

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: April 19, 2012****DEVELOPMENT NAME**

LVRC LLC

LOCATION

9 Du Rhu Drive
(West side of Du Rhu Drive, 375'± North of Dauphin Street)

**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

B-2, Neighborhood Business District

AREA OF PROPERTY

9.4 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and reduced parking.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

1. The surface grading for the existing (and/or proposed) dumpster pad(s) must be minimized and directed to a surface drain that is connected to the Sanitary Sewer system. The drainage from any dumpster pads cannot discharge to storm sewer.
2. The proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance.

**TRAFFIC ENGINEERING
COMMENTS**

Parallel parking spaces should be 23' long for the interior spaces, 20' long for the unencumbered exterior spaces, and 8' wide. This will add 22' to the total length for the 7 proposed spaces. Truck circulation may be adversely affected if the space is extended to the northwest, and the aisle width will be adversely affected if the space is extended to the southeast. A reduction to six parallel spaces may be necessary.

**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.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (503.2.1). Where a hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet, exclusive of shoulders. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (503.2.5). Anything vulnerable to vehicle impact including but not limited to: Exposed gas meters, hydrants, fire department connections are required to be protected by posts that comply with Section 312.2 or by other physical barriers that comply with Section 312.3.

REMARKS

The applicant is requesting Planned Unit Development approval to allow multiple buildings on a single building site and reduced parking.

The application was triggered by the discovery of multiple unpermitted dumpsters on the site, and the subsequent necessity to bring the site into compliance via the construction of new dumpster corrals, and the need for a new PUD approval.

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.

A PUD for the site was first approved by the Planning Commission at its August 19, 2005 meeting. Since that time, the shopping center was constructed and a majority of tenant spaces occupied. At some point tenants apparently had dumpsters placed behind their units, partially impeding (fire) access around the rear of the building, and not in compliance with Federal water quality requirements which necessitate the connection of dumpster pads to sanitary sewer lines. To accommodate the additional dumpsters, the applicant now wishes to expand an existing dumpster corral and add an additional dumpster corral, for a total of four corrals to contain 24 dumpsters.

There are 23 tenant spaces within the development, but 3 of the spaces are currently vacant. The tenant mix includes restaurants and retail uses, and the site currently has approximately 428 parking spaces. The expanded and new dumpster corrals will reduce the total amount of parking

available, leaving the site with 419 spaces: tenant space/use calculations provided with the application and in the narrative state that the site will consequently be 17 parking spaces short of the amount required based upon the existing and future tenant mix (includes the 3 vacant tenant spaces). The applicant, therefore, is requesting that the Planning Commission approve the proposed PUD with a reduced parking ratio: the applicant states that the parking area has never reached full capacity, even during peak holiday seasons.

Regarding the proposed dumpster corrals, it appears that their placement will not impede circulation, however, it appears that one of the corrals may reduce slightly the amount of landscape area along the Montlamar Drainage Canal, behind the property. There appears to be enough room to shift the corral a few feet to avoid any reduction in landscape area.

Regarding the proposed reduction in parking ratio, it would appear that this request is a self-imposed hardship. The applicant has apparently determined that 1 of the 3 vacant tenant spaces will be a restaurant, however, if the space were instead utilized for a retail or office use, there would no longer be a parking deficiency. The Planning Commission has no obligation to accommodate the parking ratio reduction request, as initial planning for the shopping center could have appropriately estimated a tenant mix. That being said, it would appear that there are likely sufficient number of parking spaces on the site to accommodate the existing and future tenants, given the nature of the existing tenants, and the likely nature of future tenants if this is to remain a higher-end shopping center. It is recommended, however, that no additional restaurants beyond the one remaining vacant tenant space be allowed at any point in the future.

It also appears that 7 new parallel parking spaces will be placed on the Northeastern driveway of the site. As scaled on the site plan, it appears that a 24 to 25 foot wide access aisle will remain between the proposed parking spaces and the building, however, review of staff photos of the site indicate that gas meters, roof downspouts, concrete door stoops and other utilities will somewhat encumber the access aisle, and rear doors to tenant spaces will open into the access aisle. These various issues along the rear of the structure will effectively narrow the access aisle width, and it has been a policy of Planning staff to advise against parking on any two-way access aisle that is less than 24-feet in width.

Finally, permits will be required to undertake construction of the dumpster corrals. The applicant should ensure that all appropriate permits are obtained.

RECOMMENDATION

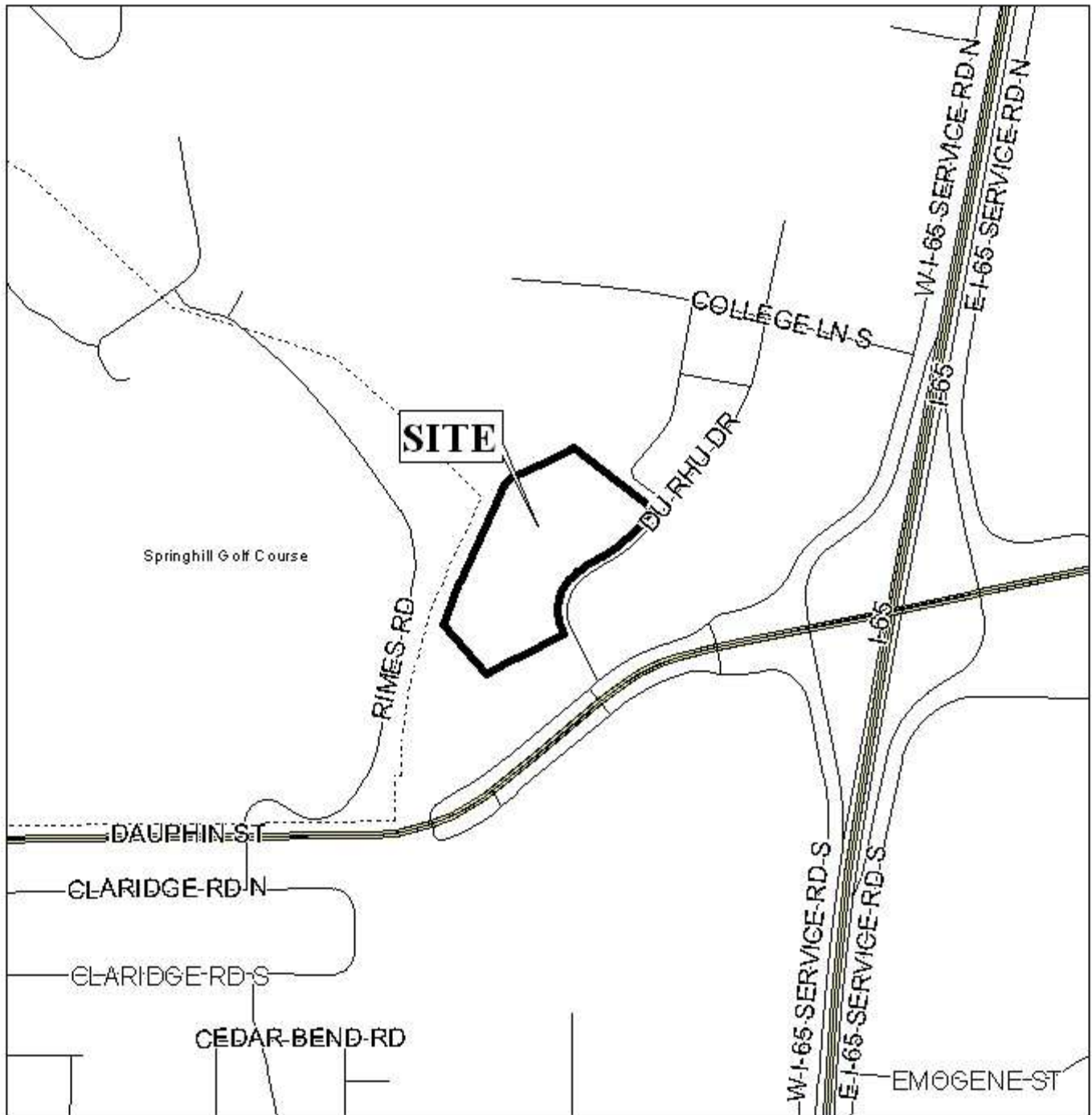
Planned Unit Development: Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) Revision of the PUD site plan to adjust any new dumpster corral so that there is no reduction in landscape area;
- 2) Placement of a note on the PUD site plan stating that there shall be no additional restaurant or similar uses requiring a 1 space per 100 gross square feet parking ratio – that all three remaining vacant tenant spaces must accommodate uses requiring a 1 space per 300 gross square foot parking ratio;
- 3) Elimination of the 7 parallel parking spaces depicted along the Northeastern driveway;
- 4) Compliance with Engineering comments (*1. The surface grading for the existing (and/or proposed) dumpster pad(s) must be minimized and directed to a surface drain that is*

connected to the Sanitary Sewer system. The drainage from any dumpster pads cannot discharge to storm sewer. 2. The proposed development will need to be in conformance with the Storm Water Management and Flood Control Ordinance.);

- 5) Compliance with Fire 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. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (503.2.1). Where a hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet, exclusive of shoulders. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (503.2.5). Anything vulnerable to vehicle impact including but not limited to: Exposed gas meters, hydrants, fire department connections are required to be protected by posts that comply with Section 312.2 or by other physical barriers that comply with Section 312.3.);*
- 6) Compliance with Traffic Engineering comments (*Parallel parking spaces should be 23' long for the interior spaces, 20' long for the unencumbered exterior spaces, and 8' wide. This will add 22' to the total length for the 7 proposed spaces. Truck circulation may be adversely affected if the space is extended to the northwest, and the aisle width will be adversely affected if the space is extended to the southeast. A reduction to six parallel spaces may be necessary.);*
- 7) Submission of a revised PUD site plan to the Planning Section of Urban Development prior to any request for permits to undertake site modification; and
- 8) Full compliance with all other municipal codes and ordinances, including the securing of all necessary permits.

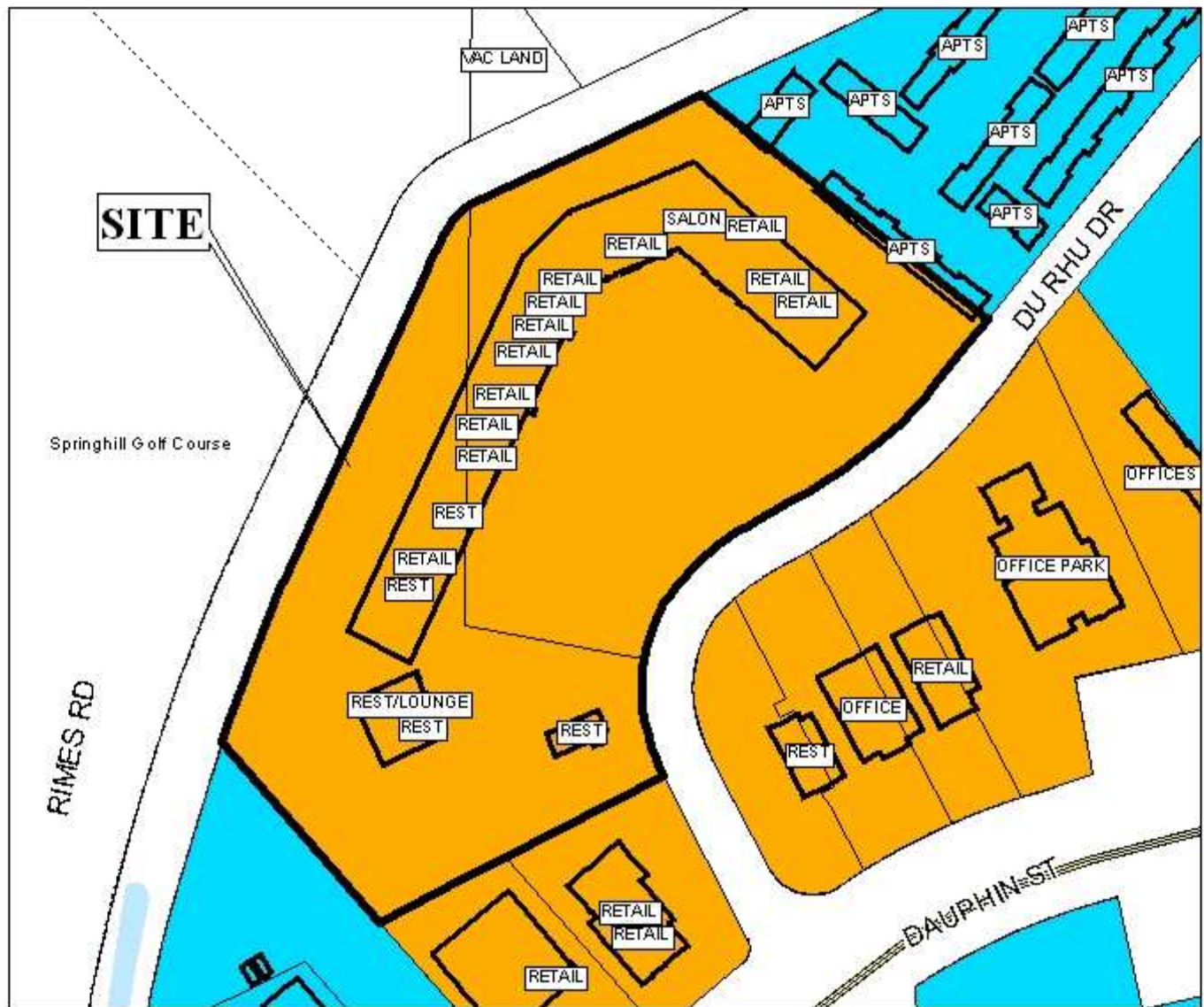
LOCATOR MAP



APPLICATION NUMBER 10 DATE April 19, 2012
APPLICANT LVRC LLC
REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Apartments are located to the north of the site. Businesses are located to the east and south of the site. A golf course is located to the west of the site.

APPLICATION NUMBER 10 DATE April 19, 2012

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LEGEND

R-1	R-2	R-3	R-A	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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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

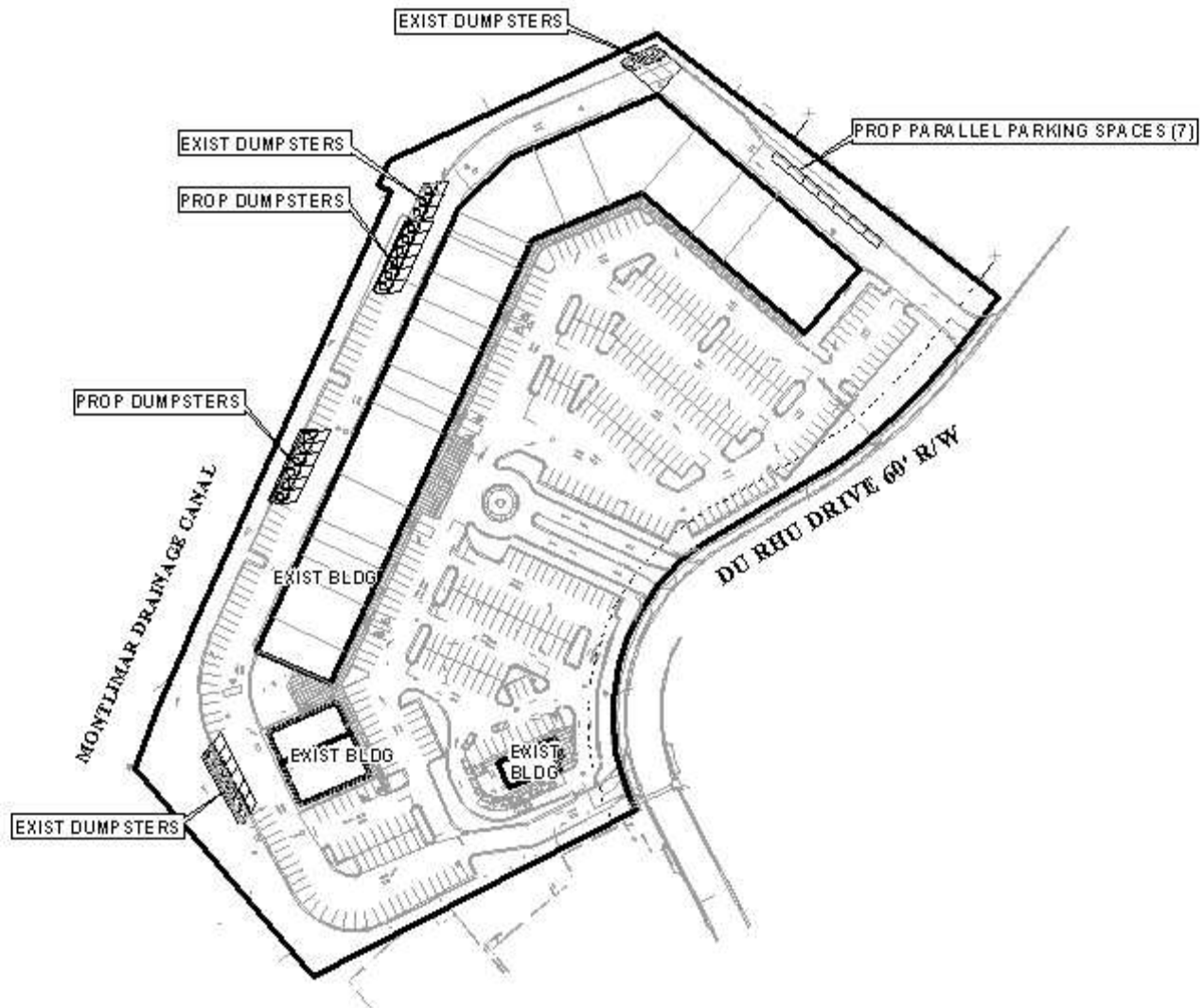


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N
NTS

SITE PLAN



The site plan illustrates the existing retail development, proposed dumpster locations, and proposed parking spaces.

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N
 NTS