

**SUBDIVISION &
PLANNING APPROVAL STAFF REPORT****Date: May 6, 2021****APPLICANT NAME**

House of Rescue Ministry – Redemption Place.

SUBDIVISION NAME

Redemption Place Subdivision

LOCATION808 Magnolia Road
(West side of Magnolia Road, 540'± North of Pleasant Valley Road)**CITY COUNCIL
DISTRICT**

District 5

PRESENT ZONING

R-1, Single-Family Residential

AREA OF PROPERTY

1 Lot / 2.6± Acres

CONTEMPLATED USE

Subdivision Approval to create one (1) legal lot of record from two (2) metes-and-bounds parcels; and Planning Approval to allow a church in an R-1, Single-Family Residential District.

**TIME SCHEDULE
FOR DEVELOPMENT**

Immediately

ENGINEERING**COMMENTS****Subdivision: FINAL PLAT COMMENTS** (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Show and label the POC and POB.
- C. Provide and label the monument set or found at each subdivision corner.
- D. Provide a written description for the subdivision boundary.
- E. Provide the Surveyor's and Owner's (notarized) signatures.
- F. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #77) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 3,600 sf.
- G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.

- H. Add a note that 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.
- I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- J. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- L. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing.
- M. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.

Planning Approval:

- 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 (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

Site is limited to no more than two curb cuts with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

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 (2012 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

REMARKS

The applicant is requesting Subdivision Approval to create one (1) legal lot of record from two (2) metes-and-bounds parcels; and Planning Approval to allow a church in an R-1, Single-Family Residential District.

The site has been given a Low Density Residential (LDR) 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.

This designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4- residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 dwelling units per acre, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

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.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The lot size is depicted in square feet and acres on the plat, and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot size in square feet and acres should be retained on the Final Plat.

The site fronts Magnolia Road, a minor road without curb and gutter, which should have a minimum right-of-way of 60-feet. The preliminary plat labels the existing right-of-way as 48-feet, therefore, if approved, dedication to provide 30-feet from the centerline of Magnolia Road should be required.

In regards to access management, a note stating Traffic Engineering comments should be placed on the Final Plat, if approved.

The preliminary plat illustrates the 25' minimum building setback line along Magnolia Road. If approved, the setback should be retained on the Final Plat, and adjusted for any required dedication.

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/floor plan or to the scope of operations for the restaurant that will increase the occupant load beyond what is approved, by current or future applicants, must be submitted for Planning Approval review.

The applicant provided the following statement:

1. *Transportation and access, water supply, waste disposal, fire, police protection and public facilities.*
 - a. *The access to the church will be on Magnolia Street which connects to Pleasant Valley Road on one end and Cottage Hill Road on the other and Brookley Avenue that connects to Government Boulevard.*
 - b. *Water and sewer for the proposed church is available near by via existing lines connected to the MAWSS utility service lines located along Magnolia Street.*
 - c. *Garbage disposal will be curb side pickup.*
 - d. *Site is located within the city of Mobile's fire and police protection jurisdiction.*
2. *Traffic congestion or hazard.*
 - a. *The majority of traffic utilizing the church will be mainly on Sunday when normal street traffic is at a minimum.*
3. *This proposal will be in harmony with the orderly and appropriate developments.*
 - a. *The proposed church a relatively small comparatively with parking provided to accommodate 75 vehicles. Traffic noise and congestion will be at a minimum.*
 - b. *Although this property is zoned R-1, at the southeast corner of Magnolia Street and Pleasant Valley Road approximately 500 feet south, there is a church that is currently operating in an R-1 zone as well,*
- 4) *CONTEMPLATED USE AND CHARACTER OF IMPROVEMENTS: THE APPLICANT WANTS TO BUILD A SINGLE BUILDING (A CHURCH SANCTUARY) ON THE PROPOSED LOT. THEY ARE REQUESTING PLANNING APPROVAL TO OPERATE A CHURCH IN AN R-1 ZONED AREA.*

TIME SCHEDULE: IMMEDIATELY.

5) PLAN CONSISTENCY STATEMENT: THE FUTURE LAND USE MAP SHOWS TAX PARCELS IN THIS AREA TO BE "LOW DENSITY RESIDENTIAL". THERE ARE SEVERAL CHURCHES ALREADY OPERATING WITHIN 0.5 MLES OF THE SUBJECT PROPERTY:

- 1) 2756 MAUVILLA DRIVE,*
- 2) 998 FARNELL LANE,*
- 3) 3200 PLEASANT VALLEY.*

The site applicant proposes on-site parking, and the development will be served by existing utilities in the area. Also, the hours of operation for the church are proposed to be such that it should have limited impact of traffic in the area. Given that there are several other churches in the area, the proposed use will not be out of character.

The site plan depicts a 10,800 square foot structure and 78 parking spaces. The church is proposed to have 300 seats; therefore 75 parking spaces are required. If approved, a photometric site plan will be required at the time of permitting. It should be noted that the access aisles on the North

and South of the proposed building are 20'± wide, and are therefore sub-standard for two-way traffic. Angled parking spaces are provided along the access aisles, seemingly to encourage one-way traffic circulation on the site. If approved, the site plan should be revised to depict arrows on the driveways to guide the flow of traffic.

The applicant states in their narrative that curb-side pickup will be utilized for waste removal. If approved, a note stating this should be placed on the site plan.

Notes on the site plan indicate that the applicant intends to fully comply with tree planting and landscape area requirements.

As the site abuts R-1, Single-Family Residential properties on all sides, a protection buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance as well as parking screening per Section 64-6.A.3.i. of the Zoning Ordinance will be required. If approved, the site plan should be revised to depict this.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Tentative Approval, subject to the following:

- 1) dedication to provide 30-feet from the centerline of Magnolia Road;
- 2) retention of the lot size in square feet and acres;
- 3) retention of the 25' minimum building setback line, adjusted for dedication;
- 4) full compliance with Engineering comments: (*FINAL PLAT COMMENTS* (should be addressed prior to submitting the *FINAL PLAT* for review and/or signature by the City Engineer): A. Provide all of the required information on the *SUBDIVISION PLAT* (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Show and label the POC and POB. C. Provide and label the monument set or found at each subdivision corner. D. Provide a written description for the subdivision boundary. E. Provide the Surveyor's and Owner's (notarized) signatures. F. Add a note to the *SUBDIVISION PLAT* stating that as shown on the 1984 aerial photo (FLIGHT 25 - #77) LOT 1 will receive historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control) as follows: LOT 1 – 3,600 sf. G. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. H. Add a note that 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. I. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. J. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the

responsibility of the City of Mobile. K. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. L. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at land.disturbance@cityofmobile.org prior to obtaining any signatures. No signatures are required on the drawing. M. After addressing all of the FINAL SUBDIVISION PLAT review comments provide the ORIGINAL (with all signatures except for the Planning Commission, Traffic Engineering, and City Engineer), one (1) copy, and a transmittal letter to the Engineering Permitting Department. They can be dropped off at 205 Government St. or mailed to PO Box 1827, Mobile, AL, 36633.);

- 5) placement of a note on the Final Plat stating Traffic Engineering comments: (Site is limited to no more than two curb cuts with size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 6) compliance with the 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.); and
- 7) compliance with the 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). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.).

Planning Approval: Staff recommends the following Findings of Fact for Approval:

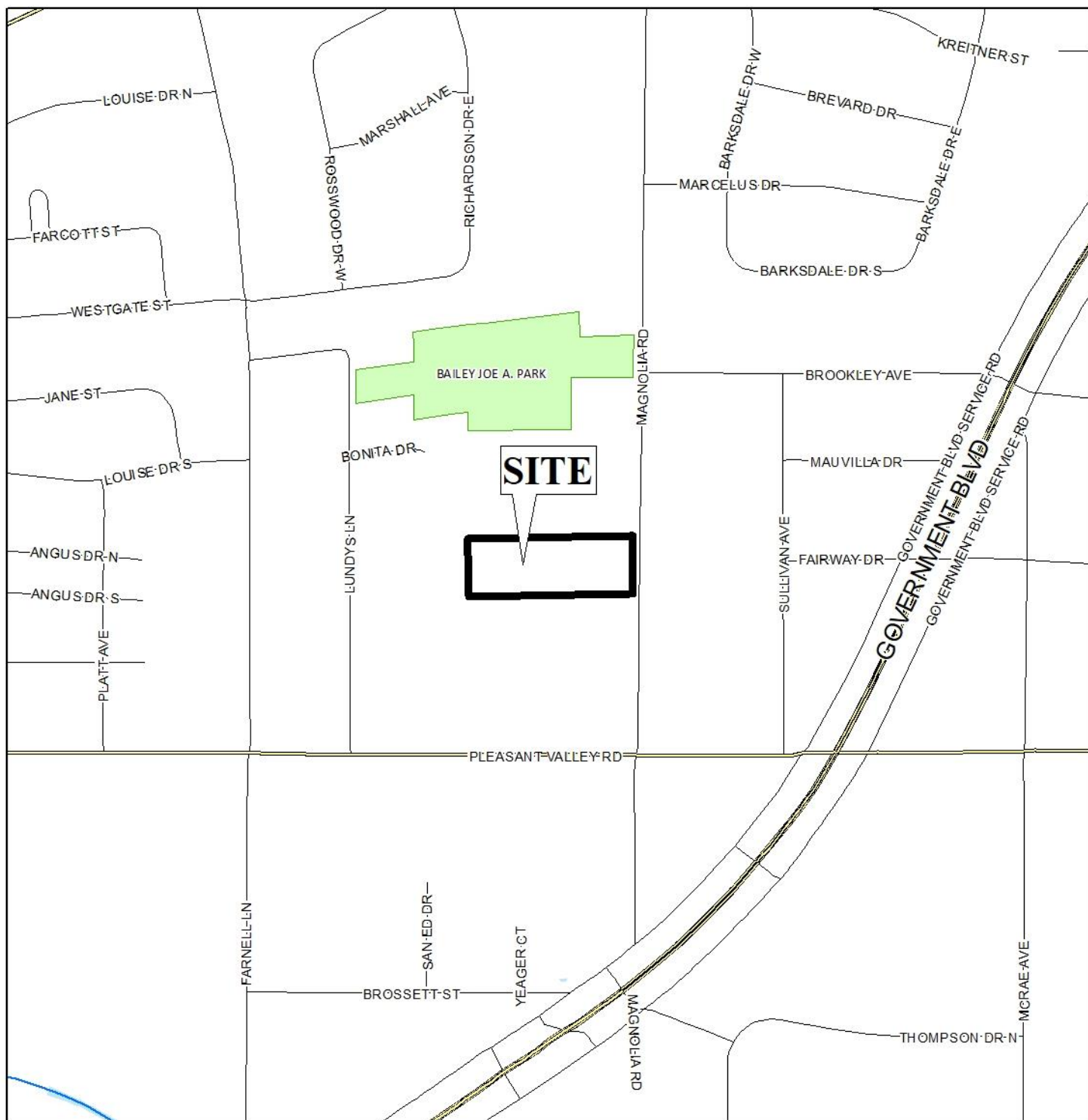
- a. the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities, as those infrastructures are already in place;
- b. the proposal will not cause undue traffic congestion or create a traffic hazard, because an improved parking area will be provided on-site; and
- c. the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located, because there are several existing churches in the vicinity.

The Approval should be subject to the following conditions:

- 1) full compliance with tree planting and landscape area requirements;
- 2) revision of the site plan to depict arrows directing traffic on the North and South of the sanctuary;
- 3) revision of the site plan to include a note stating that curb-side pickup will be utilized;
- 4) revision of the site plan to depict a protection buffer in compliance with Section 64-4.D.1. of the Zoning Ordinance as well as parking screening per Section 64-6.A.3.i. of the Zoning Ordinance
- 5) obtain tree removal permits prior to the removal of any existing trees on-site, as appropriate;

- 6) placement of a note on the site plan stating that any changes to the site plan or services offered by the church will require a new Planning Approval application;
- 7) full compliance with 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 Permitting 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.); and*
- 8) full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 9 DATE May 6, 2021

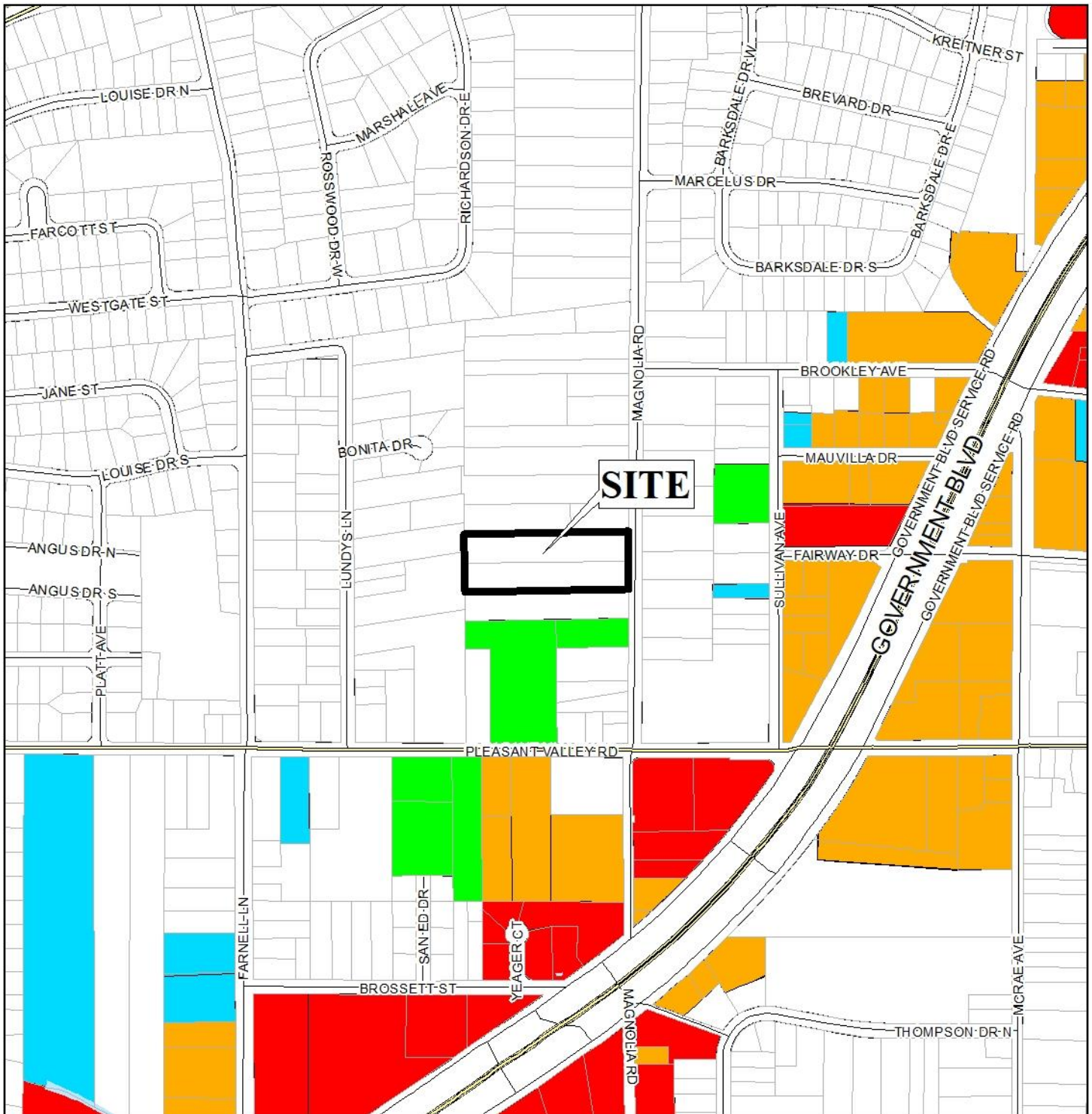
APPLICANT Redemption Place Subdivision

REQUEST Subdivision, Planning Approval



NTS

LOCATOR ZONING MAP



APPLICATION NUMBER 9 DATE May 6, 2021

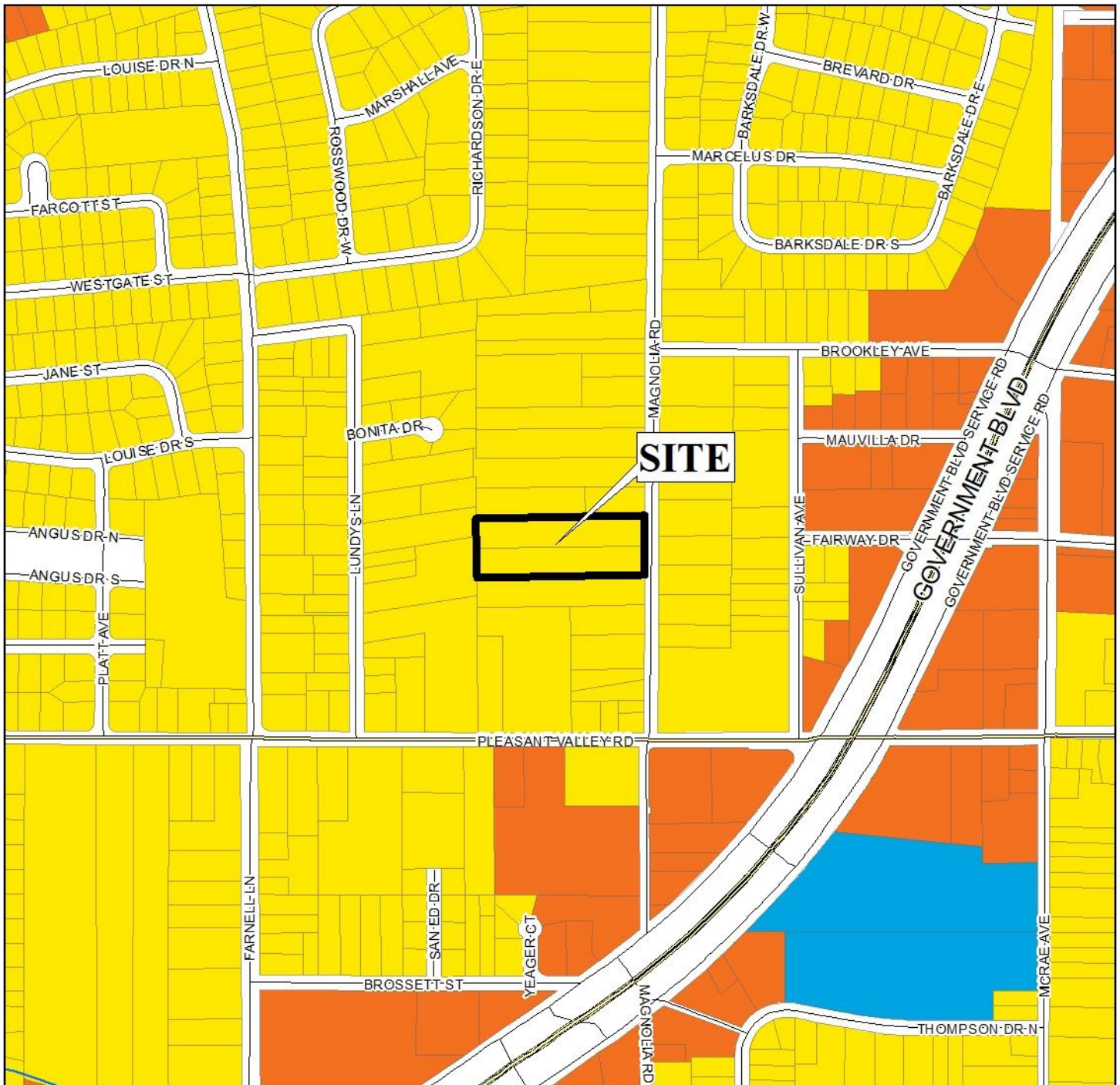
APPLICANT Redemption Place Subdivision

REQUEST Subdivision, Planning Approval



NTS

FLUM LOCATOR MAP



APPLICATION NUMBER 9 DATE May 6, 2021

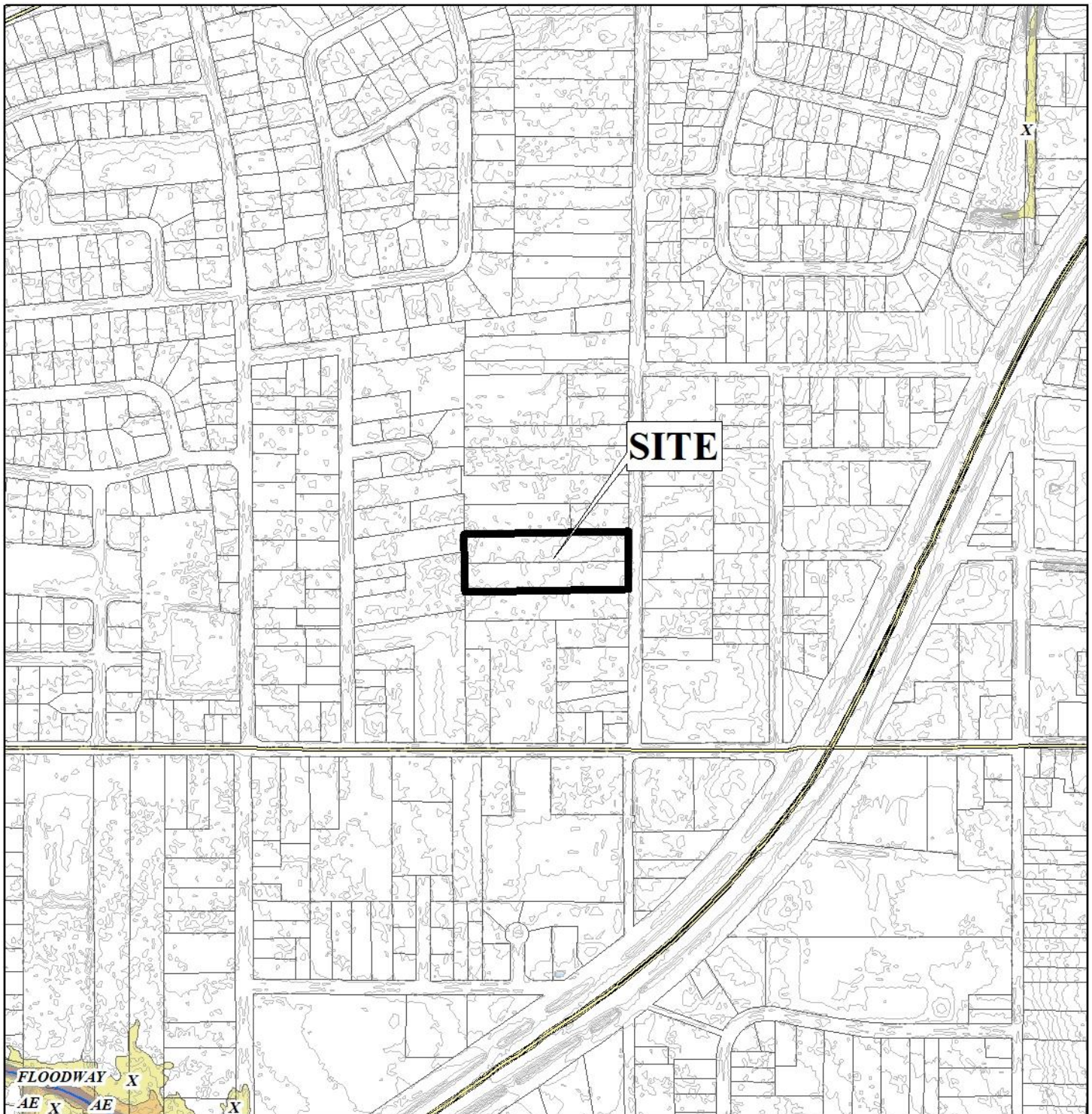
APPLICANT Redemption Place Subdivision

REQUEST Subdivision, 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



APPLICATION NUMBER 9 DATE May 6, 2021

APPLICANT Redemption Place Subdivision

REQUEST Subdivision, Planning Approval



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units,
apartment buildings, vacant lands and a church.

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APPLICANT Redemption Place Subdivision

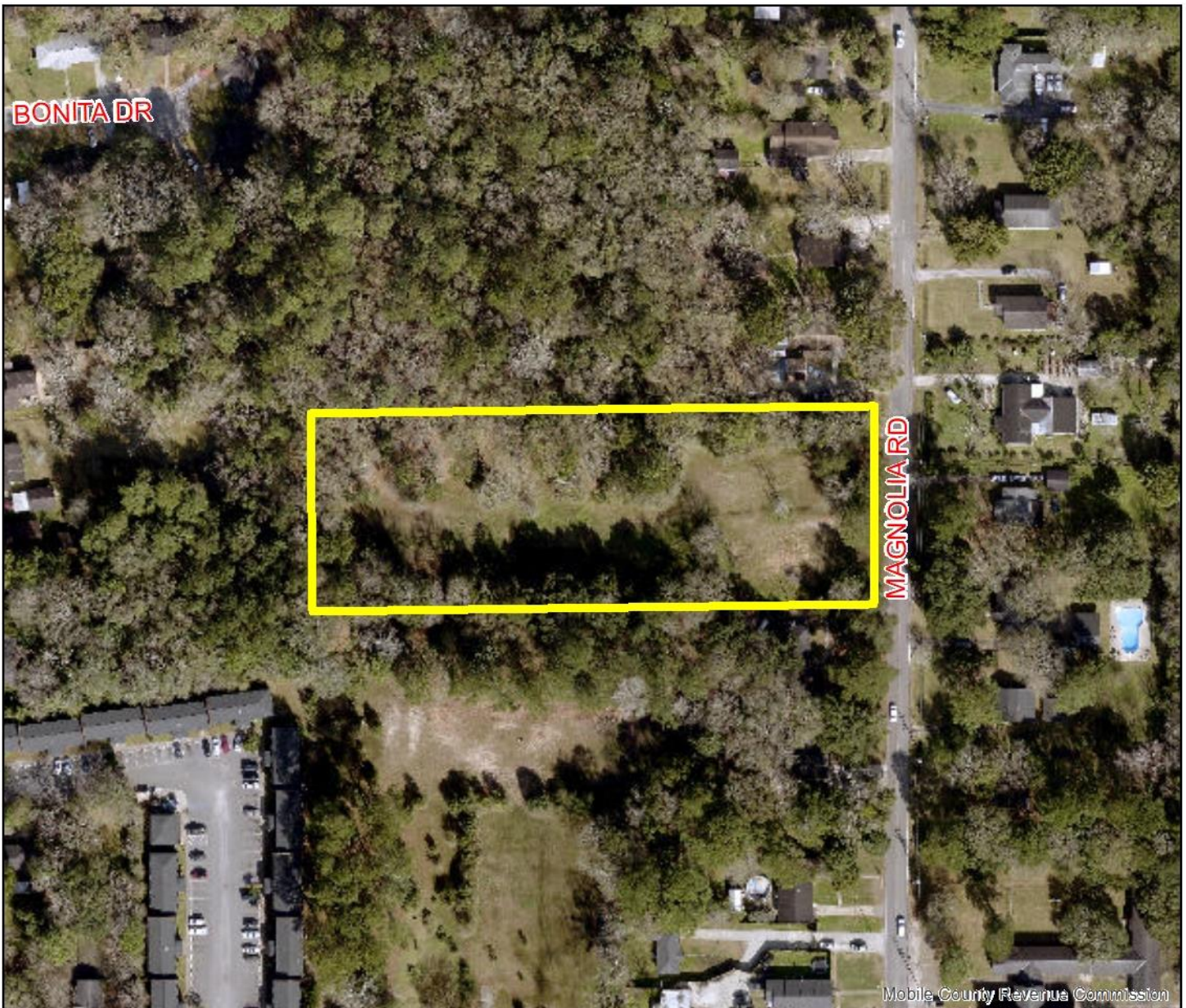
REQUEST Subdivision, Planning Approval

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 single family residential units, apartment buildings, vacant lands and a church.

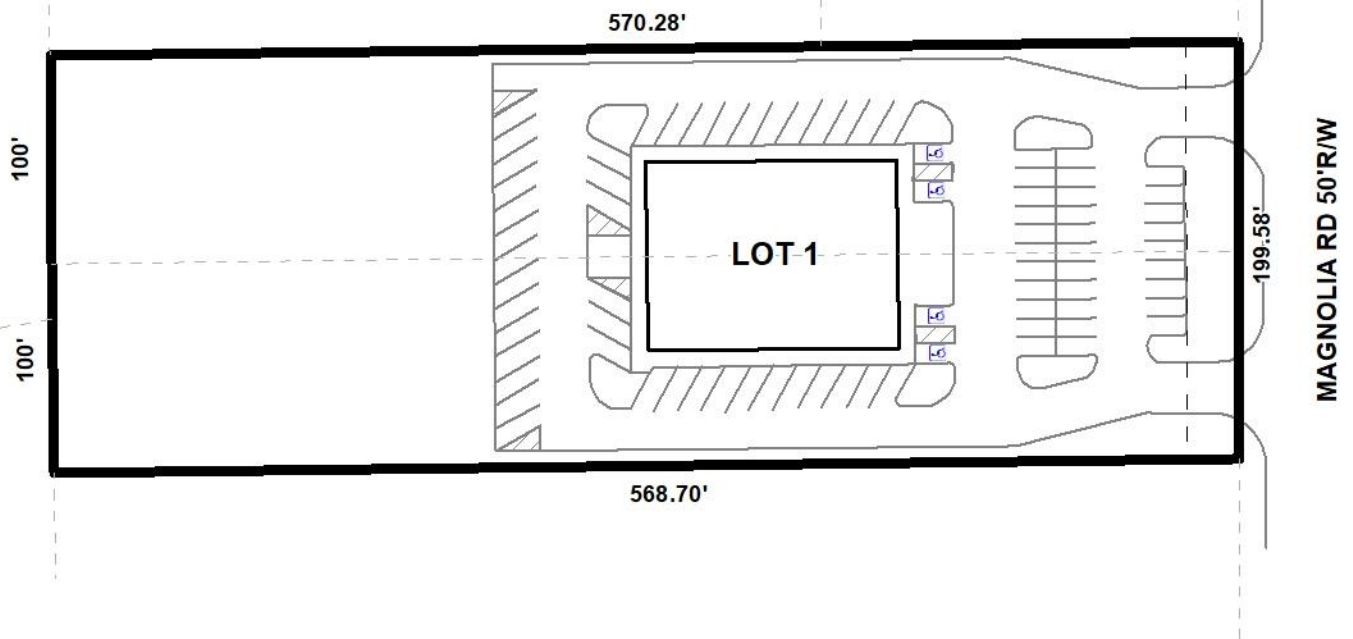
APPLICATION NUMBER 9 DATE May 6, 2021

APPLICANT Redemption Place Subdivision

REQUEST Subdivision, Planning Approval



SITE PLAN



The site plan illustrates existing setbacks and proposed building and parking areas.

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REQUEST Subdivision, Planning Approval



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