

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: February 15, 2023**

<u>APPLICANT NAME</u>	Ford Engineering Services, PLLC (Joel Ford, Agent)
<u>SUBDIVISION NAME</u>	3T's Trucking Container Subdivision
<u>LOCATION</u>	4570, 4580, and 4590 Shipyard Road (West side of Shipyard Road, 413'± North of Higgins Road).
<u>CITY COUNCIL DISTRICT</u>	Council District 4
<u>PRESENT ZONING</u>	B-3, Community Business District, and B-5, Office-Distribution District
<u>PROPOSED ZONING</u>	B-5, Office-Distribution District
<u>AREA OF PROPERTY</u>	1 Lot / 7.9± Acres
<u>CONTEMPLATED USE</u>	Subdivision Approval to create one (1) legal lot of record from three (3) existing legal lots of record, and Rezoning from B-3, Community Business District, and B-5, Office-Distribution 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.

**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. There is an unlabeled line running through the property that matches the ROW line listed in the legend. Clarify and revise.
- C. Show and label all flood zones. New maps went into effect on June 5, 2020.
- D. 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.

- E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #89) LOT 1 will receive the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control as follows: LOT 1 - NONE.
- F. 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 prior to obtaining any signatures. No signatures are required on the drawing.

Rezoning:

- 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 (251-208-6070) 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, 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 (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.

**TIME SCHEDULE
FOR DEVELOPMENT**

Commence on March 1, 2023.

REMARKS

The applicant is requesting Subdivision Approval to create one (1) legal lot of record from three (3) existing legal lots of record, and Rezoning from B-3, Community Business District, and B-5, Office-Distribution District, to B-5, Office-Distribution District.

The site has been given a Heavy Industry (HI) 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 larger parcels primarily devoted to high-impact industrial activity which is preferably removed from residential and commercial uses. Light industry, industrial business or heavy commercial lands may separate heavy industry from other land uses.

Heavy industrial areas include collection, treatment, and manufacturing processes which use raw materials, are distinguished by the presence of noise, vibration, and/or odors, and benefit from easy access to a multimodal freight transportation network. Certain types of heavy industry are characterized by low building coverage and activities that rely on large areas of outdoor storage of raw material stockpiles and/or waste-product disposal areas, storage tanks, pipelines, and transportation yards to handle the transfer of heavy materials. The outdoor storage areas should be screened as much as possible by the nature of the stored materials.

Land designated as HI may be underdeveloped due to the presence of wetlands on portions of the parcel. In these cases, the wetlands may serve to buffer surrounding uses from the potential impacts of the heavy industrial use. Undeveloped areas of HI parcels that have tree cover may be used as buffering between the heavy industrial use and other uses. Where buffers do not exist naturally,

they should be provided as spelled out in the zoning and subdivision regulations. Open areas reserved for dredge disposal are also designated as HI and may contain wetlands.

In Mobile, port terminal facilities, docks, shipyards, drydocks, etc., are mostly owned by the State of Alabama. Although not subject to local zoning, these facilities are shown as heavy industrial uses in the FLUM.

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.

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 applicant proposes to create one (1) legal lot of record from three (3) existing legal lots of record. The proposed lot exceeds the minimum requirements of the Subdivision Regulations.

The site has frontage along Shipyard Road, which is a minor street without curb and gutter, but with a compliant 60-foot right-of-way; therefore, no frontage dedication would be required. The right-of-way width of Shipyard Road should be retained on the Final Plat, if approved. As on the preliminary plat, the lot size label in both square feet and acres should be retained on the Final Plat, if approved, or a table should be furnished on the Final Plat providing the same information.

As on the preliminary plat, the 25-foot minimum building setback line along Shipyard Road should be retained on the Final Plat, if approved. Although located within the 25-foot minimum building setback, the plat indicates water and power line easements. Therefore, a note should be required on the Final Plat, if approved, stating that no structure may be constructed or located within any easement without the permission of the easement holder.

As per the Traffic Engineering comments, the driveway number, size, location, and design are 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. A note should be required on the Final Plat stating these comments.

As the proposed lot would be split-zoned, the associated Rezoning process should be completed prior to signing the Final Plat.

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 is bounded to the North and West by B-5 zoning; and to the South and East (across Shipyard Road) by B-3 zoning.

The applicant states the following to address the rationale for the zoning request:

This application is being made to change the zoning of a parcel owned by 3T'S Trucking Container Division, LLC, from B-3 to B-5. The owner currently owns four adjacent parcels located at 4580 Shipyard Road. The four properties have property identification numbers R023306234000064.005, R023306234000064.006, R023306234000064.000, and R023306234000064.003. The owner currently operates a storage container facility on the two northernmost parcels (R023306234000064.005 and R023306234000064.006). The owner recently purchased the two southernmost parcels (R023306234000064.000 and R023306234000064.003) and intends on expanding the container storage facility onto those two parcels. The three northernmost parcels are currently zoned B-5. The request is being made to change the zoning on the southernmost parcel (R023306234000064.003) from B-3 to B-5 such that all properties have the same zoning.

As the site is proposed to be made a single lot of record via the Subdivision process, the subdivision makes reclassification of the land into one classification necessary and desirable. The proposed use as a storage facility for shipping containers, and the proposed B-5 zoning classification for the entire site, would be in keeping with the current Zoning Ordinance and the upcoming Unified Development Code, and with the Future Land Use Plan and Map.

RECOMMENDATION

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

- 1) completion of the rezoning prior to signing the Final Plat;
- 2) retention of the right-of-way width of Shipyard Road on the Final Plat;
- 3) retention of the lot size label in both square feet and acres on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 4) retention of the 25-foot minimum building setback line along Shipyard Road on the Final Plat;
- 5) placement of a note on the Final Plat stating that no structure may be constructed or located within any easement without the permission of the easement holder;

- 6) 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 There is an unlabeled line running through the property that matches the ROW line listed in the legend. Clarify and revise. C. Show and label all flood zones. New maps went into effect on June 5, 2020. D. 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. E. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #89) LOT 1 will receive the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control as follows: LOT 1 - NONE. F. 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 prior to obtaining any signatures. No signatures are required on the drawing.*);
- 7) placement of a note on the Final Plat stating the 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.*); and
- 9) compliance with Fire 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.*).

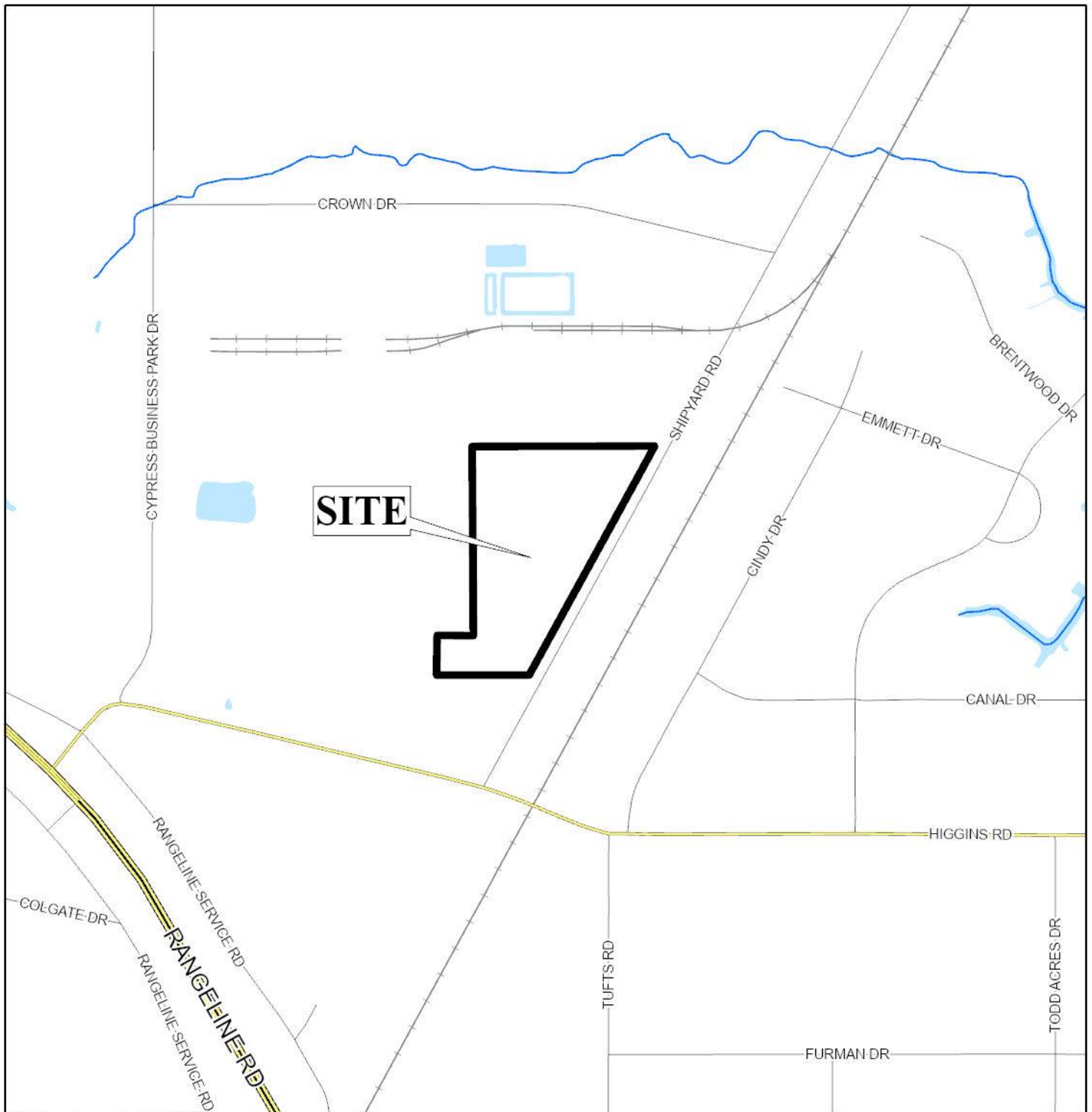
Rezoning: Based on the preceding, this application is recommended for Approval for the following reason:

- a) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

The rezoning should be subject to the following conditions:

- 1) completion of the Subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



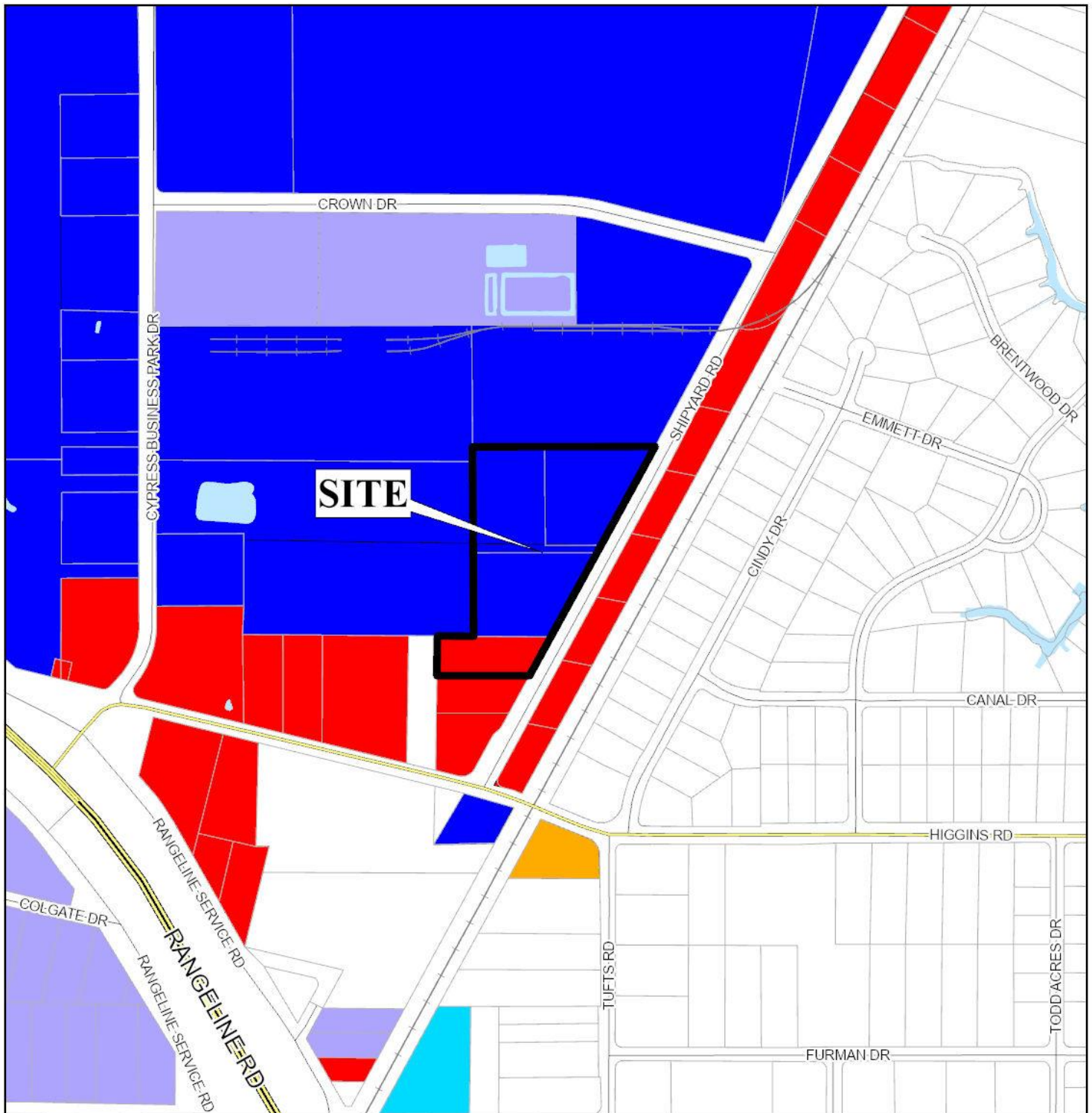
APPLICATION NUMBER 6 DATE February 15, 2023

APPLICANT 3T's Trucking Container Subdivision

REQUEST Subdivision, Rezoning from B-3 and B-5 to B-5



LOCATOR ZONING MAP



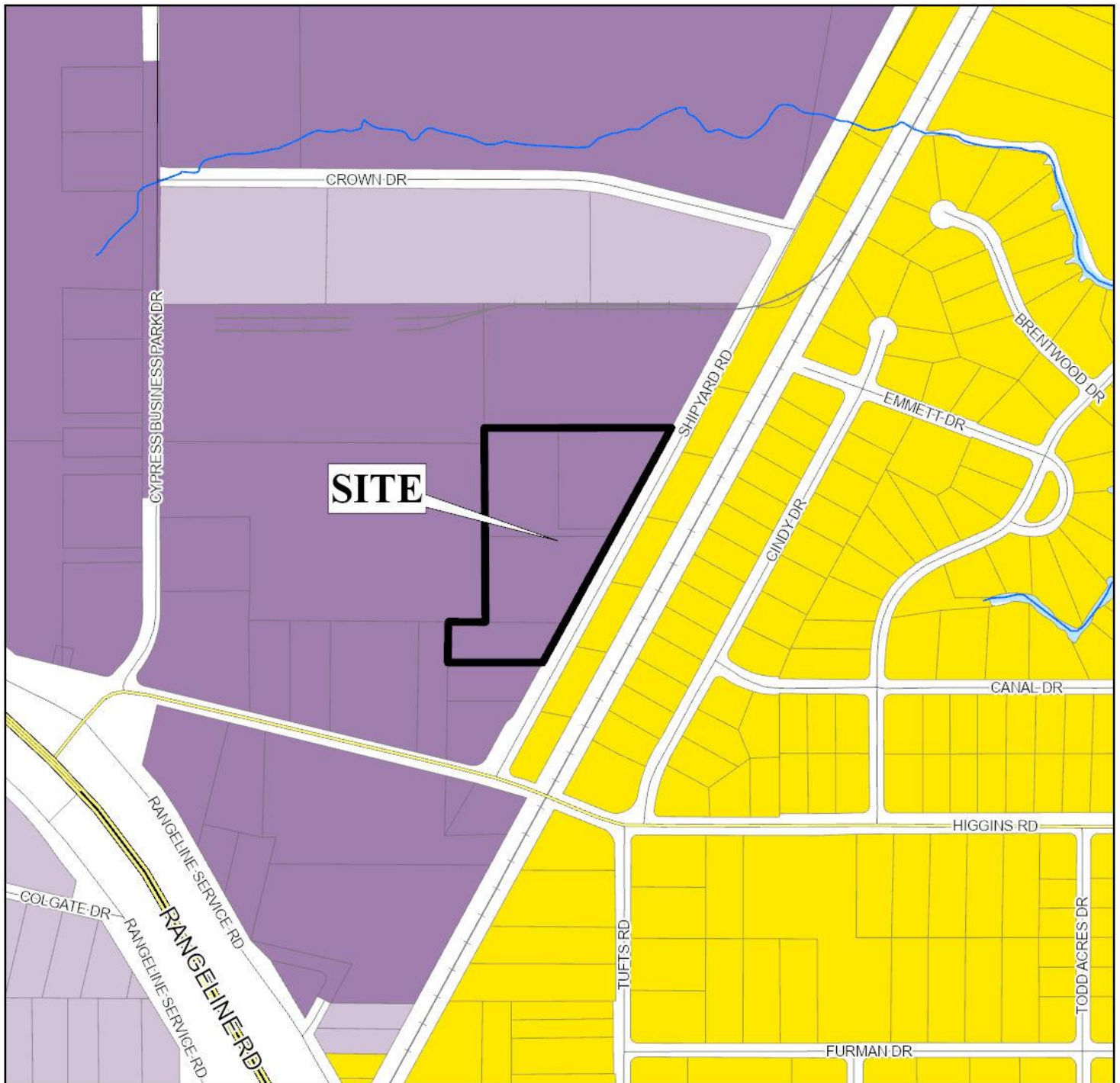
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FLUM LOCATOR MAP



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REQUEST Subdivision, Rezoning from B-3 and B-5 to B-5

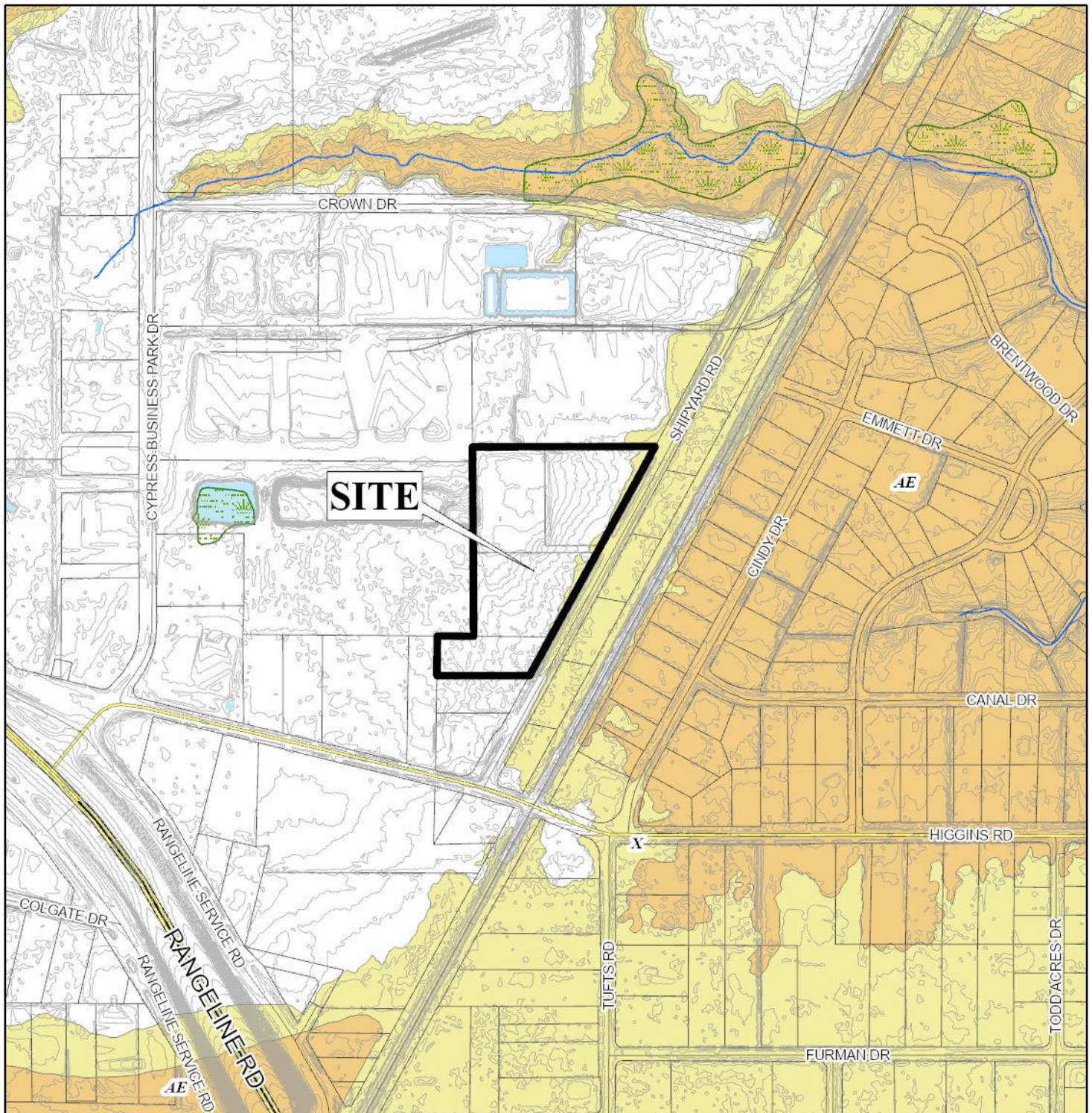
Layer2

■ Downtown	■ Traditional Corridor	■ Heavy Industry
■ District Center	■ Mixed Commercial Corridor	■ Institutional
■ Neighborhood Center - Traditional	■ Downtown Waterfront	■ Parks & Open Space
■ Neighborhood Center - Suburban	■ Light Industry	■ Water Dependent



NTS

ENVIRONMENTAL LOCATOR MAP



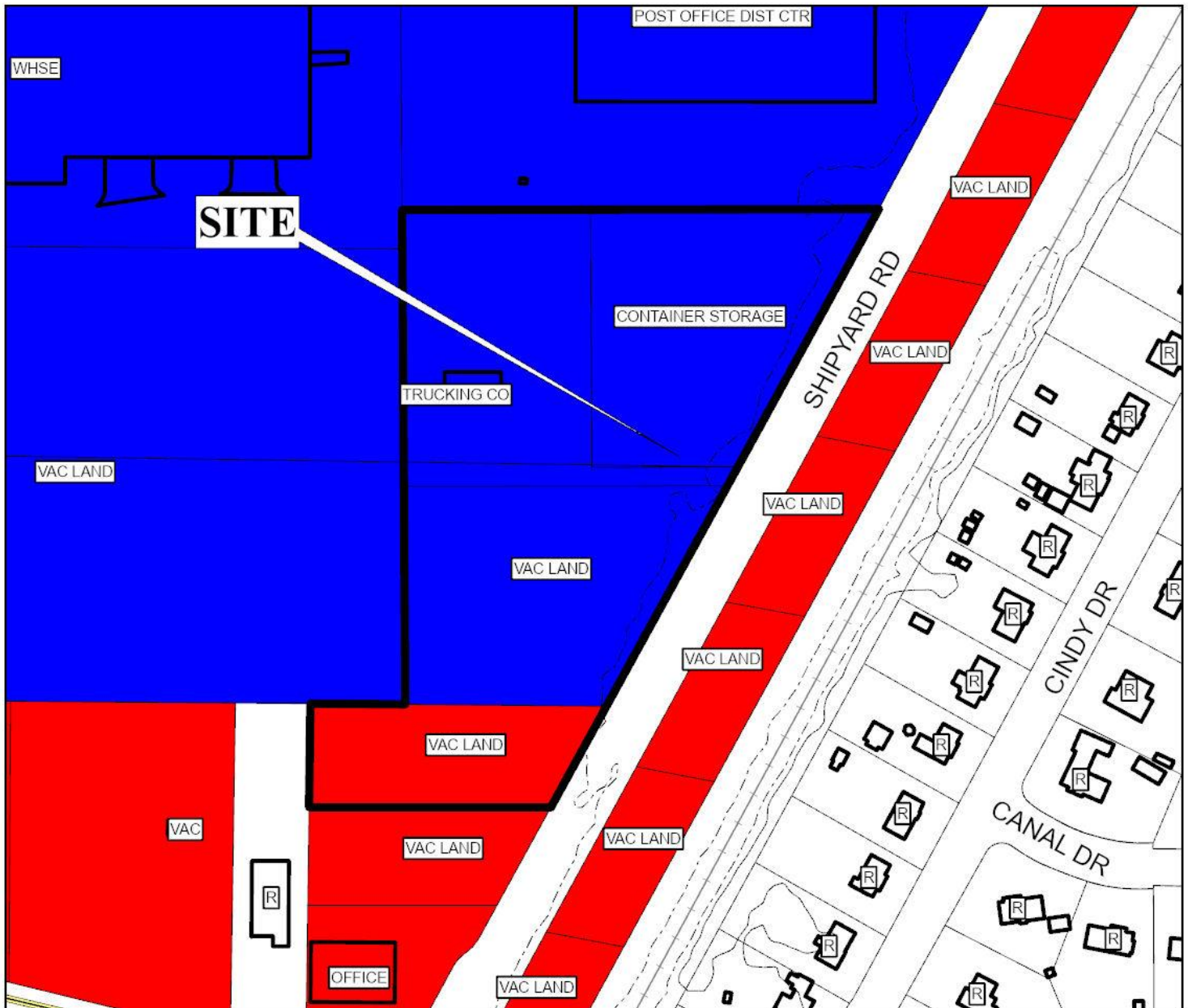
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units. Residences lie east of the site and single residence lies south.

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REQUEST Subdivision, Rezoning from B-3 and B-5 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



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units. Residences lie east of the site and single residence lies south.

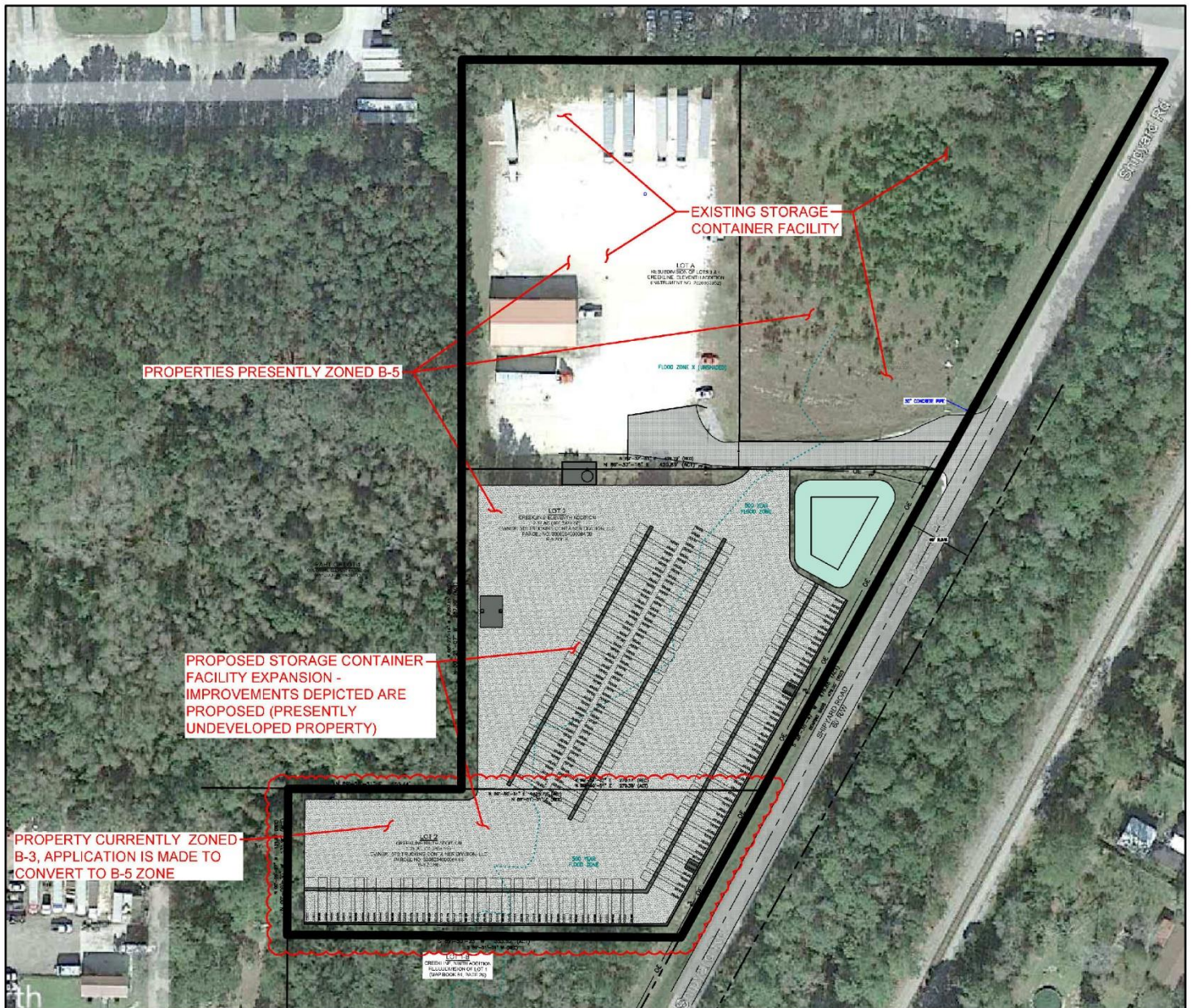
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REQUEST Subdivision, Rezoning from B-3 and B-5 to B-5



SITE PLAN

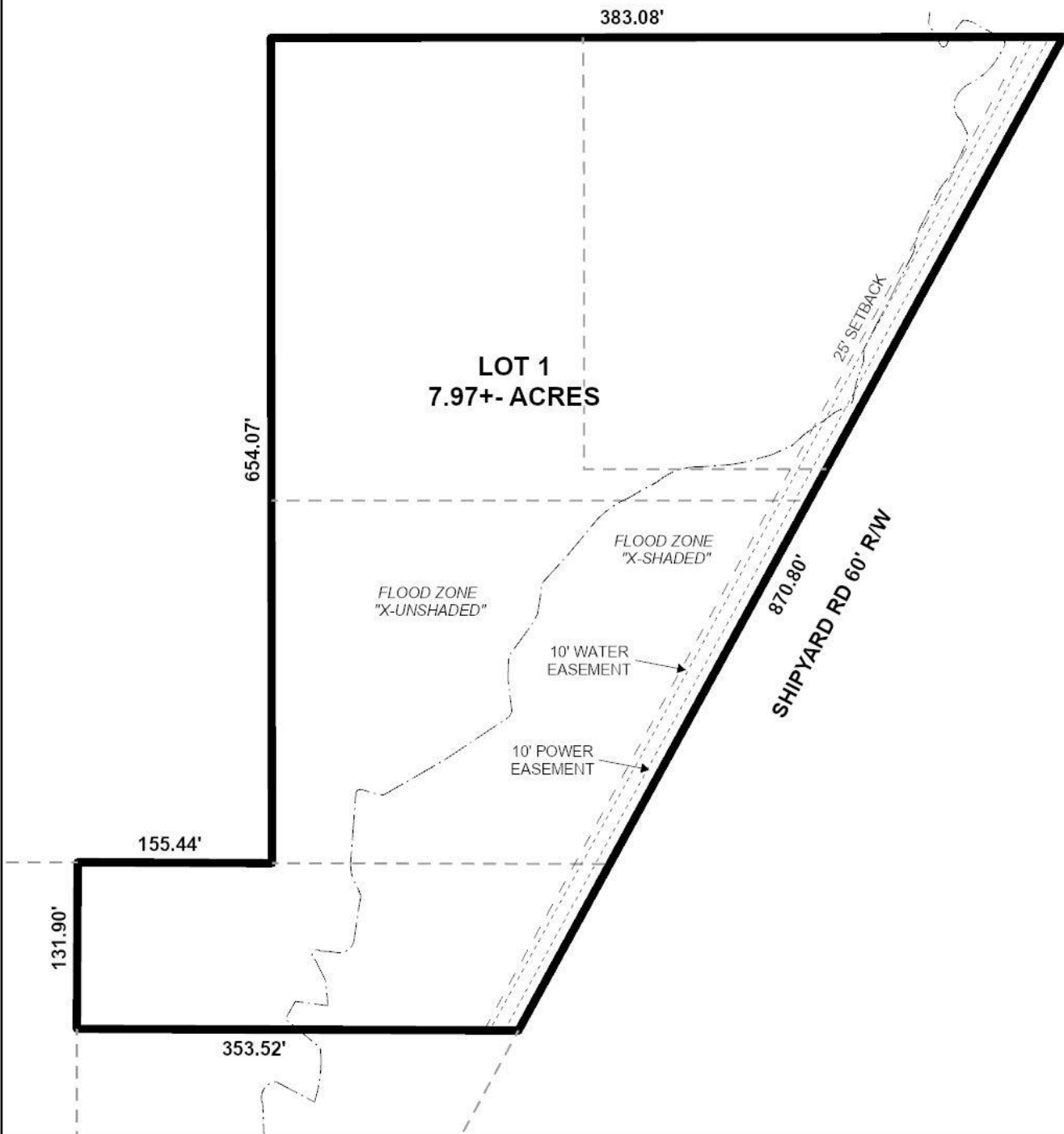


The site plan illustrates the existing storage container facility, and the proposed container facility.

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DETAIL SITE PLAN



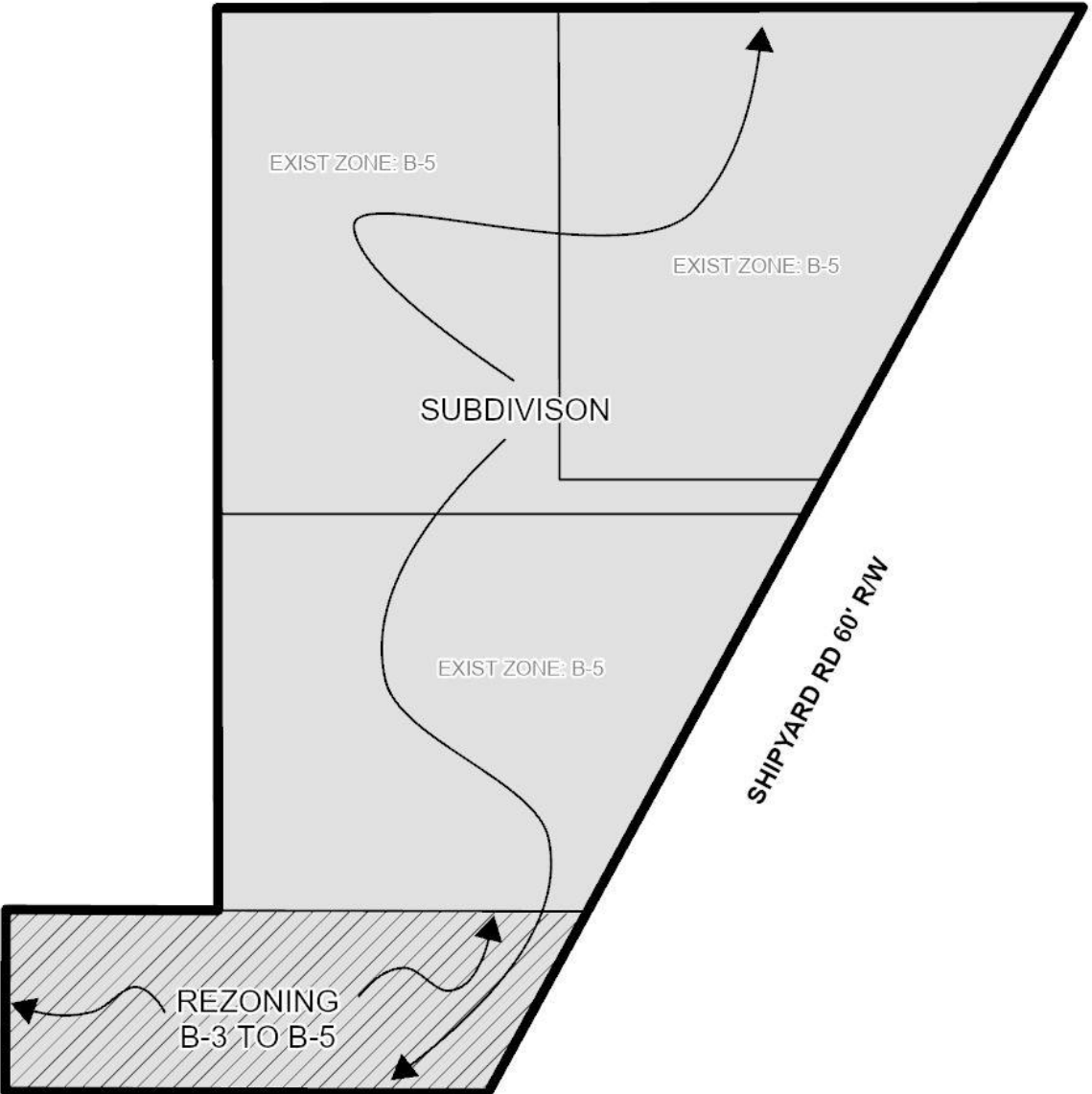
APPLICATION NUMBER 6 DATE February 15, 2023

APPLICANT 3T's Trucking Container Subdivision

REQUEST Subdivision, Rezoning from B-3 and B-5 to B-5



DETAIL SITE PLAN



APPLICATION NUMBER 6 DATE February 15, 2023

APPLICANT 3T's Trucking Container Subdivision

REQUEST Subdivision, Rezoning from B-3 and B-5 to B-5



