

**PLANNED UNIT DEVELOPMENT &  
PLANNING APPROVAL STAFF REPORT****Date: January 3, 2013****NAME**

Forest Hill Church of God

**LOCATION**

5508, 5512, 5468 and 5462 Moffett Road and 1850 and 1856 Forest Oaks Drive  
(Southeast corner of Moffett Road and Forest Oaks Drive at the East terminus of Howells Ferry Road, extending to the West terminus of Colonial Circle West)

**CITY COUNCIL  
DISTRICT**

District 7

**PRESENT ZONING**

R-1, Single-Family Residence District

**AREA OF PROPERTY**4 Lots / 7.3  $\pm$  Acres**CONTEMPLATED USE**

Planning Approval to amend a previously approved Planning Approval to allow an expansion of church parking in an R-1, Single-Family Residential District, and Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between multiple lots.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Not provided

**ENGINEERING  
COMMENTS**

- 1) Any work, including grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping performed in the existing Moffett Road ROW will require both an ALDOT Permit and a City of Mobile ROW Permit. The City ROW permit may be obtained 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) Any and all proposed development will need to 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.
- 3) An ADEM NOR is required for any land disturbance activity over 1 acre. Provide a copy of the ADEM registration information for the site prior to the issuance of a Land Disturbance permit.
- 4) Access should be denied to Colonial Circle W. unless specifically allowed by the Planning Commission.

- 5) Sidewalk along Moffett Road shall be extended to the east property line.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Moffett Road is a state maintained roadway. Driveway number, size, location and design to be approved by ALDOT (Moffett Road) and Traffic Engineering and conform to AASHTO standards. No additional curb-cuts are illustrated on the site plan; however the existing driveways for the proposed lots should be closed. An ALDOT right-of-way permit, in addition to city permits, will be necessary.

*Revised for the March 7, 2013 meeting:* Site plan has been revised to show the removal of the three existing residential curb-cuts

## **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 Planning Approval to amend a previously approved Planning Approval to allow an expansion of church parking in an R-1, Single-Family Residential District, and Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow shared access and parking between multiple lots.

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 submitted for PUD and Planning Approval review.

The applicant, Forest Hill Church of God, proposes to expand their parking facilities onto three adjacent residential lots. Two homes fronting Moffett Road will be removed as part of the process, while a vacant lot on Colonial Circle West will be cleared to make way for additional parking.

The site was the subject of prior Planning Approvals in 1993 (new sanctuary and parking), 1998 and 1999 (new parking on Northwest portion of site), and 2002 (addition of a 12,000 square foot gym / multi-use facility behind the main sanctuary). The first Planned Unit Development approval occurred in 2002 (addition of a 12,000 square foot gym / multi-use facility behind the main sanctuary), and was subsequently followed by an Administrative Planned Unit Development approval in 2009 (renovation and expansion of a kitchen facility – project never undertaken).

Some controversy surrounded the church during its 1998-1999 parking lot expansion applications, in that the Forest Highlands neighborhood opposed the placing of a parking lot at the entrance of its neighborhood, and additionally opposed a curb-cut onto Forest Oaks Drive, a residential street. In the end, the Mobile City Council was able to derive a compromise between the neighborhood and the church, with the following four conditions imposed upon the Northwest parking area expansion:

- 1) provision of a 20' buffer along the North property line (where it abuts the parking facilities) to be left in its natural state
- 2) access drive to be angled and divided
- 3) a 10' wide, 3' high landscaped buffer to be provided along the West property line
- 4) limited to site plan dated 9/20/99 (w/exception of trees and sidewalk)

It should be pointed out that the site plan submitted with the applications at hand is not accurate in that it reflects the building footprint proposed by the 2009 Administrative Planned Unit Development: that building expansion never was undertaken. It should also be pointed out that the engineer provided site plan for the 2002 and 2009 applications indicated the elimination of parking and vehicular circulation in front of the main sanctuary, however, these changes to the site were never made. Because of this, it is not known if the site complies with the tree and landscape requirements of the Zoning Ordinance – something that has been required for the site since the first application in 1993.

Regarding the current applications, the applicant states that the additional parking is not required to satisfy the Zoning Ordinance parking ratio requirements for a church, as the site has 245 existing parking spaces for a 700 seat sanctuary (only 175 parking spaces are required). With the proposed parking area expansion, a total of 330 parking spaces will be available. The site plan does not indicate the size of any existing or proposed parking spaces, but all parking must be at least 9 x 18 feet, and the site plan should be revised to ensure that all parking spaces meet this minimum size requirement.

The new parking area will connect with the existing parking area through a two-way drive. Sixty-two parking spaces will be located on two existing lots which front Moffett Road, while thirty-two parking spaces are proposed on Lot 13, Colonial Oaks, Second Unit: this is a vacant lot in a residential subdivision, located between two existing dwelling units. The site plan indicates that this parking area will be surrounded by a 6-foot high wooden privacy fence which extends to the right-of-way line of Colonial Circle West. At minimum, the fence should be set back to the 25-foot minimum building setback line due to the fence height, and in order to be more in keeping with the existing residences along the street. It should be pointed out that the placement of a 32 space parking lot between two existing single-family residences in an established neighborhood would not be in harmony with the neighborhood. In fact, any non-residential use of Lot 13, Colonial Oaks, Second Unit would not be in harmony with the established residential neighborhood. Furthermore, the church has worship services, classes and other events at night, thus all of the new parking area must be illuminated per the requirements Sections 64.6.A.3.c. and 64.6.A.8. of the Zoning Ordinance.

The new parking area fronting Moffett Road will be buffered by a 15-foot wide landscape area and a 6-foot high privacy fence where it abuts residential property to the Southeast. The proposed fence should drop down to 3-feet in height where it will be within the 25-foot minimum building setback area adjacent to Moffett Road.

The submitted site plan depicts trees and landscape area for the proposed parking area, and notes on the plan indicate that the overall church site will comply with frontage and total landscape area requirements, although specific sub-area area measurements are not provided to allow staff verification. Tree compliance is not clearly indicated. The site plan depicts some existing and perhaps proposed trees, but no tree calculations are provided. The new parking area must comply with frontage, perimeter and parking area tree requirements, thus the site plan should be revised to provide compliance information.

It should be noted that some of the depicted frontage trees may be within the right-of-way for Moffett Road, which is supposed to have a 100-foot wide right-of-way at this location. The site plan should be revised to accurately identify the correct existing right-of-way width of Moffett Road, and should then depict a 25-foot minimum building setback line, adjusted to accommodate dedication which may be required in the future to accommodate a 100-foot wide right-of-way: proposed trees should be planted in the area that will remain church property, and landscape calculations should be modified to indicate what is on church property and what may be lost to future dedication.

Stormwater detention may be required due to the addition of paved area. If a surface detention facility will be provided, it should be depicted on the site plan.

## **RECOMMENDATION**

**Planned Unit Development:** Based upon the preceding, the application is recommended for Holdover to the March 7<sup>th</sup> meeting, with the following revisions due by February 1st:

- 1) Revision of the site plan to accurately reflect the existing building footprints;

- 2) Revision of the site plan to eliminate use of Lot 13, Colonial Oaks, Second Unit for any non-residential activity;
- 3) Revision of the site plan to accurately indicate the right-of-way width of Moffett Road;
- 4) Revision of the site plan to depict the 25-foot minimum building setback line from Moffett Road, to account for any possible future dedication necessary to provide 50-feet from centerline;
- 5) Revision of the site plan to depict full compliance with the tree and landscaping requirements of the Zoning Ordinance for the new parking area, including the provision of calculations and the indication of existing and proposed trees;
- 6) Revision of the site plan to ensure that privacy fencing is also provided within the 25-foot minimum building setback along Moffett Road, but that it is no higher than 3 feet in the setback area;
- 7) Revision of the site plan to remove the 6-foot wooden privacy fence from the 25-foot minimum building setback along Colonial Circle West, so that it is no closer than the setback line to the right-of-way;
- 8) Revision of the site plan to reflect Engineering comments ( *1) Any work, including grading, drainage, driveways, sidewalks, utility connections, irrigation, or landscaping performed in the existing Moffett Road ROW will require both an ALDOT Permit and a City of Mobile ROW Permit. The City ROW permit may be obtained 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) Any and all proposed development will need to 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. 3) An ADEM NOR is required for any land disturbance activity over 1 acre. Provide a copy of the ADEM registration information for the site prior to the issuance of a Land Disturbance permit. 4) Access should be denied to Colonial Circle W. unless specifically allowed by the Planning Commission. 5) Sidewalk along Moffett Road shall be extended to the east property line.*); and
- 9) Revision of the site plan to reflect Traffic Engineering comments (*Moffett Road is a state maintained roadway. Driveway number, size, location and design to be approved by ALDOT (Moffett Road) and Traffic Engineering and conform to AASHTO standards. No additional curb-cuts are illustrated on the site plan; however the existing driveways for the proposed lots should be closed. An ALDOT right-of-way permit, in addition to city permits, will be necessary.*).

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- 3) Revision of the site plan to accurately indicate the right-of-way width of Moffett Road;

- 4) Revision of the site plan to depict the 25-foot minimum building setback line from Moffett Road, to account for any possible future dedication necessary to provide 50-feet from centerline;
- 5) Revision of the site plan to depict full compliance with the tree and landscaping requirements of the Zoning Ordinance for the new parking area, including the provision of calculations and the indication of existing and proposed trees;
- 6) Revision of the site plan to ensure that privacy fencing is also provided within the 25-foot minimum building setback along Moffett Road, but that it is no higher than 3 feet in the setback area;
- 7) Revision of the site plan to remove the 6-foot wooden privacy fence from the 25-foot minimum building setback along Colonial Circle West, so that it is no closer than the setback line to the right-of-way;
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***Revised for the March 7, 2013 meeting:***

*A revised site plan was submitted by the applicant. The site plan reflects most of the requested modifications, however, the applicant still proposes approximately 13 parking spaces to be located on Lot 13, Colonial Oaks, Second Unit, a residential lot with frontage onto a residentially developed street.*

*While the proposed parking layout reduces the intrusion into the existing residential neighborhood, it still poses a concern for staff: expansion of special uses allowed by Planning Approval in residential areas frequently comes at the expense of the residents. It is recommended that the application be denied, if the applicant chooses to pursue placement of*

*non-residential activities on Lot 13, Colonial Oaks, Second Unit, or that the Commission at minimum approve the overall application with the exception of any non-residential use of Lot 13, Colonial Oaks, Second Unit (i.e., elimination of parking on the lot, and the provision of a privacy fence across the back of the lots fronting Moffett Road, to preclude access to Lot 13.*

*Any new lighting on the site must comply with the requirements of the Zoning Ordinance. It should be pointed out that a recent amendment to the Ordinance requires that the applicant provide a photometric plan at time of the permitting site plan review process. See Section 64-6.A. of the Zoning Ordinance for specific requirements.*

*Otherwise, the site plan as proposed meets the requirements of the Zoning Ordinance.*

### **RECOMMENDATION**

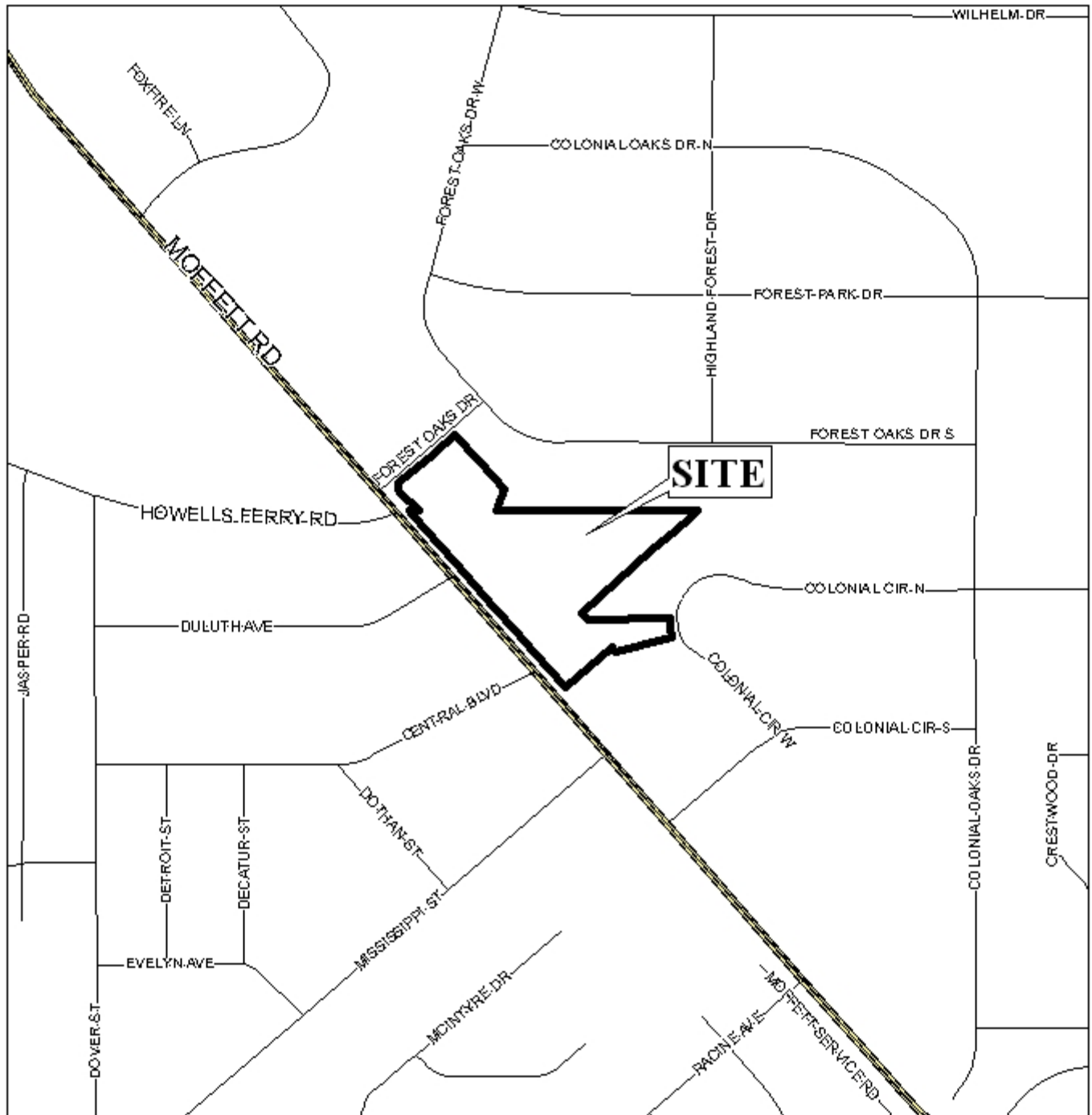
***Planned Unit Development:*** *Based upon the preceding, the application is recommended for Denial for the following reason:*

- 1) Expansion of non-residential uses onto Lot 13, Colonial Oaks, Second Unit would create an adverse impact on the adjacent residential uses within Colonial Oaks.*

***Planning Approval:*** *Based upon the preceding, the application is recommended for Denial for the following reason:*

- 1) Expansion of non-residential uses onto Lot 13, Colonial Oaks, Second Unit would not be in harmony with the orderly and appropriate development of the residential district within the Colonial Oaks subdivision.*

# LOCATOR MAP



APPLICATION NUMBER 1 & 2 DATE March 7, 2013  
APPLICANT Forest Hill Church of God  
REQUEST Planned Unit Development, Planning Approval





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residences are located to the north and east of the site. A church is located to the west of the site.

APPLICATION NUMBER 1 & 2 DATE March 7, 2013

APPLICANT Forest Hill Church of God

REQUEST Planned Unit Development, 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	NTS
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APPLICATION NUMBER 1 & 2 DATE March 7, 2013  
APPLICANT Forest Hill Church of God  
REQUEST Planned Unit Development, Planning Approval

N  
NTS

# SITE PLAN



The site plan illustrates the proposed parking expansion.

APPLICATION NUMBER 1 & 2 DATE March 7, 2013  
 APPLICANT Forest Hill Church of God  
 REQUEST Planned Unit Development, Planning Approval

N  
 NTS