



Agenda Item #: 3
SUB-002602-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

5575 Commerce Boulevard East

Subdivision Name:

The Mobile Commerce Park Subdivision, Phase 1,
Resubdivision of Lots 2-A and 2-B

Applicant / Agent:

Allen Rogers, Telecad Wireless Site Design, Inc.

Property Owner:

Zack Meadows

Current Zoning:

B-5, Office-Distribution

Future Land Use:

Light Industry

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Subdivision approval to create two (2) legal lots from one (1) existing legal lot of record.

Commission Considerations:

- Subdivision proposal with ten (10) conditions.

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THE MOBILE COMMERCE PARK SUBDIVISION, PHASE 1, RESUBDIVISION OF LOTS 2-A AND 2-B



APPLICATION NUMBER 3 DATE September 7, 2023



SITE HISTORY

The subject site was included in the Mobile Commerce Park Subdivision, Phase 1, Resubdivision of Lot 4, Resubdivision of Lot 3, and Lot 4-B, heard before the Commission on January 3, 2008. Additionally, the site was rezoned from R-1, Single-Family Residential to B-5 in 2009 as part of the 2008 annexation process.

The subject site is currently in the process of requesting a Special Exception from the Board of Zoning Adjustment to allow for the placement of a 155-foot tall monopole and telecom facility on site. Additional Variances from side, rear, and front setback requirements and minimum lot size in a B-5 District are being requested.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the site.

STAFF COMMENTS

Engineering Comments:

FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review):

- 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. Provide and label the monument set or found at each subdivision corner.
- C. Add a Vicinity Map.
- D. Provide a written description for the subdivision boundary.
- E. Show and label the Commerce Blvd. E. ROW width and clarify the distance from the subdivision frontage to the centerline of the ROW.
- F. Show and label all flood zones. New maps went into effect on June 5, 2020.
- G. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 11.
- H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.

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, 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 (2021 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 Comments:

The purpose of this request is to create two (2) legal lots from one (1) existing legal lot of record. The site is served by public water and sanitary sewer.

Lot 2-A of the subject site has linear frontage along Commerce Boulevard East, a minor street with curb and gutter requiring a 50-foot right-of-way. The preliminary plat does not illustrate the existing right-of-way at this location, and as such, should be revised to either label a compliant right-of-way width or illustrate dedication sufficient to provide 25 feet from the centerline of Commerce Boulevard East.

Lot 2-B of the subject site, as proposed, does not have direct frontage onto public right-of-way. The preliminary plat does, however, illustrate a 30-foot access and utility easement which grants access to the proposed lot from Commerce Boulevard East. It should be noted that Section 64-3-2.A.1. of the Unified Development Code (UDC) allows access to be provided by a recorded dedicated easement, but a waiver of Section 6.C.4. of the Subdivision Regulations will be required if approved.

A 50-foot side yard setback is illustrated along Commerce Boulevard East and a 25-foot side setback is illustrated along all sides and the rear of the property. However, only a 25-foot front yard setback and 0- or 5-foot side and rear yard setbacks are required for lots in a B-5, Office Distribution District, per Article 2 Section 64-2-16 of the UDC. Additionally, per Section 6.C.8. of the Subdivision Regulations only a front yard setback is required to be illustrated on a Final Plat. The applicant may retain the setbacks as illustrated, but if approved and the plat recorded in the Mobile County Probate Court depicts the setbacks as illustrated, future development of the properties will be subject to setbacks greater than what are required by the UDC. As such, at least a 25-foot front yard setback should be illustrated along Commerce Boulevard East, and no side or rear setbacks should be illustrated on the Final Plat, if approved.

The proposed Lot 2-A exceeds the minimum size requirements of Article 2, Section 64-2-16 of the UDC for lots in a B-5, Office Distribution District. Lot 2-B does not meet the minimum size requirements of the aforementioned Article. However, as previously mentioned the applicant is in the process of requesting a Variance to allow for the reduced lot size. As such, if approved, the subdivision approval should be conditioned upon approval and completion of the Variance process.

The preliminary plat should be revised to depict the lot size labels in both square feet and acres on the Final Plat, or a table should be furnished on the Final Plat providing the same information.

Lot 2-A contains access, drainage and utility easements; therefore, a note should be required on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder, if approved.

SUBDIVISION CONSIDERATIONS

Standards of Review:

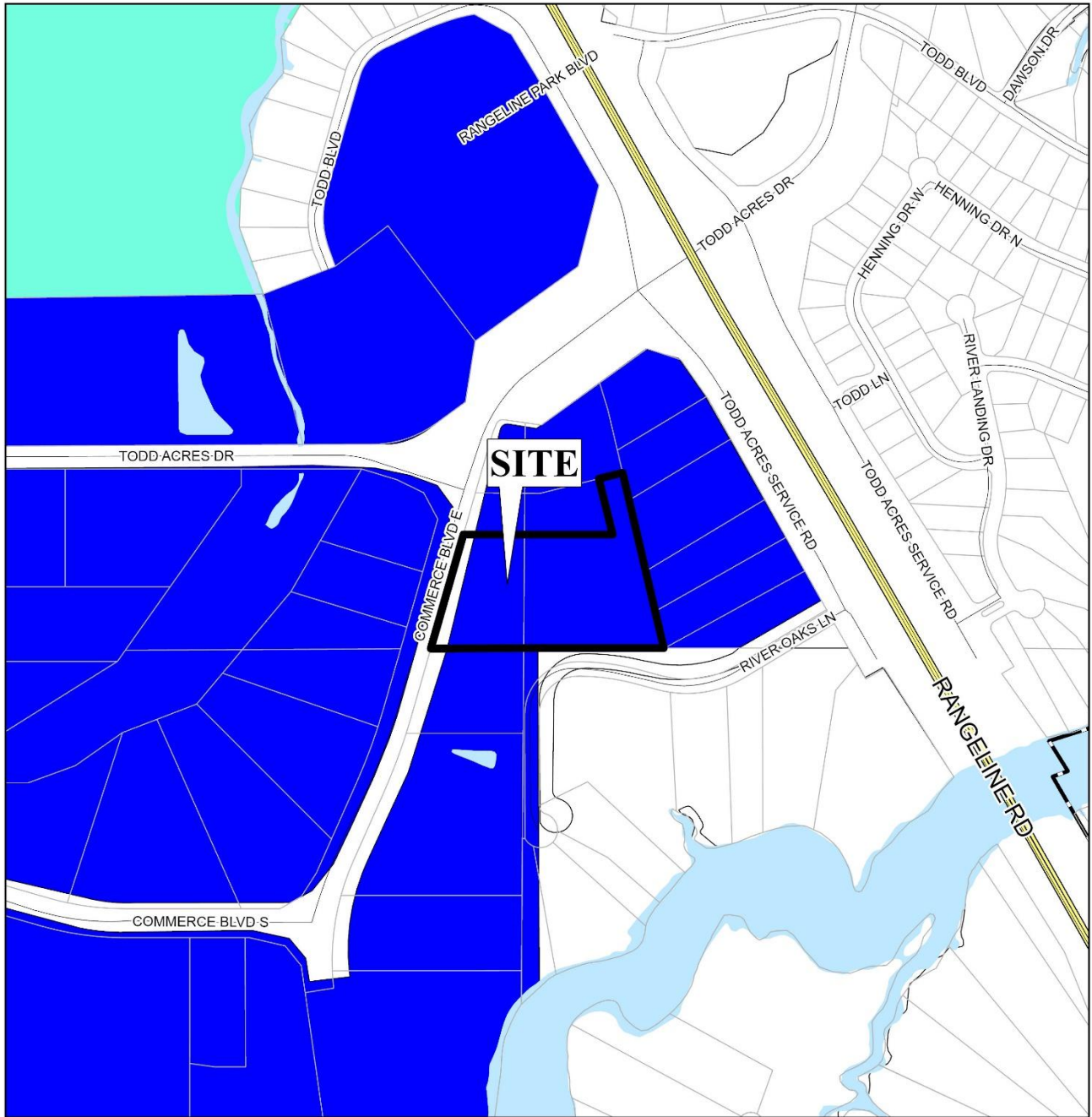
Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set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

Considerations:

Based on the preceding, with a waiver of Section 6.C.4. of the Subdivision Regulations, if the Subdivision request is considered for approval, the following conditions could apply:

1. Revision of the plat to label all abutting streets with their right-of-way widths or illustrate dedication sufficient to provide 25 feet from the centerline of Commerce Boulevard East;
2. Retention of at least a 25-foot front yard setback along Commerce Boulevard East;
3. Removal of side or rear setbacks from the Final Plat;
4. Revision of the plat to include lot size labels in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
5. Placement of a note on the Final Plat stating that no structure may be constructed or placed within any easement without the permission of the easement holder;
6. Completion of the Variance process to allow for a reduced lot size in a B-5, Office Distribution district;
7. Compliance with all Engineering comments noted in this staff report;
8. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in this staff report;
9. Compliance with all Urban Forestry comments noted in this staff report; and,
10. Compliance with all Fire Department comments noted in this staff report.

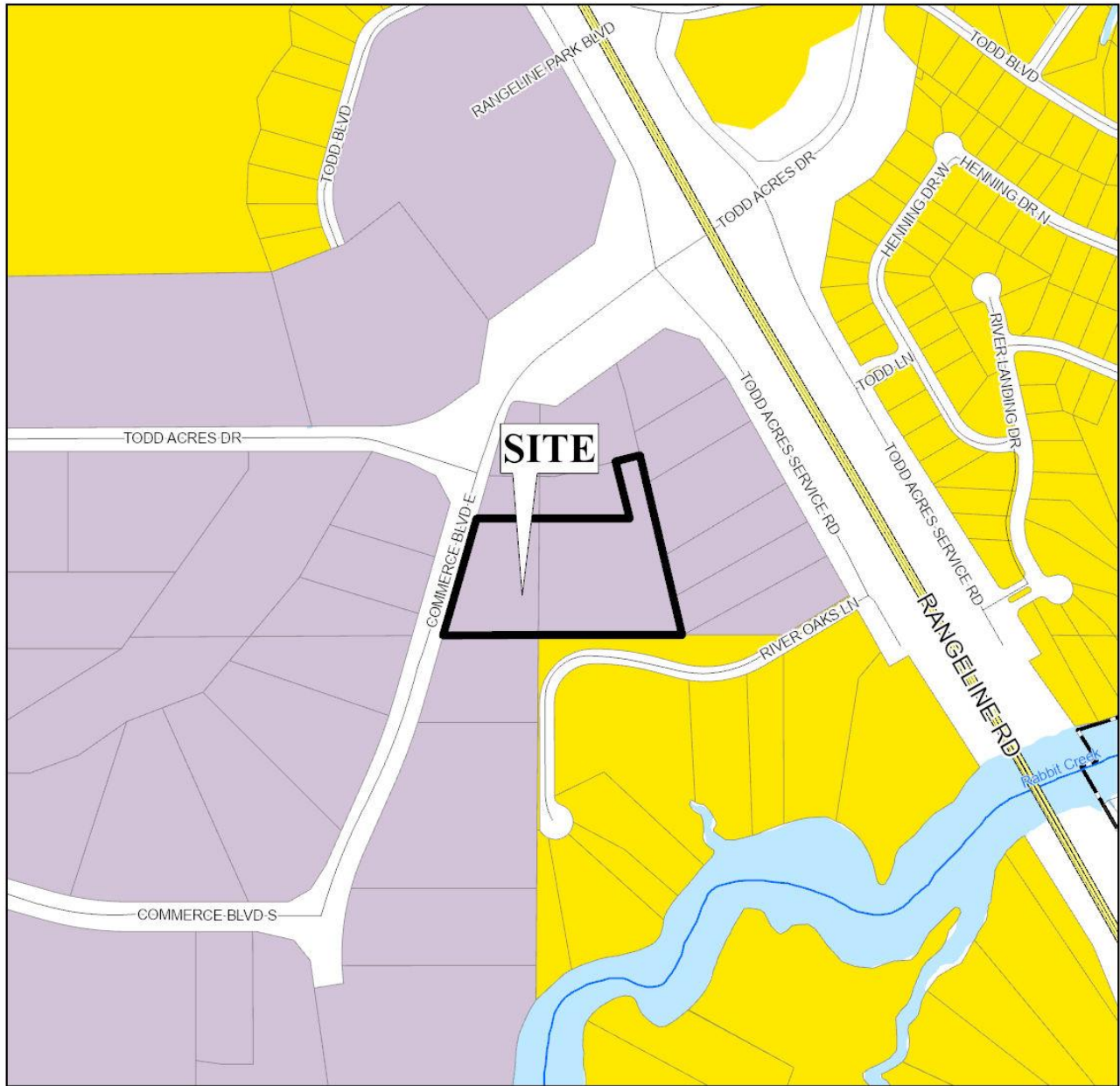
LOCATOR ZONING MAP



APPLICATION NUMBER 3 DATE September 7, 2023
 APPLICANT The Mobile Commerce Park Subdivision, Phase 1, Resubdivision of Lots 2-A and 2-B
 REQUEST Subdivision



FLUM LOCATOR MAP



APPLICATION NUMBER 3 DATE September 7, 2023

APPLICANT Telecad Wireless Site Design, Inc.

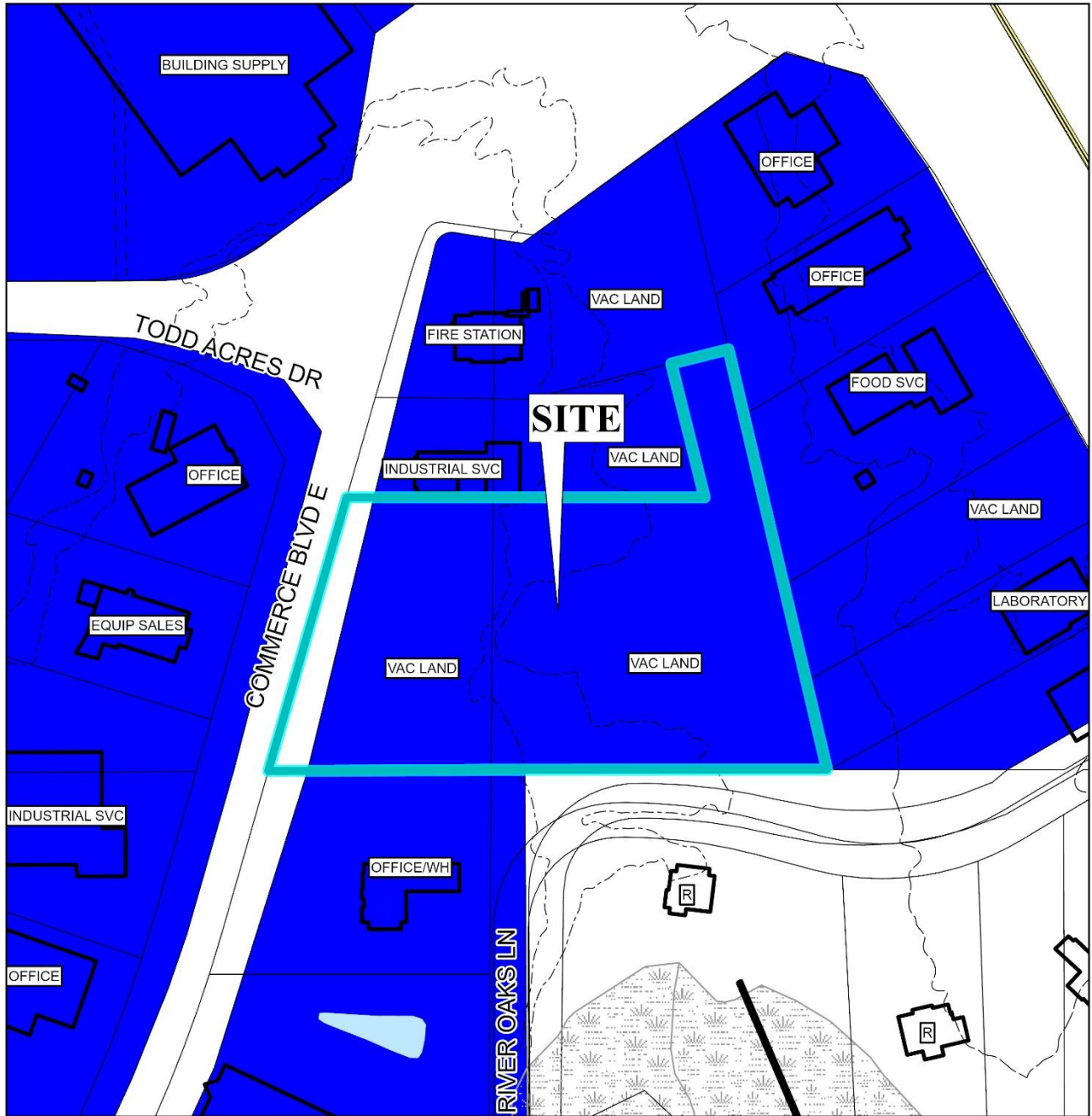
REQUEST Subdivision

- | | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| 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 | |



NTS

THE MOBILE COMMERCE PARK SUBDISVISION, PHASE 1, RESUBDIVISION OF LOTS 2-A AND 2-B

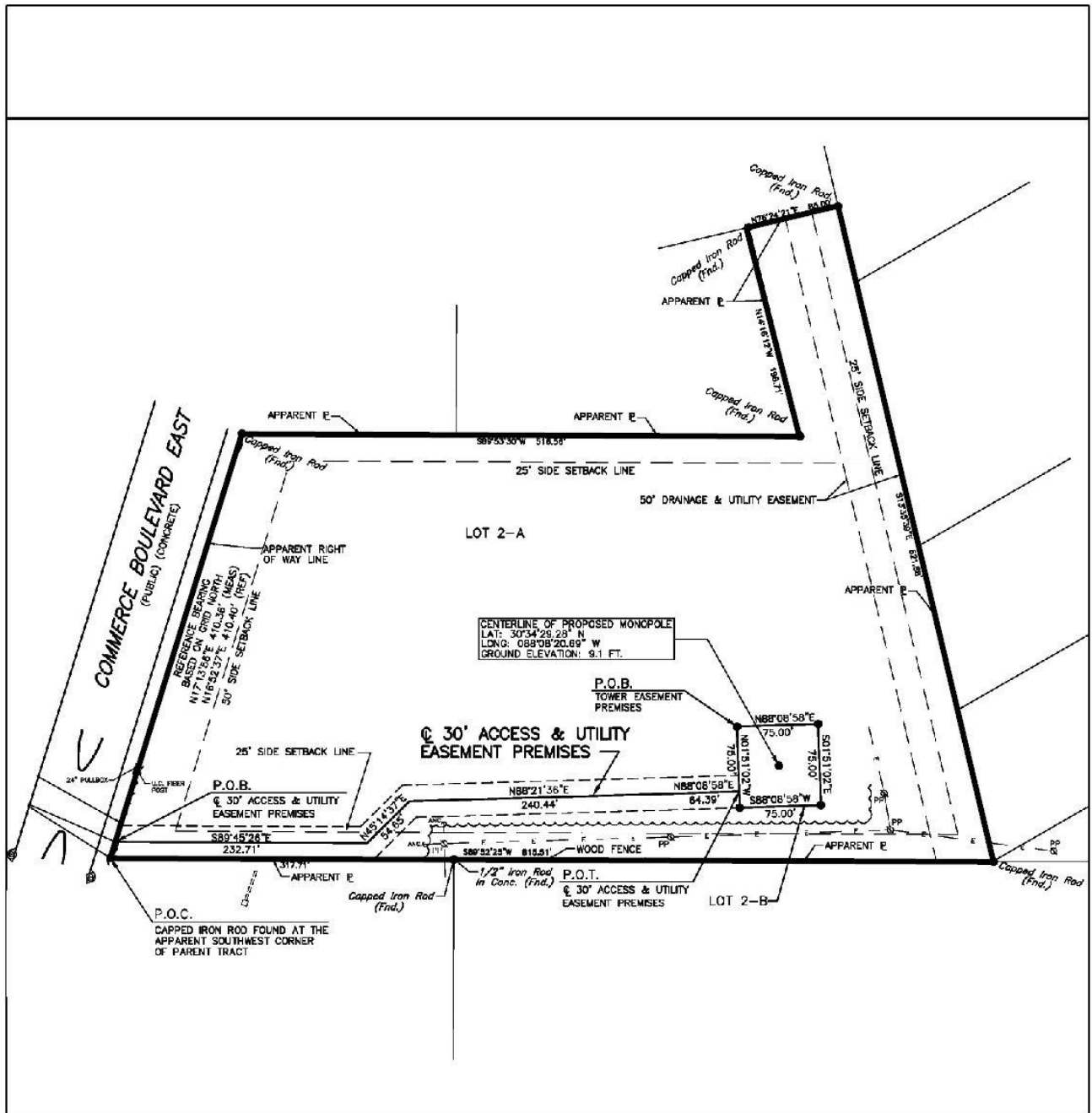


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R-A	R-3	B-1	B-2	B-5	ML	I-2	OPEN	T-3	T-5.2
R-1	R-B	T-B	B-3	CW	MH	PD	SD	T-4	T-6
R-2	H-B	LB-2	B-4	MM	I-1	MUN	SD-WH	T-5.1	



SITE PLAN



APPLICATION NUMBER 3 DATE September 7, 2023
 APPLICANT Telecad Wireless Site Design, Inc.
 REQUEST Subdivision



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.