

PLANNING APPROVAL**Date: October 5, 2017****NAME**

New Generation Church

LOCATION1350 Cody Road North
(Northeast corner of Cody Road North and Victor Road).**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONING

R-1, Single-Family Residential District

AREA OF PROPERTY

1 Lot / 0.67 ± Acres

CONTEMPLATED USE

Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District, to include a daycare.

**TIME SCHEDULE
FOR DEVELOPMENT**

January 2018.

**ENGINEERING
COMMENTS**

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 design requirements and Policy Letters.

TRAFFIC ENGINEERING Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

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 2015-116 and City Code Chapters 57 and 64).

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).

REMARKS

The applicant is requesting Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District, to include a daycare. Churches require Planning Approval when located in R-1 districts. The site is located in Council District 7.

The site has been given a Mixed Density Residential (MxDR) land use designation, per the recently adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4-residential unit buildings, accessory dwellings, and low- and midrise multifamily apartment buildings. The density varies between 6 and 10 du/ac, depending on the mix, types, and locations of the housing as specified by zoning.

Like LDR areas, MxDR areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding

development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

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.

Additionally, if the site plan is changed from what is approved by the Planning Commission, a new application for Planning Approval will be required.

The applicant proposes to add a child daycare within the existing church, resulting in expansion of activities, but no expansion of the building. The applicant states that they will be occupying the already established classrooms and available office space for the daycare; along with making some alterations and renovations to the kitchen and bathrooms to bring the building up to city code standards.

The proposed hours of operation for the day care will be Monday- Friday from 6:00 am to 6:00 pm. The applicant states that they plan to open with a maximum of 26 children between the ages 6 weeks- 2 ½ years old and that their staff will consist of 4 full-time teachers and 1 center director. A 16'x 10' playground along the east side of the building along with a privacy fence will also be added to the site. However, it should be pointed that that site plan does not depict the playground or the proposed privacy fence.

The site currently has an existing church with existing substandard parking. The total number of seats of the sanctuary is not illustrated on the site plan therefore staff is uncertain if an adequate amount of parking is available on the site. However, staff did meet with the applicant and it was determined that the sanctuary seats approximately 192 people.

The site has frontage on Cody Road North and Victor Road. Cody Road North is a proposed major street, and according to the recently amended Major Street Plan, requires a minimum right-of-way width of 70 feet at this location. Victor Road is a minor street without curb and gutter with a required 60' right-of-way width. The site plan does not depict the rights-of-way on widths for either street. The site plan should be revised to depict the right-of-way width for both Cody Road North and Victor Road. Due to the fact the site is already developed dedication will not be required, however an increased minimum building setback line may be applicable.

The 25' minimum building setback lines are not depicted on the site plan. The site plan should be revised to depict the 25' minimum building setback lines where the site abuts street frontage adjusted for any future right-of-way. A privacy buffer must also be provided where the site abuts residentially zoned property.

With regards to tree and landscaping, staff cannot determine if the site meets the minimum tree and landscaping requirements, however, no additional work to the exterior of the site is being proposed at this time, thus full tree and landscaping compliance is not required. Please note that

any future redevelopment, expansion, or new building construction may require a minimum of frontage tree compliance.

Furthermore, it would appear based on aerial photos that the substandard parking lots have been in use for several years, and there is not a significant impact being made to the exterior of the site to trigger full parking lot compliance. Please note that any future redevelopment, expansion, or new building construction may require parking lot compliance.

It should be pointed out that the current site plan submitted depicts parking spaces on property that the church does not own, as well as parking spaces on an adjacent lot which is considered as off-site parking. The portion of the site proposed for parking that is not owned by the applicant is also zoned R-3, thus a rezoning application would need to be included if the applicant wanted to move forward with obtaining the property from the current property owner. Staff did meet with the applicants and did advise them that omitting the additional proposed parking on the property they did not own would be highly recommended and reduce the need for additional applications.

Lastly, it appears that neither of the properties owned by the applicant are legal lots of record. Thus, a PUD application will be required to address the off-site parking request as well as a 2-lot subdivision, unless a deed can be provided to show that the properties existed prior to 1952, and then the subdivision requests will not be required.

RECOMMENDATION

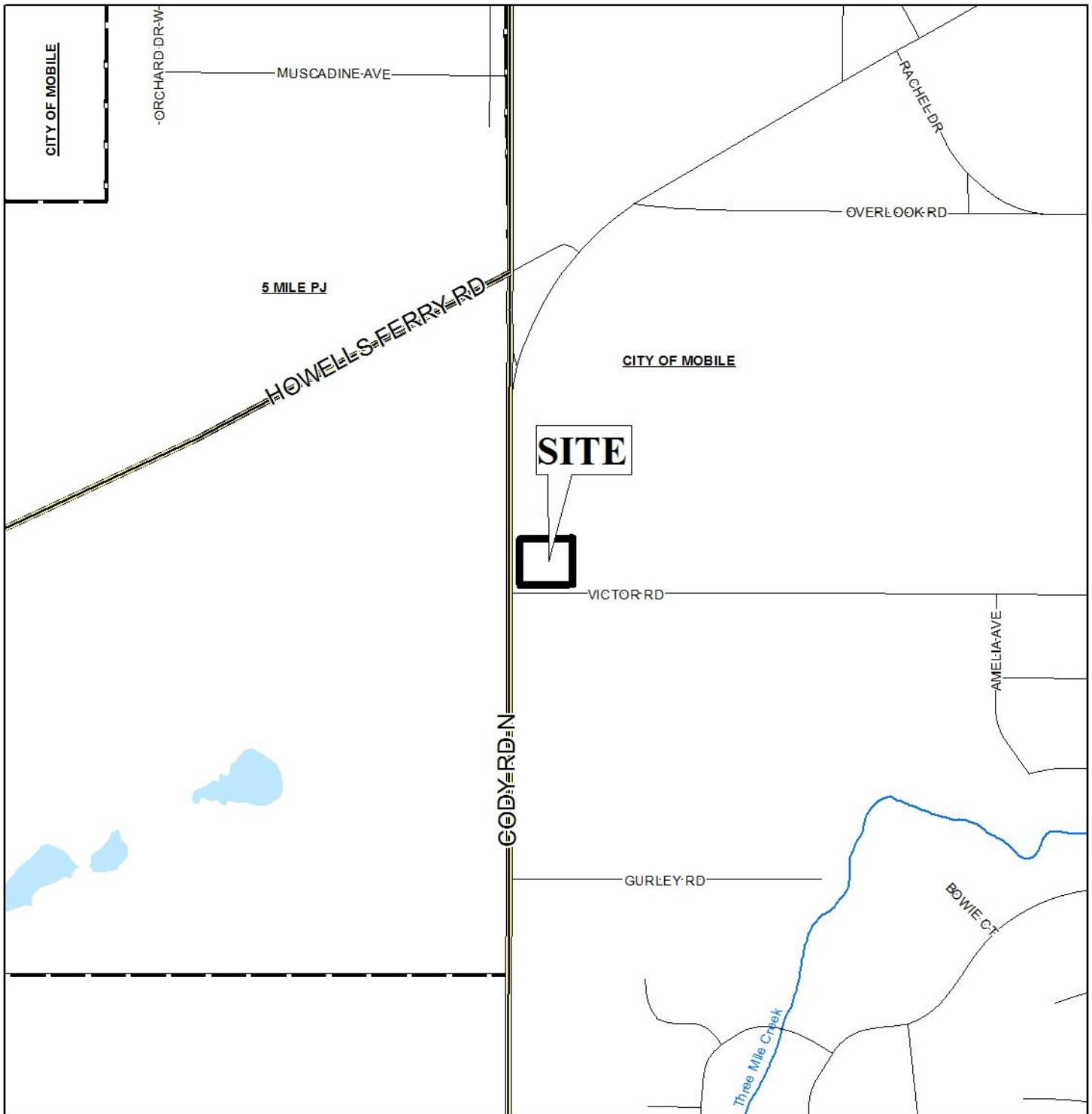
Planning Approval: Based upon the preceding, the application is recommended for Holdover, until November 2, with revisions due by October 17, 2017 to allow the following:

- 1) submission of a Planned Unit Development application for off-site parking to be heard in conjunction with the Planning Approval application;
- 2) submission of a 2-lot Subdivision or the provision of a deed illustrating the lots existing prior to 1952;
- 3) revision of the site plan to depict the right-of-way widths for both Cody Road North and Victor Road;
- 4) revision of the site plan to depict an increased minimum building setback line, if applicable, where the site abuts street frontage;
- 5) revision of the site plan to depict the 25' minimum building setback lines where the site abuts street frontage;
- 6) revision of the site plan to depict the total number of seats in the sanctuary;
- 7) revision of the site plan to depict the outside playground area;
- 8) revision of the site plan to depict a privacy buffer where the site abuts residentially zoned property along with any other additional fence that may be proposed on the property;
- 9) compliance with Engineering comments: *"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 design requirements and Policy Letters.”;

- 10) compliance with Traffic Engineering comments: “Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.”;
- 11) 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 2015-116 and City Code Chapters 57 and 64”;
- 12) compliance with Fire comments: “All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code).”

LOCATOR MAP



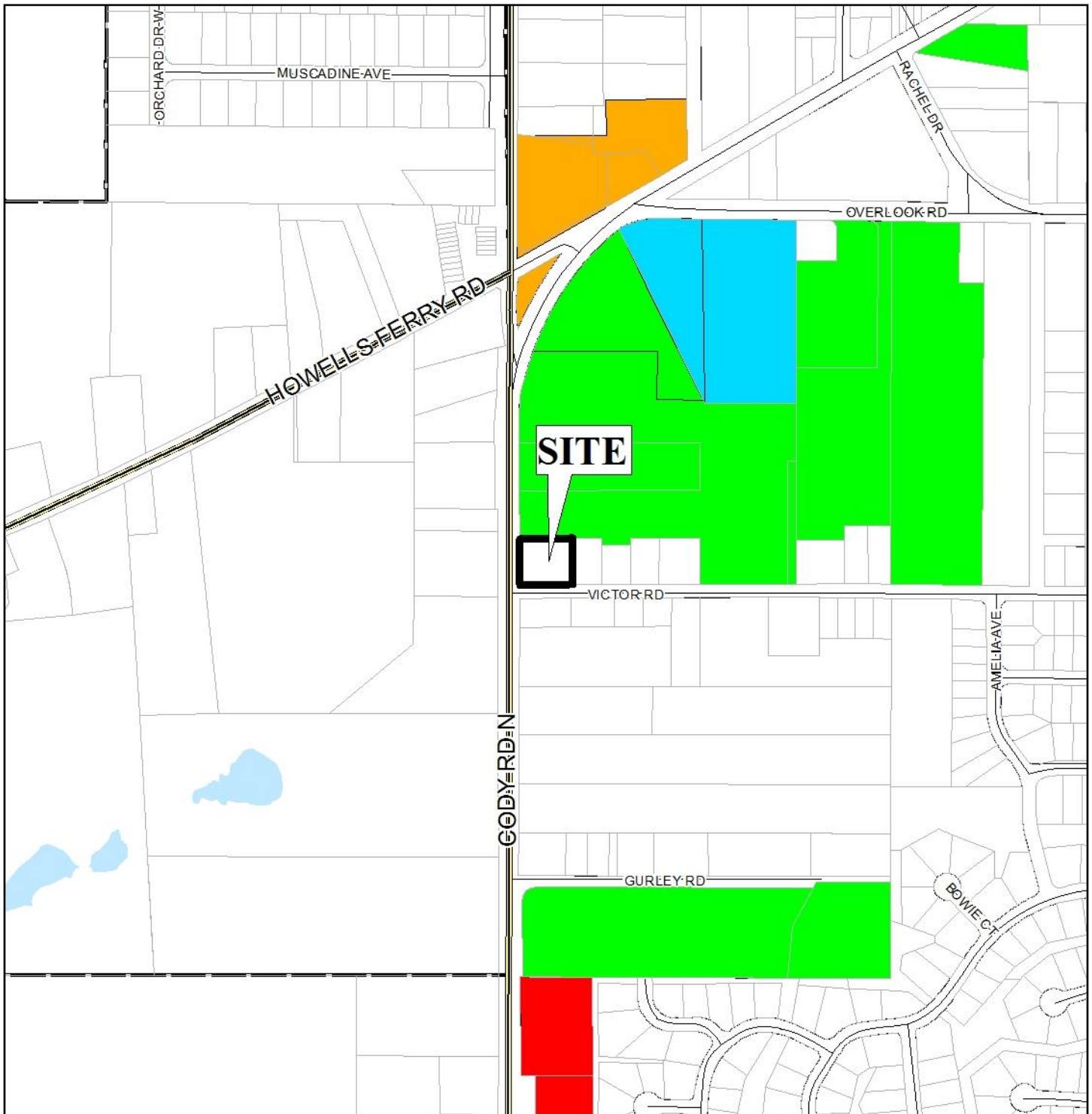
APPLICATION NUMBER 6 DATE October 5, 2017

APPLICANT New Generation Church

REQUEST Planning Approval



LOCATOR ZONING MAP



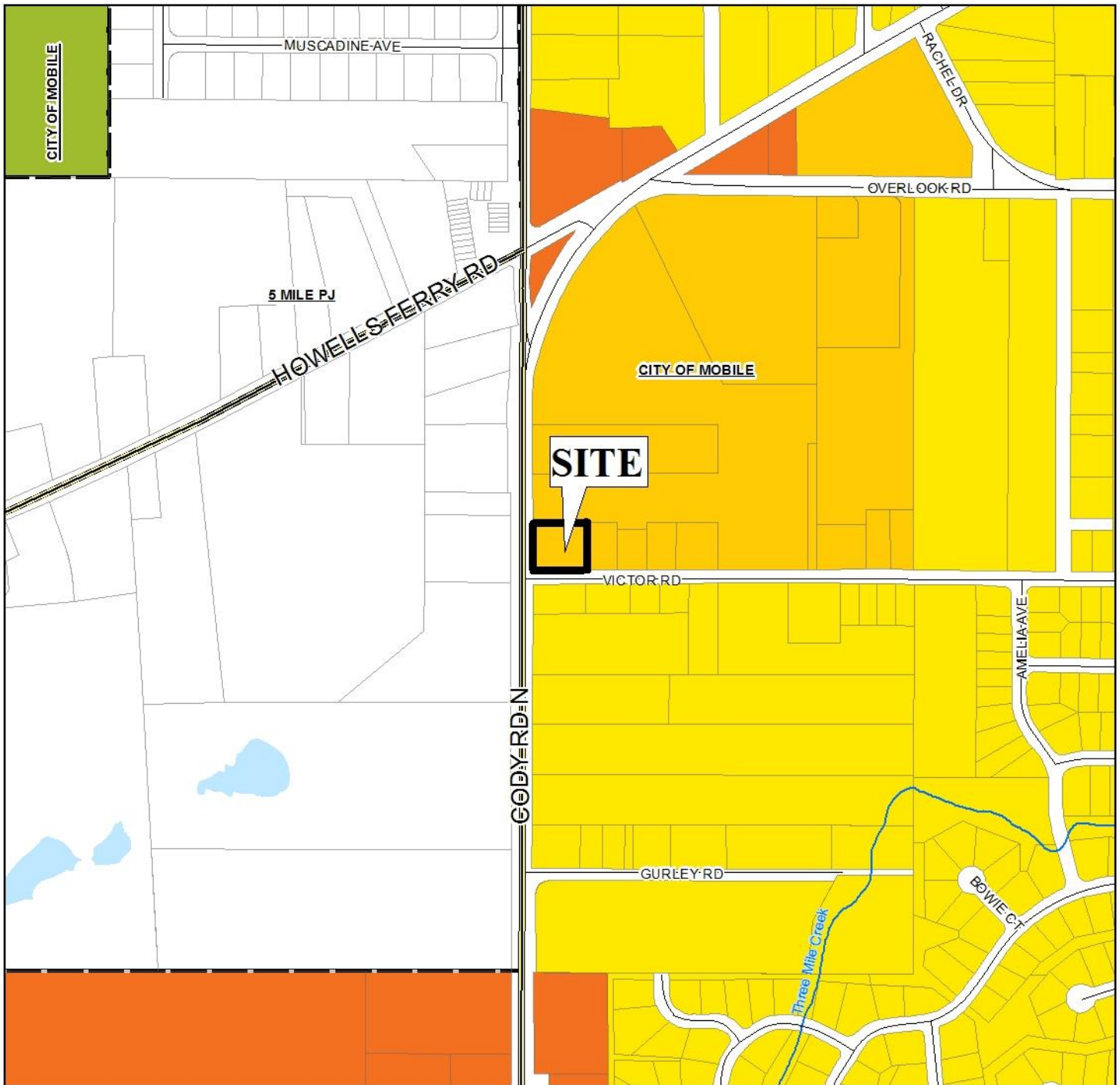
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FLUM LOCATOR MAP



APPLICATION NUMBER 6 DATE October 5, 2017

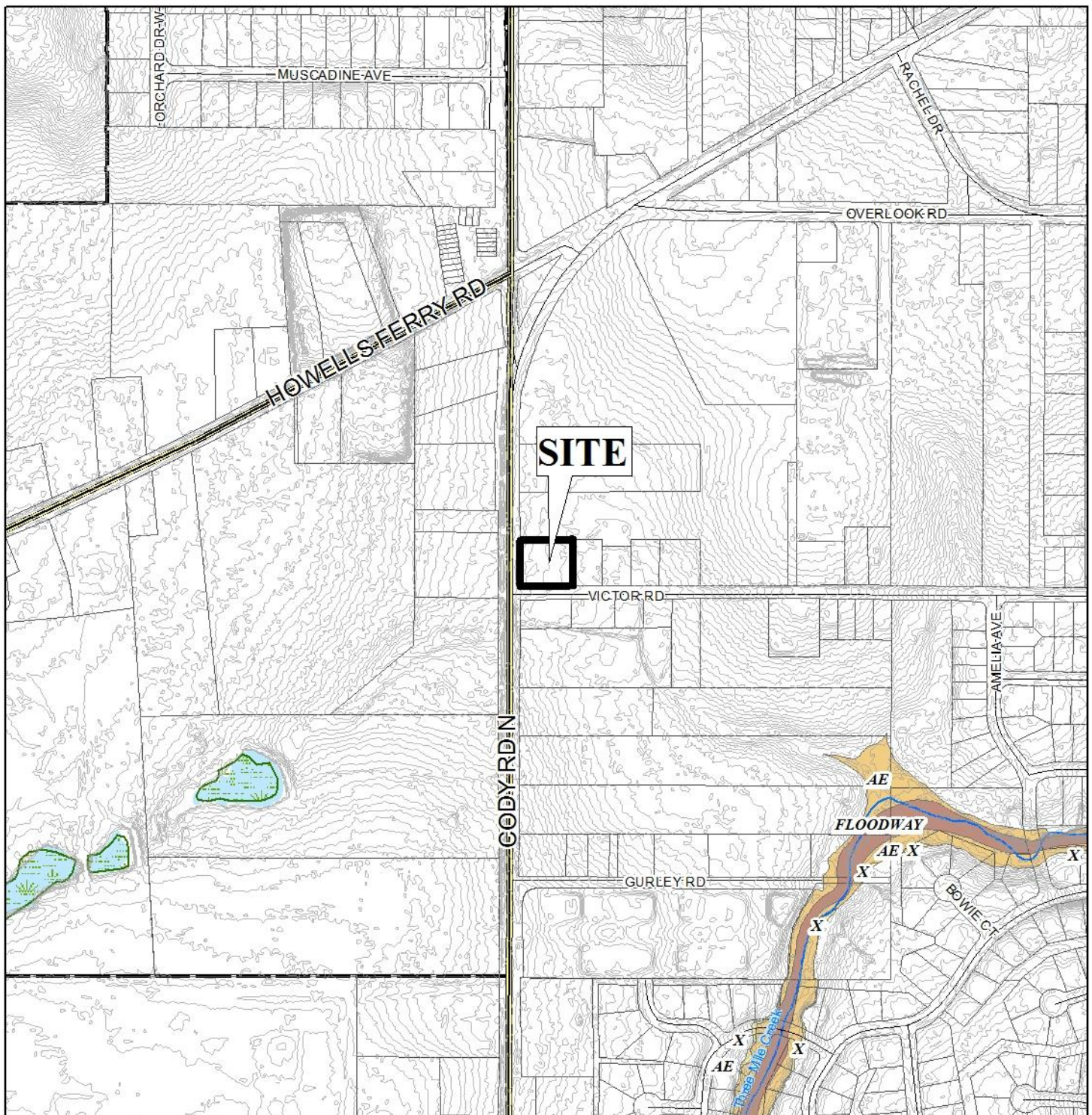
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Low Density Residential	Neighborhood Center- Traditional	Downtown Waterfront	Water Dependent
Mixed Density Residential	Traditional Corridor	Light Industry	Parks & Open Space
Downtown	Neighborhood Center- Suburban	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



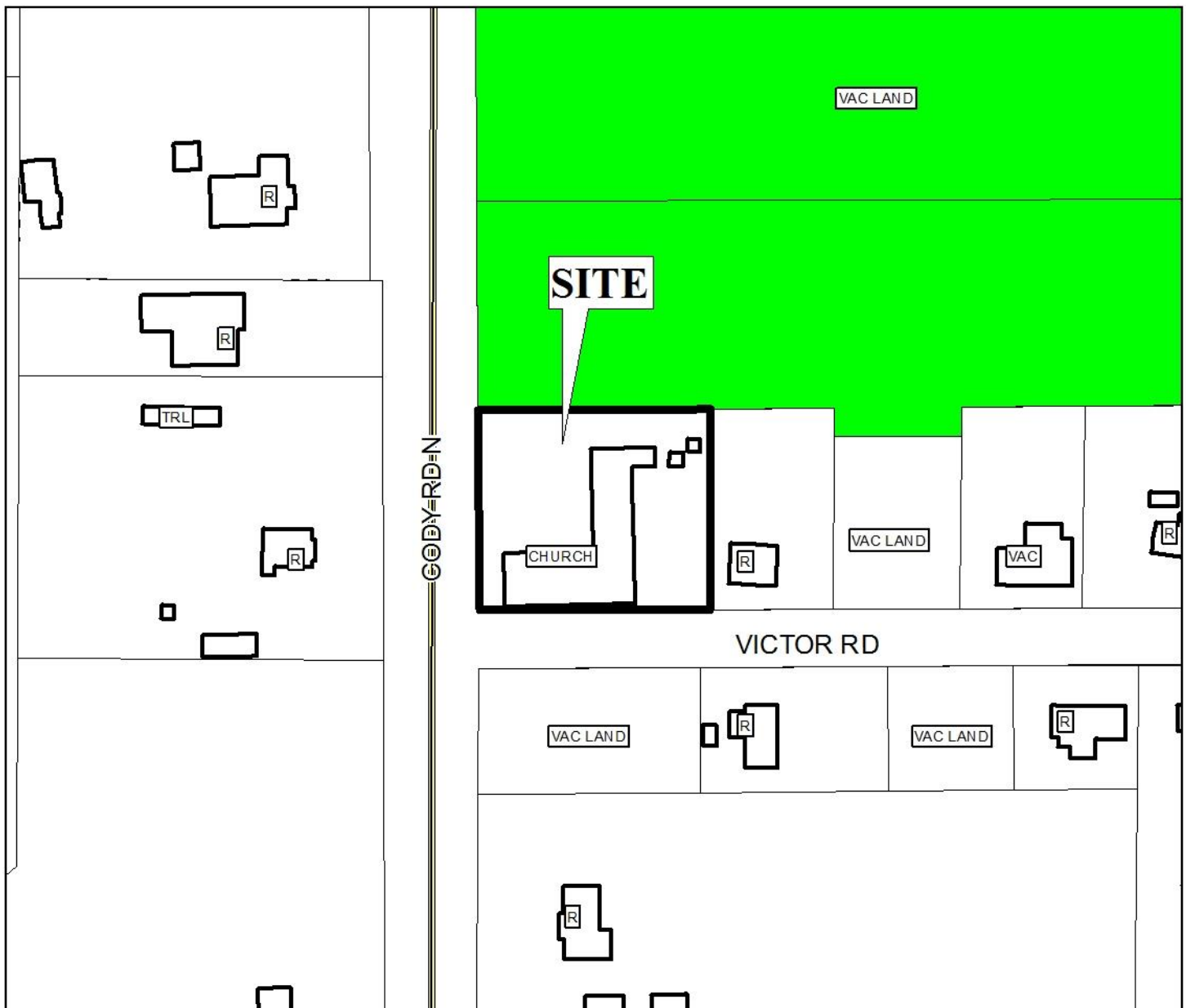
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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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 AERIAL

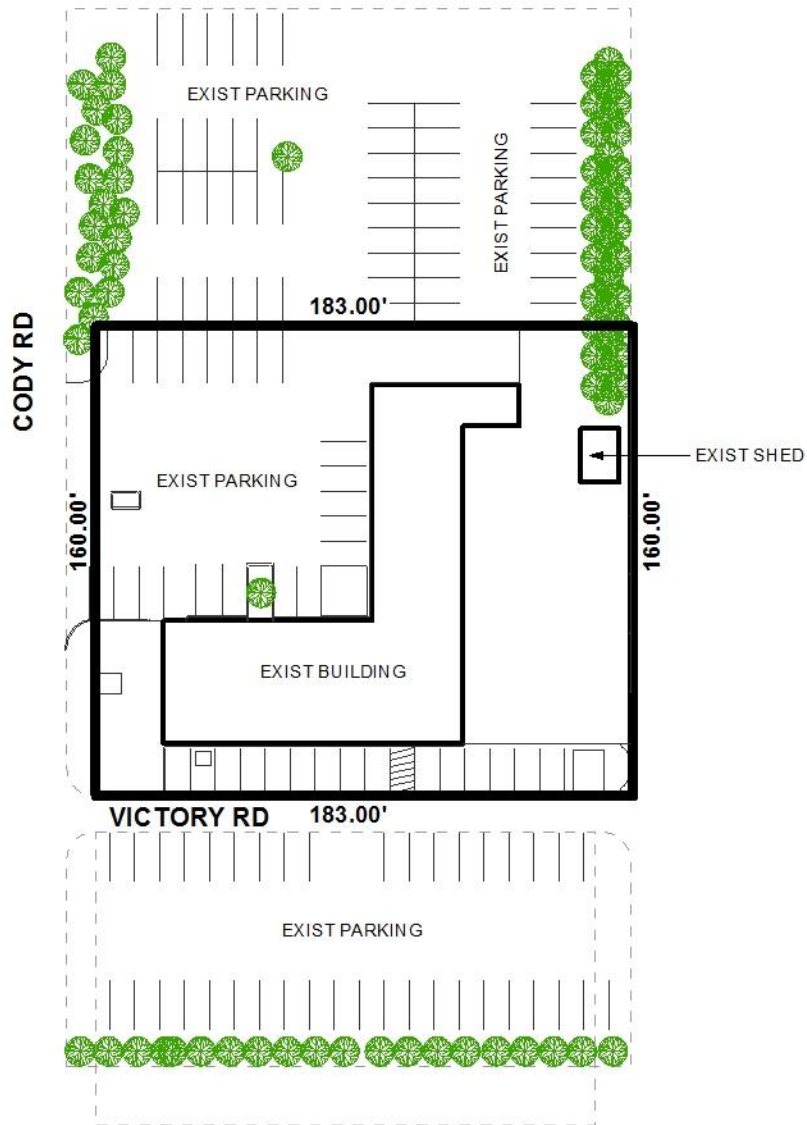


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SITE PLAN



The site plan illustrates the existing building, shed, and existing parking.

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