

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: May 20, 2010****DEVELOPMENT NAME**

Checkers St. Stephens Road Subdivision

**SUBDIVISION NAME**

Checkers St. Stephens Road Subdivision

**LOCATION**2300 St. Stephens Road  
Northeast corner of St. Stephens Road and South Craft  
Highway**CITY COUNCIL****DISTRICT**

District 1

**AREA OF PROPERTY**

1 Lot / 0.51 ± acres

**CONTEMPLATED USE**Planned Unit Development Approval to allow two  
buildings on a single building site, and Subdivision approval to create 1 lot.**TIME SCHEDULE****FOR DEVELOPMENT**

Already developed

**ENGINEERING****COMMENTS**Must comply with all storm water and flood control  
ordinances. The construction of any new dumpster pads will require connection to sanitary  
sewer, cannot discharge to storm sewer. Any work performed in the right of way will require a  
right of way permit.**TRAFFIC ENGINEERING****COMMENTS**Driveway number, size, location, and design to be  
approved by Traffic Engineering and ALDOT and conform to AASHTO standards.**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 and parking tree requirements of the Zoning Ordinance to be  
coordinated with Urban Forestry.**FIRE DEPARTMENT****COMMENTS**All projects must comply with the requirements of the 2003  
International Fire Code, including Appendices B through D, as adopted by the City of Mobile,  
and the 2003 International Existing Building Code, as appropriate.

**REMARKS**

The applicant is seeking Planned Unit Development Approval to allow two buildings on a single building site, and Subdivision approval to create one lot. The site is located in Council District 1, and according to the applicant is served by public water and sanitary sewer.

The purpose of this application is to create a legal lot, and to create a PUD that legalizes the addition of a free-standing freezer, which was placed on the site without permits around May 2009. The site was originally developed as a drive through restaurant prior to 1997.

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 any changes to the site plan / Subdivision plat will require approval by the Planning Commission.

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 is currently developed with an 800 square foot Checkers drive-through restaurant, with one walk-up window and outside seating (5 tables). A 112 square foot freestanding freezer, the reason for the application, is located in a paved area. The site plan indicates that the site has 10 parking spaces, as do the 2006 aerial photographs: four of the parking spaces on the East side appear to be substandard in terms of length.

The site has frontage onto St. Stephens Road, a proposed major street, and South Craft Highway (a minor street). The existing right-of-way for St. Stephens Road is 66-feet, however, the Major Street Plan component of the Comprehensive Plan recommends that this segment of St. Stephens utilize the existing right-of-way, thus no dedication is required.

The site has two curb-cuts onto South Craft Highway, and four curb-cuts onto St. Stephens Road. The site should be limited to the existing curb-cuts, and any change to the design or location of curb-cuts must be approved by Traffic Engineering and ALDOT (for St. Stephens Road), and conform to AASHTO standards.

It should be noted that circulation on the site is extremely constrained, thus deliveries by trucks would likely block a portion of the site's circulation.

The site is zoned B-3, Community Business District, thus the current use is allowed by right. Parking for the use is calculated as one parking space for each outside table, and one space per employee. As previously mentioned, there are 10 parking spaces on the site for 5 tables and an unspecified number of employees. As the Checkers main building is 800 square feet, the Chief Building Code Official states that the maximum occupancy of the structure would be 8 employees, thus the site lacks adequate parking – 13 parking spaces are required. Also, as previously mentioned, it appears that four of the parking spaces do not appear to meet minimum dimension requirements. An application to the Board of Adjustment should be required to address the parking ratio deficit, or removal of outdoor seating to bring the site into compliance.

The preliminary plat and the PUD site plan reflect the 25-foot setbacks from street frontages required by the Subdivision Regulations, and the Zoning Ordinance for B-3 districts.

There appears to be an error in the legal description for Tract 2. The text states *North 42d 47m 47s East* for a bearing when it should be *North 42d 47m 47s West*. The legal description should be corrected prior to the signing of the final plat, if approved.

Finally, no information has been provided regarding tree and landscape compliance for the site. It appears that the site was developed after the tree and landscape requirements were fully in effect, however, there are no frontage trees on the site, and an inadequate amount of perimeter trees. An application for land disturbance will be required as part of the tree and landscape compliance process.

## **RECOMMENDATION**

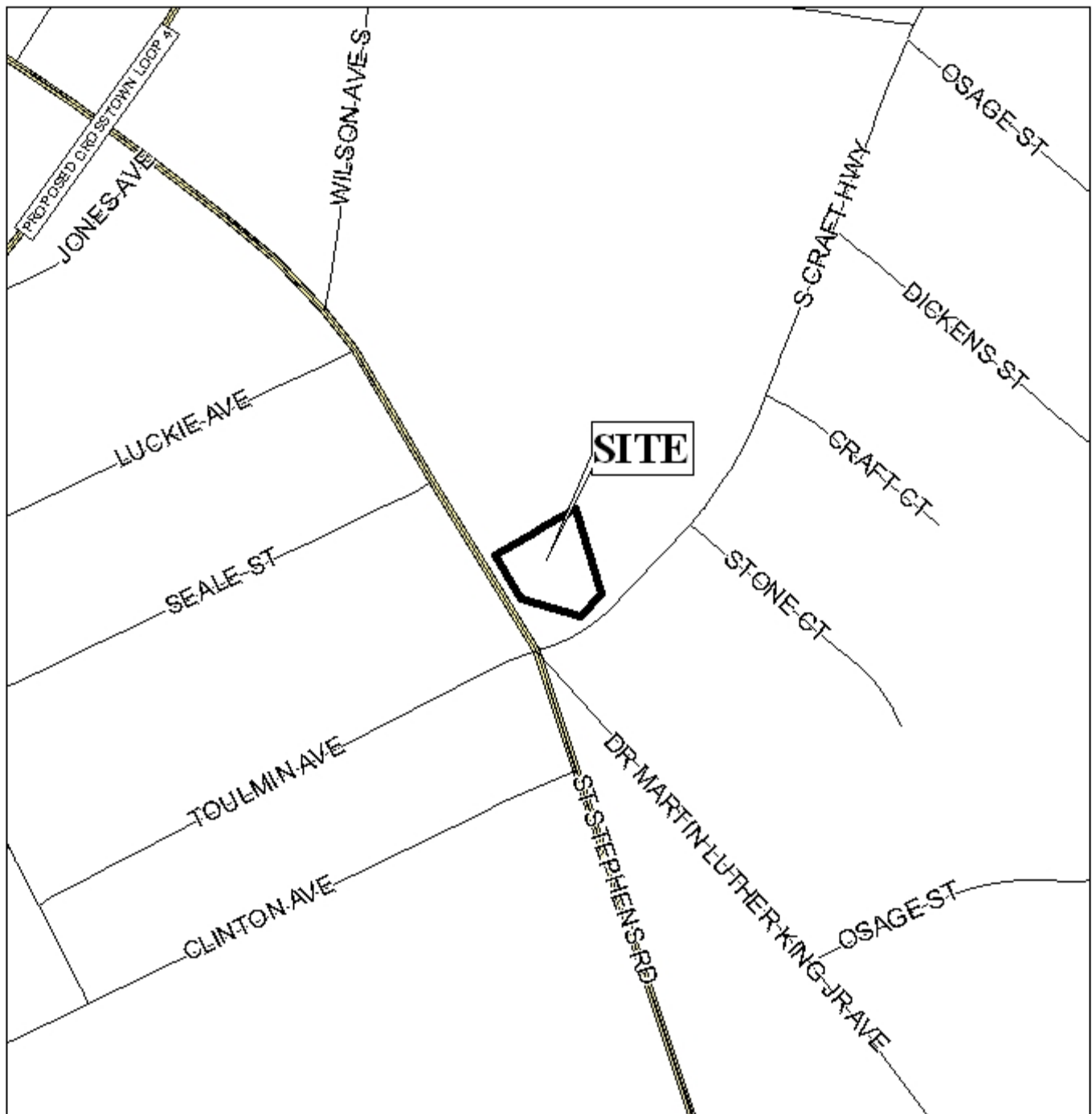
**Subdivision:** Based upon the preceding, the application is recommended for Tentative Approval, subject to the following conditions:

- 1) Compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. The construction of any new dumpster pads will require connection to sanitary sewer, cannot discharge to storm sewer. Any work performed in the right of way will require a right of way permit.*);
- 2) Correction of the legal description (change from *North 42d 47m 47s East* to *North 42d 47m 47s West*);
- 3) Placement of a note on the final plat stating that the site is limited to its existing curb-cuts (two curb-cuts onto South Craft Highway, and four curb-cuts onto St. Stephens Road), and that any change to a curb-cut must be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 4) Compliance with and placement of Urban Forestry comments as a note on the plat (*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 and parking tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.*); and
- 5) Provision of two (2) copies of the revised PUD site plan, if approved, prior to the signing of the final plat.

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

- 1) Compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. The construction of any new dumpster pads will require connection to sanitary sewer, cannot discharge to storm sewer. Any work performed in the right of way will require a right of way permit.*);
- 2) Correction of the written legal description (change from *North 42d 47m 47s East* to *North 42d 47m 47s West* );
- 3) Placement of a note on the final plat stating that the site is limited to its existing curb-cuts (two curb-cuts onto South Craft Highway, and four curb-cuts onto St. Stephens Road), and that any change to a curb-cut must be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 4) Compliance with and placement of Urban Forestry comments as a note on the plat (*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 and parking tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.*);
- 5) Application for a land disturbance permit for the frontage and parking tree compliance requirements prior to the signing of the final plat;
- 6) Successful application to the Board of Adjustment for a parking ratio variance (and other variances as needed), or removal of a sufficient quantity of outdoor seating to bring the site into compliance with the minimum required parking ratio;
- 7) Provision of two (2) copies of the revised PUD site plan, if approved, prior to the signing of the final plat; and
- 8) Full compliance with all other municipal codes and ordinances.

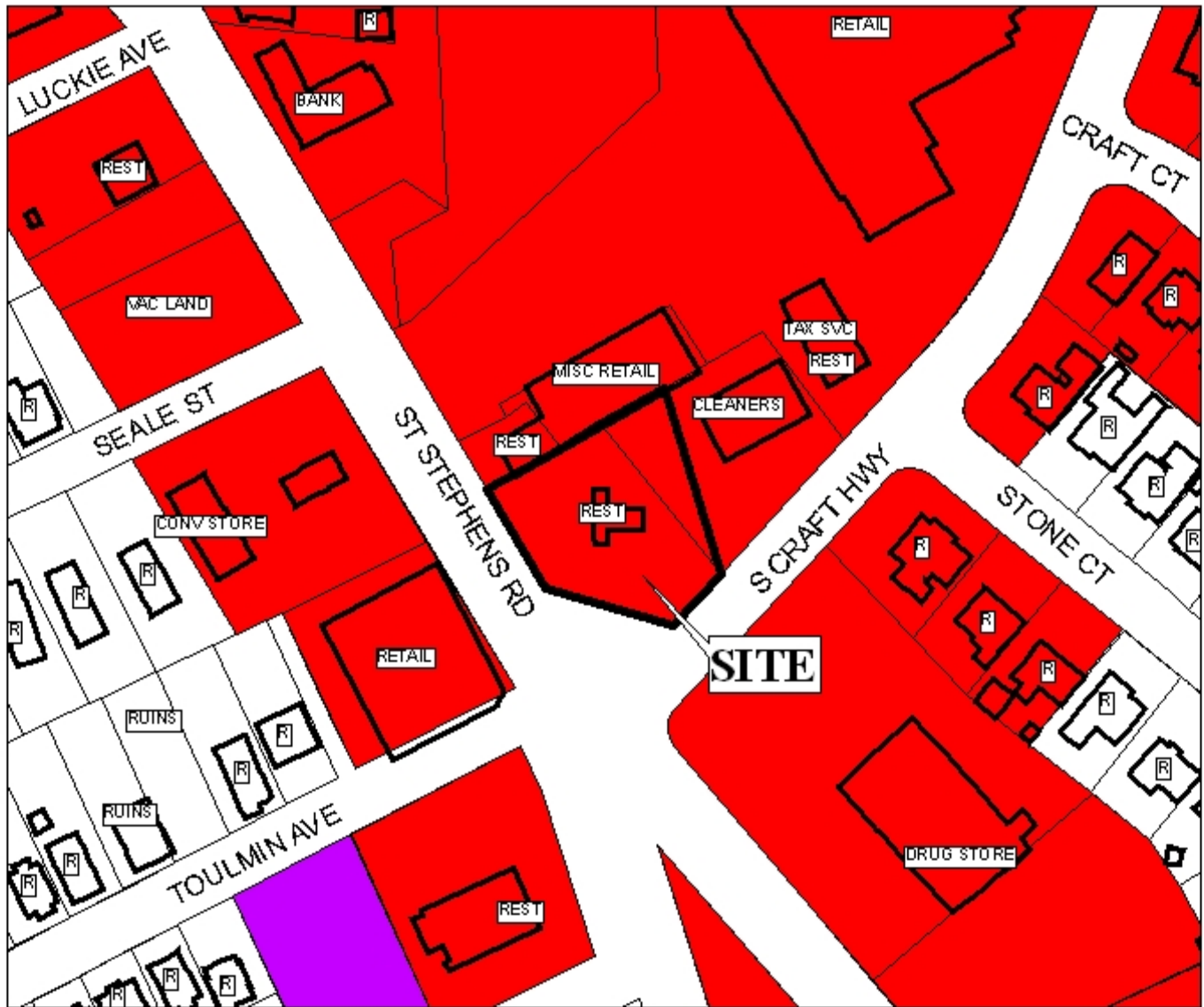
## LOCATOR MAP



APPLICATION NUMBER 10 & 11 DATE May 20, 2010  
APPLICANT Checkers St. Stephens Road Subdivision  
REQUEST Subdivision, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial land use

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REQUEST Subdivision, Planned Unit Development

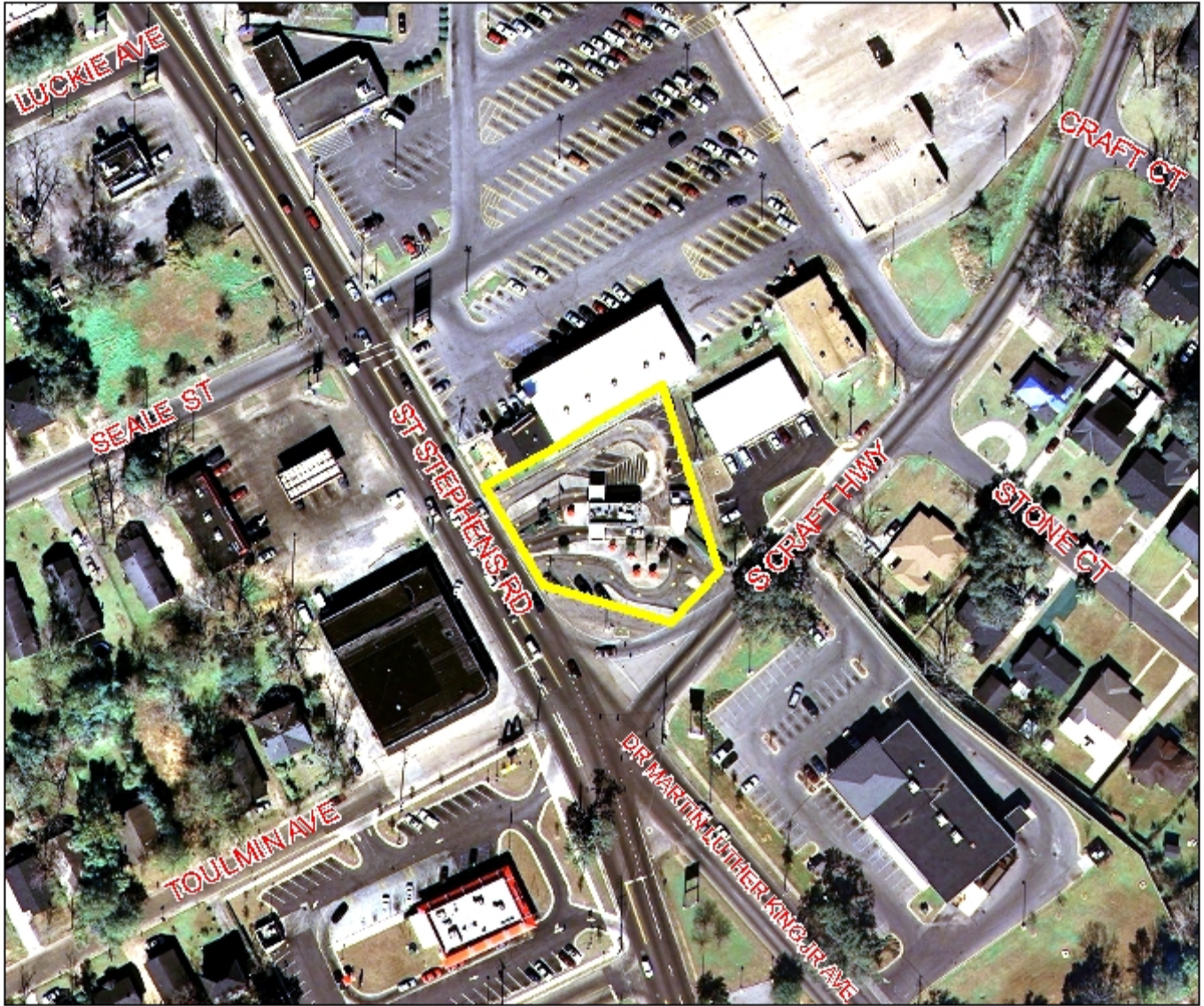
LEGEND 

R-1	R-2	R-3	R-4	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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N  
NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

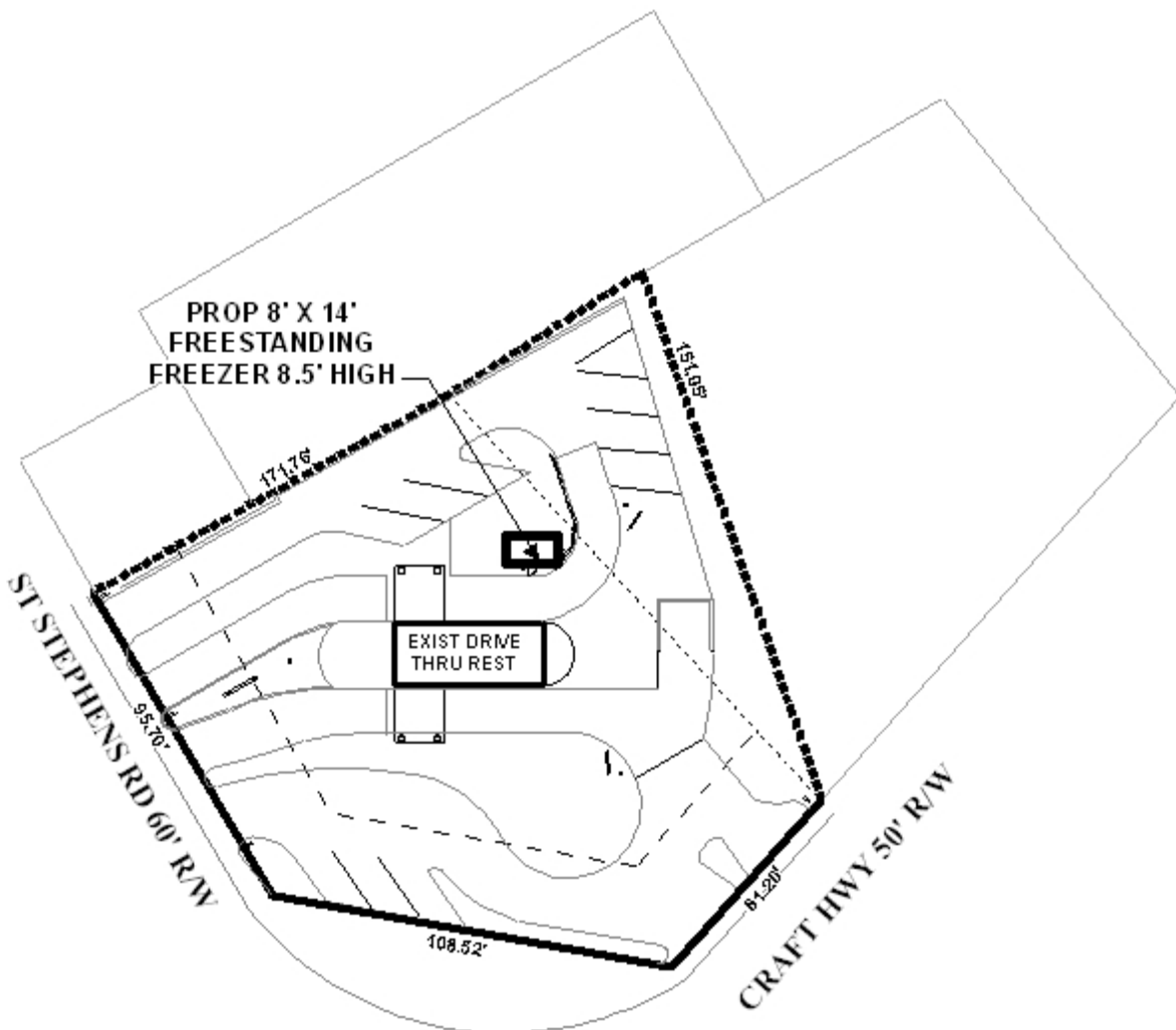


The site is surrounded by commercial land use

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N  
NTS

# SITE PLAN



The site plan illustrates the proposed freestanding freezer location

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N  
NTS