



Agenda Item # 3 - EXTENSION

BOA-SE-002598-2023

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration](#)

DETAILS

Location:

2600 Burden Lane

Applicant / Agent:

McDowell Knight / Stephen Harvey

Property Owner:

Greenmound, LLC

Current Zoning:

I-1, Light Industry District

Future Land Use:

Light Industry & Parks and Open Space

Case Number(s):

6537/6205

Unified Development Code (UDC) Requirement:

- Special Exception to allow the expansion of railroad facilities in an I-1, Light Industry District

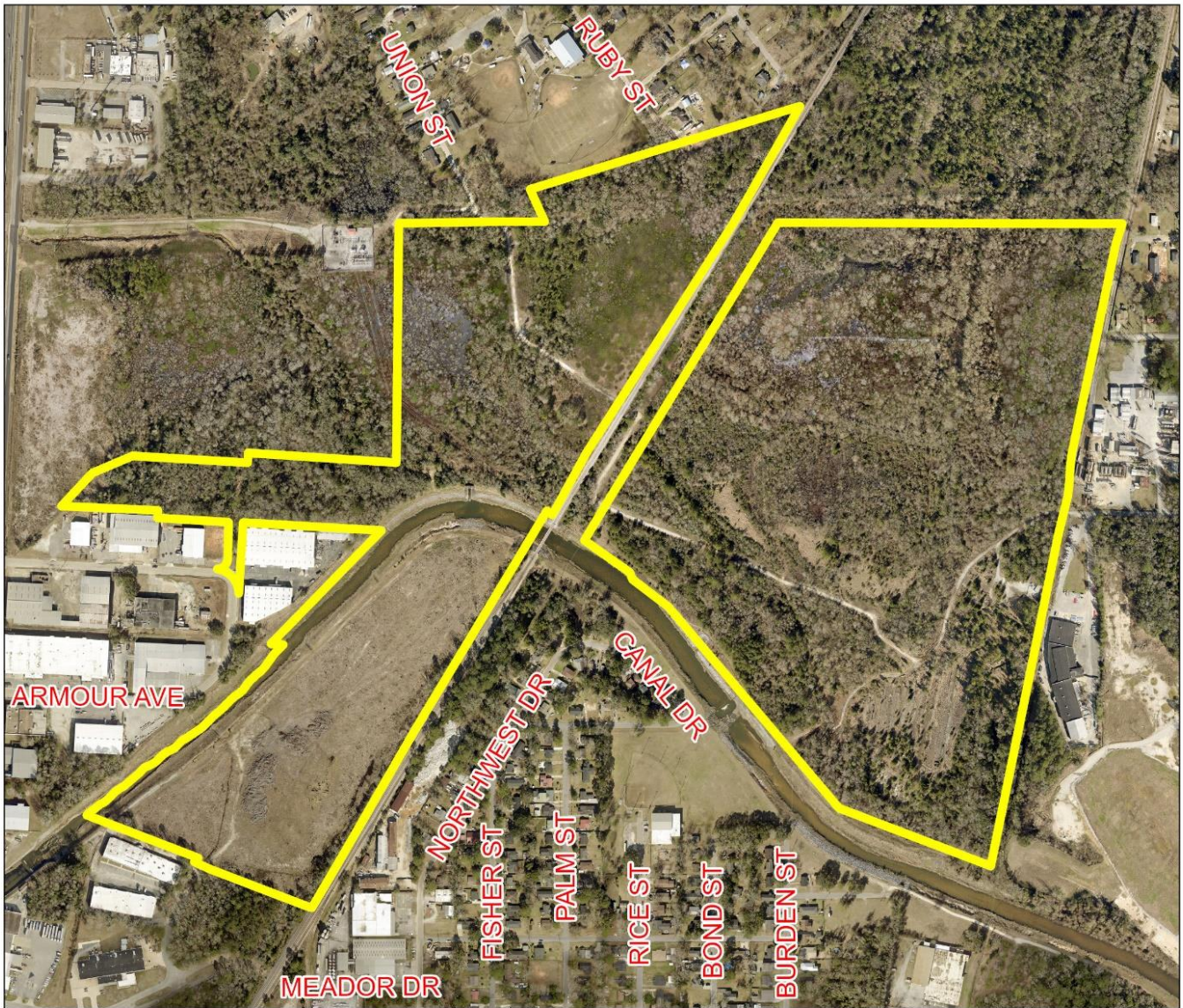
Board Consideration:

- To allow the expansion of railroad facilities in an I-1, Light Industry District

Report Contents:

	Page
Context Map	2
Site History	3
Staff Comments	3
Special Exception Considerations	4
Exhibits	5

BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential and industrial units, and wetlands.

APPLICATION NUMBER <u> 6537 </u> DATE <u> March 4, 2024 </u>	 NTS
APPLICANT <u> McDowell Knight (Stephen Harvey, Agent) </u>	
REQUEST <u> Special Exception </u>	

SITE HISTORY

In September 2018, a portion of the site obtained a surfacing variance to allow aggregate surfacing for the access to a proposed cell tower. It should be noted the cell tower was erected on a 2,500 square foot lease parcel, and thus is not required to be a separate legal lot of record.

In August 2019, a portion of the site obtained approval for a one (1) lot Subdivision from the Planning Commission, but the approval was allowed to expire.

The Board of Adjustment approved a Special Exception at its September 11, 2023, meeting date to allow for an expansion of a Railroad Facility in an I-1, Light Industry District. There have been no other Planning Commission or Board of Adjustment cases associated with the site.

STAFF COMMENTS

Engineering Comments:

No comments.

Traffic Engineering Comments:

No comments.

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 (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendix B and C of the 2021 International Fire Code. The Minimal Requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings and 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is requesting a six (6) month extension of the originally approved Special Exception, which was granted on September 11, 2023, subject to the following conditions:

- 1) The location of the railroad ties will not be altered from what is approved by the Board;
- 2) Retention of the 30-foot vegetative buffer, where the site abuts residentially zoned property;
- 3) Compliance with all Engineering comments noted in this staff report; and

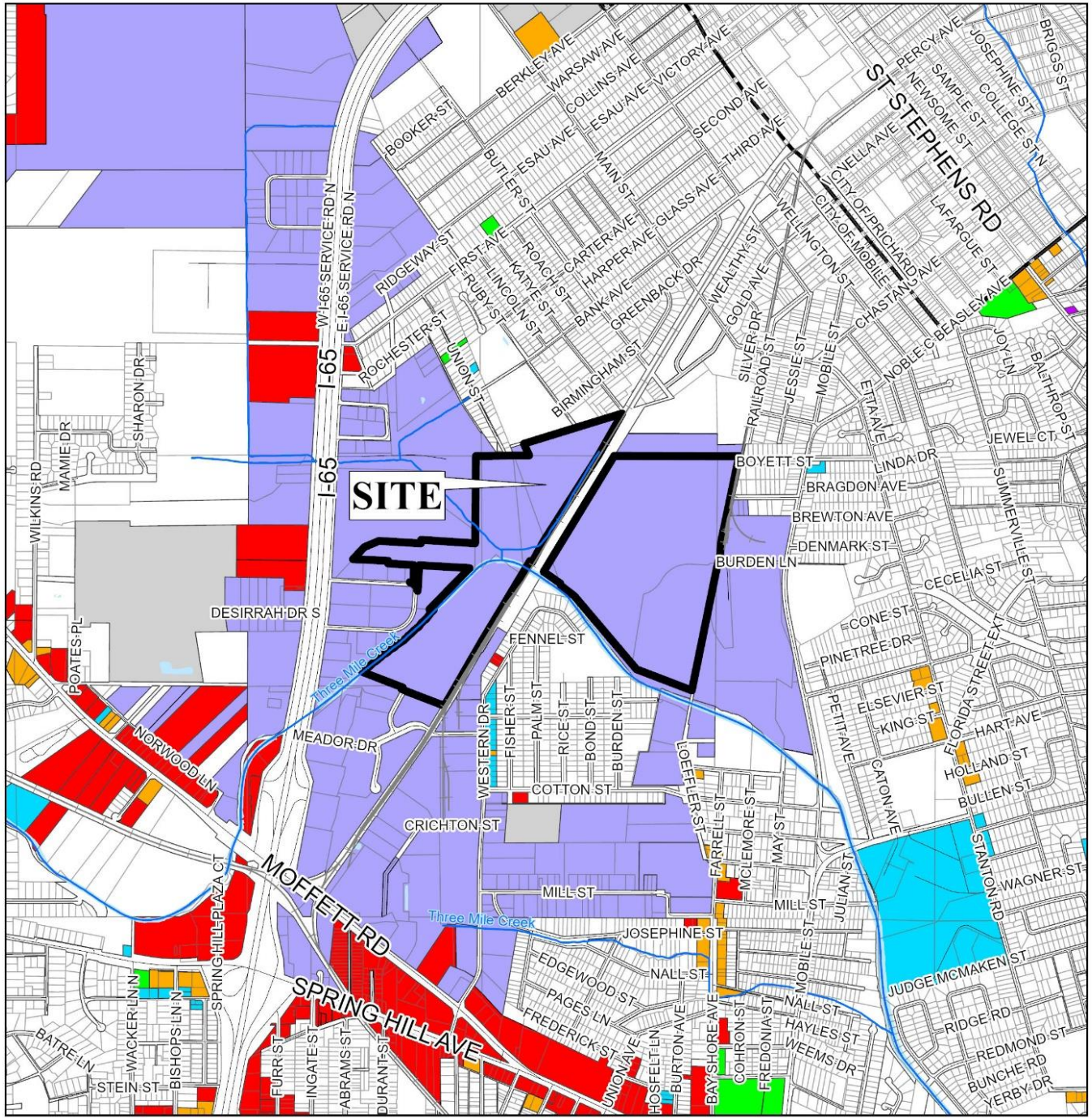
4) Full compliance with all municipal codes and ordinances.

The applicant explains that the Special Exception approval was granted during the due diligence period under a purchase agreement. The applicant has since purchased the property in December 2023 and needs additional time to obtain required permits.

SPECIAL EXCEPTION EXTENSION CONSIDERATIONS

The Board is typically amenable to granting extensions, especially a first request when the applicant is working towards obtaining proper permits. Granting of such extensions are always in compliance with the findings of facts and conditions associated with the original approval.

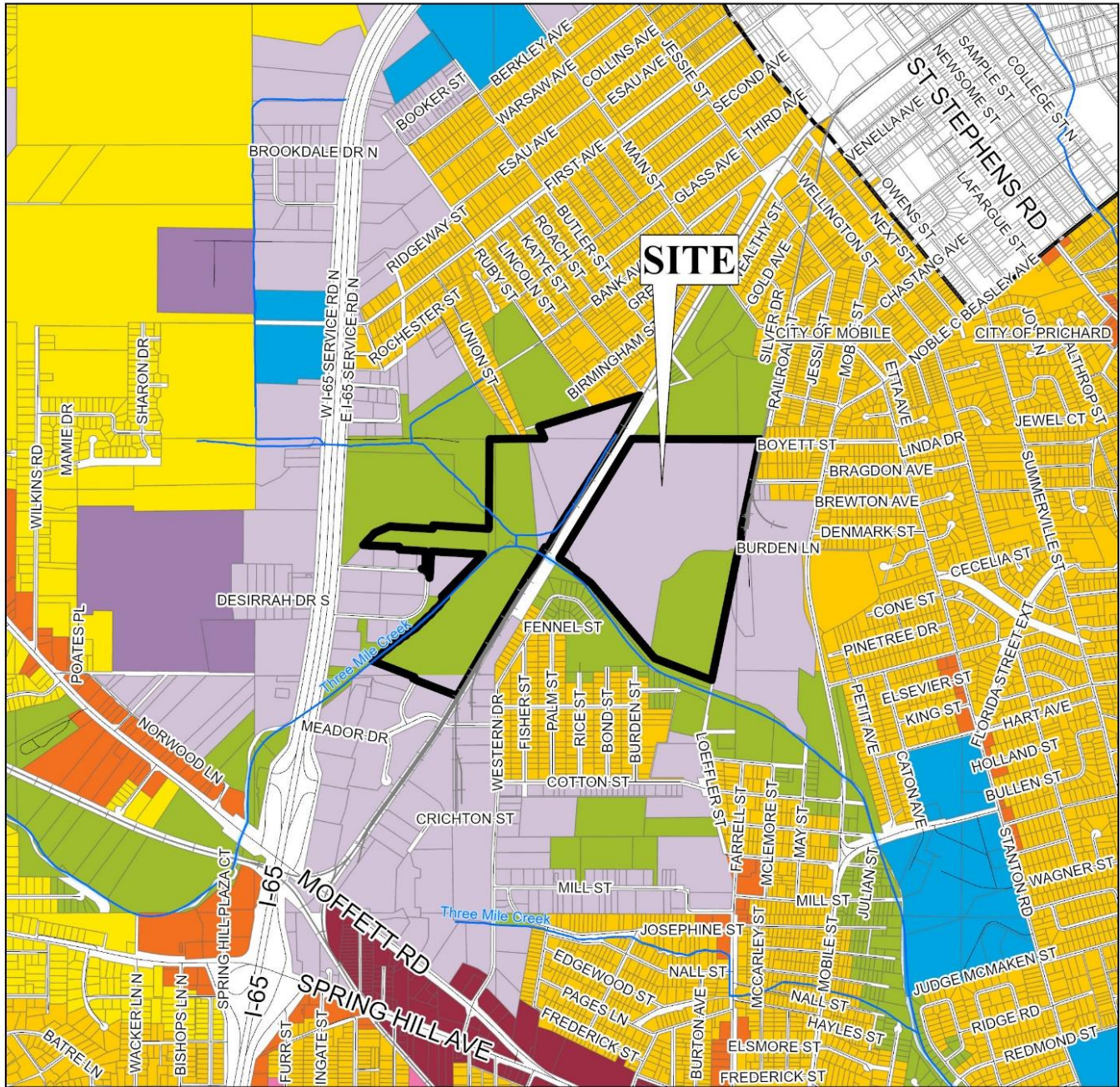
LOCATOR ZONING MAP



APPLICATION NUMBER	6537	DATE	March 4, 2024
APPLICANT	McDowell Knight (Stephen Harvey, Agent)		
REQUEST	Special Exception		



FLUM LOCATOR MAP



APPLICATION NUMBER 6537 DATE March 4, 2024

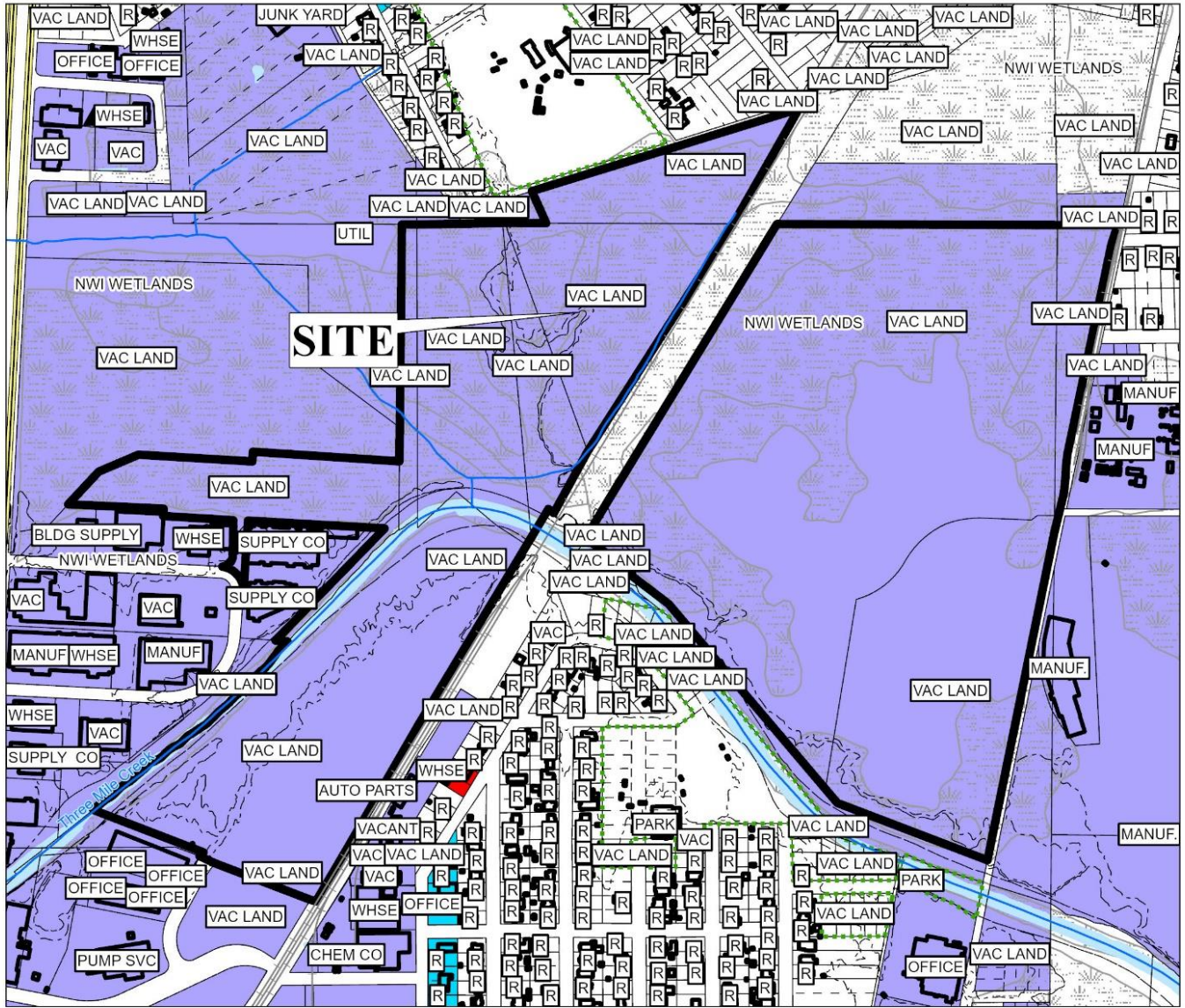
APPLICANT McDowell Knight (Stephen Harvey, Agent)

REQUEST Special Exception


 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	



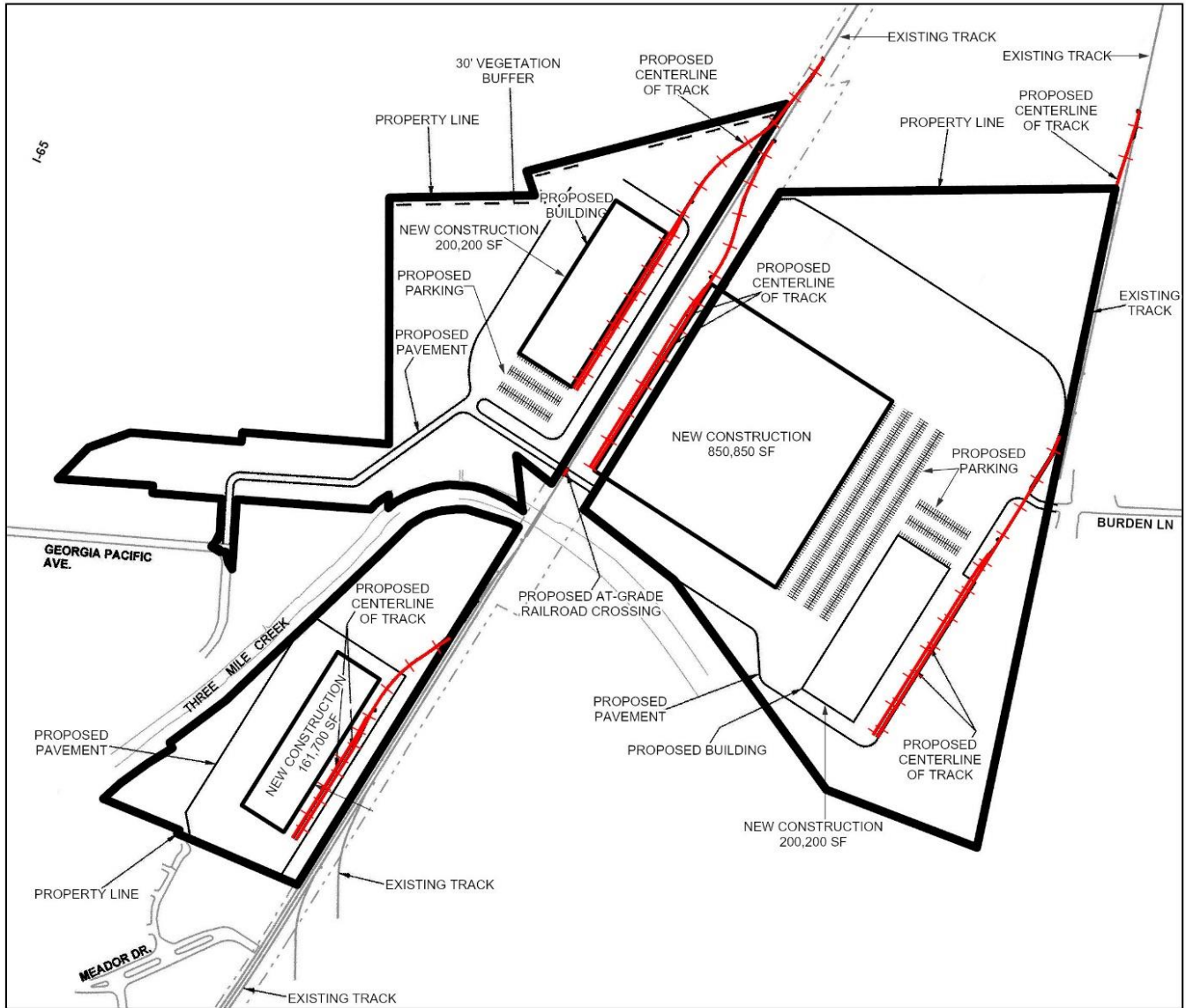
BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING




The site is surrounded by industrial units.

APPLICATION NUMBER <u>6537</u> DATE <u>March 4, 2024</u>																															
APPLICANT <u>McDowell Knight (Stephen Harvey, Agent)</u>																															
REQUEST <u>Special Exception</u>																															
<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>		 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2	 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6	 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	
 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2																						
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6																						
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1																							

SITE PLAN



The site plan illustrates the proposed buildings and parking areas.

APPLICATION NUMBER <u>6537</u> DATE <u>March 4, 2024</u>	 NTS
APPLICANT <u>McDowell Knight (Stephen Harvey, Agent)</u>	
REQUEST <u>Special Exception</u>	

ZONING DISTRICT CORRESPONDENCE MATRIX		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

LIGHT INDUSTRY (LI)

This land use designation applies to an array of modern, low-impact industrial uses that include assembly and processing, warehousing, distribution and wholesaling facilities. The bulk of the light industrial use must be contained within a building or facility. If a light industrial use requires outside storage, the storage must be limited in area and appropriately screened from view in accordance to specific zoning requirements. This designation may also include uses such as complementary offices and retail.

LI also includes areas that may be regarded as “industrial business”, where the land uses include business administration and logistics operations for industrial concerns, building trade contractors facilities and advance research facilities, as well as stand-alone educational, scientific and industrial research facilities, or any combination of those facilities located in light industrial and technology parks. Many parcels used for industrial business are smaller and scattered throughout Mobile. For this reason, these parcels are not singled out in the FLUM, but rather are addressed through zoning.

Light industrial uses are characterized by attractive, accessible and connected development, compatible with the character of surrounding neighborhoods. Development may take the form of planned campuses in park-like settings or unified design corridors, with consideration to factors such as site and building orientation, building design, landscaping and buffering, lighting, continuity of pedestrian networks, access and connectivity to transit and to freight transportation.

Heavy commercial and, in some cases, high-density residential land uses may serve as transitions between LI and other, lower-intensity land use designations. Protection buffers may also be required by zoning.

Parks and Open Space (POS)



This designation applies to parkland maintained in a natural, semi-natural state, or developed with facilities and set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. Parks may include squares, playgrounds, playfields, gardens, greens, greenways and blueways, and other recreational areas and facilities that are accessible to the public. Open space may include any open piece of land, publicly or privately held, that is undeveloped (has no buildings or other built structures). This designation is not intended to identify public land acquisition or to prohibit the development potential of individual properties.

The designation applies to all existing and future parks and open space within the City, including both active and passive uses. Open space, including public access to water bodies, is generally consistent with all other land use categories, i.e., a park can be located within any other land use category, either incidental to a development or as part of a publicly-owned or publicly-sponsored local, community or regional park. Therefore, a Parks and Open Space designation is deemed consistent with all land use categories in the Future Land Use Map.