

**PLANNING APPROVAL STAFF REPORT****Date: October 16, 2008****NAME**

Miracle Temple of Living God

**LOCATION**2504 Third Avenue  
(North side of Third Avenue, 340'± East of Jessie Street)**CITY COUNCIL  
DISTRICT**

District 1

**PRESENT ZONING**

R-1, Single-Family Residence District

**AREA OF PROPERTY**

1 Lot / 0.26 ± Acres

**CONTEMPLATED USE**

Planning Approval to allow a church in an R-1, Single-Family Residential District.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate.

**ENGINEERING****COMMENTS**

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. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet.

**TRAFFIC ENGINEERING****COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans. Improve driveway radii to twenty feet.

**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 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 to allow a church in an R-1, Single-Family Residential District. Planning Approval is required for churches in R-1 districts.

The applicant received Planning Approval to build a church at the March 6, 1980 meeting of the Planning Commission. As no action was taken on the approval, as 28 years have passed, and as there appears to have been confusion regarding the actual location of the site, a new application for Planning Approval was recommended by staff during the building permit review process.

The site is vacant, and is bounded on all sides by residences or vacant land in an R-1, Single-Family Residential district.

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 the 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.

The site is located in an area identified as residential on the General Land Use Plan.

The site plan depicts a proposed 1,286 square foot, 24-seat building that will be used as the church sanctuary. Six (6) paved parking spaces are shown, as well as frontage and perimeter trees required by the Zoning Ordinance. A 6-foot high wooden privacy fence is also shown where the site abuts residentially developed and zoned property: the fence should only be 3-feet high within the required 25-foot minimum building setback area, which should also be depicted on the site plan. No dumpster is shown on the site plan, however, a note states that garbage carts will be used in lieu of a dumpster. The proposed sanctuary will meet all required setbacks, including the required 10-foot setback where the structure abuts adjacent residentially zoned properties.

The site appears to meet the minimum landscape requirements of the Zoning Ordinance, however, the overall landscape area provided is not indicated on the site plan. The site plan should be revised to state the overall total, as well as the provided frontage landscape area. The depicted 2 frontage trees and the 16 perimeter/parking trees will meet the minimum tree requirements.

Storm water detention may be required for the proposed development, however, no storm water detention facilities are depicted on the site plan. If facilities will be provided that will affect the physical layout of the site plan, they should be shown, and a new application for Planning Approval may be required if the changes to the layout are significant.

Any lighting of the site must comply with Section 64-4.A.2. of the Zoning Ordinance, so that lights do not shine directly into adjacent residential properties or into the right-of-way.

Finally, there are two errors under the "General Description of Land Disturbance Activity" notes: specifically # B and E do not apply to the project under consideration.

## **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this request is recommended for Approval, subject to the following conditions:

- 1) Revision of the site plan to depict and label the 25-foot minimum building setback line;
- 2) Revision of the site plan to label the privacy fence within the 25-foot minimum building setback area as only 3-feet in height;
- 3) Revision of the site plan to state overall landscape area provided, in addition to what is required;
- 4) Revision of the site plan to show any surface storm water detention facilities, if they will be provided, with the understanding that significant changes to the building location, parking layout or landscaping may require a new application for Planning Approval;
- 5) Placement of a note on the site plan stating that lighting on the site will comply with Section 64-4.A.2. of the Zoning Ordinance;
- 6) Correction of the site plan to remove items # B and E under “General Description of Land Disturbance Activity”;
- 7) Compliance with Engineering comments (*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. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet.*)
- 8) Compliance with Traffic Engineering comments (*Improve driveway radii to twenty feet. Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Final approval for all driveways, proposed and existing will be given upon submittal of final plans.*); and
- 9) Submission of one (1) revised site plan to the Planning Section of Urban Development for the Planning Approval file, prior to submitting revised drawings for the land disturbance permit.

# LOCATOR MAP



APPLICATION NUMBER 27 DATE October 16, 2008  
 APPLICANT Miracle Temple of Living God  
 REQUEST Planning Approval



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A convenience store is located to the west of the site.

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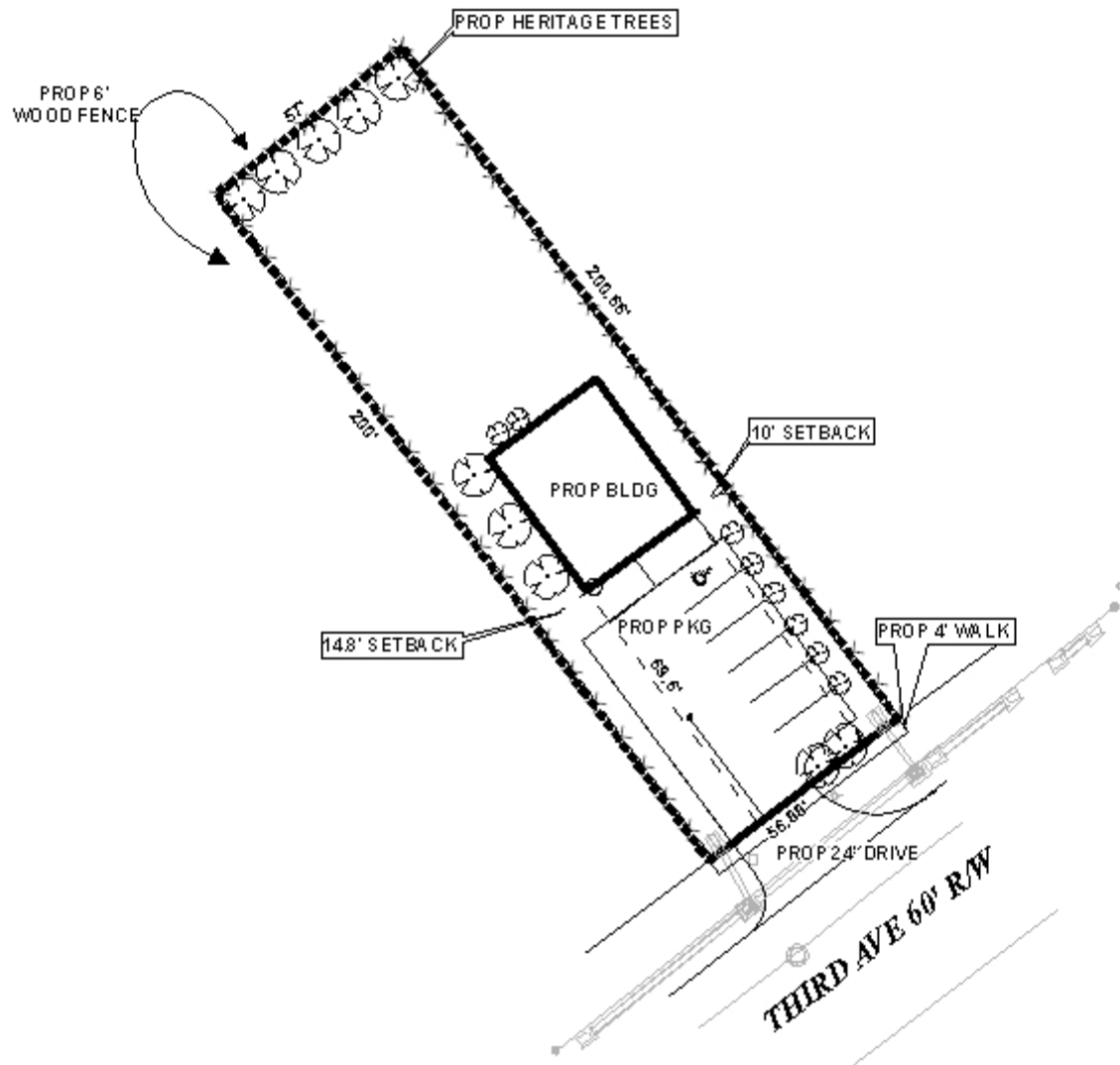
REQUEST Planning Approval

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 |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|



# SITE PLAN



The site plan illustrates the proposed building, parking, drive, landscaping, and sidewalk

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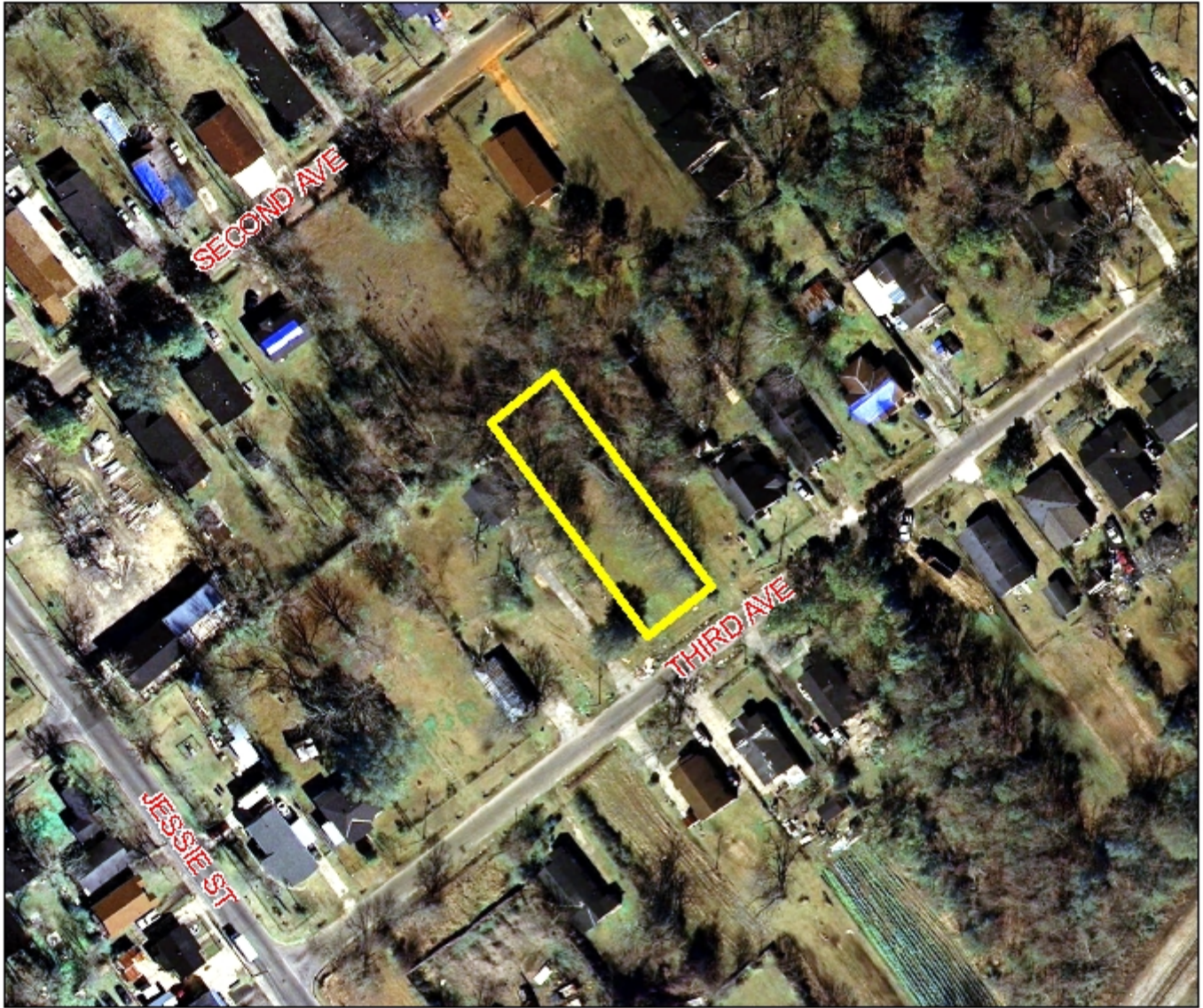
APPLICANT Miracle Temple of Living God

REQUEST Planning Approval

N  
NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units

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N  
NTS