

**PLANNED UNIT DEVELOPMENT &  
PLANNING APPROVAL STAFF REPORT****Date: June 4, 2009****NAME**

ICM Foundation

**LOCATION**

1007 Government Street  
(Southeast corner of Government Street and Chatham  
Street, extending to the North side of Church Street, 100'±  
East of Chatham Street)

**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

R-1, Single-Family Residence District

**AREA OF PROPERTY**

1 lot / 0.8 acres ±

**CONTEMPLATED USE**

Planning Approval to allow a church in an R-1, Single-  
Family Residential District, and Planned Unit Development  
Approval to allow multiple buildings on a single building  
site.

**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.  
Drainage from any newly constructed dumpster pads cannot discharge to storm sewer; must have  
connection to sanitary sewer. Plat needs to include a minimum 25' radius for the property line at  
the intersection of Government St and Chatham St.

**TRAFFIC ENGINEERING****COMMENTS**

Driveway number, size, location, and design to be  
approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Minimum  
parking aisle width for the angled parking is eighteen feet. One-way drives should be signed and  
marked. Standard width for a two-way drive is twenty-four feet. The parking aisle width  
becomes too narrow at the south end of the parking lot. Eighteen feet of aisle width would be  
more appropriate for this area.

**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).

Preservation status is to be given to the 95" Live Oak Tree and 58" Live Oak Tree located on the lot. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

## **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, and Planned Unit Development Approval to allow multiple buildings on a single building site. Planning Approval is required for churches in R-1 districts. The Planning Approval aspect of the application is a holdover from the February 19, 2009 meeting, while the PUD aspect is new.

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. 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 Planning Approval and PUD review are site plan specific; therefore *any* future changes to the overall site plan must be resubmitted for PUD and Planning Approval review by the Planning Commission.

The applicant proposes to utilize the existing sanctuary as a church, however, no information was provided regarding the use of the second more historic existing structure. The Planning Approval for the use of the church was necessitated due to a Subdivision of land approved by the Planning Commission at its February 19, 2009 meeting.

The site was previously zoned a mix of commercial and multi-family districts (per Zoning maps prior to 1967, and from 1967). In 1984, the *Government Street Zoning Study* resulted in the commercial portion of the site (containing the church) being rezoned from B-2, Neighborhood Business, to R-3, Multi-Family. In 1992, the *Oakleigh Garden District Rezoning Study* resulted in the entire site being rezoned to R-1, Single-Family.

The site fronts onto Government Street, a major street, and a minor street, Chatham Street. All streets have adequate right-of-way.

The existing sanctuary building contains 5,825 square feet and pews to seat 229 people. The applicant proposed reducing the number of pews so that only 128 people can be seated, with the remaining space to be converted to classrooms. Conversion of sanctuary area to classroom area may require building permits. The second building on the site is a two-story building, with approximately 2,000 square total area on the ground floor. The building was constructed circa 1860.

The applicant also proposes to provide parking to accommodate 32 vehicles, as no designated parking is currently provided on the property. The applicant is proposing concrete block pavers that allow grass to grow within a concrete-bounded grid – this alternative parking surface will require an application to the Board of Zoning Adjustment, as such parking surfaces are only allowed “by-right” as overflow parking. An application to the Architectural Review Board may also be necessary due to its location in the Oakleigh Garden Historic District.

The proposed parking area will be divided into two parts: 4 spaces will be provided on the West side of the church, requiring two new curb-cuts onto Chatham Street, with 28 spaces provided on the East side of the church, with a widened curb-cut onto Government Street. Currently, parking on the site occurs on the East side, on grass, utilizing a residential width curb-cut onto Government Street. The proposed widening of the curb-cut onto Government Street is limited by two existing live oak trees. The East side parking area is proposed to incorporate an existing 96-inch DBH live oak tree, that has a canopy width estimated to be 115 feet across. The applicant proposes providing some green space around the trunk, in addition to using the permeable pavers. The proposed parking area is designed to provide one-way traffic around the tree, thus providing access to the two story structure at the rear of the site. It is recommended that the 28-space parking facility be redesigned to provide one-way circulation and parking only, increasing the area dedicated to green space in the vicinity of the 96-inch oak, and providing parking bumpers around the green space area to ensure that there is no vehicular intrusion into greenspace areas. It is also recommended that the 4 spaces proposed on the West side of the church be eliminated, and that the variance request that will be necessary for the alternative paving surface also include a request to reduce the number of required parking spaces.

While the proposed parking area will be surfaced with permeable paving, compliance with the storm water regulations may be required. If a surface storm water detention facility will be provided, it should be depicted and labeled on the site plan.

A final note about the parking area. Any spaces provided for handicap parking and accessibility may need to be paved with asphalt, concrete, or solid pavers, as grass-pavers may not meet surfacing requirements of the Americans with Disability Act.

Regarding the tree and landscape plan, it appears that the site will be short 3 frontage trees along Chatham Street. If the proposed parking area along Chatham is removed, adequate room will be available to plant the required frontage trees.

If the site will be illuminated at night, lighting shall comply with the requirements of Section 64-4.A.2. of the Zoning Ordinance, which states that *“lighting facilities used to illuminate signs, parking areas, or for other purposes shall be so arranged that the source of light does not shine directly into adjacent residence properties or into traffic.”*

Finally, where no buffering exists between the site and adjacent residential properties, a 6-foot high wooden privacy fence should be provided. The locations for the buffer, identified by staff, are the property lines on the southern and southwestern boundaries of the lot, where the site abuts residences. No fence should be required within the 25-foot setback from Chatham Street, or along the eastern property line, where there is an existing masonry wall.

## **RECOMMENDATION**

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

- 1) 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. Drainage from any newly constructed dumpster pads cannot discharge to storm sewer; must have connection to sanitary sewer. Plat needs to include a minimum 25' radius for the property line at the intersection of Government St and Chatham St.*);
- 2) Compliance with 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). Preservation status is to be given to the 95" Live Oak Tree and 58" Live Oak Tree located on the lot. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.*);
- 3) Compliance with Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards. Minimum parking aisle width for the angled parking is eighteen feet. One-way drives should be signed and marked. Standard width for a two-way drive is twenty-four feet. The parking aisle width becomes too narrow at the south end of the parking lot. Eighteen feet of aisle width would be more appropriate for this area.*);
- 4) Revision of the site plan to eliminate parking and access proposed on the West side of the church, from Chatham Street;
- 5) Revision of the site plan to depict all parking and circulation as one way, on the East side of the church, maximizing to the greatest extent possible greenspace area for the existing 96-inch live oak;
- 6) Revision of the site plan to depict parking bumpers, curbing or other method of prevent vehicular traffic onto greenspace areas;
- 7) Revision of the site plan to depict and label a 6-foot high wooden privacy fence along the southern and southwestern property lines, where the site abuts existing residences, with no fence required within the 25-foot setback from Chatham Street or along the eastern boundary of the site;
- 8) Depiction and labeling of surface storm water detention facilities, if required;

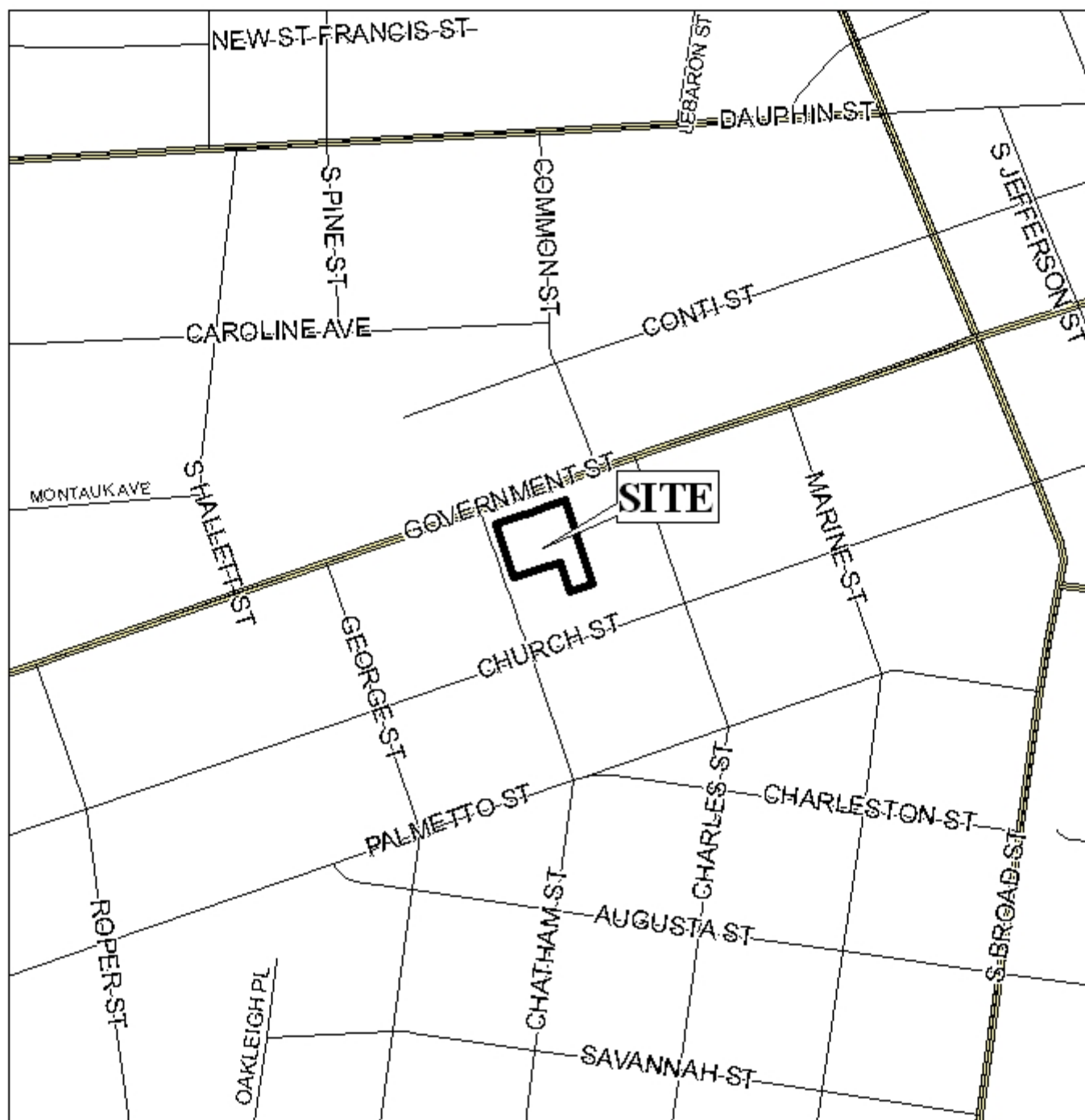
- 9) Compliance with the tree and landscaping requirements of the Zoning Ordinance, including the addition of 3 frontage trees on the Chatham Street side;
- 10) Placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development approval prior to the issuance of any permits;
- 11) Placement of a note on the site plan stating that the site will be illuminated in accordance with the requirements of Section 64-4.A.2. of the Zoning Ordinance;
- 12) Submission of applications to the Board of Zoning Adjustment and the Architectural Review Board for required approvals, and proof of approvals provided prior to any applications for building permits or land disturbance;
- 13) Submission of a revised PUD site plan and landscape plan, and Planning Approval site plan and landscape plan, prior to applications for building permits or land disturbance; and
- 14) Full compliance with all municipal codes and ordinances.

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

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- 12) Submission of applications to the Board of Zoning Adjustment and the Architectural Review Board for required approvals, and proof of approvals provided prior to any applications for building permits or land disturbance;
- 13) Submission of a revised PUD site plan and landscape plan, and Planning Approval site plan and landscape plan, prior to applications for building permits or land disturbance; and
- 14) Full compliance with all municipal codes and ordinances

# LOCATOR MAP



APPLICATION NUMBER 35 & 36 DATE June 4, 2009

APPLICANT ICM Foundation

REQUEST Planning Approval, Planned Unit Development



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed land use.

APPLICATION NUMBER 35 & 36 DATE May 7, 2009

APPLICANT ICM Foundation

REQUEST Planning Approval, 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
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed land use.

APPLICATION NUMBER 35 & 36 DATE June 4, 2009

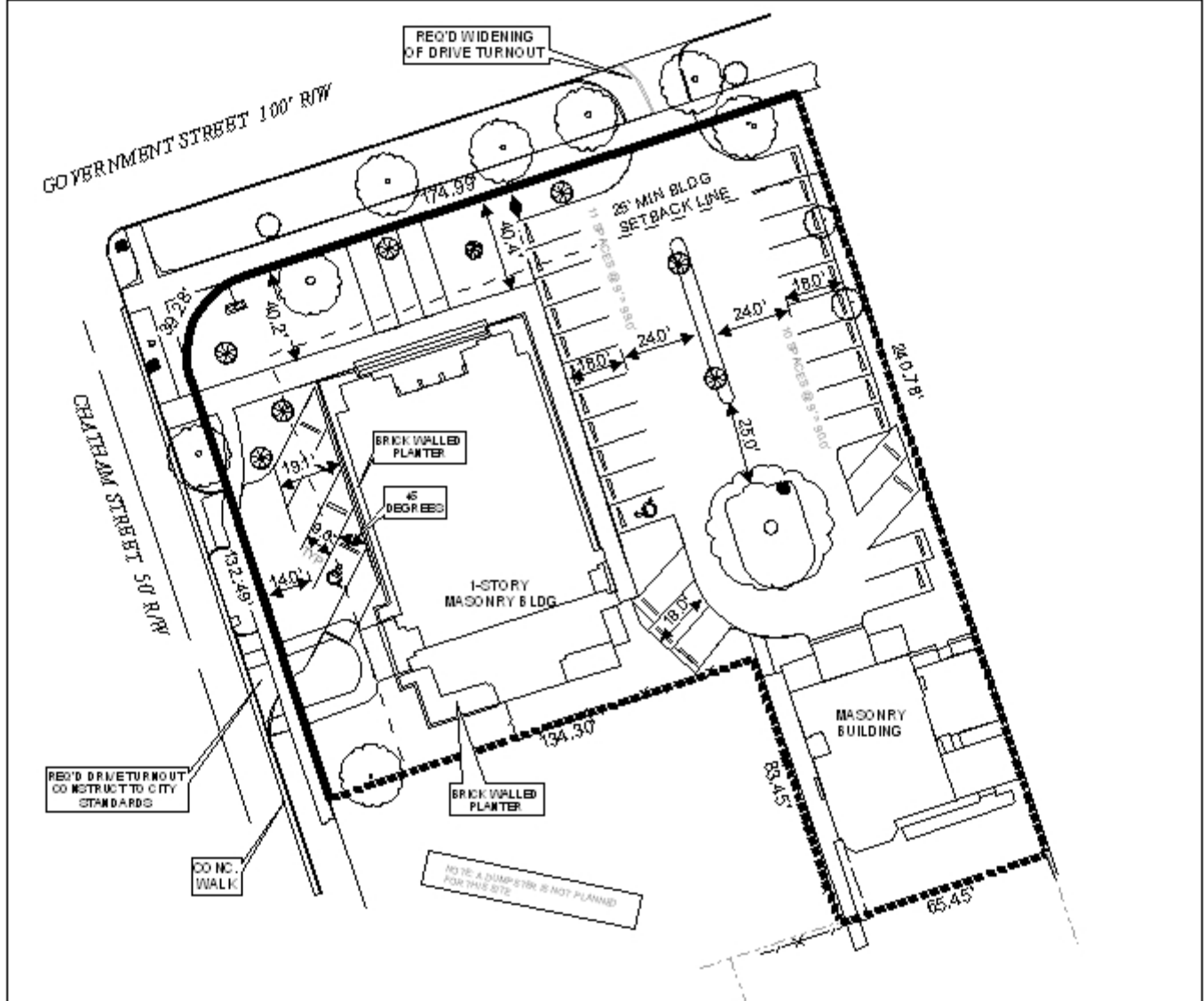
APPLICANT ICM Foundation

REQUEST Planning Approval, Planned Unit Development



NTS

# SITE PLAN



The existing buildings and setbacks are illustrated in the site plan.

APPLICATION NUMBER 35 & 36 DATE June 4, 2009  
 APPLICANT ICM Foundation  
 REQUEST Planning Approval, Planned Unit Development

