

**PLANNING APPROVAL,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: December 6, 2007**

<u>NAME</u>	Apostolic Faith Church Subdivision
<u>SUBDIVISION NAME</u>	Apostolic Faith Church Subdivision
<u>LOCATION</u>	969 Weinacker Avenue (West side of Weinacker Avenue, 100'+ North of Dublin Street, extending to the North side of Dublin Street, 95'+ East of Weinacker Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 3
<u>PRESENT ZONING</u>	R-1, Single-Family Residence District
<u>AREA OF PROPERTY</u>	1 lot / 0.4 acres \pm
<u>CONTEMPLATED USE</u>	Planning Approval to allow the expansion of an existing church in an R-1, Single-Family Residential district, for a storage shed, Planned Unit Development approval to allow two buildings on a single building site, and Subdivision approval to create one legal lot.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate

**ENGINEERING
COMMENTS**

If the cumulative impervious area constructed since 1984 is equal to or greater than 4000 square feet, storm water detention is required. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to the site was undeterminable with the site plan provided. Minimum driveway widths of twenty-four feet with

a twenty foot radius should be provided. The shown parking is below city standards. Parking spaces should be nine feet wide and eighteen feet long with a twenty-four foot aisle width.

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 the expansion of an existing church in an R-1, Single-Family Residential district, for a storage shed, Planned Unit Development approval to allow two buildings on a single building site, and Subdivision approval to create one legal lot. Churches require Planning Approval when located in R-1 districts.

The applicant, Apostolic Faith Church, proposes to construct a 320 square foot storage shed at the rear of the property behind the existing church, as well as new parking.

The site fronts onto two minor streets, Weinacker Avenue and Dublin Street. The right-of-way width for Weinacker Avenue meets minimum standards, but the right-of-way for Dublin Street is only 40-feet. Sufficient right-of-way should be dedicated along Dublin Street to provide 25-feet, as measured from the centerline of Dublin Street.

The existing church has 28 pew seats, and provides 4 parking spaces on the premises. The Zoning Ordinance requires 7 parking spaces, and 6 additional parking spaces are depicted on the site plan, to the rear of the existing church. Additional parking to meet the minimum requirements in the proposed parking area may be beneficial for the church.

The existing parking area does not meet the minimum access and maneuvering requirements of the Zoning Ordinance, and the 8.8 foot wide access way to the proposed parking area and storage shed proposed behind the church would not meet the minimum accessibility requirements of the Zoning Ordinance, thus the access way should be marked as one-way, and truck use should be prohibited. The applicant should revise the site plan to provide new, standardized and paved access from a new curb-cut on Dublin Street to the parking area proposed behind the existing church.

The area undergoing new construction should be brought into compliance with the Zoning Ordinance in terms of trees, landscaping and residential adjacency buffering. Thus, frontage trees should be provided along Dublin Street (and are depicted on the site plan), and perimeter trees and a wooden privacy fence should be provided where the parking / storage shed area abuts

residentially developed properties. It should be noted that the wooden privacy fence should not exceed 3-feet in height where the fence is within 25-feet of a street right-of-way.

The proposed parking area should be designed so that vehicles that park do not over hang the concrete wheel stops to the extent that any existing or provided privacy fencing is damaged.

The new construction for parking and the storage shed may result in a need for storm water detention. If a storm water detention pond is provided, the PUD and Planning Approval site plans should be revised to depict required detention.

Regarding the Subdivision, it appears that the property to the rear of the church was illegally subdivided from an adjacent property in the year 2000. As both properties remain in the hands of the parties that undertook the land transaction, the adjacent property should be included as part of the application so that an additional legal lot can be created.

Access for the proposed lot should be limited to the existing curb-cuts onto Weinacker Avenue, where no new construction is proposed, and limited to one, new curb-cut (that will replace the existing residential curb-cut) onto Dublin Street. The size, design and location of all new or revised curb-cuts must be approved by Traffic Engineering, and should comply with AASHTO standards.

Finally, the 25-foot minimum building setback line is not depicted on the plat or site plans. The plat and site plans should be revised to depicted the 25-foot minimum building setback line.

RECOMMENDATION

Planning Approval: The request is recommended for Holdover until the January 3, 2008 meeting, so that the following revisions can be made by December 14th:

- 1) Revision of the site plan to reflect dedication of right-of-way along Dublin Street, per the Subdivision conditions;
- 2) Revision of the site plan to depict paved parking with access (from Dublin Street) and maneuvering that meets the minimum requirements of the Zoning Ordinance for the parking proposed behind the church;
- 3) Marking of the existing parking and access way to be one-way, with a note stating that truck access is prohibited;
- 4) Compliance with Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to the site was undeterminable with the site plan provided. Minimum driveway widths of twenty-four feet with a twenty foot radius should be provided. The shown parking is below city standards. Parking spaces should be nine feet wide and eighteen feet long with a twenty-four foot aisle width.*);
- 5) Compliance with Engineering comments (*If the cumulative impervious area constructed since 1984 is equal to or greater than 4000 square feet, storm water detention is required. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the*

existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.);

- 6) Provision of trees and landscaping for the proposed parking and storage shed area, to bring that portion of the site into compliance with the requirements of the Zoning Ordinance;
- 7) Depiction and provision of a 6-foot high wooden privacy fence around the perimeter of the site where it abuts existing residential development, with the exception of within 25-feet of a street right-of-way, where the fence shall not exceed 3-feet in height;
- 8) Depiction of concrete wheel stops, and location of the stops to ensure that vehicles will not encroach upon any required buffer fencing;
- 9) Depiction of storm water detention basin, if required by compliance with the City of Mobile storm water and flood control ordinances;
- 10) Depiction of the 25-foot minimum building setback line; and
- 11) Full compliance with all other municipal codes and ordinances, and the obtaining of the appropriate permits for fences, storage sheds and land disturbance.

Planned Unit Development: The request is recommended for Holdover until the January 3, 2008 meeting, so that the following revisions can be made by December 14th:

- 1) Revision of the site plan to reflect dedication of right-of-way along Dublin Street, per the Subdivision conditions;
- 2) Revision of the site plan to depict paved parking with access (from Dublin Street) and maneuvering that meets the minimum requirements of the Zoning Ordinance for the parking proposed behind the church;
- 3) Marking of the existing parking and access way to be one-way, with a note stating that truck access is prohibited;
- 4) Compliance with Traffic Engineering comments (*Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to the site was undeterminable with the site plan provided. Minimum driveway widths of twenty-four feet with a twenty foot radius should be provided. The shown parking is below city standards. Parking spaces should be nine feet wide and eighteen feet long with a twenty-four foot aisle width.);*
- 5) Compliance with Engineering comments (*If the cumulative impervious area constructed since 1984 is equal to or greater than 4000 square feet, storm water detention is required. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.);*
- 6) Provision of trees and landscaping for the proposed parking and storage shed area, to bring that portion of the site into compliance with the requirements of the Zoning Ordinance;

- 7) Depiction and provision of a 6-foot high wooden privacy fence around the perimeter of the site where it abuts existing residential development, with the exception of within 25-feet of a street right-of-way, where the fence shall not exceed 3-feet in height;
- 8) Depiction of concrete wheel stops, and location of the stops to ensure that vehicles will not encroach upon any required buffer fencing;
- 9) Depiction of storm water detention basin, if required by compliance with the City of Mobile storm water and flood control ordinances;
- 10) Depiction of the 25-foot minimum building setback line; and
- 11) Full compliance with all other municipal codes and ordinances, and the obtaining of the appropriate permits for fences, storage sheds and land disturbance.

Subdivision: The request is recommended for Holdover until the January 3, 2008 meeting, so that the following revisions can be made by December 14th:

- 1) Revision of the application to include the adjacent parent parcel so that an additional legal lot may be created (including provision of lot fees, labels and postage for expansion of subdivision application – due by December 12), or provision of a letter from the adjacent property owners stating that they do not wish to be a part of the Subdivision application;
- 2) Revision of the plat to depict dedication of right-of-way sufficient to provide 25-feet, as measured from the centerline of Dublin Street;
- 3) Depiction and labeling of the 25-foot minimum building setback line; and
- 4) Labeling of the lot(s) with its size in square feet.

Revised for the January 3, 2008 meeting:

Revised PUD and Planning Approval site plans were submitted by the applicant. The site plans depict a new paved parking area to the rear of the existing church, providing 9 spaces, in addition to the 4 existing spaces adjacent to the existing church. The site plan also depicts a wooden privacy fence buffer, trees and landscaping, and an area set aside for storm water detention, if required as part of the development. The revisions appear to address many of the concerns mentioned earlier in the report, however, it does not appear that the rear area fully complies with the tree requirements of the Zoning Ordinance: only 7 new trees are depicted, however 15 trees may be required for the rear portion of the site, based on frontage, perimeter and parking area tree requirements. It also appears that the 3 parking spaces South of the proposed shed do not meet the minimum width requirements, thus the spaces should be reduced to 2 spaces.

A letter was also provided from the adjoining property stating that they do not wish to be a part of the Subdivision application.

The actual purpose of the applications is to allow the church to have a 320 square foot storage shed, however, Planning Approval is required for churches in residential districts, and PUD approval is required for multiple buildings on a single building site. While the requirements for this site may seem excessive as it relates to placing a storage shed on the site, compliance with

the Zoning Ordinance is usually required for churches which require Planning Approval due to their location within a residential district.

Finally, the geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Planning Approval: *As revised, the site plan is recommended for Approval, subject to the following conditions:*

- 1) Revision of the site plan to reflect full compliance with the Zoning Ordinance requirements for perimeter, frontage and parking trees, for the rear portion of the site that will accommodate the new parking, access and storage shed;*
- 2) Revision of the site plan to reduce the proposed three parking spaces depicted South of the proposed storage shed to two spaces (due to inadequate space for three spaces);*
- 3) Compliance with Traffic Engineering comments (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to the site was undeterminable with the site plan provided. Minimum driveway widths of twenty-four feet with a twenty foot radius should be provided. The shown parking is below city standards. Parking spaces should be nine feet wide and eighteen feet long with a twenty-four foot aisle width.);*
- 4) Compliance with Engineering comments (If the cumulative impervious area constructed since 1984 is equal to or greater than 4000 square feet, storm water detention is required. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.);*
- 5) Provision of a revised Planning Approval site plan to the Planning Section of Urban Development prior to the signing of the final plat;*
- 6) Placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and*
- 7) Full compliance with all other municipal codes and ordinances, and the obtaining of the appropriate permits for fences, storage sheds and land disturbance.*

Planned Unit Development: *As revised, the site plan is recommended for Approval, subject to the following conditions:*

- 1) Revision of the site plan to reflect full compliance with the Zoning Ordinance requirements for perimeter, frontage and parking trees, for the rear portion of the site that will accommodate the new parking, access and storage shed;*

- 2) *Revision of the site plan to reduce the proposed three parking spaces depicted South of the proposed storage shed to two spaces (due to inadequate space for three spaces);*
- 3) *Compliance with Traffic Engineering comments (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Access to the site was undeterminable with the site plan provided. Minimum driveway widths of twenty-four feet with a twenty foot radius should be provided. The shown parking is below city standards. Parking spaces should be nine feet wide and eighteen feet long with a twenty-four foot aisle width.);*
- 4) *Compliance with Engineering comments (If the cumulative impervious area constructed since 1984 is equal to or greater than 4000 square feet, storm water detention is required. It is the responsibility of the applicant to look up the site in the City of Mobile (COM) GIS system and verify if NWI wetlands are depicted on the site. If the COM GIS shows wetlands on the site, it is the responsibility of the applicant to confirm or deny the existence of wetlands on-site. If wetlands are present, they should be depicted on plans and/or plat, and no work/disturbance can be performed without a permit from the Corps of Engineers. 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.);*
- 5) *Provision of a revised PUD site plan to the Planning Section of Urban Development prior to the signing of the final plat;*
- 6) *Placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and*
- 7) *Full compliance with all other municipal codes and ordinances, and the obtaining of the appropriate permits for fences, storage sheds and land disturbance.*

Subdivision: *As revised with the Dublin Street right-of-way dedication and the minimum building setback line, this plat is recommended for Tentative Approval, subject to the following conditions:*

- 1) *Placement of a note on the plat stating that the site is limited to the existing curb-cuts onto Weinacker Avenue, and one new curb-cut (replacing the existing curb-cut) onto Dublin Street, with the size, design and location to be approved by Traffic Engineering and comply with AASHTO standards;*
- 2) *Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;*
- 3) *Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and*
- 4) *Provision of revised PUD and Planning Approval site plans (1 each) to the Planning Section of Urban Development prior to the signing of the final plat.*

LOCATOR MAP



APPLICATION NUMBER 10, 11, & 12 DATE January 3, 2008

APPLICANT Apostolic Faith Church Subdivision

REQUEST Subdivision, Planning Approval, Planned Unit Development



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



A church is located to the south of the site and single family residential units are on all sides.

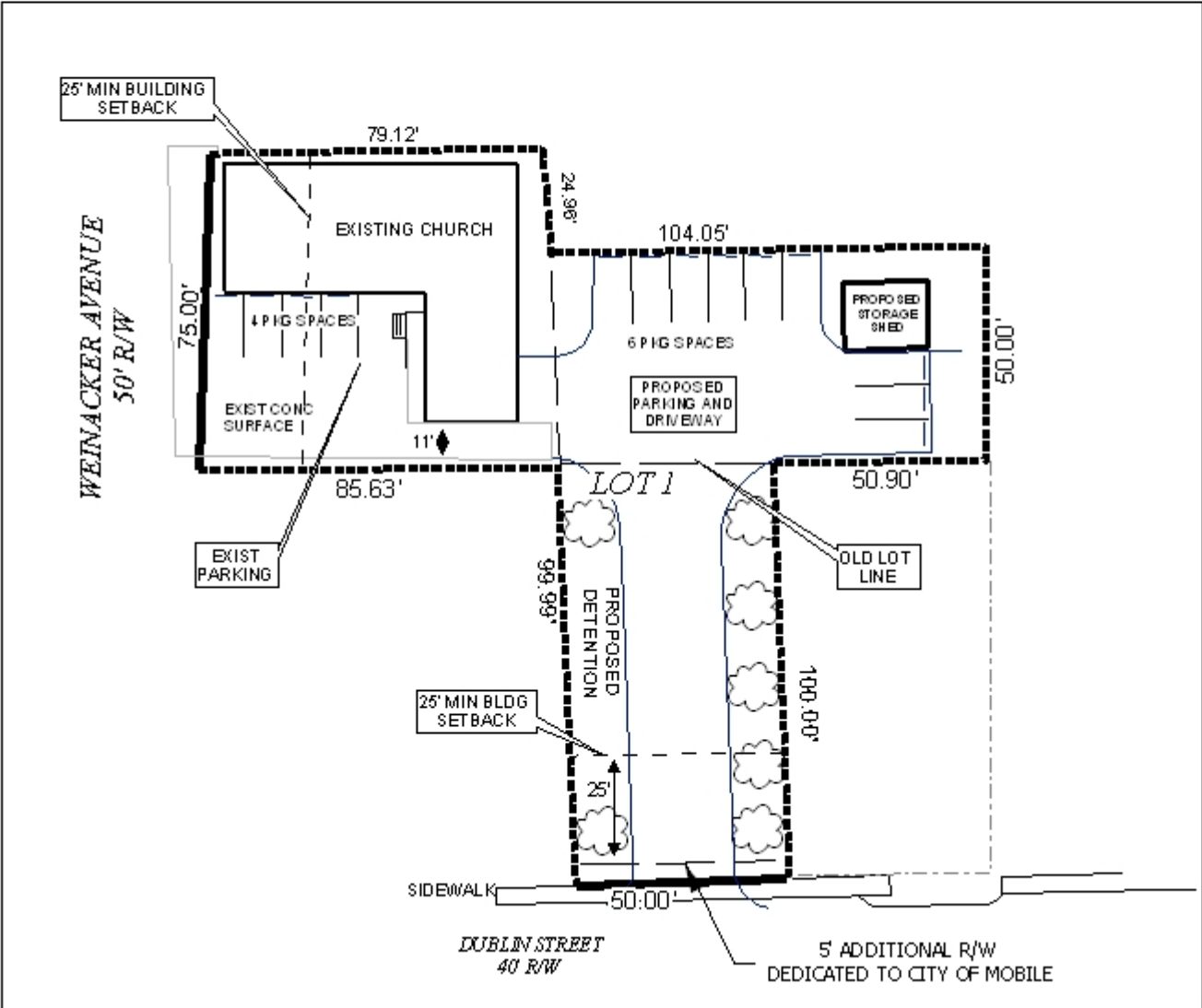
APPLICATION NUMBER 10,11, &12 DATE January 3, 2008

APPLICANT Apostolic Faith Church Subdivision

REQUEST Subdivision, Planning Approval, Planned Unit Development

LEGEND R-1 R-2 R-3 R-4 R-B H-B T-B B-1 LB-2 B-2 B-3 B-4 B-5 I-1 I-2 NTS

SITE PLAN



The site plan illustrates existing parking, building, and proposed building.

APPLICATION NUMBER 10,11, &12 DATE January 3, 2008

APPLICANT Apostolic Faith Church Subdivision

REQUEST Subdivision, Planning Approval, Planned Unit Development

NTS