

**PLANNING APPROVAL,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT**

Date: February 16, 2012

<u>NAME</u>	New Shiloh Missionary Baptist Church
<u>SUBDIVISION NAME</u>	New Shiloh Missionary Baptist Church Subdivision, Plat #1
<u>LOCATION</u>	2756 Old Shell Road (Northwest corner of Old Shell Road and Bay Shore Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 1
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>AREA OF PROPERTY</u>	1 lot / 3.4± acres
<u>CONTEMPLATED USE</u>	Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential district, Planned Unit Development approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site, and Subdivision approval to create one legal lot of record.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate.
<u>ENGINEERING COMMENTS</u>	Any new work performed in the existing ROW (right-of- way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile ROW code and ordinances. Must comply with all storm water and flood control ordinances Of the City of Mobile. Construction punch list items must be completed, including providing stabilized, permanent ground cover.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

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).

Preservation status is to be given to the 60" Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

FIRE DEPARTMENT**COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential district, Planned Unit Development approval to amend a previously approved Planned Unit Development to allow two buildings on a single building site, and Subdivision approval to create one legal lot. Churches require Planning Approval when located in R-1 districts.

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. PUD approval is site plan specific, thus if any new construction is anticipated that will change an approved site plan, an application to amend an existing, approved PUD must be made prior to any construction activities.

It is very important to note that the Planning Approval and PUD review are site plan specific; therefore *any* future changes to the overall site plan must be submitted for PUD review. Additionally, if the site plan is changed from what is approved by the Planning Commission, a new application for Planning Approval will be required.

The applicant originally received approvals for this project from the Planning Commission on July 22, 2010. Building and land disturbance permits were issued in December, 2010, and construction commenced. A new 776-seat church building was constructed, along with other site

improvements, such as parking, drainage, and landscaping. The old building remains, and is being used for auxiliary church uses.

As is standard practice, the permits for construction were issued with the stipulation that no final certificate of occupancy would be granted until the Final Plat had been recorded. The applicant failed to have the Final Plat signed and recorded prior to the tentative approval's expiration on July 22, 2011, thus allowing the approval to expire. Further, upon final inspections, it was noted that a 17-foot vehicle canopy had been added to the rear of the new sanctuary, thus creating a significant change in the circulation and layout of the site; hence the need for new Planned Unit Development and Planning Approval applications.

The church land use has already been approved, and should not be in question, therefore, there is no issue with the Planning Approval for the church use.

Regarding the Subdivision application, there has been no change to conditions in the area, and there have been no changes to the regulations that would affect this site. Further, the only issue in the previous Subdivision application was the vacation of a 10-foot alleyway, which was approved by the Mobile City Council on November 3, 2010. The conditions for the previous approval, except the vacation condition, should suffice for this application.

The Planned Unit Development application is a bit more complicated. The addition of the canopy has reduced the vehicle drive aisle in the rear of the church to approximately 13 feet, which is only sufficient for one-way traffic. The area under the canopy is approximately 18 feet, which is sufficient for another one-way drive aisle, however, it is likely that this area will function merely as an unloading area. Ordinarily, there should be a two-way drive aisle of at least 24 feet, along with the unloading area under the canopy. There is not sufficient room to accomplish this and continue to maintain the required number of parking spaces.

A solution, short of removing the canopy, is to allow the canopy to remain with the stipulation that the area under the canopy will be a drive aisle, and that appropriate one-way directional arrows be painted both in the drive aisle and the aisle under the canopy. While perhaps not the best circulation solution, it would seem to be the most practical.

Otherwise, the site plan has not changed significantly, and no other changes should be required.

RECOMMENDATION

Planning Approval: The request is recommended for approval subject to the following conditions:

- 1) completion of the Subdivision process;
- 2) placement of appropriate directional arrows at the drive aisle both under the canopy and beside the canopy;
- 3) full compliance with landscaping and tree planting requirements;
- 4) obtaining a sign permit for the relocation of the existing sign on the right-of-way;

- 5) full compliance with Engineering comments: *“Any new work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile ROW code and ordinances. Must comply with all storm water and flood control ordinances Of the City of Mobile. Construction punch list items must be completed, including providing stabilized, permanent ground cover;”*
- 6) full compliance with 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). Preservation status is to be given to the 60” Live Oak Tree located on the North side of Lot 1. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger;”*
- 7) full compliance with Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”* and
- 8) full compliance with all municipal codes and ordinances.

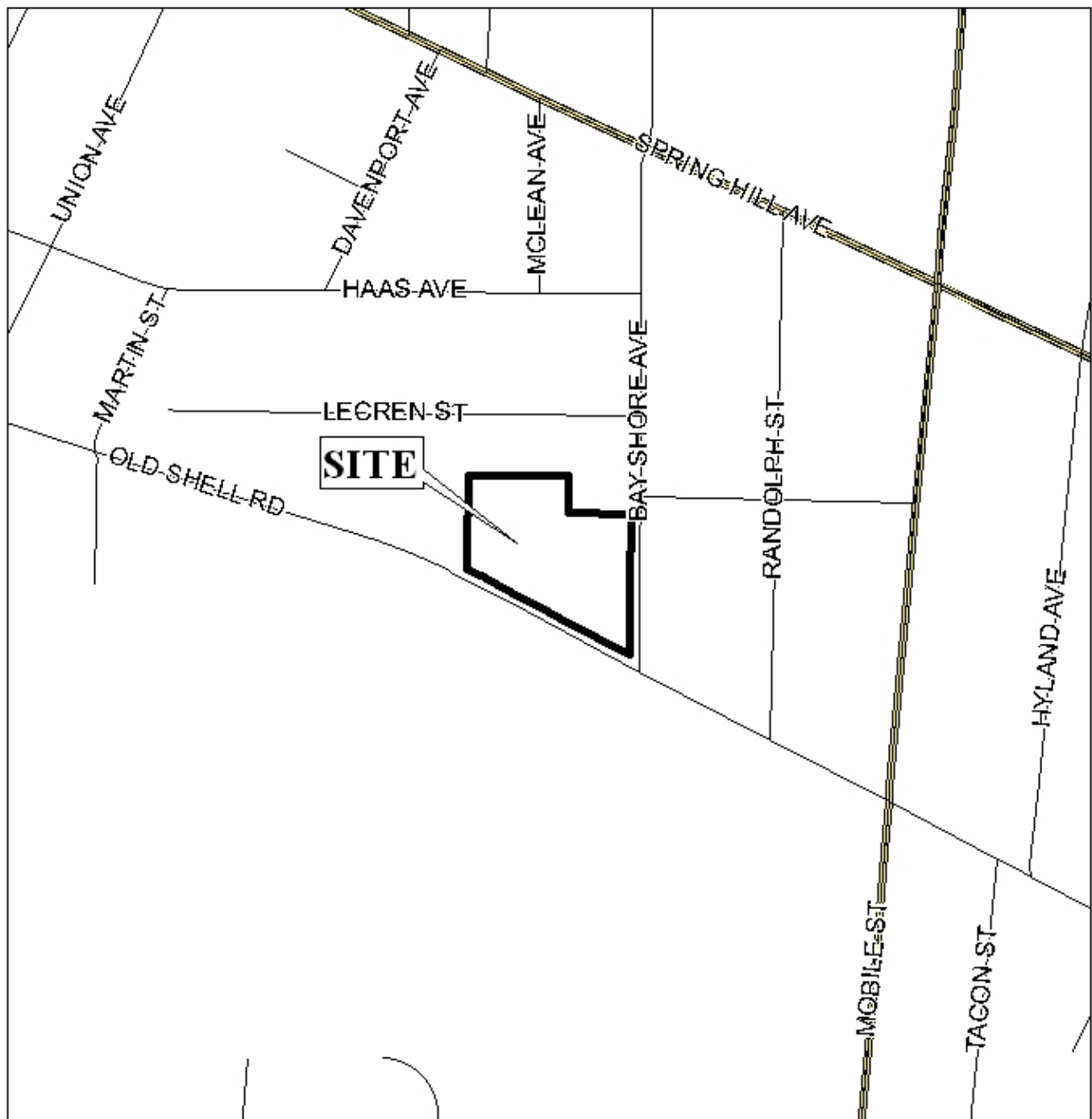
Planned Unit Development: The request is recommended for approval subject to the following conditions:

- 1) completion of the Subdivision process;
- 2) placement of appropriate directional arrows at the drive aisle both under the canopy and beside the canopy;
- 3) full compliance with landscaping and tree planting requirements;
- 4) full compliance with Engineering comments: *“Any new work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile ROW code and ordinances. Must comply with all storm water and flood control ordinances Of the City of Mobile. Construction punch list items must be completed, including providing stabilized, permanent ground cover;”*
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- 6) full compliance with Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”* and,
- 7) full compliance with all municipal codes and ordinances.

Subdivision: The request is recommended for tentative approval subject to the following conditions:

- 1) labeling of the dedication sufficient for the lot to comply with Section V.D.6. of the Subdivision Regulations regarding curb radii;
- 2) retention of the 25-foot minimum building line along all rights-of-way including any dedications;
- 3) retention of the labeling of the lot area size in square feet on the Final Plat;
- 4) retention of a note on the Final Plat stating that the lot is limited to one curb-cut to Old Shell Road and three curb-cuts to Bay Shore Avenue, with the size, location, and design of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) full compliance with Engineering comments: *“Any new work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile ROW code and ordinances. Must comply with all storm water and flood control ordinances Of the City of Mobile. Construction punch list items must be completed, including providing stabilized, permanent ground cover;”*
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- 7) full compliance with Fire Department comments: *“All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile;”* and
- 8) retention of a note on the final plat stating that development of the site must be undertaken in compliance with all local, state, and federal regulations regarding endangered, threatened, or otherwise protected species.

LOCATOR MAP



APPLICATION NUMBER 13, 14 & 15 DATE February 16, 2012

APPLICANT New Shiloh Baptist Church

REQUEST Subdivision, PUD, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Residential land use is located to the north of the site. A school is located to the south of the site.

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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Residential land use is located to the north of the site. A school is located to the south of the site.

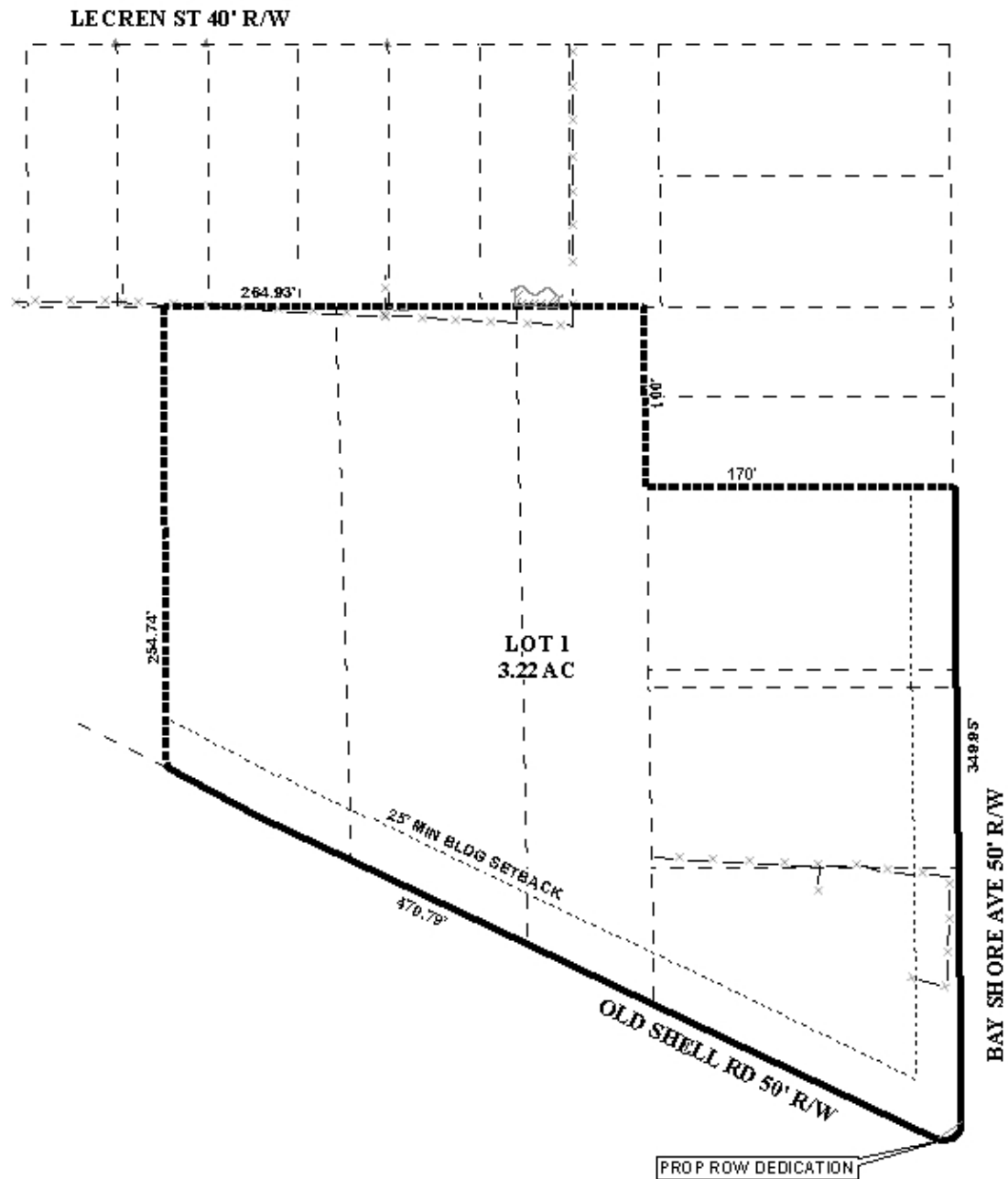
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SUBDIVISION PLAT



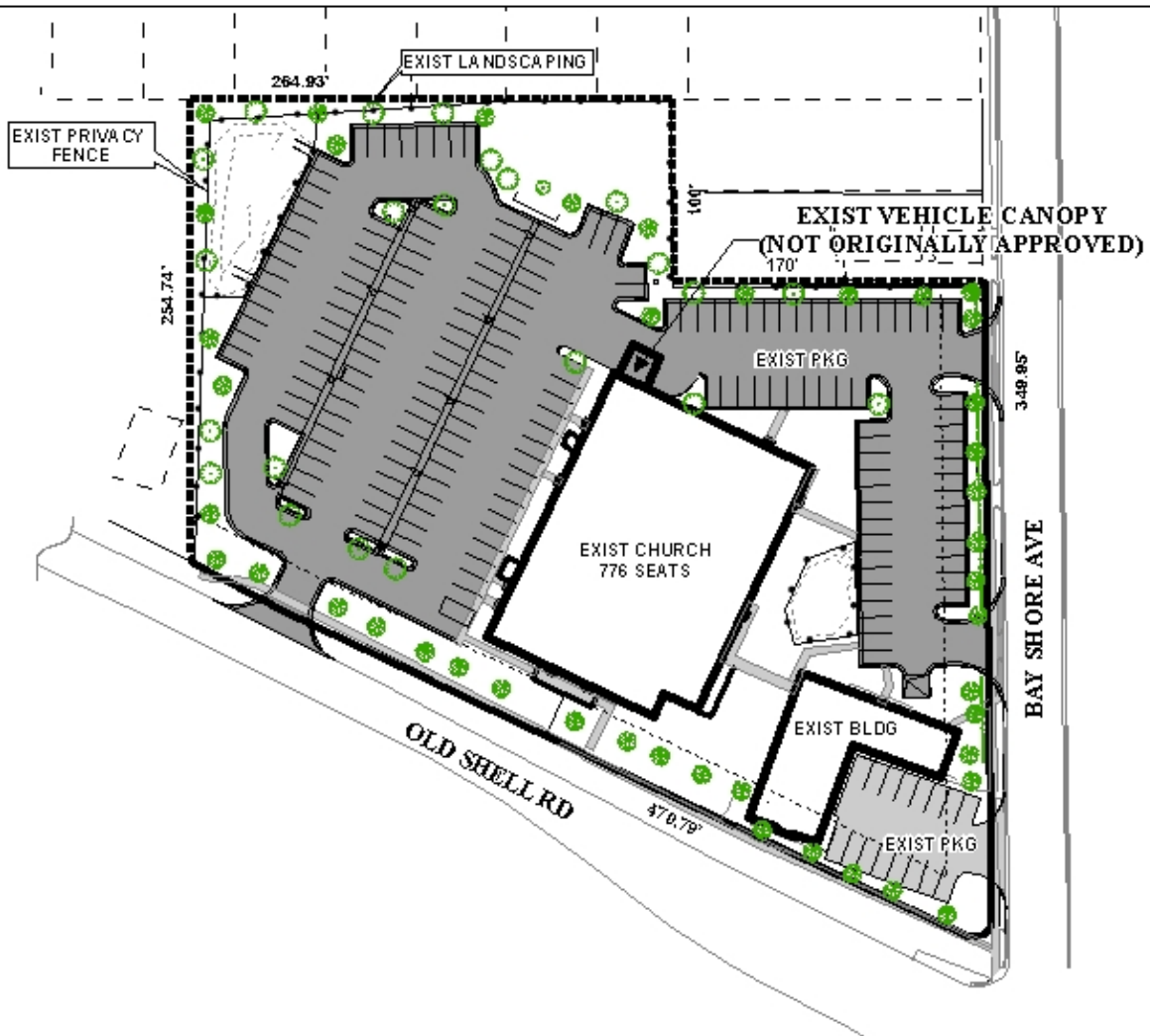
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SITE PLAN



The site plan illustrates the existing structures, parking, and proposed parking .

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