

**ZONING AMENDMENT STAFF REPORT****Date: September 20, 2018****NAME**

Kimberly Clark Corporation

**LOCATION**

Northeast corner of Paper Mill Road and Africatown Boulevard

**CITY COUNCIL  
DISTRICT**

District 2

**PRESENT ZONING**

B-2, Neighborhood Business District, R-2, Two-Family Residential District, and I-2, Heavy Industry District

**PROPOSED ZONING**

I-2, Heavy Industry District

**AREA OF PROPERTY**

18.2± Acres

**CONTEMPLATED USE**

Rezoning from B-2, Neighborhood Business District, R-2, Two-Family Residential District, and I-2, Heavy Industry District, to I-2, Heavy Industry District.

**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.**

**TIME SCHEDULE  
FOR DEVELOPMENT**

August 2018

**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 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. 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.
5. 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.
6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

No comments

## **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).

## **REMARKS**

The applicant is requesting rezoning from B-2, Neighborhood Business District, R-2, Two-Family Residential District, and I-2, Heavy Industry District, to I-2, Heavy Industry District. Specifically, the applicant wishes to resolve a split-zoning issue to accommodate an existing paper manufacturing facility.

The site was part of a two-lot Subdivision approved by the Planning Commission at its June 21, 2018 meeting. One of the conditions of the Subdivision approval was the rezoning of this site to eliminate the split-zoning, prior to the signing of the Final Plat.

The site is bounded to the North and East by I-2, Heavy Industry District; to the West by R-1, Single-Family Residential District, R-2, Two-Family Residential District, and B-2, Neighborhood Business District; and to the South by R-1, Single-Family Residential District and B-2, Neighborhood Business District.

The site has been given a Heavy Industry (HI) land use designation, per the recently 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 applies to larger parcels primarily devoted to high-impact industrial activity which is preferably removed from residential and commercial uses. Light industry, industrial business or heavy commercial lands may separate heavy industry from other land uses.

Heavy industrial areas include collection, treatment, and manufacturing processes which use raw materials, are distinguished by the presence of noise, vibration, and/or odors, and benefit from easy access to a multimodal freight transportation network. Certain types of heavy industry are characterized by low building coverage and activities that rely on large areas of outdoor storage of raw material stockpiles and/or waste-product disposal areas, storage tanks, pipelines, and transportation yards to handle the transfer of heavy materials. The outdoor storage areas should be screened as much as possible by the nature of the stored materials.

Land designated as HI may be underdeveloped due to the presence of wetlands on portions of the parcel. In these cases, the wetlands may serve to buffer surrounding uses from the potential impacts of the heavy industrial use. Undeveloped areas of HI parcels that have tree cover may be used as buffering between the heavy industrial use and other uses. Where buffers do not exist naturally, they should be provided as spelled out in the zoning and subdivision regulations. Open areas reserved for dredge disposal are also designated as HI and may contain wetlands.

In Mobile, port terminal facilities, docks, shipyards, drydocks, etc., are mostly owned by the State of Alabama. Although not subject to local zoning, these facilities are shown as heavy industrial uses in the FLUM.

It should 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.

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 applicant does not specifically state which of the four conditions makes the proposed rezoning necessary and desirable, however as previously mentioned, a recent Subdivision

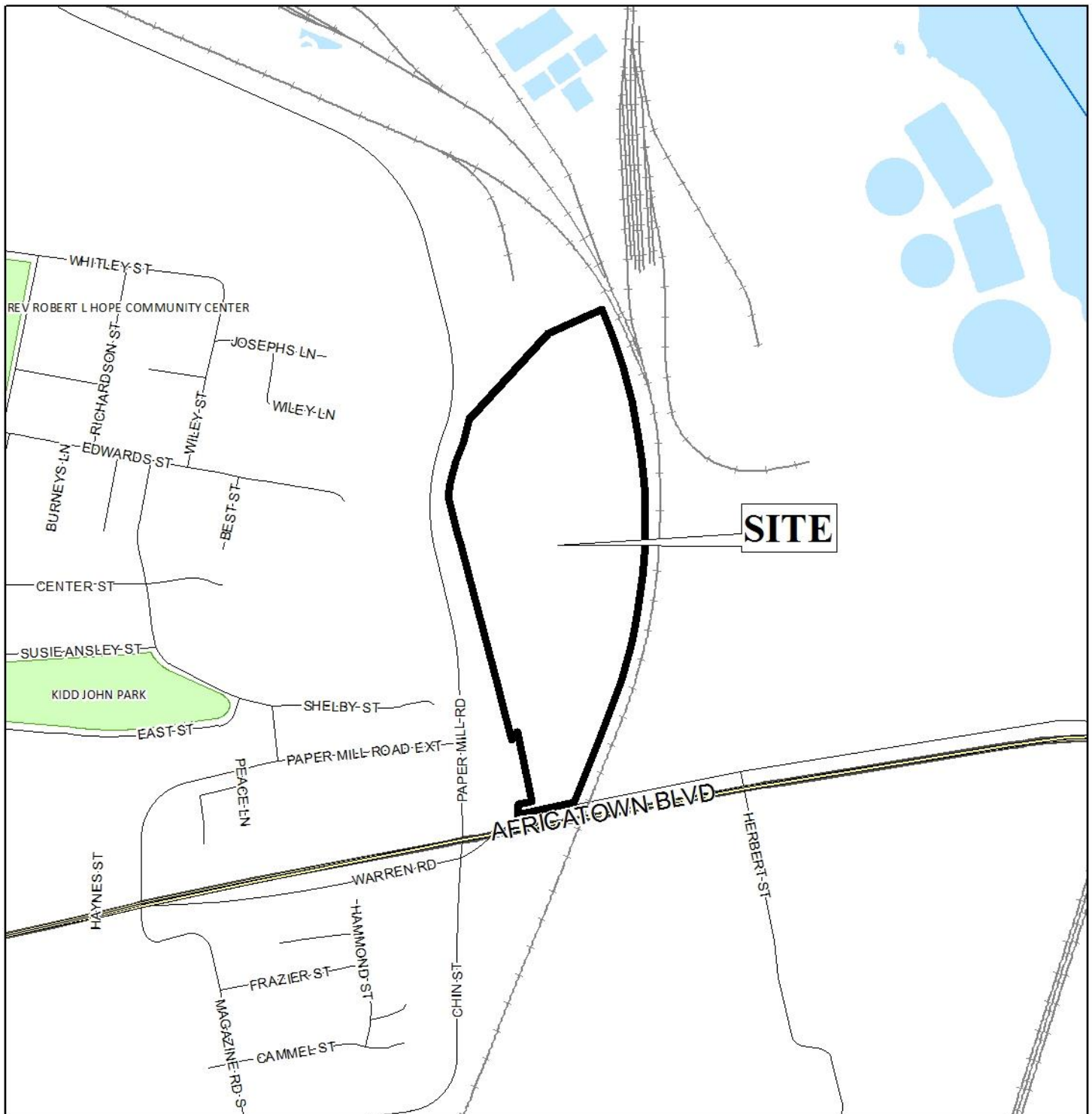
tentatively approved by the Planning Commission would result in a split-zoned lot if the current rezoning application is denied, therefore rendering the Subdivision approval invalid. Given that the proposed rezoning is to accommodate a development that has occupied the site since at least 1940, the rezoning may be appropriate.

**RECOMMENDATION**

Based on the preceding, the application is recommended for Approval, subject to the following:

- 1) Completion of the Subdivision process; and
- 2) Full compliance with all municipal codes and ordinances.

# LOCATOR MAP



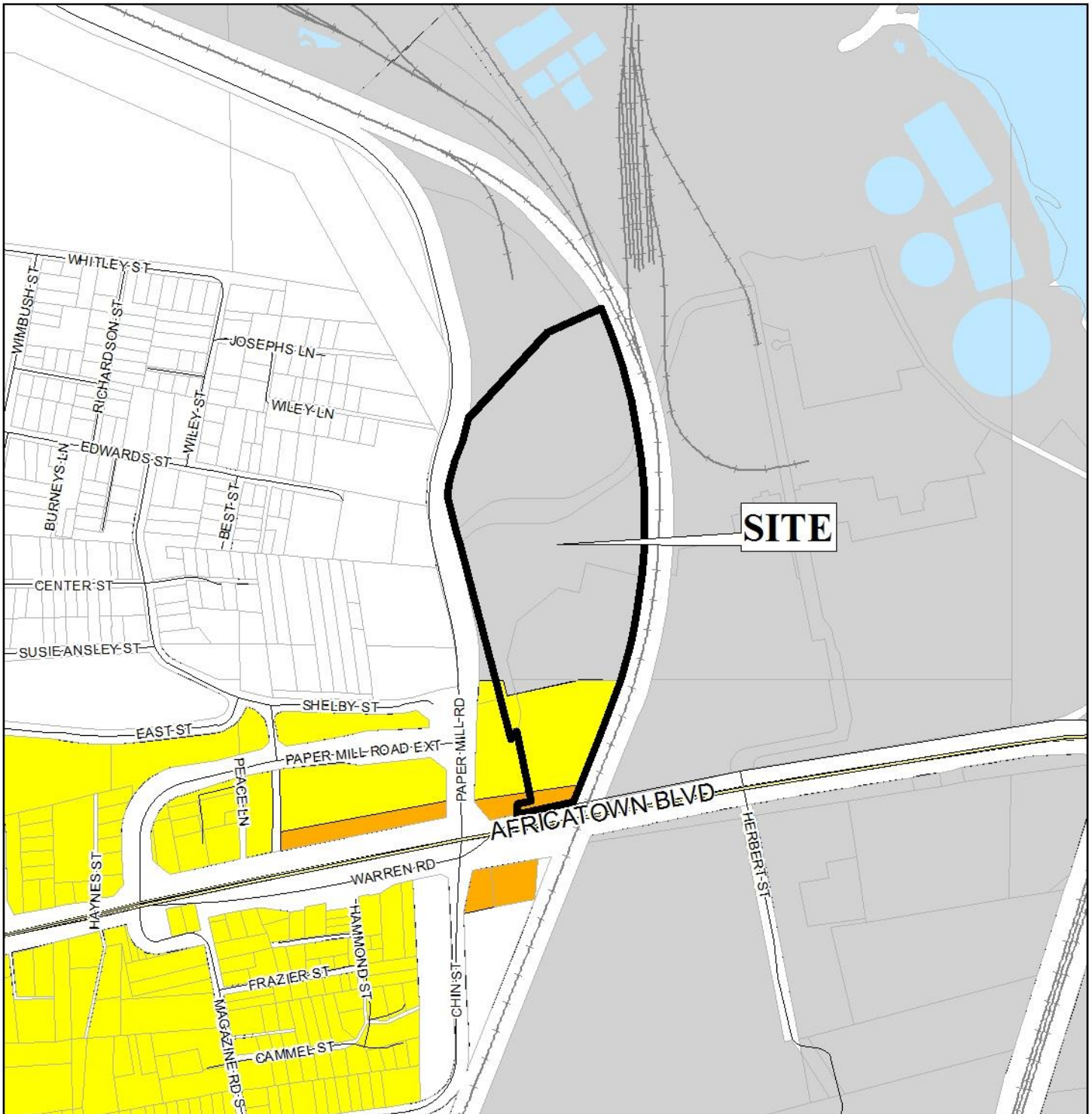
APPLICATION NUMBER 9 DATE September 20, 2018

APPLICANT Kimberly Clark Corporation

REQUEST Rezoning from R-2, B-2, and I-2 to I-2



# LOCATOR ZONING MAP



APPLICATION NUMBER 9 DATE September 20, 2018

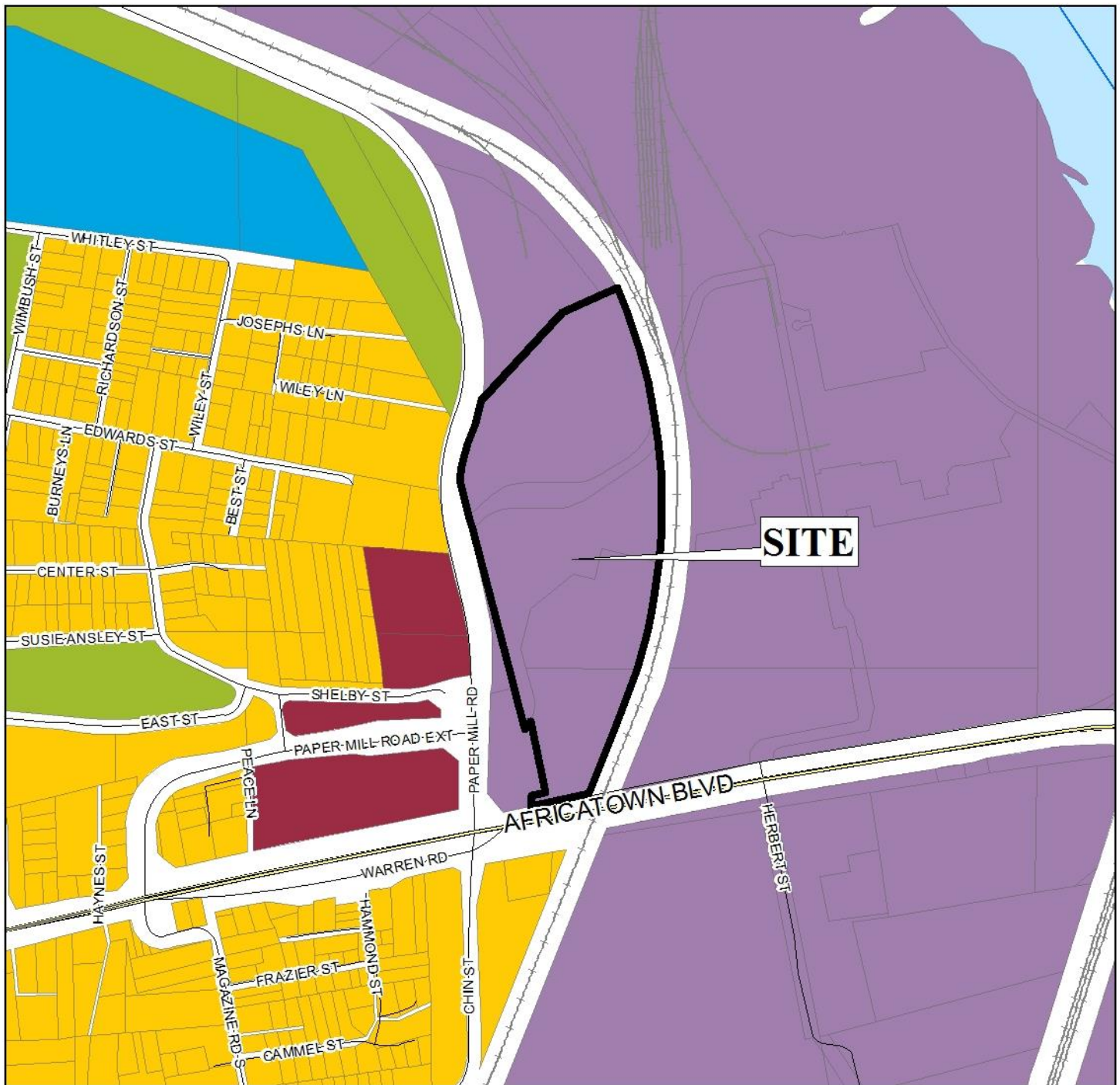
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# FLUM LOCATOR MAP



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APPLICANT Kimberly Clark Corporation

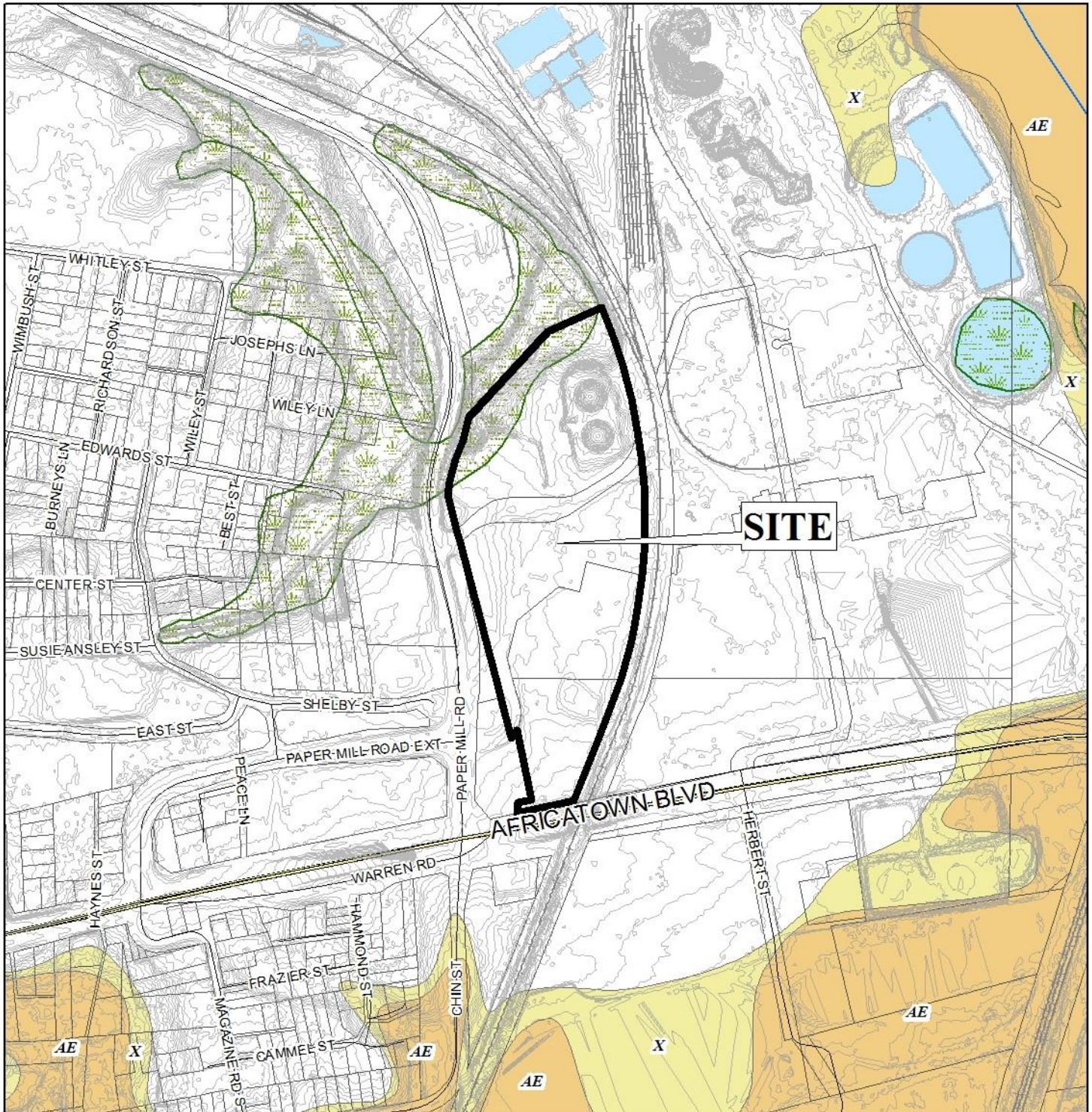
REQUEST Rezoning from R-2, B-2, and I-2 to I-2

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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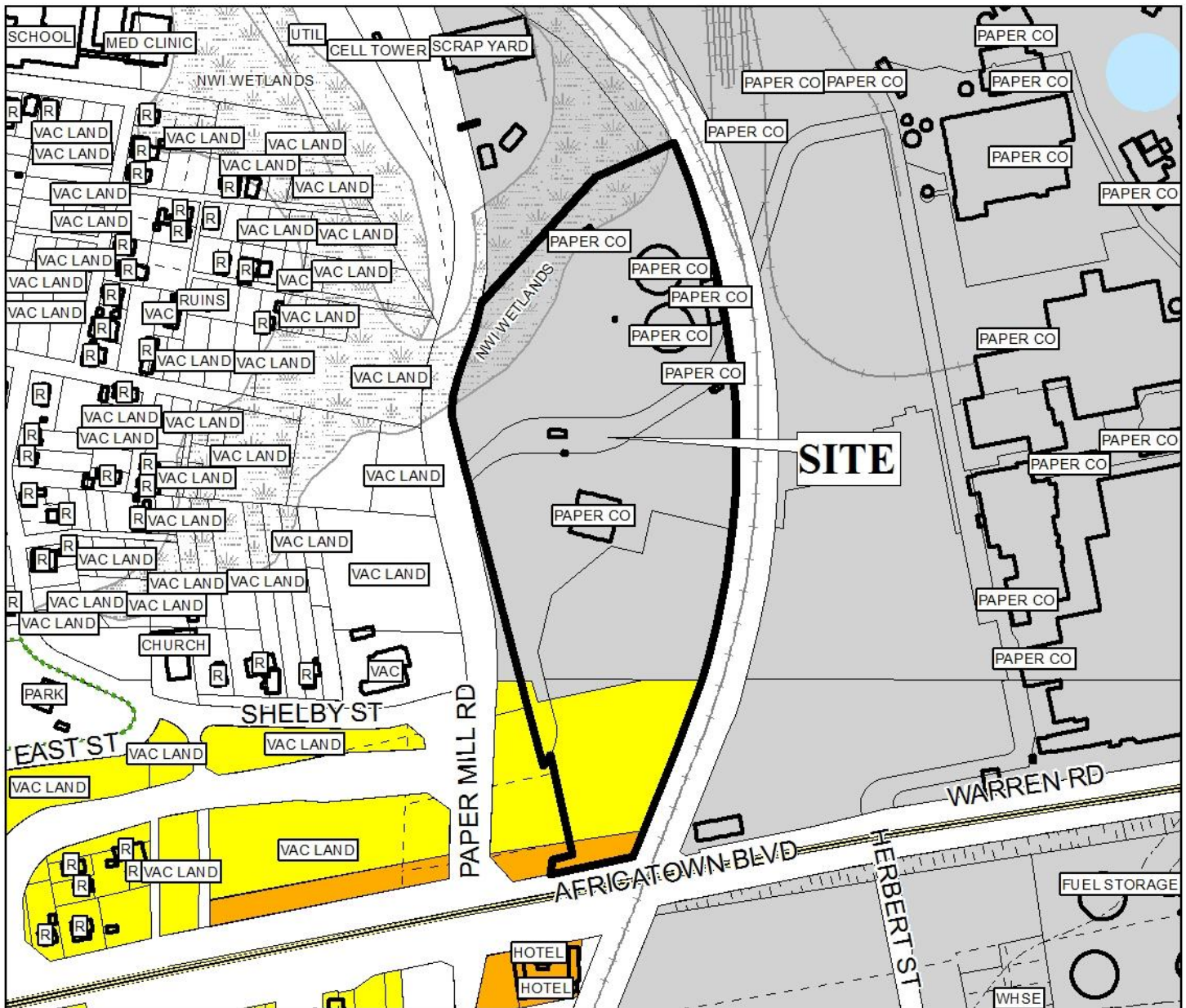
APPLICANT Kimberly Clark Corporation

REQUEST Rezoning from R-2, B-2, and I-2 to I-2





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units to the east and residential units to the west.

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REQUEST Rezoning from R-2, B-2, and I-2 to I-2

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

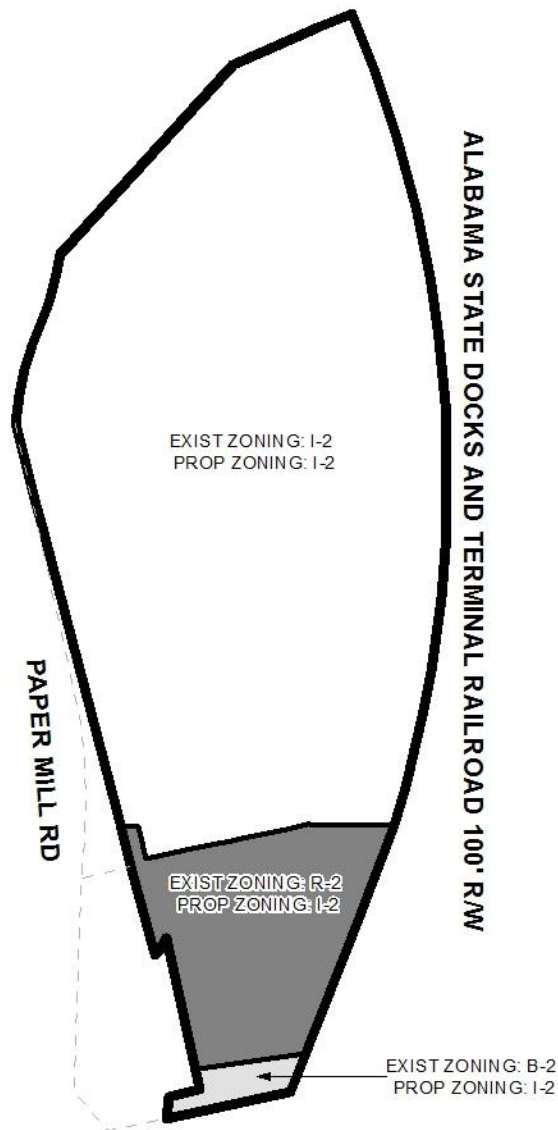


The site is surrounded by industrial units to the east and residential units to the west.

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# SITE PLAN



The site plan illustrates the proposed zoning changes.

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