

PLANNING APPROVAL STAFF REPORT**Date: May 6, 2021****NAME**

Mobile SDA Church

LOCATION60 North Ann Street
(Southeast corner of North Ann Street and Old Shell Road)**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

R-1, Single-Family Residential

AREA OF PROPERTY

0.54± Acres

CONTEMPLATED USE

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.

**TIME SCHEDULE
FOR DEVELOPMENT**

Not provided.

**ENGINEERING
COMMENTS**

No comment.

**TRAFFIC ENGINEERING
COMMENTS**

Site is limited to one curb cut per street frontage with any changes in size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 amend a previously approved Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District.

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/floor plan or to the scope of operations for the restaurant that will increase the occupant load beyond what is approved, by current or future applicants, must be submitted for Planning Approval review.

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.

Staff has been unable to determine when the site was first used as a church, however, it was acquired by Ebenezer Missionary Baptist Church in 1956, so it appears that it may have been used as a church prior to the adoption of the existing Zoning Ordinance. A variance was granted in 1976 for the site to be utilized as a credit union, but it does not appear that the site was actually used in that manner. In 1984, a Planning Approval was granted to allow a daycare to operate in the existing church. Now the applicant wishes to construct a 3,504± square foot addition, as well as new parking, and a detention pond. It is unclear if the applicant proposes to continue the operation of a daycare at the site.

As proposed, the addition will result in more than a 50% increase in square footage, thus the site will be required to come into full compliance with tree planting and landscape area requirements, if approved.

There is a Ginko tree at the Northwest corner of the property, which was deeded to the City of Mobile in 1980, with a 30-foot easement around the tree for maintenance and protection. The proposed site plan depicts both the tree and the easement as remaining undisturbed. A 16" Palm tree and an 18" Cedar on site are labeled as "to be removed". Tree permits will be required to be obtained prior to their removal.

The applicant does not specifically state how many seats will be in the proposed sanctuary, but 50 seats are illustrated, which would require 13 parking spaces to be provided. The site plan states that 11 parking spaces are required, therefore, if approved, the site plan may need to be revised to accurately state the required number of spaces. The site plan depicts 14 parking spaces to be provided. It should be noted that the proposed driveway to North Ann Street is only 12' wide, and as such, should be clearly indicated as one-way only.

The site abuts R-1, Single-Family Residential district properties that are developed residentially. If approved, the site plan should be revised to depict a protection buffer that complies with the standards outlined in Section 64-4.D.1. of the Zoning Ordinance as well as parking screening in compliance with Section 64-6.A.3.i. of the Zoning Ordinance.

Finally, a dumpster is not depicted on the site plan. If a dumpster is to be utilized, it should be shown on the site plan, and have a compliant enclosure and sanitary sewer connection. If curbside trash pickup will be utilized, a note should be placed on the site plan stating such.

The site is located within the Old Dauphin Way Historic District, and as such, all exterior improvements are required to be reviewed and approved by the Architectural Review Board (ARB). The ARB approved the proposed addition and issued a Certificate of Appropriateness (COA) on April 9, 2021.

RECOMMENDATION

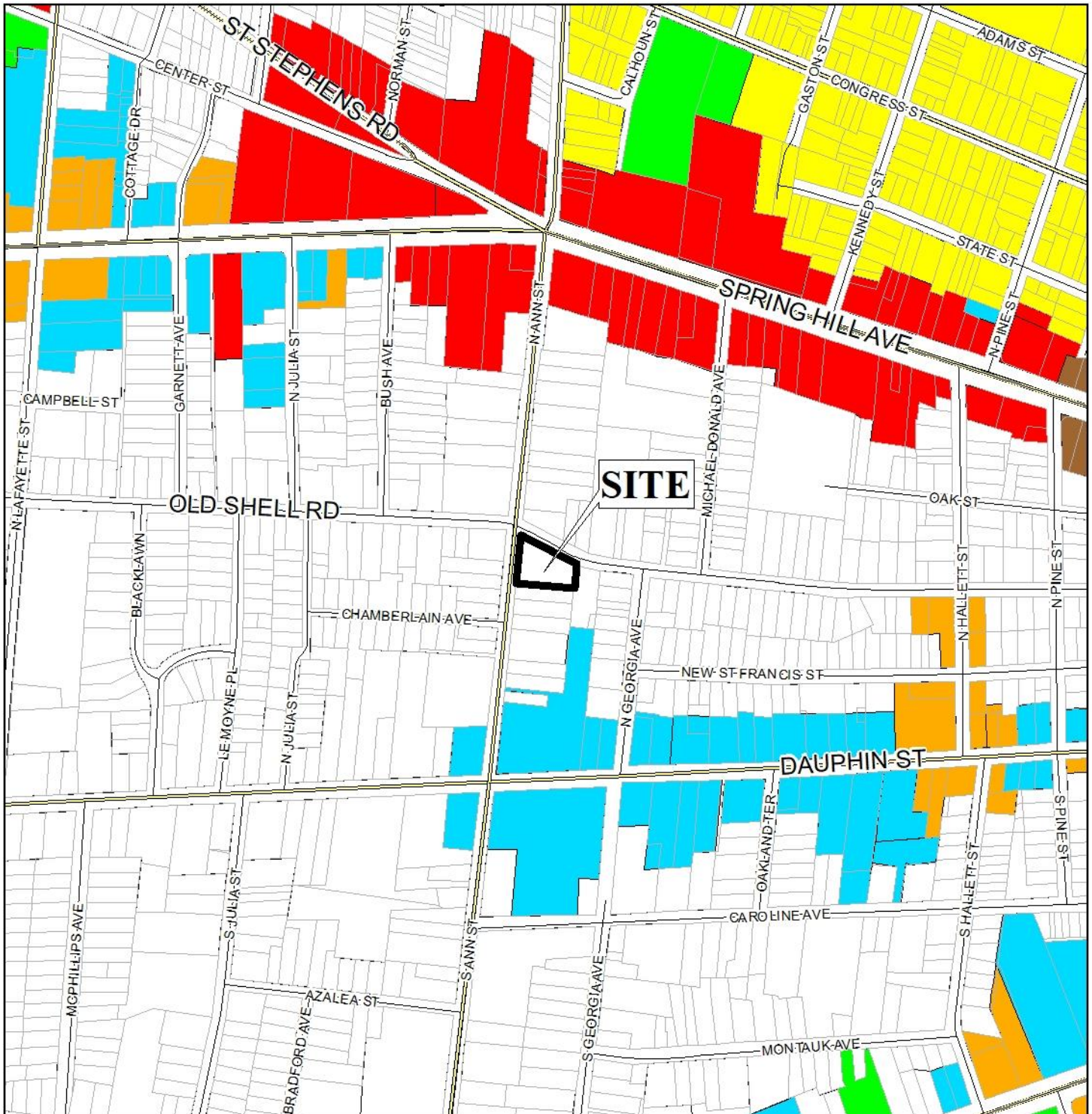
Planning Approval: Staff recommends the following Findings of Fact for Approval:

- 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 infrastructures are already in place;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because an improved parking area will be provided on-site; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because the site has been used as a church for over 50 years.

The Approval should be subject to the following conditions:

- 1) Full compliance with tree planting and landscape area requirements;
- 2) Revision of the site plan to state how many seats will be in the sanctuary;
- 3) Revision of the site plan to correctly state how many parking spaces are required and the provision thereof;
- 4) Revision of the site plan to clearly indicate the 12' wide driveway to North Ann Street is one-way only;
- 5) Revision of the site plan to depict a protection buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 6) Revision of the site plan to depict parking screening in compliance with Section 64-6.A.3.i. of the Zoning Ordinance.
- 7) Obtaining of all tree removal permits prior to the removal of any existing trees on-site;
- 8) Revision of the site plan to either depict a fully compliant dumpster, or state that curbside trash pickup will be utilized;
- 9) Clarification on if there will be a daycare in operation on the site, and if so, how many teachers, how many children, and the hours of operation; and
- 10) Full compliance with all other municipal codes and ordinances.

LOCATOR ZONING MAP



APPLICATION NUMBER 7 DATE May 6, 2021

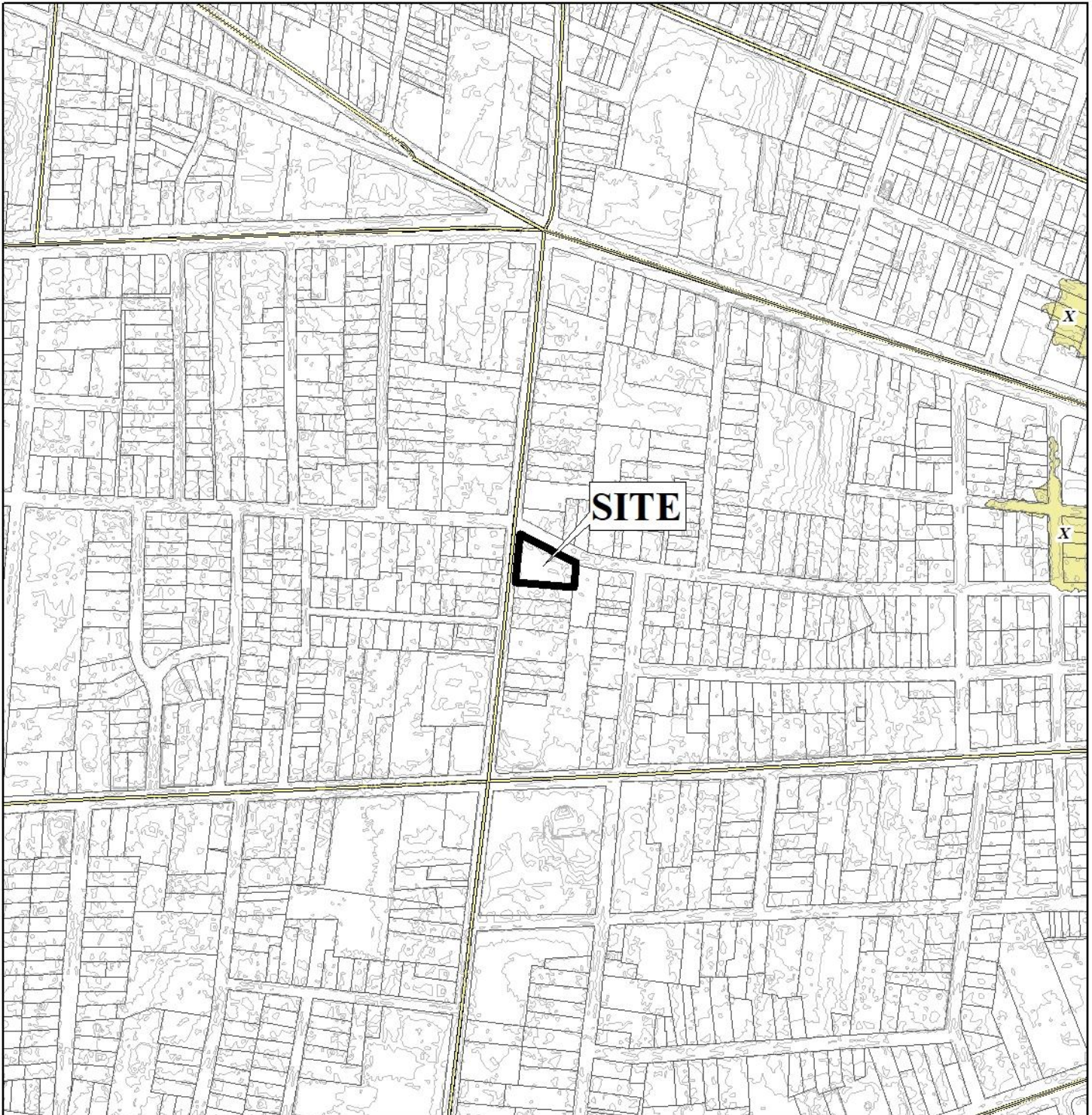
APPLICANT Mobile SDA Church

REQUEST Planning Approval



NTS

ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units and vacant lands.

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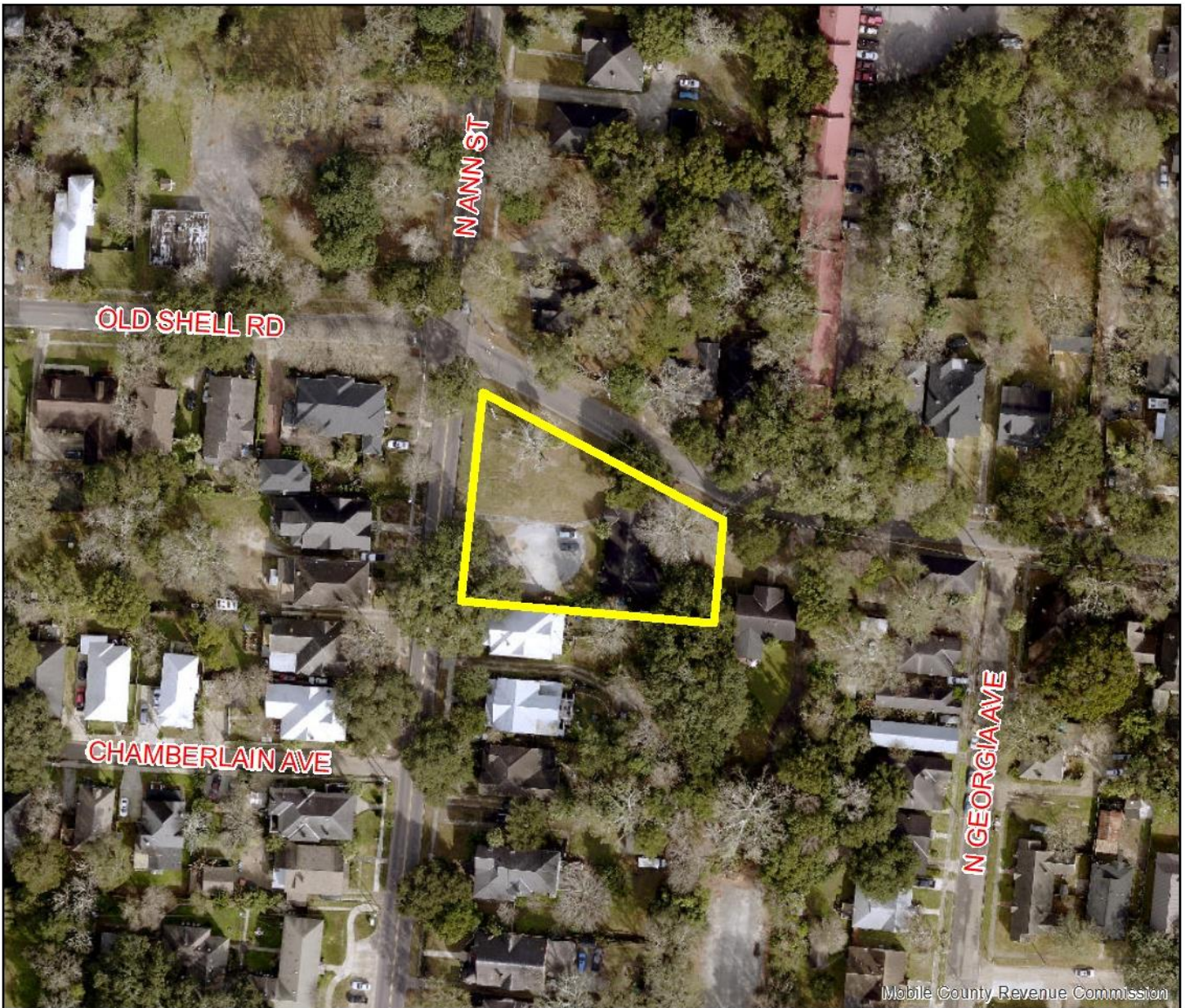
REQUEST Planning Approval

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 single family residential units and vacant lands.

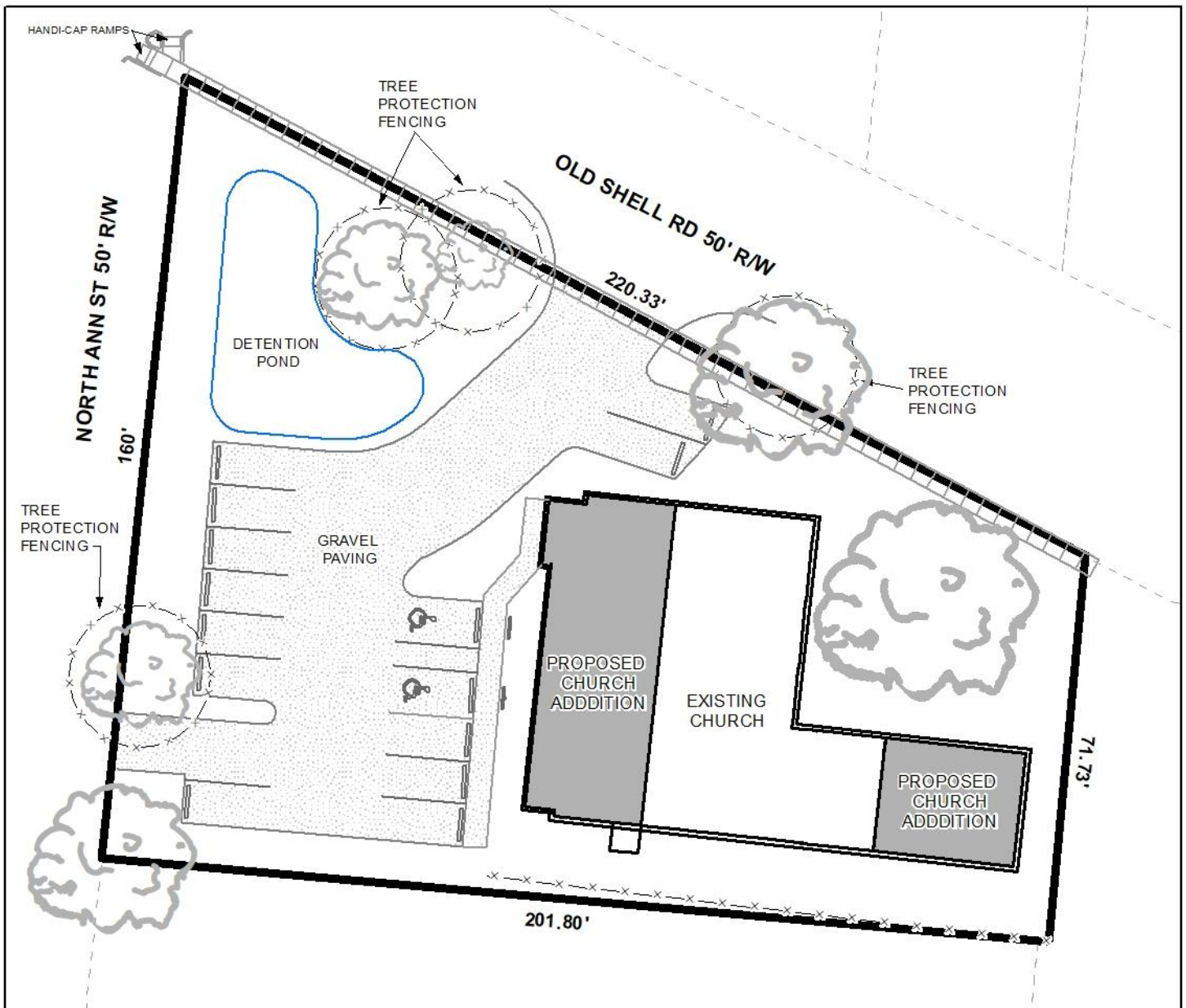
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SITE PLAN



The site plan illustrates proposed detention pond, gravel parking area, and additions to existing structure.

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 REQUEST Planning Approval



