

PLANNING APPROVAL STAFF REPORT**Date: June 15, 2006****NAME**

Over Flow Ministries, Inc. (Wilbert Hardy, Pastor)

LOCATION1201 North Drive
(Southwest corner of North Drive and an unopened,
unnamed public right-of-way)**CITY COUNCIL
DISTRICT**

District 3

PRESENT ZONING

R-1

AREA OF PROPERTY30,000 \pm square feet / 0.7 \pm acres**CONTEMPLATED USE**Planning Approval to allow a church with child day care
activities in an R-1, Single-Family Residential District**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

**ENGINEERING
COMMENTS**

Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Minimum driveway width is twenty-four feet. Minimum parking standards require dimensions of nine-foot wide spaces and nineteen feet long with a minimum parking aisle width of twenty-four feet. Accommodations should be made to meet the minimum requirements.

**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 61-929 and City Code Chapters 57 and 64).

**FIRE DEPARTMENT
COMMENTS**

All commercial projects shall comply with the 2003 International Fire Code and Appendices B through G, as adopted by the City of Mobile on July

6, 2004. All One- or Two-Family residential developments shall comply with Appendices B, C, and D of the 2003 International Fire Code, as adopted by the City of Mobile on July 6, 2004.

REMARKS

The applicant is seeking Planning Approval to allow a church with child day care activities in an R-1, Single-Family Residential District. Churches and their accessory uses are allowed with Planning Approval in an R-1 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. Planning Approval is site plan and use specific, thus any future changes to the site or operation of the facilities will require additional Planning Approval.

The applicant proposes to use *"the existing property as a church and a small day care center. We do not plan to do any construction on this property since it already meets our needs."* The applicant also states that the congregation has 15 members, and that the church *"would also like to meet the needs of the community by providing day care services to those who need it."*

The site fronts onto North Drive, a minor street with an adequate right-of-way. The site is bounded to the East by an unopened right-of-way, a vacant lot and single-family residences, to the North and South by single-family residences, and to the West by a vacant lot and by single-family residences, all located in an R-1 district.

A use variance was granted in March 1973 to allow the site to be used as a child day care. The original 1973 approval limited the operation of the day care to a total of 10 children and 2 adults.

The existing structure on the premises appears to have been originally constructed as a single-family home. Improvements made to the structure to accommodate the day care use remain.

A paved parking area exists on the site, as depicted on the site plan, and is marked to provide 11 parking spaces. It should be noted that 1997 aerial photographs indicate that the parking area was still a front yard, while the 2002 aerial photographs indicate what appears to be relatively new asphalt parking across the front of the property. Furthermore, it appears that the marked parking spaces do not meet the minimum size requirements of Section 64-6. of the Zoning Ordinance, and the maneuvering area also appears to be substandard. Review of the permit history for the site shows that the parking area was not permitted by Urban Development.

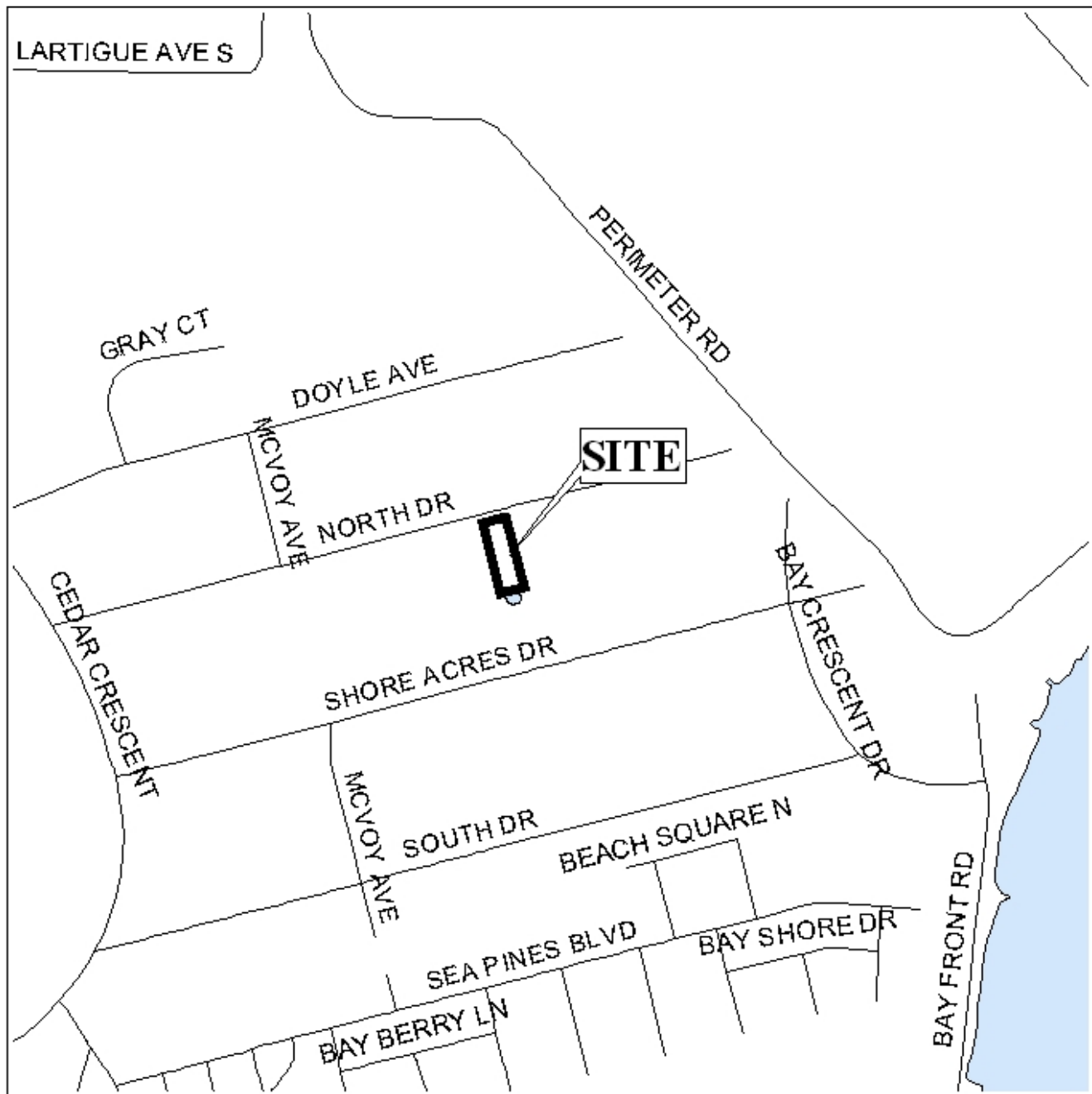
As the existing paved parking area is substandard, it may not be adequate for the proposed use. The building has 2,100 square feet of interior space, thus 7 parking spaces would be required to service the proposed use. The parking lot, as designed, does not have adequate maneuvering area on the property, nor are the marked parking spaces adequately sized per the requirements of the ordinance. It appears that use of the parking area would require maneuvering within the public right-of-way.

Existing fences and vegetative buffers on the side and rear property lines should be maintained in order to minimize conflicts with existing and future adjacent residential uses.

RECOMMENDATION

Planning Approval: Based upon the preceding, the request is recommended for Holdover until the July 20th meeting, to allow for the provision of the following information by June 27th: 1) revised site plan, drawn to scale, showing parking area designed to comply with the Zoning Ordinance; 2) revision of the site plan, if necessary, to depict stormwater detention facilities that may be required due to the parking area; and 3) revision of the site plan to depict compliance with the tree and landscaping requirements of the Zoning Ordinance.

LOCATOR MAP



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REQUEST Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential dwellings.

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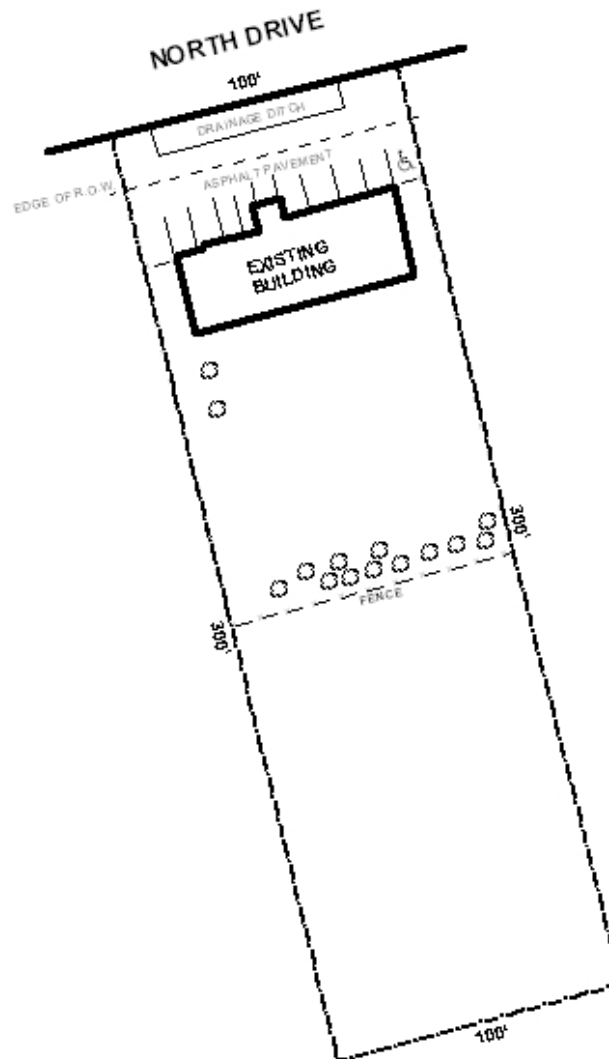
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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2

N
NTS

SITE PLAN



The site is located on the Southwest corner of North Drive and an unopened, unnamed public right-of-way. The plan illustrates the existing building and parking.

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