



## Agenda Item #: 6

MOD-002715-2023 & MOD-002716-2023

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

[Applicant Materials for Consideration – Planned Unit Development Modification](#)

[Applicant Materials for Consideration – Planning Approval Modification](#)

### DETAILS

**Location:**

3650, 3704, 3708, & 3758 Spring Hill Avenue

**Applicant / Agent:**

Father Bry Shields, St. Ignatius Parish, Mobile

**Property Owner:**

St. Ignatius Parish Mobile Corporation

**Current Zoning:**

R-1, Single-Family Residential Suburban District

**Future Land Use:**

Institutional

**Applicable Codes, Policies, and Plans:**

- Unified Development Code
- Map for Mobile Comprehensive Plan

**Schedule for Development:**

- May 2024 thru March 2025

**Proposal:**

- Modification of a previously approved Planned Unit Development
- Modification of a previously approved Planning Approval

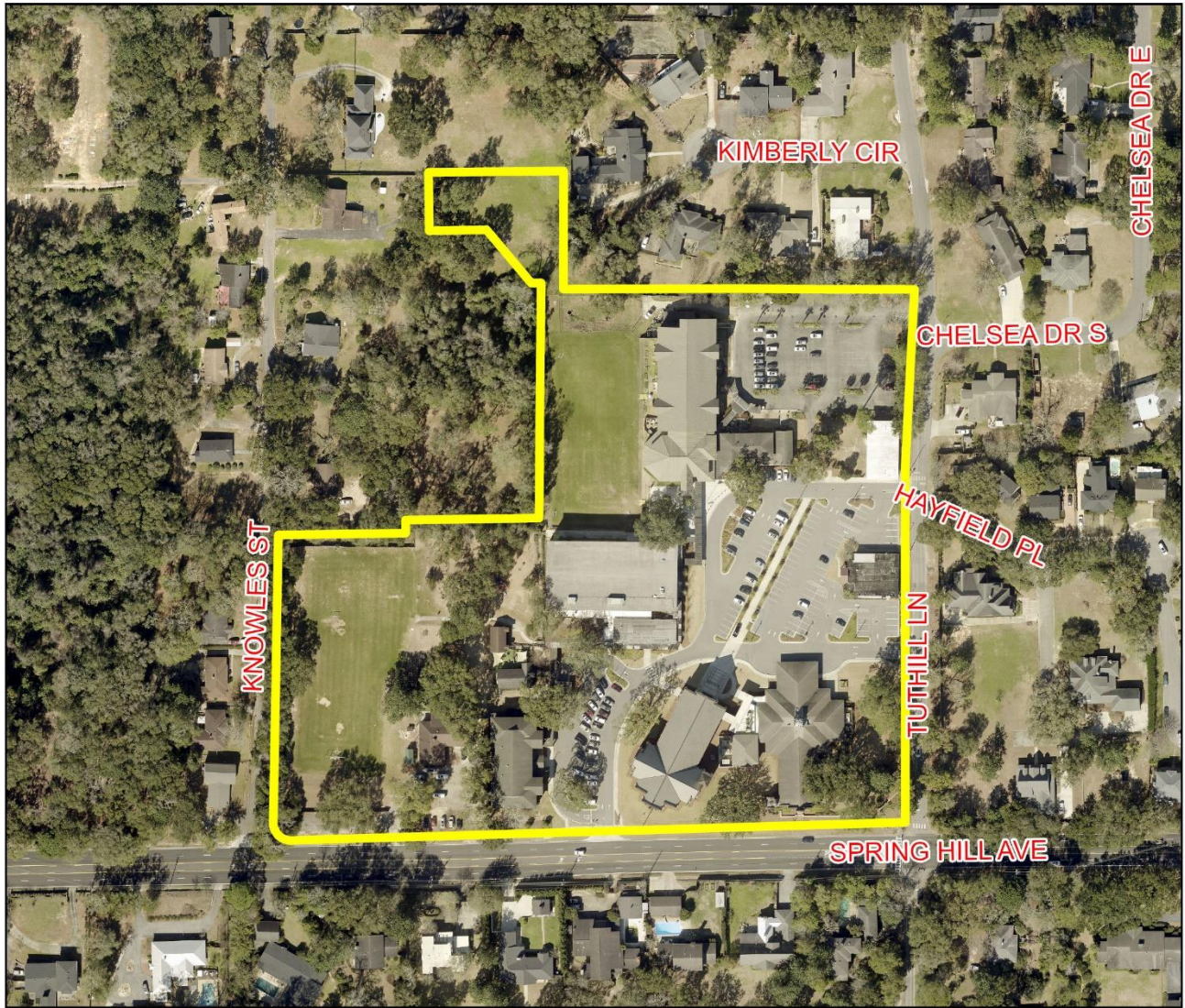
**Considerations:**

1. Modification of a previously approved Planned Unit Development with three (3) conditions; and
2. Modification of a previously approved Planning Approval with three (3) conditions.


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# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER <u>        6        </u> DATE <u>    December 7, 2023    </u>	 NTS
APPLICANT <u>        Father Bry Shields, St. Ignatius Parish, Mobile        </u>	
REQUEST <u>        PUD Modification, PA Modification        </u>	

## SITE HISTORY

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In August, 1985 the Board of Zoning Adjustment approved a Front Yard Setback Variance for an addition to the church.

Since 2000, the site has been the subject of numerous Planning Approvals (PAs) to allow a church and private school in an R-1 District, and Planned Unit Developments (PUDs) to allow multiple buildings on a single building site. The most recent of these applications were approved by the Planning Commission at its May 7, 2020 meeting to amend a previously approved Master Plan for an existing church and school in an R-1 District to allow an expansion of the site.

A Sidewalk Waiver was approved in June, 2011 to waive construction of a sidewalk along Knowles Street.

The site is currently a legal lot of record via Saint Ignatius Parish Subdivision, approved by the Commission at its June 20, 2019 meeting.

## STAFF COMMENTS

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### Engineering Comments:

#### PLANNING APPROVAL:

No comments.

#### PUD:

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 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).
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 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.
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. 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.
5. 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.



6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

### **Traffic Engineering Comments:**

Traffic Engineering is recommending this Modification is held over until the Traffic Impact Study noted in Sequence One Existing Site Plan is submitted to Traffic Engineering for the proposed new construction. 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-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

### **Planning Comments:**

The subject site is developed as an existing church and private church school in an R-1, Single-Family Residential Suburban District. The applicant wishes to replace the existing Pre-K Toddler and 2-Year Old Mothers' Day Out facilities with a new one (1)-story Early Learning Center catering to various ages of Pre-K and Kindergarten children, and a covered pavilion. The existing facilities were approved in the most recent Planning Approval (PA) and Planned Unit Development (PUD) Master Plan amendments for the site heard by the Commission in May, 2020. As PAs and PUDs are site plan specific, and the proposed changes are not considered minor changes, the site is required to obtain Major Modification approvals in order to proceed with the construction.

All of the proposed improvements are contained within the existing boundaries of the school property. No new parking is proposed for the new facilities. Parking calculations based upon the UDC standards provided with the application indicate that all school uses of the site will require 76 parking spaces, and all church uses will require 51 parking spaces, for a total of 127 spaces. The site currently provides 236 parking spaces. It should be noted that Article 3, 64-3-12.A.5.(d)(3) of the UDC requires any parking spaces in excess of the minimum required number to have an Alternative Parking Surface. However, as the existing parking provided was approved under review based upon the previous Zoning Ordinance, the requirement of Alternative Paving Surface parking would not be appropriate.

It is unclear if the proposed additions to the site will result in the removal of any required trees. If trees are to be removed, the applicant should coordinate with staff to insure the site maintains compliance with the tree plans on file.

Finally, a note should be placed on both the PA and PUD site plans stating future development of the sites may require review by the Planning Commission, and approval from City Council.

## **PLANNING APPROVAL / PLANNED UNIT DEVELOPMENT MODIFICATION CONSIDERATIONS**

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### **Standards of Review:**

The Unified Development Code (UDC) in Section 64-5-8-B.(5) states the following concerning Planning Approval / 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; and
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.

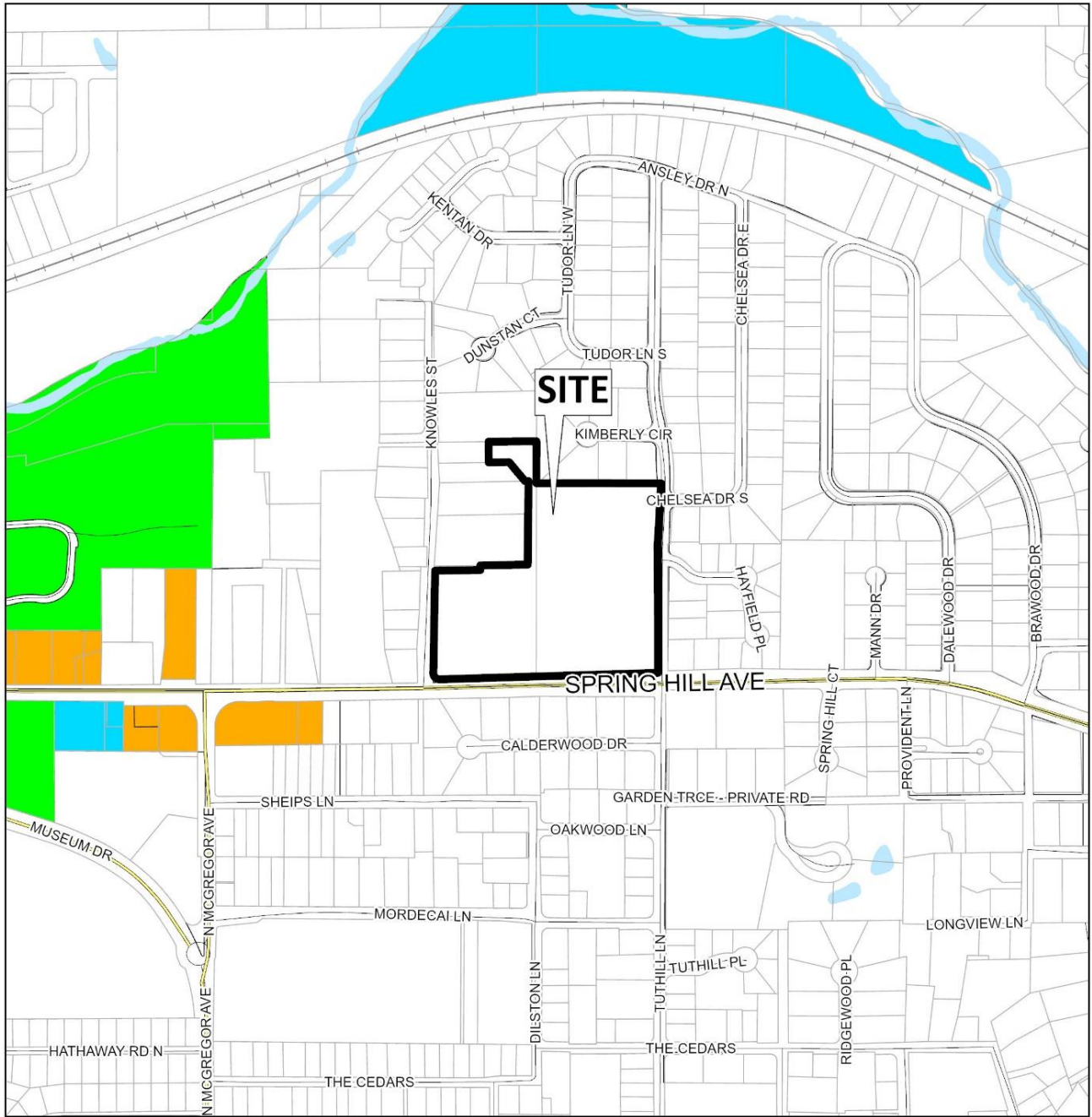
The applicant's responses to address the above criteria are available in the link on page one (1).

### **Considerations:**

If the Planning Commission considers a recommendation of approval of the Modified Planning Approval / Planned Unit Development, the following conditions should apply:

1. Placement of a note on both site plans stating future development of the sites may require review by the Planning Commission, and approval from City Council;
2. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development and Planning Approval site plans prior to the recording in Probate Court, and provision of a copy of the recorded site plans (hard copy and pdf) to Planning and Zoning; and,
3. Full compliance with all municipal codes and ordinances.

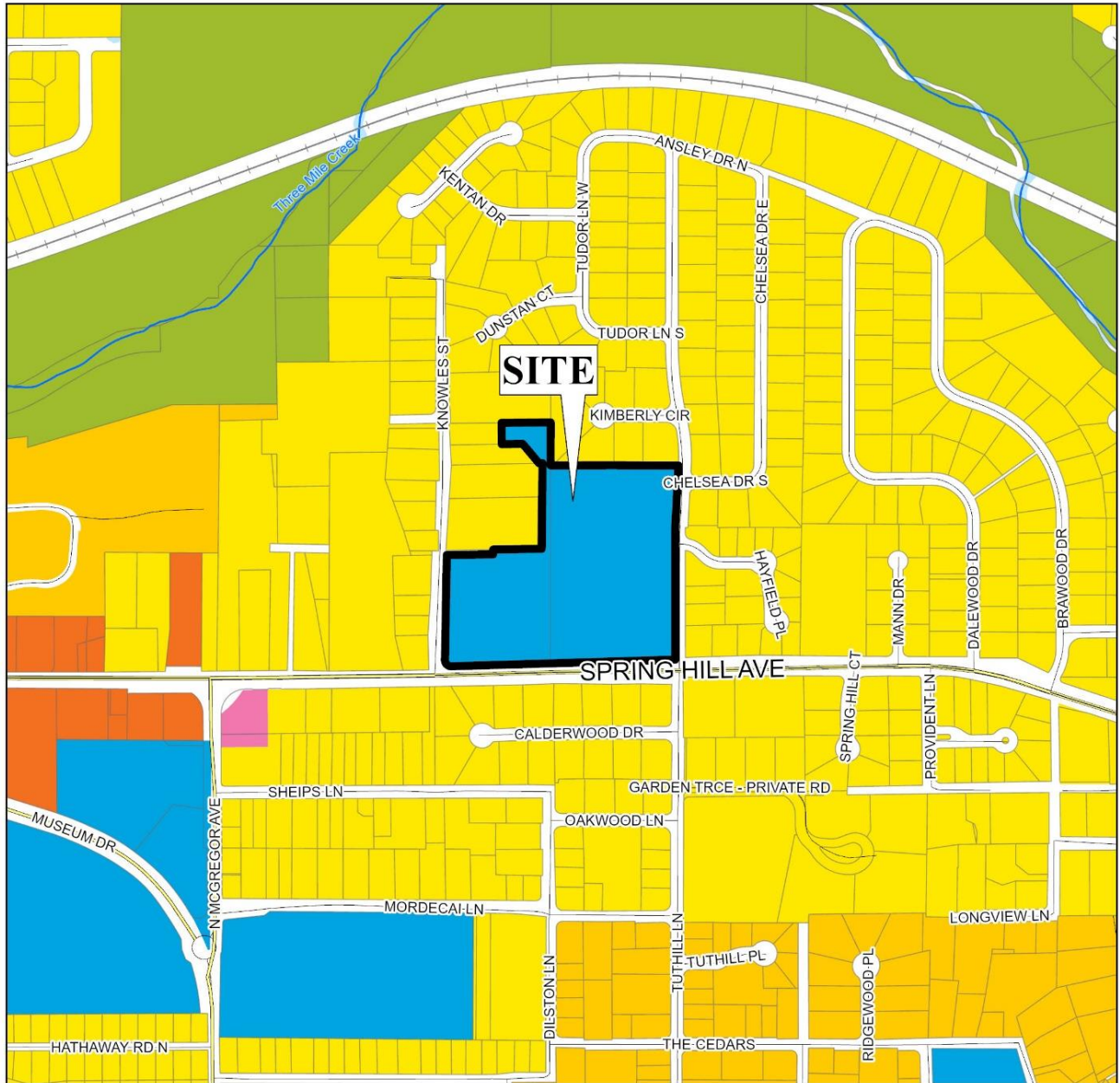
# LOCATOR ZONING MAP



APPLICATION NUMBER _____ 6 _____	DATE _____ December 7, 2023 _____
APPLICANT _____ Father Bry Shields, St. Ignatius Parish, Mobile _____	
REQUEST _____ PUD Modification, PA Modification _____	



# FLUM LOCATOR MAP



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APPLICANT Father Bry Shields, St. Ignatius Parish, Mobile

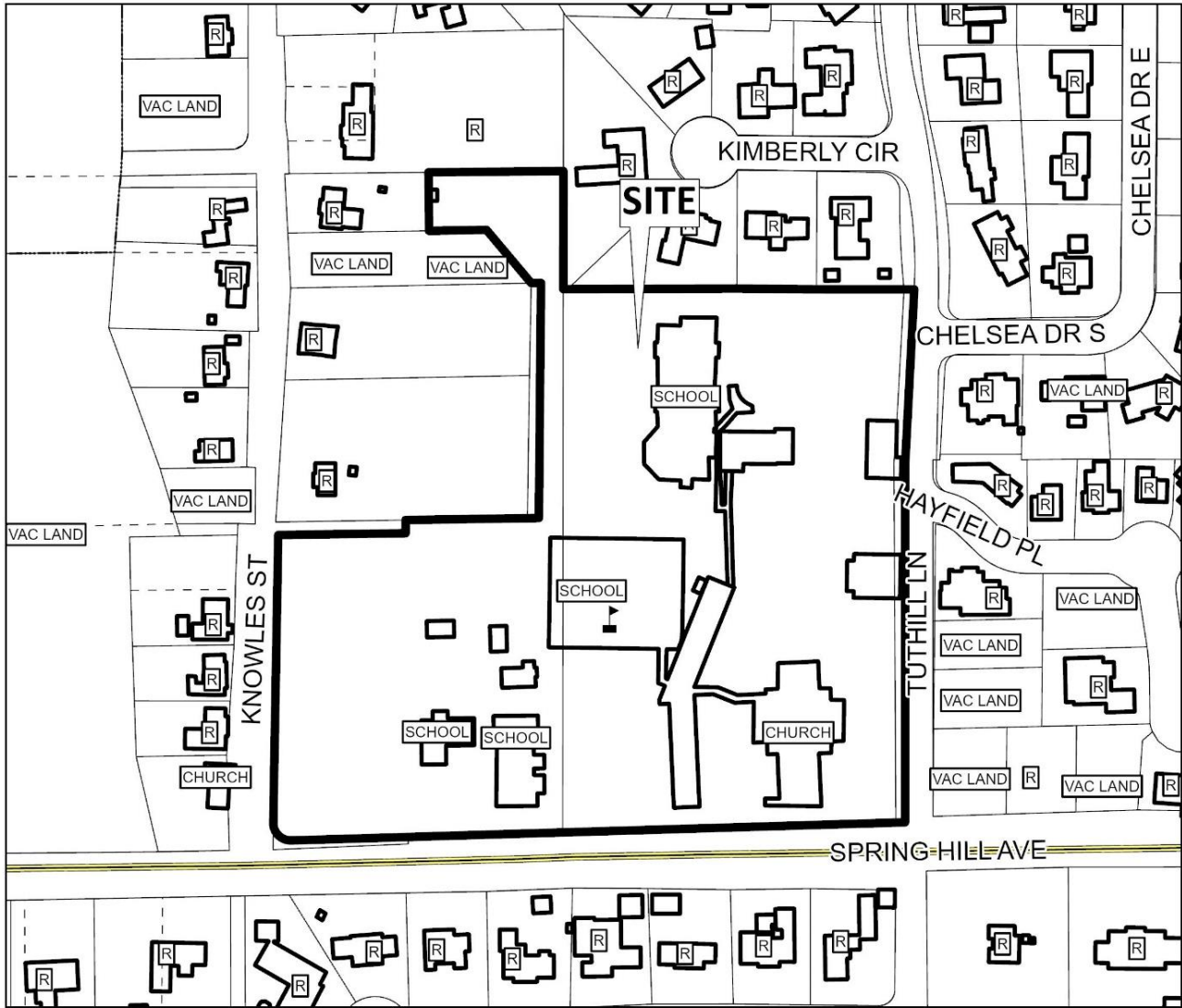
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- |                           |                                   |                     |                    |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential   | 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       |                    |






# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

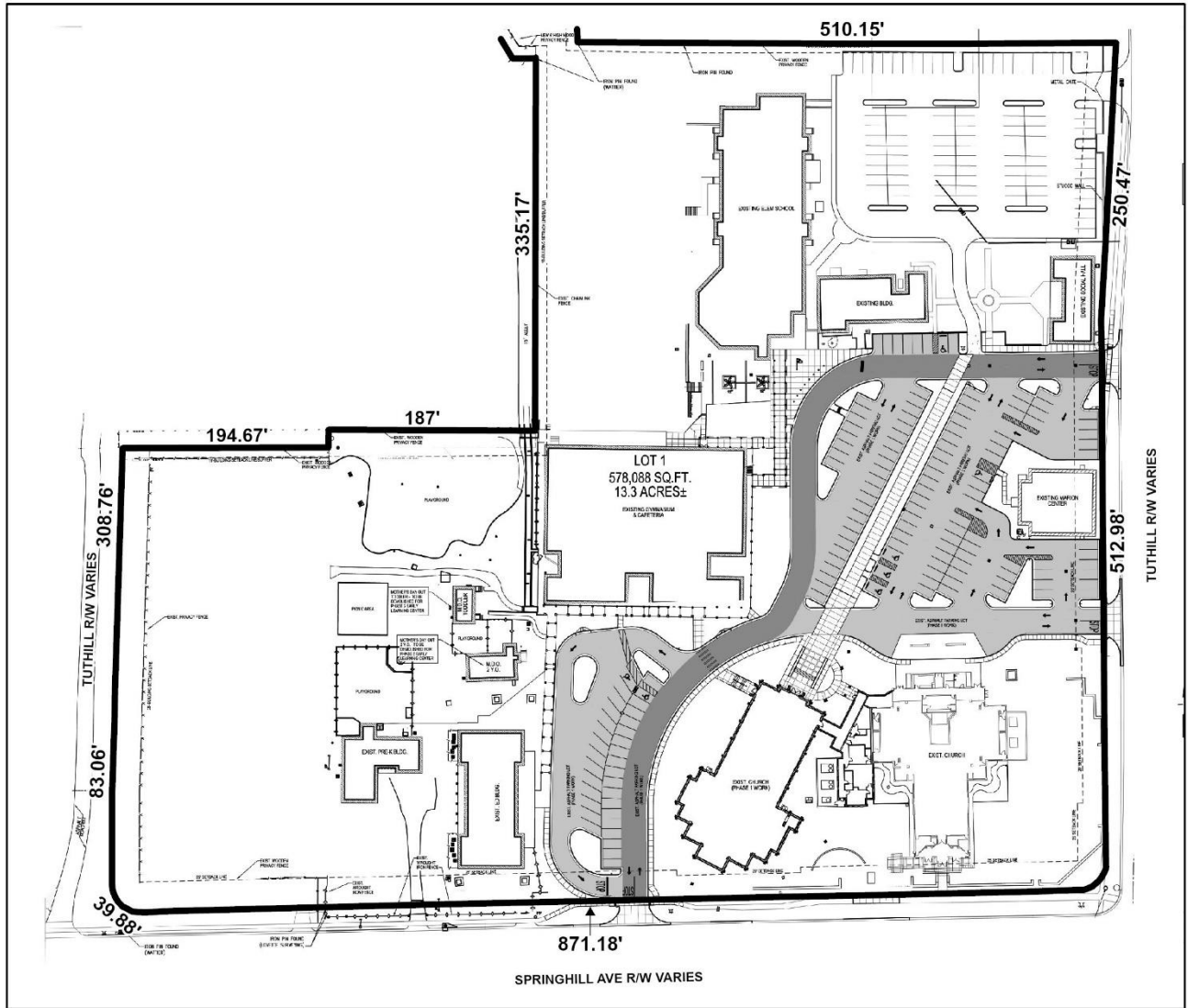


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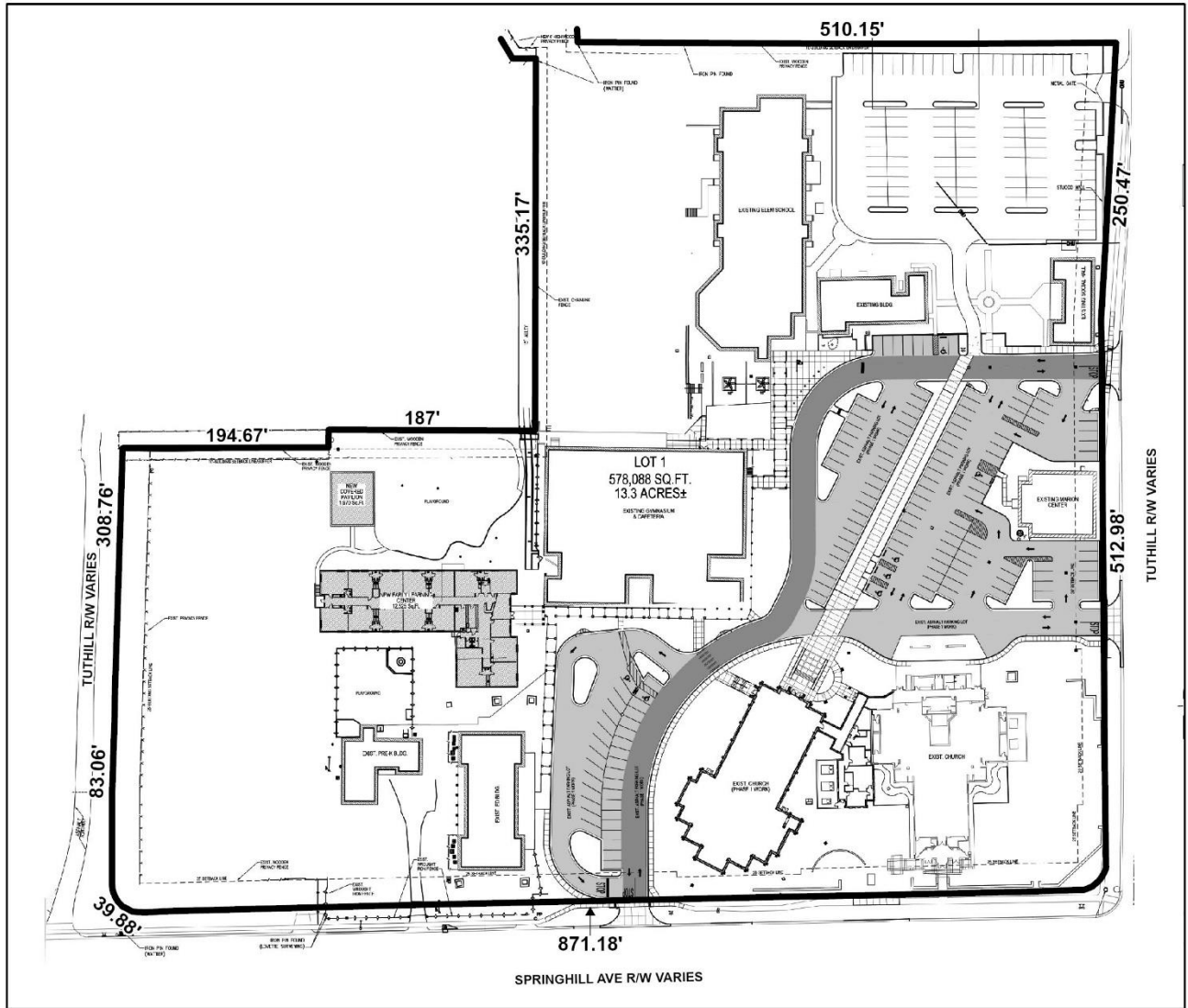
# EXISTING SITE PLAN




The site plan illustrates the existing buildings.

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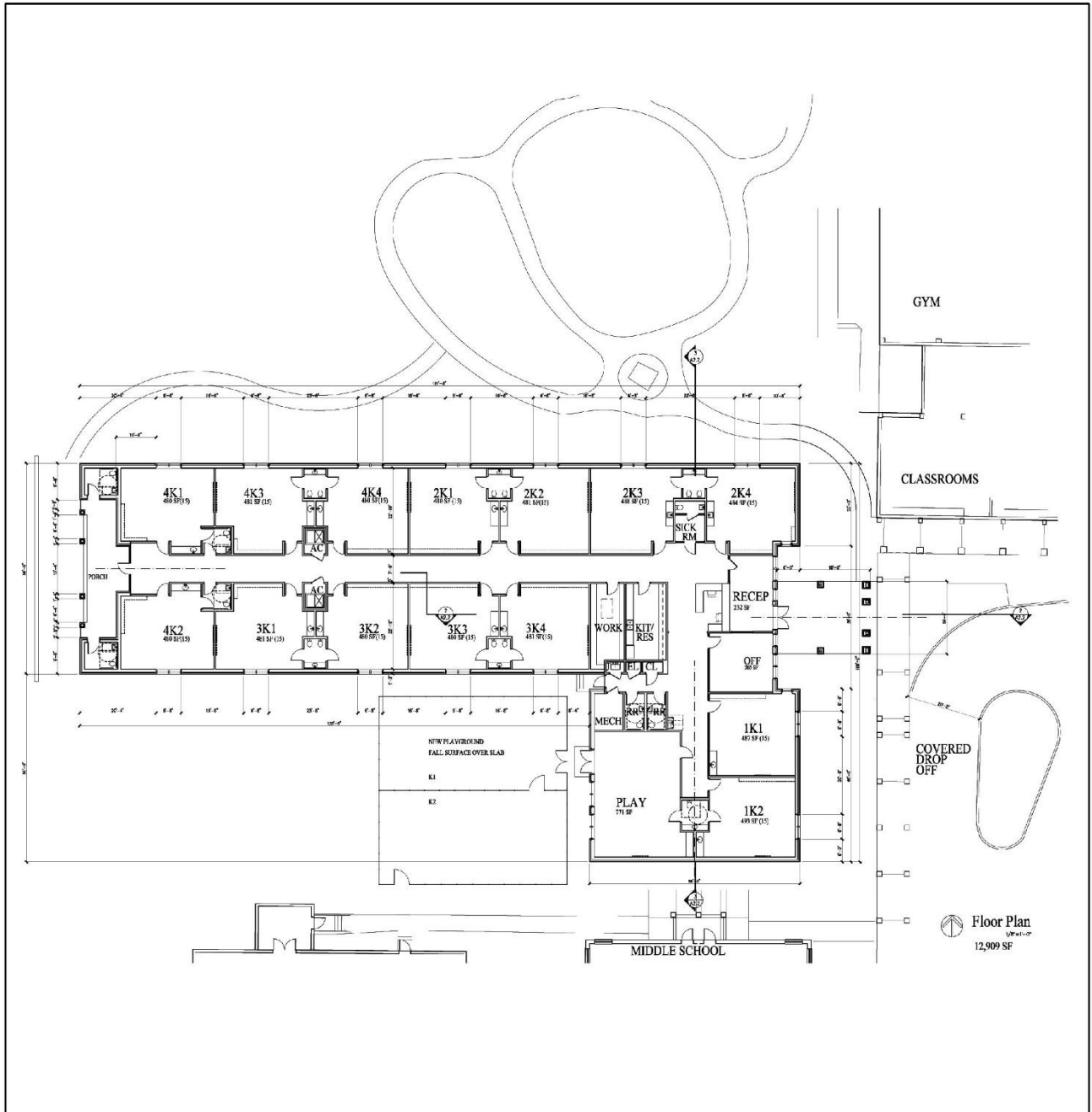
# PROPOSED SITE PLAN



The site plan illustrates existing and proposed buildings.

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# DETAIL SITE PLAN



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APPLICANT _____ Father Bry Shields, St. Ignatius Parish, Mobile _____	
REQUEST _____ PUD Modification, PA Modification _____	



NTS





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)

# Institutional Land Use (INS)

This designation includes land and buildings occupied by municipal and other governmental agencies for the exercise of their functions, to serve the public or provide a civic use or amenity. These include major libraries, airports, public schools and public safety facilities, but exclude parks and public open space which are identified under a separate land use classification (see below). Semi-public uses such as grammar and high schools, colleges and universities, hospitals, and other major institutions that serve the public and/or operate in a public function are included.

**Note: Small-scale properties (less than 2 acres) accommodating subsidiary public and semi-public facilities, such as branch libraries, substations, satellite clinics, etc., may not be specifically called out in the FLUM under this land use designation, but may instead be considered part of the array of integrated complementary uses typically found in a residential neighborhood or a mixed-use center or corridor. The specific location and design of these complementary uses is subject to zoning.**