

**ZONING AMENDMENT,
& SUBDIVISION STAFF REPORT**

Date: July 7, 2005

<u>APPLICANT NAME</u>	SPI / Mobile Pulley
<u>SUBDIVISION NAME</u>	SPI / MPW North Lot No. 1 (Proposed)
<u>LOCATION</u>	Area bounded by Ann Street, Tennessee Street, Michigan Avenue, and California Street
<u>CITY COUNCIL DISTRICT</u>	District 3
<u>PRESENT ZONING</u>	R-1, Single-Family Residential, and; B-3, Community Business District
<u>PROPOSED ZONING</u>	I-2, Heavy Industry District
<u>AREA OF PROPERTY</u>	2.8 acres ±
<u>CONTEMPLATED USE</u>	Steel fabrication and assembly. 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.
<u>REASON FOR REZONING</u>	Applicant is requesting rezoning of the site in order to permit the expansion of a nearby non-conforming industrial use.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Work to start in September 2005, pending approval
<u>ENGINEERING COMMENTS</u>	Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit.
<u>TRAFFIC ENGINEERING COMMENTS</u>	Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Driveways should be located a minimum of fifty feet from the nearest intersection. If the site is going to experience heavy truck traffic, the radius to the driveways should be increased to a minimum of forty feet to accommodate the larger turning radius.

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).

Preservation status is to be given to the 60” Live Oak Tree located on the East side of proposed building along Ann Street to remain. Any work on or under this tree is to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

FIRE DEPARTMENT

COMMENTS

All commercial projects shall comply with the 2003 International Fire Code and Appendices B through G, as adopted by the City of Mobile on July 6, 2004. All One- or Two-Family residential developments shall comply with Appendices B, C, and D of the 2003 International Fire Code, as adopted by the City of Mobile on July 6, 2004.

REMARKS

The applicant is requesting Rezoning and Subdivision Approvals to allow steel fabrication and assembly on the site, and to create a legal lot. Metal products fabrication is allowed by right in an I-2, Heavy Industry district.

The 2.8 acre ± subdivision site is currently vacant. The site is bounded by Ann Street, Tennessee Street, Michigan Avenue, and California Street. Michigan Avenue is a proposed major street, while all other streets are minor streets. Rights-of-way for all streets meet minimum requirements.

North of the site is a large R-1 zoned district with many older single-family residences, while west, across Michigan, is a small B-3 zoned district containing several vacant and several actively used small commercial buildings. South and southeast of the site, across Tennessee Street and the CN (formerly Illinois Central) railroad tracks, is an R-1 zoned district that contains the bulk of the existing Mobile Pulley Works facilities, in operation at this location since at least 1953. East of the site, across Ann Street, is land owned by the City of Mobile, including the site of the now demolished Hartwell Field.

The proposed subdivision will create one lot approximately 2.8 acres in size, encompassing the entire city block. The lot falls within the recommended depth to width ratio of Section V.D.3. of the Subdivision Regulations.

Access management is a concern because of the proximity of residential uses north of the site, and proximity to the west of a proposed major street, and the proposed use of the site for industrial purposes. It is recommended that no curb-cuts be permitted onto California Street or Michigan Avenue. Access to Ann Street should be limited to two curb-cuts, while access to Tennessee Street should be limited to one curb-cut, with the size, design and location of all curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards.

The 25-foot minimum building setback line, required in Section V.D.9. of the Subdivision Regulations, is not shown, but would be required on the Final Plat, if approved. The building

setback line will be required on all sides of the site due to the frontage onto four streets. It should be noted that a protection buffer due to residential adjacency will be required, in conformance with Section IV.D.1. of the Zoning Ordinance.

Regarding the zoning application, the site appears to be depicted as residential 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. 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.

As stated in Section IX. 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 proposed I-2 zoning category for the site will permit the proposed metal products fabrication, however, the site does not meet the minimum district size of 4 acres recommended by Section III.A.5. of the Zoning Ordinance. The Ordinance also recommends that I-2 districts be located for convenient access to major arterials, highways and railroads; this site is adjacent to a proposed major street and an existing railroad.

The rezoning application, if approved, will correct what may be considered a “manifest error” in the Zoning Ordinance. The Mobile Pulley Works has operated on several city blocks south of the site since at least 1953, and there has been a foundry at the location for about 100 years, thus the area has a long-term history of industrial use for the areas adjacent to the existing railroad tracks. These tracks, which are actively used, have other industrial uses intermittently scattered along its route through the city, which are not reflected in the General Land Use Component of the Comprehensive Plan or the Zoning Map and Ordinance.

There are three concerns regarding the proposed rezoning. The first is that the site abuts existing residential uses to the north, across California Street, and therefore may not be compatible with the existing homes. To mitigate potential impacts, denying access from the site to California Street, as well as complying with the residential adjacency buffers, as previously mentioned, is recommended.

The second concern is that the nearest I-2 zoned property is approximately 1 mile to the southeast, however, an I-1, Light Industry district does occur about 400 feet west of the site, and there are several blocks of non-conforming I-2 type uses located immediately south and southeast of the site. While the proposed zoning district may not meet the district size or zoning

adjacency recommendations of the Zoning Ordinance, it will be compatible with many of the long-term existing industrial uses. Rezoning to I-2 of the remaining sites associated with the Mobile Pulley Works should also be considered for future applications.

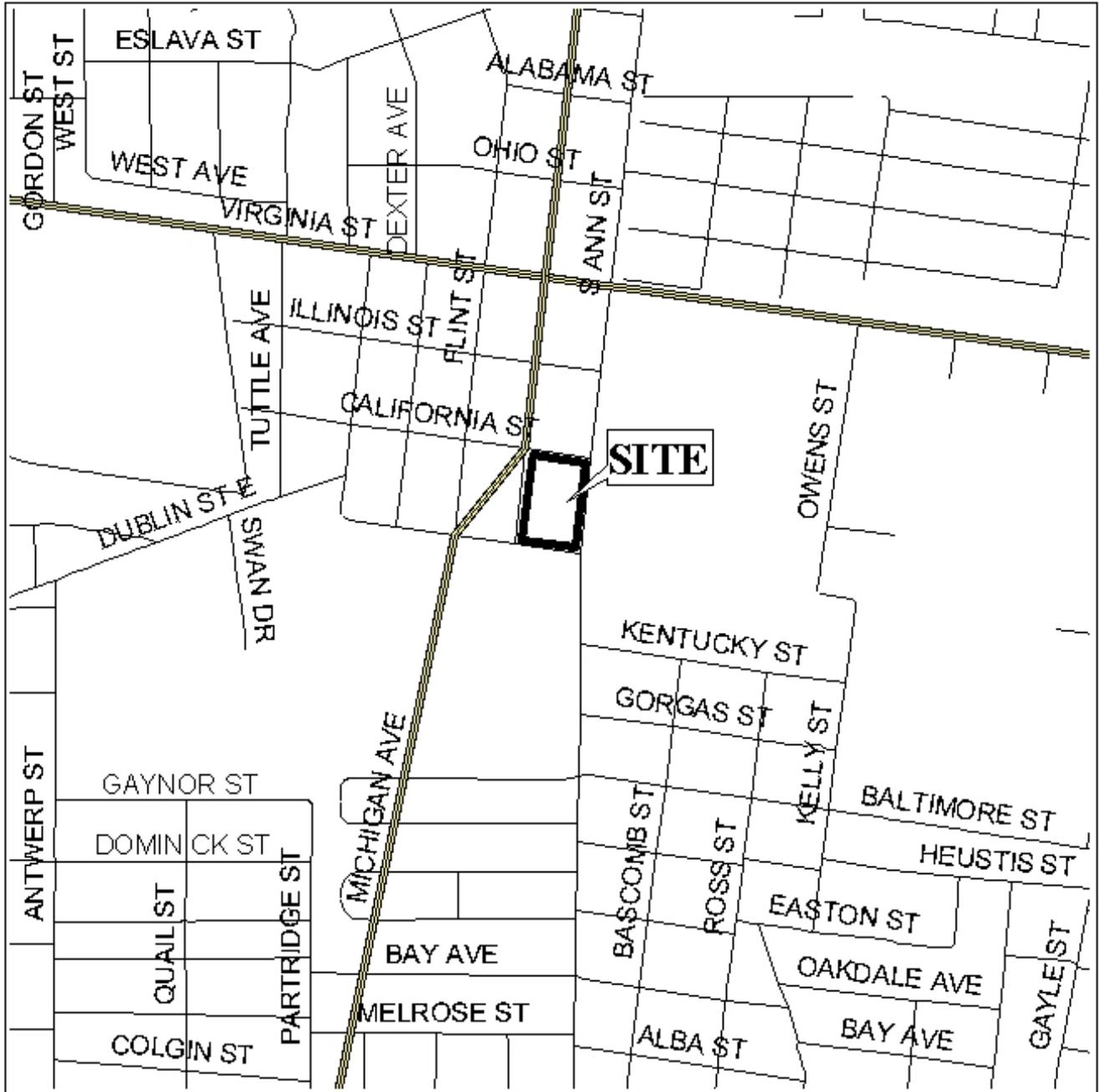
The third concern is that the applicant has stated that no parking will take place on-site. The Zoning Ordinance requires that industrial uses provide parking at the rate of one space per 300 gross square feet of office use, and one space per three employees working within the structure. This applicant, therefore, should provide parking on-site sufficient to meet these requirements, or the applicant should apply for a Planned Unit Development to allow parking across adjacent properties.

Finally, rezoning will require compliance with the landscaping and tree requirements of the Zoning Ordinance.

RECOMMENDATION **Rezoning:** Based upon the preceding, the Rezoning request is recommended for Approval, subject to the following conditions: 1) compliance with the tree and landscaping requirements of the Zoning Ordinance; 2) compliance with the parking requirements of the Ordinance, or application for a Planned Unit Development; 3) provision of a protection buffer, in accordance with Section IV.D.1. of the Ordinance, and; 4) full compliance with all other municipal codes and ordinances.

Subdivision: Based upon the preceding, the Subdivision request is recommended for Tentative Approval, subject to the following conditions: 1) depiction of the 25-foot minimum building setback line; 2) placement of a note on the Final Plat stating that the lot is limited to one curb-cut onto Tennessee Street, two curb-cuts onto Ann Street, and no curb-cuts onto California Street or Michigan Avenue, with the size, location and design of the curb-cuts to be approved by Traffic Engineering and conform to AASHTO standards, and; 3) full compliance with all other municipal codes and ordinances.

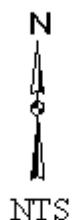
LOCATOR MAP



APPLICATION NUMBER 10 & 11 DATE August 18, 2005

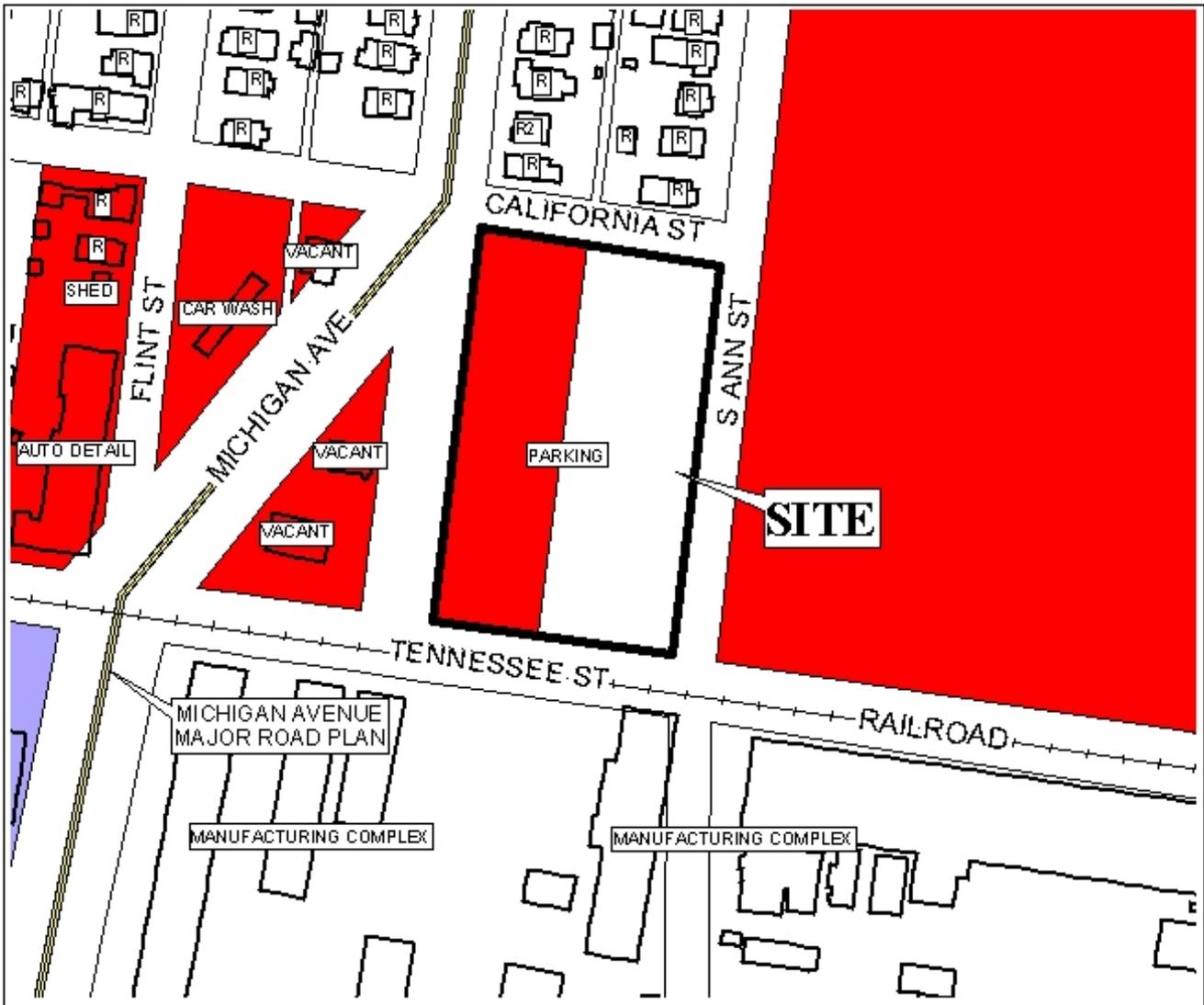
APPLICANT SPI/Mobile Pulley

REQUEST Rezoning and Subdivision



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is located in an area of mixed residential, commercial and industrial land use.

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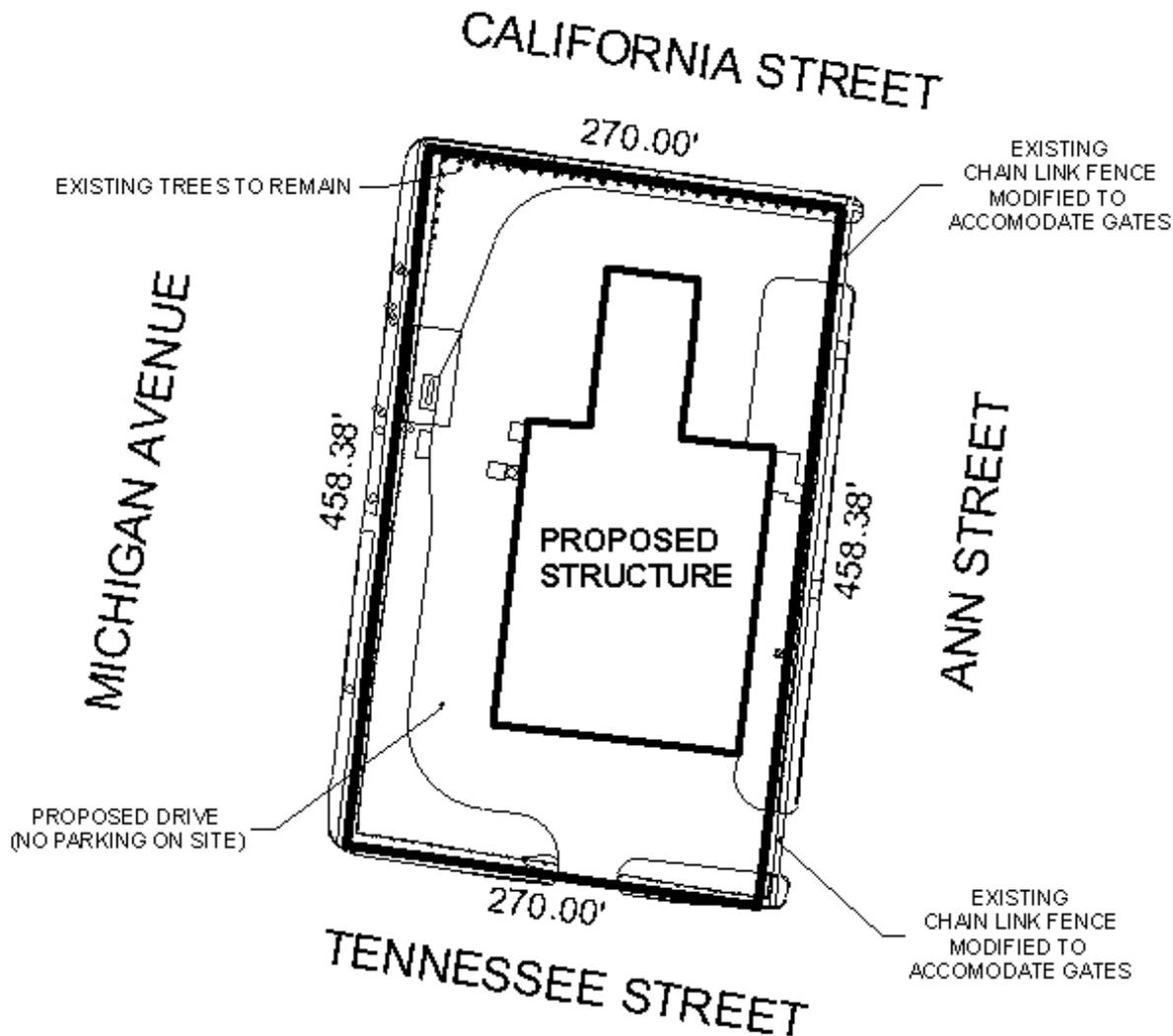
REQUEST Rezoning and Subdivision

LEGEND R-1 R-2 R-3 R-A R-B H-B B-1 LB-2 B-2 B-3 B-4 B-5 I-1 I-2



NTS

SITE PLAN



The site is bounded by Ann Street, Tennessee Street, Michigan Avenue and California Street. The plan illustrates the existing features and proposed structure.

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