

**SUBDIVISION &
ZONING AMENDMENT STAFF REPORT****Date: November 15, 2018****APPLICANT NAME**

Alabama Power Company

SUBDIVISION NAMEMobile Business South Park Subdivision, APCO's
Addition to**LOCATION**5205, 5225, and 5245 Business Parkway
(East side of Business Parkway, 475'± North of Mobile
South Street).**CITY COUNCIL
DISTRICT**

Council District 4

PRESENT ZONING

B-5, Office-Distribution District

PROPOSED ZONING

I-1, Light Industry District

AREA OF PROPERTY

1 Lot / 82.8± Acres

PRESENT ZONINGSubdivision Approval to create a single legal lot of record
from six metes-and-bounds parcels and one legal lot of
record; and Rezoning from B-5, Office-Distribution
District, to I-1, Light Industry District.**It should be noted, 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. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated.

- C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- D. Provide additional information about the proposed ADDITIONAL ROW shown to be dedicated at the north end of Business Parkway. It appears to be insufficient for a standard cul-de-sac.
- E. Provide ROW for an adequate turnaround at the east end of Mobile South Street.
- F. Provide the Surveyor's Certificate and Signature.
- G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- H. 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.
- I. 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.
- 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 new development or construction, unless a sidewalk waiver is approved.
- K. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- L. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- M. Add a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
- N. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- O. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

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 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

Site is limited to one curb cut per street frontage with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new 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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site 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. (2012 International Fire Code)

TIME SCHEDULE

Construction to begin in 2019, with all proposed development to be completed by 2023.

REMARKS

The applicant is requesting Subdivision Approval to create a single legal lot of record from six metes-and-bounds parcels and one legal lot of record; and Rezoning from B-5, Office-Distribution District, to I-1, Light Industry District.

The purpose of this application is to combine six metes-and-bounds parcels and one legal lot of record and have them rezoned in order to accommodate an electric utility company crew headquarters, with a staging area for storm response, as well as a contractor's yard.

The site has been given a Light Industry (LI) land use designation, per the recently adopted Future Land Use Plan and Map. 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 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.

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 lots size is provided in acres, but not square feet, and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot size should be provided in both square feet and acres on the Final Plat.

The site has frontage along Interstate 10, Business Parkway, and Mobile South Street. According to the Major Street Plan, Interstate 10 should have a right-of-way of 350'; therefore the Final Plat should be revised to indicate there is sufficient right-of-way currently, or dedication to provide 175' from the centerline should be required. Business Parkway and Mobile South Street are both minor streets with curb and gutter, and are both depicted as having 60' existing rights-of-way, making no dedication necessary.

It should be noted that there is a portion of the site at the terminus of Business Parkway that is labeled as "Additional ROW (dedicated by this plat)". While it does appear that the terminus of Business Parkway may be substandard, when the lot across the street went through resubdivision in 2009, no such dedication was required. However, due to the comments received by the Engineering Department, it may be desirable to require the dedication as depicted. While Engineering mentions the provision of more right-of-way dedication than depicted on the preliminary plat, it should be noted that would extend beyond the boundaries of the property included in this application request.

The preliminary plat illustrates the 25' minimum building setback along all frontages. If approved, this should be retained on the Final Plat.

As a means of access management, the proposed lot should be limited to one curb cut each to Business Parkway and Mobile South Street, with size, location and design of new curb cuts to be approved by Traffic Engineering and conform to AASHTO standards. The site should be denied direct access to Interstate 10.

There is a 20' sanitary sewer easement that runs through the property. If approved, a note should be placed on the Final Plat stating that no structures are to be constructed within any easement.

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 by property zoned I-1, Light Industry District; the East by properties zone R-A, Residential-Agricultural; to the West by properties zone I-1, Light Industry District and B-3, Community Business District; and to the South by B-5, Office-Distribution District and I-1, Light Industry District. It should be noted that a property immediately to the South that is currently zoned B-5, Office-Distribution District has an application on the same Planning Commission agenda to be rezoned to I-1, Light Industry District.

The applicant states:

Description of Use:

The contemplated use for this property is an Alabama Power Company Crew Headquarters as depicted in the attached site plan.

The gravel storm response staging area, as shown on the site plan, would be constructed in 2019. The storm response staging area would be constructed in a way, i.e. grading and drainage, to accommodate the site plan of the proposed crew headquarters.

The construction of the actual crew headquarters and other associated features of the site plan is slated to begin in 2022. Construction on the crew headquarters should be completed by 2023.

This request for rezoning is therefore submitted to utilize the property as described above.

Consistency Analysis:

See the attached Future Land Use map which shows the subject property's future land use is slated for Light Industry i.e. an I-I zoning. A rezoning of this property would align the property with the future intended zoning of the area.

Necessity of Amendment:

A rezoning to I-I should be made due to "an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district." As previously stated, the subject property falls within an area that is intended to be rezoned to I-I Light Industry.

As shown on the attached map indicating surrounding zoning, this property is in a mix of primarily commercial and industrial zoning areas. Accordingly, this proposed rezoning would have minimal effect on surrounding areas.

The surrounding B-5 zoned properties on the southern border of the subject property are primarily warehouses. They are not commercial properties centered on pedestrian shopping. Additionally, APC will leave intact a 260-foot natural buffer from these properties. The subject property will also abut Interstate-10 and a 120-foot natural buffer will be left for that area of the property. Finally, on the eastern side of the subject property, a 500-foot natural buffer will be kept in place next to the currently zoned residential parcel. In total, only approximately 41 acres of this parcel will be developed, with these natural buffers being illustrated in the attached Topography map attached with our application.

In summation, this property will be utilized in a nature that is consistent with current makeup of the area, and consistent with the intention of future land use.

The site plan depicts a 20,000 square foot office space, warehouse area, yard storage, a gravel contractor's yard, a gravel storm response staging area, a fuel island, a truck wash, dumpsters, storage areas for power poles, and a storage shed. It should be noted that as the office and warehouse space are in the same building, and the other structures on the site are not habitable, a Planned Unit Development is not required. Also, the proposed gravel surfacing on portions of the site is allowed by right in the requested I-1, Light Industry District; however, any required parking must be paved in asphalt or concrete.

The site plan also depicts a sidewalk along the Business Parkway frontage. It should be noted that the sidewalk is depicted on private property, and sidewalks are typically required to be placed in the right-of-way unless there are features that would prevent such placement. No sidewalk should be required along Mobile South Street until such time as the applicant proposes to place a curb cut with access to the site along that frontage. No sidewalk is required along Interstate 10.

The office space and warehouse area combined, require a minimum of 69 parking spaces, with 150 provided. Because the parking lot will have more than 25 parking spaces, a photometric site plan will be required to be submitted at the time of permitting.

As mentioned previously, there are several dumpsters depicted on the site that are located outside of all required setbacks, and have a note stating that they will be connected to sanitary sewer and have compliant enclosure on three (3) sides.

The site will be required to come into compliance with all tree planting and landscape area requirements of the Zoning Ordinance. It should be noted that with the large amounts of the property proposed to remain undeveloped, the site should be able to comply with landscape area. It should be noted that I-1, Light Industry Districts are only required to provide frontage trees.

It should be noted that there is security fencing with a barbed wire top depicted on the site plan. It should be noted that a permit separate from the building and fence permits will be required for the barbed wire.

As mentioned previously, the site has R-A, Residential-Agricultural District to the East of the site, which requires a residential buffer. As the applicant is proposing to leave a 480' wide strip of undeveloped land between the improvements to be made to the site and the residentially zoned property, no further buffering will be required.

RECOMMENDATION

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

- 1) retention of the right-of-way dedication along Business Parkway;
- 2) labeling of the minimum right-of-way width for Interstate 10;
- 3) provision of the lot size in square feet and acres;
- 4) placement of a note on the Final Plat stating the lot should be limited to one curb cut each to Business Parkway and Mobile South Street, with size, location and design of new curb cuts to be approved by Traffic Engineering and conform to AASHTO standards;

- 5) placement of a note on the Final Plat stating that the lot is denied direct access to Interstate 10;
- 6) retention of the 25' minimum building setback line along all frontages;
- 7) placement of a note on the Final Plat stating no structures are to be placed in any easement;
- 8) 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. National Wetlands Inventory (NWI) mapping, as shown on City of Mobile GIS information, indicates that there is potential for wetlands within the property or properties shown on this plat. Show and label the delineated wetlands, or provide a note stating that the wetlands shown on this plat are scaled from the NWI data and have not been delineated. C. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. D. Provide additional information about the proposed ADDITIONAL ROW shown to be dedicated at the north end of Business Parkway. It appears to be insufficient for a standard cul-de-sac. E. Provide ROW for an adequate turnaround at the east end of Mobile South Street. F. Provide the Surveyor's Certificate and Signature. G. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. H. 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. I. 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. 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 new development or construction, unless a sidewalk waiver is approved. K. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. L. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. M. Add a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. N. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. O. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.);
- 9) compliance with Traffic Engineering comments: (Site is limited to one curb cut per street frontage with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Any new on-site parking, including ADA handicap

spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);

- 10) *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 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.); and*
- 11) *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. (2012 International Fire Code)).*

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

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

LOCATOR MAP



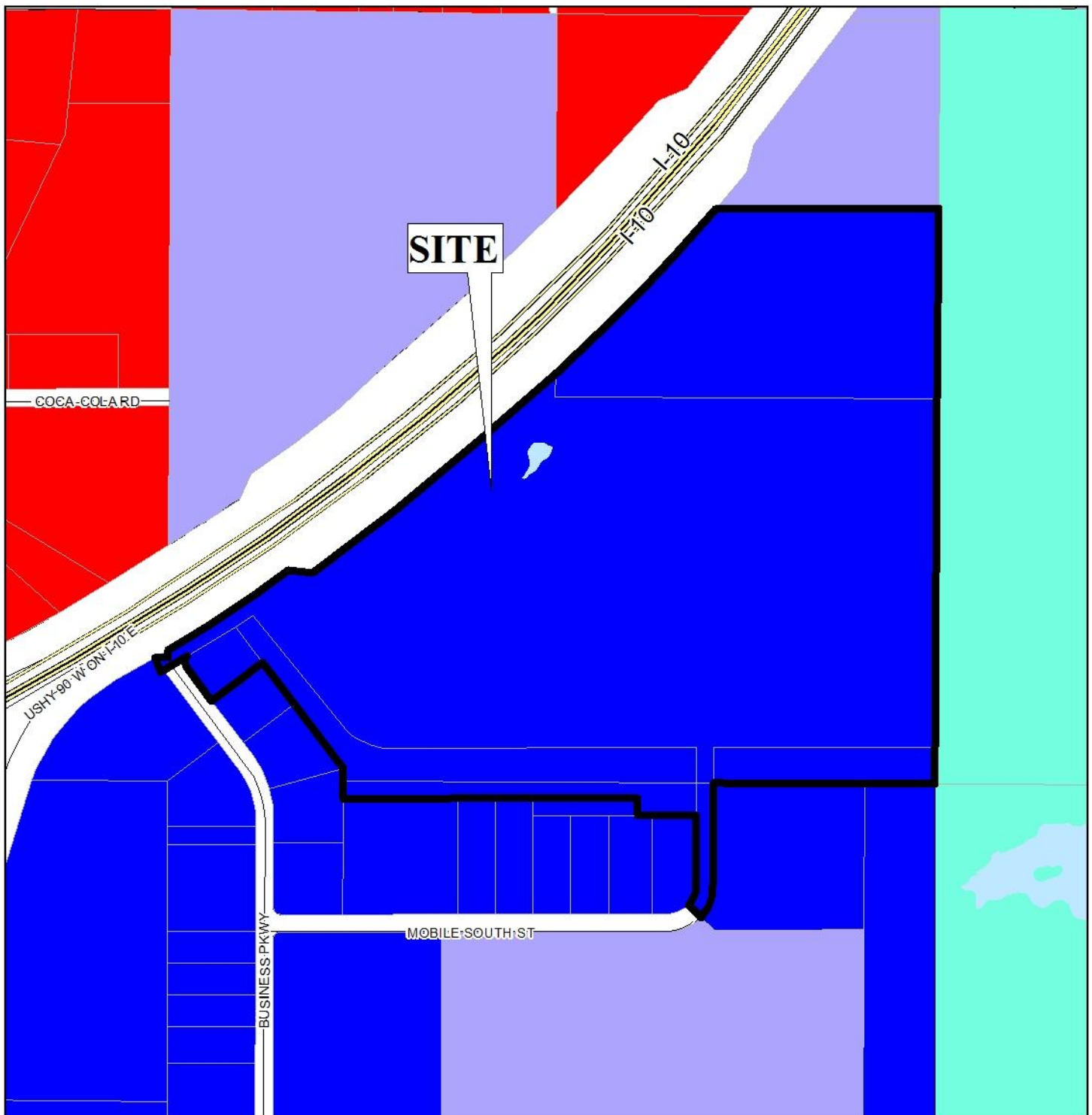
APPLICATION NUMBER 6 DATE November 15, 2018

APPLICANT Mobile Business South Park Subdivision, APCO's Addition to

REQUEST Subdivision, Rezoning from B-5 to I-1



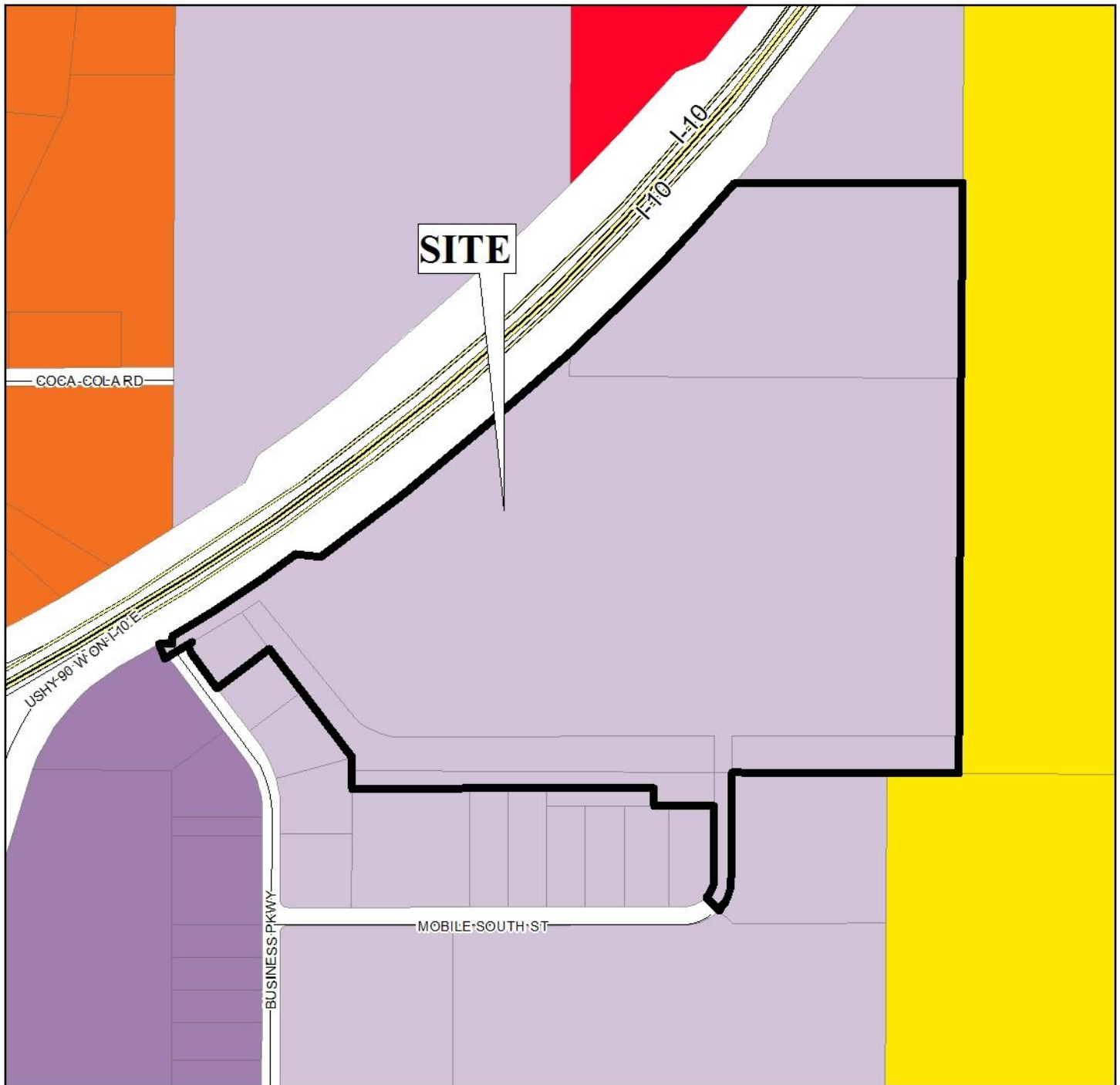
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



APPLICATION NUMBER 6 DATE November 15, 2018

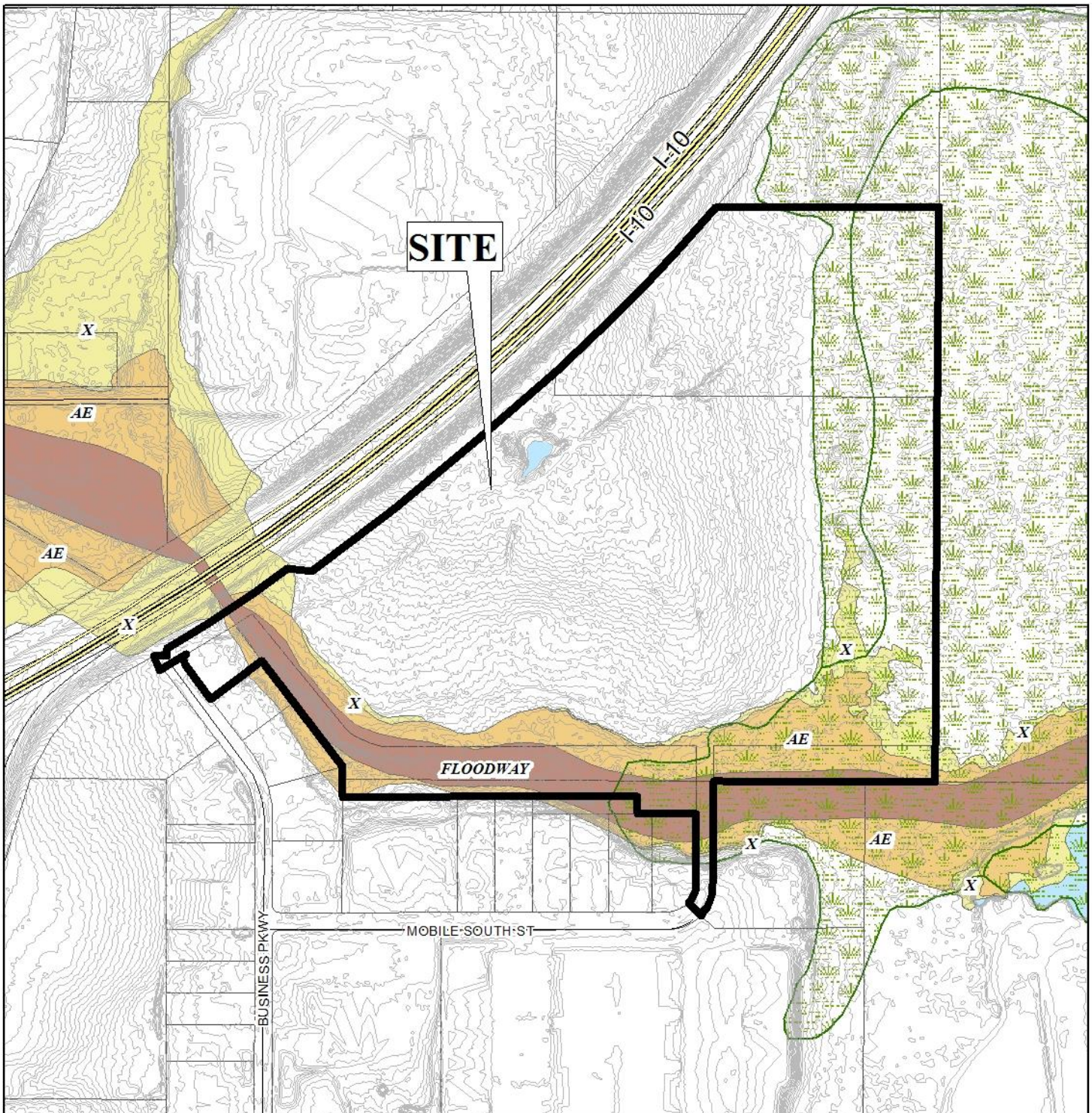
APPLICANT Mobile Business South Park Subdivision, APCO's Addition to

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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	



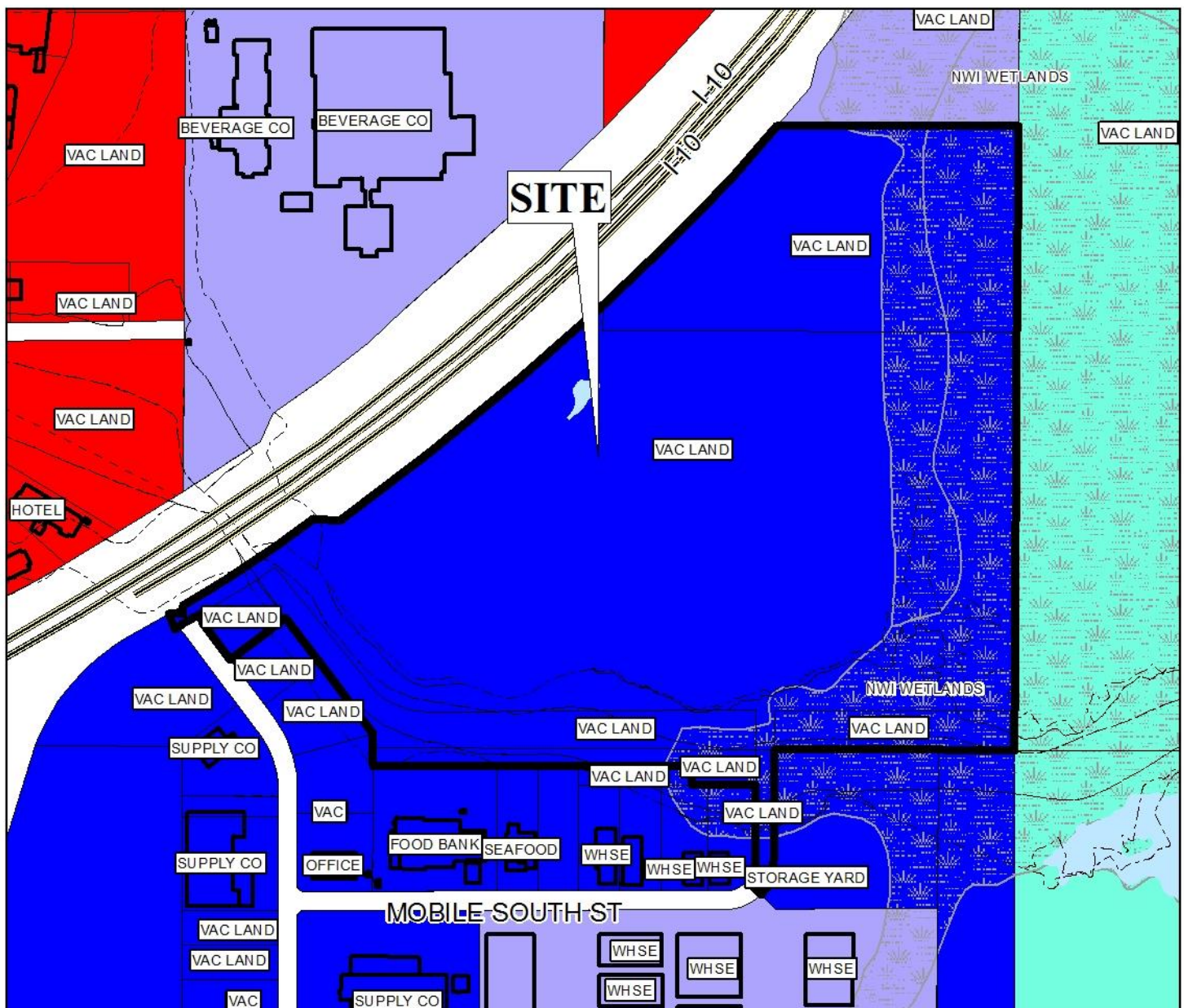
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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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

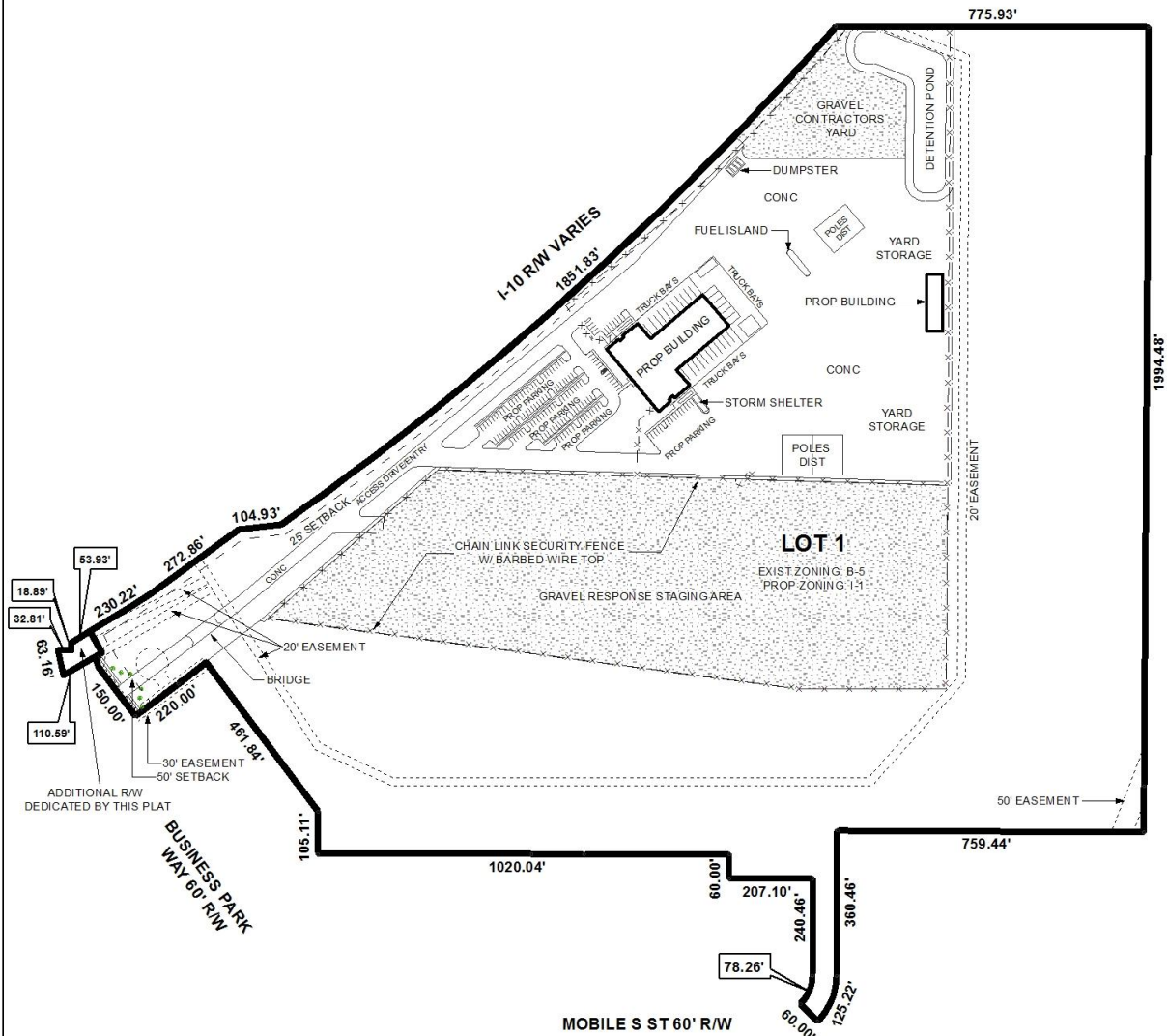


The site is surrounded by commercial units.

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SITE PLAN



The site plan illustrates the proposed buildings, proposed parking, drive, setbacks, and easements.

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NTS