

**ZONING AMENDMENT,
& SUBDIVISION STAFF REPORT****Date: September 6, 2007****APPLICANT NAME**

Fowler Industrial Subdivision

SUBDIVISION NAME

Fowler Industrial Subdivision

LOCATION

4505 Halls Mill Road
(Southeast corner of Halls Mill Road and Laughlin Drive;
extending to the Northeast corner of Laughlin Drive and
Laughlin Court)

**CITY COUNCIL
DISTRICT**

District 4

PRESENT ZONING

B-3, Community Business District

PROPOSED ZONING

I-1, Light Industry District

AREA OF PROPERTY

2-lots/2.7± Acres

CONTEMPLATED USE

Subdivision approval to create 2 lots, and Zoning approval to rezoning from B-3, Community Business District, to I-1, Light-Industry District, to allow the expansion of a storage yard for a scaffolding company.

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 the split zoning due to the proposed expansion of the legal lot.

**TIME SCHEDULE
FOR DEVELOPMENT**

No schedule provided.

**ENGINEERING
COMMENTS**

Must comply with all storm water and flood control ordinances. The existing drainage pipe located in the 15' drainage easement will be required to be replaced with a hydraulically equivalent reinforced concrete pipe if any traffic (driveway, parking lot, etc.) is proposed across or located within the drainage easement. Any work performed in the right of way will require a right of way permit.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Minimum driveway width is twenty-four feet with twenty foot radii. Changes should be made to the existing driveway to accommodate City of Mobile 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 2003 International Fire Code, including Appendices B through D, with local amendments, and the 2003 International Existing Building Code, as appropriate. All portions of all facilities or buildings shall be within 400 feet of a fire hydrant as measured by an approved route.

REMARKS

The applicant is requesting Subdivision approval to shift an interior lot line between two existing legal lots of record, and Zoning approval to rezone the site from B-3, Community Business District, to I-1, Light-Industry District, to allow the expansion of a storage yard for a scaffolding company. Light-industrial parks are allowed by right in I-1 districts.

The B-3 site is currently developed and used as a plumbing contractor's office and storage yard and rezoned from R-1 to B-3, Community Business District, in December 1980. The remainder of the site was rezoned from R-1, Single-Family Residential to I-1, Light Industrial in October, 2007 to create a 14-lot industrial park.

The site is bounded to the West by vacant land in an R-1 district, to the North and East by businesses and vacant land located in a B-3 district, and to the South by the industrial park created in 2007 in an I-1 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 applicant states that the expansion of the existing B-3 building site makes reclassification of the land necessary and desirable. However, the existing site has a current business license for a plumbing contractor (Fowler's Plumbing). Plumbing contractor's office including storage of

plumbing material is allowed by right in B-3 districts; therefore, the rezoning of the remainder of proposed Lot 1 *should* be rezoned to B-3 instead of the request for I-1 zoning.

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.

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 site fronts onto Halls Mill Road and Laughlin Drive, both are illustrated on the preliminary plat as providing 60-feet of right-of-way. It should be noted that 70-feet of right-of-way is required on sites fronting Halls Mill Road; therefore, the dedication of sufficient right-of-way providing 35-feet from the centerline of Halls Mill Road would be required. Additionally, dedication of appropriate radius at the intersection of Halls Mill Road and Laughlin Drive

RECOMMENDATION

Rezoning: The Rezoning request is recommended as a B-3, Community Business District, subject to the following conditions:

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

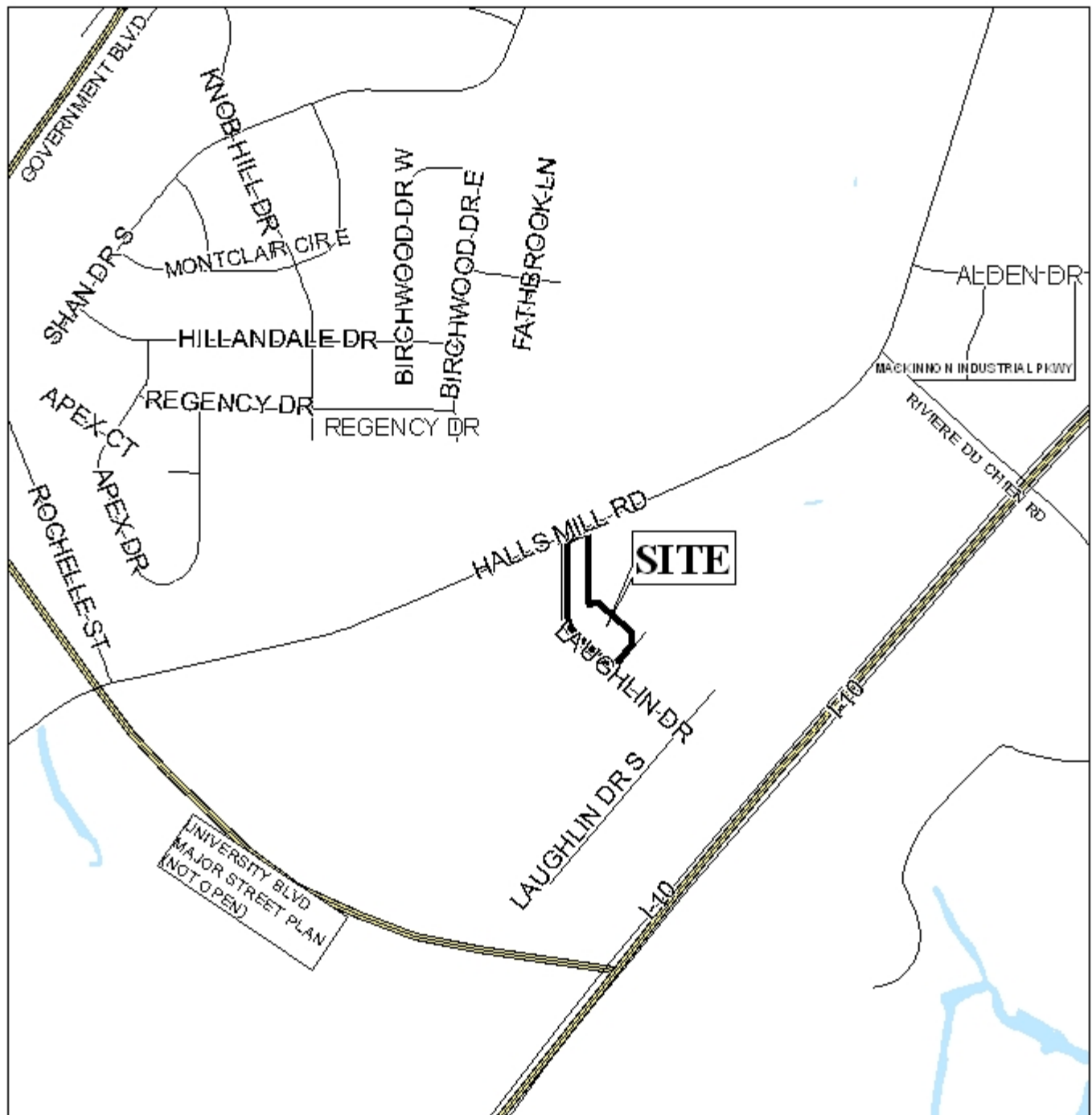
Subdivision: Based on the preceding, the plat meets the requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) dedication of sufficient right-of-way to provide 35-feet from the centerline of Halls Mill Road;
- 2) dedication of appropriate radius at the intersection of Halls Mill Road and Laughlin Drive as required by Traffic Engineering;
- 3) placement of a note on the Final Plat stating that Lot 1 is allowed the existing curb cut along Halls Mill Road and one curb cut along Laughlin Drive, with the size, location and design to be approved by Traffic Engineering and to conform to AASHTO standards;
- 4) the labeling of each lot with its size in square feet, or placement of a table on the plat with the same information;
- 5) compliance with Engineering comments (*Must comply with all storm water and flood control ordinances. The existing drainage pipe located in the 15' drainage easement will be required to be replaced with a hydraulically equivalent reinforced concrete pipe if any*

traffic (driveway, parking lot, etc.) is proposed across or located within the drainage easement. Any work performed in the right of way will require a right of way permit.); and

- 6) full compliance with all other municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 22 & 23 DATE November 5, 2009

APPLICANT Fowler Industrial Subdivision

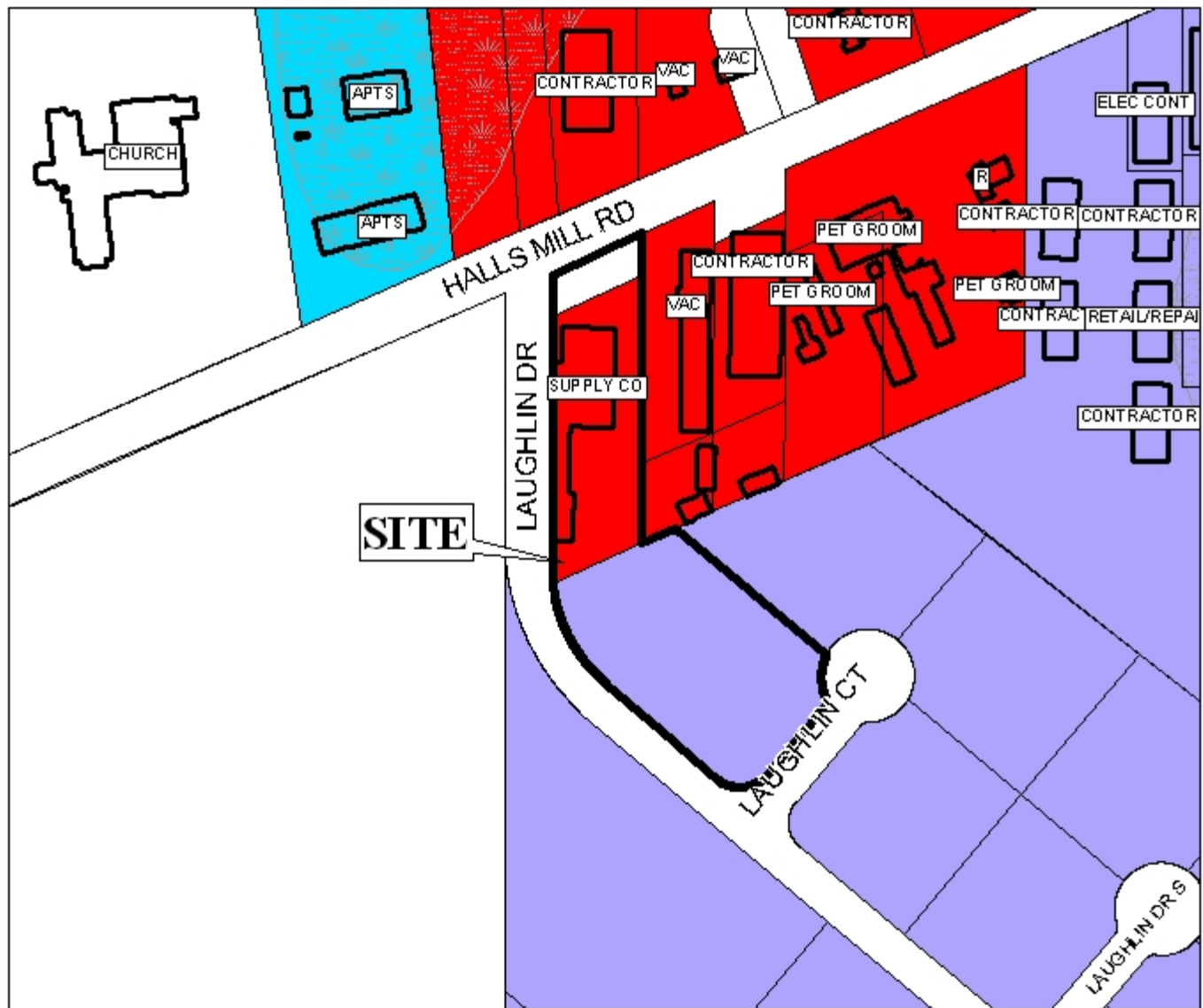
REQUEST Subdivision, Rezoning from B-3 to I-1

N



NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There are contractors to the north and east of the site, a vacant building to the east, vacant land to the south, and apartments to the northwest.

APPLICATION NUMBER 22 & 23 DATE November 5, 2009

APPLICANT Fowler Industrial Subdivision

REQUEST Subdivision, Rezoning from B-3 to I-1

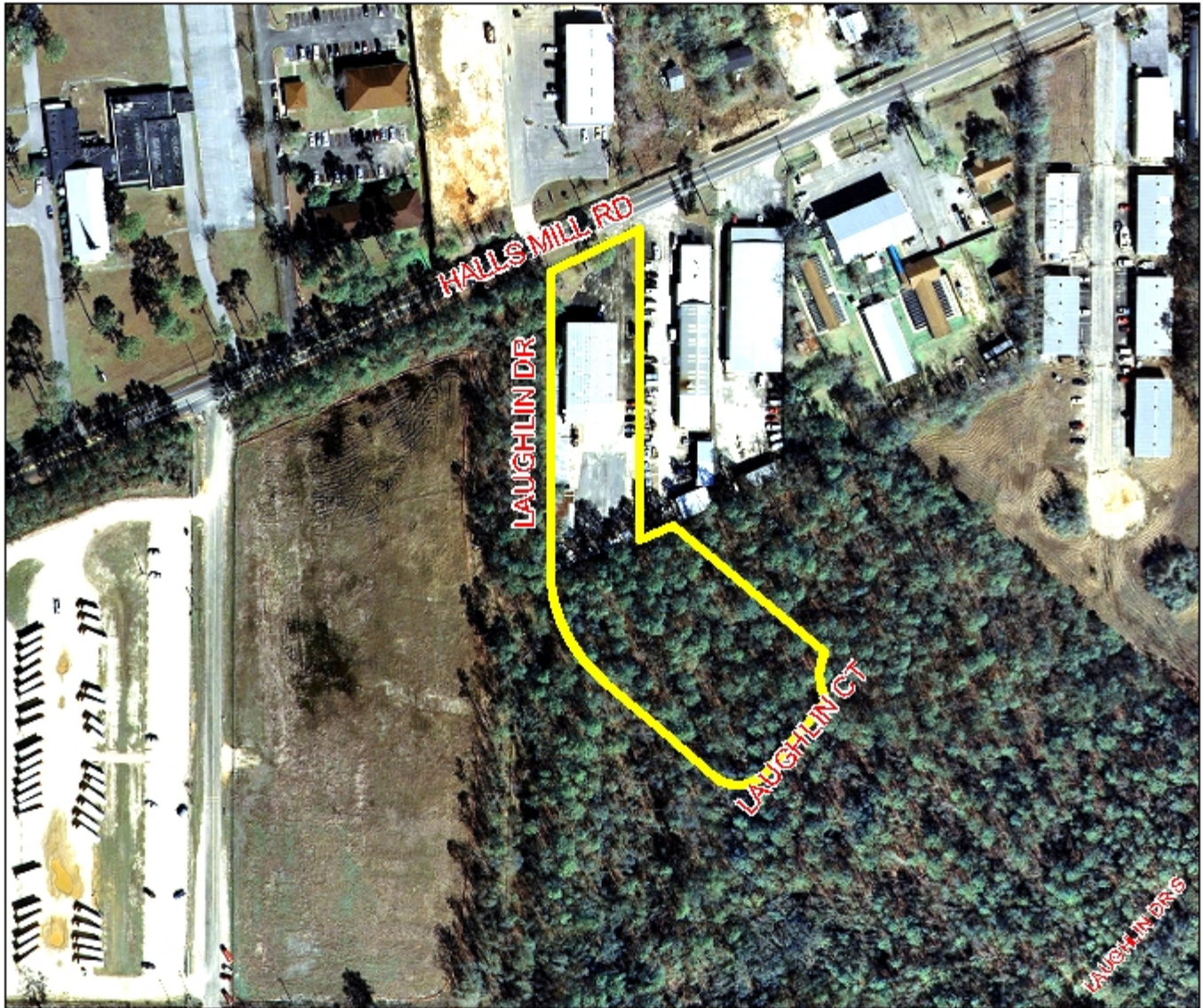
LEGEND

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

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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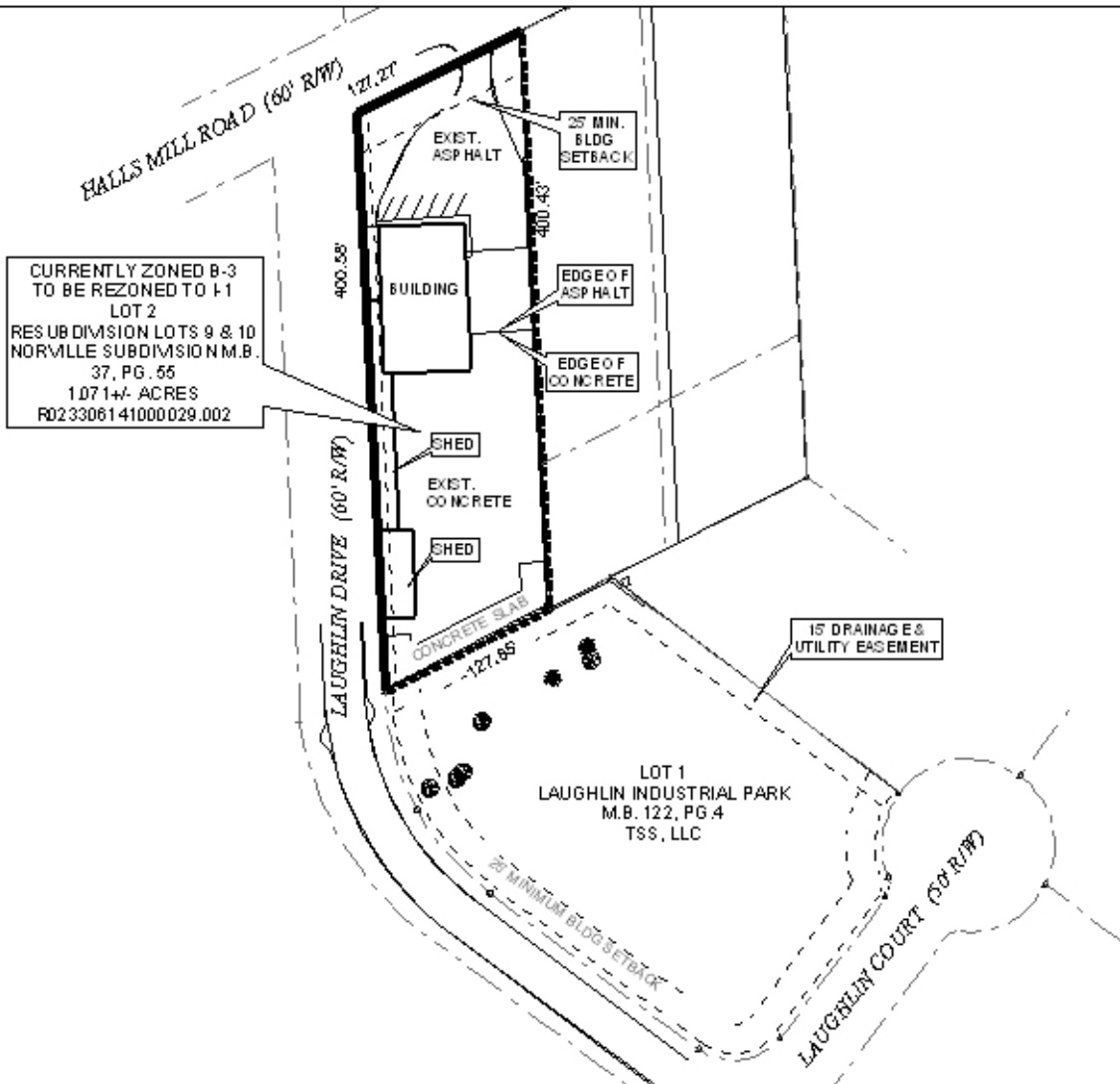
APPLICANT Fowler Industrial Subdivision

REQUEST Subdivision, Rezoning from B-3 to I-1



NTS

SITE PLAN



The site plan illustrates the existing structures, easements, setbacks, drives, and area of rezoning request.

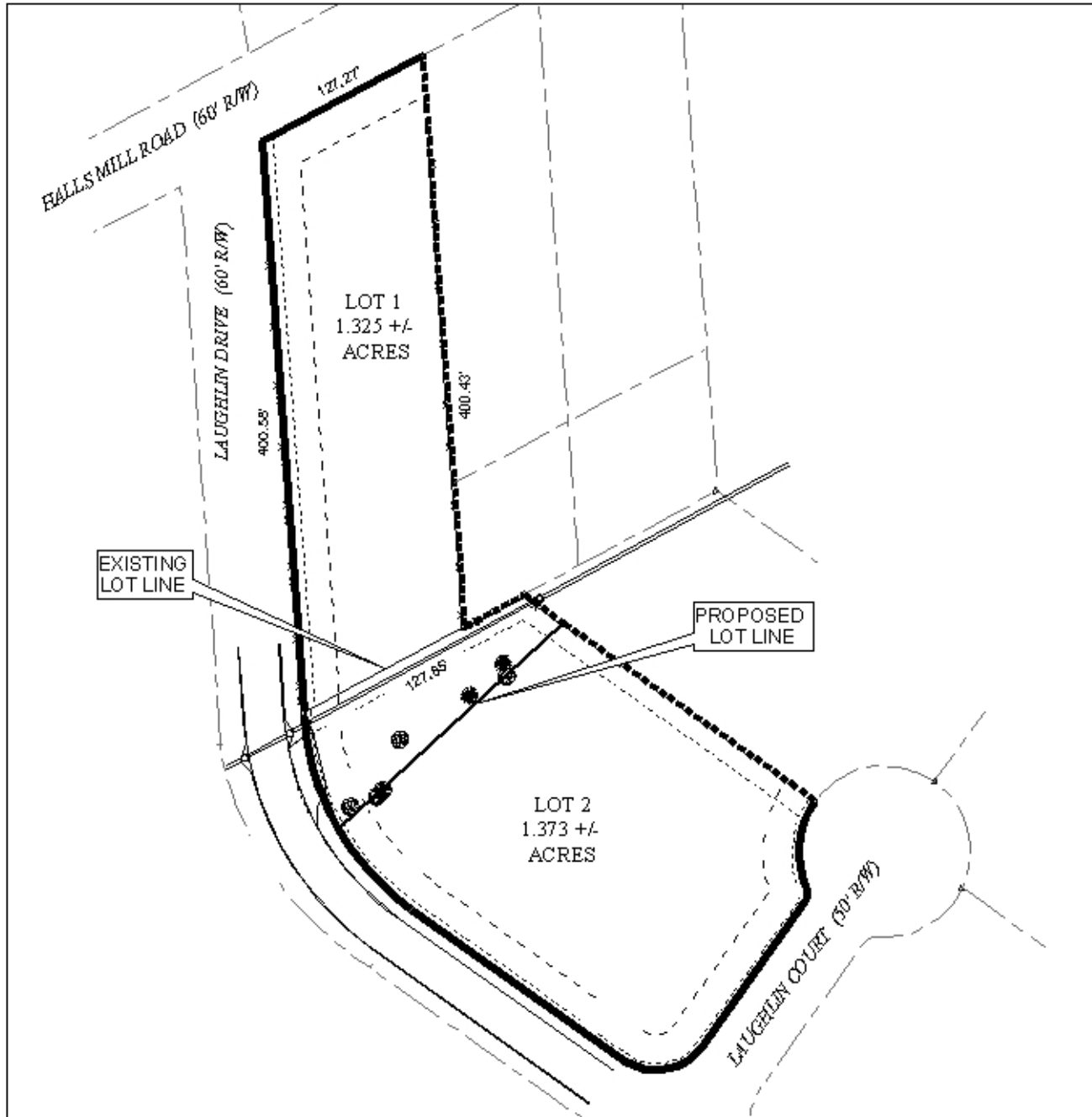
APPLICATION NUMBER 22 & 23 DATE November 2, 2009

APPLICANT Fowler Industrial Subdivision

REQUEST Subdivision, Rezoning from B-3 to I-1

N
NTS

SUBDIVISION DETAIL



APPLICATION NUMBER 22 & 23 DATE November 5, 2009

APPLICANT Fowler Industrial Subdivision

REQUEST Subdivision, Rezoning from B-3 to I-1

N
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