

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: August 3, 2006****NAME**

Fulton Road Baptist Church

LOCATION1800 Dauphin Island Parkway
(West side of Dauphin Island Parkway, extending from
Magnolia Lane to Nicholas Lane)**PRESENT ZONING**

R-1, One-Family Residence District

ENGINEERING**COMMENTS**

Recommend holdover. The required documents showing why the sidewalk cannot be constructed to City of Mobile standards were not provided. Specifically, cross-sections for each ROW where a waiver is being requested should be provided showing any impediments to constructing the sidewalk to COM standards.

Engineering Comments, revised for the August 17th meeting:

Dauphin Island Parkway – waiver recommended ONLY in the immediate vicinity of the oak tree located at the north portion of the site at Magnolia Lane. Without provision of a small sidewalk easement on the applicant's property, it appears the sidewalk will not fit on the available ROW without harming the tree.

Sidewalk has been provided on Dauphin Island Parkway at properties south of this site and there is much evidence of foot traffic along this site suggesting the need for a sidewalk. The ROW Department can work with the applicant's engineer and/or contractor to determine the best location and termination treatment of the sidewalk if a sidewalk easement is not granted.

Nicholas Lane – No waiver recommended. With the additional ROW dedicated with the recent subdivision, there is adequate space to construct a sidewalk.

Magnolia Lane – No waiver recommended. With the additional ROW dedicated with the recent subdivision, there is adequate space to construct a 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).

Construction of the sidewalk under the canopy of the existing Live Oak Trees along Dauphin Island Parkway shall be coordinated with Urban Forestry.

REMARKS

The applicant is requesting the waiver of the sidewalk requirements along Magnolia Lane, Nicholas Lane and Dauphin Island Parkway, on the North, South and East sides of the site.

The site was the subject of a Subdivision, Planned Unit Development, and Planning Approval application that was approved with conditions at the September 2, 2004 meeting of the Planning Commission.

Regarding the sidewalk waiver, the applicant states the following:

1. Sidewalk would not connect with any other sidewalk;
2. Would require removal of two large oaks;
3. The two side streets are substandard;
4. Sidewalks are being required where historically this has not been required. In areas where there has been no development – that these areas would be “grandfathered” in as not requiring sidewalks.

No steep slopes, drainage swales or other physical impairments other than existing trees have been indicated by the applicant.

Aerial photos indicate that there are sidewalks within 200 feet to the North and South of the site along Dauphin Island Parkway. The aerial photos also show a wear path along the Dauphin Island Parkway frontage of the site, indicating that the site has sufficient pedestrian traffic to affect existing groundcover. There do not appear to be any sidewalks along Magnolia or Nicholas Lanes.

Dauphin Island Parkway is a major street with a right-of-way width of 90 feet, which is 10 feet less than the 100-foot width recommended within the Major Street Plan. The roadway has four travel lanes and a center turn lane at this location, and a posted speed limit of 40 miles an hour. Year 2005 traffic counts indicate that this segment of Dauphin Island Parkway carried on average 30,700 vehicles per day. Magnolia and Nicholas Lanes are minor streets with adequate rights-of-way (due to the September 2004 subdivision dedications).

The site abuts single-family residential uses to the West and North, and a mixture of commercial uses along Dauphin Island Parkway. East, across Dauphin Island Parkway, is a cemetery. Due to the presence of a cemetery on the East side of Dauphin Island Parkway, walking along the West side of the road may be perceived as safer option for pedestrians due to the businesses and their associated lighting and activities.

Just over ¼ mile South of the site is a shopping center that includes a public library. Pillans Middle School is located approximately ½ mile South and East of the site, as measured along the public right-of-way (likely walking route).

The WAVE Transit System’s Route 11, Dauphin Island Parkway, passes the site.

It should be noted that the legal description and the drawing included with the application do not reflect the recorded subdivision.

RECOMMENDATION

Based upon the preceding, this application is recommended for holdover until the September 7, 2006 meeting, with revised materials due to Urban Development by August 14th, for the following reasons: 1) the required documents showing why the sidewalk cannot be constructed to City of Mobile standards were not provided. Specifically, cross-sections for each ROW where a waiver is being requested should be provided showing any impediments to constructing the sidewalk to COM standards; and 2) the required photographs of the proposed sidewalk waiver areas were not submitted.

Revised for the August 17th meeting:

The applicant provided additional street sections and photographs to support their application for a sidewalk waiver. The Engineering Department has revised their comments for this meeting, which are reproduced at the beginning of this report.

RECOMMENDATION

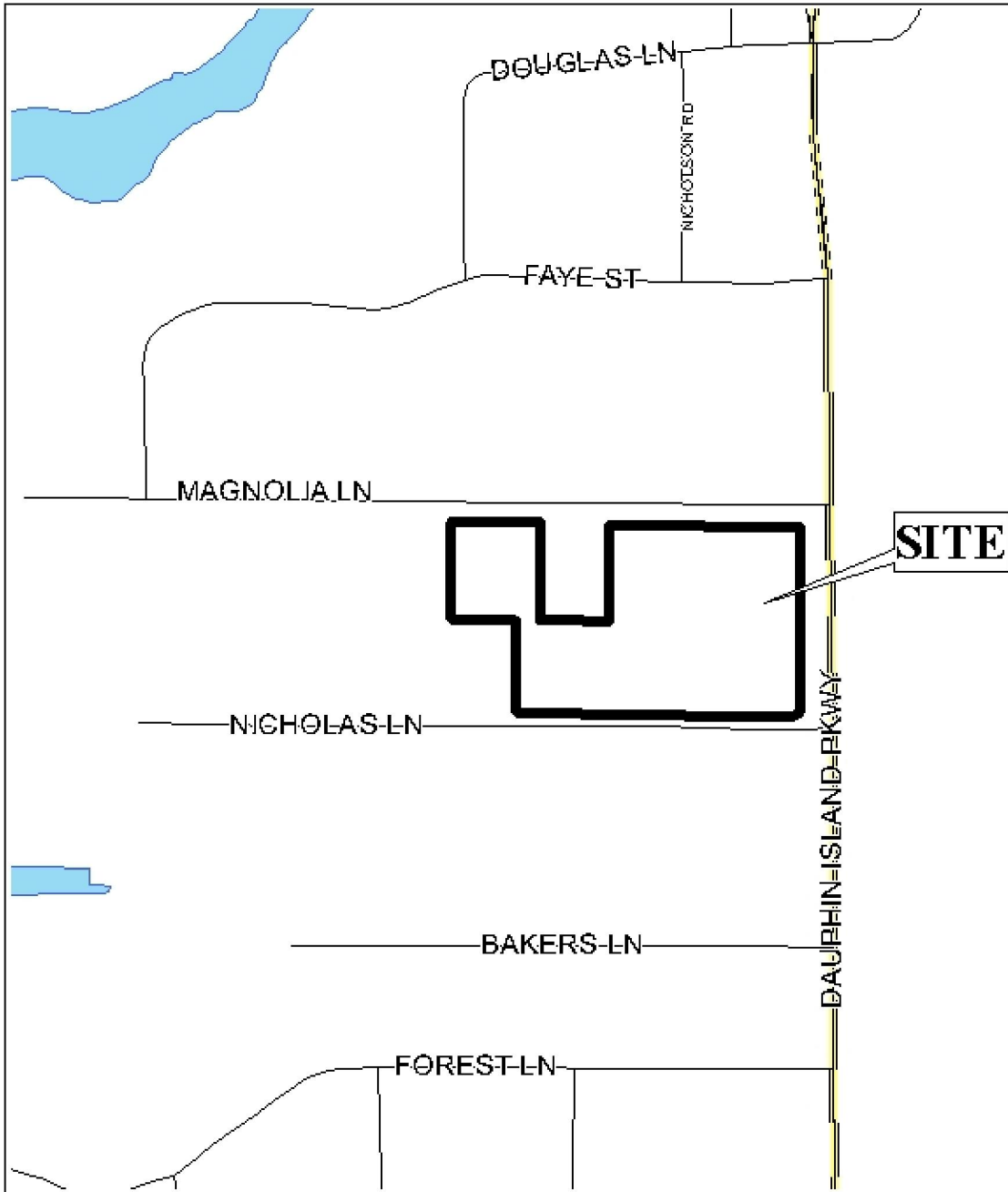
Based upon the preceding, this application is recommended as follows:

Dauphin Island Parkway – waiver recommended ONLY in the immediate vicinity of the oak tree located at the north portion of the site at Magnolia Lane; otherwise recommended for denial along the Dauphin Island Parkway frontage.

Nicholas Lane –waiver recommended for denial.

Magnolia Lane – waiver recommended for denial.

LOCATOR MAP

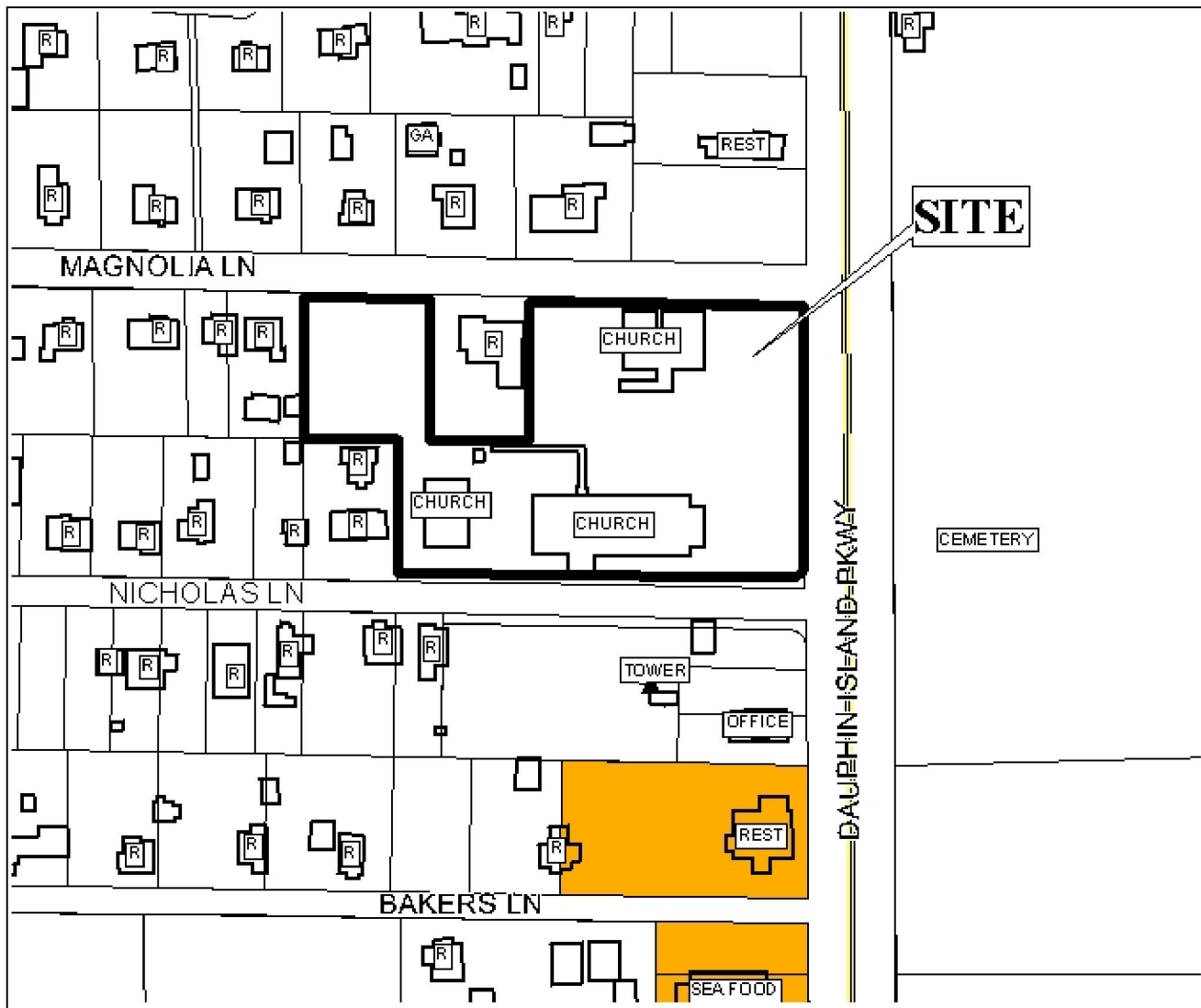


APPLICATION NUMBER Holdover DATE August 17, 2006
APPLICANT Fulton Road Baptist Church
REQUEST Sidewalk Waiver



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed land use

APPLICATION NUMBER Holdover DATE August 17, 2006

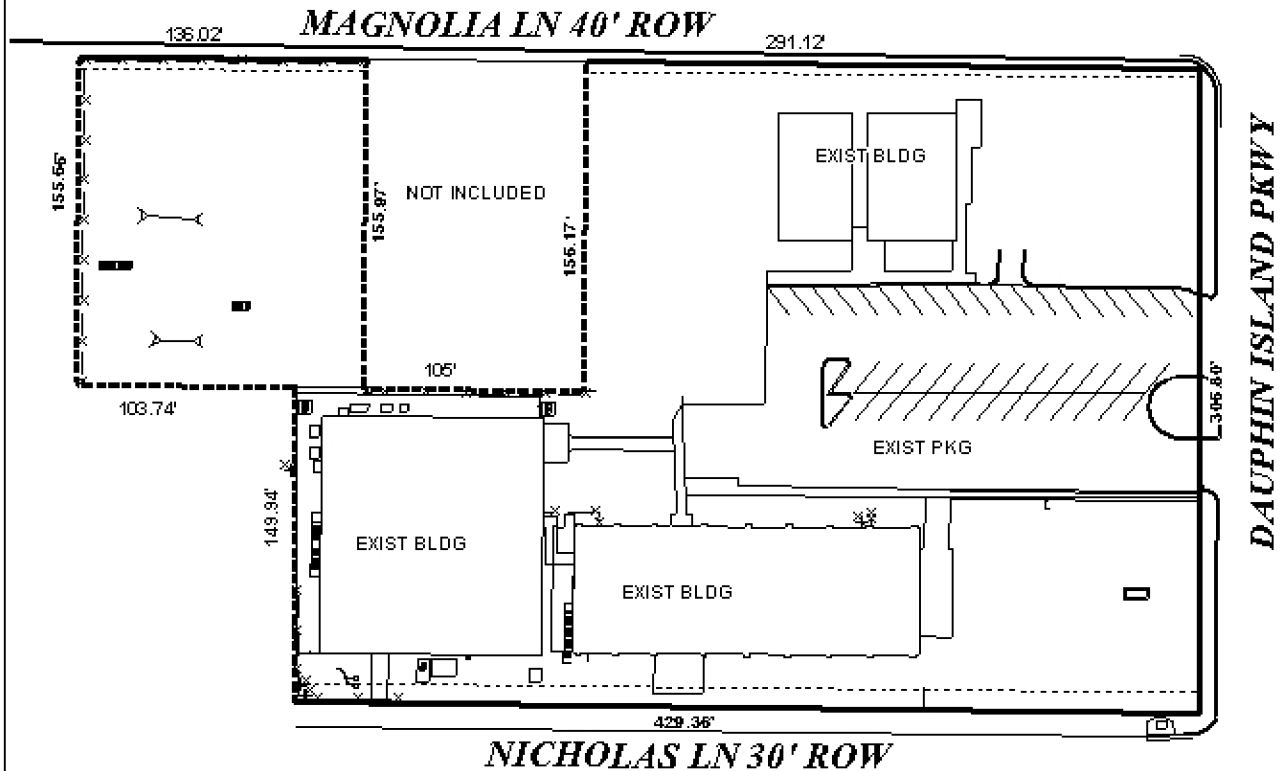
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LEGEND R-1 R-2 R-3 R-A R-B H-B B-1 LB-2 B-2 B-3 B-4 B-5 I-1 I-2



SITE PLAN



The site plan illustrates the existing buildings and parking

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