

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: October 21, 2021****NAME**

Don Carlos, Inc.

LOCATION5805 US Highway 90 West
(Southeast corner of US Highway 90 West and Fore Road
(private road)).**PRESENT ZONING**

B-3, Community Business District

ENGINEERING**COMMENTS**

The proposed site is located within an ALDOT right-of-way, runs parallel to an existing, wide drainage ditch, and there is no frontage within the property to install the sidewalk without removing existing drive lanes, parking spaces and landscaping; therefore it is recommended that this request be approved.

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 (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.

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along US Highway 90 West.

The site has been given a Mixed Commercial Corridor (MCC) 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 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.

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 applicant states the following concerning the sidewalk waiver request:

Existing ditch grade is not suitable for sidewalk construction. In addition, please see attached comments from ALDOT and their concerns with regard to sidewalk construction.

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.

The subject site received Planned Unit Development Approval in December, 2019, for multiple buildings on a single building site. The site currently contains a restaurant, and there is an active building permit for the construction of an additional warehouse/office building on the site which was approved via the PUD. As part of that construction, a sidewalk is required along the US Highway 90 frontage. The applicant requests a waiver for the sidewalk construction; hence this application.

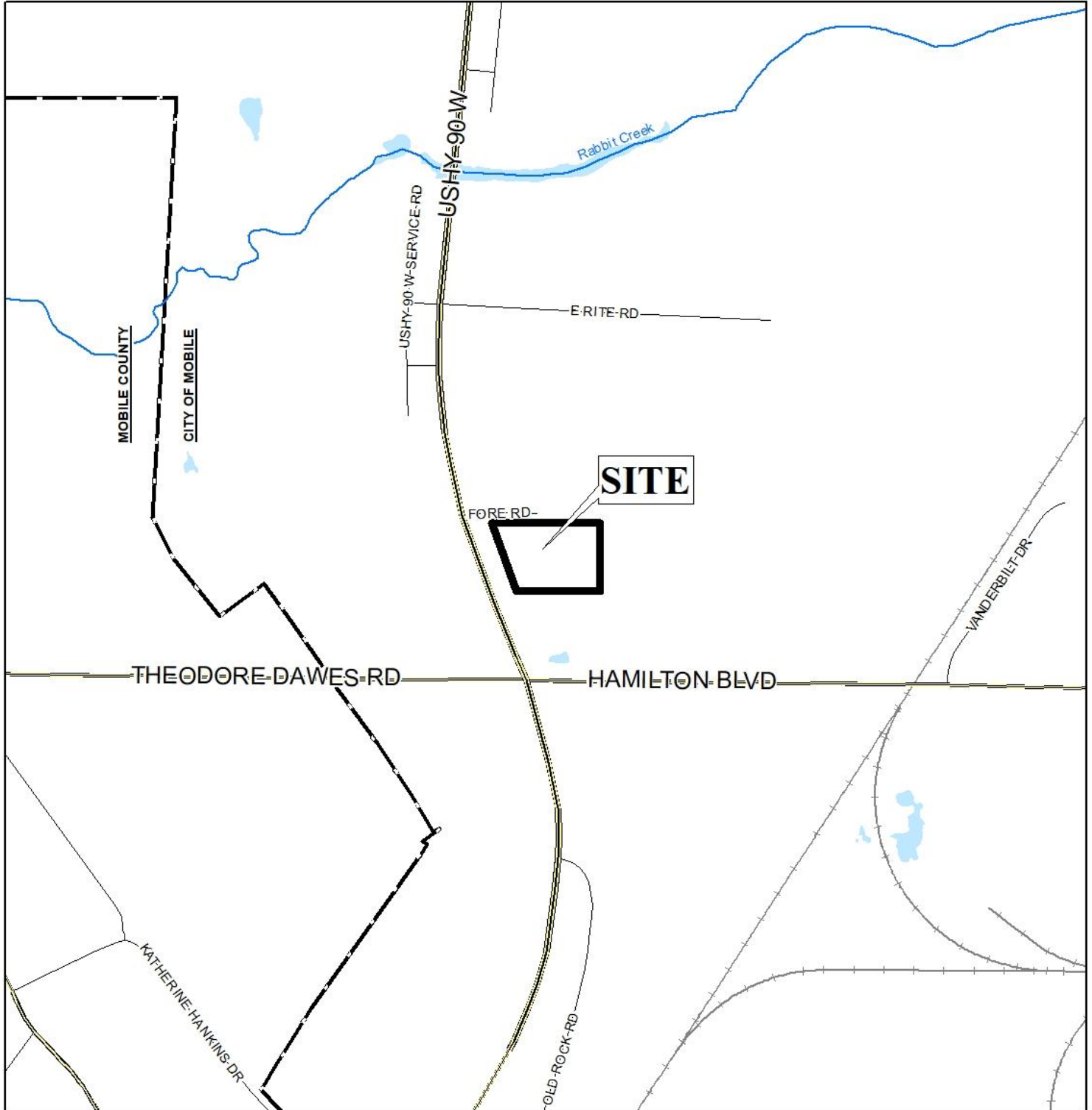
As per the Engineering comments, the proposed site is located within an ALDOT right-of-way, runs parallel to an existing, wide drainage ditch, and there is no frontage within the property to install the sidewalk without removing existing drive lanes, parking spaces and landscaping; therefore, it is recommended that this request be approved.

RECOMMENDATION Based upon the preceding, this application for waiver of a sidewalk along US Highway 90 West is recommended for approval.

In order for any concerns to be considered by the Planning Commission you must email your concerns to planning@cityofmobile.org or they may be uploaded to the website via the portal under the meeting date and case. Comments must be entered by 2:00 PM on Wednesday, October 20th, before the meeting, in order to be considered by the Commission.

If you wish to participate in the meeting, you must email planning@cityofmobile.org by 2:00 PM on Wednesday, October 20th, before the meeting. In accordance with Planning Commission by-laws, no more than four (4) speakers are allowed to speak for or against an application. Speaking time is limited to five (5) minutes per speaker.

LOCATOR MAP



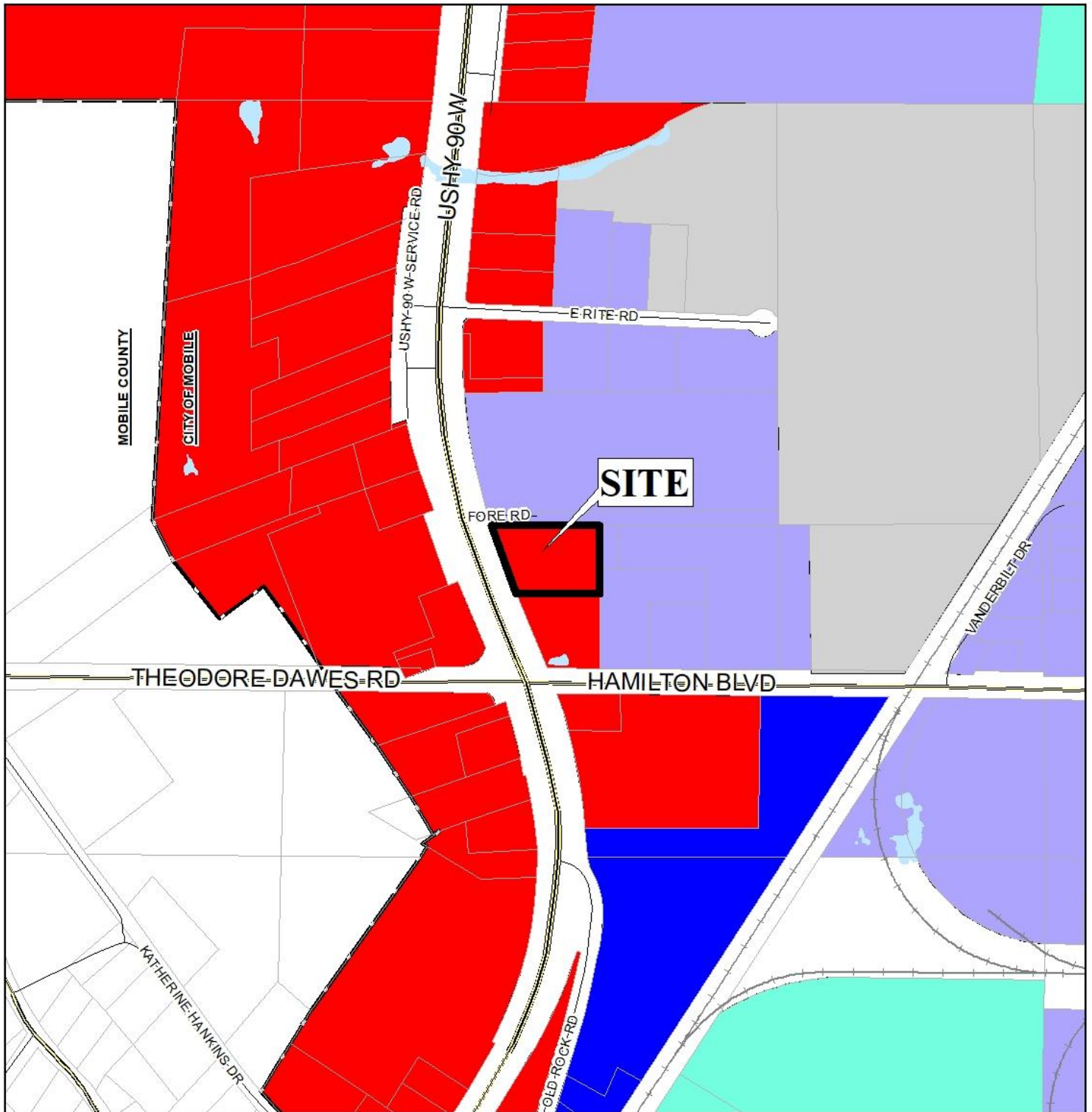
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LOCATOR ZONING MAP



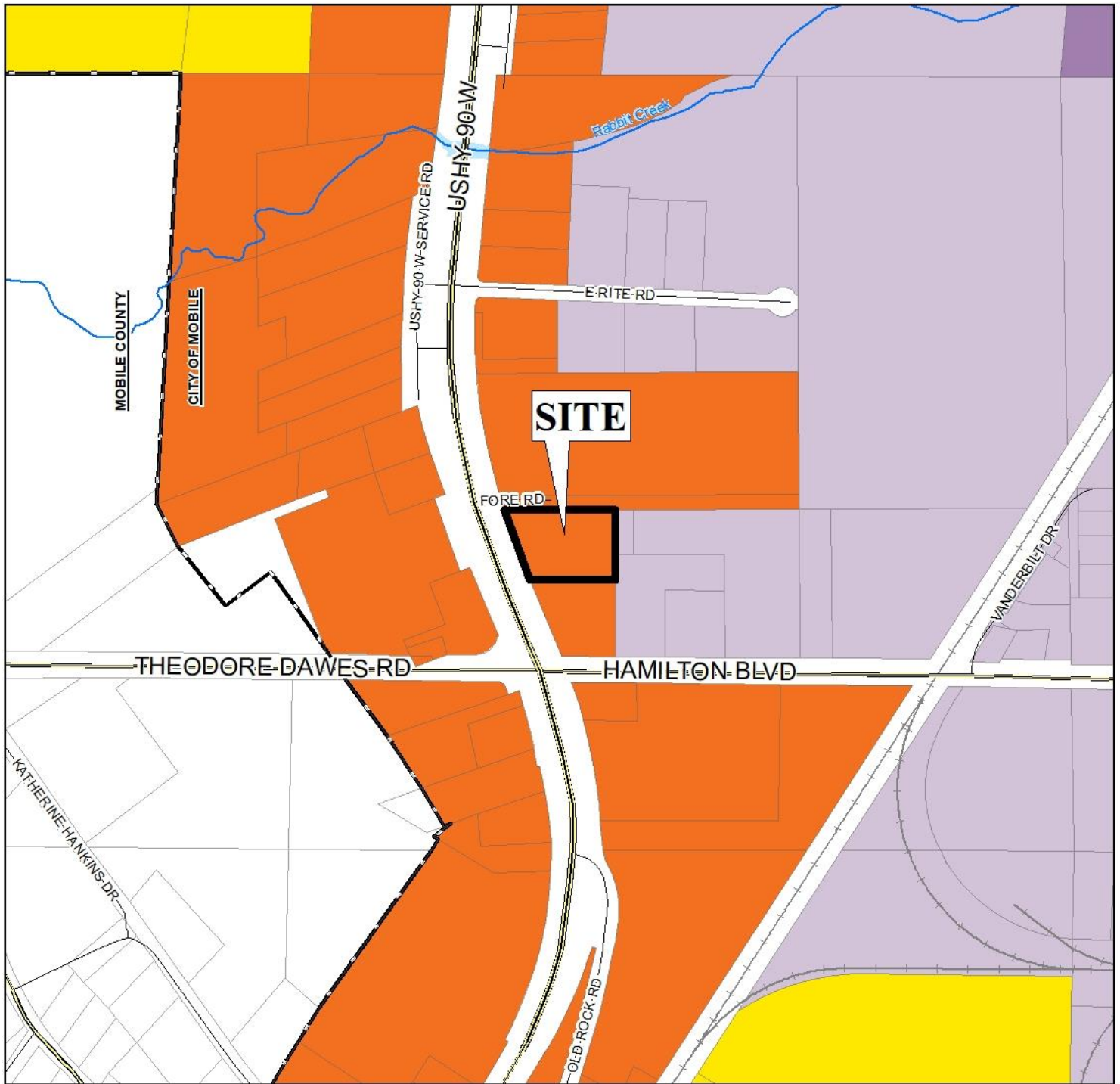
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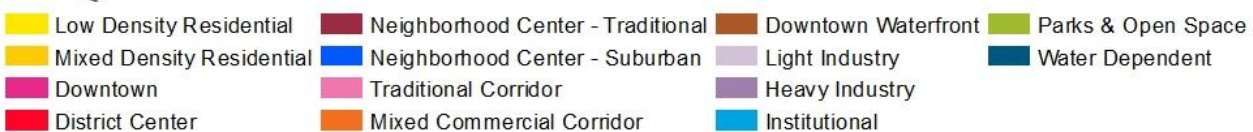
FLUM LOCATOR MAP



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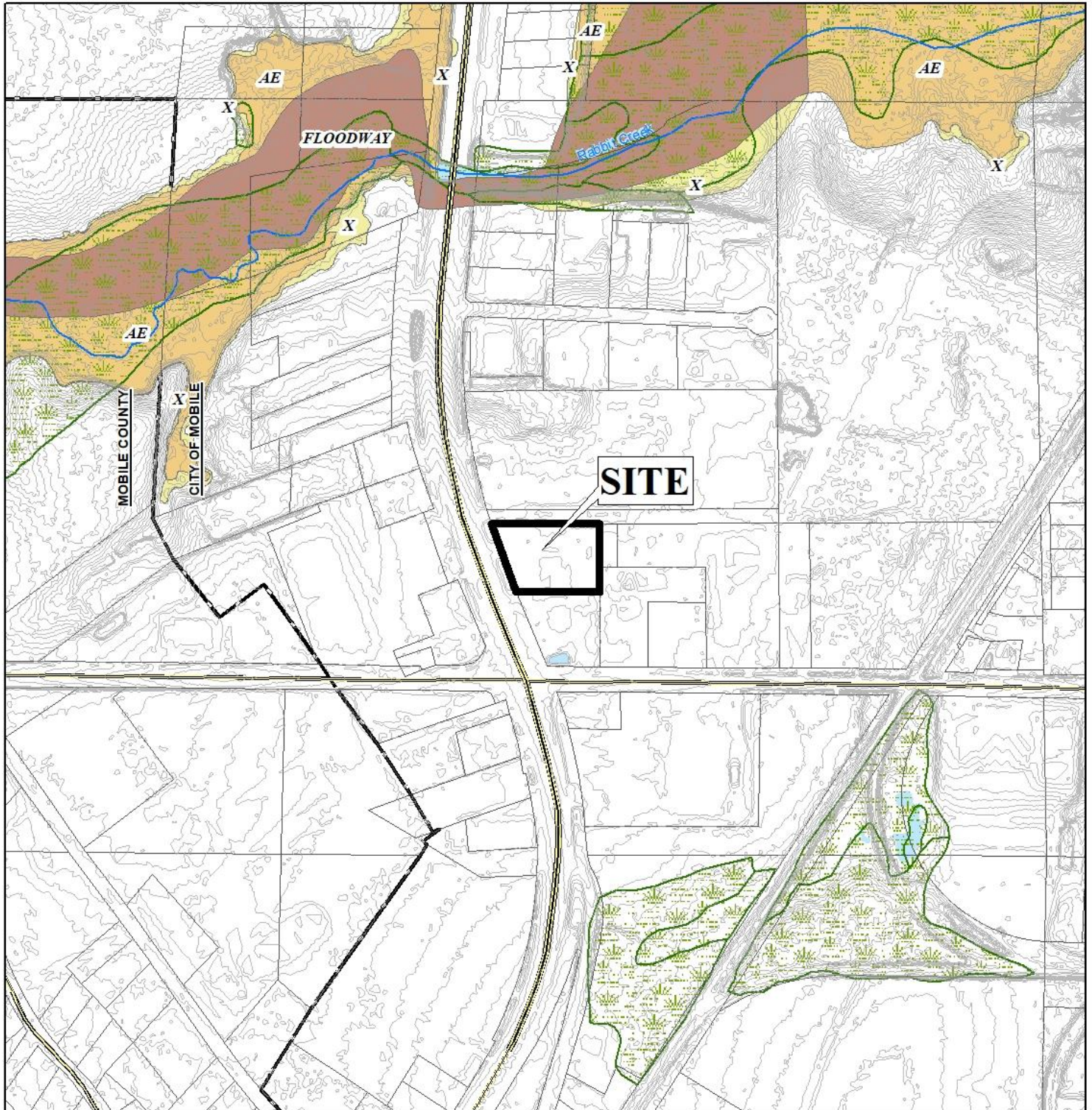
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ENVIRONMENTAL LOCATOR MAP



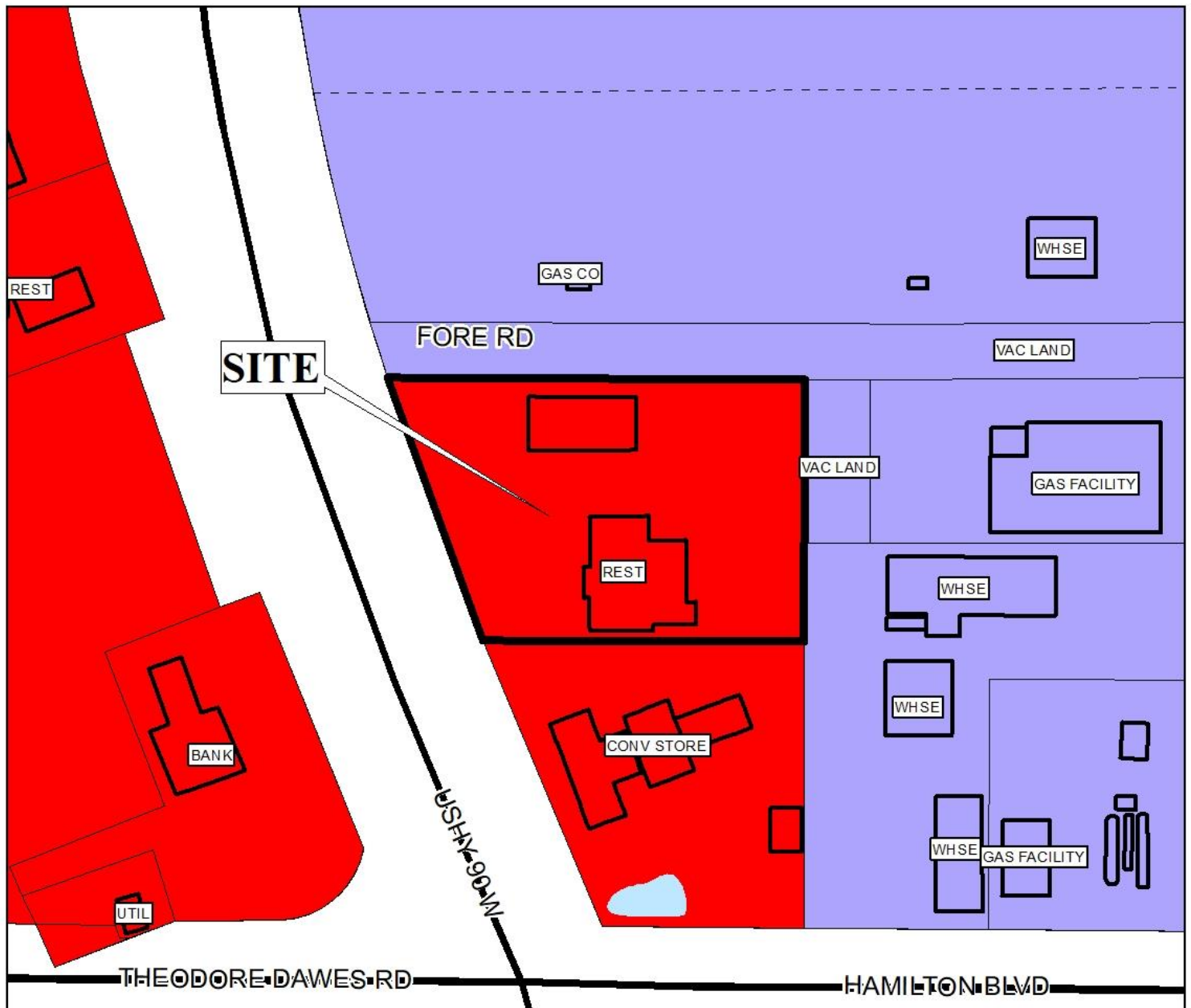
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commerical and utility sites.

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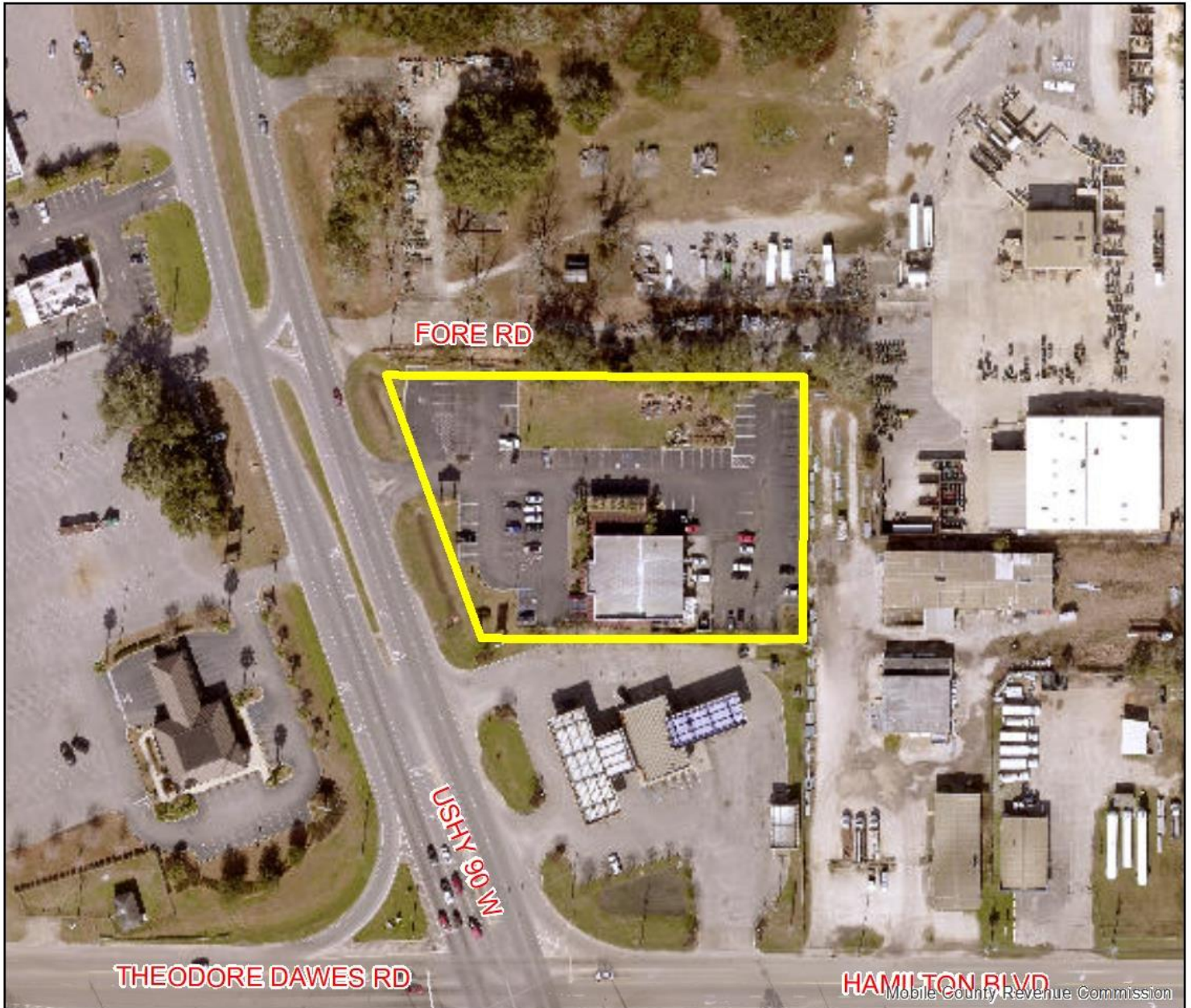
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| | | | | | | | |
|-----|-----|------|-----|-----|------|-------|------|
| R-A | R-3 | T-B | B-2 | B-5 | MUN | SD-WH | T5.1 |
| R-1 | R-B | B-1 | B-3 | I-1 | OPEN | T3 | T5.2 |
| R-2 | H-B | LB-2 | B-4 | I-2 | SD | T4 | T6 |



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and utility sites.

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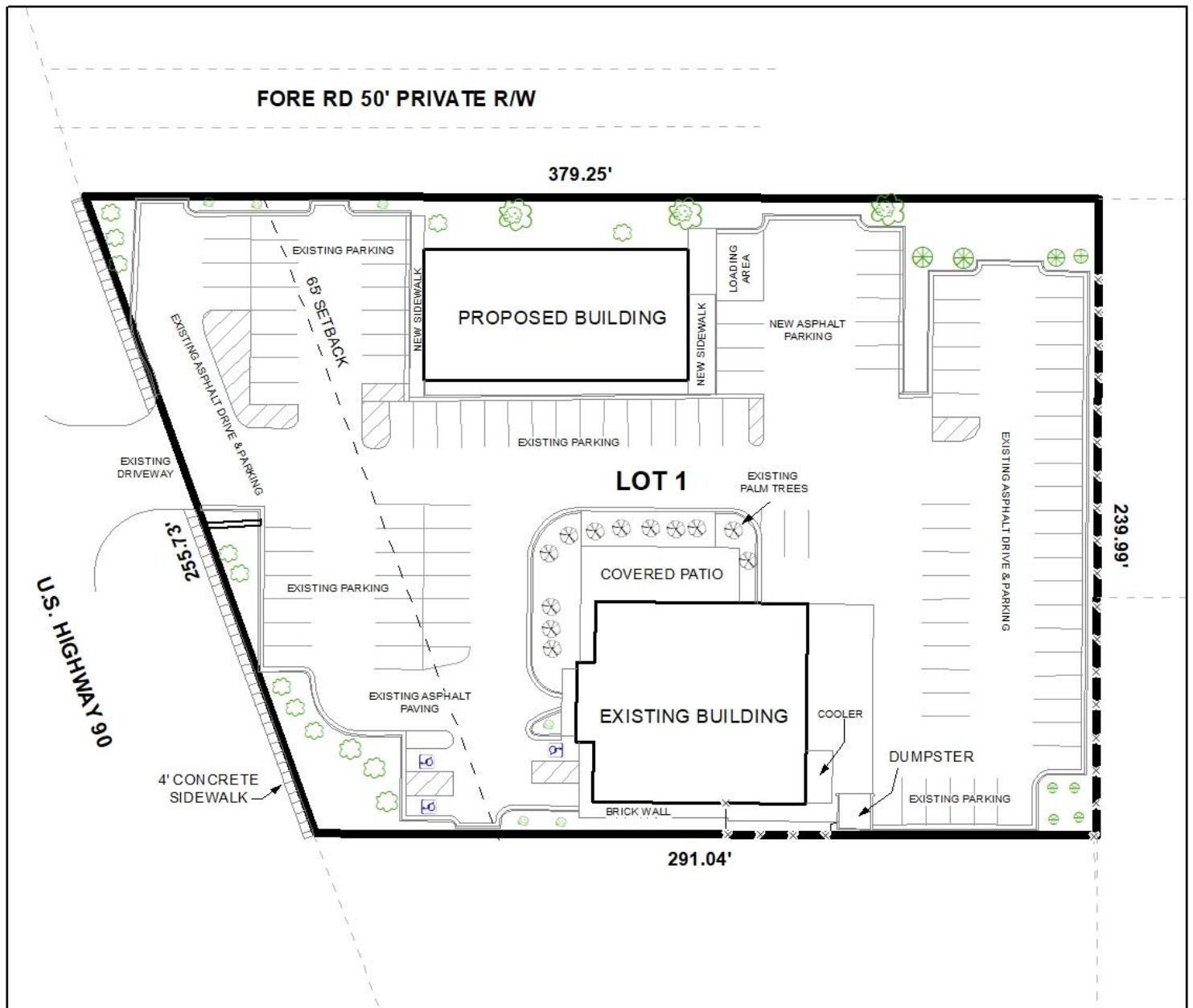
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SITE PLAN

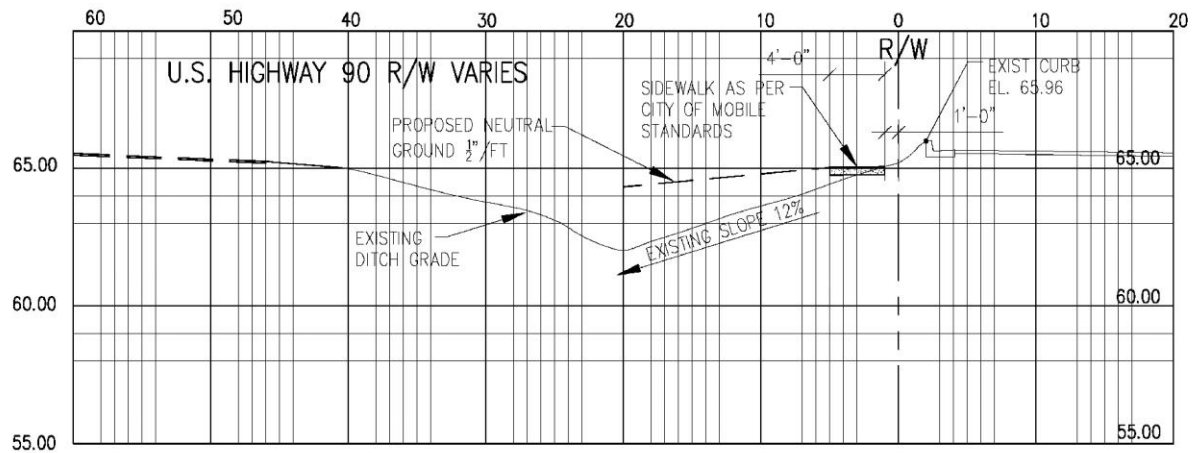


The site plan illustrates existing building, parking, and setback, as well as proposed building and parking area.

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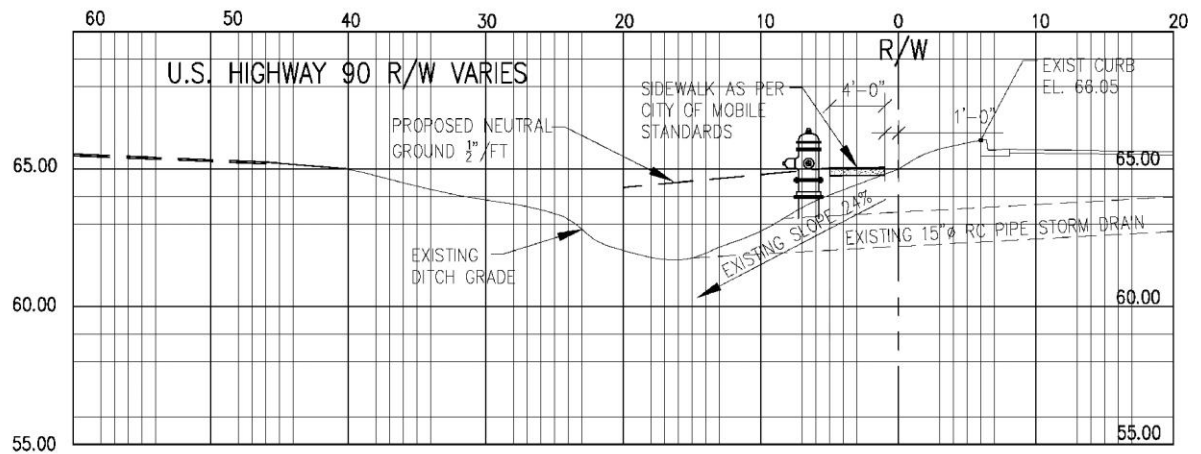
DETAIL SITE PLAN



STA 0+70
U.S. HIGHWAY 90

CROSS SECTION @ STA 0.70

HORIZ. 1" = 10'
VERT. 1" = 5'



STA 2+25
U.S. HIGHWAY 90

CROSS SECTION @ STA 2+25

HORIZ. 1" = 10'
VERT. 1" = 5'

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