

**PLANNING APPROVAL STAFF REPORT****Date: November 19, 2015****NAME**

McDowell Knight Roedder &amp; Sledge, LLC

**LOCATION**501 Cochran Causeway  
(West side of Cochran Causeway, 3/4± mile North of  
Bankhead Tunnel)**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

I-2, Heavy Industry District

**AREA OF PROPERTY**

2 Lots / 37.1 ± Acres

**CONTEMPLATED USE**Planning Approval to allow an expansion of an existing  
wood chipping facility to include the handling of coal in an  
I-2, Heavy Industry District.**TIME SCHEDULE  
FOR DEVELOPMENT**

Currently operating

**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 ALDOT and 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, paving, and all above ground structures, 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. 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.
5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

**TRAFFIC ENGINEERING****COMMENTS**

Cochran Causeway is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and 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 Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code) Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code. (2012 IFC)

**REMARKS**

The applicant is requesting Planning Approval to allow an expansion of an existing wood chipping facility to include the handling of coal in an I-2, Heavy Industry District. Planning Approval is required for coal handling facilities in I-2 districts.

The site is located on the East side of the Mobile River, with approximately 1,600 feet of frontage on the river, and a similar amount of frontage on the Cochrane Causeway. The site is approximately 0.6 miles North of the Bankhead Tunnel and approximately 1.8 miles South of the Cochrane-Africatown Bridge.

The site is bounded on all sides, including across the river, by various industrial uses on properties zoned I-2. The uses include warehousing, bulk petrochemical storage, and ship repair.

Aerial photos show that the site has been in use since at least the late 1930s. By 1960, the southern portion of the site contained petrochemical tanks. By 1997, the northern portion of the site was in use for bulk materials handling. By 2002, the petrochemical tanks had been removed and the southern portion of the site cleared. Use of the southern site for bulk materials appears to have begun by 2006.

The site was most recently before the Planning Commission at its February 7, 2013 meeting, to allow for the creation of two lots, to allow multiple buildings on each lot, and to obtain Planning Approval for the existing wood chipping facility. The application currently under consideration is to additionally allow coal handling at the facility, an activity that is already occurring on site, and that was brought to the attention of the City via a complaint to the 311 system.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and

hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district.

It is very important to note that the Planning Approval review is site plan specific; therefore *any* future changes to the site plan or to the scope of operations, as approved, by current or future applicants must be submitted for Planning Approval.

The entire site appears to be depicted as industrial on the Development Area Map within the Map for Mobile Framework Plan, and 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.

The applicant provides the following information regarding their request:

*The property is currently used by the owner of the property Cooper Marine & Timberlands Corp ("Owner") as a marine-dry bulk cargo handling/stevedoring facility, and has been in operation for many years. Owner previously received planning approval for this facility and in 2013 received further planning approval for an expansion of the facility. On or about October 5, 2015, the City of Mobile issued a citation to Owner for operating a "coal handling facility" without planning approval. Owner understood and believed that it had already received planning approval for the handling of dry bulk cargo, including coal, and was not aware the City required specific and separate approval for the handling of coal. Owner/Applicant seeks planning approval for the handling of coal and similar dry bulk cargo.*

Regarding the volume of coal handled at the facility:

*As requested by the City, Owner provides the following volumes (in tonnage) of coal that Owner has "put through" its facility over the last 6 years:*

*Barge to Ship or Ship to Barge @ CMT Port*

<u><i>YTD-2015</i></u>	<u><i>2014</i></u>	<u><i>2013</i></u>	<u><i>2012</i></u>	<u><i>2011</i></u>	<u><i>2010</i></u>
<i>71,693</i>	<i>176,898</i>	<i>160,697</i>	<i>197,661</i>	<i>104,918</i>	<i>55,347</i>

*Barge/Ship to Dock or Dock to Barge/Ship @ CMT Port*

<u><i>YTD-2015</i></u>	<u><i>2014</i></u>	<u><i>2013</i></u>	<u><i>2012</i></u>	<u><i>2011</i></u>	<u><i>2010</i></u>
<i>406,262</i>	<i>1,002,419</i>	<i>910,619</i>	<i>1,120,079</i>	<i>594,533</i>	<i>313,636</i>

Regarding permits for local, state and federal requirements:

*Owner holds the following permits/licenses and has implemented the following measures/plans required for the facility by applicable governmental laws/agencies:*

- 1. National Pollutant Discharge Elimination System Permit (NPDES) issued by the Alabama Department of Environmental Management (ADEM).*
- 2. Air Permits issues by ADEM pursuant to the Alabama Air Pollution Control Act of 1971.*
- 3. Spill Prevention Control and Countermeasures (SPCC)/Best Management Practices (BMP) Plan as required by applicable regulations of the U.S. Environmental Protection Agency and the State of Alabama.*
- 4. City of Mobile business license for marine cargo handling/stevedoring.*

Regarding dust control measures:

*Dust Control Measures: The following are contained within Owner's Air Permits issued by ADEM.*

*Specific provisions to be followed regarding the transfer of materials from ship are the following (with the exception of loading/unloading of wood chips for which there will be no requirement for soft loading unless dust problems are identified in the future):*

- a. The crane operator shall release the contents of the clamshell bucket into the barge or hopper when the clamshell bucket is on the bottom of the barge cargo box.*
  - b. If adverse weather conditions cause fugitive dust to increase, the transfer of coal into the barge cargo box shall be discontinued until weather conditions improve.*
  - c. The crane operator shall wait until the clamshell bucket is stabilized before releasing the load into the barge.*
  - d. Free fall of material into a barge cargo box shall not be allowed at anytime, but rather soft loading shall be utilized.*
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- 1) Water applications rates will vary with the amount of material processed and the wind speed. In a case in which water may be used in wet suppression, additional water should be utilized when the process rate is high and dust is observed. Additional water should also be utilized when the wind speed exceeds 15 MPH and dust is observed.*
  - 2) Chipco Mobile Terminal shall construct and maintain an anemometer to measure wind speed and direction on the plant site. The wind speed and direction shall be recorded and least once daily. If the wind speed increases notably, the wind speed shall be recorded more than once per day. All anemometer readings shall be retained by the company for 2 years from the date of generation in a form suitable for inspection by ADEM personnel.*
  - 3) If wind direction changes so that the wind is over 15 MPH, during loading and unloading, and is blowing in the direction of the City of Mobile, the process rate shall be reduced.*

- 4) *A walk through inspection of the material storage piles shall be conducted at least daily if the facility is open. If dust is blowing from the piles, wet suppression shall be applied.*
- 5) *Whenever material is loaded into the hopper and loaded out to storage by the front end loader, or from storage by the front end loader, wet suppression must be utilized if material can be processed wet.*
- 6) *When covered barges are loaded, the cover shall be used as much as possible during loading.*
- 7) *All equipment associated with this process is subject to the State Implementation Plan (SIP) standard.*
- 8) *The dusty nature of Rutile requires additional provisions to be taken in unloading to storage and loading out to trucks which are the following:*
  - a. *Each load is lowered by rubber sealed clam shell bucket as close as possible to the dock or material pile prior to opening the bucket.*
  - b. *Concrete barriers shall be placed around the parameter of the cargo pile to contain the cargo to a specific location.*
  - c. *If the cargo is to remain on the dock for than 2 hours prior to being loaded on to trucks, tarps shall be placed over the cargo if weather conditions warrant, to eliminate dust.*
  - d. *During the loading of trucks, the pay loader bucket shall be lowered as far as possible into the truck and the cargo shall be soft loaded into the truck.*

*Measures Taken In Addition To Permit Requirements*

- 1) *Conveyor belts are covered on wood pellet operation*
- 2) *Conveyor spout on wood pellet operation is enclosed by drapes*
- 3) *Conveyor spout of lowered into barge lid access door and cargo is soft loaded*
- 4) *Blasting tarps utilized around wood pellet load out to keep dust localized*
- 5) *Water truck and numerous water cannons are utilized to suppress dust throughout the terminal.*

The site plan depicts three bulk handling storage areas on the property, ranging in size from approximately 35,000 square feet to 120,000 square feet, with a cumulative total of approximately 205,000 square feet of storage areas. Several existing buildings and parking areas are also depicted on the site plan, as well as the one fixed rail mobile crane located on the site: no new construction or buildings are proposed at this time.

According to information found on the Cooper Marine & Timberlands Corp website:

*CMT's Stevedoring Operations in the Port of Mobile include two port terminals berthing ocean-going vessels for loading and unloading a wide variety of products including wood pellets, coal, pig iron, scrap, limestone, coke, ores, and mineral sands. Numerous barge mounted derrick cranes provide the flexibility to work both sides of the ship while docked. The port terminals include 35 acres of storage area for reload to ship or barge. A Reclaim and Conveyor System at the port provides loading of wood pellets from bottom-dump truck vans into covered barges for storage while awaiting loading to ocean-going vessels for export.*

Thus, in addition to wood chips and coal, the site may handle other bulk materials, hence their request for “*coal and similar dry bulk cargo.*” In 2013, the Planning Commission approved a dedicated coal facility proposed for a site approximately 1.9 miles South of the site currently under consideration, but on the West side of the Mobile River. As this site, however, is not a dedicated coal facility, it does not appear to have nor propose to have the same level of dust control devices and mitigation measures as the proposed 2013 coal facility to the South.

Given that the applicant appears to have the applicable state and federal permits necessary for the operation, and given the fact that the operation is within an area surrounded by other heavy industrial uses and at least 3,000 feet from the nearest residentially utilized properties, it would appear that the use would be in keeping with the orderly and appropriate development of the district.

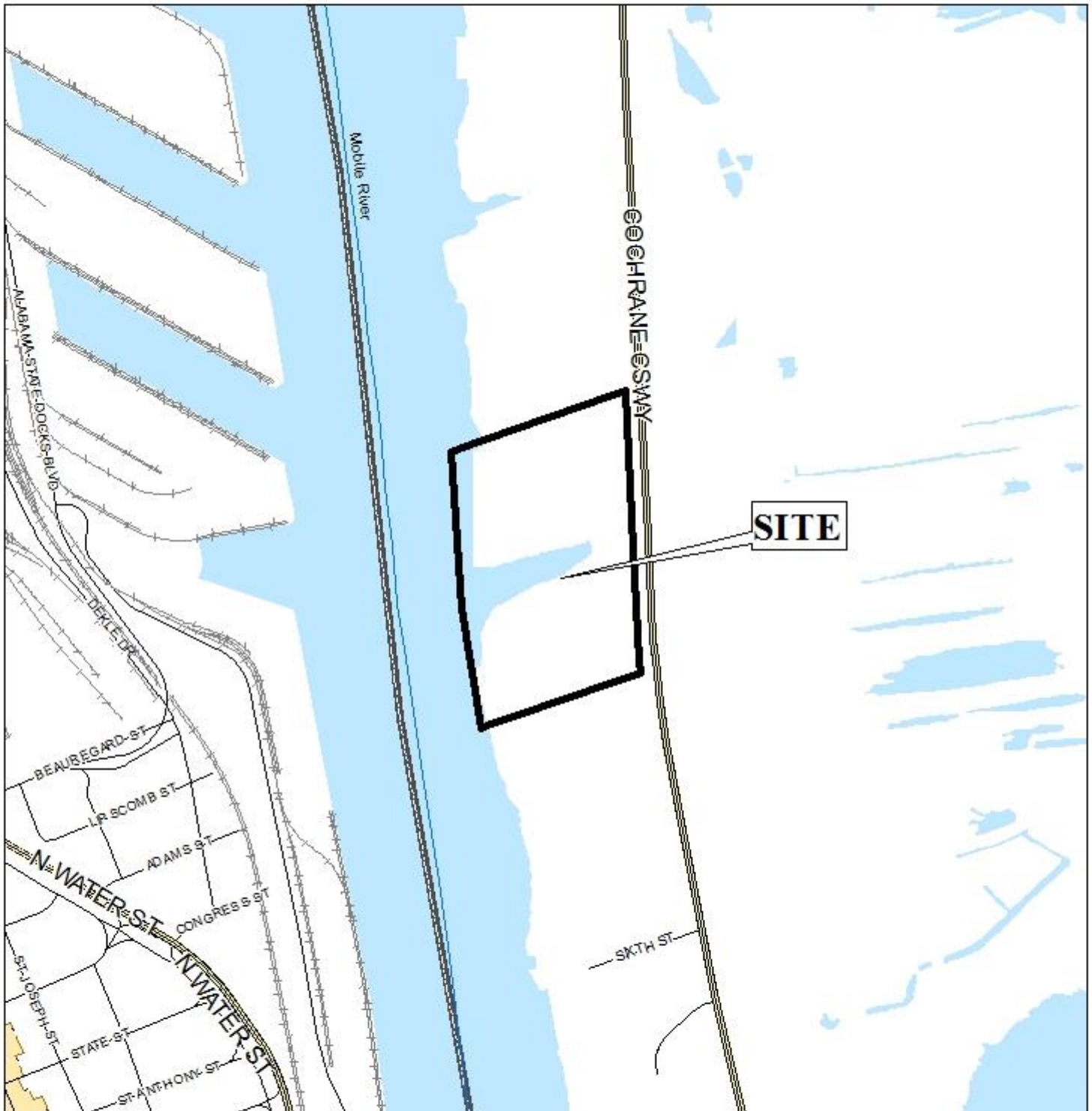
## **RECOMMENDATION**

**Planning Approval:** Based upon the preceding, this request is recommended for Approval, subject to the following conditions:

- 1) Compliance with 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 ALDOT and 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, paving, and all above ground structures, 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. 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. 5. The proposed development must comply with all Engineering Department design requirements and Policy Letters.*);
- 2) Compliance with Traffic Engineering comments (*Cochran Causeway is an ALDOT maintained roadway. Driveway number, size, location and design to be approved by ALDOT and Traffic Engineering and conform to AASHTO standards.*);
- 3) 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).*);

- 4) 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)*);
- 5) Continued operation of the bulk operations facility subject to ongoing permitting and compliance requirements of state and federal governments;
- 6) Any changes to the site plan, including new construction or significant demolition, will require new Planned Unit Development and Planning Approval applications;
- 7) Any changes to the scope of operations resulting in a change in materials or an increase in capacity will require a new Planning Approval application; and
- 8) Full compliance with all other municipal codes and ordinances.

## LOCATOR MAP



APPLICATION NUMBER 7 DATE November 19, 2015

APPLICANT McDowell Knight Roedder & Sledge, LLC

REQUEST Planning Approval





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units.

APPLICATION NUMBER 7 DATE November 19, 2015

APPLICANT McDowell Knight Roedder & Sledge, LLC

REQUEST Planning Approval

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



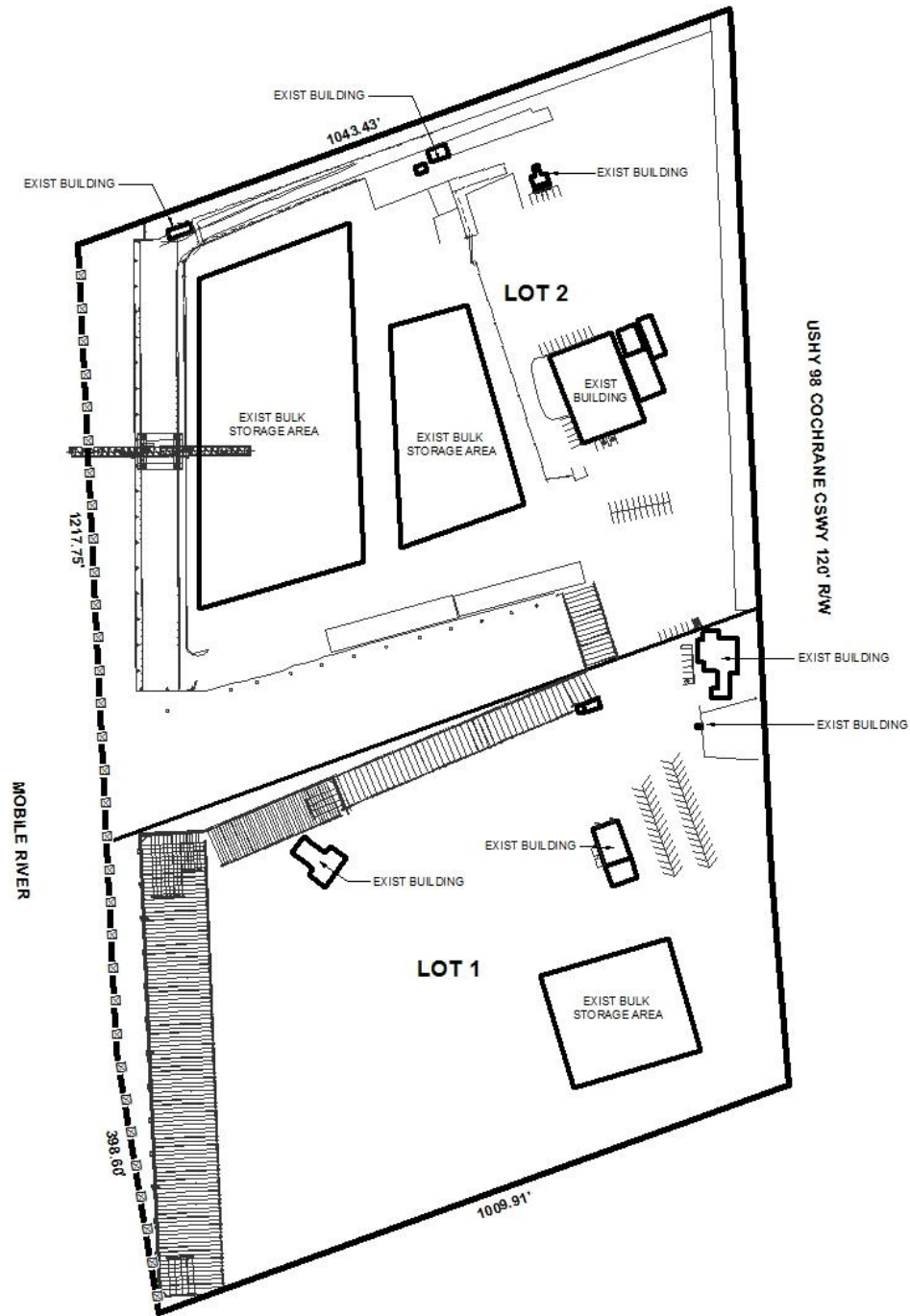
The site is surrounded by industrial units.

APPLICATION NUMBER 7 DATE November 19, 2015  
APPLICANT McDowell Knight Roedder & Sledge, LLC  
REQUEST Planning Approval





# SITE PLAN



The site plan illustrates the existing buildings, existing bulk storage areas, conveyer location, and pierhead.

APPLICATION NUMBER 7 DATE November 19, 2015  
 APPLICANT McDowell Knight Roedder & Sledge, LLC  
 REQUEST Planning Approval



NTS