LEON COUNTY GROWTH AND ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES DIVISION

DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

Staff Recommendation:	**Approval with conditions**
Project Name:	**Apostolic Church of Tallahassee** (Site Plan- LSP090029)
Date:	**June 2, 2010, continued from the May 5, 2010, Development Review Committee Meeting**
Level of Review:	Type "C"
Property Owner:	Apostolic Church of Tallahassee, Inc. 228 Gail Avenue Tallahassee, FL 32305 850-877-2287
Applicant:	Same as above
Agent:	Scott Matteo P.E. DEC Engineering, Inc. 2467 Centerville Road Tallahassee, FL 32308 (850) 385-5288

Application Summary: The project involves the construction of an 11,784 square foot non-residential (religious organization) building with applicable parking spaces. The subject property is currently undeveloped/vacant. The property is located within the Urban Service Area (USA), is located in the Residential Preservation (RP) zoning district and Residential Preservation (RP) Future Land Use Category. The property has frontage on Thomasville Road, a principal arterial. The property is located inside of the Bradfordville Study Area (BSA). The application proposes to use Thomasville Road for access to the subject properties.

Religious organizations are listed as special exception uses in the Residential Preservation (RP) zoning district. Pursuant to the Section 10-6.617 (c), uses or activities permitted through special exception shall require review and approval by the Board of County Commissioners consistent with the provisions of Section 10-6-611. Notwithstanding Section 10-7.403 and 10-7.404 of the LDC, all proposed special exception uses shall require review and approval by the BCC. Therefore, a Type "C" Site and Development Plan review shall be required.

Final disposition of this Type "C" site and development plan final plan shall be determined by the Leon County Board of County Commissioners (BCC).

Staff Planner(s):	Weldon Richardson
Date of 2nd DRC Meeting:	May 5, 2010
Date of 1st DRC Meeting:	April 7, 2010
Date of 2nd Technical Staff Review:	October 28, 2009
Date of 1st Technical Staff Review:	September 16, 2009
Date of Pre-App:	June 17, 2009
Tax ID#:	14-22-08-000-057-0
Parcel Size:	4.8 acres +/-
Location:	The site is located approximately 600 feet north of the intersection of Kimmer Rowe Drive and Thomasville Road on the east side of Thomasville Road.
Access:	Thomasville Road (Principal Arterial)
Future Land Use Category:	Residential Preservation
Zoning District:	Residential Preservation
Existing Land Use:	Vacant
Infrastructure:	Potable water: City of Tallahassee water; Sanitary waste: City of Tallahassee central sewer system; Electricity: Talquin Electric Cooperative, Inc.; Stormwater management facilities: Apostolic Church of Tallahassee, Inc.

APPLICATION REVIEW CRITERIA.

Site Plan and Subdivision Review Criteria: In deciding whether to approve, approve with conditions, or deny a site plan, the Development Review Committee shall determine pursuant to Section 10-7.405, and Section 10-2.301, Type "C" Review:

(a) *Consistency with the Comprehensive Plan: The proposed Type "C" shall be consistent with the Comprehensive Plan.*

(b) *Whether the design standards and requirements set forth in the Subdivision and Site and Development Plan regulations have been met (Article VII): The proposed Type "C" site and development plan must be consistent with the procedural and approval requirements for site and development plans, as well as substantive standards and platting requirements.*

(c) *Whether the applicable criteria of the Environmental Management Act have been met (Article IV): The proposed site and development plan must demonstrate compliance with all applicable sections of the EMA including; stormwater management, performance and design standards, and tree protection.*

(d) *Whether the standards and requirements of the zoning code have been met (Article VI): The proposed site plan must meet all of the applicable Divisions of Article VI including; development standards of the Residential Preservation zoning district, special regulatory overlay districts, parking and loading as well as, the supplementary regulations.*

(e) *Whether the requirements of other applicable regulations or ordinances which impose specific requirements on the proposed development have been met (Articles VIII, Article VI, Article IX, Article XIV, Article XVII, if applicable, Article XVIII).*

Site and Development Plan Criteria. Pursuant to Article VII, Section 10-7.407, Leon County Land Development Code, to be approved, a site and development plan must demonstrate compliance with the following three general standards:

1. *applicable provisions of Article VI, Zoning;*
2. *applicable provisions of Article IV, Environmental Management; and,*
3. *the Land Development Code and other applicable regulations or ordinances which impose specific requirements on site and development plans and development.*

FINDINGS

Growth and Environmental Management Staff Findings: The staff is generally responsible for reviewing site plan applications to ensure that the application meets the applicable requirements set forth in Chapter 10 of the Leon County Code of Laws, also known as the Leon County Land Development Code (LDC). Development Services Division staff's review emphasizes compliance with zoning, site and development plan, and subdivision design regulations; Environmental Compliance Division staff's review emphasizes compliance with the environmental management regulations. The sections cited below set out the criteria for development application approval.

Pursuant to the review criteria identified above, the Department of Growth and Environmental Management findings are as follows:

Finding #1. Comprehensive Plan Issues; General Consistency with the Future Land Use Category: The subject site is located within an area designated Residential Preservation (RP) on the Future Land Use Map of the Comprehensive Plan.

Residential Preservation is characterized by existing homogeneous residential areas within the community which are predominantly accessible by local streets. The primary function is to protect existing stable and viable residential areas from incompatible land use intensities and density intrusions. Future development primarily will consist of infill due to the built out nature of the areas. Commercial, including office as well as any industrial land uses, are prohibited.

Note: *The proposed land use, religious organizations are permitted uses within the Residential Preservation zoning district and appear to be consistent with Future Land Use Category. However, the Tallahassee Leon County Planning Department (TLCPD) must determine that this application is consistent with the Comprehensive Plan, to approve the proposed development.*

Finding #3: Article VI, Land Development Code, Concurrency Management: In order to satisfy concurrency requirements, all proposed development (unless exempt or vested) shall undergo a concurrency review prior to the issuance of a final development order. Concurrency reviews determine if there is available capacity within the facilities that will serve the development. The facilities must be able to operate at or below the adopted level of service set forth in the capital improvements element of the comprehensive plan.

Note: *The application requests development of an 11,784 sq. ft. non-residential building. The Preliminary Certificate of Concurrency will expire June 3, 2010. A Final Certificate of Concurrency will be issued upon approval of this Type "C" site and development plan. Attached is a Preliminary Certificate of Concurrency for the project. Additionally, the applicant may need to request an extension of the Preliminary Certificate of Concurrency, as it is due to expire June 3, 2010.*

Finding #4: Article IV, Land Development Code, Environmental Management: The Environmental Compliance Division of the Department of Growth and Environmental Management has reviewed the application to determine whether it complies with the Environmental Management provisions of the Code, with regard to potential development impacts upon natural features and environmentally sensitive resources.

Note: *Please refer to comments in the report from the Environmental Compliance Division, included as Attachment #2*

Finding #5: Residential Preservation (RP) Zoning District Issues, Section 10-6.617 Land Development Code: The Residential Preservation (RP) zoning district is characterized by existing homogenous residential areas within the community predominantly accessible by local streets. Certain non-residential activities may be permitted, such as community services and facilities/institutional uses consistent with the applicable provisions of section 10-6.806; including, churches, religious organizations, and houses of worship.

Note: *The proposed use is a permissible land use in the Residential Preservation zoning district.*

Finding #6. Residential Preservation Development Standards (Section 10-6.617): The following specific design criteria and development standards for the Residential Preservation zoning district are required by this section:

Minimum Lot Area:	N/A
Minimum Lot Width:	N/A (must be able to meet setbacks)
Minimum Lot Depth:	35 feet between setbacks per Section 10-7.502
Minimum Lot Frontage:	15 feet per Section 10-7.502

Development Standards for the Apostolic Church of Tallahassee, Inc.:

Front yard	30'
Side Interior yard	20'
Rear yard	50'
Lot Dimensions & Bldg. Characteristics	
Bldg. Square Footage	11,784
Lot Size	4.8 acres

Note: *The applicant shall receive a recommendation of approval from the Development Review Committee (DRC) for the proposed development setbacks as required by the Residential Preservation zoning district.*

Finding #7: Buffer Zone Standards, Section 10-7.522, Land Development Code: All proposed development shall meet the applicable buffer zone standards as outlined in section 10-7.522. A buffer zone is a landscaped strip between adjacent land uses that is

intended to serve a screen function, as well as, provide an attractive boundary between parcels. The width or degree of vegetation within the buffer zone depends on the type of land use(s) on the adjacent parcel(s). The required widths and degree of vegetation plantings for all buffers are outlined in this section.

Note: *The site and development plan appears to demonstrate compliance with this standard by incorporating a Type "B" landscape buffer around the perimeter of the site. A 15-feet wide Type "B" buffer is proposed along the north and south property line. A 20-feet Type "B" buffer is proposed along the eastern property line. Also refer to the comments from the Environmental Compliance Division.*

Finding #8: Required Parking, Section 10-7.544, Land Development Code: Parking for churches is based on the size of the chapel, sanctuary, or assembly area. The size of the proposed assembly area is 4,248 square feet. The minimum off-street parking requirement is one (1) required parking space per one hundred (100) square feet of chapel, sanctuary, or assembly area. The minimum bicycle parking is 0.10 per required parking space.

Note: *The site and development plan appears to demonstrate compliance with the off-street parking standard by providing 43 required regular impervious parking spaces and 5 bicycle spaces.*

Finding #9: General layout and design standards, Section 10-7.502, Land Development Code: The proposed plan of development and plat shall comply with the general layout and design standards in this section. This will include streets, driveways, lots and lot designs, stormwater management areas, pedestrian and bikeways and facilities, proposed utility locations including easements, public/private street designations, utility systems and protection of natural features.
Please refer to the following sections that must be addressed:

10-7.502(b) New development shall be designed to support the development of a network of interconnecting streets that work to disperse traffic while connecting and integrating neighborhoods with the existing fabric of the community. Such a network makes the following possible: provides choices for drivers, bicyclists, and pedestrians, connects neighborhoods to each other and to local destinations, reduces vehicle miles of travel and travel times, improves air quality, reduces emergency response times, increase effectiveness of municipal service delivery, and frees up arterial capacity to better serve regional long distance travel needs.

10-7.502(1) Within the urban service area, non-residential and multi-family development shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multi-family, recreation, and community facility uses to reduce the necessity of using the public street system in order to move between adjacent and complementary land uses.

Note: *The applicant has applied for a fee-in-lieu of sidewalk construction along Rolling Hills Drive, pursuant to Section 10-7.529 of the Land Development Code. The applicant received a favorable vote from the Development Review Committee (DRC) to allow for payment in-lieu of sidewalk construction. Additionally, annotation shall be added to the site and development plan stating "Other utilities located within the Talquin utility easement will maintain a four (4) foot separation from the proposed electric infrastructure and these utilities will maintain a twenty (20) foot separation from above grade service transformer that's proposed at this location". Please refer to comments from the Public Works Department.*

Finding #10: Stormwater Management, Section 10-7.521, Land Development Code:
The stormwater standards must be met for this proposed religious facility. Please refer to Environmental Compliance comments. The storm drainage and surface water drainage system used shall be installed in accordance with Article VII and other requirements and specifications of the county.

Note: *Please refer to comments from the Environmental Compliance Division.*

Finding #11: Other Issues

- Please remove notes 4 & 5 from the Site Plan page, sheet 4.
- The scale and the dimensions are not consistent on sheet 4A, of the site and development plan.

RECOMMENDATION: Based upon the findings provided above, Development Services recommends approval with conditions of this site and development plan, subject to the following conditions:

1) The applicant shall receive DRC approval of the proposed development standards setbacks, as noted in finding #6 of the staff report.

2) The site and development plan shall be revised to provide annotation stating "Other utilities located within the Talquin utility easement will maintain a four (4) foot separation from the proposed electric infrastructure and these utilities will maintain a twenty (20) foot separation from above grade service transformer that's proposed at this location".

3) The site and development plan shall be revised to remove notes 4 & 5 from site plan page, sheet 4.

4) The site and development plan shall be revised to provide the correct scale or dimensions on sheet 4A.

Attachments:

1) Memo from Jay Schuck, Senior Planner, TLCPD
2) Memo from Maurice Majszak, City of Tallahassee Fire Dept.
3) Memo from Michael Hogan, Stormwater Design Analyst, Environmental Compliance
4) Memo from Kim Wood, P.E., Public Works
5) E-mail from Mark Stamps, Talquin Electric Cooperative, Inc.
6) E-mail from Mark Taylor, Talquin Electric Cooperative, Inc.
7) Sidewalk fee-in-lieu-approvals from the DRC

TLCPD

MEMORANDUM

Tallahassee-Leon County
Planning Department

TO: DRC Members

FROM: Jay Schuck, Senior Planner
Tallahassee-Leon County Planning Department

Through: Russell Snyder, Land Use Planning Administrator

DATE: May 21, 2010

SUBJECT: Apostolic Church– June 2, 2010 (Type C) LSP 090029

APPLICANT: Apostolic Church
AGENT: William E. Douglas, DEC Engineering Inc.
PARCEL ID: 14-22-08-000-0570 & 0590
ZONING: Residential Preservation (R P)
FUTURE LAND USE: Residential Preservation

Summary of Application

The project is a proposed 12,000 square foot construction of a religious institution on 4.8 acres. The property is located on parcels 14-22-08-000-0570 & 0590.

Findings

The proposed project adheres to all density, intensity, and use policies of the Tallahassee-Leon County Comprehensive Plan.

On October 22nd the Planning Department received E-Mail from a neighbor to the north requesting more buffering than was initially presented on former site plans. Staff contacted the adjacent property owner and explained that the current site plan now shows forty feet of natural area and buffer, which satisfied the owner at that time. The planning department however received a follow-up phone call in March from the neighbor requesting a fence to ensure protection from sound and lighting.

Comprehensive Plan Policies and Land Development Regulations relating to interconnections:

Tallahassee-Leon County Comprehensive Plan Transportation Policies 1.6.3 and 1.6.4 and the County Land Development Code require interconnections between both compatible and incompatible development. The proposed development has now been determined to comply with these provisions

Recommendation:

The Planning Department recommends approval of the project.

Recommended Design Alternative:

- Recommend adding a privacy fence along the north property line adjacent to residential.

Add to conditions

TALLAHASSEE FIRE DEPARTMENT
SITE PLAN REQUIREMENTS

Project Name:	The Apostolic Church of Tallahassee Type "C"
Parcel ID #	14-22-08-000-057-0 & 059
	LSP090029
AGENT:	DEC Engineering, Inc.
PLANNER:	Weldon Richardson
MEETING DATE:	June 2, 2010

Located approximately 600 feet north of the intersection of Kimmer Road Drive on the east side of Thomasville Road, the proposed project is the construction of a 12,000 SF religious institution.

The Fire Department has no issues.

Maurice Majszak
Tallahassee Fire Department
Senior Plans Examiner
327 N. Adams St
Tallahassee Fl 32301
(850)891-7179

Maurice.Majszak@talgov.com

Leon County, Department of Growth & Environmental Management

MEMORANDUM

TO: Weldon Richardson
Planner II

FROM: Michael A. Hogan
Senior Stormwater Design Analyst

DATE: June 1, 2010

RE: Apostolic Church of Tallahassee – Type "C"
Environmental Review Comments for Development Review Committee
(Meeting June 2, 2010)
Parcel ID: 14-22-08-000-057-0

The applicant for the referenced project is seeking DRC approval of the 26-sheet (Including the cover sheet) site and development plan set titled:

APOSTOLIC CHURCH OF TALLAHASSEE
TYPE "C" SITE PLAN

Environmental Compliance staff is in the process of reviewing the information and plans submitted for the Environmental Management Permit for the referenced project. Based on our review of the information and the plans submitted by the applicant for DRC review; we do recommend approval of this project with the following conditions.

1. The following shall be provided within the Environmental Management Permit (EMP).
   a. Revised grading plan of Rolling Hills Drive that directs additional runoff into the stormwater management system.
   b. Revised calculations demonstrating that the peak pre-development discharge for the 100year–24hour event will not be exceeded for the retention facilities along Rolling Hills Drive.

2. A revised statistical table on Sheet 4, which illustrates the dirt road within the existing conditions of the off-site area.

General Note\Information:

Should you have any questions or need additional information, please contact me.

BOARD OF COUNTY COMMISSIONERS
MEMORANDUM

DATE: June 2, 2010

TO: Weldon Richardson – Planner II

FROM: Kimberly A. Wood P.E. – Chief of Engineering Coordination

SUBJECT: Type C Review of Apostolic Church for June 2, 2010, Development Review Committee Meeting

Public Works recommends the project be approved with following conditions.

1. Plans must be revised to illustrate how the transition between the proposed driveway connections to the existing Rolling Hills and Kimmer Rowe Roads will be accomplished, as well as how the proposed swales will tie into the existing roadside system on Kimmer Rowe. The applicant needs to provide documentation has to how the paved drive will transition to the dirt portions of Kimmer Rowe and Rolling Hills as well as how the swales will tie into the minimal roadside drainage along Kimmer Rowe.
2. The applicant must provide documentation that the roadway easement permits the construction 3 holding ponds approximately 2-3 feet deep, 45 feet long and 30 feet wide. The applicant could utilize shallower swales on both sides of the road and more ditch blocks to achieve the required stormwater treatment.
3. Plans must be revised to include all hatching in the hatch legend and to remove any hatching from the legend that is not represented in the plans. For example, the hatch legend on sheet 4A is incorrect, showing treatment swales as 2 different hatches.

(4) Swales or swale must be located on both sides of the road

Attachment 3
Page 14 of 18

Weldon Richardson - Apostolic Church of Tall

From: Mark Stamps <Mstamps@talquinelectric.com>
To: "'richardsonwe@leoncountyfl.gov'" <richardsonwe@leoncountyfl.gov>
Date: 05/28/2010 9:53 AM
Subject: Apostolic Church of Tall
CC: Mark Taylor <Markt@talquinelectric.com>

Weldon:

I was just brought to my attention that there is a conflict involving a utility easement shown on the above referenced site plan proposed to be reviewed by the DRC next Wednesday, June 2, 2010.

The site plan designates a 20 ft. wide utility easement to serve the church. At an earlier site plan meeting, Talquin requested such easement for its underground electric utilities to include a needed pad-mounted transformer to serve the church building. At this earlier time, the other utilities were proposed to be located elsewhere within the property.

Due to the sidewalk also proposed within this easement and now the other utilities not originally shown, 20 ft. may not be wide enough unless:

(1) the other utilities are located a minimum of 4 ft. from the underground electric cable that must be located out from under the sidewalk, and

(2) most importantly, there can be no other utilities located within a 20 ft. by 20 ft. area within the easement near the proposed building to contain the pad-mounted transformer.

There conflicts need to be addressed to Talquin's satisfaction before it can sign off on this site plan.

Since I will be out of the office all nest week, any questions concerning this utility easement matter should be addressed to **Mark Taylor** at the Talquin electrical engineering division who is being copied with this message. Mr. Taylor can also be reached by phone at **878-4414**.

Unfortunately I do not have the project engineer's email address handy to copy him with this message.

Mark Stamps
Talquin Development Coordinator

This mail was sent via Mail-SeCure System.

Attachment 3
Page 15 of 18

Weldon Richardson - RE: Apostolic Church of Tall

From: Mark Taylor <Markt@talquinelectric.com>
To: Mark Stamps <Mstamps@talquinelectric.com>, "'richardsonwe@leoncountyfl.gov'" <richardsonwe@leoncountyfl.gov>
Date: 06/01/2010 8:18 AM
Subject: RE: Apostolic Church of Tall
CC: "'decbill@nettally.net'" <decbill@nettally.net>

Weldon,

After discussing this project in detail with Mr. Bill Douglas on Friday, I beleive DEC Engineering has addressed Talquin's concern regarding our electric facilities to serve the Apostolic Church.

DEC has agreed that the other utilities that will be located within the Talquin utility easement will maintain a 4 foot seperation from our proposed electric and these utilities will maintain a 20 foot seperation from our above grade service transformer at its proposed location.

Please contact me should you need any additional information regarding this matter concerning the Wednesday review of this project as Mark Stamps is unavailable and will be out of the office all this week.

Regards,

Thanks,
Mark N. Taylor
Engineering Aide
Engineering Department
Talquin Electric Coop.
P.O. Box 1679
Quincy, FL 32353-1679
Phone: (850)-875-5674

-----Original Message-----
From: Mark Stamps
Sent: Friday, May 28, 2010 9:53 AM
To: 'richardsonwe@leoncountyfl.gov'
Cc: Mark Taylor
Subject: Apostolic Church of Tall

Weldon:

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Attachment 3
Page 16 of 18

Weldon Richardson - Apostolic Church of Tallahassee

From: "Snyder, Russell" <Russell.Snyder@talgov.com>
To: "Richardson, Weldon" <RichardsonWe@leoncountyfl.gov>
Date: 05/25/2010 3:20 PM
Subject: Apostolic Church of Tallahassee

Planning supports the applicant's request for a sidewalk fee-in-lieu for external sidewalks on the above project.

Russell Snyder, J.D., M.C.P.
Administrator, Land Use Planning Division
Tallahassee - Leon County Planning Department
850-891-6400
russell.snyder@talgov.com

TLCPD Click here to take our Customer Survey

Board of County Commissioners

Inter-Office Memorandum

DATE: May 20, 2010

TO: Development Review Committee (DRC)
David McDevitt, GEM Director
Tony Park, P.E., Public Works Director
Russell Snyder, Land Use Manager Tallahassee-Leon County Planning Department

FROM: Weldon Richardson, Development Services, Planner II

SUBJECT: Apostolic Church of Tallahassee (Type "C" Site and Development Plan)
Parcel ID 14-22-08-000-057-0 (LSP090029)

RE: Sidewalk Fee-in-Lieu

Attached is a request for *sidewalk fee-in-lieu* for *external sidewalks* for the above referenced project.

The applicant is requesting approval of the fee-in-lieu of sidewalk construction for the Apostolic Church of Tallahassee. The proposed development is an 11,784 sq. ft. religious facility and is located inside the Urban Service Area (USA). The applicant is requesting the fee-in-lieu of construction be applicable to the site's 331.42 linear feet of frontage along Rolling Hills Drive. Pursuant to Section 10-7.529 of the Land Development Code (LDC), sidewalks are required for new development, expansion or re-development (public or private) inside the USA. Sidewalk installation, or payment of a fee in-lieu of installation, shall be required consistent with the LDC for all proposed development located inside the USA.

The Land Development Code criterion applicable to this request is that construction of the sidewalk will constitute a safety hazard [Section 10-7.529(4)(a)], as most of Rolling Hills Drive along the frontage of the subject property is unpaved. The applicant has provided attachments of the fee-in-lieu request submitted for the Kimmer Rowe Limited Partition, which is adjacent to the proposed development.

Attached for your review is a narrative of the Fee-in-Lieu request. Please review this request and provide written response to our office by **5:00 p.m. on Tuesday, June 1, 2010.** Please feel free to contact me at 850-606-1300 if you have any questions or concerns.

☑ APPROVAL
☐ DENIAL

David McDevitt _____
Tony Park Tony Park, P.E. 5-27-2010
Russell Snyder _____

Comments:

KMW
#1545

Board of County Commissioners

Attachment # 3
Page 18 of 18

Inter-Office Memorandum

DATE: May 20, 2010

~~**TO:**~~ FROM→ Development Review Committee (DRC)
David McDevitt, GEM Director
Tony Park, P.E., Public Works Director
Russell Snyder, Land Use Manager Tallahassee-Leon County Planning Department

~~**FROM:**~~ TO: Weldon Richardson, Development Services, Planner II

SUBJECT: Apostolic Church of Tallahassee (Type "C" Site and Development Plan)
Parcel ID 14-22-08-000-057-0 (LSP090029)

RE: **Sidewalk Fee-in-Lieu**

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☑ APPROVAL
☐ DENIAL

☑ David McDevitt DAVID R. MCDEVITT 5/20/10
☐ Tony Park _____
☐ Russell Snyder _____

Comments: