

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: April 16, 2015****DEVELOPMENT NAME**

J. Burmeister, LLC

LOCATION

North side of Airport Boulevard 405'± West of Border Drive.

**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

B-3, Community Business District

AREA OF PROPERTY

1.1± acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access, parking and increase signage for a proposed restaurant.

**TIME SCHEDULE
FOR DEVELOPMENT**

Construction to start immediately with completion by the end of 2015.

**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, paving, and all above ground structures, 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. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

A traffic study was previously completed for this site, which included an estimated trip generation for the outparcel developments. No revision to the impact study will be required. Driveway number, 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 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT

COMMENTS

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access, parking and increase signage for a proposed restaurant.

Planned Unit Development (PUD) 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.

This site appeared before the Planning Commission at its January 19, 2012 meeting where the Commission approved a 5-lot subdivision and PUD request to allow shared access and parking between five building sites. As PUD approval is site plan specific, a condition of approval required the applicant to submit new PUD applications to amend the existing PUD for any future development, hence the current request.

The proposed development of lot 3 will consist of a 4,200 sf restaurant with a 650 sf outdoor patio area. As proposed, there will be 73 new parking spaces, which exceeds the minimum requirements of the Zoning Ordinance for required onsite parking spaces; however, neither bumper stops nor curbing is illustrated. As such, the revised PUD site plan should illustrate the provision of either curbing or bumper stops for all new parking spaces.

Parking lot lighting will be required as a result of the new parking spaces. Any new lighting on the site must comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance and a note reflecting this requirement should appear on any revised site plan. Photometric plans will be required at the time of permitting for land disturbance.

In regards to landscaping, neither tree and landscaping data nor frontage tree plantings are illustrated on the site plan. The revised PUD site plan should quantify and illustrate full compliance with the tree and landscaping requirements of the Zoning Ordinance. The provision of frontage trees is required along Airport Boulevard.

Dumpsters are illustrated in the northeast corner of Lot 2. The site plan should be revised to illustrate the proposed dumpsters in compliance with Section 64-4.D.9. of the Zoning Ordinance, to include a connection to sanitary sewer.

It should be pointed out that the site plan illustrates a 40' setback along Airport Boulevard and the northern lot line, a 30' setback along the western lot line, and a 20' setback line along the eastern lot line. These setbacks were depicted, but not labelled on the original PUD site plan, thus only a 25' setback is required along Airport Boulevard based upon the recorded plat. The PUD setbacks depicted on the northern, eastern and western lot lines exceed the underlying zoning district setbacks of a 0' minimum or 5' setback for side and rear yards in a B-3, Community Business District. The proposed dumpsters and enclosure, and what appears to be a fence or wall along the eastern side of the building, intrude within the depicted side and rear yard PUD setbacks. Therefore, the applicant should revise the request to include reduced PUD side and rear yard setbacks sufficient to accommodate all proposed dumpsters, walls and/or fences, or the site plan should be revised to illustrate all proposed structures and equipment in compliance with setbacks.

It should be noted since the submitted PUD plan only illustrates development of Lots 2 and 3, with no other structures on the three other lots, a revised PUD application for each project is required, prior to the issuance of any development permits for the lots. As such, the site is limited to the revised site plan – future development of the out parcels will require new PUD applications to amend the existing PUD.

Regarding the request to allow increased signage, although PUD review can allow flexibility with the Sign Regulations of the Zoning Ordinance, the original PUD request for this site did not include any requests for any increase in sign allowance. The retail development (Academy Sports + Outdoors) on Lot 2 obtained a Sign Variance through the Zoning Board of Adjustment for an increase in additional signage. Currently, the site is allowed 2 wall signs by right, in

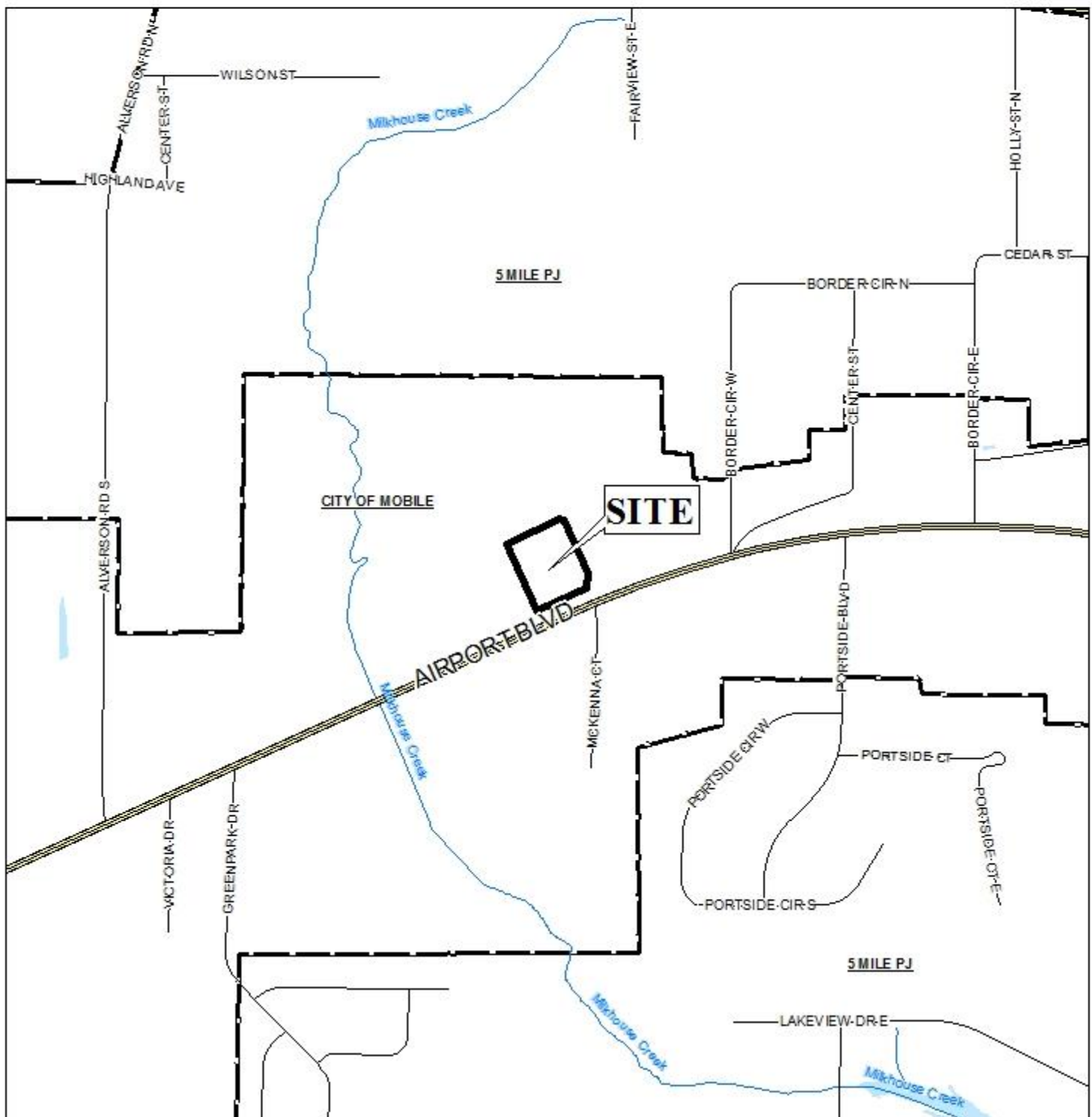
addition to a monument sign. If the applicant desires additional signage, a Sign Variance would be the appropriate course of action.

RECOMMENDATION

It is recommended that this application be heldover to the meeting of May 21st with revisions due by May 1st to allow the applicant to address the following:

- 1) Revision of the Planned Unit Development (PUD) application to include reduced side and rear yard setbacks sufficient to accommodate all proposed dumpsters, walls, and/or fences; or
- 2) Revision of the PUD site plan to illustrate all proposed dumpsters, walls, and/or fences in compliance with the depicted PUD setbacks.

LOCATOR MAP



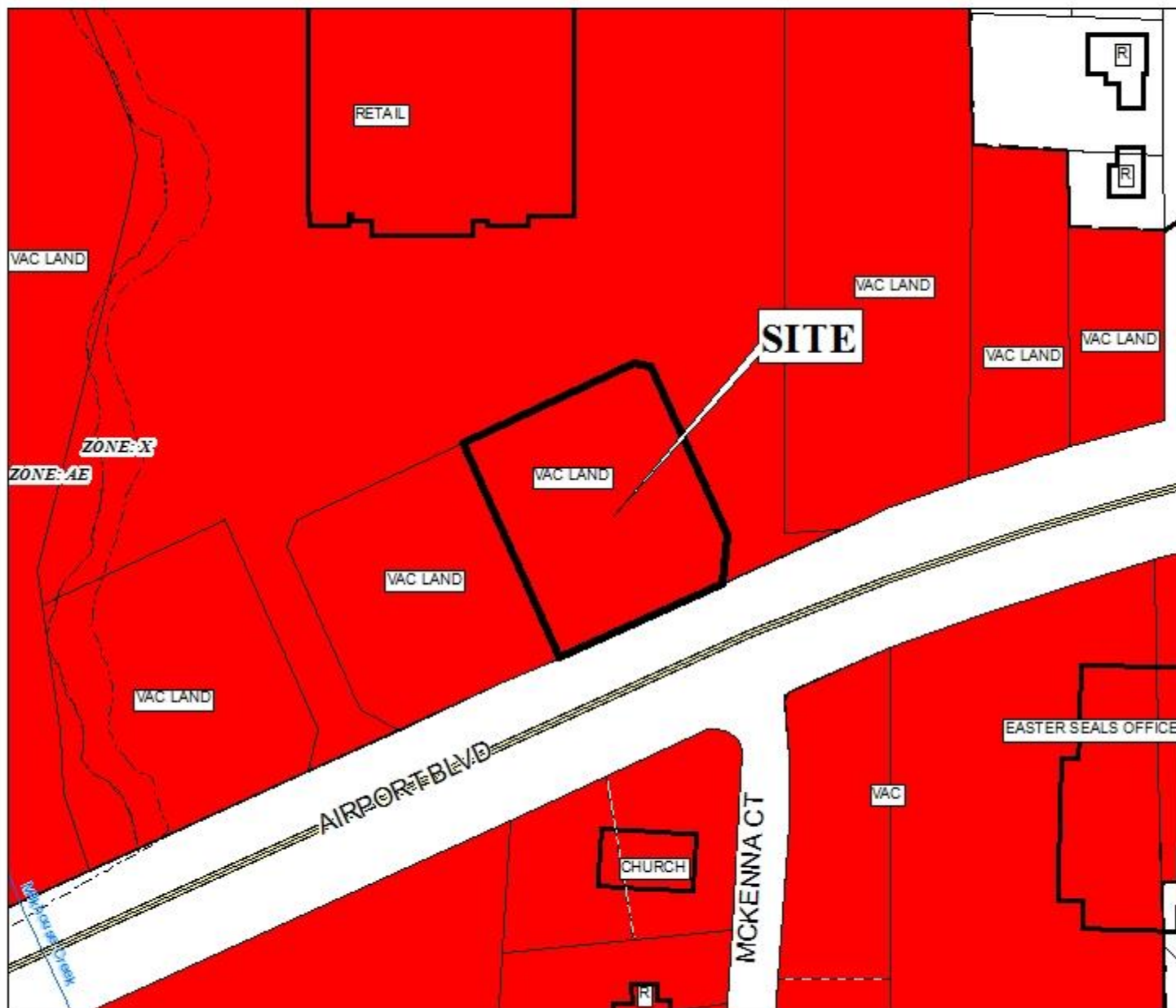
APPLICATION NUMBER 10 DATE April 16, 2015

APPLICANT J. Burmeister, LLC

REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units. A church lies south of the site.

APPLICATION NUMBER 10 DATE April 16, 2015

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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



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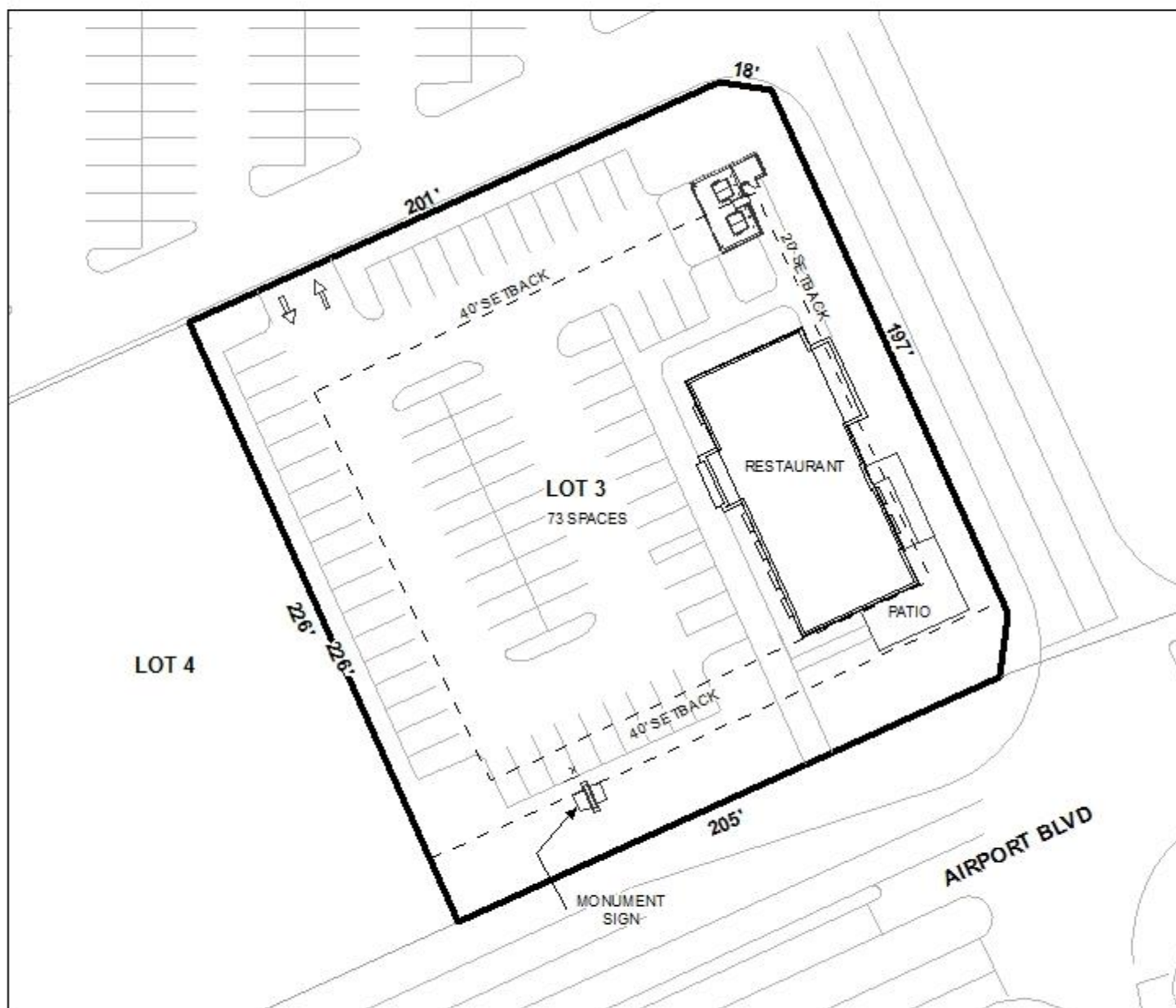
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SITE PLAN



The site plan illustrates the proposed restaurant, setbacks, and parking.

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