

**PLANNED UNIT DEVELOPMENT
& ZONING AMENDMENT
STAFF REPORT**

December 16, 2021

<u>NAME</u>	St. John's Deliverance Temple
<u>LOCATION</u>	2621 Ralston Road (South side of Ralston Road, 240'± West of South Florida Street).
<u>CITY COUNCIL DISTRICT</u>	District 5
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District and B-2, Neighborhood Business District
<u>PROPOSED ZONING</u>	B-2, Neighborhood Business District
<u>AREA OF PROPERTY</u>	0.7± Acres
<u>CONTEMPLATED USE</u>	Planned Unit Development approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District. It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.
<u>TIME SCHEDULE</u>	None given.
<u>ENGINEERING COMMENTS</u>	
Planned Unit Development:	Retain NOTES #1 - #6, as shown on the PUD drawing dated Feb 24, 2021.
Rezoning:	No comments.
<u>TRAFFIC ENGINEERING COMMENTS</u>	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 Planned Unit Development approval to allow multiple buildings on a single building site, and Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District.

The site has been given a Low Density Residential (LDR) 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 to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

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.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The subject site before the Planning Commission at its October 20, 1994 meeting as part of a 2-lot Subdivision which was approved and recorded in the Mobile County Probate Court. The subject lot was erroneously approved as a split-zoned lot, with the majority of the lot being zoned B-2, Neighborhood Business District, and the remainder being zoned R-1, Single-Family Residential. The applicant is proposing to build a new structure on the site which requires Planned Unit Development approval, so the applicant is also seeking to correct the split-zoning issue, and requests that the site be entirely B-2.

The site was most recently before the Planning Commission at its May 6, 2021 meeting for almost identical applications to the current. The primary difference between this application and the previous, is the applicant previously requested authorization to use an off-site parking lot, and is currently requesting approval to have no on-site parking. The previous application was withdrawn when the applicant was unable to produce authorization of the nearby property owner to utilize their parking lot.

The site was before the Board of Zoning Adjustment at its December 6, 2021 meeting, where the site received approvals for Site Coverage, Front Yard Setback, Rear Yard Setback, Residential Buffer, and Parking Variances to allow excess site coverage, reduced front yard and rear yard setbacks, no residential buffer, and no on-site parking. The Board's approval is subject to the approval of the current Planning Commission applications.

In regards to the rezoning request, the applicant provided the following statement:

THE PURPOSE OF THIS APPLICATION IS TO CORRECT AN ERROR THAT WAS CREATED IN 1994 WHEN THE SUBDIVISION PLAT OF "GOFORTH MEDIA" WAS APPROVED AND RECORDED – LOT 1 CONTAINED TWO ZONING CLASSIFICATIONS, R-1 AND B-2. THIS PROPOSAL IS TO CHANGE THE R-1

PORTION TO B-2 ZONING, THUS MAKING ALL OF LOT 1 A B-2 ZONING CLASSIFICATION.

The subject site is occupied by an existing church, which is allowed by-right in a B-2 district, and requires Planning Approval in an R-1 district. The property is bounded to the South by property zoned R-3, Multiple Family Residential and developed as apartments; to the East by property zoned B-2 and developed as condominiums; to the West by property zoned R-1 and developed as single-family dwellings; and to the North by property zoned R-1 and developed as single-family dwellings as well as property zoned B-2 and developed commercially.

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.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is site-plan specific, thus any changes to the site plan will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

In regards to the PUD, the applicant provided the following statement:

THIS APPLICATION IS REQUIRED TO ALLOW THE PROPOSED MULTI-PURPOSE BUILDING TO BE A FREESTANDING BUILDING ON THE SAME LOT AS THE MAIN CHURCH BUILDING.

The subject site previously had an attached gym where the new multi-purpose addition is currently proposed. The gym was removed from the site, with permits, in 2019.

The proposed multi-purpose building is depicted as 3,000± square feet, and is located on the Western portion of the site, where the previous gym was located. The addition is proposed to be 15.5'± from the front property line, which while within the 25' minimum building setback, is further setback than existing portions of the church, which was initially built around 1970. Additionally, while the addition will result in excessive site coverage, it is a similar site coverage

to what the site had prior to the demolition of the gym, and both the setback and site coverage requests were included in the recent approval by the Board of Zoning Adjustment.

The site plan provided does describe the proposed building as a “fellowship hall”, with a parking ratio of one parking space per 300 square feet (the parking ratio used for office/retail uses), resulting in ten (10) parking spaces being required. Typically, parking ratio for churches is calculated at a rate of one (1) parking space per four (4) seats in the sanctuary. The church has 253 seats, thus requiring 64 parking spaces. The site plan states that 215 parking spaces are available for use at the commercial development across the street, but no site plan was provided of that development, and no letter of authorization of that property owner to use the parking was submitted with the application, therefore the Planning Commission must consider the application as if no parking is available to the site. In researching this application, staff found no 311 complaints as a result of the existing parking situation. Furthermore, a parking variance was granted by the Board of Zoning Adjustment at their December 6, 2021 meeting.

It should be noted that the proposed addition to the property will not result in the property being required to comply with tree planting/landscaping requirements at this time. The site plan notes that curbside garbage pickup will be utilized. If approved, the site plan should retain this note.

RECOMMENDATION:

Planned Unit Development: Staff recommends the following Findings of Fact for Approval for the Planned Unit Development:

- a. the proposal promotes the objective of Creative design (*to encourage innovative and diversified design in building form and site development*), because the site will not conform to standard development regulations;
- b. 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 it will allow the subject site to be restored to its previously existing condition;
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because it allows the expansion of an existing church on the existing site;
- d. the proposal promotes the objective of Environment (*to preserve and protect as urban amenities the natural features and characteristics of the land*), because no trees will need to be removed from the site to accommodate the proposed structure;
- e. the proposal promotes the objective of Public services (*to encourage optimum use of available public utilities, streets and community facilities*), because infrastructure already exists in the area.

The approval should be subject to the following condition:

- 1) full compliance with all municipal codes and ordinances.

Rezoning: Based on the preceding, this application is recommended for Approval for the following reasons:

- 1) there is a manifest error in the Ordinance; and
- 2) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The rezoning should be subject to the following condition:

- 1) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 10 DATE December 16, 2021

APPLICANT St. John's Deliverance Temple

REQUEST PUD, Rezoning from R-1 and B-2 to B-2



LOCATOR ZONING MAP



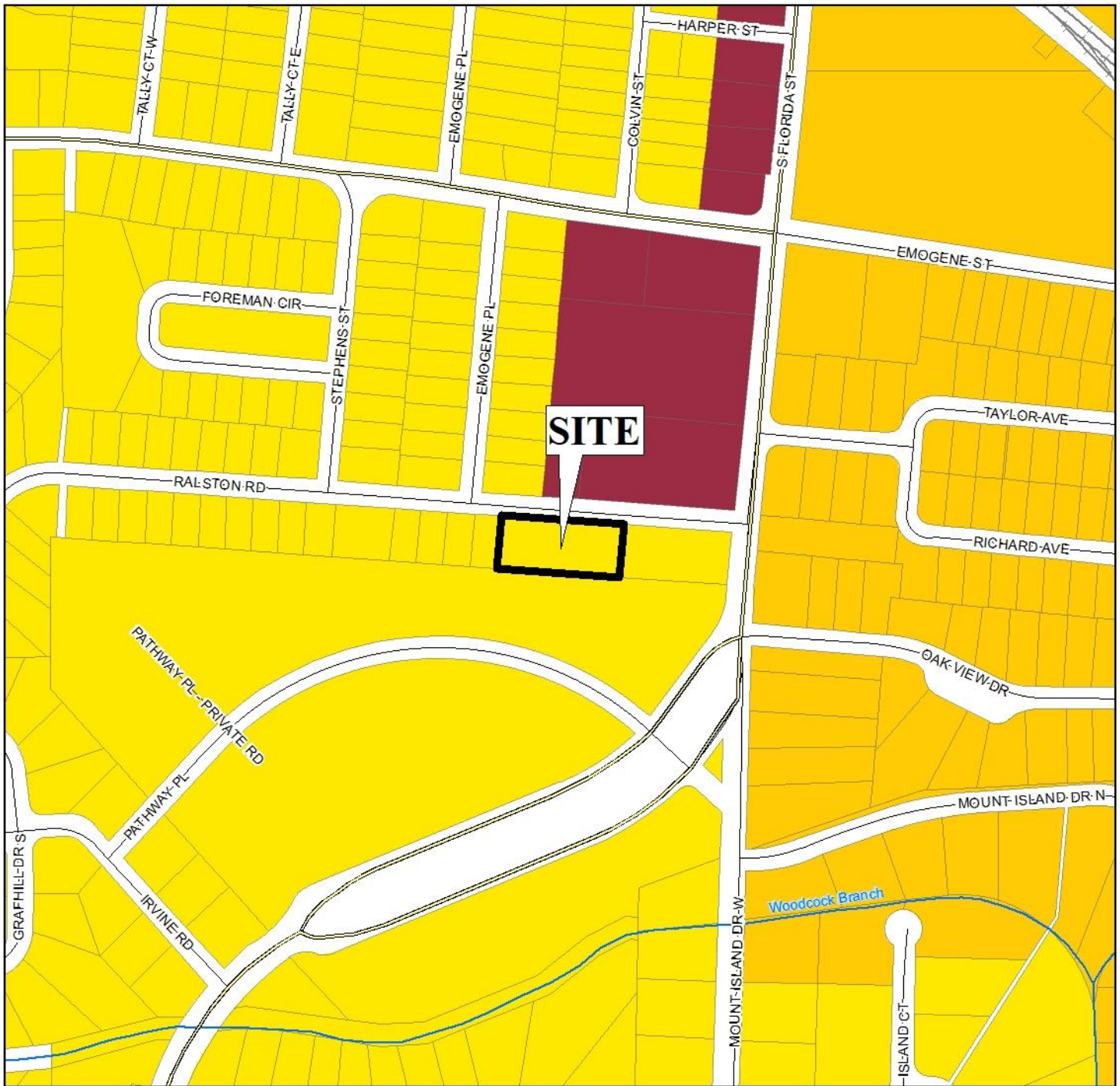
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FLUM LOCATOR MAP



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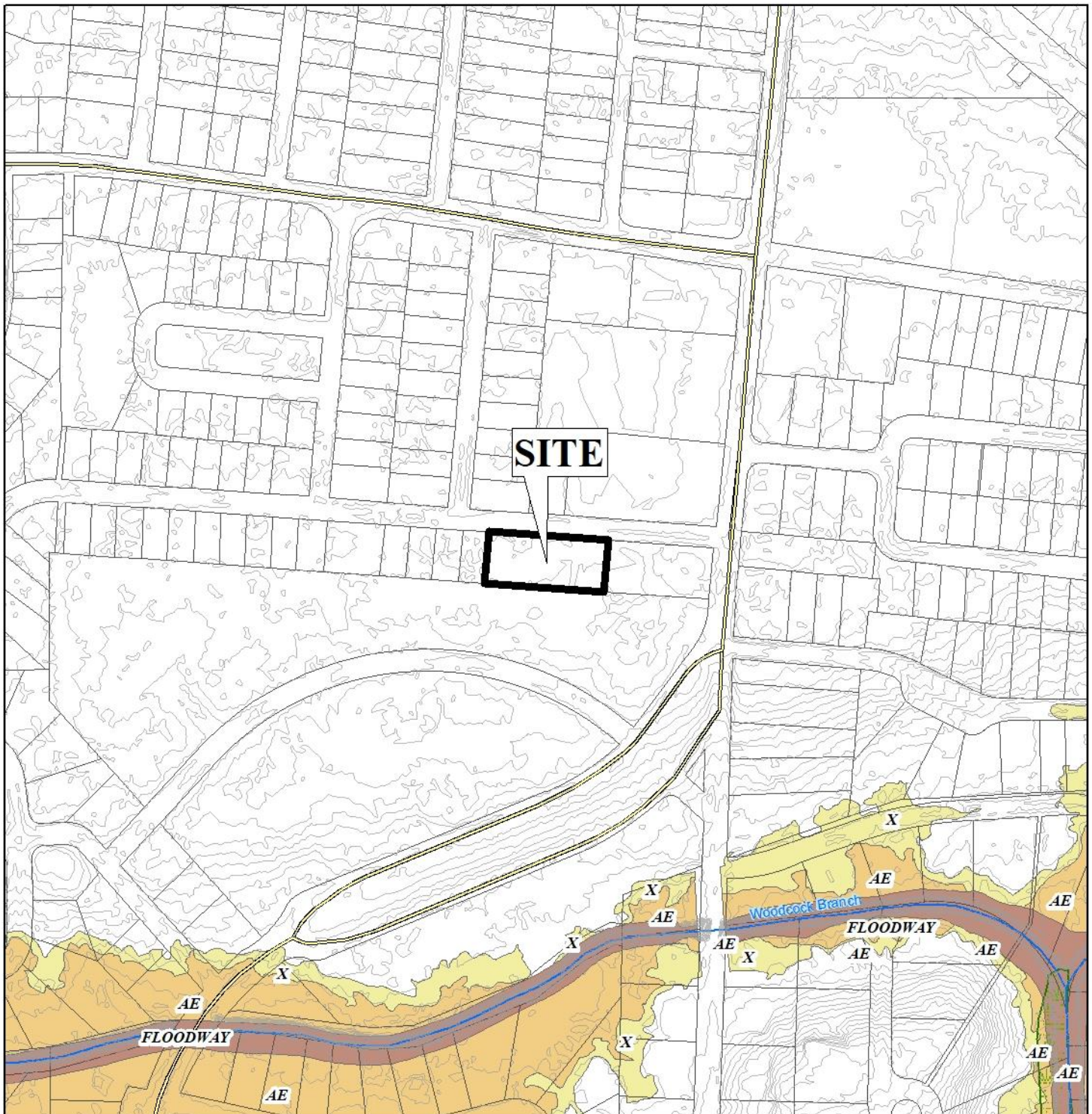
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REQUEST PUD, Rezoning from R-1 and B-2 to B-2

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	



ENVIRONMENTAL LOCATOR MAP



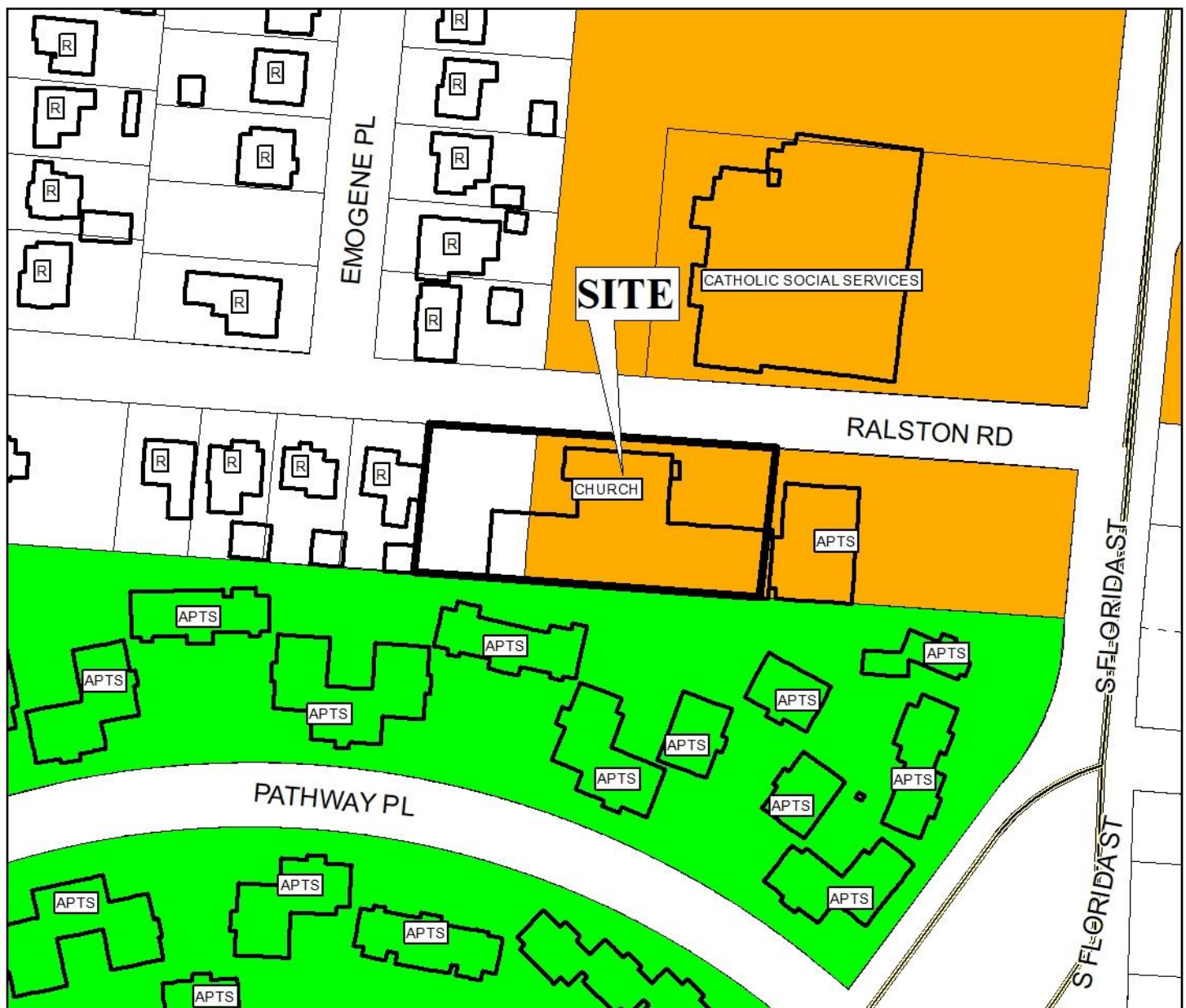
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units and a social services building to the north.

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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 and a social services building to the north.

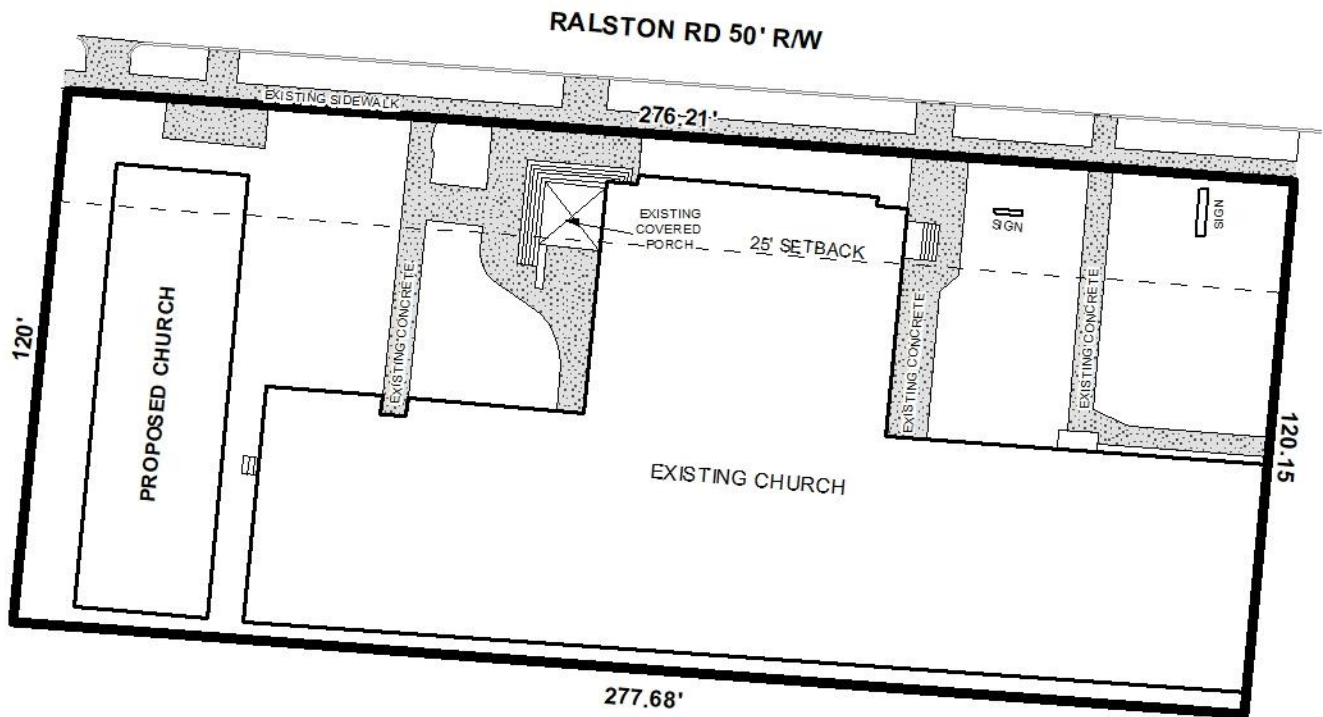
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SITE PLAN



The site plan illustrates an existing building and setback, and a proposed building.

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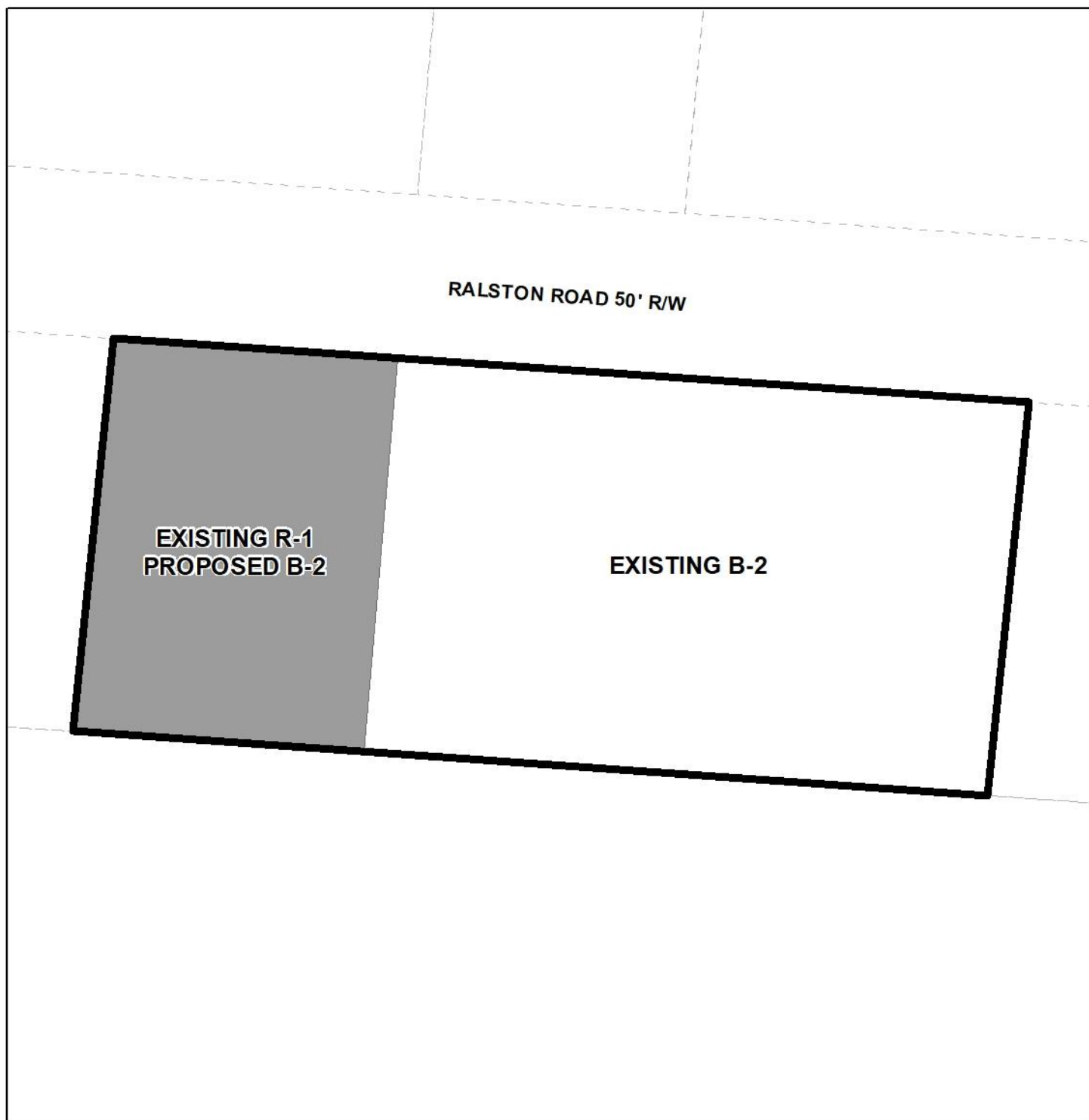
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REQUEST PUD, Rezoning from R-1 and B-2 to B-2



NTS

DETAIL SITE PLAN



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REQUEST PUD, Rezoning from R-1 and B-2 to B-2

