

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: April 6, 2023****NAME**

Joel Ford

LOCATION4580 Shipyard Road
(West side of Shipyard Road, 413'± North of Higgins Road).**PRESENT ZONING**

B-5, Office-Distribution District (rezoning pending)

ENGINEERING**COMMENTS**

It appears that there is sufficient room behind the existing drainage ditch for the construction of a sidewalk that could be approved through the Land Disturbance Permitting process.

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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

FIRE DEPARTMENT**COMMENTS**

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along Shipyard Road.

The site has been given a Heavy Industry (HI) land use designation, per the Future Land Use Plan and Map, adopted on May 18, 2017 by the Planning Commission. 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.

The site was the subject of a one-lot Subdivision and Rezoning from B-3, Community Business District and B-5, Office-Distribution District to B-5 at the Planning Commission's February 15, 2023 meeting, where the Subdivision was tentatively approved, and the Rezoning was recommended to the City Council for approval. The public hearing for the rezoning is scheduled on April 18th. The subject site had a sidewalk waiver approved by the Planning Commission at its July 16, 2020 meeting.

The applicant states the following concerning the sidewalk waiver request:

- 1) The standard location of the required sidewalk (1' inside the R.O.W. line) would have the sidewalk being in the existing roadside ditch.*
- 2) There are no existing sidewalks on either side of the site and the area is not considered to be in an area where pedestrian traffic is expected.*

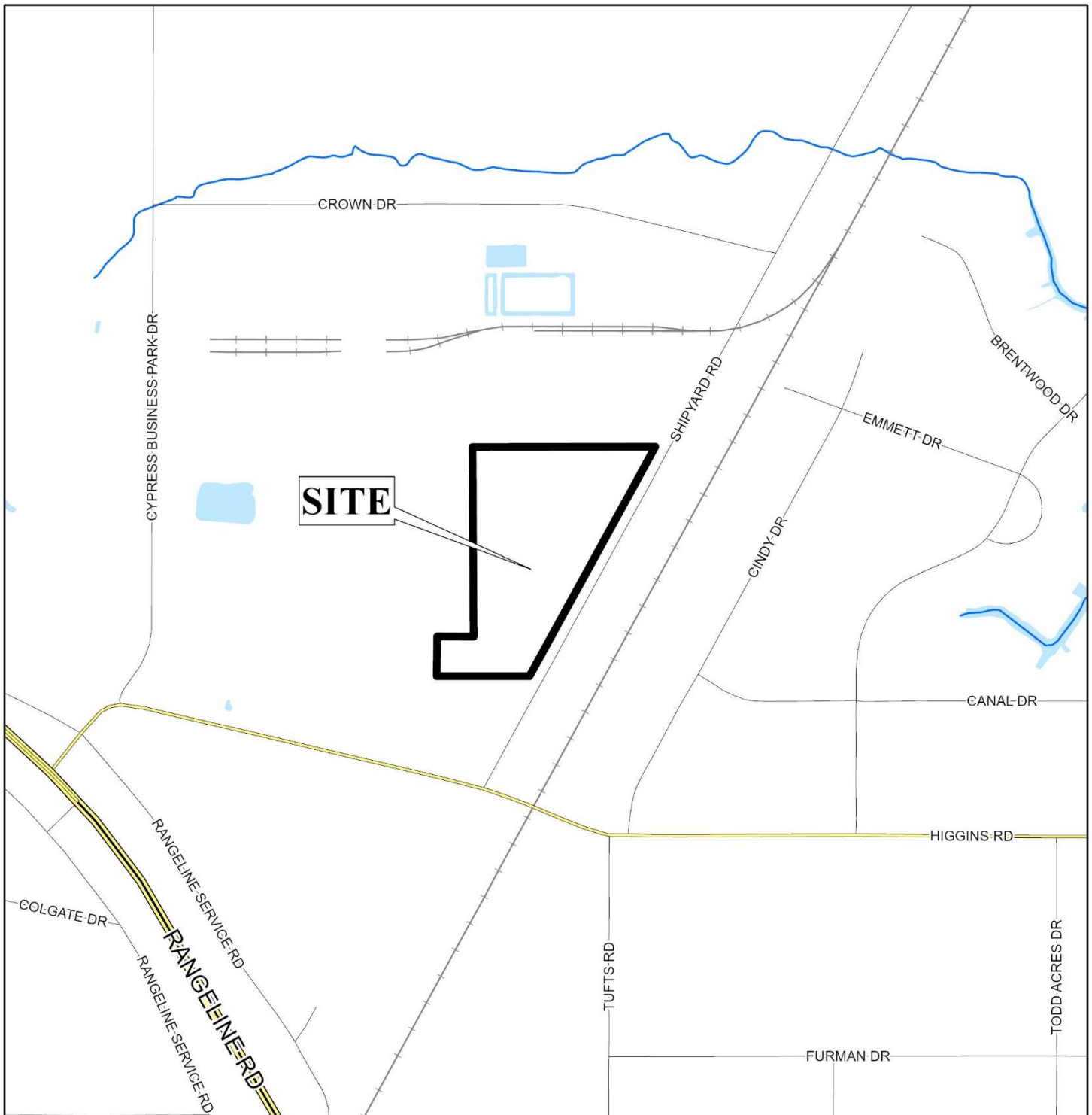
It should be pointed out that the Mobile City Council adopted a "complete streets" policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities.

While sidewalks are typically encouraged, even in industrial developments, the appropriateness of sidewalks should also take into account the existing infrastructure in the area, i.e., does the construction of the existing roadway safely allow for a sidewalk to be utilized. However, the developed portion of the site received a sidewalk waiver from the Planning Commission in 2020. The site at the corner of Shipyard Road and Higgins Road was granted a sidewalk waiver by the Planning Commission in 1999, and the property adjacent to the North of the site, extending to Crown Drive, was developed prior to annexation into the City. Therefore, potential for a continuous sidewalk along the Westside of Shipyard Road, between Higgins Road and Crown Drive is highly improbable, as there will be only one undeveloped lot (148-feet wide) remaining in this block.

RECOMMENDATION

Based upon the preceding, this application for waiver of a sidewalk along Shipyard Road is recommended for Approval.

LOCATOR MAP



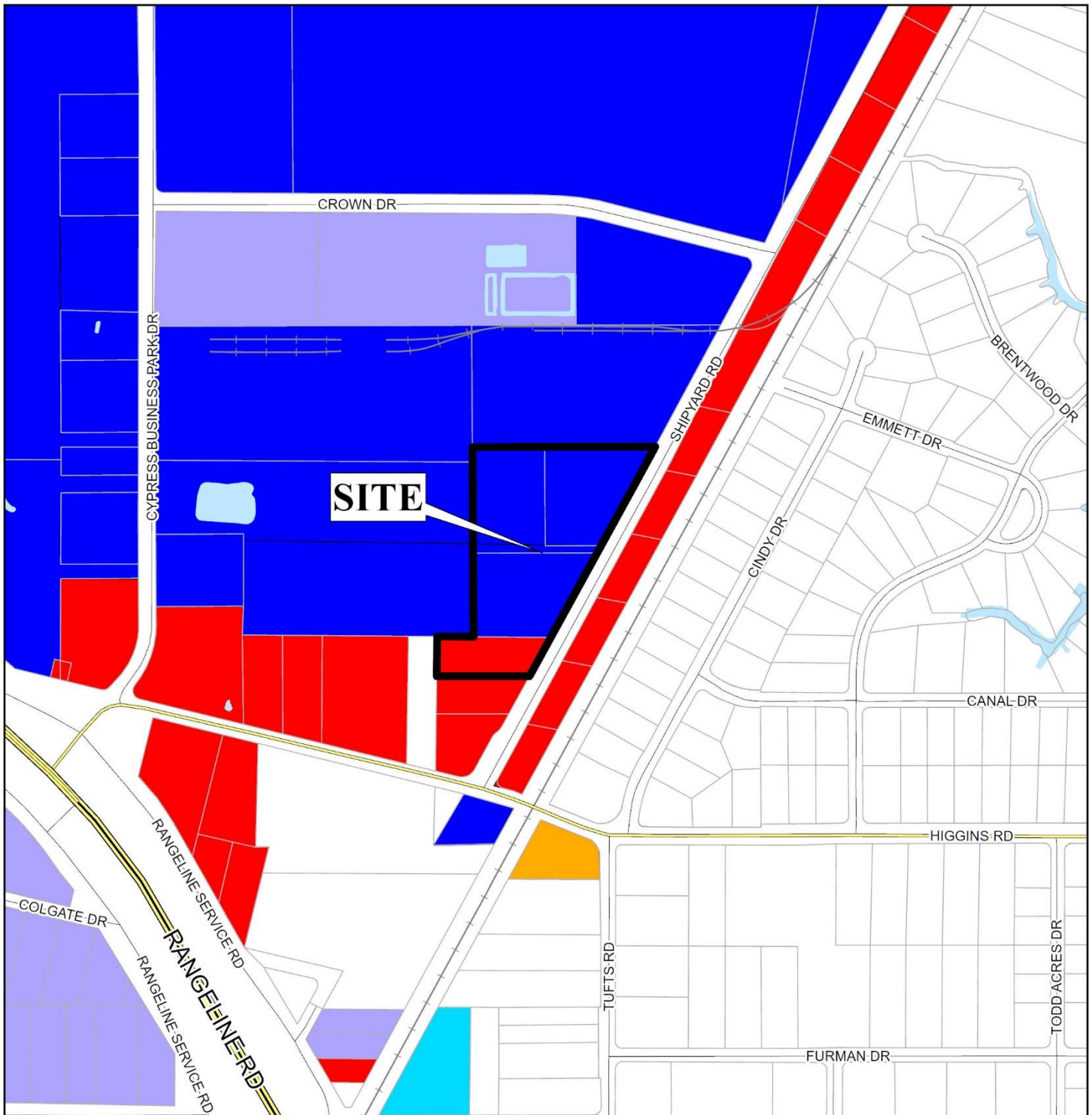
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LOCATOR ZONING MAP



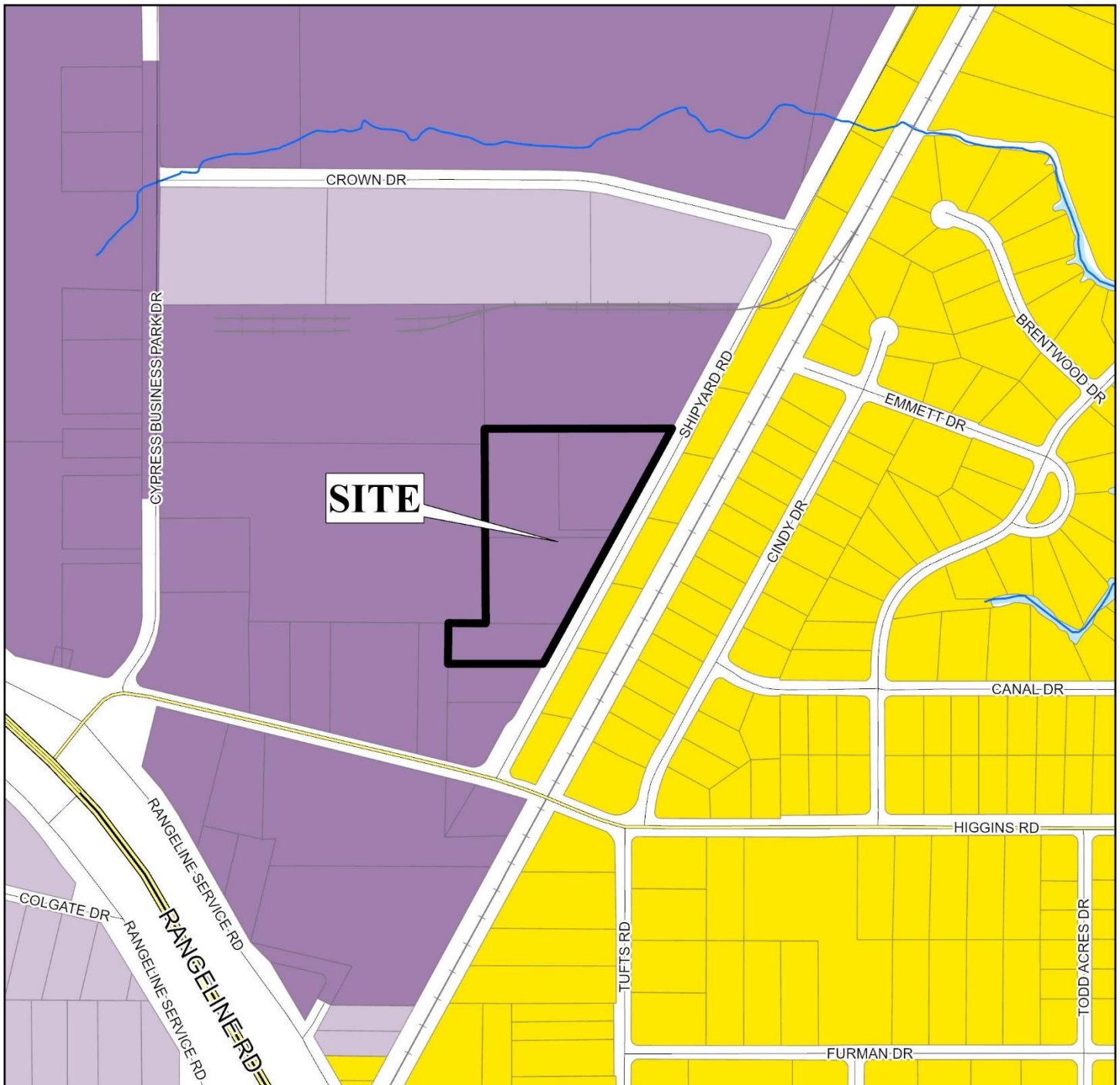
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FLUM LOCATOR MAP



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Layer2

Low Density Residential
Mixed Density Residential

Downtown
District Center
Neighborhood Center - Traditional
Neighborhood Center - Suburban

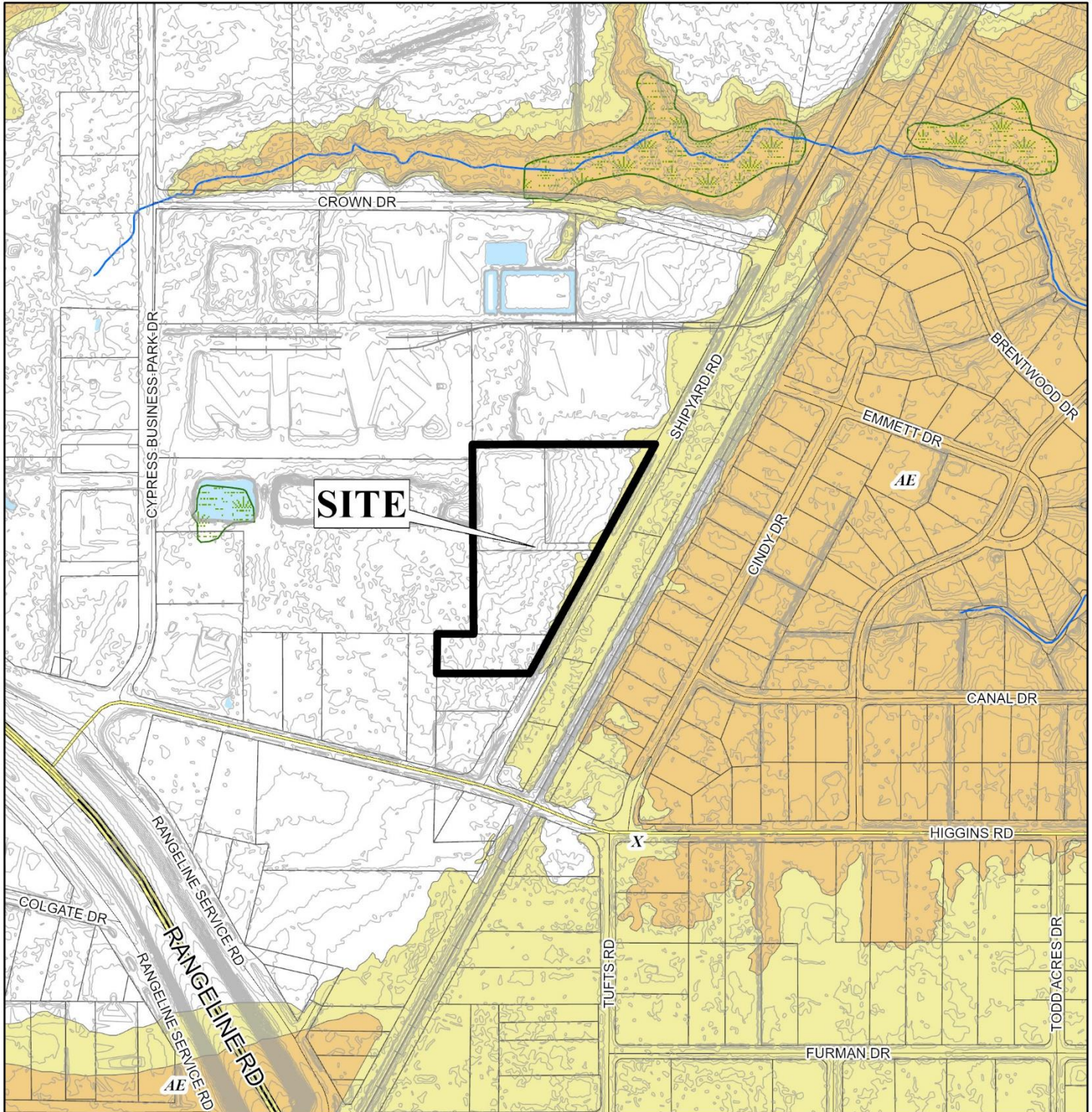
Traditional Corridor
Mixed Commercial Corridor
Downtown Waterfront
Light Industry

Heavy Industry
Institutional
Parks & Open Space
Water Dependent



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ENVIRONMENTAL LOCATOR MAP



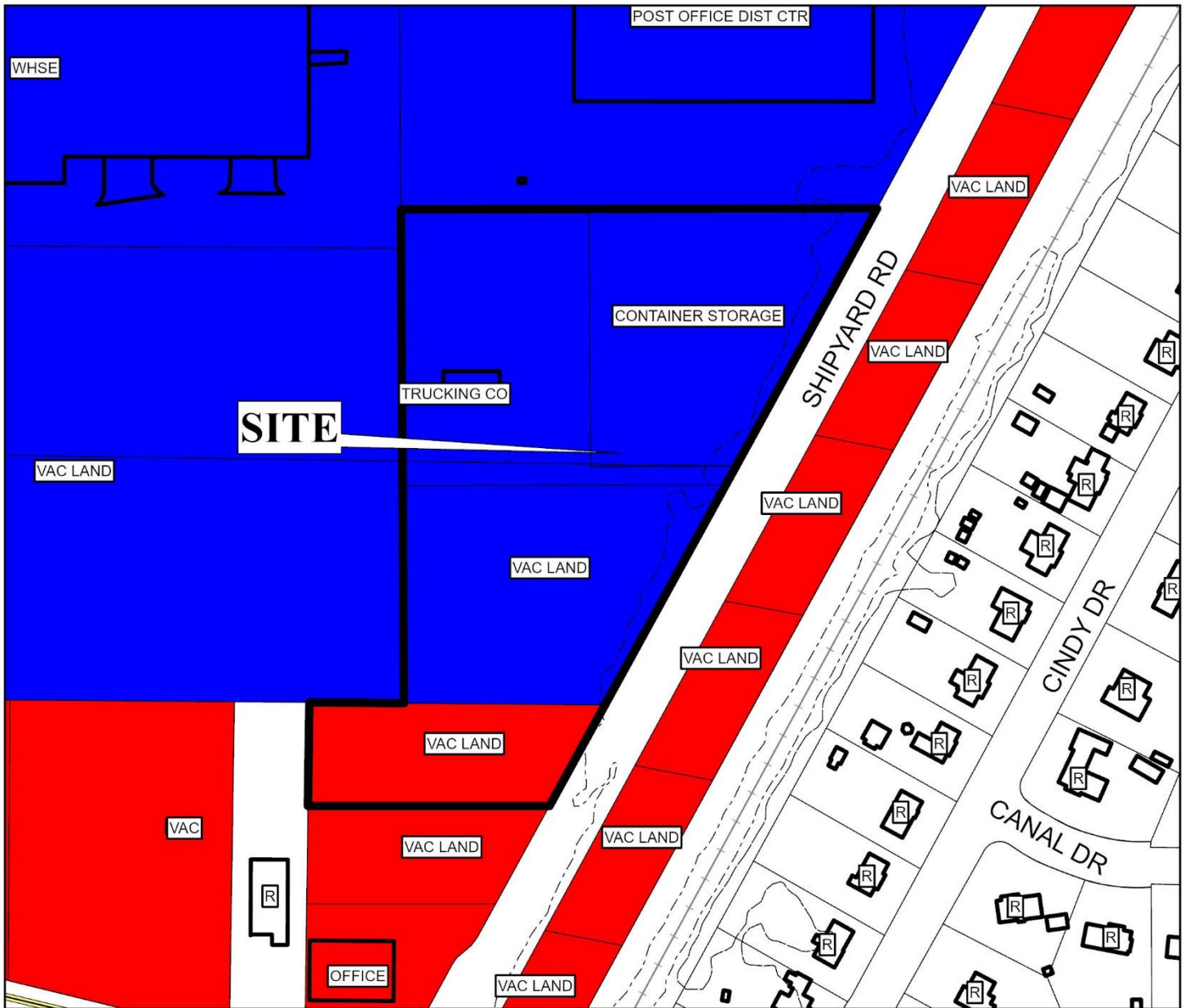
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units to the west and residential units to the east.
A single residence lies south of the site.

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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 commercial units to the west and residential units to the east. A single residence lies south of the site.

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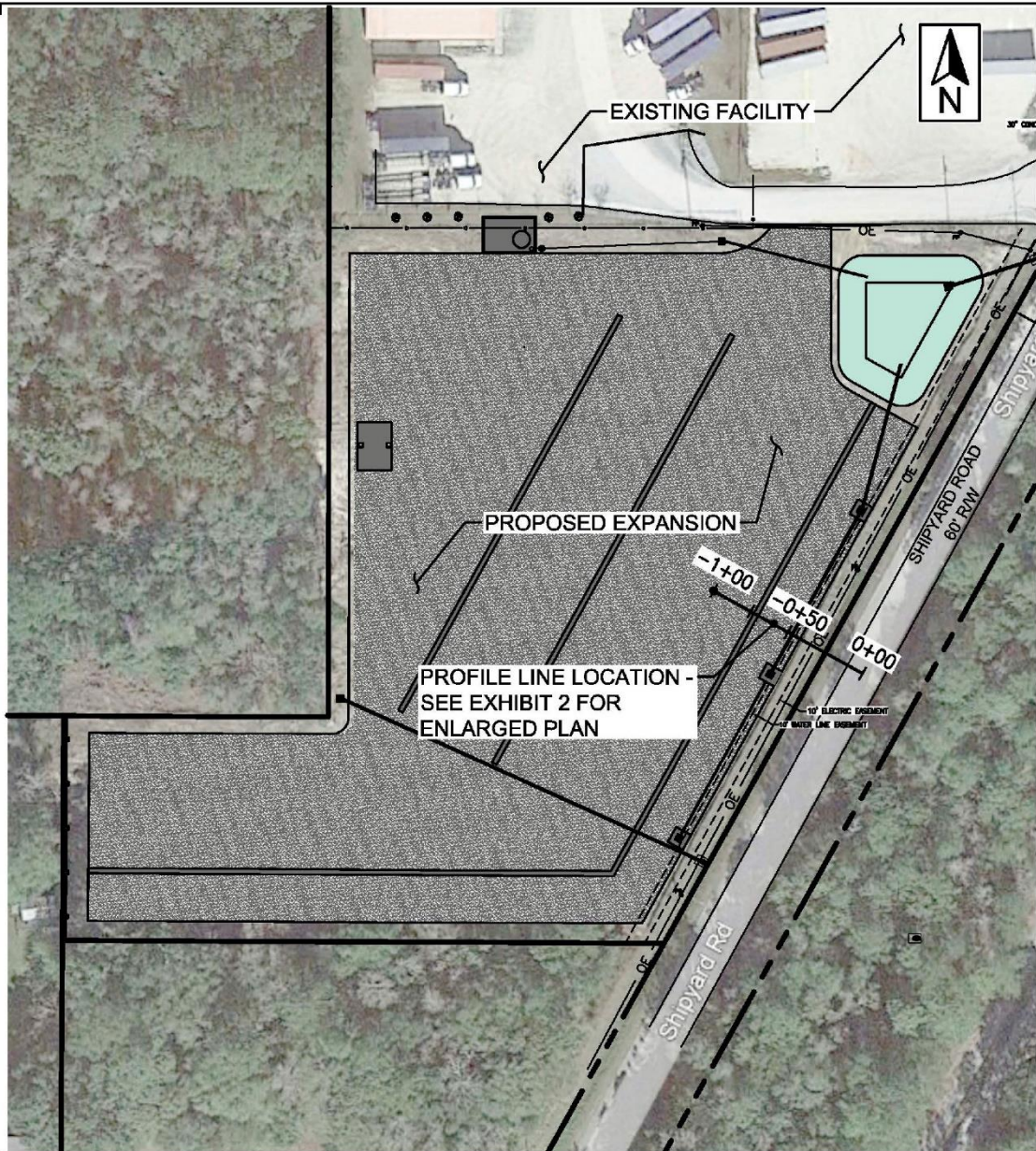
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SITE PLAN



The site plan illustrates a portion of the existing facility, and the proposed expansion area.

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DETAIL SITE PLAN

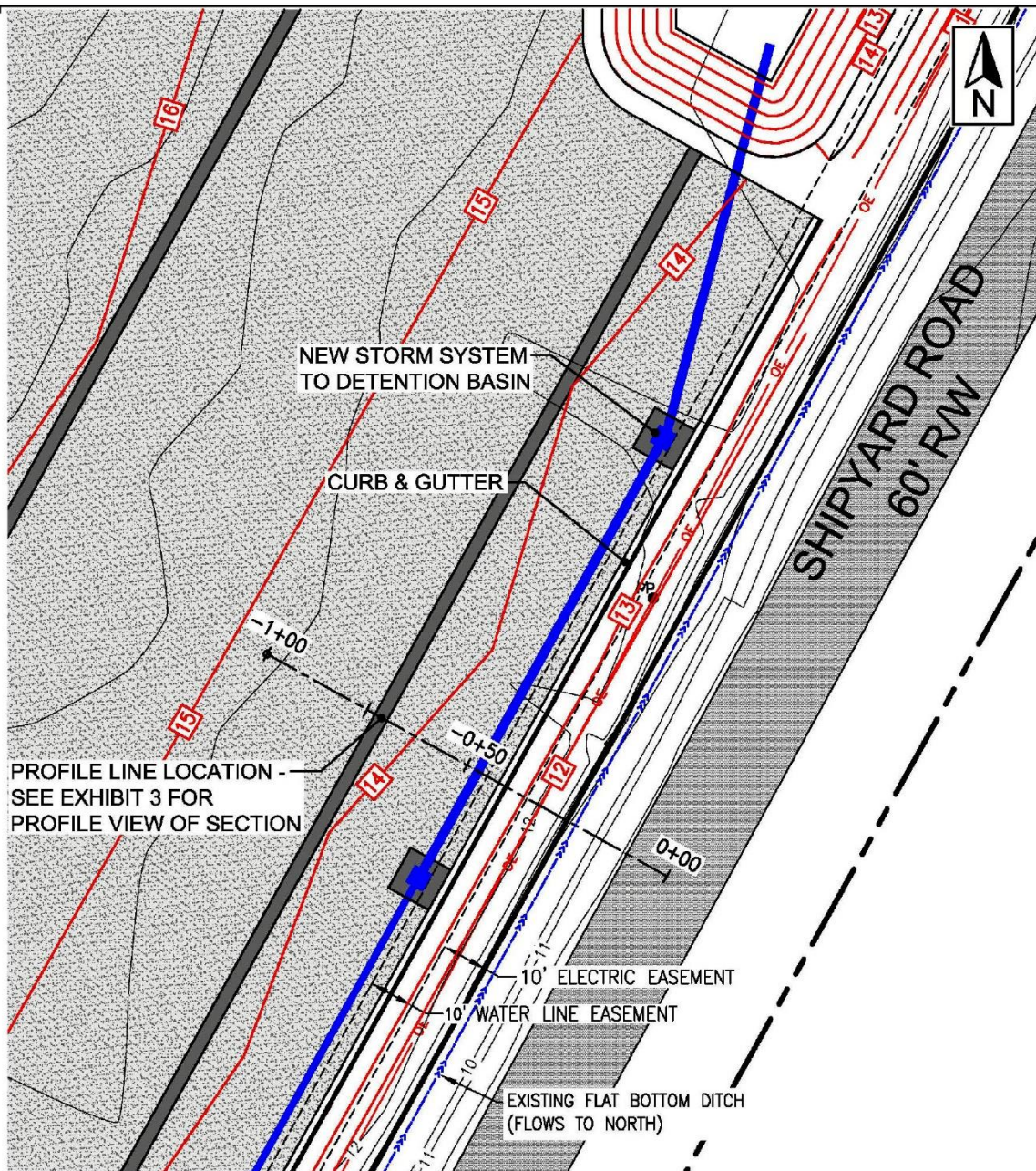


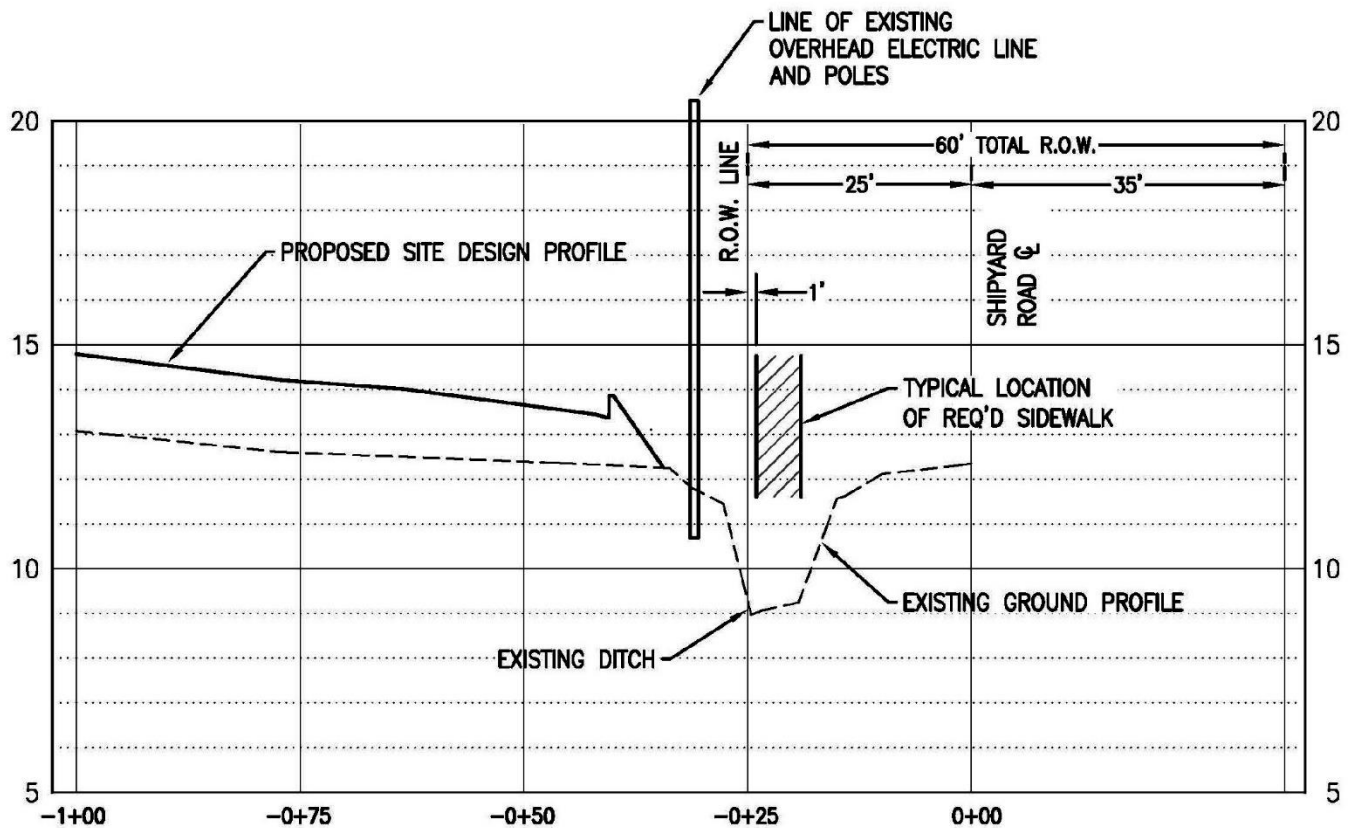
EXHIBIT '2'
ENLARGED PLAN OF PROFILE LINE LOCATION

1" = 30'

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DETAIL SITE PLAN



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