

**ZONING AMENDMENT  
& SUBDIVISION STAFF REPORT****Date: July 3, 2014****APPLICANT NAME**

Georgia Crown Distributing Subdivision

**SUBDIVISION NAME**

Georgia Crown Distributing Subdivision

**LOCATION**

Southwest corner of Shipyard Road and Crown Drive.

**CITY COUNCIL  
DISTRICT**

District 4

**PRESENT ZONING**

R-1, Single-Family Residential District

**PROPOSED ZONING**

I-1, Light Industry District

**AREA OF PROPERTY**

1 Lot/ 3.9 ± Acres

**CONTEMPLATED USE**

Subdivision to create 1 legal lot of record from a metes and bounds parcel, and Zoning to rezone the site from R-1, Single-Family Residential District to I-1, Light Industry District, to accommodate an existing business.

**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.**

**REASON FOR  
REZONING**

Applicant is requesting rezoning of the site to accommodate an existing business.

**TIME SCHEDULE  
FOR DEVELOPMENT**

None given.

**ENGINEERING  
COMMENTS**

Subdivision: The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-

007 & #65-045), latest edition. Storm water detention may be required for any future addition(s) and/or land disturbing activity.

- C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #90) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application.
- D. 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.
- E. Provide a vicinity map.
- F. Revision of the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- G. Provide a written legal description for the proposed subdivision and matching bearing and distance labels.
- H. Show and label all flood zones.
- I. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- J. Provide and label the monument set or found at each subdivision corner.
- K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- L. Provide the Surveyor's Certificate and Signature.
- M. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Site is denied access to Shipyard Road, and limited to the two existing curb cuts on Crown Drive, with 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 Subdivision approval to create one legal lot of record from an existing metes and bounds parcel, and Zoning approval to rezone the site from R-1, Single-Family Residential District to I-1, Light Industry District to accommodate an existing business.

The site is already developed with an existing warehouse that was previously used as a regional distribution center for Georgia Crown Distributing. The site was developed and utilized as commercial property prior to its annexation into the City limits where it is currently zoned R-1, Single Family Residential. As it is today, the site can continue to operate as a warehouse/distribution center; however, if there were any changes in use, any new construction, or to become vacant for longer than 2 consecutive years, any non-conforming status would be lost. The owner(s) would like to sell the property as a commercial lot, but in order to do so, they must go through the Rezoning and Subdivision process.

The site is bounded to the West by an I-1, Light Industry District, to the North and South by a B-5, Office-Distribution District, and to the East by a B-3, Community Business District. It should also be pointed out that behind the B-3 strip of undeveloped commercial property is an R-1, Single Family Residential District.

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.

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 shown as residential on the 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. The accuracy of recommended land uses on the General Land Use Component map is limited due to the large scale of the map. 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 states the following justification for rezoning:

*“The site contains a 45,000 sf building, which was constructed about 31 years ago. It has been used for the last 7 years or so by Georgia Crown Distributing for a regional distribution center. The site has ample parking and truck loading/ staging area. We plan no changes to the building or site because the property is now for sale.*

*The site was annexed into the City about 21 years ago as R-1. We are in the Cypress Business Park surrounded by B-3, B-5, and I-1 zoning. Georgia Crown has used the building as B-5*

*operations for handling, warehousing and distribution. To maximize the potential of the site, we would like to request I-1 zoning to match our neighbor to the west. The Zoning Ordinance discusses I-1 as suitable for light manufacturing of wholesaling “where the use and its operations do not directly adversely affect nearby residential and business uses. These districts are usually separate from residential areas by business areas or by natural barriers.” Across Crown Drive is B-5 zoning, wetlands and an AE zone creek. Across Shipyard Drive is a wooden strip of unbuildable B-3 zoning and CSX railroad tracks. We believe rezoning from R-1 to I-1 is warranted due to a manifest error in the ordinance. ”*

Most of the adjacent sites have been rezoned from R-1, Single Family Residential, to B-5, Office- Distribution District or I-1, Light Industry District. The applicant(s) state that they are requesting an I-1, Light Industry Zoning District “to maximize the potential of the site”. However, the applicant has not proposed a more intense use that requires more than a B-5 Zoning Classification, thus a B-5, Office-Distribution zoning would suffice for the existing development.

The applicant(s) also mentioned they would like the property rezoned to an I-1, Light Industry District to match the neighbor to the West of the site. However, the adjacent neighbors along Shipyard Road are zoned B-5, Office-Distribution District; therefore either zoning classification would be in line with the surrounding area.

The site has frontage on Shipyard Road and Crown Drive, two minor streets without curb and gutter. Both streets appear to have compliant right-of-ways, thus no additional dedication will be required.

The site has two existing curb-cuts to Crown Drive. If approved, a note should be placed on the Final Plat limiting the site to two curb-cuts to Crown Drive with any changes to the size, design, and location to be approved by Traffic Engineering and conform to AASHTO standards.

The lot size is not labeled in square feet and acres. If approved, revisions should be made to depict the lot size in square feet and acres on the Final Plat, or a table should be furnished on the Final Plat providing the same information.

The 25-foot minimum building setback line is not depicted on the preliminary plat. If approved, revisions should be made on the Final Plat to illustrate the 25’ minimum building setback line.

A sidewalk is not depicted on the zoning site plan. Prior to any new development of the site, the applicant should submit a sidewalk waiver or provide a sidewalk at time of any new construction as required by the Subdivision Regulations.

It should be noted the site currently does not meet the tree and landscaping requirements of the Zoning Ordinance. If approved, the applicant should coordinate with Planning and Urban Forestry for the provision of adequate frontage trees.

Two portions of the site appear to be located within the X-shaded flood zone. The presence of floodplains indicate that the area may be environmentally sensitive; therefore, the approval of all applicable federal, state and local agencies would be required prior to the issuance of any permits or land disturbance activities.

Finally, the geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

**RECOMMENDATION**

**Subdivision:** The Subdivision request is recommended for Tentative Approval, subject to the following conditions:

- 1) retention of the right-of-way width of Shipyard Road and Crown Drive on the Final Plat;
- 2) illustration of the 25' minimum building setback line along Shipyard Road and Crown Drive on Final Plat;
- 3) the labeling of the lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 4) prior to any new construction on the site, the applicant should submit a sidewalk waiver or provide a sidewalk at time of new construction as required by the Subdivision Regulations;
- 5) placement of a note on the Final Plat stating that the lot is limited to two curb-cuts to Crown Drive with any changes to the size, design, and location to be approved by Traffic Engineering and ALDOT, and conform to AASHTO standards;
- 6) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species, if any, prior to the issuance of any permits or land disturbance activities;
- 7) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for flood zone issues prior to the issuance of any permits or land disturbance activities;
- 8) compliance with Engineering comments: *"The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and 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. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with the of the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045), latest edition. Storm water detention may be required for any future addition(s) and/or land disturbing activity. C. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 23 - #90) the Lot will receive historical credit of impervious area towards storm water detention requirement per the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17, Ordinance #65-007 & #65-045), latest edition. Coordinate with City Engineering Department staff to establish the exact amount prior to the submittal of the Land Disturbance Permit application. D. 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. E. Provide a vicinity map. F. Revision of the plat to label each lot with its size in acres and*

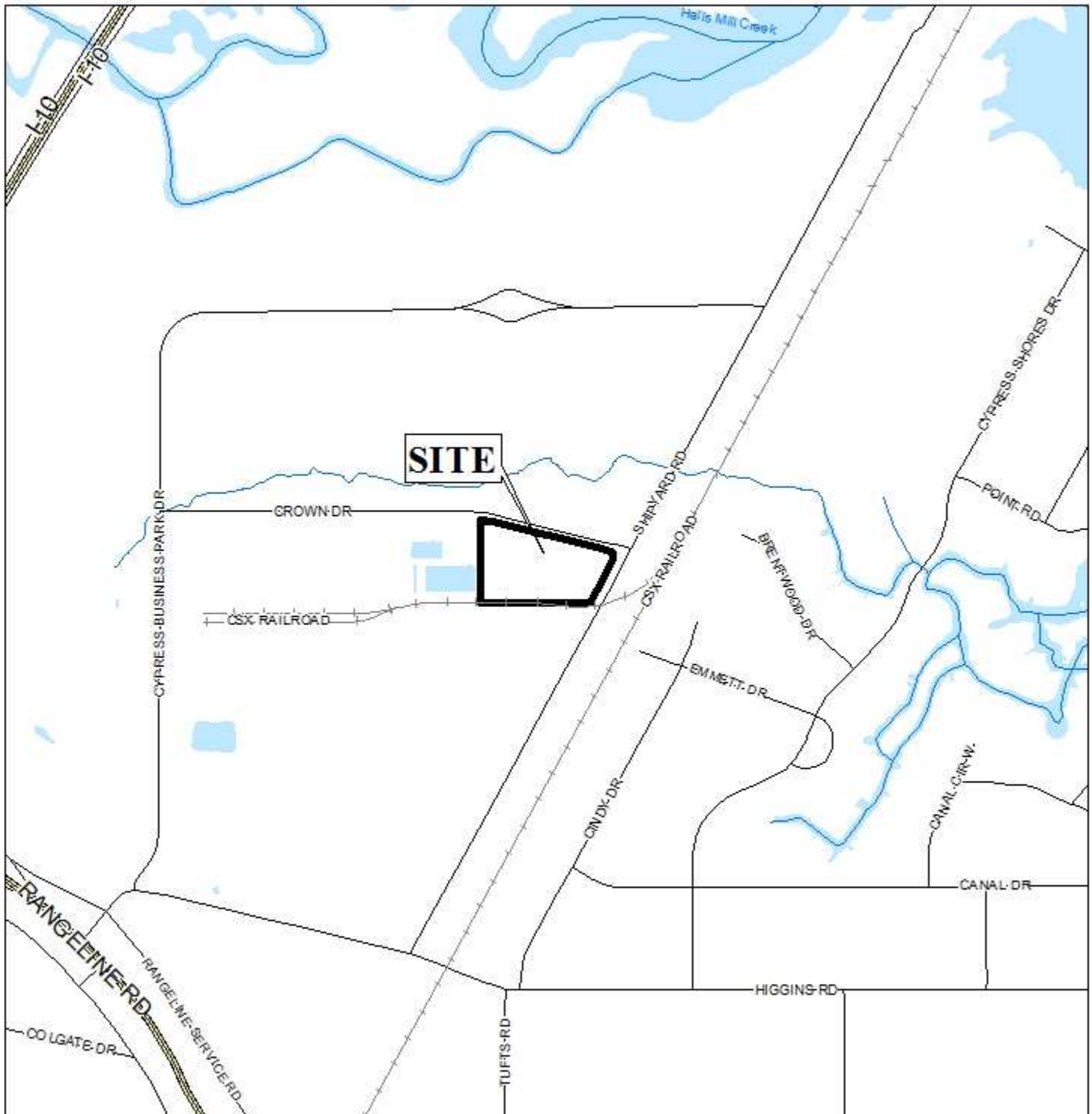
*square feet, or the furnishing of a table on the Plat providing the same information. G. Provide a written legal description for the proposed subdivision and matching bearing and distance labels. H. Show and label all flood zones. I. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. J. Provide and label the monument set or found at each subdivision corner. K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. L. Provide the Surveyor's Certificate and Signature. M. Provide the Owner's (notarized), Planning Commission, and Traffic Engineering signatures. N. Add a note that sidewalk is required to be constructed along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.”;*

- 9) compliance with Traffic Engineering comments: *“Site is denied access to Shipyard Road, and limited to the two existing curb cuts on Crown Drive, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”;*
- 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 61-929 and City Code Chapters 57 and 64).”;* and
- 11) compliance with Fire 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.”*

**Rezoning:** Based upon the preceding, the request is recommended for approval as a B-5, Office-Distribution District, subject to the following conditions:

- 1) provision of adequate frontage trees to be coordinated with Planning and Urban Forestry;
- 2) completion of the Subdivision process; and
- 3) full compliance with all municipal codes and ordinances.

# LOCATOR MAP



APPLICATION NUMBER 9 & 10 DATE July 3, 2014

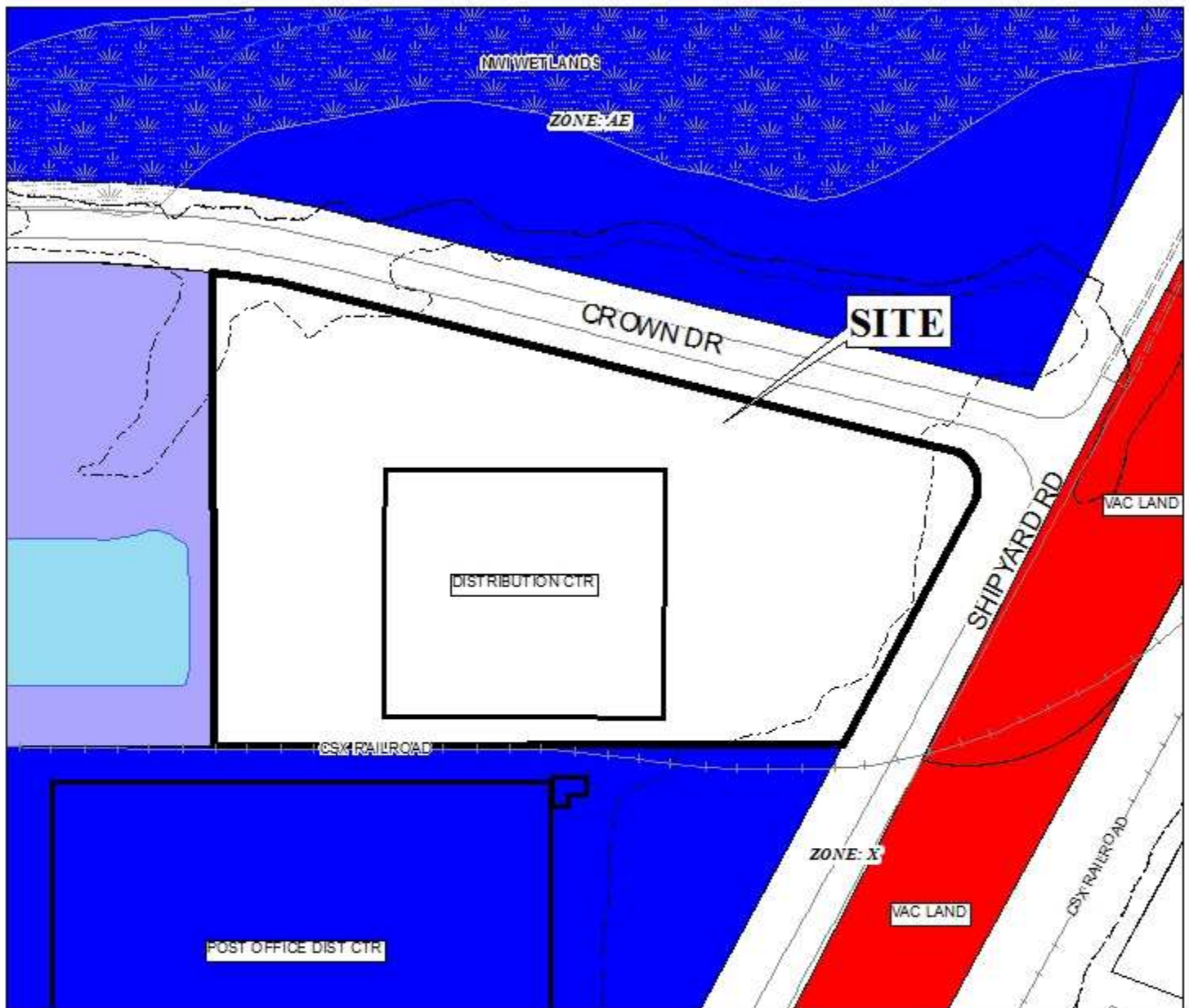
APPLICANT Georgia Crown Distributing Subdivision

REQUEST Subdivision, Rezoning from R-1 to I-1





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



A distribution center is located to the south of the site.

APPLICATION NUMBER 9 & 10 DATE July 3, 2014

APPLICANT Georgia Crown Distributing Subdivision

REQUEST Subdivision, Rezoning from R-1 to I-1

<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> R-A	<span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> R-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> T-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> B-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> B-5	<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> MUN	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD-WH	<span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> T5.1
<span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> R-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> R-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: cyan; border: 1px solid black;"></span> B-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> B-3	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> I-1	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> OPEN	<span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> T3	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkpurple; border: 1px solid black;"></span> T5.2
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> R-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: peachpuff; border: 1px solid black;"></span> H-B	<span style="display: inline-block; width: 15px; height: 15px; background-color: magenta; border: 1px solid black;"></span> LB-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> B-4	<span style="display: inline-block; width: 15px; height: 15px; background-color: gray; border: 1px solid black;"></span> I-2	<span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> SD	<span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black;"></span> T4	<span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black;"></span> T6





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



A distribution center is located to the south of the site.

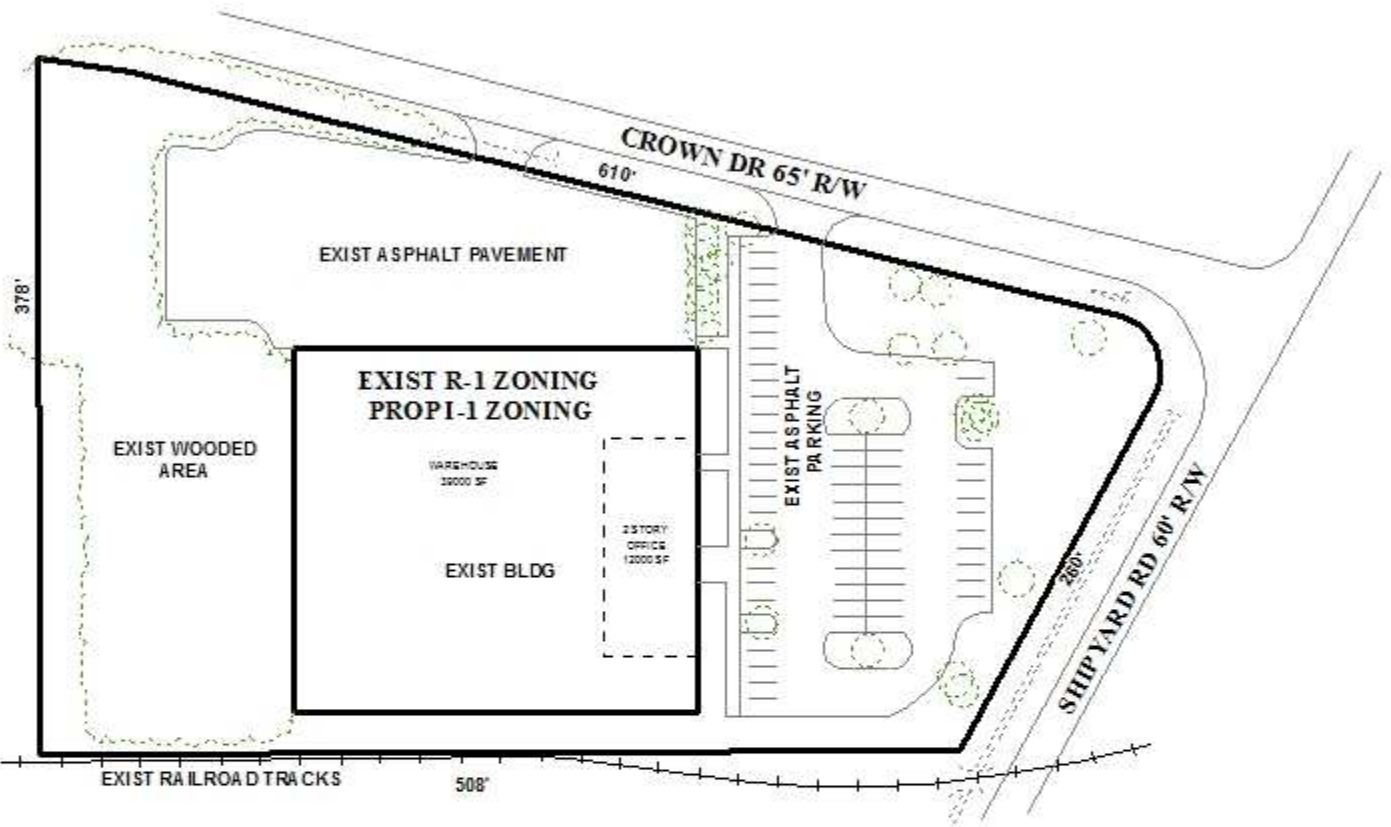
APPLICATION NUMBER 9 & 10 DATE July 3, 2014

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REQUEST Subdivision, Rezoning from R-1 to I-1



# SITE PLAN



The site plan illustrates the existing development and proposed zoning.

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