

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: December 18, 2014****NAME**

DAT Holdings, LLC

LOCATION

5201 U.S. Highway 90 West
(East side of U.S. Highway 90 West, 475'± South of Halls
Mill Creek, extending to the West side of Halls Mill Road
at Halls Mill Creek)

PRESENT ZONING

B-3, Community Business District

ENGINEERING**COMMENTS**

There is sufficient room within the ALDOT ROW 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 61-929 and City Code Chapters 57 and 64).

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along U.S. Highway 90 West.

The sidewalk waiver site is adjacent to sites that are currently developed. The applicant states that a sidewalk should not be required as there are no sidewalks on adjacent properties along U.S. Highway 90 West. The applicant also states that U.S. Highway 90 West is an open ditch roadway and the topography at the shoulder of the road does not lend itself to a sidewalk.

U.S. Highway 90 West, a major street, has a four lane cross-section at this location. There is currently no sidewalk along U.S. Highway 90 West; however, the area was brought into the City of Mobile in 2009 when the adjacent properties had already been developed. As these neighboring sites are re-developed, sidewalks will be required. It should be noted that the site also has frontage along Halls Mill Road, however nothing is mentioned regarding a sidewalk waiver for that frontage. A sidewalk will be required along Halls Mill Road, unless a sidewalk waiver is requested.

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. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians.

The site is primarily surrounded by B-3, Community Business District to the South and West; with B-3, Community Business District and R-1, Single-Family Residential District to the North.

Properties to the East are not located within the City of Mobile, however they are developed commercially.

The applicant has not provided sufficient reasoning to justify the approval of the sidewalk waiver. The applicant states that the sidewalk would serve no purpose due to a lack of surrounding sidewalks, however sufficient room in the right-of-way for the provision of a sidewalk and the future provision of sidewalks as properties are redeveloped indicates otherwise.

RECOMMENDATION

Based upon the preceding, this application for waiver of the sidewalk along U.S. Highway 90 West is recommended for denial.

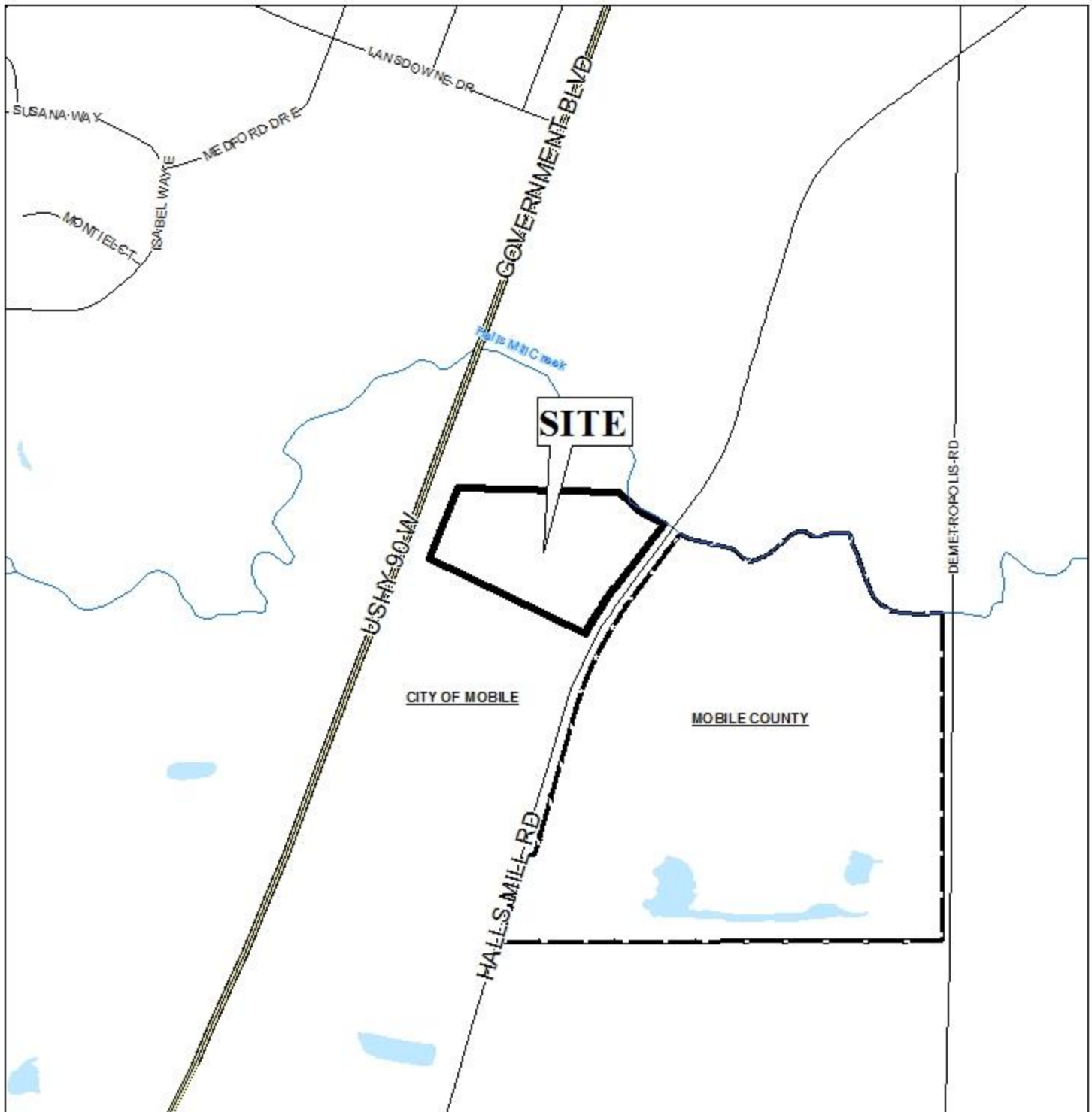
Revised for the January 15th meeting:

The application was heldover at the applicant's request. No additional information has been submitted.

RECOMMENDATION

Based upon the preceding, this application for waiver of the sidewalk along U.S. Highway 90 West is recommended for denial.

LOCATOR MAP



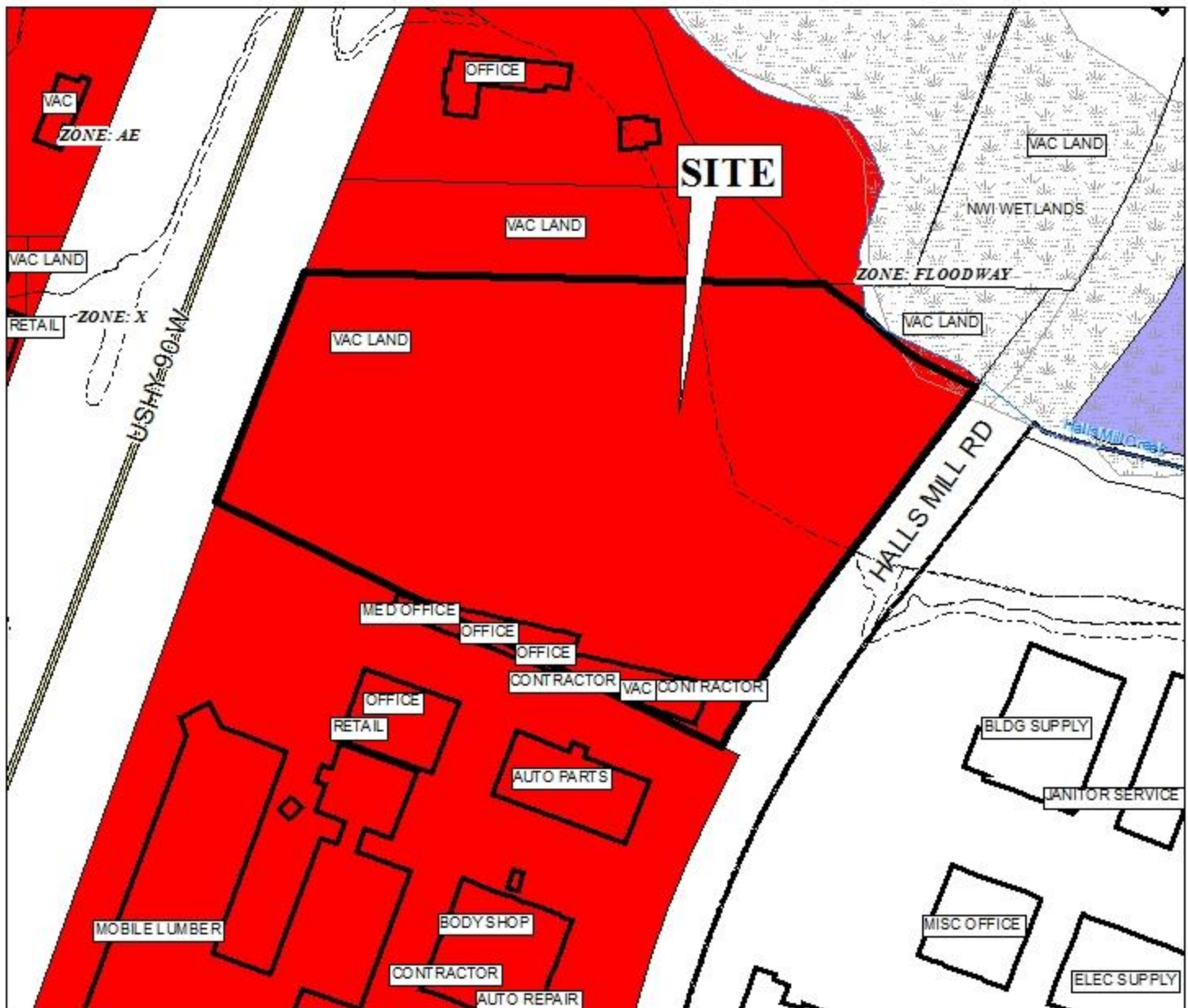
APPLICATION NUMBER 7 DATE January 15, 2015

APPLICANT DAT Holdings, LLC

REQUEST Sidewalk Waiver



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 ZONING

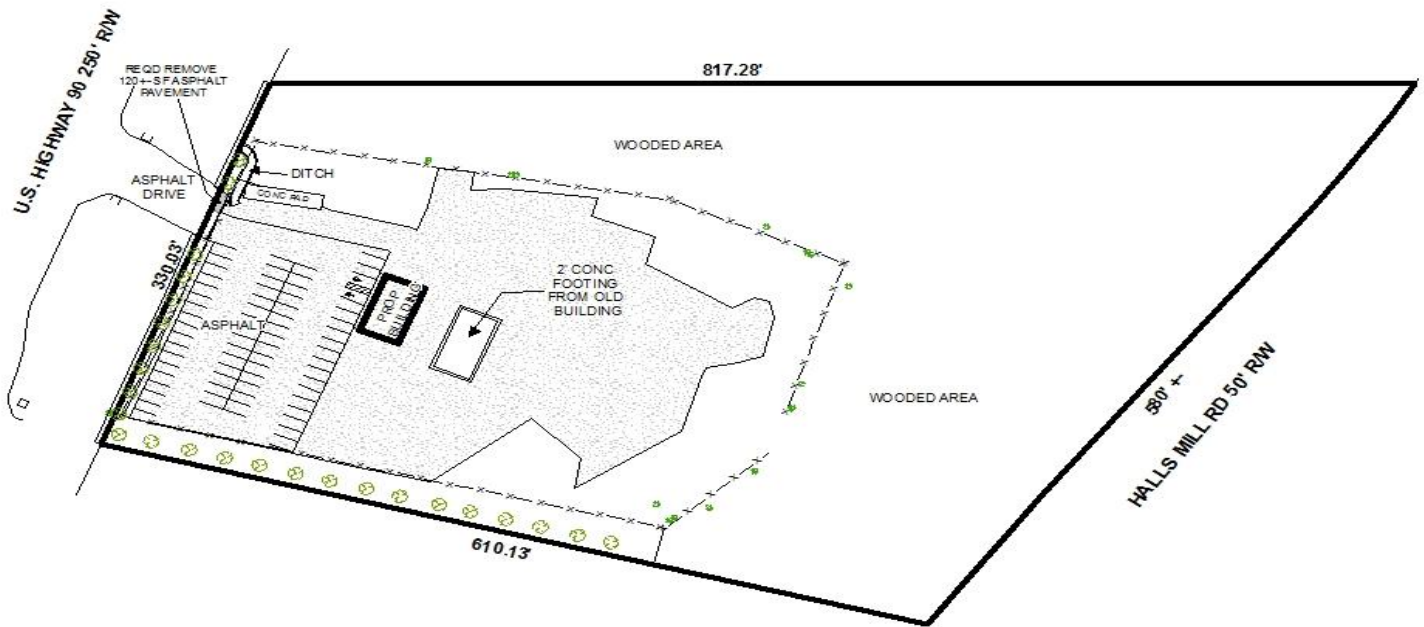


The site is surrounded by commercial units.

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SITE PLAN



The site illustrates the proposed building, asphalt surface, trees, and parking.

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NTS