

**ZONING AMENDMENT &
SUBDIVISION STAFF REPORT**

Date: August 21, 2014

APPLICANT NAME

1716 Industrial Park Drive, LLC

**SUBDIVISION NAME
LOCATION**

Industrial Park Two Subdivision
1716 Industrial Park Drive
(West side of Industrial Park Drive, 370'± North of Halls
Mill Road extending West to Montlimar Drainage Canal)

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-1, Single-Family Residential District,
B-3, Community Business District, and
I-1, Light Industry District

PROPOSED ZONING

I-1, Light-Industry District

AREA OF PROPERTY

1 Lot / 6.0± Acre

CONTEMPLATED USE

Rezoning from R-1, Single-Family Residential District, B-3, Community Business District, and I-1, Light Industry District, to I-1, Light Industry District, to eliminate split zoning and Subdivision approval to create one legal lot of record.

It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.

**REASON FOR
REZONING**

To eliminate split zoning of the site.

**TIME SCHEDULE
FOR DEVELOPMENT**

Not specified.

**ENGINEERING
COMMENTS**

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity.
- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #84) LOT A will receive no historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition.
- D. Add a note to the Plat stating 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.
- E. Include additional distance label for the west line of existing Lot 6 to clarify the 397.01 distance listed in the written legal description.
- F. Show and label all flood zones.
- G. Show and label each and every Right-Of-Way and easement.
- H. Provide and label the monument set or found at each subdivision corner.
- I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- J. Provide the Surveyor's Certificate and Signature.
- K. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- L. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Rezoning No Comments

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All 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 (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 requesting Rezoning from R-1, Single-Family Residential District, B-3, Community Business District, and I-1, Light Industry District, to I-1, Light Industry District, to eliminate split zoning and Subdivision approval to create one legal lot of record. Specifically, the applicant proposes to expand their nearby business onto this site, enlarging the crushed limestone rear yard in the rear of the site; however, no expansion of the existing footprint of the commercial building or any other major site improvements are proposed at this time.

The site is shown as industrial on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component 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 zoning classification.

As stated in Section 64-9. of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The applicant's justification mentions that the property owner desires to combine several parcels of land into one lot; however, as the parcels are not of the same zoning classification, split zoning of the site would occur and, in order to comply with the Zoning Ordinance, Rezoning of the site to one zoning classification is needed. Although the applicant does not specifically address the above conditions, condition #4 would be most appropriate.

Currently the site is bounded on the north and east by I-1, Light-Industry, while the southern and western lot lines abut B-3, Community Business. A portion of the western boundary also runs along Halls Mill Creek, which abuts R-1, Single-Family Residentially zoned property directly across the tributary from this site.

A portion of the site was developed as a general contractor's business by the previous property owner; however, the majority of the site appears to have remained undeveloped. As mentioned, the current property owner wishes to expand their nearby business onto this site, where they anticipate 1 warehouse worker and expand a crushed limestone rear yard in the rear of the site, which will require proper Land Disturbance permitting. There is also 6' high wood privacy fencing depicted on the site plan, which appears compliant with all setbacks and height

requirements. Any proposed outside storage must occur entirely within the crushed limestone area, not on any unimproved surfaces.

It should be pointed out that the site plan does not depict the location or size of an office for the proposed business nor does it appear to accurately depict the current site conditions as it relates to impervious surfaces, i.e., the existing paved parking areas on the site. Also, the 2 proposed parking spaces do not appear to contain any bumper stops or curbing nor is an accessible route depicted from the accessible parking space to the building and, although the Planning Section does not enforce accessible parking or ADA, certain aspects of ADA do impact site design. As such, any revised site plan or building plan should include the location and size of an interior office space, if proposed, and comply with Section 64-6. of the Zoning Ordinance, in addition to design compliance with the requirements of the ADA, in accordance to the applicable building code section 1106 (and 2010 ADA Standards for Accessible Design), at the time of permitting.

In reference to tree and landscaping compliance, landscaping area data is listed on the site plan; however, as the applicant does not propose any structural expansions at this time, full compliance with the tree and landscaping requirements of the Zoning Ordinance will not be required until the time of development if the total gross floor area of the site is increased and/or decreased by at least 50% of the existing building's footprint.

It should be pointed out that there is no dumpster depicted on the site plan. Any revised site plan should illustrate the location of a dumpster in compliance with Section 64-4.D.9. of the Zoning Ordinance, or a note stating that waste removal will be via curb-side pick-up.

It should be noted that a sidewalk is also not illustrated on the site plan along the street frontages and may be required at the time of any structural expansions of the site.

Lighting is not illustrated on the site plan. Any new lighting on the site will have to comply with the requirements of Sections 64-4.A.2., 64-6.A.3.c., and 64-6.A.8. of the Zoning Ordinance. A note reflecting this requirement should appear on any revised site plan.

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, 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 purpose of the subdivision request is to create 1 legal lot of record by combining 2 existing lots and 3 metes-and-bounds parcels. The proposed 6.04 ± acre, 1-lot subdivision is, according to the applicant, served by both city water and sewer.

In accordance with the Subdivision Regulations, the proposed lot is compliant with the minimum size requirements, and the lot size in square feet and acres is illustrated on the preliminary plat. The 25' minimum building setback line is also illustrated along Industrial Park Drive and should be retained on the Final Plat, if approved.

The site has frontage along Industrial Park Drive, a minor street with a compliant 50' right-of-way and therefore, no dedication will be required. The site currently has 3 existing curb-cuts on Industrial Park Drive; however, the site plan only depicts 1 substandard curb-cut. Therefore, as a means of access management, the site should be limited to one curb-cut, with any changes to the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards.

It should be pointed out that the site plan and plat depict a 20' drainage and utility easement. If approved, the Final Plat and site plan should be revised to include a note stating that no permanent structures can be constructed in any easement.

Finally, 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

Subdivision: Based upon the preceding, the application is recommended for tentative approval, subject to the following conditions:

- 1) Revision of the Final Plat to illustrate a 20' drainage and utility easement along the site's southeastern lot line;
- 2) Placement of a note on the Final Plat stating that no permanent structures can be constructed in any easement;
- 3) Retention of the lot size information in square feet and acres and 25' minimum building setback line on the Final Plat;
- 4) Placement of a note on the Final Plat limiting the lot to 1 curb-cut, removal of any unused curb-cuts, with any changes to the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 5) Placement of a note on the Final Plat stating: *(Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.);*
- 6) Compliance with Engineering comments: *(The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any existing development (since 1984) that did not receive Land Disturbance permitting and for any future addition(s) and/or land disturbing activity. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 24 - #84) LOT A will receive no historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17,*

Ordinance #65-007 & #65-045), latest edition. D. Add a note to the Plat stating 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. E. Include additional distance label for the west line of existing Lot 6 to clarify the 397.01 distance listed in the written legal description. F. Show and label all flood zones. G. Show and label each and every Right-Of-Way and easement. H. Provide and label the monument set or found at each subdivision corner. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J. Provide the Surveyor's Certificate and Signature. K. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. L. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. M. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 7) Compliance with Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. All on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 8) 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).);*
- 9) 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.);*
- 10) Completion of the Rezoning process; and
- 11) Completion of the Subdivision process prior any requests for Land Disturbance.

Rezoning Based upon the preceding, the Rezoning request to I-1, Light Industry District, is recommended for approval, subject to the following conditions:

- 1) Obtainment of a Land Disturbance permit for all site improvements and building permits as necessary for interior improvements;
- 2) Full compliance with the tree and landscaping requirements of the Zoning Ordinance at such time that the total gross floor area of the site is increased and/or decreased by 50% or more;
- 3) Completion of the Subdivision process; and
- 4) Full compliance with all other municipal codes and ordinances.

LOCATOR MAP



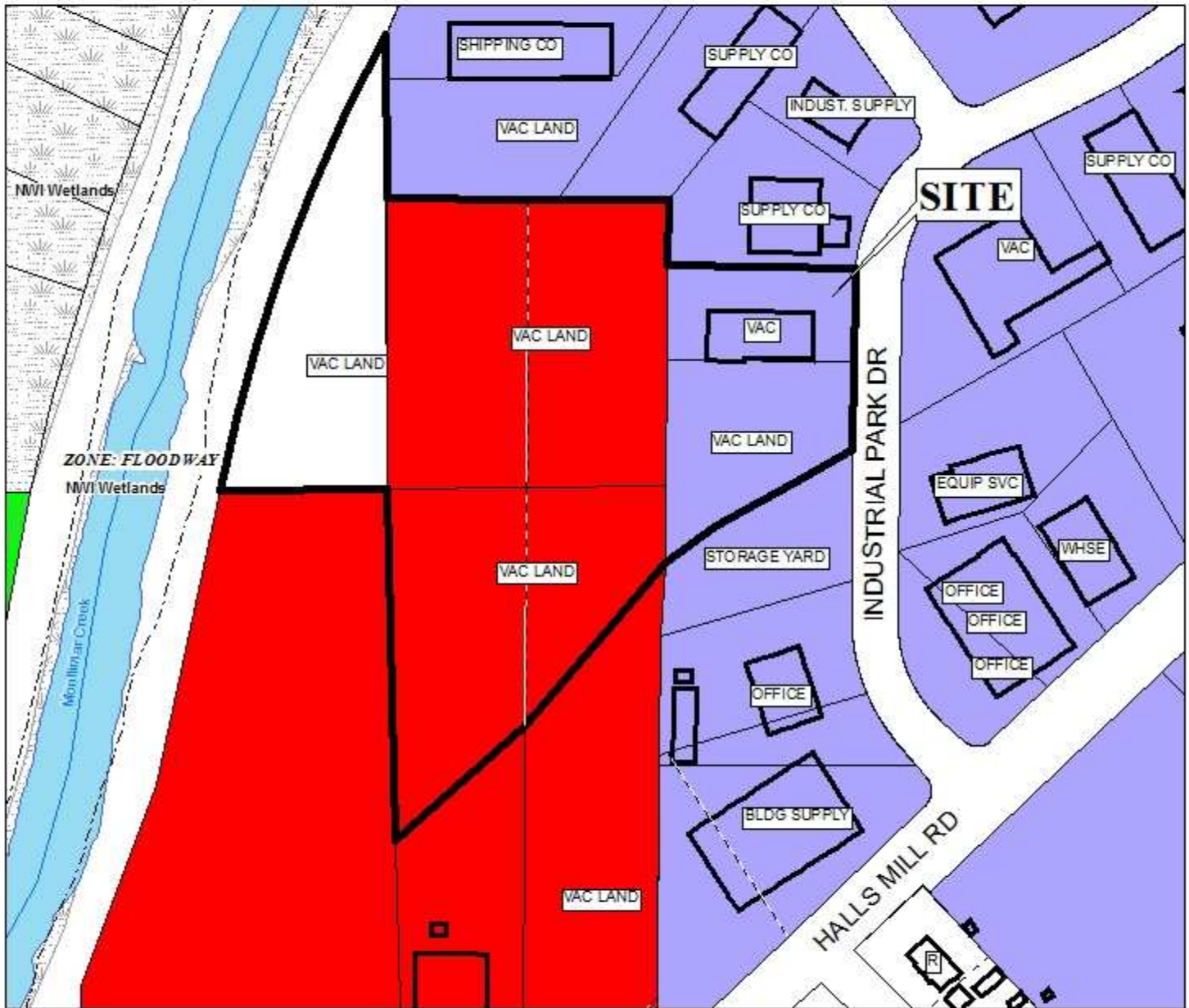
APPLICATION NUMBER 7 DATE August 21, 2014

APPLICANT 1716 Industrial Park Drive, LLC

REQUEST Subdivision, Rezoning from R-1, B-3, and I-1 to I-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by businesses.

APPLICATION NUMBER 7 DATE August 21, 2014

APPLICANT 1716 Industrial Park Drive, LLC

REQUEST Subdivision, Rezoning from R-1, B-3, and I-1 to I-1

RA	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 ZONING**



The site is surrounded by businesses.

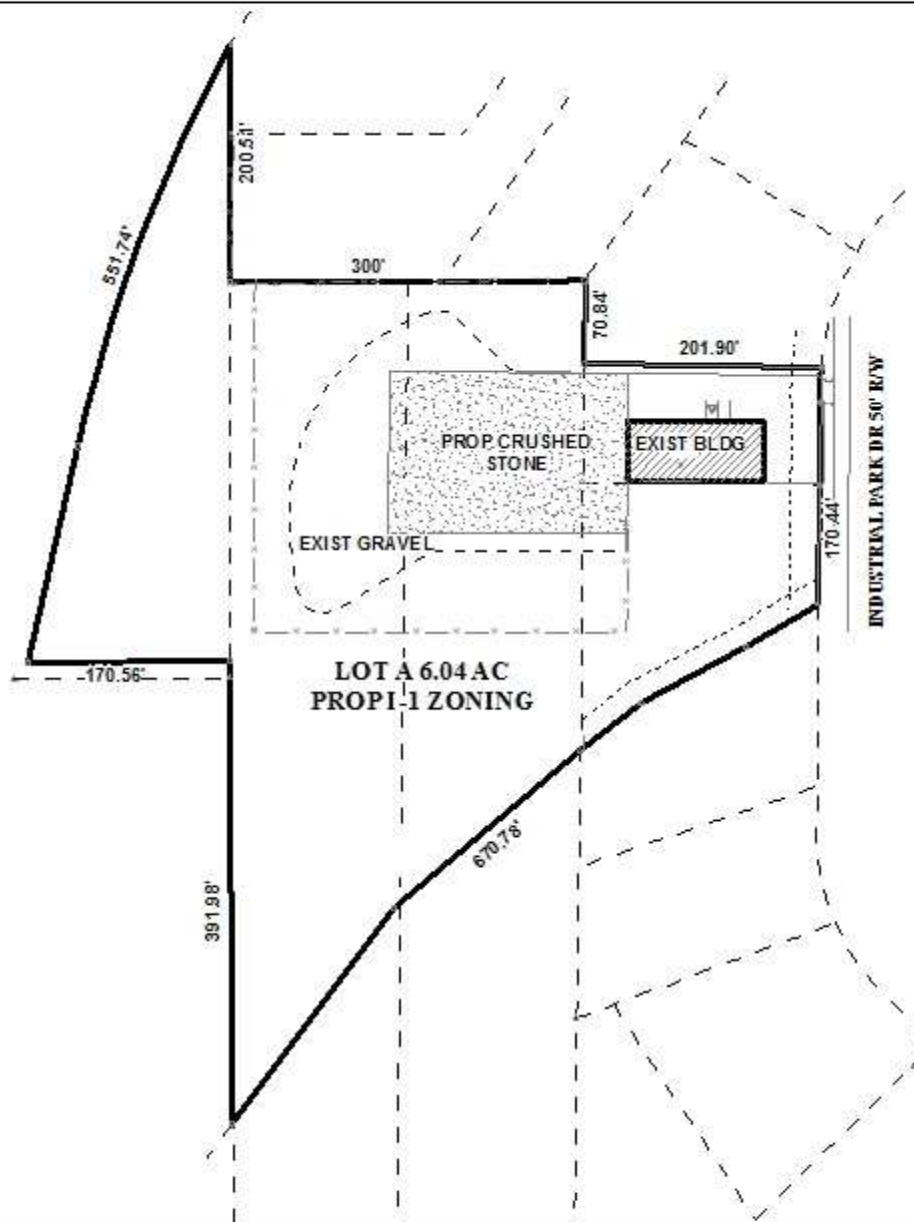
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SITE PLAN



The site plan illustrates the existing building, gravel areas, and proposed limestone surfaced areas.

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REQUEST Subdivision, Rezoning from R-1, B-3, and I-1 to I-1

