



Legislation Details (With Text)

File #: 19-00408 **Version:** 1 **Name:**
Type: Quasi-Judicial Hearing **Status:** Passed
File created: 8/19/2019 **In control:** City Council
On agenda: 9/26/2019 **Final action:** 9/26/2019
Enactment date: **Enactment #:**
Title: QUASI-JUDICIAL HEARING: REQUEST FOR AMENDMENT TO CONDITIONAL USE - MOBILE RESTAURANT UNIT DEVELOPMENT "AL FRESCO"

Sponsors: Grover C. Robinson, IV

Indexes:

Code sections:

Attachments: 1. Al Fresco Conditional Use Amendment Planning Board - 8/13/2019, 2. Planning Board Minutes - 8/13/2019, 3. PROOF OF PUBLICATION - HEARINGS

Date	Ver.	Action By	Action	Result
9/26/2019	1	City Council	Approved	Pass
9/23/2019	1	Agenda Conference	Placed on Regular Agenda	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: Grover C. Robinson, IV, Mayor

SUBJECT:

QUASI-JUDICIAL HEARING: REQUEST FOR AMENDMENT TO CONDITIONAL USE - MOBILE RESTAURANT UNIT DEVELOPMENT "AL FRESCO"

RECOMMENDATION:

That City Council conduct a quasi-judicial hearing on September 26, 2019 to consider a proposed amendment to the Conditional Use permit for the Mobile Restaurant Unit Development "Al Fresco".

HEARING REQUIRED: Quasi-Judicial

SUMMARY:

The City has received a request to amend the Conditional Use approval for placement of mobile restaurant units on property located at the southwest corner of Palafox Place and West Main Street.

On August 13, 2019, the City of Pensacola Planning Board unanimously recommended approval for the amendment to the existing Conditional Use for the mobile restaurant facility "Al Fresco". Scott Sallis, Dalrymple Sallis Architecture, has requested an Amendment which includes the rotation of one Airstream mobile restaurant unit, the addition of a wooden, open-air structure over the entire site, the expansion of the cafeteria-style dining space, and the introduction of a retail component along Main

Street in moveable kiosks. The service bar previously developed as part of “Shux” restaurant will remain; the two areas will be transformed into one space. The language regulating approval of such development contained in the Land Development Code is as follows:

- (3) Mobile restaurant facilities may be permitted on private property having frontage on South Palafox Place in the area located between the southern right-of-way line of Main Street and Pensacola Bay. Mobile restaurant facilities shall only be permitted as an accessory use to an adjacent existing and operational restaurant subject to the following conditions:

- (a) Mobile restaurant units will be permanently fixed to the ground (the attachments can be removed in the event the mobile restaurant needs to be moved due to lease termination or declaration of emergency).

The Airstream being relocated will be anchored with helical anchors identical to the existing anchoring system for the Airstream mobile kitchen units.

Mobile retail kiosks are also being proposed between W. Main Street and the dining area. They will be removed in the event of a storm.

- (b) Storage areas and mechanical equipment shall be screened from view.

The mechanical equipment will continue to be screened from view; this will be enforced through the permit approval process.

- (c) Mobile restaurant units shall be connected to the sewer system and utilize a grease trap.

Sewer connections will be required during the permitting process; additional requirements from ECUA may apply. The grease trap location for the rotated Airstream is not indicated on the amended Development Plan as presented; however, they will be required during the permitting process.

- (d) Mobile restaurant units shall have permanent restrooms provided for customers via the adjacent principal restaurant use.

No changes appear to be proposed for the existing restroom facilities. The proposed Development Plan incorporates a screen wall to provide a visual separation from the restrooms and the common area.

- (e) Mobile restaurant development sites shall provide one (1) customer seat per linear foot of mobile unit on site.

The amended Development Plan provides approximately 1.5 seats for the 100 linear feet of mobile kitchen with a total of 156 seats at tables and the bar area.

- (f) In addition to minimum landscaping requirements, mobile restaurant development sites shall provide both hardscape and landscape details with sufficient quality of design to create a formalized outdoor plaza environment. This shall be accomplished through the incorporation of grated tree wells for the planting of shade and canopy trees within

outdoor seating areas. Outdoor seating areas shall be constructed with a minimum of forty (40) percent decorative architectural pavers comprising the overall seating area.

The Development Plan exceeds this requirement by providing 3,633 sf of pavers within the development area.

- (g) Each individual mobile restaurant unit shall have a water source located within thirty (30) feet behind the structure.

The amended Development Plan complies with this standard.

- (h) Mobile restaurant units shall be allowed one menu attached to the façade not to exceed sixteen (16) square feet and one identifying sign not to exceed twenty-five (25) square feet.

The Development Plan acknowledges existing signage will remain compliant.

- (i) There will be a maximum of four (4) mobile restaurant units per development site. If a mobile restaurant development site has more than one mobile restaurant unit on the parcel then all mobile restaurant units will be of a consistent design, size, and color. Mobile restaurant units and associated developments shall comply with the regulations and reflect the character of the district in which they are located. Accent features to distinguish unique culinary concepts are encouraged.

The amended Development Plan does not change the sizes of the previously approved Airstreams. Only one Airstream will be rotated with this amendment; the other three will remain as they are.

- (j) Mobile restaurant units shall not occupy more than twenty-five (25) percent of the overall development site area.

The mobile restaurants will remain compliant and will not exceed 25% of the development site area.

- (k) Underground utilities shall be required for each mobile restaurant unit. Generators are not permitted with the exception of during the course of emergencies and power outages.

The existing Airstreams utilize underground utilities and will continue to do so with this amendment.

- (l) A designated screened dumpster area shall be located within five hundred (500) feet of a mobile restaurant unit.

The existing dumpster is to remain on the adjacent property and will be screened from view.

On August 13, 2019, the Pensacola Planning Board unanimously recommended approval for the Amendment to the Conditional Use for Mobile Restaurant Unit Development "Al Fresco".

PRIOR ACTION:

July 16, 2012 - City Council approved Conditional Use for Mobile Restaurant Unit Development "Al Fresco"

FUNDING:

N/A

FINANCIAL IMPACT:

None

CITY ATTORNEY REVIEW: Yes

9/10/2019

STAFF CONTACT:

Christopher L. Holley, City Administrator
Kerrith Fiddler, Assistant City Administrator
Sherry H. Morris, Planning Services Administrator

ATTACHMENTS:

- 1) Al Fresco Conditional Use Amendment Planning Board - 8/13/2019
- 2) Planning Board Minutes - 8/13/2019

PRESENTATION: No