



SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Director of Planning & Zoning

SUBJECT: Z2015-03 16961 State Highway 180 Rezoning BN to BG

DATE: January 4, 2016

ISSUE: Mr. Brooks Delaney representing Southland Gulf LLC proposes to rezone approximately 2.99 acres of land at 16961 State Highway 180 from Neighborhood Business (BN) to General Business.

BACKGROUND: The property is located on Ft. Morgan Road immediately east of the South Alabama Sewer Service plant and was legislatively annexed on June 9, 2011. Upon annexation the property was given the automatic zoning designation of Medium Density Single Family Residential (R-1-4). The property is developed with a commercial building, mini-storage warehouses, a warehouse, and a mobile home. The city rezoned all properties which were currently being utilized for commercial purposes to BN, the most restrictive commercial zoning district, on February 27, 2012.

PLANNING COMMISSION: At their December 15, 2015 meeting the Commission voted unanimously (8-0) to recommend approval of this rezoning application to the City Council.

RECOMMENDATION: Staff recommends the City Council rezone 16961 State Highway 180 from Neighborhood Business (BN) to General Business (BG) subject to the conditions contained in the staff report.

ATTACHMENTS: Staff Report, Applicant Request Letter, Property Survey



TO: Mayor Robert Craft and
Members of the City Council

DATE: January 4, 2016

FROM: Andy Bauer, AICP
Director of Planning & Zoning

SUBJECT: Z2015-03 16961 State Highway 180 Rezoning BN to BG

OVERVIEW: Mr. Brooks Delaney representing Southland Gulf LLC proposes to rezone approximately 2.99 acres of land at 16961 State Highway 180 from Neighborhood Business (BN) to General Business (BG). The property owners have expressed an interest in providing additional warehousing space.

BACKGROUND: The property was legislatively annexed on June 9, 2011, and given the automatic zoning designation of Medium Density Single Family Residential (R-1-4). The city then rezoned all properties which were currently being utilized for commercial purposes to BN, the most restrictive commercial zoning district, on February 27, 2012.

Planning Commission: At their December 15, 2015 meeting the Commission voted unanimously (8-0) to recommend approval of this rezoning application to the City Council with conditions. The applicant was present at the Planning Commission meeting and is in agreement with the conditions.

ANALYSIS: In analyzing this rezoning request, staff has compared the proposed rezoning to the existing zoning surrounding the subject property, analyzed the proposal versus the recommendations of the City's Future Land Use Plan, and anticipated the impact to the adjacent land uses and zoning.

Land Use Plan: The Land Use Plan designates this area along State Highway 180 as Low Residential. Land use designations are general guidelines indicating desirable land use patterns for Gulf Shores and should not be interpreted to propose, approve, deny or preclude any particular action without full consideration of the city. One of the four (4) major themes of the Land Use Plan is to plan for and site commercial activity centers in a way that will support and complement residential neighborhoods.

Current Zoning: The applicant is seeking to rezone this property from BN to BG in order to bring some of the existing uses into conformance with the use regulations of the zoning ordinance and to allow for future development of the property. Only one (1) of the four existing uses, the retail/office building is allowed by the BN zoning district. The warehouse, mini-storage buildings, and mobile home residence are not allowed by the BN zoning district. Additionally, the BN zoning district only allows for a maximum gross floor area of 10,000 square feet and the total gross floor area of the structures on the property is approximately 14,500 square feet therefore no future development can occur on the property.

Please note that the requested BG zoning district will not bring the mobile home into conformity. It is currently occupied by the caretaker of the property and at such time the mobile home becomes vacant, it will be removed from the site.



Surrounding Property Zoning: The site is surrounded by Medium Density Single Family Residential (R-1-4) zoning. To the west is the South Alabama Sewer Service Corporation's sewer plant. East and north of the site is zoned R-1-4 and is heavily wooded, vacant land which is also owned by the applicant. To the south, across State Highway 180, is zoned Medium Density Single Family Residential (R-1-4) and is the Brigadoon Heights subdivision.

FACTS TO CONSIDER:

- General Business will allow for more intensive uses by right.
- If rezoned to BG future development of the property will require the site to be brought into code with the Zoning Ordinance including extensive buffering from the residentially zoned property to the north and east.
- The subject property is completely buffered from the existing single family uses in the surrounding area and is not likely to develop in any manner except for commercial due to the location of the sewer plant directly to the west.
- The existing uses, with the exception of the mobile home, will become conforming and can be expanded with the rezoning of the property to General Business.
- The property offers commercial uses to an area of the City that is predominantly zoned and developed as single family residential.

RECOMMENDATION: Staff recommends the City Council approve the rezoning of this property from BN to BG with the following improvements being made to the property:

1. The gravel parking spaces in front of the commercial building shall be delineated with wheel stops.
2. Six (6) shrubs every 20 feet shall be installed to screen the commercial building parking lot from State Highway 180.
3. The dumpster shall be moved behind the front building line and screened by a minimum six (6) foot tall gated enclosure.
4. All outdoor storage located behind the warehouse shall be placed within the building or screened with minimum six (6) foot tall privacy fence.

SOUTHLAND GULF

16 Midtown Park East
Mobile, Alabama 36606
Telephone: (251) 476-0700
Fax: (251) 476-0026

October 5, 2015

Rezoning Request- 16961 Alabama Highway 180

To Whom It May Concern:

Please accept this narrative description of the request to rezone the aforementioned property owned by Southland Gulf LLC. The subject property is approximately 3.1 acres in size, and is currently improved with a multi-tenant office/retail building (approximately 4,500 square feet), a metal warehouse building (approximately 2,500 square feet), and two mini-storage buildings (approximately 7,500 square feet). It is our understanding that this property was legislatively annexed into the City of Gulf Shores a couple of years ago, and that the current improvements were in existence at the time of annexation. The property does not currently meet the requirements of its current Neighborhood Business zoning, and therefore is considered a non-conforming use.

We would like to request the property be rezoned to General Business (GB), in an effort to better align the current use and improvements of the property with the uses allowed under the General Business zoning regulations. We feel that the current non-conforming use status significantly limits our ability to effectively market, lease, and improve our property.

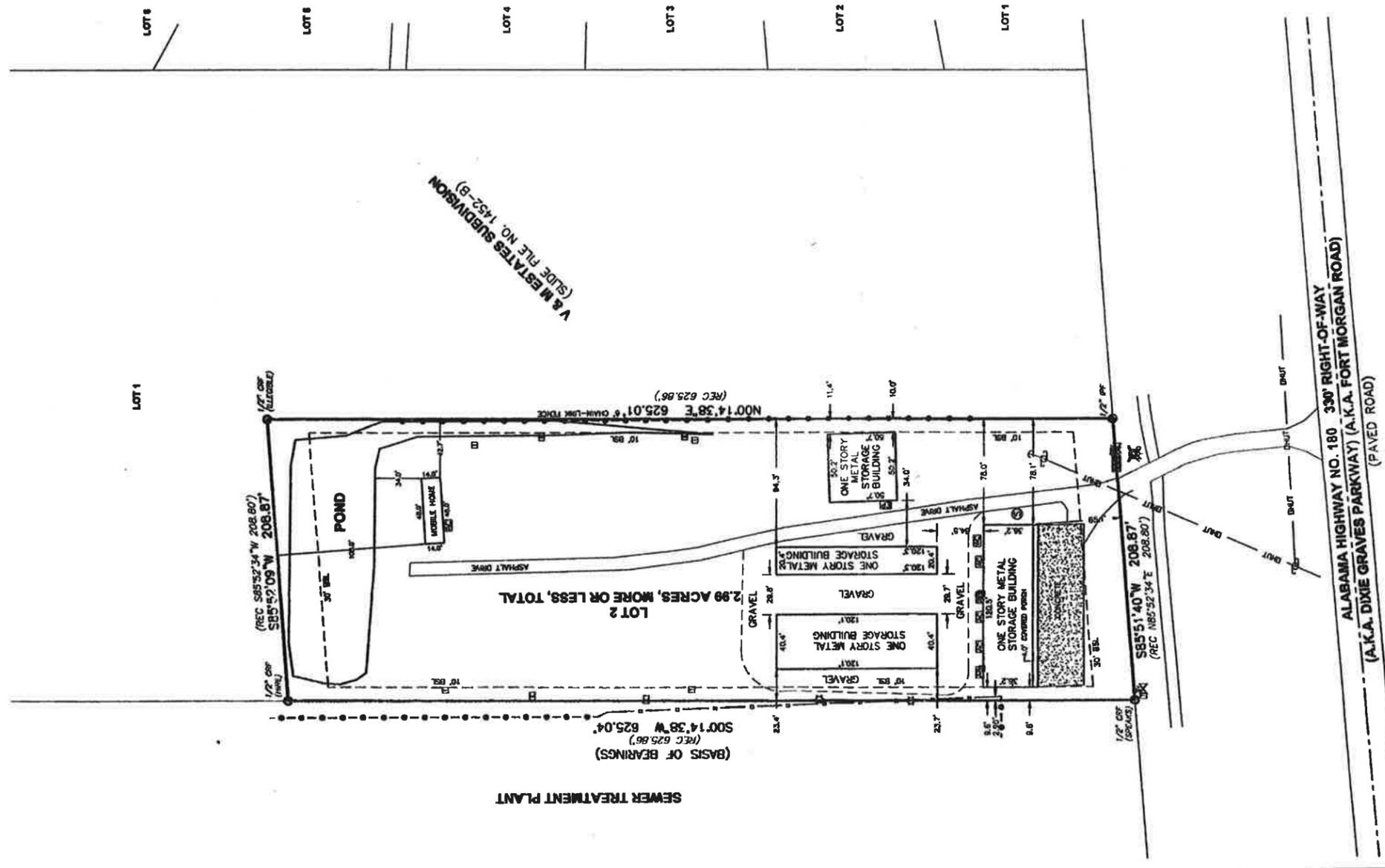
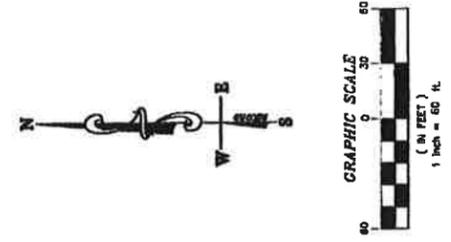
Your consideration in this request is greatly appreciated.

Sincerely,



Brooks DeLaney

PROPERTY IS LOCATED IN THE SE 1/4 OF SECTION 14,
TOWNSHIP 9 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.



- LEGEND:**
- ☉ = SEWER GRINDER PUMP
 - ⊖ = ELECTRIC PANEL
 - ⊕ = AIR CONDITIONER
 - ⊗ = FIRE HYDRANT
 - ⊞ = SEWER VALVE
 - ⊠ = TELEPHONE PEDESTAL
 - ⊡ = GAS VALVE
 - ⊣ = CITY WIRE
 - ⊤ = UTILITY POLE
 - ⊥ = WATER METER
 - ⊦ = WATER VALVE
 - ⊧ = LIGHT POLE
 - ⊨ = IRON PIN FOUND
 - ⊩ = CAPPED REBAR FOUND
 - ⊪ = ALSO KNOWN AS
 - ⊫ = CHAIN-LINK FENCE
 - ⊬ = WOOD FENCE
 - ⊭ = OVERHEAD UTILITY LINE
 - ⊮ = PLAY OR MAP RECORD BEARING & DISTANCE
 - ⊯ = SURVEY BY HIRE SURVEYING, INC DATED NOVEMBER 1993
 - ⊰ = CHAIN-LINK FENCE
 - ⊱ = WOOD FENCE

SURVEYOR'S NOTES:

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. BEARINGS AS OBTAINED BY THE SURVEYOR WERE CORRECTED FOR LOCAL MAGNETIC DECLINATION.
3. THERE MAY BE UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
4. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
5. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
6. THIS SURVEY WAS COMPLETED ON NOVEMBER 22ND, 2015, AND IS RECORDED IN FIELD BOOK #285, AT PAGE 62, AND IN AN ELECTRONIC DATA FILE.
7. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES.
8. THE ELEVATIONS SHOWN HEREON ARE RELATED TO MEAN SEA LEVEL (NOVD 88) AS TAKEN FROM BALDWIN COUNTY GPS STATION NO. XXX (ELEVATION XXX.XX).
9. THIS SURVEY IS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY.

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
COUNTY OF BALDWIN

WE, PREBLE-RISH, LLC, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

"LOT 2, V. AND M. ESTATES SUBDIVISION, BALDWIN COUNTY, ALABAMA, AS FOUND RECORDED ON SLIDE 1452-B, IN THE OFFICE OF THE JUDGE OF PROBATE OF SAID COUNTY."

(DESCRIPTION COPIED FROM THAT WARRANTY DEED RECORDED AT INSTRUMENT NO. 1388553).

WE FURTHER STATE THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE MAY 7, 2002.

PREBLE-RISH, LLC
DAVID E. DIEHL
AL. P.L.S. No. 26014
11-9-2015

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



REVISIONS	ISSUE DATE	FIELD DATE	FIELD BOOK & PAGE

BOUNDARY SURVEY

SOUTHLAND GULF LLC

PREBLE-RISH LLC.
CONSULTING ENGINEERS & SURVEYORS
CIVIL - SURVEYING - BETA TRAINING

DATE: 11/9/2015
SCALE: 1" = 60'
DRAWN BY: JWF
CHECKED BY: DEH
SECTION 14, T-9-S, R-3-E
BALDWIN COUNTY, ALABAMA
PROJECT: 0010305.DWG
REF: J - 076989
DWG: J 0010305.DWG
SHEET NO. 1 OF 1

FILE COPY