

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: September 5, 2019****NAME**

Val's Seafood (Val Hammond)

LOCATION5208 Mobile South Street
(North side of Mobile South Street, 650'± East of Business Parkway).**PRESENT ZONING**

I-1, Light Industry 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.

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 (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

REMARKS

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

This site appeared before the Planning Commission at its September 20, 2018 meeting as part of a 1-lot Subdivision and Planned Unit Development, and on the November 15, 2019 meeting to be rezoned from B-5, Office Distribution District to I-1, Light Industry District. The rezoning was finalized at the City Council's January 15, 2019 meeting. The site has since submitted site plans depicting proposed improvements to the site, including a sidewalk, and received building permits. It should be noted that if the sidewalk waiver is granted, a revised site plan reflecting that will need to be submitted through Permitting prior to the issuance of a Final Certificate of Occupancy for the new structure on the site.

The applicant states the following to justify the sidewalk waiver request:

This area was previously in the County prior to being annexed into the City; therefore, no sidewalks are present on this street since the County did not require sidewalk construction for any developments. Mobile South Street is currently fully developed and the sidewalk for this project would be the only sidewalk along this street with no adjoining sidewalks on either side of the property. The applicant is requesting a waiver since this is an I-1 zoned area, with no pedestrian traffic to utilize a sidewalk, in addition to all the aforementioned reasons.

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 Planning Commission has, in the past, determined that a lack of sidewalks in the area is not sufficient reason to grant a sidewalk waiver. Furthermore, as properties are redeveloped, sidewalks will be required to be placed in this area. There are no physical barriers that would prevent the construction of a sidewalk on either the right-of-way or private property; it is simply the applicant's wish to not construct a sidewalk.

RECOMMENDATION

Based upon the preceding, the request to waive construction of a sidewalk along Mobile South Street is recommended for Denial.

LOCATOR MAP



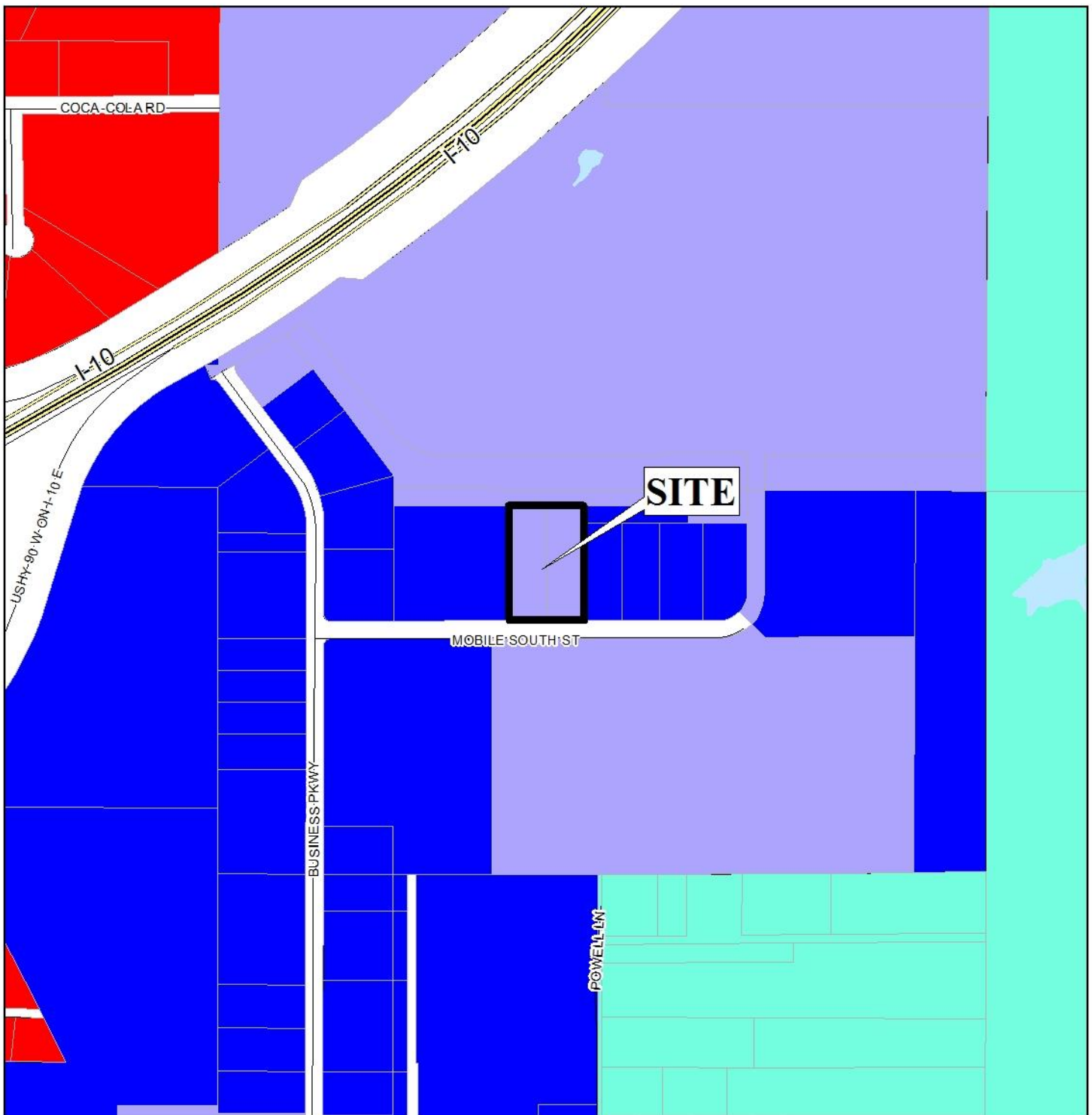
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LOCATOR ZONING MAP



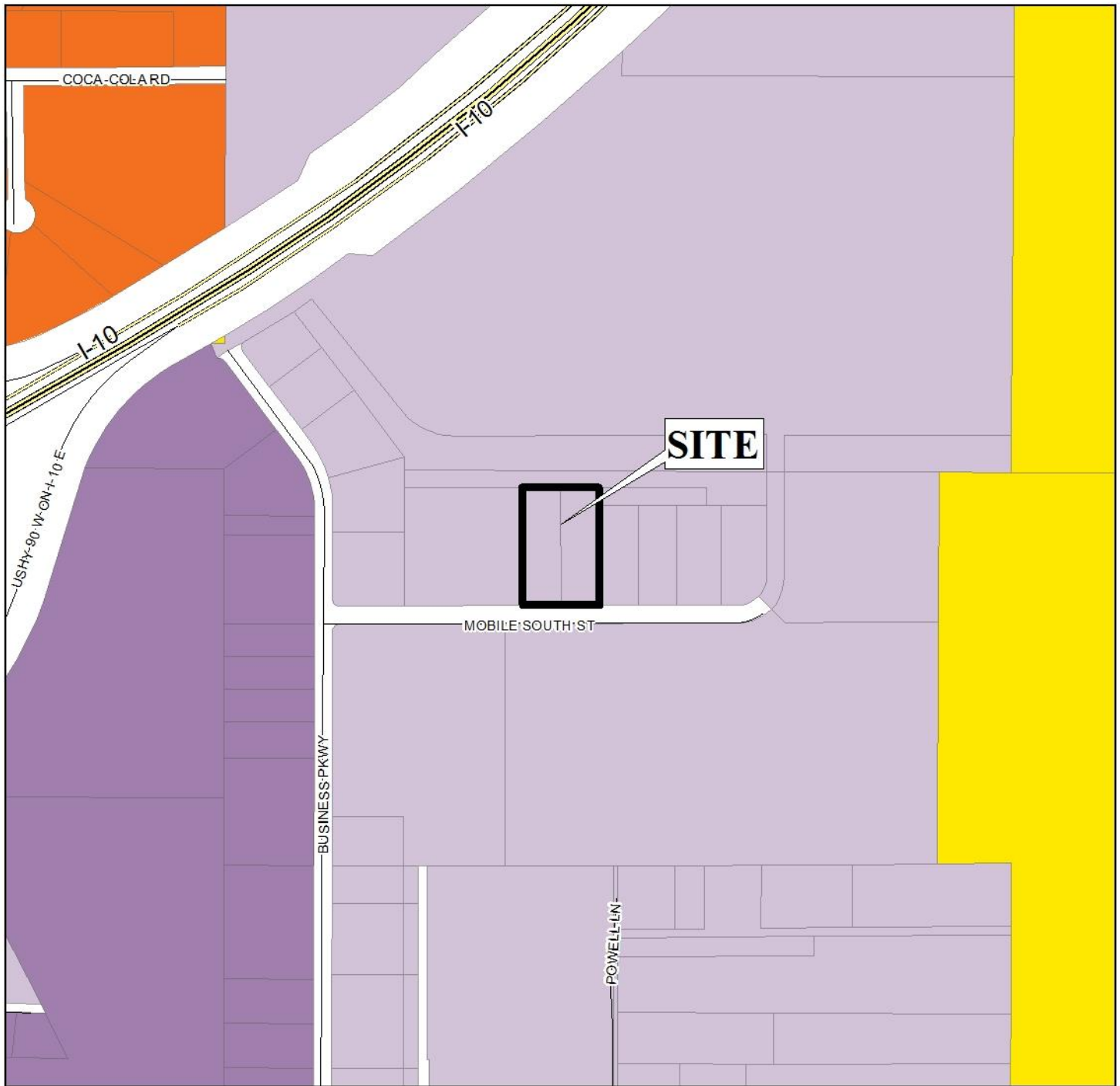
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FLUM LOCATOR MAP



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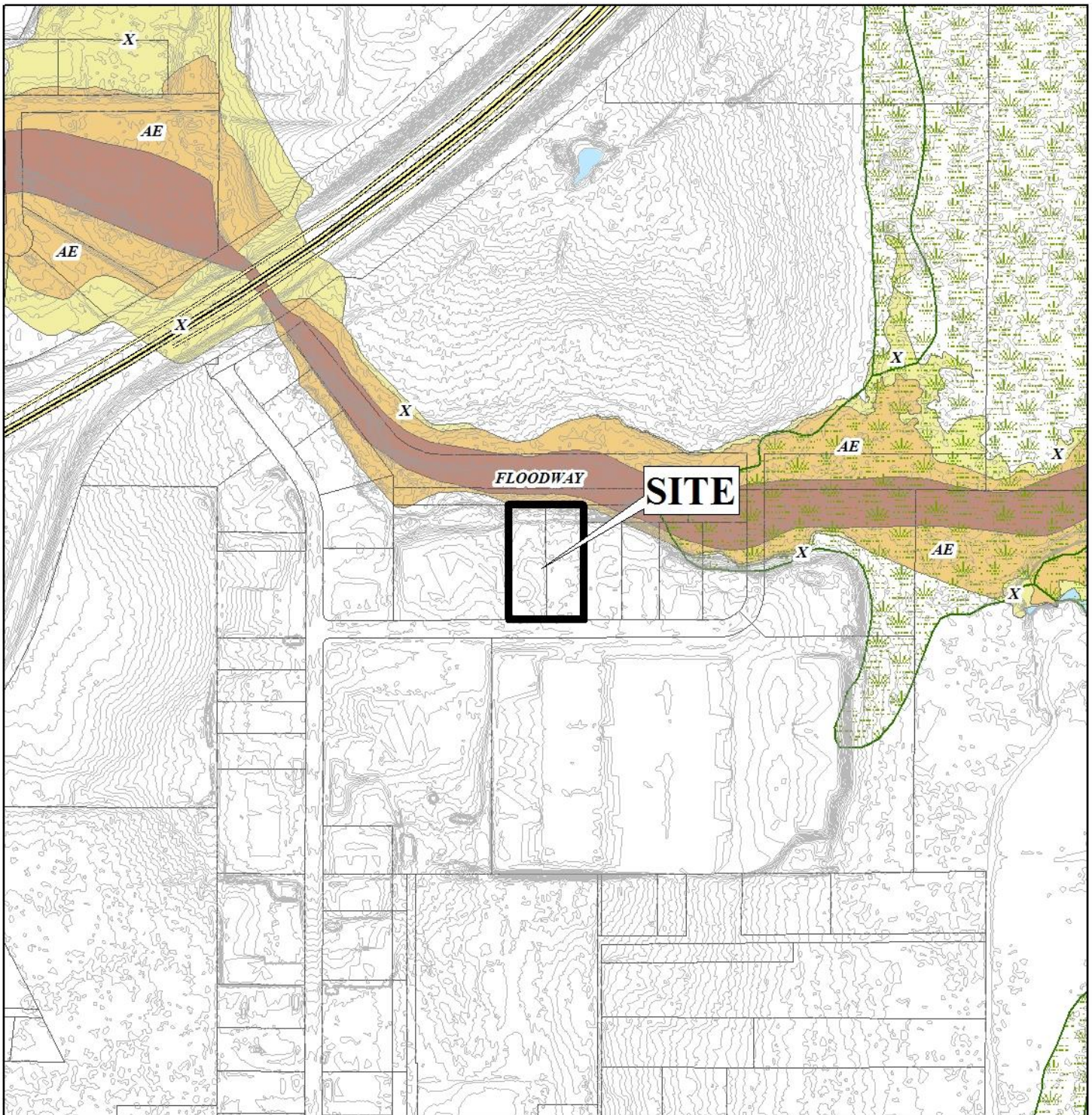
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Low Density Residential	Neighborhood Center - Traditional	Downtown Waterfront	Parks & Open Space
Mixed Density Residential	Neighborhood Center - Suburban	Light Industry	Water Dependent
Downtown	Traditional Corridor	Heavy Industry	
District Center	Mixed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



ENVIRONMENTAL LOCATOR MAP



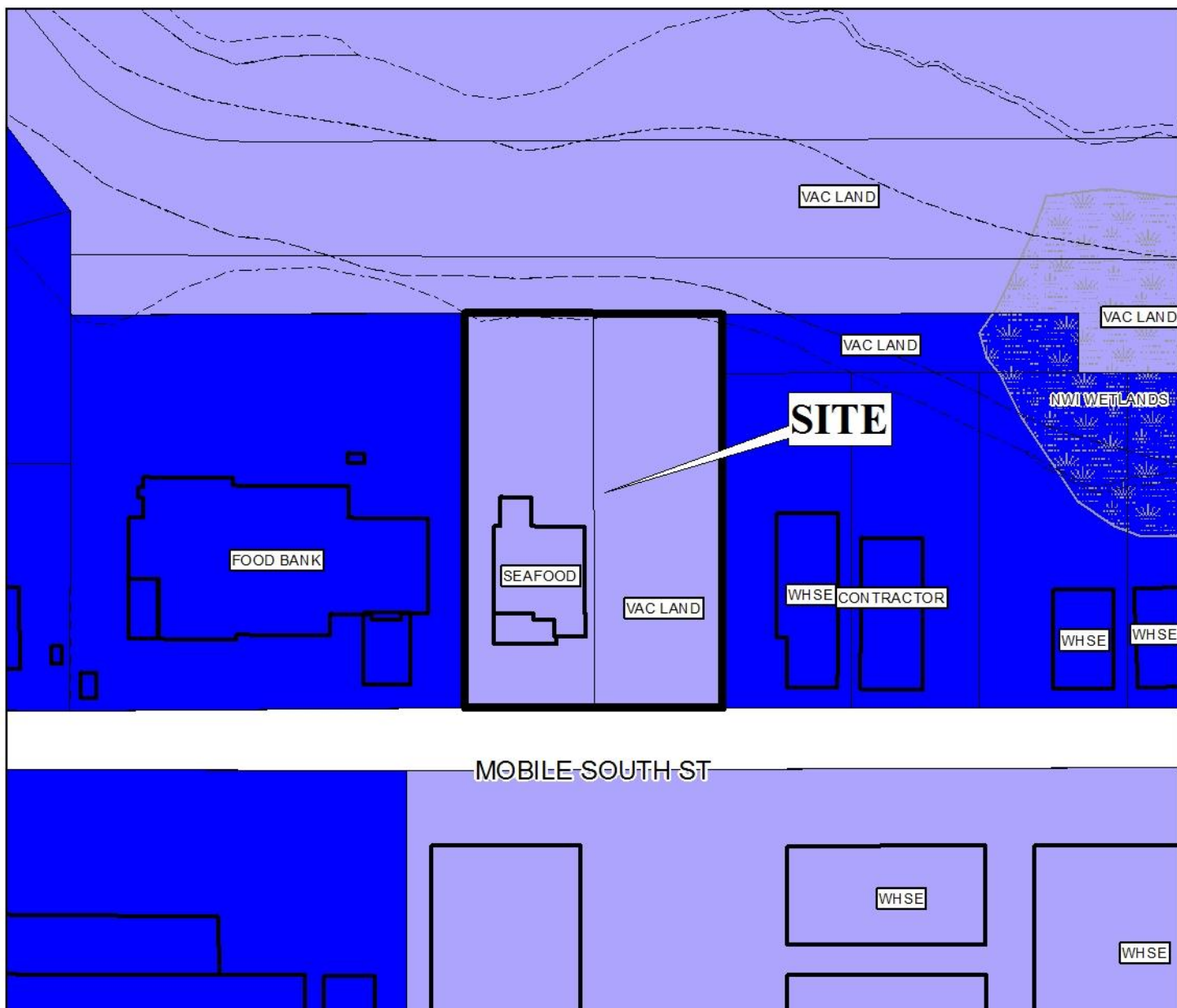
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial 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

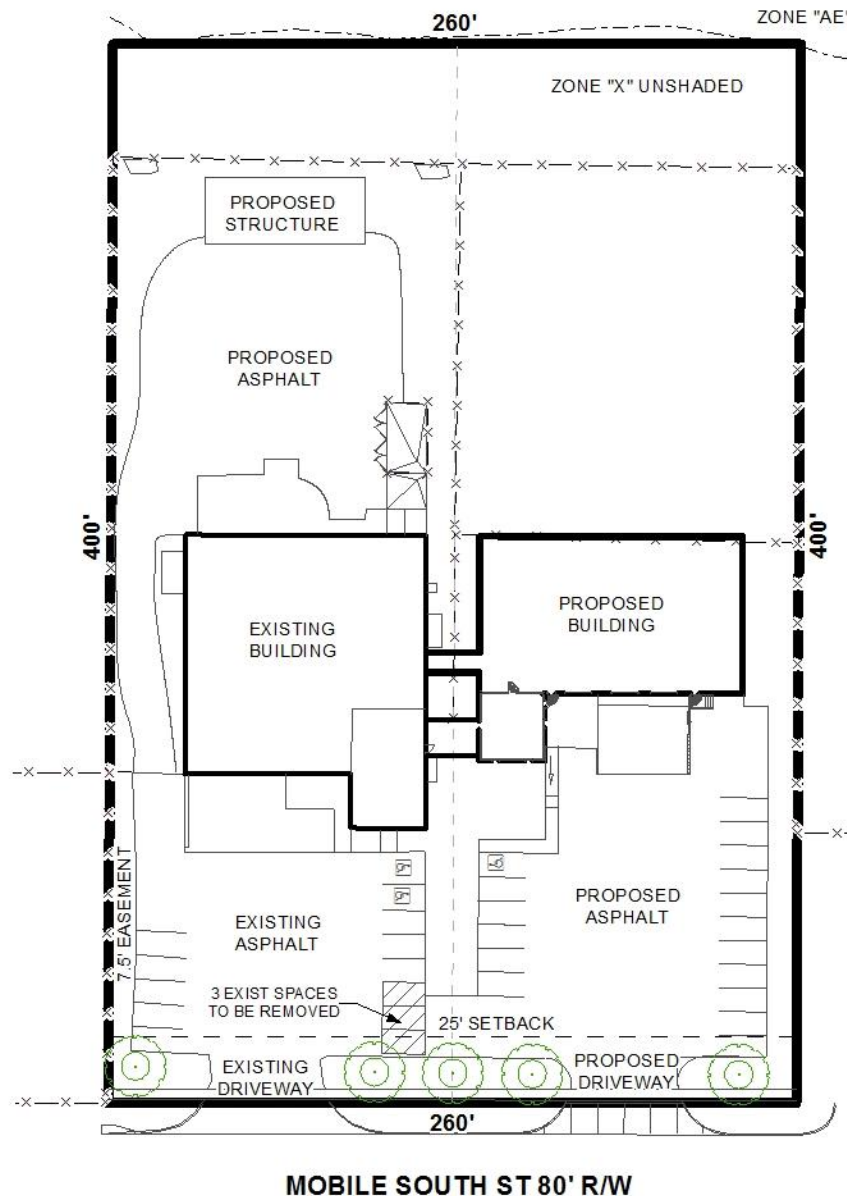


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SITE PLAN



The site plan illustrates the existing building, the proposed building, the proposed driveway, setbacks and easements.

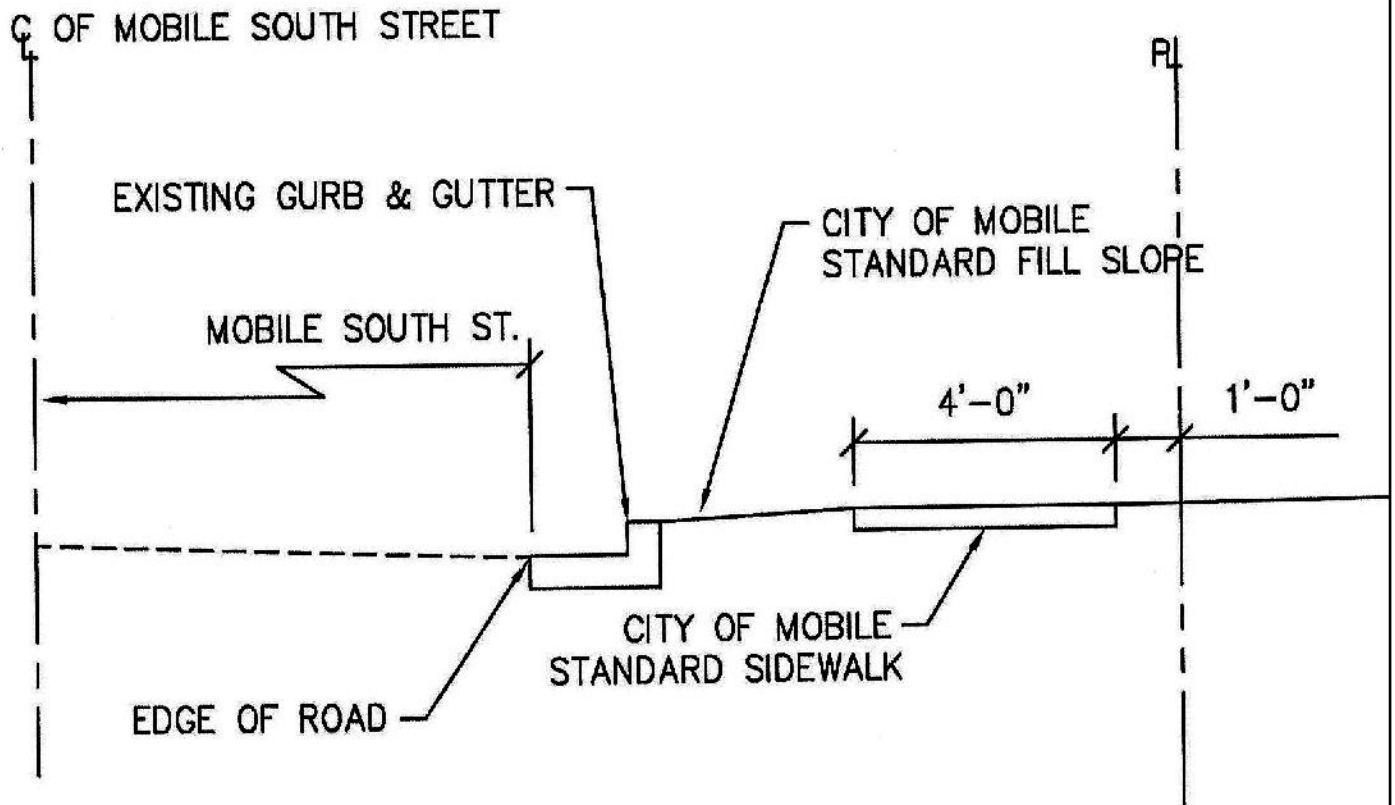
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DETAIL SITE PLAN



TYPICAL CROSS SECTION

NOT TO SCALE

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