

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT, &  
ZONING AMENDMENT STAFF REPORT**

**Date: January 19, 2023**

**NAME** Swintindustrial Mobile AL, LLC (Jefferson Bennett, Agent)

**SUBDIVISION NAME** Swintindustrial Subdivision

**LOCATION** West side of Hillcrest Road, 0.2± mile South of the West terminus of Nevius Road

**CITY COUNCIL DISTRICT** District 6

**PRESENT ZONING** LB-2, Limited-Neighborhood Business District

**PROPOSED ZONING** B-5, Office-Distribution District

**AREA OF PROPERTY** 1 Lot / 80.3± Acres

**CONTEMPLATED USE** Subdivision approval to create one (1) legal lot of record from one (1) metes-and-bounds parcel; Planned Unit Development Approval to allow multiple buildings on a single building site; and Rezoning from LB-2, Limited Neighborhood Business District to B-5, Office-Distribution District.

**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.**

**TIME SCHEDULE FOR DEVELOPMENT** Not Provided

**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. Check and revise the Subdivision Name if necessary. Is it supposed to be SWINT INDUSTRIAL or SWINTINDUSTRIAL?
  - C. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
  - D. Provide the Surveyor's Certificate.
  - E. Provide the Surveyor's and Owner's (notarized) signatures.
  - F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
  - G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #85) LOT 1 will receive share the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). The lots will be allowed to add the following amount of impervious area before storm water detention is required: LOT 1 – NONE.
  - H. 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.
  - I. 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.

**Planned Unit Development:**

1. Revise NOTE #13 to read “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.”
2. Retain NOTES #9 – 12 and #14, as shown on the PLANNED UNIT DEVELOPMENT drawing dated 12-1-22.

**Rezoning:** No Comments.

**TRAFFIC ENGINEERING**  
**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, should 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 one (1) metes-and-bounds parcel; Planned Unit Development Approval to allow multiple buildings on a single building site; and Rezoning from LB-2, Limited Neighborhood Business District to B-5, Office-Distribution 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 to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

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.

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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 site fronts Hillcrest Road, a minor arterial road, per the Major Street Plan, which should have a minimum right-of-way of 100-feet. The preliminary plat shows Hillcrest Road as having a variable right-of-way, therefore dedication to provide 50-feet from the centerline may be appropriate, if approved. The site also has frontage at the North terminus of Schimpfs Lane Extension, located outside of the City of Mobile. If approved, a note should be placed on the Final Plat stating that the lot is denied direct access to Schimpfs Lane Extension.

The proposed lot sizes are provided in square feet and acres, and meet the minimum standards set forth in Section V.D.2. of the Subdivision Regulations. As such, if approved, this information should be retained on the Final Plat, adjusted for any dedication.

The 25-foot front minimum building setback is not shown along Hillcrest Road or Schimpfs Lane Extension. If approved, the 25-foot setback should be shown along all street frontages on the Final Plat.

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

PUD review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and, that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and, to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

It is very important to note that PUD review is site plan specific; therefore *any* future changes to the overall site plan must be submitted for PUD review. Furthermore, PUD approvals expire after one year if no permits are obtained.

The applicant states:

*PLAN CONSISTENCY STATEMENT. The subject area, although it is shown as residential on the Future Land Use plan, it is currently zoned LB-2 (which is a business category). The owner of the subject property owns several hundred acres adjacent to this site, and have owned all of the subject property in this area for several decades. It has never been able to be developed as residential for several reasons, the most important of which is that the MAWSS infrastructure in the area has been vacated and the water and sewer lines plugged. Due to the financial commitment to bring water to this area for hundreds of homes, residential development would be impractical. Further, in the very near future, Nevius Road will be extended to Sollie Road, which will provide opportunity for business development.*

*ZONING STATEMENT (zoning applications only). There is an increased need in Mobile County for logistic parks such as this. The past success and future expansion of the port of Mobile will increase the demand for logistic parks which provide warehousing and distribution of goods that will go through the Port. Every commercial real estate broker in Mobile has clients looking for property to build these logistic parks due to the high demand.*

*This project will have very little, if any, impact on the surrounding community. The subject property abuts the southernmost City limits; thus, the property to the south is in the County and has no zoning. The residences immediately adjacent to this site are not close to the property line. Also, due to the elevation of this site, and the way it will be developed, the neighbors to the south will not be able to see the buildings.*

*The renderings which will be submitted at the hearing will show that this is a first class development that is aesthetically pleasing and will have no negative impact on this area. Any traffic to or from this site will be via Nevius Road from the interstate, away from the one residential subdivision north of this site on Hillcrest Road, said subdivision which will be across and on the north side of Nevius Road extension.*

The proposed site plan depicts a total of four (4) buildings totaling 942,400± square feet. No information is provided regarding the amount of office space to be located on the site, nor is the amount of warehouse employees provided, making it difficult for staff to determine the number of parking spaces required. The site plan does depict 148 parking spaces, with ample room to provide additional parking, should it be needed. If approved, the site plan should be revised to address the amount of office space and warehouse employees so that staff can confirm sufficient parking is provided.

The site plan depicts two (2) dumpsters, with enclosures. If approved, the site plan should be revised to state that the dumpsters will have compliant enclosures and connections to sanitary sewer.

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The 25-foot front minimum building setback is not shown along Hillcrest Road or Schimpfs Lane Extension on the PUD site plan. If approved, the 25-foot setback should be shown along all street frontages on the site plan.

Section 64-4.D.1. of the Zoning Ordinance requires that where commercially developed properties abut residentially zoned or utilized property, a compliant buffer must be provided. As the site abuts residentially zoned property, as well as residentially utilized property located outside of the City, a compliant buffer must be provided. If approved, the site plan should be revised to depict a compliant residential buffer.

The applicant depicts several existing trees on the site will be preserved. If approved, all existing trees to be preserved should be retained on the site plan with their size and species provided. The proposed development will be required to fully comply with tree planting and landscape area requirements, with tree planting to be coordinated with staff. The site plan submitted indicates full compliance with landscape area requirements will be provided.

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 states that there is an increased need for businesses, such as the proposed logistics park. A logistics park can best be categorized as a warehouse in the Chart of Permitted Uses, which the proposed use being allowed by-right in B-5, I-1, or I-2 districts, and with Planning Approval in B-3 or B-4.

The subject site is bounded to the South and West by property located outside of the City of Mobile, in an unincorporated portion of Mobile County, which has no land use zoning. Properties to the North are zoned LB-2, Limited-Neighborhood Business District, and R-1, Single Family Residential District, and properties to the East, across Hillcrest Road, are zoned LB-2.

Section 64-3.E.5. of the Zoning Ordinance says in regards to B-5 districts “Desirable locations for these districts, which should serve as a transition between commercial and industrial districts, includes sites with interstate access, along principal thoroughfares and highways, areas convenient to major commercial or industrial concentrations, and to a lesser extent, along rail lines.” The subject site is not located near the interstate, but on Hillcrest Road, a minor arterial road, per the Major Street Plan, and is not near existing commercial or industrial concentrations, or rail lines.

Section 64-3.A.5.a. recommends a minimum of four (4) acres for the creation of a free-standing B-5 district; as the site contains 80 acres, it will exceed this minimum recommendation. However, the site is depicted as residential on the Future Land Use Map. Therefore, approval of the rezoning

request may not be appropriate at this time; or, if rezoning is determined to be desirable, a lesser zoning district, with a Planning Approval application may be considered.

## **RECOMMENDATION**

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

- 1) dedication to provide 50-feet from the centerline of Hillcrest Road, if necessary;
- 2) depiction of the 25-foot front setback along all street frontages;
- 3) retention of the lot sizes in square feet and acres, adjusted for dedication;
- 4) placement of a note stating that no structures are allowed in any easement without the easement holder's permission, if appropriate;
- 5) placement of a note on the Final Plat prohibiting Lot 1 from direct access to Schimpfs Lane Extension;
- 6) 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. Check and revise the Subdivision Name if necessary. Is it supposed to be SWINT INDUSTRIAL or SWINTINDUSTRIAL? C. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. D. Provide the Surveyor's Certificate. E. Provide the Surveyor's and Owner's (notarized) signatures. F. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. G. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 19 - #85) LOT 1 will receive share the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). The lots will be allowed to add the following amount of impervious area before storm water detention is required: LOT 1 – NONE. H. 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. I. 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](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.);
- 7) placement of a note on the Final Plat stating Traffic Engineering comments: (Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, should 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 [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.);*

- 9) 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). 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.);* and
- 10) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), if approved, prior to signing the Final Plat.

**Planned Unit Development:** Based on the preceding, staff recommends that the Commission consider all relevant facts prior to deciding if the proposed PUD meets the following criteria:

- a. the proposal promotes the objective of Creative design *(to encourage innovative and diversified design in building form and site development);*
- b. the proposal promotes the objective of Flexibility *(to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations);*
- c. the proposal promotes the objective of Efficient land use *(to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment);*
- d. the proposal promotes the objective of Environment *(to preserve and protect as urban amenities the natural features and characteristics of the land);*
- e. the proposal promotes the objective of Public services *(to encourage optimum use of available public utilities, streets and community facilities).*

**Rezoning:** Based on the preceding, staff recommends that the Commission consider all relevant facts prior to deciding if the proposed rezoning meets the following criteria:

- a. there is a manifest error in the Ordinance;
- b. changing conditions in a particular area make a change in the Ordinance necessary and desirable;
- c. there is a need to increase the number of sites available to business or industry; or,
- d. the subdivision of land into building sites makes reclassification of the land necessary and desirable.

**Revised for the January 19<sup>th</sup> meeting:**

The applications were heldover by the Planning Commission at the December 1<sup>st</sup> meeting at the request of the applicant. No additional information has been submitted to staff for review, therefore the previous recommendation remains.

**RECOMMENDATION**

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

- 1) dedication to provide 50-feet from the centerline of Hillcrest Road, if necessary;
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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.);

- 9) 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). 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.); and
- 10) submittal to and approval by Planning and Zoning of a revised PUD site plan (hard copy and .pdf), if approved, prior to signing the Final Plat.

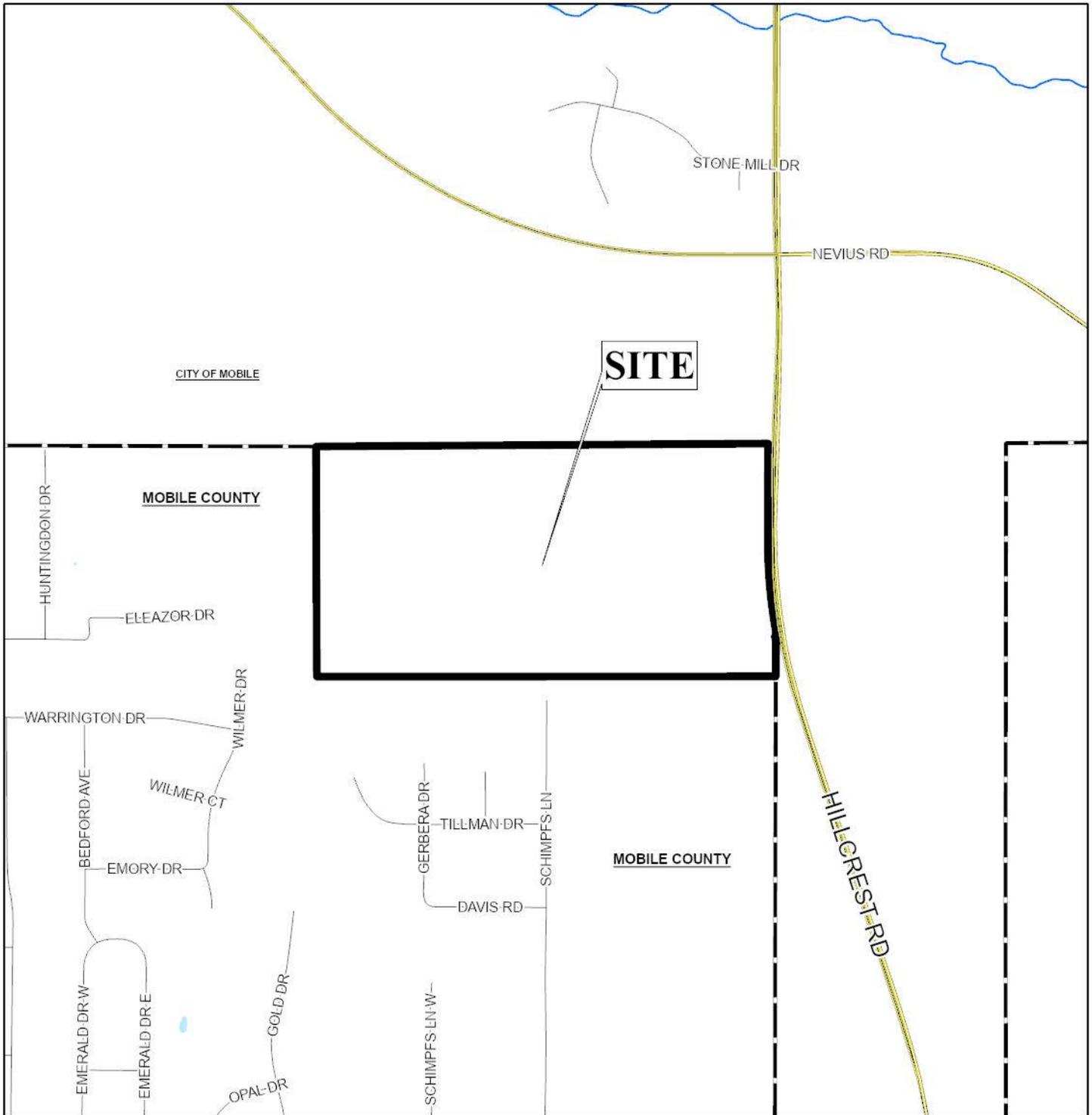
**Planned Unit Development:** Based on the preceding, staff recommends that the Commission consider all relevant facts prior to deciding if the proposed PUD meets the following criteria:

- a. the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development);
- b. the proposal promotes the objective of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations);
- c. the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment);
- d. the proposal promotes the objective of Environment (to preserve and protect as urban amenities the natural features and characteristics of the land);
- e. the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities).

**Rezoning:** Based on the preceding, staff recommends that the Commission consider all relevant facts prior to deciding if the proposed rezoning meets the following criteria:

- a. there is a manifest error in the Ordinance;
- b. changing conditions in a particular area make a change in the Ordinance necessary and desirable;
- c. there is a need to increase the number of sites available to business or industry; or,
- d. the subdivision of land into building sites makes reclassification of the land necessary and desirable.

# LOCATOR MAP



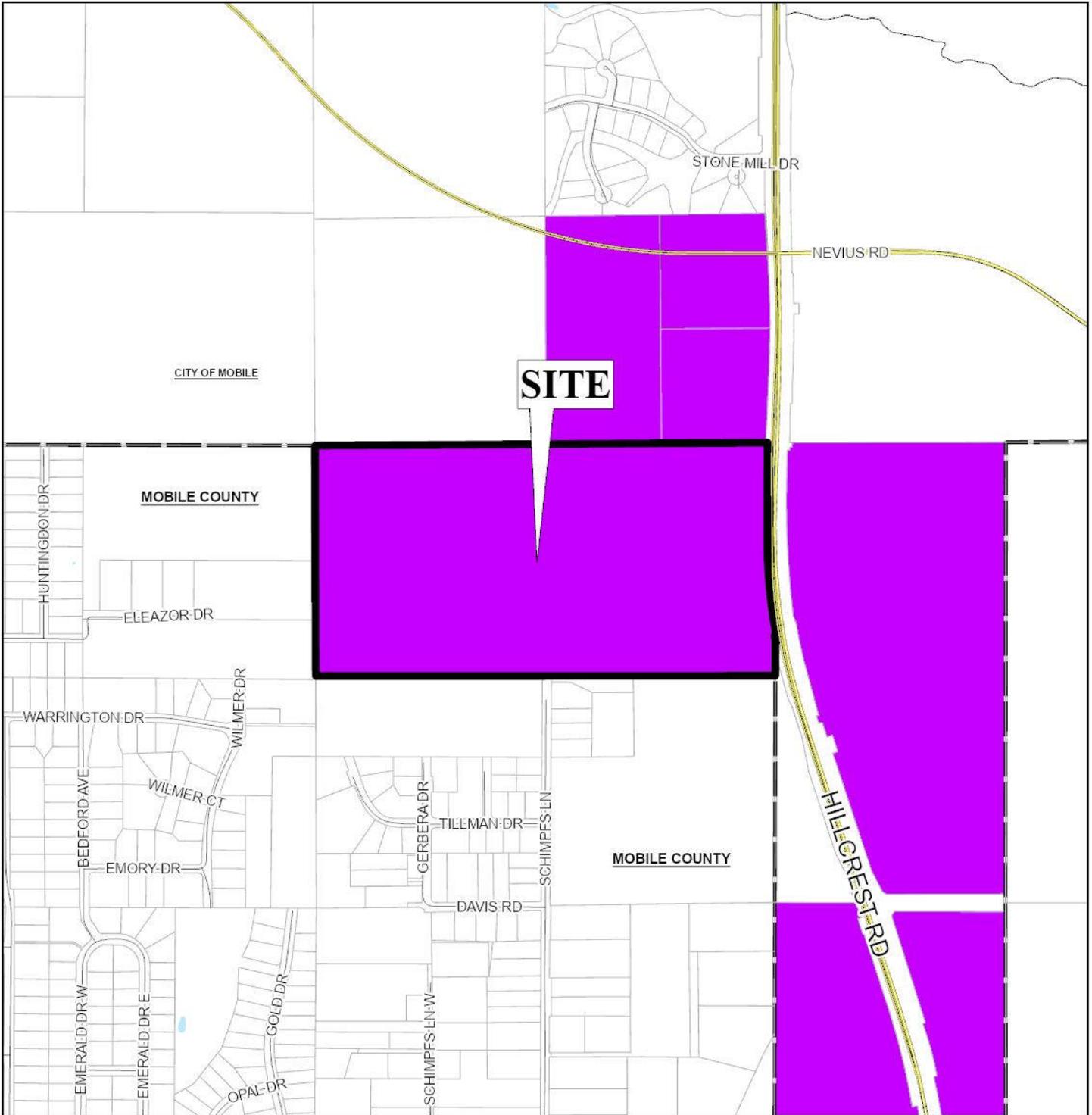
APPLICATION NUMBER 2 DATE January 19, 2023

APPLICANT Swintindustrial Subdivision

REQUEST Subdivision, PUD, Rezoning from LB-2 to B-5



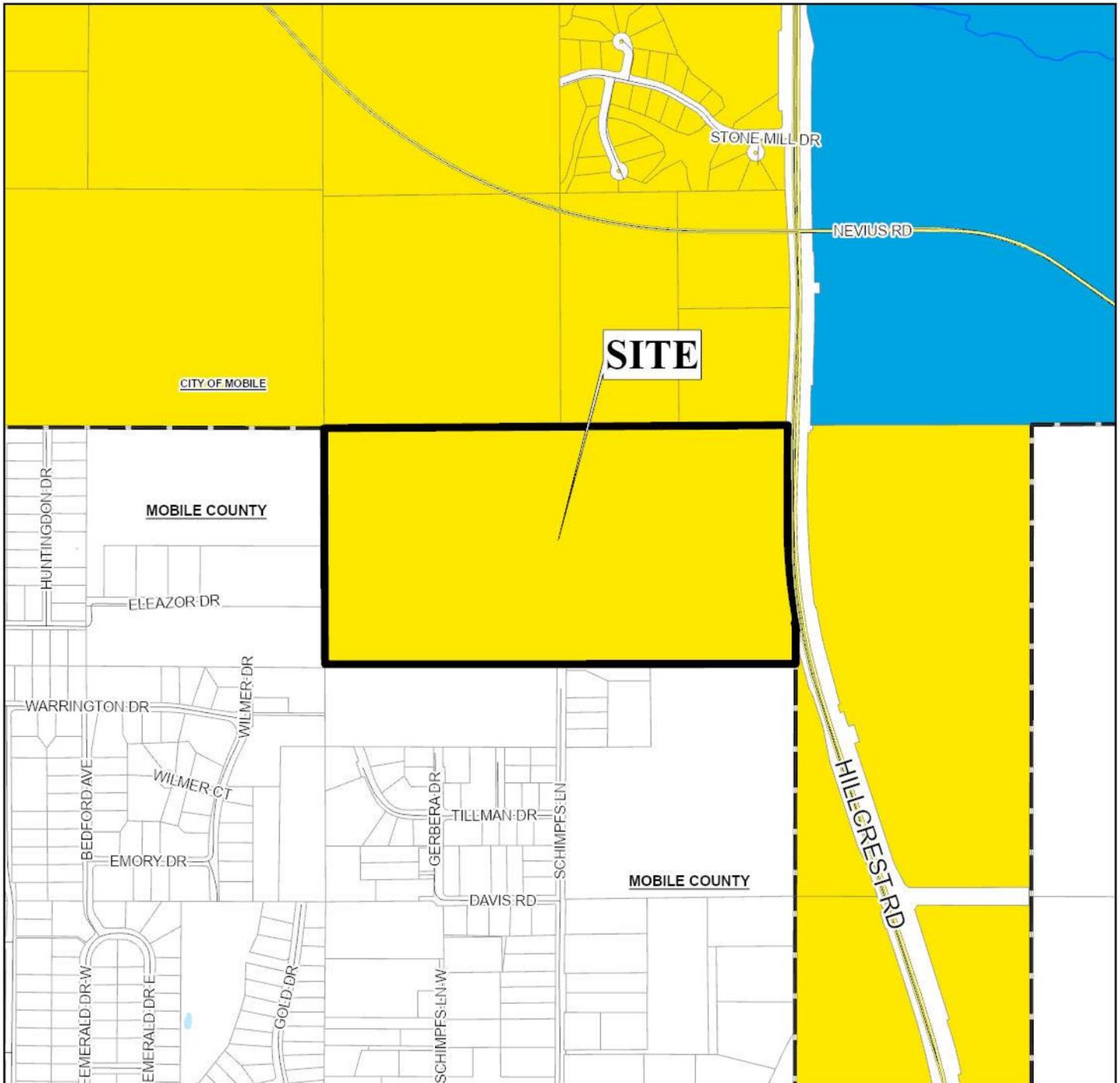
# LOCATOR ZONING MAP



APPLICATION NUMBER 2 DATE January 19, 2023  
APPLICANT Swintindustrial Subdivision  
REQUEST Subdivision, PUD, Rezoning from LB-2 to B-5



# FLUM LOCATOR MAP



APPLICATION NUMBER 2 DATE January 19, 2023

APPLICANT Swintindustrial Subdivision

REQUEST Subdivision, PUD, Rezoning from LB-2 to B-5

**Layer2**

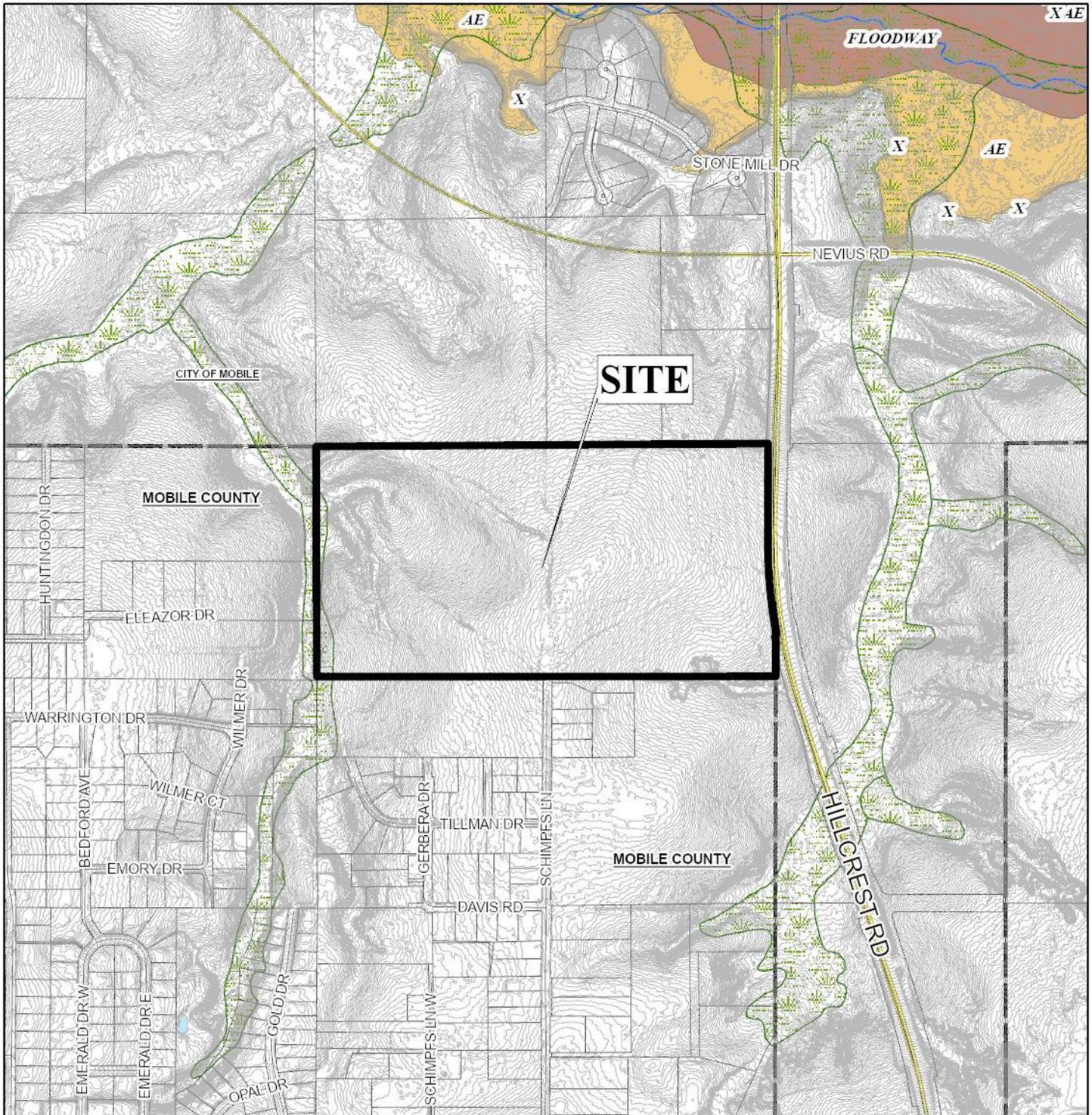
- Low Density Residential
- Mixed Density Residential

- |  |   |   |
|--|---|---|
| <span style="display: inline-block; width: 15px; height: 10px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> Downtown                            | <span style="display: inline-block; width: 15px; height: 10px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> Traditional Corridor        | <span style="display: inline-block; width: 15px; height: 10px; background-color: purple; border: 1px solid black; margin-right: 5px;"></span> Heavy Industry    |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: darkred; border: 1px solid black; margin-right: 5px;"></span> District Center                 | <span style="display: inline-block; width: 15px; height: 10px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> Mixed Commercial Corridor | <span style="display: inline-block; width: 15px; height: 10px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> Institutional  |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: brown; border: 1px solid black; margin-right: 5px;"></span> Neighborhood Center - Traditional | <span style="display: inline-block; width: 15px; height: 10px; background-color: lightgrey; border: 1px solid black; margin-right: 5px;"></span> Light Industry         | <span style="display: inline-block; width: 15px; height: 10px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> Parks & Open Space |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span> Neighborhood Center - Suburban     |   | <span style="display: inline-block; width: 15px; height: 10px; background-color: darkblue; border: 1px solid black; margin-right: 5px;"></span> Water Dependent |



NTS

# ENVIRONMENTAL LOCATOR MAP



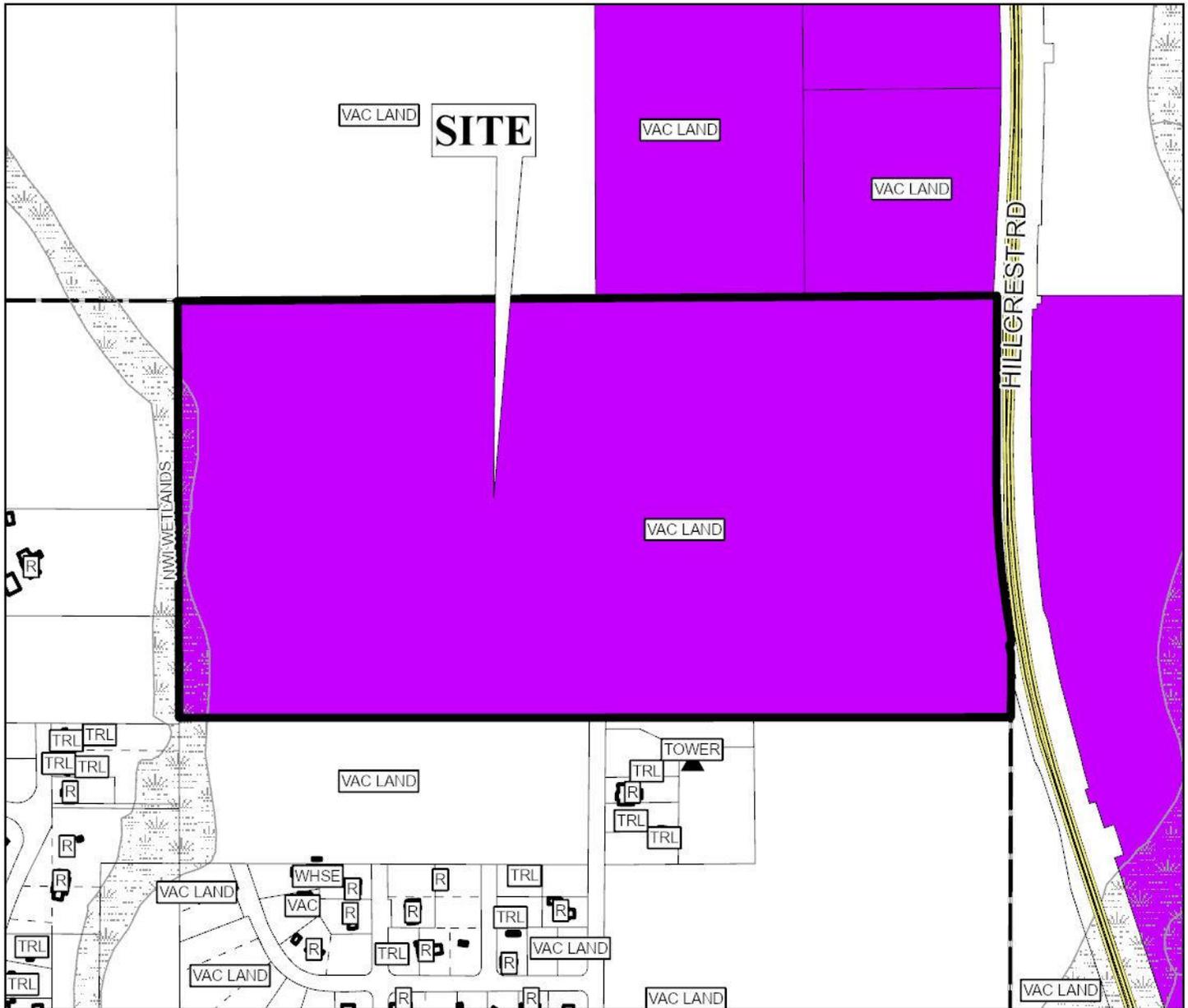
APPLICATION NUMBER 2 DATE January 19, 2023

APPLICANT Swint Industrial Subdivision

REQUEST Subdivision, PUD, Rezoning from LB-2 to B-5



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units to the south, and vacant land to the north.

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REQUEST Subdivision, PUD, Rezoning from LB-2 to B-5

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



NTS

# PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units to the south, and vacant land to the north.

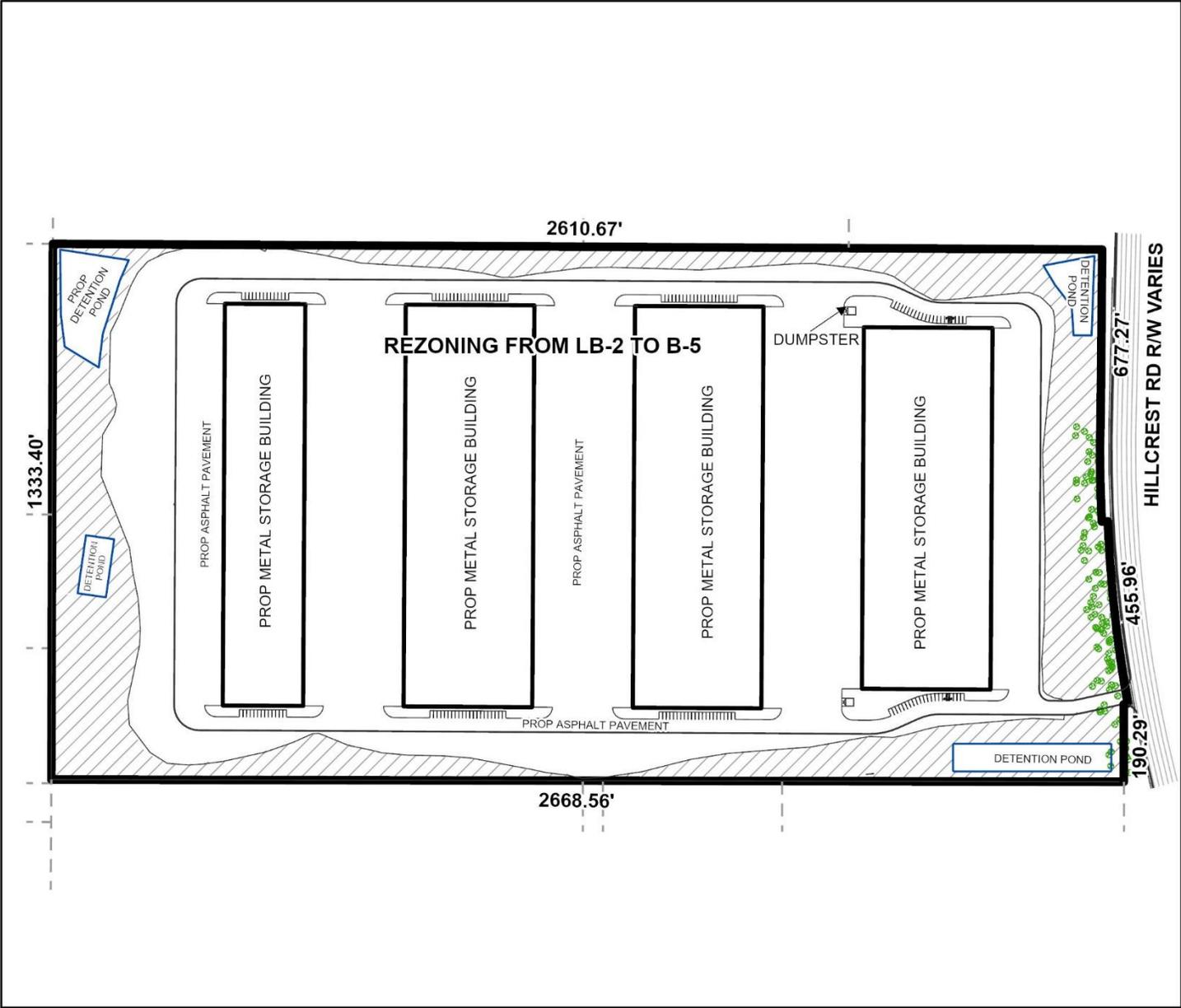
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# SITE PLAN



The site plan illustrates the proposed buildings, existing trees, and parking.

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