

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: November 6, 2014****APPLICANT NAME**

Bean Properties, LLC

SUBDIVISION NAME

Bean Industrial Subdivision

LOCATION

Southwest corner of Papermill Road and McKinley Street

**CITY COUNCIL
DISTRICT**

District 2

PRESENT ZONING

R-1, Single-Family Residential District

PROPOSED ZONING

I-2, Heavy Industry District

AREA OF PROPERTY

2 Lot / 17.7± Acres

CONTEMPLATED USE

Subdivision approval to create 2 legal lots of record, and Zoning approval to rezone the site from R-1, Single-Family Residential District, to I-2, Heavy Industry District to allow a proposed steel warehouse and service center.

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**

None provided

**ENGINEERING
COMMENTS**

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.

- C. Add a note to the Plat stating that 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.
- D. Add/show legible street names in the vicinity map.
- E. Correct the written legal description or the matching distance label for the west property line shown as 858.33' and written as 853.33'.
- F. Provide and label the monument set or found at each subdivision corner.
- G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- H. Provide the Surveyor's Certificate.
- I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- K. The area draining through this property from the south to the northeast will require a drainage easement; the width and alignment of the easement shall be coordinated with, and approved by, the City Engineer.
- L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

TRAFFIC ENGINEERING**COMMENTS**

Each lot is limited to two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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 (State Act 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT**COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

REMARKS

The applicant is requesting Subdivision approval to create two legal lots of record from two metes-and-bounds parcels, and rezoning the site from R-1, Single-Family Residential District, to I-2, Heavy Industry District to allow a proposed steel warehouse and service center.

The site is currently undeveloped, and is bounded to the North by I-2, Heavy Industry District; to the West by I-2, Heavy Industry District and R-1, Single-Family Residential District; and to the South and East by R-1, Single-Family Residential District.

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 site appears to be depicted as residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. The accuracy of recommended land uses on the General Land Use Component map is limited due to the large scale of the map. Moreover, the General Land Use Component 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 zoning classification.

The applicant states that the rezoning should be approved due to a manifest error in the Ordinance in that the site was part of the International Paper Company complex, and changes in the area make a change in the Ordinance necessary and desirable.

The applicant proposes that each proposed lot have a building consisting primarily of warehouse space, with offices. Based on the number of warehouse employees provided for each proposed lot, the required number of parking spaces is provided. The proposed site plan illustrates outside storage to have aggregate surfacing, which is allowed by right in an I-2, Heavy Industry District.

It should be noted that there is no clearly demarcated separation depicted on the provided site plan between the two lots, although the site plan does depict the limits of aggregate area, and there appears to be a 100-foot wide area along the common property line that would appear to be undeveloped. If, in fact, there will be access across the common property line, a Planned Unit Development application will be required.

The proposed site plan illustrates an 8' fence around the perimeter, but does not state if the fence will be chain link, wood or a wall. It should be noted that the storage yard area must be enclosed within a solid wall or fence at least 8' high. The fence should enclose the entire outside storage area and comply with the Zoning Ordinance requirements for a contractor's storage yard.

It should be noted that the site is located approximately 200 feet north of the Africatown National Historic District. While a 200 ± foot separation might normally appear sufficient between industrial and residential uses, the land area is an Alabama Power easement, thus there is no intervening buffer vegetation. The applicant appears to indicate that there may, in addition to the 8 foot high fence, be a 10-foot wide buffer area – or at least an area that will not be covered in aggregate. It is recommended that the buffer area be widened to be a minimum of 25 feet where the site abuts residentially-zoned property to the South, and be composed of existing

natural vegetation and interplanted with additional native evergreen trees and shrubs that will fill in any gaps within the vegetative buffer.

While the site plan does not illustrate tree plantings, it does make note that compliance with frontage trees will be provided. No mention of landscaped area to be provided is made, but it should be noted that full compliance with landscaped area will be required. However, the site plan does appear to depict development of an existing low area near the proposed common lot line. This 100-foot wide area should be left in its natural vegetative state if, in fact, there is no intention to develop the area.

No sidewalk is illustrated on the proposed site plan. A sidewalk will be required, unless a Sidewalk Waiver application is approved by the Planning Commission.

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 onto Papermill Road and McKinley Street, both minor streets. The preliminary plat illustrates a 40' right-of-way for McKinley Street, which as a minor street without curb and gutter, requires dedication to provide 30' from the centerline of McKinley Street. Papermill Road is a minor street with no curb and gutter, and is illustrated as having a right-of-way that varies, but is 60' minimum, making no dedication necessary. Dedication of the corner radii at Papermill Road and McKinley Street per Section V.D.6. of the Subdivision Regulations is illustrated on the preliminary plat, and should be retained on the Final Plat, if approved. .

Due to the amount of frontage and the nature of the traffic that will be generated by the site, both lots should be limited to two curb cuts to Papermill Road with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. If approved, a note should be placed on the Final Plat stating that Lot 2 is denied access to McKinley Street.

The 25-foot minimum building setback is depicted along both frontages for the proposed lots, and should be retained on the Final Plat, adjusted for dedications, if approved.

It should also be pointed out that a 50-foot wide gas pipeline easement exists along the southern and western boundaries of the site. A note should be placed on the final plat stating that no structures may be placed within any easement areas.

As the site will be used by trucks, lighting of the site at night is anticipated. Any lighting provided on either site must comply with Sections 64-4.A.2. and 64-6.A.3.c. of the Zoning Ordinance, to minimize impacts to adjacent residential areas. Use of full cutoff fixtures is encouraged,

Finally, the geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-

game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Rezoning: Based upon the preceding, the Rezoning request is recommended for Approval, subject to the following conditions:

- 1) Provision of a minimum 25 foot wide natural vegetative buffer where the site abuts residentially-zoned property to the South, with additional interplanting of native evergreen trees and shrubs to fill in any gaps within the vegetative buffer; and
- 2) Full compliance with all municipal codes and ordinances.

Subdivision: The Subdivision request is recommended for Tentative Approval, subject to the following conditions:

- 1) Submittal of a Planned Unit Development application, if cross access between the lots will occur;
- 2) Placement of a note on the final plat stating that each lot is limited to two curb-cuts to Paper Mill Road, and denied access to McKinley Street, with the size, location and design to be approved by Traffic Engineering and conform to AASHTO standards;
- 3) Dedication of right-of-way along McKinley Street sufficient to provide 30-feet from centerline;
- 4) Dedication of the corner radii at Papermill Road and McKinley Street per Section V.D.6. of the Subdivision Regulations;
- 5) Depiction and labeling of the 25-foot minimum building setback line, adjusted for any required dedications;
- 6) Provision of a sidewalk along all street frontages;
- 7) Provision of a minimum 25 foot wide natural vegetative buffer where the site abuts residentially-zoned property to the South, with additional interplanting of native evergreen trees and shrubs to fill in any gaps within the vegetative buffer;
- 8) Placement of a note on the final plat stating that no structures may be placed within any easement areas;
- 9) Compliance with Engineering comments (*The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer:*
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858.33' and written as 853.33'. F. Provide and label the monument set or found at each subdivision corner. G. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. H. Provide the Surveyor's Certificate. I. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. J. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. K. The area draining through this property from the south to the northeast will require a drainage easement; the width and alignment of the easement shall be coordinated with, and approved by, the City Engineer. L. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.);

- 10) Compliance with Traffic Engineering comments (Each lot is limited to two curb cuts, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. 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.);
- 11) 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 (State Act 61-929 and City Code Chapters 57 and 64).);
- 12) Compliance with Fire comments (All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.);
- 13) Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities; and
- 14) Completion of the Zoning and Subdivision processes prior to any request for land disturbance permits.

Revised for the December 4th meeting:

The application was heldover at the applicant's request, to allow time to meet with area residents regarding the proposal. As of the writing of this report, no meeting had taken place.

Residents of the area were present at the Planning Commission meeting, and many expressed concerns regarding the proposed rezoning and the proposed use. It should be noted that a previous rezoning(R-1 to I-2) and subdivision request was opposed by the area residents in early 2008, and was subsequently withdrawn by the applicant after a meeting with area residents.

Staff has been informed that the applicant has agreed to a holdover to the December 18th meeting, to allow more time for a meeting to be set up with area residents, in coordination with the Councilman.

RECOMMENDATION

Rezoning: Based upon the preceding, the Rezoning request is recommended for Holdover until the December 18th meeting, subject to the applicant's consent, so that the following can take place:

- 1) Meeting with area residents to discuss the proposed rezoning and proposed use.

Subdivision: The Subdivision request is recommended for Holdover until the December 18th meeting, subject to the applicant's consent, so that the following can take place:

- 1) Meeting with area residents to discuss the proposed rezoning and proposed use.

LOCATOR MAP



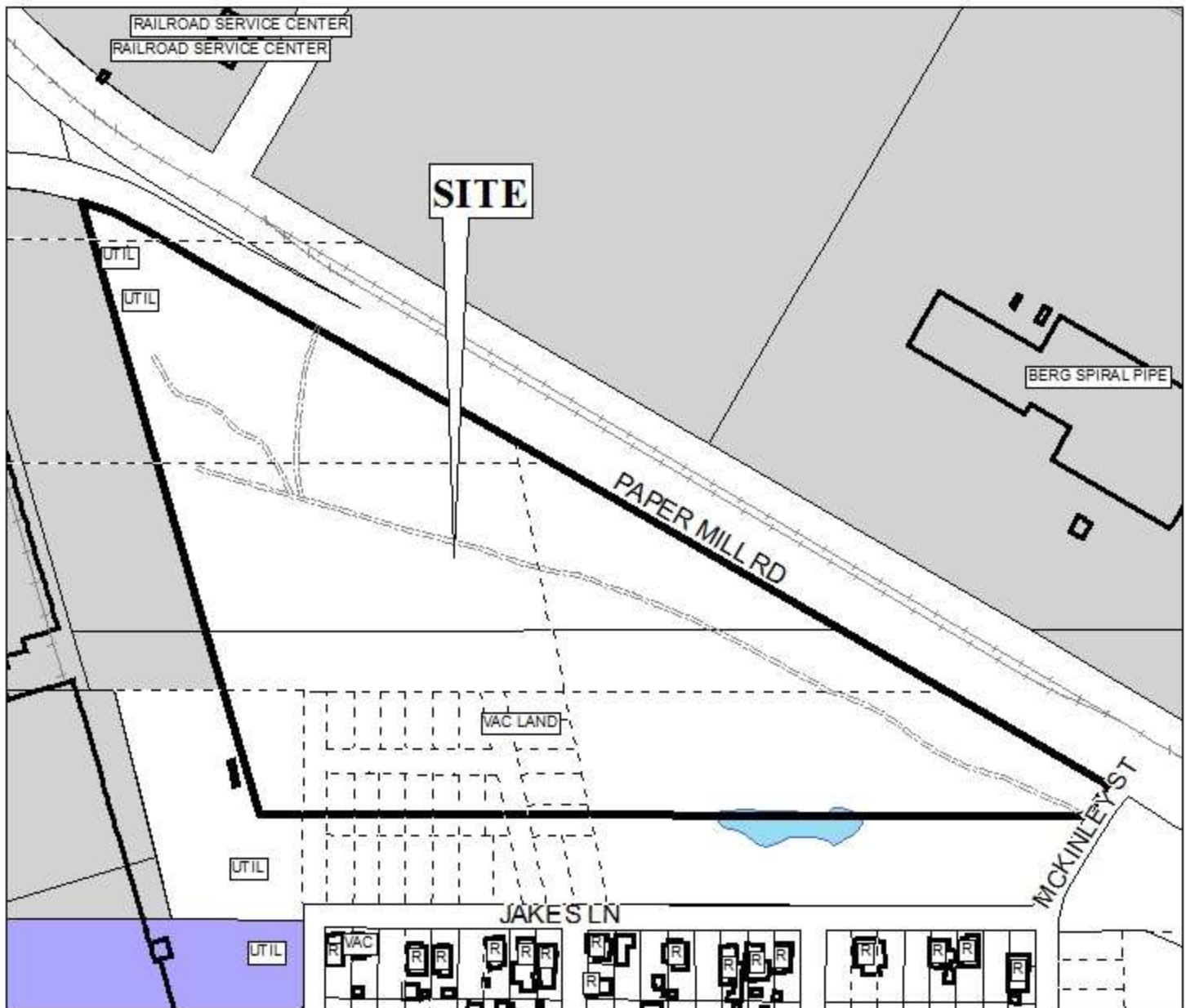
APPLICATION NUMBER 5 DATE December 4, 2014

APPLICANT Bean Industrial Subdivision

REQUEST Subdivision, Rezoning from R-1 to I-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units. Residences lie to the south of the site.

APPLICATION NUMBER 5 DATE December 4, 2014

APPLICANT Bean Industrial Subdivision

REQUEST Subdivision, Rezoning from R-1 to I-2

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 ZONING



The site is surrounded by industrial units. Residences lie to the south of the site.

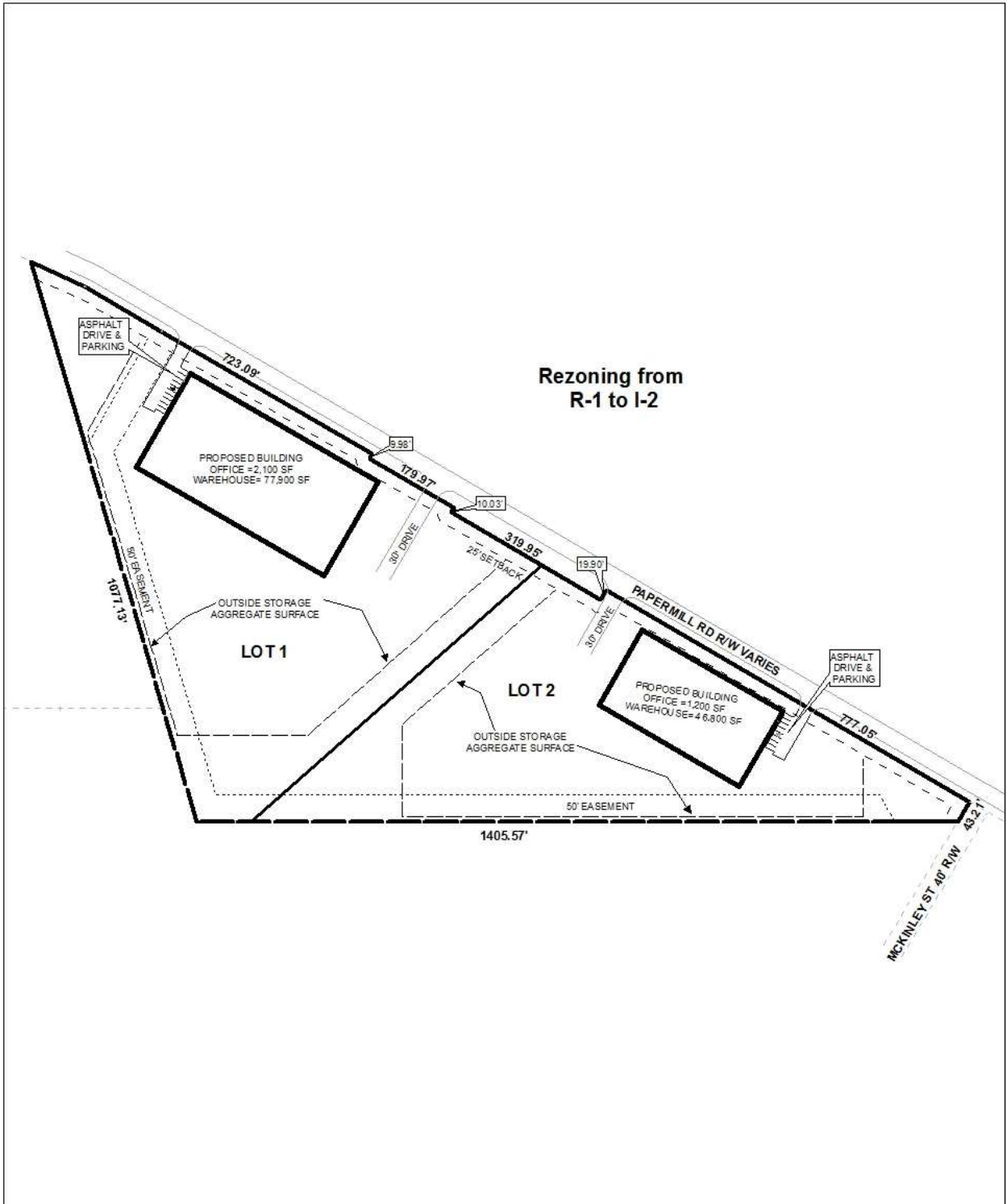
APPLICATION NUMBER 5 DATE December 4, 2014

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SITE PLAN



The site illustrates the proposed buildings, parking, setback, and easement.

APPLICATION NUMBER	5	DATE	December 4, 2014
APPLICANT	Bean Industrial Subdivision		
REQUEST	Subdivision, Rezoning from R-1 to I-2		

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