

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: November 1, 2012****NAME**

D & M Properties, LLC

LOCATION5721 U.S. Highway 90 West
(East side of U.S. Highway 90 West, 330'± South of
Plantation Road)**PRESENT ZONING**

B-3, Community Business District

ENGINEERING**COMMENTS**Site conditions allow for sidewalk construction; however, it
is recommended that this request be approved.**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. This site currently also has applications before the
Planning Commission that have been heldover until the December 6, 2012 meeting for a
subdivision, planned unit development, and rezoning. One of the conditions of holdover for the
other applications was the depiction of a sidewalk on the site plans, or a successful sidewalk
waiver.

The sidewalk waiver site is adjacent to sites that are currently developed. The applicant states
that the required sidewalk would serve no purpose as there are no sidewalks on adjacent
properties for miles in either direction along U.S. Highway 90 West.

U.S. Highway 90 West, a major street, has a six 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 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 I-1, Light Industry District with B-3, Community Business
District to the South, and R-1, Single-Family Residential to the North. Because of the adjacent
residential district, it is likely that pedestrians will traverse this area.

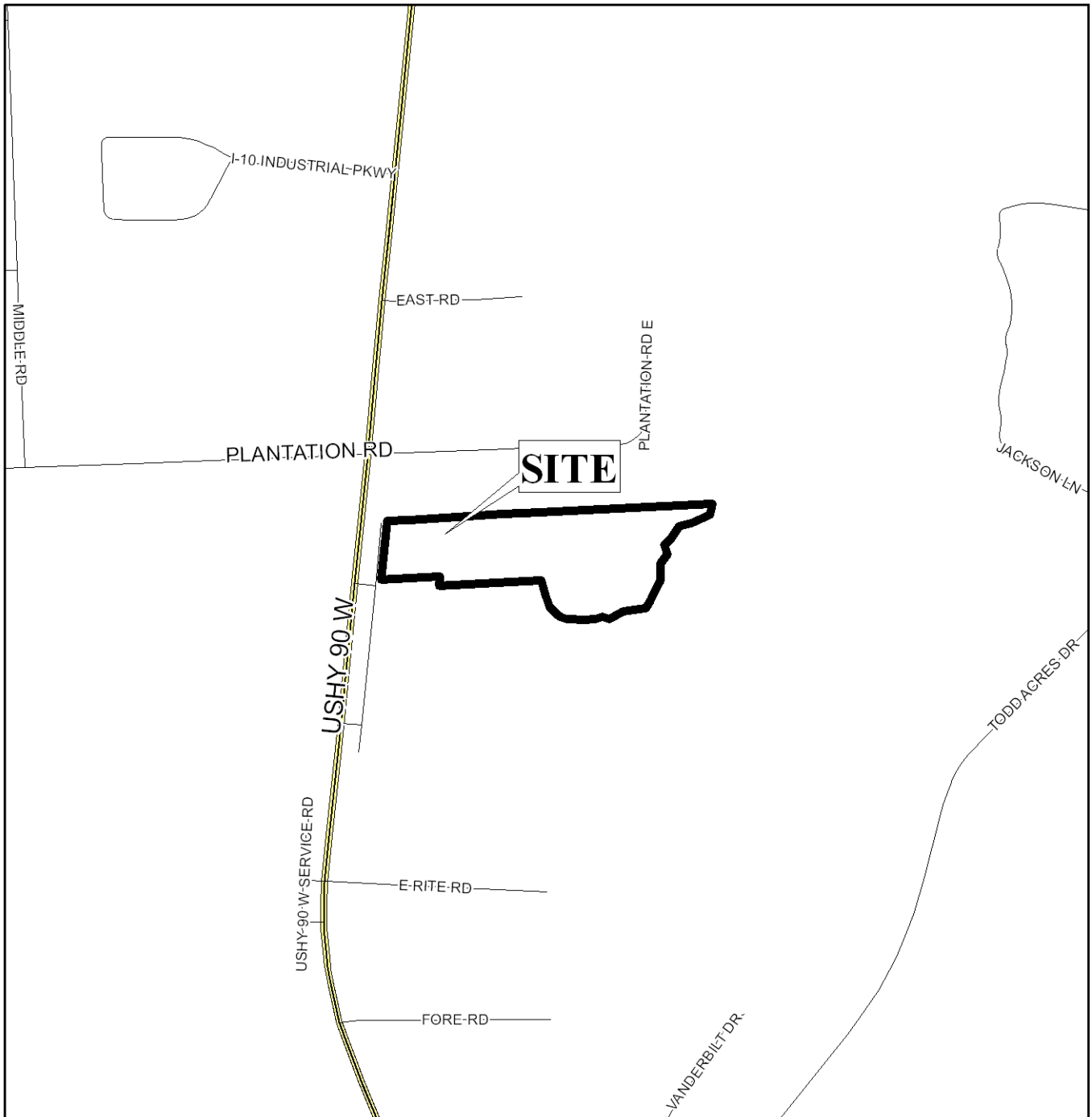
The applicant did not provide any cross-sections of the area in which a sidewalk would be required. Based on City of Mobile aerial photographs, it appears that the area would accommodate a sidewalk without any issues.

The applicant has not provided sufficient reasoning to justify the approval of the sidewalk waiver. The applicant states that the sidewalk would serve not purpose due to a lack of surrounding sidewalks, however the proximity to a residential area and the future provision of sidewalks as properties are redeveloped indicate otherwise. However, based on Engineering comments, this request is recommended for approval.

RECOMMENDATION

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

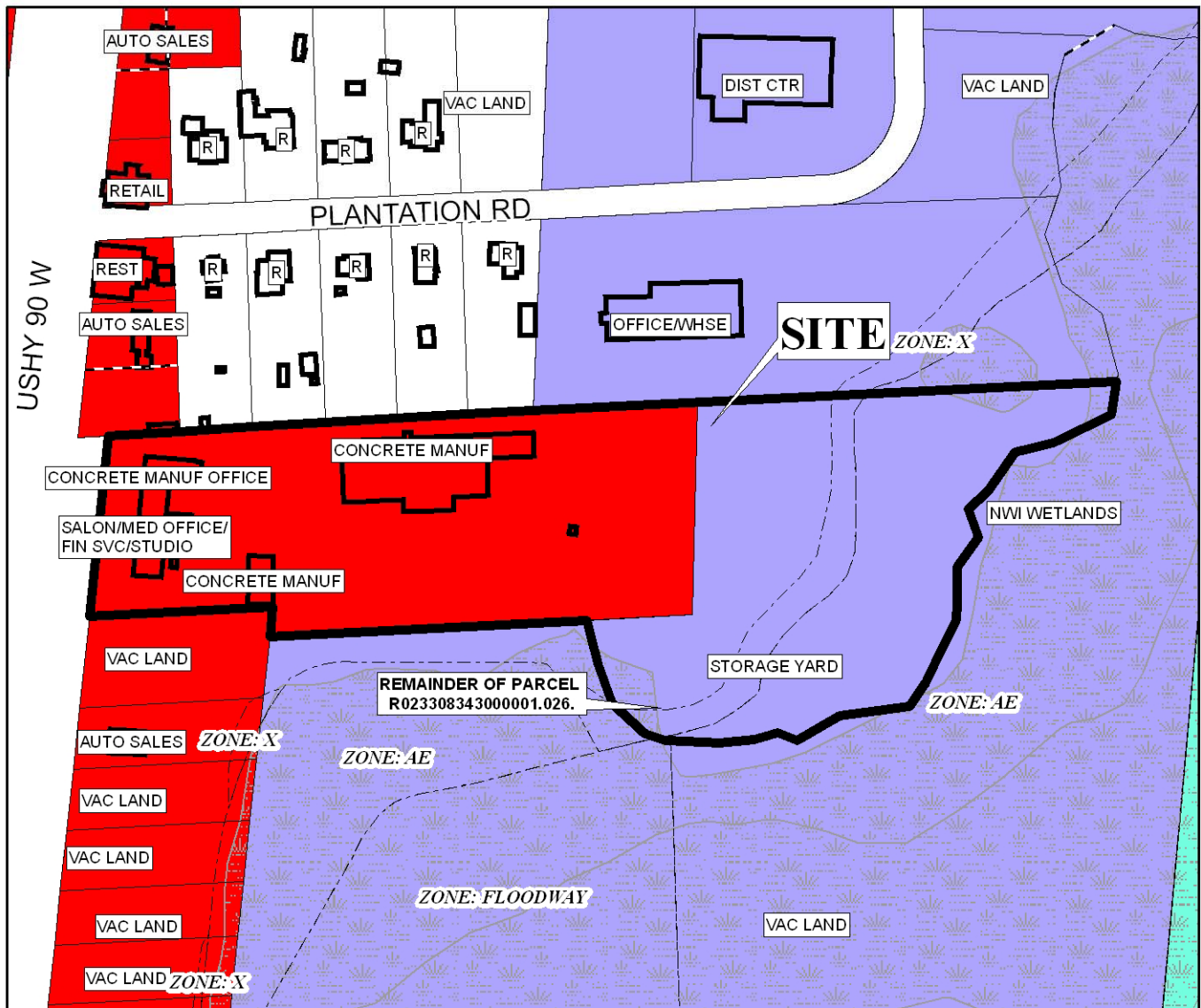
LOCATOR MAP



APPLICATION NUMBER 22 DATE November 1, 2012
APPLICANT D & M Properties, LLC
REQUEST Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residences and businesses are located to the north of the site.
Undeveloped land and a business are located to the south 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

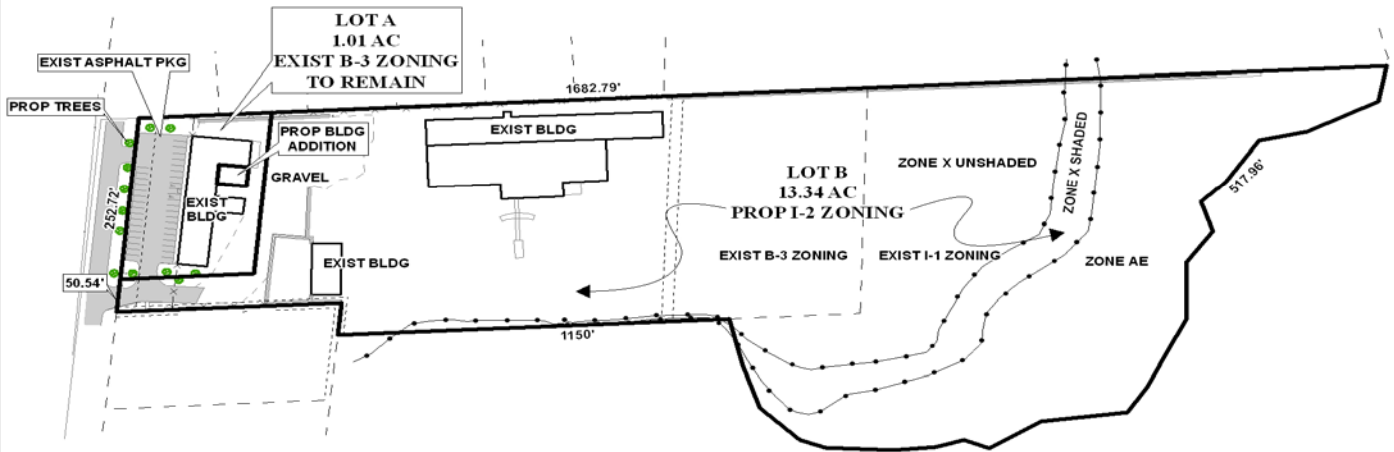


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SITE PLAN



The site plan illustrates the existing development, proposed lot configuration, and proposed zoning.

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