

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: May 5, 2022****NAME**

Richardson, Inc. (Tim Richardson, Agent)

LOCATION1066 Hillcrest Road
(Northwest corner of Hillcrest Road and Johnston Lane).**PRESENT ZONING**

B-2, Neighborhood Business District

**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**

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 Johnston Lane.

The site has been given a Mixed Commercial Corridor (MCC) land use designation, per the Future Land Use Plan and Map adopted 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 subject site received Planned Unit Development approval from the Planning Commission at its March 3, 2022 meeting. The applicant proposes to re-develop the site with a carwash.

The applicant states the following concerning the sidewalk waiver request:

SIDEWALK WAIVER IS BEING REQUESTED ALONG JOHNSTON LANE, AS THIS IS AN UNIMPROVED GRAVEL-SURFACED ROW SERVED BY THE APPLICANT AND THE NEIGHBORING PROPERTY TO THE SOUTH. AS NOTED BY STAFF IN A PREVIOUS RECENT PUD APPLICATION, A SIDEWALK HAS NOT BEEN REQUIRED IN PREVIOUS DEVELOPMENTS AT THIS LOCATION, AS ITS EXISTENCE WOULD NOT BENEFIT ANYONE. IF AT A LATER DATE JOHNSTON LANE IS IMPROVED AND/OR EXTENDED, APPLICANT WILL AGREE TO PROVIDE A SIDEWALK AT THAT TIME.

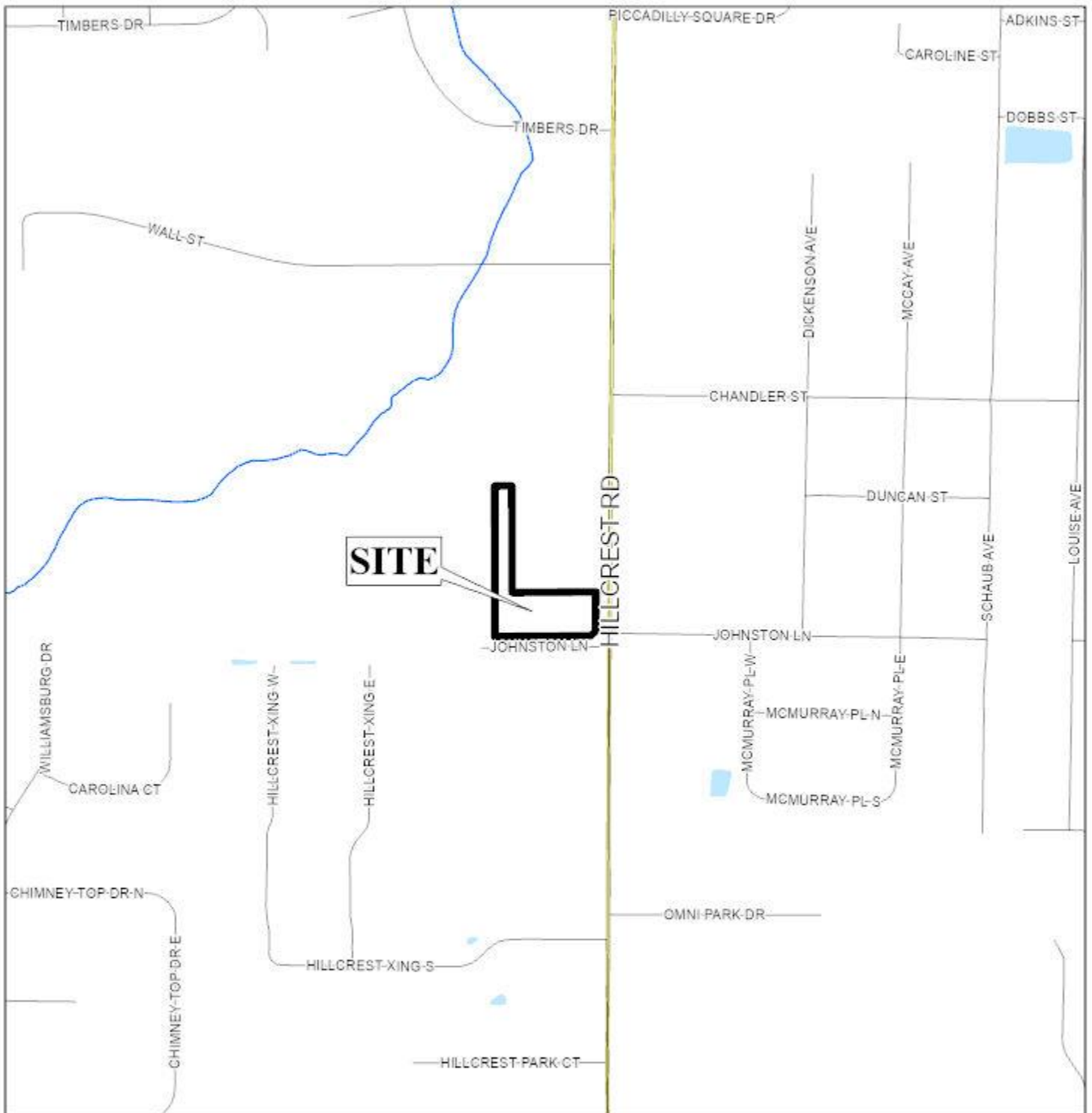
It should be pointed out that the Mobile City Council adopted a "complete streets" policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists, commercial and emergency vehicles, and for people of all ages and abilities.

It should be noted that there are no physical barriers to the installation of a sidewalk. It appears that the applicant simply wishes to delay the installation of a sidewalk until adjacent properties are developed and the street is paved. However, while there is adequate room for the construction of the sidewalk, there is very little precedent, if any, for construction of a sidewalk along a gravel lane. Additionally, if Johnston Lane is ever improved to City standards, if the sidewalk was installed it would be removed during construction. Consequently, it may be that the Commission should consider waiving the construction of the sidewalk, but require that the owner install the sidewalk (as offered by the applicant) when Johnston Lane is paved.

RECOMMENDATION Based upon the preceding, this application for waiver of a sidewalk along Johnston Lane is recommended for Approval, subject to:

- 1) Construction of the sidewalk when Johnston Lane is paved.

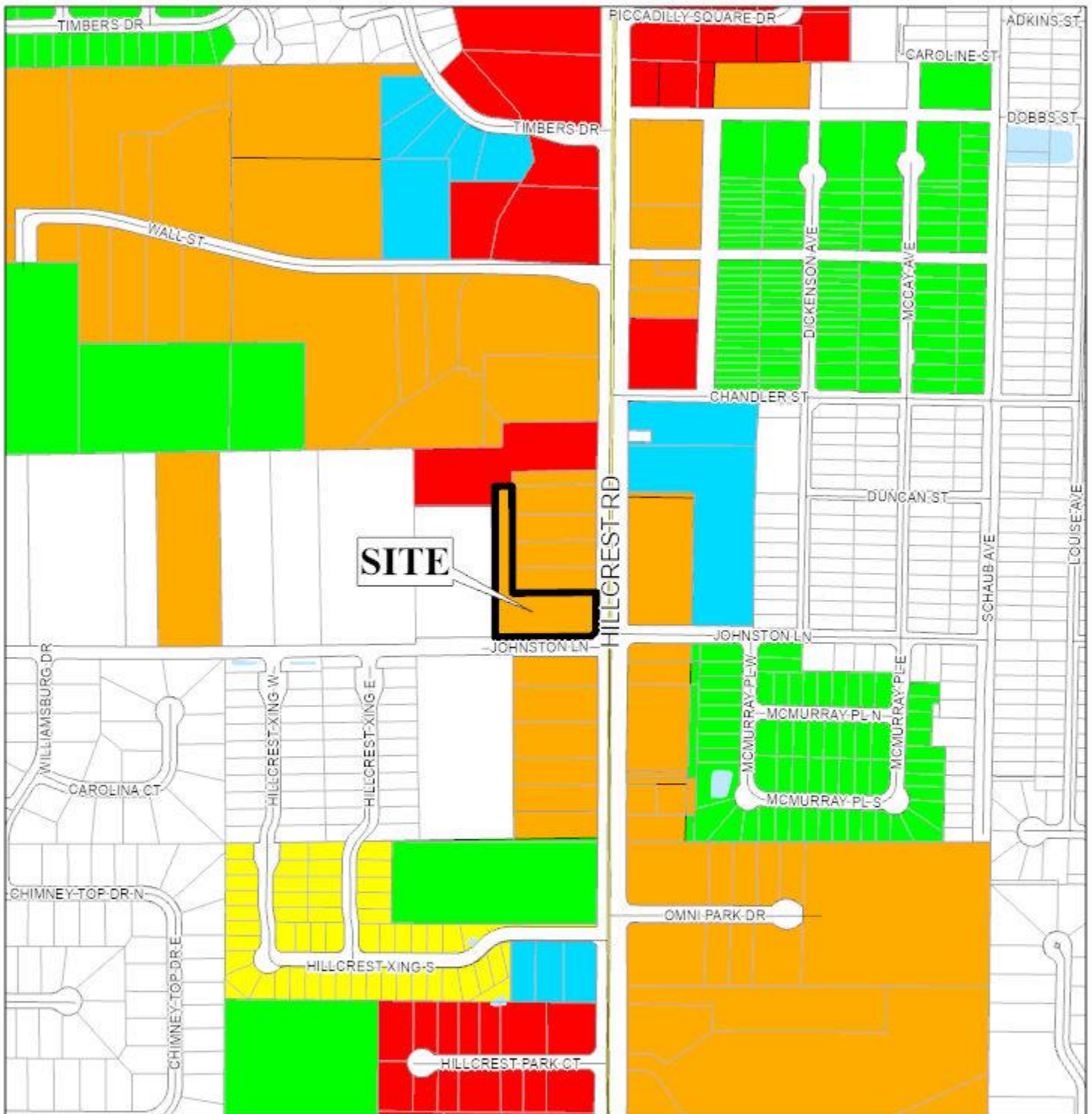
LOCATOR MAP



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APPLICANT Richardson Inc (Tim Richardson Agent)
REQUEST Sidewalk Waiver



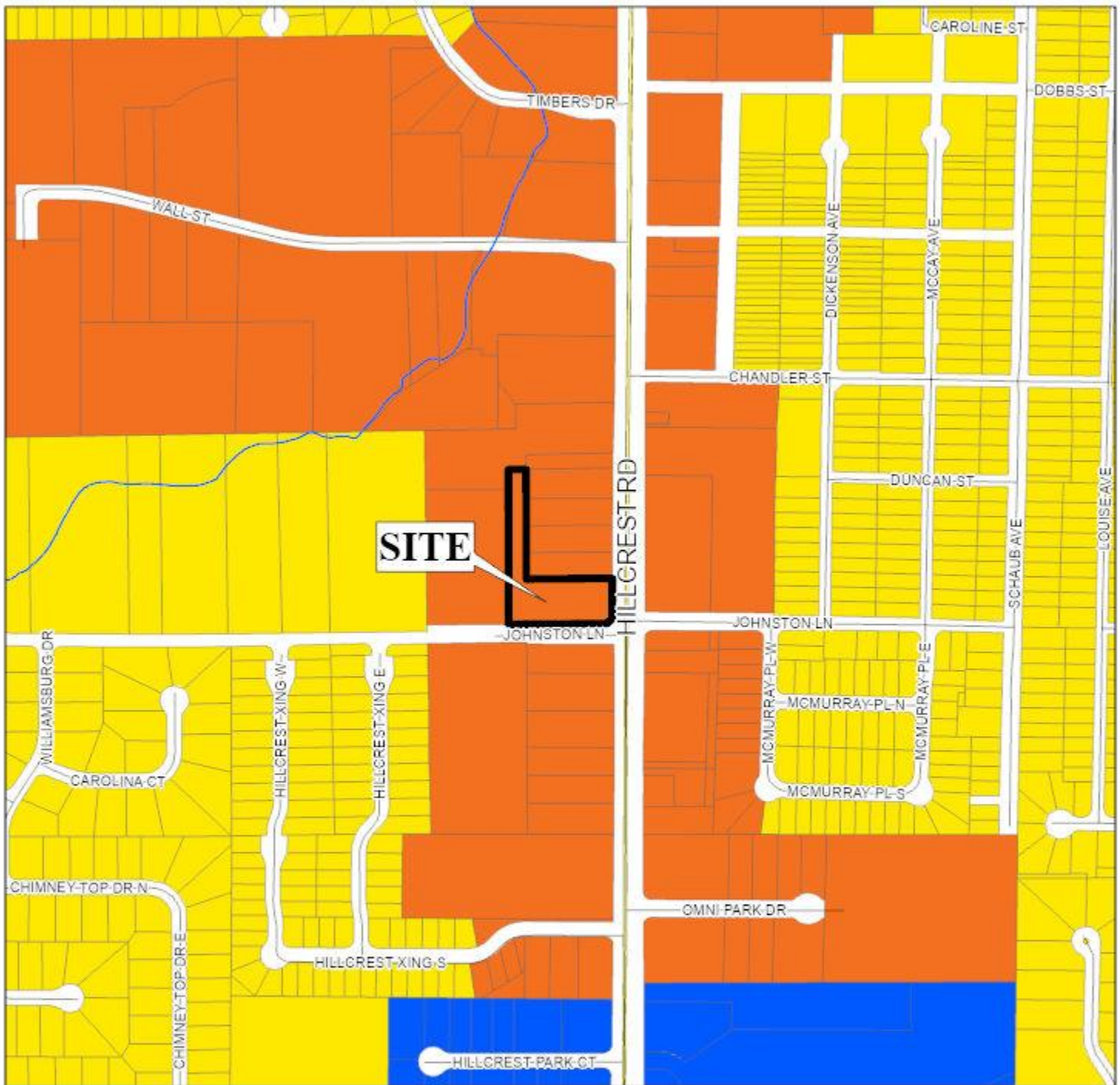
LOCATOR ZONING MAP



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FLUM LOCATOR MAP



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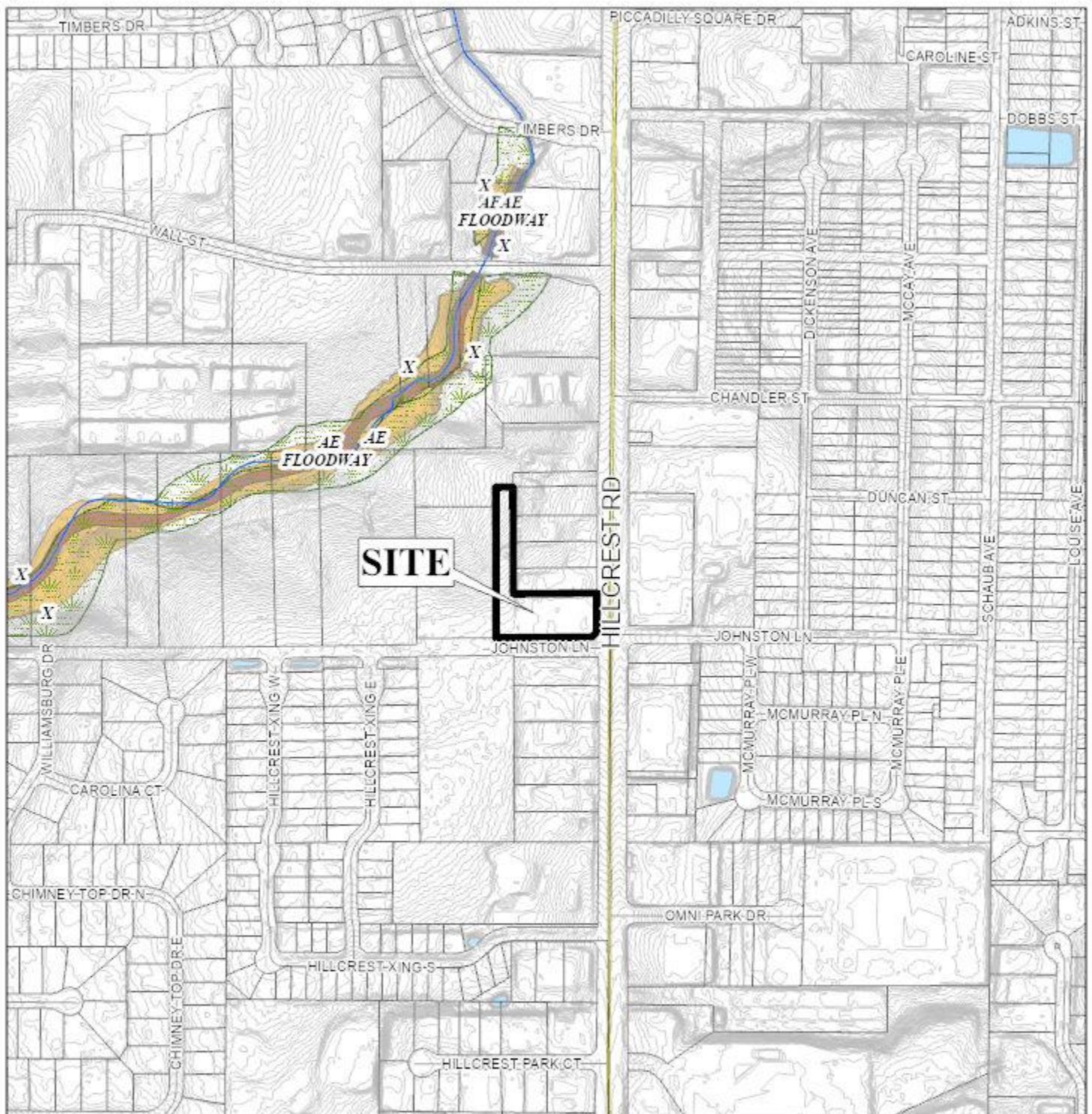
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Layer2

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



ENVIRONMENTAL LOCATOR MAP



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RICHARDSON, INC. (TIM RICHARDSON, AGENT)



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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



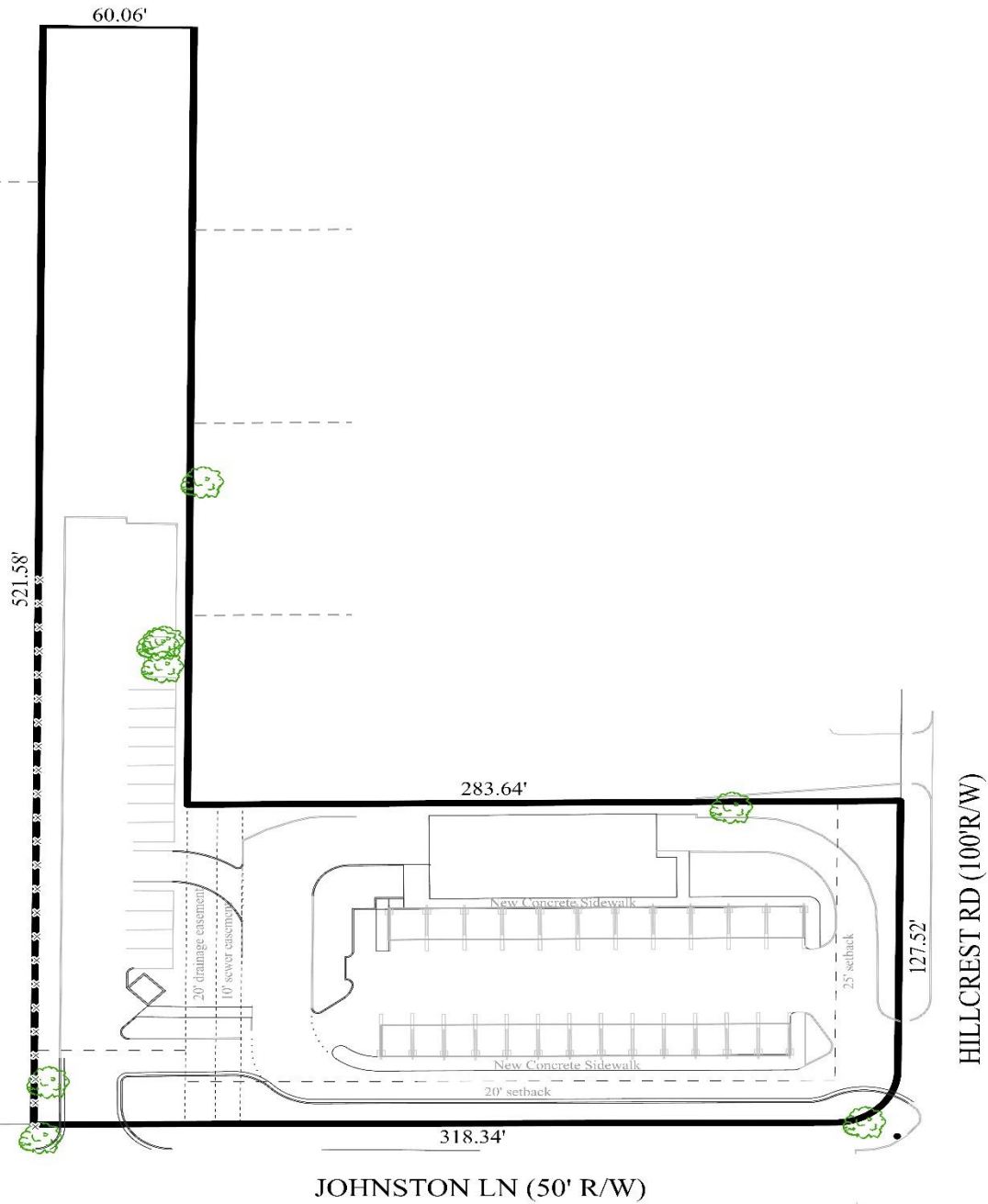
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SITE PLAN



This site illustrates the existing building, new sidewalks, easements and setbacks.

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NTS