

**PLANNING APPROVAL STAFF REPORT****Date: March 9, 2017****NAME**

Robert Maurin

**LOCATION**

615 Dauphin Street  
(Southwest corner of Dauphin Street and South Warren Street extending to the North side of Conti Street and the East side of South Dearborn Street).

**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

T-5.1 Sub-District

**AREA OF PROPERTY**

3,692 square feet (building and courtyard area)

**CONTEMPLATED USE**

Planning Approval to allow an expansion of an existing restaurant to a capacity of more than 100 persons in the Downtown Development District

**TIME SCHEDULE  
FOR DEVELOPMENT**

Not provided.

**ENGINEERING  
COMMENTS**

No comments

**TRAFFIC ENGINEERING  
COMMENTS**

No comments

**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).

**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 Planning Approval to allow an expansion of an existing restaurant to a capacity of more than 100 persons in the T-5.1 Sub-District of the Downtown Development District. Planning Approval is required for restaurants uses with an occupant load of more than 100 people in T-5.1 Sub-Districts.

The subject space was previously a restaurant, and when that restaurant closed, a portion was combined with the adjacent restaurant (FIVE) to result in that restaurant having an occupancy load of 133 people and obtained Planning Approval on October 20, 2016. The remainder of the tenant space is now proposed to be renovated with an outdoor courtyard area that will result in the restaurant having an occupancy load of 138. Because the two restaurant spaces previously had a combined occupancy load of 246 and are now proposed to have an occupancy load of 271, the application at hand is required.

The site is part of a complete city block under the same property ownership. The block contains two other operating restaurants and the proposed restaurant space, as well as a parking area along Conti Street, behind the row of buildings that front Dauphin Street.

The site is bounded on all sides by vacant and active commercial buildings, as well as surface parking, all within the same T-5.1 Sub-District.

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 entire site appears to be depicted as a "Downtown" Development Area, per the recently adopted Map for Mobile Plan. The intent of a Downtown Development Area is to allow for:

- Infill development that complements the existing character and enhances the pedestrian-friendly urban environment
- Fewer surface parking lots - more structured parking
- Increased streetscaping, including improved sidewalks, street furniture and lighting along corridors
- Greater mix of uses - retail, restaurant, office, residential

It should be noted that the Map for Mobile Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the Plan 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 zoning classification.

Given that the former restaurant is being renovated, thus not changing the actual use nor proposing new exterior construction, staff does not anticipate any change to or impact to the items that must be considered for a Planning Approval review or the intent of the Downtown Development Area.

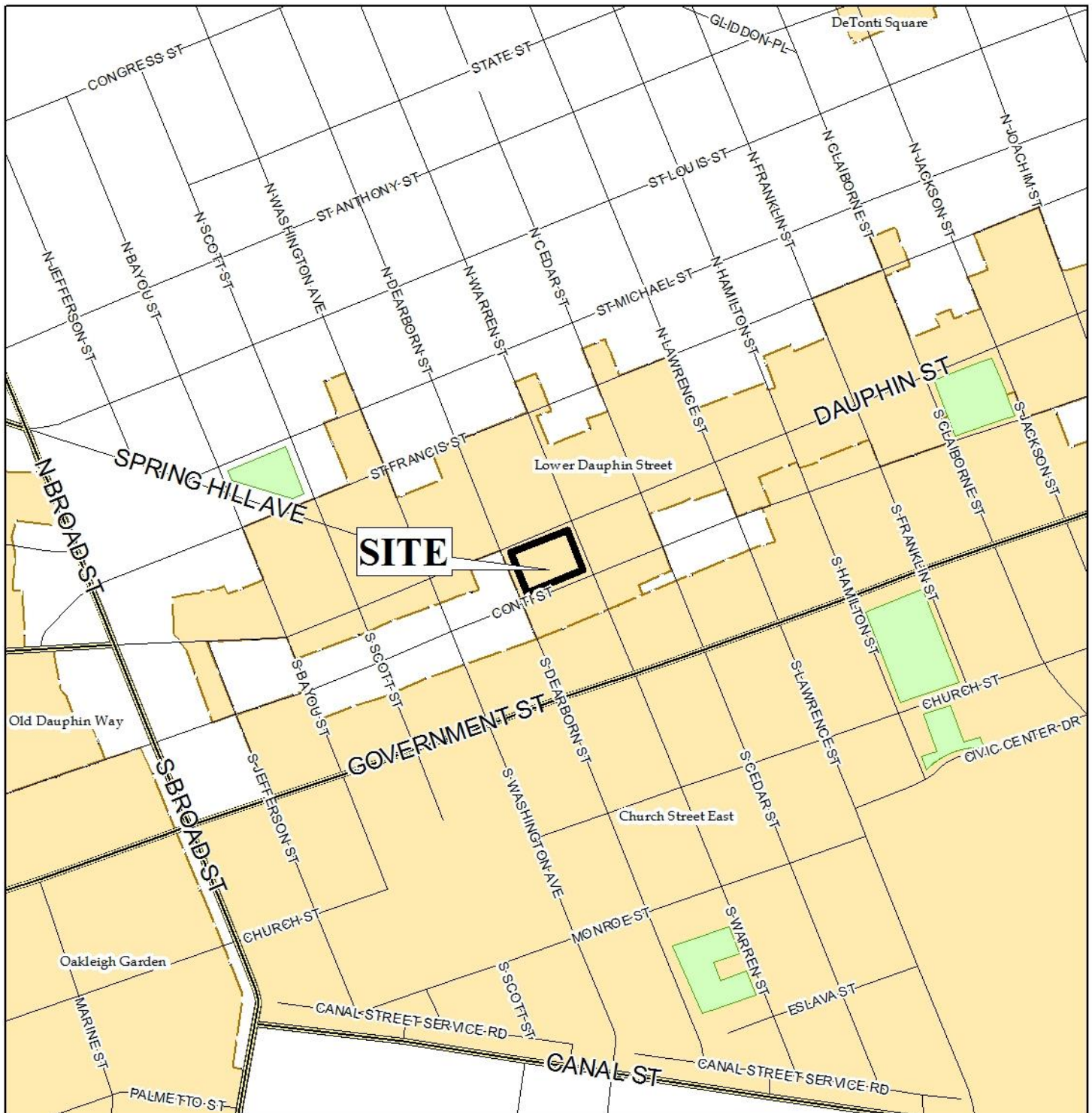
It should be noted that that site plan submitted illustrates several trees to be removed in the courtyard as well as in the right-of-way along Dearborn Street. It should be noted that tree permits may be required prior to the removal of trees on private property, if they are, in fact, trees. The trees in the right-of-way may require approval from the Mobile Tree Commission prior to their removal, if they are, in fact, trees. Google street view images appear to depict wax-leaf ligustrums in the right-of-way and within the courtyard, neither of which would require tree permits. However, to remove the existing trees in the right-of-way and plant new trees will require a right-of-way permit.

### **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this request is recommended Approval, subject to the following conditions:

- 1) occupant load limited to 138 people, as requested;
- 2) appropriate approvals/permits prior to any tree removal or installation in the right-of-way;  
and
- 3) full compliance with all other municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 9 DATE March 9, 2017

APPLICANT Robert Maurin

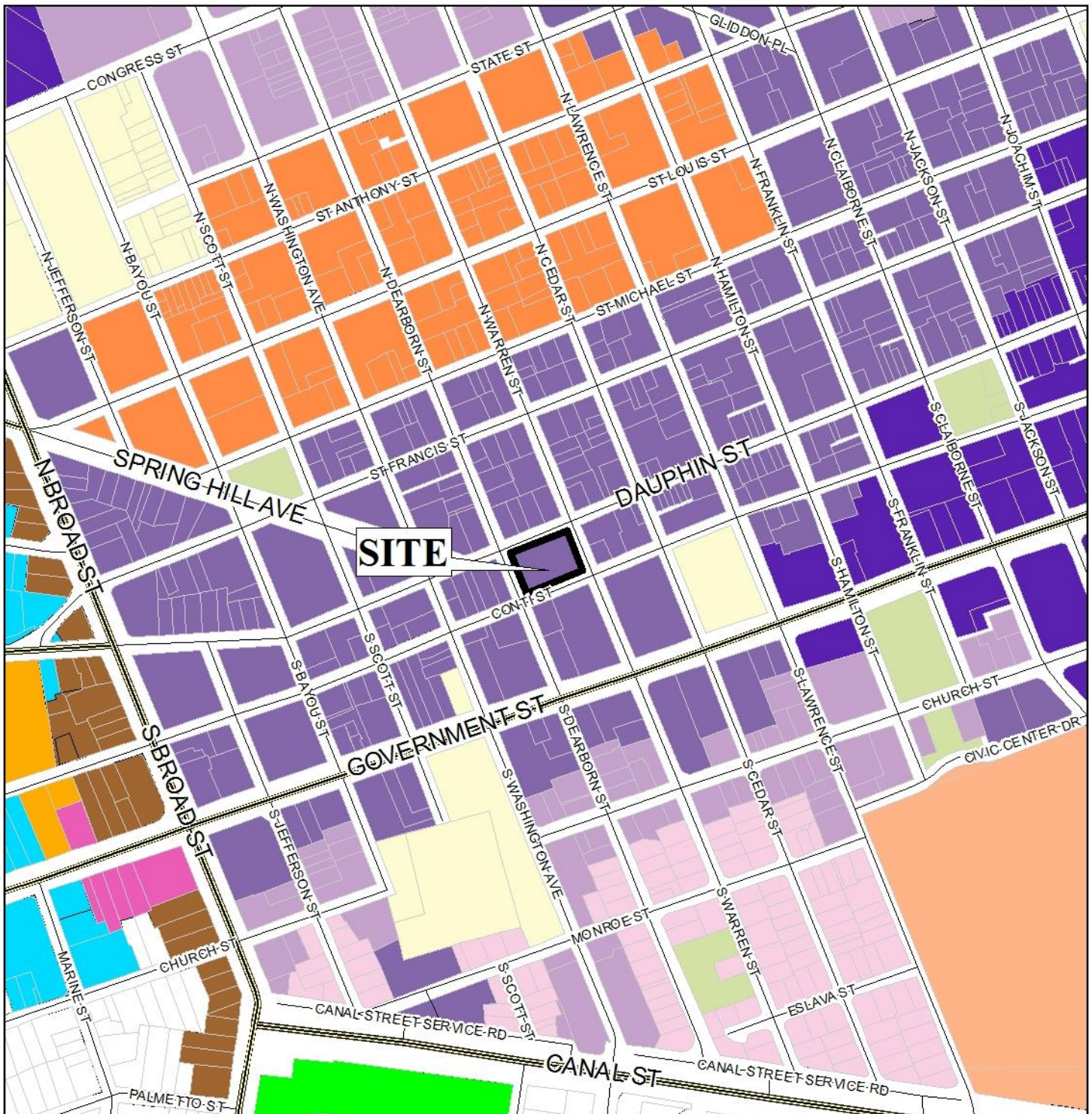
REQUEST Planning Approval



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# LOCATOR ZONING MAP



APPLICATION NUMBER 9 DATE March 9, 2017  
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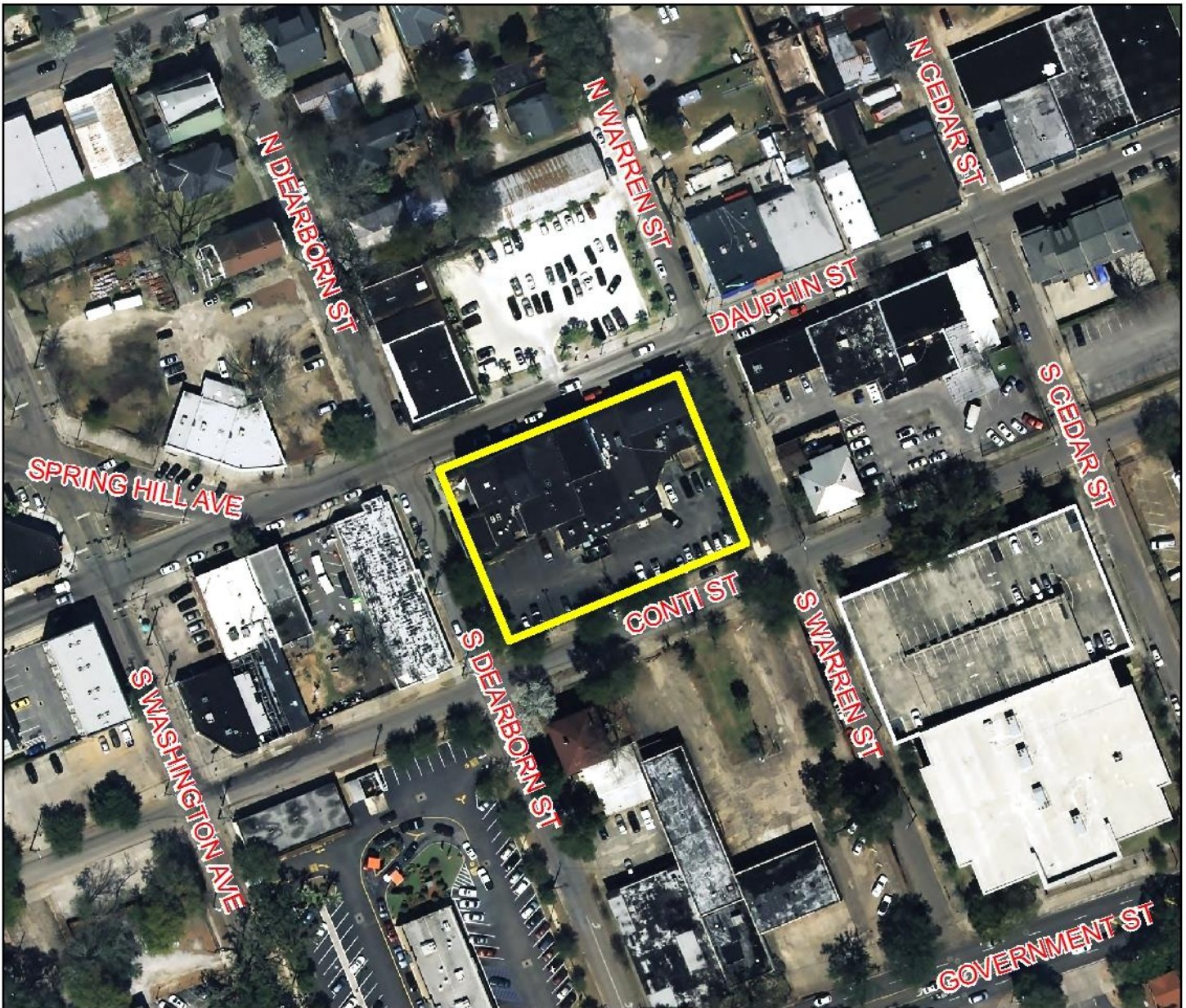
APPLICANT Robert Maurin

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# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



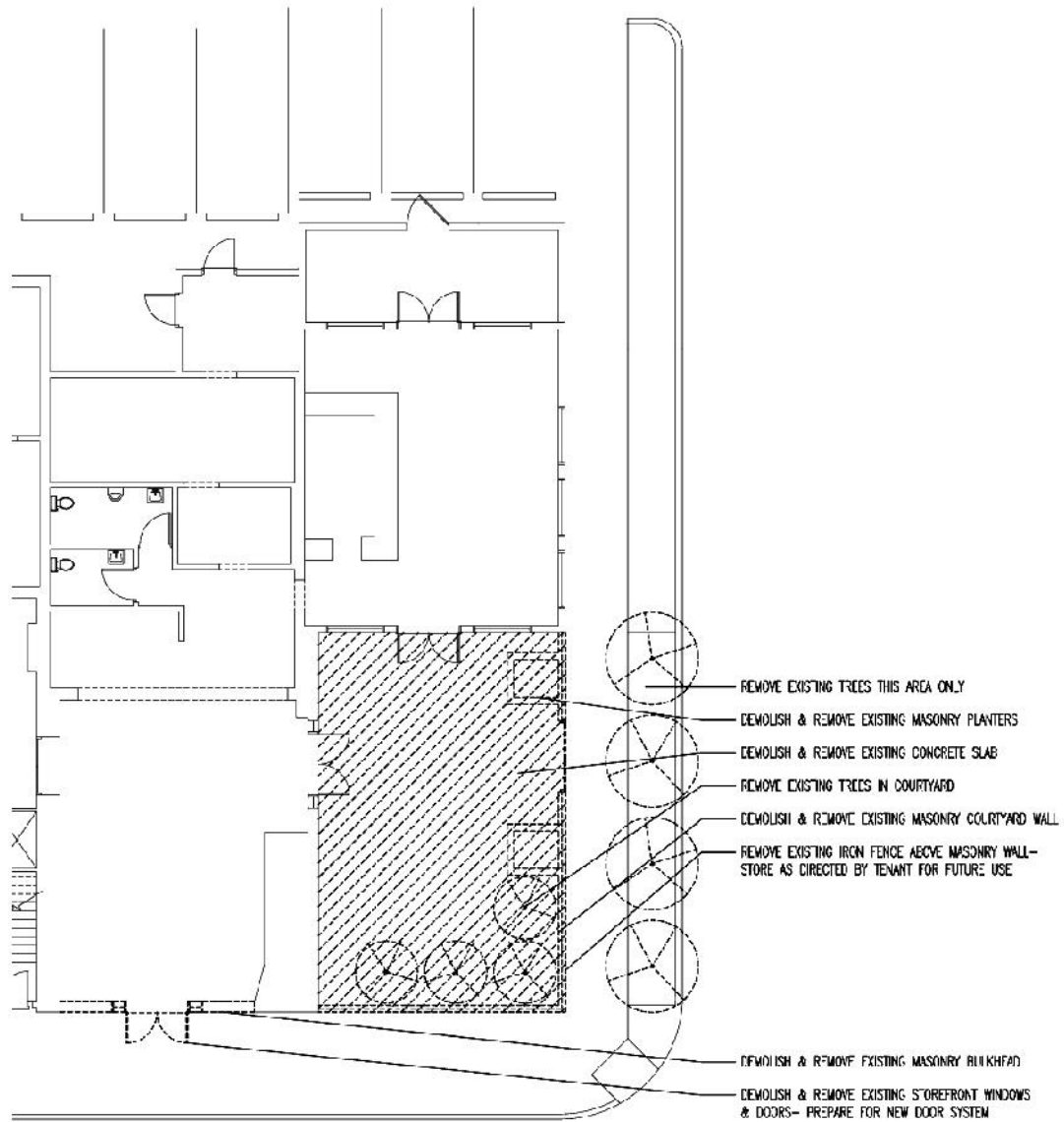
The site is surrounded by residential units to the north and commercial units to the south and east.

APPLICATION NUMBER 9 DATE March 9, 2017  
 APPLICANT Robert Maurin  
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# EXISTING SITE PLAN



The site plan illustrates the existing trees, walls, and doors to be removed.

APPLICATION NUMBER 9 DATE March 9, 2017

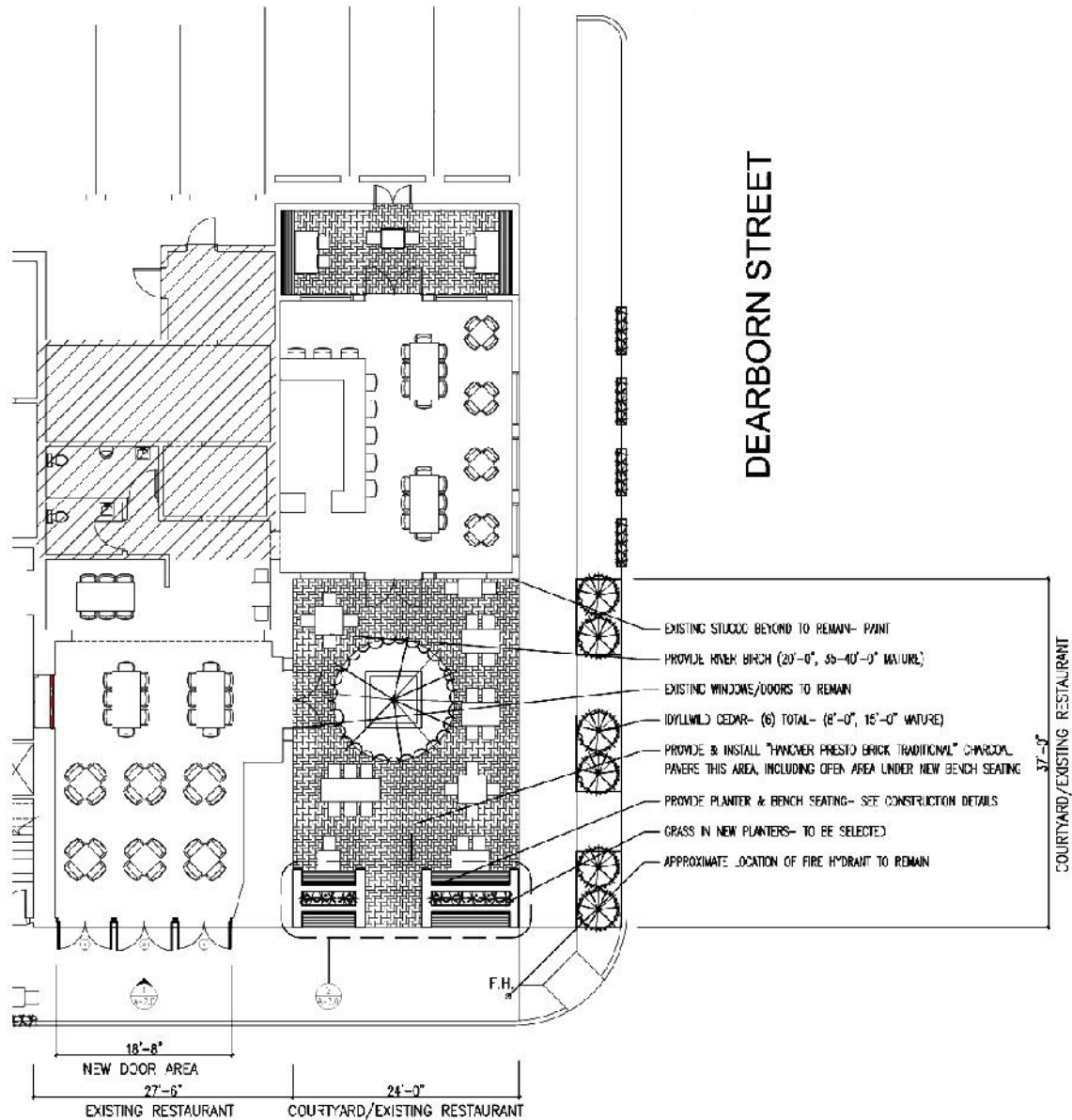
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# PROPOSED SITE PLAN



The site plan illustrates the proposed door area, proposed trees, and proposed pavers.

APPLICATION NUMBER 9 DATE March 9, 2017  
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