

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: May 20, 2021****NAME**

Board of Water and Sewer Commissioners of the City of Mobile

LOCATION4800 Moffett Road
(Northwest corner of Moffett Road and Shelton Beach Road Extension).**PRESENT ZONING**

R-1, Single-Family Residential District

ENGINEERING**COMMENTS**

MOFFETT RD: It appears that there may be sufficient room within the ROW for the construction of a sidewalk that could be permitted through the ROW Permit process; however, due to the existing fence along the property line, existing power poles, utility markers, and the volume of traffic on Moffett Rd. it is recommended that this request be approved.

SHELTON BEACH RD.: It appears that due to existing power poles, utility markers, and a shallow drainage ditch it is recommended that this request be approved.

TRAFFIC ENGINEERING**COMMENTS**

No comment.

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 Shelton Beach Road Extension and Moffett Road.

The site has been given a Light Industry (LI) 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 applies to an array of modern, low-impact industrial uses that include assembly and processing, warehousing, distribution and wholesaling facilities. The bulk of the light industrial use must be contained within a building or facility. If a light industrial use requires outside storage, the storage must be limited in area and appropriately screened from view in accordance to specific zoning requirements. This designation may also include uses such as complementary offices and retail.

LI also includes areas that may be regarded as “industrial business”, where the land uses include business administration and logistics operations for industrial concerns, building trade contractors facilities and advance research facilities, as well as stand-alone educational, scientific and industrial research facilities, or any combination of those facilities located in light industrial and technology parks. Many parcels used for industrial business are smaller and scattered throughout Mobile. For this reason, these parcels are not singled out in the FLUM, but rather are addressed through zoning.

Light industrial uses are characterized by attractive, accessible and connected development, compatible with the character of surrounding neighborhoods. Development may take the form of planned campuses in park-like settings or unified design corridors, with consideration to factors such as site and building orientation, building design, landscaping and buffering, lighting, continuity of pedestrian networks, access and connectivity to transit and to freight transportation.

Heavy commercial and, in some cases, high-density residential land uses may serve as transitions between LI and other, lower-intensity land use designations. Protection buffers may also be required by zoning.

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 to justify the sidewalk waiver request:

1. *ALL FOOT TRAFFIC ALONG SHELTON BEACH ROAD IS DONE ON THE EAST SIDE WHERE MAWSS HAS ALREADY INSTALLED APPROXIMATLY 1090 FEET OF SIDEWALK. THIS IS ILLUSTRATED BY THE ATTACHED PICTURES.*
2. *IN RECOGNITION OF FOOT TRAFFIC ON THE EAST SIDE OF SHELTON BEACH ROAD, MAWSS PROPOSES TO COMPLETE THE GAP IN THE EXISTING SIDEWALK ALONG THEIR PROPERTY FRONTAGE ON THE EAST SIDE OF SHELTON BEACH ROAD.*

3. *ON THE WEST SIDE OF SHELTON BEACH ROAD THERE IS A 50 MILLION GALLON RESERVOIR THAT IS APPROXIMATELY 55 FEET FROM WHERE A NEW SIDEWALK WOULD BE. THIS PRESENTS THE POSSIBILITY OF PEOPLE THROWING BOTTLES OR CANS, TRASH AND POTENTIAL CONTAMINANTS INTO THE RESERVOIR THAT COULD EVENTUALLY MAKE ITS WAY TO FACILITY THE PUMPS AND OTHER EQUIPMENT DAMAGING THEM AND CREATING COSTLY REPAIRS AND DOWN TIME.*
4. *AT THE PROPERTY CORNER OF MOFFETT ROAD AND SHELTON BEACH ROAD THERE IS ONLY 4 FEET OF CLEARANCE FROM PROPERTY CORNER TO BACK OF CURB. INSIDE THAT 4 FEET THERE IS A 24 INCH CONCRETE POWER POLE THAT WOULD BE IN THE MIDDLE OF THE SIDEWALK. IN ADDITION, THERE IS AN EXISTING SECURITY FENCE THAT IS APPROXIMATELY 2 1/2 FEET WEST OF THE POWER POLE THAT ALSO HINDERS ANY SIDEWALK INSTALLATION.*
5. *THERE IS A HIGH POINT ON SHELTON BEACH ROAD APPROXIMATELY 600 FEET NORTH OF MOFFETT ROAD. FROM THAT POINT, STORMWATER DRAINS TO THE NORTH AND SOUTH IN A SHALLOW ROADSIDE DITCH. THE INSTALLATION OF A SIDEWALK WOULD EITHER BE IN THE DITCH GOING SOUTH OR IN ELIMINATE THE SHALLOW DITCH GOING NORTH POTENTIALLY CAUSING STORMWATER FLOW INTO THE SOUTH BOUND LANE OF SHELTON BEACH ROAD CREATING A DRIVING HAZARD.*
6. *BY OBSERVATION, THERE DOES NOT APPEAR TO BE ANY SIGNIFICANT FOOT TRAFFIC ALONG THE NORTH SIDE OF MOFFETT ROAD. THERE IS NO EVIDENCE OF THE GRASS BEING WALKED THAT WOULD CREATE A VISIBLE PATH IF USED BY PEDESTRIANS.*

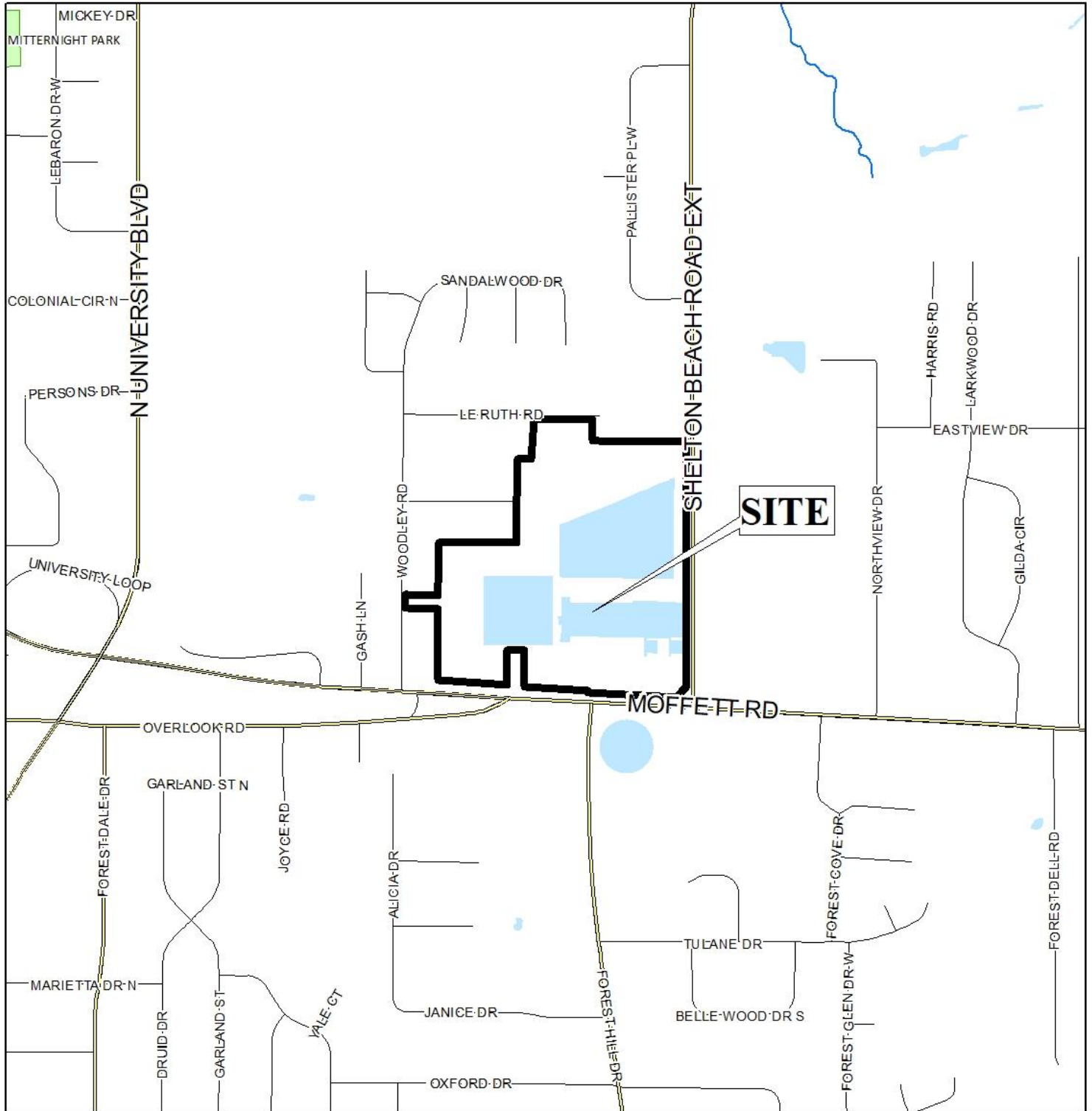
It should be pointed out that the Mobile City Council adopted a “complete streets” policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists,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

The subject site received Subdivision, Planned Unit Development, and Planning Approval approvals at the Commission’s February 18th meeting. An Engineering Department approval condition for the subdivision was “*Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved*”. The applicant now seeks a waiver for the requirement of construction of the sidewalk.

As per the Engineering comments, the waiver of sidewalk construction along both street frontages should be approved. However, it should be noted that the applicant proposes to complete the gap in the sidewalk on the East side of Shelton Beach Road Extension.

RECOMMENDATION Based upon the preceding, this application for waiver of a sidewalk along Shelton Beach Road and Moffett Road is recommended for Approval.

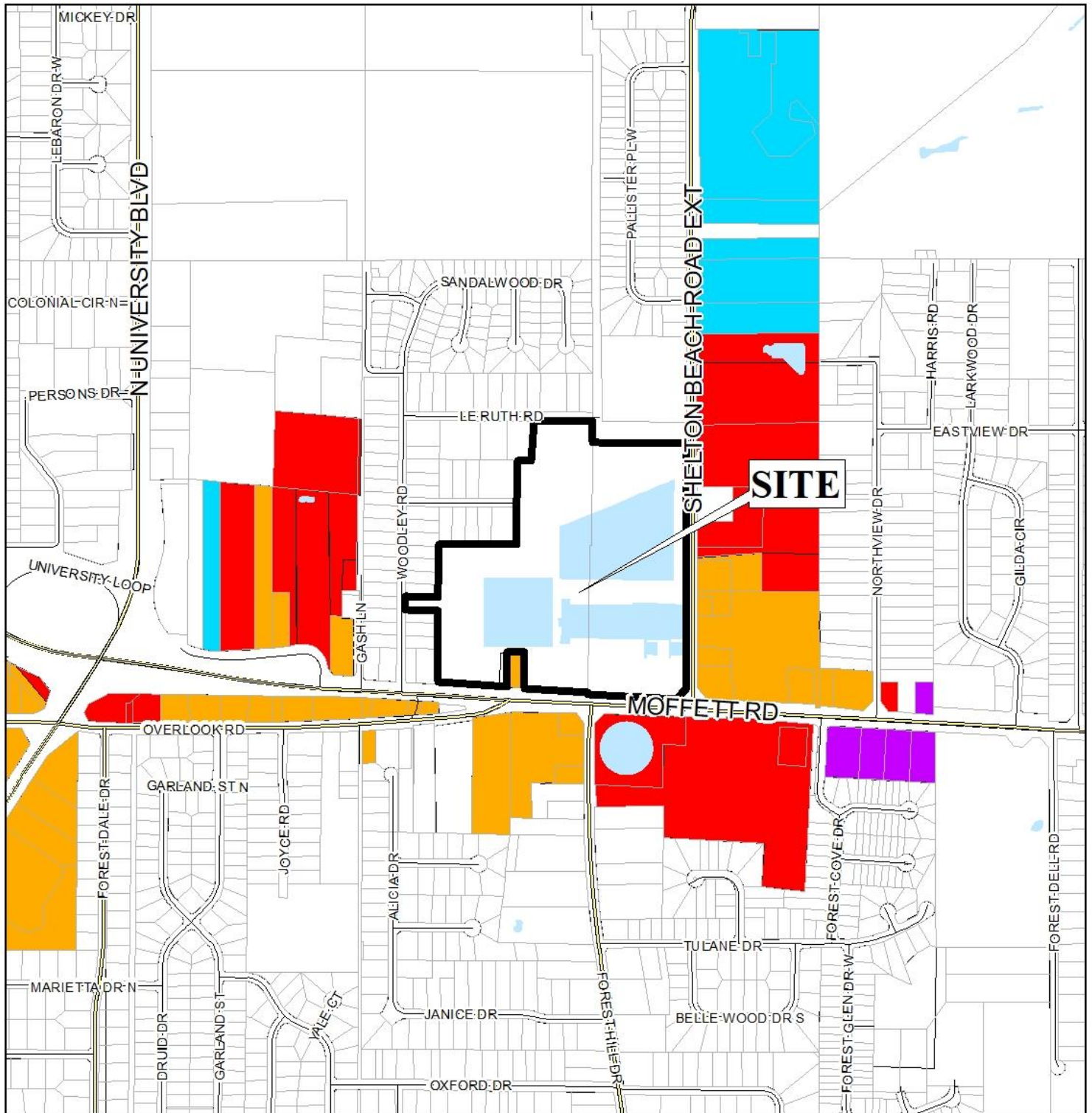
LOCATOR MAP



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LOCATOR ZONING MAP

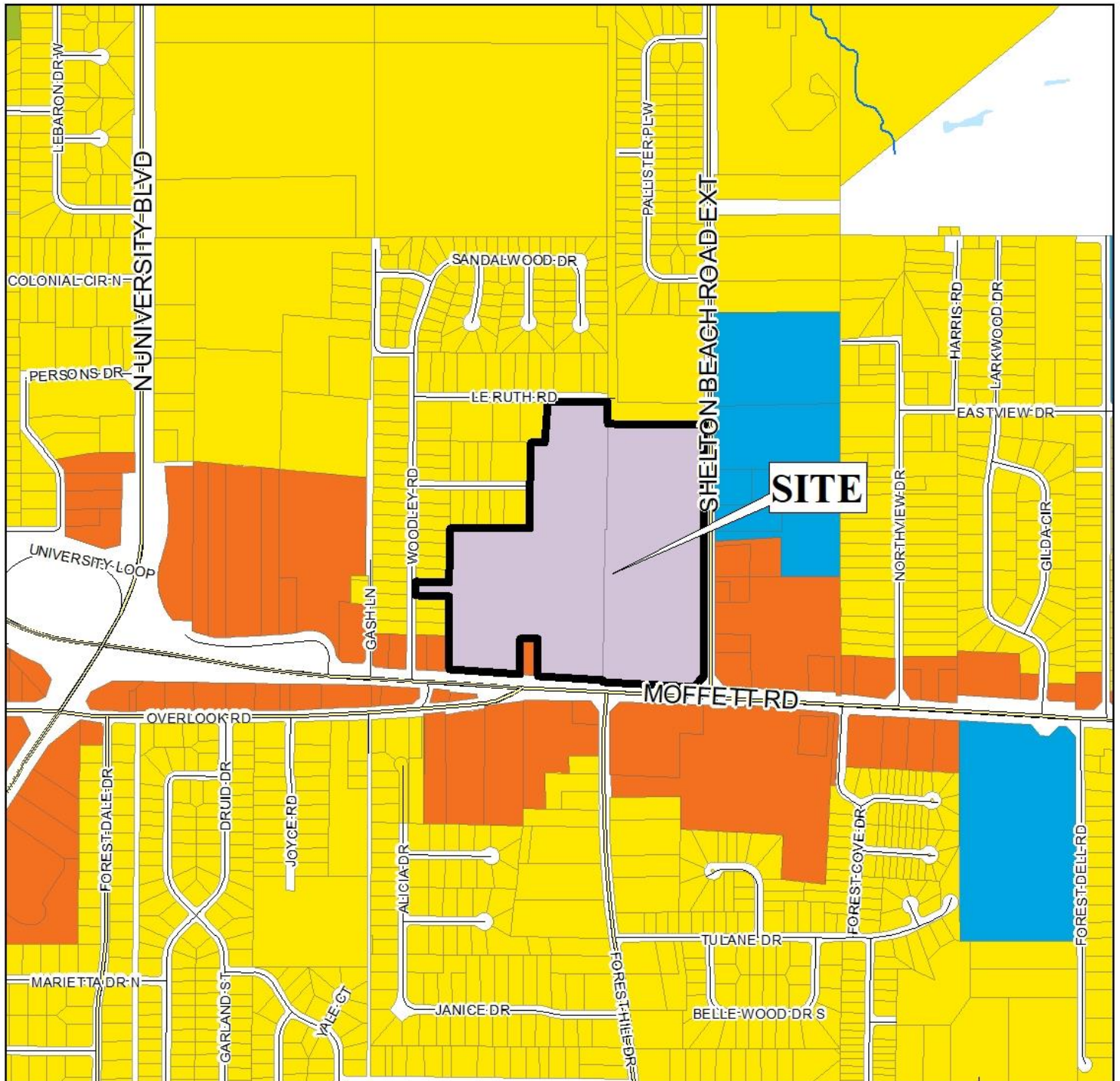


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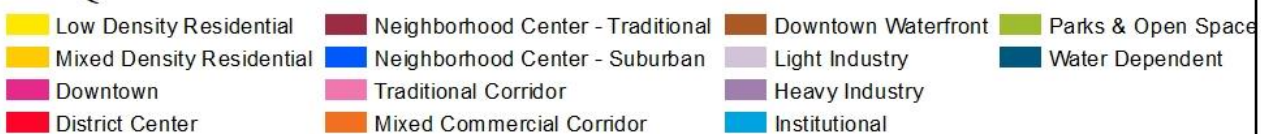
FLUM LOCATOR MAP



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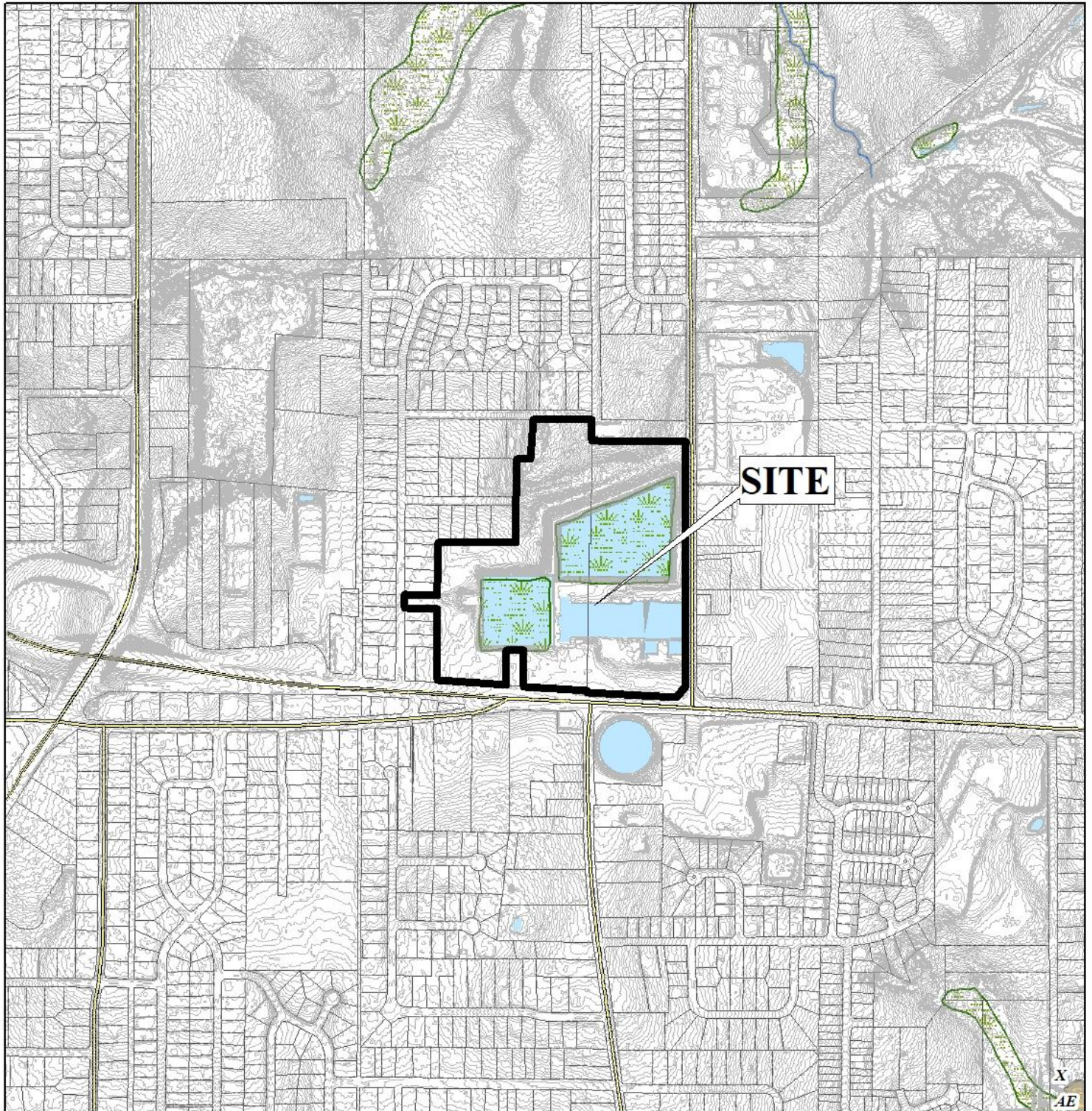
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ENVIRONMENTAL LOCATOR MAP

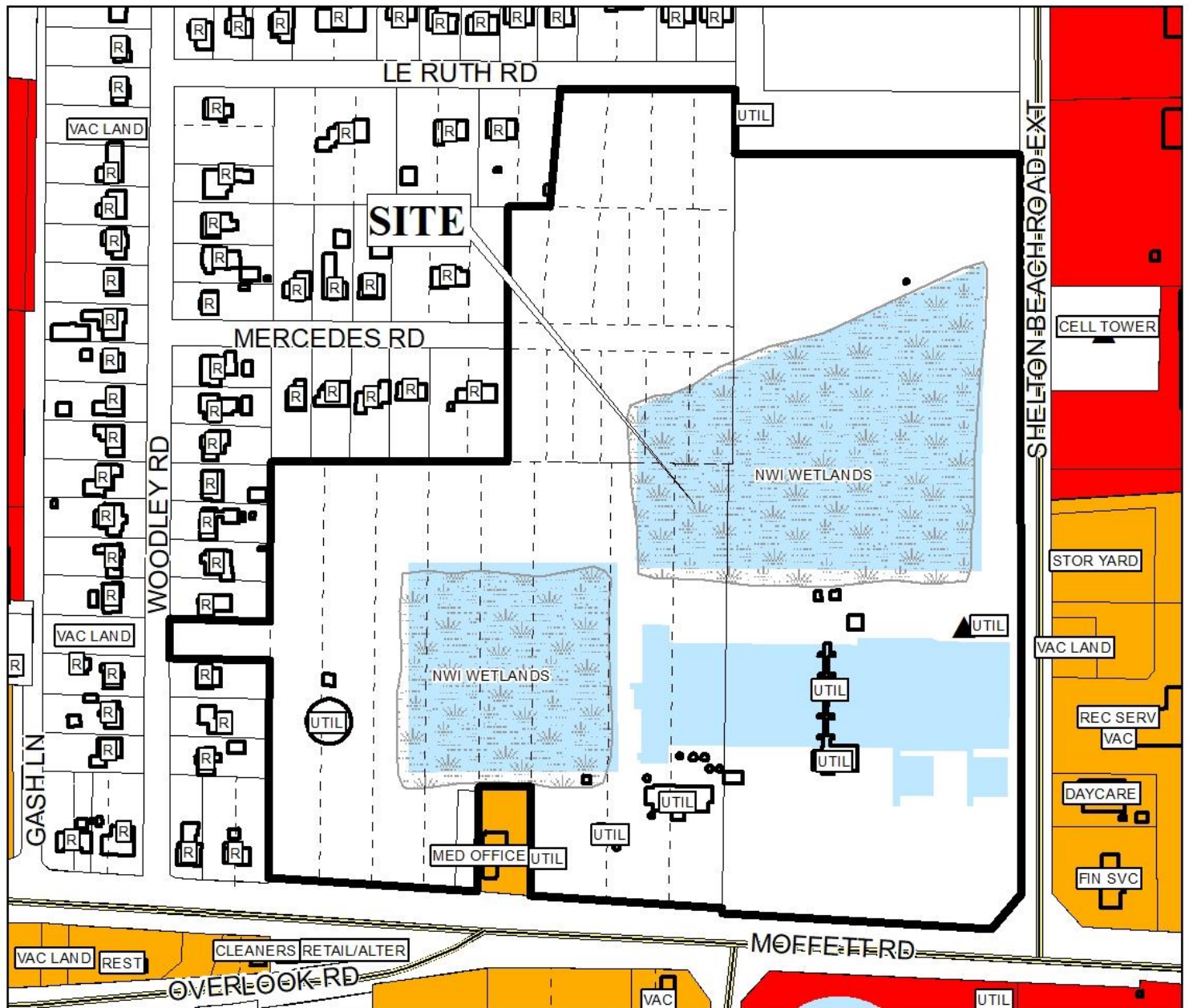


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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by utility sites, single family residential units, commercial units and retail units.

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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

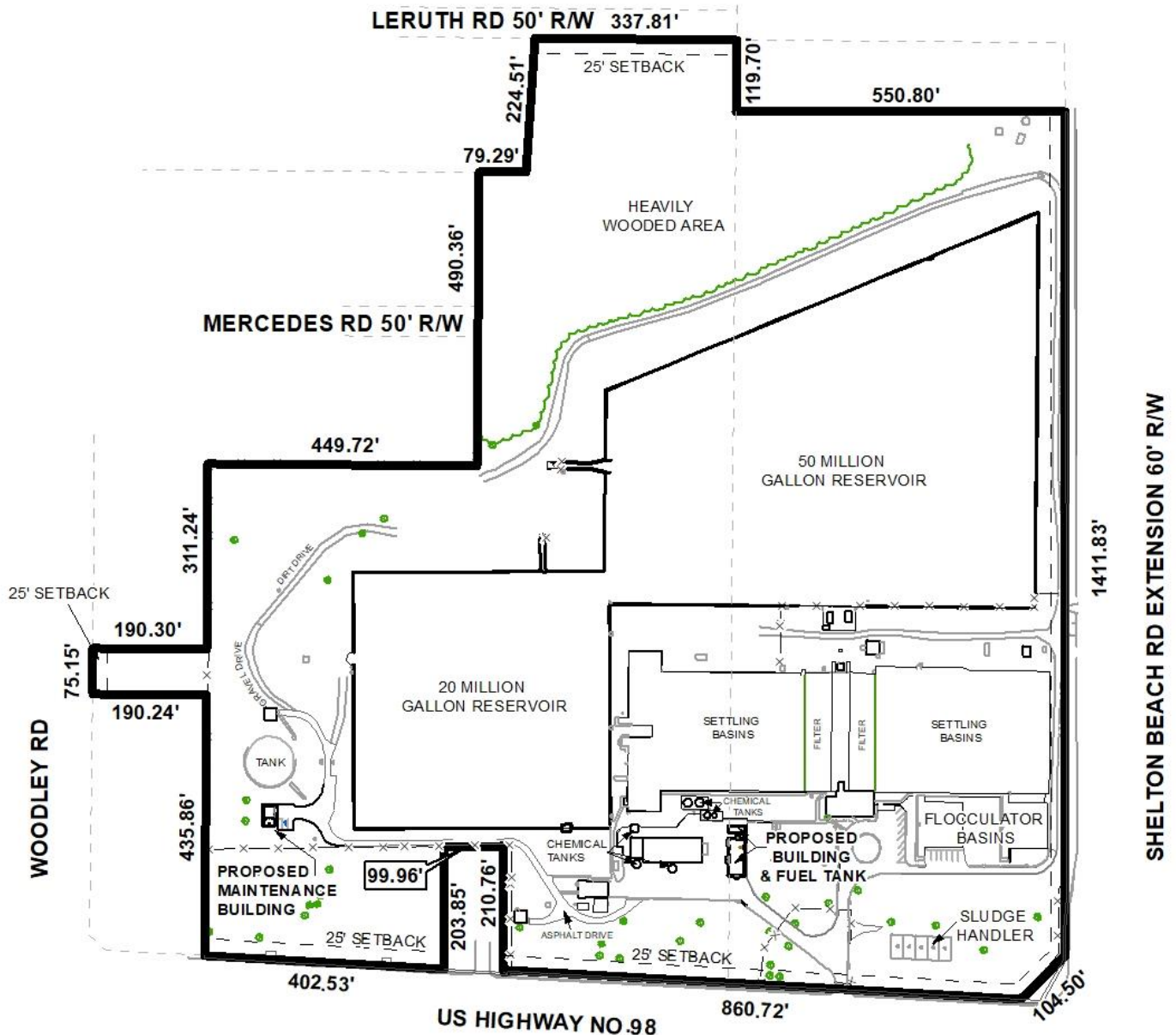


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SITE PLAN

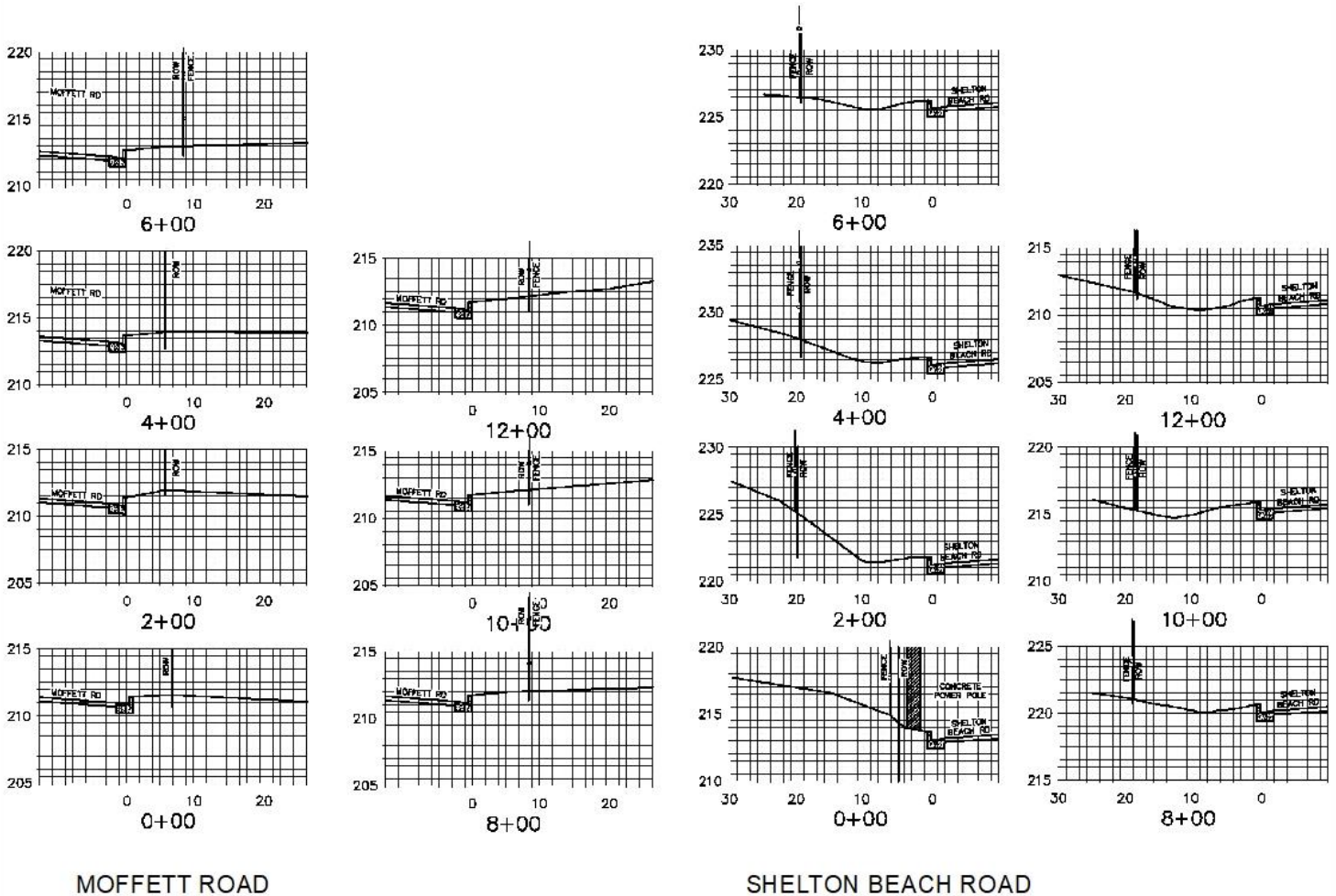


The site plan illustrates proposed buildings, and existing water treatment facility structures.

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DETAIL SITE PLAN



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