



Agenda Item # 8

MOD-002949-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration – PUD Modification](#)

DETAILS

Location:

1480 Satchel Paige Drive

Applicant / Agent:

Owen Barry, NF V Acquisitions, LLC

Property Owner:

McGowin Park, LLC

Current Zoning:

B-3, Community Business Suburban District

Future Land Use:

District Center

Applicable Codes, Policies, and Plans:

- Unified Development Code (UDC)
- Map for Mobile Comprehensive Plan

Schedule for Development:

- Upon approval

Proposal:

- Modification of a previously approved Planned Unit Development allowing multiple buildings on a single building site with shared access and parking.

Commission Considerations:

1. Modification of a previously approved Planned Unit Development with fourteen (14) conditions.


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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER <u> 8 </u> DATE <u> July 18, 2024 </u>	 NTS
APPLICANT <u> Owen Barry, NF V Acquisitions, LLC </u>	
REQUEST <u> PUD Modification </u>	

SITE HISTORY

The site is part of McGowin Park, a mixed-use development which initially received Planning Approval by the Planning Commission in 1996 to allow construction of a baseball stadium and museum.

Rezoning of the property from R-1, Single-Family Residential District, to B-2, Neighborhood Business District, and B-3, Community Business District, was adopted by City Council at its April 9, 1996 meeting.

In December 2013 the Planning Commission approved a 20-lot subdivision of McGowin Park; however, the Final Plat was not presented for signatures and the approval subsequently expired.

In April 2014 the Planning Commission approved a 19-lot subdivision of McGowin Park, the plat for which was recorded in Mobile County Probate Court in May 2015.

The Planning Commission also approved the initial Planned Unit Development (PUD) of McGowin Park in April 2014, which allowed the construction of multiple buildings on a single building site, and shared access between multiple lots. The PUD has been amended multiple times to facilitate the development of additional lots within McGowin Park, as well as to incorporate a unique sign package allowing increased signage for businesses within the development. The most recent amendment was approved in October 2022 to allow redevelopment of one (1) of the lots within the PUD as a golf entertainment facility.

The subject site has remained undeveloped with each iteration of the PUD. It should be noted that PUDs are site plan-specific, any major modifications to which require review and approval by the Planning Commission and City Council, per Article 5, Section 64-5-8.B.2. of the Unified Development Code (UDC). The owner of the property now wishes to develop the site with a 124-room hotel, thus requiring further modification to the PUD site plan.

The site has not been the subject of any Board of Zoning Adjustment applications.

STAFF COMMENTS

Engineering Comments:

1. Provide an index of drawings for the five (5) plan sheets contained in the PUD Site Plan submittal.
2. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:
 - a. 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 Permitting Department (251-208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
 - b. 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 and paving 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.
 - c. 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.
 - d. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This

Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.

- e. 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.
- f. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites 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 (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinklered commercial buildings, within 600' of sprinklered commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The site plan depicts development of Lot 16 of the McGowin Park Subdivision recorded in 2015 for use as a 124-room hotel. The site will be accessed by Bolling Brothers Boulevard, a public street within the McGowin Park PUD, as well what appears to be an extension of the private street, Tingle Circle West. Access is not proposed from Satchel Paige Drive. One (1) 13,530± square-foot, four (4) story building is proposed, along with a dumpster pad and enclosure.

The site requires one (1) off-street parking space per two (2) rooms per Article 3, Table 64-3-12.1 of the UDC. There are 126 off-street parking spaces illustrated on the site plan, which is more than adequate; and each parking space meets the minimum size requirements of Article 3, Section 64-3-12.A.3. for 90-degree parking stalls.

Development of the site requires the provision of parking lot lighting, which must meet the illumination standards of Section 64-3-9.C. of the UDC. A photometric plan will be required at the time of permitting to verify the site will comply with these requirements.

Seven (7) bicycle parking spaces are required and must meet the standards of Section 64-3-12.A.9. of the UDC. Compliance with these requirements should be illustrated on a revised site plan.

If the hotel will be equipped with conference facilities and/or a restaurant open to the public, off-street loading spaces will be required, the amount and size(s) of which will need to comply with Section 64-3-12.B. of the UDC and illustrated on a revised site plan. If no conference facilities or public restaurant are proposed, a note should be placed on the revised site plan stating as much.

Pedestrian walkways are proposed, and are illustrated connecting to the sidewalks proposed along Satchel Paige Drive and Bolling Brothers Boulevard, in compliance with Article 3, Section 64-3-3 of the UDC.

No elevation drawings were provided as part of this application, but it should be noted that the proposed building will need to include at least one feature from each of the following design categories, the details of which are found in Section 64-3-6 of Article 3 of the UDC: 1) Site Frontage; 2) Building Form – Height; 3) Building Form – Wall; and, 4) Architectural Feature.

The height of buildings in a B-3, Community Business Suburban District is limited to 45 feet, notwithstanding any height exceptions detailed in Article 3, Section 64-3-6.C.2.(c) of the UDC.

Section 64-2-14.E. of the UDC requires 16,789± square feet (15%) of the site to be landscaped, 10,073± square feet (60%) of which is required to be planted between the street-facing property line(s) and any building wall(s) facing the street. A table on the site plan indicates that 15% of the site will be landscaped, but no calculations are provided. No calculations are provided for any proposed frontage landscape area or tree plantings, either. While such information is not required to be depicted on the site plan for this application, the applicant should note that full compliance with the tree planting and landscape area provisions of Article 3, Sections 64-3-7.A.2.(a) and 64-3-7.A.2.(b) will be required. A note stating as much should be placed on the revised site plan, and a tree and landscape area plan will be required at the time of permitting, and it must illustrate compliance with these provisions.

It should be noted that maintenance of all tree plantings and landscape area is the responsibility of the property owner. As such, the property owner is required to sign the tree and landscape plan acknowledging these requirements; or, the applicant may submit a notarized letter signed by the property owner with the same information.

A dumpster pad is illustrated on the site plan, and it appears it will be enclosed. Nevertheless, a note should be placed on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC.

There is a 15-foot wide utility easement along the North property line, and a 10-foot wide Alabama Power Company Easement along the East property line that are recorded on the subdivision plat, but are not illustrated on the site plan. Revision of the site plan to depict these easements should be required, and a note should be placed on the revised site plan stating no structures shall be built in any easement without permission from the easement holder.

No signage is depicted on the site plan, and no information regarding signage was provided to staff for review. All proposed signage for the site requires separate reviews by, and permits from, the Planning and Zoning Department. Illuminated signage also requires its design and construction to be completed by a licensed and bonded sign contractor, along with additional Electrical Permits from the Permitting Department.

If the site is not the subject of the aforementioned sign package that was approved as part of previous PUD approvals, then any proposed signage will need to comply with the Sign Provisions of Article 4, Section 64-4-14 of the UDC.

It should be noted that future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council. A note stating as much should be placed on the recorded site plan, if approved.

A revised Modified Planned Unit Development site plan (hard copy and pdf) should be submitted to and approved by Planning and Zoning prior to recording the plan in Probate Court, as required by Section 64-5-8-B.2(f).

PLANNED UNIT DEVELOPMENT MODIFICATION CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in 64-5-8-B.(5) states the following concerning Planned Unit Development Modifications:

Approval Criteria. The Planning Commission shall not recommend a major modification for approval, and the City Council shall not approve the modification, unless the proposed modification:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:
 - a. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - b. Includes adequate public facilities and utilities;
5. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
6. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
7. Shall not be detrimental or endanger the public health, safety or general welfare.
8. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

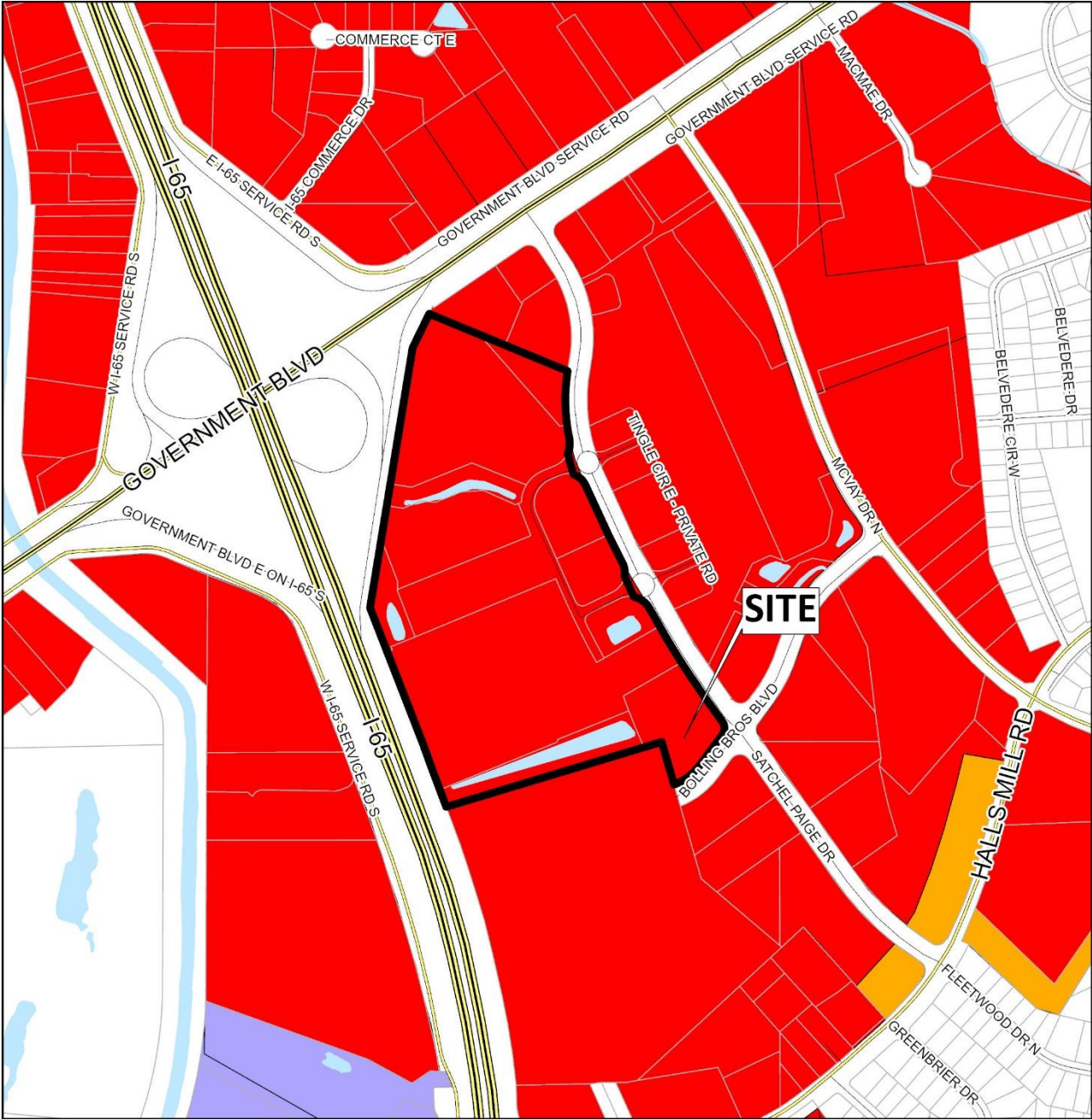
Considerations:

If the Planning Commission considers a recommendation of approval for the Modified Planned Unit Development, the following conditions could apply:

1. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
2. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;

3. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3-12.B, or placement of a note on the site plan stating the hotel will have no conference facilities and no restaurant open to the public;
4. Provision of a note on the site plan stating the site shall comply with the tree planting and landscaping requirements of Article 3, Sections 64-3-7.A.2.(a) and 64-3-7.A.2.(b) of the UDC;
5. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
6. Revision of the site plan to illustrate the utility and Alabama Power Company easements;
7. Provision of a note on the site plan stating no structure shall be constructed in any easement without permission from the easement holder;
8. Provision of a note on the site plan stating that future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
9. Compliance with all Engineering comments noted in this staff report;
10. Compliance with all Traffic Engineering comments noted in this staff report;
11. Compliance with all Urban Forestry comments noted in this staff report;
12. Compliance with all Fire Department comments noted in this staff report;
13. Provision of a revised site plan for review by Planning and Zoning prior to recording, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
14. Full compliance with all municipal codes and ordinances.

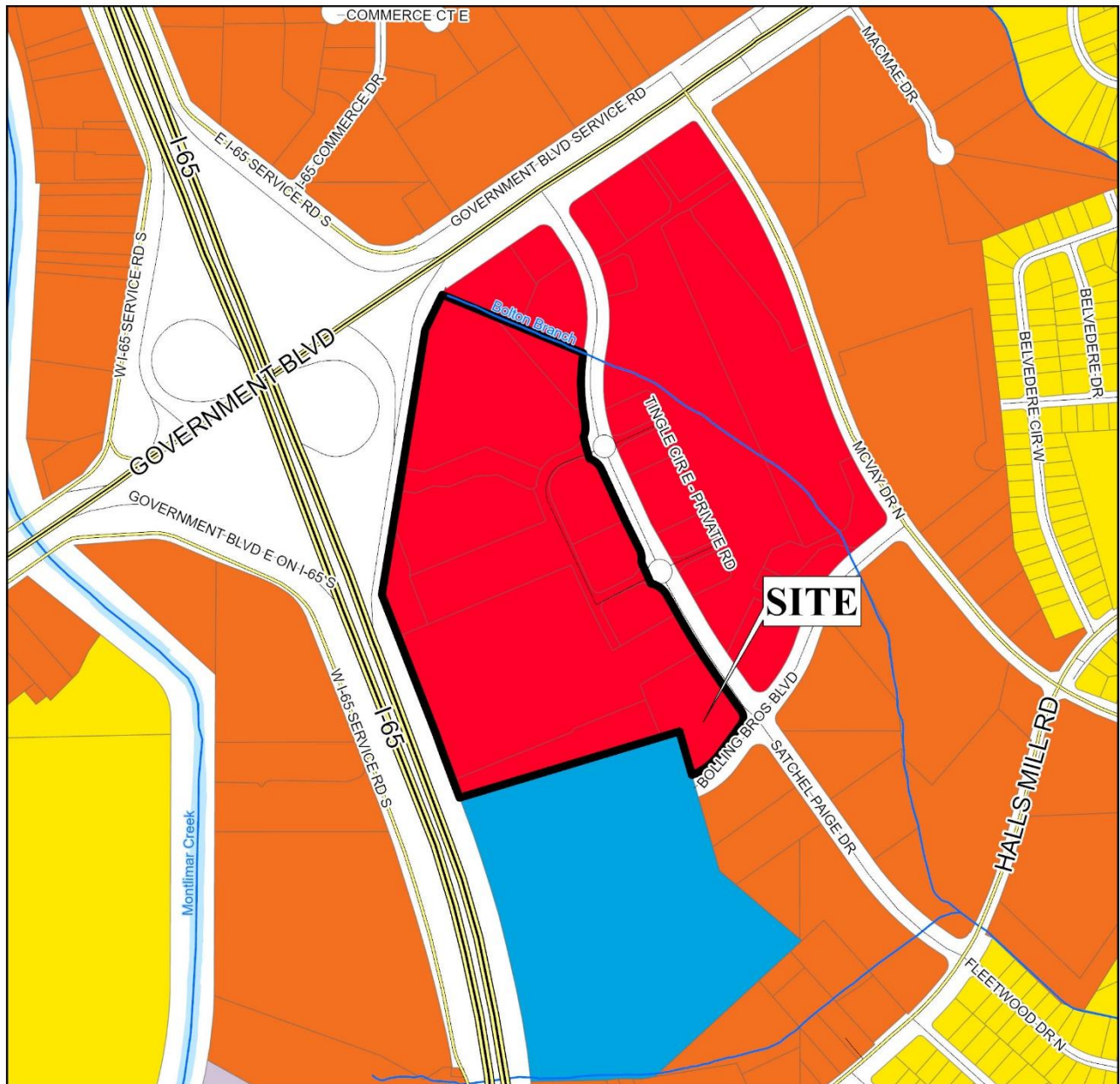
LOCATOR ZONING MAP



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REQUEST	PUD Modification		



FLUM LOCATOR MAP



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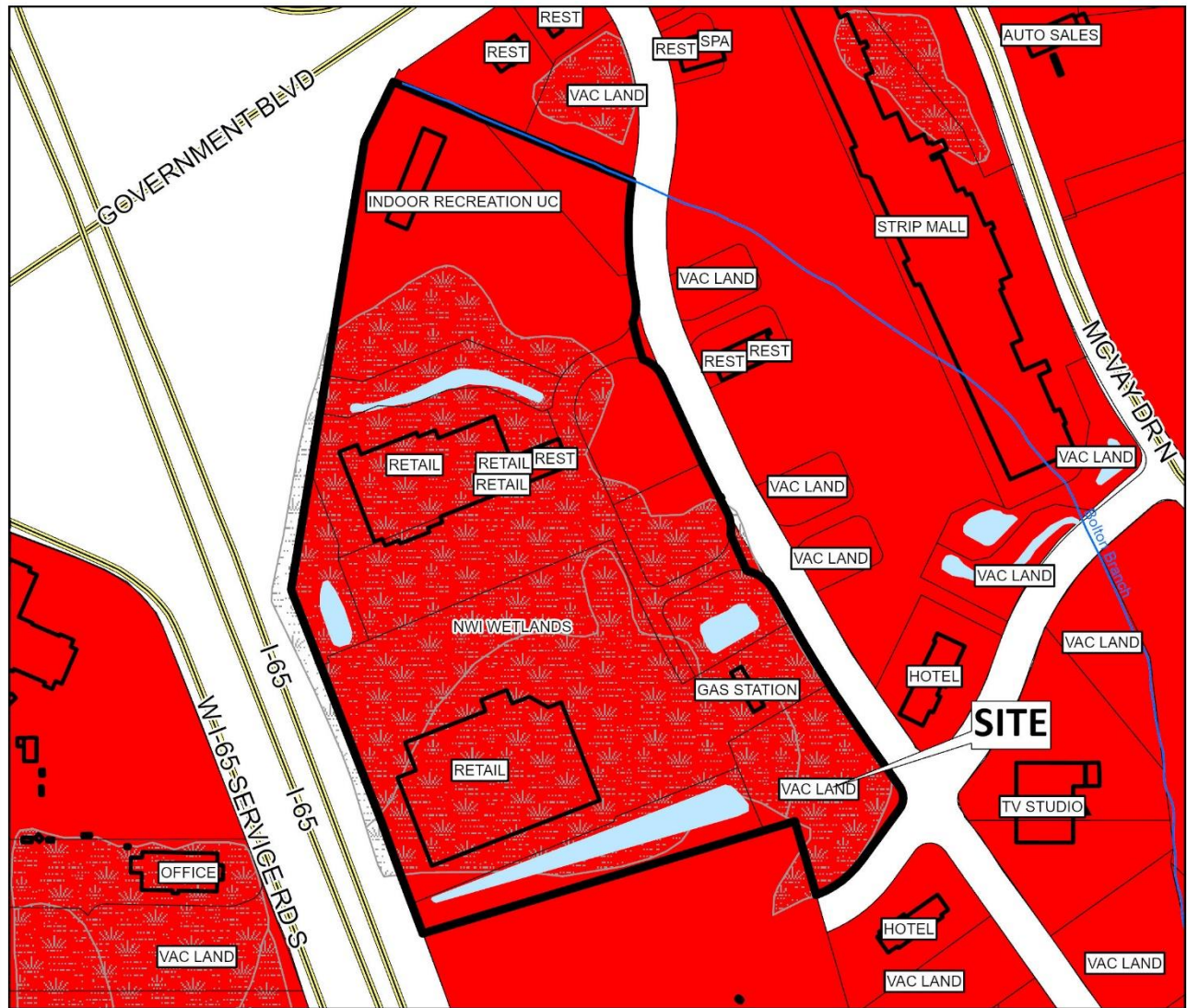
APPLICANT Owen Barry, NF V Acquisitions, LLC

REQUEST PUD Modification


- | | | | |
|---|--|--|--|
| ■ 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 | |



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>		 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2	 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6	 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	
 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2																						
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6																						
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1																							

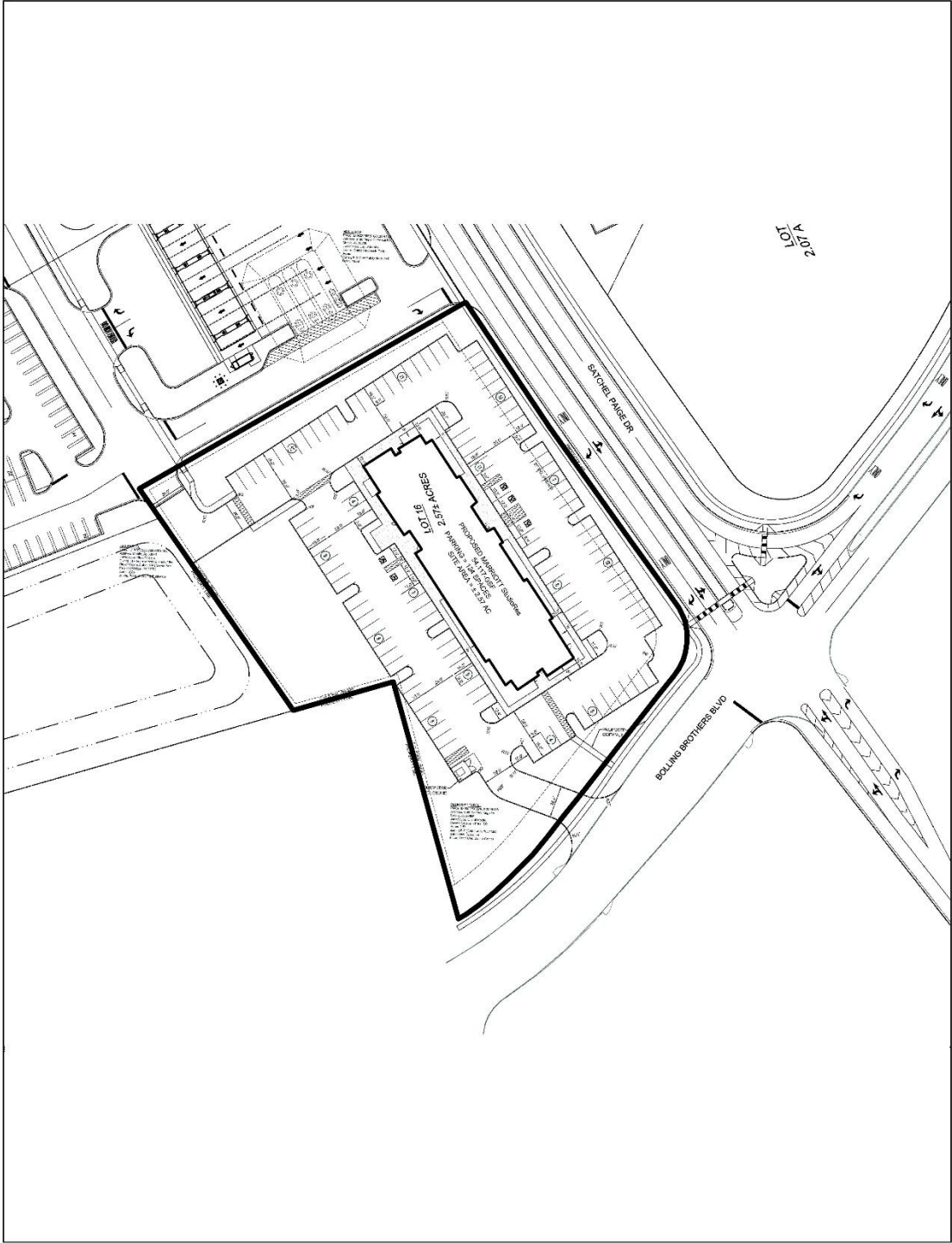
SITE PLAN




The site plan illustrates the existing PUD area, buildings, parking, and proposed modification area for the proposed hotel.

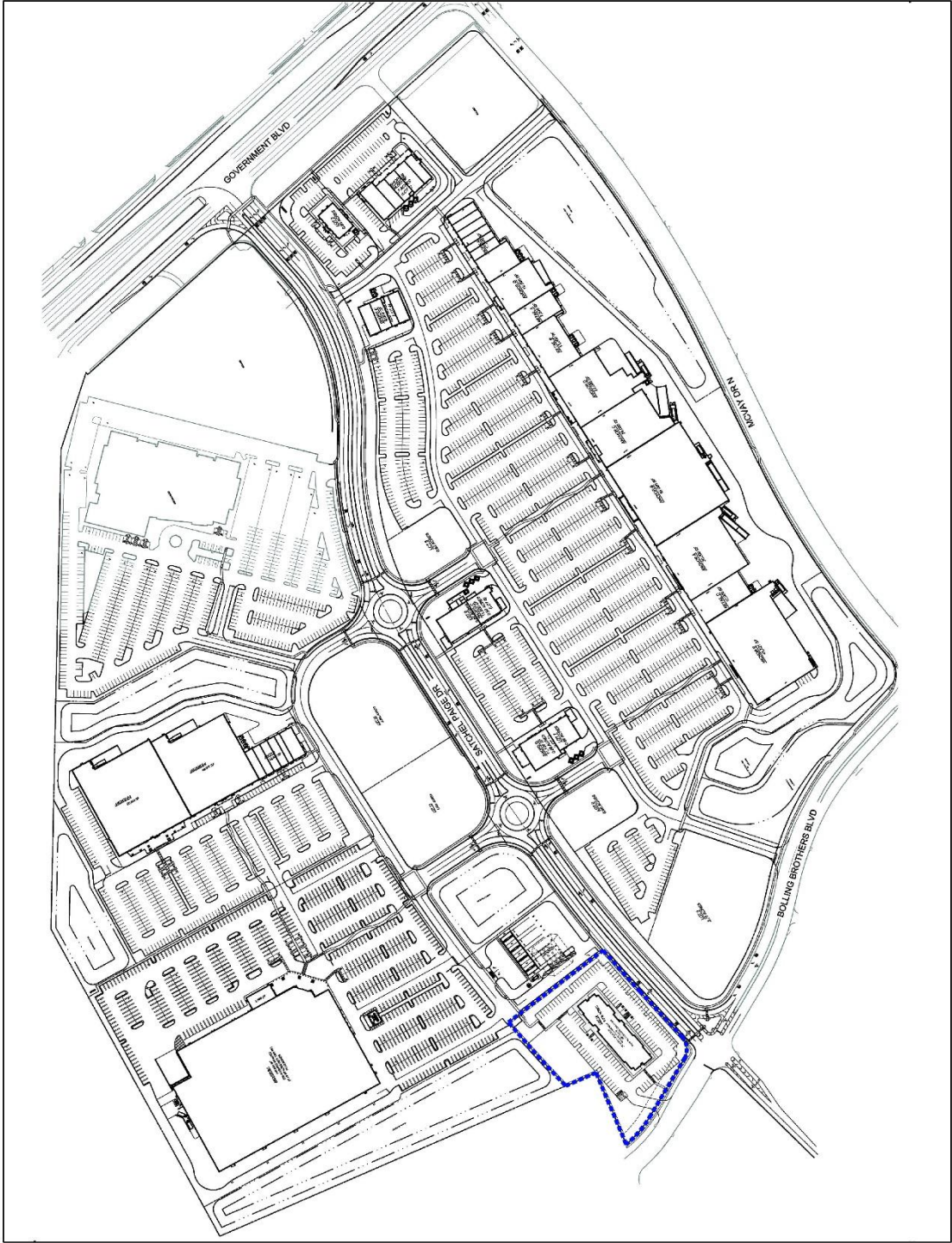
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DETAIL SITE PLAN

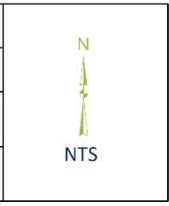


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DETAIL SITE PLAN



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ZONING DISTRICT CORRESPONDENCE MATRIX

		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)	
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■				■		■					□			
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○		
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○		
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○		
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□			
HISTORIC BUSINESS	H-B			■		■		■					□			
VILLAGE CENTER	TCD					■	■						□			
NEIGH. CENTER	TCD					■	■						□			
NEIGH. GENERAL	TCD					■							□			
DOWNTOWN DEV. DDD	T-6			■									□			
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□			
DOWNTOWN DEV. DDD	T-5.2			■		■							□			
DOWNTOWN DEV. DDD	T-4			■		■		□					□			
DOWNTOWN DEV. DDD	T-3			■		■							□			
DOWNTOWN DEV. DDD	SD-WH									○	○		□			
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□			
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○		
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○		
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○		
COMMUNITY BUSINESS	B-3				■				■			○	□	○		
GEN. BUSINESS	B-4			■					■			○	□	○		
OFFICE-DISTRIBUTION	B-5								■	■			□	□		
LIGHT INDUSTRY	I-1									■			□	□		□
HEAVY INDUSTRY	I-2										■		□			□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)



DISTRICT CENTER (DC)

This designation applies across the city to larger areas of existing mixed-use character or where such character is encouraged. These areas will include moderate to high-density residential (minimum densities of 6 du/ac) in dynamic, horizontal or vertical mixed use environments, to provide a balance of housing and employment.

District Centers generally serve several surrounding neighborhoods and may even have a city-wide or region-wide reach. As such, they are often anchored by a major commercial or institutional employer such as a shopping mall or a medical center.

Depending on location and assigned zoning, residential areas in District Centers may incorporate a mix of housing types, ranging from mid-rise multifamily buildings containing apartments and lofts, to townhouses and detached single-family homes. Major civic cultural institutions and public spaces provide regional and neighborhood destinations.

District Centers should be designed to induce pedestrian activity, with high quality streetscapes connecting the different components of a center as well as the center to its surrounding area. DC districts may be served by transit and include development of an intensity and design that supports transit use.