

**SUBDIVISION &  
SIDEWALK WAIVER STAFF REPORT****Date: July 11, 2013****NAME**

William T. Partridge, Jr.

**SUBDIVISION NAME**

Mobile Terrace Christian Center Subdivision

**LOCATION**7154 Ninth Street  
(North side of Ninth Street, 200'± East of Lincoln Boulevard)**CITY COUNCIL  
DISTRICT**

District 7

**AREA OF PROPERTY**

1 Lots / 0.11 ± acres

**PRESENT ZONING**

R-1, Single Family Residential District

**ENGINEERING  
COMMENTS**

The following comments should be addressed prior to review, acceptance and signature by the City Engineer:

1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes).
2. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045). Delete the reference to Mobile County Flood Damage Prevention Ordinance.
3. Add a note to the plat stating that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).

Sidewalk Waiver: A ROW Permit (ROW2013-00317) is currently under review. The proposed parking layout makes a sidewalk impractical at this location, therefore the Waiver is recommended for approval.

**TRAFFIC ENGINEERING  
COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

**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).

**FIRE DEPARTMENT****COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

**REMARKS**

The applicant is seeking Subdivision approval to create 1 lot, and Sidewalk Waiver approval to waive construction of a sidewalk along Ninth Street. The site is located in Council District 7, and according to the applicant is served by public water and sanitary sewer.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The site was previously the subject of a 1-lot Subdivision application, which was approved by the Planning Commission at its December 16, 2010 meeting. A Planning Approval was also obtained at that time for a church related use, and that approval is still in effect. This application is necessary because the previous Subdivision approval expired.

The site fronts Ninth Street, a minor street with an existing 30-foot right-of-way. The right-of-way width for Ninth Street does not meet the current minimum standards of the Subdivision Regulations, which are 50-feet for a right-of-way. All of the area within the neighborhood known as Mobile Terrace has substandard right-of-ways for its East/West streets, thus dedication may be impractical at this time: it is recommended that the 25-foot minimum building setback line shown on the preliminary plat be revised to be setback so that it is a total of 50-feet from the centerline of Ninth Street.

Regarding access to Ninth Street, the applicant is proposing a total of two curb-cuts for the proposed 50-foot wide lot, so that three back-out parking spaces can be provided for the site. Typically, a lot of this size would be limited to one curb-cut, however, the lot is being created from two 25-foot lots of record. It is recommended that the site be limited to two curb-cuts, with the size, design and location of the curb-cut to be approved by Traffic Engineering, and conform to AASHTO standards.

The lot, as proposed, will be approximately 50-feet wide and approximately 100 feet deep, or 4975 square feet. The lot will not meet the minimum width or size requirements of the Subdivision Regulations, thus a waiver of Section V.D.2. will be required for approval.

The applicant is also requesting a Sidewalk Waiver for the site. The applicant justifies his request by stating that there are no other sidewalks in the vicinity. The Commission should consider the waiver request due to the limited right-of-way width, the proposed parking design, and the fact that the Engineering Department recommends the waiver.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-

game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

Finally, the preliminary plat submitted for review does not appear to be “to scale,” as required by the Subdivision Regulations (the plat is labeled as 1 inch = 20 feet, however it does not measure to that scale). The applicant should ensure that the final plat is plotted to a standard engineering scale.

## **RECOMMENDATION**

**Subdivision:** With a waiver of Section V.D.2. of the Subdivision Regulations, this request is recommended for Tentative Approval, subject to the following conditions:

- 1) **Revision of the plat to ensure that it is plotted to a standard engineering scale;**
- 2) **Revision of the plat to depict the minimum setback line to allow for future dedication to provide 25-feet from the centerline of Ninth Street;**
- 3) **Placement of a note on the final plat stating that the lot is limited to two curb-cuts, with the size, design and location to be approved by Traffic Engineering and to conform to AASHTO standards;**
- 4) **Compliance with Engineering comments:** *(The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes). 2. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045). Delete the reference to Mobile County Flood Damage Prevention Ordinance. 3. Add a note to the plat stating that any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). );*
- 5) **Compliance with Traffic Engineering comments** *(Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards);*
- 6) **Placement of a note on the plat stating that approval of all applicable Federal, state and local agencies is required for endangered, threatened or otherwise protected species prior to the issuance of any permits or land disturbance activities.**

**Sidewalk Waiver:** Based upon the preceding, this request is recommended for Approval.

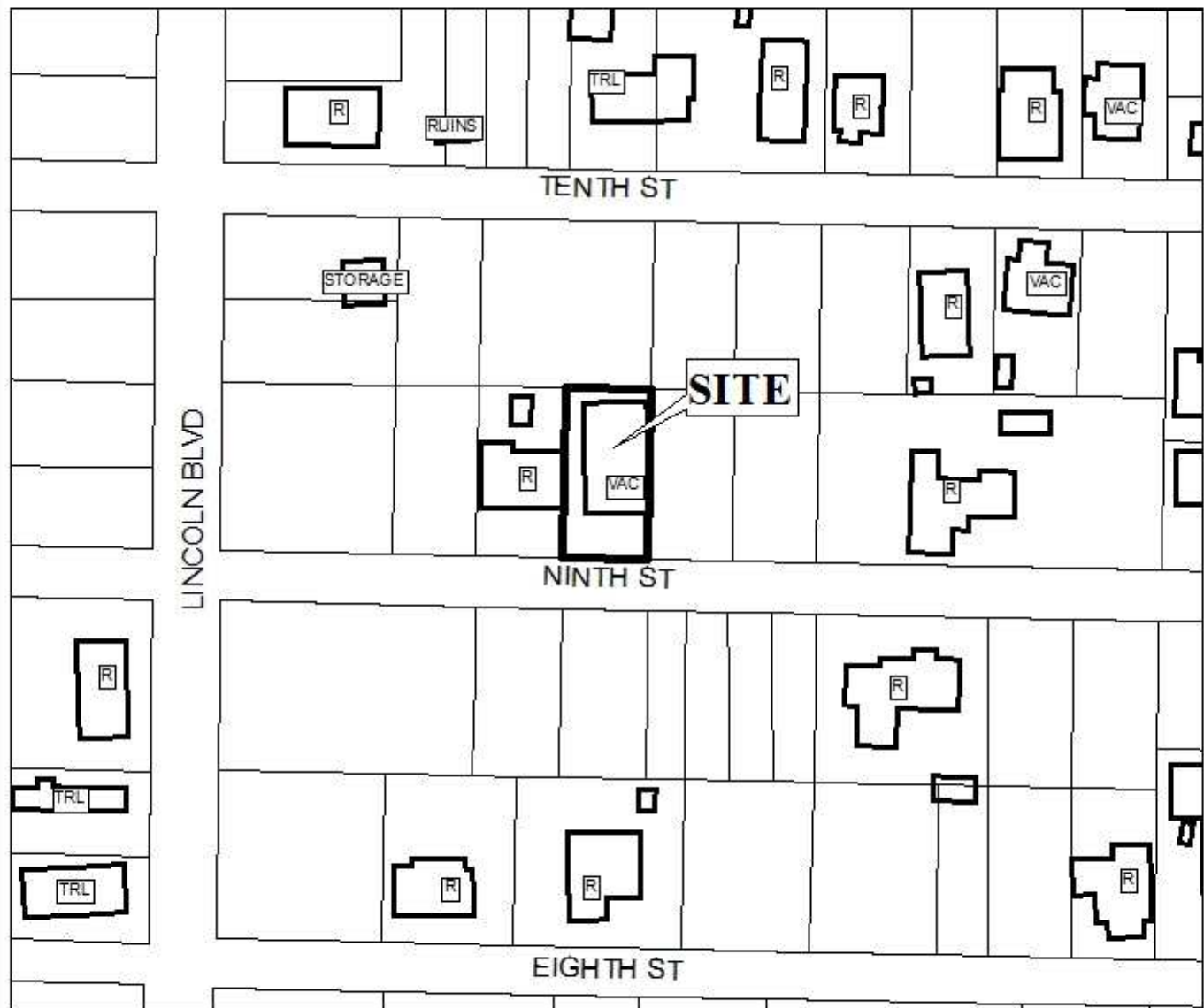
# LOCATOR MAP



APPLICATION NUMBER 24 & 25 DATE July 11, 2013  
 APPLICANT Mobile Terrace Christian Center  
 REQUEST Sidewalk Waiver, Subdivision



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residences.

APPLICATION NUMBER 24 & 25 DATE July 11, 2013

APPLICANT Mobile Terrace Christian Center

REQUEST Sidewalk Waiver, Subdivision

LEGEND NTS



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# SITE PLAN



The site plan illustrates the existing fencing, and proposed trees.

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