

ZONING AMENDMENT STAFF REPORT**Date: October 7, 2021****NAME**

Romar Resorts, LLC (Joseph N. Asarisi P.E., Agent)

LOCATION

South terminus of Bowden Road

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-A, Residential-Agricultural District

PROPOSED ZONING

I-1, Light Industry District

AREA OF PROPERTY

40± Acres

CONTEMPLATED USE

Rezoning from R-A, Residential-Agricultural 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**

None given.

**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. A 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
5. 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.
6. 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.
7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

A traffic impact study may be required depending upon the proposed intensity of the site. If offsite improvements are warranted to mitigate impacts to the surrounding road network, the development will be required to construct said improvements as a condition of the site approval.

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 R-A, Residential-Agricultural District, to I-1, Light Industry District.

The site has been given a Low Density Residential (LDR) 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. This designation acknowledges existing

commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should also 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.

The applicant states the following:

The proposed re-zoning of THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP-5-SOUTH, RANGE-2-WEST from R-A to I-1 is to allow the proposed industrial development building the appropriate zoning for the development and to better correspond with the adjacent parcel zoning.

The proposed re-zoning of 0 Bowden Road from R-A to I-1 will be more appropriate for the site in the surrounding industrial setting as the proposed site will be used as an industrial development including crushed aggregate lot for parking and laydown yards.

The client is aware and in agreement that a PUD and possible SUB permits will be required for the buildings labeled future development if they are to be constructed and extend to other parcels owned by client.

The reason for re-zoning of the referenced properties is:

- *0 Bowden Road: this future proposed use of this parcel is an industrial development. The parcels bordering the north and west property lines are all zoned I-1.*

To the North, the site is abutted by I-1, Light Industry District, to the South and West it is abutted by vacant R-A, Residential Agricultural District, and to the East by vacant R-1, Single-Family Residential District.

The subject site is not a legal lot of record, therefore if the Planning Commission is inclined to approve the rezoning request, either a one-lot subdivision application, or a deed showing the property existed in its current configuration since 1984, will be required.

The applicant submitted a generalized site plan showing a 207,000± square foot manufacturing building, with two future buildings shown. A Planned Unit Development will be required prior to issuance of permits for additional structures on the site.

While a parking area is shown on the site plan, individual parking spaces are not. Furthermore, there is no information provided regarding the amount of office space versus warehouse space and employees, making it difficult for staff to determine if the minimum amount of required parking will be provided. As the site will have more than 25 parking spaces, a photometric site plan will be required at the time of permitting. It should be noted that the applicant is proposing to utilize gravel for the parking lot, however the Zoning Ordinance states that all required parking in an I-1 district must be paved.

If approved, it should be noted that any commercial use of the site would require full compliance with tree plantings, landscape area, parking, dumpsters, residential buffer, etc.

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.

While the applicant does not specifically state which of the four conditions exist, based on the narrative, the applicant insinuates a need to increase the number of sites available, as there are few sites in the City which could accommodate a building exceeding 200,000 square feet, with room for expansion.

RECOMMENDATION
Approval due to the following:

Based on the preceding, the application is recommended for

- 1) the applicant has demonstrated a need to increase the number of sites available to business or industry.

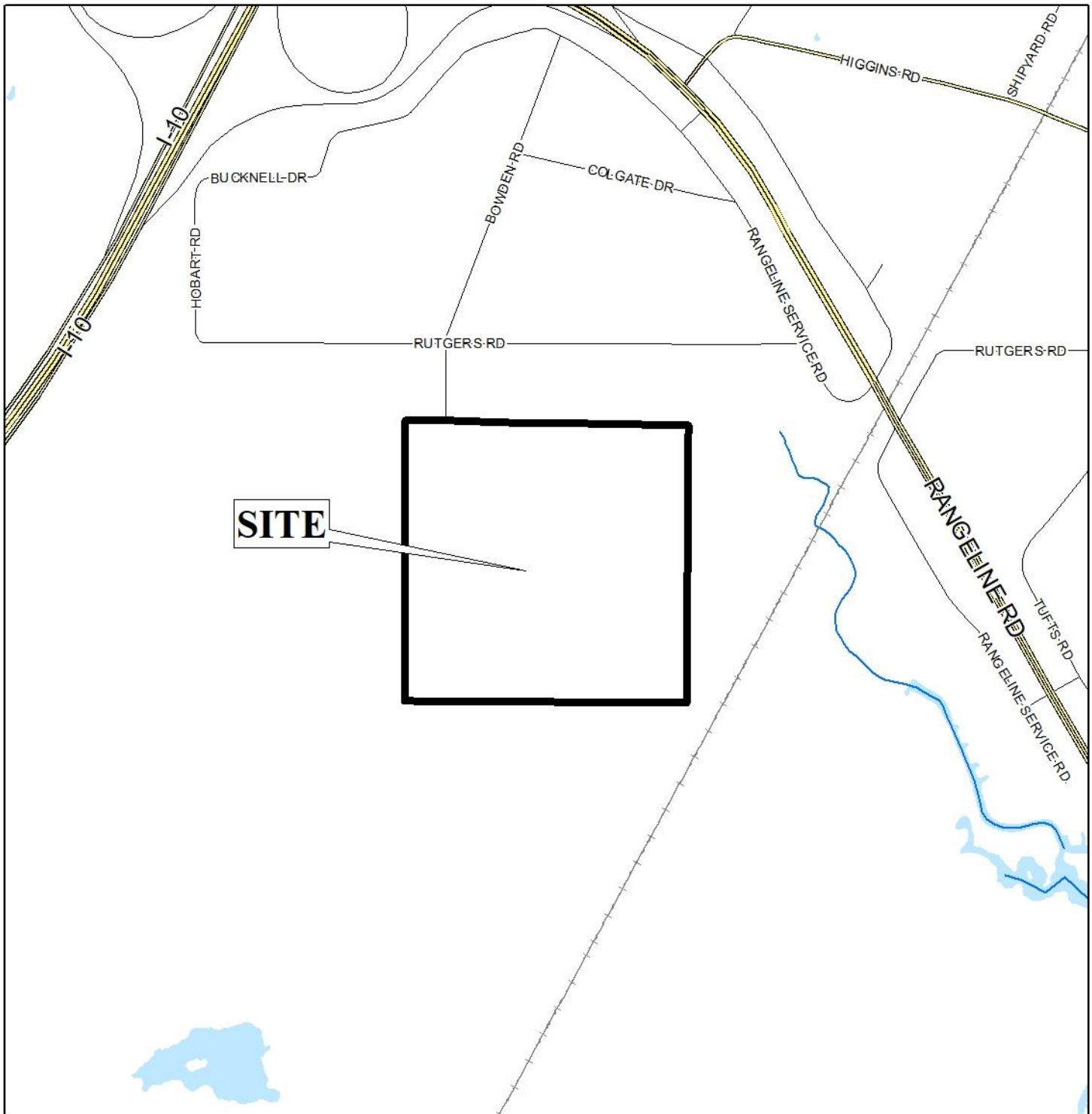
The rezoning should be subject to the following conditions:

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

In order for any concerns to be considered by the Planning Commission you must email your concerns to planning@cityofmobile.org or they may be uploaded to the website via the portal under the meeting date and case. Comments must be entered by 2:00 PM on Wednesday, October 6th, before the meeting, in order to be considered by the Commission.

If you wish to participate in the meeting, you must email planning@cityofmobile.org by 2:00 PM on Wednesday, October 6th, before the meeting. In accordance with Planning Commission by-laws, no more than four (4) speakers are allowed to speak for or against an application. Speaking time is limited to five (5) minutes per speaker.

LOCATOR MAP



APPLICATION NUMBER 10 DATE October 7, 2021

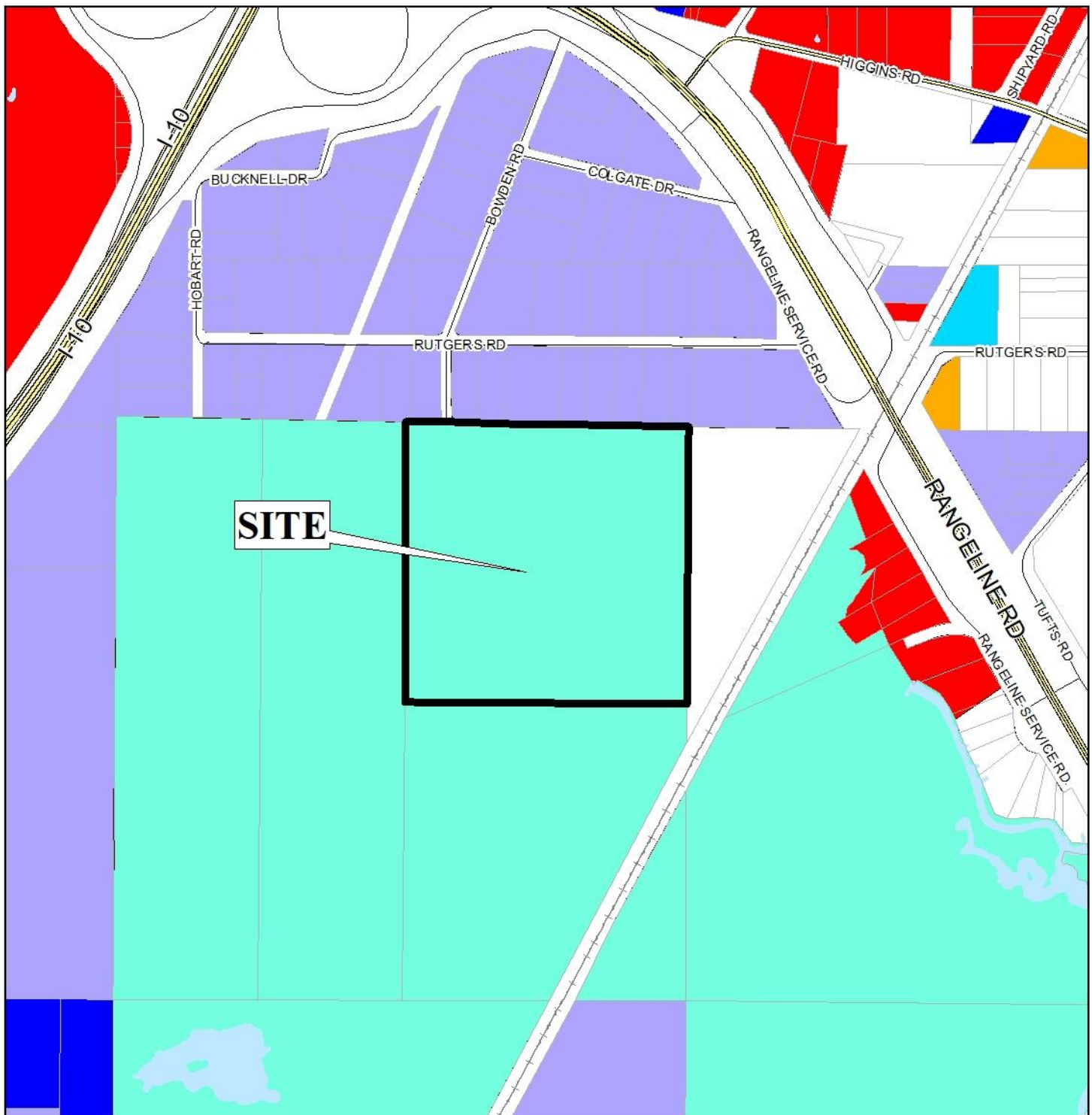
APPLICANT Romar Resorts, LLC (Joseph N. Asarisi P.E., Agent)

REQUEST Rezoning from R-A to I-1



NTS

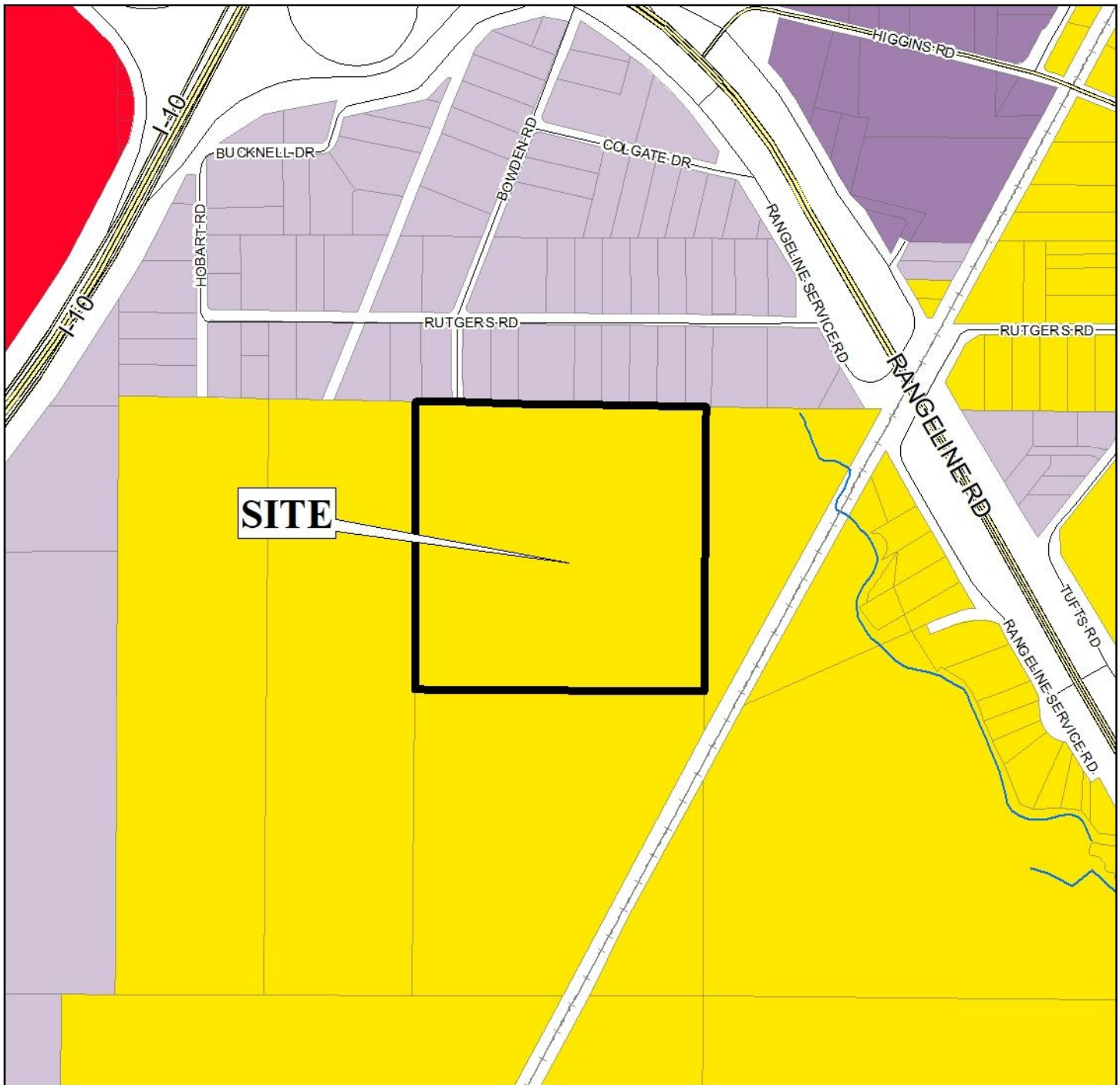
LOCATOR ZONING MAP



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REQUEST Rezoning from R-A to I-1



FLUM LOCATOR MAP



APPLICATION NUMBER 10

October 7, 2021

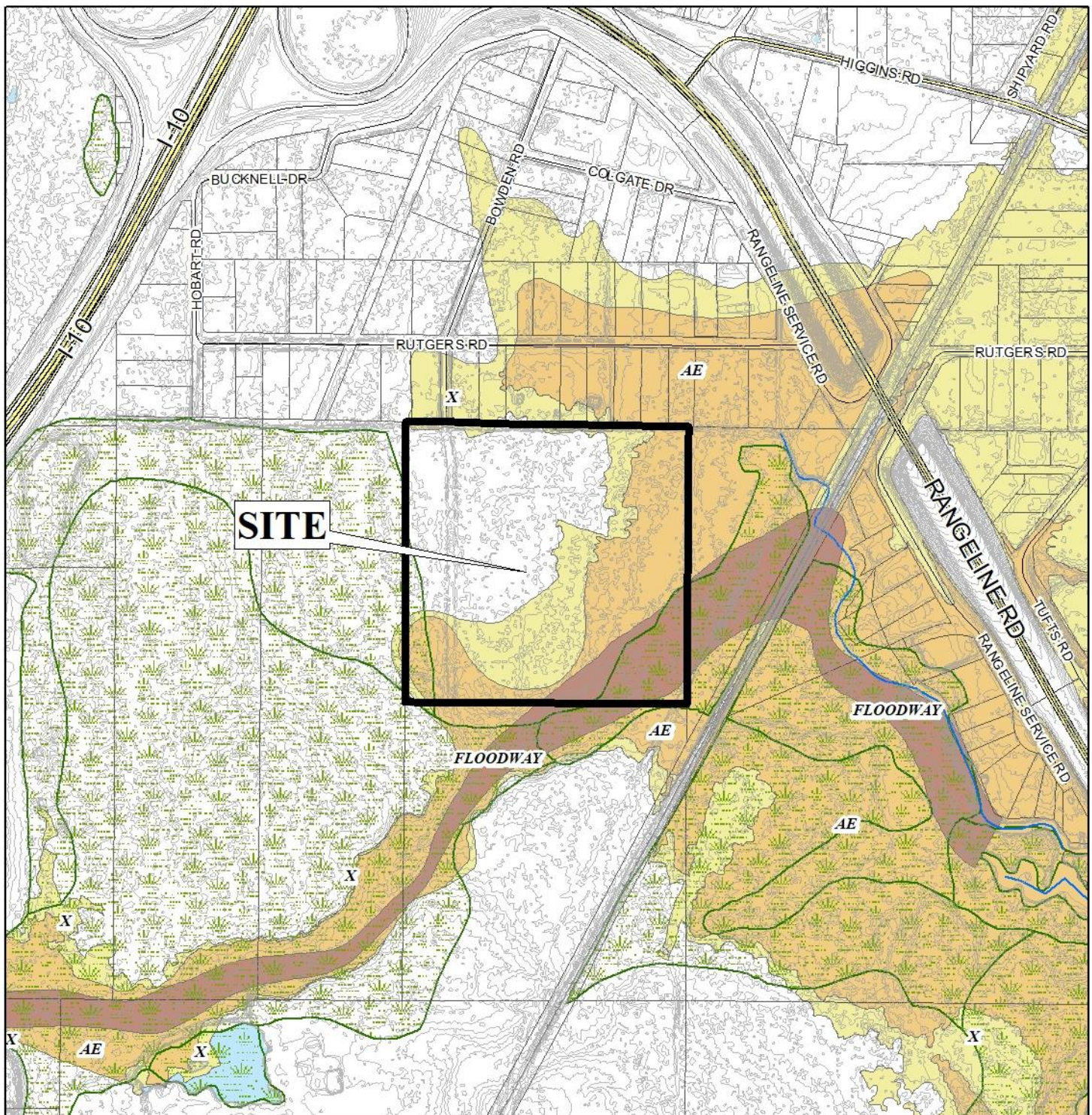
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REQUEST Rezoning from R-A to I-1

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



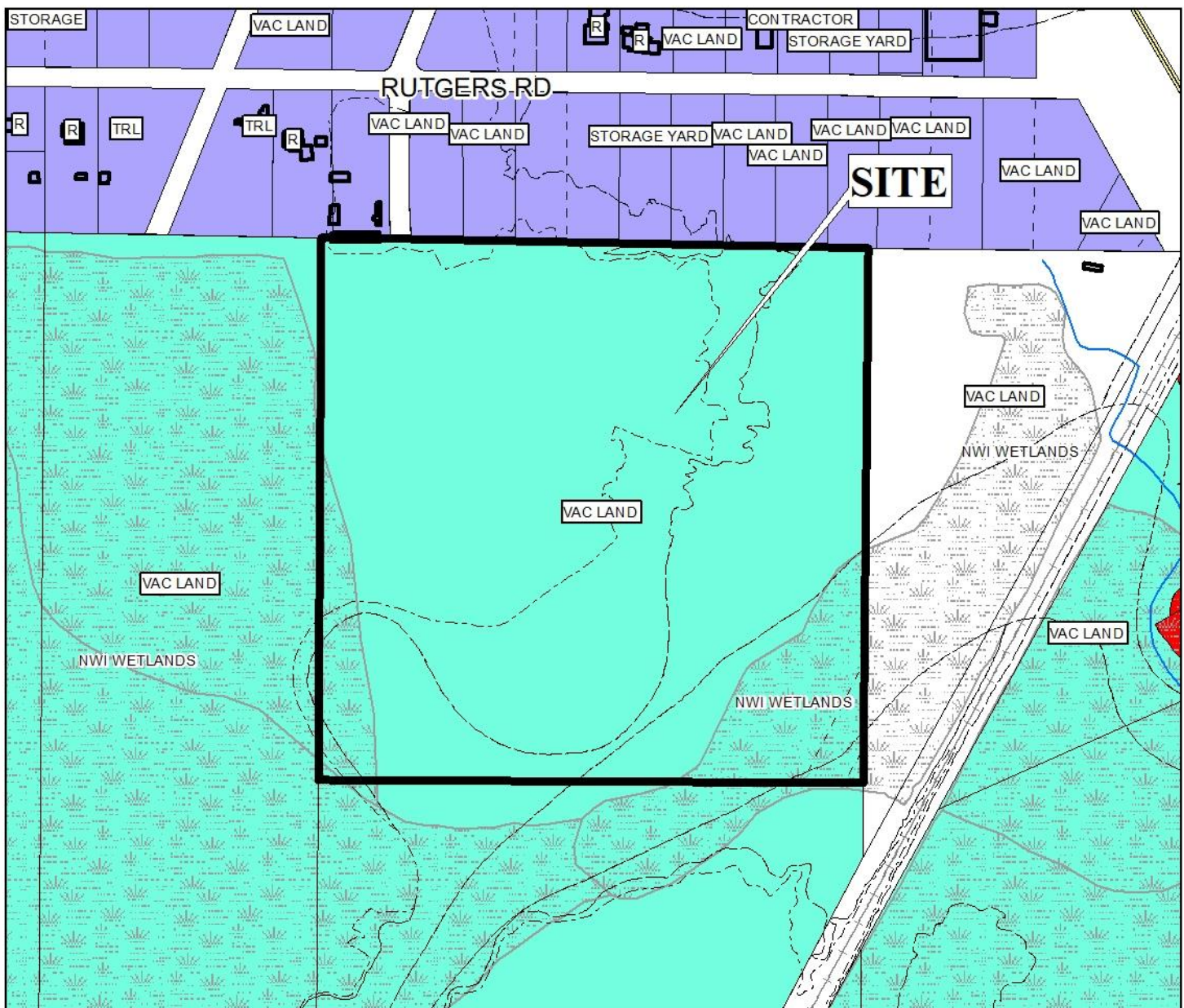
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REQUEST Rezoning from R-A to I-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by vacant land, and residential units.

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 REQUEST Rezoning from R-A 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

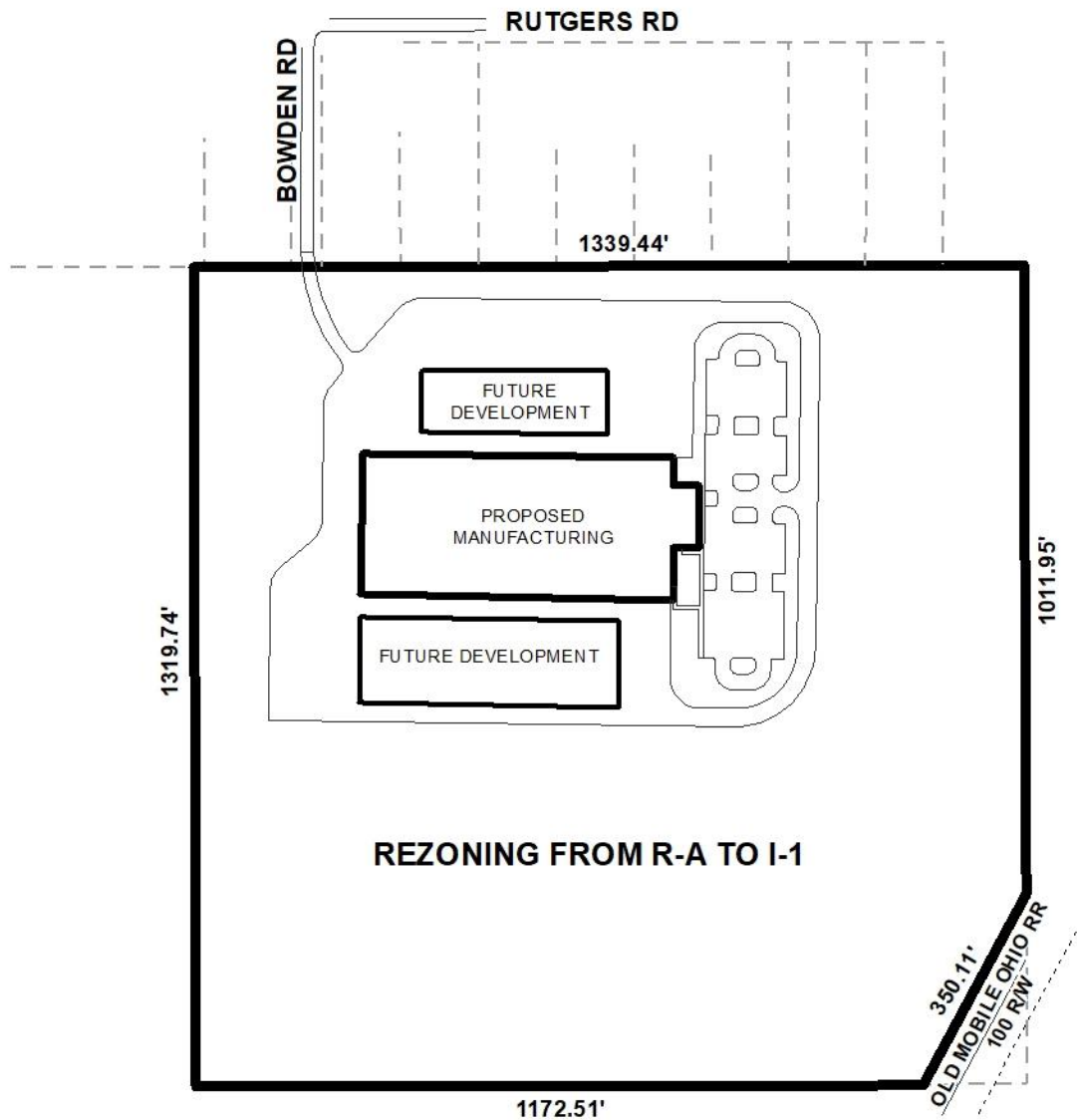


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SITE PLAN



The site plan illustrates the proposed building, and future developments.

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