

**ZONING AMENDMENT
& SUBDIVISION STAFF REPORT****Date: January 3, 2013****APPLICANT NAME**

Daniel Clark, PLS

SUBDIVISION NAME

Crigler Industrial Park Subdivision

LOCATION

Southwest corner of Todd Acres Drive and Kooiman Road,
and East side of Todd Acres Drive at the East terminus of
Kooiman Road and South side of Kooiman Road 670'±
West of Todd Acres Drive

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

R-A, Residential-Agricultural District

PROPOSED ZONING

I-1, Light-Industry District

AREA OF PROPERTY

7 Lots / 19.2 ± Acres
Future Development Area: 291.5 ± Acres

CONTEMPLATED USE

Subdivision approval to create 7 lots, and Zoning approval
to rezone the proposed lots from R-A, Residential-
Agricultural, to I-1, Light-Industry, to allow a proposed
light industry park.

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 allow the
development of a light industrial park.

**TIME SCHEDULE
FOR DEVELOPMENT**

No immediate plans for development

**ENGINEERING
COMMENTS**

The following comments should be addressed prior to
review, acceptance and signature by the City Engineer:

- 1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes).

- 2) A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat.
- 3) Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045).
- 4) Add a note to the plat any development or land disturbing activity on a LOT will require a Land Disturbance Permit; and any work within the Kooiman Road or Todd Acres Drive ROW will require a ROW Permit.
- 5) Show any ROW that is to be dedicated to the City of Mobile, such as a radius at the corner of Kooiman Road and Todd Acres Drive (25' minimum) as required by the Planning Commission and approved by the Traffic Engineer and the City Engineer.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, 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 7 lots, and Zoning approval to rezone the proposed lots from R-A, Residential-Agricultural, to I-1, Light-Industry, to allow a proposed light industry park. The proposed lots and area to be rezoned compromise 19.2 ± acres, with the remaining 291.5 ± acres of the site to be reserved for future development.

The overall site is crossed by Todd Acres Drive and the CSX Railroad, dividing the 310.7 ± acre site into three large pieces: 6.8 ± acres, 48.9 ± acres, and 255 ± acres.

The site is currently vacant, and is bounded to the East by vacant properties in a B-5 Office-Distribution District, an R-A and an R-1, Single Family Residential District. To the South, the site is bounded by vacant properties in an R-A and I-2, Heavy Industrial District, while to the West the site is bounded by vacant and developed properties in an R-A District. To the North the site is bounded by vacant and developed properties in an R-A and B-5 District.

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 appears to be depicted as industrial 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.

The site was annexed into the City of Mobile as part of the Theodore / Tillman's Corner annexation in late 2008. This is the first set of applications for any portion of the site.

The applicant's justification for rezoning is that they would like to create a light industrial park *"that would benefit the area."* The applicant goes on to say *"Although no solid plans have been developed for these lots, most of the interest he has received, from prospective buyers, is in such a zoning. The area is surrounded by B-5 which supports the activities of industry."*

The applicant is subdividing land into building sites, thus the re-classification of land from Residential-Agricultural to another category can be considered. The applicant is requesting I-1, Light Industrial, which is not unusual for this area, as the overall site abuts I-1 property to the South. Other I-1 and I-2 properties within several miles of the site either are not currently legal lots or are somewhat encumbered by floodplains. The sparseness of adjacent residential development and the proximity of a railroad and other semi-industrial developments along Todd Acres and Kooiman Road may give the requested rezoning a basis for approval.

It should be noted that a legal description of the area to be rezoned was not provided with the application. If the rezoning request is approved, a legal description of the seven lot area to be rezoned must be provided prior to any request to forward the rezoning application to the City Council for final approval.

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.

The portion of the site being subdivided fronts onto Todd Acres Drive and Kooiman Road, both minor streets with adequate rights-of-way. Each proposed lot has approximately 200 feet of frontage on the adjacent road, with the exception of Lot 3, a corner lot, which has approximately 600 feet of total frontage onto both Todd Acres Drive and Kooiman Road. Lots 1, 2, 4-7 should

each be limited to one curb-cut each, while Lot 3 should be limited to one curb-cut onto Todd Acres Drive and one curb-cut onto Kooiman Road. The size, design and location of all curb-cuts must be approved by Traffic Engineer and comply with AASHTO standards.

Due to the intersection angle of Kooiman Road and Todd Acres Drive, a corner radius dedication compliant with Section V.D.6. of the Subdivision Regulations should be required. The 25-foot minimum building setback line should be modified to reflect any required corner dedication, as should the lot size.

It appears that the width to depth ratio recommended in Section V.D.3. of the Subdivision Regulations will be exceeded for proposed Lots 5-7. It appears that the maximum ratio will be 4.3 instead of the recommended 3.5 ratio. As the request does not appear excessive, the Planning Commission may wish to waive Section V.D.3. for the application at hand, but restrict any future subdivision of the lots if adequate frontage on a public street is not provided.

The final plat, if approved, should depict the future development area, and should label it as such. Additionally, lots 1-7 should be recorded as one phase, prior to any request for development permits.

Portions of the site appear to contain wetlands or floodplains associated with Rabbit Creek. The presence of wetlands and 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.

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

Rezoning: Based upon the preceding, the Rezoning request is recommended for Approval subject to the following conditions:

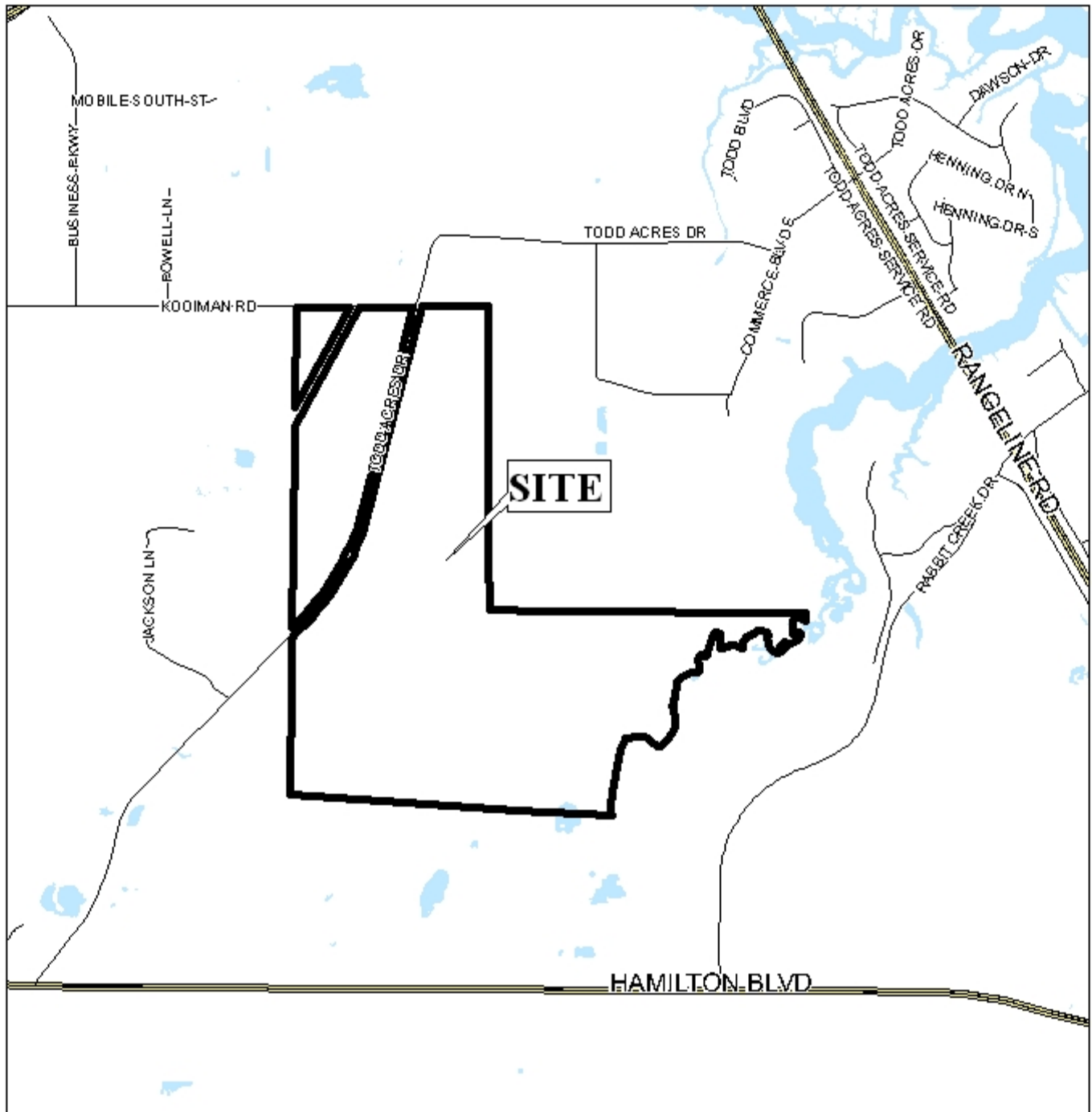
- 1) Provision of a legal description for the area being rezoned;
- 2) Completion of the Subdivision process; and
- 3) Full compliance with all other municipal codes and ordinances.

Subdivision: With a waiver of Section V.D.3. of the Subdivision Regulations for Lots 5-7, the request is recommended for Tentative Approval subject to the following conditions:

- 1) Placement of a note on the final plat stating that no future subdivision shall be allowed for Lots 5-7 unless adequate frontage on a public street is provided;
- 2) Placement of a note on the final plat stating that Lots 1, 2, 4-7 are limited to one curb-cut each, that Lot 3 is limited to one curb-cut onto Todd Acres Drive and one curb-cut onto Kooiman Road, and that the size, design and location of all curb-cuts must be approved by Traffic Engineer and comply with AASHTO standards;

- 3) Revision of the plat to reflect dedication of a corner radius for Lot 3 compliant with Section V.D.6. of the Subdivision Regulations, to include revision of the 25-foot minimum building setback line and lot area;
- 4) Depiction and labeling of the future development area;
- 5) Placement of a note on the final plat/site plan stating that approval of all applicable federal, state and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities;
- 6) Placement of a note on the final plat/site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 7) Compliance with Engineering comments (*The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1) Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2) A signature block and signature for the Traffic Engineering Department shall be placed on the Final Plat. 3) Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045). 4) Add a note to the plat any development or land disturbing activity on a LOT will require a Land Disturbance Permit; and any work within the Kooiman Road or Todd Acres Drive ROW will require a ROW Permit. 5) Show any ROW that is to be dedicated to the City of Mobile, such as a radius at the corner of Kooiman Road and Todd Acres Drive (25' minimum) as required by the Planning Commission and approved by the Traffic Engineer and the City Engineer.*);
- 8) 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.*); and
- 9) Recording of Lots 1-7 as a single phase prior to any request for permits.

LOCATOR MAP



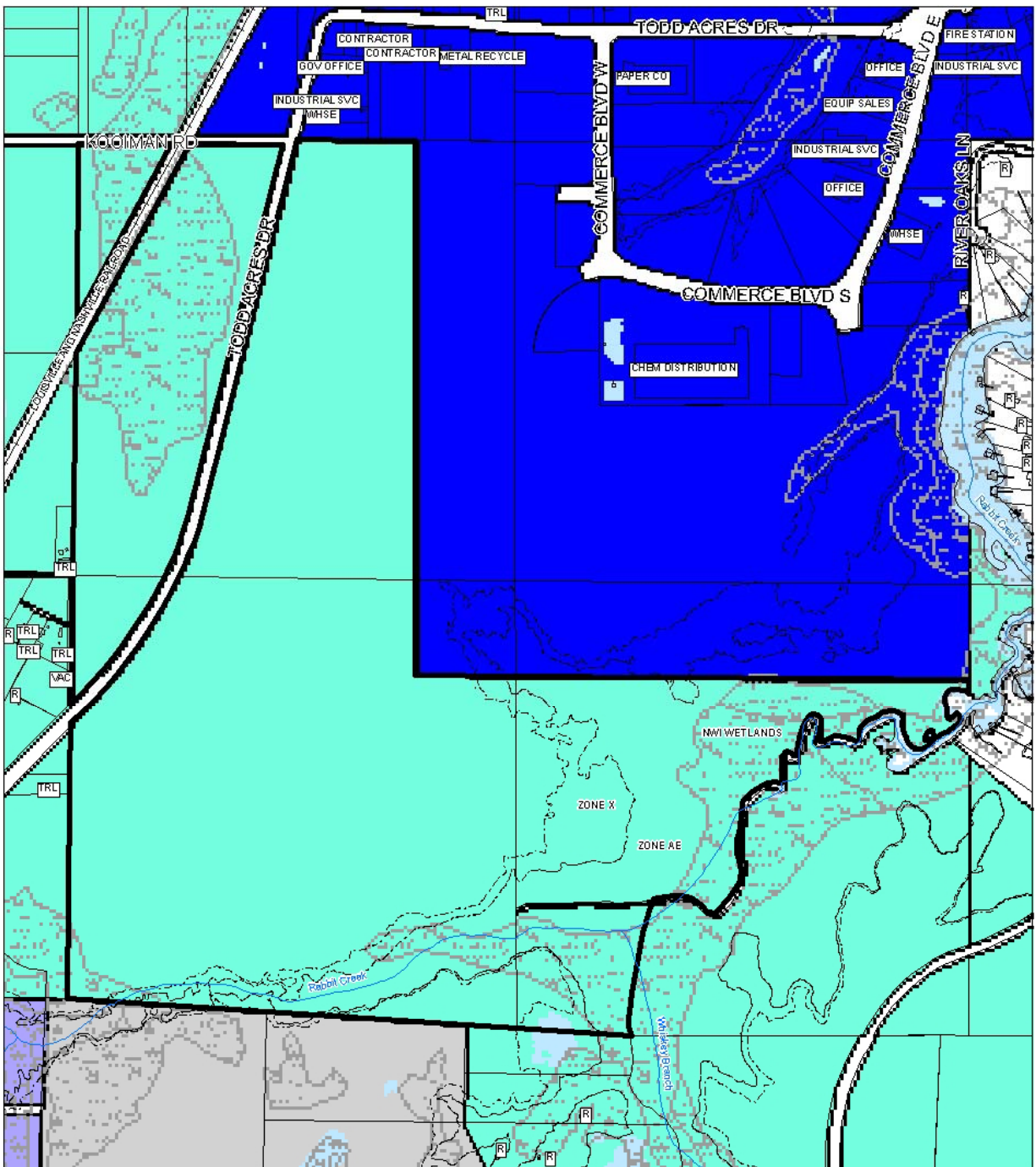
APPLICATION NUMBER 20 & 21 DATE January 3, 2013

APPLICANT Crigler Industrial Park Subdivision

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

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Industrial and commercial land use is located to the north of the site. Residential land use is located to the west and south of the site.

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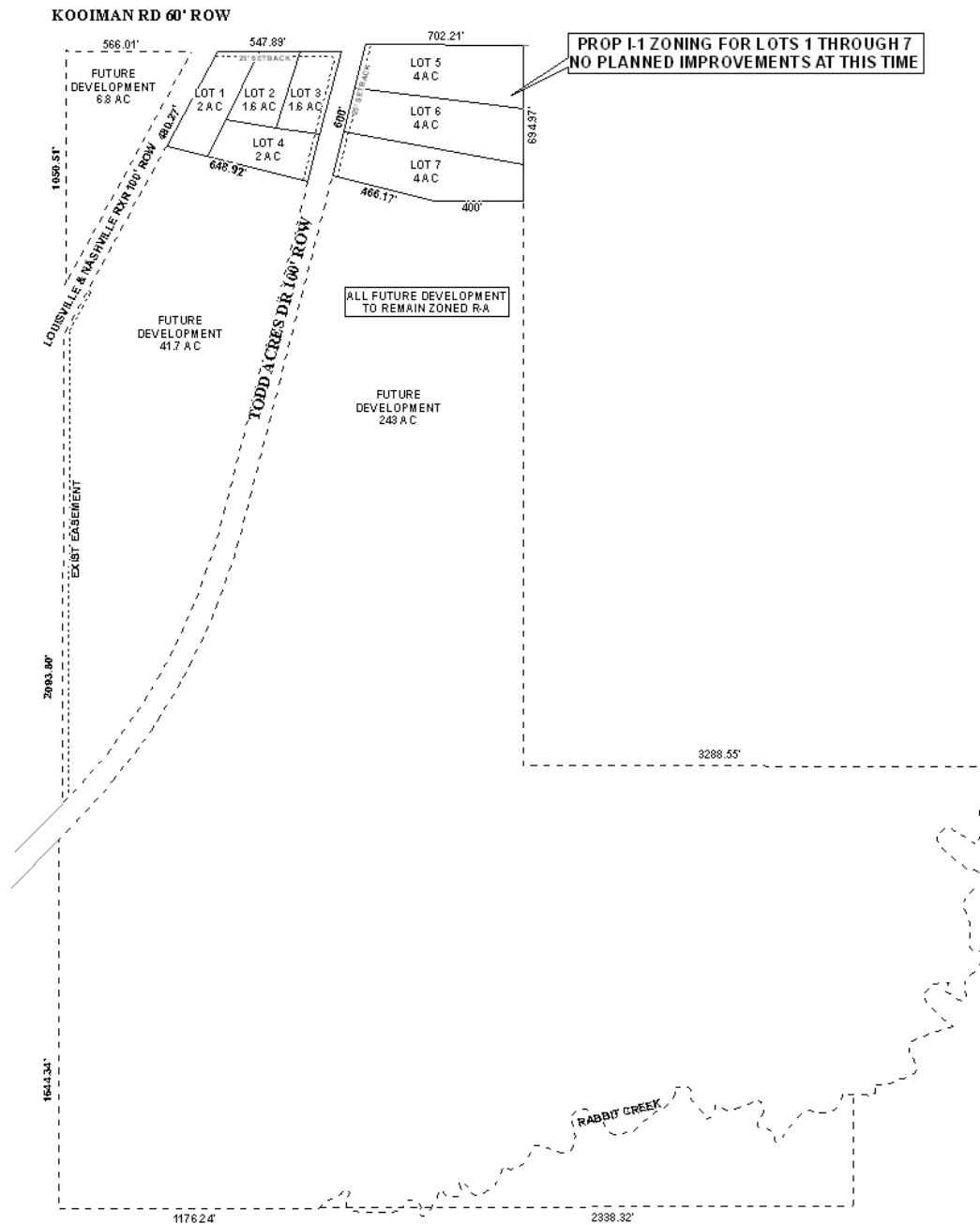
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SITE PLAN



The site plan illustrates the proposed subdivision, zoning, and future development areas.

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