



Agenda Item # 6

SUB-SW-002808-2024

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration – Sidewalk Waiver](#)

DETAILS

Location:

7700 Summit Court

Applicant / Agent:

JADE Consulting, LLC

Property Owner:

Rebecca and Brandon Abbot dba RC Bell Daphne, LLC

Current Zoning:

B-2, Neighborhood Business Suburban District

Future Land Use:

Neighborhood Center - Suburban

Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

Proposal:

- Request to waive the construction of sidewalks along Summit Court and Schillinger Road South.

Commission Considerations:

1. Sidewalk Waiver


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PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial units.

APPLICATION NUMBER <u> 6 </u> DATE <u>February 22, 2024</u>	
APPLICANT <u> JADE Consulting, LLC </u>	
REQUEST <u> Sidewalk Waiver </u>	

SITE HISTORY

The site was included in a 9-lot subdivision for Schillinger Plaza Unit Three, which was approved by the Planning Commission at its December 17, 1998 meeting. The plat was subsequently recorded in Mobile County Probate Court.

The site was annexed into Mobile City limits in July 2023 as part of the Cottage Hill annexed area.

At its meeting on November 16, 2023 the subject site was brought before the Planning Commission as part of the zoning study process for the Cottage Hill annexed area. The Commission approved the proposed zoning change to B-2, Neighborhood Business District. The B-2 zoning designation was subsequently adopted by the City Council.

At its meeting on December 7, 2023 the Planning Commission approved the rezoning of the subject site from R-1, Single-Family Residential Suburban District to B-2, Neighborhood Business Suburban District. However, the application was withdrawn shortly thereafter as the application was no longer necessary once the City Council amended the Zoning Map as part of the zoning study process for the Cottage Hill annexed area.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the site.

STAFF COMMENTS

Engineering Comments:

It appears that there is sufficient room within the ROW, or within the property, for the construction of a sidewalk behind the existing drainage ditch.

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, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code.

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 non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of

sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

Planning Comments:

The applicant is currently in the plan review process to obtain a Land Disturbance permit to develop the site for commercial use. Full compliance with the Unified Development Code requires provision of sidewalks along all street frontages. As such, the applicant is requesting to waive the construction of sidewalks along Summit Court and Schillinger Road South.

The applicant has submitted a site plan depicting the proposed development. All application materials can be viewed by using the link at the beginning of this report.

Per the Engineering comments, along Summit Court and Schillinger Road South the subject site appears to have sufficient room within the ROW, or within the property, for the construction of a sidewalk behind the existing drainage ditch.

SIDEWALK WAIVER CONSIDERATIONS

Standards of Review:

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.

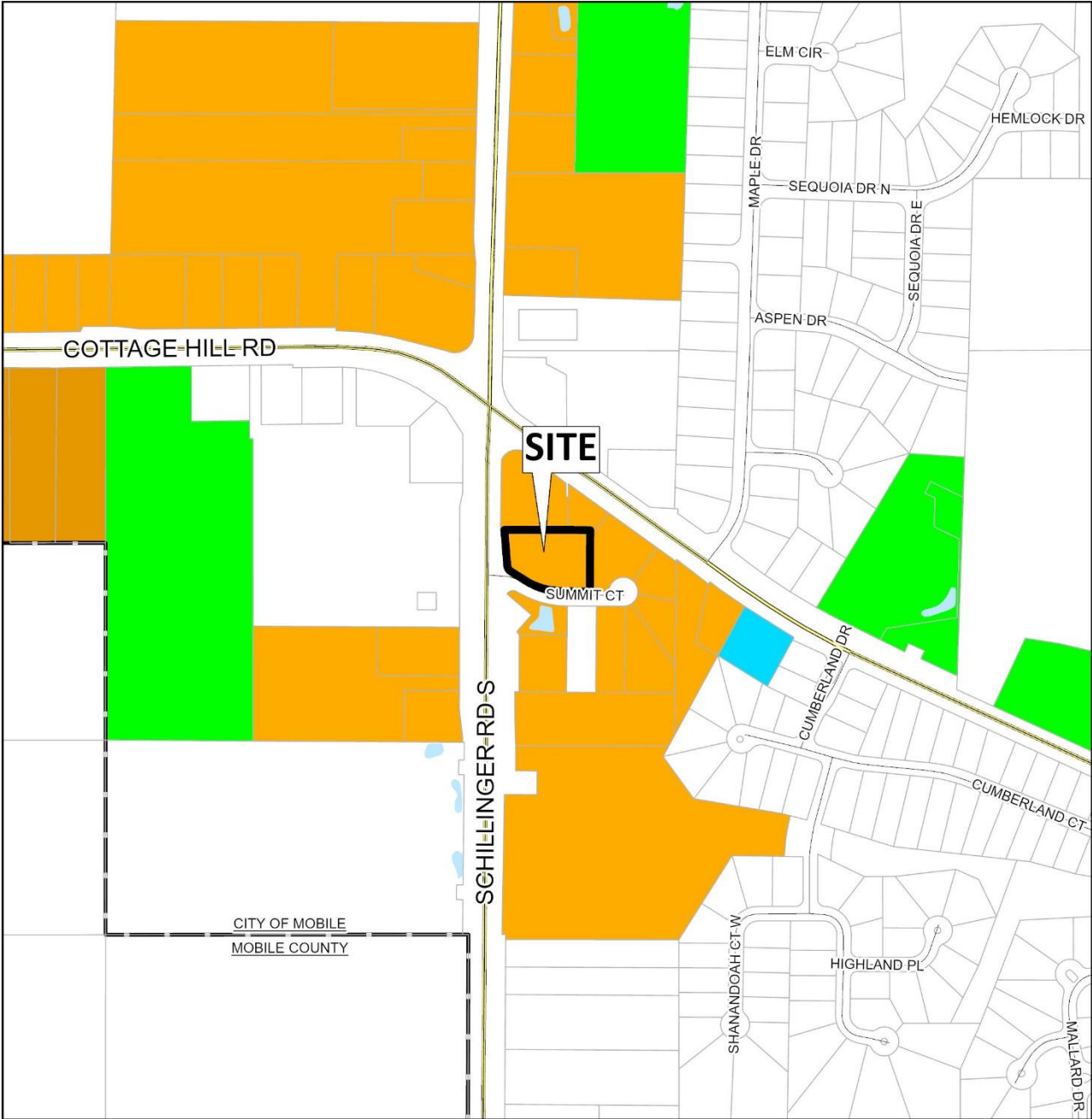
Sidewalks are typically encouraged, even in areas where none currently exist, although the appropriateness of sidewalks should also consider the existing infrastructure in the area.

Considerations:

In rendering a decision, the Planning Commission should evaluate the following factors:

1. The City of Mobile Complete Streets Policy which supports the design and construction of streets for all users, including pedestrians; and
2. The existing infrastructure in the area, such as adequate room for construction of a sidewalk, topography, as well as connectivity to existing sidewalks.

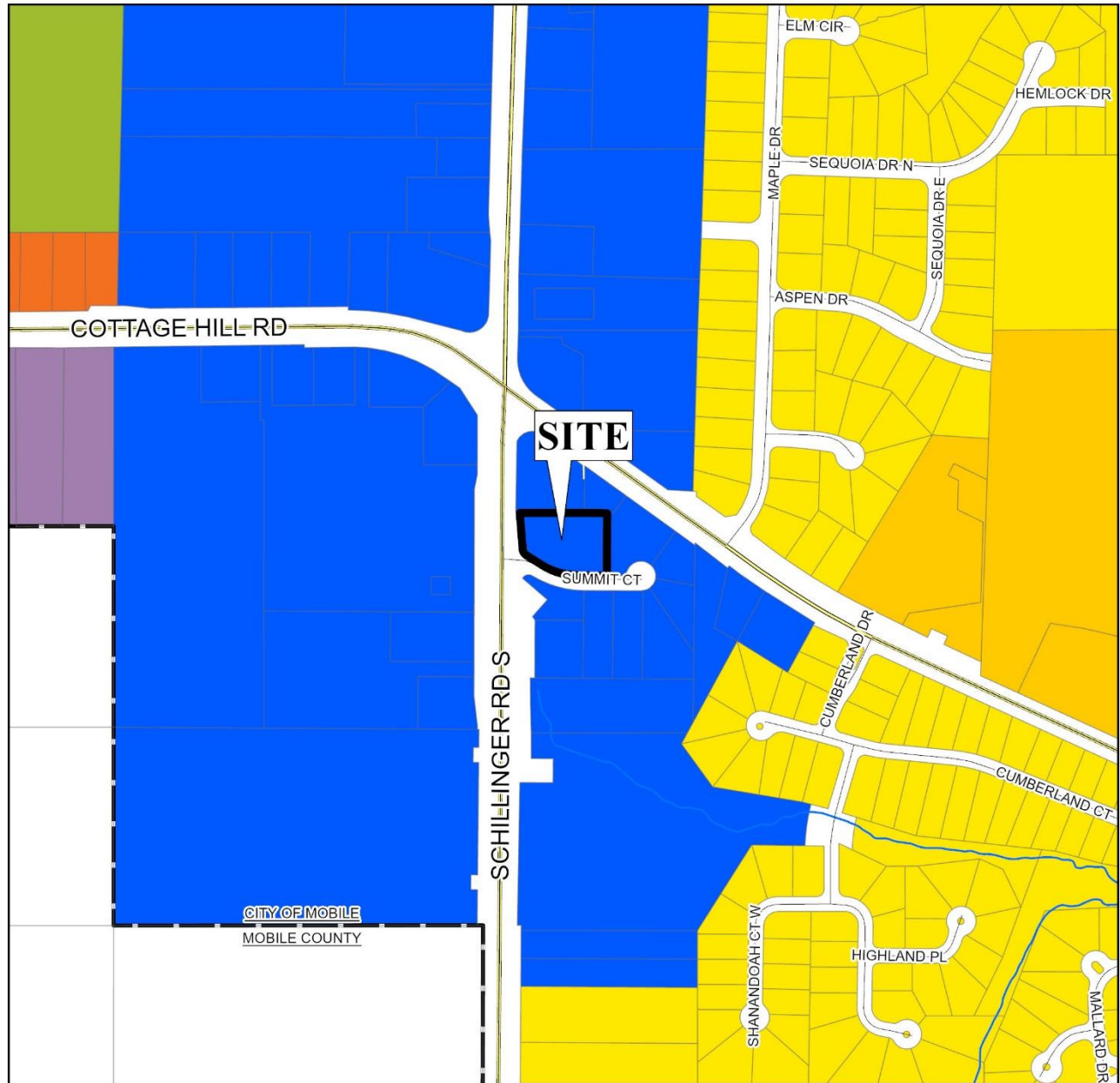
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



APPLICATION NUMBER 6 DATE February 22, 2024

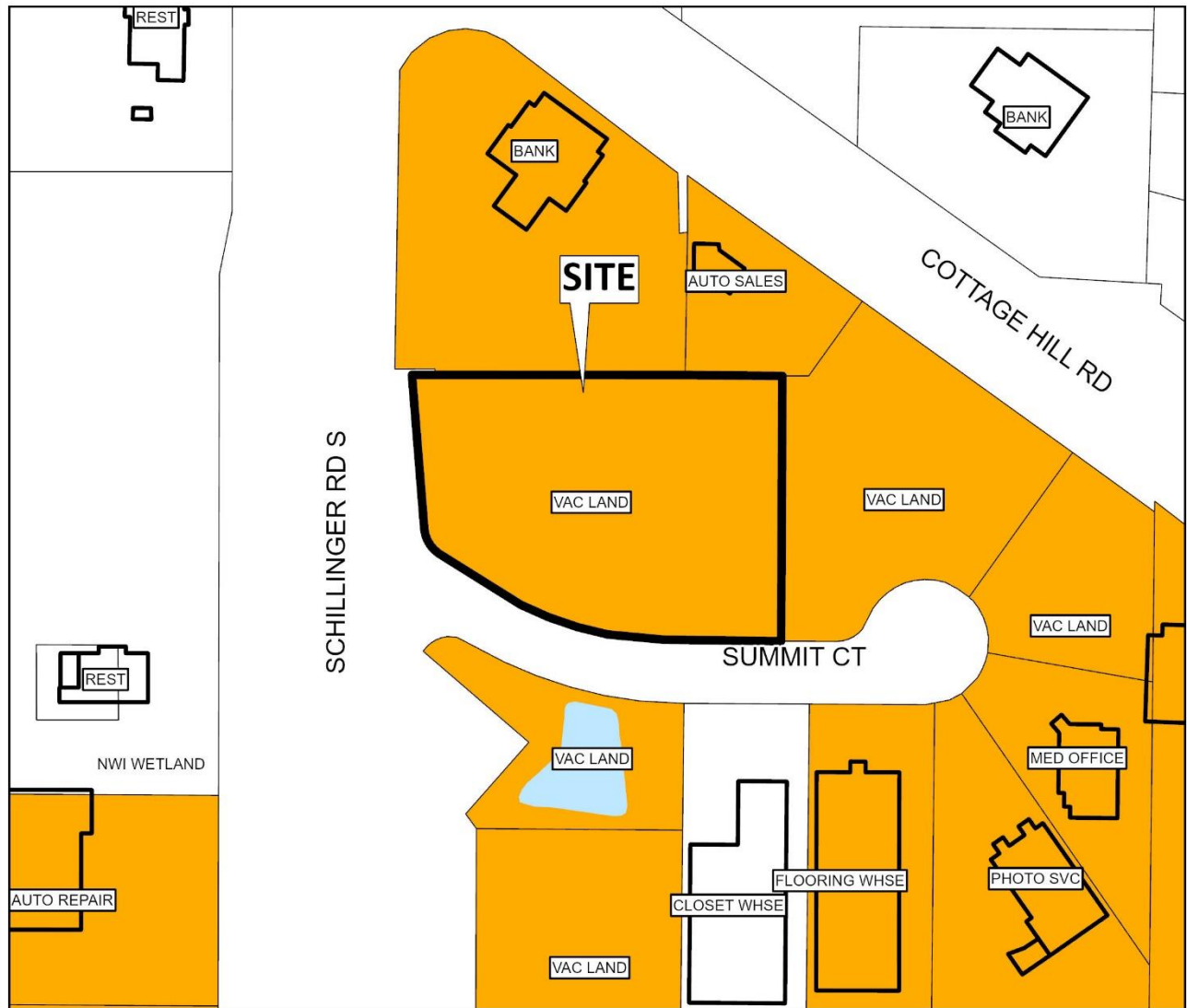
APPLICANT JADE Consulting, LLC

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 | |



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

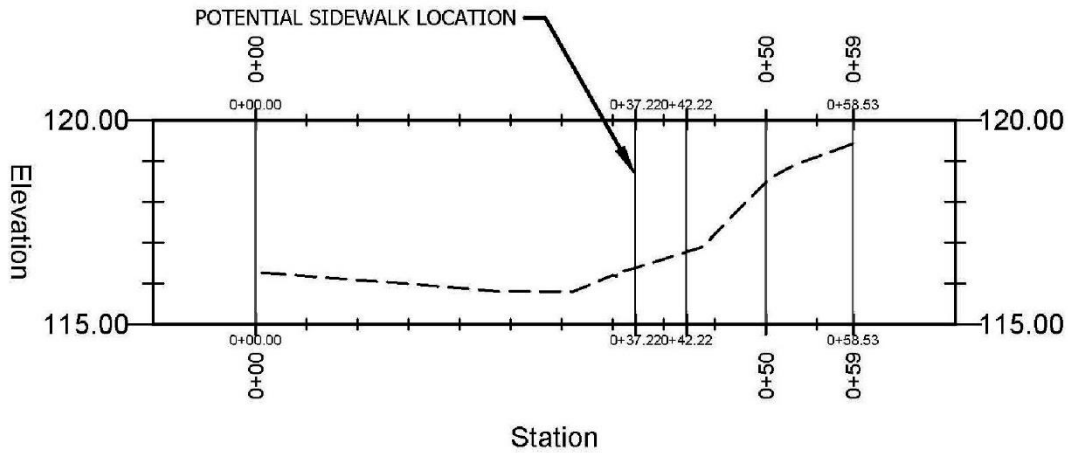
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APPLICANT <u> JADE Consulting, LLC </u>																															
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<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> B-1</td> <td> B-2</td> <td> B-5</td> <td> ML</td> <td> I-2</td> <td> OPEN</td> <td> T-3</td> <td> T-5.2</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> T-B</td> <td> B-3</td> <td> CW</td> <td> MH</td> <td> PD</td> <td> SD</td> <td> T-4</td> <td> T-6</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> MM</td> <td> I-1</td> <td> MUN</td> <td> SD-WH</td> <td> T-5.1</td> <td></td> </tr> </table>		 R-A	 R-3	 B-1	 B-2	 B-5	 ML	 I-2	 OPEN	 T-3	 T-5.2	 R-1	 R-B	 T-B	 B-3	 CW	 MH	 PD	 SD	 T-4	 T-6	 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1	
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 R-2	 H-B	 LB-2	 B-4	 MM	 I-1	 MUN	 SD-WH	 T-5.1																							

DETAIL SITE PLAN

Profile View of PV - Schillinger Rd (North)

Scale: 1"=20' Horizontal

1"=5' Vertical



POTENTIAL ISSUES WITH A PROPOSED SIDEWALK:

- CHALLENGING TOPOGRAPHY WILL REQUIRE GRADING EASEMENT FROM NEIGHBOR
- NEIGHBOR DOES NOT PROVIDE SIDEWALK TO TIE INTO FOR CONTINUANCE

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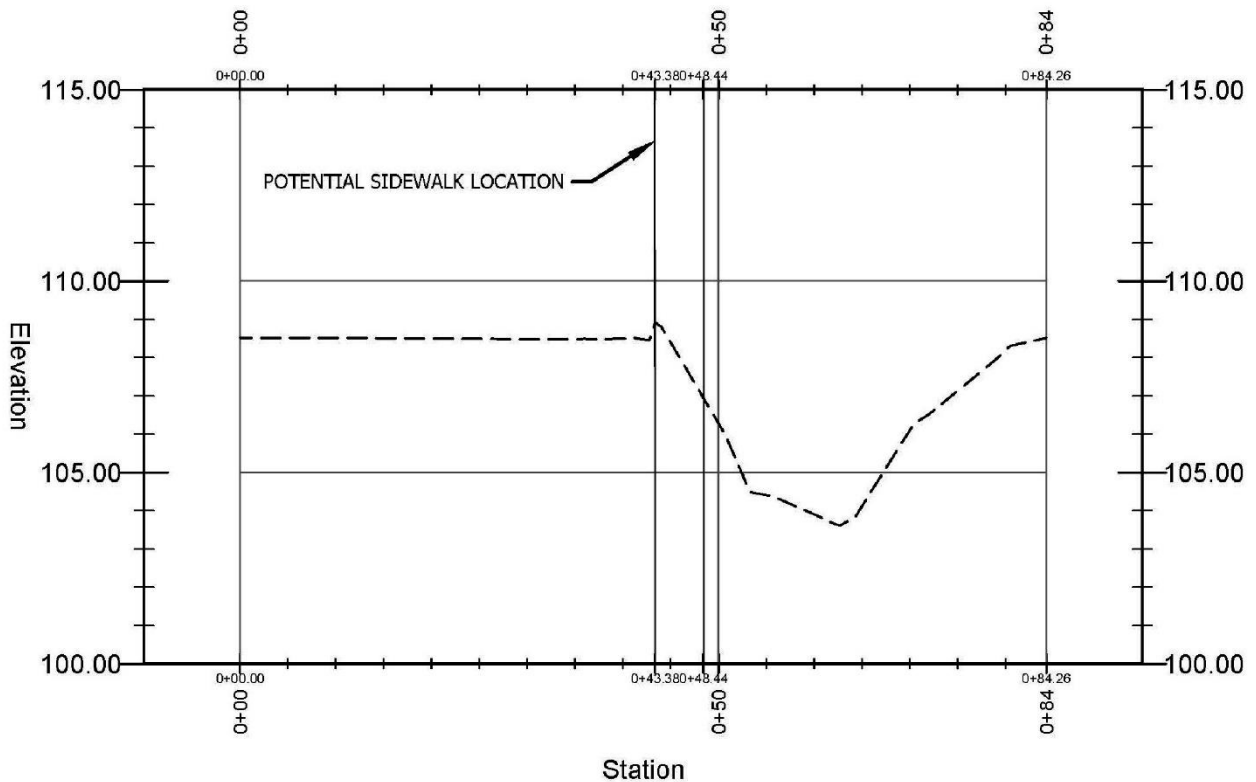
NTS

DETAIL SITE PLAN

Profile View of PV - Schillinger Rd & Summit Ct Intersection

Scale: 1"=20' Horizontal

1"=5' Vertical



POTENTIAL ISSUES WITH A PROPOSED SIDEWALK:

- ALDOT ROW WORK IN 2015 DID NOT ALLOW ADEQUATE SPACE FOR A FUTURE SIDEWALK WITHOUT IMPACTING THE DITCH

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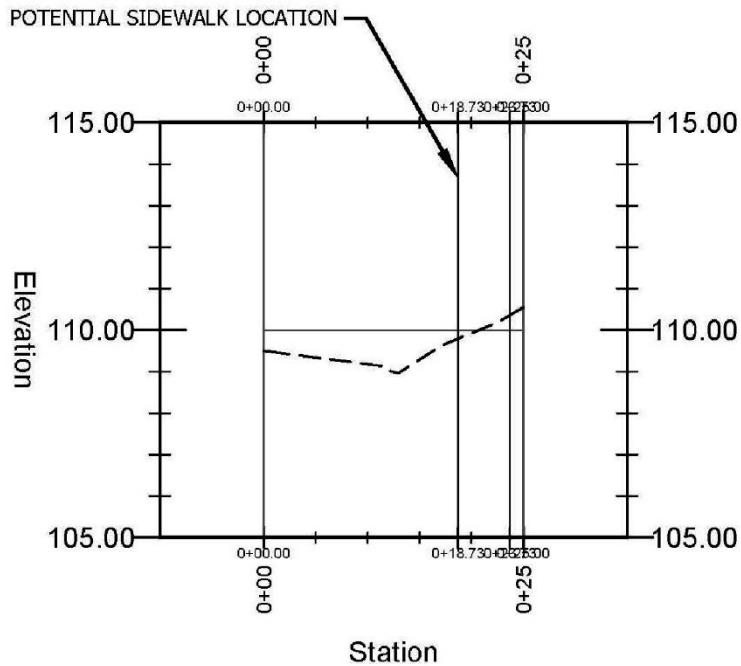
NTS

DETAIL SITE PLAN

Profile View of PV - Summit Ct (East)

Scale: 1"=20' Horizontal

1"=5' Vertical



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ZONING DISTRICT CORRESPONDENCE MATRIX															
		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWUR)
RESIDENTIAL - AG	R-A														
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

NEIGHBORHOOD CENTER (NC)

This land use designation applies to smaller hubs of mixed commercial, community, and recreational activity that cater to adjacent residential areas. Many of these centers exist today in some form. Therefore, the following common principles apply not just to the future development of new centers, but also to the redevelopment (wholesale or incremental) of existing centers.

General Principles for Neighborhood Centers:

- NC should support a limited amount of commercial employment
- NC should incorporate some residential use, which may vary in type from detached single family, townhouse, accessory and live-work units in mixed use and low-rise multifamily structures.
- The residential density in NC designations –ranging from 4 to 10 du/ac— must be compatible in character with that of surrounding residential development, providing appropriate transitions in height, massing and other buffering from one land use district to the next.
- The retail and housing uses should merge around vibrant, compact, accessible nodes, located at key

neighborhood intersections or along short road segments.

- The NC nodes should be connected to the surrounding neighborhood and nearby public uses (e.g., schools, parks, etc.) via well-designed sidewalks and complete streets.

While the above-listed principles are common to all NC districts, the design attributes of neighborhood centers generally vary depending on whether a center is in a more “traditional” or more “suburban” context.

Additional Attributes of Neighborhood Centers:

- NC in traditional contexts: These tend to be in those areas east of the Beltline and correspond to MxDR neighborhoods. In these NCs, buildings should orient to the street, with on-site parking typically pushed to the back of the site. The design qualities of the public realm are emphasized, including the provision of continuous sidewalks, tree canopy, pedestrian amenities, on-street parking and bicycle facilities where appropriate.
- NC in suburban contexts: These generally are located among the LDR land use designations in the areas west of the Beltline. Where they exist, these centers currently have a more pronounced

vehicular orientation. Therefore, the emphasis is on retrofitting to improve internal walkability (e.g., through the addition of sidewalks, tree canopy, protection from the elements) and external connectivity to the surrounding areas (via sidewalks, paths and trails, street crossings, transit stops, etc.) and to increase the mix and density of uses (e.g., infill of outparcels, addition of housing, etc.).