



Agenda Item #7

SUB-SW-002564-2023

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

[Applicant Materials for Consideration](#)

DETAILS

Location:

50 Charleston Street

Subdivision Name:

CSA Container Yard No. 2 Subdivision

Applicant / Agent:

Patrick Garstecki or Gary Cowles,
Cowles, Murphy, Glover, & Associates

Property Owner:

CSA Equipment Company, LLC

Current Zoning:

I-2, Heavy Industry District

Future Land Use:

Downtown Waterfront

Applicable Codes, Policies, and Plans:

- Subdivision Regulations
- Complete Streets Policy

Schedule for Development:

- N/A

Proposal:

- Waive construction of sidewalks along Charleston Street and South Royal Street.

Considerations:

- Sidewalk Waiver Request


Report Contents:

	Page
Context Map	2
Site History	3
Staff Comments	3
Sidewalk Waiver Considerations	4
Exhibits	5

PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by industrial and commercial units.
The city jail lies west of the site.

APPLICATION NUMBER <u> 7 </u> DATE <u> July 20, 2023 </u>	 NTS
APPLICANT <u> Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates </u>	
REQUEST <u> Sidewalk Waiver </u>	

SITE HISTORY

The site was the subject of a one-lot subdivision approved by the Planning Commission at its March 2, 2023 meeting. The plat has since been recorded in Mobile County Probate Court. It appears the property has been in use as a container storage yard since at least 1984.

STAFF COMMENTS

Engineering Comments:

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.

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 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 commercial and residential buildings. A fire hydrant is required to be within 400' of non-sprinkled commercial buildings and 600' of sprinkled commercial buildings.

Planning Comments:

The applicant proposes to re-develop the subject site with an office building and repair shop, along with security fencing, a gate, and off-street parking, for continued use of the property as a container storage yard. Re-development of the site requires full compliance with current regulations, including the provision of sidewalks along all street frontages. The applicant is requesting to waive construction of sidewalks along Charleston Street and South Royal Street.

The applicant's narrative is available via the link on the first page of this report. They indicate there is not enough room to build sidewalks within the applicable rights-of-way, that there's not a realistic need for sidewalks at this location due to the industrial nature of the surrounding neighborhood, and because there are no adjoining sidewalks to the South or East of the property. However, the site does not have street frontage along its South property line, and railroad right-of-way extends the entire length of its East property line. As such, sidewalks are not required along the South and East property lines. Sidewalks are, however, required along the site's North and West property lines as they front Charleston Street and South Royal Street, respectively.

Regarding the applicant's concern that there is not enough room between the property line and the back of the curb along South Royal Street to construct a sidewalk, there appears to be sufficient room to construct a sidewalk, in part, on private property. While the construction of sidewalks within the public right-of-way is preferred, Engineering has approved sidewalk construction on private property.

As far as the applicant's claim that there is not a realistic need for sidewalks along South Royal Street or Charleston Street due to the industrial nature of the area, sidewalks have been constructed within the vicinity of the subject site, along both of these streets. A sidewalk was constructed along the West side of South Royal Street, directly across from the subject site, and ties into an existing sidewalk that extends North to the intersection of Canal Street; and sidewalks have been constructed on both sides of Charleston Street, West of the intersection of South Royal Street, extending to the intersection of Saint Emanuel Street. While sidewalk waivers have been approved for properties within the surrounding neighborhood, all except one (1) were approved prior to Mobile City Council adopting the Complete Streets Policy in 2011.

Finally, the Engineering comments suggest that a sidewalk can be constructed along both frontages.

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.

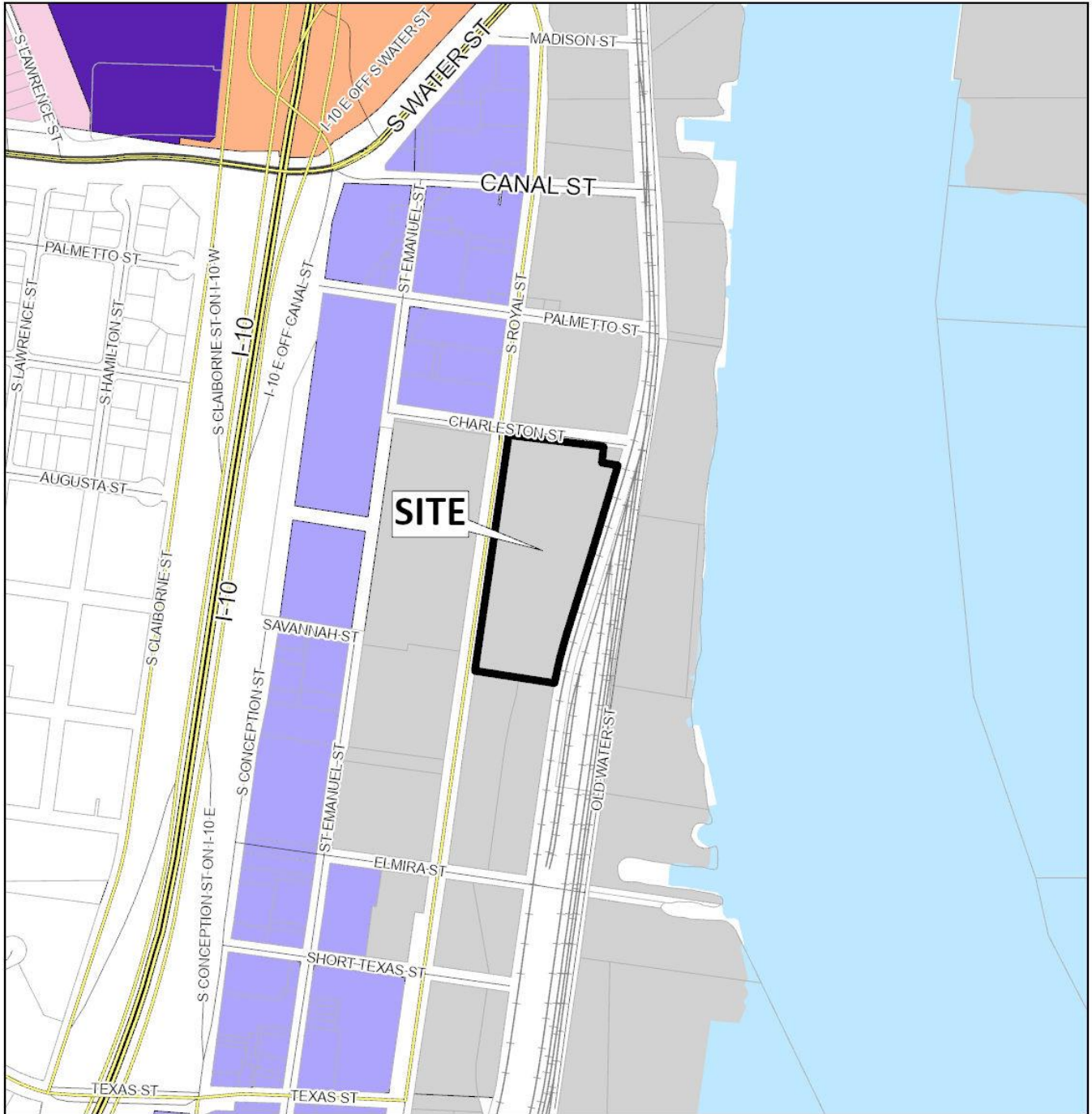
Sidewalks are typically encouraged, even in industrial developments, although the appropriateness of sidewalks should also take into account the existing infrastructure in the area, i.e., does the construction of the existing roadway safely allow for a sidewalk to be utilized.

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, as well as connectivity to existing sidewalks.

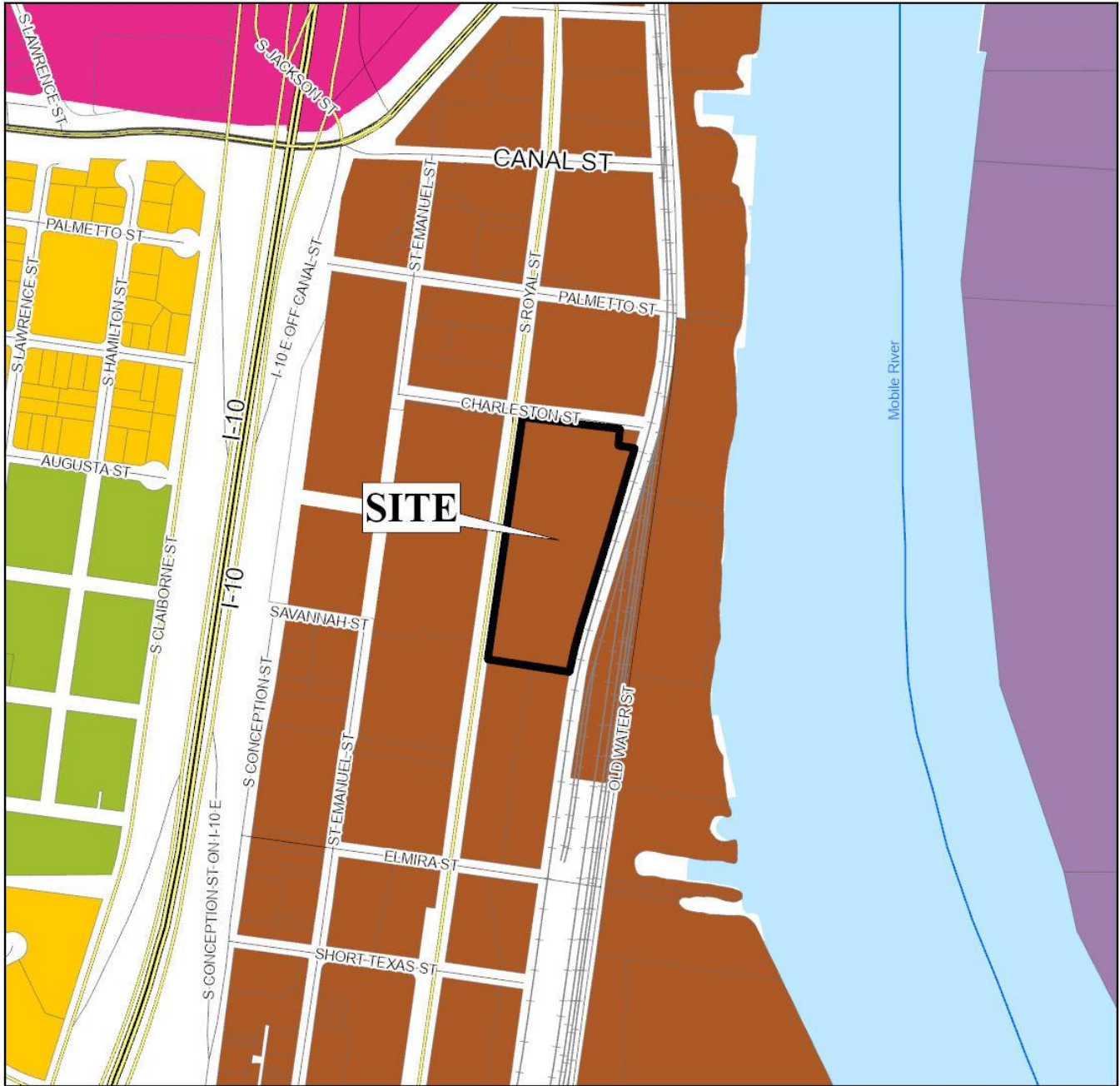
LOCATOR ZONING MAP



APPLICATION NUMBER 7 DATE July 20, 2023
 APPLICANT Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates
 REQUEST Sidewalk Waiver



FLUM LOCATOR MAP



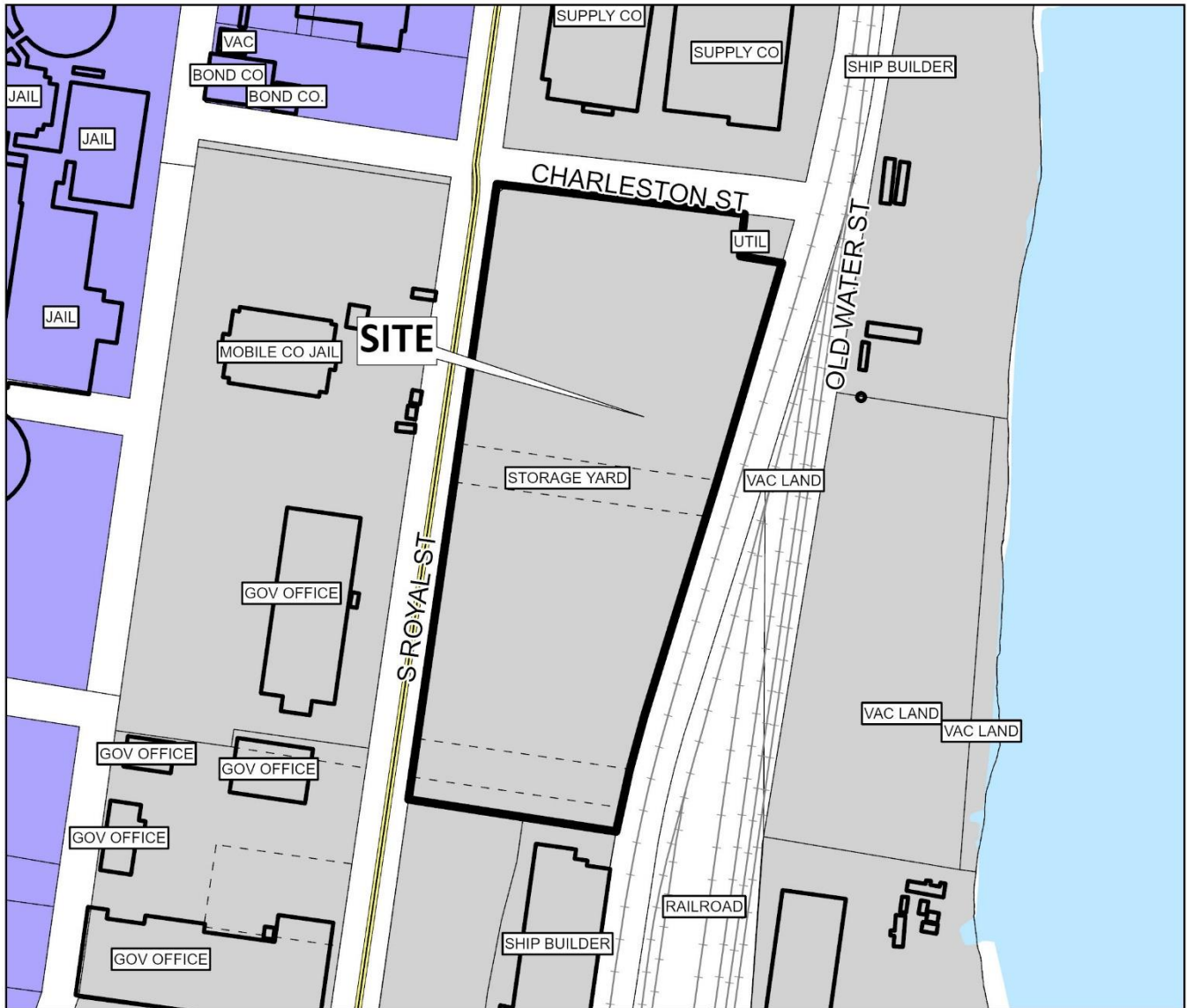
APPLICATION NUMBER 7 DATE July 20, 2023
 APPLICANT Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates
 REQUEST Sidewalk Waiver

Layer2

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



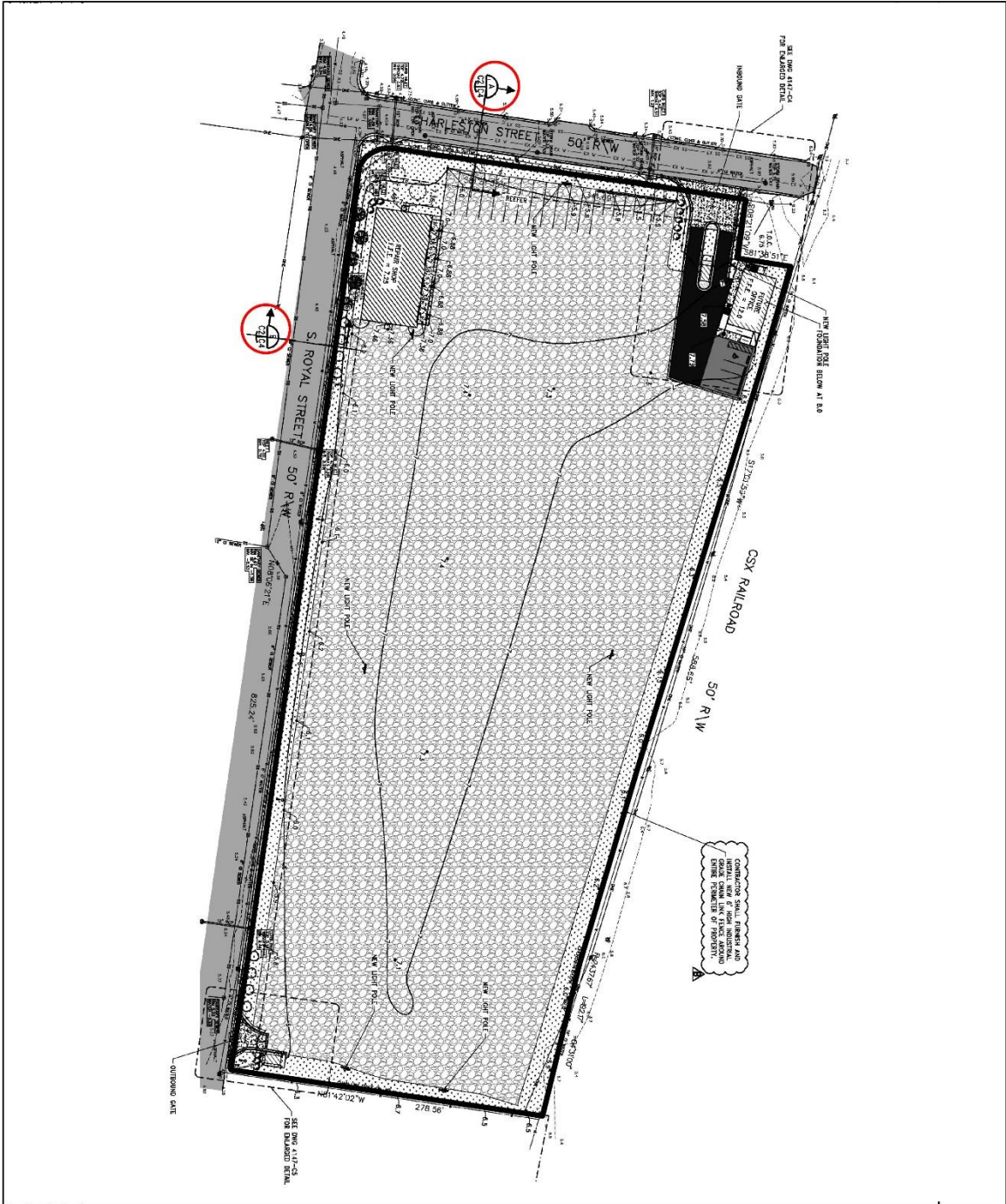
PLANNING COMMISSION VICINITY MAP - EXISTING ZONING




The site is surrounded by industrial and commercial units.
The city jail lies west of the site.

APPLICATION NUMBER <u>7</u>	DATE <u>July 20, 2023</u>	 NTS																							
APPLICANT <u>Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates</u>																									
REQUEST <u>Sidewalk Waiver</u>																									
<table style="width: 100%; font-size: small;"> <tr> <td> R-A</td> <td> R-3</td> <td> T-B</td> <td> B-2</td> <td> B-5</td> <td> MUN</td> <td> SD-WH</td> <td> T5.1</td> </tr> <tr> <td> R-1</td> <td> R-B</td> <td> B-1</td> <td> B-3</td> <td> I-1</td> <td> OPEN</td> <td> T3</td> <td> T5.2</td> </tr> <tr> <td> R-2</td> <td> H-B</td> <td> LB-2</td> <td> B-4</td> <td> I-2</td> <td> SD</td> <td> T4</td> <td> T6</td> </tr> </table>	 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	
 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																		

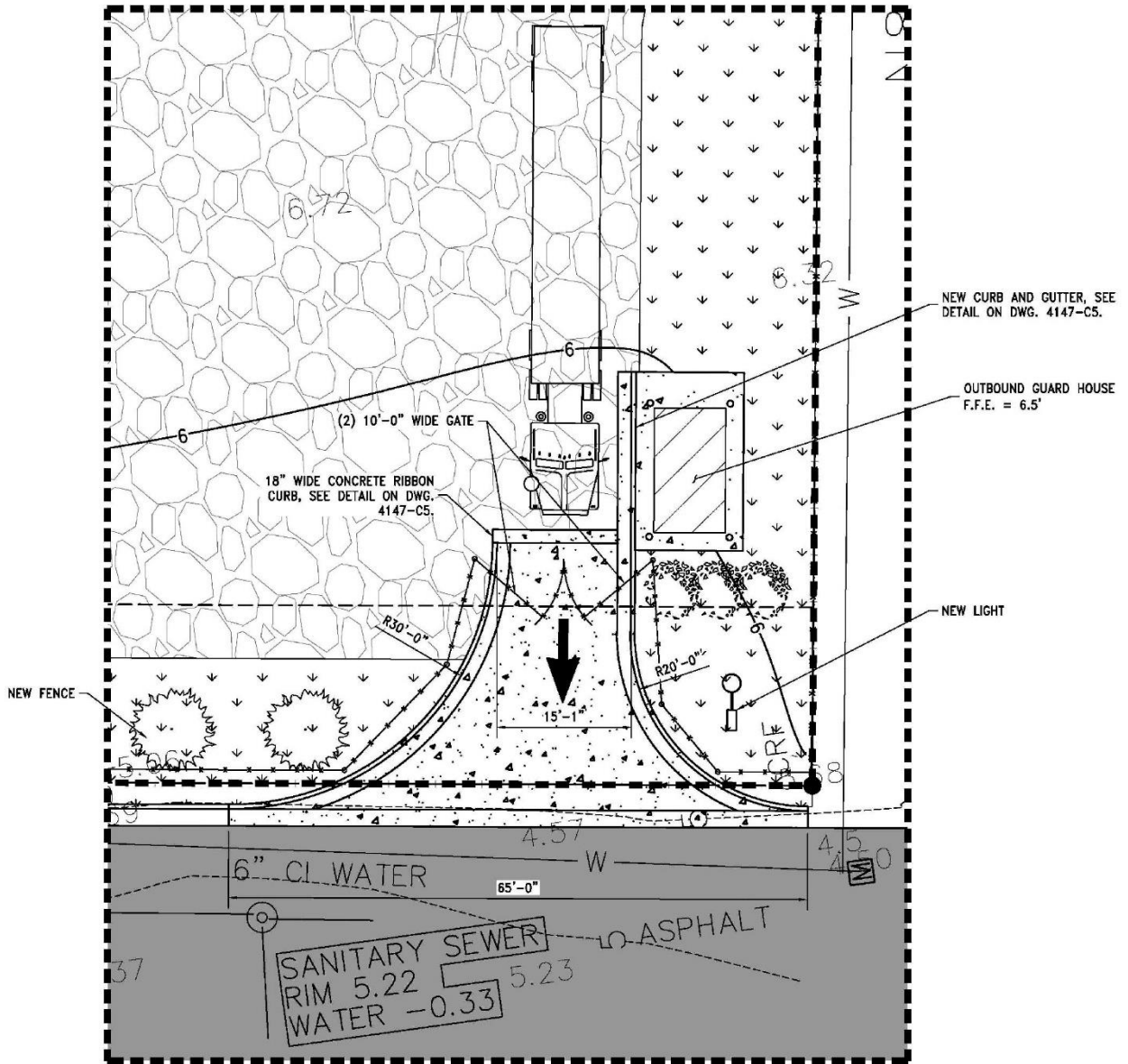
SITE PLAN



The site plan illustrates the proposed buildings, parking, and sidewalk waiver sections.

APPLICATION NUMBER <u>7</u> DATE <u>July 20, 2023</u>	
APPLICANT <u>Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates</u>	
REQUEST <u>Sidewalk Waiver</u>	

DETAIL SITE PLAN

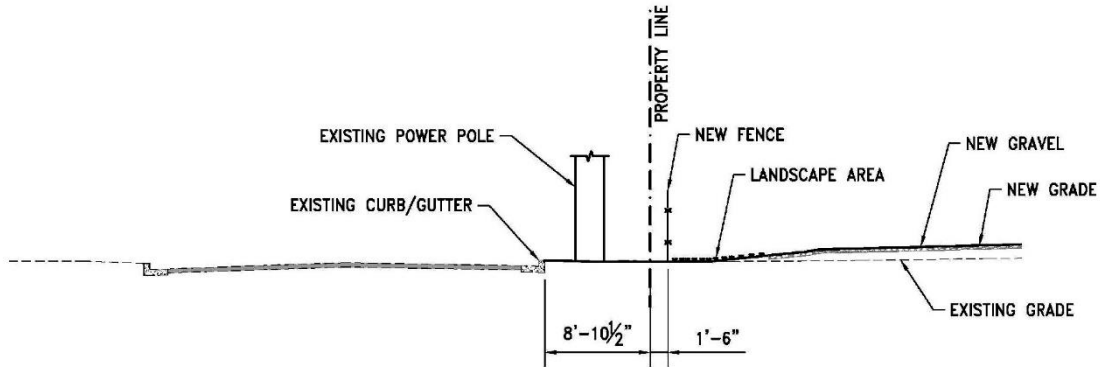


ENLARGED OUTBOUND GATE
1"=10'

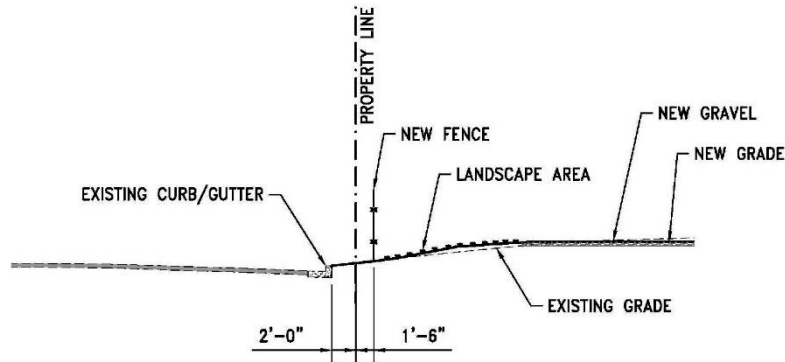
APPLICATION NUMBER 7 DATE July 20, 2023
 APPLICANT Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates
 REQUEST Sidewalk Waiver



DETAIL SITE PLAN



SECTION A
 1"=10'-0" C2 | C4



SECTION B
 1"=10'-0" C2 | C4

APPLICATION NUMBER <u>7</u>	DATE <u>July 20, 2023</u>
APPLICANT <u>Patrick Garstecki or Gary Cowles, Cowles, Murphy, Glover & Associates</u>	
REQUEST <u>Sidewalk Waiver</u>	

