

**PLANNING APPROVAL,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: November 20, 2008**

<u>NAME</u>	Apostolic Pentecostal Holy Church of God Subdivision
<u>SUBDIVISION NAME</u>	Apostolic Pentecostal Holy Church of God Subdivision
<u>LOCATION</u>	1710 Bolden Street and 1711 Williams Street (East side of Bolden Street, 200'± North of Carter Avenue, extending to the West side of William Street, 100'± North of Carter Avenue)
<u>CITY COUNCIL DISTRICT</u>	District 1
<u>PRESENT ZONING</u>	R-1, Single-Family Residence District
<u>AREA OF PROPERTY</u>	2 lots / 0.73 acres ±
<u>CONTEMPLATED USE</u>	Planning Approval to allow the construction of a new parking lot at an existing church in an R-1, Single-Family Residential district; Planned Unit Development approval to allow two buildings on a single building site; and Subdivision approval to create two legal lots of record.
<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. Final approval for all driveways, proposed and existing will be given upon submittal of final plans. The two

driveways shown on the plan are located less than ten feet apart. The new parking area should be limited to one two-way driveway cut or two one-way driveway 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 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 construction of a parking lot at an existing church in an R-1, Single-Family Residential district; Planned Unit Development approval to allow two buildings on a single building site; and Subdivision approval to create two legal lots of record. Churches require Planning Approval when located in R-1 districts.

The applicant, Apostolic Pentecostal Holy Church of God, proposes to construct a 32 space parking lot behind the existing church.

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 (PUD) 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 both the Planning Approval and the Planned Unit Development reviews are site plan specific; therefore any future changes (parking, structure expansion, etc.) must be resubmitted for Planning Approval and Planned Unit Development review, and be approved through the planning process.

As the reviews for Planning Approval and Planned Unit Development approval are similar, the analysis/remarks for both applications will be consolidated.

According to the non-conforming use documentation on file with the Planning Section of the Urban Development Department, the church itself has been at this location since 1963. As the church has been in continuous operation at this site since 1963, adverse effects to the neighborhood due to commercial use, if any, would have been mitigated.

The Planned Unit Development is required because there are multiple buildings on a single building site. The additional building is a 157 square foot storage building not used for any purpose other than storage for the church. The site plan illustrates compliance with landscaping and tree planting requirements. The site plan further illustrates two, two-way curb cuts for the new parking area, the radii of each being within 10 feet of each other. Traffic engineering has commented the either the parking lot be redesigned to have only one two-way curb cut or to have two, one-way curb cuts of reduced width. As a result, the applicant should revise the submitted site plan for the Planning Approval and the PUD to reflect the Traffic Engineering comments. Also, should the applicant choose to have two one-way curb cuts, the curb cuts should be separated further by relocating them. This could be accomplished by adding a 10 foot planting strip between the two center aisles of parking. Further, no sidewalk is illustrated on the site plan, which is required for new construction. As no sidewalk waiver was applied form, it can only be assumed that the applicant intends to construct a city-standard sidewalk. As such, the site plan should be revised to illustrate the sidewalk.

The site plan illustrates a 6-foot high privacy fence between the church property and the surrounding properties being utilized for residential purposes. The fence should be retained on the site plan, but revised to show compliance with Section 64-4.D.6 of the Zoning Ordinance concerning height of fences in front yards.

It should be noted that the application states that the church building has a seating capacity of 200. According to the parking ratio of 1 space per 4 seats as prescribed in the Zoning Ordinance, 50 parking spaces would be needed. As the proposed parking area only includes 32 parking spaces, if the PUD is approved, it should be subject to the approval of a parking ratio variance from the Board of Zoning Adjustments. Additionally, no curbs or wheel stops are shown on the site plan for the parking stalls; the site plan should be revised to illustrate these for all parking stalls.

The applicant has stated that there will be no dumpster on site as the church does not currently use one and has no plans to add one. As such, the site plan should have a note placed on it detailing how garbage will be collected from the site.

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.

The purpose of the subdivision application is to create two legal lots of record from six existing legal lots of record. The application also proposes to correct a 7.8 foot encroachment of the existing church building onto property not now owned by the church. The site is served by both public water and public sanitary sewer.

The site has frontage onto two minor streets, Bolden Street and William Street. The site plan depicts the existing church building facing Bolden Street with no curb cuts onto Bolden Street, and the area between the building face and the street being landscaped. The site plan further depicts an existing shed to the rear of the church building, as well as a new 32-space parking lot with two curb cuts to William Street. Due to limited frontage onto William Street, Traffic Engineering has stated in their comments that the site should be limited to either one two-way curb cut onto William Street or two one-way curb cuts onto William Street. Also, due to the limited frontage, the site should be limited to one curb cut onto Bolden Street.

Neither Bolden Street nor William Street are provided with curb and gutter; and both streets have an inadequate right-of-way of 45 feet. The Subdivision Regulations specify that minor streets not provided with curb and gutter require a right-of-way of 60 feet. A right-of-way dedication would seem to be uncharacteristic of the surrounding neighborhood. As such, the plat should be revised to depict a 35 foot setback along all right of way frontages to account for future right-of-way acquisition and street improvements, should such be deemed necessary in the future. Also of note, the plat and PUD/Planning Approval applications show William Street as Williams Street. City engineering records show that the correct street name is William Street, and, therefore, the plat should be revised to reflect this.

As mentioned earlier, one of the objectives of the subdivision application is to correct the encroachment of the existing church building. To that end, the lot line between the church building and an existing single family residence has been shifted northeasterly to accommodate the encroachment. The lot line shift will create another issue, namely, a rear yard setback issue for the church building and a rear yard setback issue for the existing single-family residence. In an R-1 Zoning District, a rear yard of eight feet is required. The lot line shift will create a rear yard of 6.2 feet for both structures. If the subdivision is approved, it should be under the condition that a rear yard setback variance be granted by the Board of Zoning Adjustments for both the church and the single family residence.

Additionally, the subdivision application, if approved, would further subdivide and already nonconforming 5316 square foot lot with 50.21 feet of public right-of-way frontage into a 4379 square foot lot with 50.21 feet of public right-of-way frontage. The Subdivision Regulations require a minimum lot size of at least 7200 square feet for a lot served by public water and sanitary sewer and public right-of-way frontage of at least 60 feet. Therefore a waiver of section V.D.2 of the Subdivision Regulations may be appropriate.

RECOMMENDATION

Planning Approval: The request is recommended for Holdover until the December 18, 2008 meeting, with revisions due by November 28, 2008, to address the following:

- 1) Revision of the site plan to reflect Traffic comments reference to number and location of curb cuts, including marking of one-way access ways, if applicable;
- 2) Revision of the site plan to depict either wheel stops or curbs at parking areas;
- 3) Revision of the site plan to depict sidewalks;
- 4) Revision of the site plan to depict dumpster location or provision of a note on the site plan addressing trash collection method;

- 5) Submittal of a variance application for the rear yard setback of the existing church building and a parking ratio variance;
- 6) 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.*);
- 7) Revision of the site plan to depict 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 35-feet of a street right-of-way, where the fence shall not exceed 3-feet in height;
- 8) Revision of the site plan to depict a storm water detention basin, if required by compliance with the City of Mobile storm water and flood control ordinances; and
- 9) Revision of the site plan to depict the 35-foot minimum building setback line.

Planned Unit Development: The request is recommended for Holdover until the December 18, 2008 meeting, with revisions due by November 28, 2008, to address the following:

- 1) Revision of the site plan to reflect Traffic comments reference to number and location of curb cuts, including marking of one-way access ways, if applicable;
- 2) Revision of the site plan to depict either wheel stops or curbs at parking areas;
- 3) Revision of the site plan to depict sidewalks;
- 4) Revision of the site plan to depict dumpster location or provision of a note on the site plan addressing trash collection method;
- 5) Submittal of a variance application for the rear yard setback of the existing church building and a parking ratio variance;
- 6) 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.*);
- 7) Revision of the site plan to depict 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 35-feet of a street right-of-way, where the fence shall not exceed 3-feet in height;
- 8) Revision of the site plan to depict a storm water detention basin, if required by compliance with the City of Mobile storm water and flood control ordinances;
- 9) Revision of the site plan to depict the 35-foot minimum building setback line.

Subdivision: The request is recommended for Holdover until the December 18, 2008 meeting, with revisions due by November 28, 2008, to address the following:

- 1) Revision of the plat to remove depiction of the insufficient dedication and instead depict a 35 foot setback line from the existing right-of-way;
- 2) Provision of a note on the plat limiting Lot 1 to one curb cut onto Bolden Street and two curb cuts onto William Street; and limiting Lot 2 to one curb cut onto William Street;
- 3) Revision of the plat to reflect to correct name of William Street;
- 4) Submission of a rear yard setback variance application for the existing church building on the proposed Lot 1; and
- 5) Submission of a rear yard setback variance application for the existing single-family residence on the proposed Lot 2.

LOCATOR MAP



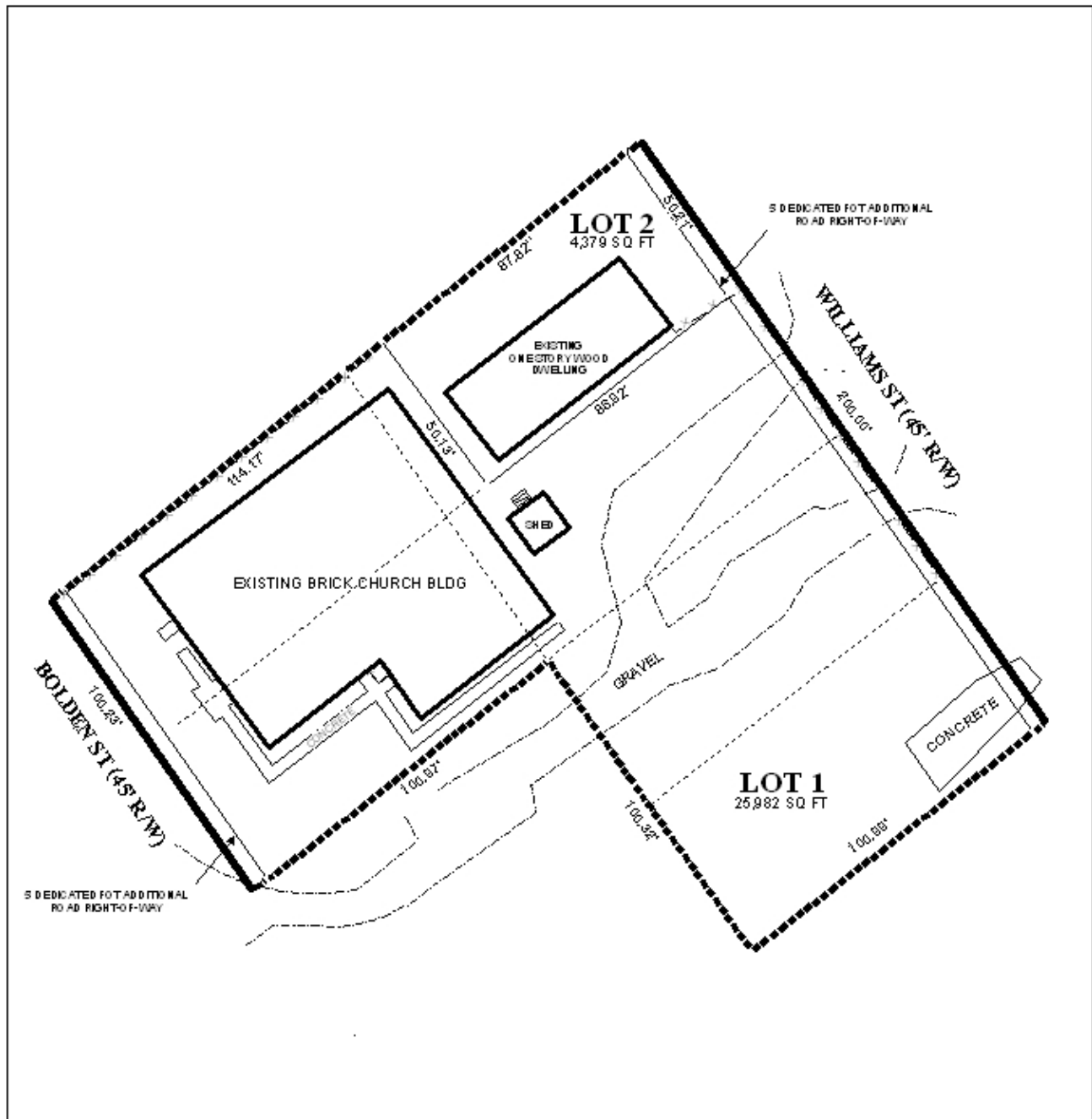
APPLICATION NUMBER 11, 12, 13 DATE November 20, 2008

APPLICANT Apostolic Pentecostal Holy Church of God Subdivision

REQUEST Subdivision, Planned Unit Development, Planning Approval



SUBDIVISION DETAIL



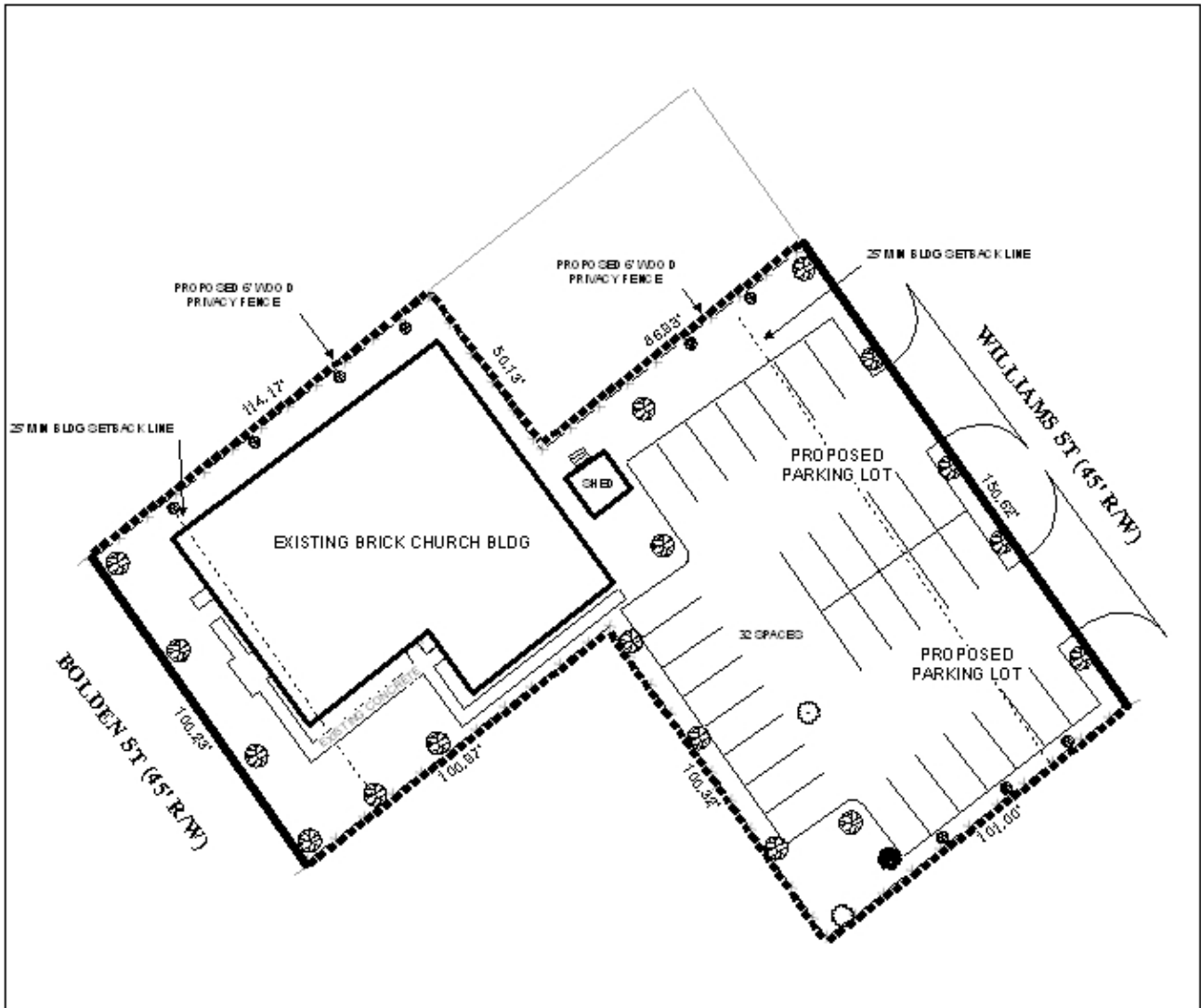
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N
NTS

SITE PLAN




This site plan illustrates proposed planned unit development and planning approval.


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 REQUEST Subdivision, Planned Unit Development, Planning Approval

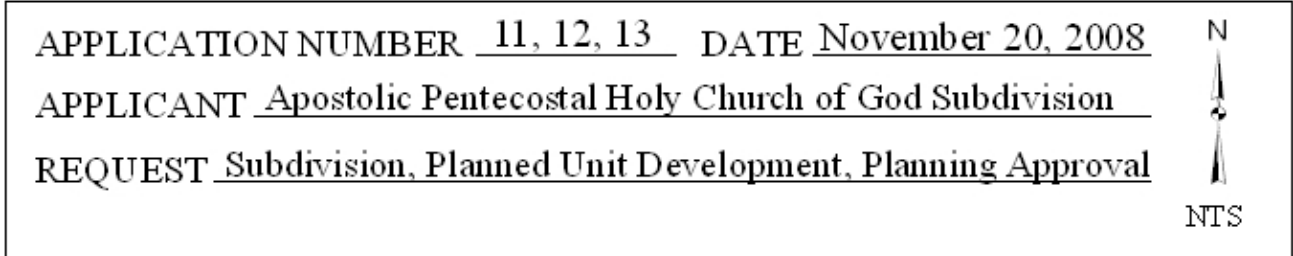
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N

 NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by residential land use with a church on site.

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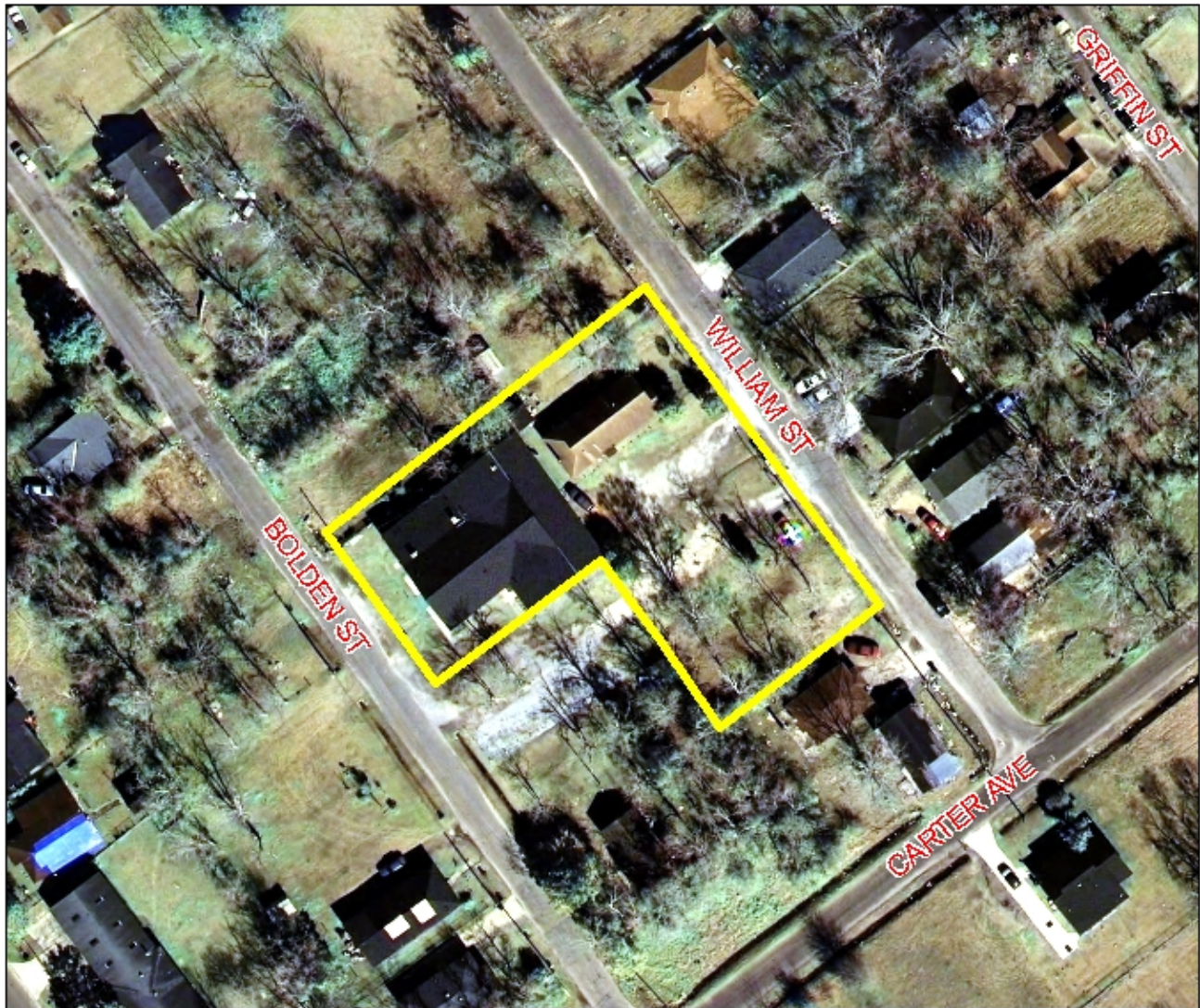
LEGEND

 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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N

NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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