

**PLANNED UNIT DEVELOPMENT
STAFF REPORT****Date: November 5, 2015****DEVELOPMENT NAME**

D & M Properties, LLC

LOCATION5721 U.S. Highway 90 West
(East side of U.S. Highway 90 West, 330'± South of
Plantation Road).**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONINGB-3, Community Business District
I-2, Heavy Industrial District**AREA OF PROPERTY**

2 Lots / 14.4± Acres

CONTEMPLATED USEPlanned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
multiple buildings on a single building site and shared
access between two separate lots.**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

**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. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 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.
5. 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.

The proposed development must comply with all Engineering Department design requirements and Policy Letters.

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 61-929 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)

REMARKS

The applicant is requesting Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and shared access between two separate lots.

The business located on Lot B is proposing the addition of a new 6,000 square foot building. The site was the subject of a previously approved Planned Unit Development due to shared access with an adjacent site and multiple buildings on Lot B. The subject site previously received Subdivision, Planned Unit Development, and Rezoning approval at the December 6, 2012 meeting of the Planning Commission, and revised Planned Unit Development on October 3, 2013 and July 9, 2015. The purpose of the current application is seeking to remove a previous condition of approval limiting the site's hours of operation to 7:00 AM – 8:00 PM, with the vibration equipment only to be utilized between 3:00 PM and 5:00 PM.

The condition limiting the hours of operation was the result of a neighboring resident expressing concern about noise and vibration levels associated with the operation of the existing concrete manufacturing business. The applicant hired Southern Earth Sciences to monitor vibration and noise, and also had the Occupational Safety and Health Administration (OSHA) perform noise testing at the site. According to documentation submitted by the applicant, the noise and vibration levels measured at the site are below the "Threshold of Annoyance" as determined by

the Department of Transportation, and below the “Action Level” determined by OSHA. Based on this information, vibration and noise levels are not such as they would prevent the nearby residents from enjoying their property, and therefore it may be appropriate to remove or modify the condition limiting hours of operation for the site.

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.

The previously approved Planned Unit Development requires a 10’ protection buffer from all adjacent R-1, Single-Family Residential properties as well as a 6’ high privacy fence. The currently proposed site plan illustrates compliance with both of these conditions.

The site plan provides landscaping information and illustrates tree plantings that comply with the previously approved Planned Unit Development requirements.

The previously approved site plan contained a note stating that curbside trash pickup will be utilized for each lot as appropriate, and the currently proposed site plan states the same.

RECOMMENDATION

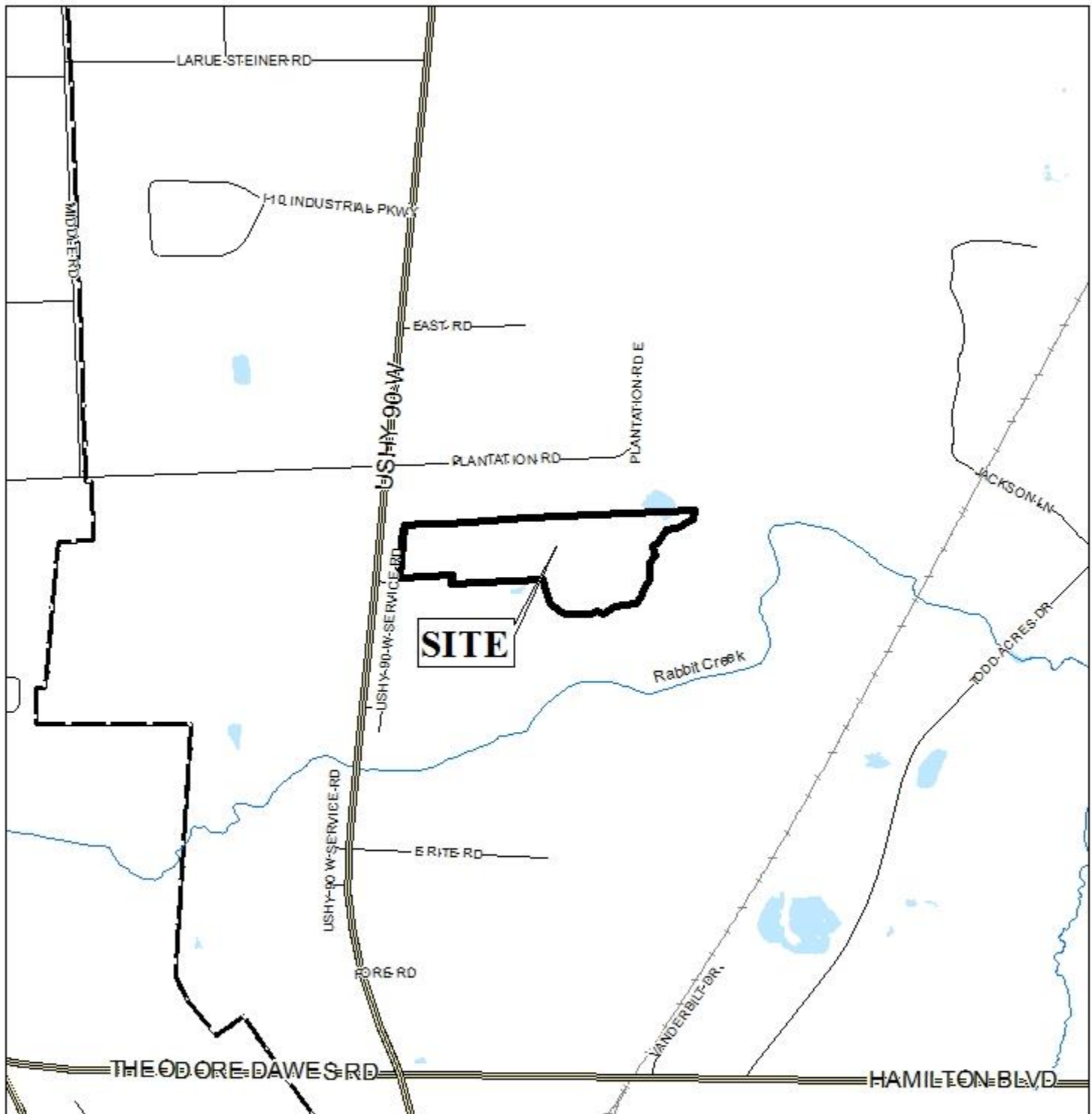
Based upon the preceding, this application is recommended for Approval, subject to the following:

- 1) compliance with 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. The detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the*

construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). 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. 5. 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. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);

- 2) compliance with 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).);*
- 3) compliance with Fire 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) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC));*
- 4) obtain all necessary land disturbance and building permits; and
- 5) full compliance with all municipal codes and ordinances.

LOCATOR MAP



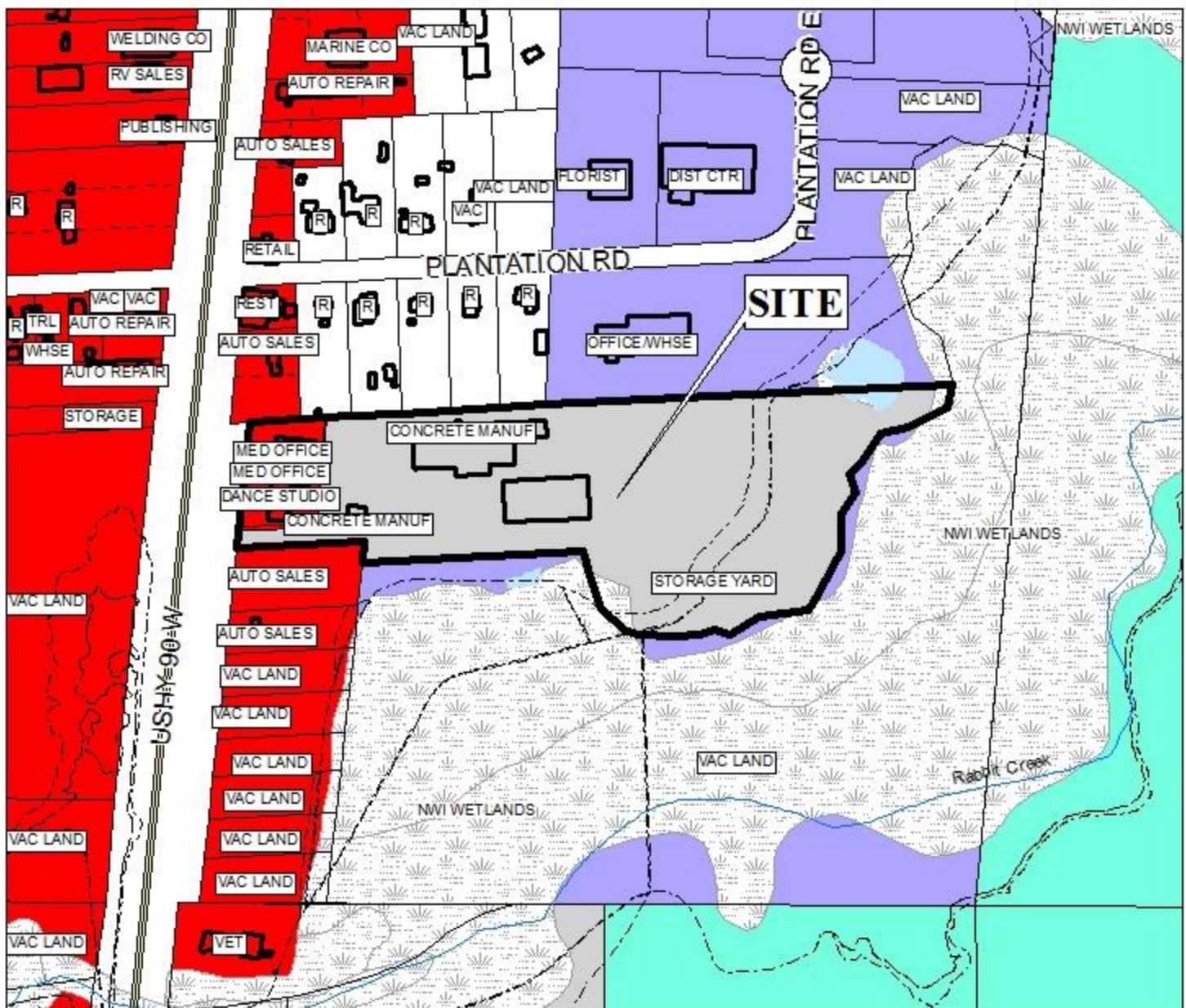
APPLICATION NUMBER 12 DATE November 5, 2015

APPLICANT D & M Properties, LLC

REQUEST Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous land uses.

APPLICATION NUMBER 12 DATE November 5, 2015
 APPLICANT D & M Properties, LLC
 REQUEST Planned Unit Development

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



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous land uses.

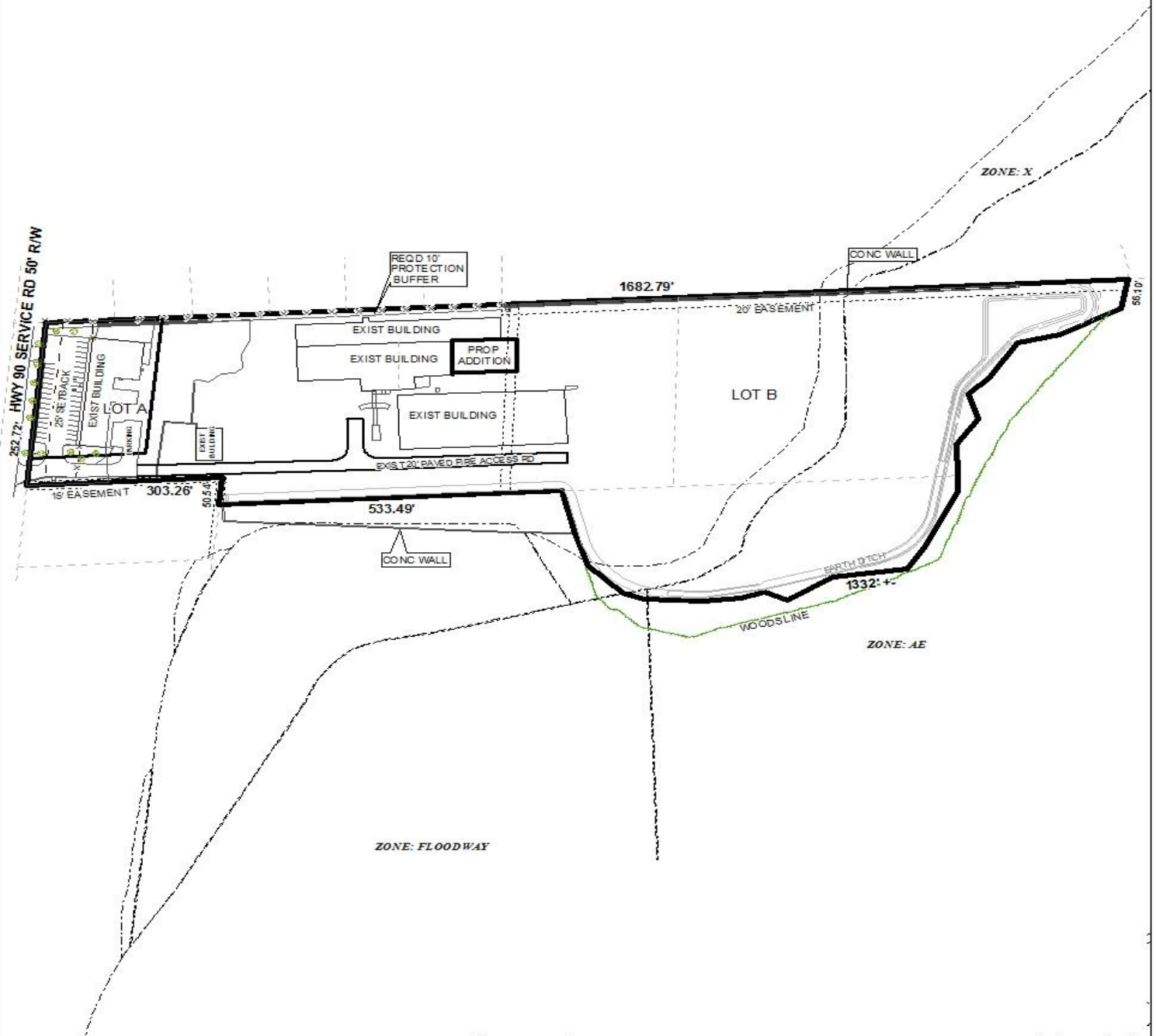
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SITE PLAN



The site plan illustrates the existing buildings, the proposed addition, trees, setback, easements, and parking.

APPLICATION NUMBER 12 DATE November 5, 2015

APPLICANT D & M Properties, LLC

REQUEST Planned Unit Development



NTS