

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: August 2, 2012****NAME**

Cellular South

LOCATION2600 McVay Drive North
(North side of McVay Drive North, 290'± West of Navco Road)**PRESENT ZONING**

B-1, Buffer Business District

ENGINEERING**COMMENTS**

With extensive construction including guardrail, and wetland permitting it appears that there is sufficient room within the ROW and/or within the property for construction of a sidewalk; however, the existing slope of the ROW would require extensive filling of the ROW, private property, and existing wetlands to provide an ADA accessible sidewalk.

TRAFFIC ENGINEERING**COMMENTS**

Traffic Engineering supports the construction of sidewalk.

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 McVay Drive North. A telecommunications tower is proposed to be constructed at the site. The Planning Commission approved Subdivision, Rezoning, and Planning Approval applications for the proposed tower in June, 2011, and the Board of Zoning Adjustment approved Height, Residential Buffer, Setback, Surfacing, Parking, Landscaping and Tree Planting Variances associated with the proposed tower. The applicant states that the area between McVay Drive North and the right-of-way line contains a steep sloped portion with wetlands at the bottom of the slope and if a sidewalk is constructed 1' inside the R.O.W. line, it would be located in a wetland area along almost the entire length.

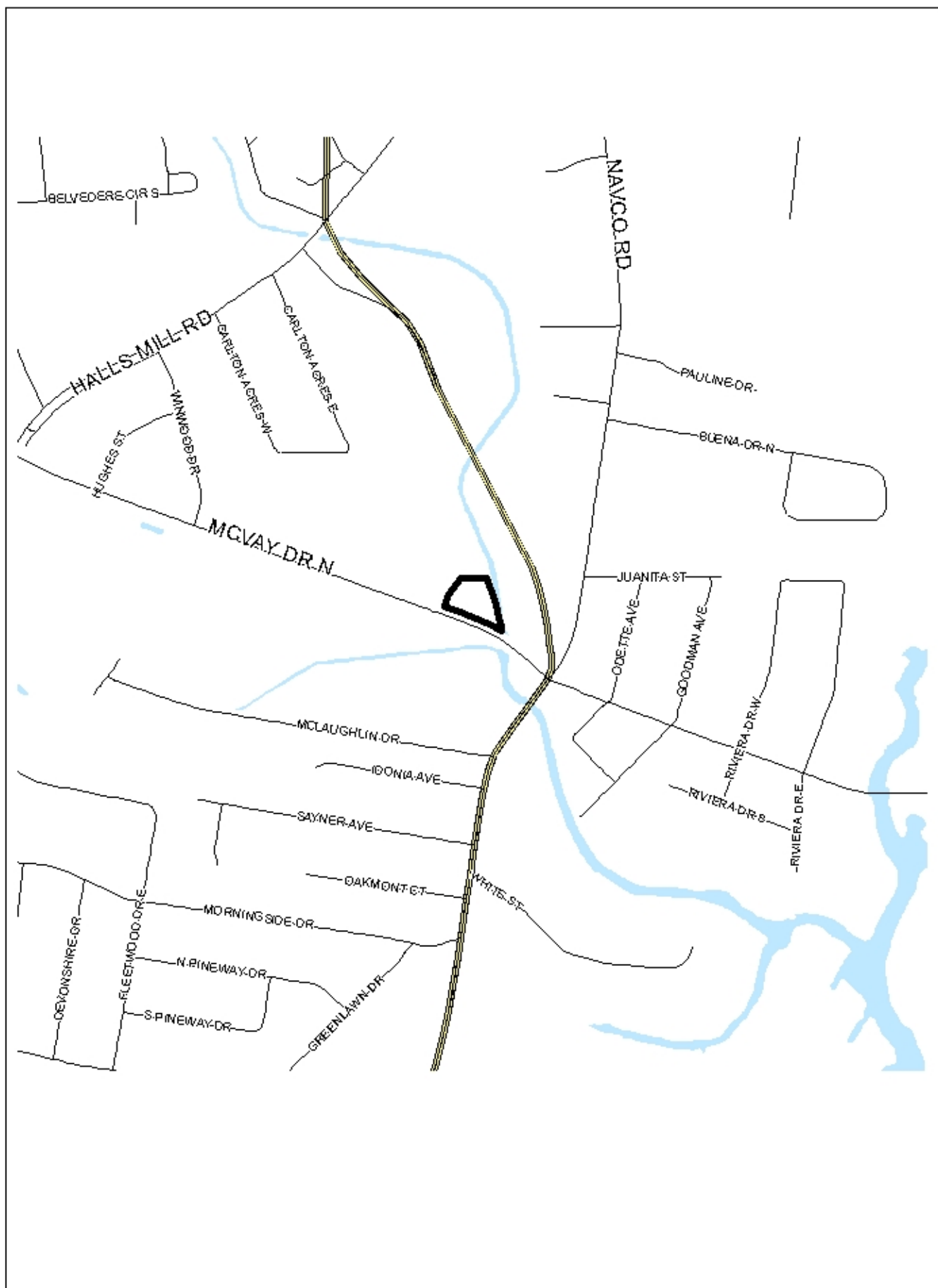
It should be pointed out that the Mobile City Council adopted a "complete streets" policy on May 31, 2011. The purpose of the complete streets policy is to support the design and construction of streets to enable safe access to all users, including pedestrians, bicyclists, transit riders, motorists,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

It should be noted that the existing grade illustrated on the cross-section appears to be rather steep for the placement of a sidewalk, except directly adjacent to the McVay Drive North pavement, which would be a pedestrian safety issue. And the area along the right-of-way line is

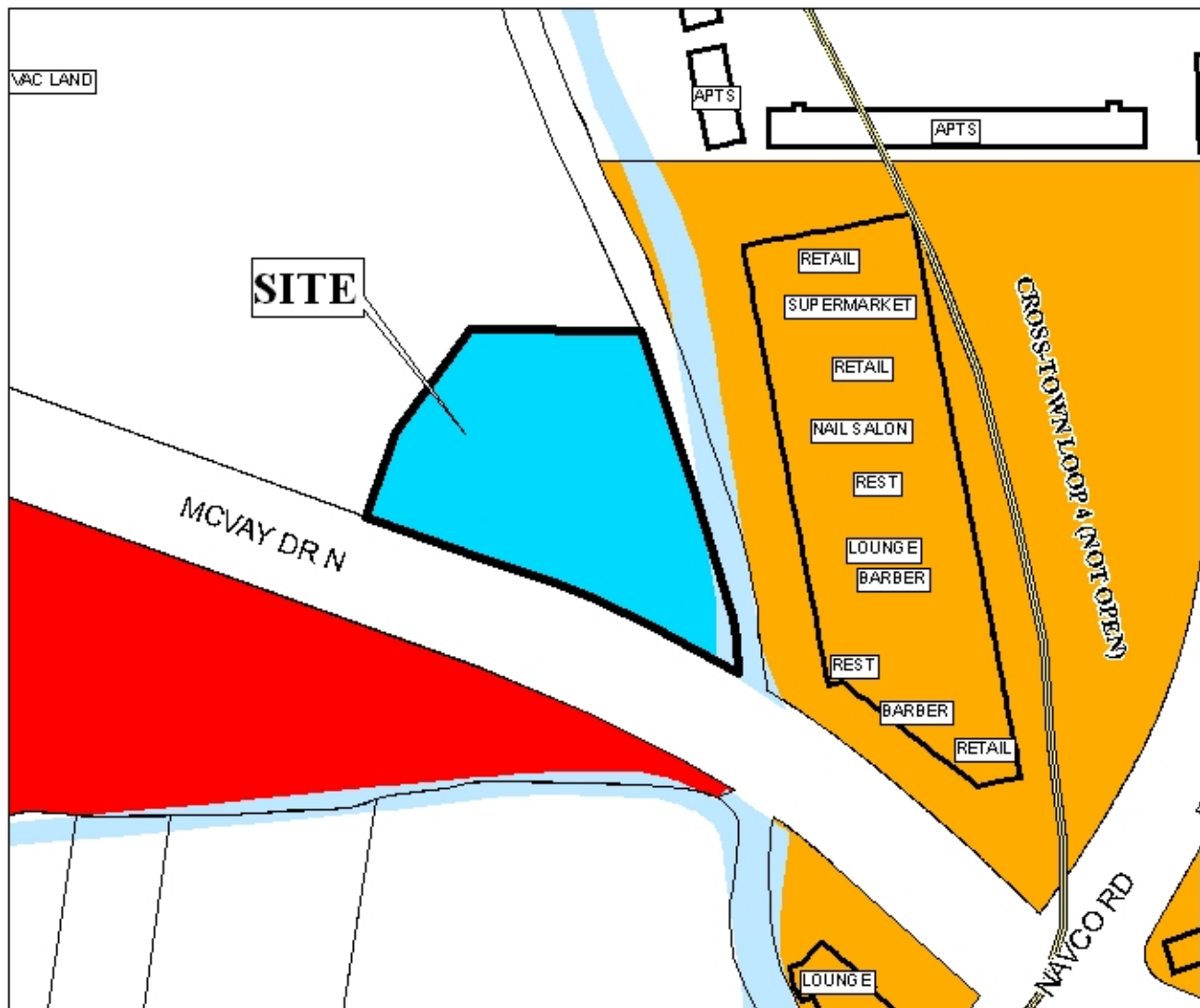
a designated wetlands area according to the National Wetlands Inventory. However, the Engineering comments indicate that, with filling, the sidewalk could be constructed, and Traffic Engineering is also in support of the construction of a sidewalk.

RECOMMENDATION

Based upon the preceding, this application for waiver of the construction of a sidewalk along McVay Drive North is recommended for Denial.



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Businesses are located to the east and south of the site.
Undeveloped land is located to the west of the site.

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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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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

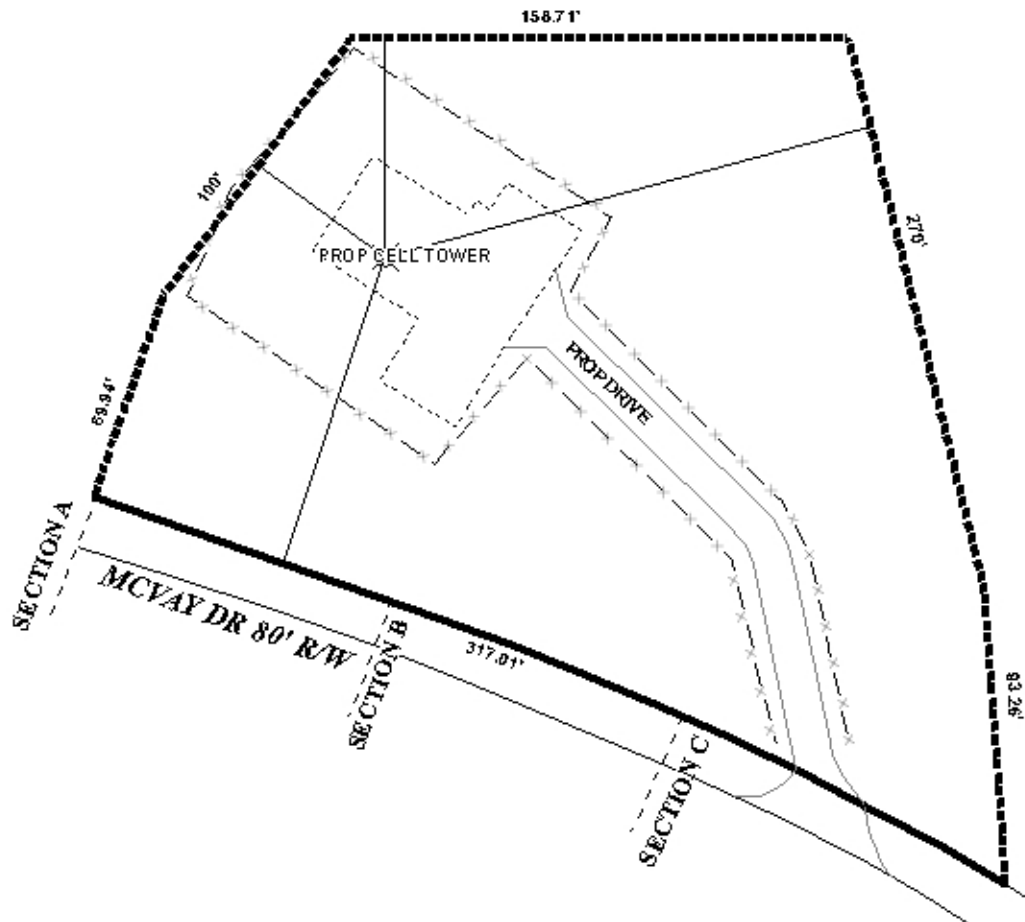


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SITE PLAN

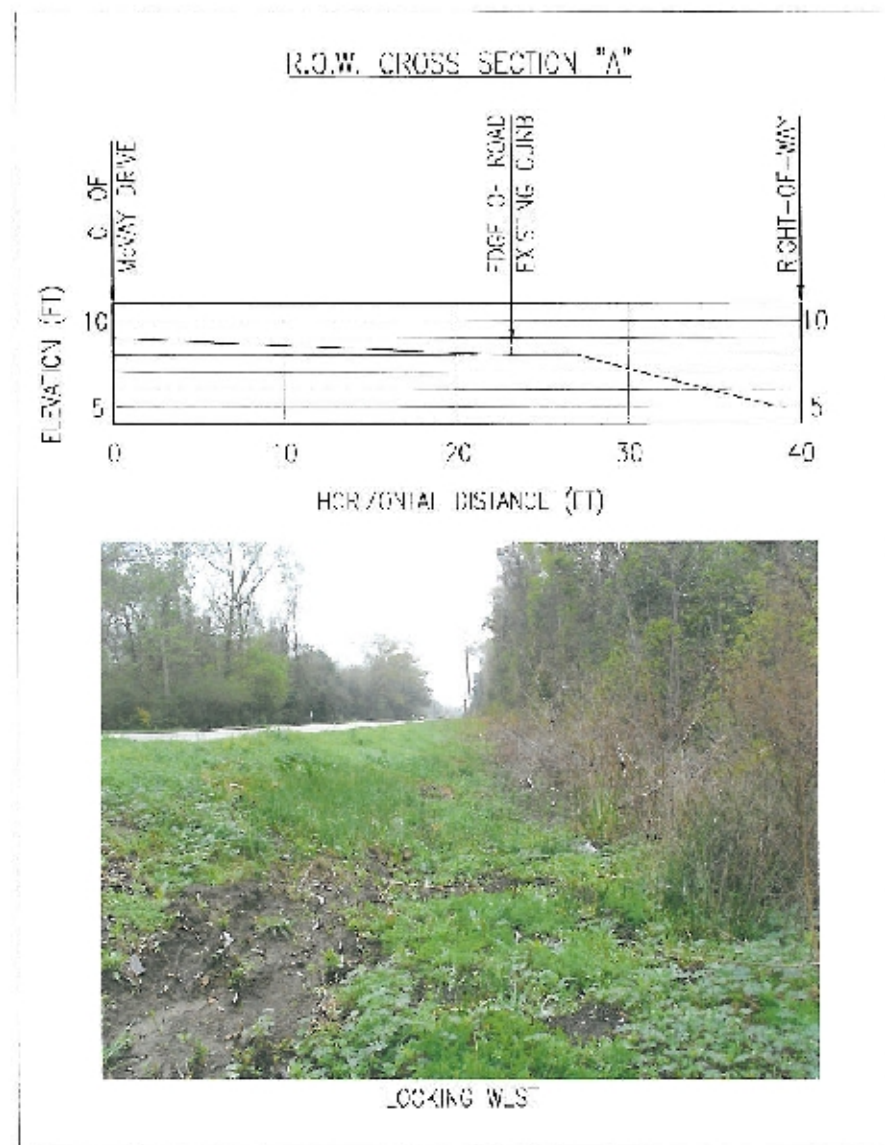


The site plan illustrates the proposed cell tower location

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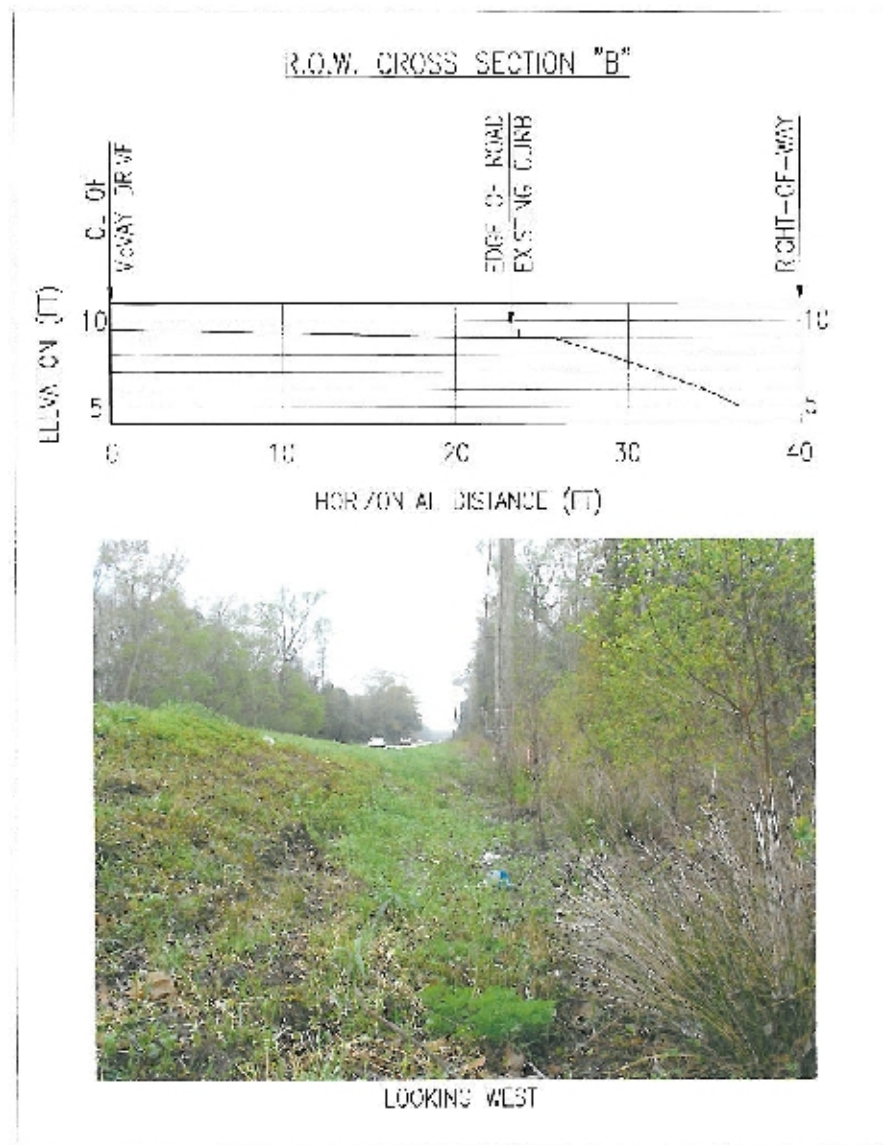
SIDEWALK CROSS SECTION DETAIL



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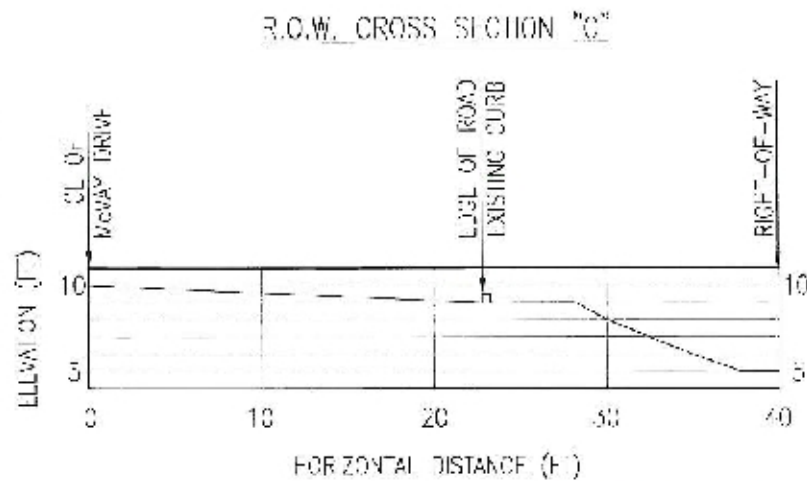
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SIDEWALK CROSS SECTION DETAIL



LOOKING WEST

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