

**PLANNING APPROVAL STAFF REPORT****Date: August 5, 2021****NAME**

Wendell Quimby

**LOCATION**555-A Dauphin Street  
(South side of Dauphin Street, 25'± West of South Cedar Street)**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

T-5.1 Mixed Use - Medium Intensity Subdistrict

**AREA OF PROPERTY**

0.12± Acres

**CONTEMPLATED USE**

Planning Approval to allow a bar/restaurant with an occupancy load over 100 in a T-5.1 Sub-district of the Downtown Development District.

**TIME SCHEDULE  
FOR DEVELOPMENT**

None provided

**ENGINEERING  
COMMENTS**

No comment.

**TRAFFIC ENGINEERING  
COMMENTS**

No comment.

**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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

**REMARKS**

The applicant is requesting Planning Approval to allow a bar/restaurant with an occupancy load over 100 in the Downtown Development District. Planning

Approval is required for bar/restaurant uses with an occupant load of more than 100 people in T-5.1 Subdistricts.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

It is very important to note that the Planning Approval review is site plan specific; therefore *any* future changes to the site/floor plan or to the scope of operations for the restaurant that will increase the occupant load beyond what is approved, by current or future applicants, must be submitted for Planning Approval review.

The site has been given a Downtown (DT) land use designation, per the 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.

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown (DT) is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the city's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 dwelling units per acre); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7-active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.

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 applicant states:

1. The proposed interior renovation does not alter the streetscape as it uses existing exits onto Dauphin Street. Wood framed glass storefront remains as is.
2. Surface parking is not increased.
3. The pedestrian-friendly urban environment is maintained.
4. The rooftop viewing area provides outdoor space for patrons while taking advantage of the current built environment. This is a highly desired amenity that is seen all over cities such as Charleston, SC and New Orleans, LA but is lacking in Mobile, AL. This new viewing area increases the current approved occupancy from 169 to 258 (adding 89).

Since 2015, fourteen (14) other locations have received Planning Approval to have an occupant load greater than 100 people:

MTG DATE	LOCATION	PROPOSED USE	Occupancy	Decision
11/6/2014	401 DAUPHIN ST	ENTERTAINMENT VENUE	907	Denied
3/5/2015	455 DAUPHIN ST	RESTAURANT	148	Approved
4/16/2015	453 & 457 CONTI ST	EVENT SPACE	120	Approved
8/6/2015	51 S CONCEPTION ST	EVENT SPACE	205	Denied
9/3/2015	401 DAUPHIN ST	ENTERTAINMENT VENUE	850	Denied
3/3/2016	251 ST FRANCIS ST AND 15 N JOACHIM ST	ENTERTAINMENT / EVENT SPACE	497	Approved
10/20/2016	609 & 611 DAUPHIN ST	RESTAURANT	133	Approved
3/9/2017	615 DAUPHIN ST	RESTAURANT	271	Approved
12/21/2017	200 DAUPHIN ST	EVENT SPACE	142	Approved
1/18/2018	258 DAUPHIN ST	CIGAR BAR / LOUNGE	122	Approved
3/1/2018	555 DAUPHIN ST	RESTAURANT	169	Approved
7/19/2018	853 DAUPHIN ST	RESTAURANT / EVENT SPACE	1035	Approved
12/6/2018	571 DAUPHIN ST	BAR / LOUNGE	148	Approved
1/9/2020	401 DAUPHIN ST	ENTERTAINMENT VENUE	750	Denied
4/15/2021	755 MONROE ST	BAR / RESTAURANT	149	Approved
5/6/2021	508 & 518 DAUPHIN ST	BAR / RESTAURANT	246	Approved

The site received Planning Approval from the Planning Commission at its March 1, 2018 meeting to allow a bar/lounge with an occupant load of 169 people. The applicant now wishes to construct a roof-top bar, which will increase the occupant load to a total of 258 people. It should be noted that the subject site is located within one of three designated entertainment districts.

There is some parking available on-site, behind the building, and there are numerous on-street parking spaces available within the area. While parking is not required for the reuse of existing buildings within the DDD, the availability of parking helps to address any concerns relating to creating any additional vehicular congestion. If approved, the parking area should be brought into compliance with parking lot screening requirements of the Downtown Development District.

Furthermore, it should be noted that the roof-top bar and any other exterior improvements to the site will require approval from both the Consolidated Review Committee and the Architectural Review Board prior to the issuance of building permits.

Finally, staff cannot find where a Zoning Clearance for a business license has been issued for the business currently operating at the site, nor has there been a sign permit issued, although a Certificate of Appropriateness was issued for a sign in 2018. If approved, the applicant should obtain a Zoning Clearance and sign permit, as appropriate.

## **RECOMMENDATION**

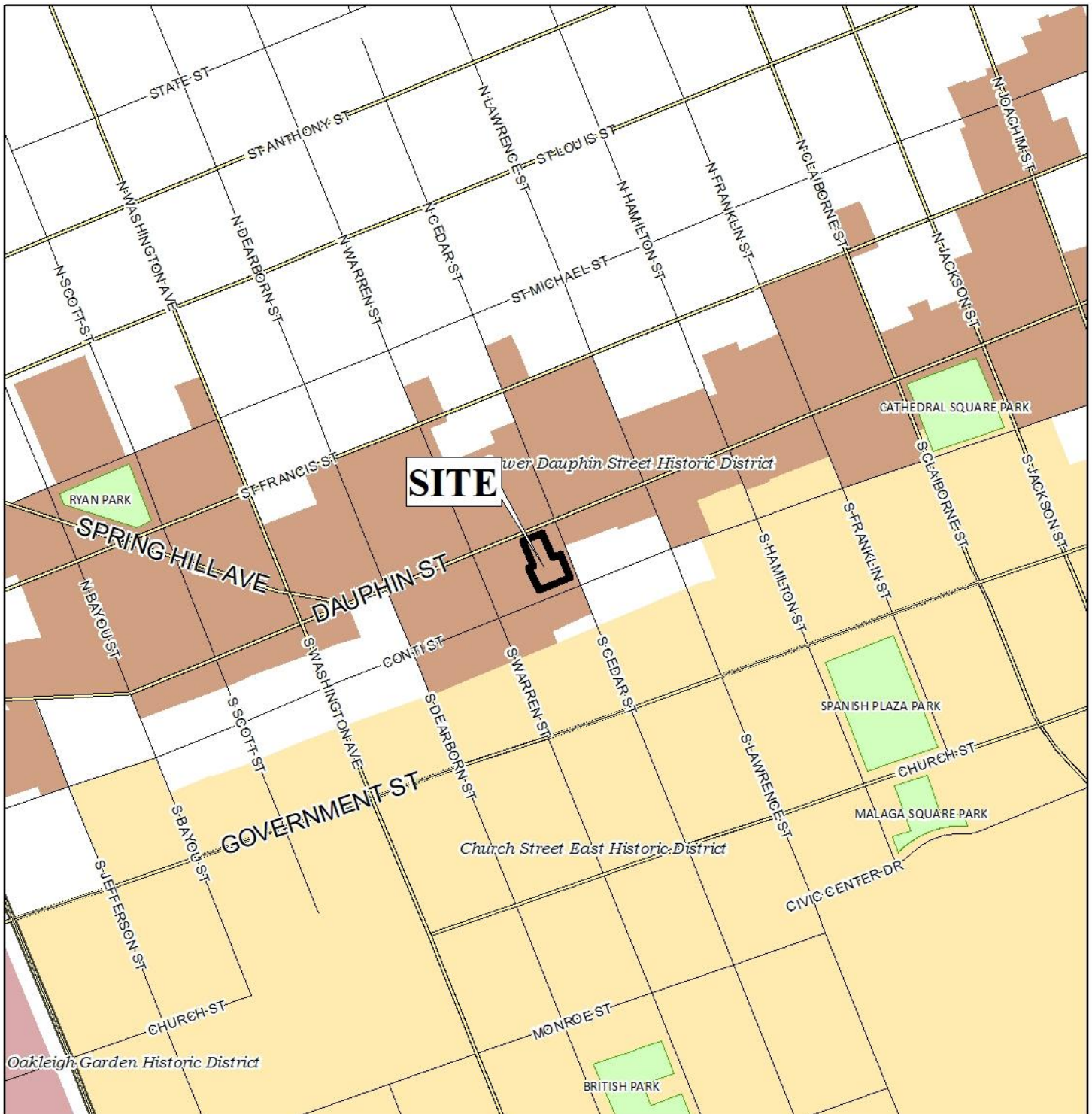
**Planning Approval:** Staff recommends the following Findings of Fact for Approval of the Planning Approval request:

- a. The proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, because the site is located within the developed downtown area with public water and sewer services and with nearby fire and police stations;
- b. The proposal will not cause undue traffic congestion or create a traffic hazard, because the area contains available on-site, commercial off-site, and on-street parking; and
- c. The proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because similar uses and approvals have been granted within this area.

Staff recommends that the Approval be subject to the following conditions:

- 1) obtaining of all necessary permits for the building's renovation;
- 2) compliant screening of any on-site parking;
- 3) obtain Zoning Clearance and sign permit, as appropriate;
- 4) any increase in the occupancy load above 258 persons will require new Planning Approval to be obtained from the Planning Commission;
- 5) obtaining of a Certificate of Appropriateness and approval from the Consolidated Review Committee prior to the permitting of any exterior alterations to the structure, including signage; and
- 6) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 7 DATE August 5, 2021

APPLICANT Wendell Quimby

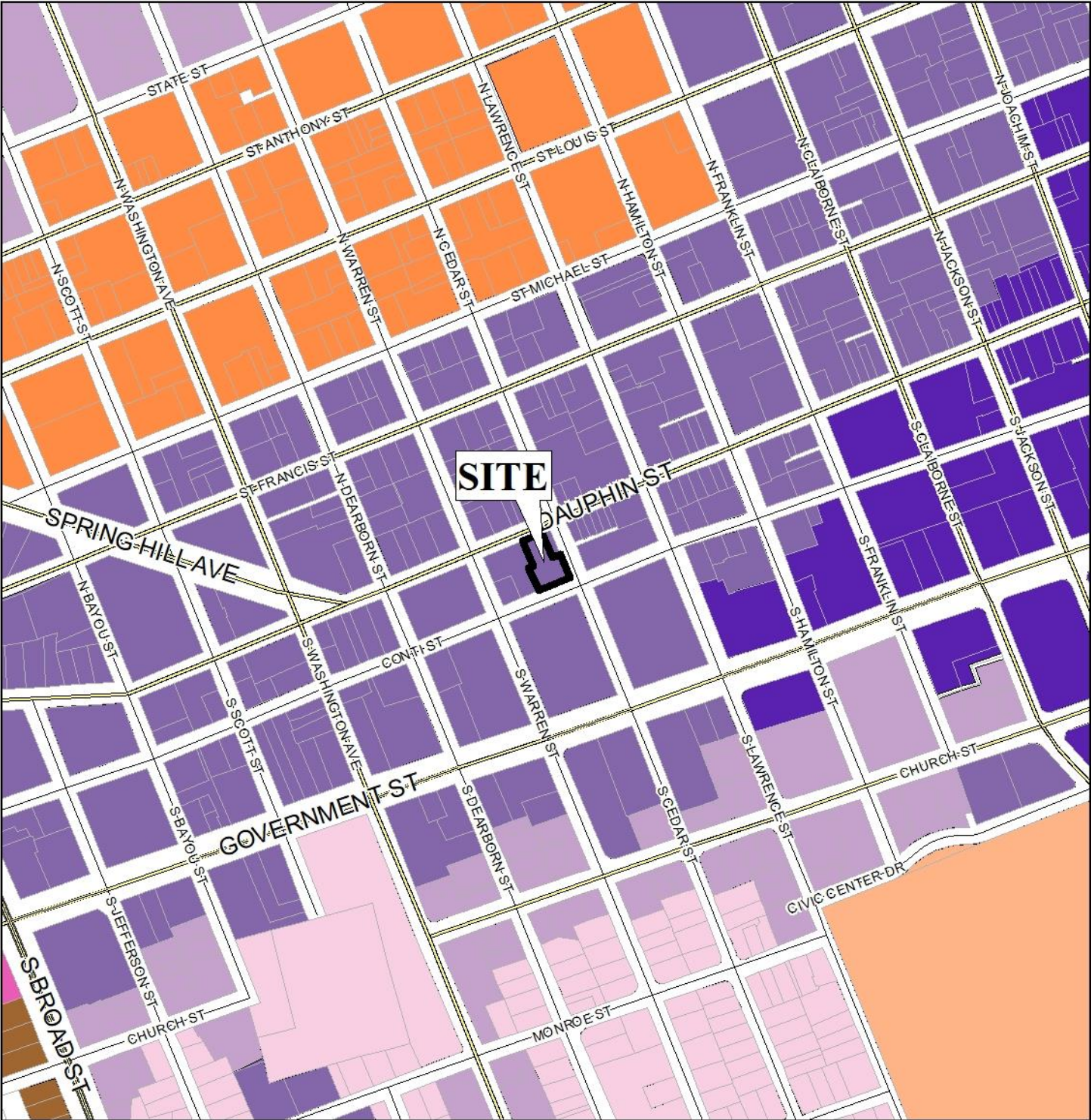
REQUEST Planning Approval



NTS



# LOCATOR ZONING MAP



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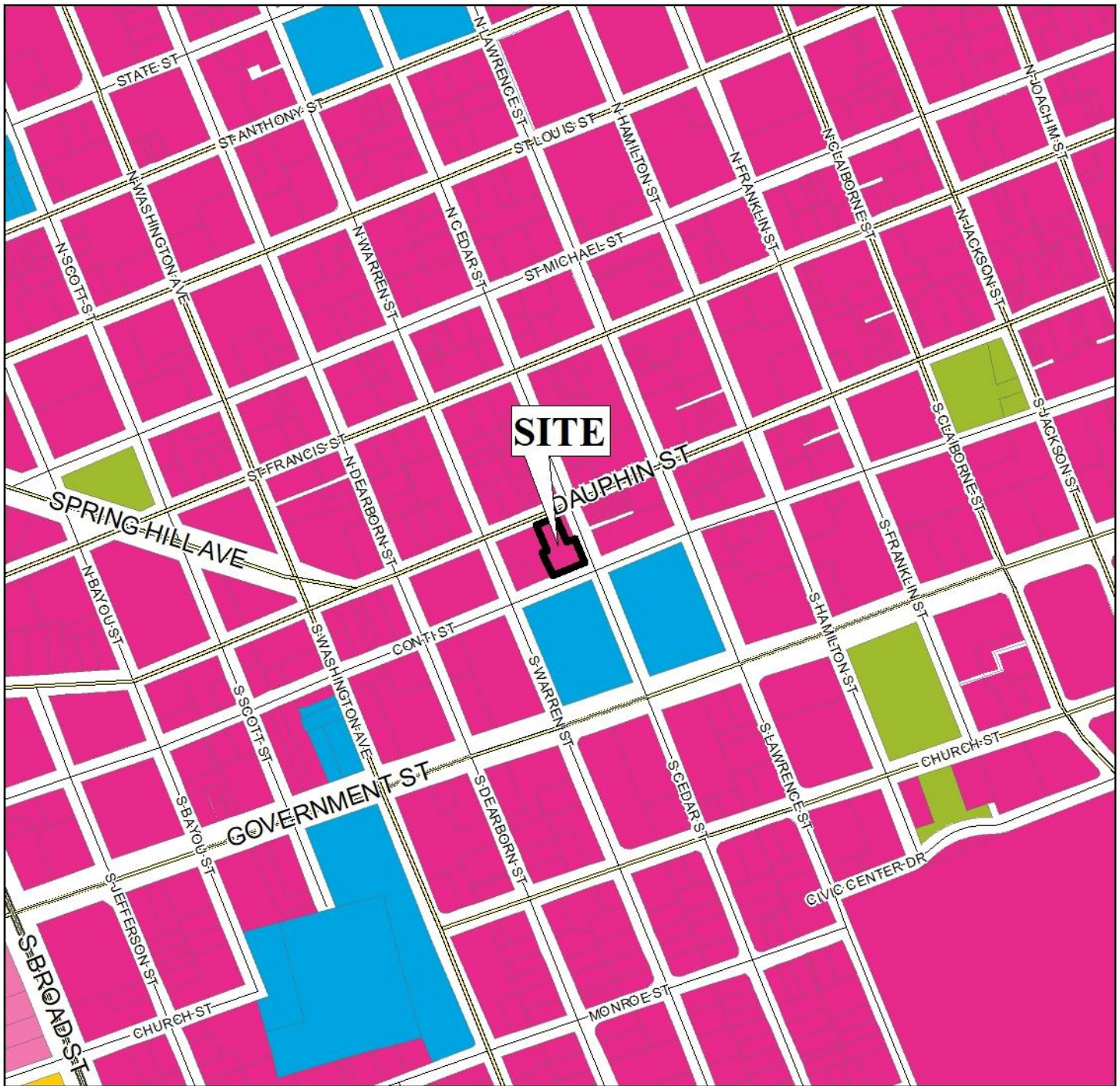
REQUEST\_\_\_\_\_Planning Approval



NTS



# FLUM LOCATOR MAP



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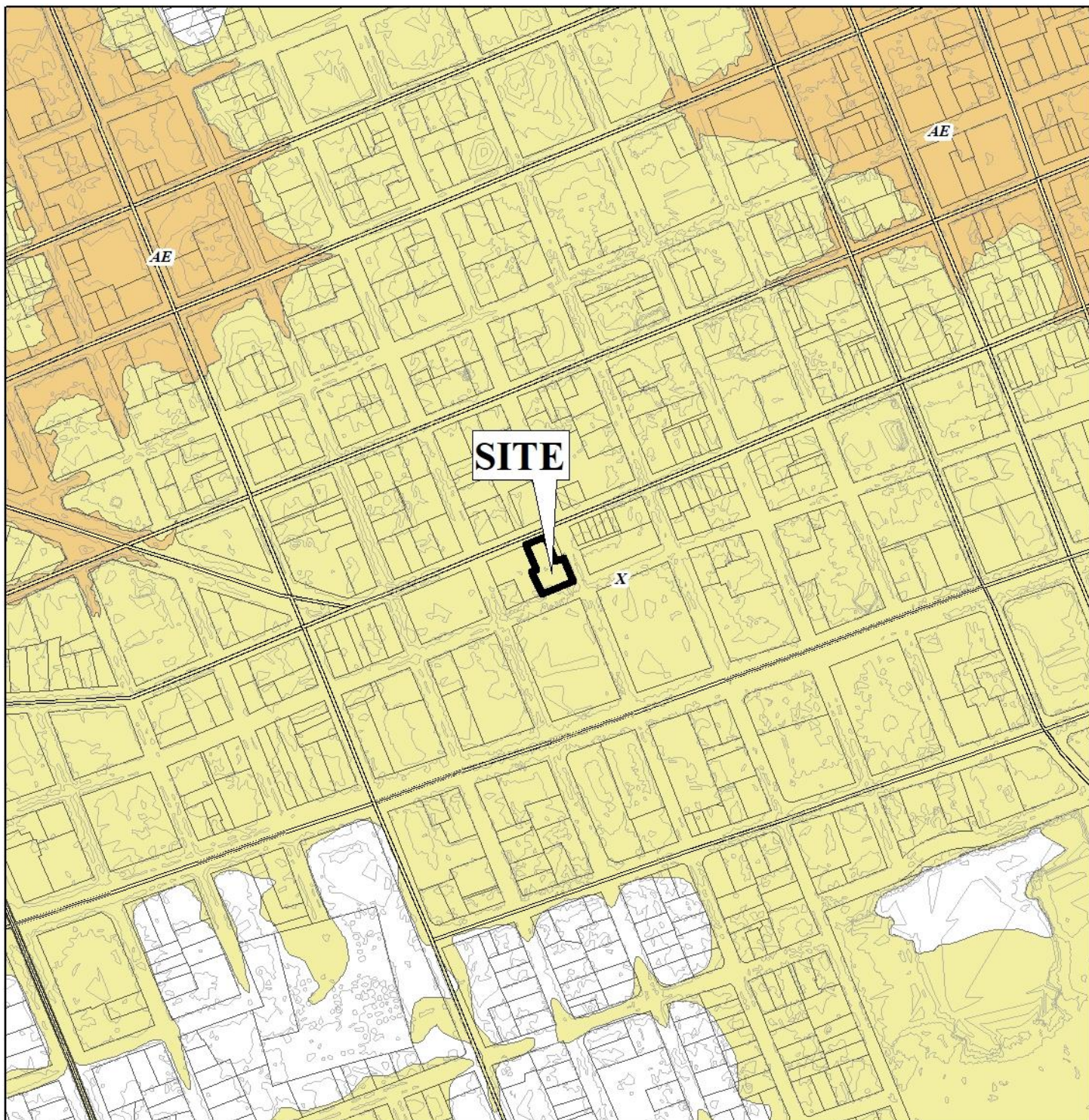
REQUEST Planning Approval

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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REQUEST Planning Approval





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units, government buildings, and residential units.

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REQUEST Planning Approval

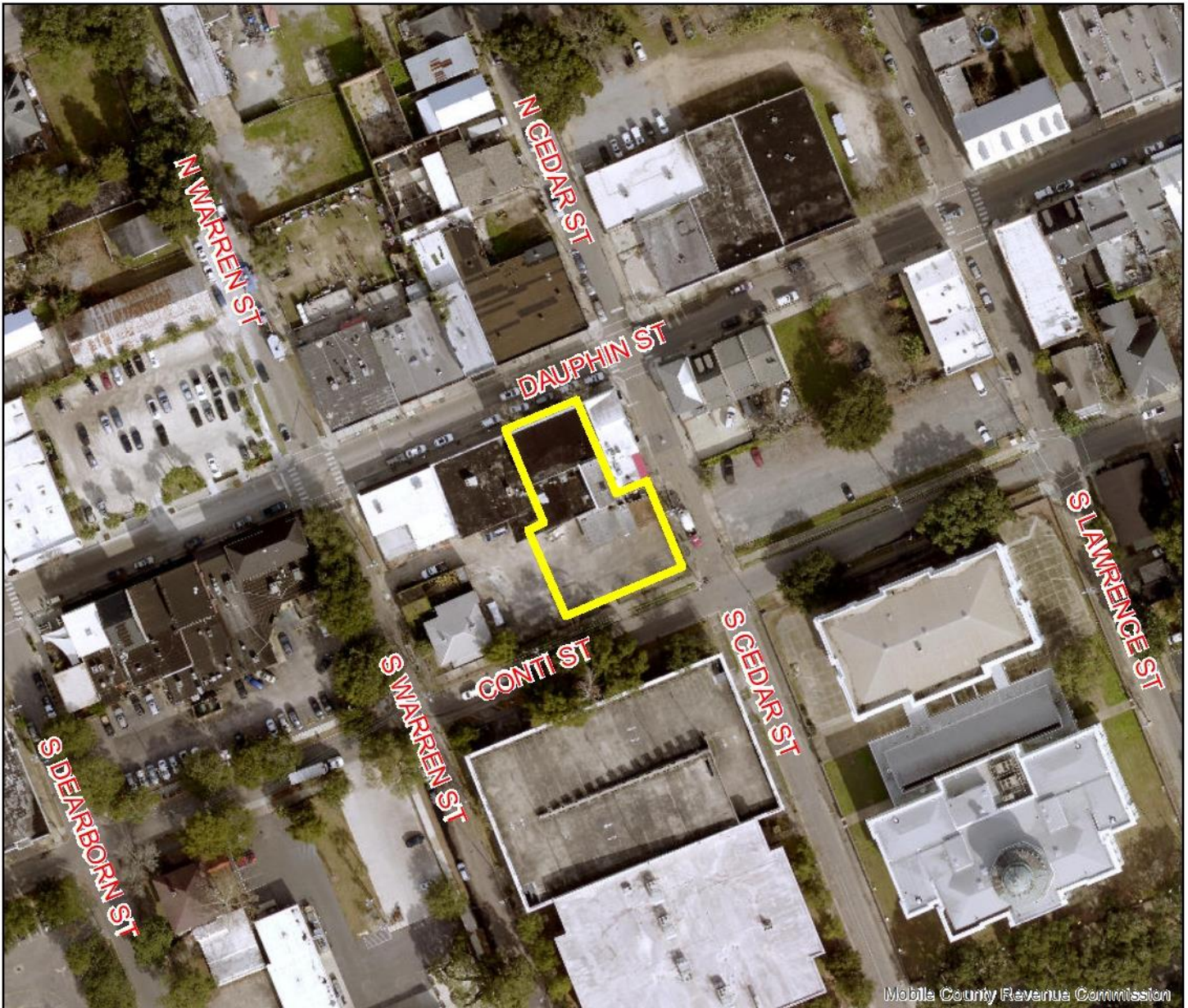
R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6





# PLANNING COMMISSION

## VICINITY MAP - EXISTING AERIAL



Mobile County Revenue Commission

The site is surrounded by commercial units, government buildings, and residential units.

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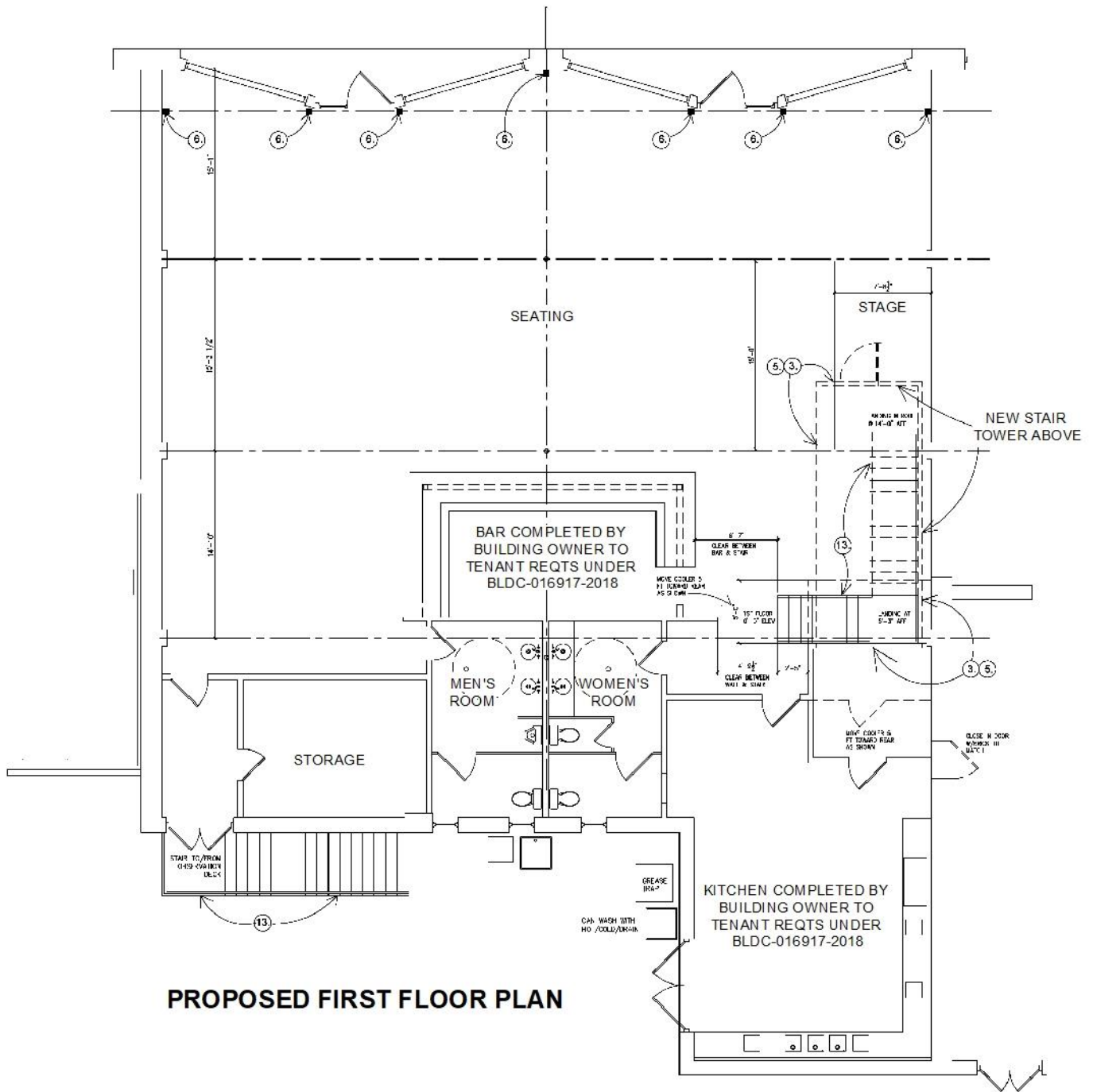
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REQUEST Planning Approval





# DETAIL SITE PLAN



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## PROPOSED ROOF DECK FRAMING PLAN

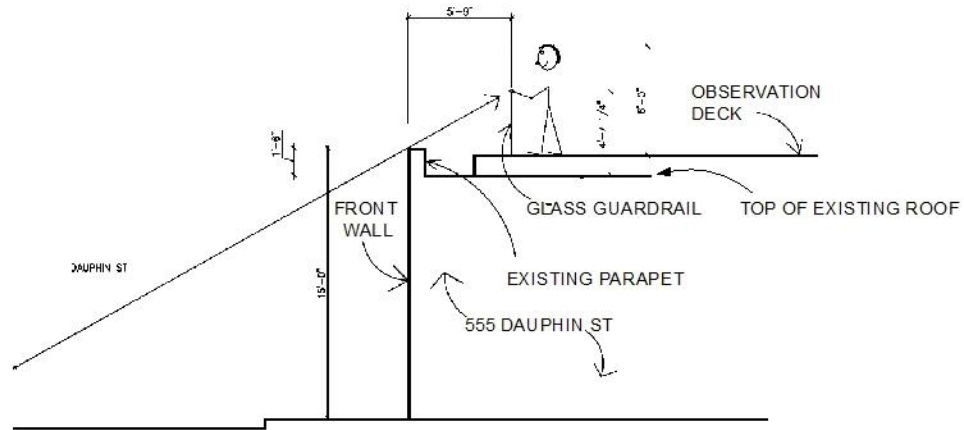
REQUEST\_\_\_\_\_Planning Approval



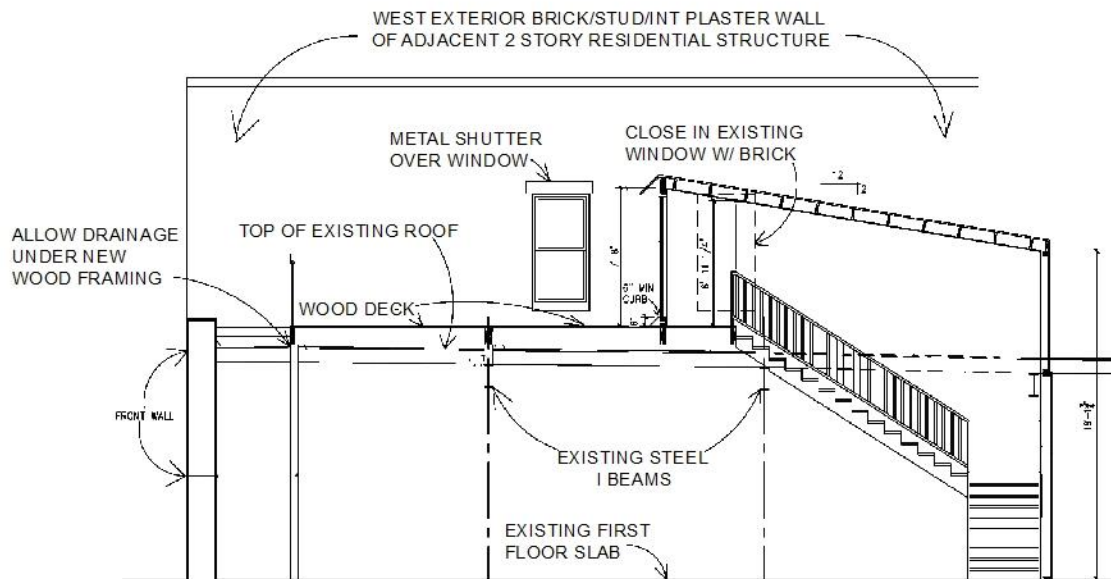
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# DETAIL SITE PLAN



SIGHT LINES - HIDDEN GLASS HANDRAIL FOR ARB



SECTION THRU WOOD DECK & STAIR

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