

**ZONING AMENDMENT, PUD &
PLANNING APPROVAL STAFF REPORT****Date: May 4, 2006**

<u>NAME</u>	David Hickman
<u>SUBDIVISION NAME</u>	Auto Shredding Subdivision
<u>LOCATION</u>	1360 Conception Street Road (North side of Conception Street Road at Three Mile Creek)
<u>CITY COUNCIL DISTRICT</u>	District 2
<u>PRESENT ZONING</u>	I-1, Light Industry
<u>PROPOSED ZONING</u>	I-2, Heavy Industry
<u>AREA OF PROPERTY</u>	9.5± Acres
<u>CONTEMPLATED USE</u>	Scrap metal processing plant with automobile shredding. It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning were changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.
<u>REASON FOR REZONING</u>	Changes in conditions in the area make rezoning necessary.
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediately
<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.
<u>URBAN FORESTRY COMMENTS</u>	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).

REMARKS

The applicant is requesting approval to rezone the site from I-1, Light Industry, to I-2, Heavy Industry, to allow a scrap metal processing plant with automobile shredding; Planned Unit Development (PUD) approval, to allow multiple buildings on a single site; and Planning Approval, to allow the inclusion of automobile shredding within a scrap metal processing plant.

The Zoning Ordinance states that an amendment is to be made only when one or more of the following conditions prevail: there is a manifest error in the ordinance; changes in conditions in a particular area make a change in the ordinance necessary and desirable; an increased need for business or industrial sites in addition to sites that are available, make it necessary and desirable to rezone an area or extend the boundaries of an existing district; the subdivision of land into urban building sites makes reclassification necessary and desirable.

This area is shown on the General Land Use component of the Comprehensive Plan as industrial. However, the Comprehensive Plan is meant to be a general guide, not a detailed lot and district plan or mandate for development. The Planning Commission and City Council may consider individual cases based on additional information such as the classification requested, the surrounding development, the timing of the request and the appropriateness and compatibility of the proposed use and zoning classification.

The applicant states that rezoning is necessary due to changes in the scrap metal processing industry, which includes auto shredding within the facility. The site is currently zoned I-1, Light industry and has been a scrap metal facility since the 1950's. This claim is supported by a review of the existing land use and previous business licenses. The site currently has I-1 properties West and South, and I-2, Heavy Industrial to the rear of the site. Rezoning the site to I-2 would increase the presence of Heavy Industrial uses along this portion of Conception Street Road, and contribute to a more unified I-2 district, thereby creating a natural line of demarcation (Conception Street Road) between I-1 and I-2 districts. Northeast of the site are large, undeveloped tracts zoned I-2.

Rezoning would also require compliance with all landscaping and tree planting requirements of the Ordinance, as well as compliance with all other municipal codes and ordinances. Typically, rezoning is also subject to conformance with the accompanying PUD.

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.

Planned Unit Development (PUD) review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse

effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

It is very important to note that both the Planning Approval and the Planned Unit Development reviews are site plan specific; therefore any future changes (parking, structure expansion, etc..) must be resubmitted for Planning Approval and Planned Unit Development review, and be approved through the planning process.

The development encompasses existing paved and unpaved areas, several existing buildings with the capability of future expansion to include office buildings, maintenance buildings, and the ability to provide the delivery of material via truck, water and rail.

The 9.5± acre site is bounded to the north by Interstate I-165, and to the south Conception Street Road, both major streets as indicated on the Major Street Plan. West of the site is Three Mile Creek, while East of the site is a marine supply company. Access to the site is via a paved driveway from Conception Street Road. Natural vegetative buffers occur on the North and West sides of the property.

This property has been used as a scrap metal facility since the 1950's as Cowley Scrap Metals and operated a Morely 1000-ton shear to scrap automobiles until 1987. In 1987 Goldin Industries continued to operate the 1000-ton Morely shear to scrap automobiles and other items until the applicant purchased the property and proposes to replace the Morely shear with a state-of-the-art automobile shredder.

The location of the site between two major streets (Interstate-165 and Conception Street Road) is an appropriate siting for an industrial use such as a recycling center; and the prior use of the site as scrap metal processing and auto recycling facility would appear to be a compatible industrial use.

The automobile shredding process begins elsewhere, where the automobiles are dismantled to recover reusable parts. The stripped-down vehicles are shipped to the automobile shredding site either in bulk form or crushed where large shredders are used to turn the automobile into smaller pieces, which are then sold back to the iron, steel and nonferrous metal industries. After the shredders have recovered the metals from a vehicle, the residue (25-percent) is landfilled.

The applicant states the facility will employ approximately 30 employees. The shredder will be operated 24 hours, seven days of the week.

The site has approximately 490-feet of road frontage on Conception Street Road. The site plan illustrates the proposed construction, which includes the existing building to support the scrap metal processing facility.

The parking requirement for a development of this type requires one space per 300 square feet of gross floor area for office use and one space per three employees for manufacturing or warehouse use. Using the employee-parking requirement of one parking space per three employees, the site would be required to provide 10 spaces (manufacturing/warehouse). The site

provides 18 paved parking spaces; however, it should be noted that unpaved parking is allowed in I-2 districts. As proposed the site plan does not illustrate the required number of spaces; however, the site has ample space to meet this requirement. Moreover, since future expansion is illustrated on the site plan, conformance with the parking requirements would be required at the time of expansion.

The site has buffers on the North (Interstate 165), and South (Conception Street Road) sides. While tree and landscaping requirements might normally be placed on new non-residential construction or a substantial expansion undergoing Planning Approval and PUD review, since this application could be considered new development, a waiver of the tree and landscaping would not be appropriate. Therefore, full compliance with the tree and landscaping requirements of the Zoning Ordinance should be required as part of the Planning Approval and PUD review. Additionally, compliance with the buffering requirements of the Zoning Ordinance would not be required since this site is not adjacent to any residential uses.

Setbacks for the existing and proposed structures comply with the requirements of the Zoning Ordinance. All future construction must comply with the approved PUD, unless amendments are made to the PUD to allow deviation from the requirements. Otherwise, the presence of multiple buildings on the site, as proposed, is not anticipated to negatively impact the area.

The applicant submitted decibel levels measured on other shredders as what will be constructed on this site. The decibels range for 84 dB at the motor and shredder and declines to approximately 73 dB within the site.

The majority of the site is located in an area subject to storm-surge related flooding, as well as within the FEMA identified 100-year floodplain for Mobile. Furthermore, the proximity to Three Mile Creek and the possibility that the site contains wetlands 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.

The site plan does not indicate the location of a stormwater detention basin, which may be required for the site due to new construction. A stormwater detention basin, sized to meet the requirements of the City's Storm Water Drainage Ordinance, must be indicated on the site plan if it is required.

The site received preliminary subdivision approval from the Planning Commission in November 2005, and staff has signed the Final Plat; however, completion of the subdivision process would be required prior to permitting.

Finally, there is no indication on the site plan as to the proposed location of a dumpster or any other waste storage facility to deal with the residue by-product of the automobile shredding process. If the applicant utilizes a dumpster or some other type of storage facility, the location of the storage area for the by-product must be indicated on the site plan, and the location and required screening must comply Section IV.D.9. Of the Zoning Ordinance, as well as with all other applicable regulations concerning the disposal of the unrecoverable waste.

RECOMMENDATION**Rezoning**

Based on the preceding, this application is recommended for approval, subject to the following conditions: 1) completion of the Subdivision process; 2) that the site be developed in compliance with the accompanying Planned Unit Development; 3) depiction of a stormwater detention basin, if required; 4) approval of all applicable federal, state and local agencies prior to the issuance of any permits; 4) full compliance with the landscaping and tree planting requirements of the Ordinance; 5) submission of a disposal plan for the unrecoverable waste associated with the automobile shredding process; and 6) full compliance with all municipal codes and ordinances.

Planned Unit Development

Based upon the preceding, this request is recommended for Approval, subject to the following conditions: 1) depiction of a stormwater detention basin, if required; 2) illustration of the location of any dumpster or waste storage area on the site plan; 3) approval of all applicable federal, state and local agencies prior to the issuance of any permits; 4) submission of a disposal plan for the unrecoverable waste associated with the automobile shredding process; and 5) full compliance with all municipal codes and ordinances.

Planning Approval

Based upon the preceding, this request is recommended for Approval, subject to the following conditions: 1) depiction of a stormwater detention basin, if required; 2) illustration of the location of any dumpster or waste storage area on the site plan; 3) approval of all applicable federal, state and local agencies prior to the issuance of any permits, 4) submission of a disposal plan for the unrecoverable waste associated with the automobile shredding process; and 5) full compliance with all municipal codes and ordinances.

LOCATOR MAP



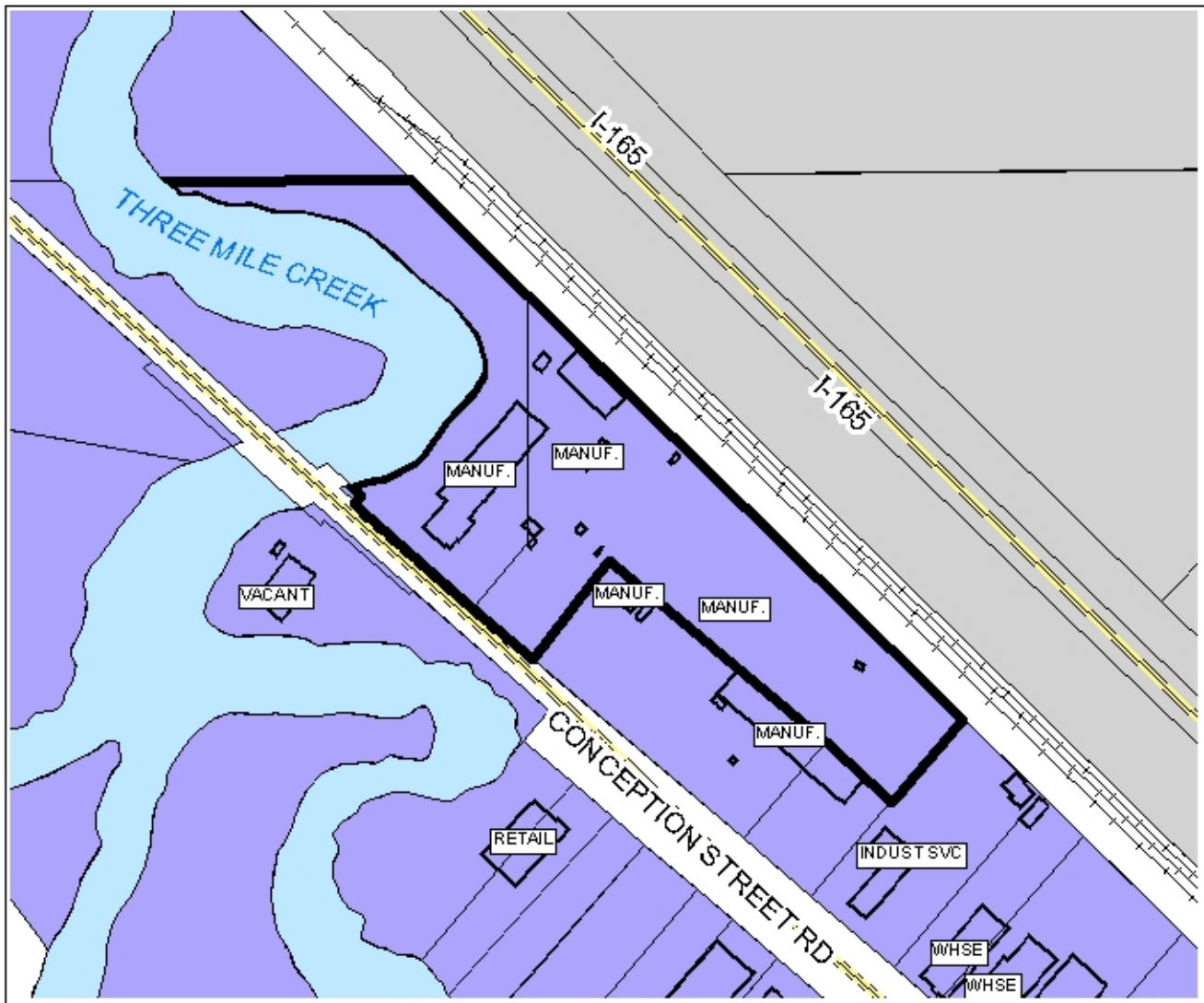
APPLICATION NUMBER 7 & 8 & 9 DATE May 4, 2006

APPLICANT David Hickman

REQUEST Rezoning from I-1 to I-2, Planning Approval, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and industrial land use

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REQUEST Rezoning from I-1 to I-2, Planning Approval, Planned Unit Development

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



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