

**ZONING AMENDMENT,
PLANNING APPROVAL,
PLANNED UNIT DEVELOPMENT &
SUBDIVISION STAFF REPORT****Date: November 20, 2014**

<u>NAME</u>	Springhill Baptist Church
<u>SUBDIVISION NAME</u>	Springhill Baptist Church Subdivision
<u>LOCATION</u>	2 South McGregor Avenue (East side of South McGregor Avenue, 100'± South of Old Shell Road, and West side of South McGregor Avenue, 295'± South of Old Shell Road)
<u>CITY COUNCIL DISTRICT</u>	District 7
<u>PRESENT ZONING</u>	R-1, Single-Family Residential and B-2, Neighborhood Business
<u>PROPOSED ZONING</u>	R-1, Single-Family Residential
<u>REASON FOR REZONING</u>	Eliminate split zoning
<u>AREA OF PROPERTY</u>	3 Lots / 11.0 ± Acres
<u>CONTEMPLATED USE</u>	<p>Subdivision approval to create 3 lots, Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to R-1, Single-Family Residential District, to eliminate split zoning, Planned Unit Development Approval to allow multiple buildings on multiple building sites, and Planning Approval to allow an expansion of an existing church in a R-1, Single-Family Residential District.</p> <p>It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.</p>
<u>TIME SCHEDULE</u>	Improvements anticipated to begin in January or February 2015.

ENGINEERING
COMMENTS

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.
- C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- D. Provide and label the monument set or found at each subdivision corner.
- E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- G. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the City of Mobile.
- H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Planned Unit Development: ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

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 Policy Letters.

Planning Approval:

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).
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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.

Zoning: No comments.

TRAFFIC ENGINEERING**COMMENTS**

The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.

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 Subdivision approval to create 3 lots, Rezoning from R-1, Single-Family Residential District, and B-2, Neighborhood Business District, to R-1, Single-Family Residential District, to eliminate split zoning, Planned Unit Development Approval to allow multiple buildings on multiple building sites, and Planning

Approval to allow an expansion of an existing church in a R-1, Single-Family Residential District. Churches require Planning Approval when located in R-1 districts.

The purpose of this application is to create legal lots for all of the holdings of the Spring Hill Baptist Church. As part of this process, a Planned Unit Development application has been submitted to address the fact that the Church has properties on both sides of McGregor Avenue, and that multiple buildings occur on single lots, with cross access across multiple lots. The rezoning request is to address a portion of the overall property that appears to have been commercially zoned prior to the adoption of the current Zoning Ordinance in 1967. And finally, Planning Approval is requested to encompass all of the Church's operations and facilities within an R-1 district.

The only new construction that is proposed is the addition of several canopies to allow vehicles to drop off and pick up parishioners under shelters, as well as covered walkways between the sanctuary and the other buildings on the East property. Other site improvements include new tree plantings in new parking islands, an ornamental wall and signage, a new crosswalk across McGregor Avenue, a prayer garden, and the widening of the sidewalk along the East side of McGregor Avenue, north of the Moorer Library, to more closely reflect the Village of Spring Hill sidewalk design.

The site is bounded to the North and West by various businesses located in a B-2 district, and to the East and South by residences and the campus of Spring Hill College, both of which are in an R-1 district.

The site appears to be depicted as a mixture of residential, commercial and park/open space on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component 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 zoning classification.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The applicant is creating legal lots of record from various parcels, and as part of the Subdivision process will create a split-zoning condition. Thus the subdivision of the land makes the reclassification necessary and desirable.

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.

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.

PUD approval and Planning Approval are 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 and Planning Approval site plans must be made prior to any construction activities.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The changes proposed for the overall Church facilities will not alter the existing 1,166 person seating capacity of the sanctuary, nor will it result in a parking deficit (292 parking spaces are required, while 441 are provided). The number of trees on site will be increased, and signage for the Church will be improved. As the changes will be relatively minor, no impacts to the abutting residential, educational or commercial developments are anticipated.

Regarding access, no new curb-cuts or modifications to the existing curb-cuts are proposed, thus the site should be limited to the existing curb-cuts. It should be noted that access is also shared with the Moorer Library and with Portier Place (via land owned by Spring Hill College) on the East side, and with the CVS site on the West side. No changes to the shared accesses are proposed, and it should be pointed out that these shared accesses have existed for several decades.

South McGregor Avenue is a proposed Major Street, and at this location should have a minimum right-of-way width of 80 feet. The existing width is depicted on the preliminary plat as ranging from 70 ± to 76 ± feet. Two recent subdivisions immediately to the North of the site have been required to dedicate right-of-way sufficient to provide 40 feet from centerline along McGregor, and in this instance, it appears that the dedication has occurred on the East side of the right-of-way. In each of these previous Subdivision cases, complete site redevelopment occurred: as no site redevelopment is proposed as part of this application, an increased minimum building

setback should be required in lieu of dedication, waiving Section V.B.2. of the Subdivision Regulations.

Any future development of the overall Church facilities, not depicted on the information submitted, will require new applications for consideration by the Planning Commission.

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

Rezoning: The rezoning request is recommended for approval, subject to the following condition:

- 1) Completion of the Subdivision process.

Planning Approval: The Planning Approval request is recommended for approval, subject to the following conditions:

- 1) Limited to the site plan submitted, with revisions listed below;
- 2) Depiction of the minimum building setback line on the East side, for Lots 1 and 3, to be 25-feet plus the distance required to provide 40-feet from centerline from South McGregor Avenue;
- 3) Depiction of the minimum building setback line on the West side, for Lot 2, to be a minimum of 25-feet from the South McGregor Avenue right-of-way;
- 4) 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.);*
- 5) Compliance with Traffic Engineering comments (*The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The*

- permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.);*
- 6) Compliance with Fire 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.);*
 - 7) 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 61-929 and City Code Chapters 57 and 64).);*
 - 8) Placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
 - 9) Completion of the Zoning process; and
 - 10) Provision of 4 copies of the revised Planning Approval site plan prior to or at time of Subdivision plat signing.

Planned Unit Development: The Planned Unit Development request is recommended for approval, subject to the following conditions:

- 1) Limited to the site plan submitted, with revisions listed below;
- 2) Depiction of the minimum building setback line on the East side, for Lots 1 and 3, to be 25-feet plus the distance required to provide 40-feet from centerline from South McGregor Avenue;
- 3) Depiction of the minimum building setback line on the West side, for Lot 2, to be a minimum of 25-feet from the South McGregor Avenue right-of-way;
- 4) Compliance with Engineering comments (*ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 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 Policy Letters.);*
- 5) Compliance with Traffic Engineering comments (*The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap*

spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.);

- 6) Compliance with Fire 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.);*
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- 8) Placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 9) Completion of the Zoning process; and
- 10) Provision of 4 copies of the revised PUD site plan prior to or at time of Subdivision plat signing.

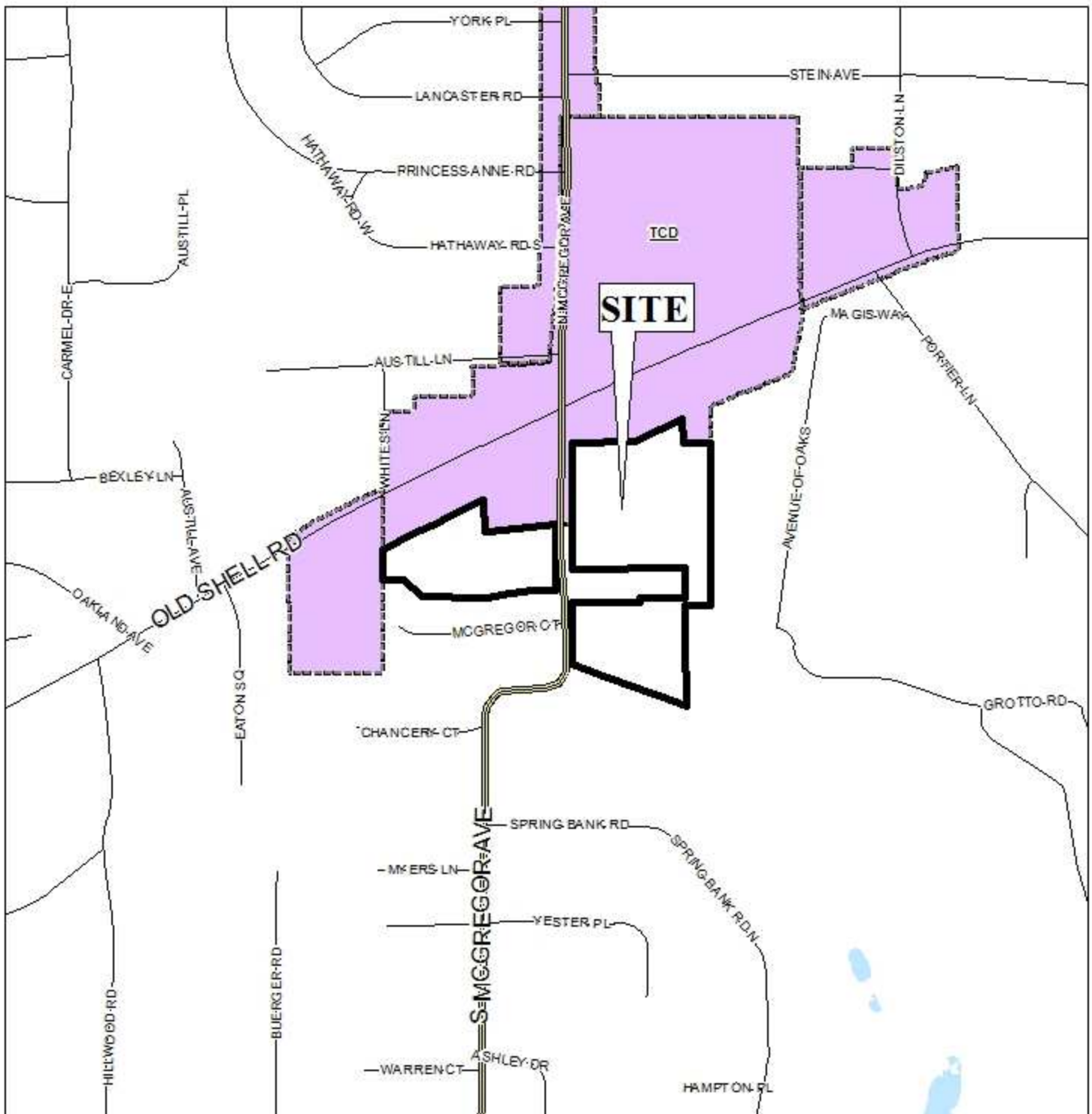
Subdivision: With a waiver of Section V.B.2., the Subdivision request is recommended for Tentative Approval, subject to the following conditions:

- 1) Depiction of the minimum building setback line on the East side, for Lots 1 and 3, to be 25-feet plus the distance required to provide 40-feet from centerline from South McGregor Avenue;
- 2) Depiction of the minimum building setback line on the West side, for Lot 2, to be a minimum of 25-feet from the South McGregor Avenue right-of-way;
- 3) Compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. C. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. D. Provide and label the monument set or found at each subdivision corner. E. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. F. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. G. Remove the County Engineer's signature block from the Plat. The County Engineer no longer signs plats within the municipal limits of the*

City of Mobile. H. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 4) *Compliance with Traffic Engineering comments (The site is limited to its existing curb cuts, with size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. Any work in the City right-of-way will require a Right-of-Way permit. The permitting of the midblock crosswalk will need to include any necessary signage and striping, as well as confirmation that a crossing guard is on-site during high volume crossing periods.);*
- 5) *Compliance with Fire 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.);*
- 6) *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 61-929 and City Code Chapters 57 and 64).);*
- 7) *Placement of a note on the plat / site plan stating that the site must be developed in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species; and*
- 8) *Provision of 4 copies of the revised PUD and Planning Approval site plans prior to or at time of Subdivision plat signing.*

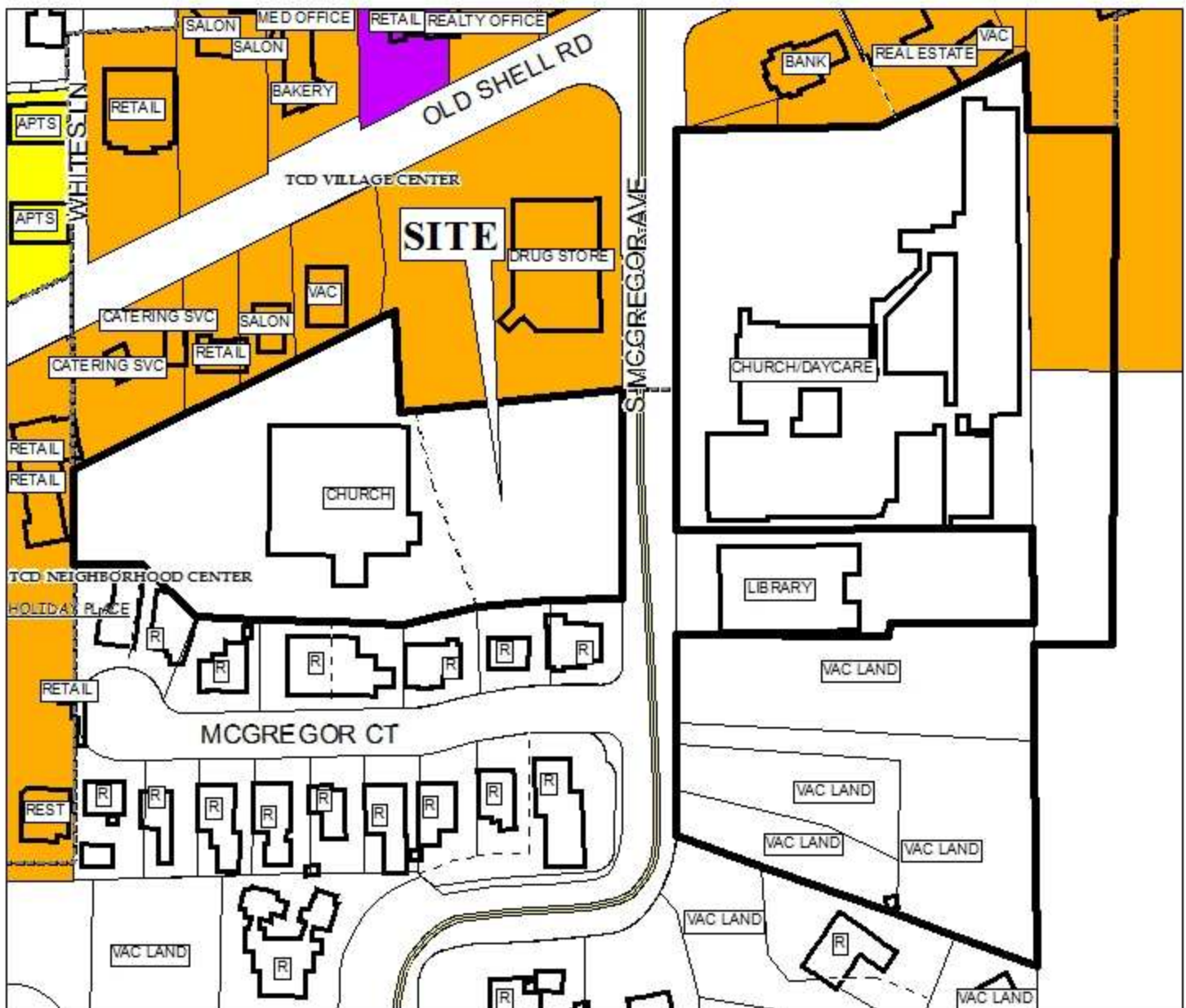
LOCATOR MAP



APPLICATION NUMBER 14 DATE November 20, 2014
 APPLICANT Springhill Baptist Church Subdivision
 REQUEST Subdivision, PUD, PA, Rezoning from R-1 & B-2 to R-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units to the north and west, and residential units to the south.

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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 ZONING

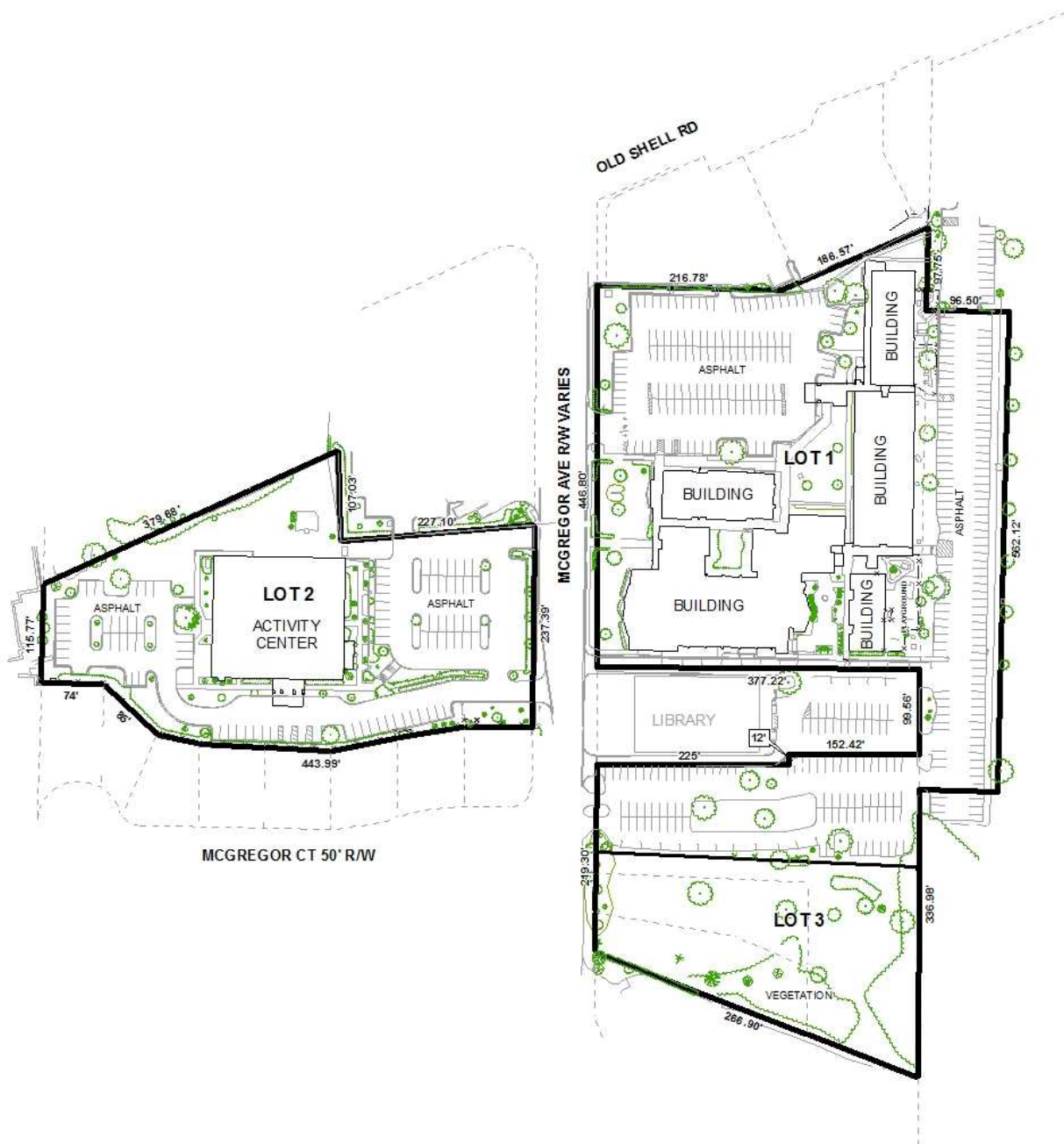


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SITE PLAN

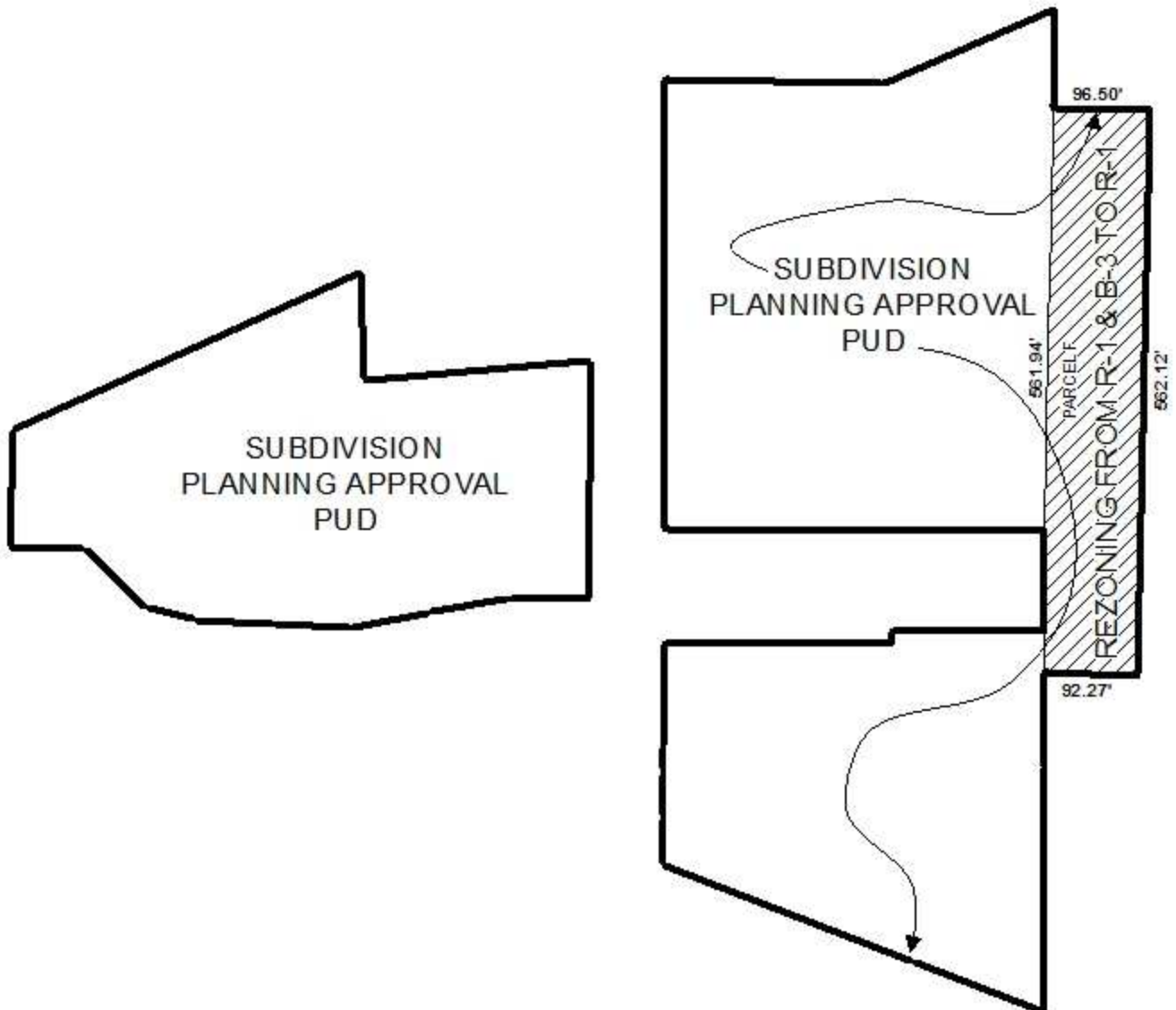


The site plan illustrates the proposed lots, existing buildings, parking, and vegetation.

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REQUEST Subdivision, PUD, PA, Rezoning from R-1 & B-2 to R-1



DETAIL SITE PLAN



APPLICATION NUMBER 14 DATE November 20, 2014

APPLICANT Springhill Baptist Church Subdivision

REQUEST Subdivision, PUD, PA, Rezoning from R-1 & B-2 to R-1



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REQUEST Subdivision, PUD, PA, Rezoning from R-1 & B-2 to R-1



NTS