

**ZONING AMENDMENT STAFF REPORT****Date: December 2, 2021****NAME**

Linder Surveying Consultants, LLC

**LOCATION**5358 Kooiman Road  
(North side of Kooiman Road, 257'± West of Business Parkway).**CITY COUNCIL  
DISTRICT**

District 4

**PRESENT ZONING**

B-5, Office-Distribution District, and I-1, Light Industry District

**PROPOSED ZONING**

I-1, Light Industry District

**AREA OF PROPERTY**

6.0± Acres

**CONTEMPLATED USE**

Rezoning from B-5, Office-Distribution District, and I-1, Light Industry 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.****TIME SCHEDULE  
FOR DEVELOPMENT**

2 Months.

**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]. 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 (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 rezoning from B-5, Office-Distribution District, and I-1, Light Industry District, to I-1, Light Industry District.

The site has been given a Heavy Industry (HI) and Light Industry (LI) land use designation, per the 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.

### Heavy Industry

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.

### Light Industry

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 of 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 the 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 subject site consists of all of Lot 1 and a portion of Lot 2, of the proposed Highway 90-Interstate 10 Business Park Subdivision, which was granted Tentative Approval at the Commission's September 15, 2021 meeting. A condition of the resubdivision approval was the successful rezoning of the proposed expanded Lot 1 prior to the signing of the Final Plat in order to eliminate split zoning within that lot; hence this application.

The applicant states the following:

*Subdivision of Land. We're resubdividing Lot 1 and 2 of Highway 90-Interstate 10 Business Park Subdivision to include 2.0 acres of the original Lot 2. Lot one is currently zoned I-1 and Lot 2 is currently B-5. We're requesting to rezone the portion of original Lot 2 from B-5 to I-1.*

Section 64-9. of the Zoning Ordinance states that 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.

Existing Lot 1 is currently developed as a warehousing facility. As the approved resubdivision allows for the expansion of that lot, the subdivision of land into building sites makes reclassification of the land necessary and desirable.

### **RECOMMENDATION**

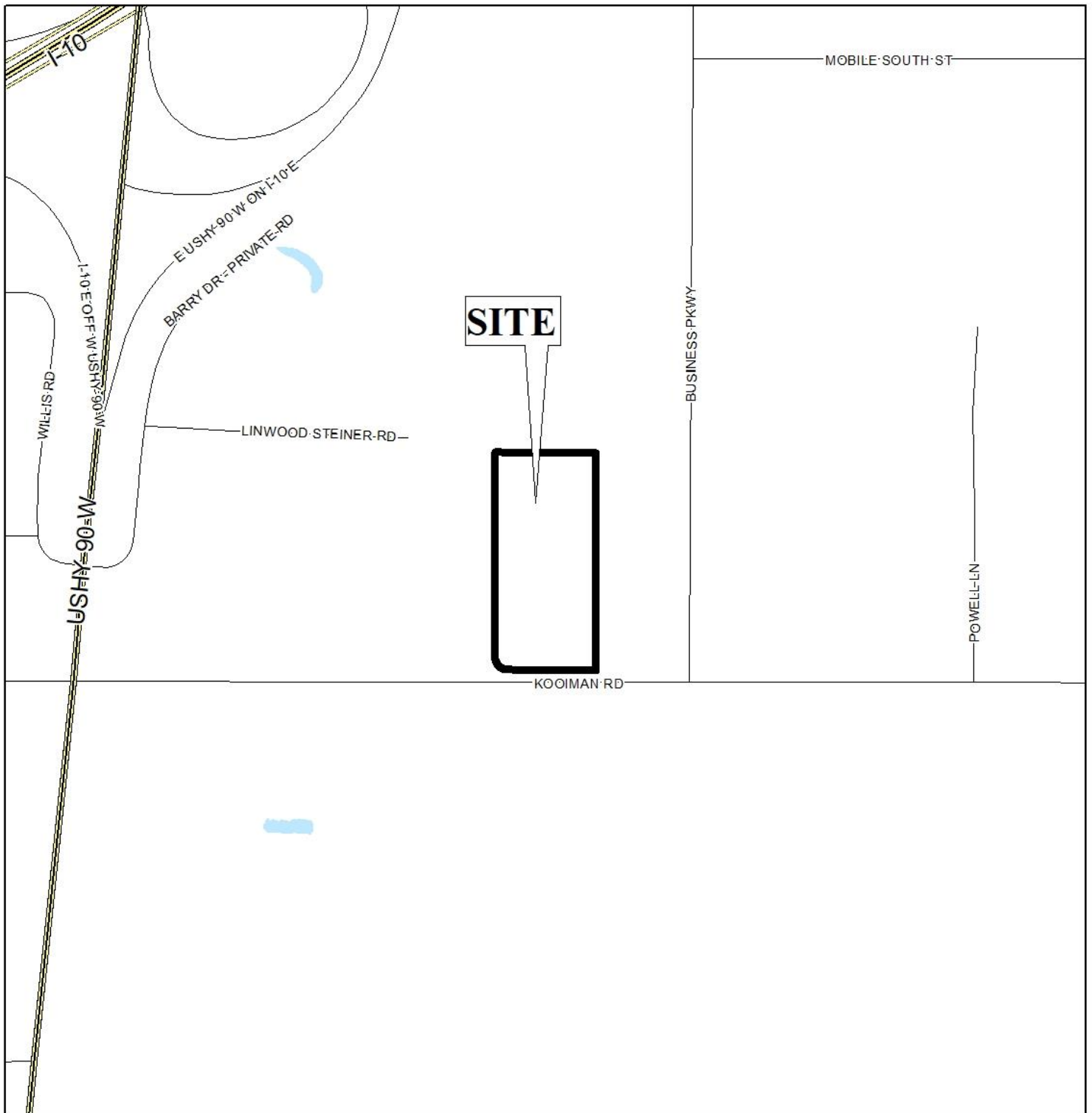
Based on the preceding, this application is recommended for Approval for the following reason:

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

The rezoning should be subject to the following condition:

- 1) completion of the Rezoning process prior to signing the Final Plat for Highway 90-Interstate 10 Business Park Subdivision, Resubdivision of Lots 1 and 2; and
- 2) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 7 DATE December 2, 2021

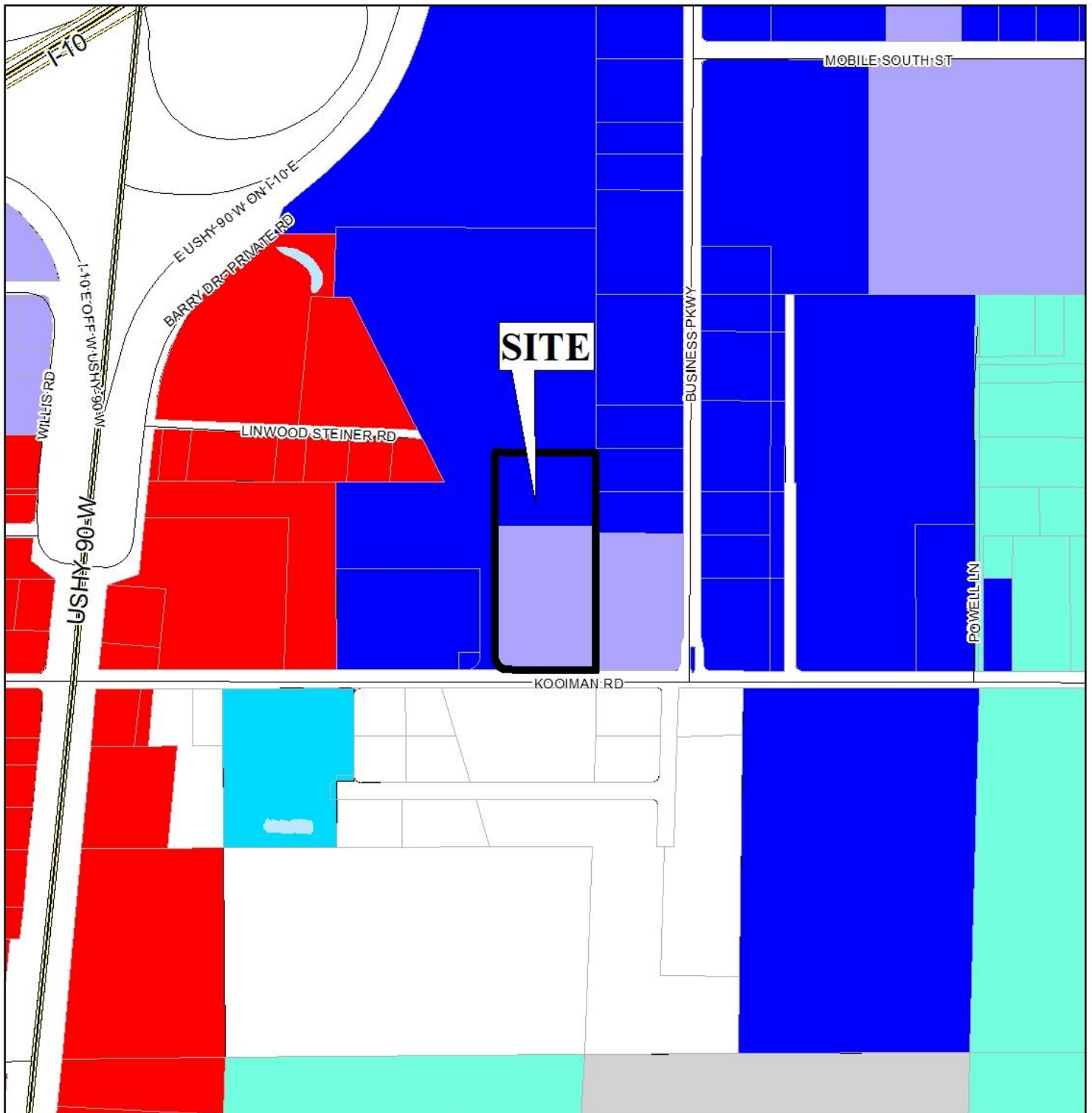
APPLICANT Linder Surveying Consultants, LLC

REQUEST Rezoning from B-5 to I-1



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# LOCATOR ZONING MAP



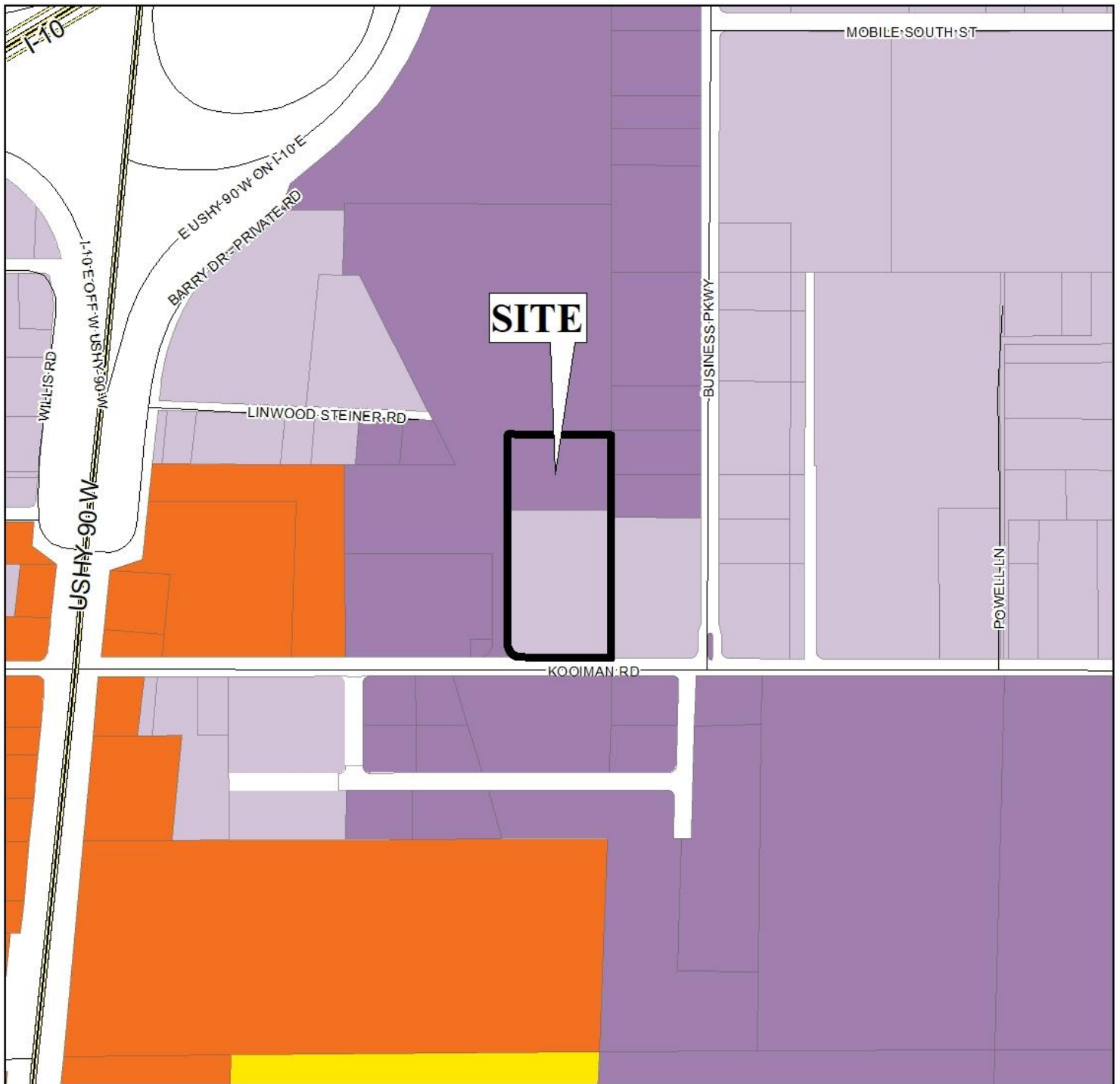
APPLICATION NUMBER 7 DATE December 2, 2021

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# FLUM LOCATOR MAP



APPLICATION NUMBER 7 DATE December 2, 2021

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REQUEST Rezoning from B-5 to I-1

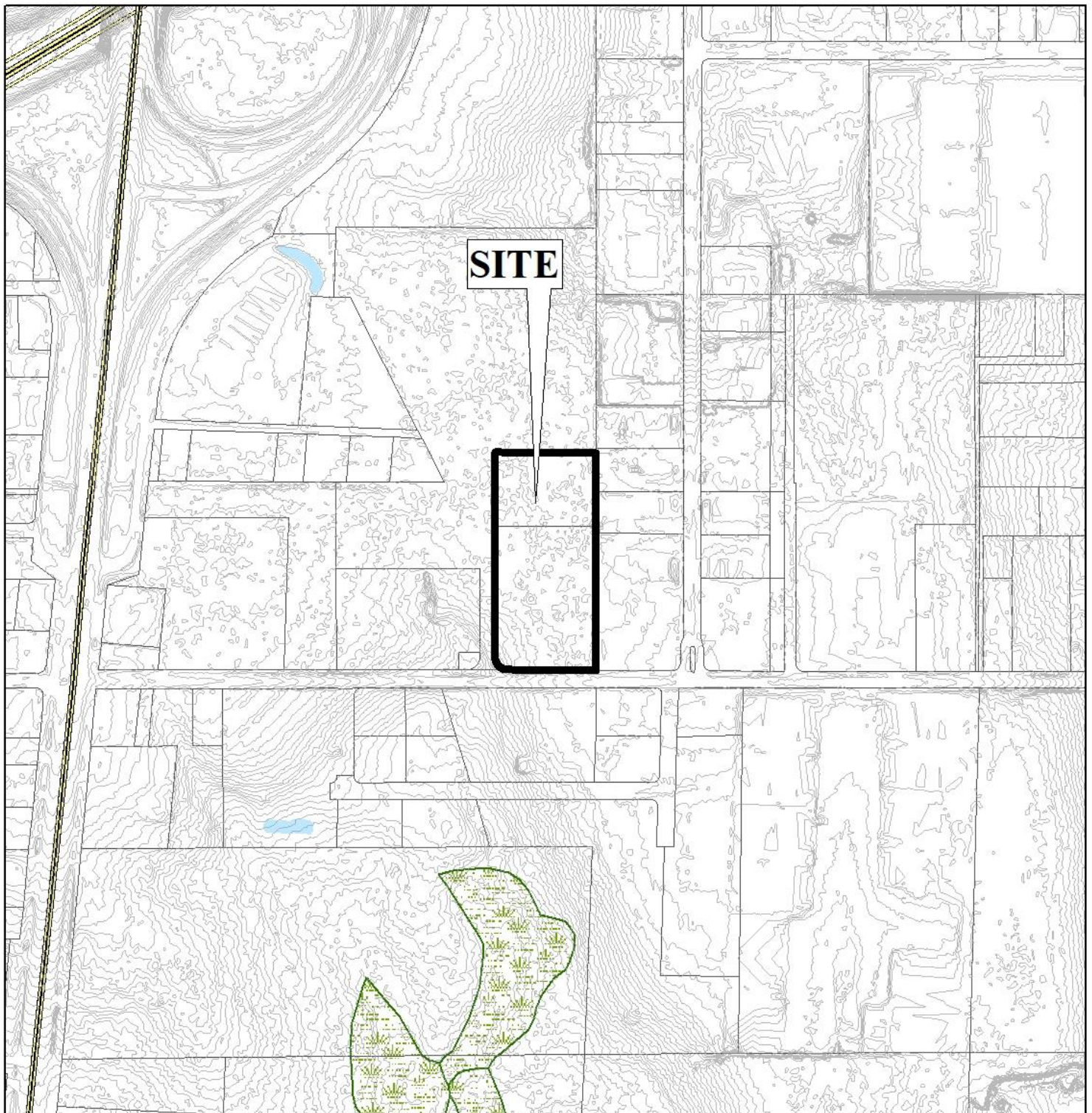
- |   |  |   |  |
|---|--|---|--|
| <span style="display:inline-block; width:15px; height:10px; background-color:yellow; border:1px solid black;"></span> Low Density Residential   | <span style="display:inline-block; width:15px; height:10px; background-color:darkred; border:1px solid black;"></span> Neighborhood Center - Traditional | <span style="display:inline-block; width:15px; height:10px; background-color:darkorange; border:1px solid black;"></span> Downtown Waterfront | <span style="display:inline-block; width:15px; height:10px; background-color:lightgreen; border:1px solid black;"></span> Parks & Open Space |
| <span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed Density Residential | <span style="display:inline-block; width:15px; height:10px; background-color:blue; border:1px solid black;"></span> Neighborhood Center - Suburban       | <span style="display:inline-block; width:15px; height:10px; background-color:lightpurple; border:1px solid black;"></span> Light Industry     | <span style="display:inline-block; width:15px; height:10px; background-color:teal; border:1px solid black;"></span> Water Dependent          |
| <span style="display:inline-block; width:15px; height:10px; background-color:magenta; border:1px solid black;"></span> Downtown                 | <span style="display:inline-block; width:15px; height:10px; background-color:pink; border:1px solid black;"></span> Traditional Corridor                 | <span style="display:inline-block; width:15px; height:10px; background-color:purple; border:1px solid black;"></span> Heavy Industry          |  |
| <span style="display:inline-block; width:15px; height:10px; background-color:red; border:1px solid black;"></span> District Center              | <span style="display:inline-block; width:15px; height:10px; background-color:darkorange; border:1px solid black;"></span> Mixed Commercial Corridor      | <span style="display:inline-block; width:15px; height:10px; background-color:lightblue; border:1px solid black;"></span> Institutional        |  |



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# ENVIRONMENTAL LOCATOR MAP



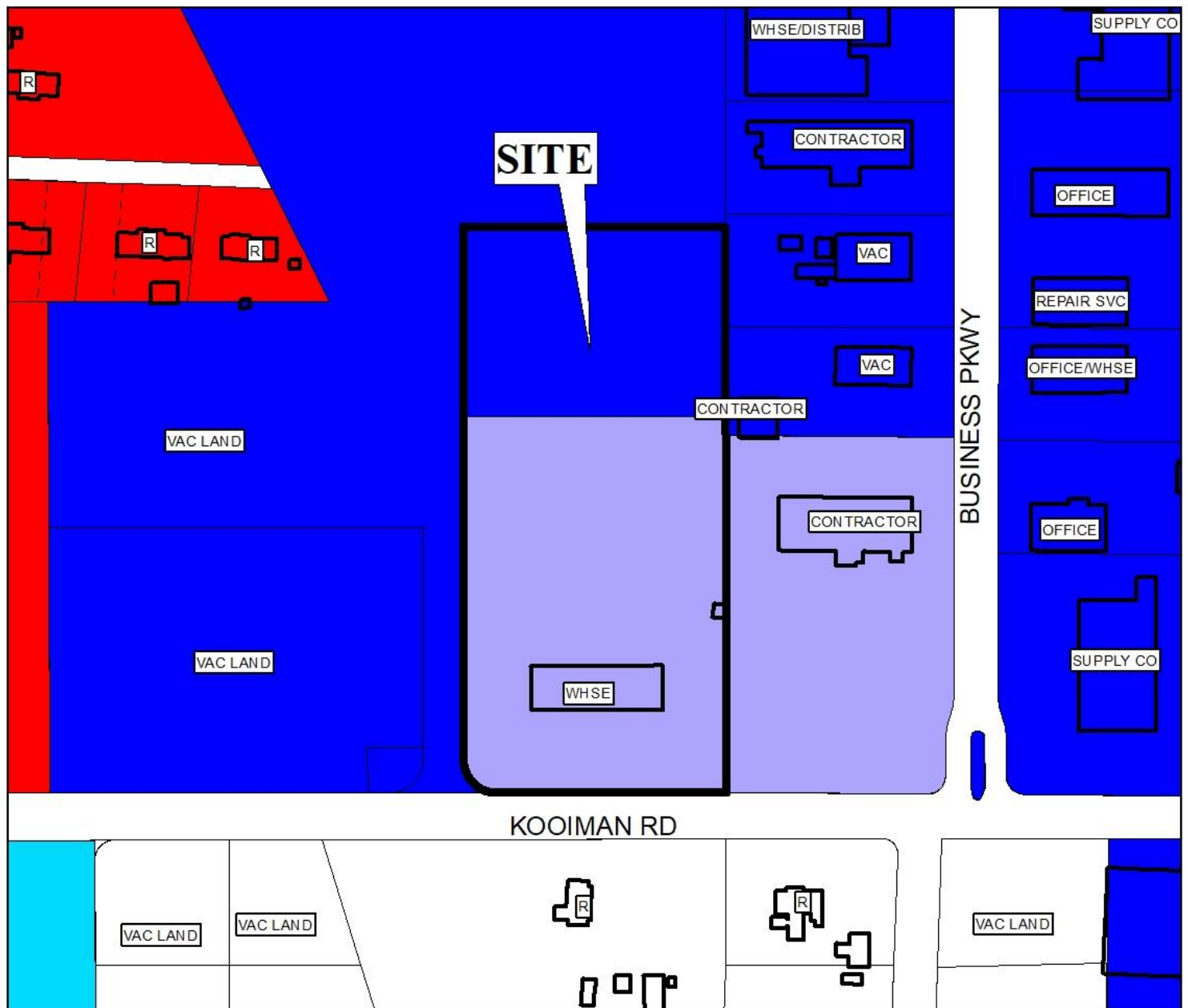
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# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and residential units.

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REQUEST Rezoning from B-5 to I-1

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

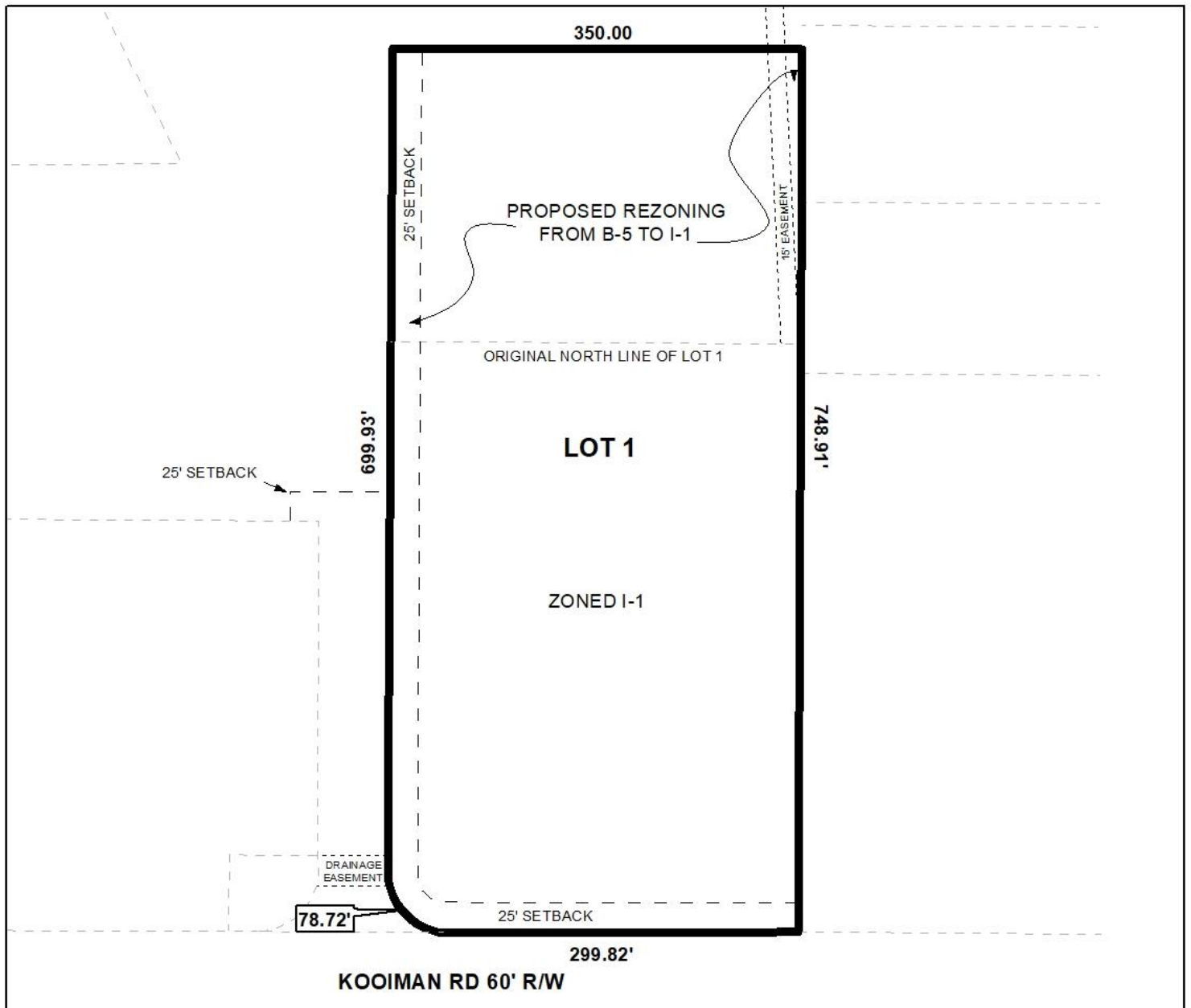


The site is surrounded by commercial and residential units.

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# SITE PLAN



The site plan illustrates existing setbacks, easements and zoning, as well as proposed zoning.

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