

**PLANNED UNIT DEVELOPMENT &  
SIDEWALK WAIVER REQUEST  
STAFF REPORT**

**Date: December 18, 2014**

<b><u>NAME</u></b>	R&R Group Holdings, LLC / Ivan Blackmon
<b><u>LOCATION</u></b>	7765 Airport Boulevard and 425 Schillinger Road South (Southeast corner of Airport Boulevard and Schillinger Road South, extending to the North side of Thomas Road)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 6
<b><u>PRESENT ZONING</u></b>	B-3, Community Business District
<b><u>AREA OF PROPERTY</u></b>	7 Lots / 23.2 ± Acres
<b><u>CONTEMPLATED USE</u></b>	Planned Unit Development to amend a previously approved Planned Unit Development to allow shared access and parking across multiple lots and Multiple buildings on a single building site, and Sidewalk Waiver to waive construction of a sidewalk along Schillinger Road South.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Immediate
<b><u>ENGINEERING COMMENTS</u></b>	

**Planned Unit Development: 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. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer.
5. The proposed development must comply with all Engineering Department Policy Letters.

**Sidewalk Waiver:** The surrounding site (Westwood Plaza) was granted a sidewalk waiver May 1, 2014; therefore, it is recommended that this waiver be approved.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

A traffic impact study was completed for this development in 2013. One of the recommendations in the study was to modify the northern most driveway on Schillinger Rd to physically restrict access to right-in, right-out only. At that time, the Wendy's site was not included as part of the PUD, and the physical restriction was deemed to be in conflict with the lease agreement. Now that the Wendy's site is part of the overall site PUD, this driveway, due to its proximity to the intersection of Airport Boulevard and Schillinger Road, should be modified with a raised island to physically restrict turns to right-in/right-out only. Also, if this revision is to be a revised PUD for the entire Westwood development, the Chick-fil-a site should be modified to reflect the recent changes to the drive-thru and parking on its site. For the redeveloped Wendy's site, all 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

## **REMARKS**

The applicant is requesting Planned Unit Development to amend a previously approved Planned Unit Development to allow shared access and parking across multiple lots and Multiple buildings on a single building site, and Sidewalk Waiver to waive construction of a sidewalk along Schillinger Road South. Planned Unit Development approval is required to allow a multiple buildings on a single building site and cross access and parking between multiple building 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 any changes to the site plan must be approved by the Planning Commission.

The site was most recently before the Commission at its April 3, 2014 meeting, where the Commission approved an amendment to the previous Planned Unit Development. The application at hand marks the fifth appearance before the Planning Commission: what makes this application different, however, is the inclusion of the Wendy's restaurant site, which had been excluded from all previous applications. Wendy's is now included due to the fact that the owner of Wendy's proposes to demolish the existing restaurant and construct a new one on the lot, and as the restaurant's only access to a public street (Schillinger Road) is via the Westwood Plaza development, a revised PUD application is required.

The Wendy's site is an existing legal lot created in 1986, with a 3,178  $\pm$  SF building built in 1986, a drive-through, and 24 parking spaces. The applicant proposes to redevelop the site with a 3,407  $\pm$  SF building, a drive-through, and 21 parking spaces. The redeveloped site will increase the number of access points to the adjacent parking area, from 3 to 4, and will change access points.

The overall PUD fronts onto Airport Boulevard and Schillinger Road, both major streets, and Victoria Drive and Thomas Road, both minor streets. As the entirety of the PUD is now composed of legal lots, no dedication of right-of-way will be required.

The existing restaurant has a parking ratio deficit, and the proposed restaurant will also have a parking ratio deficit. The redeveloped site will provide 21 parking spaces on-site, however, the restaurant requires 35 parking spaces. Information submitted with the application shows that the entire shopping center (including the new restaurant) has a tenant mix that requires 1,085 parking spaces, and that 1,185 parking spaces will be provided. It should be noted that a large billboard exists on the Wendy's site, and is not shown on the new site plan: the location of the billboard, if it remains, will eliminate one or more proposed parking spaces, thus the site plan should be revised to show the billboard, if it will remain.

If the redevelopment of the Wendy's site will include new site and parking area lighting, then the new lighting must comply with the applicable requirements of Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance.

Because the Wendy's lot is being completely redeveloped, full compliance with the tree and landscaping requirements of the Zoning Ordinance will be necessary. As the lot is part of a PUD, perimeter tree requirements are addressed via the overall PUD. The previously approved

PUD allowed a reduced number of frontage trees, due to the fact that the applicant proposed to plant larger trees, and donate 10 trees to the Tree Bank.

The Wendy's site would typically be required to provide 5 frontage trees and 2 parking area trees, with a total landscape area of 2,700 square feet. The two existing front landscape areas large enough for frontage trees appear to be encumbered by an existing single-tenant free-standing sign and ground based electrical equipment, thus it is recommended that two front parking spaces be removed and replaced with two landscape areas that include one frontage tree in each landscape area, with the size and species to match what has been provided elsewhere along the Westwood Plaza frontage (6 inch caliper *Quercus Phellos*): each frontage tree should be separated by a minimum of four parking spaces. The site plan should also be revised to provide two parking area trees, matching the size and species being used elsewhere within Westwood Plaza.

New dumpsters with enclosures are depicted on the site plan. All new dumpsters must be placed in compliance with Section 64-4.D.9. of the Zoning Ordinance, and connected to sanitary sewer.

There have been other changes to the overall Westwood Plaza PUD site that are not reflected in the overall site plan provided. The overall PUD site plan should be revised to reflect changes that have occurred at the Chick-fil-A site, the location of any multi-tenant signs, and any other changes to the site. A revised tree and landscape plan for the overall development should also be prepared and submitted for the original Westwood Plaza land disturbance permit.

Finally, the applicant is requesting a waiver of the sidewalk requirements along Schillinger Road. When the lot containing Wendy's was created in 1986, the Planning Commission did not require the dedication of right-of-way to provide for a future 100-foot right-of-way for Schillinger Road, a major street. Furthermore, the Commission more recently did not require dedication during the July 2013 resubdivision of Westwood Plaza, south of the Wendy's lot. Thus there is very little room within the right-of-way or on private property for a sidewalk. Finally, the Commission granted a sidewalk waiver request along both Airport Boulevard and Schillinger Road for the remainder of the Westwood Plaza at its May 1, 2014 meeting, thus a waiver for the Wendy's site would seem consistent with the previous actions.

## **RECOMMENDATION**

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

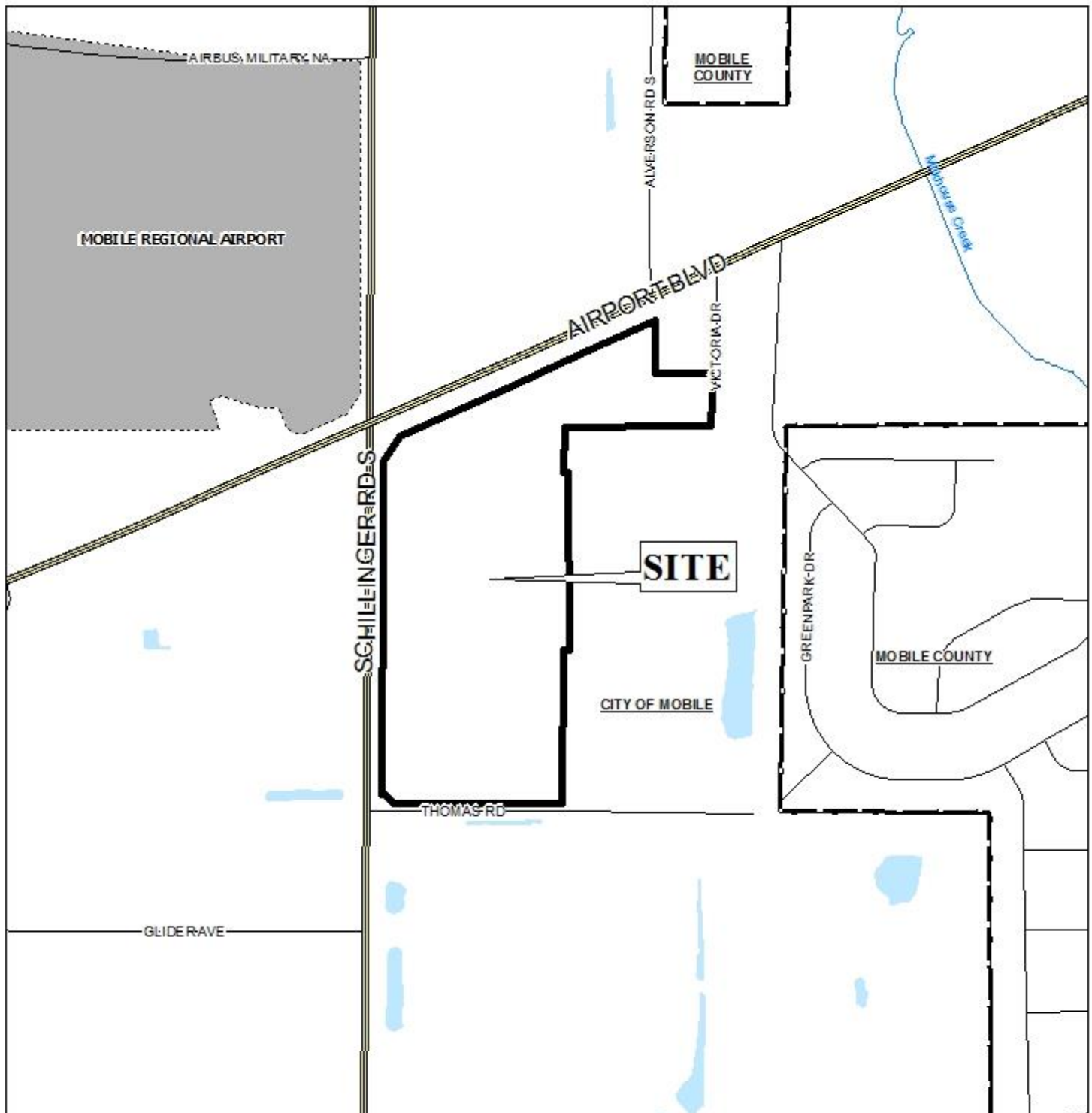
- 1) Revision of the site plan to depict two frontage trees on the Wendy's site, in lieu of two front parking spaces, with the planting areas separated by at least 4 parking spaces, and the frontage trees to match in size and species the other Westwood Plaza frontage trees along Schillinger Road;
- 2) Revision of the site plan to depict two parking trees on the Wendy's site to match the size and species of parking trees planted elsewhere on the Westwood Plaza site;

- 3) Revision of the site plan to depict the existing billboard structure on the Wendy's site, if it is to remain, and to remove any parking spaces that may be encumbered by the billboard structure;
- 4) Any new site or parking area lighting on the Wendy's site to comply with the applicable requirements of Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 5) Any new dumpsters on the Wendy's site to be placed in compliance with Section 64-4.D.9. of the Zoning Ordinance;
- 6) The remainder of the Westwood Plaza site to comply with the conditions of approval from the April 3, 2014 meeting of the Planning Commission;
- 7) Revision of the overall Westwood Plaza site plan to reflect changes that have occurred due to improvements to the Chick-fil-A site, the relocation of multi-tenant pylon signs, etc., with revised site plans submitted to Permitting and Planning;
- 8) Revision of the overall Westwood Plaza tree and landscape plan to reflect changes due to the Wendy's site and other site modifications, with revised site plans submitted to Permitting;
- 9) 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. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer. 5. The proposed development must comply with all Engineering Department Policy Letters.*);
- 10) Compliance with Traffic Engineering comments (*A traffic impact study was completed for this development in 2013. One of the recommendations in the study was to modify the northern most driveway on Schillinger Rd to physically restrict access to right-in, right-out only. At that time, the Wendy's site was not included as part of the PUD, and the physical restriction was deemed to be in conflict with the lease agreement. Now that the Wendy's site is part of the overall site PUD, this driveway, due to its proximity to the intersection of Airport Boulevard and Schillinger Road, should be modified with a raised island to physically restrict turns to right-in/right-out only. Also, if this revision is to be a revised PUD for the entire Westwood development, the Chick-fil-a site should be modified to reflect the recent changes to the drive-thru and parking on its site. For the*

- redeveloped Wendy's site, all on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 11) 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).);*
  - 12) 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.);*
  - 13) Full compliance with all municipal codes and ordinances; and
  - 14) Provision of a revised PUD site plan to the Planning Division of Urban Development prior to the submittal of drawings for the associated building permits.

**Sidewalk Waiver:** The request is recommended for Approval.

# LOCATOR MAP



APPLICATION NUMBER 19 DATE December 18, 2014

APPLICANT R&R Group Holdings, LLC

REQUEST Planned Unit Development, Sidewalk Waiver









# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units to the west and north, and residential units to the east.

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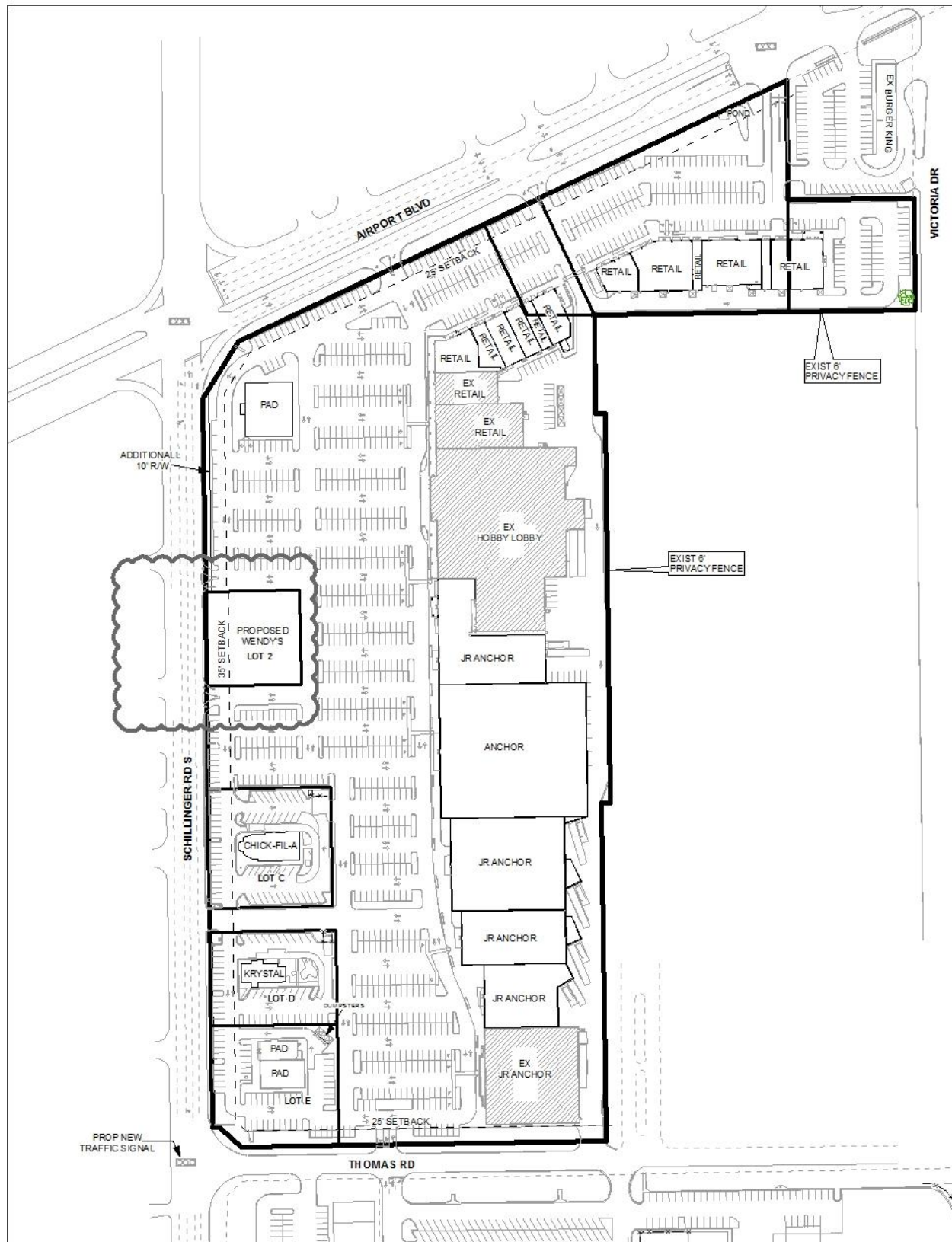
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# DETAIL SITE PLAN



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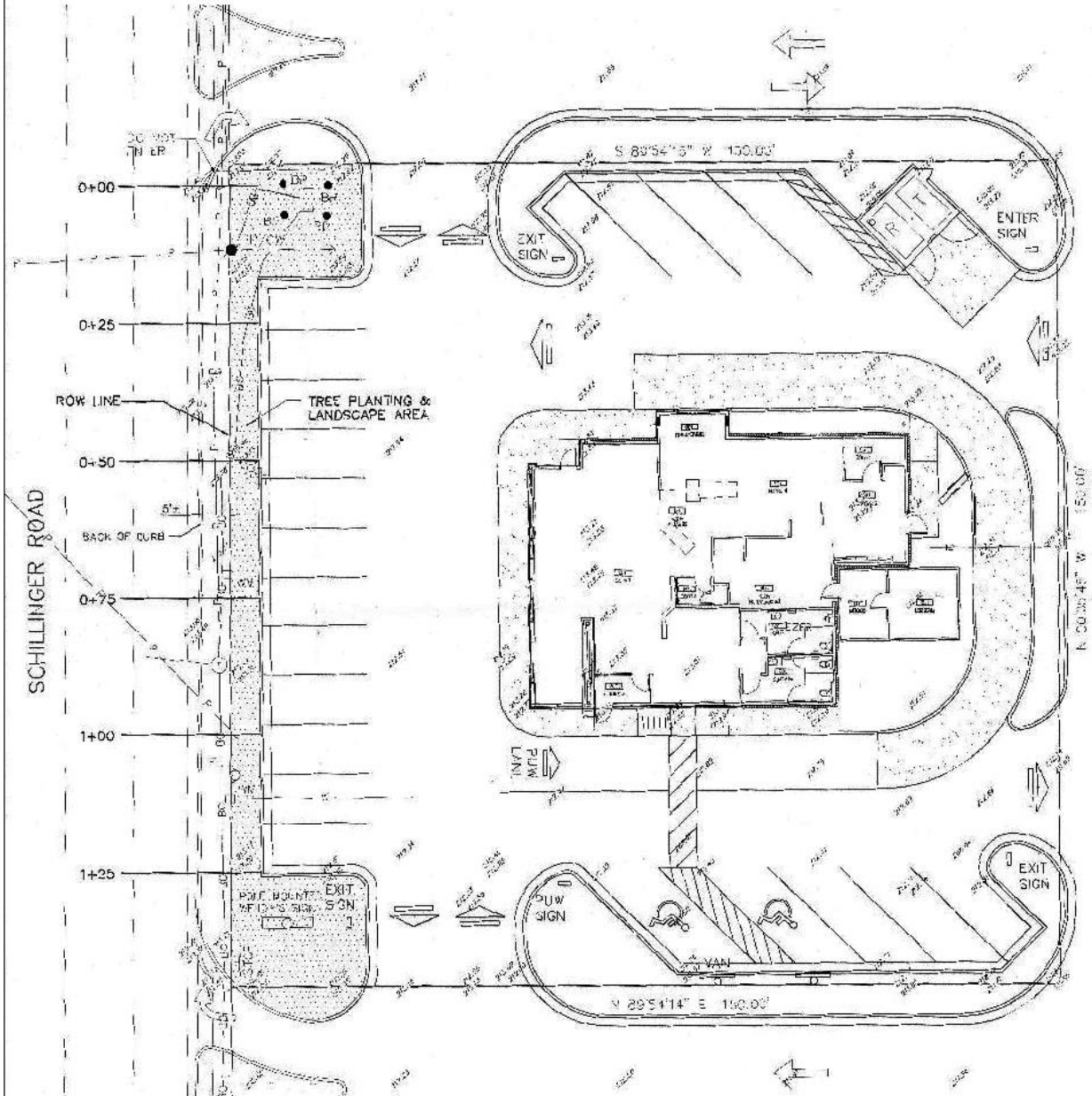
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NTS

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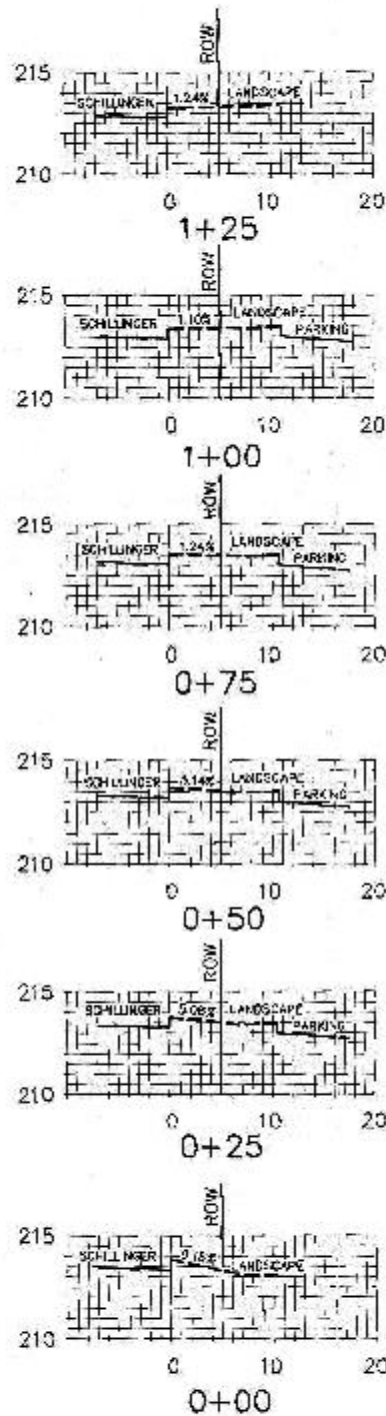
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NTS

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