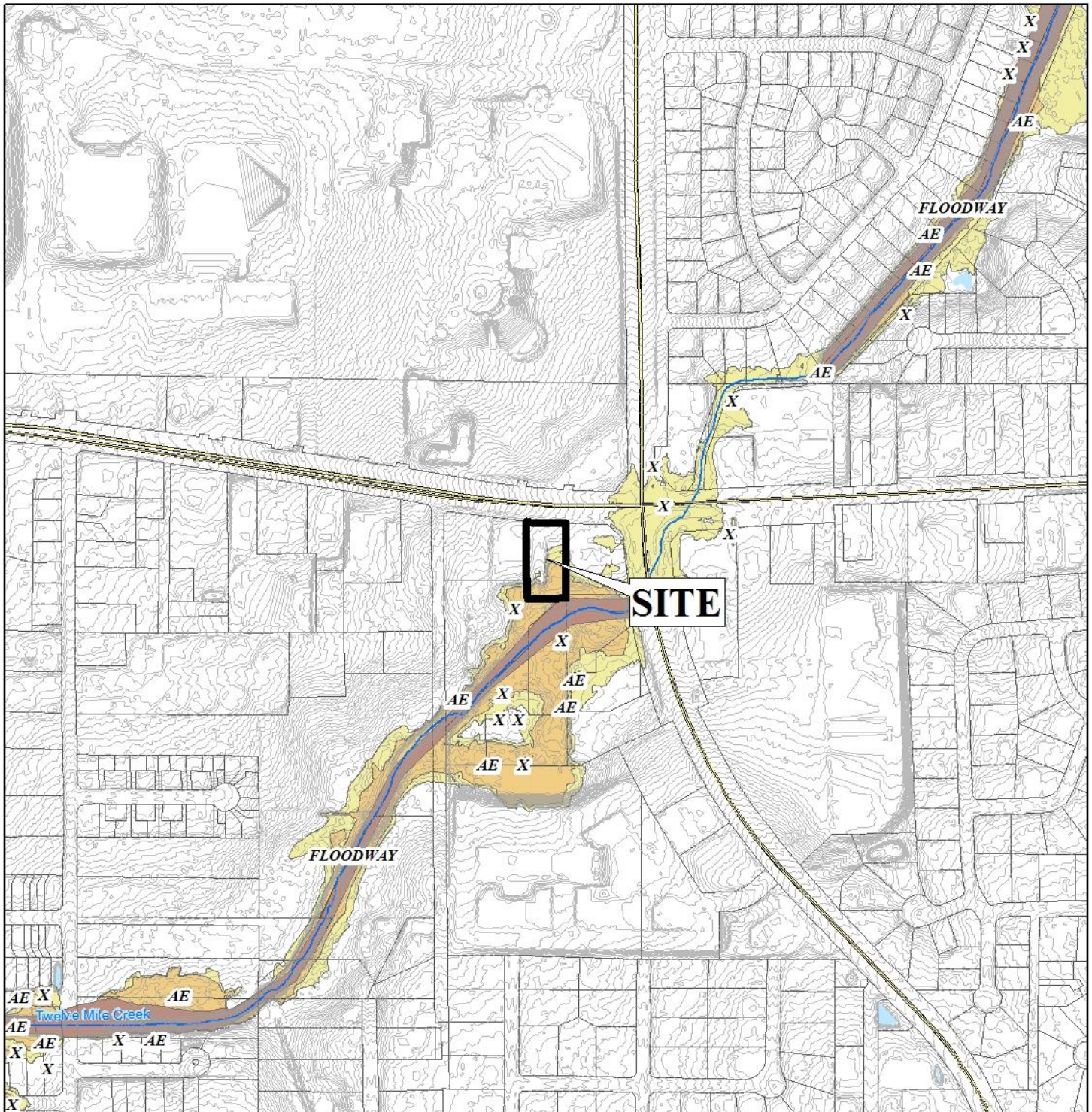
REQUEST Planned Unit Development

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



APPLICATION NUMBER 7 DATE August 1, 2019

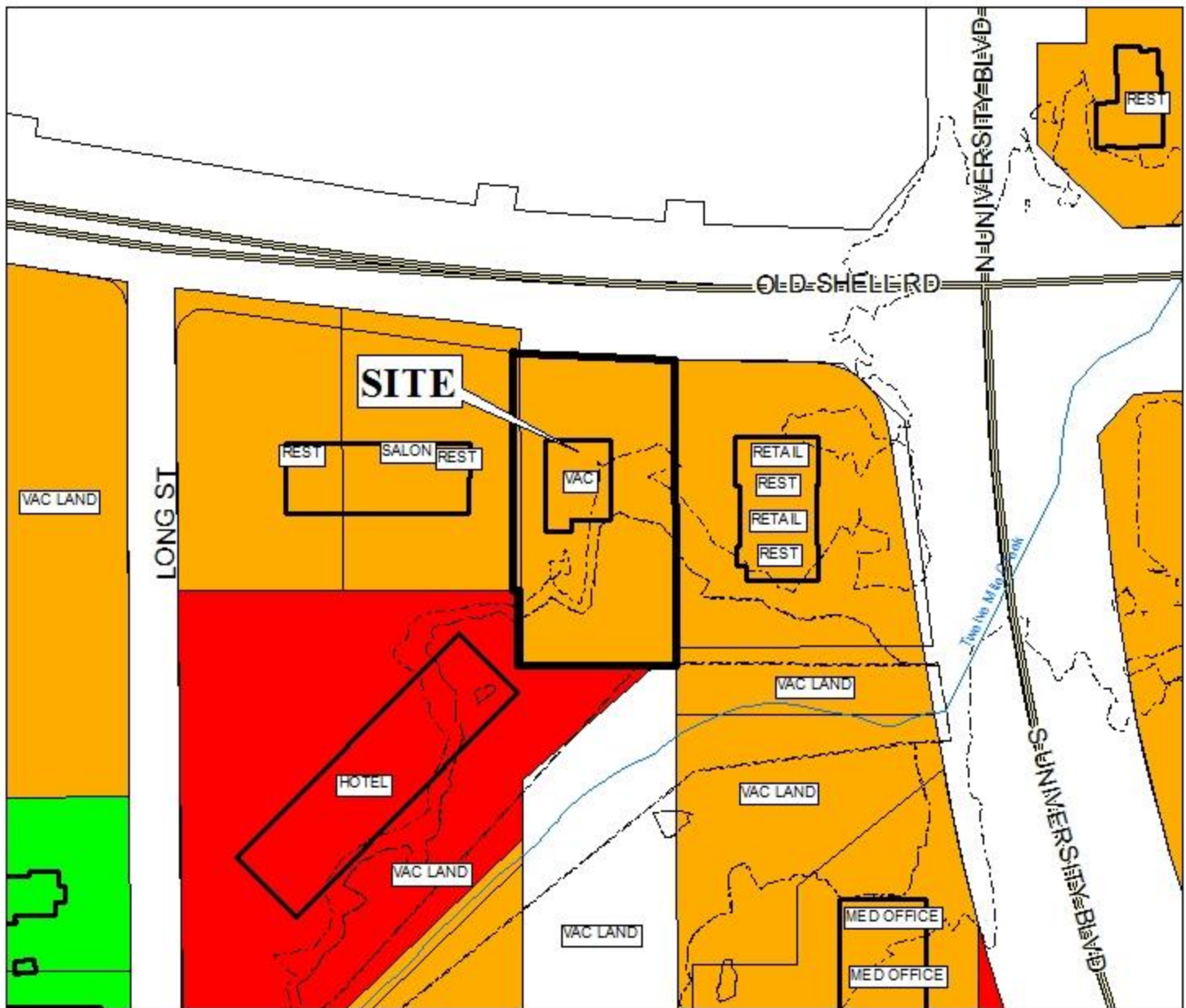
APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company

REQUEST Planned Unit Development





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 7 DATE August 1, 2019

APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company

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 AERIAL

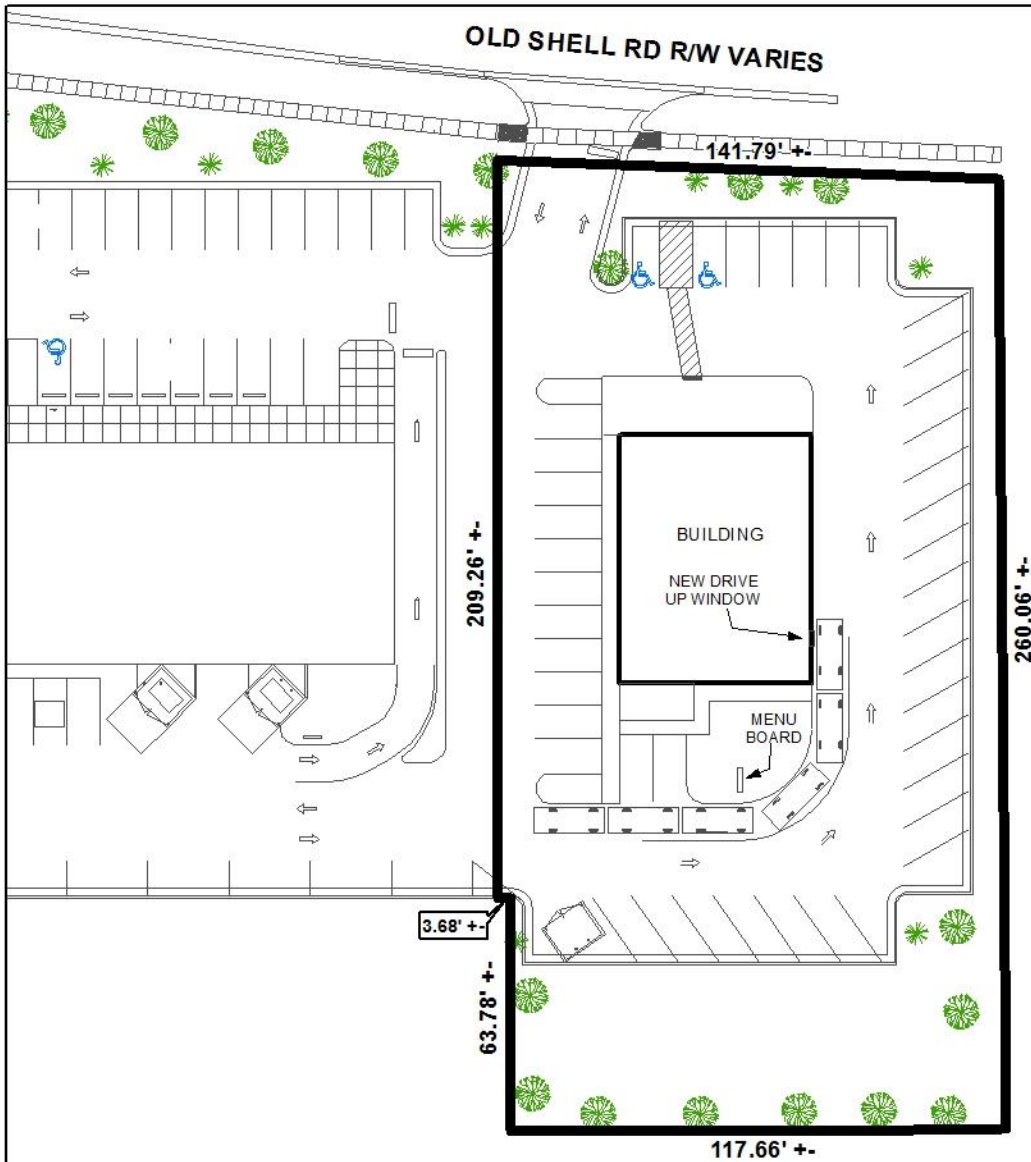


The site is surrounded by commercial units.

APPLICATION NUMBER 7 DATE August 1, 2019  
 APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company  
 REQUEST Planned Unit Development



# SITE PLAN



The site plan illustrates the existing building and proposed parking.

APPLICATION NUMBER 7 DATE August 1, 2019

APPLICANT VWC of Mobile, LLC dba Voodoo Wing Company

REQUEST Planned Unit Development



NTS