

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: June 3, 2010****NAME**

Theodore O'Reilly, LLC

LOCATION5900 U.S. Highway 90 West
(West side of U. S. Highway 90 West, 150'± South of
Carol Plantation Road)**PRESENT ZONING**

B-3, Community Business District

ENGINEERING**COMMENTS**

sidewalk is possible.

It appears that construction of a City of Mobile standard

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 61-929 and City Code Chapters 57 and 64).

REMARKS

The applicant is requesting a waiver of the sidewalk construction requirements along U.S. Highway 90 West. The applicant is requesting a sidewalk waiver because there are no other sidewalks in the area and believes that adding a sidewalk to the site would be isolated and out of character.

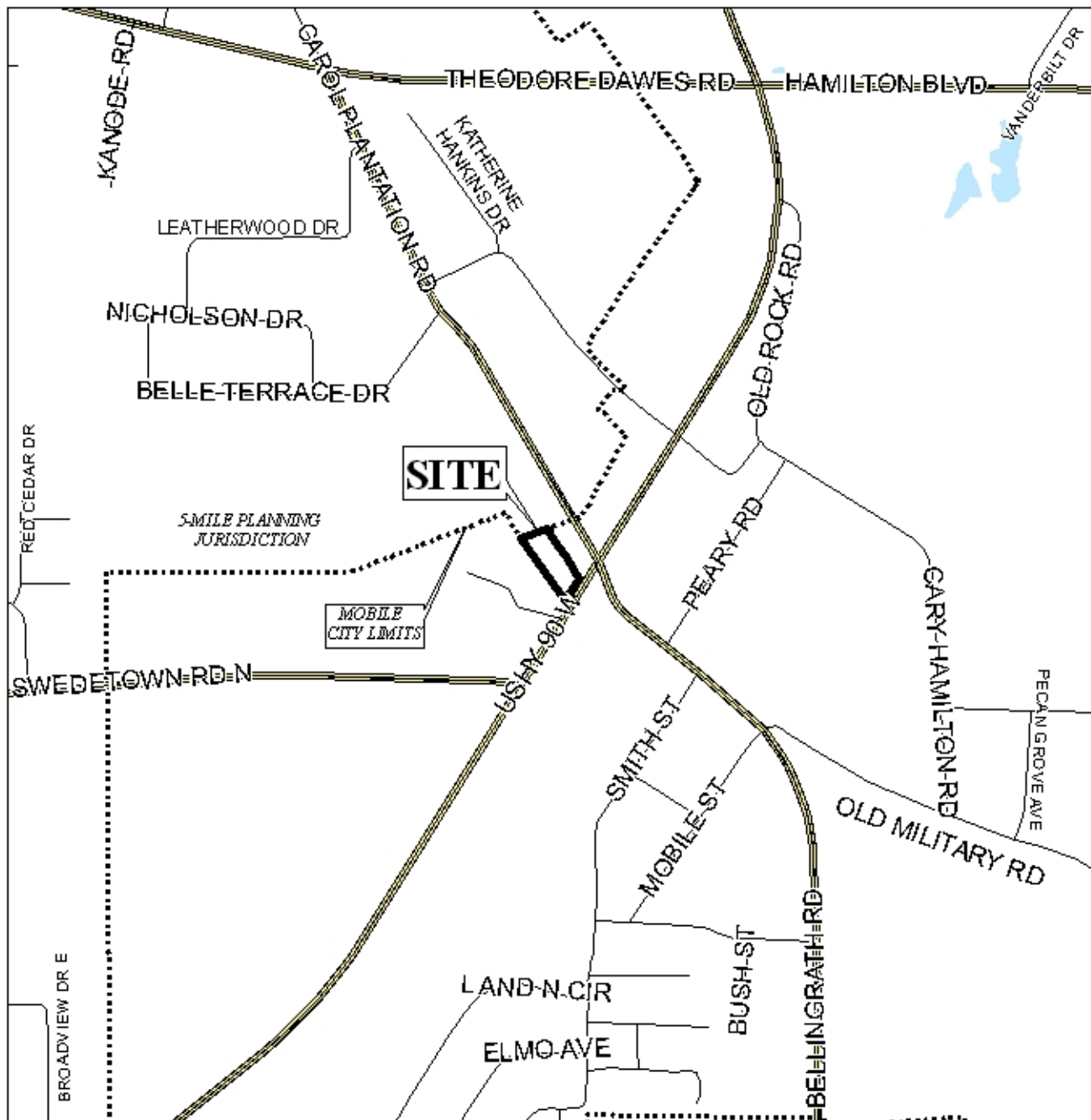
With regard to the applicant's request, it should be noted that an analysis of GIS shows that there are no sidewalks in the vicinity of the site, and that there have been no sidewalk waiver requests near the site because the subject site is located in the recently annexed area; however, it should also be noted that the Commission has rarely allowed the absence of sidewalks in an area as justification for waiving sidewalk requirements. Further, it has been the policy of the Commission to approve sidewalk waivers only in cases where there was an engineering reason or physical barrier that made installation of the sidewalk impracticable. Furthermore, when existing developments are expanded or redeveloped, a sidewalk will be required. In this instance, City Engineering has determined that construction of a City of Mobile standard sidewalk is possible.

Finally, it should also be pointed out that the site is between two marked school crossings on U.S. Highway 90 (at Swedetown Road North and at Old Rock Road). Also, Swedetown Road has a sidewalk from Highway 90 to Theodore High School. Sidewalks provide a safer option for pedestrians and school children than does unimproved right-of-way or walking along the U.S. Highway 90 pavement edge.

RECOMMENDATION

Based on the preceding, it is recommended that this sidewalk waiver request along U.S. Highway 90 West, be denied.

LOCATOR MAP



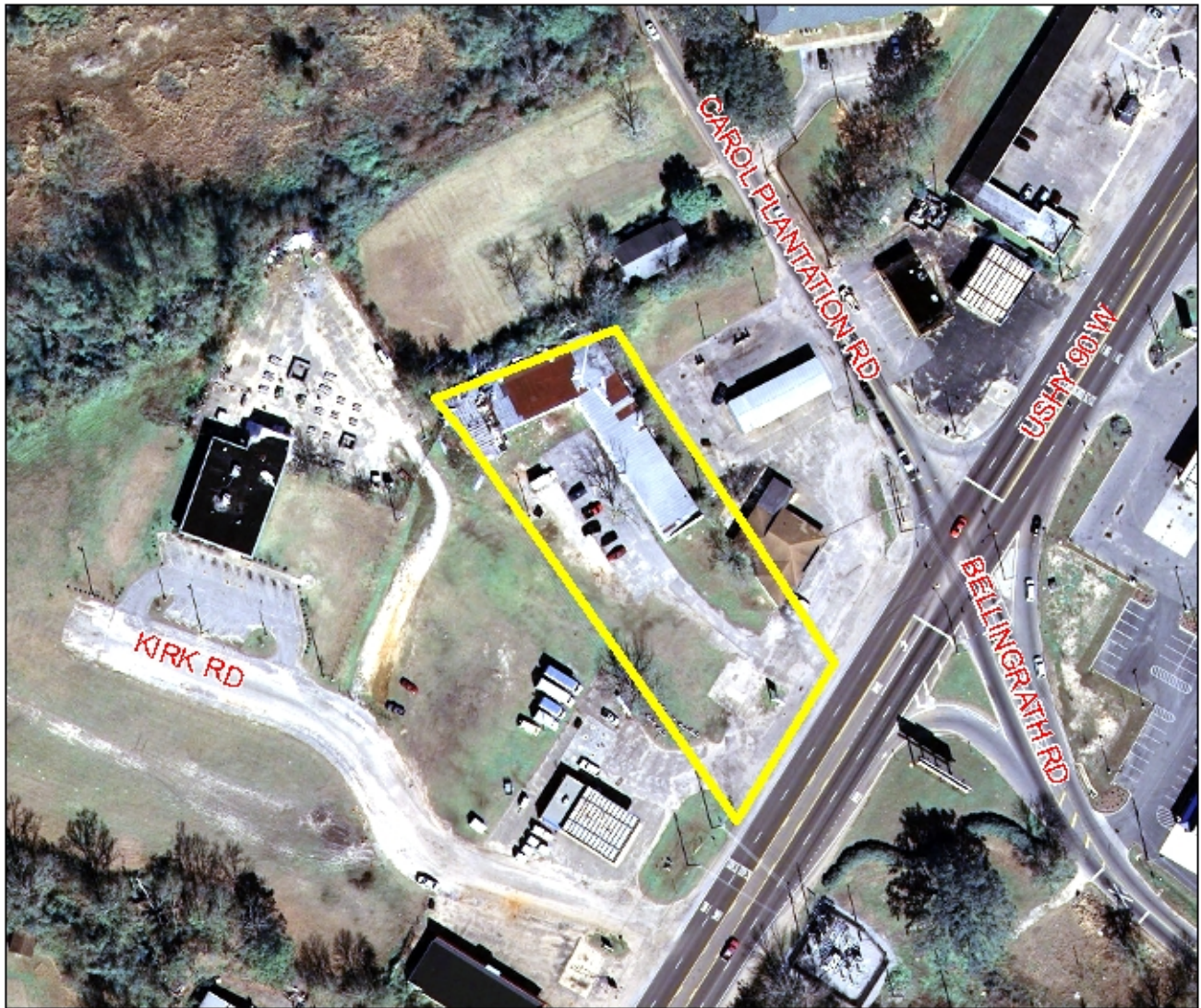
APPLICATION NUMBER 13 DATE June 3, 2010

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



There is a car wash to the northeast of the site and vacant buildings to the southeast and northwest.

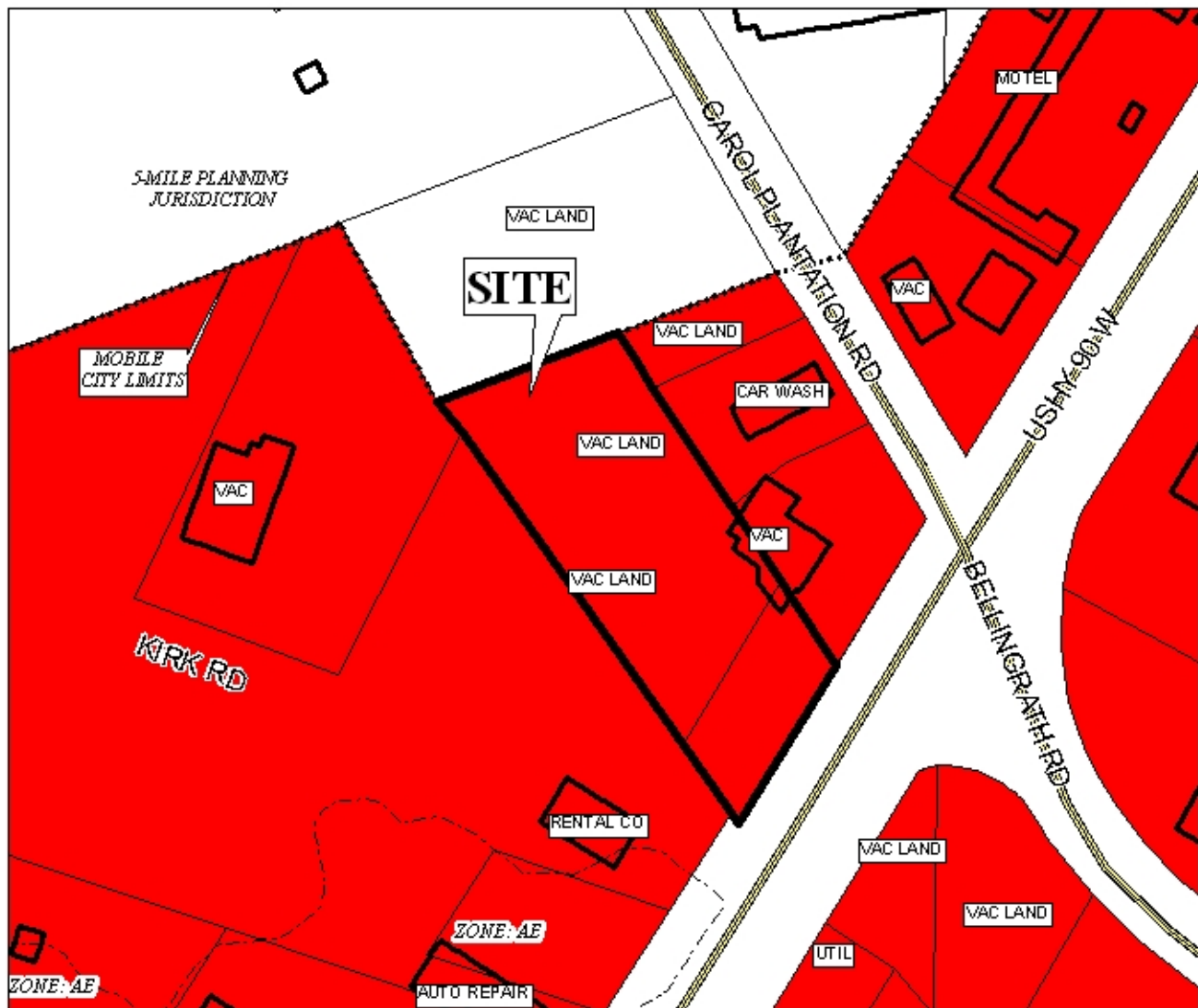
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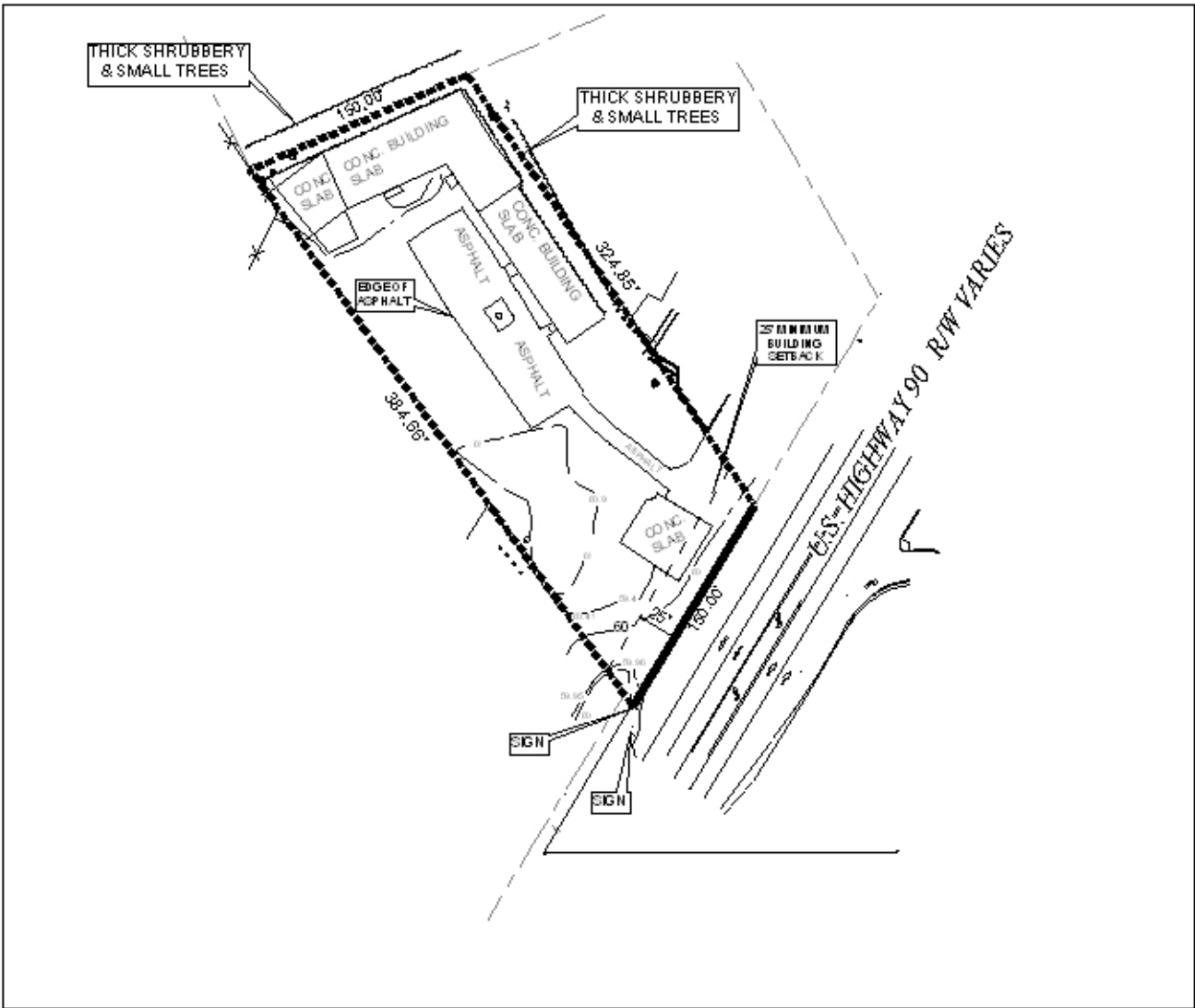
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LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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NTS

SITE PLAN



The site plan illustrates, paving, concrete, contours, and a vegetative buffer.

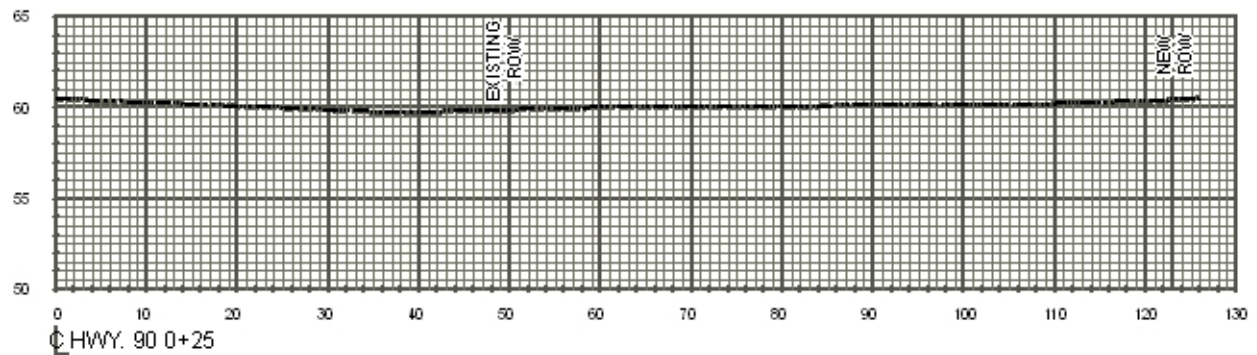
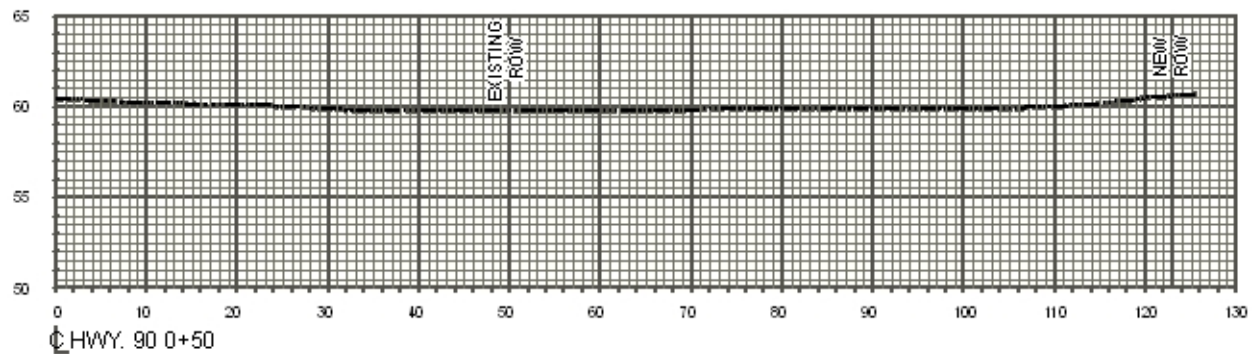
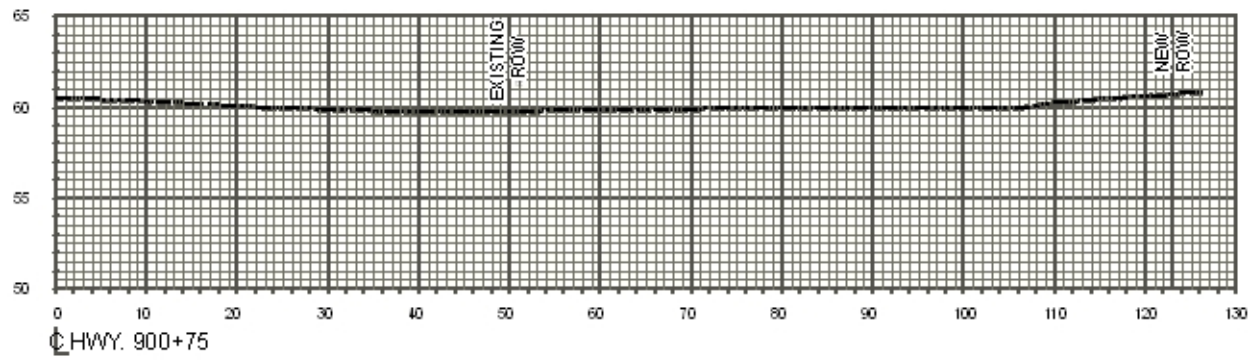
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CROSS SECTION DETAIL 1



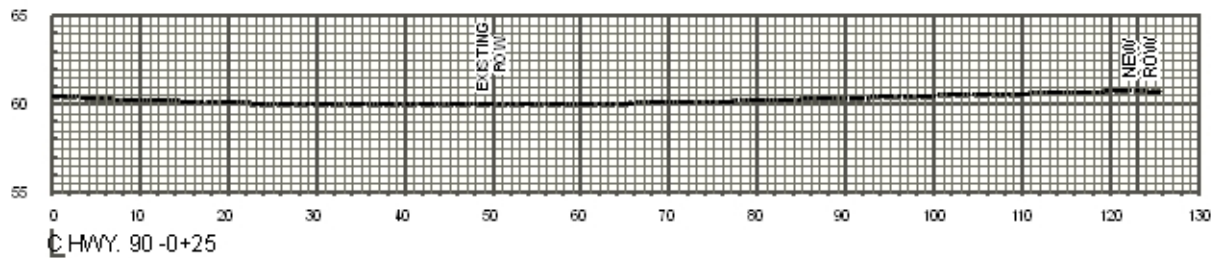
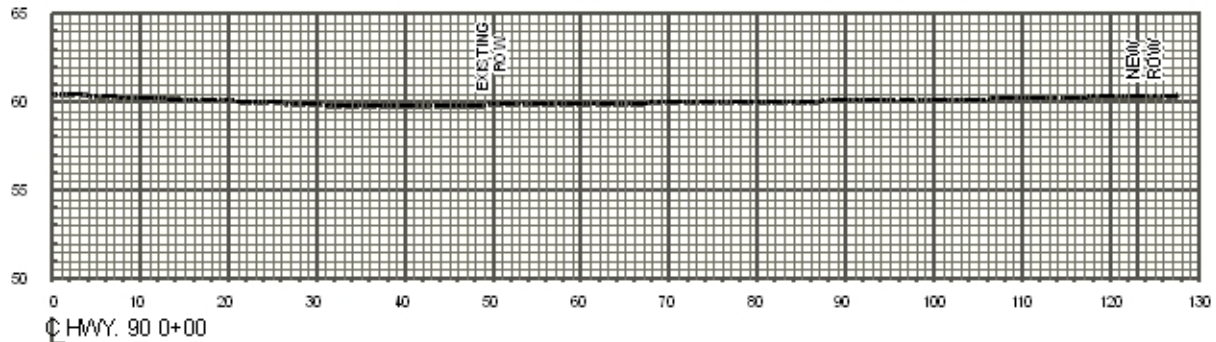
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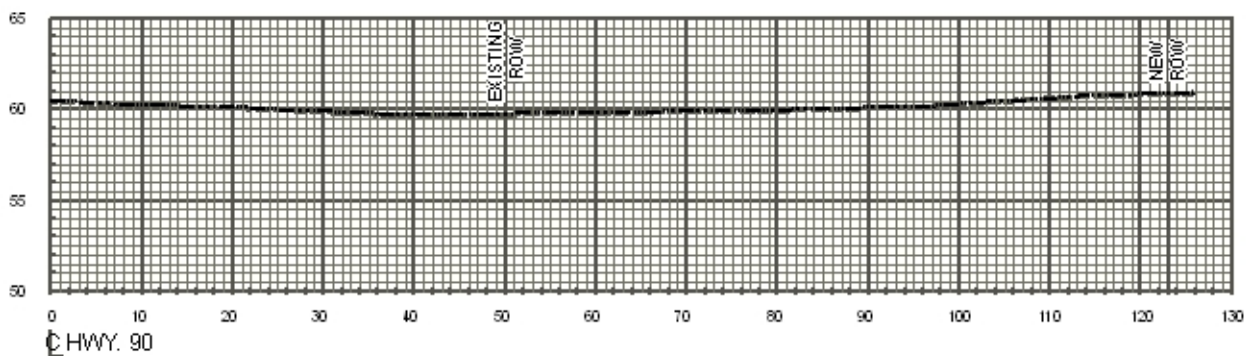
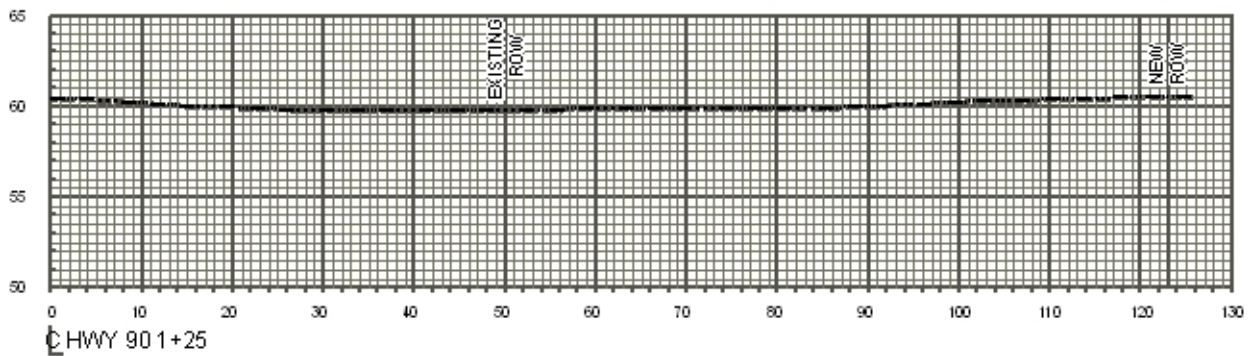
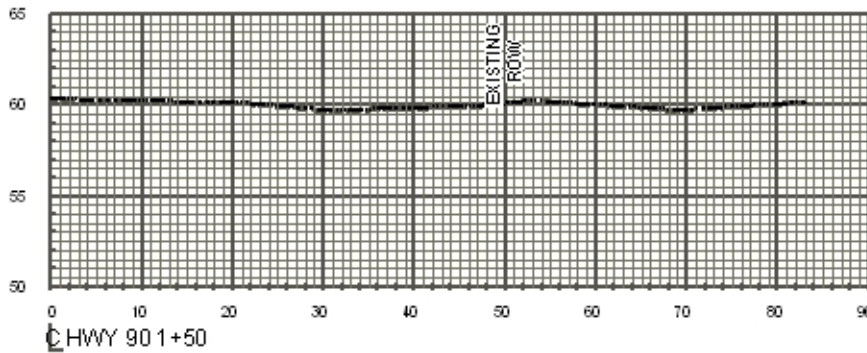
CROSS SECTION DETAIL 2



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CROSS SECTION DETAIL 3



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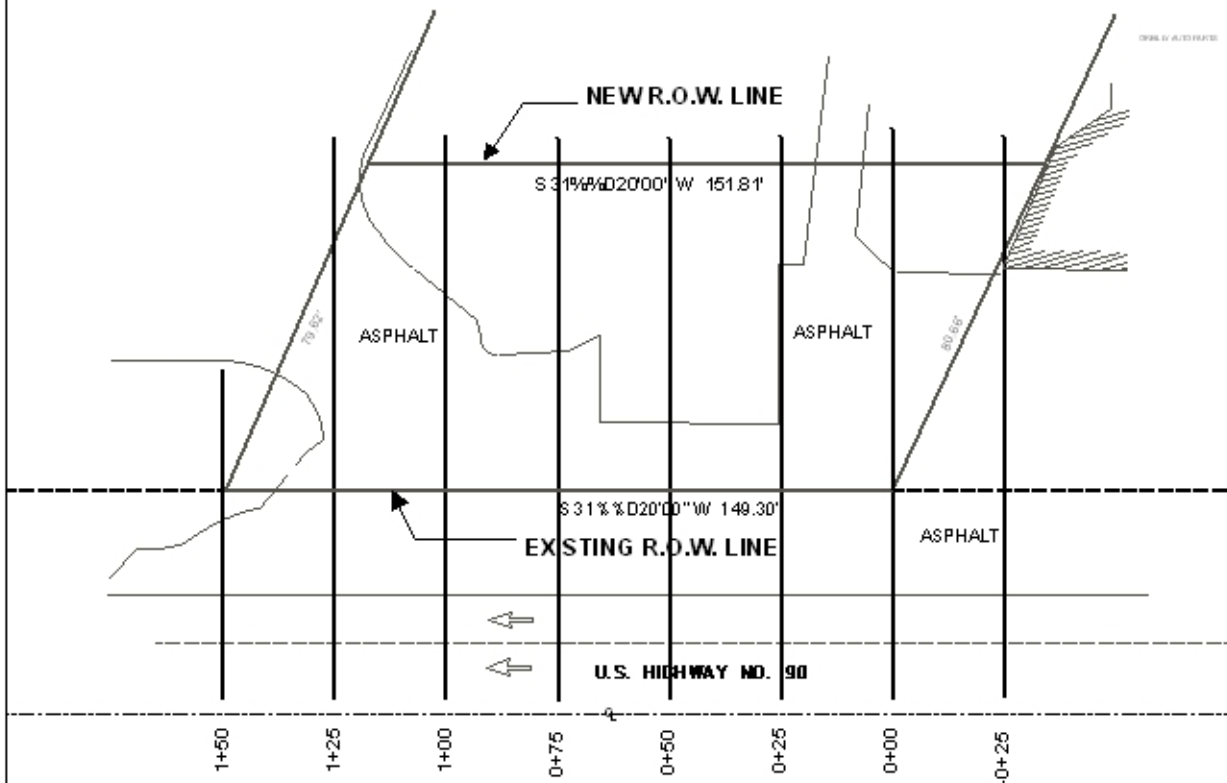
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DETAIL SITE PLAN

PROPOSED O'REILLY AUTO PARTS



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