



Agenda Item #: 12

SUB-SW-002553-2023 & MOD-002552-2023

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration – Sidewalk Waiver](#)

[Applicant Materials for Consideration – PUD Modification](#)

DETAILS

Location:

3220 Airport Boulevard

Subdivision Name (as applicable):

Springdale Mall Subdivision

Applicant / Agent (as applicable):

Basin Engineering & Surveying

Property Owner:

Brixmor GA Springdale/Mobile Limited Partnership

Current Zoning:

B-3, Community Business Suburban District

Proposed Zoning (as applicable):

Not applicable

Future Land Use:

District Center

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan
- Complete Streets Policy

Schedule for Development (as applicable):

- Not Applicable

Proposal:

- Waive the construction of a sidewalk along Airport Boulevard
- Modification of a previously approved Planned Unit Development

Commission Considerations:

1. Sidewalk Waiver request
2. Modification of a previously approved Planned Unit Development with seventeen (17) conditions.


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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER <u> 12 </u> DATE <u> July 20, 2023 </u>	 NTS
APPLICANT <u> Springdale Mall Subdivision </u>	
REQUEST <u> Sidewalk Waiver, PUD Modification </u>	

SITE HISTORY

Since 1986 the site has been the subject of various Subdivision and Planned Unit Development (PUD) approvals. A Sidewalk Waiver was granted in 2004 to waive construction of a sidewalk along East I-65 Service Road South. In 2006 and 2020, variances were approved to allow additional signage on the site, and to allow informational signs larger than 20 square feet, respectively. Most recently, in 2021, the Planning Commission approved an 11-lot subdivision of the site, as well as an amendment to the existing PUD to allow shared access and parking between multiple building sites, and to modify a previously approved sign package for the development.

STAFF COMMENTS

Engineering Comments:

Sidewalk Waiver

It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

Modification of Planned Unit Development

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

1. Any work performed in the existing Public 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 Permitting Department (251-208-6070) 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 and paving 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. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
5. 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.
6. 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.
7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-3-12 of the City's Unified Development Code.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites 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 (2021 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

Sidewalk Waiver

The subject site consists of Lot 11 of Springdale Mall Subdivision. The applicant proposes to re-develop a portion of the property with a drive-thru coffee shop. Re-development of the site requires a sidewalk to be provided within the public right-of-way. The applicant is requesting to waive construction of a sidewalk along its frontage on Airport Boulevard.

The applicant's comments are available via the link on Page 1 of this report. In summary, the applicant states that the existing mall sign discourages sidewalk installation and that there are no adjoining sidewalks along Airport Boulevard at this location.

The Engineering comments suggest that a sidewalk can be constructed along Airport Boulevard.

Planned Unit Development Modification

The site plan depicts re-development of a portion of Lot 11 of Springdale Mall Subdivision for use as a drive-thru coffee shop. The site will be accessed through Lot 4 of the subdivision, which surrounds the property. One (1) 510 square-foot building is proposed, along with a canopy, a stand-alone walk-in cooler, a dumpster pad and enclosure, and two (2) drive-thru lanes.

Off-street parking is illustrated, but no required parking calculations are provided. Two (2) parking spaces are required per Table 64-3-12.1 of the Unified Development Code (UDC), and more than enough parking is illustrated; however, a table should be placed on a revised site plan with the amount of required parking and the amount of parking provided. Also, re-development of the site requires the provision of parking lot lighting, which must meet the illumination standards of Section 64-3-9.C. A photometric plan will be required at the time of permitting to verify the site will comply with these requirements.

Two (2) bicycle parking spaces are required and must meet the standards of Section 64-3-12.A.9. Compliance with these requirements should be illustrated on a revised site plan.

Additionally, one (1) small off-street loading space is required per Section 64-3-12.B. and should be illustrated on the revised site plan.

No pedestrian walkway is illustrated connecting the building to a public sidewalk. The site needs to meet the pedestrian walkway requirements of Section 64-3-3 of Article 3 of the UDC, unless the request for a Sidewalk Waiver is approved.

No elevation drawings were provided as part of this application, but it should be noted that the proposed building will need to include at least one feature from each of the following design categories, the details of which are found in Section 64-3-6 of Article 3 of the UDC: 1) Site Frontage; 2) Building Form – Height; 3) Building Form – Wall; and, 4) Architectural Feature.

In addition to approval of the PUD modification, the applicant is seeking relief from the UDC to allow reduced landscape area. The applicant provided a narrative regarding the request, which can be viewed using the link to the application materials provided on the first page of this report. Their concern for planting a compliant amount of landscaping centers on how doing so would impact existing site improvements and traffic circulation.

Section 64-2-14.E. of the UDC requires 7,668± square feet (15%) of the site to be landscaped, 4,601± square feet (60%) of which is required to be planted between the street-facing property line and any building wall(s) facing the street. The applicant proposes to plant a total of 5,477 square feet of landscaping, 1,500 square feet of which will be front landscape area (10% of the site, and 32% of the required amount of frontage landscaping). The site is currently paved, with the exception of a few trees. The Planning Commission may consider alternative ways the site could meet the intent of the UDC's landscaping requirements, such as alternative parking lot surfacing, additional tree plantings, etc. If the request is not approved, revision of the site plan will be required to show compliance with the minimum landscape area standards.

Tree plantings are proposed and meet the minimum requirements regarding the number of tree plantings, but the area, dimensional, and canopy standards of Section 64-3-7 for each tree are not illustrated. Furthermore, it's unclear if some trees that are proposed to be planted on adjacent property are being counted toward tree planting requirements for the site. No off-site trees or landscape area can be applied to the site's tree and landscape planting requirements. A tree and landscape area plan will be required at the time of permitting, and it must illustrate compliance with these provisions.

It should be noted that maintenance of all tree plantings and landscape area is the responsibility of the property owner. As such, the property owner is required to sign the tree and landscape plan acknowledging these requirements; or, the applicant may submit a notarized letter signed by the property owner with the same information.

A dumpster pad is illustrated on the site plan, and it appears it will be enclosed. Nevertheless, a note should be placed on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC.

One (1) 10-foot water and sewer easement is illustrated along Airport Boulevard, and another 10-foot water and sewer easement is illustrated across a portion of the site, parallel to the easement along Airport Boulevard. One (1) of the easements is incorrectly labeled as "10' ROW Agreement," and should be corrected on the revised site

plan. A note should also be placed on the revised site plan stating no structures shall be built in any easement without permission from the easement holder.

No signage is depicted on the site plan, and no information regarding signage was provided to staff for review. All proposed signage for the site requires separate reviews by, and permits from, the Planning and Zoning Department. Illuminated signage also requires its design and construction to be completed by a licensed and bonded sign contractor, along with additional Electrical Permits from the Permitting Department.

In compliance with Traffic Engineering comments, the number of driveways, their sizes, locations, and designs are to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-3-12 of the City's Unified Development Code. A note should be placed on the revised site plan stating these comments.

Any future development or redevelopment of the lot may require additional modification of the PUD to be approved by the Planning Commission and City Council. A note stating as much should be placed on a revised site plan.

A revised Modified Planned Unit Development site plan (hard copy and pdf) should be submitted to and approved by Planning and Zoning prior to recording the plan in Probate Court, as required by Section 64-5-8-B.2(f).

SIDEWALK WAIVER CONSIDERATIONS

Standards of Review:

The Mobile City Council adopted a "complete streets" policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities.

Sidewalks are typically encouraged, even in industrial developments, although the appropriateness of sidewalks should also take into account the existing infrastructure in the area, i.e., does the construction of the existing roadway safely allow for a sidewalk to be utilized.

Considerations:

In rendering a decision, the Planning Commission should evaluate the following factors:

1. The City of Mobile Complete Streets Policy which supports the design and construction of streets for all users, including pedestrians; and
2. The existing infrastructure in the area, such as adequate room for construction of a sidewalk, as well as connectivity to existing sidewalks.

PLANNED UNIT DEVELOPMENT MODIFICATION CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-8-B.(5) states the following concerning Planned Unit Development Modifications:

Approval Criteria. The Planning Commission shall not recommend a major modification for approval, and the City Council shall not approve the modification, unless the proposed modification:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:
 - a. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - b. Includes adequate public facilities and utilities;
5. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
6. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
7. Shall not be detrimental or endanger the public health, safety or general welfare.
8. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

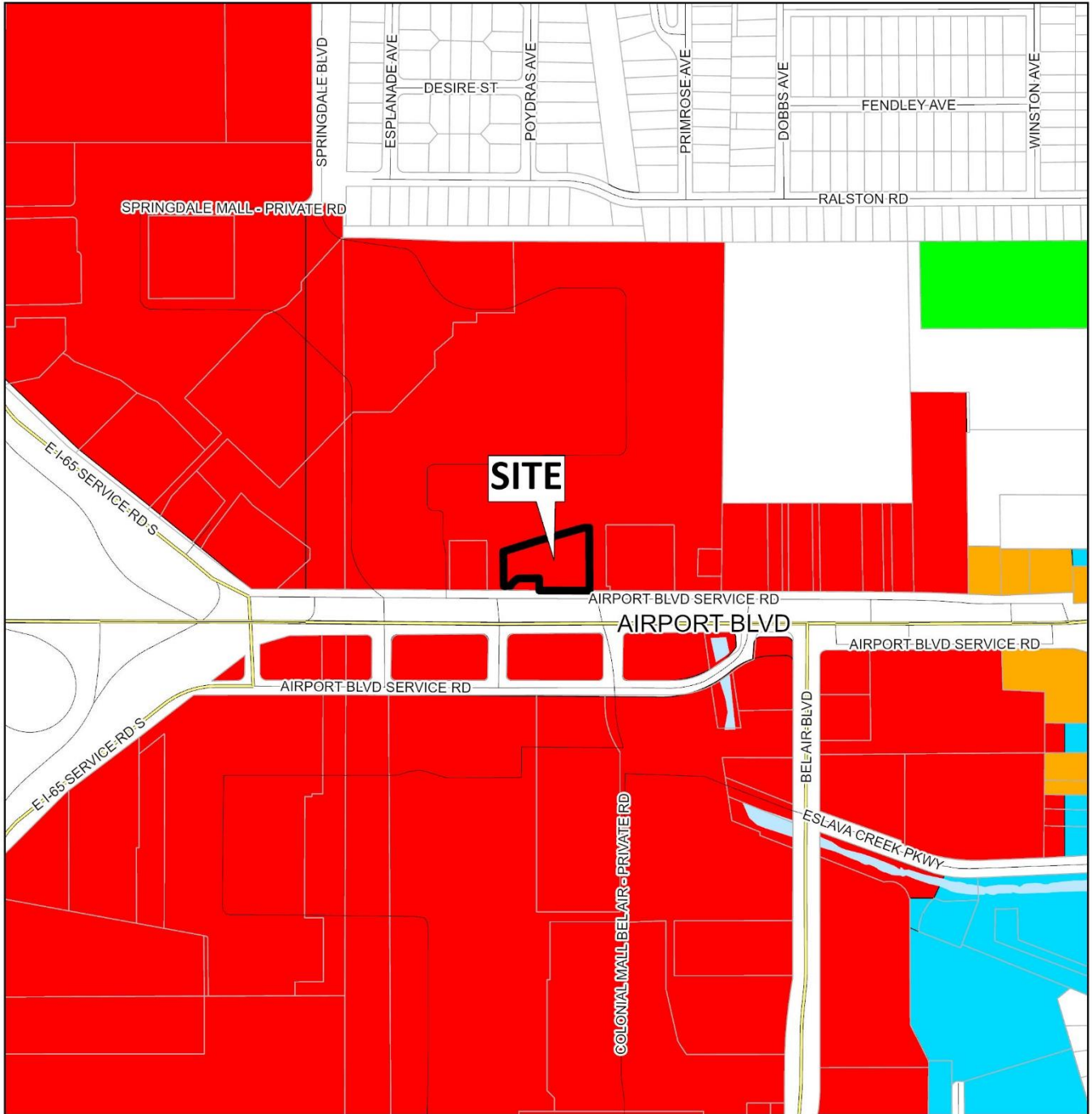
Considerations:

If the Planning Commission considers a recommendation of approval of the Modified Planned Unit Development, the following conditions could apply:

1. Provision of the required parking calculations on a revised site plan;
2. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
3. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
4. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3-12.B;
5. Revision of the site plan to illustrate compliance with the on-site pedestrian safety standards of Section 64-3-3;
6. Provision of a revised tree and landscape plan at the time of permitting illustrating compliance with the City Council's decision, or in compliance with Section 64-3-7;
7. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
8. Revision of the site plan to correct the label for the water and sewer easement;

9. Provision of a note on the site plan stating no structures shall be constructed in any easement without permission from the easement holder;
10. Provision of a note on the site plan stating future development or development of the site may require additional modification of the PUD to be reviewed by the Planning Commission and City Council;
11. Compliance with all Engineering comments noted in this staff report;
12. Compliance with all Engineering comments noted in this staff report;
13. Compliance with all Traffic Engineering comments noted in this staff report;
14. Compliance with all Urban Forestry comments noted in this staff report;
15. Compliance with all Fire Department comments noted in this staff report;
16. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
17. Full compliance with all municipal codes and ordinances.

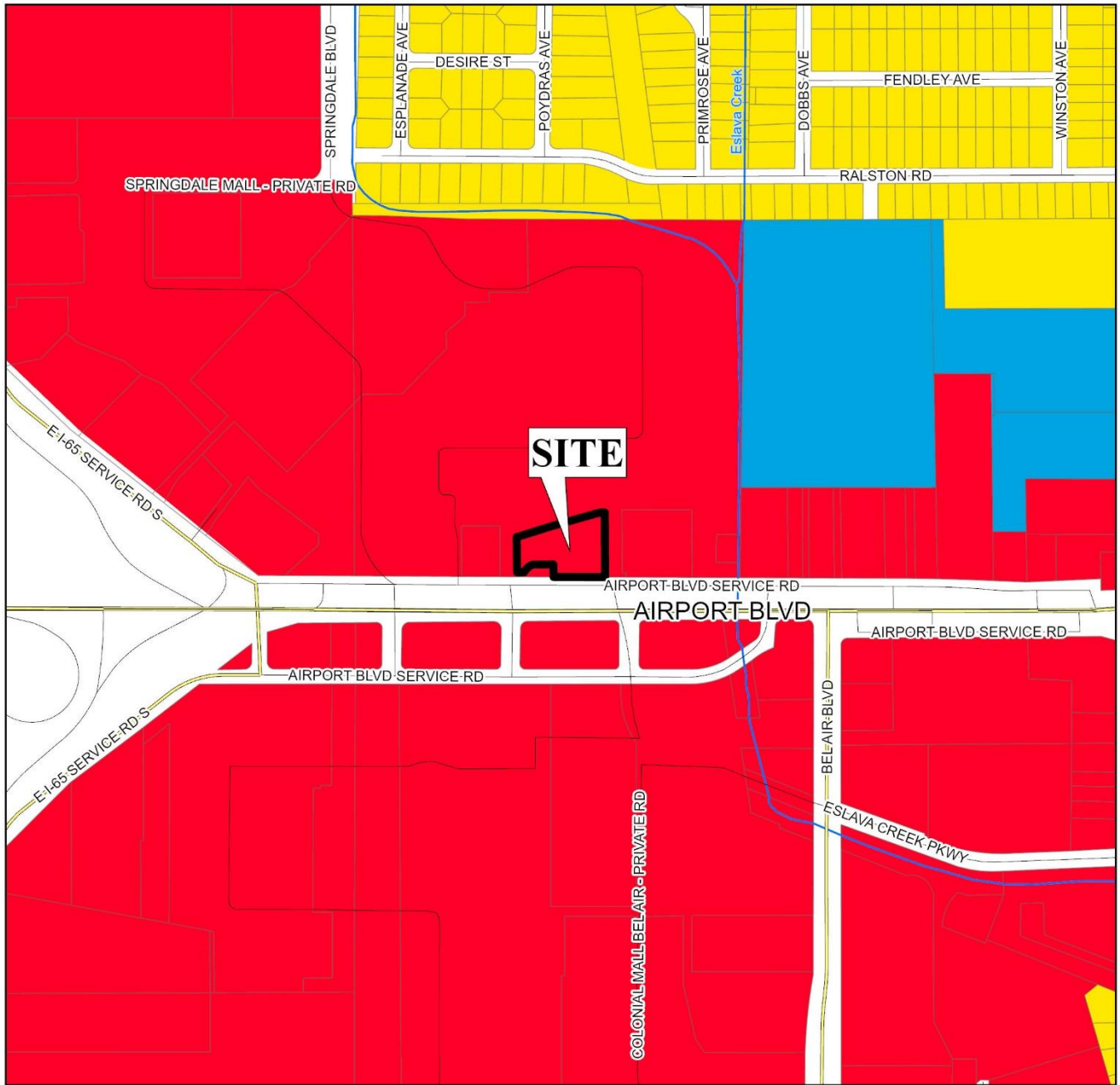
LOCATOR ZONING MAP



APPLICATION NUMBER	12	DATE	July 20, 2023
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FLUM LOCATOR MAP



APPLICATION NUMBER 12 DATE July 20, 2023

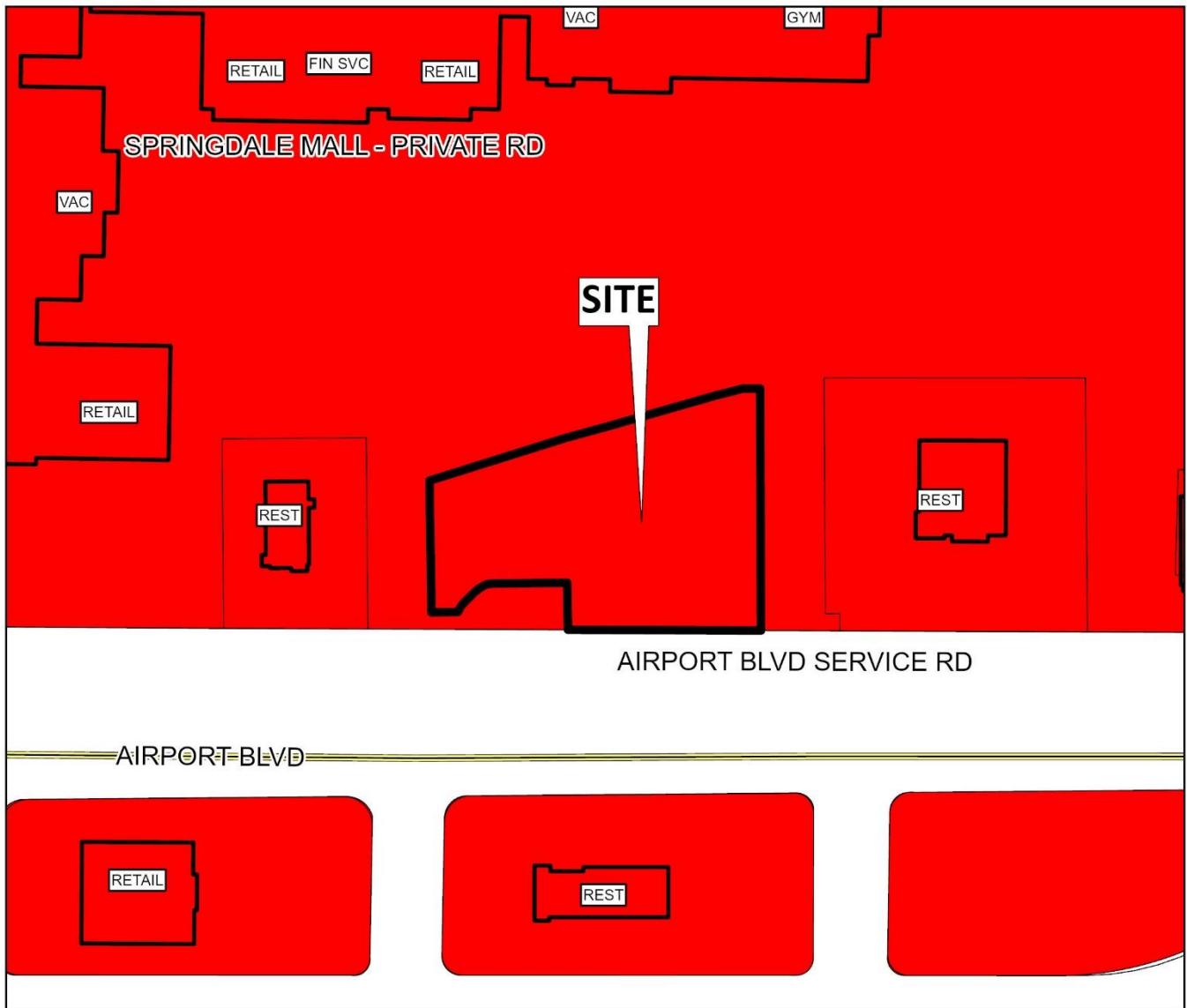
APPLICANT Springdale Mall Subdivision

REQUEST Sidewalk Waiver, PUD Modification

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



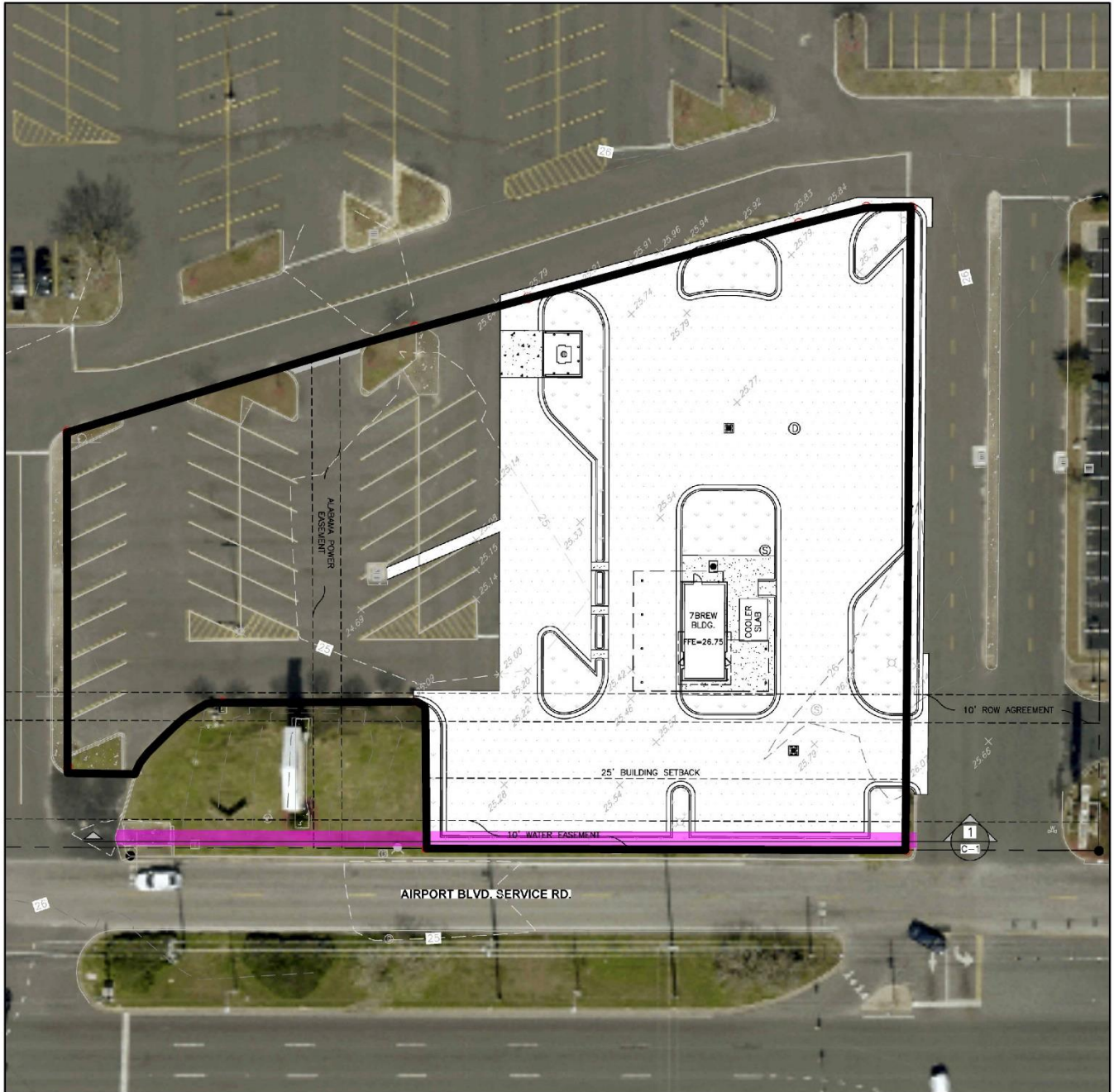
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> T-B</td> <td> B-2</td> <td> B-5</td> <td> MUN</td> <td> SD-WH</td> <td> T5.1</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> B-1</td> <td> B-3</td> <td> I-1</td> <td> OPEN</td> <td> T3</td> <td> T5.2</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> I-2</td> <td> SD</td> <td> T4</td> <td> T6</td> </tr> </table>	 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	
 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																		

SIDEWALK WAIVER SITE PLAN



APPLICATION NUMBER 12 DATE July 20, 2023

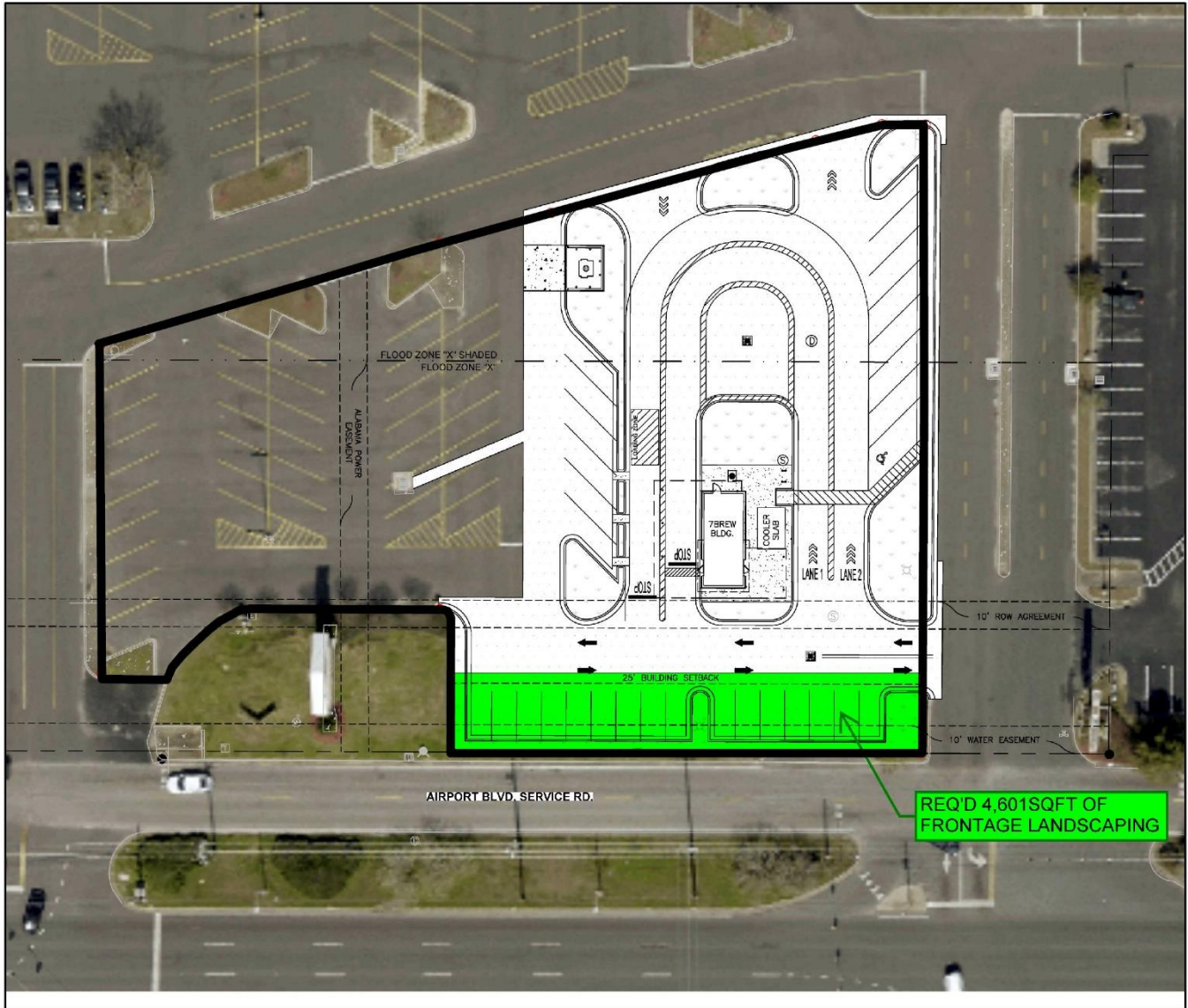
APPLICANT Springdale Mall Subdivision

REQUEST Sidewalk Waiver, PUD Modification



NTS

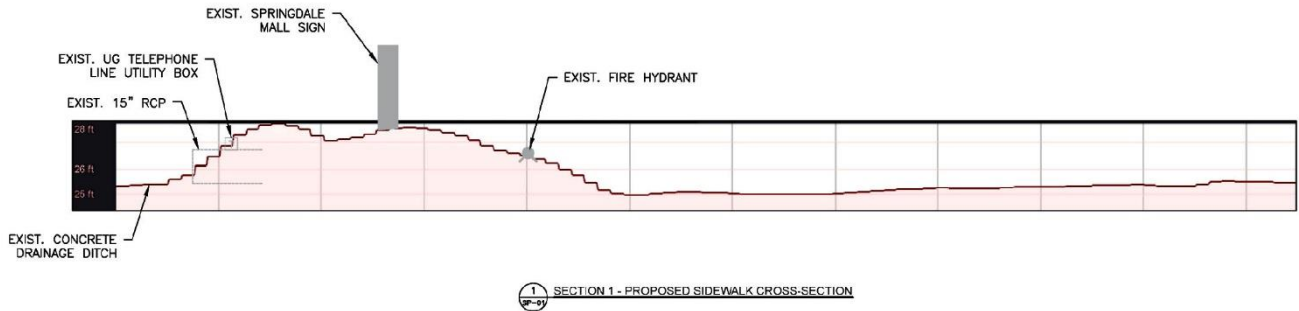
PUD SITE PLAN



The site plan illustrates the proposed buildings, drive through lanes, and parking.

APPLICATION NUMBER <u>12</u> DATE <u>July 20, 2023</u>	N NTS
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DETAIL SITE PLAN



APPLICATION NUMBER 12 DATE July 20, 2023

APPLICANT Springdale Mall Subdivision

REQUEST Sidewalk Waiver, PUD Modification



ZONING DISTRICT CORRESPONDENCE MATRIX			LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1		■				■		■					□		
TWO-FAMILY RESIDENCE	R-2		■				■		■					□	○	
MULTIPLE-FAMILY	R-3		○	■			■	■	■					□	○	
RESIDENTIAL-BUSINESS	R-B			○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B			○		■	■	■	■					□	○	
HISTORIC BUSINESS	H-B				■		■		■					□		
VILLAGE CENTER	TCD						■	■						□		
NEIGH. CENTER	TCD						■	■						□		
NEIGH. GENERAL	TCD						■							□		
DOWNTOWN DEV. DDD	T-6				■									□		
DOWNTOWN DEV. DDD	T-5.1				■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2				■		■							□		
DOWNTOWN DEV. DDD	T-4				■		■		□					□		
DOWNTOWN DEV. DDD	T-3				■		■							□		
DOWNTOWN DEV. DDD	SD-WH										○	○		□		
DOWNTOWN DEV. DD	SD		○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1			□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2			○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2			○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■					■			○	□	○	
GEN. BUSINESS	B-4				■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5									■	■			□	□	
LIGHT INDUSTRY	I-1										■			□	□	□
HEAVY INDUSTRY	I-2											■		□	□	□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)



DISTRICT CENTER (DC)

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 du/ac) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers 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.