

**PLANNED UNIT DEVELOPMENT  
STAFF REPORT**

**Date: June 5, 2014**

**DEVELOPMENT NAME** New Hope Baptist Church.

**LOCATION** 1261 Persimmon Street  
(1270 & 1272 Pecan Street, 605 & 608 Live Oak Street,  
1261 & 1263 Persimmon)  
(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).

**CITY COUNCIL  
DISTRICT** District 2.

**PRESENT ZONING** R-2, Two-family Residential District.

**AREA OF PROPERTY** 1.08 ± acres.

**CONTEMPLATED USE** Planned Unit Development Approval to amend a  
previously approved Planned Unit Development to allow  
multiple buildings on a single building site and offsite  
parking.

**TIME SCHEDULE  
FOR DEVELOPMENT** Not specified.

**ENGINEERING  
COMMENTS**

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 the Storm Water Management and

Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); 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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
5. The proposed development must comply with all Engineering Department Policy Letters.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Lot 1 is limited to two curb cuts to Persimmon Street and one curb cut to Pecan Street, Lot 2 is limited to one curb cut to Live Oak St with 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).

## **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 Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow multiple buildings on a single building site and offsite parking.

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.

This site most recently appeared before the Planning Commission at its December 15, 2011 meeting where the Commission approved a 2-lot Subdivision, PUD and Planning Approval. Since that time, the PUD approval has expired due to delays in construction as specified by the applicant.

As in the previous approval, the site plan illustrates a proposed sanctuary with onsite and offsite parking, as well as other site improvements. The Subdivision was recorded in February of 2012 with reduced setbacks to match the previously approved PUD, as shown on the Final Probated Plat and listed in the Letter of Decision. As such, the current PUD request illustrates the same dimensions with the proposed sanctuary located 8' from Live Oak Street, as approved, and in lieu of the typically required 20' side-street yard setback.

The proposed parking/access and maneuvering areas appear to be compliant, as it relates to the quantity and dimensions; however, only 2 accessible spaces are shown and no accessible route is depicted. Due to the size of the proposed sanctuary, the site would require 62 parking spaces, of which the building code (and Americans with Disabilities Act (ADA) require a certain percentage to be accessible parking spaces with one of every 6 accessible parking spaces being van accessible parking spaces according to the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design). As such, the site plan should be revised, if necessary, to illustrate compliant number of accessible parking spaces and the required accessible route.

It should also be pointed out that the proposed covered drive-thru may reduce the access aisle width allocated for accessible parking, depending on where the posts are located.

Although the Planning Section does not enforce accessible parking or ADA, certain aspects of ADA do impact site design, and as PUDs are site plan specific, a revised PUD site plan should depict design compliance with the requirements of the ADA, if applicable.

It is important to note that lighting is not illustrated on the site plan. 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 revised site plan.

In reference to vegetation, landscaping is illustrated on the site plan for the overall site, however, 11 overstory frontage trees and 6 crape myrtles appear to be proposed within 15' of above-ground utility lines. The applicant should keep in mind that any trees planted within 15' of above-ground utility lines **must** be live oak trees if overstory, or crape myrtles if understory. Therefore, the site plan should be revised to illustrate live oak trees, but if the applicant desires a different type of frontage tree, they should be depicted a minimum distance of 15' from the overhead utility lines.

It should be pointed out that due to the location of the proposed sanctuary and reduced setbacks, the applicant is proposing only 4 frontage trees along Live Oak Street, instead of the required 11 because of insufficient planting area. It is important to note that a Tree Planting Variance was granted by the Board of Adjustment; however, that tentative approval has also since expired. The applicant has, however, submitted a new application to the Board for tree planting, set to be heard at its June 2, 2014. If the variance request is denied, the site plan should be revised to

illustrate full compliance with the frontage tree requirement of the Zoning Ordinance. All other landscaping, buffering, and fencing appear to exceed the minimum tree and landscaping requirements of the Zoning Ordinance.

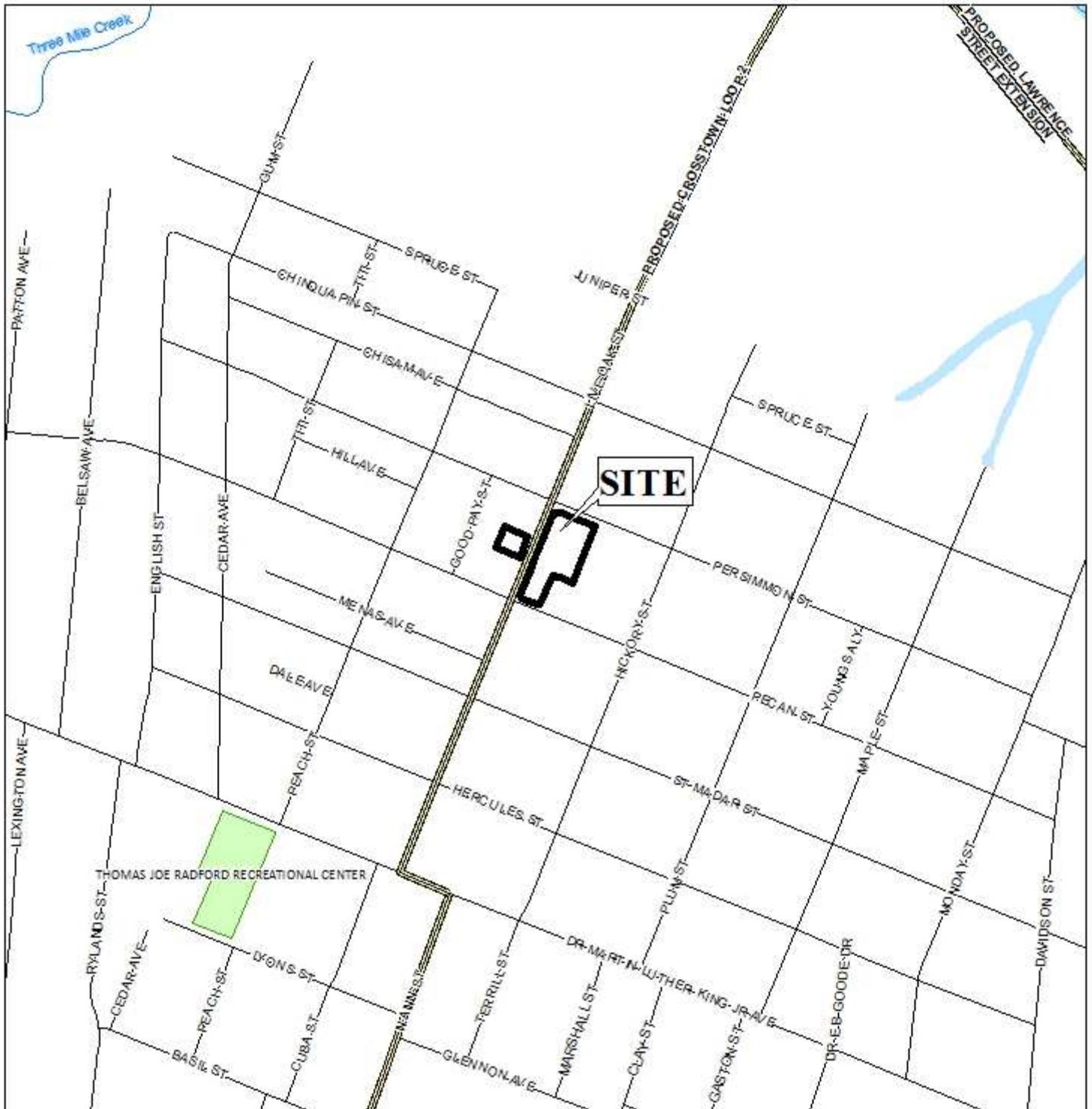
Finally, it should be noted that there was no signage information provided. The applicant should keep in mind that the location of any proposed sign structure, such as a monument or freestanding sign, should be illustrated on a revised PUD site plan, as PUD approval is site plan specific.

**RECOMMENDATION**      **Planned Unit Development:**      The application is recommended for approval, subject to the following conditions:

- 1) Revision of the site plan to illustrate a compliant number of accessible parking spaces and design compliance, to include an accessible route, with the requirements of the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design);
- 2) Revision of the site plan to illustrate live oak trees within 15' of above-ground utility lines. All other frontage trees should be depicted a minimum distance of 15' from said utilities;
- 3) Revision of the site plan to comply with the frontage tree requirements of the Zoning Ordinance, if the Tree Planting Variance is denied;
- 4) Revision of the site plan to illustrate any proposed sign structure;
- 5) Retention of dumpster notes on the revised site plan;
- 6) Placement of a note on the site plan stating that any new lighting on the site must comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance and submission of a photometric plan of the entire site at time of permitting;
- 7) Compliance with Engineering Comments: *(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 the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); 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 detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for the construction shall include a Maintenance and Inspection Plan signed and notarized by the Owner(s). This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The proposed development must comply with all Engineering Department Policy Letters.);*

- 8) Compliance with Traffic Engineering Comments: *(Lot 1 is limited to two curb cuts to Persimmon Street and one curb cut to Pecan Street, Lot 2 is limited to one curb cut to Live Oak St with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 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 61-929 and City Code Chapters 57 and 64).);*
- 10) 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.);*
- 11) Submission of an approved, revised PUD site plan prior to any request for Land Disturbance; and
- 12) Full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 15 DATE June 5, 2014

APPLICANT New Hope Baptist Church

REQUEST Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use.

APPLICATION NUMBER 15 DATE June 5, 2014

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REQUEST Planned Unit Development

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



**PLANNING COMMISSION  
VICINITY MAP - EXISTING ZONING**



The site is surrounded by residential land use.

APPLICATION NUMBER 15 DATE June 5, 2014

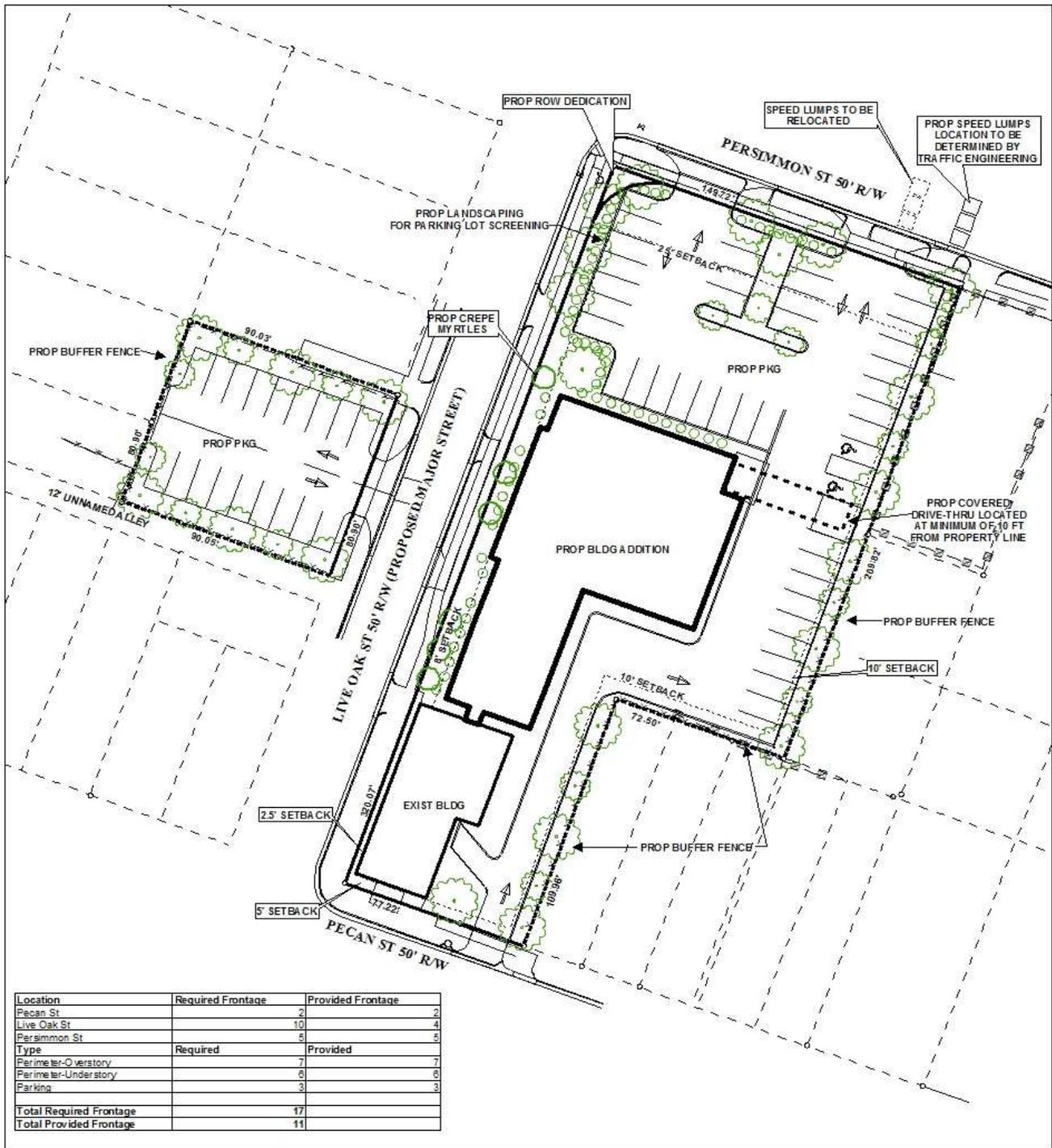
APPLICANT New Hope Baptist Church

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# SITE PLAN



The site plan illustrates the proposed building and parking.

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