

PLANNING APPROVAL STAFF REPORT**Date: April 17, 2014****NAME**

Islamic Society of Mobile.

LOCATION54, 59 and 63 East Drive
(East side of East Drive, 400' South of Old Shell Road, and
extending to the West side of Allen Drive)**CITY COUNCIL
DISTRICT**

District 6

PRESENT ZONING

R-1, Single-Family Residential District

AREA OF PROPERTY

1.6± Acres

CONTEMPLATED USEPlanning Approval to amend a previously approved
Planning Approval to allow an expansion of an existing
church and school in an R-1, Single-Family Residential
District.**TIME SCHEDULE
FOR DEVELOPMENT**

Completion within approximately 15 months of approval.

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. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.

TRAFFIC ENGINEERING**COMMENTS**Driveway number, size, location and design to be approved
by Traffic Engineering and conform to AASHTO standards.**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 seeking Planning Approval to amend a previously approved Planning Approval to allow expansion of a church and school in an R-1, Single-Family Residential District. Planning Approval is required for churches or religious facilities in R-1 districts.

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 is site plan specific; therefore any future changes to the overall site plan must be submitted for PA review. Additionally, if the scope of operations for the church, school, or the site plan is changed from what is approved by the Planning Commission, a new application for Planning Approval will be required.

There are 2 minor issues relating to the site plan submitted. The first is that the legal description on the plan references the old legal description, which consisted of parts of multiple lots. The site was resubdivided into a single, legal lot of record in 1999. Therefore, the legal description should be corrected to state Lot 1, Islamic Society of Mobile Subdivision, as recorded in MB 83, PG 110. The second is that the site plan drawing illustrates the property as two lots. While the Tax Assessor may illustrate and/or assess the property as two parcels, it is in fact a single lot of record, as stated above. This too should be corrected on the site plan. Neither of these issues have any impact on the design of the proposed project, but are simply corrections that should be made to accurately reflect the 1999 subdivision that was duly approved and recorded.

Planning Approval and Planned Unit Development applications were presented to the Commission in April 4, 2013. Those applications were heldover, and ultimately approved by the Commission, with conditions, May 2, 2013. Those approvals were appealed to the City Council. The Council granted the appeal, thereby overturning the Planning Commission approval, on May 28, 2013.

The applicant has now redesigned the project to provide a single, two-story building, which will house the school on the first floor and the Mosque on the second floor. Therefore, a PUD is no longer required. Further, by redesigning the site, the phasing that created parking deficits throughout the redevelopment of the site, and had no specific time frames attached, is no longer part of the proposal. The application now before the Commission proposes that once the new building is completed and has been issued a Temporary Certificate of Occupancy, the church and school will relocate into the new building, and parking areas will be expanded and landscaping and tree plantings installed to complete the project.

Upon completion, the project will provide 77 parking spaces (75 required based on capacity of the mosque). As the proposed redevelopment will provide more than 25 parking spaces, lighting of the parking area and site must comply with Sections 64-4.A.2 and 64-6.A.3.C of the Zoning Ordinance, which include the submission of a photometric plan to ensure the lighting does not bleed over onto adjacent properties. This does not mean that the lighting will not be seen by residents in the area, obviously, but that it will not illuminate the adjacent properties.

Additionally, as the parking lot contains more than 10 spaces and is across a minor residential street from residentially zoned properties, screening of the parking lot per section 64.6.A.3.i is required. Further, the provision a 6' privacy fence along the North, South, and East property lines (no higher than 3' in the required 25' setback) may be appropriate to screen those residential properties from the facility and parking.

There are some minor miscalculations on the tree planting table shown on the site plan submitted. The frontage tree requirement is shown to be seven overstory trees for each frontage (East Drive and Allen Drive). With 230' of frontage along each, eight trees are actually required (one tree for every 30' = 7.6, rounding up to 8).

There are also two minor issues relating to the legal description of the site, and how it is depicted on the site plan. The first is that the legal description references the old legal description, which consisted of parts of multiple lots. The site was resubdivided into a single, legal lot of record in 1999. Therefore, the legal description should be corrected to state Lot 1, Islamic Society of Mobile Subdivision, as recorded in MB 83, PG 110. The second is that the site plan illustrates the property as two lots. While the Tax Assessor maps may illustrate and/or assess the property as two parcels, it is in fact a single lot of record, as stated above. This too should be corrected. Neither of these issues would have an impact on the proposed project as designed, but are simply corrections that should be made to accurately reflect the 1999 subdivision that was duly approved and recorded.

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.

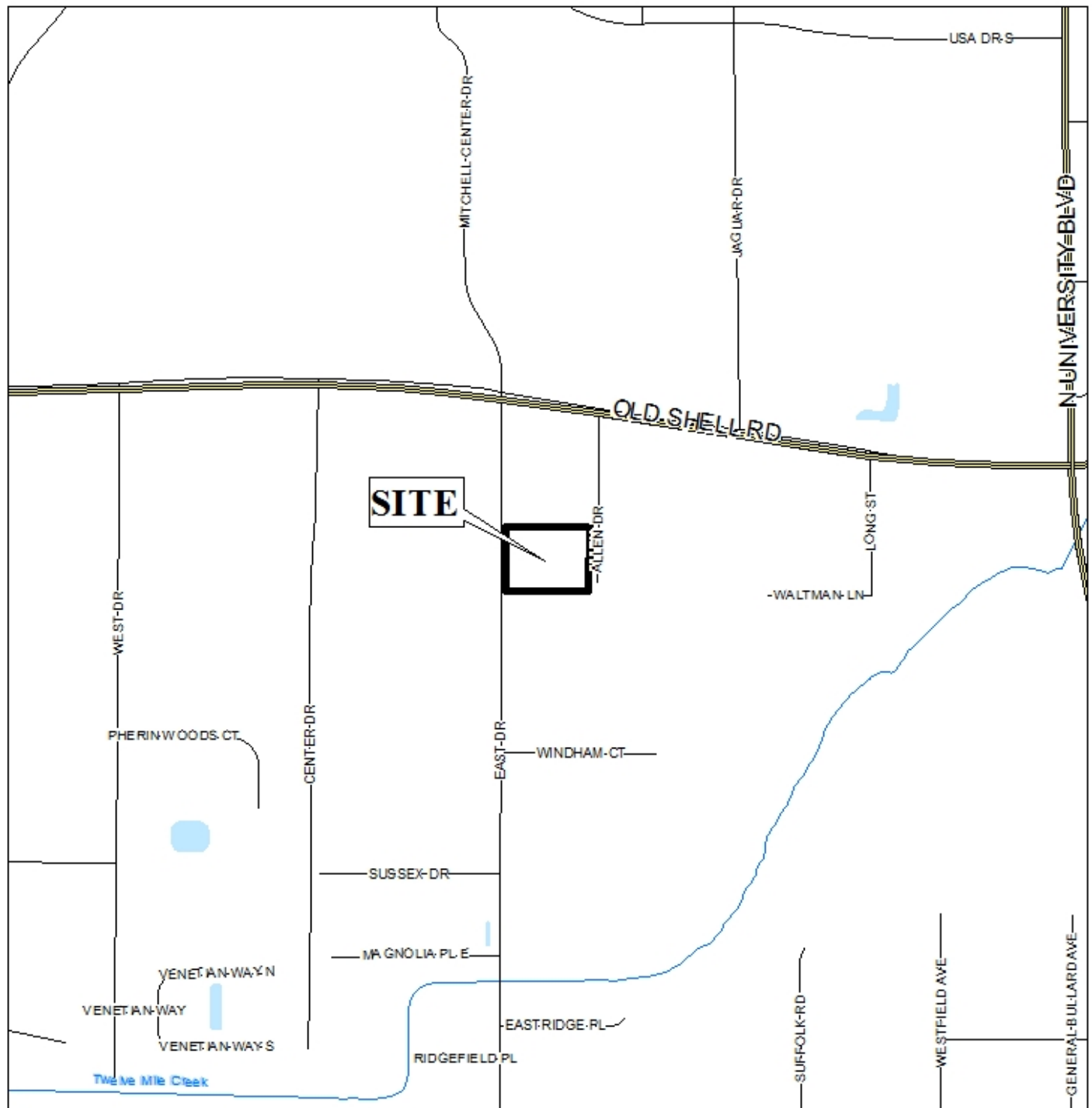
RECOMMENDATION

Based on the preceding, the application is recommended for approval subject to the following conditions:

1. modifications to the site plan to correct the legal description and to illustrate the site as a single, legal lot of record;
2. development limited to the site plan proposed, as required to be revised by this approval;
3. once the proposed building is completed and has been issued a Temporary Certificate of Occupancy, the church and school shall relocate to the new building, existing buildings shall be demolished, and parking areas shall be expanded and landscaping

- and tree plantings installed to complete the project within 30 days of the issuance of the Temporary CO;
4. revision of the landscaping and tree planting plan to provide the correct number of frontage and overall all tree plantings;
 5. provision of screening of parking as required by 64.6.A.3.i;
 6. provision a 6' privacy fence along the North, South, and East property lines (no higher than 3' in the required 25' setback) to screen residential properties from the parking facility;
 7. compliance with Engineering Department 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. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045); 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 Department Comments (Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.);
 9. 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.);
 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. placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
 12. placement of a note on the site plan stating that any changes from the approved plan shall require a new Application for Planning Approval from the Planning Commission
 13. submission of a revised site plan to reflect conditions of approval prior to the issuance of any permits; and
 14. full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 8 DATE April 17, 2014

APPLICANT Islamic Society of Mobile

REQUEST Planning Approval



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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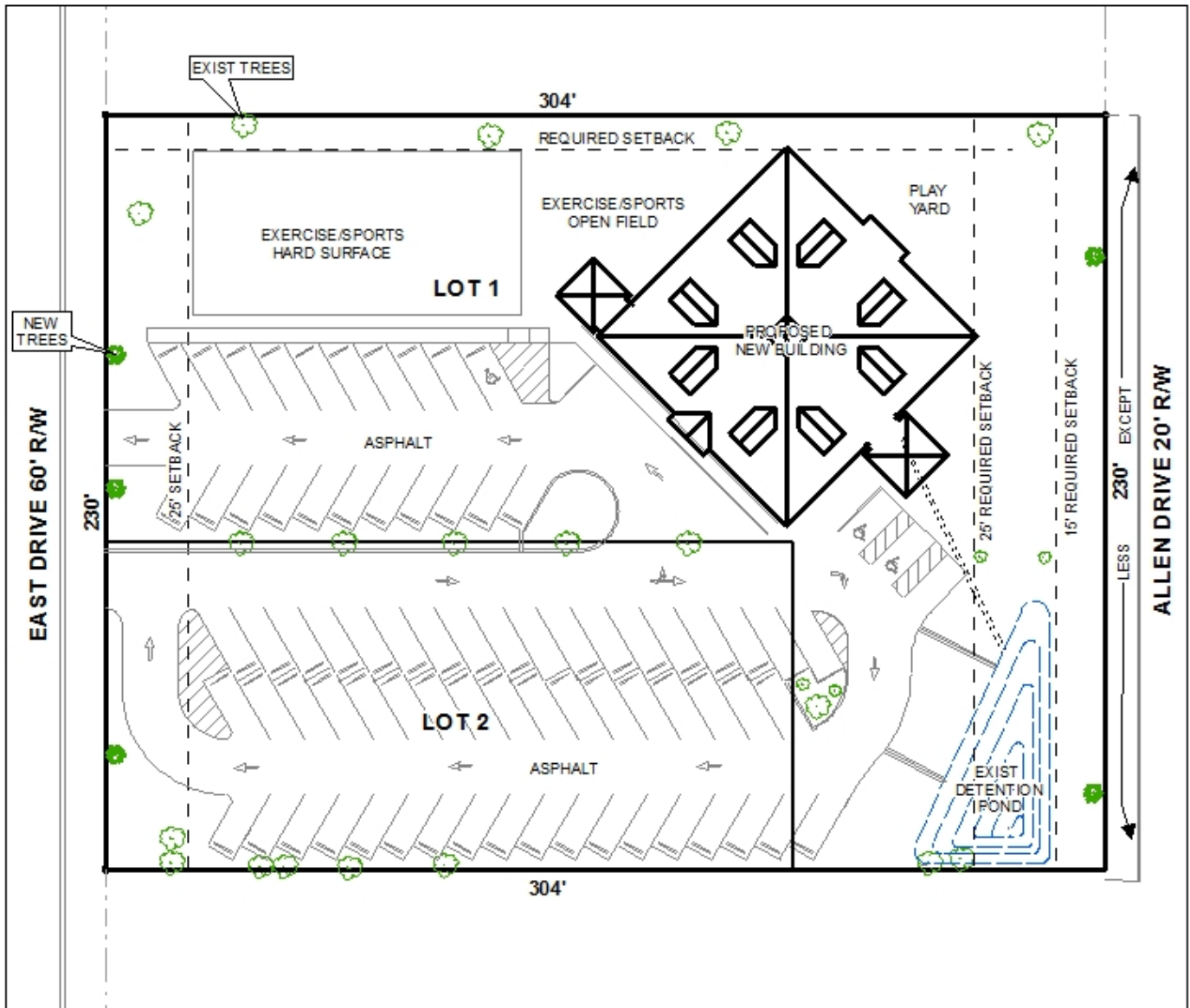
REQUEST Planning Approval

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 parking, setbacks, trees, and new building.

APPLICATION NUMBER 8 DATE April 17, 2014
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