

ZONING AMENDMENT STAFF REPORT**Date: October 3, 2013****NAME**

Rangeline-Hamilton Commercial Park, LLC

LOCATION

North side of Hamilton Boulevard at the Sothern terminus of Dockside Drive.

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

I-1, Light-Industry District

PROPOSED ZONING

I-2, Heavy Industry District

AREA OF PROPERTY

19.1± Acres / 12 Lots

CONTEMPLATED USE

Rezoning from I-1, Light-Industry District, to I-2, Heavy Industry District, to accommodate current and future businesses.

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**

Immediate

**ENGINEERING
COMMENTS**

No Comments

**TRAFFIC ENGINEERING
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

**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 rezoning from I-1, Light-Industry District to I-2, Heavy Industry District, to accommodate current and future businesses.

The City became aware of the commercial use of several lots within the subdivision when an application was made for an electrical permit. Upon inspection by City staff, it was discovered that several curb-cuts had been installed, aggregate surfacing placed, and an office trailer located; all without permits. No information has been provided as to what type of development is currently underway at the site, and if it requires an I-2, Heavy Industry zoning, or if the use would be able to operate at the site under the current I-1, Light Industry District. It may simply be the applicant's desire to obtain the I-2, Heavy Industry District to be relieved of certain requirements, such as paved parking and surfacing being required for any future development proposed for the existing 12 lots.

The site is bounded to the North by undeveloped R-A, Residential Agriculture District; to the East by undeveloped R-A, Residential Agriculture District and B-5, Office-Distribution District; to the South by I-1, Light Industry District; and to the West by undeveloped R-A, Residential Agriculture District.

It should be noted that the site does exceed the minimum required size for property to be rezoned to I-2, Heavy Industry District as stated in Section 64-3.5. of the Zoning Ordinance.

The site fronts onto Dockside Drive, a minor street with curb and gutter, and is illustrated as having a compliant 50' right-of-way. However, the cul-de-sac is shown to have a 110' diameter, and it should have a diameter of 120', therefore dedications should be made to from a radius of 60' from the center of the cul-de-sac.

The entire site appears to be depicted as industrial 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. 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.

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 the site was erroneously zoned when the City of Mobile Annexed it in 2008. Furthermore, the applicant states that there is an increased need for I-2, Heavy Industry District uses which utilize heavy equipment and vehicles, where paved parking and storage yards

should not be required. The applicant goes on to state that there are discussions going on with several companies about locating at the site which fall under the I-2, Heavy Industry District uses, although no more specific information is given about the possible businesses.

RECOMMENDATION

Based on the preceding, the application is recommended for Holdover for the November 21, 2013, with revisions due by October 21, 2013 to address the following:

- 1) provide more information on the types of development occurring, which has already occurred, or that is proposed at the site; and
- 2) submission of explanation/documentation of alleged error in Zoning Map if property was not used as I-2 at the time of annexation.

Revised for the November 7, 2013 meeting:

The application was heldover at the October 3, 2013 meeting to allow the applicant time to submit revised information to staff for review.

The applicant has submitted additional information stating that the reason behind the rezoning request is that there is an increased need for I-2, Heavy Industry Districts in this area, as there are primarily large pieces of land in the area of the subject property with this zoning designation, and there is a need for smaller pieces of land with this zoning designation as well.

The area the applicant is refers to with I-2, Heavy Industry District zoning is across Hamilton Boulevard, a major street, and is currently occupied predominately by I-2 uses. It should be noted that most I-2, Heavy Industry District uses require larger tracts of land, therefore the applicant's assertion that smaller pieces of land with this zoning are needed is contrary to the general nature of the majority of businesses which would require the requested zoning designation.

As mentioned previously, the applicant states that there are numerous business opportunities available which would require a minimum of an I-2, Heavy Industry District. The applicant submitted documentation for a business that handles marine cargo, which would require either an I-1, Light Industry District or an I-2, Heavy Industry District. It is unclear in the documentation submitted if this is a business that already exists at the site, or if this is a proposed business for the site, however, the fact it can operate in an I-1, Light Industry District does not justify the request for I-2, Heavy Industry District. No information regarding other proposed business operations, nor the businesses which have been developed without approvals were submitted.

RECOMMENDATION

Based on the preceding, the application is recommended for Denial due to the following:

- 1) failure to provide justification for the requested I-2, Heavy Industry District zoning.

Revised for the November 21, 2013 meeting:

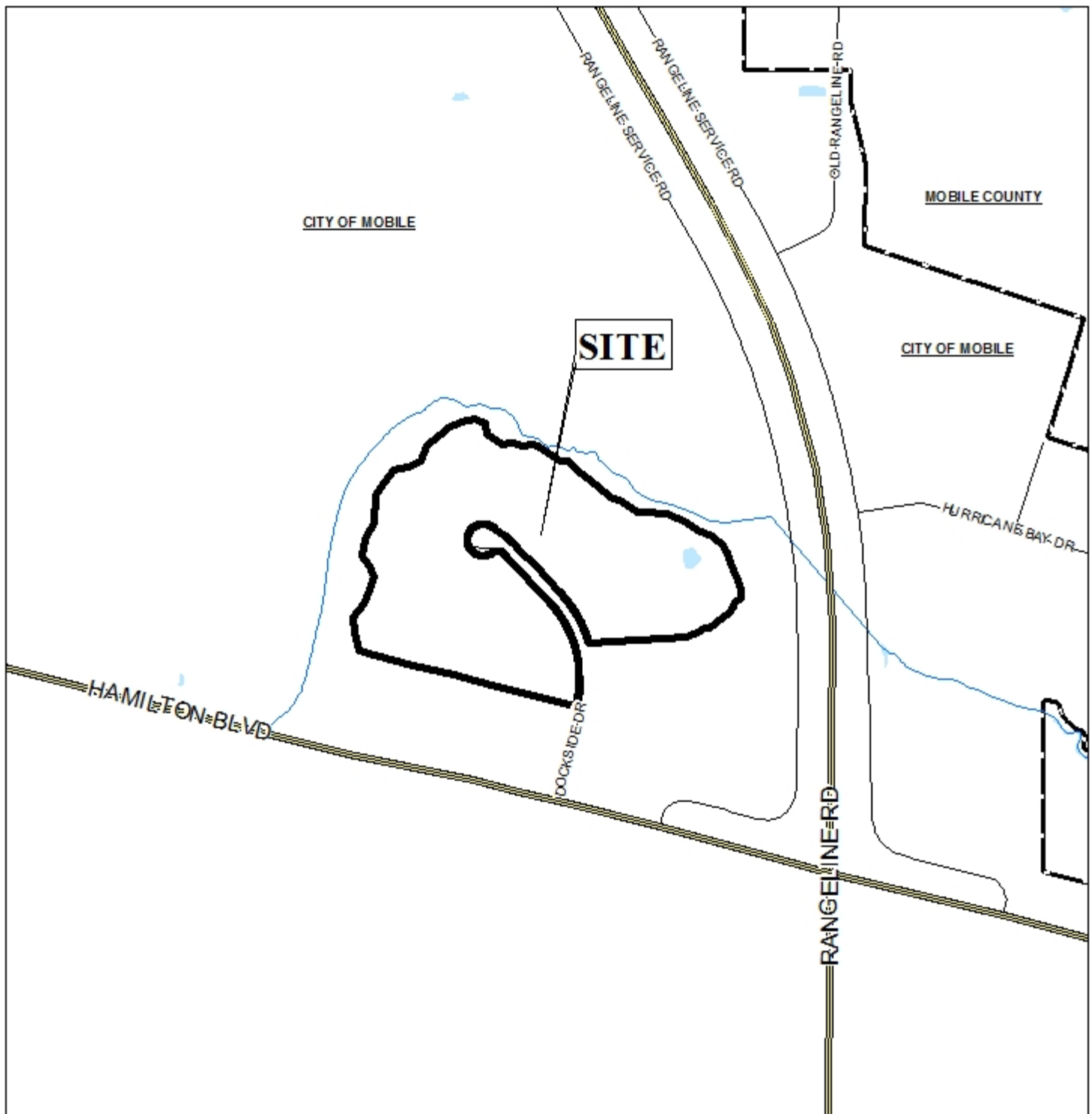
The application was heldover at the November 7, 2013 meeting at the applicant's request. No additional information has been submitted, therefore the previous recommendation remains.

RECOMMENDATION

Based on the preceding, the application is recommended for Denial due to the following:

- 1) failure to provide justification for the requested I-2, Heavy Industry District zoning.*

LOCATOR MAP



APPLICATION NUMBER 5 DATE November 21, 2013

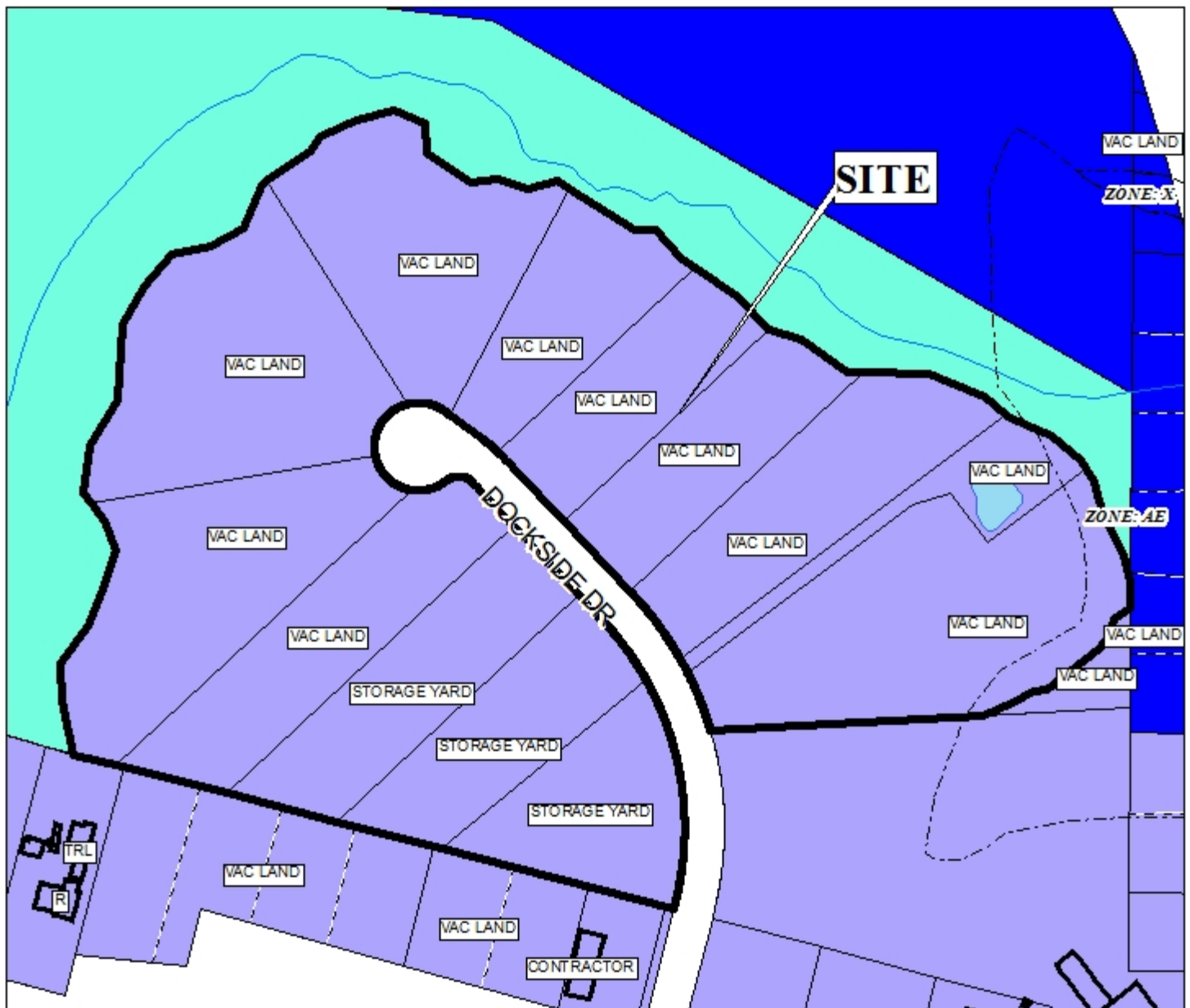
APPLICANT Rangeline-Hamilton Commercial Park, LLC

REQUEST Rezoning from I-1 to I-2



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



A contractor and residential units lie to the southwest.

APPLICATION NUMBER 5 DATE November 21, 2013

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REQUEST Rezoning from I-1 to I-2

LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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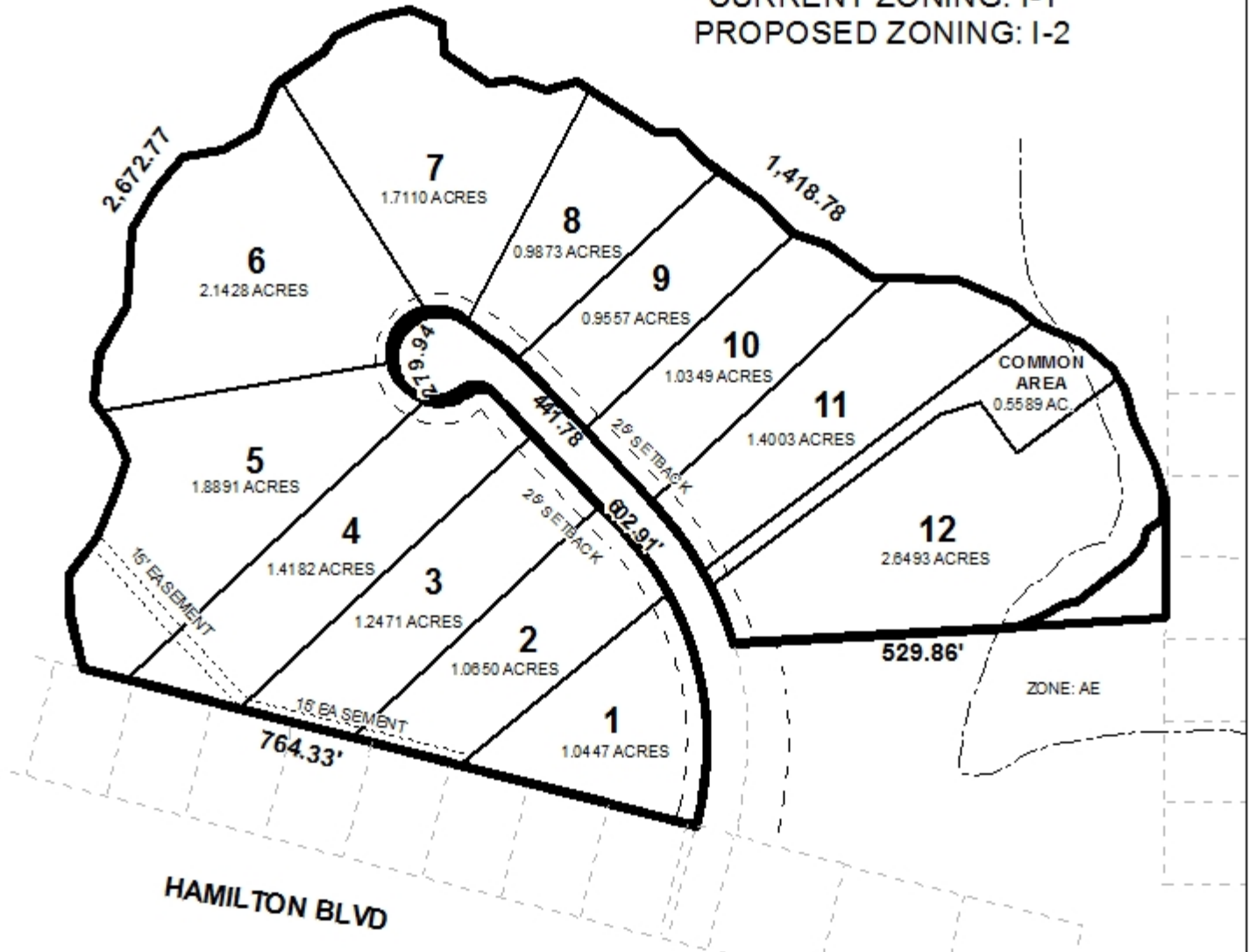
REQUEST Rezoning from I-1 to I-2



NTS

SITE PLAN

CURRENT ZONING: I-1
PROPOSED ZONING: I-2



The site plan illustrates the lots, setback, and easement for the proposed zoning change.

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REQUEST Rezoning from I-1 to I-2

