

**SIDEWALK WAIVER REQUEST
STAFF REPORT**

Date: March 2, 2023

NAME

First Hopewell Baptist Church

LOCATION

664 Shelby Street
(North side of Shelby Street, at the North terminus of Tin Top Alley, extending to the East terminus of East Street and the East terminus of Susie Ansley Street).

PRESENT ZONING

R-1, Single-Family Residential 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. The Cross Section labeled A-A is for the most restrictive part of the site and it appears that even there the sidewalk can be built 2 feet inside the property and then 2 feet within the ROW. The sidewalk is also allowed to meander around trees and utility structures.

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 (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.

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along Shelby Street.

The site has been given a Mixed Density Residential land use designation, per the adopted Future Land Use Plan and Map. 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 designation applies mostly to residential areas located between Downtown and the Beltline, where the predominant character is that of a traditional neighborhood laid out on an urban street grid.

These residential areas should offer a mix of single family homes, townhouses, 2- to 4- residential unit buildings, accessory dwellings, and low- and mid-rise multifamily apartment buildings. The density varies between 6 and 10 dwelling units per acre, depending on the mix, types, and locations of the housing as specified by zoning.

Like Low Density Residential areas, Mixed Density Residential areas may incorporate compatibly scaled and sited complementary uses such as neighborhood retail and office uses, schools, playgrounds and parks, and churches and other amenities that create a complete neighborhood fabric and provide safe and convenient access to daily necessities.

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:

West of the existing 60" live oak there is an elevation difference of 3'-5' over a distance of 13 feet, which is an average slope of 30%. The option for the sidewalk to be constructed on the church property is not possible, due to the exist. tree placement, parking lot, and location of the existing 60" live oak.

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 applicant received approvals for a Subdivision, Planned Unit Development (PUD) and Planning Approval (PA) at the Commissions’ November 4, 2021 meeting. The site plans approved for the PUD and PA indicated a sidewalk to be installed along the entire Shelby Street frontage of the subject site. The applicant now contends that a sidewalk cannot be constructed along a portion of the site; hence this application.

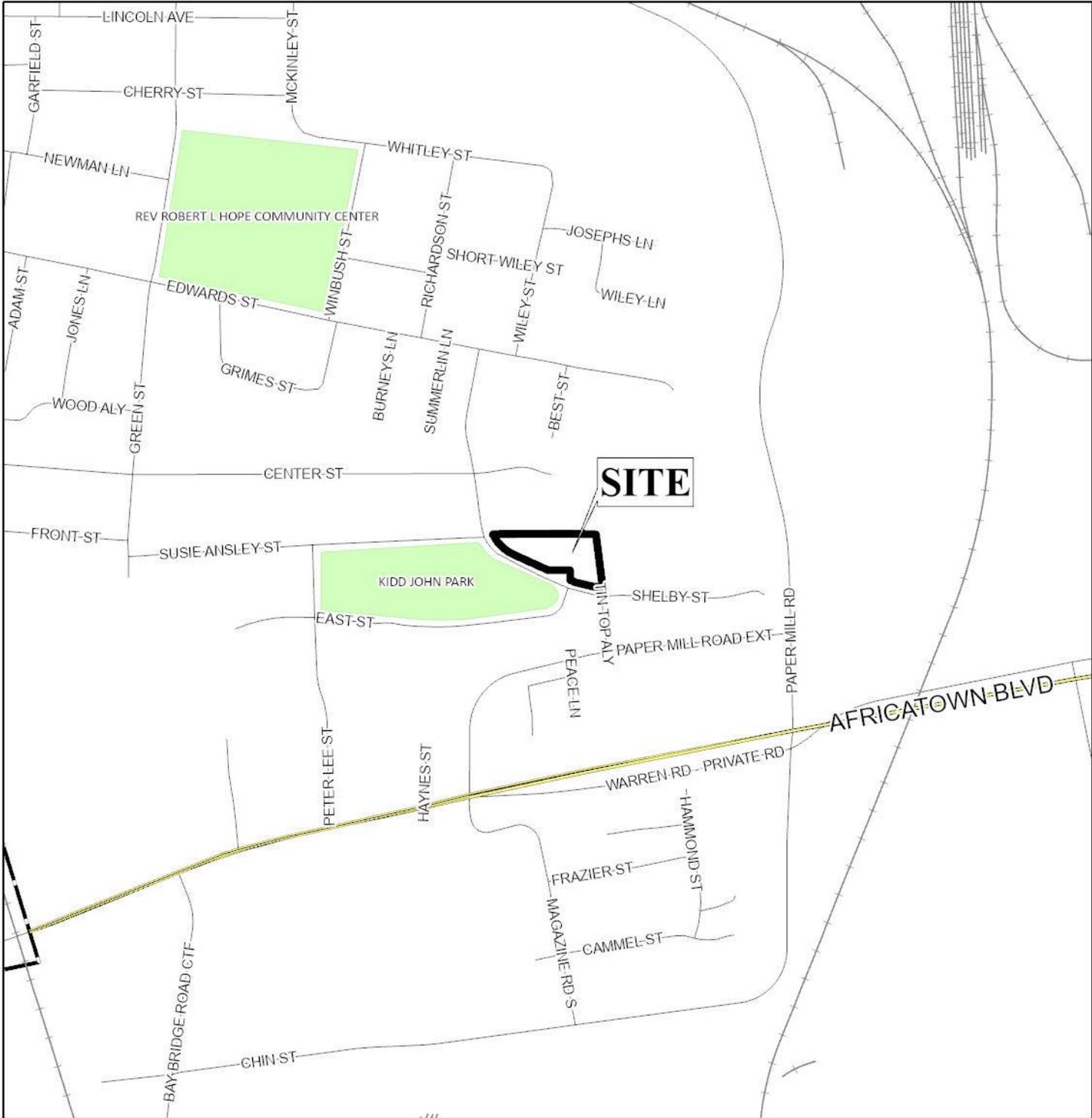
While sidewalks are typically encouraged, even in industrial developments, the appropriateness of sidewalks should also take into account the existing infrastructure in the area, i.e., does the construction of the existing roadway safely allow for a sidewalk to be utilized. Per the Engineering comments, it appears that there is sufficient room within the right-of-way or within the property, for the construction of a sidewalk that could be approved through the Right-of-Way Permit process. The Cross Section labeled A-A is for the most restrictive part of the site and it appears

that even there, the sidewalk can be built two feet inside the property and then two feet within the right-of-way. The sidewalk is also allowed to meander around trees and utility structures.

It should also be noted that the site is located within Africatown and the adopted Africatown Neighborhood Plan emphasizes the need for pedestrian access and mobility highlighting the area for sidewalks.

RECOMMENDATION Based upon the preceding, this application for waiver of a sidewalk along Shelby Street is recommended for Denial.

LOCATOR MAP



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LOCATOR ZONING MAP



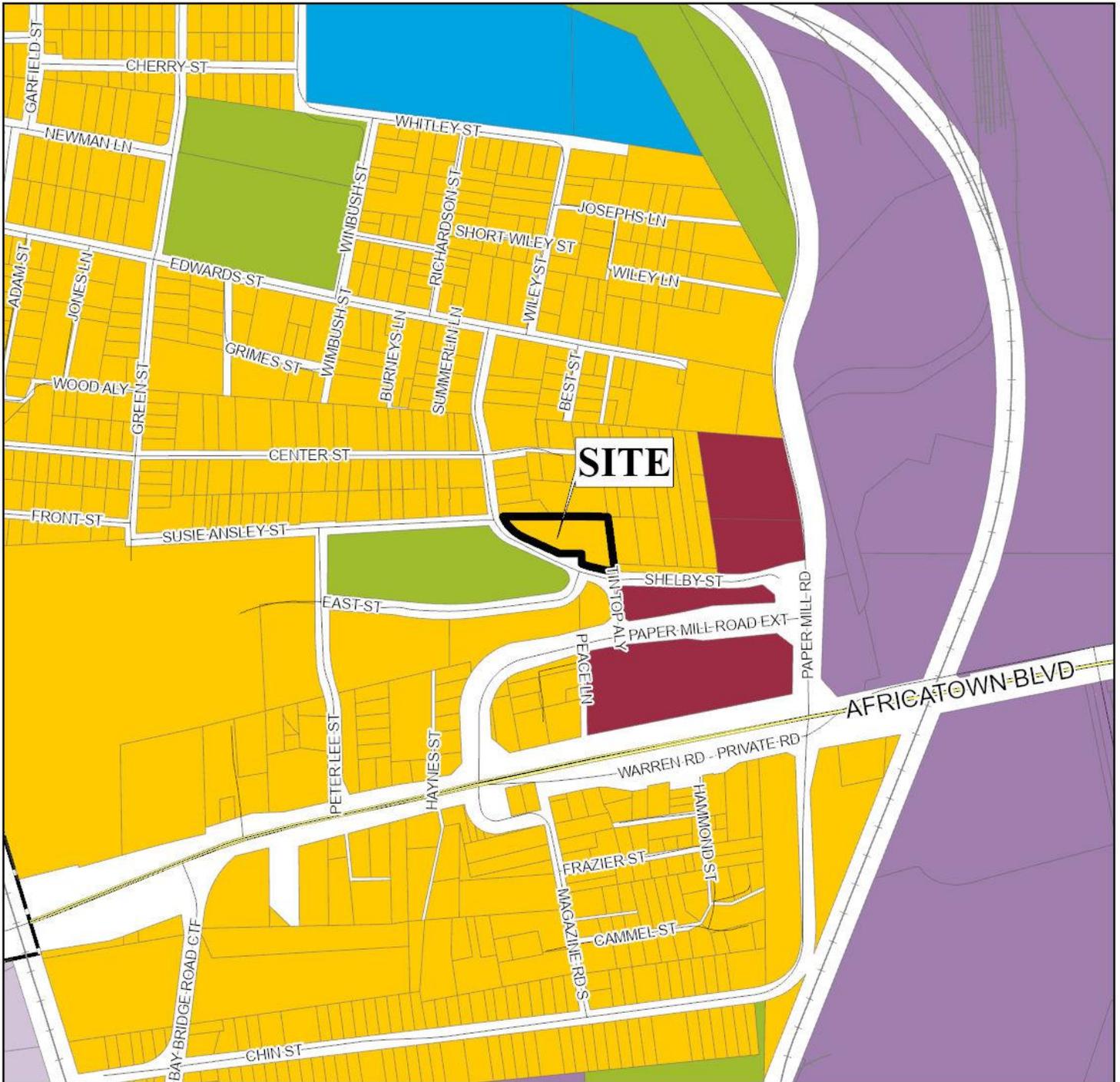
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FLUM LOCATOR MAP



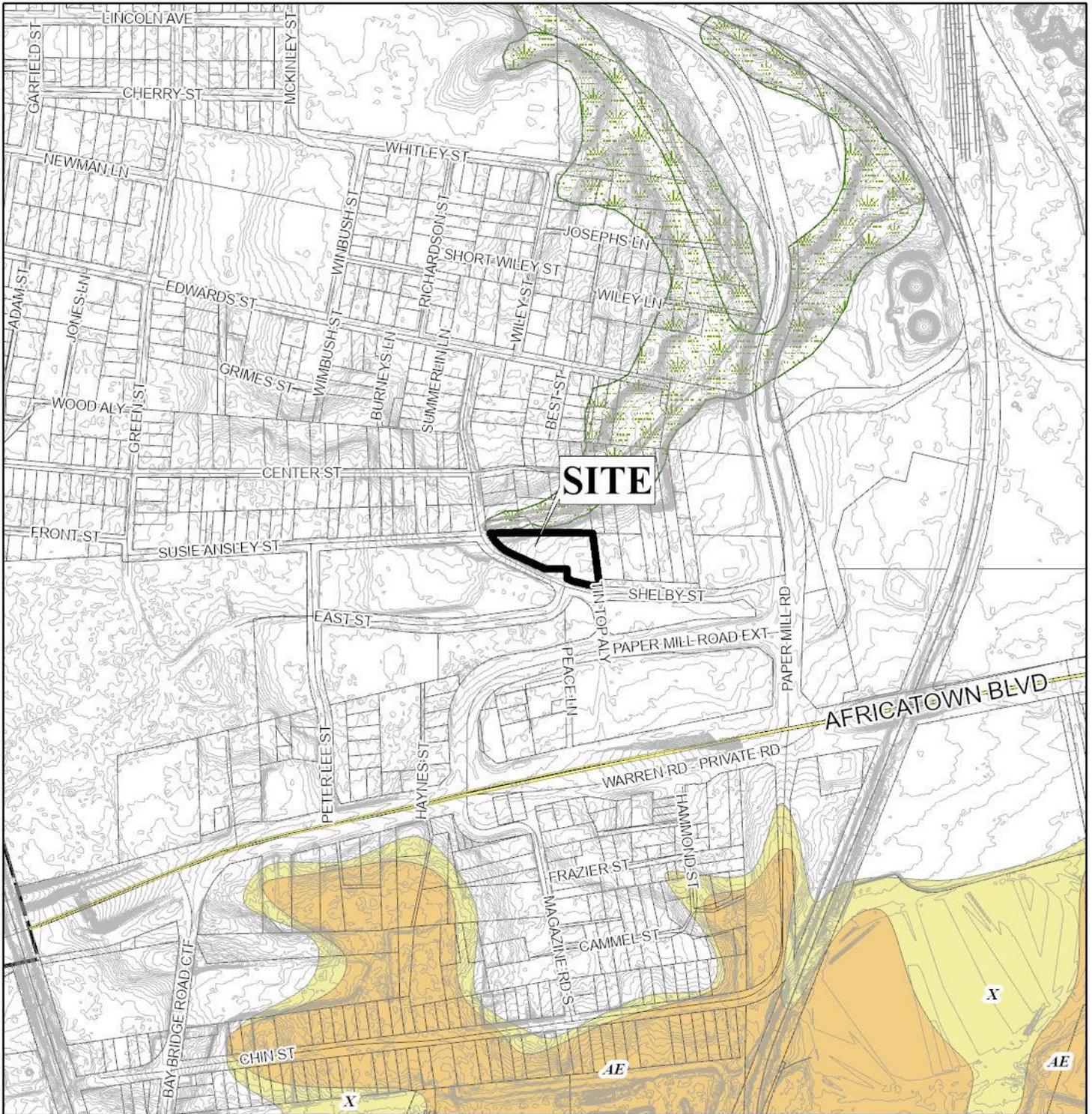
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Layer2

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



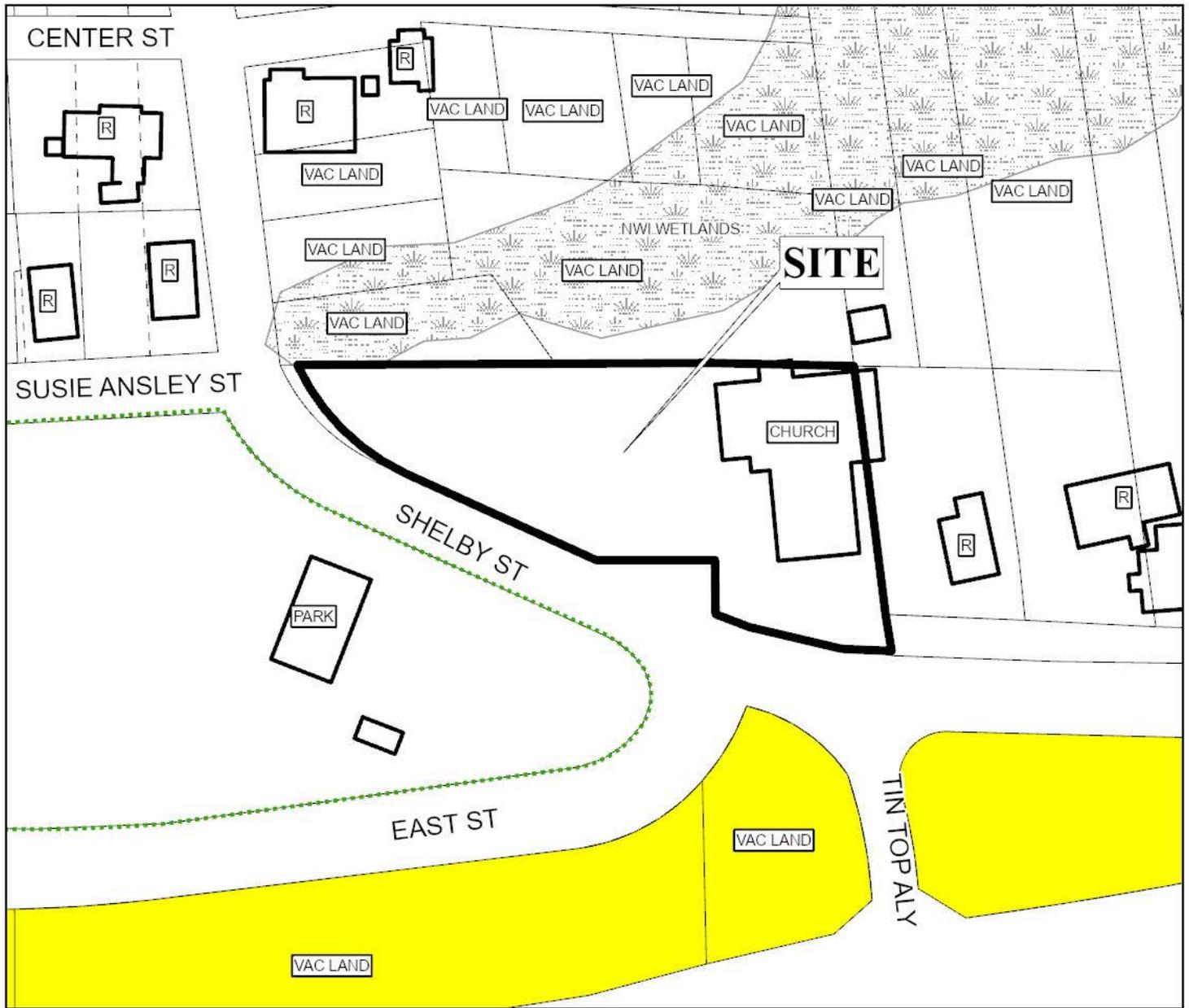
ENVIRONMENTAL LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units. A park lies west of the site.

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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 residential units. A park lies west of the site.

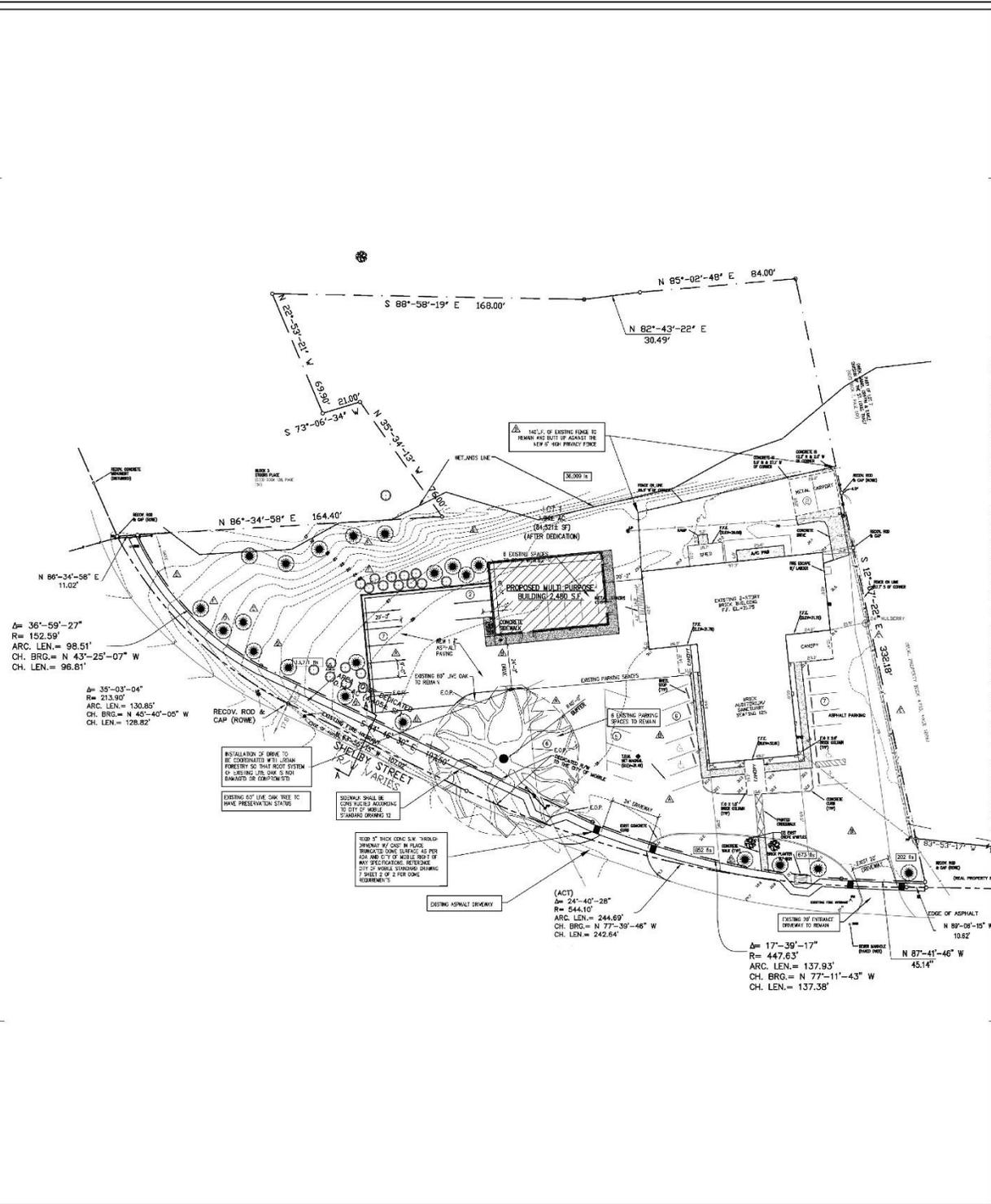
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SITE PLAN



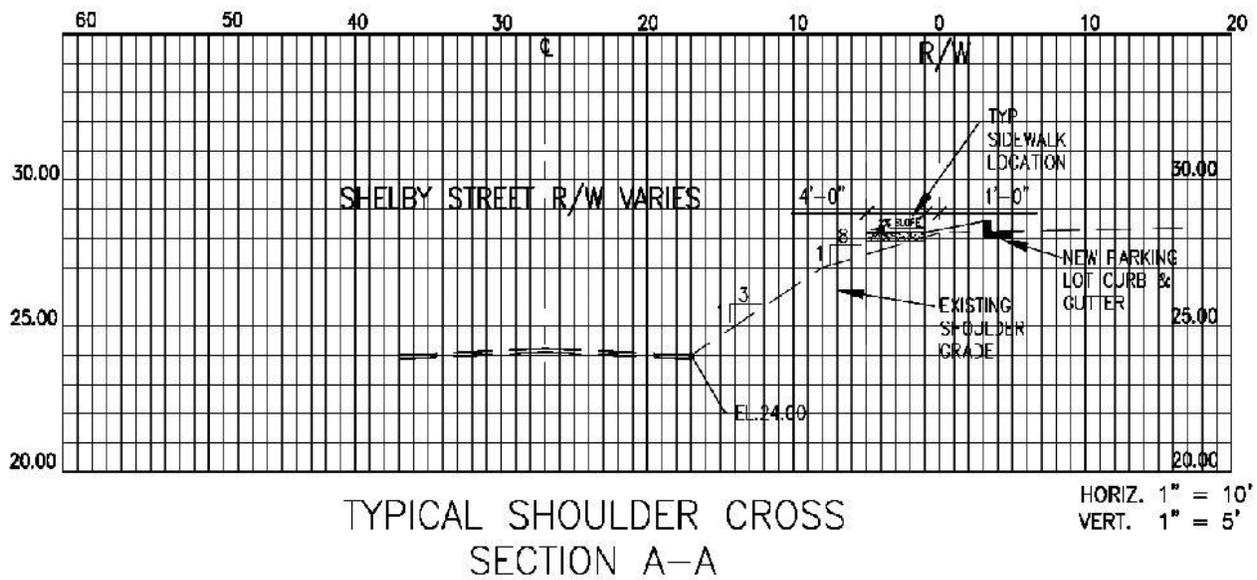
The site plan illustrates

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DETAIL SITE PLAN



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