

**PLANNING APPROVAL STAFF REPORT**

**Date: December 6, 2018**

**NAME**

David Shumer

**LOCATION**

571 Dauphin Street  
(Southeast corner of Dauphin Street and South Warren Street extending to the North side of Conti Street)

**CITY COUNCIL DISTRICT**

District 2

**PRESENT ZONING**

T-5.1 Mixed Use - Medium Intensity Subdistrict

**AREA OF PROPERTY**

0.31± Acres

**CONTEMPLATED USE**

Planning Approval to allow an occupancy level over 100 for a bar/lounge in the Downtown Development District.

**TIME SCHEDULE FOR DEVELOPMENT**

Not provided.

**ENGINEERING COMMENTS**

No comment.

**TRAFFIC ENGINEERING COMMENTS**

No comment.

**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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

**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)

**REMARKS**

The applicant is requesting Planning Approval to allow an occupancy level over 100 for a bar/lounge in the T-5.1 Mixed Use - Medium Intensity Subdistrict of the Downtown Development District. Planning Approval is required for bar/restaurant uses with an occupant load of more than 100 people in T-5.1 Subdistricts.

The subject site was most recently used as a pharmacy, and currently is in the process of building an addition on the back of the structure. In combination with the addition, the applicant proposes to have patio seating, which will result in an occupancy load of 148 people for the proposed bar/lounge.

The site is bounded on all sides by vacant and active commercial buildings, as well as surface parking, all within the same T-5.1 Subdistrict. The block immediately to the West has received Planning Approval for restaurants with a combined occupancy capacity of 271 people.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

It is very important to note that the Planning Approval review is site plan specific; therefore *any* future changes to the site/floor plan or to the scope of operations for the restaurant that will increase the occupant load beyond what is approved, by current or future applicants, must be submitted for Planning Approval review.

The site has been given a Downtown (DT) land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

Downtown is called out as a separate land use designation due to its distinct role, layout and fabric.

As a land use district, Downtown (DT) is the ultimate mixed-use environment. Land development and redevelopment will emphasize variety, mixed uses, and unity of form within buildings or complexes.

As the city's and region's center for commercial and service employment, Downtown supports intense development and a dynamic combination of uses: specialty and regional retail shopping and offices; business support services; urban housing at higher densities (starting at 10 dwelling units per acre); civic, educational and cultural destinations; entertainment options; and other public amenities including active and passive park space. The successful integration of a mix of housing types and densities will be critical to achieve a vibrant, 24/7-active Downtown Mobile.

Development in the DT district will focus on new, redeveloped and adaptively reused buildings that frame attractive, human-scaled streetscapes, memorable public spaces, bicycle and pedestrian-friendly streets and convenient transit access to jobs, housing and entertainment. Accordingly, certain areas of Downtown will be more intensively developed to facilitate that pedestrian orientation.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the

designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The DDD regulations do not require the provision of parking for existing or new developments within T-3 through T-5.2 subdistricts. The intent is to allow existing buildings to be renovated and repurposed, and to encourage a walkable downtown area. However, on-street and off-street parking is available in the immediate proximity to the site.

The site is also within the Entertainment District designated by the City Council, and is across the street from other restaurants and bars. As such, the proposed use and the proposed occupancy load appears compatible with neighboring uses.

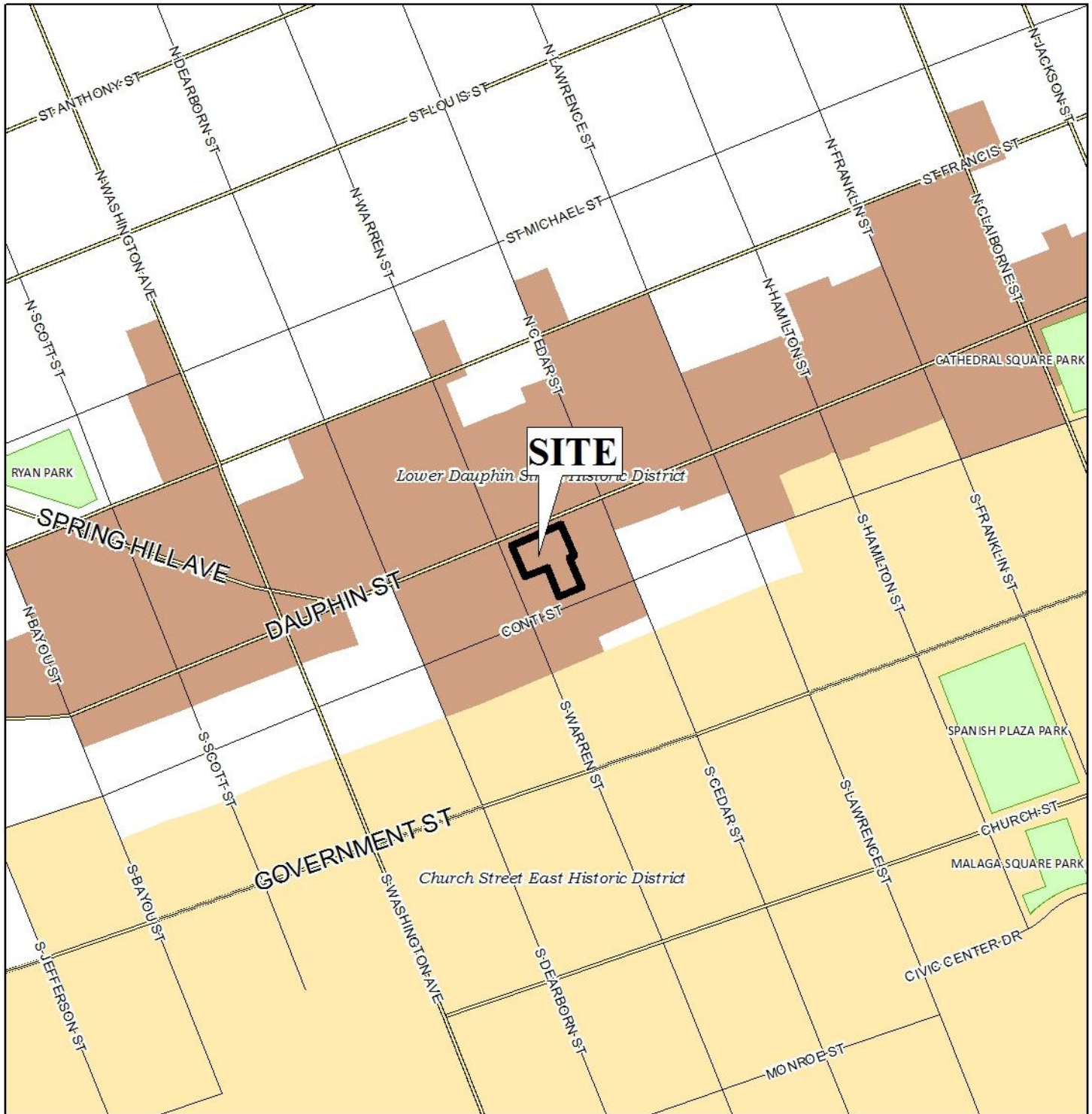
Given that there is surface parking available in the area, as well as several other restaurants and bars, it seems that the current request would not be out of character for the area.

### **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this request is recommended Approval, subject to the following conditions:

- 1) Occupant load limited to 148 people, as requested; and
- 2) Full compliance with all other municipal codes and ordinances.

# LOCATOR MAP



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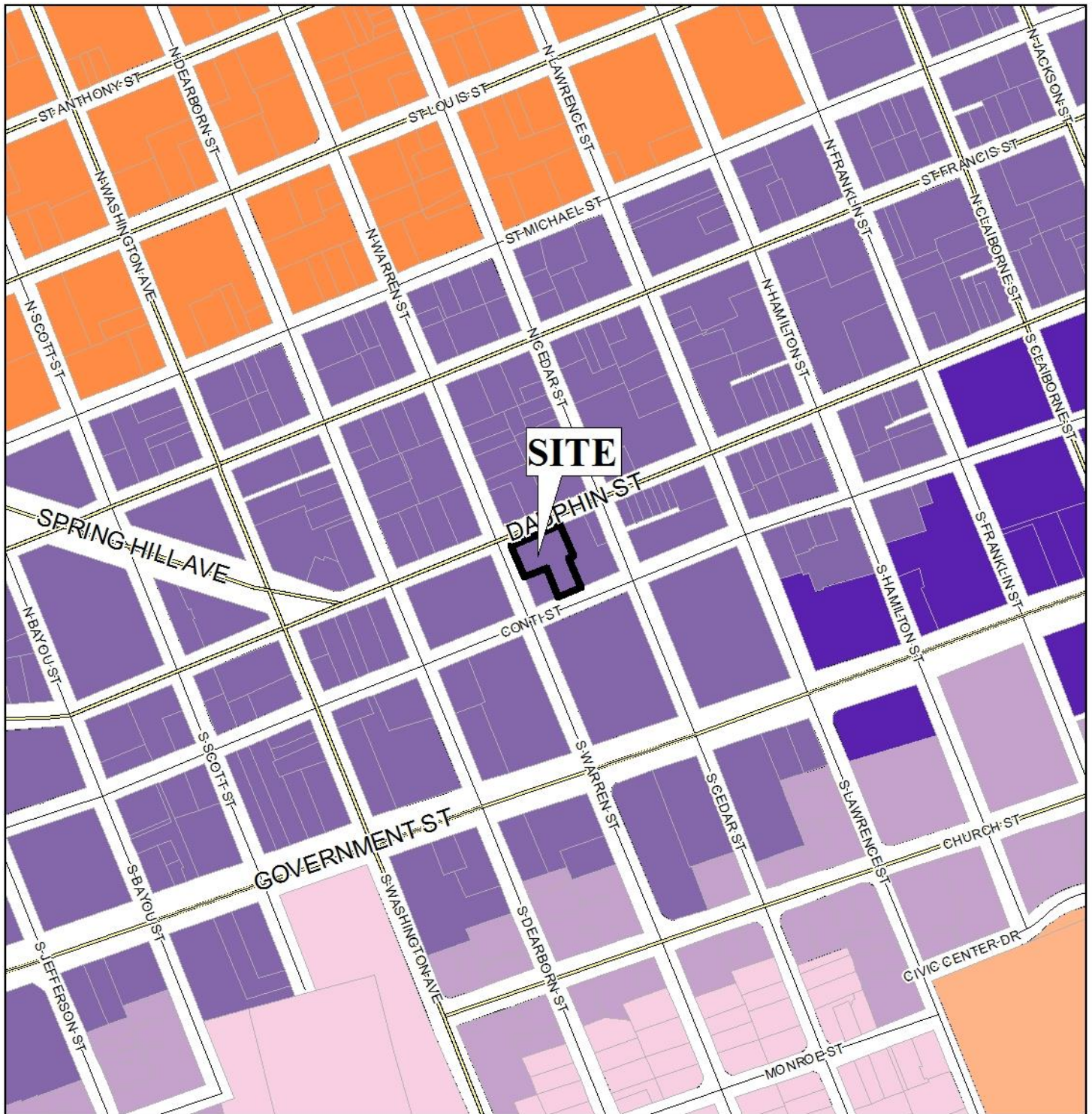
APPLICANT David Shumer

REQUEST Planning Approval



NTS

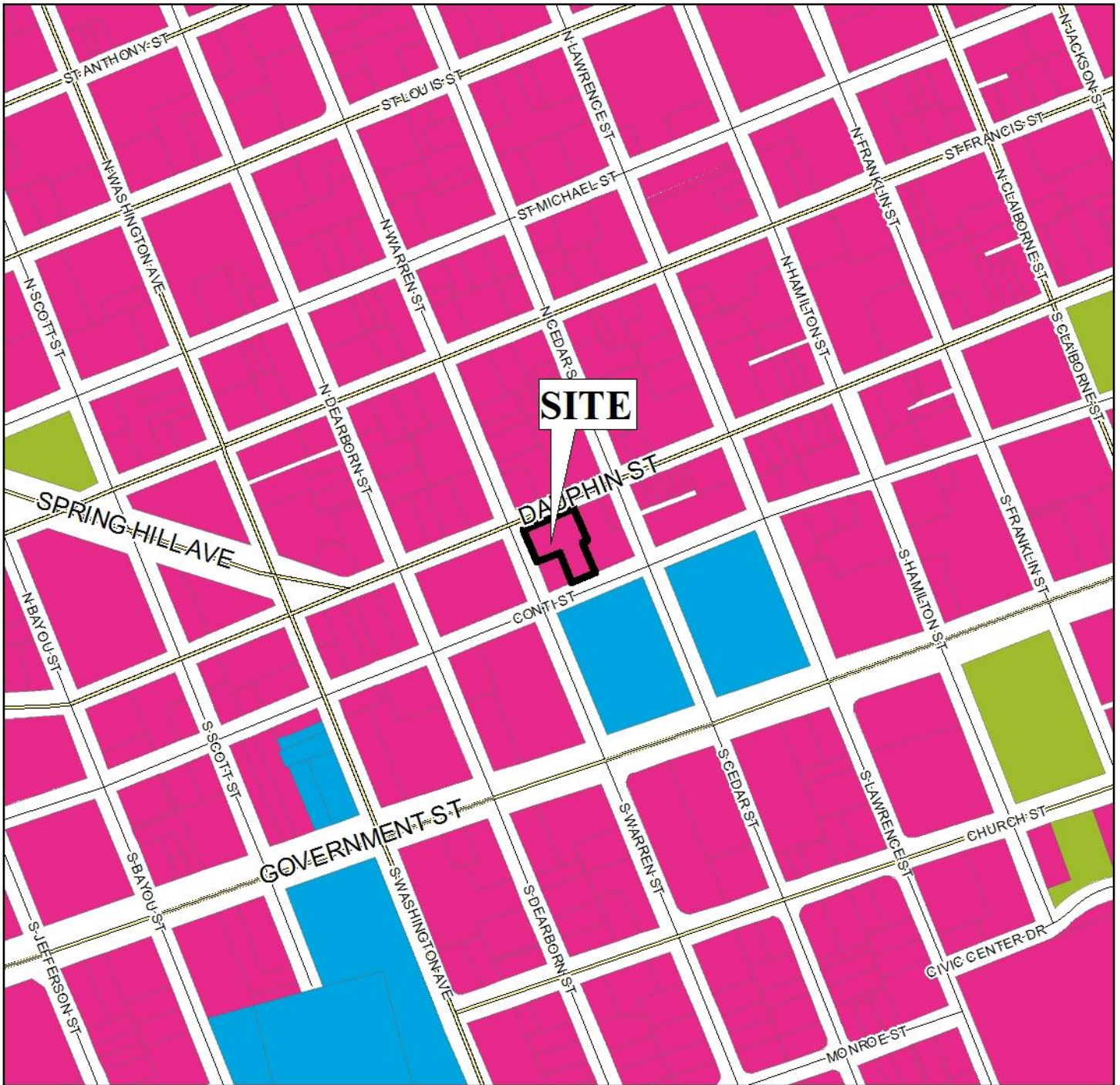
# LOCATOR ZONING MAP



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# FLUM LOCATOR MAP



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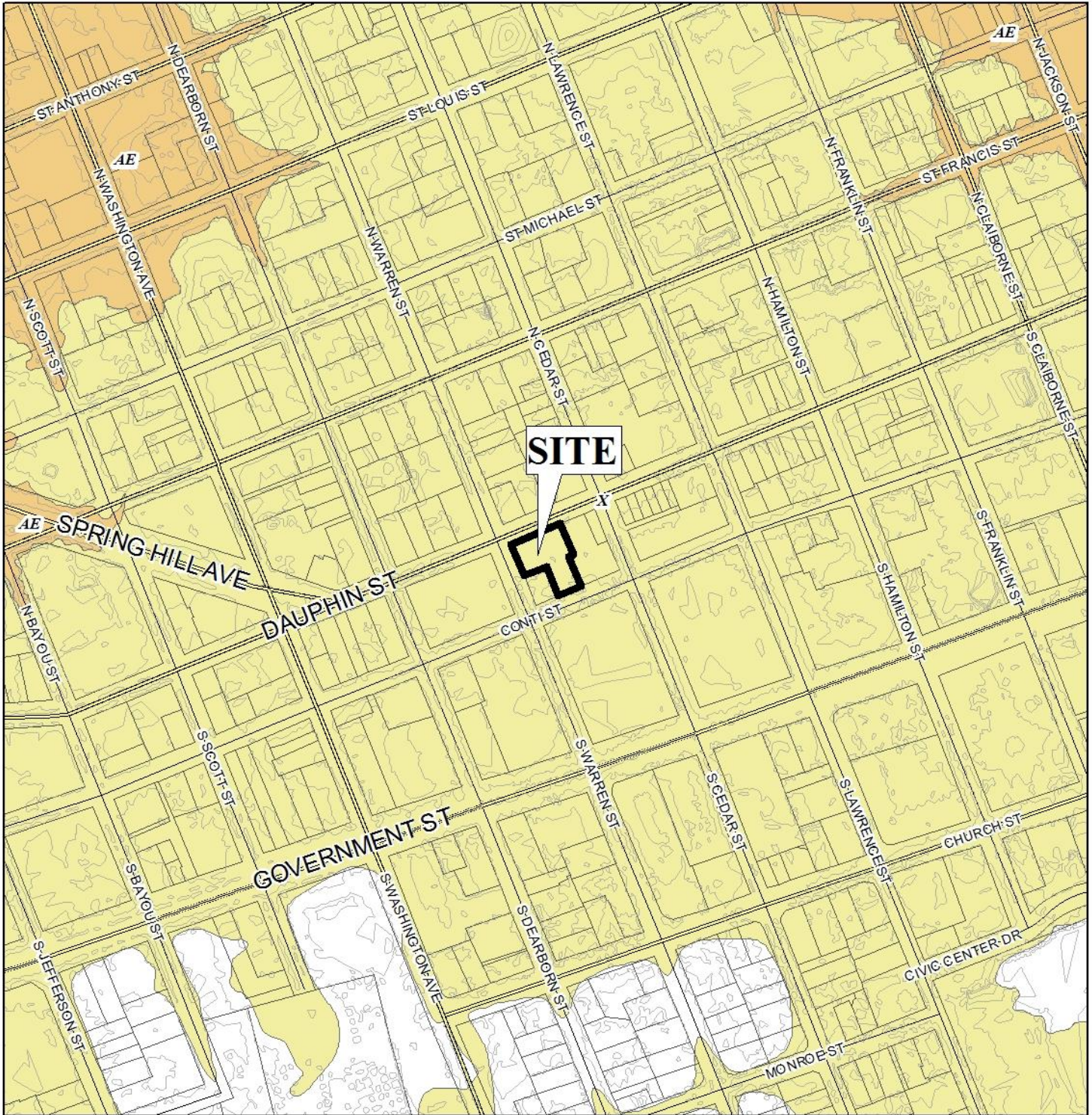
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- |                           |                                   |                     |                    |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential   | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban    | Light Industry      | Water Dependent    |
| Downtown                  | Traditional Corridor              | Heavy Industry      |                    |
| District Center           | Mixed Commercial Corridor         | Institutional       |                    |



# ENVIRONMENTAL LOCATOR MAP



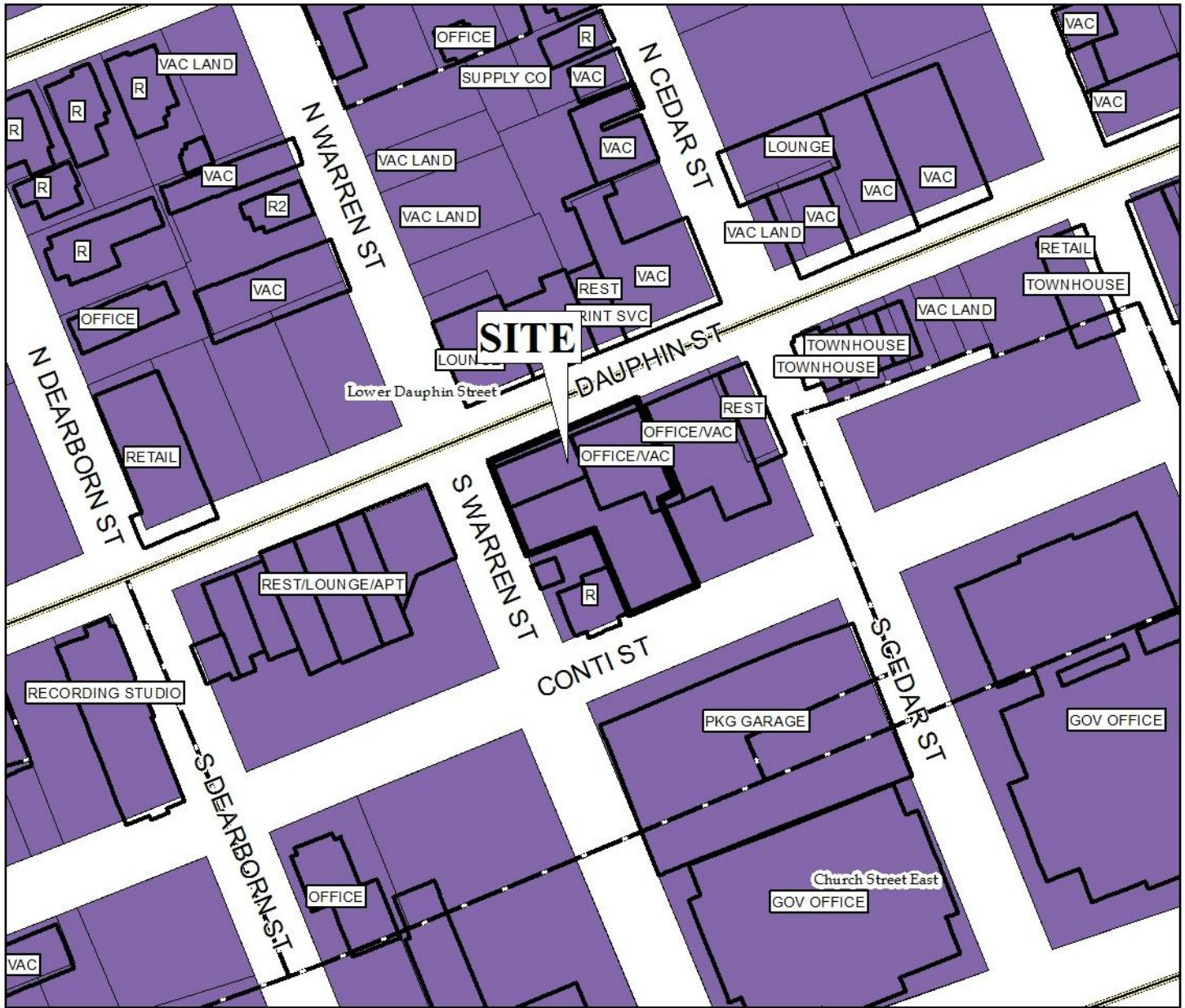
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous units.

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|  |   |   |  |   |   |  |   |
|--|---|---|--|---|---|--|---|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> R-A   | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> R-3     | <span style="display: inline-block; width: 15px; height: 15px; background-color: tan; border: 1px solid black;"></span> T-B     | <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> B-2 | <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> B-5      | <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> MUN      | <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD-WH   | <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> T5.1     |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> R-1  | <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> R-B      | <span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> B-1    | <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> B-3    | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> I-1 | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> OPEN | <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> T3        | <span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; border: 1px solid black;"></span> T5.2 |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> R-2 | <span style="display: inline-block; width: 15px; height: 15px; background-color: peachpuff; border: 1px solid black;"></span> H-B | <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> LB-2 | <span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> B-4  | <span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> I-2      | <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD       | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> T4 | <span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black;"></span> T6     |





# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



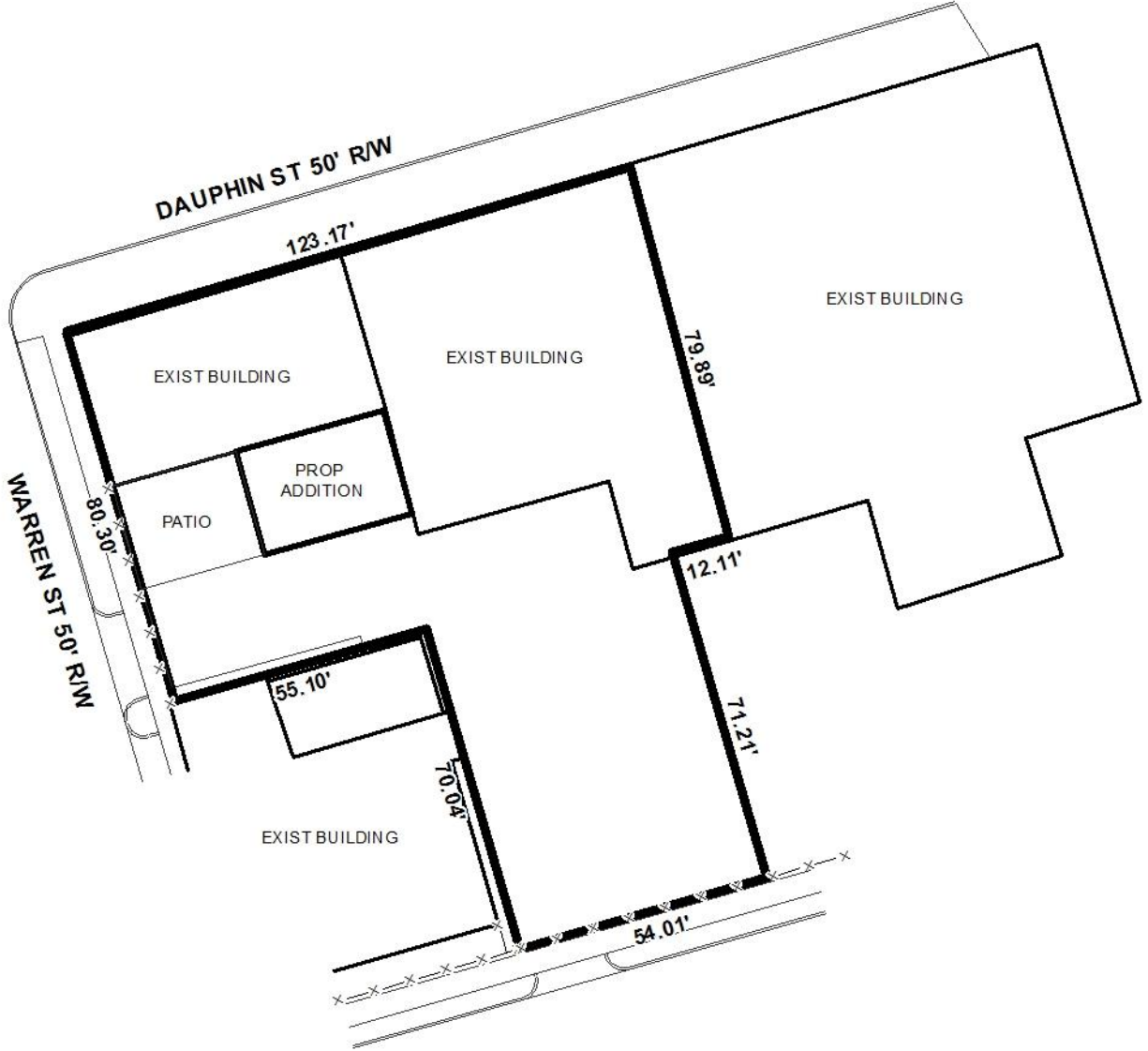
City of Mobile GIS Department

The site is surrounded by miscellaneous units.

|                    |                   |      |                  |
|--------------------|-------------------|------|------------------|
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| APPLICANT          | David Shumer      |      |                  |
| REQUEST            | Planning Approval |      |                  |



# SITE PLAN

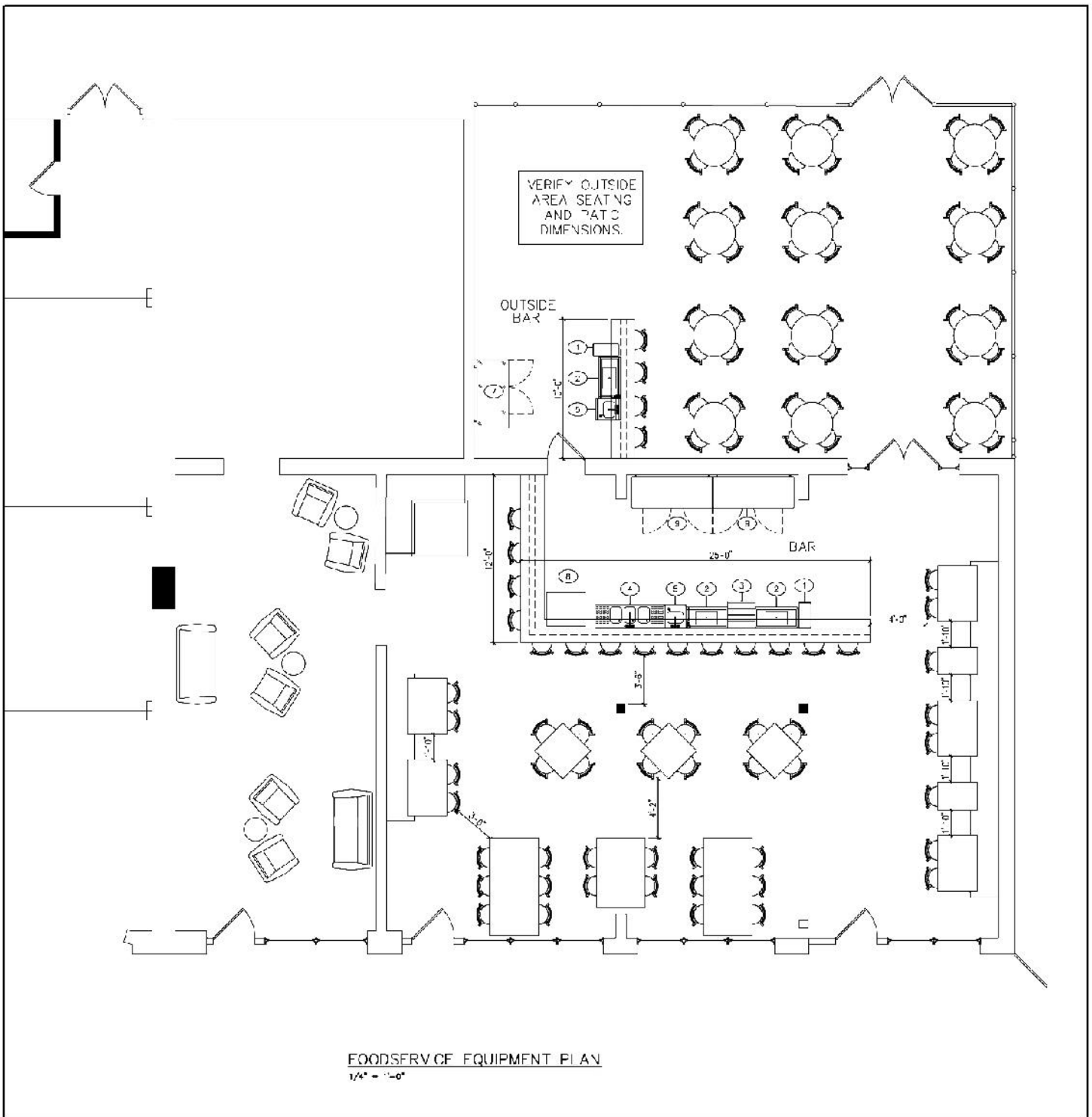


The site plan illustrates the existing buildings and proposed addition.

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# DETAIL SITE PLAN



FOODSERVICE EQUIPMENT PLAN  
1/4" = 1'-0"

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