

**SUBDIVISION,
PLANNED UNIT DEVELOPMENT, &
PLANNING APPROVAL STAFF REPORT****Date: December 18, 2014**

<u>NAME</u>	Emmanuel Subdivision
<u>SUBDIVISION NAME</u>	Emmanuel Subdivision
<u>LOCATION</u>	1962, 2000 and 2008 Dr. Martin Luther King, Jr. Avenue (Northeast and Southeast corners of Dr. Martin Luther King Jr. Avenue, extending to the West side of Vine Street)
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>AREA OF PROPERTY</u>	1 lot / 0.3 ± acres (Subdivision) 2 lots / 2.94 ± acres (Planning Approval)
<u>CONTEMPLATED USE</u>	<i>Planning Approval to allow the expansion of an existing church school in an R-1, Single-Family Residential District and Subdivision approval to create one legal lot.</i>
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Not specified.
<u>ENGINEERING COMMENTS</u>	Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. 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, <u>Storm Water Management and Flood Control</u>); the <u>City of Mobile, Alabama Flood Plain Management Plan</u> (1984); and, the <u>Rules For Erosion and Sedimentation Control and Storm Water Runoff Control</u> . C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #70) each lot will receive historical credit of impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition.

Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.

- D. 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.
- E. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.
- G. Provide and label the monument set or found at each subdivision corner.
- H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- I. Provide the Surveyor's Certificate and Signature.
- J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Revised for the January 15, 2015 meeting:

The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. *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.*
- C. *Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #70) each lot will receive historical credit of impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.*
- D. *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.*
- E. *Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.*

- F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.*
- G. Provide and label the monument set or found at each subdivision corner.*
- H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.*
- I. Provide the Surveyor's Certificate and Signature.*
- J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.*
- K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.*
- L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.*

Planned Unit Development:

1. Show the existing asphalt limits on Martin Ct. to the north end of LOT 1.

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 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 proposed development must comply with all Engineering Department Policy Letters.

Planning Approval:

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 proposed development must comply with all Engineering Department Policy Letters.

Revised for the January 15, 2015 meeting:

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 proposed development must comply with all Engineering Department Policy Letters.*

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lot 1 is denied access to Vine St and limited to a total of 5 curb cuts. Lot 2 and Lot 3 are each limited to one curb cut. The five parallel spaces should be eliminated and a grassed area provided to separate the roadway of Martin Ct and the parking area. There is an additional power pole that is not shown in the vicinity of the 42" live oak; ensure that the utility details are accurate if this will impact the site accessibility.

Revised for the January 15, 2015 meeting:

Lot 1 is limited to one curb cut to Martin Court, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Based on its existing development, the

church lot is limited to its existing curb cuts, 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

The Fire Code Administration Staff are okay with approving the Group Application for 1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue in respect to the Planning Commission. However, there will be water supply and fire hydrant installation requirements associated with each application due to zero hydrants on that side of the road. 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

REMARKS

The applicant is requesting Planning Approval to allow the expansion of an existing church school in an R-1, Single-Family Residential District, Planned Unit Development approval to allow multiple buildings on a single building site and off-site parking, and Subdivision approval to create three legal lots.

This site most recently appeared before the Planning Commission at its September 4, 2014 meeting where the Commission heldover the applicant's PUD, Planning Approval and Subdivision applications to allow off-site parking, multiple buildings on a single building site and 3 legal lots of record. All three applications were later withdrawn by the applicant. The applicant previously proposed 3 new 1,935 sf. modular buildings for classroom expansion; however, now the applicant proposes only 1 modular building. It should be pointed out that although the proposed modular building is depicted on the site plan as 1,935 sf., the dimensions are shown as 23'-6" X 64' which is approximately 1,500± sf. The revised site plan should illustrate the correct square footage of the proposed modular building.

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.

Planning Approval and PUD approval are site plan specific, thus the plan must be accurate at time of submittal, and any changes to the site plan must be approved by the Planning Commission.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

In regards to the Planning Approval request, the site is currently developed with an existing church and five (5) 700 sf. modular buildings used as classrooms. The applicant proposes to expand the school with 1 new 1,935 sf. modular building on the eastern portion of the lot where an existing fenced playground area is depicted. Given that the school and church are existing uses, the proposed expansion of the school would seem to be a continuation of the existing uses.

In accordance with the Subdivision Regulations, the maximum depth of the proposed Lots 1 and 3 is more than 3.5 times the width at the minimum building setback line and, as such, a waiver of Section V.D.3. will be required for approval. Further, as the proposed Lot 1 would be considered a Double-Frontage Lot, a waiver of Section V.D.8. will also be required for approval. All three proposed lots exceed the minimum size requirements and the lot size in square feet and acres is depicted on the site plan and preliminary plat. The 25' minimum building setback line is depicted along all street frontages and should be retained on any revised site plan and Final Plat, if approved.

The site has frontage along Dr. Martin Luther King, Jr. Avenue, Martin Court, and Vine Street, all minor streets.

Access and maneuvering are a concern of both Staff and residents within the immediate vicinity of the site. Martin Court, specifically, is an existing substandard street with a 30' right-of-way and roadway width of what appears to be less than 15' in some areas, well short of the 26' width required in Section V.B.15. of the Subdivision Regulations. Aside from worship-related activities, residents have stated that ingress/egress along Martin Court is also hindered due to traffic associated with the onsite school. The applicant now proposes to expand the school with the previously mentioned modular building, which may subsequently increase traffic along the already strained Martin Court. Residents desire the street be improved to City standards; however, the applicant has stated that dedication would be impractical, per City Officials who have visited the site and have assessed the existing conditions.

The proposed Lot 1 has 2 existing curb-cuts to Dr. Martin Luther King, Jr. Avenue; 4 existing curb-cuts to Martin Court, one of which appears to be 250'± wide; and 1 existing curb-cut along Vine Street - however, Staff recommends this curb-cut be closed and access denied to this street. The site also has 1 existing curb-cut to Dr. Martin Luther King, Jr. Avenue for the proposed Lot

3 and the applicant also proposes 1 new curb-cut for the proposed Lot 2 onto Martin Court. As a means of access management, notes should be placed on the revised site plan and plat stating that the existing curb-cut along Vine Street be closed and the proposed Lot 1 be denied access to this street and limited to a total of 5 curb-cuts. The proposed Lot 3 should be limited to the existing curb-cut and the proposed Lot 2 should be limited to the proposed curb-cut to Martin Court, with the size, design, and location of the new curb-cut, along with any changes to the existing curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards.

As the primary use of this site is a religious institution, required parking is calculated at a ratio of 1 space per 4 seats. The site plan notes 400 seats within the sanctuary thus, 100 parking spaces would be required. The site plan depicts 91 existing parking spaces; however, the 5 parallel parking spaces within the right-of-way of Martin Court should be removed. Also, 2 parking spaces are designated as van parking and are fenced, thus prohibiting public access, which would provide only 84 existing onsite parking spaces. The applicant has proposed 33 new off-site spaces on an adjacent lot, which would provide a compliant number of parking spaces. The parking data should be revised on the revised site plan.

The planned 33 parking spaces on the proposed Lot 2 appear compliant in regards to stall and aisle dimensions and bumper stops; however, it is important to note that as the applicant proposes more than 25 new parking spaces, photometric plans will be required at the time of permitting. 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.

As mentioned, the site plan illustrates 5 parallel parking spaces within the existing right-of-way, which should be eliminated. Compliance with Traffic Engineering comments should also be depicted on the revised site plan.

In reference to tree and landscaping compliance, the proposed landscaping on the proposed Lot 2 is compliant in regards to trees and landscaping; however, the proposed 3' high hedge row should also be extended and illustrated along the frontage of Martin Court on the revised site plan. Landscaping data is listed on the site plan for the proposed Lot 1; however, full compliance with the tree and landscaping requirements of the Zoning Ordinance will not be required until the time of development if the total gross floor area of the site is increased and/or decreased by at least 50% of the existing buildings' footprint.

The site plan depicts a 6' high wooden privacy fence on the proposed Lot 2 to be used as a residential buffer; however, the site plan should be revised to depict all proposed fencing not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue.

The site plan illustrates an existing dumpster pad and enclosure within the existing parking lot on the proposed Lot 1. Staff recommends eliminate the 2 adjacent parking spaces on either side of the dumpster. In the event the dumpster is relocated, the site plan would be revised to illustrate any proposed dumpster in compliance with Section 64-4.D.9. of the Zoning Ordinance. If the

site layout can effectively accommodate the existing dumpster, full compliance with Section 64-4.D.9. would not be required at this time.

Through the use of aerial imagery, it appears that a dwelling unit on the proposed Lot 3 was removed within the past 4 years. It should be pointed out that demolition permit was not obtained and therefore, an after the fact demolition permit should be required.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain federally listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Subdivision: With a waiver of Sections V.D.3. and V.D.8. of the Subdivision Regulations, the application is recommended for tentative approval, subject to the following conditions:

- 1) Retention of the lot size information and 25' minimum building setback line on the Final Plat;
- 2) Placement of a note on the Final Plat stating that Lot 1 is denied access to Vine Street, with the curb-cut removed, and limited to the existing 5 curb-cuts, and Lots 2 and 3 are limited to 1 curb-cut each, with the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) Placement of a note on the Final Plat stating: *(Development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*
- 4) Compliance with Engineering Comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. *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.* C. *Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #70) each lot will receive historical credit of impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.* D. *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.* E. *Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.* F. *Provide a written legal description for the proposed*

subdivision and matching bearing and distance labels. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate and Signature. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 5) Compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lot 1 is denied access to Vine St and limited to a total of 5 curb cuts. Lot 2 and Lot 3 are each limited to one curb cut. The five parallel spaces should be eliminated and a grassed area provided to separate the roadway of Martin Ct and the parking area. There is an additional power pole that is not shown in the vicinity of the 42" live oak; ensure that the utility details are accurate if this will impact the site accessibility.);*
- 6) 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).);*
- 7) Compliance with Fire Department Comments: *(The Fire Code Administration Staff are okay with approving the Group Application for 1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue in respect to the Planning Commission. However, there will be water supply and fire hydrant installation requirements associated with each application due to zero hydrants on that side of the road. 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*
- 8) Completion of the Subdivision process prior any requests for Land Disturbance; and
- 9) Obtainment of an after the fact demolition permit for the structure removed from Lot 3.

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

- 1) Revision of the site layout to reflect compliance with Traffic Engineering comments and to show the removal of the 5 parallel parking spaces and 2 spaces on either side of the existing dumpster;
- 2) Revision of the parking data to illustrate the correct number of existing and proposed parking spaces;
- 3) Illustration of a 3' high hedge row along Martin Court on the proposed Lot 2;
- 4) Depiction of the correct dimensions/square footage of the proposed modular building;
- 5) Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue;

- 6) Placement of a note on the site plan stating 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. Photometric plans and a revised site plan depicting all proposed lighting will be required at the time of permitting for the new parking area.
- 7) Compliance with Engineering Comments: *(Show the existing asphalt limits on Martin Ct. to the north end of LOT 1. 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 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 proposed development must comply with all Engineering Department Policy Letters.);*
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- 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: *(The Fire Code Administration Staff are okay with approving the Group Application for 1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue in respect to the Planning Commission. However, there will be water supply and fire hydrant installation requirements associated with each application due to zero hydrants on that side of the road. 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);*
- 11) Completion of the Subdivision process prior to any request for building-related or land disturbance permits;

- 12) Submission of a revised PUD site plan to the Planning Division of the Urban Development Department prior to the signing of the Final Plat and any requests for building-related or land disturbance permits; and
- 13) Full compliance with all other municipal codes and ordinances.

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

- 1) Revision of the site layout to reflect compliance with Traffic Engineering comments and to show the removal of the 5 parallel parking spaces and 2 spaces on either side of the existing dumpster;
- 2) Revision of the parking data to illustrate the correct number of existing and proposed parking spaces;
- 3) Illustration of a 3' high hedge row along Martin Court on the proposed Lot 2;
- 4) Depiction of the correct dimensions/square footage of the proposed modular building;
- 5) Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue;
- 6) Placement of a note on the site plan stating 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. Photometric plans and a revised site plan depicting all proposed lighting will be required at the time of permitting for the new parking area.
- 7) Compliance with Engineering Comments: *(Show the existing asphalt limits on Martin Ct. to the north end of LOT 1. 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 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 proposed development must comply with all Engineering Department Policy Letters.);*
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- additional power pole that is not shown in the vicinity of the 42" live oak; ensure that the utility details are accurate if this will impact the site accessibility.);*
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 - 11) Completion of the Subdivision process prior to any request for building-related or land disturbance permits;
 - 12) Submission of a revised PUD site plan to the Planning Division of the Urban Development Department prior to the signing of the Final Plat and any requests for building-related or land disturbance permits; and
 - 13) Full compliance with all other municipal codes and ordinances.

Revised for the January 15th meeting:

The applications were heldover from the December 18, 2014 meeting at the applicant's request, with revisions due by December 24th. Since that time, the applicant has revised the applications and site plan with modifications to the site layout.

More specifically, the applicant is now requesting only a 1-lot subdivision for a 1,504 sf. modular building on the previously proposed Lot 2, which was originally planned to be developed with a 33-stall parking lot. The previous Planned Unit Development (PUD) application was to allow multiple buildings on a single building site with off-street parking; however, as the applicant is no longer proposing any new buildings or other improvements for the primary church site, the PUD application is no longer required.

The proposed modular building will be used as a classroom and is expected to be temporary in nature with a 2-year time limit while the church acquires land for a permanent school building, as mentioned by the applicant. As such, the Planning Commission may wish to impose a time constraint on the proposed temporary building as part of the Planning Approval request, should the Planning Commission decide to grant the applicant's request.

The proposed lot appears to meet the minimum size requirements of the Subdivision Regulations; however, the lot size in both square feet and acres should be depicted on the Final Plat. The 25' minimum building setback line is depicted and should be retained on the Final Plat, if approved.

The provision of a corner radius in compliance with Section V.D.6. of the Subdivision Regulations should be required at the northeast corner of Dr. Martin Luther King, Jr. Avenue and Martin Court. The lot size information and 25' minimum building setback line should be revised to reflect any dedication.

It should be pointed out that no additional parking spaces or full site compliance will be required for the proposed lot as the church school is considered a temporary secondary use of the site. The overall site layout and parking spaces will remain unchanged and, although a compliant number of parking spaces do not currently exist on the overall site, parking will be considered non-conforming since the applicant is not proposing any expansions to the church's sanctuary.

As this site is a corner lot, as a means of access management, the lot should be denied access to Dr. Martin Luther King, Jr. Avenue and limited to one (1) curb-cut to Martin Court, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. Any proposed curb-cut should be shown on a revised site plan.

The site plan depicts tree data and any proposed trees should be illustrated on the revised site plan.

The building is proposed 10' from the northern property line. A 6' high wooden privacy fence is proposed as a residential buffer along the lot's northern and eastern property lines. The site plan should be revised to depict all proposed fencing not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue.

*The applicant should keep in mind that as Planning Approvals are **site plan specific**, any changes to the site layout must be approved by the Planning Commission.*

RECOMMENDATION

Subdivision: *The application is recommended for tentative approval, subject to the following conditions:*

- 1) Provision of a corner radius in compliance with Section V.D.6. of the Subdivision Regulations at the northeast corner of Dr. Martin Luther King, Jr. Avenue and Martin Court;*
- 2) Depiction of the lot size information in square feet and acres on the Final Plat to reflect dedication;*
- 3) Revision of the 25' minimum building setback line on the Final Plat to reflect dedication;*
- 4) Placement of a note on the Final Plat stating that the proposed lot denied access to Dr. Martin Luther King, Jr. Avenue and limited to one (1) curb-cut to Martin Court, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;*
- 5) Placement of a note on the Final Plat stating: (Development of this site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*

- 6) *Compliance with Engineering Comments: (The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. 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. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 28 - #70) each lot will receive historical credit of impervious area towards stormwater detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. 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. E. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information. F. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. G. Provide and label the monument set or found at each subdivision corner. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate and Signature. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 7) *Compliance with Traffic Engineering Comments: (Lot 1 is limited to one curb cut to Martin Court, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Based on its existing development, the church lot is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 8) *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).);*
- 9) *Compliance with Fire Department Comments: (The Fire Code Administration Staff are okay with approving the Group Application for 1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue in respect to the Planning Commission. However, there will be water supply and fire hydrant installation requirements associated with each application due to zero hydrants on that side of the road. 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. As per Appendix D, Section D107.1, one and two family developments with more than 30 dwelling units shall be provided with separate and*

approved fire apparatus access roads and shall meet the requirements of Section D104.3.); and

10) Completion of the Subdivision process prior any requests for Land Disturbance.

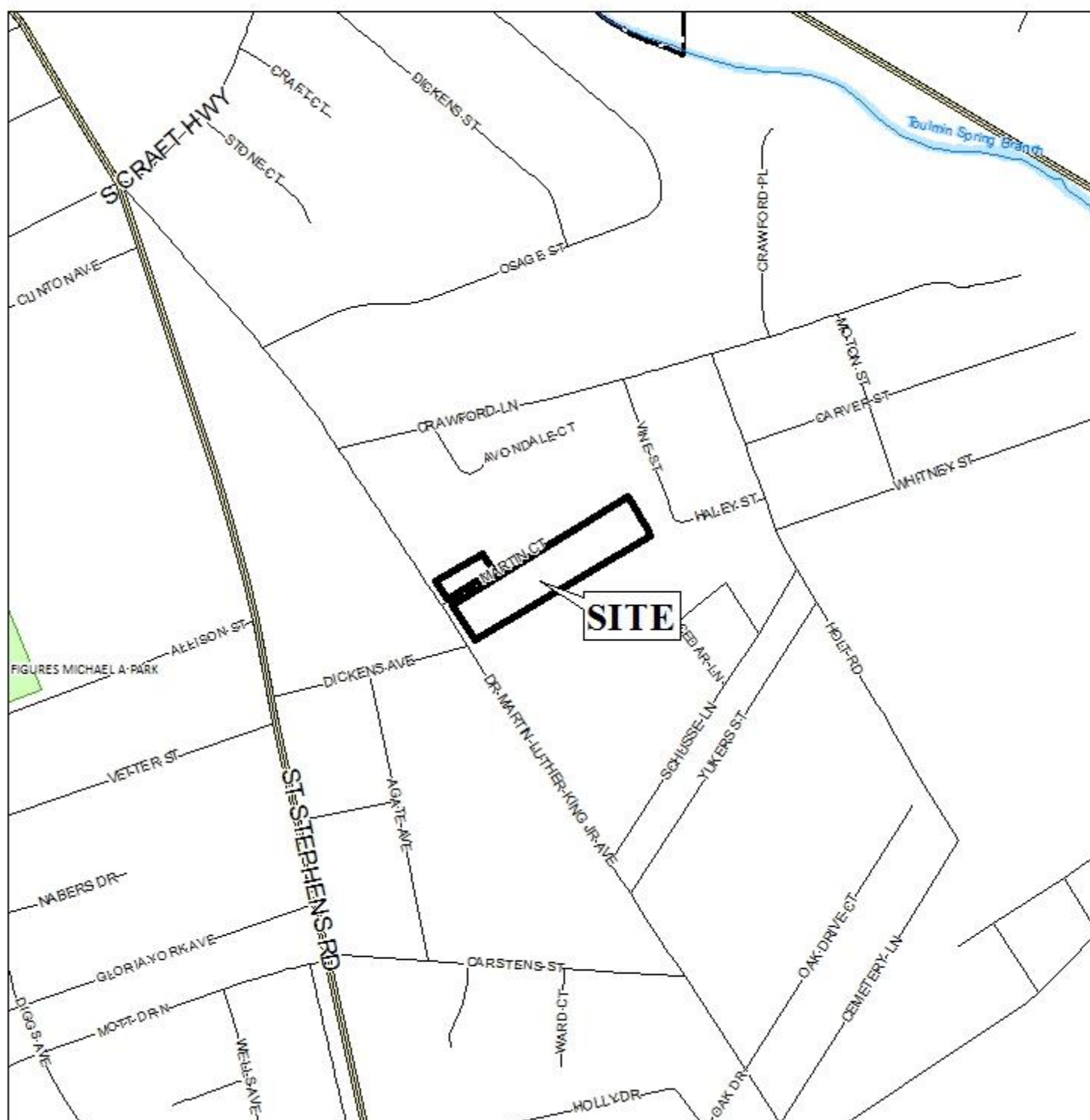
Planning Approval: *The application is recommended for approval, subject to the following conditions:*

- 1) The temporary building to be removed from corner lot by January 2018, or a new Planning Approval and full PUD application must be submitted by the end of January 2018;*
- 2) Provision of a corner radius Illustration of all proposed trees on the revised site plan;*
- 3) Placement of a note on the site plan stating that proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Martin Court and Dr. Martin Luther King, Jr. Avenue;*
- 4) 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 proposed development must comply with all Engineering Department Policy Letters.);*
- 5) Compliance with Traffic Engineering Comments: (Lot 1 is limited to one curb cut to Martin Court, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Based on its existing development, the church lot is limited to its existing curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);*
- 6) 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).);*
- 7) Compliance with Fire Department Comments: (The Fire Code Administration Staff are okay with approving the Group Application for 1962, 2000 and 2008 Dr. Martin Luther King Jr. Avenue in respect to the Planning Commission. However, there will be water supply and fire hydrant installation requirements associated with each application due to zero hydrants on that side of the road. 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. As per Appendix D, Section D107.1, one and two family*

developments with more than 30 dwelling units shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.);

- 8) Completion of the Subdivision process prior to any request for building-related or land disturbance permits;*
- 9) Submission of a revised site plan to the Planning Division of the Urban Development Department prior to the signing of the Final Plat and any requests for building-related or land disturbance permits; and*
- 10) Full compliance with all other municipal codes and ordinances.*

LOCATOR MAP



APPLICATION NUMBER 8 DATE January 15, 2015

APPLICANT Emmanuel Subdivision

REQUEST Subdivision, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

APPLICATION NUMBER 8 DATE January 15, 2015

APPLICANT Emmanuel Subdivision

REQUEST Subdivision, 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 ZONING



The site is surrounded by residential units.

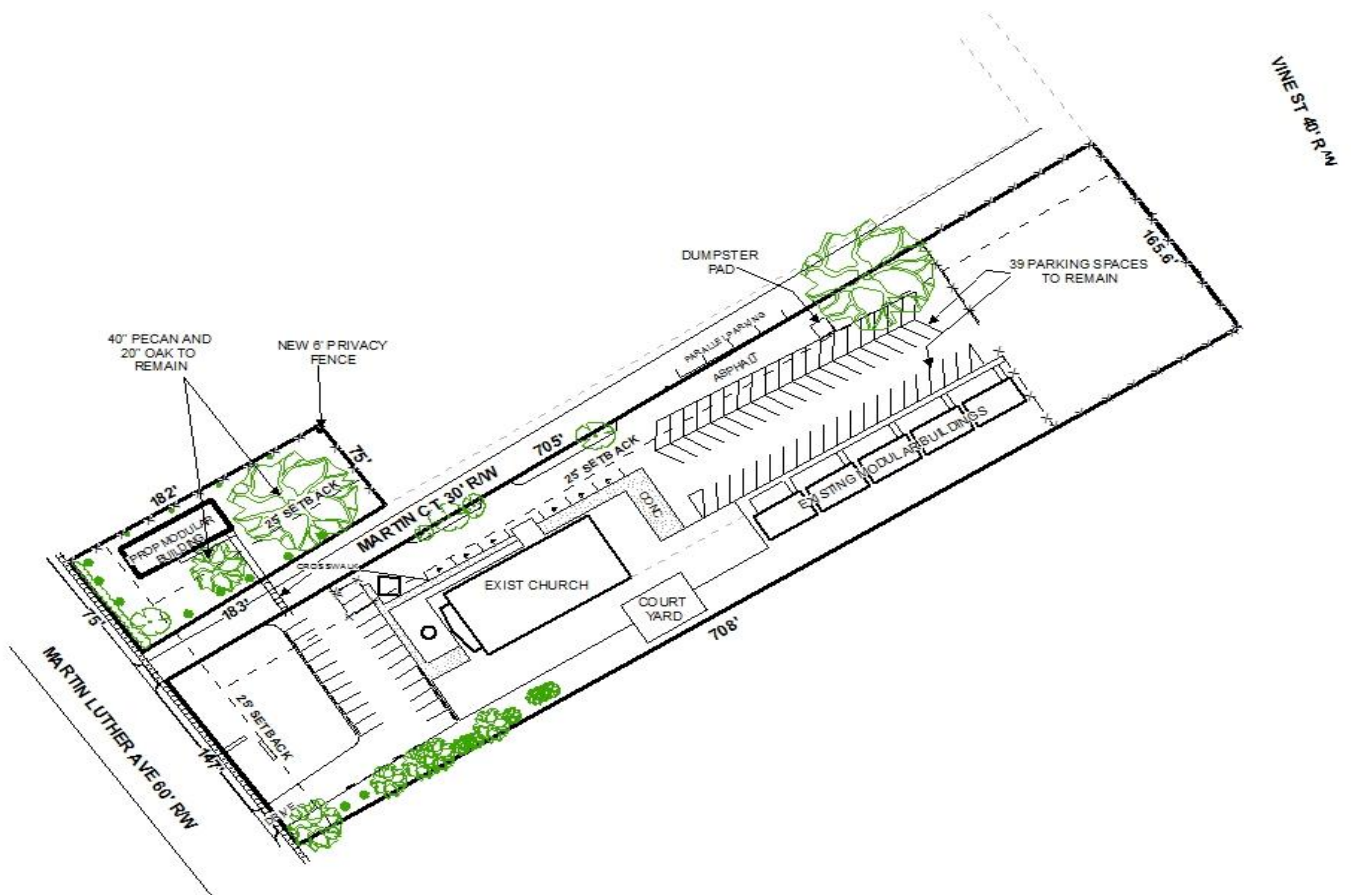
APPLICATION NUMBER 8 DATE January 15, 2015

APPLICANT Emmanuel Subdivision

REQUEST Subdivision, Planning Approval



SITE PLAN



The site illustrates the existing modular buildings and church, proposed modular building, parking, and setbacks.

APPLICATION NUMBER 8 DATE January 15, 2015

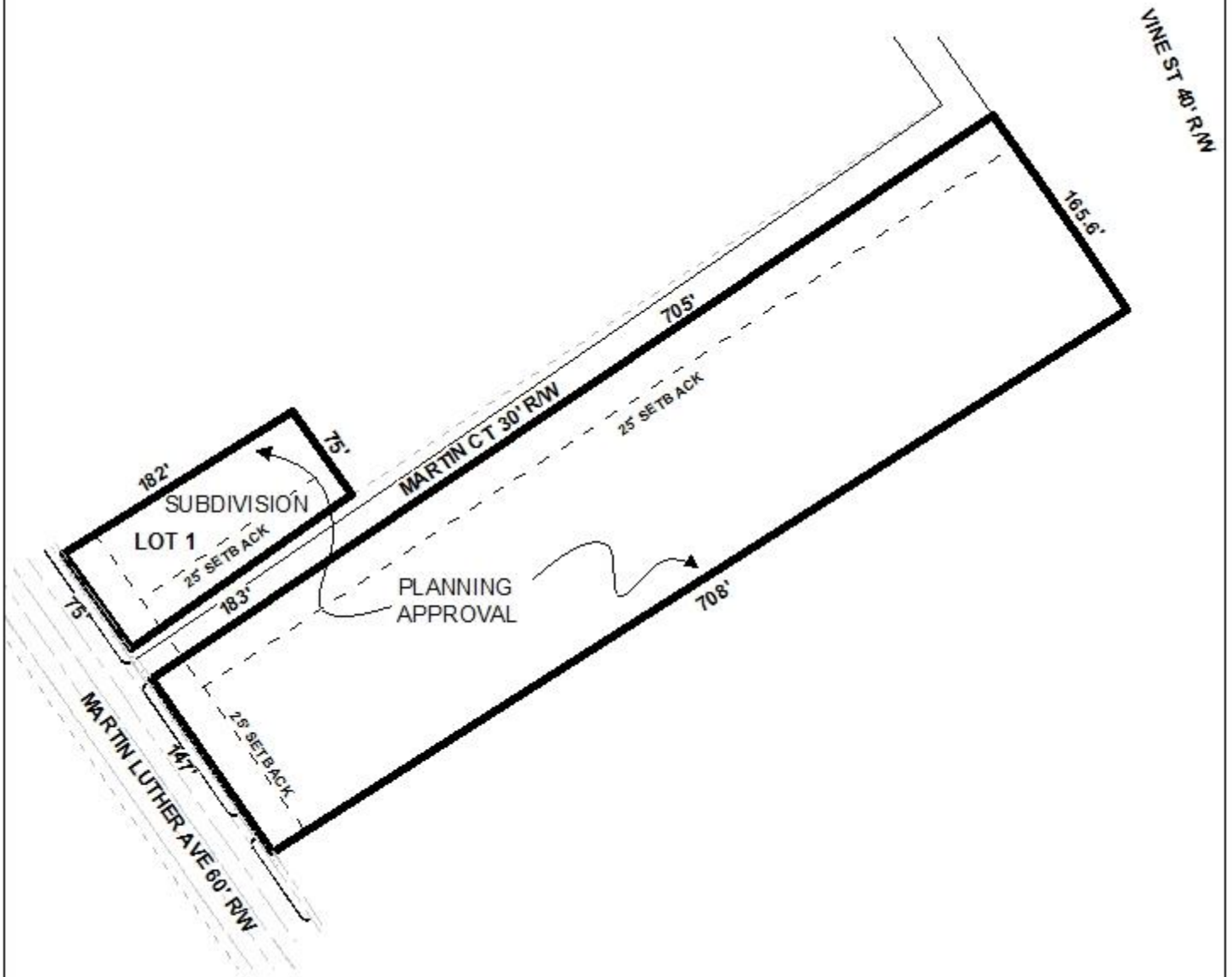
APPLICANT Emmanuel Subdivision

REQUEST Subdivision, Planning Approval



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 8 DATE January 15, 2015

APPLICANT Emmanuel Subdivision

REQUEST Subdivision, Planning Approval

