

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: January 18, 2018****NAME**

Oppidan Holdings, LLC C/o Jay Moore

LOCATION1790 West I-65 Service Road South
West side of West I-65 Service Road South, 270'± North of
Government Boulevard**PRESENT ZONING**

B-3, Community Business District

ENGINEERING**COMMENTS**

1. It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk that could be approved through the ROW Permit process.
2. In addition to any required land disturbance permit, any work performed in the right of way along the I-65 Service Road will require an ALDOT and a C.O.M. Right of Way (ROW) permit.

TRAFFIC ENGINEERING**COMMENTS**

The application includes a written statement from ALDOT that they do not require and will not require sidewalks to be built in ALDOT right-of-way. Traffic Engineering understands ALDOT's position on this issue to be unsupportive of sidewalk construction specifically within this right-of-way as it is related to the interstate system. If ALDOT does not support the construction of sidewalk within their right-of-way, the sidewalk will have to be constructed on private property if a waiver is unattainable.

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 2015-116 and City Code Chapters 57 and 64).

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along West I-65 Service Road South, where the property will be developed with a new building and parking lot.

There is currently an approved site plan for construction on file which illustrates sidewalks along the right-of-way on private property. The applicant states that ALDOT does not support sidewalks within their public right-of-way along the frontage of the subject property and therefore, the applicant is requesting a waiver.

It should be noted that the Planning Commission denied a sidewalk waiver request at this location on September 7, 2017.

The applicant states:

On behalf of our client Oppidan, enclosed please find the required application, fee, plans, photos and email correspondence with ALDOT in support of Oppidan's application for a sidewalk waiver. Per discussion with staff, the sidewalk waiver request that was denied on September 7, 2017 may have been the result of a misunderstanding between staff and the applicant. We understand this resubmission of this sidewalk waiver will allow staff to reconsider waiving the sidewalk requirement.

It is Oppidan's desire to develop a single-story +/-18, 000 square foot Northern Tool + Equipment retail building with associated improvements on a +/-2.73 acre site located at 1790 W. I-65 Service Road South. We understand the City of Mobile requires public sidewalk be installed in the right-of-way along the frontage of new developments. However, the frontage of this particular parcel fronts a drainage ditch in the ALDOT right-of-way. To meet ADA accessibility requirements, the installation of a public sidewalk would require ALDOT drainage ditch to be filled in and piped underground. After discussing the City sidewalk requirement with ALDOT, we have confirmed ALDOT does not support a sidewalk within their right-of-way in front of this property.

The applicant provided an email from ALDOT District 1 Permit Coordinator, Jason Malone, dated July 10, 2017. It should be noted that this email was also provided along with the previous sidewalk waiver application. It states the following (emphasis added):

*"...per ALDOT permitting standards **we do not require** sidewalks to be placed on ALDOT ROW. Please accept this email as conformation that ALDOT **will not require sidewalk** for this site..."*

It should be noted 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.

The site has been given a Mixed Commercial Corridor (MCC) land use designation, per the recently adopted Future Land Use Plan and Map. 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 land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

This development site is adjacent to commercially zoned properties to the North and South and industrially zoned property to the West. While the applicant may wish to forego the construction of a sidewalk, Engineering has stated that there is sufficient room along the property's frontage to accommodate the construction of a sidewalk, even if it must be placed on private property.

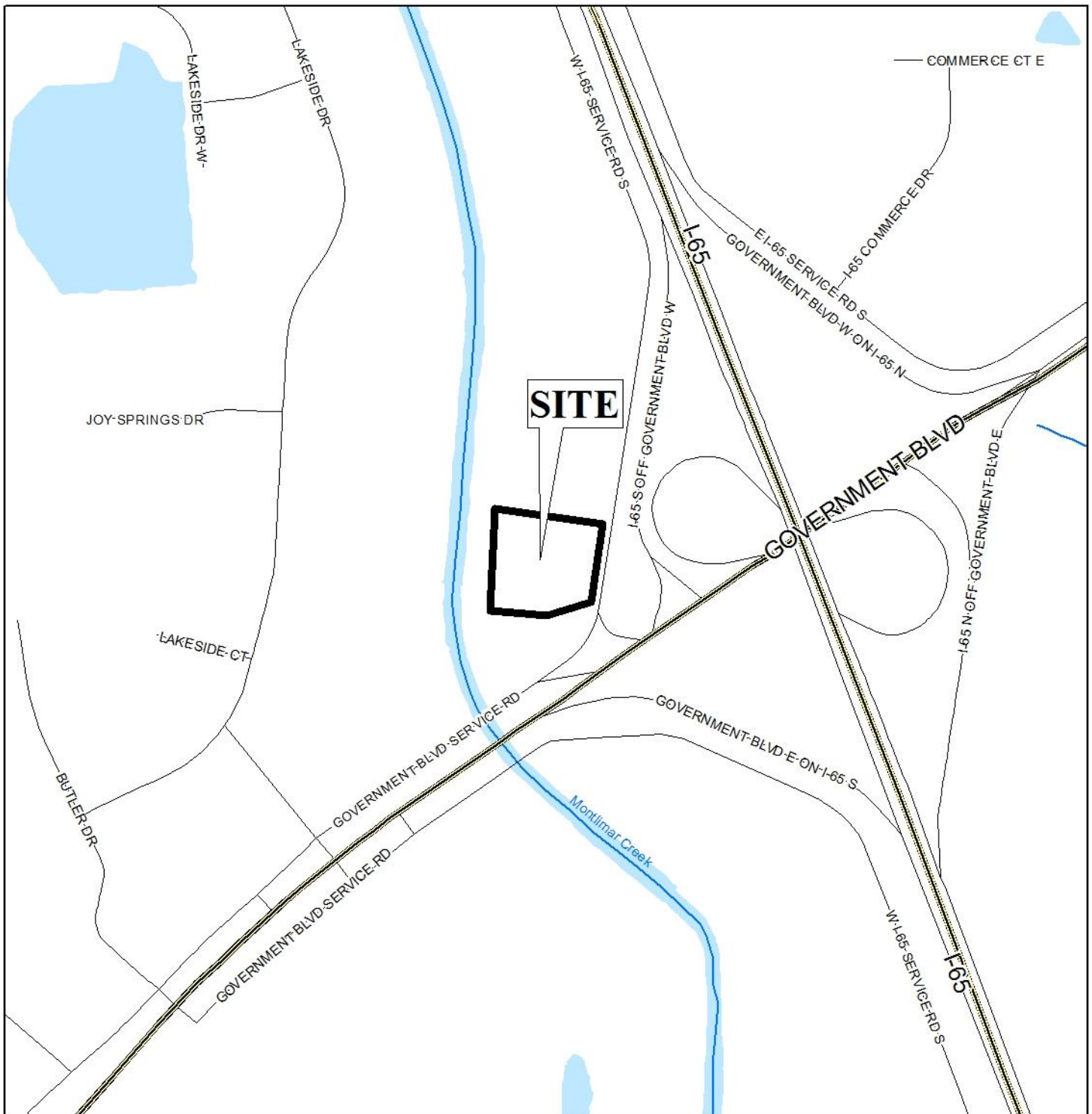
The adjacent properties at along West I-65 Service Road South do not have sidewalks installed, however, many of the adjacent properties were built before 1990. About 420'± from the subject site, at 3550 Government Boulevard, sidewalks are installed at a nearby gas station/ convenience store. Also, as other properties are redeveloped like the subject site, sidewalks will be required to be installed.

A sidewalk at 1720 West Interstate 65 Service Road South would provide better connectivity to adjacent properties. Although it has been stated that ALDOT does not require the installation of a sidewalk at this location, the applicant has not presented any special conditions that would necessitate a sidewalk waiver. ALDOT had not stated that the installation of sidewalks at this location is discouraged but rather states that it is not required. Also, the applicant has an approved site plan on file which illustrates a sidewalk on private property, thus confirming that a sidewalk can be provided. Furthermore, although pedestrian traffic may not be abundant, it is still present and should be accommodated; as sites are developed in the future, sidewalks will likely be required. Denial of the waiver request may be appropriate.

RECOMMENDATION

Based upon the preceding, this application for waiver of the sidewalk at 1790 West I-65 Service Road South is recommended for denial.

LOCATOR MAP



APPLICATION NUMBER 5 DATE January 18, 2018

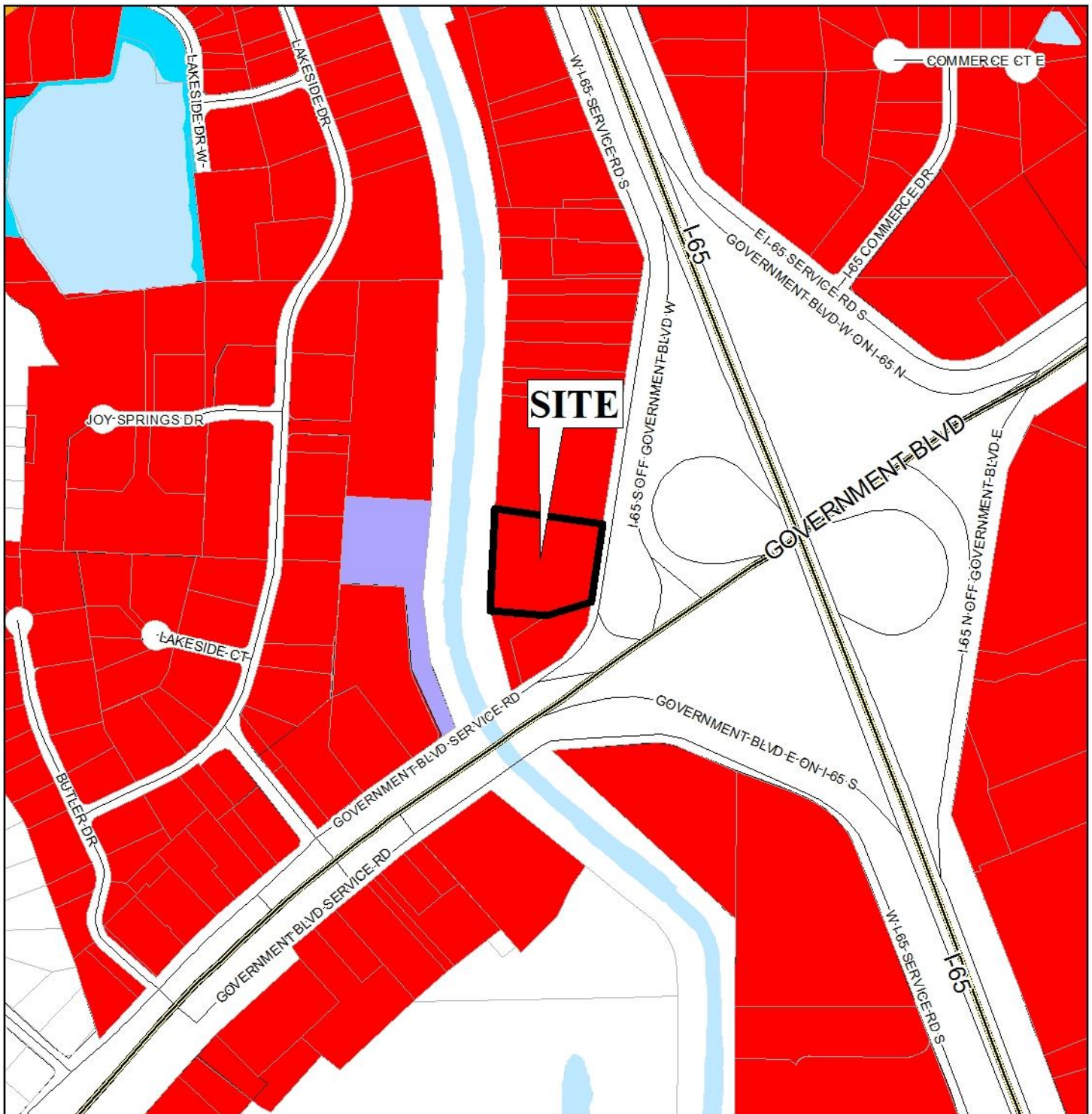
APPLICANT Oppidan Holdings, LLC C/O Jay Moore

REQUEST Sidewalk Waiver



NTS

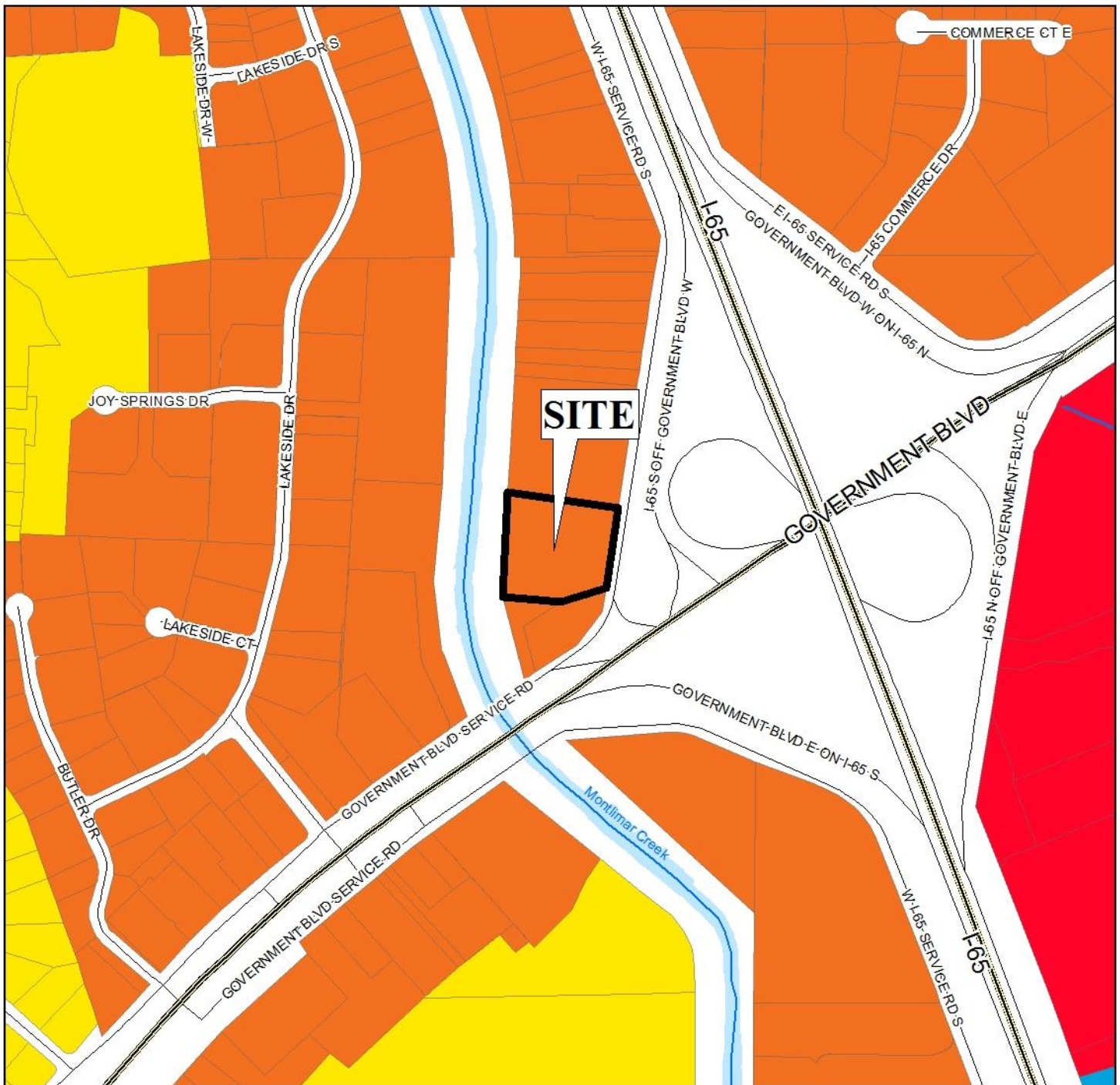
LOCATOR ZONING MAP



APPLICATION NUMBER 5 DATE January 18, 2018
APPLICANT Oppidan Holdings, LLC C/O Jay Moore
REQUEST Sidewalk Waiver



FLUM LOCATOR MAP



APPLICATION NUMBER 5 DATE January 18, 2018

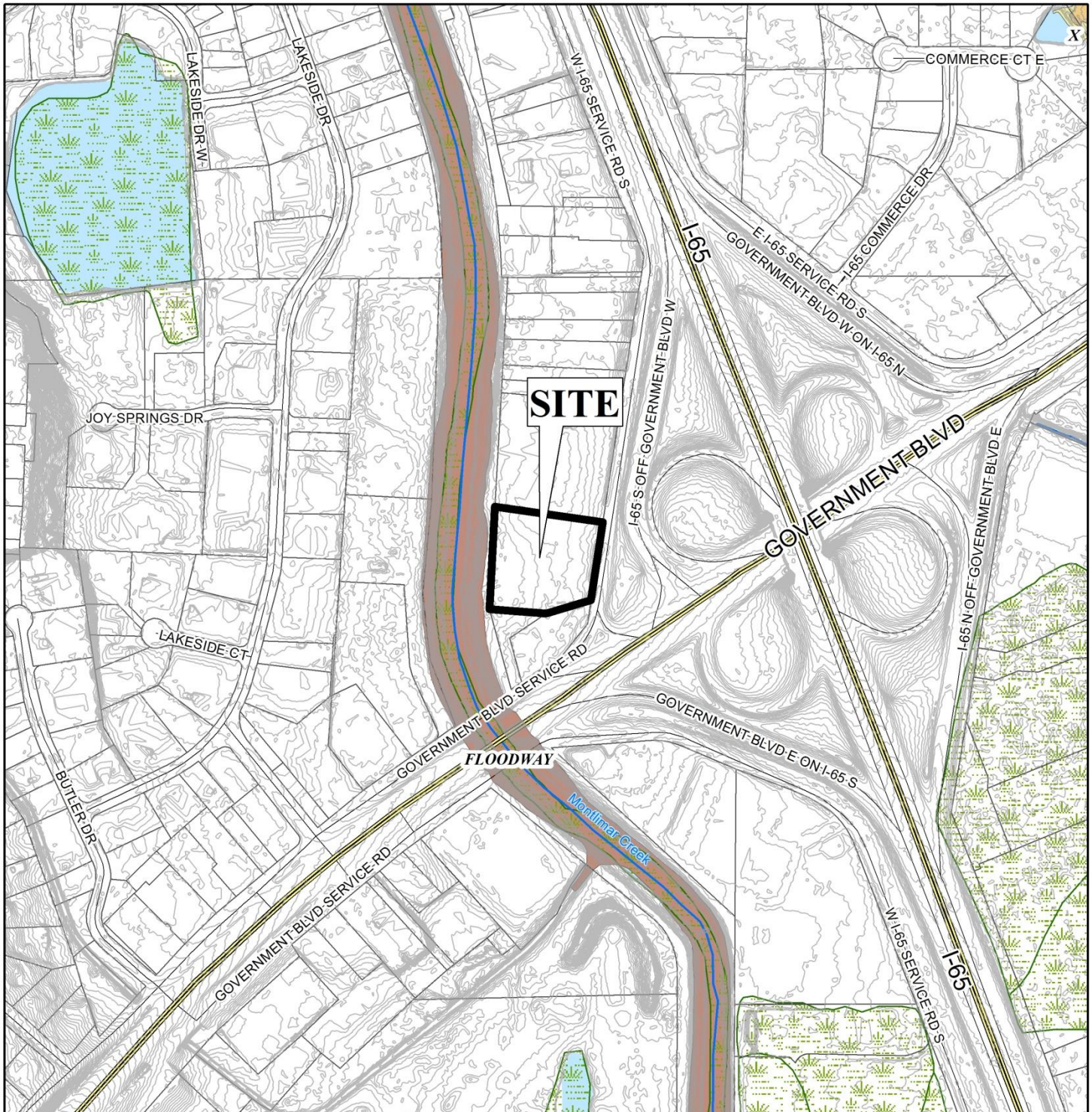
APPLICANT Oppidan Holdings, LLC C/O Jay Moore

REQUEST Sidewalk Waiver

Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed Commercial Corridor	Institutional	



ENVIRONMENTAL LOCATOR MAP



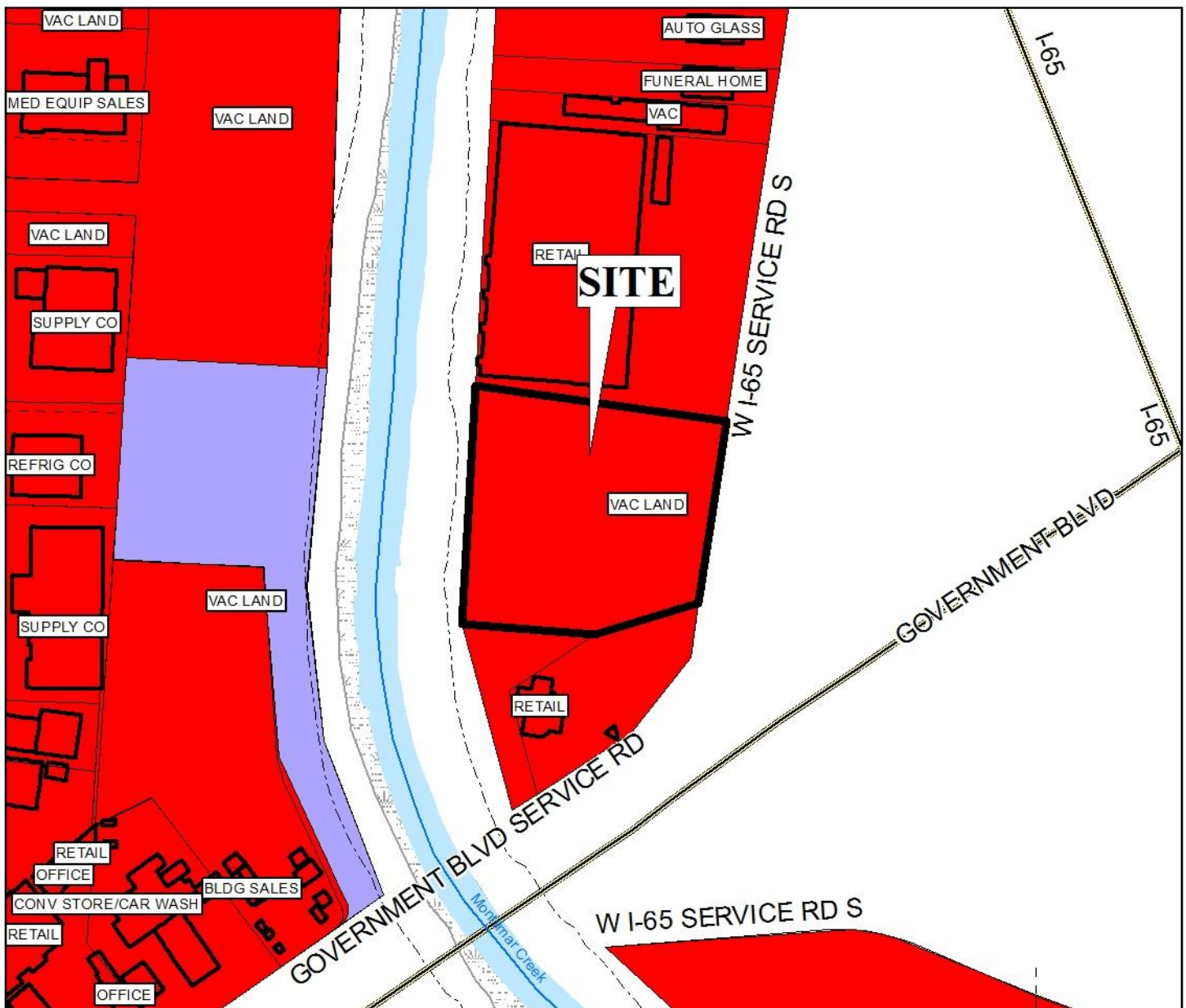
APPLICATION NUMBER 5 DATE January 18, 2018

APPLICANT Oppidan Holdings, LLC C/O Jay Moore

REQUEST Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

APPLICATION NUMBER 5 DATE January 18, 2018

APPLICANT Oppidan Holdings, LLC C/O Jay Moore

REQUEST 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

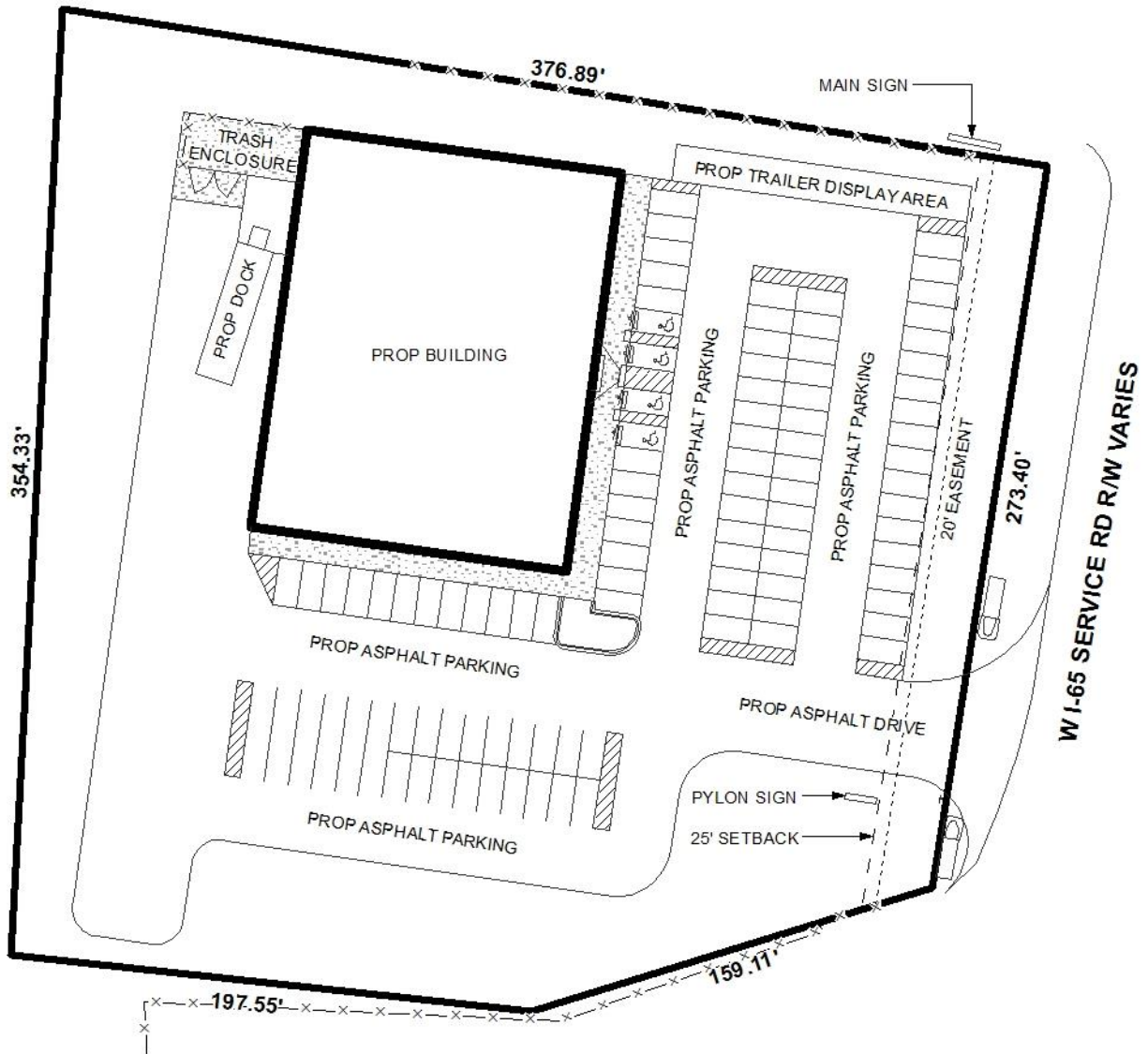


The site is surrounded by commercial units.

APPLICATION NUMBER 5 DATE January 18, 2018
 APPLICANT Oppidan Holdings, LLC C/O Jay Moore
 REQUEST Sidewalk Waiver



SITE PLAN

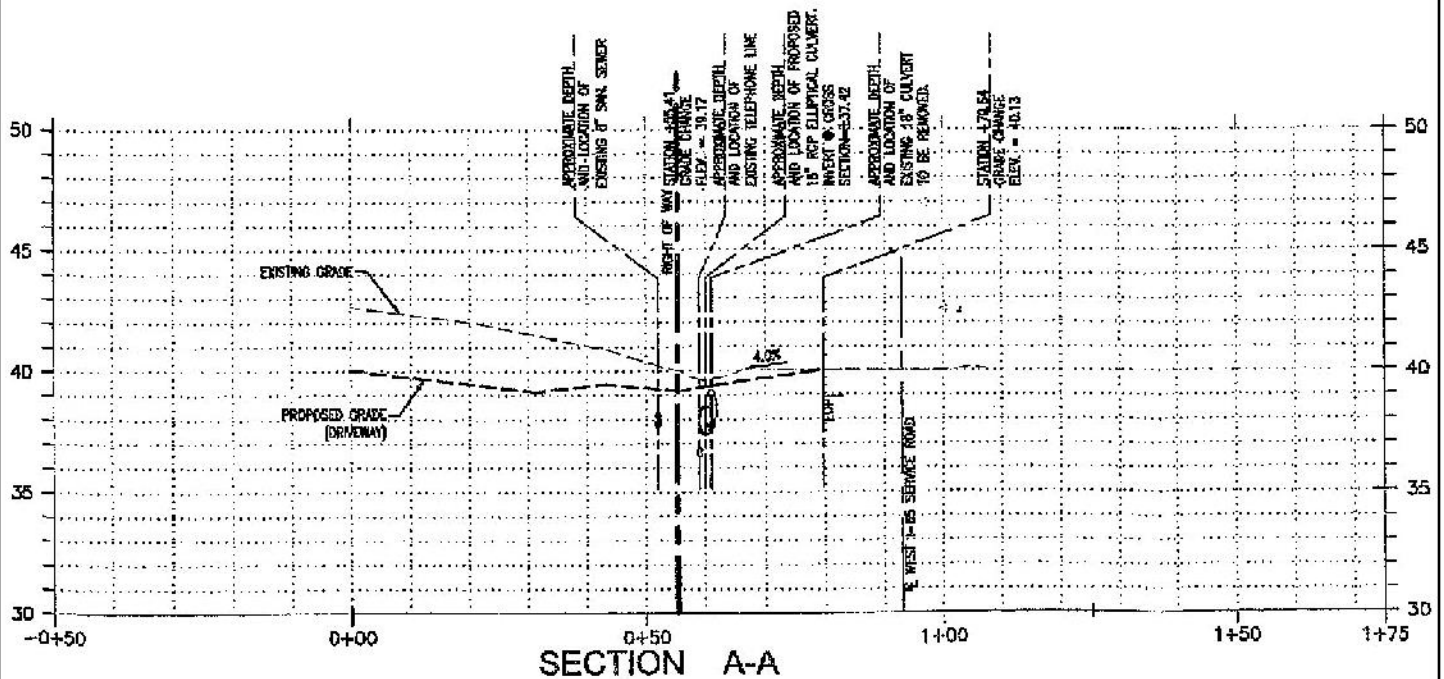
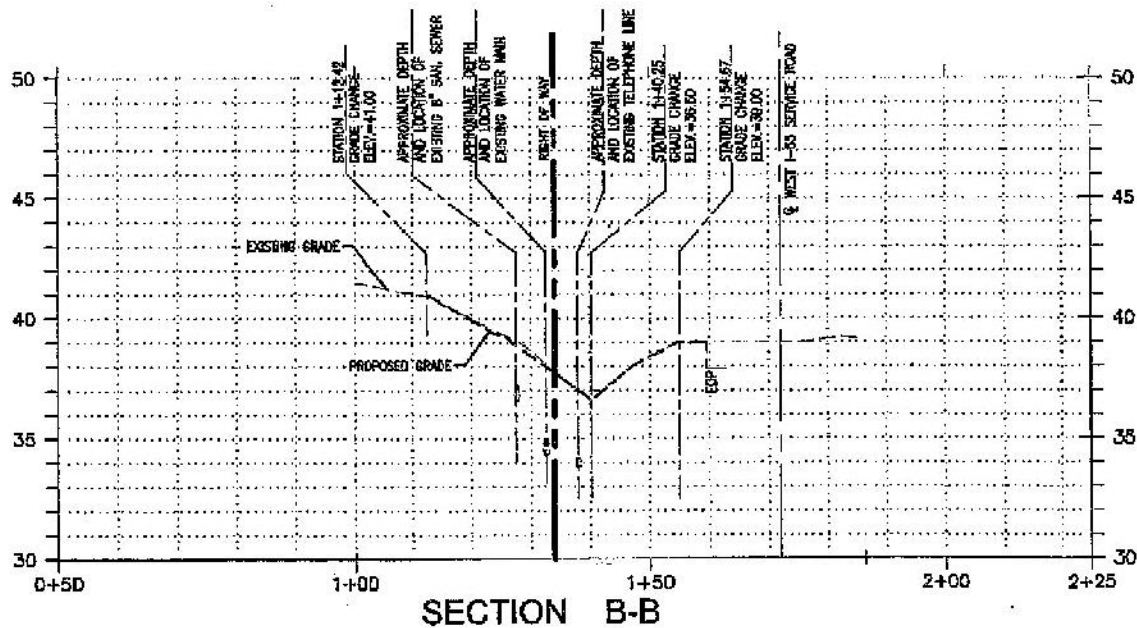


The site plan illustrates the proposed building, proposed drive, proposed asphalt parking, and setback.

APPLICATION NUMBER 5 DATE January 18, 2018
 APPLICANT Oppidan Holdings, LLC C/O Jay Moore
 REQUEST Sidewalk Waiver



DETAIL SITE PLAN



APPLICATION NUMBER 5 DATE January 18, 2018

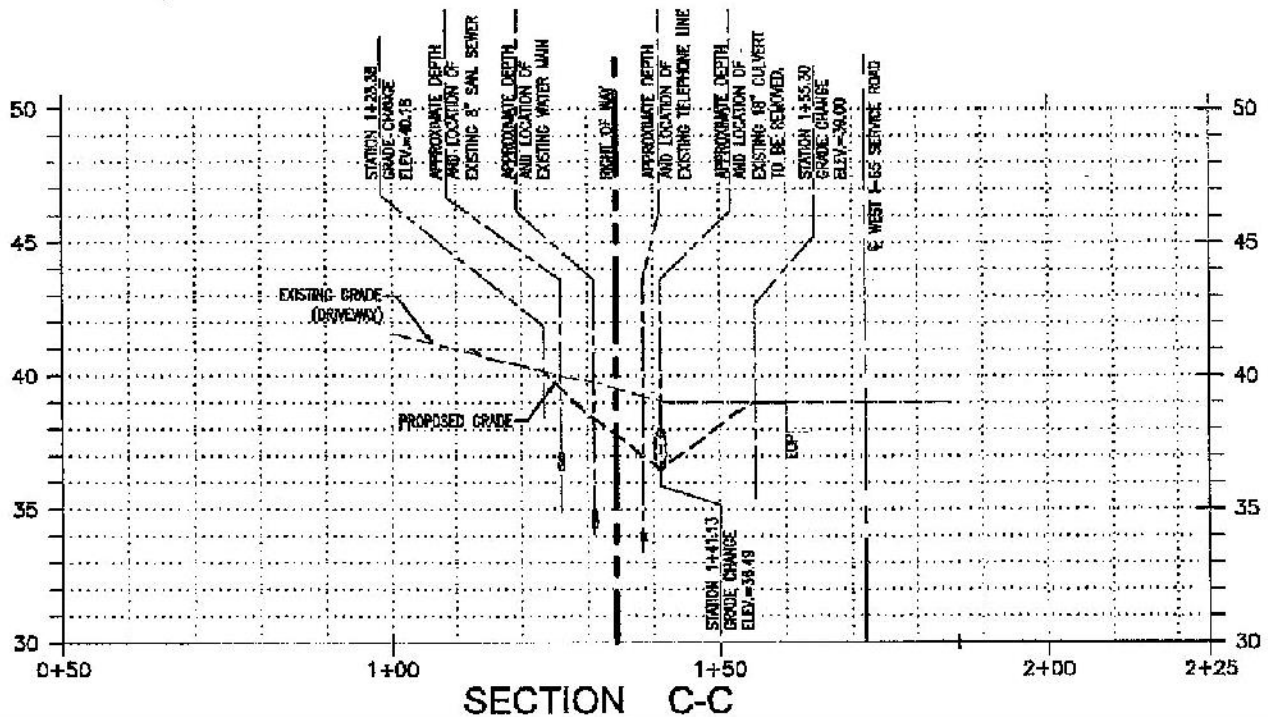
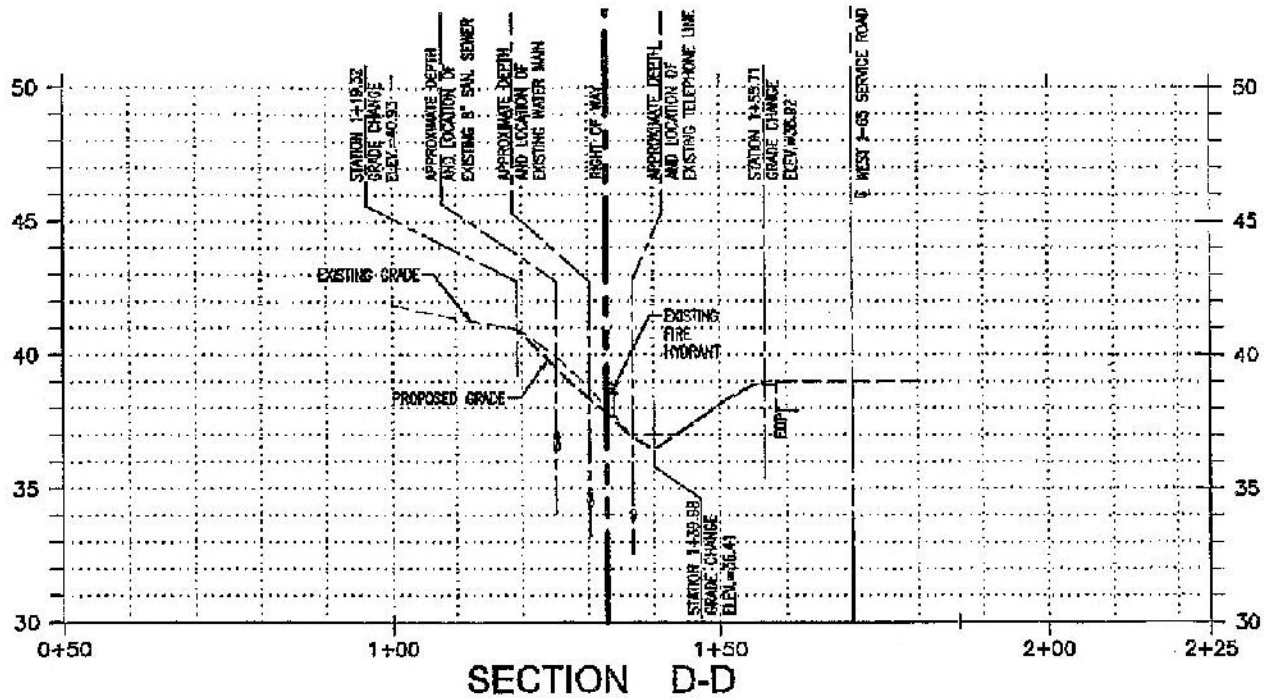
APPLICANT Oppidan Holdings, LLC C/O Jay Moore

REQUEST Sidewalk Waiver



NTS

DETAIL SITE PLAN



APPLICATION NUMBER 5 DATE January 18, 2018

APPLICANT Oppidan Holdings, LLC C/O Jay Moore

REQUEST Sidewalk Waiver



NTS

