

**PLANNING APPROVAL STAFF REPORT****Date: February 3, 2022****NAME**

FGP Manufacturing, LLC

**LOCATION**3107 Halls Mill Road  
(East side of Halls Mill Road, 290'± North of Fleetwood Drive North).**CITY COUNCIL  
DISTRICT**

District 3

**PRESENT ZONING**

B-3, Community Business District

**AREA OF PROPERTY**

13.8± Acres

**CONTEMPLATED USE**

Planning Approval to allow a popsicle manufacturing facility in a building larger than 40,000 square feet in a B-3, Community Business District.

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediately

**ENGINEERING  
COMMENTS**

- 1) Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
- 2) A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
- 3) Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- 4) Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the

County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.

- 5) 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.
- 6) The proposed development must comply with all Engineering Department design requirements and Policy Letters.

## **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]. On the previous rezoning, preservation status was given to two existing Live Oaks, 68" and 74" DBH located west of the Halls Mill Rd entrance. We would like to continue this preservation status on the oak trees each measured to have a 67" DBH. (Preservation status requires Mobile Planning Commission approval to remove.) All work under the canopy of these two trees is to be permitted and coordinated with Urban Forestry.

## **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 Planning Approval to allow a popsicle manufacturing facility in a building larger than 40,000 square feet in a B-3, Community Business District.

The site has been given a Mixed Commercial Corridor (MCC) 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 land use designation generally applies to transportation corridors east of I-65, which serve as the primary commercial and mixed-use gateway to Downtown and the City's traditional neighborhoods (equivalent to Map for Mobile's Traditional Neighborhoods).

Depending on their location (and as allowed by specific zoning), TC designations incorporate a range of moderately scaled single-use commercial buildings holding retail or services; buildings that combine housing units with retail and/or office; a mix of housing types including low- or mid-rise multifamily structures ranging in density from 4 to 10 du/ac; and attractive streetscapes and roadway designs that safely accommodate all types of transportation – transit, bicycling, walking, and driving. In these areas, special emphasis is placed on the retention of existing historic structures, compatible infill development, and appropriate access management.

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.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

It is very important to note that the Planning Approval review is site plan specific; therefore any future changes to the site plan or to the scope of operations for the popsicle manufacturing facility, must be submitted for Planning Approval review.

To the North, the site is bounded by B-3, Neighborhood Business District; to the South and West, the site is bounded by B-2, Neighborhood Business District; and to the East, the site is bounded by B-2 and B-3.

The applicant states:

*The proposed use of the facility will be ice manufacturing for Popsicle and other frozen novelties. The facility is existing and will be upgraded as required for Health Department Requirements. Interior building changes will commence upon planning approval and is expected to last 4 months.*

*The proposed use for B-3 is allowed with planning approval. The future land use plan does not change the proposed type of usages. Thus the current proposed use is consistent with the Map for Mobile Framework for Future Growth.*

The subject site is currently developed with a 130,000± square foot structure that was granted Planning Approval by the Planning Commission at its October 2, 2003 meeting to allow a distribution warehouse exceeding 40,000 square feet. At that time, the site was receiving, printing, and shipping small items such as pens, mugs, and key chains. The applicant now

wishes to utilize the site to manufacture popsicles and other frozen novelties, and does not propose any expansion to the current facilities.

It should be noted that the 2003 Planning Approval referenced continuation of preservation status for two Live Oak trees on the site, 68" and 74", respectively. It should be noted, that while there are several trees identified on the site plan, there are no trees that are shown to be this size or larger. It appears that the trees are still on the site, and the site plan contains an error regarding their size. If approved, the site plan should be revised to correctly depict the sizes of these trees with preservation status, as well as placing a note on the site plan regarding their preservation status.

The subject site was part of a one lot Subdivision approved by the Planning Commission at its February 16, 2006 meeting, and was subsequently recorded in Probate Court. It should be noted that since that time, a portion of property seems to have been transferred to property owners to the South, resulting in the property to the South (Parcel #: R023202370005017.000) being split-zoned R-1, Single-Family Residential District and B-3, Community Business District, and the subject site not being a legal lot of record. If approved, the site should be required to complete a one lot Subdivision prior to the issuance of an approved final building inspection.

The site plan states that of the 130,000 square foot building, 20,000 square feet will be used as office, with the remainder to be used as manufacturing/warehouse with 45 employees. As such, the site requires a total of 82 parking spaces, and the site plan depicts 261 spaces available.

Finally, there is no dumpster on the site, or mention of how waste will be removed from the site. If approved, the site plan should be revised to either depict a dumpster with compliant enclosure and sanitary sewer connection, or include a note stating that curbside pickup will be utilized.

### **RECOMMENDATION:**

Based upon the preceding, staff recommends the following findings of facts for Approval of the Planning Approval:

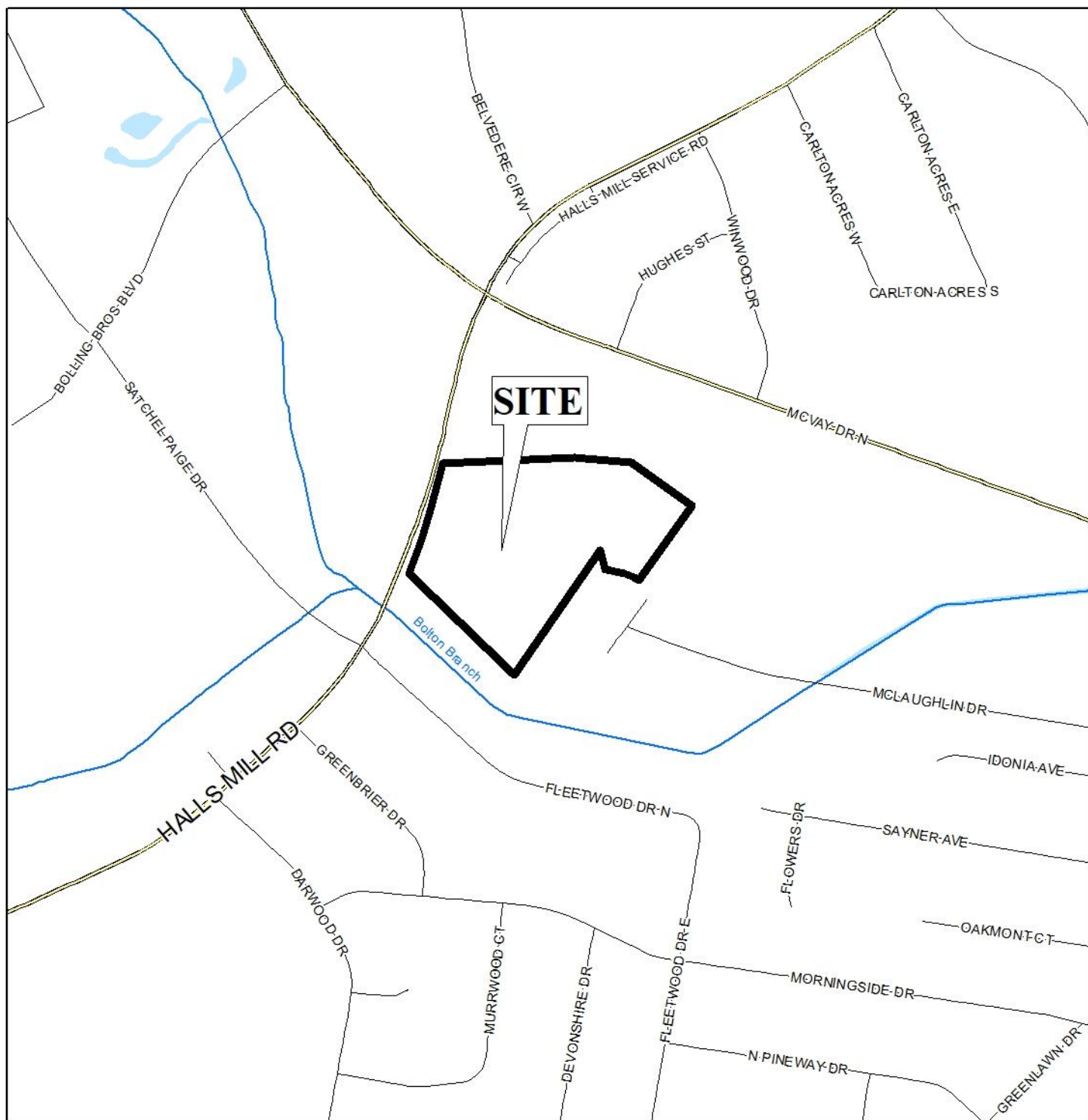
- a) the proposal will be appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities;
- b) the proposal will not cause undue traffic congestion or create a traffic hazard; and
- c) the proposal will be in harmony with the orderly and appropriate development of the district in which the use is located.

The approval should be subject to the following conditions:

- 1) completion of a one lot Subdivision prior to the approval of a final building inspection;
- 2) revision of the site plan to either depict a dumpster with compliant enclosure and sanitary sewer connection, or include a note stating that curbside pickup will be utilized;
- 3) revision of the site plan to correctly depict the diameter of the formerly identified 68" and 74" live oak trees, and placement of a note stating that they have protection status;

- 4) compliance with Engineering comments: (1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. 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. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.);
- 5) 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, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);
- 6) 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]. On the previous rezoning, preservation status was given to two existing Live Oaks, 68" and 74" DBH located west of the Halls Mill Rd entrance. We would like to continue this preservation status on the oak trees each measured to have a 67" DBH. (Preservation status requires Mobile Planning Commission approval to remove.) All work under the canopy of these two trees is to be permitted and coordinated with Urban Forestry.);
- 7) 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
- 8) submittal of a revised site plan (.pdf and hard copy) to Planning & Zoning prior to the issuance of a business license; and
- 9) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 4 DATE February 3, 2022

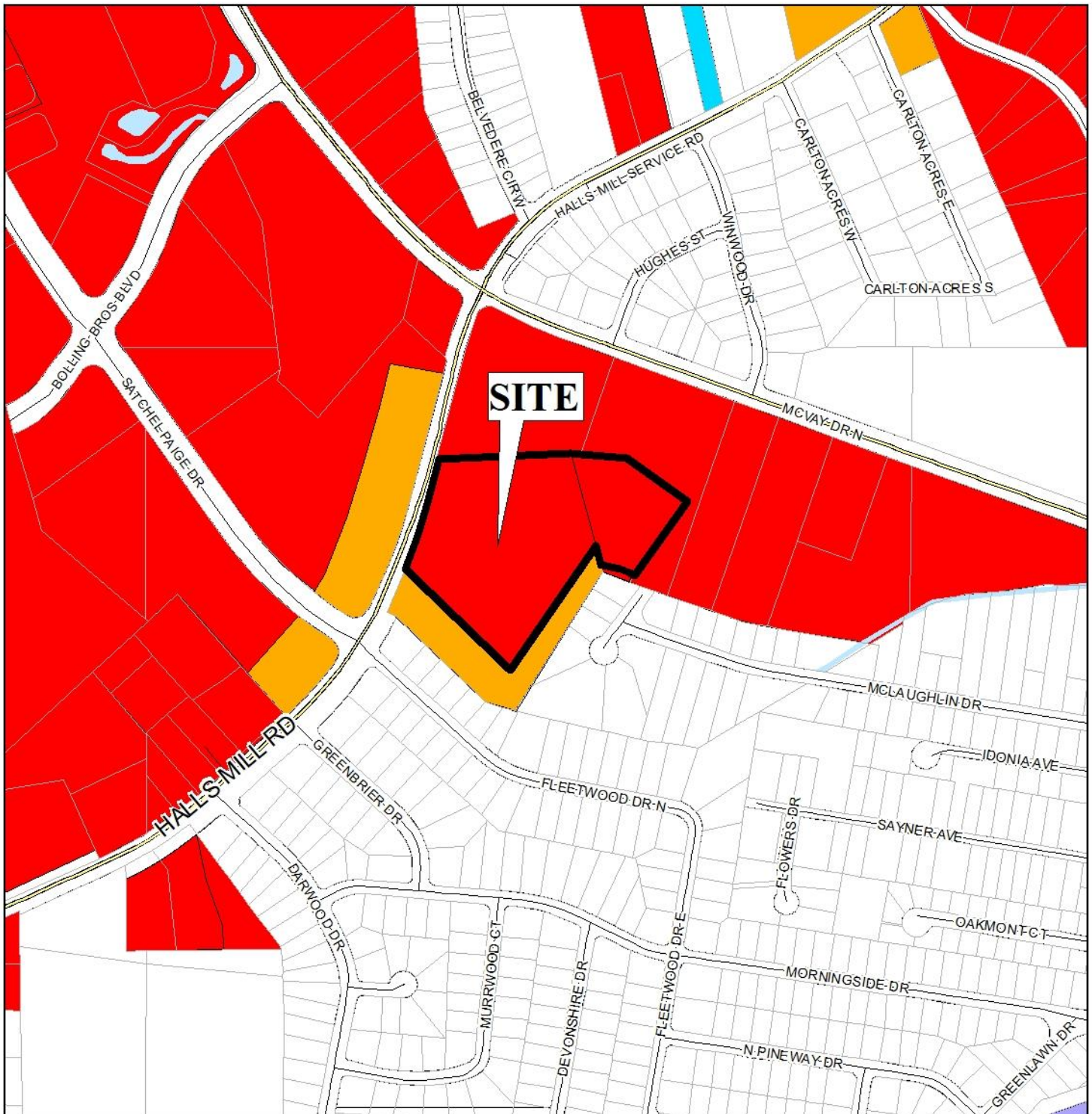
APPLICANT FGP Manufacturing, LLC

REQUEST Planning Approval





# LOCATOR ZONING MAP



APPLICATION NUMBER 4 DATE February 3, 2022

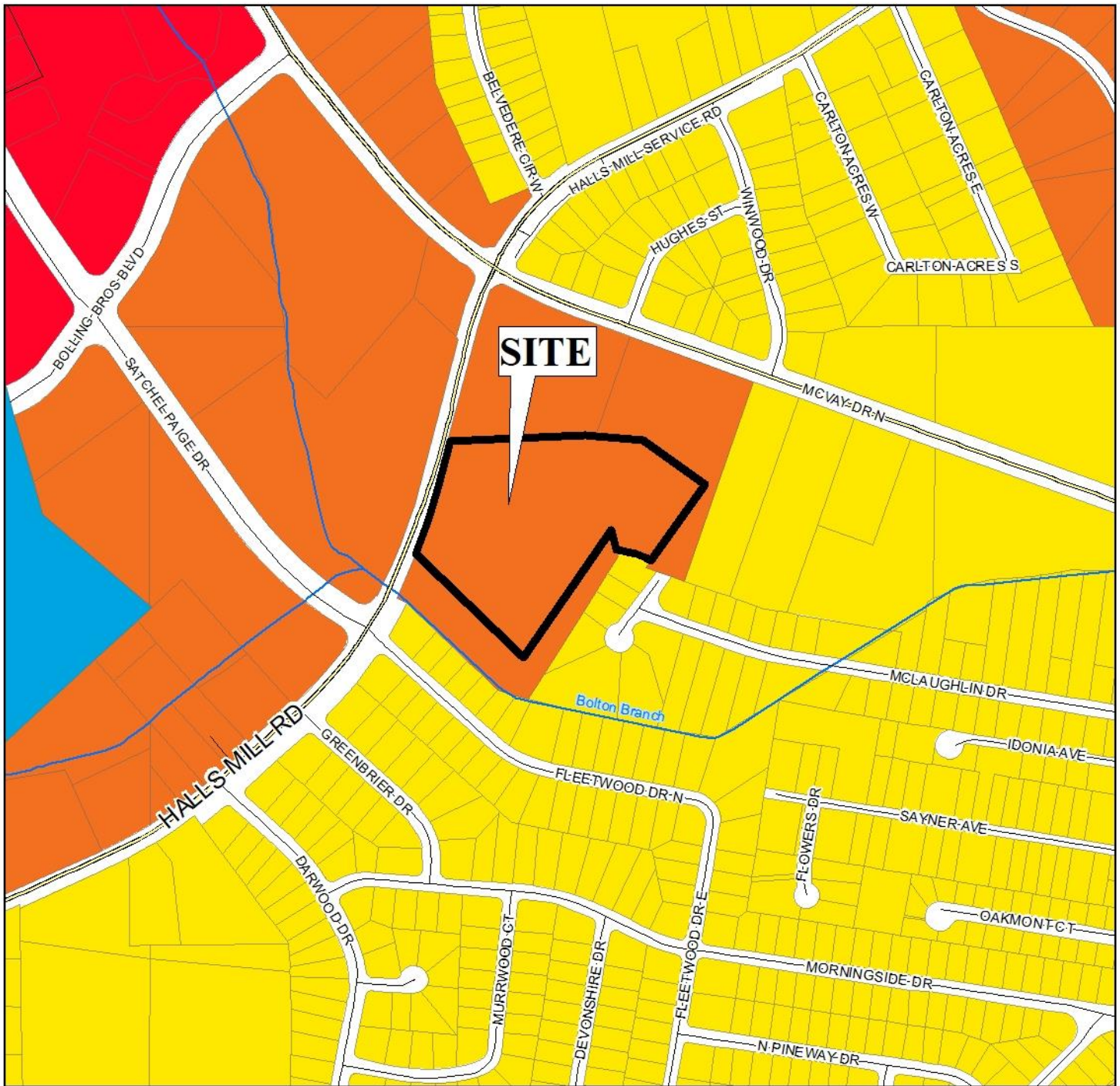
APPLICANT FGP Manufacturing, LLC

REQUEST Planning Approval





# FLUM LOCATOR MAP



APPLICATION NUMBER 4 DATE February 3, 2022

APPLICANT FGP Manufacturing, LLC

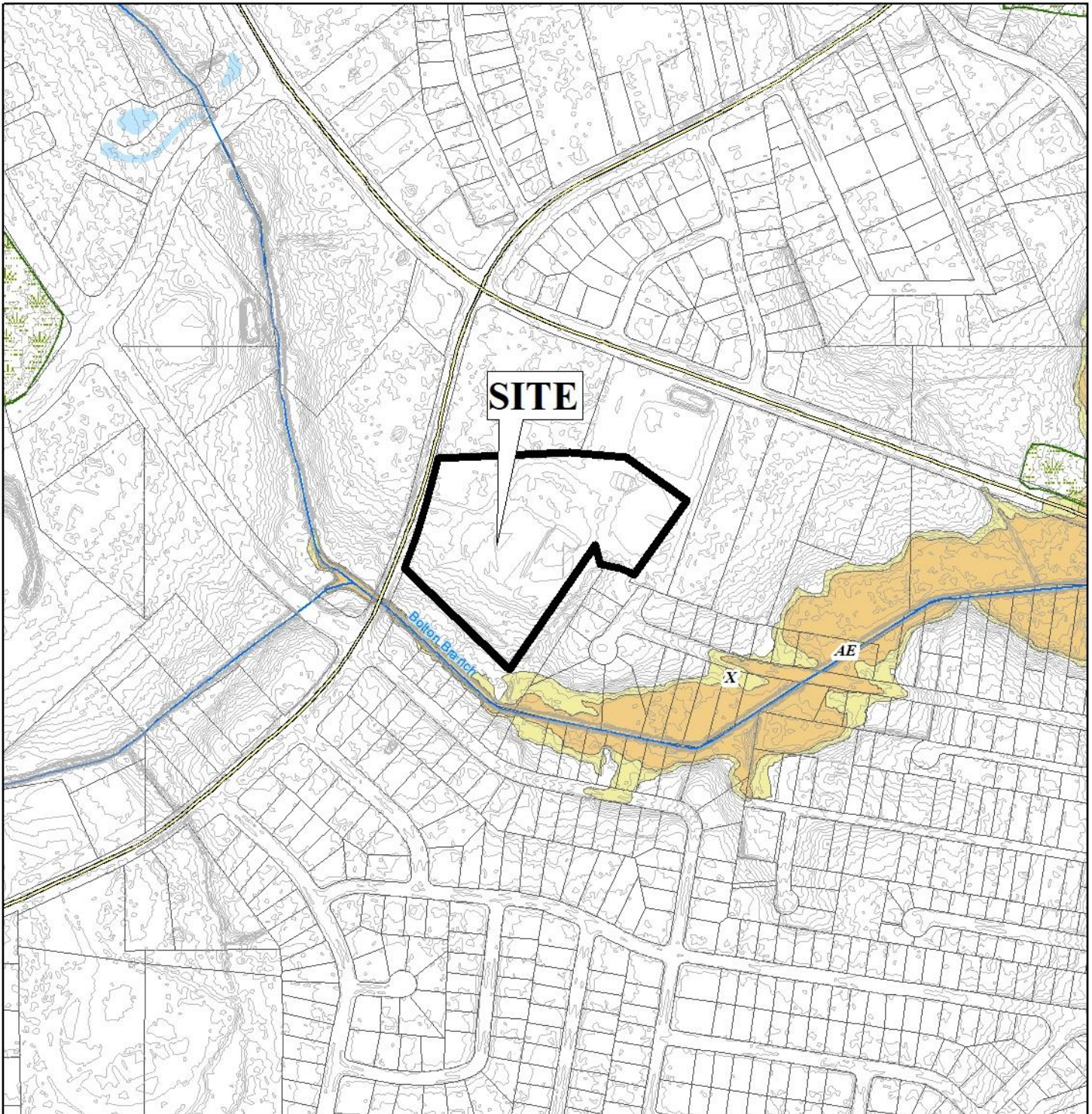
REQUEST Planning Approval

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	





# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 4 DATE February 3, 2022

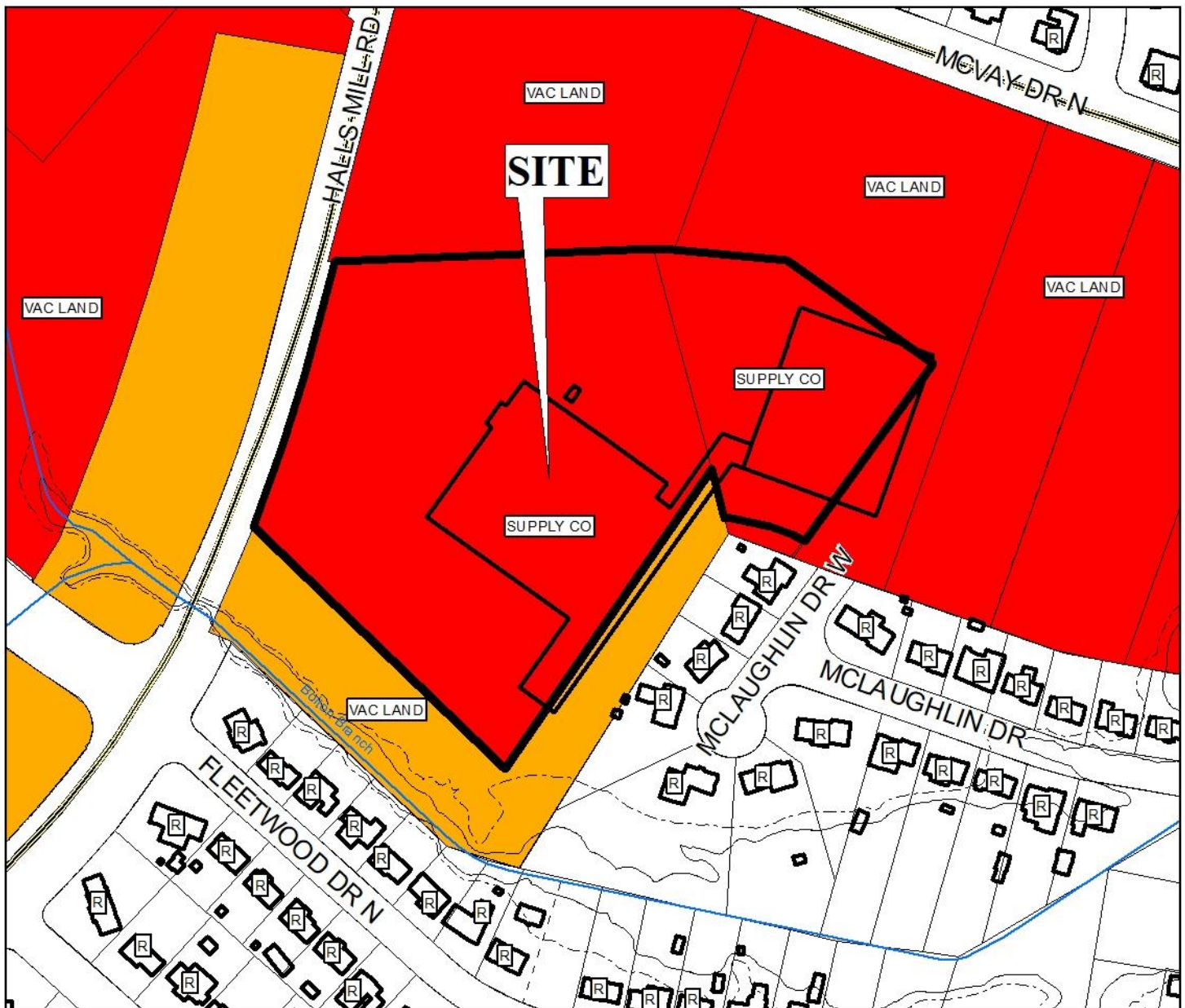
APPLICANT FGP Manufacturing, LLC

REQUEST Planning Approval





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential sites and vacant land.

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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





# PLANNING COMMISSION

## VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential sites and vacant land.

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 APPLICANT FGP Manufacturing, LLC  
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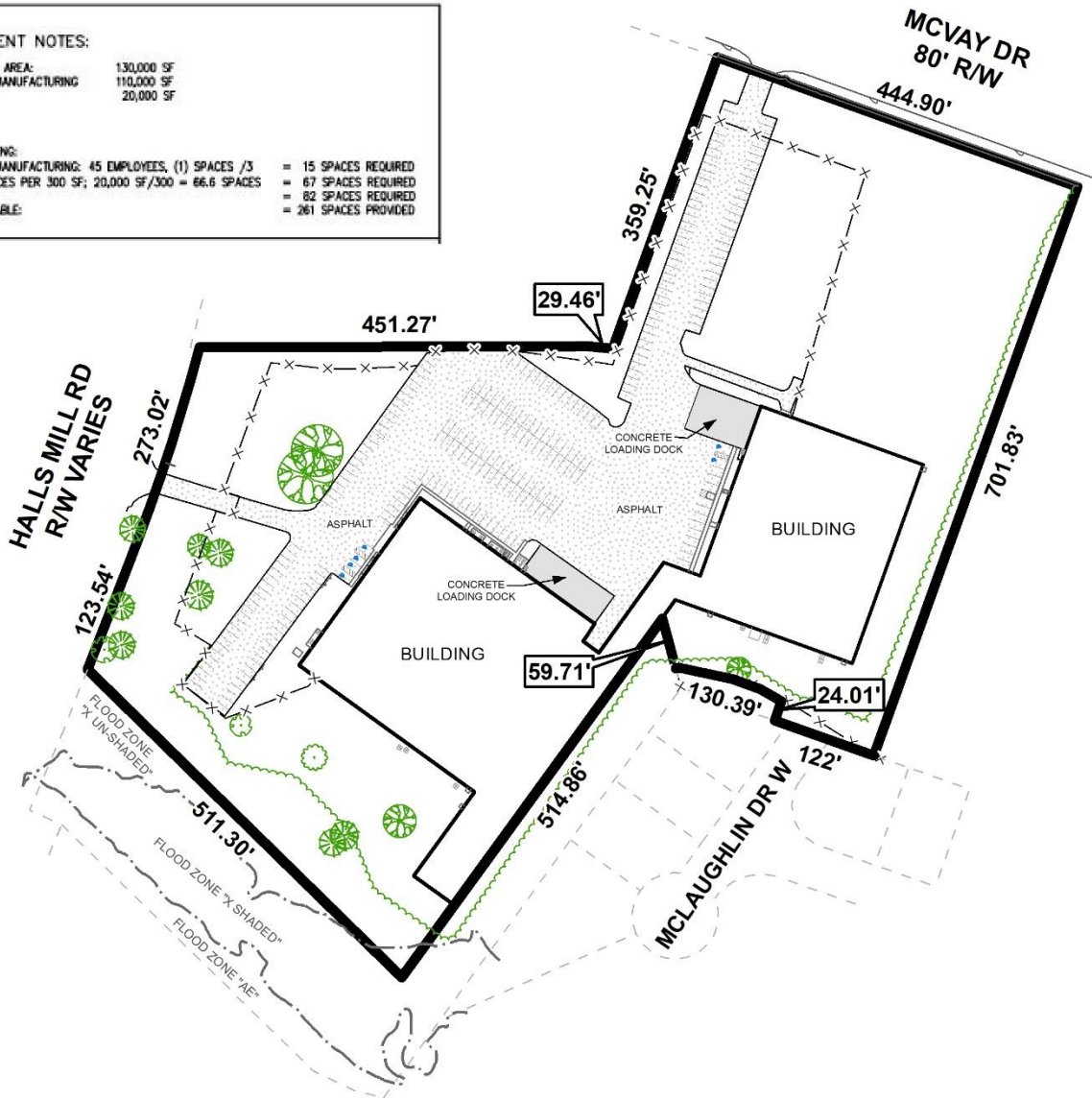
# SITE PLAN

## DEVELOPMENT NOTES:

TOTAL BUILDING AREA: 130,000 SF  
STORAGE AND MANUFACTURING: 110,000 SF  
OFFICE: 20,000 SF

45 EMPLOYEES

REQUIRED PARKING:  
STORAGE AND MANUFACTURING: 45 EMPLOYEES, (1) SPACES /3 = 15 SPACES REQUIRED  
OFFICE (1) SPACES PER 300 SF; 20,000 SF/300 = 66.6 SPACES REQUIRED = 67 SPACES REQUIRED  
TOTAL = 82 SPACES REQUIRED  
PARKING AVAILABLE: = 261 SPACES PROVIDED



The site plan illustrates the existing building and surfaces.

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NTS