

**PLANNED UNIT DEVELOPMENT &
PLANNING APPROVAL STAFF REPORT****Date: November 1, 2007****APPLICANT NAME**

Stewart Memorial CME Church

DEVELOPMENT NAME

Stewart Memorial CME Church

LOCATION1252 and 1266 Dr. Martin Luther King, Jr. Avenue
(Block bounded by Dr. Martin Luther King, Jr. Avenue,
Hickory Street, Live Oak Street, and Hercules Street)**CITY COUNCIL
DISTRICT**

Council District 2

PRESENT ZONINGB-1, Buffer Business
R-1, Two Family Residential**AREA OF PROPERTY**

2.55 acres

CONTEMPLATED USE

Planning Approval to allow a sanctuary entrance expansion to an existing church in an R-2, Two-Family Residential District. Planned Unit Development Approval to allow two buildings on a single building site.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

**ENGINEERING
COMMENTS**

Provide storm water detention for all impervious area in excess of 4000 sq ft constructed post-1984, when the storm water ordinance was implemented. All storm water should tie subsurface to a City storm drain system. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, sizes, 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). Full compliance with landscaping and tree requirements of the Zoning Ordinance to be coordinated with Urban Forestry.

**FIRE DEPARTMENT
COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

REMARKS

The applicant is requesting Planning Approval and Planned Unit Development (PUD) Approval to allow the addition of a new two story vestibule to an existing church.

The Zoning Ordinance allows the location and expansion of churches in residential districts with Planning Approval. The Ordinance requires PUD approval for sites that have one or more buildings. As a portion of the site is zoned residentially and contains a second building, Planning Approval and PUD approval are required.

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.

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.

It is very important to note that both Planned Unit Development and Planning Approval review is site plan specific; therefore *any* future changes to the site plan or to the scope of operations for the school, as approved, by current or future applicants must be submitted for Planning Approval.

Generally, when a development such as this proposes an addition – especially one that requires application(s) to the Planning Commission, the staff recommends the submission of all applications that would be required to “clean-up” any other issues with the development (resubdivision, split zoning, etc). In this particular instance, it was the staff's recommendation to the applicant a two lot subdivision application be filed, separating the church from the parsonage; that the church lot be rezoned to B-1, Buffer Business, to allow simple additions to church without requiring Planning Approval; and to separate circulation between the two lots, thereby eliminating the need for a PUD, unless a second building was added to the church lot.

In the interest of time, the applicant opted for the Planning Approval and PUD applications, with the possibility of filing the rezoning and subdivision applications in the future.

While the addition of a vestibule may seem insignificant, the addition in question is two-story, and provides additional seating space for approximately 73 people (based on load calculations provided in the application packet). This potential seating would increase the parking requirements by 19 spaces. There is a minor concern relating to parking overall. While the plan submitted depicts

parking areas, it does not illustrate or denote the number of parking spaces provided. Based upon the seating capacity (which is the measure upon which parking requirements for a church are based), the minimum number of parking spaces required would be 100 (1 space/4 seats).

It has been the position of the Commission for many years when considering applications for Planning Approval and/or Planned Unit Development Approval, to require some level of compliance of landscaping and tree plantings. The level of compliance has generally been related to the scale of the project, and frequently limited to the project area.

Given time constraints and delays that have impacted this application, staff understands the need for expedited approvals, and would suggest that, in this particular instance, considerations could be given to acting upon the application with revisions to the site plan to illustrate the provision of minimum required parking, or the submission and approval of a variance prior to the issuance of a Certificate of Occupancy for the addition.

RECOMMENDATION *Planning Approval* Based on the preceding, the application is recommended for Approval, subject to the following conditions:

- 1) submission of a revised site plan illustrating the provision of minimum required parking, or the submission and approval of a variance prior to the issuance of a Certificate of Occupancy;
- 2) provision of two frontage trees, to be planted along the Dr. Martin Luther King, Jr Avenue frontage, in or near the project area; and
- 3) full compliance with all municipal codes and ordinances

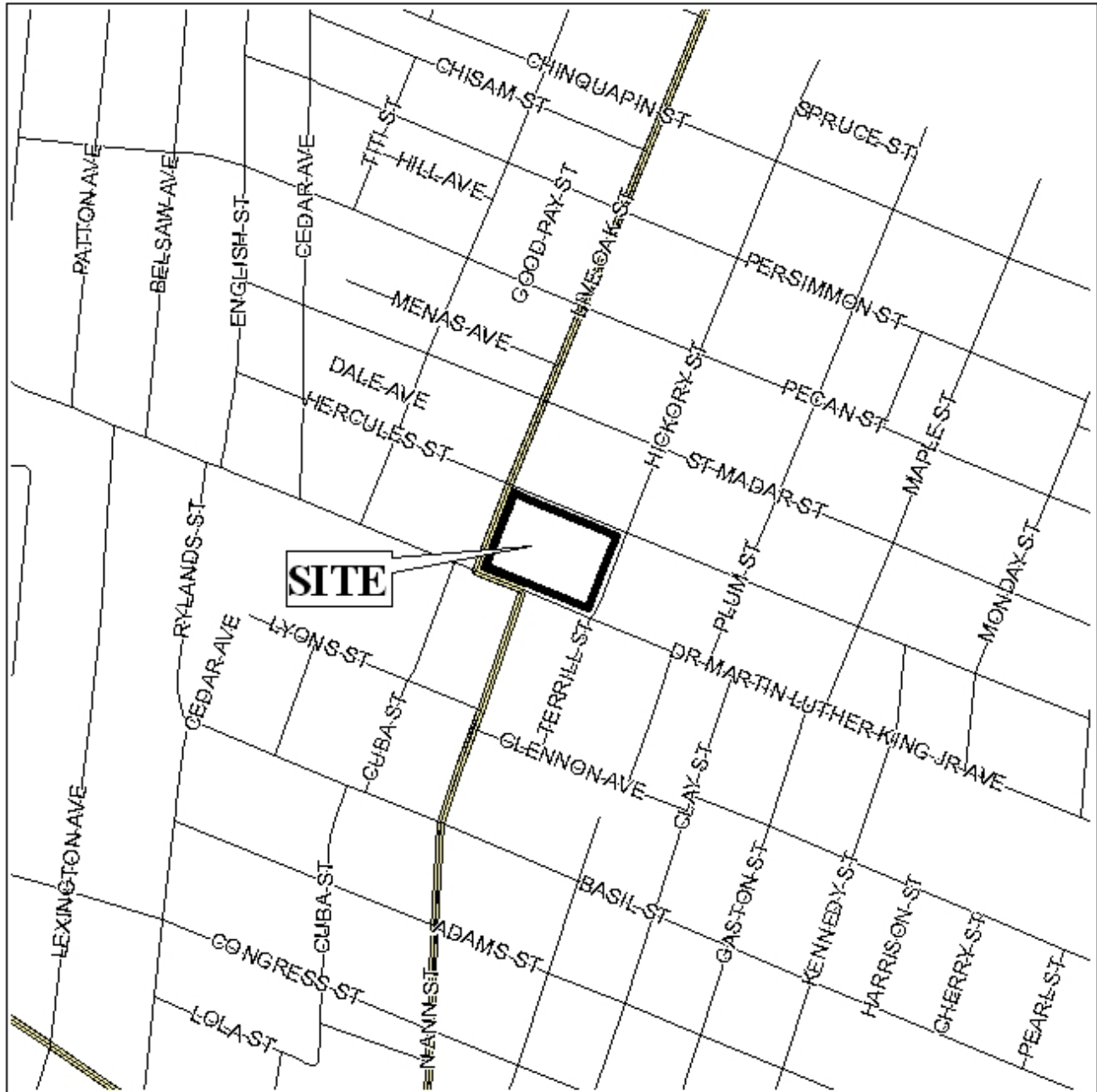
It should also be suggested to the applicant that rezoning and subdivision applications, as previously discussed, should be given serious consideration prior to any future additions or expansions.

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LOCATOR MAP



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APPLICANT Stewart Memorial CME Church
REQUEST Planning Approval, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

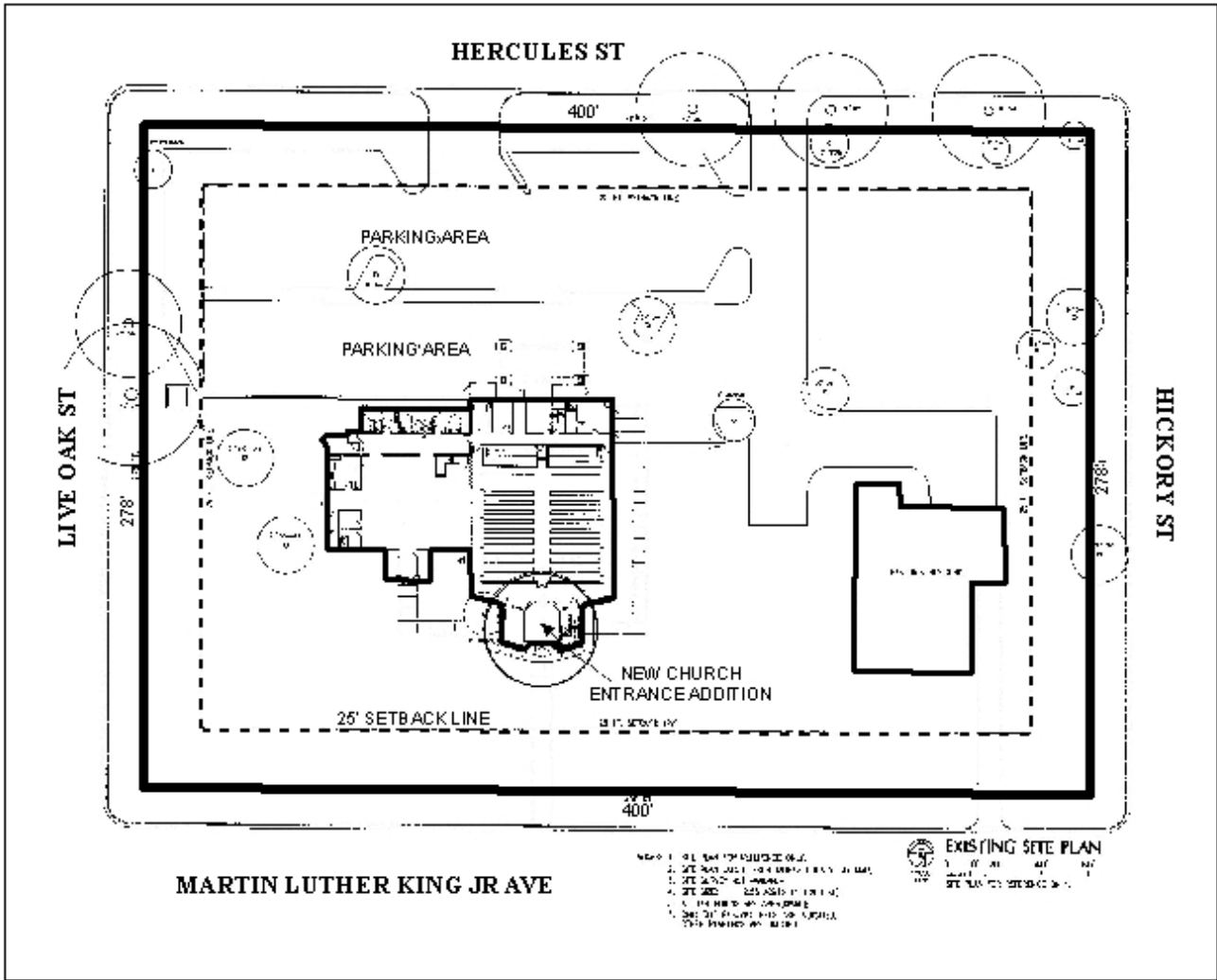
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LEGEND NTS

SITE PLAN




This site plan illustrates existing buildings and new church entrance addition.


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N

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