



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

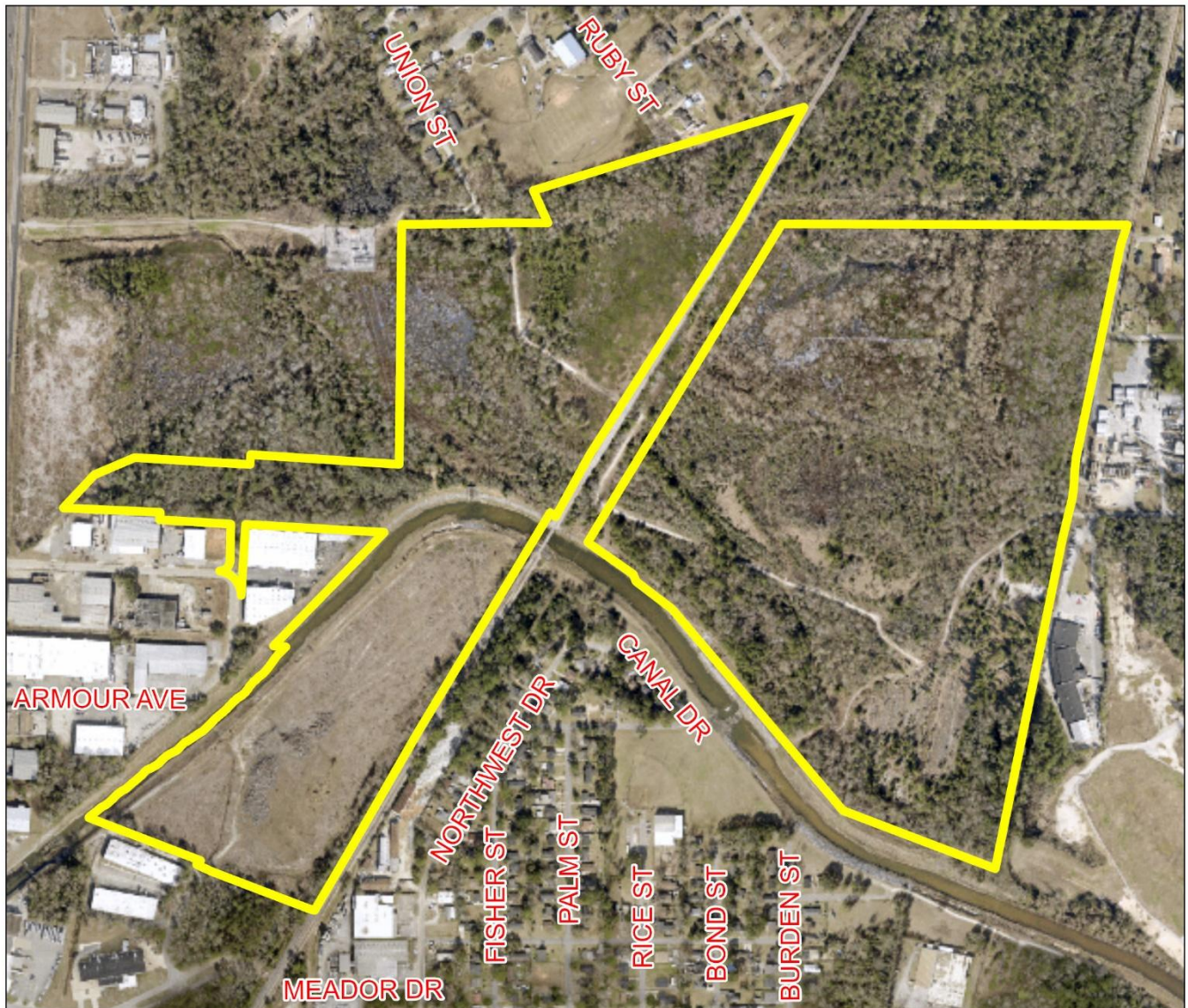
Board Consideration:

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

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BOARD OF ADJUSTMENT VICINITY MAP - EXISTING AERIAL



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

APPLICATION NUMBER	6537	DATE	September 8, 2025
APPLICANT	McDowell Knight (Stephen Harvey, Agent)		
REQUEST	Special Exception		



SITE HISTORY

In September 2018, a portion of the site was granted a surfacing variance to allow aggregate surfacing for access to a proposed cell tower. The cell tower was constructed on a 2,500-square-foot lease parcel and therefore is not required to be a separate legal lot of record.

In August 2019, the Planning Commission approved a one-lot subdivision for a portion of the site; however, the approval subsequently expired.

On September 11, 2023, the Board of Adjustment approved a Special Exception to allow for the expansion of a Railroad Facility in an I-1, Light Industry District. A six-month extension was granted on March 4, 2024, followed by a twelve-month extension on September 9, 2024.

No other Planning Commission or Board of Adjustment cases are 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 located within the City Limits of Mobile shall comply with the provisions of the City of Mobile Fire Code Ordinance, which adopts the 2021 edition of the *International Fire Code (IFC)*.

Fire apparatus access roads shall be provided to within 150 feet of all non-sprinklered commercial buildings and within 300 feet of all sprinklered commercial buildings, as measured along an approved route around the exterior of the facility.

An approved fire water supply capable of meeting the requirements set forth in *Appendices B and C* of the 2021 IFC shall be provided for all commercial buildings.

Fire hydrant placement shall comply with the following minimum standards:

- Within 400 feet of non-sprinklered commercial buildings
- Within 600 feet of sprinklered commercial buildings
- Within 100 feet of fire department connections (FDCs) serving standpipe or sprinkler systems

Although the *International Residential Code (IRC)* functions as a stand-alone document for the construction of one- and two-family dwellings and townhouses, it does not govern the design or layout of emergency access or community-level fire protection infrastructure. Therefore, residential developments must also comply with the applicable requirements of the *International Fire Code*, including, but not limited to, those listed above concerning the design, construction, regulation, and maintenance of fire apparatus access roads and fire protection water supplies.

Planning Comments:

The applicant is requesting an additional six (6) month extension of the most recently approved Special Exception, which was granted on September 9, 2024, 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 states that Special Exception approval was obtained during the due diligence period under a purchase agreement. After purchasing the property in December 2023, the applicant now requires additional time to secure the necessary permits due to the scope of the project.

SPECIAL EXCEPTION EXTENSION CONSIDERATIONS

Standards of Review:

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.

Considerations:

Based on the requested Special Exception application, if the Board should consider approval of the request, the following findings of fact must be considered:

- (a) The proposed use is in harmony with the general purpose, goals, objectives and standards of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City.
- (b) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of this Chapter, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the City or other governmental agency having jurisdiction to guide growth and development.
- (c) The proposed use will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, and services specified in this subsection. Where any such improvements, facilities, utilities or services are not available or adequate to service the proposed use in the proposed location, the Applicant shall, as part of the application and as a condition to approval of the proposed Special Exception permit, be responsible for establishing ability, willingness and commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with this Chapter, and other plans, programs, maps and ordinances adopted by the

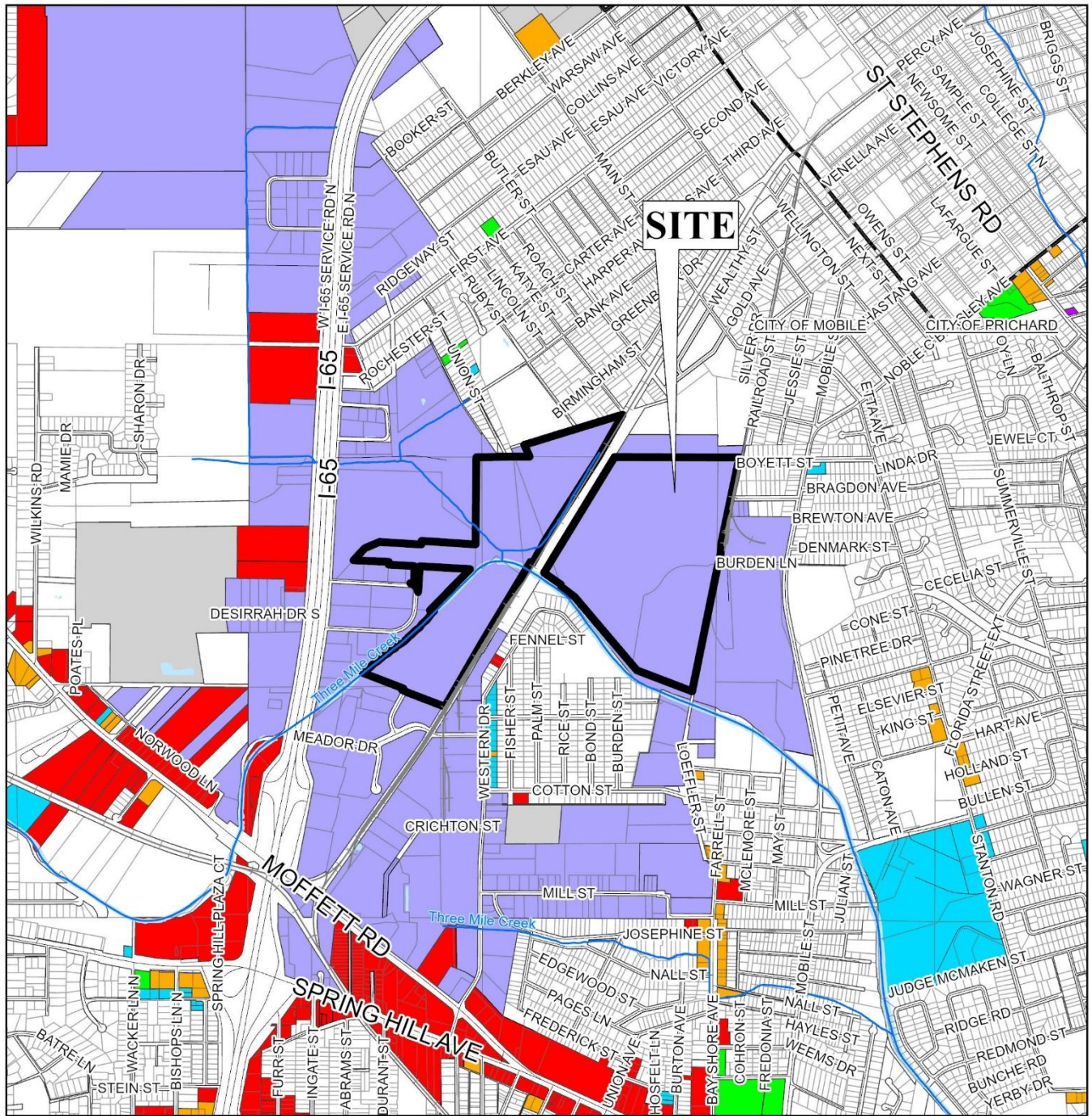
City to guide its growth and development. The approval of the Special Exception Permit shall be conditioned upon such improvements, facilities, utilities and services being provided and guaranteed by the Applicant.

- (d) The proposed use is consistent with all applicable requirements of this Chapter, including:
 - (1) Any applicable development standards in Article 3; and
 - (2) Any applicable use regulations in Article 4.
- (e) The proposed use is compatible with the character of the neighborhood within the same zoning district in which it is located;
- (f) The proposed use will not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district; and
- (g) The proposed use will have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district.
 - (1) In making this determination, the Board of Adjustment shall consider:
 - a. The location, type and height of buildings or structures;
 - b. The type and extent of landscaping and screening;
 - c. Lighting;
 - d. Hours of operation; or
 - e. Other conditions that might require mitigation of any adverse impacts of the proposed development.
- (h) The site is designed to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads.
- (i) The site is designed to minimize the impact on storm water facilities.
- (j) The use will be adequately served by water and sanitary sewer services.
- (k) The use is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- (l) The use will not be detrimental or endanger the public health, safety or general welfare.

If the Board is inclined to approve the application, the following conditions should apply:

- 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.

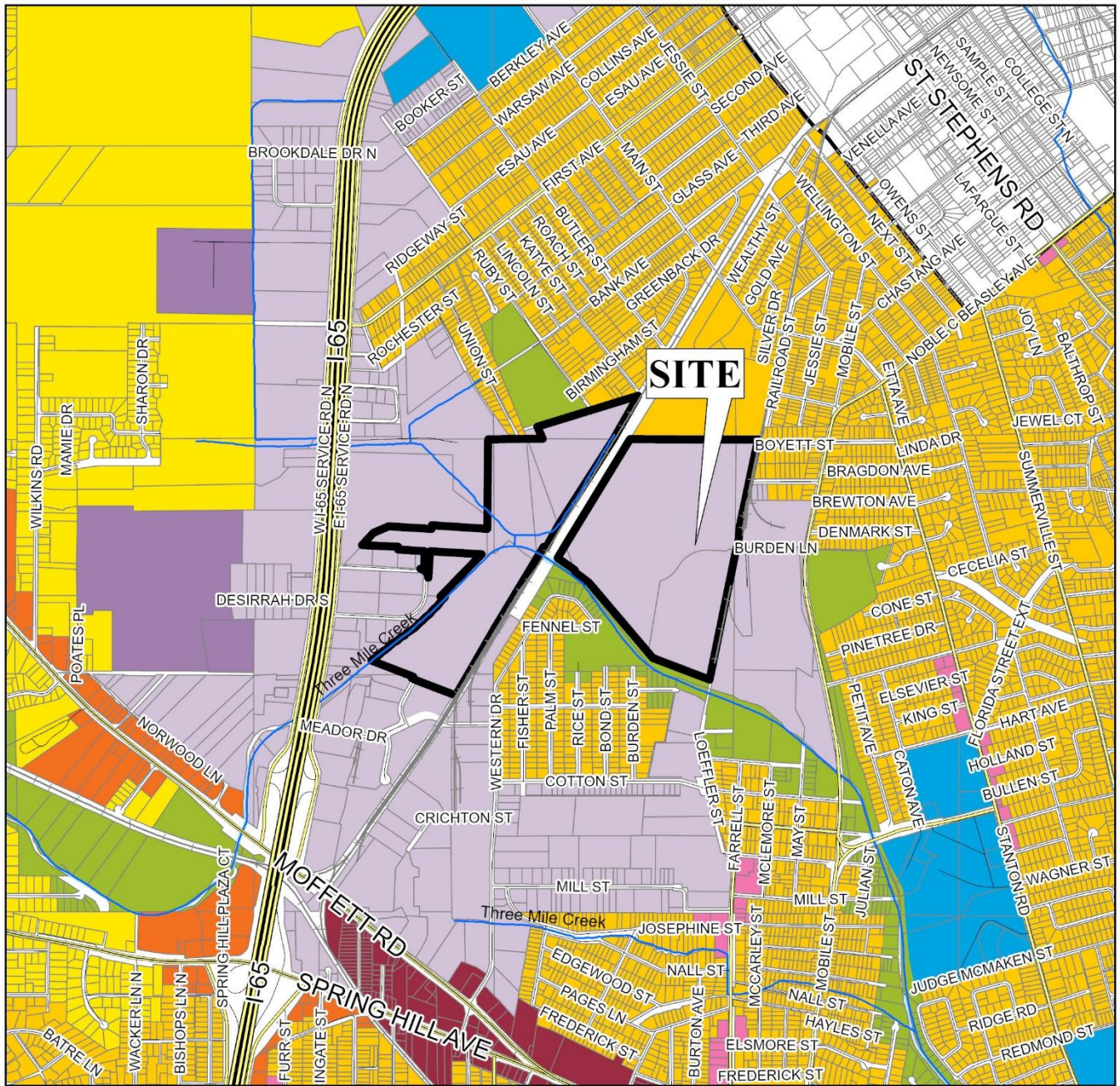
LOCATOR ZONING MAP



APPLICATION NUMBER 6537 DATE September 8, 2025
 APPLICANT McDowell Knight (Stephen Harvey, Agent)
 REQUEST Special Exception



FLUM LOCATOR MAP



APPLICATION NUMBER 6537 DATE September 8, 2025

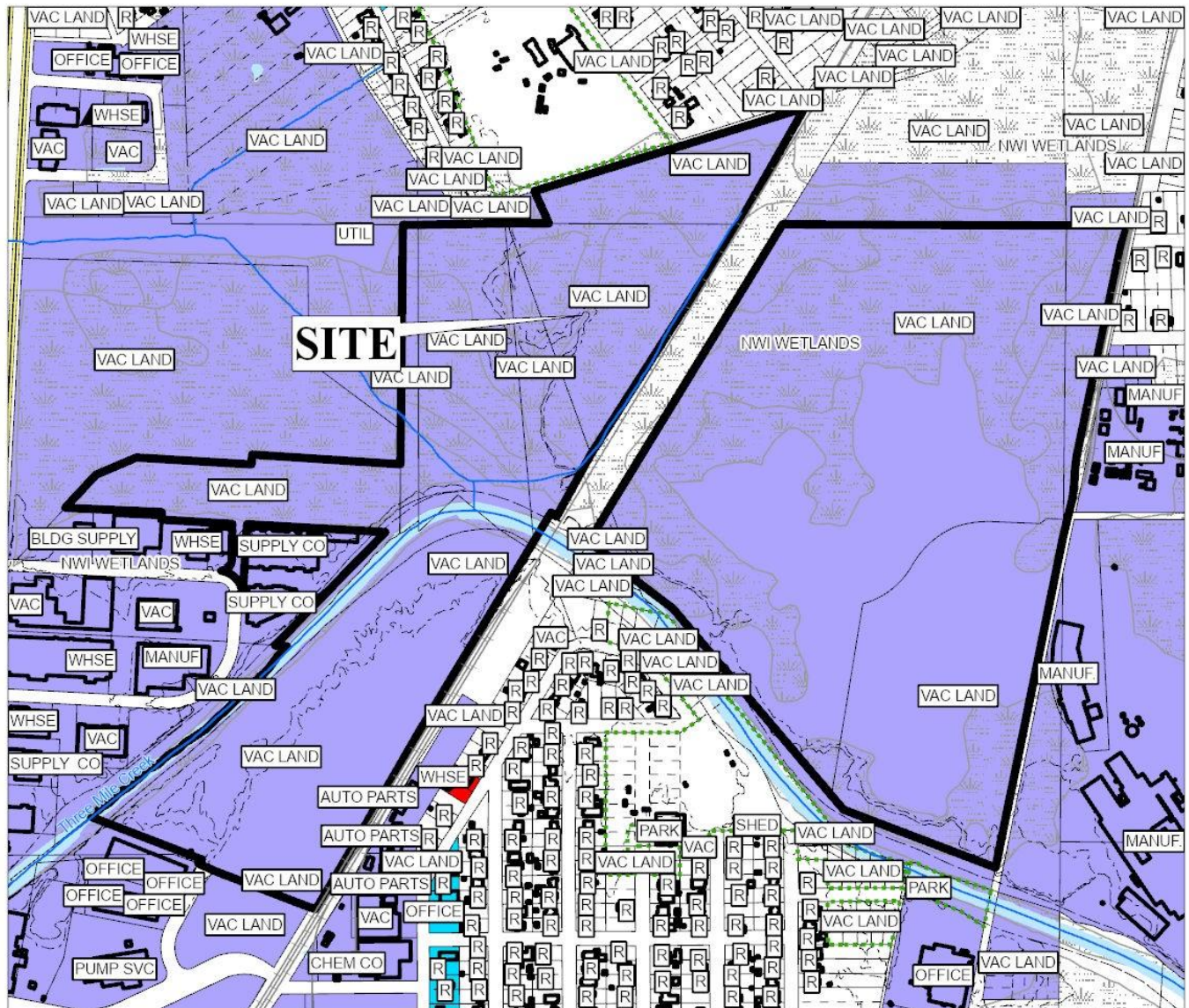
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REQUEST Special Exception

- | | | | |
|---------------------------|-----------------------------------|-------------------|-----------------|
| Low Density Residential | Neighborhood Center - Traditional | Light Industry | Water Dependent |
| Mixed Density Residential | Neighborhood Center - Suburban | Heavy Industry | |
| Downtown | Traditional Corridor | Institutional | |
| District Center | Mixed Commercial Corridor | Parks, Open Space | |



BOARD OF ADJUSTMENT VICINITY MAP - EXISTING ZONING



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

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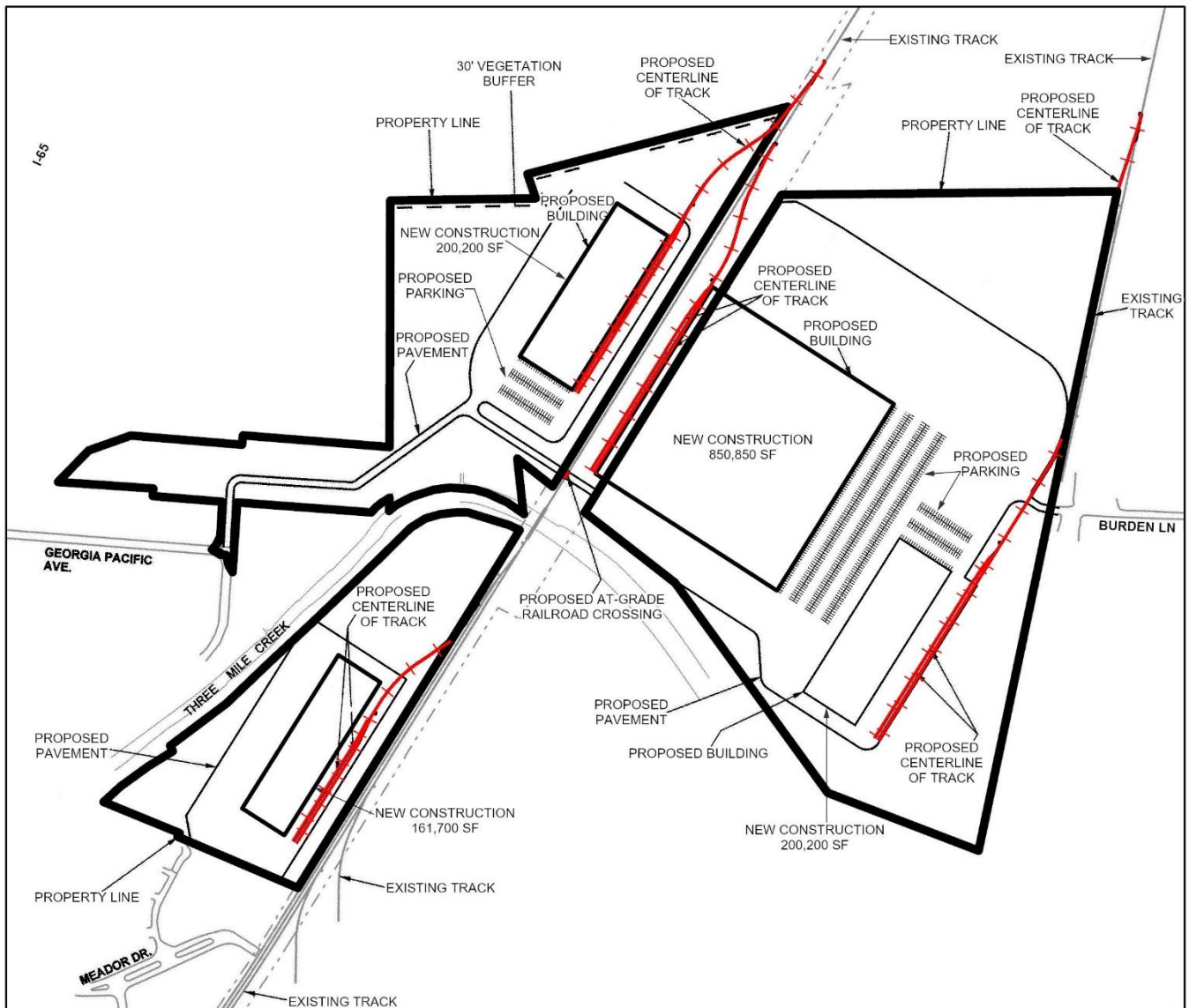
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 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2
 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6
 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	



SITE PLAN



The site plan illustrates the proposed buildings and parking areas.

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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 (WDWU)
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.