

**PLANNING APPROVAL,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: August 21, 2014**

<u>NAME</u>	Smith Memorial AME Church
<u>SUBDIVISION NAME</u>	Smith Memorial AME Church
<u>LOCATION</u>	6501 Felhorn Road North (Southwest corner of Felhorn Road North and Roslyn Drive West)
<u>CITY COUNCIL DISTRICT</u>	District 4
<u>PRESENT ZONING</u>	R-1, Single-Family Residential District
<u>AREA OF PROPERTY</u>	1 Lot / 1.0± Acre
<u>CONTEMPLATED USE</u>	Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential District, Planned Unit Development approval to allow a reduced side yard setback, and Subdivision approval to create one legal lot of record.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	None given..
<u>ENGINEERING COMMENTS</u>	
<u>TRAFFIC ENGINEERING COMMENTS</u>	Site is limited to the existing curb cuts on Felhorn Road N and Roslyn Drive W, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. In the future when the parking lot is resurfaced, the parking lot layout should be reconfigured to provide as many conforming parking spaces as possible on this site.

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 allow the expansion of an existing church in an R-1, Single-Family Residential District, Planned Unit Development approval to allow a reduced side yard setback, and Subdivision approval to create one legal lot. Churches require Planning Approval when located in R-1 districts.

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.

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 review. 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 construct a new kitchen addition onto the existing church building thus requiring Planning Approval. The addition is proposed to encroach into the 25' side street yard setback, thus requiring a PUD, and all contiguous properties owned by the applicant are proposed to be incorporated into one lot, thus the one-lot Subdivision.

The church received Planning Approval in 1994 for a new sanctuary addition and associated off-site parking across Roslyn Drive. The sanctuary addition was constructed, but the off-site parking area was never developed. Since then, the church has acquired additional properties adjacent to the South of the site and expanded the parking area onto one of those properties without any review process and created a nonconforming parking situation. In 1996, a Front

Yard Setback Variance was requested to allow construction of a canopy within 5' of the front property line, but the request was denied by the Board of Zoning Adjustment.

The narrative supplied indicates that the church has a 400-person seating capacity which would require 100 on-site parking spaces. However, only 75 are provided, and the site has no room to provide expanded parking facilities. Some new spaces could possibly be obtained by a re-configuration of the existing parking lot, but no such attempt was made for the PUD and Planning Approval applications. Even with a more-compliant parking plan, the site would still not provide space to construct the proposed kitchen expansion to meet the required 25' side yard setback along Rosalyn Avenue. The same situation would arise attempting to build to the front toward Felhorn Drive. The proposed addition is indicated to be 25' by 26'-5" and indicated to extend to within 12'-4" of the Rosalyn Avenue property line, thus the setback relief of the PUD request.

A comparison of the PUD and Planning Approval site plans with the Subdivision survey indicates a discrepancy in both the front and side street yard setbacks for the existing church building. The site plans indicate the sanctuary portion right at the 25' front setback and the East wing at a scaled 38'± front setback, with the Rosalyn Avenue (East end) of the remaining portion at a 37'-4" setback off the Rosalyn Avenue property line. However, the survey indicates a 22' front setback for the sanctuary and a 36'-11" front setback for the East wing, with a 36' setback for the remaining portion off Rosalyn Avenue. The narrative provided does not give a specific requested setback off the Rosalyn Avenue right-of-way. Since PUD's and Planning Approvals are site plan specific, and since staff cannot determine the actual setback requested due to the discrepancies, it is recommended that these applications be heldover to the meeting of September 18th to allow the discrepancies to be cleared.

Also, in verbal conversations with the applicant's professionals, it has been indicated that the retaining wall and parking area encroachments onto adjacent properties along the West and South property lines have been corrected as is indicated on the site plans but not on the survey for the preliminary plat. However, no permits were obtained for such. In the event the encroachments have been corrected, the plat should be revised to indicate such.

RECOMMENDATION

Subdivision: Based upon the preceding, this request is recommended for holdover to the September 18th meeting, with revisions due no later than September 3rd, to allow the applicant to address the following items:

- 1) revision of the plat as necessary so that existing front and side street setbacks can be corrected, and proposed setbacks for the kitchen addition can be shown, to match those of the Planned Unit Development and Planning Approval site plans;
- 2) revision of the plat to indicate the correction of the parking area and retaining wall encroachments onto adjacent properties to the West and South, if such have been corrected.

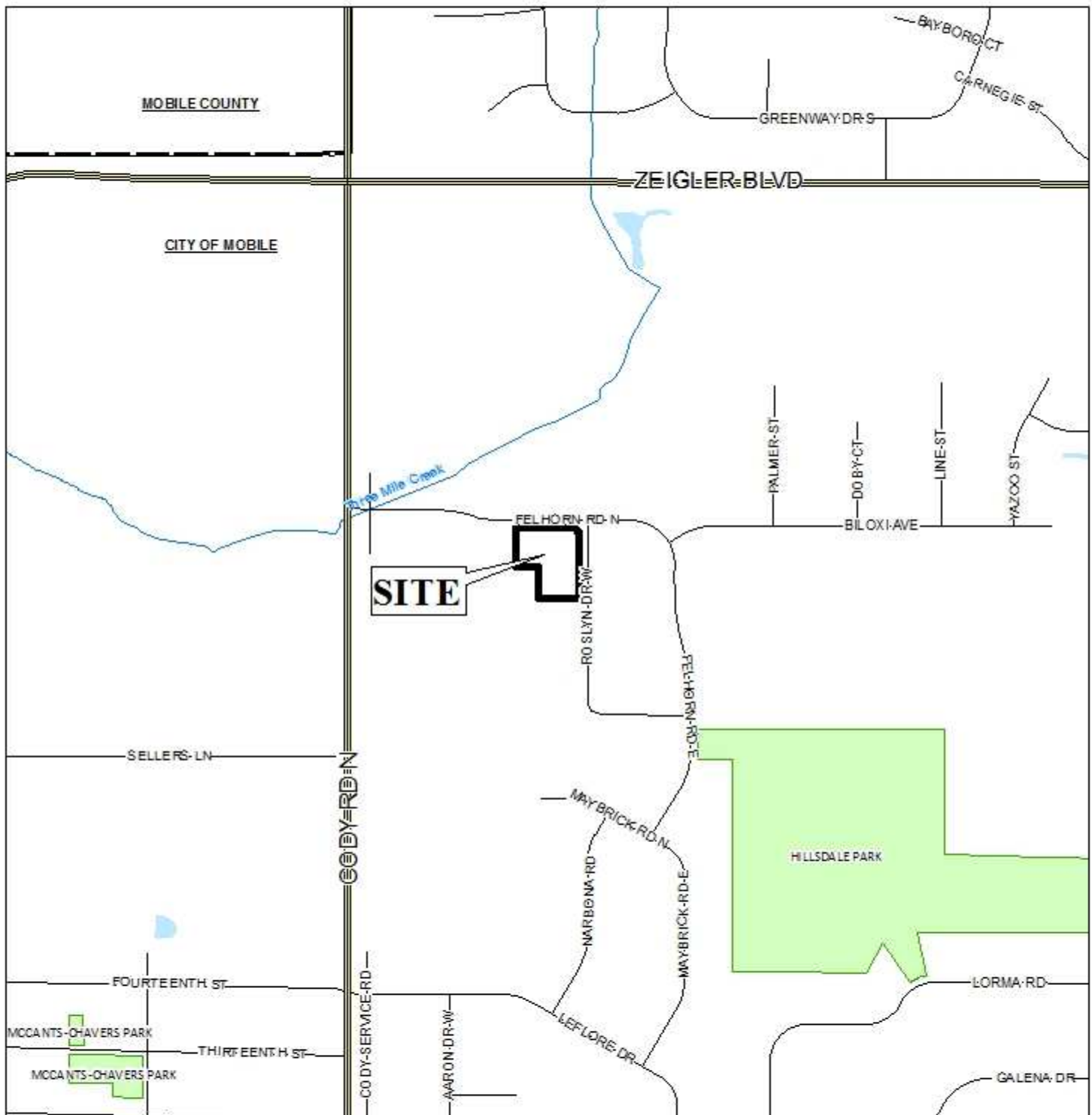
Planned Unit Development: Based upon the preceding, this request is recommended for holdover to the September 18th meeting, with revisions due no later than September 3rd, to allow the applicant to address the following items:

- 1) revision of the site plan as necessary so that existing and proposed front and side street setbacks will match those of the Subdivision survey;
- 2) revision of the narrative to explain precisely what side street setback is requested.

Planning Approval: Based upon the preceding, this request is recommended for holdover to the September 18th meeting, with revision due no later than September 3rd, to allow the applicant to address the following items:

- 1) revision of the site plan as necessary so that existing and proposed front and side street setbacks will match those of the Subdivision survey;
- 2) revision of the narrative to explain precisely what side street setback is requested.

LOCATOR MAP



APPLICATION NUMBER 8 DATE August 21, 2014

APPLICANT Smith Memorial AME Church Subdivision

REQUEST Subdivision, PUD, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family 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



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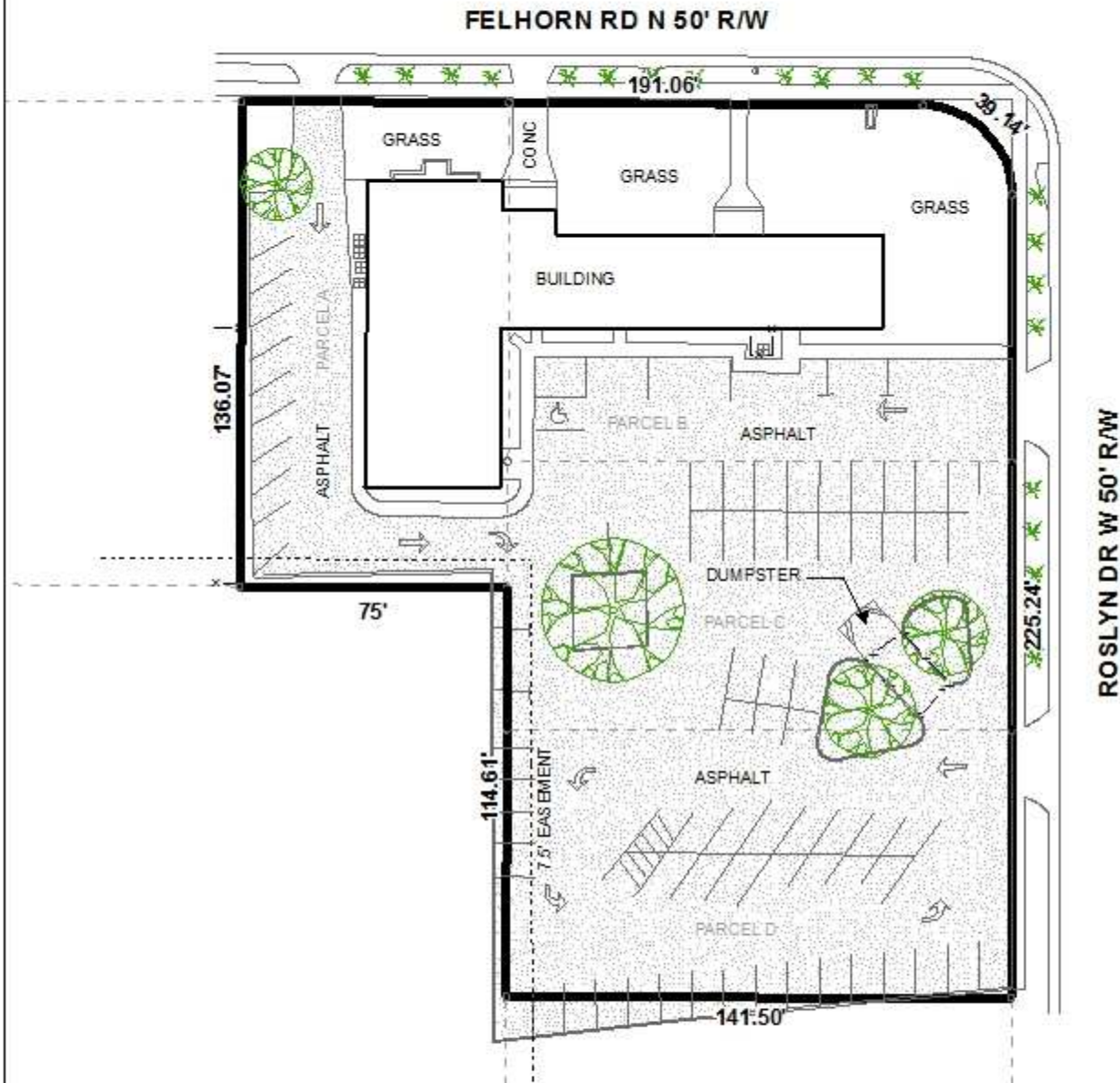
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EXISTING SITE PLAN



The site plan illustrates the existing building, parking, easement, and trees.

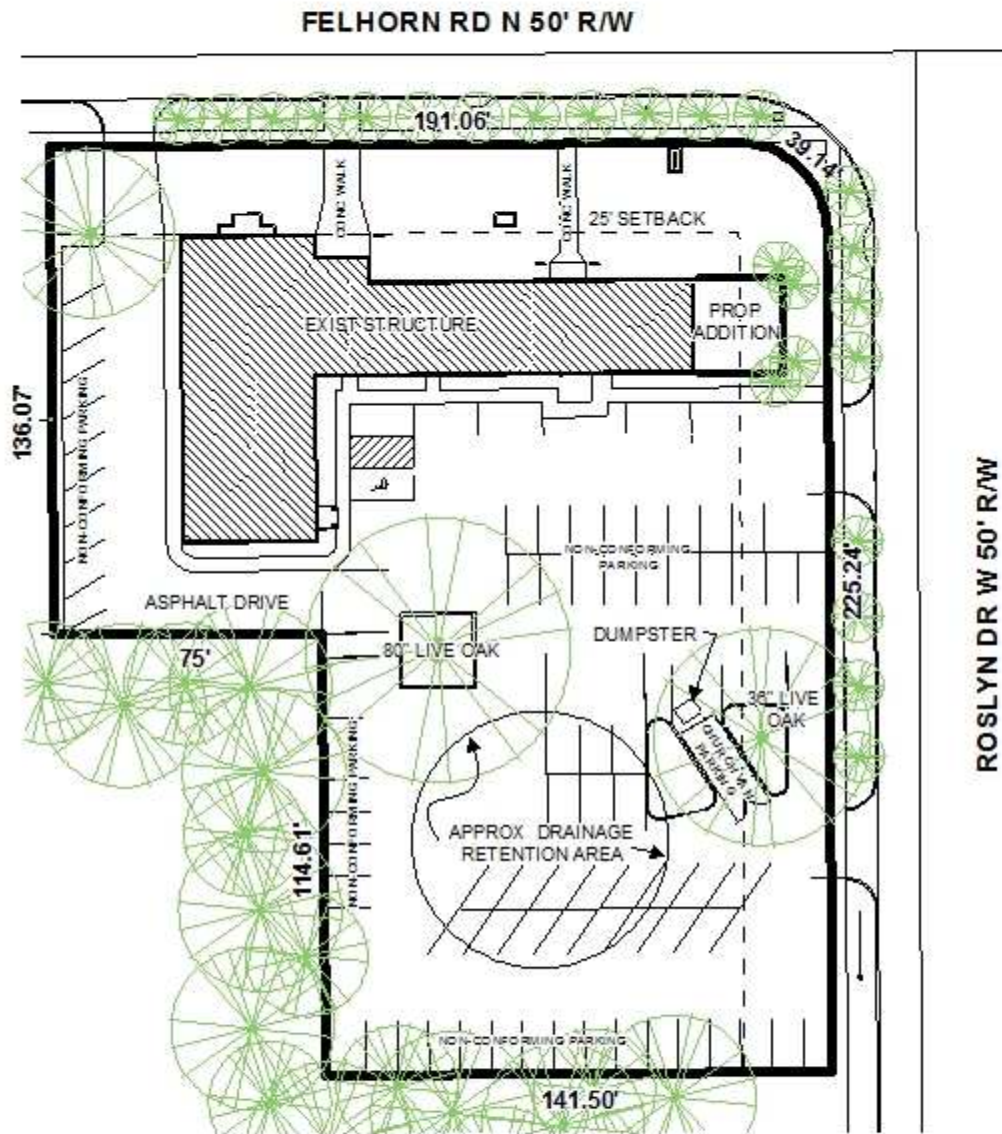
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PROPOSED SITE PLAN



The site plan illustrates the existing building, proposed building addition, parking, trees, and setback.

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