

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: November 21, 2019****DEVELOPMENT NAME**

KOLA Mobile Subdivision

SUBDIVISION NAME

KOLA Mobile Subdivision

LOCATION3673 & 3679 Airport Boulevard
(South side of Airport Boulevard Service Road, 355'± East
of Montlimar Drive).**CITY COUNCIL
DISTRICT**

District 5

AREA OF PROPERTY

2 Lots / 3.6 ± acres

CONTEMPLATED USEPlanned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
shared access and parking between multiple building sites,
and Subdivision approval to adjust a shared lot line
between two lots.**TIME SCHEDULE
FOR DEVELOPMENT**

Not provided.

**ENGINEERING
COMMENTS****Subdivision:**

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Show and label all flood zones.
- C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- E. Provide the Surveyor's Certificate and Signature.
- F. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- G. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.

- H. 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.
- I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- J. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- K. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- L. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.
- M. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.

Planned Unit Development:

- 1. Revise NOTE #4 to read “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. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:
 - a. 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.
 - b. 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.
 - c. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Each lot is limited to its existing curb cut with any changes to 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 seeking Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between multiple building sites, and Subdivision approval to adjust a shared lot line between two lots. The site is located in Council District 5, and according to the applicant is served by public water and sanitary sewer.

The specific purpose of these applications is to adjust an interior lot line between two lots. As the lot lines are being changed, the existing Planned Unit Development must also be amended.

The site has been given a District Center (DC) 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.

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 dwelling units per acre) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers (DC) generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.

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.

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. PUD approvals expire within one (1) year if no permits for the development are obtained.

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.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The site was last before the Planning Commission at its February 1, 2018 meeting, where the proposed amendment of an existing Planned Unit Development (first established in 1996) was approved. The existing two lots were created through a Subdivision application approved by the Commission at its November 6, 2003 meeting.

Prior to 2019, the site consisted of two lots and two buildings, however, since the 2018 approval, the larger of the two buildings has been demolished. Now the applicant proposes to expand the lot containing the remaining building, a restaurant, and reduce the lot size for the remainder of the site. The existing Lot 1 will be reduced in size from 108,641 ± square feet to 87,246 ± square feet (*proposed Lot B*) while the existing Lot 2 containing the remaining building is

proposed to be increased from 50,000 \pm square feet to 71,395 \pm square feet (*proposed Lot A*). No other changes or new construction are proposed as part of these applications.

The PUD approval in 2018 required that all trees and landscaping must comply with the previously approved Planned Unit Development requirements. This same condition should be applied to the applications at hand, and the site plan and plat includes this note.

The site fronts the service road for Airport Boulevard, a major street with curb and gutter. Neither the site plan or preliminary plat indicate the existing width of the right-of-way, however, both should be revised to include this information. The recorded plat from 2003 approval labels the existing right-of-way width as 200 feet, which is compliant for a major street with service roads.

Regarding access management, Traffic Engineering states that each lot is limited to its existing curb cut with any changes to size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

Dumpster enclosures are depicted on the site plan, and should be retained on the final site plan, if any revisions are required.

Notes on the site plan indicate that the overall site has 237 parking spaces, which is two more than noted on the 2017 PUD site plan. The relocation of the property line will change the number of parking spaces on each legal lot, but will not change the overall number of parking spaces, or the accessibility for cross access and use.

Finally, it should be pointed out that the subject property has a 10' water and sewer easement within the 25' minimum building setback, and a 7.5' water and sewer easement along the South property line. There is a note on the site plan and plat stating that no structures shall be constructed or placed in any easements. This note should be retained on the final plat.

RECOMMENDATION

Subdivision: Based upon the preceding, this application is recommended for Tentative Approval, subject to the following conditions:

- 1) Provision of a revised PUD site plan prior to the signing of the final plat;
- 2) Revision of the plat to indicate the minimum existing right-of-way width of Airport Boulevard and the associated service roads;
- 3) Retention of the note prohibiting the placement of structures in easements;
- 4) Retention of the note regarding tree and landscaping compliance;
- 5) Placement of a note on the plat stating that Compliance with Engineering comments (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Show and label all flood zones. C. Show*

and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. D. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. E. Provide the Surveyor's Certificate and Signature. F. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. H. 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. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. K. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. L. Provide a copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Engineering Dept. for review. No signatures are required on the drawing. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet. M. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department. Place the information for the Subdivision Plat on the PLAT Review sign-in sheet.)

- 6) Compliance with Traffic Engineering comments, and placement of the comments as a note on the final plat (Each lot is limited to its existing curb cut with any changes to 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.);
- 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.); and
- 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)).

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

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it will allow shared parking and access between two properties;

- 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 it will allow two properties to share access and parking;
- 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 location is an existing developed site;
- 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 proposal will not impact any existing natural features;
- e. the proposal promotes the objective of Open space (to encourage the provision of common open space through efficient site design), because the proposal will not reduce open space;
- f. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the site has access to existing infrastructure.

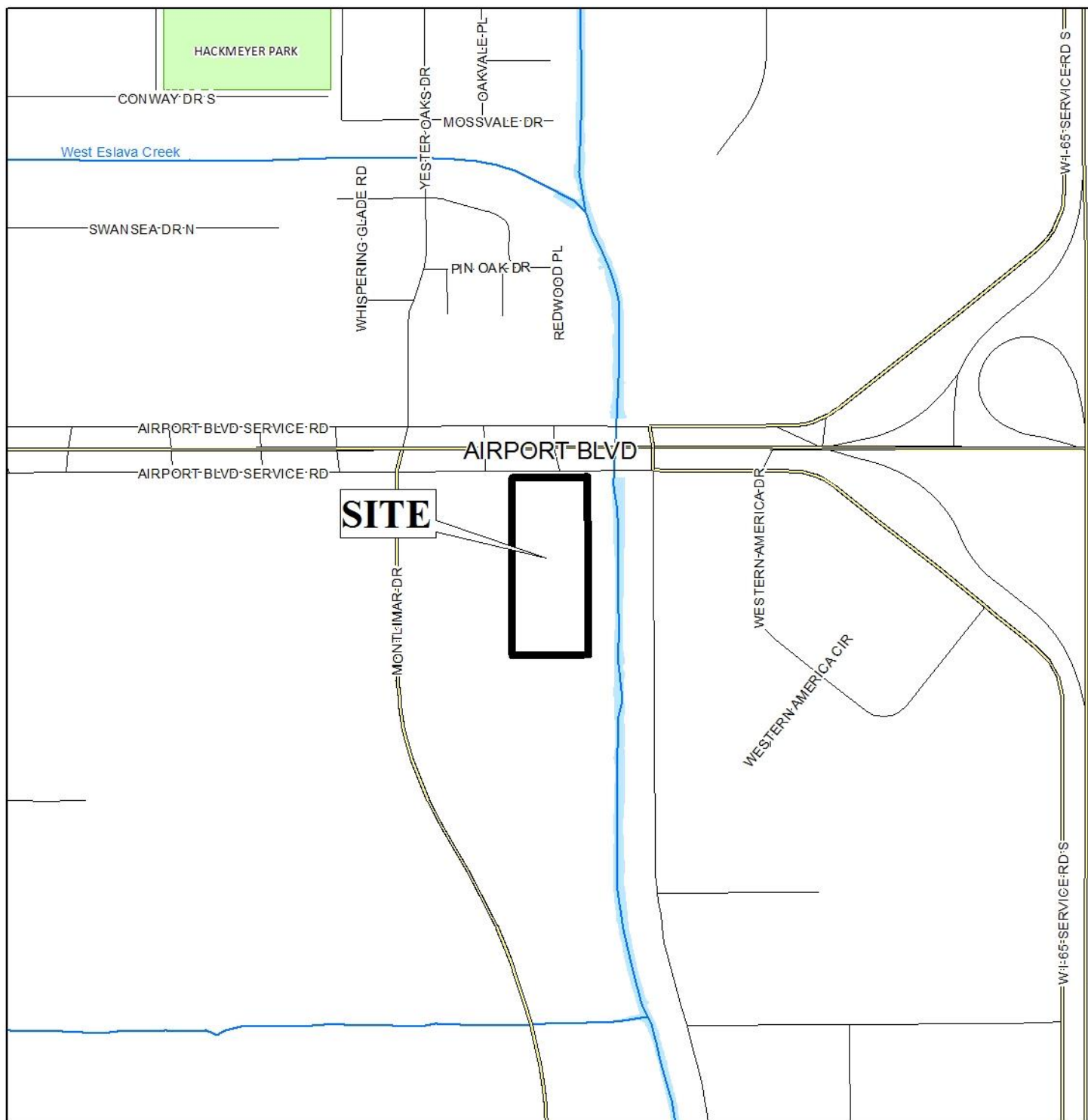
The Approval should be subject to the following conditions:

- 1) Provision of a revised PUD site plan prior to the signing of the final plat;
- 2) Revision of the site plan to indicate the minimum existing right-of-way width of Airport Boulevard and the associated service roads;
- 3) Retention of the note prohibiting the placement of structures in easements;
- 4) Retention of the note regarding tree and landscaping compliance;
- 5) Compliance with Engineering comments (*1. Revise NOTE #4 to read "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. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: a. 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. b. 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. c. The proposed development must comply with all Engineering Department design requirements and Policy Letters.*);
- 6) Compliance with Traffic Engineering comments, and placement of the comments as a note on the site plan (*Each lot is limited to its existing curb cut with any changes to 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.*);
- 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)); and*
- 9) Full compliance with all other municipal codes and ordinances.

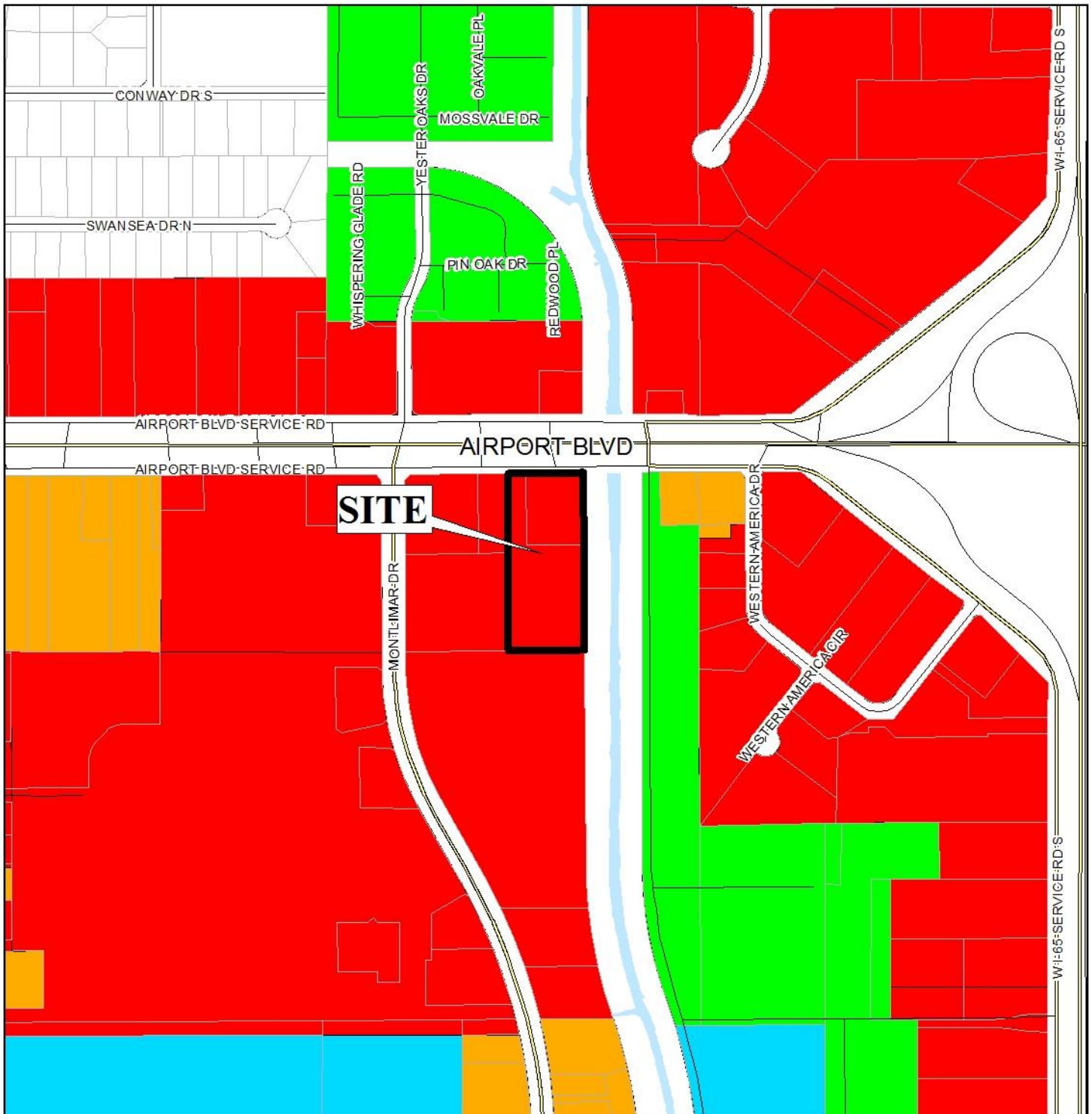
LOCATOR MAP



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LOCATOR ZONING MAP



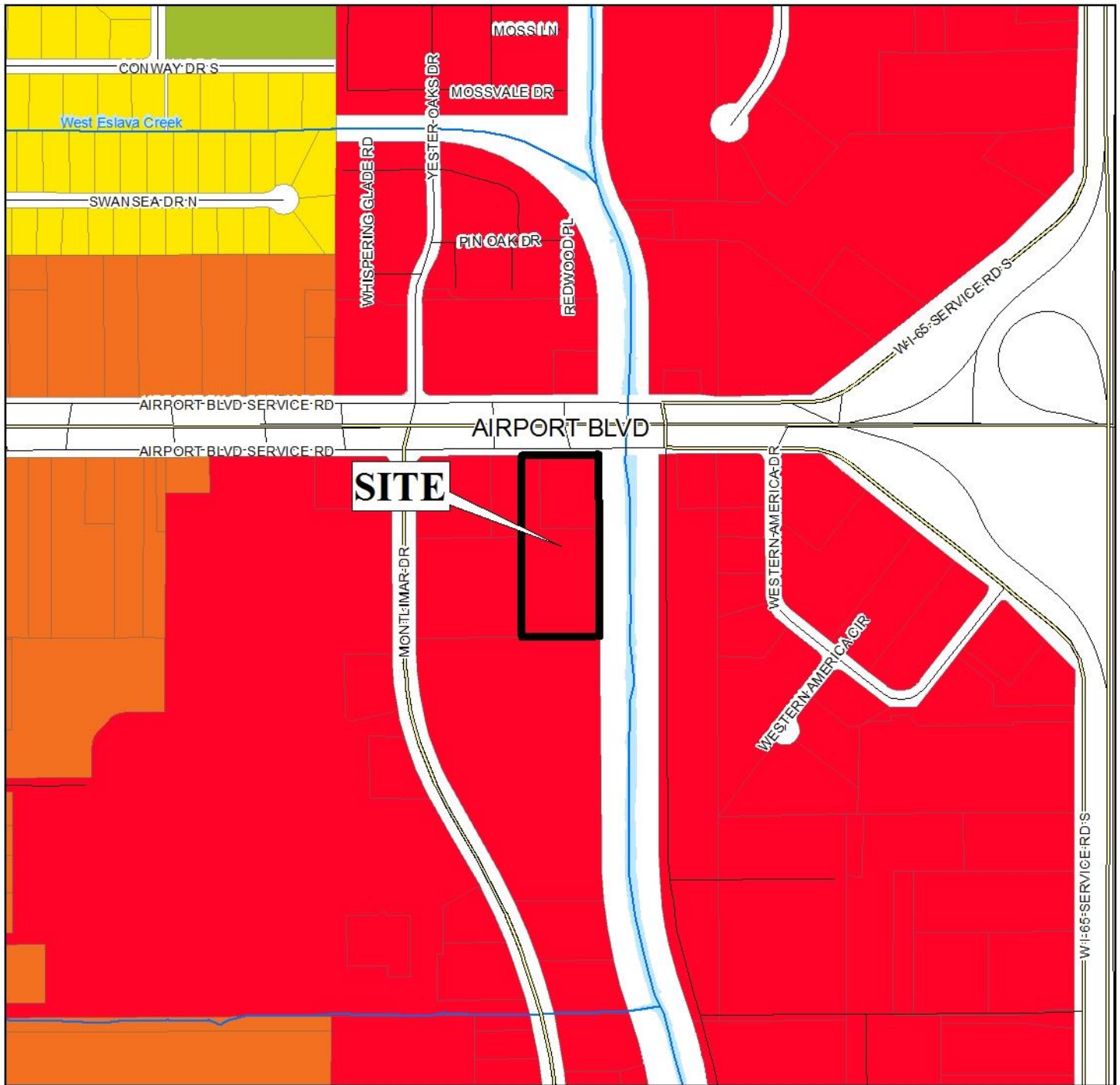
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REQUEST Subdivision, PUD



FLUM LOCATOR MAP



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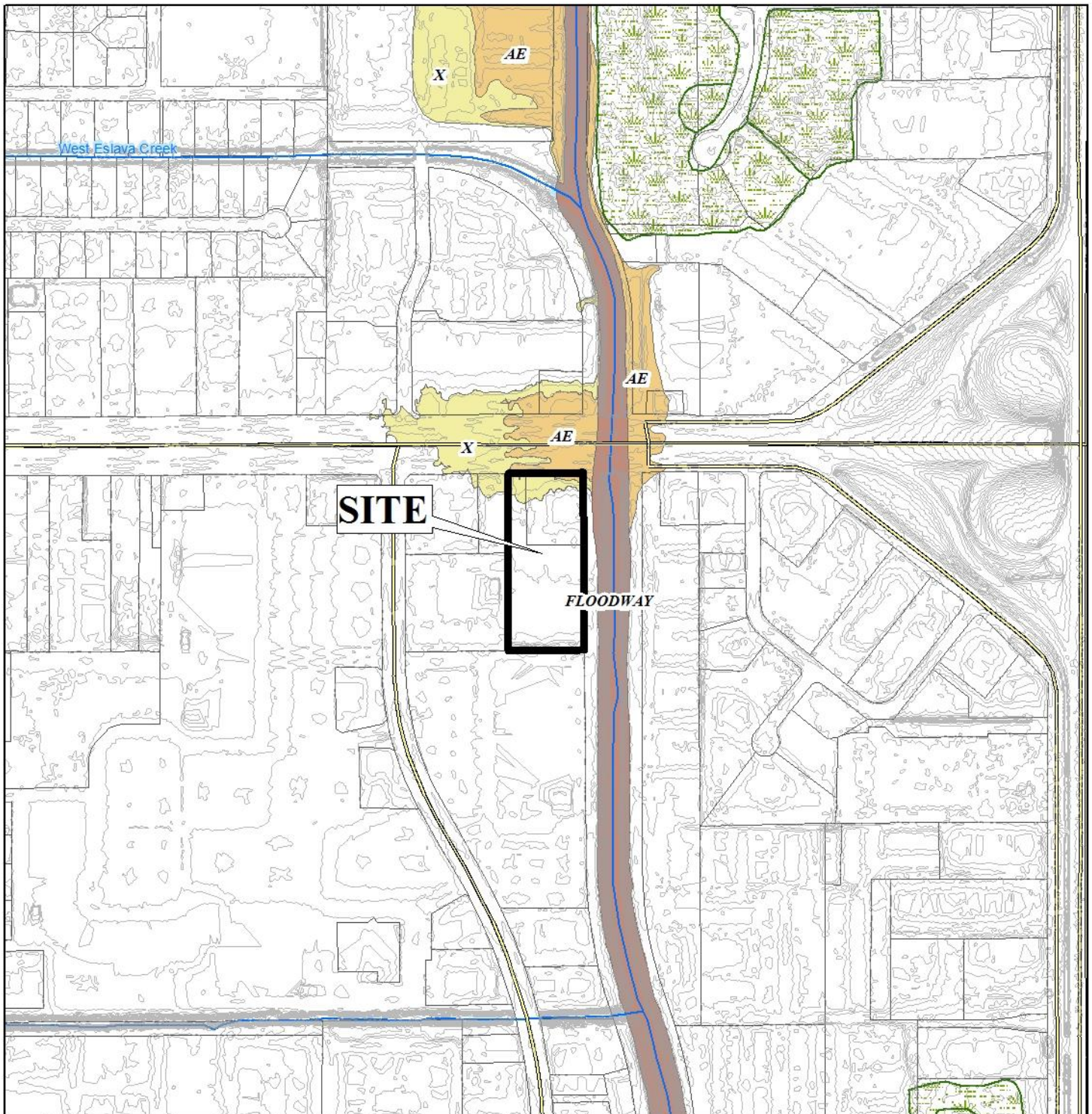
APPLICANT KOLA Mobile Subdivision

REQUEST Subdivision, PUD

| | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| 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 | |



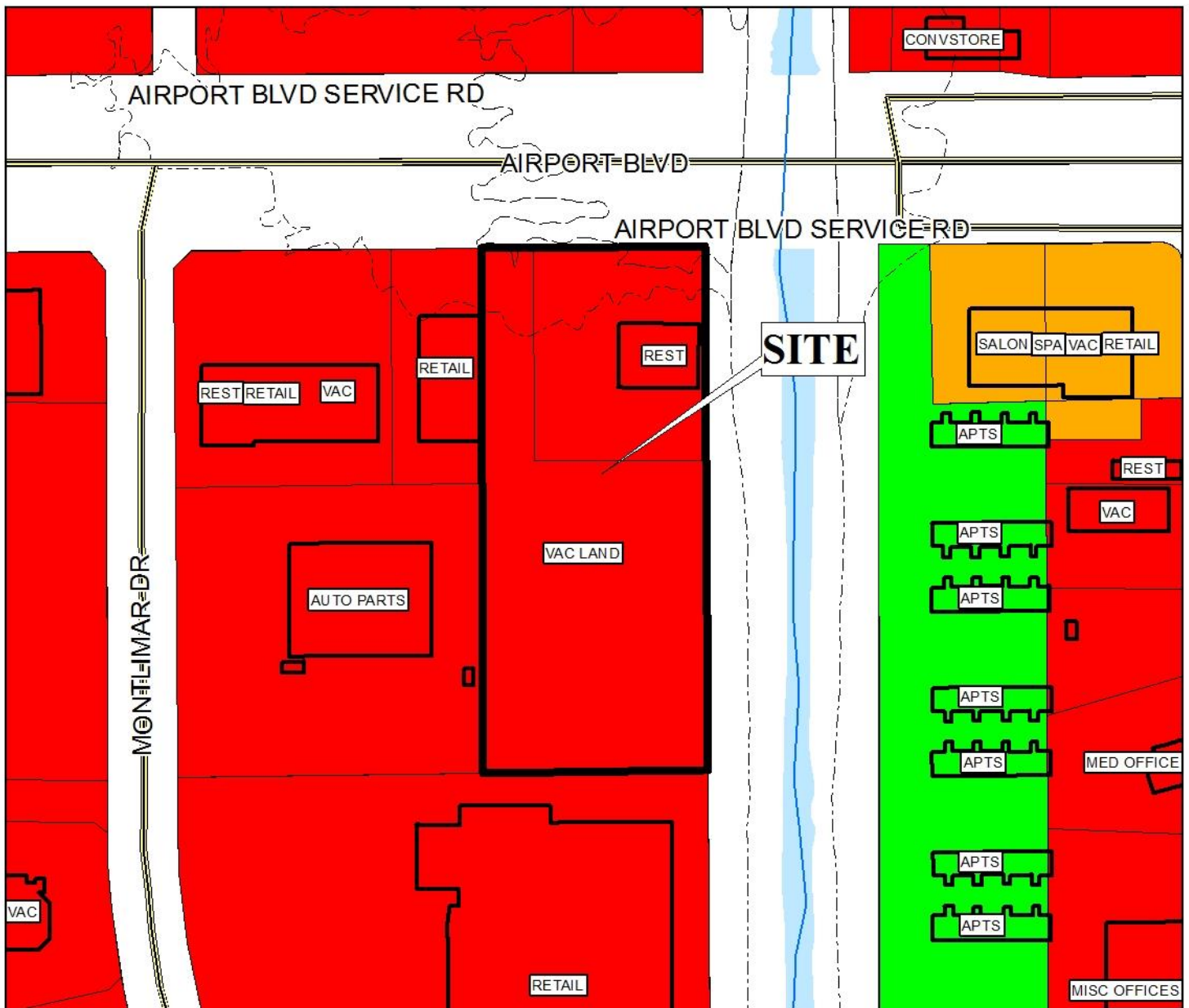
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units with multi family residential units to the east.

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| | | | | | | | |
|-----|-----|------|-----|-----|------|-------|------|
| 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

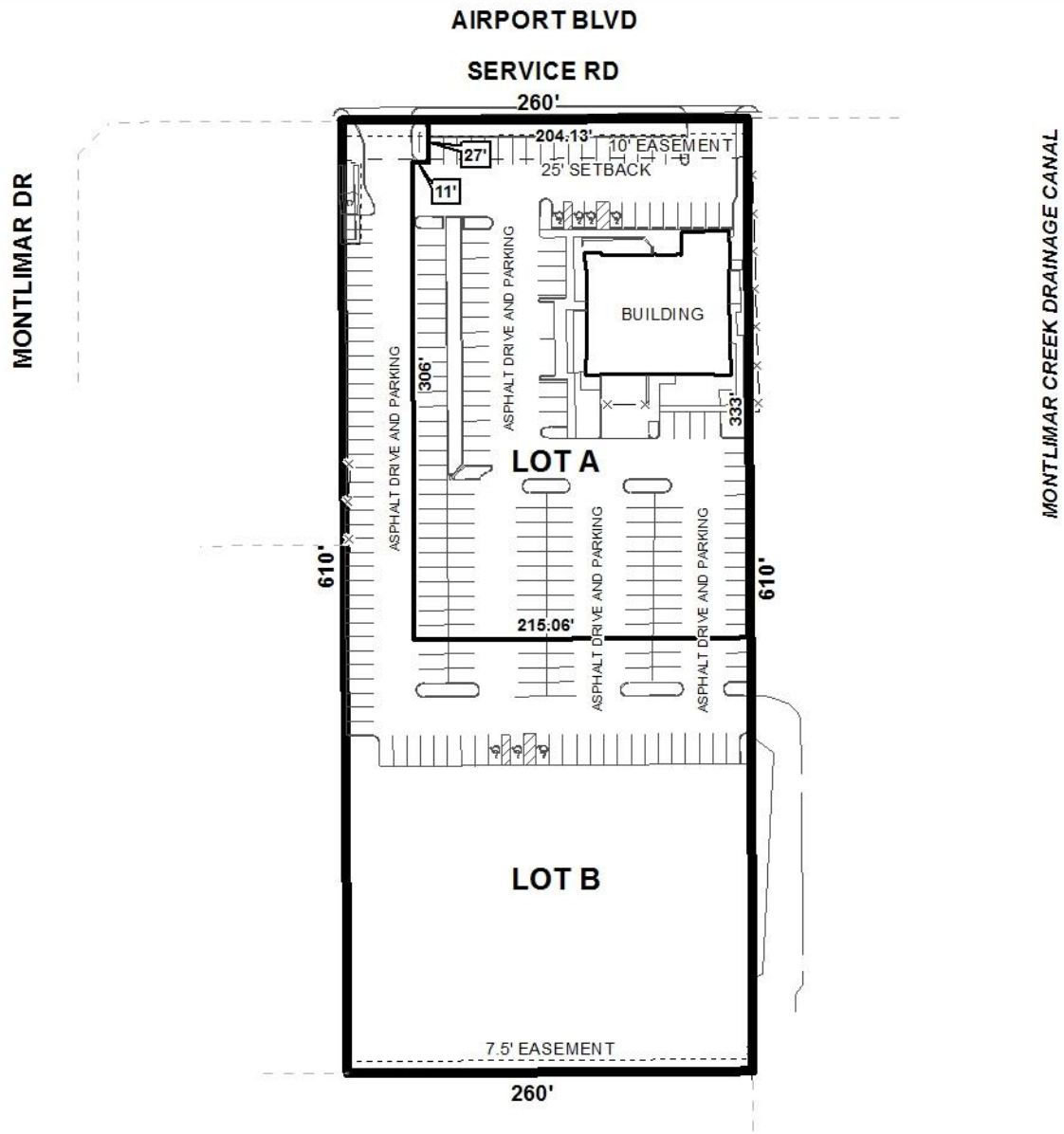


The site is surrounded by commercial units with multi family residential units to the east.

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SITE PLAN



The site plan illustrates the existing building, existing parking, setbacks and easements.

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