

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT, &  
PLANNING APPROVAL  
STAFF REPORT****Date: May 18, 2017**

<b><u>APPLICANT NAME</u></b>	New Hope Baptist Church Subdivision, Resubdivision 2
<b><u>SUBDIVISION NAME</u></b>	New Hope Baptist Church Subdivision, Resubdivision 2
<b><u>DEVELOPMENT NAME</u></b>	New Hope Baptist Church Subdivision, Resubdivision 2
<b><u>LOCATION</u></b>	1270 & 1272 Pecan Street, 605 & 608 Live Oak Street, 1257, 1259, 1261 & 1263 Persimmon Street (Northeast corner of Pecan Street and Live Oak Street extending to the Southeast corner of Live Oak Street and Persimmon Street; and West side of Live Oak Street 120'± South of Persimmon Street).
<b><u>CITY COUNCIL DISTRICT</u></b>	District 2.
<b><u>PRESENT ZONING</u></b>	R-2, Two-Family Residential District.
<b><u>AREA OF PROPERTY</u></b>	1.39 ± acres.
<b><u>CONTEMPLATED USE</u></b>	Subdivision approval to create a single legal lot of record from a single legal lot of record and a single metes-and-bounds parcel; Planned Unit Development to amend a previously approved Planned Unit Development to allow off-site parking; and Planning Approval to amend a previous Planning Approval to allow the expansion of a church and construction of an off-site parking lot for church use in an R-2, Two-Family Residential District.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Not specified.

**ENGINEERING  
COMMENTS**

**Subdivision:** FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale,

- bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Provide and label the monument set or found at each subdivision corner.
  - C. Revise the signature block from "CITY OF MOBILE ENGINEERING" to "CITY ENGINEER".
  - D. Add a signature block for the Traffic Engineer.
  - E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
  - F. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.
  - G. Add a note to the Plat stating that 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.
  - H. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
  - I. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
  - J. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.

**Planned Unit Development:**                      ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

- 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 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, paving, and all above ground structures, 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. 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.

5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

**Planning Approval:**

No Comments

**TRAFFIC ENGINEERING**

**COMMENTS**

Lot 1 is limited to two curb cuts to Persimmon Street and one driveway to Pecan Street. Lot 2 is limited to one curb cut to Live Oak Street. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The driveway and aisle from Pecan Street is to an acceptable width (between 14'-16') for one-way access. Any new 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 (State Act 2015-116 and City Code Chapters 57 and 64).

**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)

**REMARKS**

The applicant is requesting Subdivision approval to create a single legal lot of record from a single legal lot of record and a single metes-and-bounds parcel; Planned Unit Development to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and offsite parking; and Planning Approval to amend a previous Planning Approval to allow the expansion of a church and construction of an off-site parking lot for church use in an R-2, Two-Family Residential District.

The site most recently had a Planned Unit Development approved by the Planning Commission at its June 5, 2014 meeting, as well as two-lot Subdivision, Planned Unit Development and Planning Approval approved by the Planning Commission at its December 15, 2011 meeting. The applicant now wishes to include two adjacent properties to allow for additional parking and a detention pond. The site also received a variance to reduce the amount of frontage trees for the site at the Board of Zoning Adjustment's July 7, 2014 meeting. A new variance application has been submitted for the June 5, 2017 Board of Zoning Adjustment meeting to address the proposed changes to the site.

The lot size is provided in square feet and acres, and if approved, should remain on the Final Plat.

The preliminary plat illustrates the required 25' minimum building setback line along Persimmon Street and Pecan Street with an 8' setback along the majority of Live Oak Street and a 40'

setback along the remainder of Live Oak Street, as well as a 10' setback where the site is adjacent to single family residences. These are the same setbacks that have been previously approved and recorded. If approved, this information should be retained on the Final Plat.

The site fronts Pecan Street, Live Oak Street, and Persimmon Street, all minor streets with curb and gutter. The streets are illustrated as having an existing compliant right-of-way width of 50', making no dedication necessary. A 5' alley is illustrated on the preliminary plat to the East of the proposed Subdivision, with a site identified as "the East 45 feet of Lot 14, Block 26 Fisher Tract" on which additional parking is proposed with the Planned Unit Development and Planning Approval applications. Staff can find no record of a 5' alley at this location, and per Mobile County Revenue Commission, the adjacent site is the 50' wide Lot 14, Block 26 Fisher Tract. If approved, the Final Plat should be revised to remove the illustrated alley and correctly identify Lot 14, or provide evidence of the alley and, if necessary, undertake the right-of-way vacation process.

It should be noted that there is a property to the Southeast of the site (Parcel #: R022906130002162.001.) that is land locked due to the absence of the illustrated 5' alley. If approved, an access easement should be provided through the proposed Lot A to provide access to that parcel.

As a means of access management, the lot should be limited to one curb cut to Pecan Street, and one curb cut to Persimmon Street, with changes in the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any unused existing curb cuts should be removed and replaced with landscaping and curb.

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 PUD reviews 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 PUD application will be required.

The proposed site plan illustrates a new detention pond area at the Northwest of the property. Due to the addition of the detention pond, the church is proposing to utilize the two properties to the East of the church to provide the amount of required parking which was previously located where the detention pond is now illustrated. The church will have 246 seats, making 62 parking

spaces required. The site plan illustrates 63 parking spaces will be provided, including the off-site lot.

Any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance. A note reflecting this requirement should appear on the site plan, and photometric plans will be required at the time of permitting.

The site plan does not illustrate a dumpster on the property, however, there is a note stating that garbage collection will be via curb-side pick-up, which should be retained on the site plan, if approved.

The site plan indicates that there will be sufficient landscaped area on both the main campus for the church as well as the off-site parking. As noted previously, the site has a variance on the June 5, 2017 meeting to address a proposed shortage of tree plantings along Live Oak Street due to the close proximity of the church building to the street.

A wooden privacy fence is depicted where the site is adjacent to R-2, Two-Family Residential District properties occupied by single family dwelling units, with the fence to be 6' and reduced to 3' with the front building setbacks. This should be retained on the site plan, if approved.

### **RECOMMENDATION**

**Subdivision:** The application is recommended for Tentative Approval, subject to the following conditions:

- 1) removal of the 5' alley and/or provision of legal documentation regarding the alley;
- 2) revision of the Final Plat to correctly label the adjacent lot as "Lot 14, Block 26 Fisher Tract";
- 3) retention of the 25' minimum building setback line along Persimmon Street and Pecan Street with an 8' setback along the majority of Live Oak Street and a 40' setback along the remainder of Live Oak Street;
- 4) provision of an access easement to the landlocked parcel to the Southeast of the site;
- 5) placement of a note on the Final Plat stating the lot is limited to one curb cut to Pecan Street, and one curb cut to Persimmon Street, with changes in the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards; and any unused existing curb cuts should be removed and replaced with landscaping and curb;
- 6) compliance with Engineering Comments: (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner. C. Revise the signature block from "CITY OF MOBILE ENGINEERING" to "CITY ENGINEER". D. Add a signature block for the Traffic Engineer. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any*)

- land disturbing activity in accordance 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. G. Add a note to the Plat stating that 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. H. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. I. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. J. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.);*
- 7) *Compliance with Traffic Engineering Comments: (Lot 1 is limited to two curb cuts to Persimmon Street and one driveway to Pecan Street. Lot 2 is limited to one curb cut to Live Oak Street. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The driveway and aisle from Pecan Street is to an acceptable width (between 14'-16') for one-way access. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
  - 8) *compliance with 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);*
  - 9) *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 2015-116 and City Code Chapters 57 and 64); and*
  - 10) *submission of three revised Planned Unit Development site plans prior to the signing of the Final Plat.*

**Planned Unit Development:** This application is recommended for Approval, subject to the following conditions:

- 1) removal of the 5' alley and/or provision of legal documentation regarding the alley;
- 2) retention of the note regarding the use of curb-side pickup;
- 3) retention of the 6' high wooden privacy fence where the sites abut single family dwellings;
- 4) placement of a note on the site plan stating the site will comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance;
- 5) placement of a note on the site plan stating the site is limited to one curb cut to Pecan Street, and two curb cuts to Persimmon Street, with changes in the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards; and any unused existing curb cuts should be removed and replaced with landscaping and curb;
- 6) compliance with Engineering Comments: *(ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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 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, paving, and all above ground structures, 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. 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. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);*

- 7) *Compliance with Traffic Engineering Comments: (Lot 1 is limited to two curb cuts to Persimmon Street and one driveway to Pecan Street. Lot 2 is limited to one curb cut to Live Oak Street. Driveway size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. The driveway and aisle from Pecan Street is to an acceptable width (between 14'-16') for one-way access. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
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- 10) *submission of three revised Planned Unit Development site plans prior to the signing of the Final Plat.*

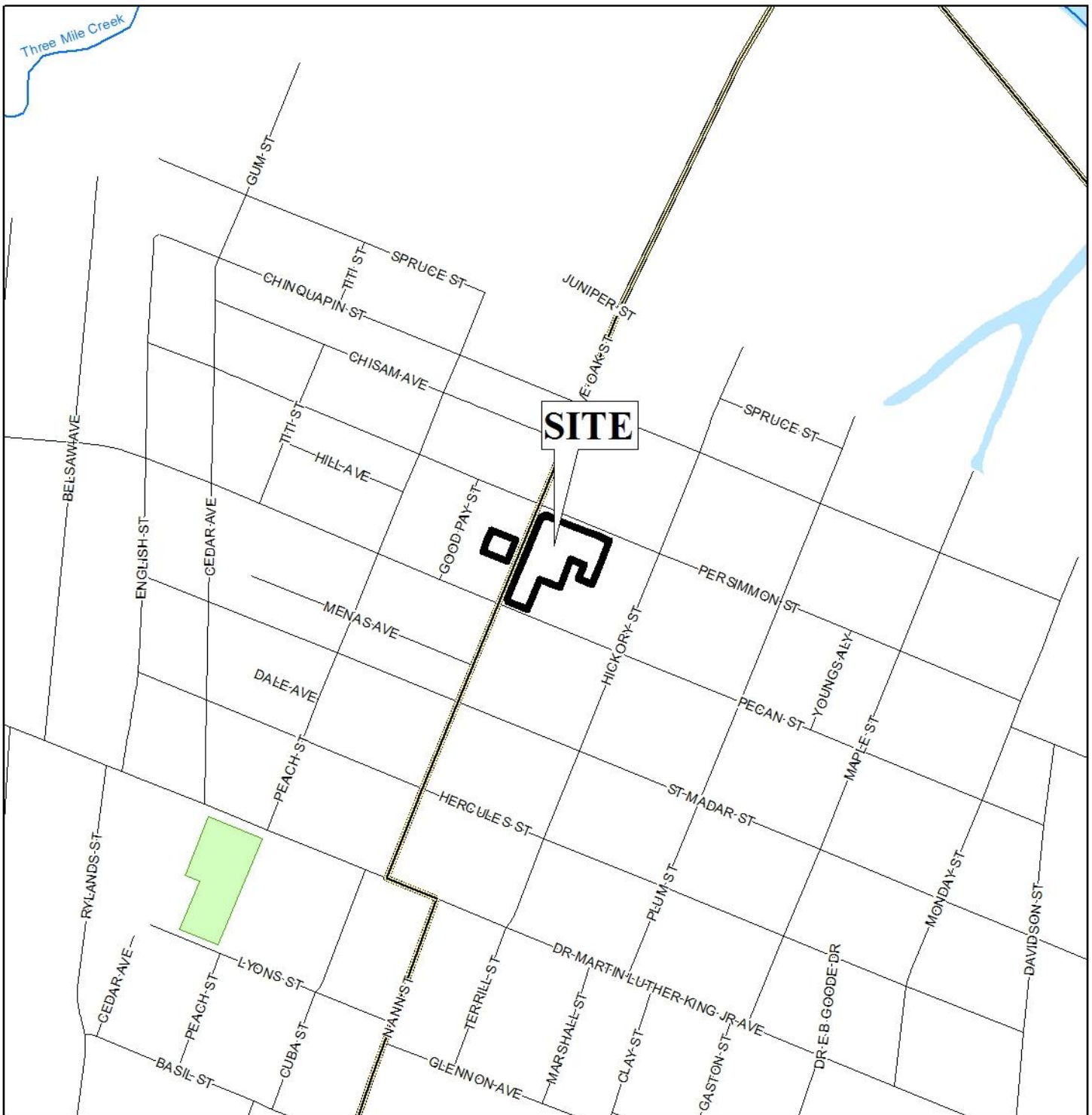
**Planning Approval:** This application is recommended for Approval, subject to the following conditions:

- 1) removal of the 5' alley and/or provision of legal documentation regarding the alley;
- 2) retention of the note regarding the use of curb-side pickup;
- 3) retention of the 6' high wooden privacy fence where the sites abut single family dwellings;
- 4) placement of a note on the site plan stating the site will comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance;
- 5) placement of a note on the site plan stating the site is limited to one curb cut to Pecan Street, and two curb cuts to Persimmon Street, with changes in the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards; and

any unused existing curb cuts should be removed and replaced with landscaping and curb;

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- 9) submission of three revised Planned Unit Development site plans prior to the signing of the Final Plat.

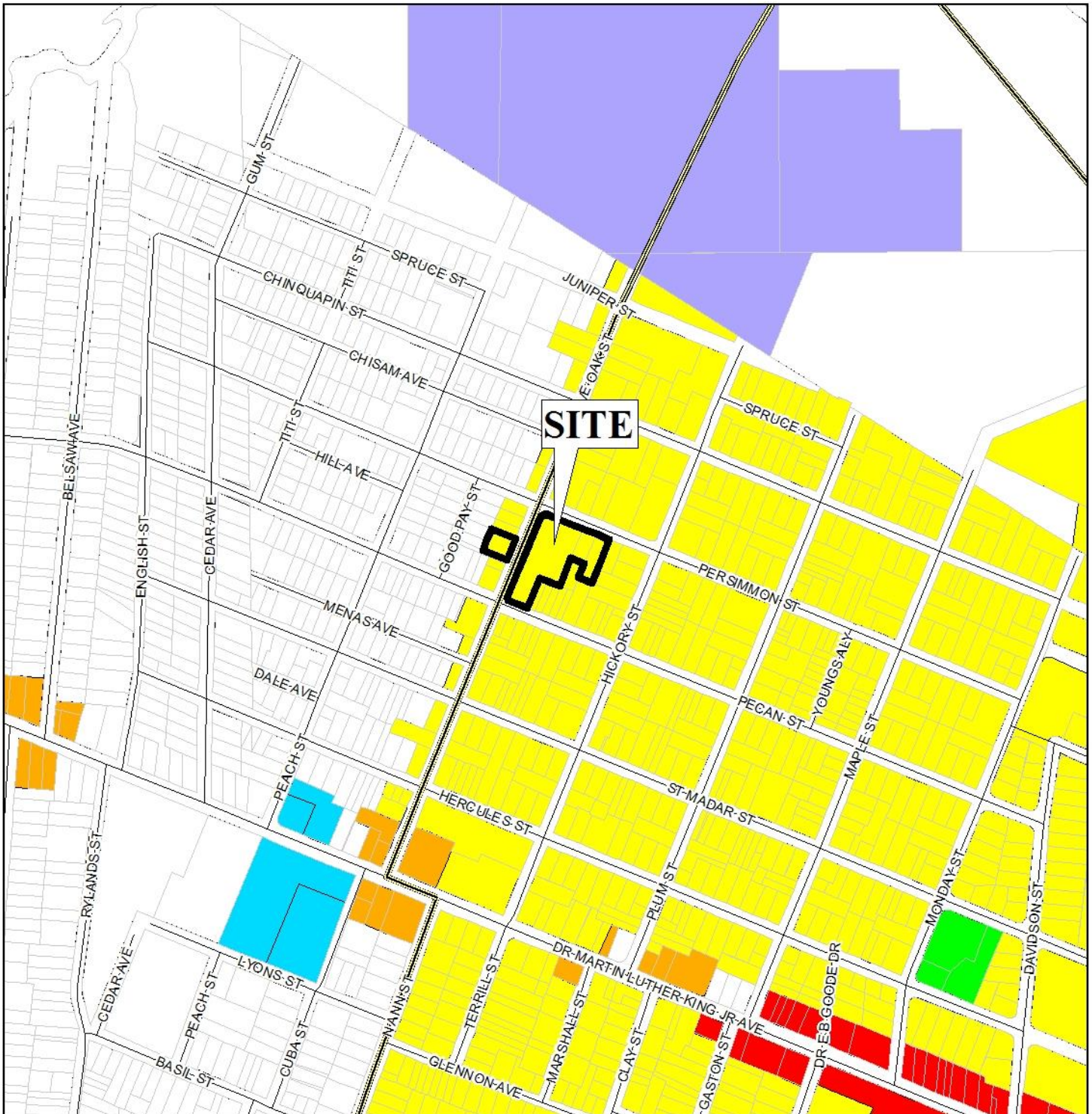
# LOCATOR MAP



APPLICATION NUMBER 15 DATE May 18, 2017  
APPLICANT New Hope Baptist Church Subdivision, Resubdivision 2  
REQUEST Subdivision, Planned Unit Development, Planning Approval



# LOCATOR ZONING MAP



APPLICATION NUMBER 15 DATE May 18, 2017  
APPLICANT New Hope Baptist Church Subdivision, Resubdivision 2  
REQUEST Subdivision, Planned Unit Development, Planning Approval



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



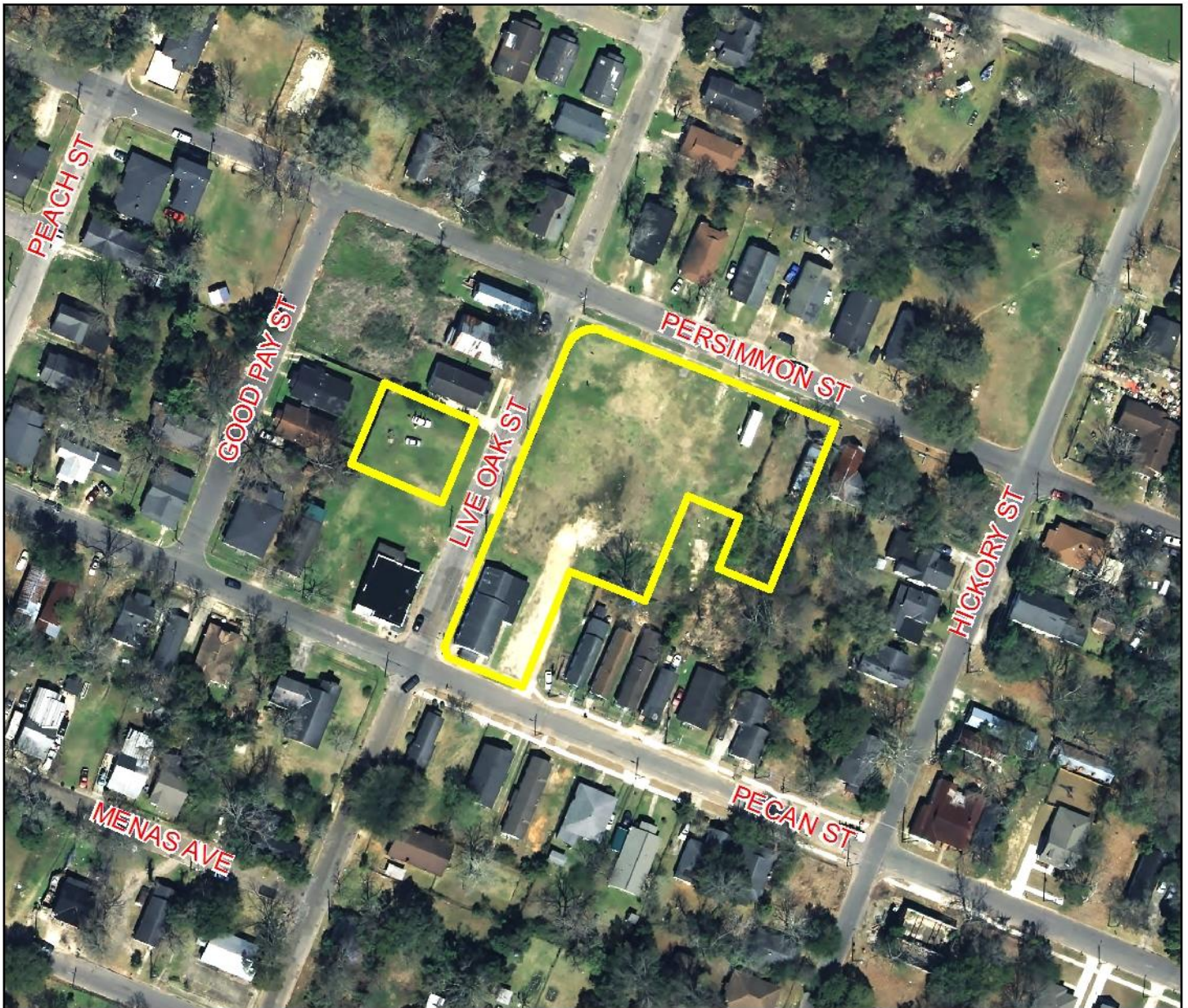
The site is surrounded by residential units.

APPLICATION NUMBER 15 DATE May 18, 2017  
 APPLICANT New Hope Baptist Church Subdivision, Resubdivision 2  
 REQUEST Subdivision, 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

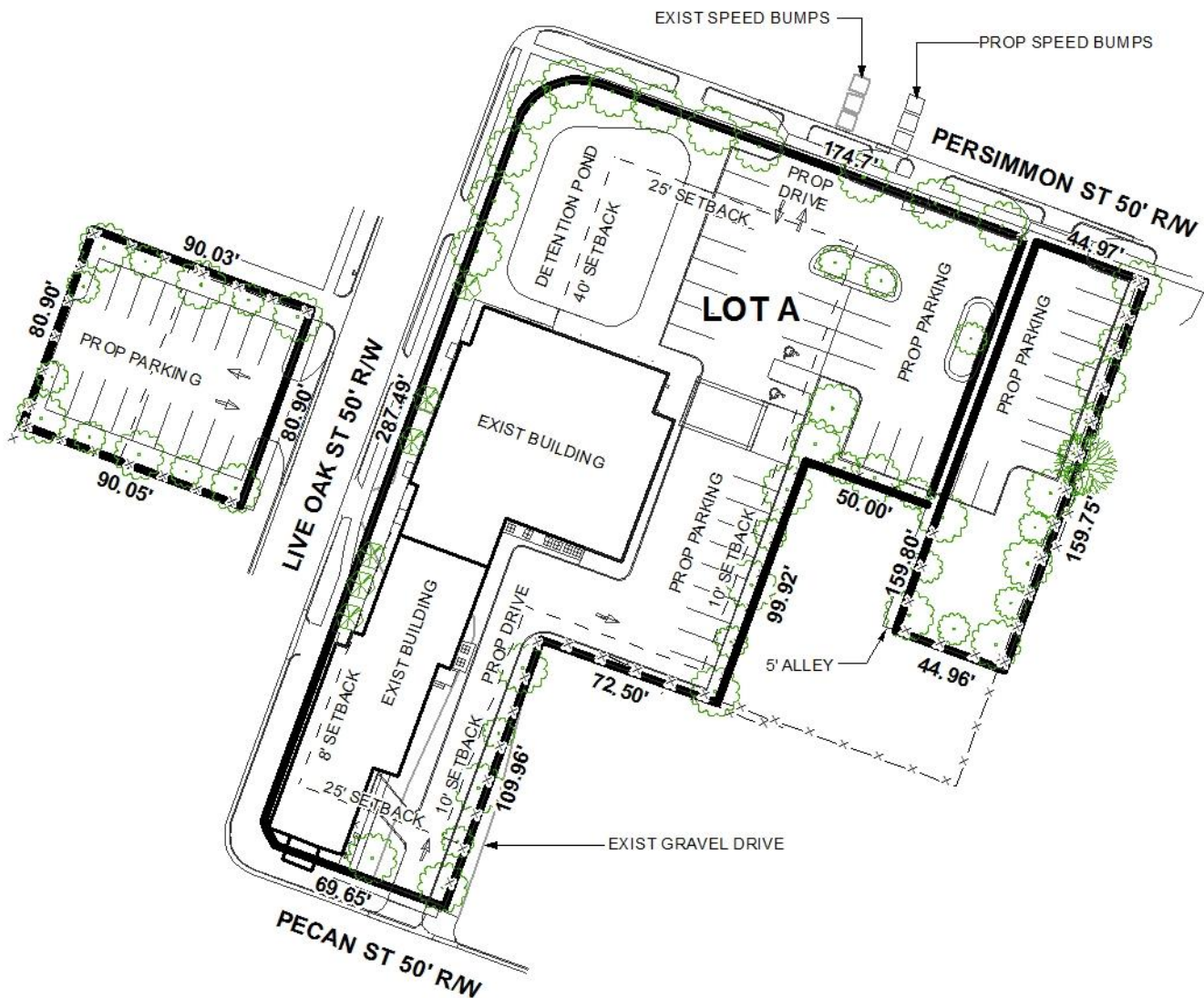


The site is surrounded by residential units.

APPLICATION NUMBER 15 DATE May 18, 2017  
 APPLICANT New Hope Baptist Church Subdivision, Resubdivision 2  
 REQUEST Subdivision, Planned Unit Development, Planning Approval



# SITE PLAN

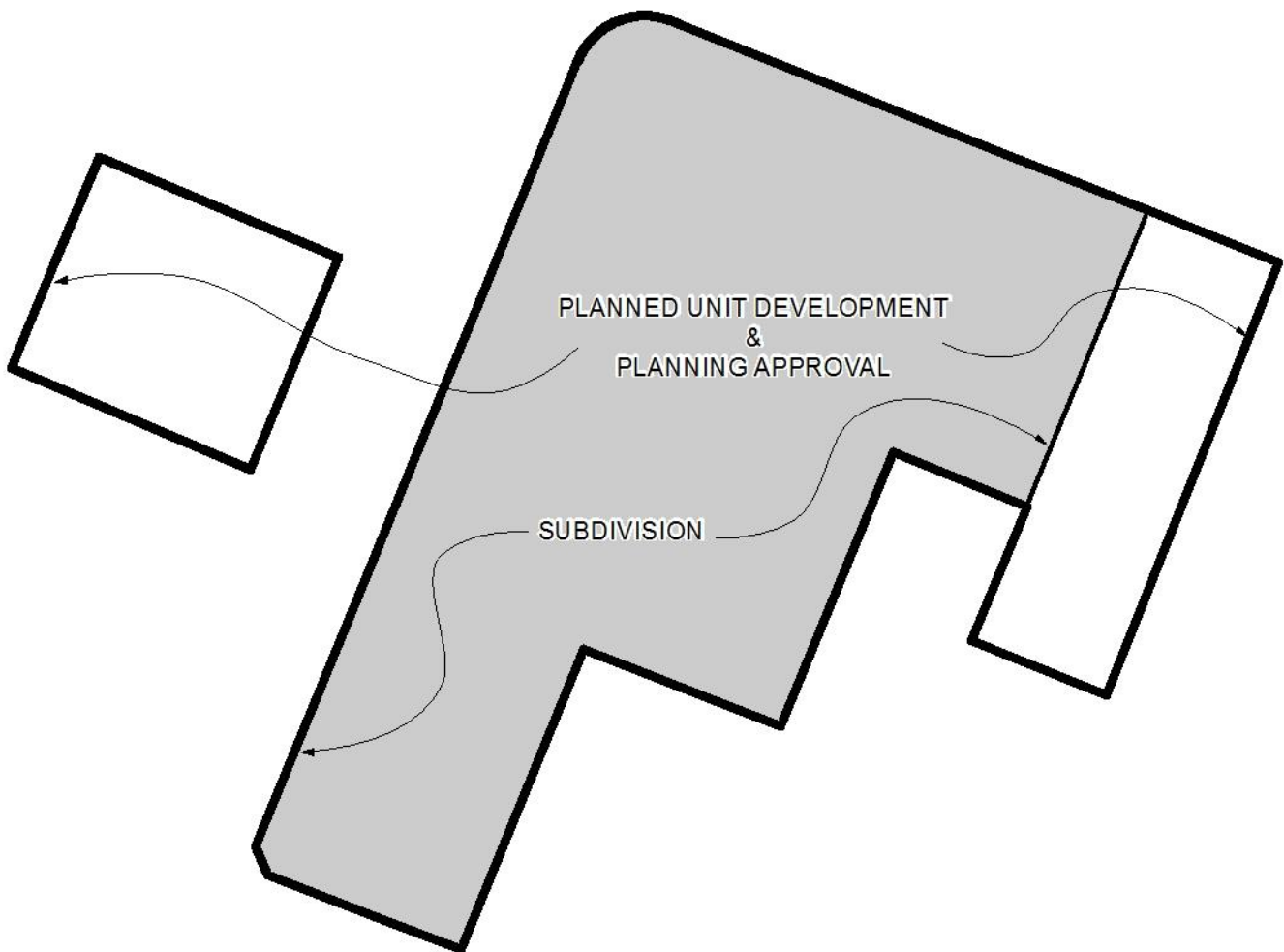


The site plan illustrates the existing buildings, setbacks, proposed drives, and proposed parking.

APPLICATION NUMBER 15 DATE May 18, 2017  
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 REQUEST Subdivision, Planned Unit Development, Planning Approval



## DETAIL SITE PLAN



APPLICATION NUMBER 15 DATE May 18, 2017  
APPLICANT New Hope Baptist Church Subdivision, Resubdivision 2  
REQUEST Subdivision, Planned Unit Development, Planning Approval

