

**PLANNED UNIT DEVELOPMENT &  
PLANNING APPROVAL****Date: October 21, 2021****NAME**

First Hopewell Missionary Baptist Church

**LOCATION**664 Shelby Street  
(North side of Shelby Street, at the North terminus of Tin Top Alley, extending to the East terminus of East Street and the East terminus of Susie Ansley Street).**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

R-1, Single-Family Residential

**AREA OF PROPERTY**

1.9± Acres

**CONTEMPLATED USE**

Planned Unit Development Approval to allow multiple buildings on a single building site; and Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District.

**TIME SCHEDULE  
FOR DEVELOPMENT**

None provided

**ENGINEERING  
COMMENTS****Planned Unit Development:** Retain NOTES #1 - #5 and #11 as shown on the PUD – SITE PLAN drawing SHEET C1.0 dated 9-15-2021.**Planning Approval:**

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. 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**

Site is limited to its existing two curb cuts with any changes in 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 Planned Unit Development Approval to allow multiple buildings on a single building site; and Planning Approval to amend a previously approved Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District.

The site has been given a Mixed Density Residential (MxDR) 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 dwelling units per acre, 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 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.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

Planning Approval and PUD approval are site plan specific, thus the plan must be accurate at time of submittal, and any changes to the site plan must be approved by the Planning Commission. Also, PUDs expire in one year if no permits are obtained.

The site received a one-lot Subdivision approval at the Planning Commission's October 15, 2020 meeting, and was subsequently recorded in Probate Court.

The site plan submitted shows an existing two-story structure, with a shed at the rear, a freestanding metal carport, and associated parking; a new 2,480 square foot multi-purpose building and additional parking is proposed.

The applicant states:

*This project consists of an approx. 2,480 S.F. building and additional parking, landscaping, and all other requirements necessary to obtain land disturbance/building permits. The church, which has been at this location since 1963, will use this building as a multi-purpose facility to better serve its congregation and the community. Since the site is located in R-1 zoning, Planning Approval is required. In addition, since the existing church is located on the same lot a PUD application is being submitted as well.*

- 1. The proposal promotes the objective of Creative Design (to encourage innovative and diversified design in building form and site development), because the new building will be designed to enhance the current site conditions.*
- 2. The proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations) because the new building will be beneficial to the church as it gives them greater flexibility with their ministry programs, which in turn will greatly benefit the surrounding community.*
- 3. The proposal promotes the objective of Efficient Land Use (to encourage the most efficient and sustainable use of land), because the site already contains an existing building and is located within a developed area.*
- 4. The proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land), because the project does not eliminate any existing urban amenities and will enhance natural features by planting trees and vegetation. The existing urban fabric will be retained.*
- 5. The proposal promotes the objective of Open Space (to encourage the provision of common open space through efficient site design), because the project is within an existing developed area.*
- 6. The proposal promotes the objective of Public Services (to encourage optimum use of available public utilities, streets, community facilities), because no public infrastructure must be constructed to meet the project development needs as it is all existing.*

According to aerial photos, the carport was added to the site between 2006 and 2010 without permits; an eight-foot wide concrete drive connecting the carport to the parking area was added between 2017 and 2019, also without permits. The carport and associated driveway as well as access and maneuvering for a portion of the existing parking lot encroach onto two existing parcels to the East (R022208440020058.000 and R022208440020060) not owned by the applicant.

Therefore, the applicant should obtain authorization from those property owners to be included in the PUD, and allow the encroachments to remain. As the adjacent parcels have metes-and-bounds legal descriptions, they will also need to go through the Subdivision process to become legal lots of record. It should be noted that a three-lot Subdivision could be submitted so that these parcels could be converted to legal lots of record.

The existing church has 125 seats in the sanctuary, thus requiring 32 parking spaces. The proposed addition does not result in an increase in required parking, however the proposed addition will result in six (6) parking spaces being removed and eleven (11) new spaces being created, resulting in a total of 36 parking spaces being provided, as proposed. If approved, the site plan should be revised to depict curbing or bumper stops for all parking spaces.

The proposed addition to the site will not result in an increase of building footprint by 50% or more, therefore the site will not be required to come into full compliance with tree and landscape area requirements at this time. That being said, a 60" live oak tree is proposed to be removed from the site to accommodate the proposed new parking area. If approved as proposed, a private property tree permit will be required for the removal of the tree, and frontage trees along Shelby Street should be required for the site. Alternatively, the site has sufficient room to relocate the proposed parking without disturbing the tree, and the plan could be modified to accommodate this large tree.

There is a note on the site plan regarding dumpsters, however none are shown on the site plan. If approved, the site plan should be revised to either show a dumpster with a compliant enclosure and sanitary sewer connection, or include a note stating curb-side pickup will be utilized.

The subject site is bordered by R-1, Single-Family Residential District on all sides. As such, if approved, the site plan should be revised to depict a compliant residential buffer.

The site plan submitted depicts a new sidewalk to be constructed along Shelby Street. If approved, this should be retained.

### **RECOMMENDATION:**

**Planned Unit Development:** Based upon the preceding, staff recommends the application be Heldover to the December 2<sup>nd</sup> meeting to address the following items:

- 1) Explore redesign of the site to accommodate the existing 60" live oak;
- 2) Submittal of a Subdivision application so that the adjoining lots with church improvements become legal lots of record; and
- 3) Inclusion of the adjacent parcels into the PUD application, including the submission of additional mailing labels and fees, as appropriate.

**Planning Approval:** Based upon the preceding, staff recommends the application be Heldover to the December 2<sup>nd</sup> meeting to address the following items:

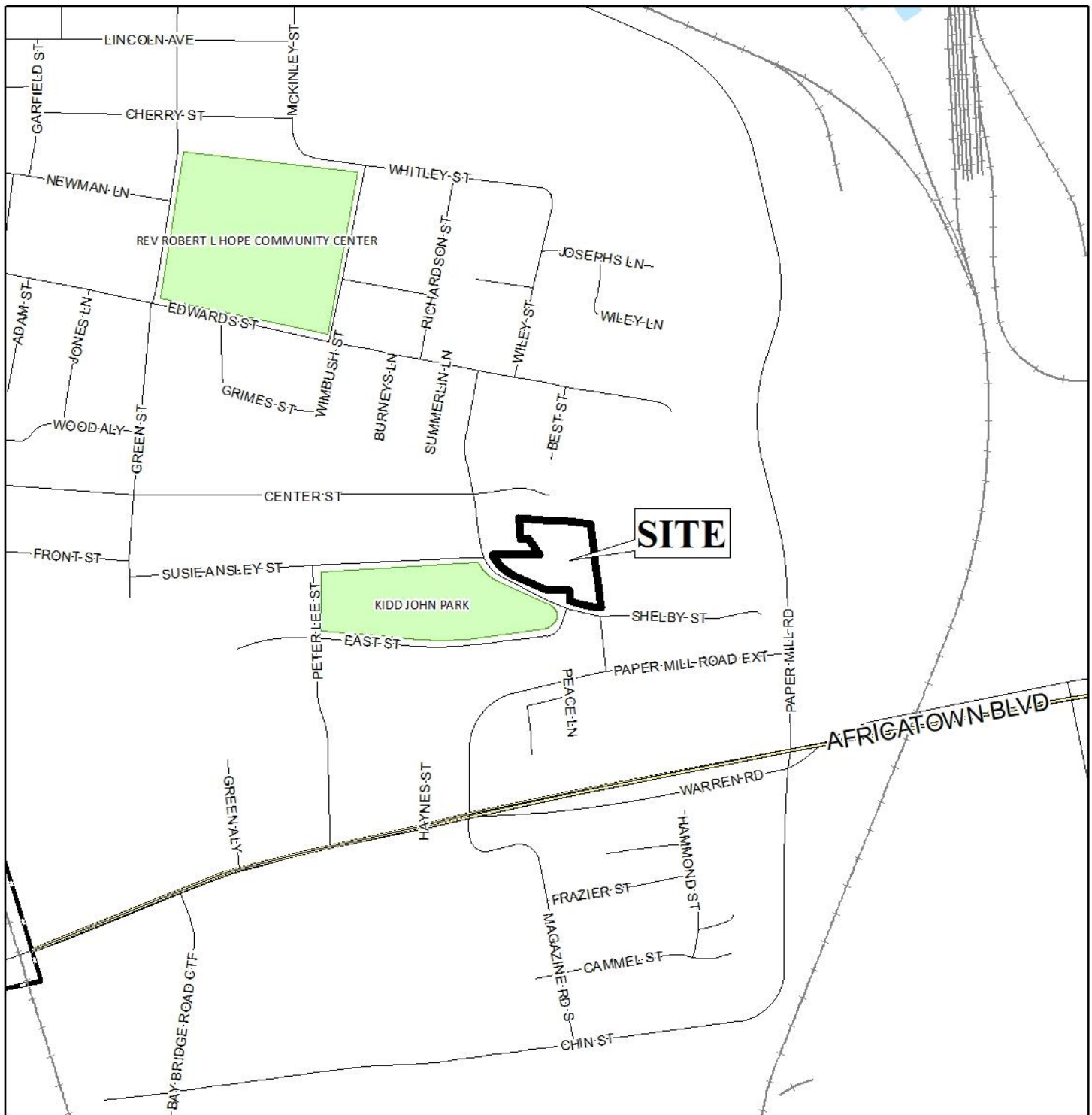
- 1) Explore redesign of the site to accommodate the existing 60" live oak;

- 2) Submittal of a Subdivision application so that the adjoining lots with church improvements become legal lots of record; and
- 3) Inclusion of the adjacent parcels into the PUD application, including the submission of additional mailing labels and fees, as appropriate.

**In order for any concerns to be considered by the Planning Commission you must email your concerns to [planning@cityofmobile.org](mailto:planning@cityofmobile.org) or they may be uploaded to the website via the portal under the meeting date and case. Comments must be entered by 2:00 PM on Wednesday, October 20<sup>th</sup>, before the meeting, in order to be considered by the Commission.**

**If you wish to participate in the meeting, you must email [planning@cityofmobile.org](mailto:planning@cityofmobile.org) by 2:00 PM on Wednesday, October 20<sup>th</sup>, before the meeting. In accordance with Planning Commission by-laws, no more than four (4) speakers are allowed to speak for or against an application. Speaking time is limited to five (5) minutes per speaker.**

# LOCATOR MAP



APPLICATION NUMBER 7 DATE October 21, 2021

APPLICANT First Hopewell Missionary Baptist Church

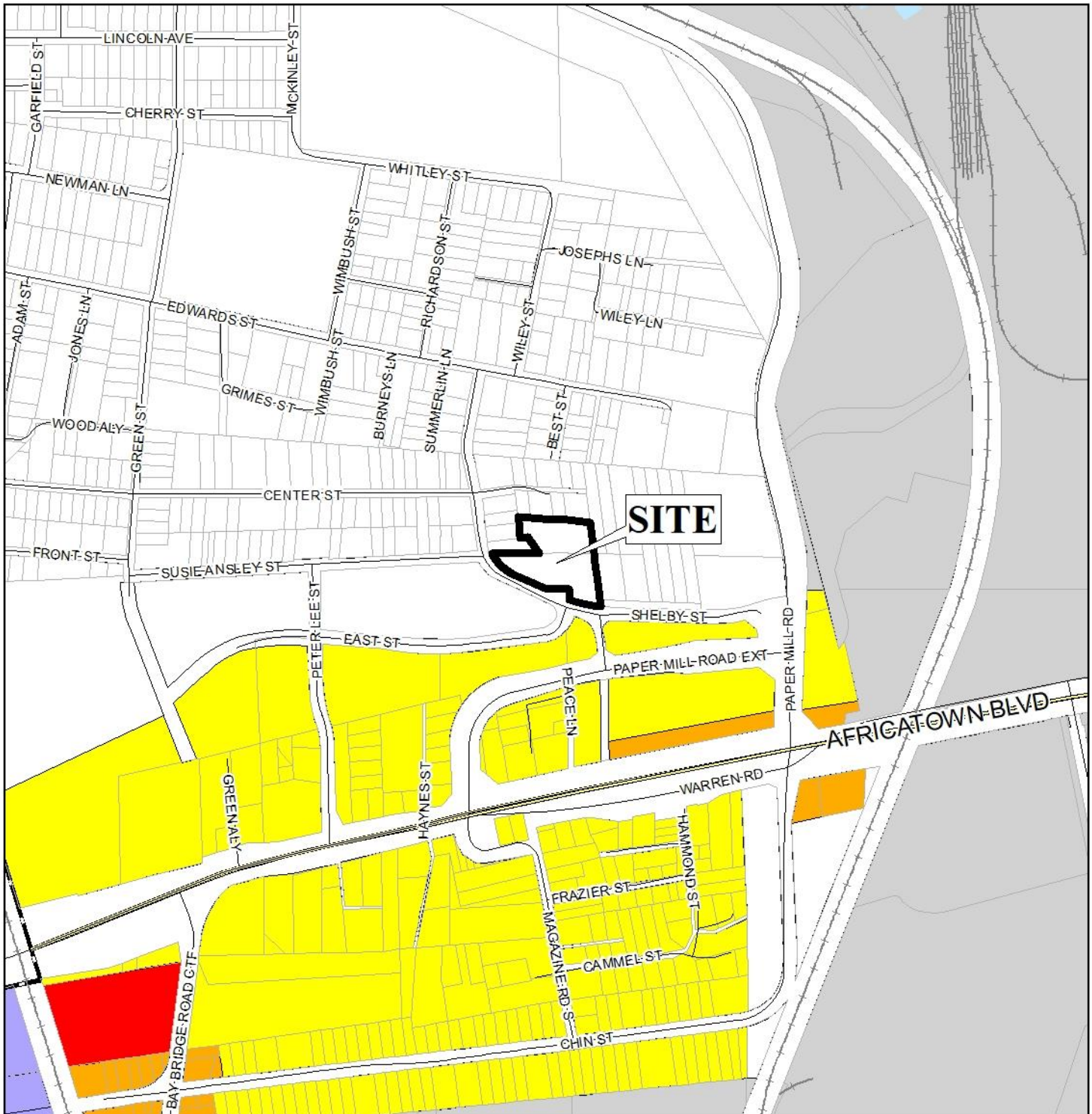
REQUEST Planned Unit Development, Planning Approval



NTS



# LOCATOR ZONING MAP



APPLICATION NUMBER 7 DATE October 21, 2021

APPLICANT First Hopewell Missionary Baptist Church

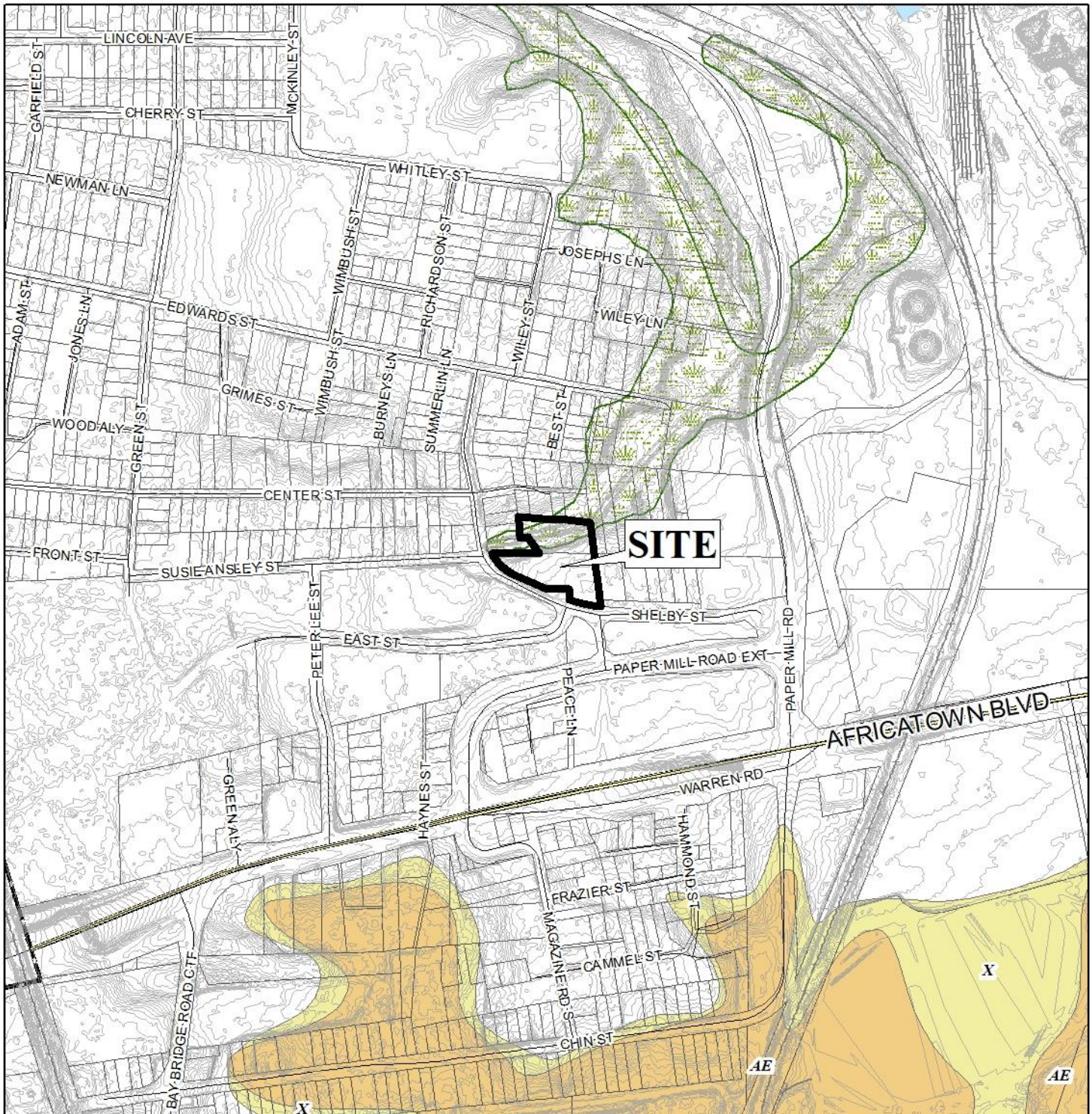
REQUEST Planned Unit Development, Planning Approval



NTS



# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 7 DATE October 21, 2021

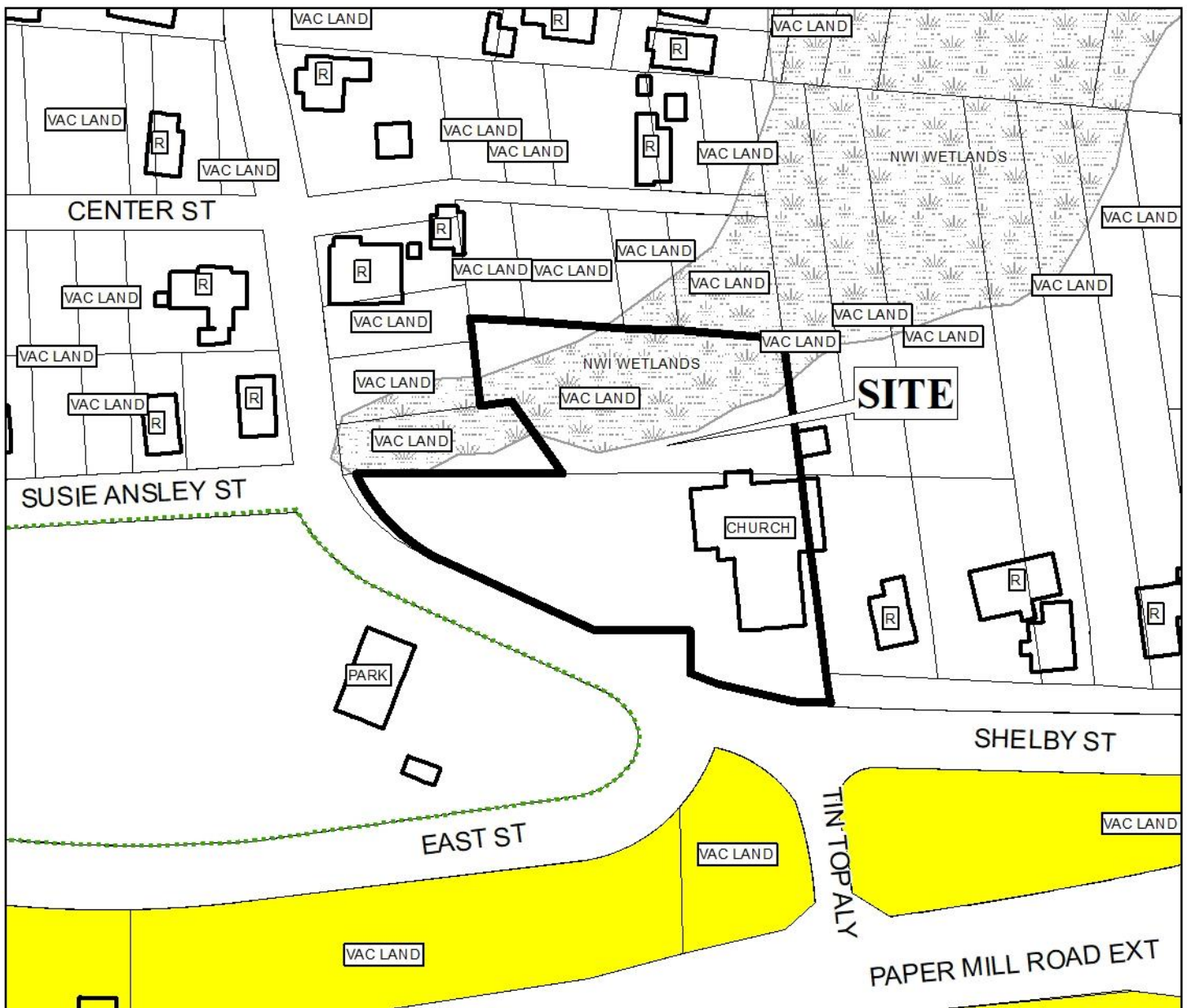
APPLICANT First Hopewell Missionary Baptist Church

REQUEST Planned Unit Development, Planning Approval





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 7 DATE October 21, 2021

APPLICANT First Hopewell Missionary Baptist Church

REQUEST Planned Unit Development, Planning Approval

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6





# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

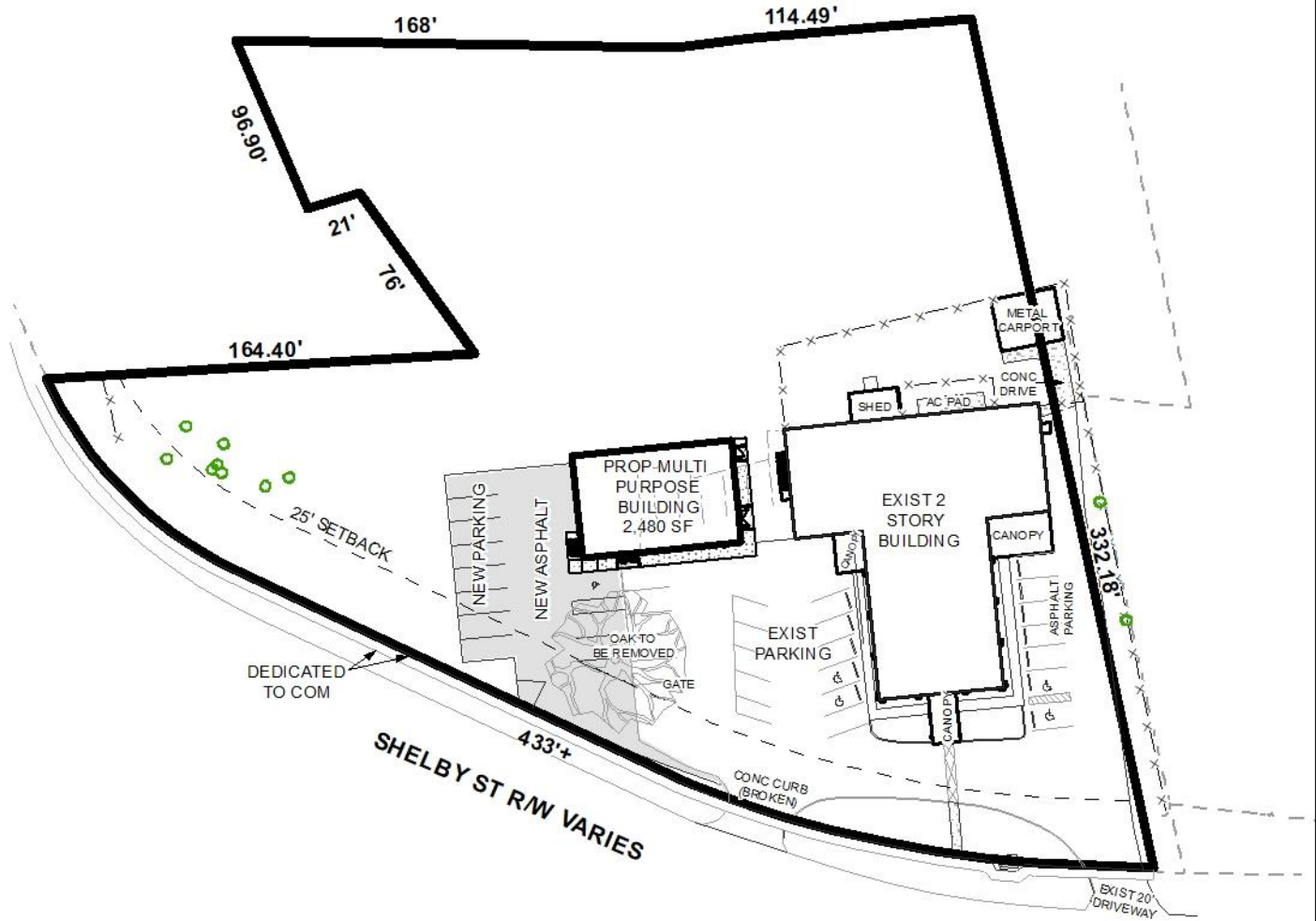
APPLICATION NUMBER 7 DATE October 21, 2021

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REQUEST Planned Unit Development, Planning Approval



# SITE PLAN



The site plan illustrates the existing building, proposed building, parking, fences, and setback.

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NTS