

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

Date: March 5, 2015

<u>NAME</u>	Gonzalez-Strength & Associates, Inc.
<u>SUBDIVISION NAME</u>	MAP Mobile Govt, LLC Subdivision, Mobile Addition to
<u>LOCATION</u>	2570 and 2590 Government Boulevard (Northwest corner of Government Boulevard and Kreitner Street)
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>PRESENT ZONING</u>	B-3, Community Business District
<u>AREA OF PROPERTY</u>	3 Lots / 13.3 ± Acres
<u>CONTEMPLATED USE</u>	Planned Unit Development Approval to allow multiple buildings on a single building site, and shared access between multiple building lots, Subdivision approval to create 3 lots, and Sidewalk Waiver approval to waive construction of sidewalks along Government Boulevard.
<u>TIME SCHEDULE</u>	Construction to begin April 2015, with opening of store by November 2015.
<u>ENGINEERING COMMENTS</u>	

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:

- A. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.
- B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 26 - #80) the Lot(s) will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.

- C. Add a note to the Plat stating that 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.
- D. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- G. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.
- H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Planned Unit Development:

- 1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to list the Minimum Finished Floor Elevation (MFFE) for each LOT.

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. Add a note to the Plat stating that 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.
- 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

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.

TRAFFIC ENGINEERING**COMMENTS**

Government Boulevard and the adjacent Service Road are ALDOT maintained roadways. If a traffic impact study was completed as a requirement for ALDOT approval, please forward a copy of the study to the City Traffic Engineer for the project file. Lot 1 is limited to three curb cuts to the Service Road, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Access to Kreitner Street is limited to one shared curb cut for Lot 1 and Lot 2, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.

REMARKS

The applicant is requesting Planned Unit Development Approval to allow multiple buildings on a single building site, and shared access between multiple building lots, Subdivision approval to create 3 lots, and Sidewalk Waiver approval to waive construction of sidewalks along Government Boulevard.

The applicant proposes to demolish the two existing buildings on the site and building a new 41,920 square foot grocery store, a 740 square foot convenience store with fuel pumps and a canopy, and 176 parking spaces. Lot 1, at $10.9 \pm$ acres, will contain the new construction, while Lots 2 and 3, $2.3 \pm$ and $0.2 \pm$ acres respectively, will remain undeveloped at this time.

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 Planning Commission in 2007, where a Zoning and a Subdivision application were approved. The subdivision expired, as the anticipated development did not proceed.

The site fronts onto the service road for Government Boulevard, a major street according to the Major Street Plan component of the Comprehensive Plan, and an ALDOT facility. The right-of-way width should be 250 feet, according to the Major Street Plan, and approximately 133 \pm feet of frontage of the site has already been subject to dedication due to a previously approved subdivision: the remaining 456 \pm feet of frontage along Government Boulevard must also dedicate sufficient right-of-way to provide 125 feet, as measured from the centerline of Government Boulevard (approximately 7 feet, based upon previous approvals). The site also has frontage onto Kreitner Street, a minor street with adequate right-of-way.

The requested PUD is required due to the fact that the site will have two habitable buildings on a single site. No reduction in setbacks, increase in site coverage or other requests are associated with the proposed development.

No information is provided with the application regarding tree and landscape compliance, however, full compliance with Section 64-4.E. of the Zoning Ordinance will be required as each lot is developed.

As the site will be redeveloped, a photometric plan will be required at time of submittal for land disturbance. All new lighting on the site must comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance.

A dumpster pad is indicated on the site plan. All new dumpster facilities must comply with the enclosure and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance.

Access management is a concern due to the site's frontage on a US highway. The applicant proposes to complete the service road in front of the site and provide a total of three curb-cuts for Lot 1 to the service road, one of which will continue to Government Boulevard. One curb-cut is also proposed to Kreitner Street for Lot 1, and it appears that proposed Lot 2 will only be provided access via the Lot 1 connection to Kreitner Street. Proposed Lot 3 does not have frontage on any improved streets, however, it has frontage onto City-owned property, the former right-of-way of the once proposed Eslava Creek Parkway major street, as does Lot 1: this proposed major street has been since removed from the plan, thus Lot 3 cannot be developed until such time as access to a public or private street is provided, and approving the lot will require a waiver of Section V.D.4. of the Subdivision Regulations. It should also be noted that Lots 1 and 2 additionally have frontage onto the right-of-way for the proposed Cross-Town Loop 4, a proposed major street. As the proposed major street has not been constructed, both Lots 1 and 2 should be denied access to the right-of-way. The size, design and location of any new curb-cuts are to be approved by Traffic Engineering, and ALDOT as appropriate, and comply with AASHTO standards.

The 25-foot minimum building setback line, shown on both the preliminary plat and the PUD site plan, should be revised to reflect any required dedication of right-of-way.

Several utility easements cross the site. A note should be placed on the site plan and final plat stating that no permanent structures may be constructed in any easement.

Finally, the applicant is requesting the waiver of the sidewalk requirements for Government Boulevard. The applicant's justification for the sidewalk waiver request is that there are "*No existing sidewalks in the ROW to the north or south of the property.*" No physical impairment to construction was given as a justification for the request. Aerials do show that the nearest sidewalk on the same side of Government Boulevard is located approximately 750 feet to the Southwest of the site. Approximately 900 feet to the Northeast, past the bridge over Eslava Creek (which lacks pedestrian facilities) is the next sidewalk.

While there may not be existing sidewalks in close proximity, the proposed grocery store may attract pedestrians from nearby businesses, including the adjacent motel and the Greyhound Bus Terminal across Government Boulevard. Furthermore, a WAVE bus route serves this segment of Government Boulevard, and may bring some customers and possibly employees to the site.

It should be pointed out that 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. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians, transit riders and cyclists.

RECOMMENDATION

Subdivision: With a waiver of Section V.D.4. of the Subdivision Regulations for Lot 3, the application is recommended for Tentative Approval, subject to the following conditions:

- 1) Revision of the plat to reflect dedication of right-of-way sufficient to provide 125 feet from the centerline of Government Boulevard;
- 2) Revision of the 25-foot minimum building setback line to reflect any required dedication;
- 3) Revision of the lot size information to reflect any required dedication;
- 4) Placement of a note on the final plat stating that Lot 1 is limited to three curb-cuts to the Government Boulevard right-of-way, that Lots 1 and 2 are limited to one shared curb-cut to Kreitner Street, and that all lots are denied access to any unimproved public rights-of-way;
- 5) Placement of a note on the final plat stating that the size, design and location of any new curb-cuts are to be approved by Traffic Engineering, and ALDOT as appropriate, and comply with AASHTO standards;
- 6) Placement of a note on the final plat stating that development of Lot 3 is denied until such time as frontage on a public or private road is provided;
- 7) Placement of a note on the plat stating that no structures shall be placed within any easements;
- 8) full compliance with the Traffic Engineering comments (*Government Boulevard and the adjacent Service Road are ALDOT maintained roadways. If a traffic impact study was completed as a requirement for ALDOT approval, please forward a copy of the study to the City Traffic Engineer for the project file. Lot 1 is limited to three curb cuts to the Service Road, with size, location and design to be approved by ALDOT and Traffic*

Engineering and conform to AASHTO standards. Access to Kreitner Street is limited to one shared curb cut for Lot 1 and Lot 2, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);

- 9) *full compliance with Engineering comments (The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. B. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 26 - #80) the Lot(s) will receive historical credit of impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. C. Add a note to the Plat stating that 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. D. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. G. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 10) *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).);*
- 11) *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.);*
- 12) *Provision of a revised PUD site plan prior to the signing of the Final Plat;*
- 13) *Completion of the Subdivision process prior to any request for land disturbance associated with new construction; and*
- 14) *Full compliance with all other municipal codes and ordinances.*

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

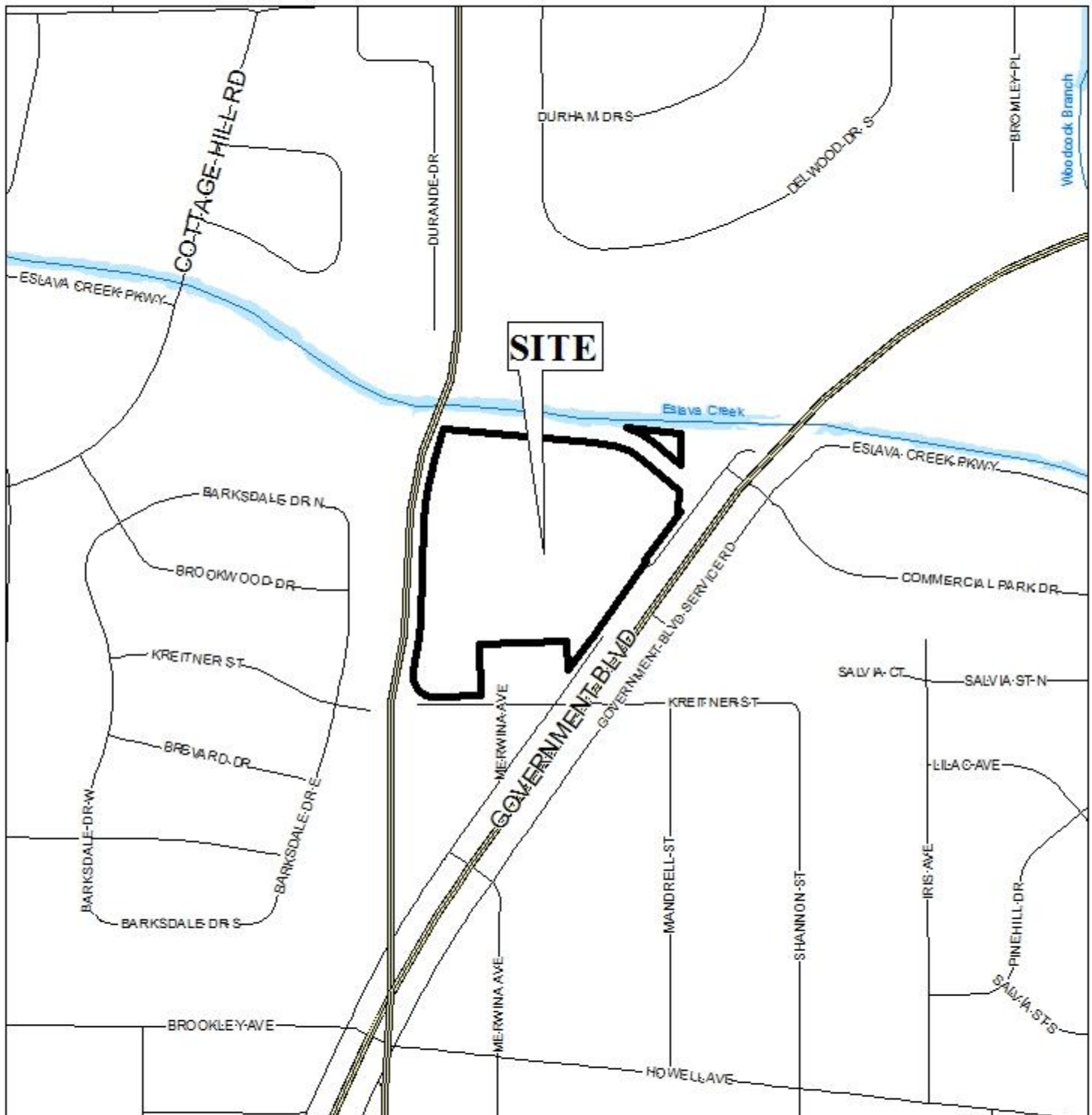
- 1) Revision of the site plan to reflect dedication of right-of-way sufficient to provide 125 feet from the centerline of Government Boulevard;
- 2) Revision of the 25-foot minimum building setback line to reflect any required dedication;
- 3) Revision of the lot size information to reflect any required dedication;

- 4) Placement of a note on the site plan stating that Lot 1 is limited to three curb-cuts to the Government Boulevard right-of-way, that Lots 1 and 2 are limited to one shared curb-cut to Kreitner Street, and that all lots are denied access to any unimproved public rights-of-way;
- 5) Placement of a note on the site plan stating that the size, design and location of any new curb-cuts are to be approved by Traffic Engineering, and ALDOT as appropriate, and comply with AASHTO standards;
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- 9) full compliance with Engineering comments (*1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to list the Minimum Finished Floor Elevation (MFFE) for each LOT. 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. Add a note to the Plat stating that 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. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.*);

- 10) 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).*);
- 11) 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.*);
- 12) Development of the site to fully comply with the tree and landscaping requirements of Section 64-4.E. of the Zoning Ordinance as each lot is developed;
- 13) All new dumpster facilities must comply with the enclosure and sanitary sewer connection requirements of Section 64-4.D.9. of the Zoning Ordinance;
- 14) All new lighting on the site must comply with Sections 64-4.A.2., 64-6.A.3.c. and 64-6.A.8. of the Zoning Ordinance;
- 15) Provision of a revised PUD site plan prior to the signing of the Final Plat;
- 16) Completion of the Subdivision process prior to any request for land disturbance associated with new construction; and
- 17) full compliance with all other municipal codes and ordinances.

Sidewalk Waiver: The request is recommended for Denial.

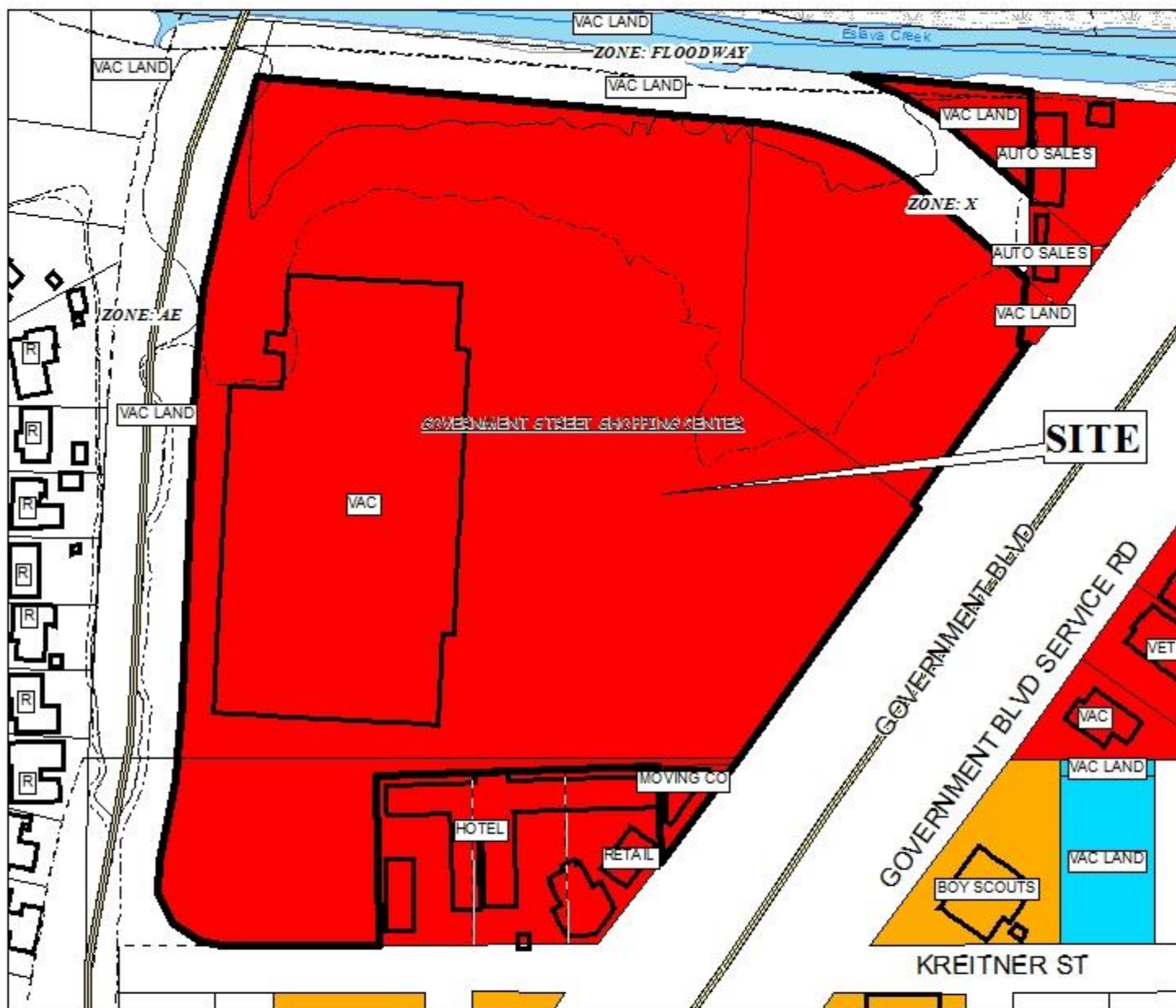
LOCATOR MAP



APPLICATION NUMBER 22 DATE March 5, 2015
APPLICANT MAP Mobile Govt, LLC Addition to Mobile
REQUEST Subdivision, PUD, Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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

APPLICATION NUMBER 22 DATE March 5, 2015

APPLICANT MAP Mobile Govt, LLC Addition to Mobile

REQUEST Subdivision, PUD, Sidewalk Waiver

 R-A
  R-3
  T-B
  B-2
  B-5
  MUNI
  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 residential units to the west, and commercial units to the east.

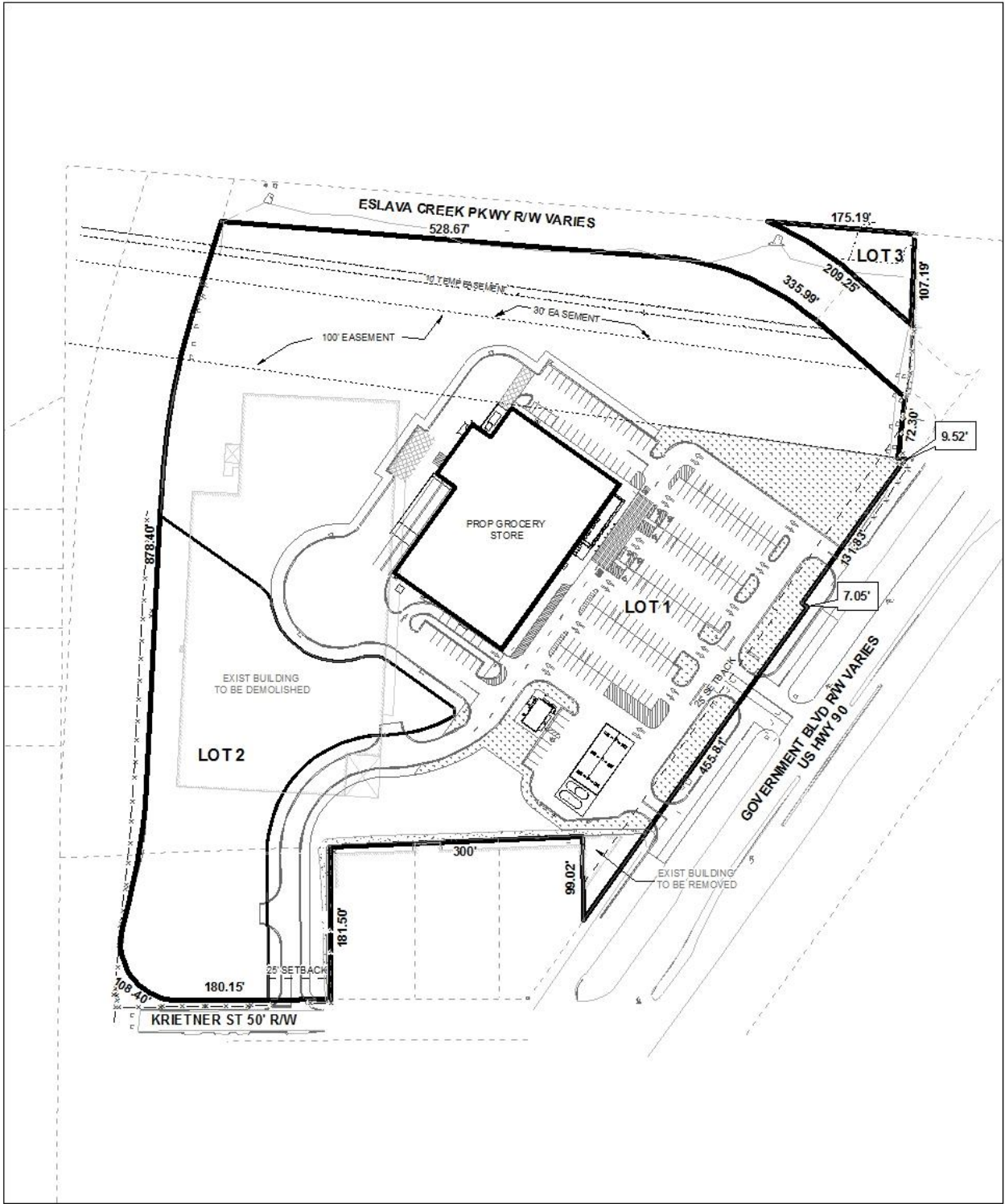
APPLICATION NUMBER 22 DATE March 5, 2015

APPLICANT MAP Mobile Govt, LLC Addition to Mobile

REQUEST Subdivision, PUD, Sidewalk Waiver



SITE PLAN



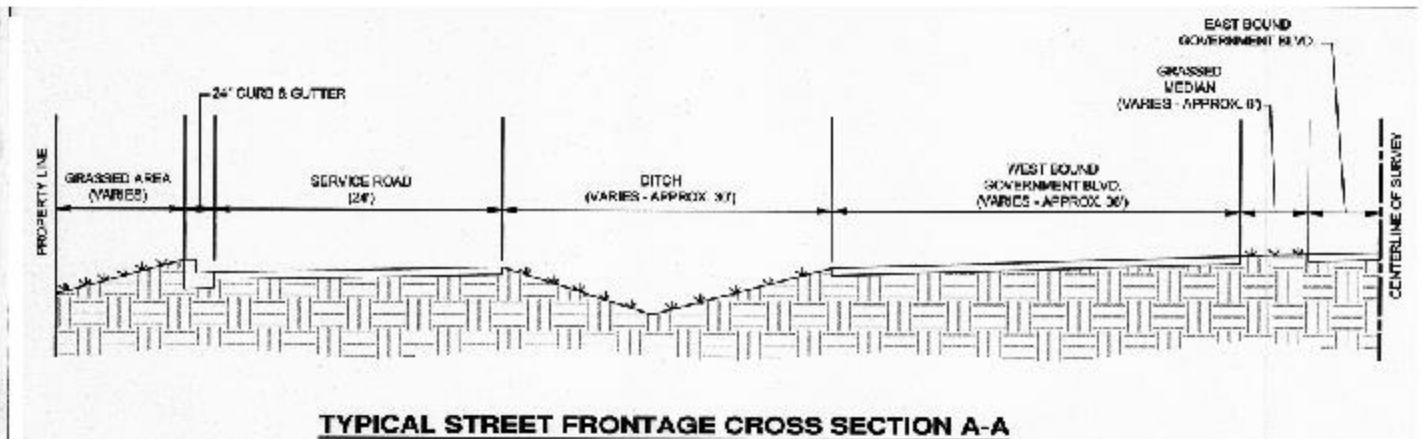
The site plan illustrates the proposed lots, proposed building, buildings to be removed, setbacks, and easements.

APPLICATION NUMBER	22	DATE	March 5, 2015
APPLICANT	MAP Mobile Govt. LLC Addition to Mobile		
REQUEST	Subdivision, PUD, Sidewalk Waiver		

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DETAIL SITE PLAN



TYPICAL STREET FRONTAGE CROSS SECTION A-A

APPLICATION NUMBER 22 DATE March 5, 2015

APPLICANT MAP Mobile Govt, LLC Addition to Mobile

REQUEST Subdivision, PUD, Sidewalk Waiver

