#### PLANNING APPROVAL STAFF REPORT Date: March 3, 2022

**NAME** Mott MacDonald Architects, Inc.

**LOCATION** 355 North Ann Street

(West side of North Ann Street, 53'± North of Basil Street).

CITY COUNCIL

**DISTRICT** District 2

**PRESENT ZONING** R-1, Single-Family Residential District

**AREA OF PROPERTY** 0.25± Acre

**CONTEMPLATED USE** Planning Approval to allow a public museum in an R-1,

Single-Family Residential District.

TIME SCHEDULE

FOR DEVELOPMENT Immediate

# ENGINEERING COMMENTS

- 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 (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. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area.
- 5. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.

6. 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.

- 7. 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.
- 8. 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 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 [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 (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

**REMARKS** The applicant is requesting Planning Approval to allow a public museum in a R-1, Single-Family Residential District. The subject site is surrounded on the North, West and South by properties also zoned R-1, with most in use as single-family residences, and with two churches nearby. To the East across North Ann Street properties are zoned R-2, Two-Family Residential, with mostly single-family residential use interspersed with vacant land.

The site has been given a Mixed Density Residential 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.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single-family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

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 applicant states the following concerning the request:

Contemplated Use and Character of Improvements

Assessment and renovation of the Franklin House located in the Campground Historic District at 355 North Ann Street in the City of Mobile. The once private residence is being converted into a House Museum managed by the Mobile County Commission and a local Nonprofit Organization, the Dora Franklin Finley African American Heritage Trail (DFFAAHT). The change in occupancy from single use Residential to a Museum with associated office functions and public outreach spaces is an alternate use allowed by Planning and Zoning. The house was assessed to identify modifications required for code compliance based on the new occupancy, per the 2018 IBC and the 2010 ADA Standards for Accessible Design. The building architectural elements shall be restored and/or replaced with historically sensitive reproductions (casework, flooring, plaster, and electrical and plumbing fixtures), and the building systems shall be replaced with new systems to meet the 2017 NEC/NFPA 70 Energy code standards. Additional services included landscape, parking, and commissioning of artwork to celebrate the Franklin Family importance in the African American Community.

Time Schedule for Development

The Contractor was selected and given 180 days to complete the project, starting September 6, 2021.

To date, the Contractor has begun work on Demolition, Sitework, Framing, Painting and Sheetrock, and HVAC.

Work Item	Start	Completion
Demolition and Site	Sept. 2021	Feb. 2022
Framing and Drywall	Oct. 2021	Dec. 2021
Electrical	Oct. 2021	Feb. 2022
Plumbing	Oct. 2021	Mar. 2022
HVAC	Nov. 2021	Feb. 2022
Finishes	Dec. 2021	Feb. 2022
Roofing	Jan. 2022	Jan. 2022
Owner Vendors (Art)	Feb. 2022	Feb. 2022
Landscaping	Feb. 2022	Feb. 2022
Turnover	Feb. 2022	Mar. 2022

Plan Consistency Statement

#### Background

355 N Ann Street, as described above, was once a private residence owned by Dr. James Franklin. The house is on the newly created Campground Historic District National Registry. It is individually described on the Campground registration under address description number 44: "355 North Ann Street. Circa 1950; variant on the brick ranch style; irregular hip roof; small inset porch with cast-iron supports; massing is low; garage at rear is also yellow brick and has an unusual silo type massing. MBCG 2/15. C."

The house was placed on the National Registry because it is a contributing building in the Campground Historic District, and it has received a local marker from the Mobile Historic Development Commission in recognition of the Franklin Family relevance in the African American Heritage Trail:

"Dr. James A Franklin, for whom the Franklin Memorial Clinics are names, practiced medicine for 53 years. He was the only African American graduate of the University of Michigan in 1914. He gained international fame because of his kindness and reputation as an outstanding physician. He continued to practice until his death in 1972." (Horton 1991, 95)

However, there is additional information on Dr. Franklin that provides supporting evidence to potentially provide the house with its own individual designation, either as a National Landmark, or an Historic Place with the National Register. Because the building is already listed in a group entry for the National Register of Historic Places, it is not common to relist it as an individual entry because the architecture is not what is significant about the building. However, the building "best tells the story of an individual who played a significant role in the history of our nation", and as such it could be registered as a National Landmark. But a Landmark designation is often difficult to attain and very few have been granted nationwide.

"Franklin's courageous decision to house U.S. Congressman Oscar DePriest in his home following a 1931 speech at a Mobile NAACP membership rally. DePriest is the first Black man elected to Congress since the end of Reconstruction and his presence in Mobile raised the eyebrows of both white-only civic groups and the local KKK. Under intense pressure, the Black church scheduled to host the rally rescinded the invitation at the last minute. John LeFlore finds only one willing pastor to host the event thereafter: Father John Albert, SSJ, at Most Pure Heart of Mary, who offered the school's auditorium. Dr. Franklin was a Heart of Mary parishioner and offered his home to DePriest after the original plan to let him stay with an NAACP board member fell through because of Klan intimidation. (LeFlore later drummed said member off the local NAACP board for cowardice.) So, the Illinois congressman slept quite well at the Franklin home while the good doctor and others keep an armed vigil to hold the Klan at bay. It's a great story, and I think this is the first instance, of many, when he opens his home to Black celebrities who would have been denied access to Mobile hotels. All these events are documented in "DePriest Flays Bias in 'Bama,'' Pittsburgh Courier, August 22, 1931, p. 3; "Catholics Open Hall to DePriest after Other Churches Bar Him," Pittsburg Courier, August 29, 1931, p. 19; and "DePriest Visit" [Mobile] Press-Forum Weekly, November 14, 1931, p. 3.

The History Museum used to have on the second floor a small display that included a guestbook from Franklin's home. Not sure if it's still on view, or perhaps has been copied or scanned, but the names of house guests I recall from it, and have used in my manuscript, include Marion Anderson, Paul Robeson, and Jackie Robinson. I'm unsure of the dates of these visits, but hopefully the guestbook includes them.

Finally, there is a mention to Dr. Franklin in the article "The South's Richest Negro Doctor," Ebony Vol. 10, Issue 2 (December 1954): 73-76. In addition to these articles, there have been some historical artifacts recovered in the house that present evidence of the close relationship between Dr. Franklin and his community. A rooster mosaic was uncovered in the floor of the bar. This was a prohibition area motif that indicated liquor sales. The Franklin house was probably a "Hit House" – in the black community, people could not afford the price of bottles during prohibition, but they could purchase individual shots/glasses from those that were wealthy enough to buy the bottles and then willing to sell individual shots.

The information presented would most probably corroborate that a State Register be granted by the National Conference of State Historic Preservations Officers. Such a listing would trigger regulatory protection from state government actions or governs whether a property owner is eligible for tax benefits and incentives. The State of Alabama has an Historic Preservation in Montgomery.

Before the project began, the residence was vacant and in disrepair. The property south of the residence (351 N Ann St.) was a church that is now permanently closed, and the property across from the residence is an empty lot (354 N Ann St.) that was used as a storage area for vehicles. 354 N Ann St. was identified on the City of Mobile's Neighborhood Development Map as a Blight parcel. The entire neighborhood was identified on the City of Mobile's Neighborhood Development Map as a Renewal Target Area.

#### **Current and Future Zoning Designations**

Under the current City of Mobile Planning and Zoning map, the property is zoned as R.1 Single-Family Residential. Mobile, Alabama Code of Ordinances, Chapter 64 – Zoning, Sec. 64-3 is summarized below:

R-1 districts: One-family residential districts.... The district regulations are designed to protect the residential character of the developed areas by prohibiting all commercial activities; to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the areas by requiring certain minimum yard and area standards to be met.

The City of Mobile Future Land Use Map shows the property as Mixed Density Residential.

#### Project Intent and Development Plan

The residence will serve as a House Museum, with related office functions and public outreach spaces. Although the proposed project will change the property function from a residence to a House Museum, the intent of the project is to restore the house and surrounding property, protect the character of the area, and promote future appropriate development in the area.

The Map for Mobile states that land use should "Focus on abandoned buildings and develop plans for redevelopment. Adaptive re-use of some structures can provide opportunities for additional residential, commercial, mixed-use or civic spaces."

#### *Ordinance 64-26 Unified Development Code (UDC): City of Mobile*

In addition, we found that under Sec. 64-4-4 Adaptive Reuse, all articles were met:

(a) Has been vacant for at least two (2) years, and is a local or nationally designated Historic Structure, or located in Historic District; or (b) Was constructed at least fifty (50) years before the effective date of this Chapter; or (c) Is vacant, uninhabitable and hazardous to Persons and property because of its physical condition; or (d) Has been declared to be a public nuisance by the City Council.

Furthermore, and according to Sec. 64-2-9 Historic Business (H-B). The house is in the historically designated Campground District and on the African American Heritage Trail. Historic Districts are composed of areas containing architecturally or historically valuable buildings. By reason of location and accessibility, the district is suitable for residences as well as specialty shopping and entertainment activities for tourist and local trade. The district regulations are designed to protect the special character of the areas, to encourage restoration of architecturally and historically valuable buildings and their adaptation to house permitted uses and to encourage further appropriate development for a limited number of mutually supporting light business and cultural uses.

There is a vacated concrete slab in the rear of the property where a two-story carriage house occupying approximately 1,000 SF was recently demolished. Scattered loose landscape block planters and a compromised oak tree shall be demolished in the scope of this project. The remaining lot area will be used by a driveway, a covered patio, and landscaping. The site was surveyed, and there are Civil and Landscape drawings for the improvements to the site attached under separate cover. The Civil Engineer submitted an acceptable Land Disturbance Permit for the improvements to the site. The Civil Engineer studied the site and assessed the current condition of drainage, pavements, and vehicle circulation and parking. A design plan was developed for demolition, site layout, parking, erosion control, grading, and drainage that is reflective of those studies. Effort was taken to minimize disposal of useable materials. The maximum number of parking spaces were planned based on runoff requirements and according to best practices. Proposed parking will consist of new concrete, existing concrete driveway, and an area of vehicular pavers. The project also included the removal of abandoned cars from the lot at 354 N Ann St. This abandoned lot is being considered for future development into a landscaped parking area to serve the House Museum.

Description	Requirement (R-1 District)	Existing	Planned
Square Footage of Dwelling (SF)	7,200 SF	3,000 (1st Floor) + 1,000 (2nd Floor) = <b>4,000 SF</b>	3,000 (1 <sup>st</sup> Floor) + 1,000 (2 <sup>nd</sup> Floor) = <b>4,000 SF</b>
Building Site Coverage (%)	35%	([968 (Carriage House) + 3,173 (Dwelling) + 315 (Gazebo)] / 11,411) * 100 = <b>39</b> %	([3,173 (Dwelling) + 315 (Gazebo)] / 11,411) * 100 = <b>31%</b>
Building Height Limit (FT)	35'	25'3"	25'3"
Front Yard (FT)	25'	11.7' - 28.4'	11.7' - 28.4'
Side Yard (FT)	8'	5.5' – 23.5' (N), 24.1' (S)	5.5' – 23.5' (N), 24.1' (S)
Sum of the widths of two (2) side yards (FT)	20'	29.6'	29.6'
Rear Yard (FT)	8'	0' – 18.6'	18.6' - 35.2'

#### Site Plan

Please see attached Construction Drawings showing dimensions of the site which will be affected; streets and easements bounding and intersecting the designated area; dimensions and locations of existing and proposed structures; yards/setbacks of existing and proposed structures; building height of structures; existing and proposed parking spaces, driveways, and access points; buffer protections (such as fences or planting strips); and landscaping. A digital copy has also been submitted electronically. Also, included in the submittal is a copy of the Stormwater Narrative submitted for the Land Disturbance Permit.

#### **Trees**

The project included the demolition of a compromised 37" Oak Tree that was devoid of canopy and a potential future hazard. Planned landscaping for this project is extensive and will include the addition of Japanese Maple (1), Liberty Holly (2), and Crape Myrtle Trees (2) as well as Boxwood (11), Camellia (41), Sakaki (31), and Yew (34) shrubs. New Grassing,

Sod, and Seed will be established, and an irrigation system will be implemented for the project. See Landscape Plan Sheets attached for a detailed layout of the proposed improvements.

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 plan or to the scope of operations for the veterinary clinic, must be submitted for Planning Approval review.

As a house museum, the site is located in an existing neighborhood and served as the residence for Dr. Franklin. As stated by the applicant, the site is to be managed by the Mobile County Commission and a local non-profit. The main structure will house "a museum with associated office functions and public outreach spaces" and both floors of the structure, when renovated, will consist of 4,000 square feet. The application also states that the "maximum number of parking spaces were planned based on run-off requirements and according to best practices" and will consist of "new concrete, existing concrete driveway, and an area of vehicular pavers."

Due to the location within an established neighborhood, parking is a concern. The parking requirements of the Zoning Ordinance are not based on run-off requirements. Required parking is based on the use of the property, with minimum standards determined by the square footage of the structure or the number of seats. In this case, the plans and narrative do not give a clear indication of the areas of the building to be used as offices (one parking space per 300 square feet of gross floor area), and public outreach (display area or seating). The plan submitted illustrates seven parking spaces, with a driveway width too narrow to accommodate two-way traffic. In order to confirm compliance with minimum parking requirements the applicant should provide additional information regarding the square footage and/or seating of the proposed use areas (breakdown of office, display and public outreach areas, and if necessary, may seek relief from minimum parking requirements by pursuing a variance from the Board of Zoning Adjustment.

Moreover, in order to provide adequate buffering to the adjacent residential properties, a six-foot wooden privacy fence, reduced to three-feet in the required front setback, should be required along the perimeter of the property.

The plan also calls for the removal of an existing 37" oak tree, which may require the obtaining of a tree removal permit; the applicant should coordinate with Urban Forestry to obtain any required permits.

**RECOMMENDATION:** Based on the preceding, staff recommends the following Findings of Fact for Approval:

a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as those services are already in place; and

b. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, as the use brings to light the history of the neighborhood in a residential scale.

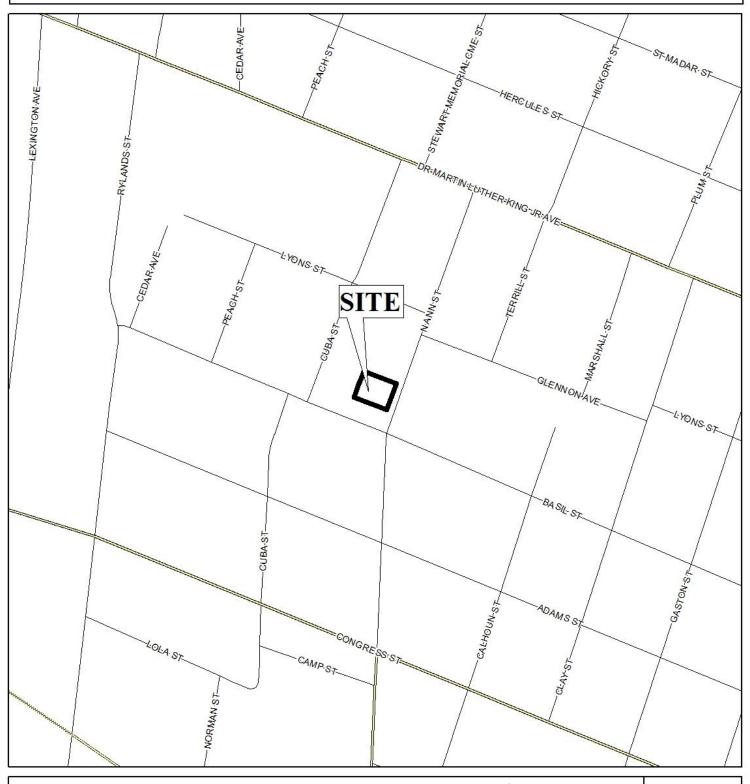
#### The approval should be subject to the following conditions:

- 1) Submission of additional information regarding the square footage and/or seating of the proposed use areas (breakdown of office, display and public outreach areas), and if necessary, the obtaining of a variance from the Board of Zoning Adjustment;
- 2) Provision of a six-foot wooden privacy fence, reduced to three-feet in the required front setback, along the perimeter of the property;
- 3) Coordination with Urban Forestry to obtain any required Tree Removal permits;
- 4) Compliance with Engineering Comments: 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 (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. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. 5. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. 6. 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. 7. 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 The Owner/Developer is responsible for acquiring all of the Disturbance permit. necessary permits and approvals. 8. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

5) Compliance with the Traffic Engineering Comments (*Driveway number*, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance);

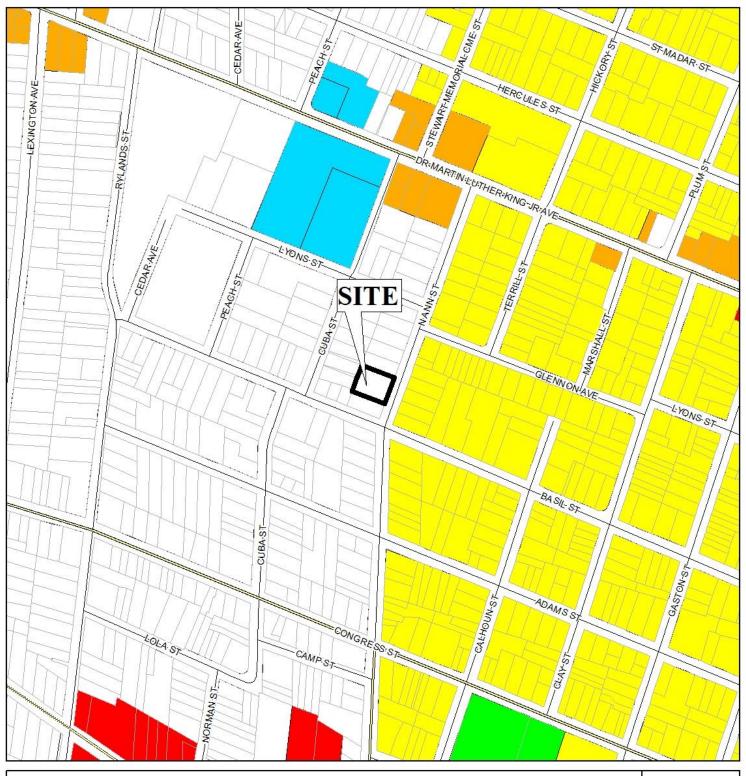
- 6) Compliance Urban Forestry Comments (Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit); and
- 7) Full compliance with 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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings).

## **LOCATOR MAP**



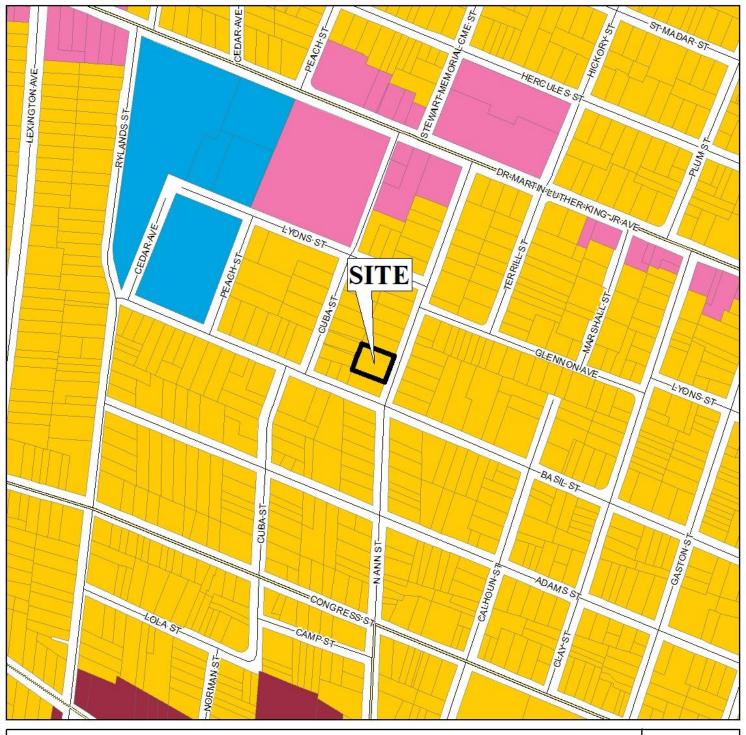
APPLICATION	NUMBER 6 DATE March 3, 2022	N
APPLICANT_	Mott MacDonald Architects, Inc.	A
REQUEST	Planning Approval	
		NTS

### **LOCATOR ZONING MAP**



APPLICATION	ON NUMBER6	N
APPLICANT	Mott MacDonald Architects, Inc.	Ą
REQUEST_	Planning Approval	
		NTS

### **FLUM LOCATOR MAP**





# **ENVIRONMENTAL LOCATOR MAP**

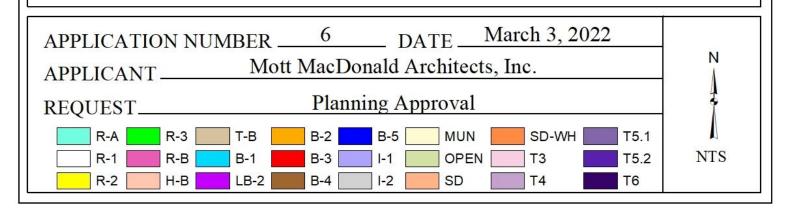


APPLICATION	NUMBER6 DATEMarch 3, 2022	Ņ
APPLICANT	Mott MacDonald Architects, Inc.	Ą
REQUEST	Planning Approval	
		NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units and churches.



# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL

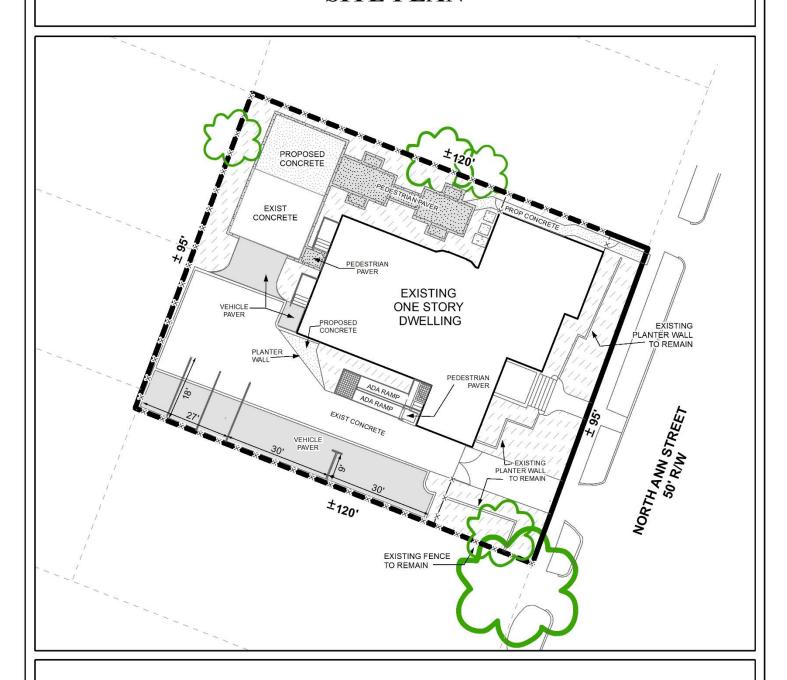


The site is surrounded by residential units and churches.

APPLICATION NUM	1BER6	_ DATE_	March 3, 2022
APPLICANT	Mott MacDon	ald Archite	ects, Inc.
REQUEST	Plannir	ng Approva	1

NTS

### SITE PLAN



The site plan illustrates an existing building and proposed surfaces.

APPLICATION NUMBER 6 DATE March 3, 2022	_ N	
APPLICANT Mott MacDonald Architects, Inc.		
REQUESTPlanning Approval		
	NTS	