

**PLANNED UNIT DEVELOPMENT  
& SUBDIVISION STAFF REPORT****Date: December 18, 2008****DEVELOPMENT NAME**

Benny Chinnis

**SUBDIVISION NAME**

Papa John's Subdivision

**LOCATION**5401 Cottage Hill Road  
(Southwest corner of Cottage Hill Road and Vivian Drive)**CITY COUNCIL  
DISTRICT**

District 4

**PRESENT  
ZONING DISTRICT**

B-2, Neighborhood Business

**AREA OF PROPERTY**

2 lot / 1.1± acres

**CONTEMPLATED USE**

Planned Unit Development Approval to allow shared access between two building sites, and Subdivision Approval to reconfigure two existing legal lots of record.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate

**ENGINEERING  
COMMENTS**

Need to provide a private drainage easement along the south end of proposed Lot 1 to accept drainage from proposed Lot 2. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet.

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering 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).

**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 shared access between two building sites, and Subdivision Approval to reconfigure two existing legal lots of record. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer facilities.

The subdivision application was held over at the November 20<sup>th</sup> meeting to allow the applicant to submit a Planned Unit Development application for shared access and parking.

To the North, the site fronts Cottage Hill Road, a major street with sufficient right-of-way. To the East, it fronts Vivian Drive, a minor street with 50' right-of-way. Section V.B.14. of the Subdivision Regulations requires that minor streets without curb and gutter have a minimum 60' right-of-way, which the applicant has accommodated with a five foot widening strip. However, it is recommended that the applicant label the widening strip as being dedicated to the City of Mobile prior to signing the final plat.

Lot 1 has approximately 255' of frontage, currently with an open continuous curb cut, along Vivian Drive. As illustrated on the site plan, the applicant is replacing this continuous curb cut with landscaping and providing two standard curb cuts to Vivian Drive. The exact sizes, locations, and designs of the proposed curb cuts will have to be approved by Traffic Engineering and conform to AASHTO standards. Furthermore, as Cottage Hill Road is a major street, the subdivision shall be limited to one curb cut to Cottage Hill Road, which is to be shared by the two lots.

As illustrated (with acreage) on the plat / site plan, the lots meet the minimum size requirement for developments with access to public water and sewer; however, it recommended that the applicant revise the plat / site plan to label the lots with their sizes in square feet (in addition to acreage), or provide a table on the plat with the same information.

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.

It is very important to note that Planned Unit Development review is site plan specific; therefore any future changes (parking, structure expansion, etc.,) must be resubmitted for Planned Unit Development review, and be approved through the planning process.

The site plan illustrates the shared parking and access from both Cottage Hill Road and Vivian Drive. The applicant has demolished a portion of the existing structure, thereby creating two separate buildings (4,211 and 4,939 square feet). According to the applicant, the uses of these buildings will be a combination of office space and automotive maintenance, all requiring one parking space for every 300' of gross floor area (31 are required for entire site; 53 are provided). Thus, site plan is in compliance with Section 64-6 of the Zoning Ordinance; however, it is recommended that the applicant revise the site plan to include information regarding the uses of the site.

As already mentioned, the applicant is replacing the continuous curb cut along Vivian Drive with landscaping. As no construction is proposed, no additional landscaping and tree planting will be required. However, it should be noted that upon any additional construction/demolition, full compliance with Section with 64-4.D.3 of the Zoning Ordinance will be required.

The site abuts residentially zoned property to the South and directly across Vivian Street to the East. As required by Section 64-4 of the Zoning Ordinance, the applicant is providing a 10' buffer strip with a 6' privacy fence along the southern boundary; however, it should be no taller than 3' within the 25' setback line from Vivian Drive, and the applicant should revise the site plan accordingly. Also provided is a three foot hedge along Vivian Drive where across from residentially zoned property. Furthermore, as required by Section 64-6.A.3.c of the Zoning Ordinance, any lighting for the parking lot shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic.

There is no indication on the site plan as to the proposed location of any dumpster or other waste storage facility. The location of the storage area for the dumpster must be illustrated on the site plan and labeled, and the location and required screening must comply with Section 64-4.D.9. of the Zoning Ordinance, as well as with all other applicable regulations.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

## **RECOMMENDATION**

**Subdivision:** Based upon the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) labeling of the five foot widening strip, along Vivian Drive, as being dedicated to the City of Mobile;
- 2) closing of the continuous curb cut along Vivian Drive;
- 3) placement of a note on the final plat stating that Lot 1 is limited to two curb-cuts onto Vivian Drive, with the sizes, designs and locations to be approved by Traffic Engineering and in conformance with AASHTO Standards;

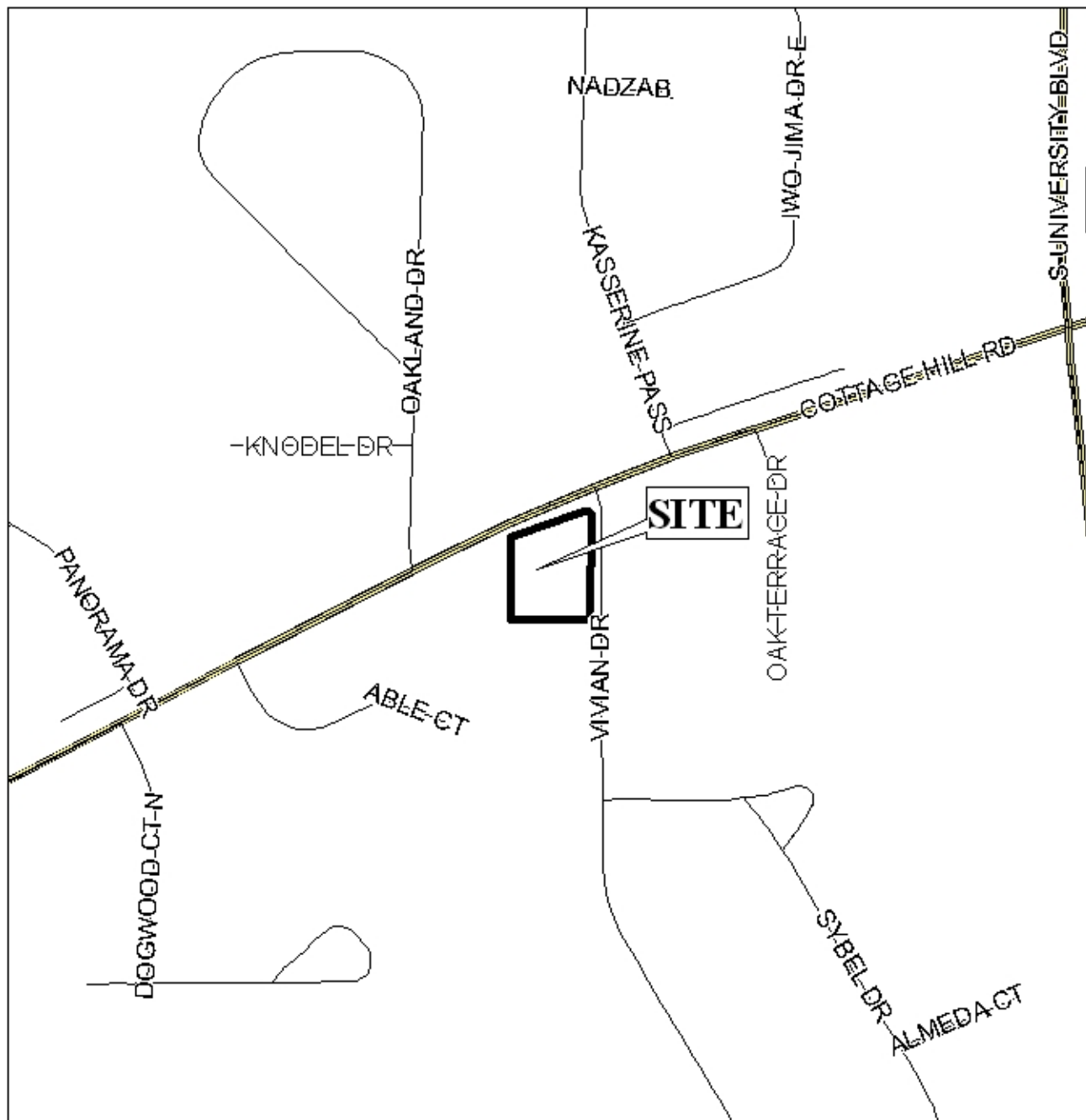
- 4) placement of a note on the final plat stating that the subdivision is limited to the one existing curb cut to Cottage Hill Road, which is to be shared by the two lots;
- 5) labeling of the lots with their sizes in square feet (in addition to acreage), or the provision of table on the plat with the same information;
- 6) placement of a note on the plat stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 7) submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to signing the final plat; and
- 8) subject to Engineering comments: *(Need to provide a private drainage easement along the south end of proposed Lot 1 to accept drainage from proposed Lot 2. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet).*

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

- 1) completion of the subdivision process;
- 2) placement of a note on the site plan stating that Planned Unit Development review is site plan specific; therefore any future changes (parking, structure expansion, etc.,) must be resubmitted for Planned Unit Development review, and be approved through the planning process;
- 3) labeling of the five foot widening strip, along Vivian Drive, as being dedicated to the City of Mobile;
- 4) placement of a note on the site plan stating that Lot 1 is limited to two curb-cuts onto Vivian Drive, with the sizes, designs and locations to be approved by Traffic Engineering and in conformance with AASHTO Standards;
- 5) placement of a note on the site plan stating that the subdivision is limited to the one existing curb cut to Cottage Hill Road, which is to be shared by the two lots;
- 6) revision of the site plan to include information regarding the uses of the site;
- 7) revision of the privacy fence, along the Southern property line, to no taller than three feet within the 25' minimum building setback from Vivian Drive;
- 8) placement of a note on the site plan stating that any lighting for the parking lot shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic, as required by Section 64-6.A.3.c of the Zoning Ordinance;
- 9) provision of a dumpster, screened from view and in compliance with Section 64-4.D.9 of the Zoning Ordinance, or placement of a note on the site plan stating that no dumpster will be provided;
- 10) placement of a note on the site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 11) submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to signing the final plat;
- 12) full compliance with all other municipal codes and ordinances; and

- 13) subject to Engineering comments: *(Need to provide a private drainage easement along the south end of proposed Lot 1 to accept drainage from proposed Lot 2. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet).*

## LOCATOR MAP



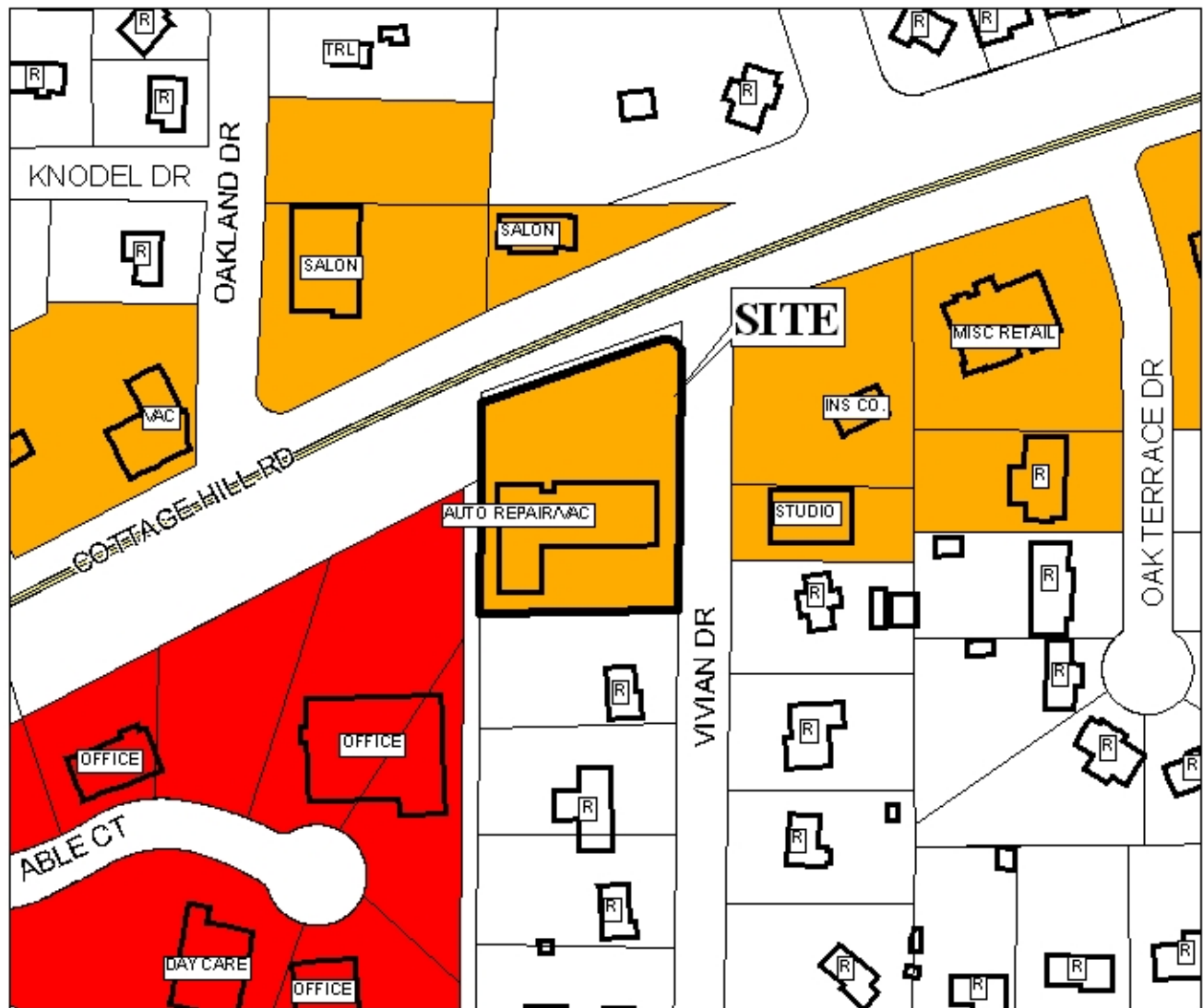
APPLICATION NUMBER 15 & 16 DATE December 18, 2008

APPLICANT Papa John's Subdivision

REQUEST Subdivision, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential land use

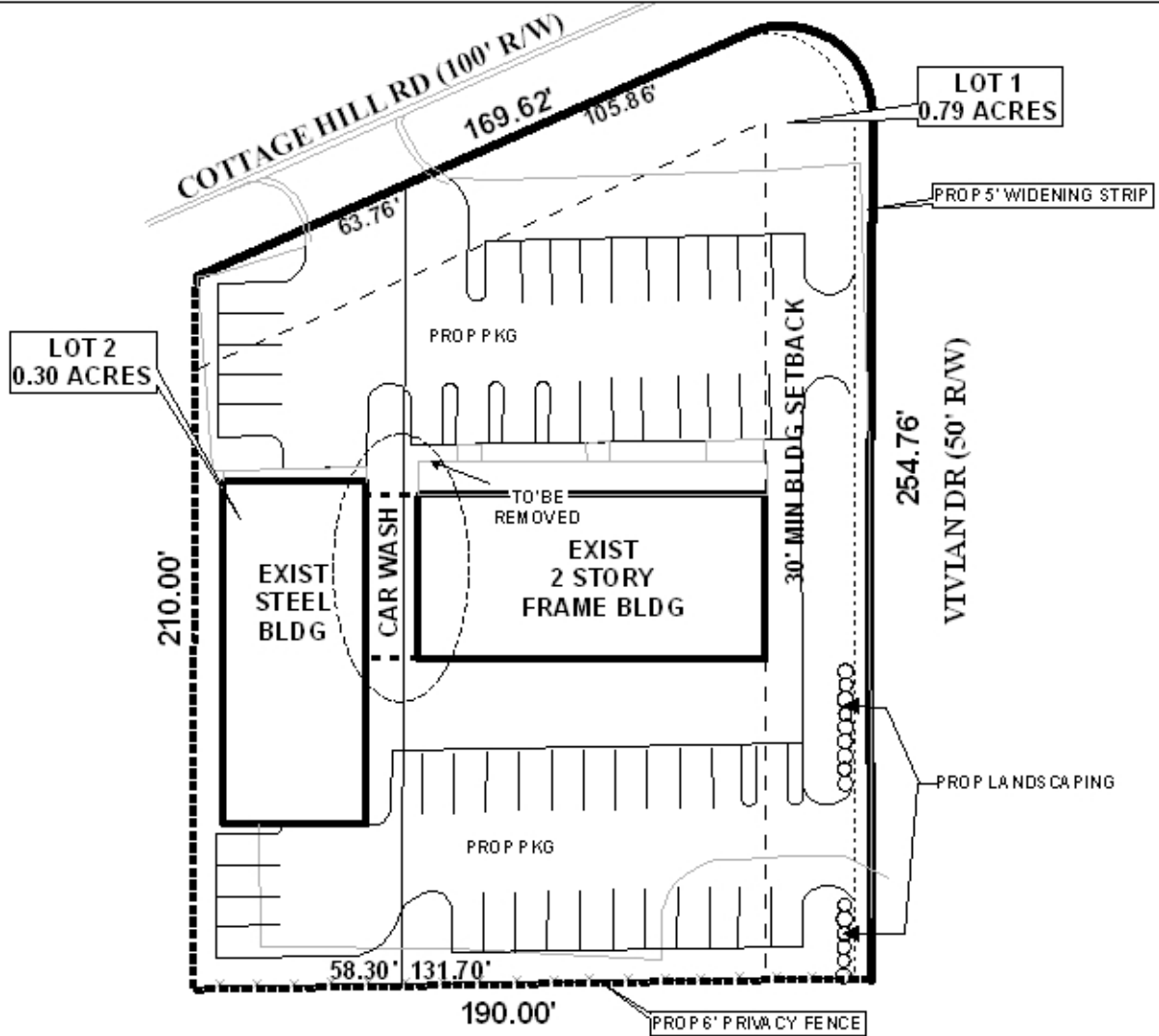
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LEGEND NTS

# SITE PLAN



The site plan illustrates the existing buildings, proposed parking, and proposed building to be removed

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NTS