

PLANNING APPROVAL STAFF REPORT**Date: June 19, 2008****NAME**

Midtown Congregation of Jehovah's Witnesses

LOCATION

West side of Farnell Lane, 148± of Pleasant Valley Road, extending West to the East termini of Angus Drive and Kendale Drive.

**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

R-1, Single Family Residential

AREA OF PROPERTY

1 Lot / 4.23 ± Acres

REMARKS

The applicant is requesting Planning Approval to allow a church in R-1, Single Family Residential zone with a small attached apartment and carport to be used on an intermittent basis by a traveling minister and his wife.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate.

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. Cannot concentrate storm water runoff to an adjacent property without a release agreement or a private drainage easement. Must provide detention for any impervious area added since 1984 in excess of 4,000 square feet. Any work performed in the right of way will require a right of way permit.

TRAFFIC ENGINEERING 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.

**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. Shall comply with 508.5.1 of the 2003 IFC.

REMARKS

The applicant is requesting Planning Approval to allow a church in R-1, Single Family Residential district with a small attached apartment and carport to be used on an intermittent basis by a traveling minister and his wife.

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.

It is very important to note that the Planning Approval review is site plan specific; therefore *any* future changes to the site plan or to the scope of operations for the church and residence, as approved, by current or future applicants must be submitted for Planning Approval.

In 2003, Planning Approval was granted for a church at this location. However, when construction plans were submitted for approval, an 800 square foot residence with a 450 square foot carport had been added. Therefore, the applicant was required to submit a new application for Planning Approval to include the added use. It should be noted that the applicant has received approval on a subdivision application for the subject property, as required by the previous Planning Approval. It should also be noted that the only change to the site plan was the addition of the residence and the carport.

The site is located in the path of the future Cottage Hill Road/Fairway Drive major street, and is adjacent to an existing 100' right-of-way for the major street and two parallel 40' service roads. While the major street is not constructed, the service roads are constructed and provide access for those houses fronting them. Also, portions of major street right-of-way exist to the East, in the area of Fairway Drive.

Based on the plan submitted, the proposed development will not impact the future major street right-of-way. Also, based on the proposed site plan, the proposed development is not of significant size or intensity to require dedication for the major street. Further, as Planning Approval is site plan specific, the addition of any buildings or additional parking would require a new Planning Approval as well as PUD approval, an additional setback from the future major street is not necessary at this time. However, the applicant should be made aware of the future major street and the potential impact on the site.

Finally, the site plan submitted shows a one story residential structure that is to be removed. It appears that a permit to remove the house from the site was obtained in 2004. Mobile GIS aerial photographs show that the house has been removed from the premises.

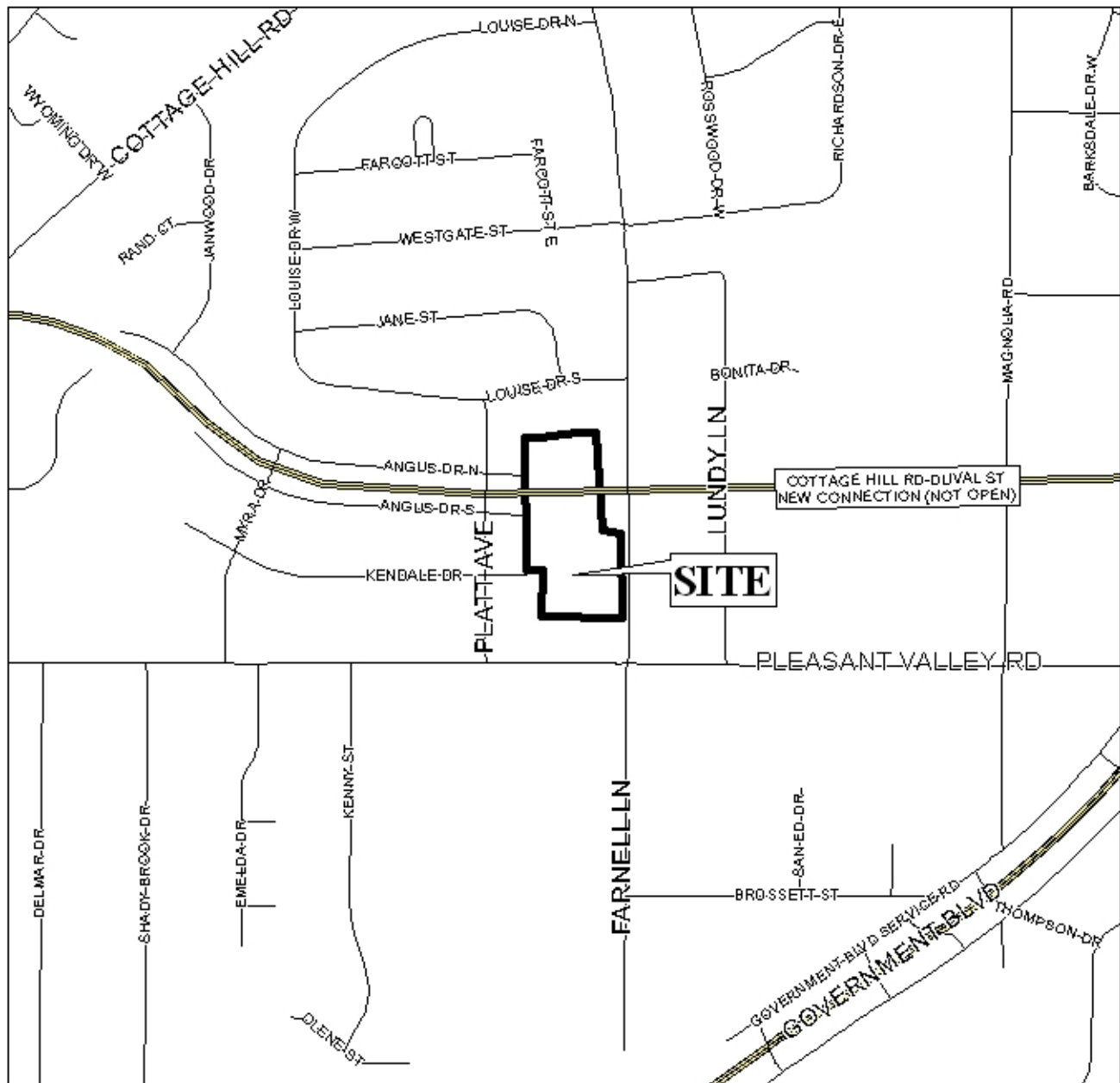
RECOMMENDATION

Planning Approval: Based upon the preceding, this request is recommended for approval subject to the following conditions:

- 1) The applicant is limited to the submitted site plan;

- 2) full compliance with the landscaping and tree planting requirements of the Zoning Ordinance;
- 3) placement of a note on the final plat stating that any lots which are developed commercially and adjoin residentially developed property must provide a buffer, in compliance with Section V.A.7 of the Subdivision Regulations; and
- 4) screening of parking facilities as required by Section VI of the Zoning Ordinance.

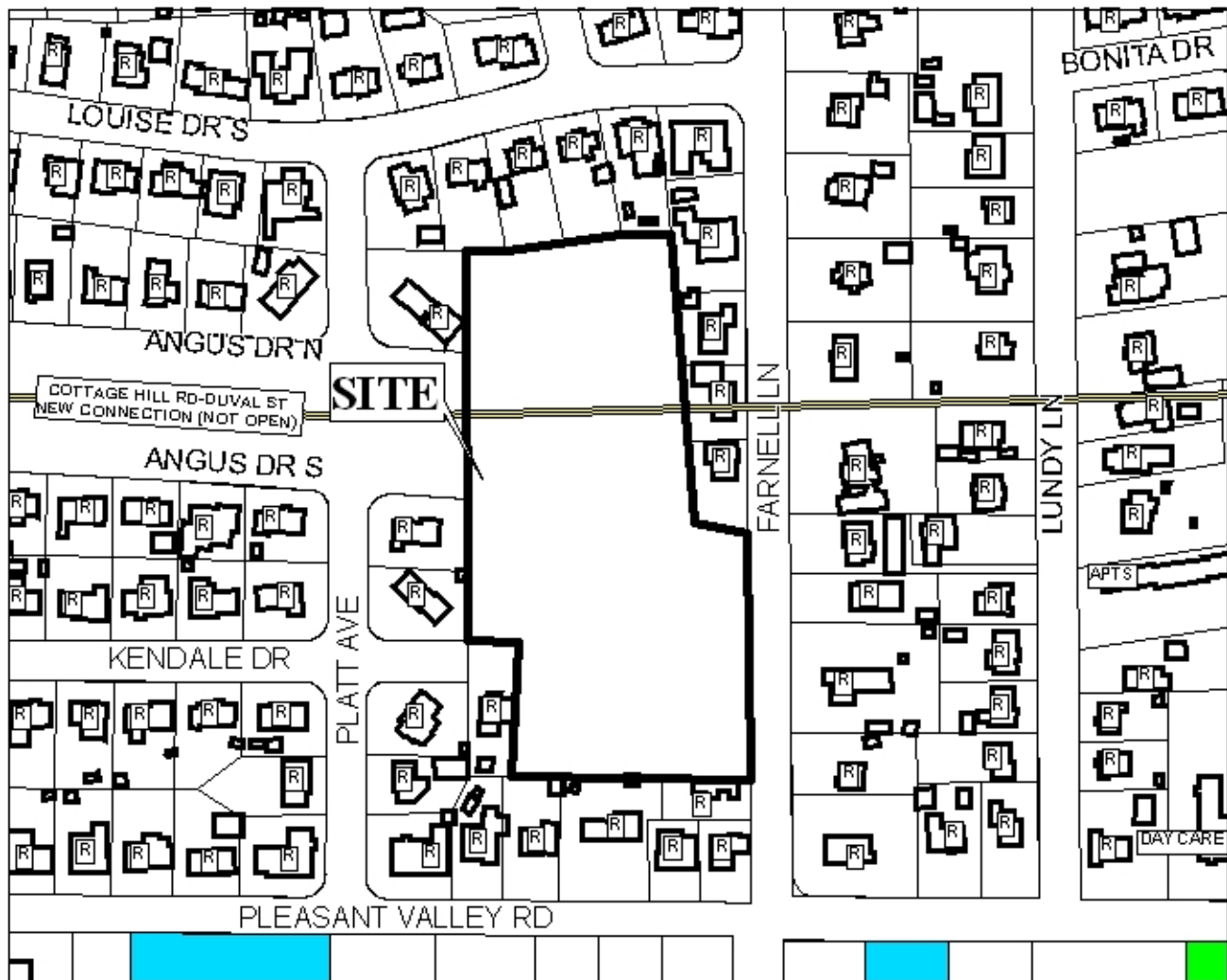
LOCATOR MAP



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 APPLICANT Midtown Congregation of Jehovah's Witnesses (Andre Baskin, Agent)
 REQUEST Planning Approval

N
NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential land use.
A daycare is located to the southeast of the site.

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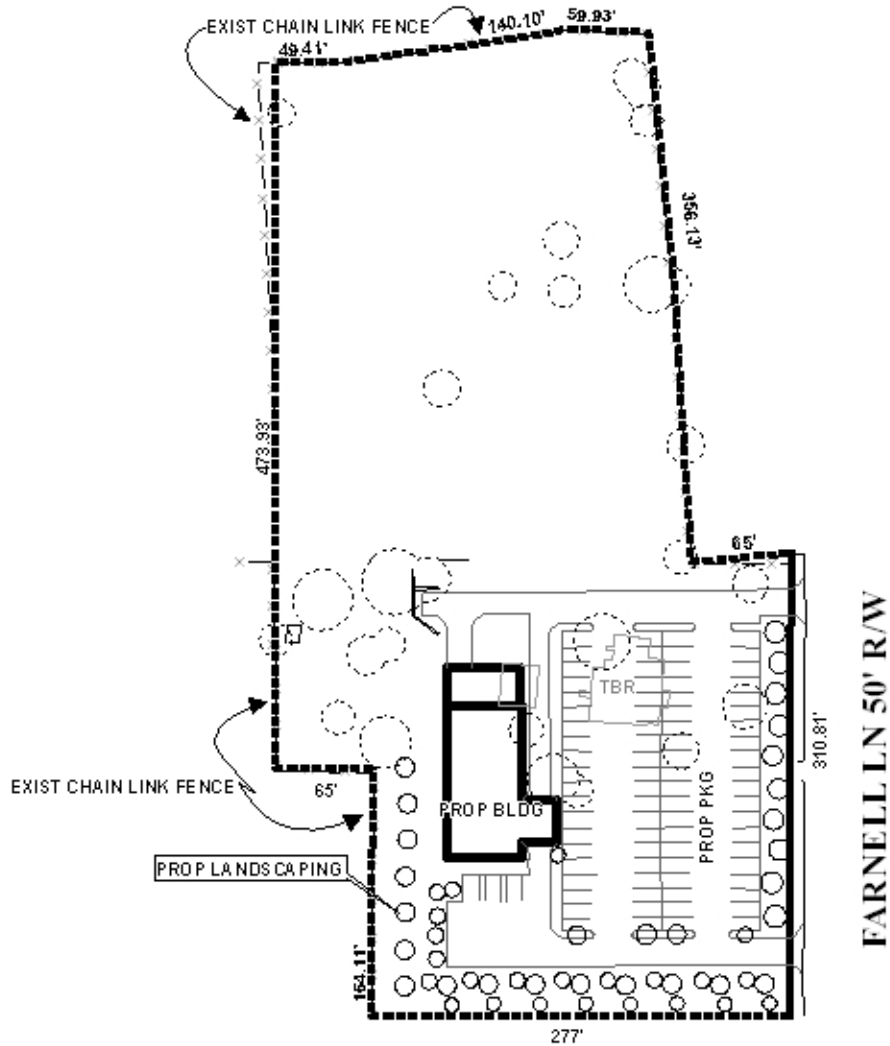
REQUEST Planning Approval

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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SITE PLAN



The site plan illustrates the proposed building, parking, landscaping, and buildings to be removed

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