

PLANNING APPROVAL STAFF REPORT**Date: November 6, 2008****DEVELOPMENT NAME**

Trung V. Phan

LOCATION4126 B Moffett Road
(Northwest corner of Moffett Road and Wolf Ridge Road)**CITY COUNCIL
DISTRICT**

City Council District 1

**PRESENT
ZONING DISTRICT**

B-2, Neighborhood Business District

AREA OF PROPERTY

1.19 ± acres

CONTEMPLATED USE

Neighborhood Business District.

Planning Approval to allow a seafood store in a B-2,

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans.

**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 Planning Approval to allow a seafood store in a B-2, Neighborhood Business District. The site is located in Council District 1.

The subject site is currently developed with a Texaco-branded convenience store/gas station with four retail rental suites. Three of the suites are currently occupied and include: the convenient store, a liquor store, and the current carryout restaurant. The applicant states that the addition of fresh seafood shop to the existing restaurant would be compatible with the surrounding businesses and would not present an objectionable use to nearby property owners. The applicant further submitted documentation regarding the requirements of the Alabama Department of Public Health regarding the safe and sanitary operation of foodservice establishments, along with a letter stating their intent to comply with these requirements. Also submitted is a copy of the restaurant's waste policy and procedure to further assure the Commission of the minimization of odors associated with seafood and the proper disposal of waste.

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.

The site was developed with the intent of having retail and business occupancies in the individual tenant spaces. The proposed use of a carryout restaurant / seafood shop would not be a change of occupancy. Therefore, as the site is already in compliance with parking, landscaping and tree requirements of the Zoning Ordinance, the only question here is whether adding a seafood shop would be compatible with the surrounding area, or more importantly how the odor associated with the disposal of waste will be addressed.

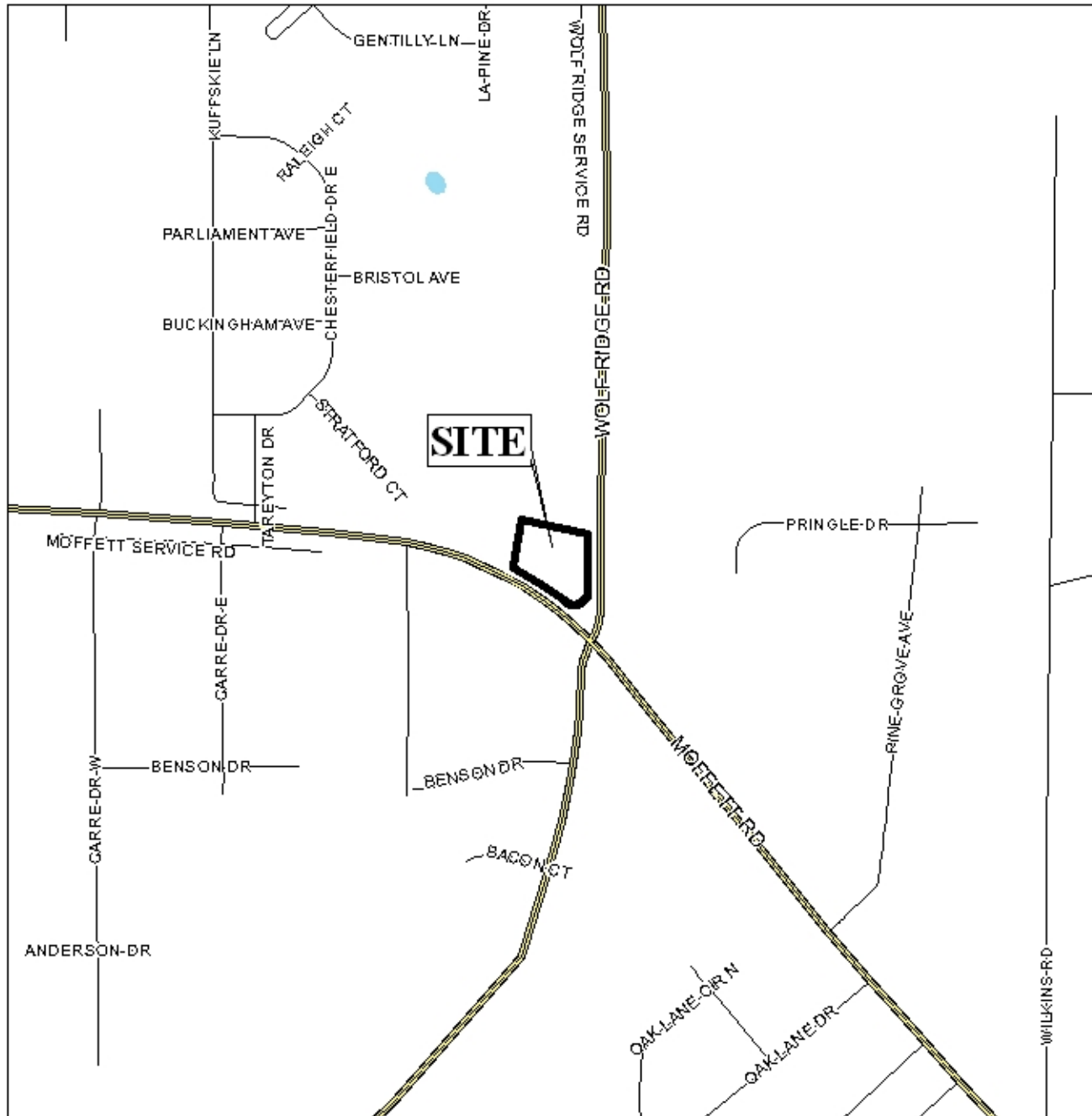
The documentation submitted by the applicant outlines their health practices, which meet or exceed the minimum requirements of the Alabama Department of Public Health, also submitted. Furthermore, there has been no objection to this applicant by any nearby property or business owners. Therefore, the Commission may find justification in granting approval.

RECOMMENDATION

Planning Approval: Based upon the preceding, it is recommended that this application be approved, subject to the following conditions:

- 1) Full compliance with all municipal codes and ordinances.

LOCATOR MAP



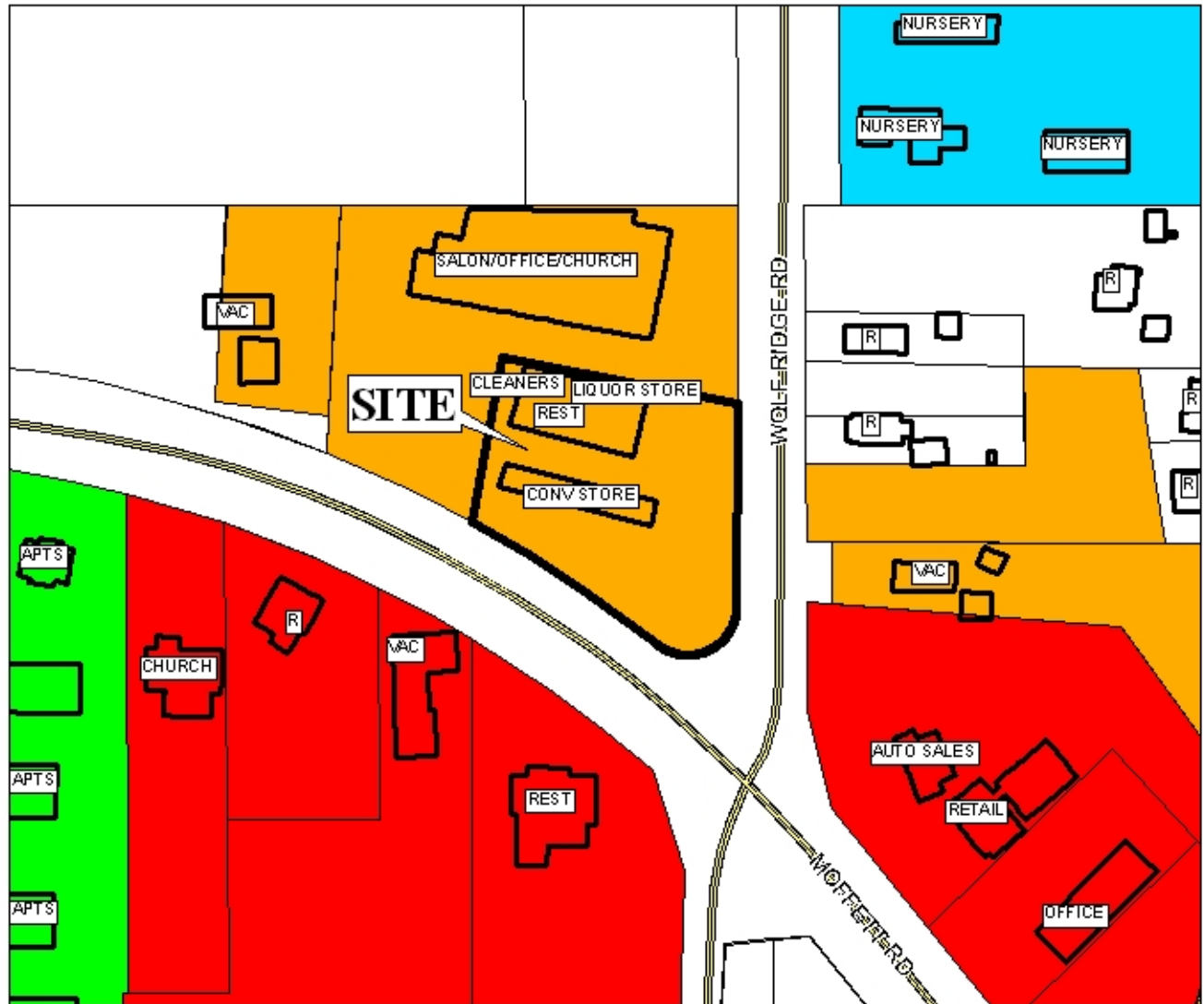
APPLICATION NUMBER 19 DATE November 6, 2008

APPLICANT Trung V Phan

REQUEST Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING


















This site is surrounded by miscellaneous land use.

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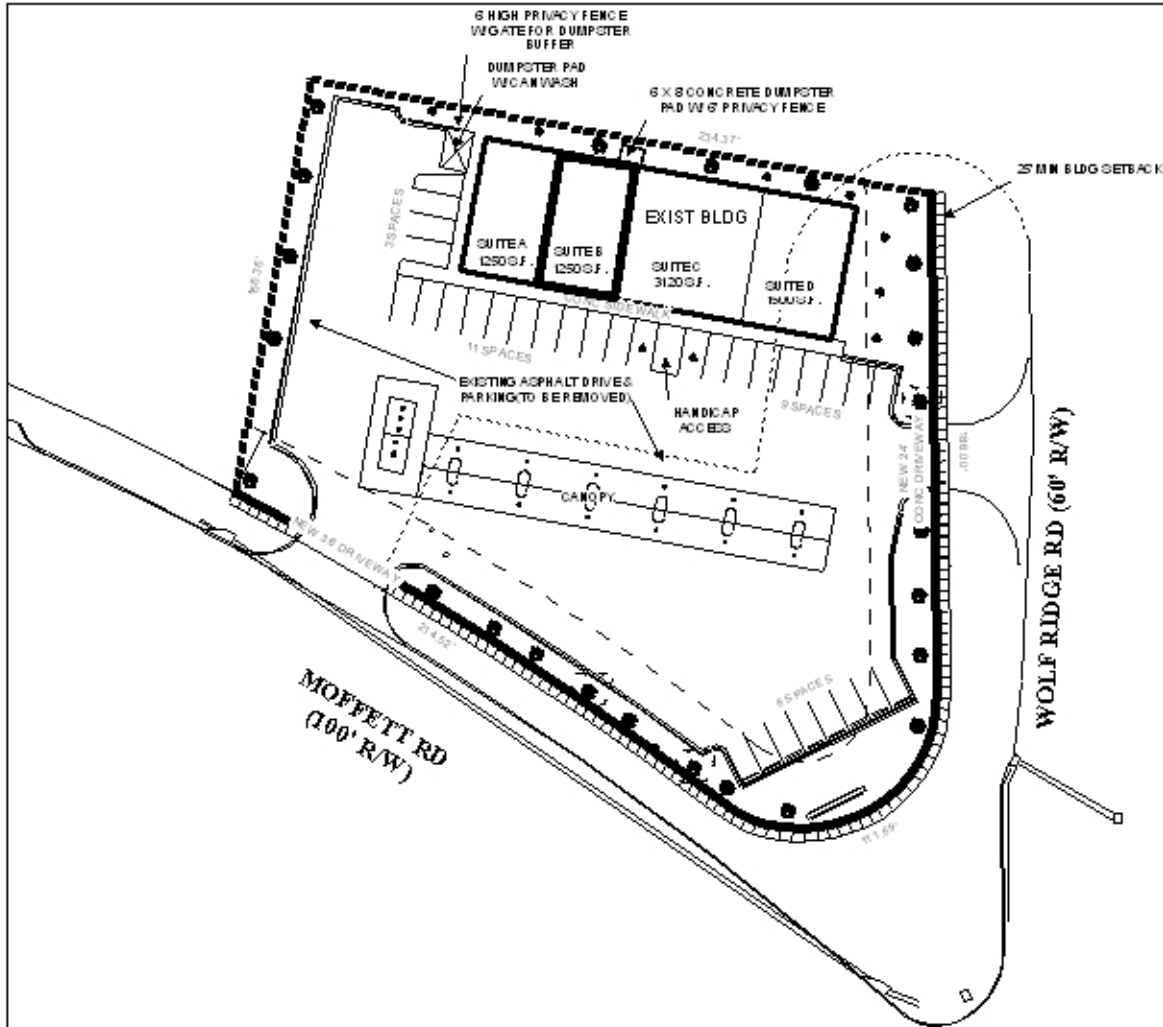
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LEGEND

 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	NTS
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SITE PLAN



This site plan illustrates proposed structures and lot configuration.

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