

**PLANNING APPROVAL STAFF REPORT****Date: November 1, 2018****NAME**

Islamic Society of Mobile

**LOCATION**59 & 63 East Drive  
(East side of East Drive, 400'± South of Old Shell Road,  
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 Lot / 1.6 ± Acres

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

In progress.

**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 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..

## **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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site 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. (2012 International Fire Code)

## **REMARKS**

The applicant is requesting Planning Approval to amend a previously approved Planning Approval to allow the expansion of an existing 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 applicant specifically wishes to modify a previous condition of the April 17, 2014 approval by the Planning Commission:

- 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;*

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 school, as approved, by current or future applicants must be submitted for Planning Approval.

The site has been given a Institutional land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting. The intent of the Institutional land use designation is as follows:

- Better connectivity to surrounding areas and uses, especially neighborhoods
- Encourage compatible uses in immediately adjacent areas
- Minimize impact to existing neighborhoods

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

The site has been before the Planning Commission several times, with the first Planning Approval granted for the current use in 1991. As previously mentioned, the most recent Planning Approval from April 2014, to allow the construction of a new facility on the site and the removal of the old buildings on the site, had a condition relating to the completion of all site work within 30 days of issuance of a Temporary Certificate of Occupancy (TCO) for the new building. The reasoning behind the 2014 condition was to ensure that sufficient parking would be provided on-site as soon as possible after all old buildings were demolished, and the new building placed into use.

The TCO for the new building was issued on August 24, 2018, thus all site improvements were to be completed by September 24, 2018. The applicant, realizing that they would not be able to complete work by the deadline, submitted the current request on September 20, 2018.

The applicant has not stated how many more days or weeks will be required to complete all site work. The site was inspected on October 25<sup>th</sup>, and work was found to be still underway regarding completion the parking area and abutting landscape areas. Staff estimates that all site work could be completed by the end of 2018: this would provide sufficient time to account for weather delays and contractor availability. It should also be noted that the site was inspected on Friday, October 5<sup>th</sup> during the main worship service time, and no parking overflow onto the street or adjacent properties was observed.

No other changes to the site plan or scope of the Planning Approval are requested, thus the other conditions of the previous approval should be retained.

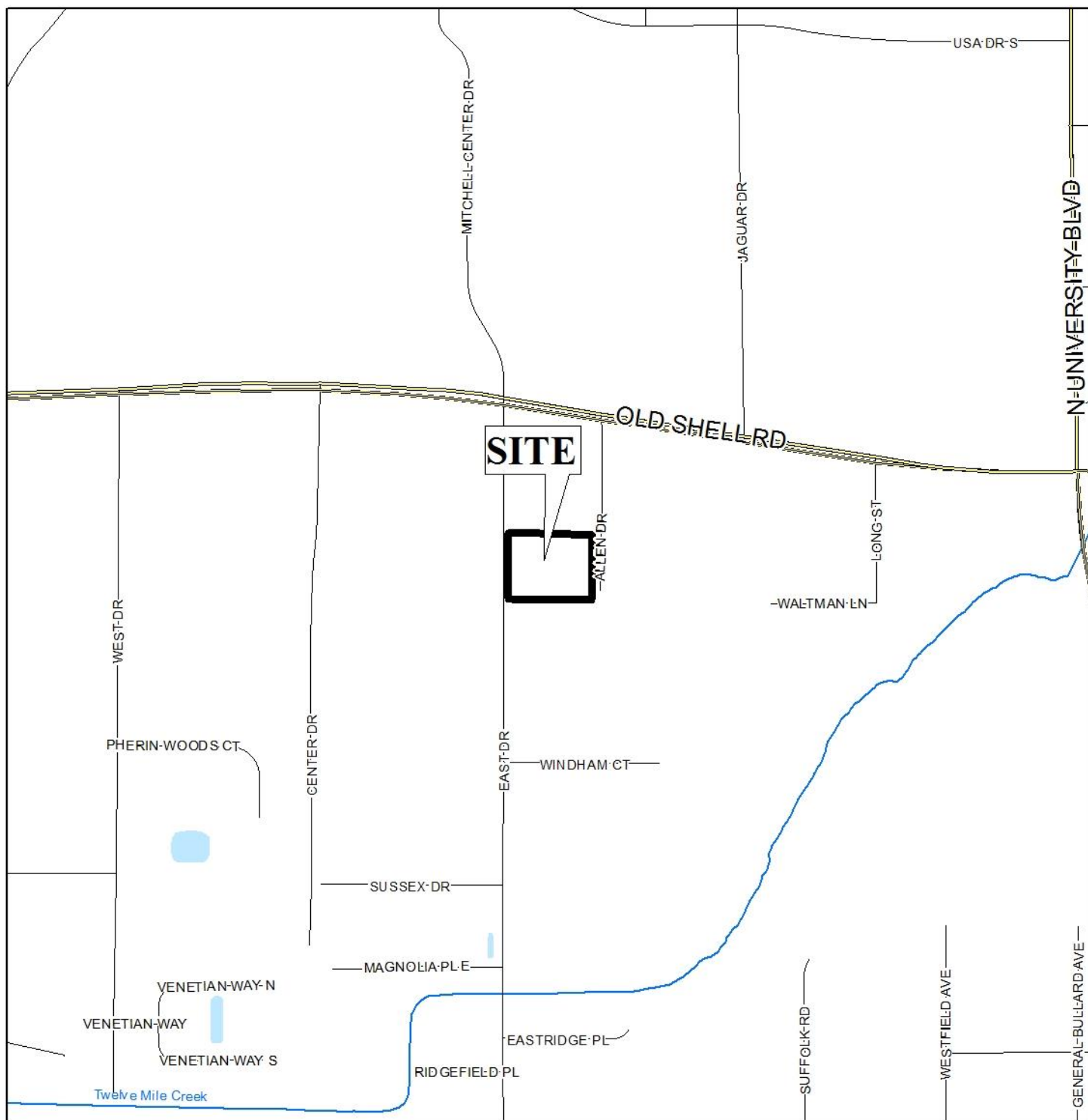
## **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this request 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) completion of all site work by December 31, 2018;
- 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. 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.*);

- 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.*);
- 10) compliance with Fire Department Comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code)*);
- 11) 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
- 12) submission of a revised site plan to reflect conditions of approval prior to the request for any inspections associated with the Final Certificate of Occupancy; and
- 13) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 9 DATE November 1, 2018

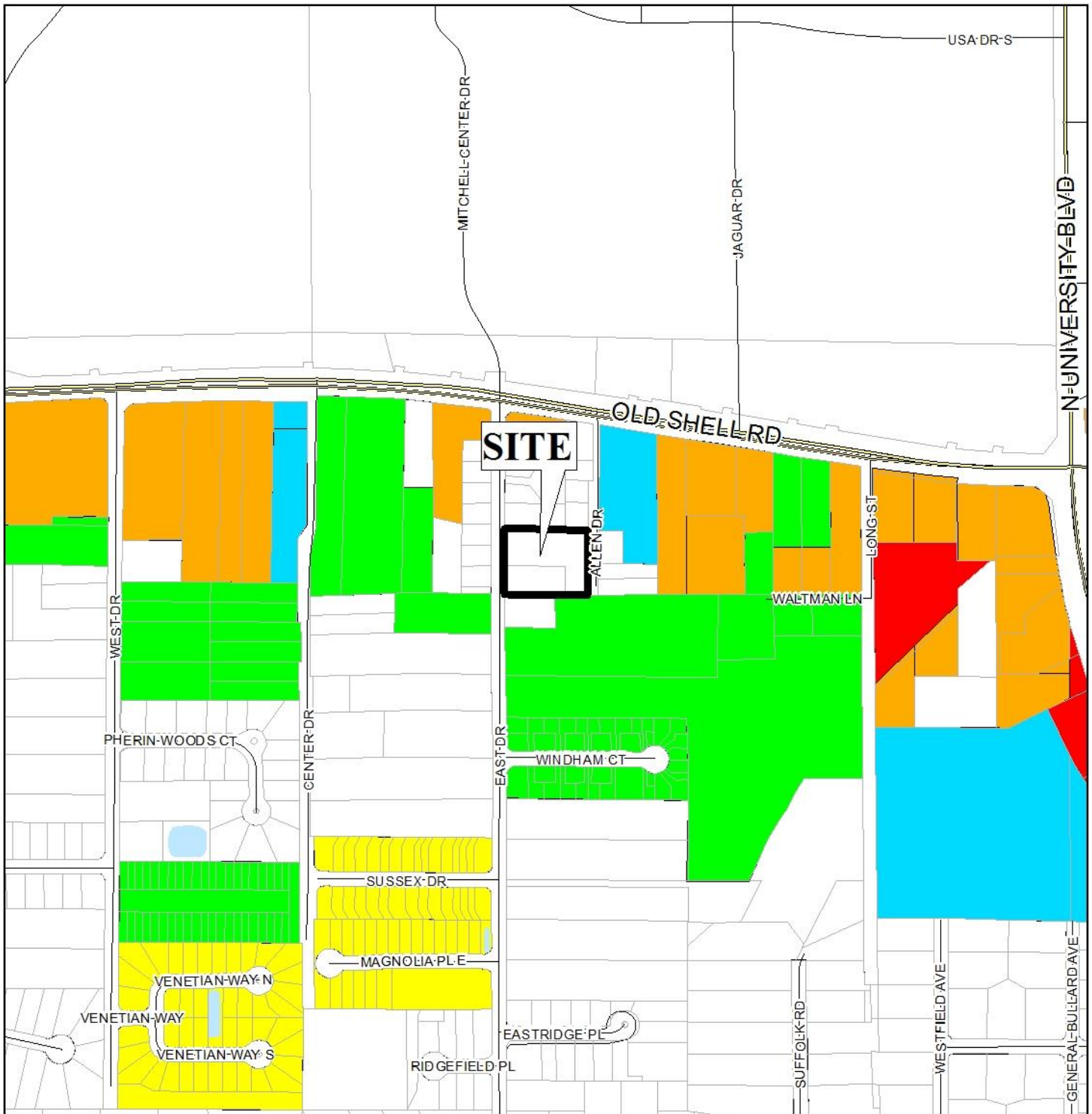
APPLICANT Islamic Society of Mobile

REQUEST Planning Approval



NTS

# LOCATOR ZONING MAP



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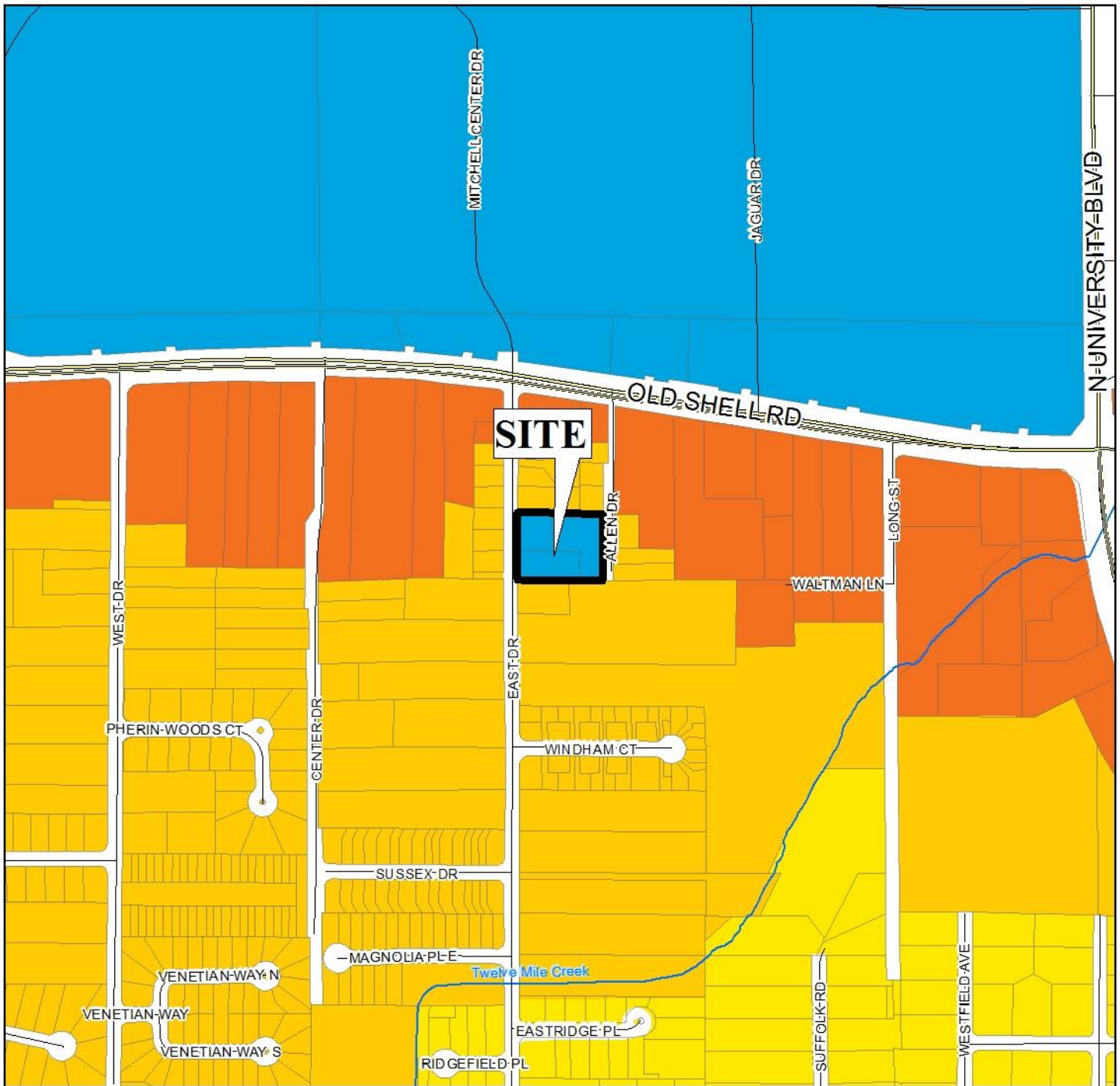
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# FLUM LOCATOR MAP



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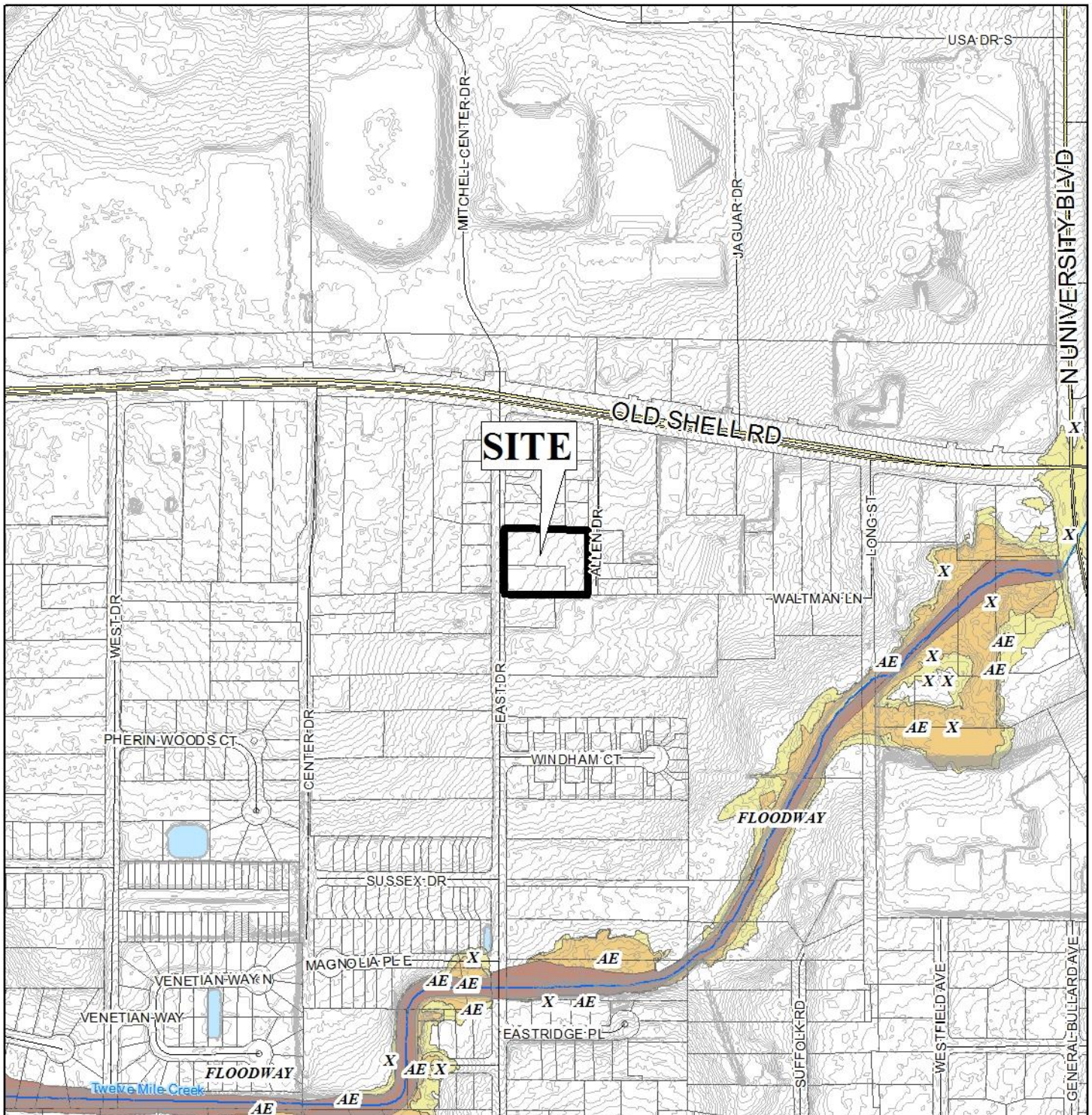
REQUEST Planning Approval

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	





# ENVIRONMENTAL LOCATOR MAP



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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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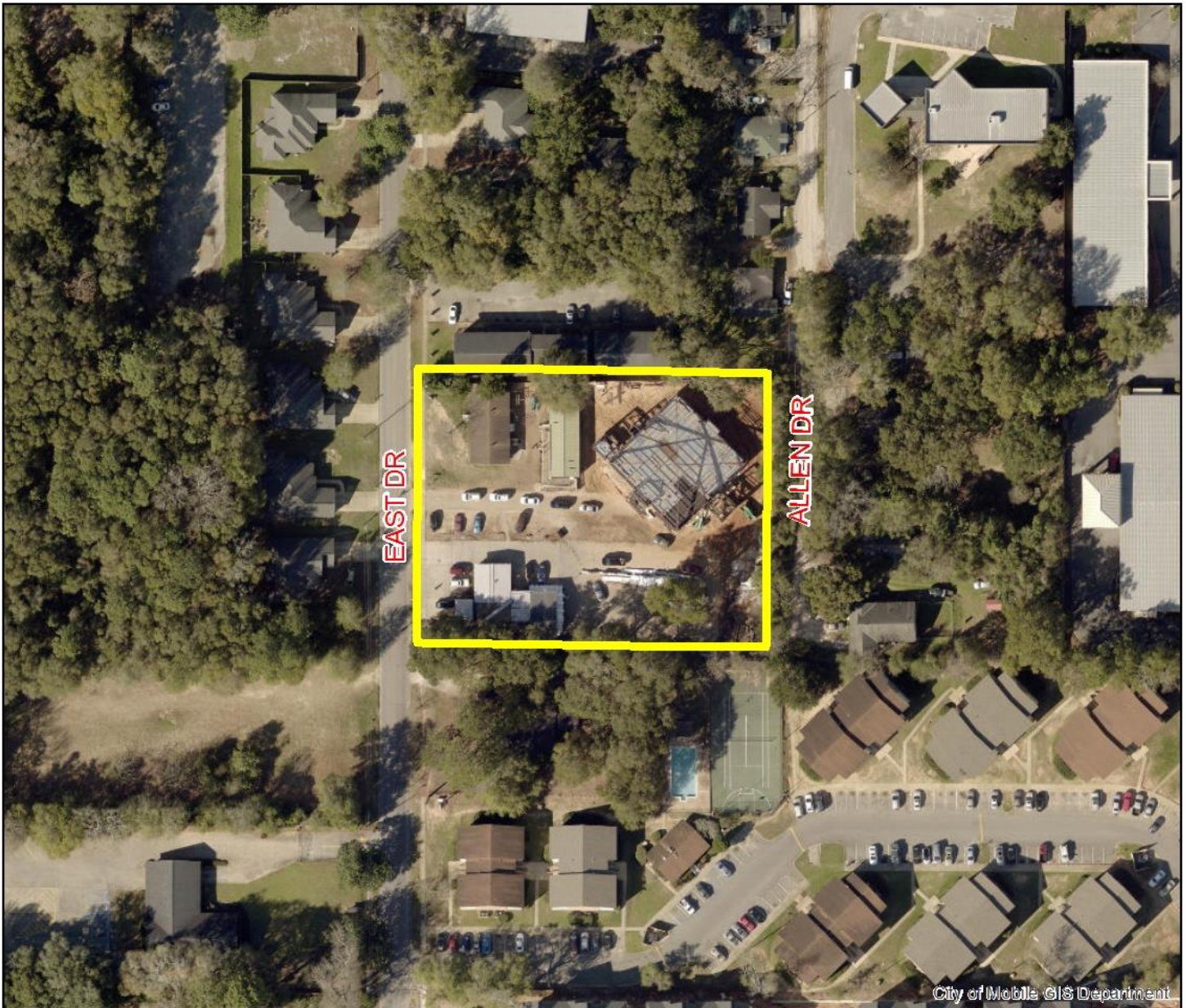
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R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

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# SITE PLAN



The site plan illustrates the proposed building, proposed parking, and setbacks.

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