

**SUBDIVISION &  
SIDEWALK WAIVER STAFF REPORT****Date: January 5, 2023****APPLICANT NAME**

Duff Real Estate, LLC

**SUBDIVISION NAME**

Southern Tire Mart Subdivision

**LOCATION**1400 East I-65 Service Road North  
(Northeast corner of East I-65 Service Road North and Georgia Pacific Avenue).**CITY COUNCIL  
DISTRICT**

Council District 1

**PRESENT ZONING**

I-1, Light Industry District

**AREA OF PROPERTY**

1 Lot / 29.4± Acres

**CONTEMPLATED USE**

Subdivision Approval to create one (1) legal lot of record from one (1) existing metes-and-bounds parcel; and Sidewalk Waiver request to waive construction of a sidewalk along East I-65 Service Road North and Georgia Pacific Avenue.

**ENGINEERING  
COMMENTS****Subdivision:** FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Revise the name of the drawing submitted. It is labeled "TOPOGRAPHIC SURVEY".
- C. Provide a Subdivision Name on the PLAT.
- D. Provide a designation for the PROPOSED LOT (i.e. LOT 1, LOT A).
- E. Revise the plat to label each lot with its size in acres and square feet, or the furnishing of a table on the Plat providing the same information.
- F. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state.
- G. Show and label all flood zones. New maps went into effect on June 5, 2020.
- H. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 32.

- I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- J. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #68) the PROPOSED LOT will receive the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control. The lots will be allowed to add the following amount of impervious area before storm water detention is required: PROPOSED LOT – NONE.
- K. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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.
- L. Add a note that 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.
- M. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- N. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- O. Add a note that all easements shall remain in effect until vacated through the proper Vacation process.
- P. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the

**Sidewalk Waiver:** The area is located within the ALDOT right-of-way and runs parallel to an existing, wide drainage ditch that is partially located within the property. Any sidewalk will have to be constructed inside of the private property and would have to be constructed over a 50 ft wide drainage ditch on the north side.

## **TRAFFIC ENGINEERING**

### **COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.

## **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-RESCUE 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). 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. 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).

**TIME SCHEDULE  
FOR DEVELOPMENT**

None provided.

**REMARKS**

The applicant is requesting Subdivision approval to create one (1) legal lot of record from one (1) existing metes-and-bounds parcel, and a Sidewalk Waiver request to waive construction of sidewalks along East I-65 Service Road North and Georgia Pacific Avenue.

The site has been given a Parks and Open Space (POS) 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 parkland maintained in a natural, semi-natural state, or developed with facilities and set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. Parks may include squares, playgrounds, playfields, gardens, greens, greenways and blueways, and other recreational areas and facilities that are accessible to the public. Open space may include any open piece of land, publicly or privately held, that is undeveloped (has no buildings or other built structures). This designation is not intended to identify public land acquisition or to prohibit the development potential of individual properties.

The designation applies to all existing and future parks and open space within the City, including both active and passive uses. Open space, including public access to water bodies, is generally consistent with all other land use categories, i.e., a park can be located within any other land use category, either incidental to a development or as part of a publicly-owned or publicly-sponsored local, community or regional park. Therefore, a Parks and Open Space designation is deemed consistent with all land use categories in the Future Land Use Map.

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.

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 subject site has never been before the Planning Commission. The applicant proposes to develop the site as a tire store. As the site is a metes-and-bounds legal description, a one-lot Subdivision is required to make the site a legal lot of record prior to development. Also, the applicant proposes to not construct a public sidewalk along the East I-65 Service Road North and Georgia Pacific Avenue frontages, the Sidewalk Waiver is sought.

The site has frontage along Interstate Highway 65 and Georgia Pacific Avenue. Interstate 65 is a component of the Major Road Plan with a planned 300-foot right-of-way. The preliminary plat indicates a compliant right-of-way width of 300 feet. Georgia Pacific Avenue is a minor street with curb and gutter and a compliant 50-foot right-of-way. The right-of-way widths of both streets should be retained on the Final Plat, if approved. Dedication should be required to provide a 25-foot radius curve at the intersection of East I-65 Service Road North and Georgia Pacific Avenue, if approved. The plat should also be revised to illustrate the 25-foot minimum building setback line along both street frontages, if approved.

The preliminary plat indicates that the lot meets the minimum size requirements of Section V.D.2. of the Subdivision Regulations. The lot is not labeled with its size on the preliminary plat. Therefore, the plat should be revised to label the lot with its size in both square feet and acres on the Final Plat, if approved, after any required dedication, or a table should be furnished on the Final Plat providing the same information.

The plat indicates an underground sanitary sewer pipe easement along a portion of the Southern boundary of the site. Therefore, a note should be required on the Final Plat stating that no structure shall be constructed or placed within any easement without permission of the easement holder.

As per the Traffic Engineering comments, the driveway number, size, location, and design are to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance. A note should be placed on the Final Plat stating these comments.

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. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians.

In regard to the Sidewalk Waiver, the applicant states the following:

- 1) *The standard location of the required sidewalk (1' inside of 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 an area where pedestrian traffic is expected.*

The site is surrounded to the North, East and South entirely by I-1, Light Industry District zoning. There are no existing sidewalks in the area along East I-65 Service Road North, and Sidewalk Waivers have been approved within the area for properties along East I-65 Service Road North.

As per the Engineering comments pertaining to the Sidewalk Waiver request, the area is located within the ALDOT right-of-way and runs parallel to an existing, wide drainage ditch that is partially located within the property. Any sidewalk will have to be constructed inside of the private property and would have to be constructed over a 50 ft wide drainage ditch on the north side. Due to the previously granted Sidewalk Waivers, sidewalk connectivity cannot be achieved. Therefore, the Sidewalk Waiver request is recommended for Approval.

### **RECOMMENDATION**

**Subdivision:** Based upon the preceding, the application is recommended for Tentative Approval, subject to the following conditions:

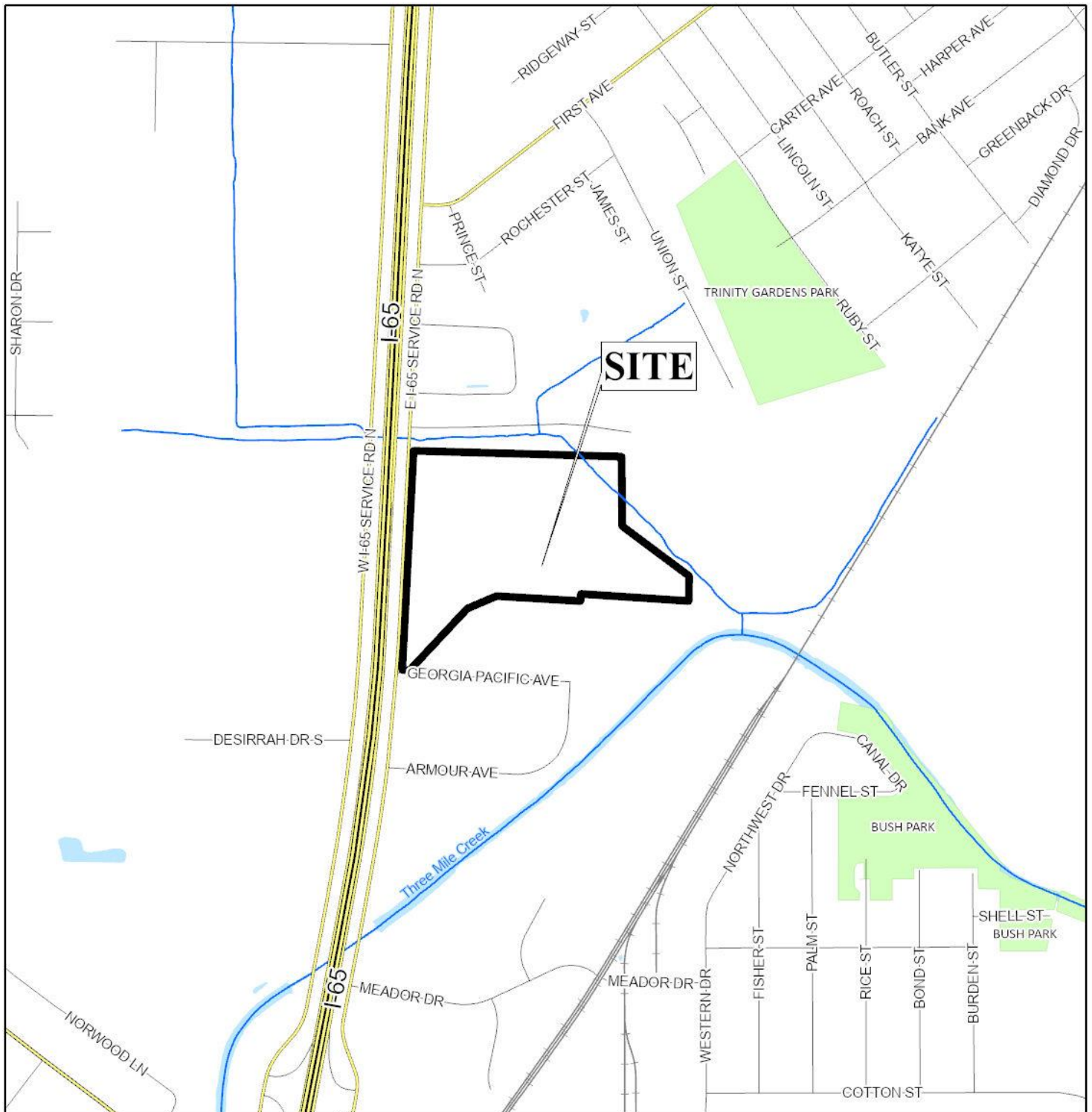
- 1) dedication to provide a 25-foot radius curve at the intersection of East I-65 Service Road North and Georgia Pacific Avenue;
- 2) revision of the plat to label the lot with its size in both square feet and acres, after any required dedication, or the furnishing of a table on the Final Plat providing the same information;
- 3) retention of the right-of-way widths of Interstate Highway 65 and Georgia Pacific Avenue on the Final Plat;
- 4) revision of the plat to illustrate a 25' minimum building setback line along all street frontages;
- 5) placement of a note on the Final Plat stating that no structure shall be constructed or placed within any easement without permission of the easement holder;
- 6) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, should meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.);*
- 7) compliance with the Engineering comments: *(FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Revise the name of the drawing submitted. It is labeled "TOPOGRAPHIC SURVEY". C. Provide a Subdivision Name on the PLAT. D. Provide a designation for the PROPOSED LOT (i.e. LOT 1, LOT A). E. Revise the plat to label each lot with its size in acres and square feet,*

or the furnishing of a table on the Plat providing the same information. F. Provide a note that a 25' riparian buffer may be required, during development, along the edge of anything considered by ADEM to be a water of the state. G. Show and label all flood zones. New maps went into effect on June 5, 2020. H. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an A, AE, or X (shaded) flood zone designation. BFE = 32. I. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. J. Add a note to the SUBDIVISION PLAT stating that as shown on the 1984 aerial photo (FLIGHT 25 - #68) the PROPOSED LOT will receive the historical credit of existing (1984) impervious area towards stormwater detention requirement per Mobile City Code, Chapter 17, Storm Water Management and Flood Control). The lots will be allowed to add the following amount of impervious area before storm water detention is required: PROPOSED LOT – NONE. K. Add a note that a Land Disturbance permit will be required for any land disturbing activity in accordance 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. L. Add a note that 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. M. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. N. Add a note that all existing and proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. O. Add a note that all easements shall remain in effect until vacated through the proper Vacation process. P. Email a pdf copy of the FINAL SUBDIVISION PLAT and LETTER OF DECISION to the Permitting Engineering Dept. for review at [land.disturbance@cityofmobile.org](mailto:land.disturbance@cityofmobile.org) prior to obtaining any signatures. No signatures are required on the drawing.);

- 8) compliance with the 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.); and
- 9) compliance with the 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). 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. 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).

**Sidewalk Waiver:** Based upon the preceding, the application to waive sidewalk construction along East I-65 Service Road North and Georgia Pacific Avenue is recommended for Approval.

# LOCATOR MAP



APPLICATION NUMBER 4 DATE January 5, 2023

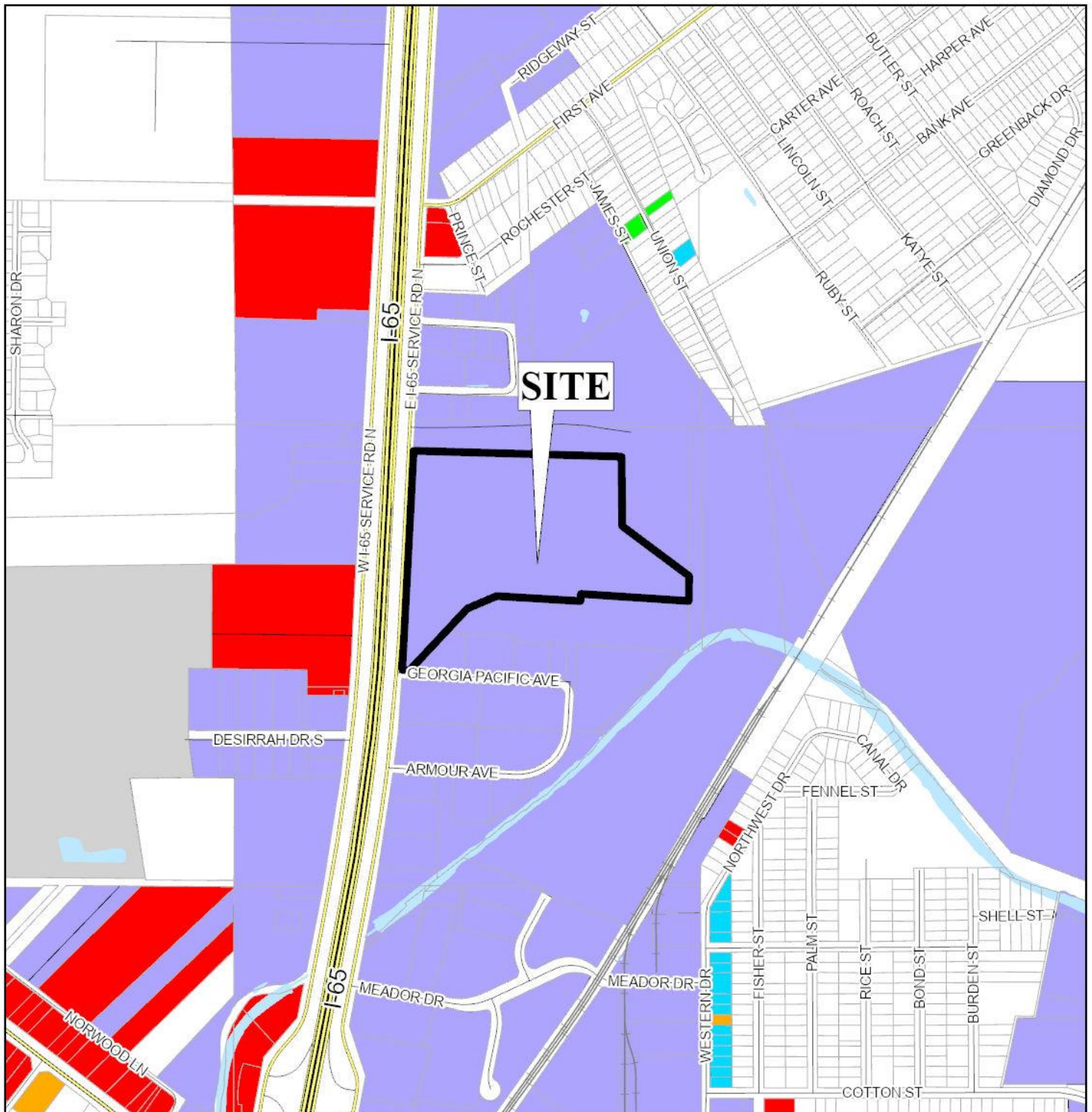
APPLICANT Southern Tire Mart Subdivision

REQUEST Subdivision, Sidewalk Waiver





# LOCATOR ZONING MAP



APPLICATION NUMBER 4 DATE January 5, 2023

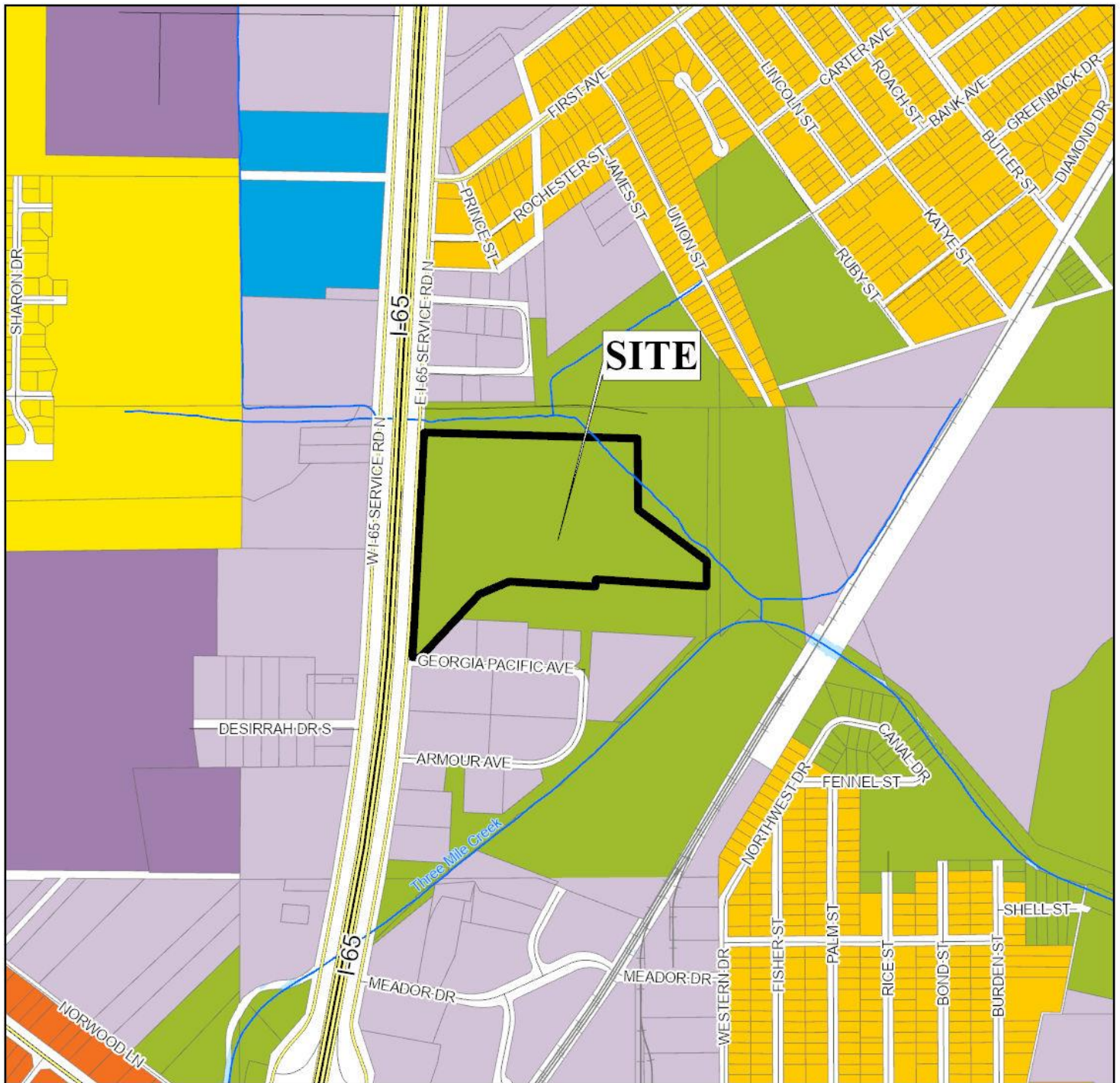
APPLICANT Southern Tire Mart Subdivision

REQUEST Subdivision, Sidewalk Waiver





# FLUM LOCATOR MAP



APPLICATION NUMBER 4 DATE January 5, 2023

APPLICANT Southern Tire Mart Subdivision

REQUEST Subdivision, Sidewalk Waiver

Layer2

Low Density Residential  
Mixed Density Residential

Downtown  
District Center  
Neighborhood Center - Traditional  
Neighborhood Center - Suburban

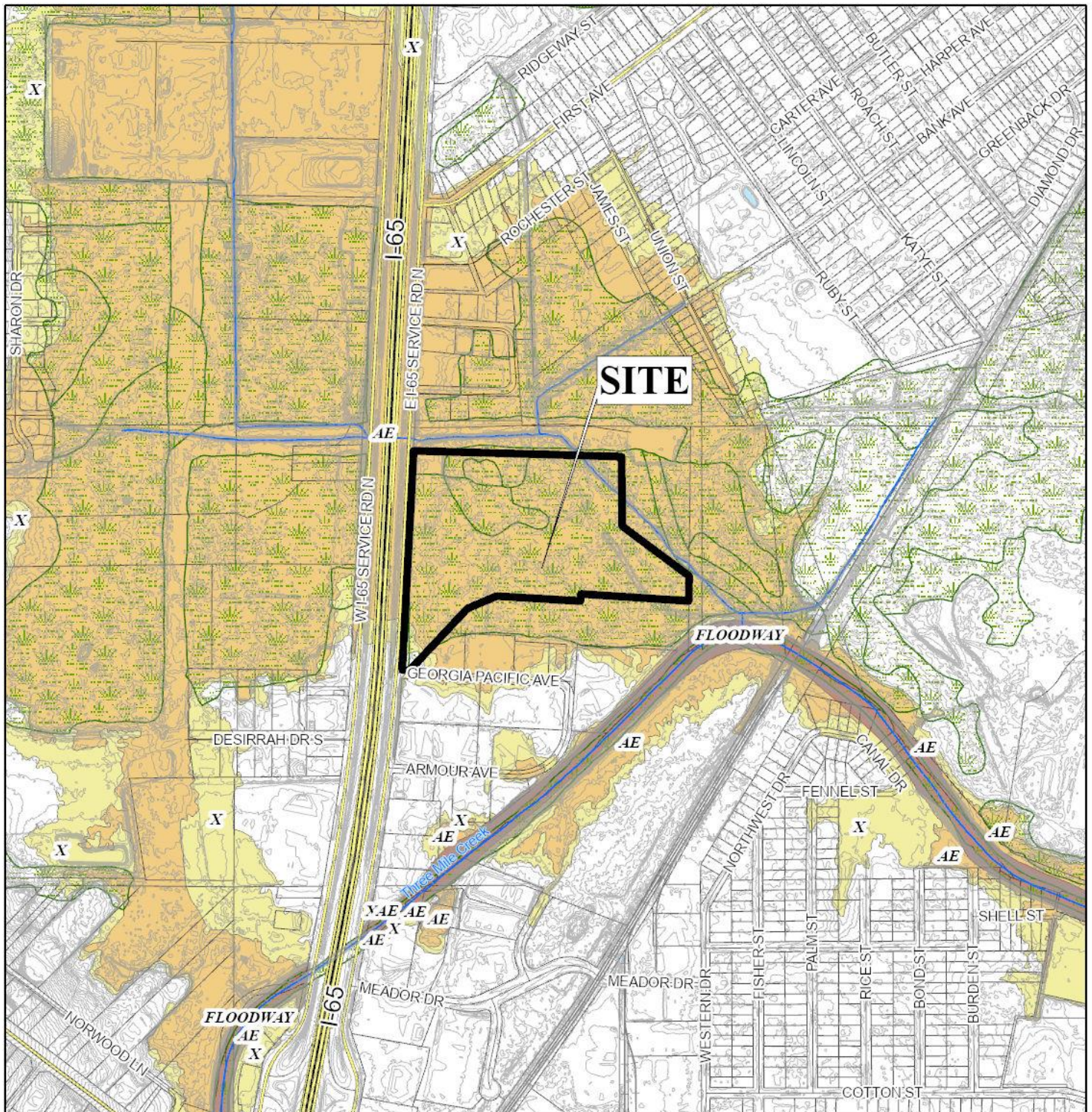
Traditional Corridor  
Mixed Commercial Corridor  
Downtown Waterfront  
Light Industry

Heavy Industry  
Institutional  
Parks & Open Space  
Water Dependent





# ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 4 DATE January 5, 2023

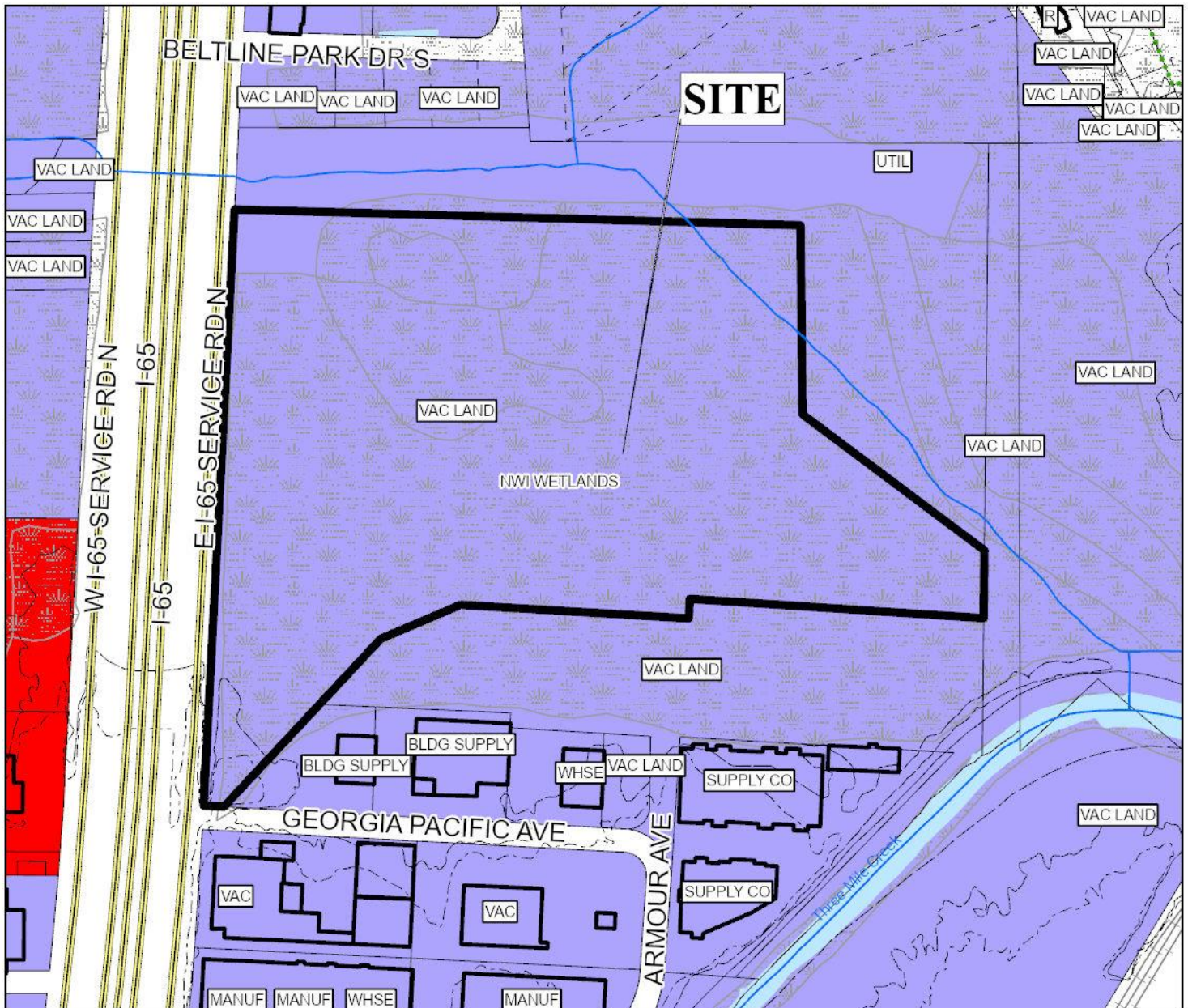
APPLICANT Southern Tire Mart Subdivision

REQUEST Subdivision, Sidewalk Waiver





# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by industrial units and vacant land.

APPLICATION NUMBER 4 DATE January 5, 2023

APPLICANT Southern Tire Mart Subdivision

REQUEST Subdivision, Sidewalk Waiver

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 and vacant land.

APPLICATION NUMBER 4 DATE January 5, 2023

APPLICANT Southern Tire Mart Subdivision

REQUEST Subdivision, Sidewalk Waiver





# SITE PLAN

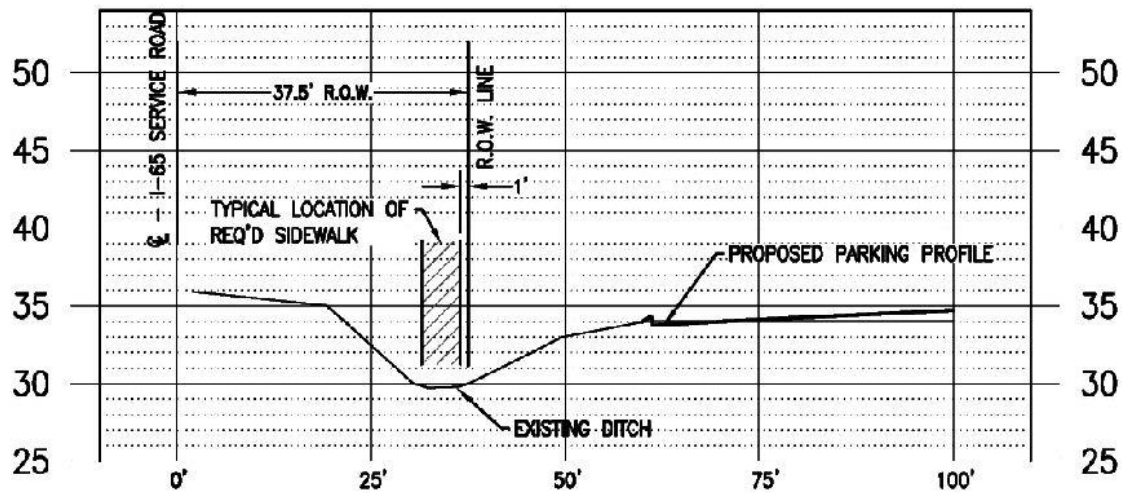


The site plan illustrates the proposed building, detention pond, parking, wetlands, and fencing.

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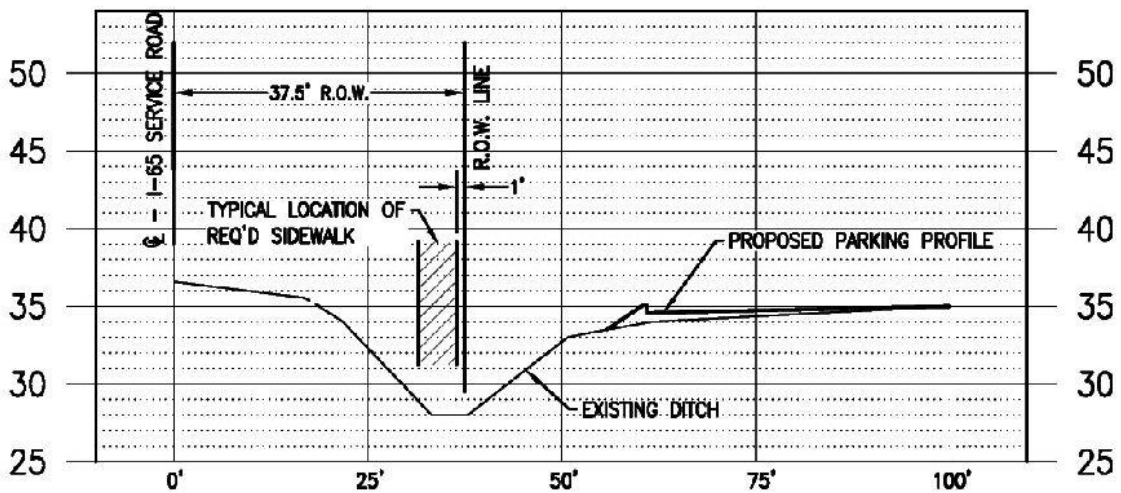


# DETAIL SITE PLAN



## SECTION 'A' PROFILE THROUGH RIGHT-OF-WAY

HOR. SCALE: 1" = 20'  
VERT. SCALE: 1" = 10'



## SECTION 'B' PROFILE THROUGH RIGHT-OF-WAY

HOR. SCALE: 1" = 20'  
VERT. SCALE: 1" = 10'

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