

**SUBDIVISION,  
PLANNING APPROVAL,  
PLANNED UNIT DEVELOPMENT, &  
SIDEWALK WAIVER STAFF REPORT****Date: November 6, 2014**

<b><u>NAME</u></b>	Church of God Pentecostal
<b><u>SUBDIVISION NAME</u></b>	Mobile Terrace Subdivision, Lot 1 of Resubdivision of Lots 27, 28, 29 and 30, Block 17
<b><u>LOCATION</u></b>	345 Roosevelt Avenue (Northeast corner of Roosevelt Avenue and Eighth Street and Northwest corner of Roosevelt Avenue and Eight Street)
<b><u>CITY COUNCIL DISTRICT</u></b>	District 7
<b><u>PRESENT ZONING</u></b>	R-1, Single-Family Residential District
<b><u>AREA OF PROPERTY</u></b>	Subdivision: 1 lot / 0.2 ± acres PUD & PA: 2 lots / 0.5 ± acres
<b><u>CONTEMPLATED USE</u></b>	Planning Approval to allow the expansion of an existing church in a R-1, Single-Family Residential District, Planned Unit Development approval to allow shared parking between two separate lots and waive buffer fence requirements for an existing church school, Sidewalk Waiver approval to waive construction of a sidewalk along Roosevelt Avenue and Eighth Street and Subdivision approval to create one legal lot of record.
<b><u>TIME SCHEDULE FOR DEVELOPMENT</u></b>	Phase 1: To begin immediately and last 6 months. Phase 2: To begin approximately 6-12 months after completion of Phase 1.
<b><u>ENGINEERING COMMENTS</u></b>	

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

- A. 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.

- B. 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.
- C. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- D. 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.
- E. 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.
- F. 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.

**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.

**Sidewalk Waiver:** It appears that there is sufficient room within the Roosevelt Avenue ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Lot 1 is limited to a total of two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 61-929 and City Code Chapters 57 and 64).

The planting of frontage trees to meet the requirements of the Zoning Ordinance for the project area only, planting numbers and location to be coordinated with the Planning Staff.

## **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.

## **MAWSS COMMENTS**

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering Inc.

## **REMARKS**

The applicant is requesting Planning Approval to allow the expansion of an existing church in a R-1, Single-Family Residential District, Planned Unit Development approval to allow shared parking between two separate lots and waive buffer fence requirements for an existing church school, Sidewalk Waiver approval to waive construction of a sidewalk along Roosevelt Avenue and Eighth Street and Subdivision approval to create one legal lot of record.

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.

**Planning Approval and PUD approval are site plan specific, thus the plan must be accurate at time of submittal, and any changes to the site plan must be approved by the Planning Commission.**

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 site has frontage along two minor streets. Roosevelt Avenue has winged curbing but no gutter and Eighth Street has no curb-and-gutter adjacent to the site. The right-of-way width for Roosevelt Avenue is depicted as 50' and the right-of-way width for Eighth Street measures only 30' along the southern lot line of the proposed Lot 1; however, the applicant is proposing a 10' dedication to the City of Mobile to provide 25', as measured from centerline. The Subdivision Regulations requires a 60' right-of-way width for streets without curb-and-gutter; however, there do not appear to be any open drainage ditches in the immediate vicinity along either road and as the site is within an existing subdivision, only the provision of a corner radius in compliance with Section V.D.6. of the Subdivision Regulations should be required along the northeast corner of Roosevelt Avenue and Eighth Street. As such, a waiver of Section V.B.14. of the Subdivision Regulations will be required for approval since the applicant is proposing dedication sufficient to provide 25' as measured from centerline, instead of the required 30'.

As a means of access management, the proposed lot should be to 2 curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards.

In regards to the Planning Approval request, the site is currently developed with a church that has existed since 1984, long before the site was annexed into the City. The applicant proposes to expand the church with two (2) 700 sf. additions in two phases. As the additions are proposed as classroom and office space with restrooms, the church's required parking will not increase and it would appear that the proposed use would be a continuation of the existing use of the site.

Further, it appears that the current parking areas on the proposed lot and existing lot where the church is located would be considered non-conforming and as such, non-conforming documentation should be submitted to the Planning Division of the Urban Development Department, if approved. The site plan illustrates 1 proposed accessible parking space adjacent to the church; however, there is no curbing or bumper stop illustrated. If approved, the parking space should be constructed in compliance with Section 64-6. of the Zoning Ordinance.

In accordance with the Subdivision Regulations, the proposed lot exceeds the minimum lot size requirements and the 25' minimum building setback line is depicted, but should be revised to reflect dedication of a corner radius at the northeast corner Roosevelt Avenue and Eighth Street, if approved.

As the applicant is proposing a 2-phased addition, full compliance with the tree and landscaping requirements of the Zoning Ordinance will not be required until the time of development if the total gross floor area of the site is increased and/or decreased by at least 50% of the existing buildings' footprint.

It should be pointed out that the applicant has requested a waiver of the residential adjacency buffer requirements in Section 64-4.D.1. of the Zoning Ordinance. The Commission has considered such requests before, however, they have typically been based upon an adjacent homeowner requesting the omission of the buffer. When the Commission has approved such a request, it has typically been conditioned upon the buffer requirement be provided if, at anytime, an adjacent property owner (existing or future) requests such. If written requests are submitted by abutting property owners, the Commission should consider them; if, however, the request is only by the applicant, the Commission should be mindful of the requirement of buffering adjacent residential uses from more intense non-residential uses.

If a buffer will be provided, notes should also be placed on the revised site plan stating that any proposed privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Roosevelt Avenue and Eighth Street.

No dumpster is depicted on the site plan; however, a note is listed stating that garbage will be via curb-site pick up. If approved, these notes should be retained on any revised site plan.

The site plan also depicts a proposed detention area on the south side of the existing church. The proposed detention area will require proper land disturbance permitting.

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.

In regards to the Sidewalk Waiver request, there do not appear to be any sidewalks within the vicinity of the site and therefore, a waiver of the construction of a sidewalk may be appropriate. However, site conditions appear to such that sidewalk is buildable, and church members (especially the young or elderly) may benefit from the provision of a sidewalk along all abutting streets.

### **RECOMMENDATION**

**Subdivision:** With a waiver of Section V.B.14. of the Subdivision regulations, this application is recommended for tentative approval, subject to the following conditions:

- 1) Provision of a corner radius on the Final Plat in compliance with Section V.D.6. of the Subdivision Regulations at the northeast corner of Roosevelt Avenue and Eighth Street;
- 2) Revision of the lot size information and 25' minimum building setback line to reflect dedication on the Final Plat;
- 3) Placement of a note on the Final Plat limiting Lot 1 to 2 curb-cuts, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) Placement of a note on the Final Plat stating: *(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.);*
- 5) 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. 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. B. 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. C. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. 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. E. 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. F. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);*
- 6) Compliance with Traffic Engineering comments: *(Lot 1 is limited to a total of two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);*
- 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). The planting of frontage trees to meet the requirements of the Zoning Ordinance for the project area only, planting numbers and location to be coordinated with the Planning Staff.);*
- 8) Compliance with 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.);*
- 9) Submission of non-conforming documents in regards to the existing parking conditions for the site, to the Planning Division of the Urban Development Department, prior to the signing of the Final Plat; and
- 10) Submission of a revised PUD site plan prior to the signing of the Final Plat.

**Planned Unit Development:**  
the following conditions:

The application is recommended for approval, subject to

- 1) Revision of the site plan to depict the provision of a corner radius at the northeast corner of Roosevelt Avenue and Eighth Street, in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 2) Revision of the 25' minimum building setback line on the revised site plan to reflect dedication;
- 3) Illustration of a bumper stop or curbing for proposed parking space;
- 4) Illustration of a residential buffer along all property lines adjacent to residentially used property or the submission of requests from adjacent property owners requesting that the buffer requirement be waived until requested at a future date;
- 5) Placement of a note on the site plan stating that any proposed privacy fencing provided as a buffer is not to exceed 3' in height within the 25' minimum building setbacks of Roosevelt Avenue and Eighth Street;
- 6) Retention of dumpster notes on the revised site plan;
- 7) 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.);*
- 8) Compliance with Traffic Engineering comments: *(Lot 1 is limited to a total of two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);*
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- 10) Compliance with 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.);*
- 11) Submission of a revised site plan to the Planning Division of the Urban Development Department prior to any requests for building-related or land disturbance permits;
- 12) Completion of the Subdivision process prior to any request for building-related or land disturbance permits;

- 13) Submission of a revised PUD site plan to the Planning Division of the Urban Development Department prior to the signing of the Final Plat; and
- 14) Full compliance with all other municipal codes and ordinances.

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

- 1) Revision of the site plan to depict the provision of a corner radius at the northeast corner of Roosevelt Avenue and Eighth Street, in compliance with Section 64-4.D.1. of the Zoning Ordinance;
- 2) Revision of the 25' minimum building setback line on the revised site plan to reflect dedication;
- 3) Illustration of a bumper stop or curbing for proposed parking space;
- 4) Illustration of a residential buffer along all property lines adjacent to residentially used property or the submission of requests from adjacent property owners requesting that the buffer requirement be waived until requested at a future date;
- 5) Placement of a note on the site plan stating that any proposed buffer privacy fencing is not to exceed 3' in height within the 25' minimum building setbacks of Roosevelt Avenue and Eighth Street;
- 6) Retention of dumpster notes on the revised site plan;
- 7) 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.);*
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- 10) Compliance with 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.);*
- 11) Submission of a revised site plan to the Planning Division of the Urban Development Department prior to any requests for building-related or land disturbance permits;
- 12) Completion of the Subdivision process prior to any request for building-related or land disturbance permits;
- 13) Submission of a revised PUD site plan to the Planning Division of the Urban Development Department prior to the signing of the Final Plat; and
- 14) Full compliance with all other municipal codes and ordinances.

**Sidewalk Waiver:** The sidewalk waiver requests are recommended as follows:

- 1) waiver of the construction of a sidewalk along Roosevelt Avenue is recommended for denial; and
- 2) waiver of the construction of a sidewalk along Eighth Street is recommended for denial East of Roosevelt Avenue, and approval West of Roosevelt Avenue.

# LOCATOR MAP



APPLICATION NUMBER 15 DATE November 6, 2014  
APPLICANT Mobile Terrace Subdivison, Lot 1 of Resubdivision of Lots 27, 28, 29 and 30, Block 17  
REQUEST Subdivision, Sidewalk Waiver, PA, PUD



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A daycare lies north of the site.

APPLICATION NUMBER 15 DATE November 6, 2014

APPLICANT Mobile Terrace Subdivision, Lot 1 of Resubdivision of Lots 27, 28, 29 and 30, Block 17

REQUEST Subdivision, Sidewalk Waiver, PA, PUD

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



The site is surrounded by residential units. A daycare lies north of the site.

APPLICATION NUMBER 15 DATE November 6, 2014

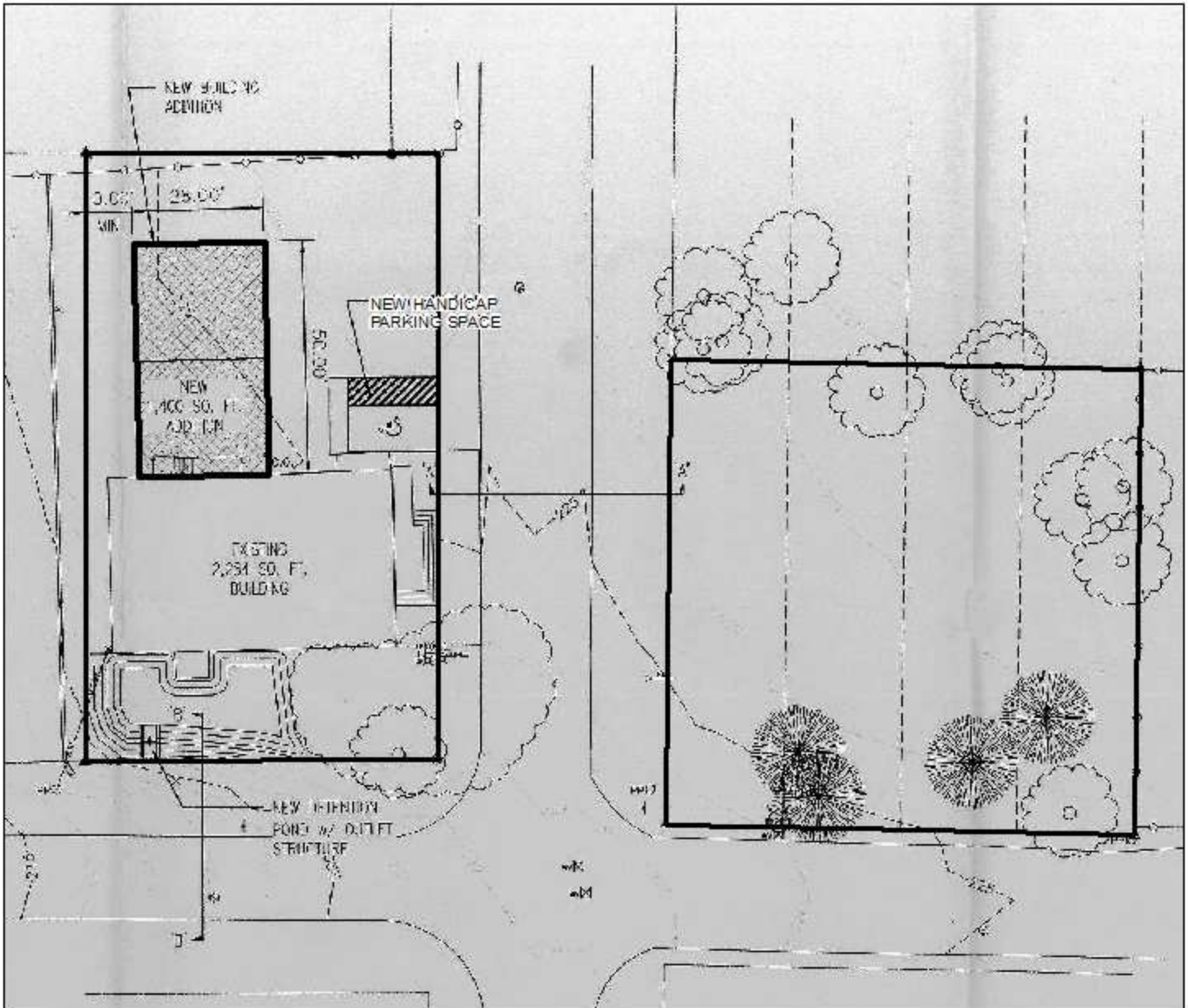
APPLICANT Mobile Terrace Subdivision, Lot 1 of Resubdivision of Lots 27, 28, 29 and 30, Block 17

REQUEST Subdivision, Sidewalk Waiver, PA, PUD





# SITE PLAN



The site plan illustrates the existing building, the proposed building addition, and new parking space.

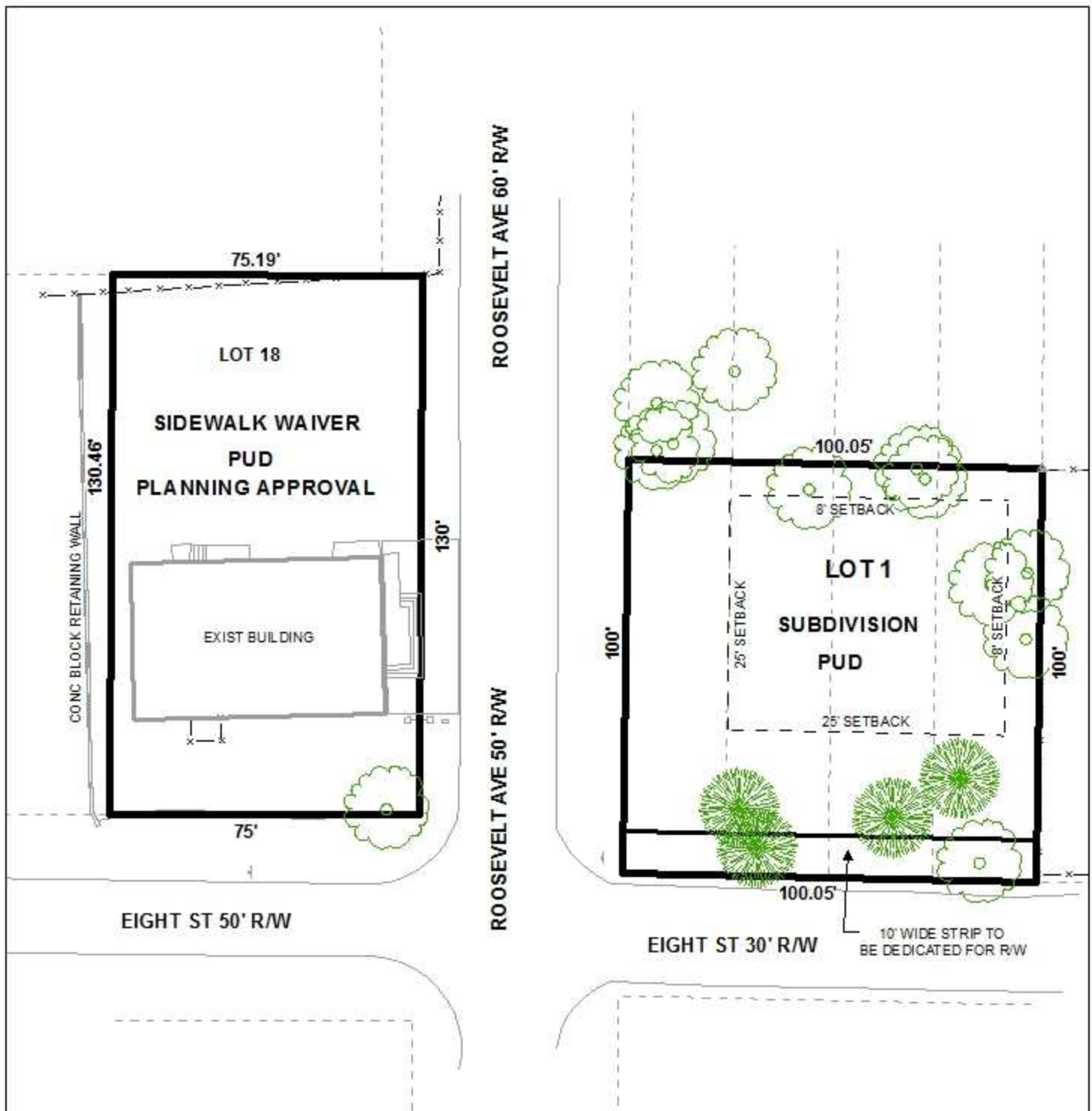
APPLICATION NUMBER 15 DATE November 6, 2014

APPLICANT Mobile Terrace Subdivision, Lot 1 of Resubdivision of Lots 27, 28, 29 and 30, Block 17

REQUEST Subdivision, Sidewalk Waiver, PA, PUD



# DETAIL SITE PLAN



APPLICATION NUMBER 15 DATE November 6, 2014  
APPLICANT Mobile Terrace Subdivision, Lot 1 of Resubdivision of Lots 27, 28, 29 and 30, Block 17  
REQUEST Subdivision, Sidewalk Waiver, PA, PUD

