



Agenda Item # 8

MOD-003124-2024

View additional details on this proposal and all application materials using the following links:

[Applicant Materials for Consideration](#)

DETAILS

Location:

6254 Howells Ferry Road

Applicant / Agent:

Redeemed Community Church (Kari Givens, Byrd Surveying, Inc., Agent)

Property Owner:

Redeemed Community Church

Current Zoning:

R-1, Single-Family Residential Suburban District

Future Land Use:

Low Density Residential

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Schedule for Development:

- Within one (1) year of approval

Proposal:

- Modification of a previously approved Planning Approval

Considerations:

1. Modification of a previously approved Planning Approval with twelve (12) conditions.

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PLANNING COMMISSION
VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

APPLICATION NUMBER <u> 8 </u> DATE <u> December 19, 2024 </u>	 NTS
APPLICANT <u> Redeemed Community Church (Kari Givens, Byrd Surveying, Inc., Agent) </u>	
REQUEST <u> Planning Approval Modification </u>	

SITE HISTORY

The site was originally part of Lot 35 of the Highland Garden and Orchard Subdivision, the plat for which was recorded in Mobile County Probate Court in July 1911. Subdivision of Lot 35 into two (2) lots, Lot A and Lot B, was approved by the Planning Commission in January 1968, and the plat was recorded in February 1968. Both lots were developed with single-family dwellings.

Between 1968 and 2013 development of the property resulted in the shifting of lot lines without approval from the Planning Commission, such that the design of the subject site was no longer compatible with the recorded subdivision plat. As such, redevelopment of the property in 2013 required full compliance with the Subdivision Regulations resulting in the approval of a one (1)-lot subdivision, Redeemed Community Church Subdivision, in November 2013. Following a one (1)-year extension of that approval, the plat was recorded in Probate Court in October 2015.

In addition to Subdivision approval in November 2013, the Planning Commission approved a Planned Unit Development (PUD) to allow redevelopment of the site with multiple buildings, and a Planning Approval to allow use of the site as a religious facility in an R-1 zoning district.

In January 2014 the Board of Zoning Adjustment approved Surfacing and Tree Planting Variances to allow a portion of the vehicle access and maneuvering areas of the site to be surfaced with aggregate material, and to reduce the amount of required tree plantings.

In May 2015, the Planning Commission approved a Sidewalk Waiver waiving construction of a sidewalk along Howells Ferry Road.

The site has since been developed in compliance with the approved Variance, Planning Approval, and PUD cases.

STAFF COMMENTS

Engineering Comments:

ADD THE FOLLOWING NOTES TO THE 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 Permitting Department (251-208-6070) 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 and paving 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. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land

and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.

5. 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. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

Traffic Engineering Comments:

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

Fire Department Comments:

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is proposing to expand use of the site to include after-school care and summer camp services. Other than the construction of a new playground area, no other changes to the site are proposed. A Minor Modification request to modify the PUD to accommodate the provision of the playground was filed with the Planning and Zoning Department and has been approved. A detailed description of the request is available via the link on Page 1 of this report.

The church proposes after-school care and summer camp services for children ages 4 to 12, for a maximum of 44 children. After-school care will be provided by six (6) staff members Monday through Friday, from 2:00 p.m. until 6:00 p.m. Summer camp services will be provided by eight (8) staff members Monday through Friday, from 7:00 a.m. until 6:00 p.m. This information should be provided on the final site plan, if approved.

The site plan depicts two (2) existing buildings, a swimming pool, two (2) utility buildings, a 37-space parking lot surfaced with asphalt, and a proposed playground. Existing trees are also identified on the site plan, including the tree plantings required by previous approvals of the development and use of the property, along with a table of tree planting and landscape area requirements. This information should be retained on the final site plan, if approved.

A table on the site plan indicates 38 parking spaces are required based upon the number of congregants (one (1) space per four (4) seats), but this calculation was required under the previous Zoning Ordinance. As mentioned, there are 37 parking spaces illustrated. Under current regulations, the parking requirements for a church are one (1) space per 150 square feet of group seating area, plus one (1) space per 500 square feet of all other areas. Parking is also required for the proposed after-school care and summer camp services: two (2) parking spaces are required per after-school teaching station or classroom, whichever is greater; and one (1) parking space is required per four summer camp (4) beds (if any). If no beds are provided, as indicated in the applicant's narrative, then it seems reasonable to apply the after-school care parking calculations to the summer camp. This information was not provided; therefore, staff cannot determine if the site continues to meet the parking requirements of the Unified Development Code (UDC). If approved, revision of the site plan to depict compliance with the off-street parking requirements for all uses of the site should be required.

No dumpster is illustrated on the site plan, but a note on the plan states garbage is placed in cans that are privately serviced. This information should be retained on the final site plan, if approved.

Another note on the site plan states the site will comply with the parking lot lighting requirements of Sections 64-6.A.3.C. and 64.6.A.8. of the Zoning Ordinance, including the provision of a photometric plan. If approved, the note should be revised to state the site shall continue to comply with the parking lot lighting requirements of Section 64-3-9.C. of Article 3 of the UDC.

Other churches have been allowed in R-1 districts along Howells Ferry Road via Planning Approval and, given the fact that the building site is densely wooded and may serve as a natural buffer between the church and residential properties, approval of the additional scope of operations may be appropriate.

It should be noted that future development or redevelopment of the site, or any changes to the scope of operations, including hours of operation, number of children, etc. may require additional modifications of the Planning Approval and PUD to be approved by the Planning Commission and City Council. A note stating as much should be placed on the recorded site plans, if approved.

PLANNING APPROVAL MODIFICATION CONSIDERATIONS

Standards of Review:

The Unified Development Code (UDC) in Section 64-5-8-B.(5) states the following concerning Planning Approval / Planned Unit Development Modifications:

Approval Criteria. The Planning Commission shall not recommend a major modification for approval, and the City Council shall not approve the modification, unless the proposed modification:

1. Is consistent with all applicable requirements of this Chapter;
2. Is compatible with the character of the surrounding neighborhood;
3. Will not impede the orderly development and improvement of surrounding property;
4. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:
 - a. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and

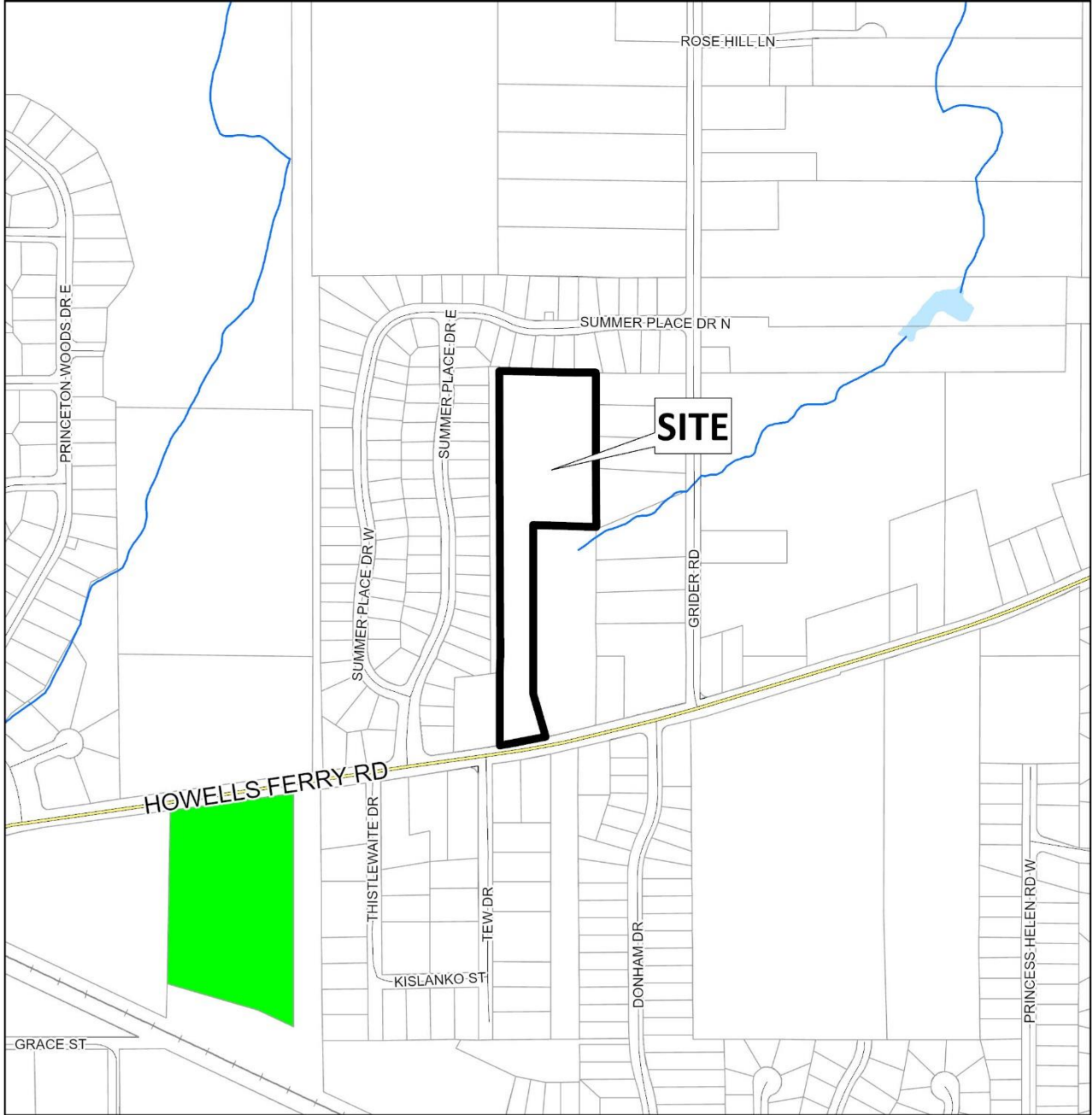
- b. Includes adequate public facilities and utilities;
- 5. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- 6. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- 7. Shall not be detrimental or endanger the public health, safety or general welfare.
- 8. Benefits Consideration. In addition, consideration should also be given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

Considerations:

If the Planning Commission considers a recommendation of approval of the Modified Planning Approval, the following conditions could apply:

1. Revision of the site plan to provide the hours of operation for the after-school care and summer camp services, along with the maximum number of children and the number of employees;
2. Retention of the required tree planting and landscape area calculations on the final site plan;
3. Revision of the site plan to depict compliance with the off-street parking requirements for all uses of the site;
4. Retention of a note on the final site plan regarding the church's use of a private waste removal service;
5. Revision of a note on the final site plan stating the site shall continue to comply with the parking lot lighting requirements of Section 64-3-9.C. of Article 3 of the UDC;
6. Provision of a note on the final site plan stating future development or redevelopment of the property, or any changes to the scope of operations, including hours of operation, number of children, etc. may require approval by the Planning Commission and City Council;
7. Compliance with all Engineering comments noted in this staff report;
8. Compliance with all Traffic Engineering comments noted in this staff report;
9. Compliance with all Urban Forestry comments noted in this staff report;
10. Compliance with all Fire Department comments noted in this staff report;
11. Provision of revised Planning Approval site plan for review by Planning and Zoning prior to recording, and provision of copies of the recorded site plans (hard copy and pdf) to Planning and Zoning; and,
12. Full compliance with all municipal codes and ordinances.

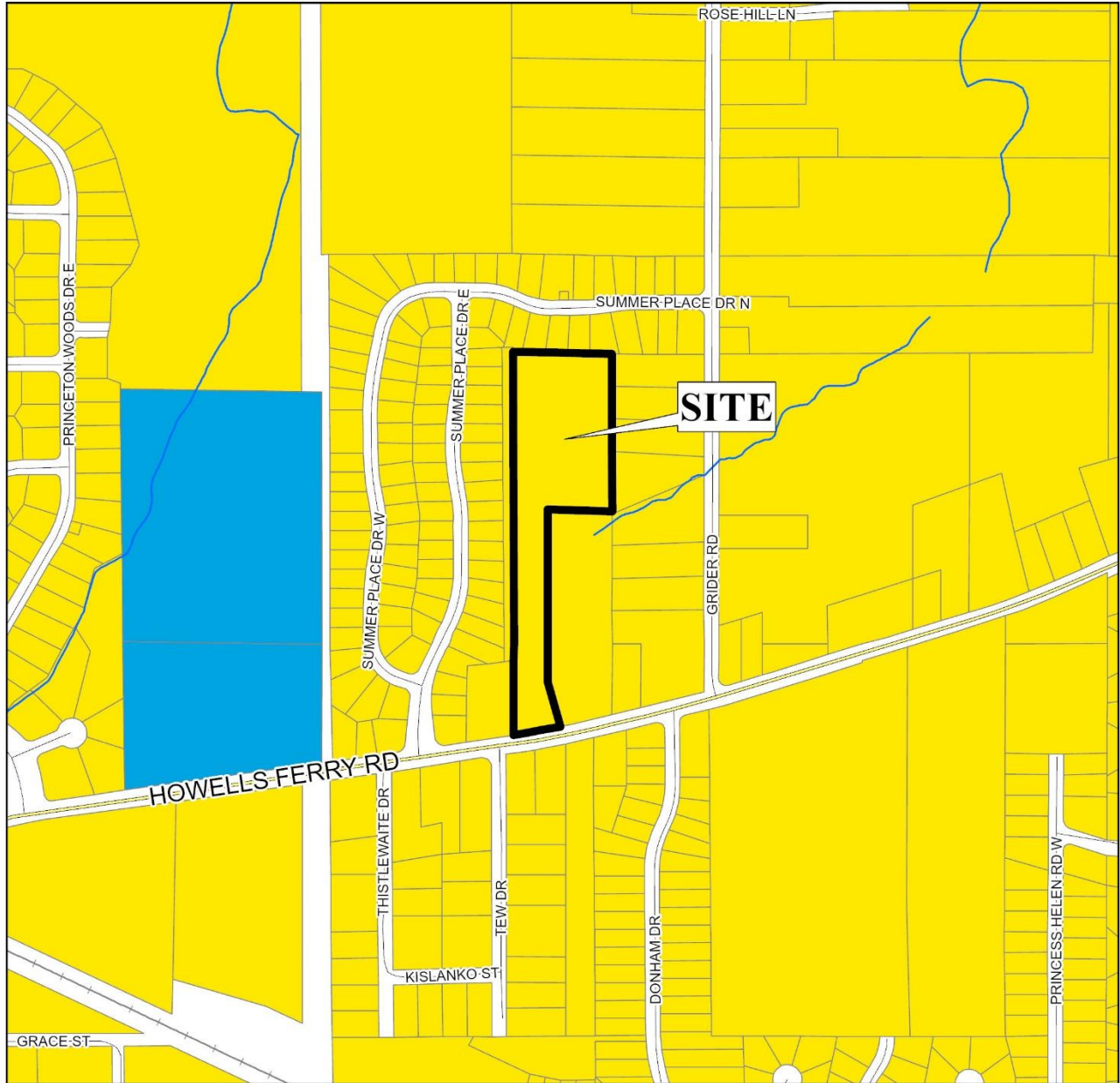
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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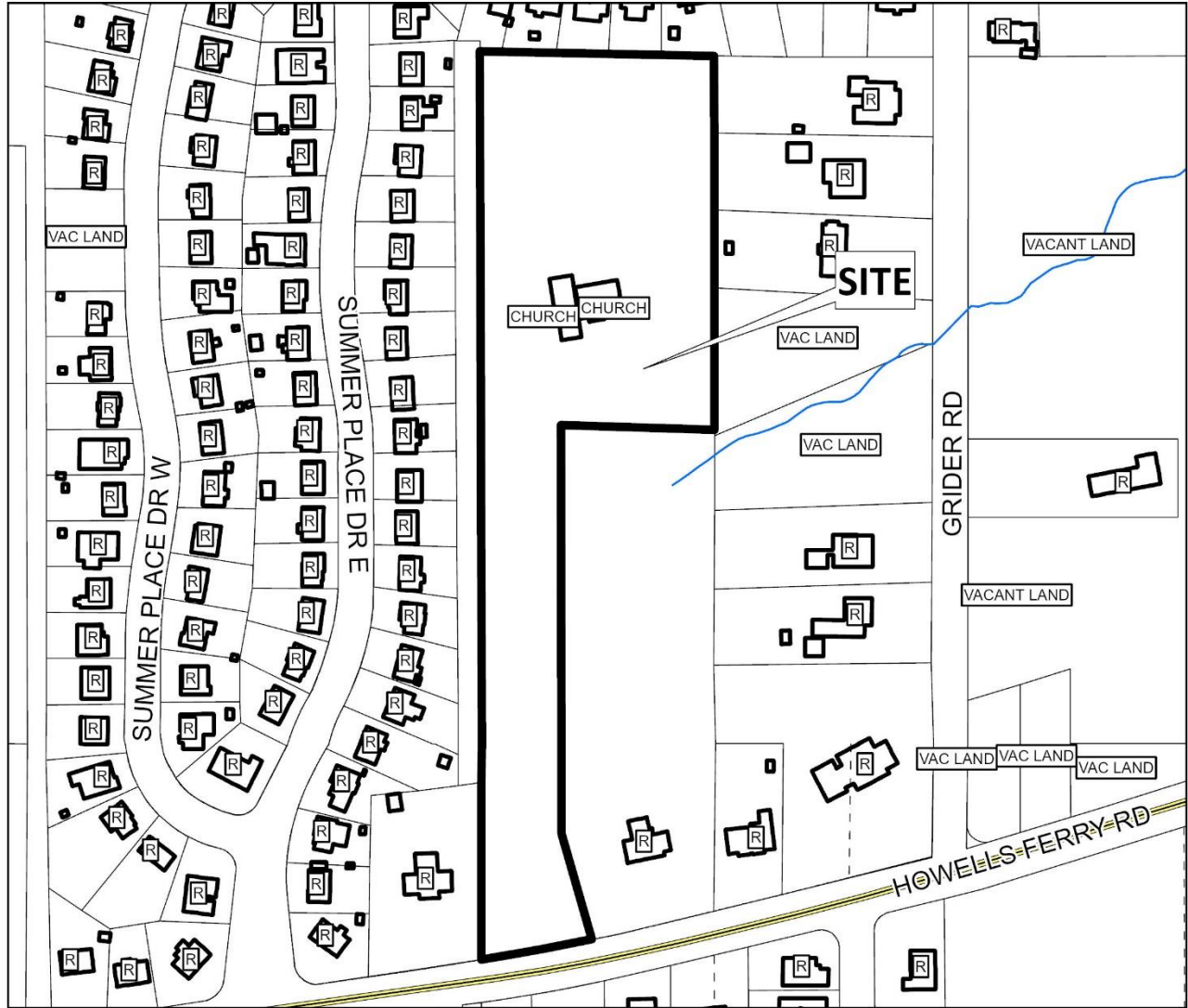
APPLICANT Redeemed Community Church (Kari Givens, Byrd Surveying, Inc., Agent)

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- | | | | |
|---|--|---|---|
| ■ Low Density Residential | ■ Neighborhood Center - Traditional | ■ Downtown Waterfront | ■ Parks & Open Space |
| ■ Mixed Density Residential | ■ Neighborhood Center - Suburban | ■ Light Industry | ■ Water Dependent |
| ■ Downtown | ■ Traditional Corridor | ■ Heavy Industry | |
| ■ District Center | ■ Mixed Commercial Corridor | ■ Institutional | |



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



The site plan illustrates the existing building, proposed drive work, trees, and setback.

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ZONING DISTRICT CORRESPONDENCE MATRIX		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDW/UR)	
RESIDENTIAL - AG	R-A															
ONE-FAMILY RESIDENCE	R-1	■				■		■					□			
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○		
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○		
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○		
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□			
HISTORIC BUSINESS	H-B			■		■		■					□			
VILLAGE CENTER	TCD					■	■						□			
NEIGH. CENTER	TCD					■	■						□			
NEIGH. GENERAL	TCD					■							□			
DOWNTOWN DEV. DDD	T-6			■									□			
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□			
DOWNTOWN DEV. DDD	T-5.2			■		■							□			
DOWNTOWN DEV. DDD	T-4			■		■		□					□			
DOWNTOWN DEV. DDD	T-3			■		■							□			
DOWNTOWN DEV. DDD	SD-WH									○	○		□			
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□			
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○		
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○		
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○		
COMMUNITY BUSINESS	B-3				■				■			○	□	○		
GEN. BUSINESS	B-4			■					■			○	□	○		
OFFICE-DISTRIBUTION	B-5								■	■			□	□		
LIGHT INDUSTRY	I-1									■			□	□		□
HEAVY INDUSTRY	I-2										■		□			□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

Residential Land Use

LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.