

**SUBDIVISION &  
SIDEWALK WAIVER STAFF REPORT**

**Date: March 9, 2017**

**APPLICANT NAME**

Pan American Engineers, LLC

**SUBDIVISION NAME**

Tillman’s Corner South Subdivision

**LOCATION**

5383 U.S. Highway 90 West  
(East side of U.S. Highway 90 West, extending to the West side of Halls Mill Road).

**CITY COUNCIL  
DISTRICT**

Council District 4

**PRESENT ZONING**

B-3, Community Business District

**AREA OF PROPERTY**

1 Lot/0.7± Acres

**CONTEMPLATED USE**

Subdivision Approval to create a single legal lot of record from a single metes-and-bound parcel; and a Sidewalk Waiver request to waive construction of a sidewalk along U.S. Highway 90 West.

**ENGINEERING  
COMMENTS**

**Subdivision:** FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. REMOVE THE MOBILE TRAFFIC ENGINEERING DEPARTMENT NOTE FROM THE PLAT.
- C. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures.
- D. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- E. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.

**Sidewalk Waiver:** It appears that there is sufficient room within the ROW for the construction of a sidewalk that could be approved through the City’s ROW Permit process.

**TRAFFIC ENGINEERING**

**COMMENTS**

U.S. Highway 90 is an ALDOT maintained roadway. Site is limited to one curb cut to Highway 90 (shared with property to the south) and no more than two curb cuts to Halls Mill Road with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. New on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City’s Zoning Ordinance.

**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 2015-116 and City Code Chapters 57 and 64).

**FIRE DEPARTMENT**

**COMMENTS**

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code)

**MAWSS**

**COMMENTS**

None provided

**TIME SCHEDULE**

**FOR DEVELOPMENT**

None provided

**REMARKS**

The applicant is requesting Subdivision Approval to create a single legal lot of record from a single metes-and-bounds parcel; and a Sidewalk Waiver request to waive construction of a sidewalk along U.S. Highway 90 West.

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 applicant proposes to create a single legal lot of record from a single metes-and-bounds parcel to allow for the redevelopment of the property. The lot size is provided in square feet and acres, and exceeds the minimum lot size requirements of Section V.D.2. of the Subdivision Regulations. If approved, the lot size should be retained in square feet and acres on the Final Plat.

The site has frontage along U.S. Highway 90 West and Halls Mill Road. U.S. Highway 90 West is an ALDOT controlled right-of-way and is a major street on the Major Street Plan, and as such requires a 250’ right-of-way. The preliminary plat illustrates an existing right-of-way of 255’, thus no dedication is required. Halls Mill Road is a collector street in this area, and as such should have a 70’ right-of-way. The preliminary plat illustrates an existing 50’ wide right-of-way, making dedication to provide 35’ from the centerline necessary. The Planning Commission

has required this same dedication for recent subdivisions within 400'± of the site. It should be noted that based on the site plan submitted, it appears that after dedication the proposed gas canopy and dumpster may encroach into the 25' setback.

The preliminary plat does illustrate the 25' minimum building setback along both frontages. If approved, this information should be retained on the Final Plat as well.

It should be noted that the site has an existing shared curb cut to the existing oil change business to the South, however, as the shared access is in the right-of-way, and not on private property, it was determined that a Planned Unit Development was not required. As a means of access management, the lot should be limited to the existing shared curb cut along U.S. Highway 90 West and two curb cuts to Halls Mill Road, with size, location and design to be approved by ALDOT where necessary as well as Traffic Engineering and conform to AASHTO standards.

The preliminary plat as submitted contains the survey of the property on one sheet, with a second page containing notes and signature blocks. If approved, the Final Plat should have all pertinent information on one page.

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 depicted as a “Suburban Center” Area, per the recently adopted Map for Mobile Plan. The intent of a Suburban Center Area is to allow for:

- Greater density including mixed-use with residential above community scale services and retail
- Accommodation of all users: automobile, bicycle, pedestrian, and transit
- Connectivity to surrounding neighborhoods through sidewalks, trails, etc.
- Encourage redevelopment of existing strip centers into mixed-use development or green space
- Emphasis on adding density, mixing uses and promoting walkability and connectivity to other areas of the City

It should be noted that the Map for Mobile Plan is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the Plan allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, zoning classification.

In regards to the Sidewalk Waiver, the applicant states “ALDOT in meeting on November 14, 2016 stated that there does not appear to be any need for a sidewalk as there are no other sidewalks near this site and has no objection to the City waiver.” The applicant did submit an

email from ALDOT stating that ALDOT is not requiring sidewalks for this site, but does not state that a sidewalk cannot be built.

The site is surrounded entirely by B-3, Community Business District developed as various offices, retail, and restaurants. While there are no existing sidewalks in the area, other sites will be required to install them as they are redeveloped like the subject site. Furthermore, the applicant is proposing a sidewalk along Halls Mill Road, indicating that a lack of connectivity to existing sidewalks may not be a valid concern.

Finally, it should be noted that redevelopment of the site will require full compliance with the tree and landscaping requirements of the Zoning Ordinance. It appears that the site plan submitted with this application will not provide sufficient room for frontage trees along U.S. Highway 90 West.

### **RECOMMENDATION**

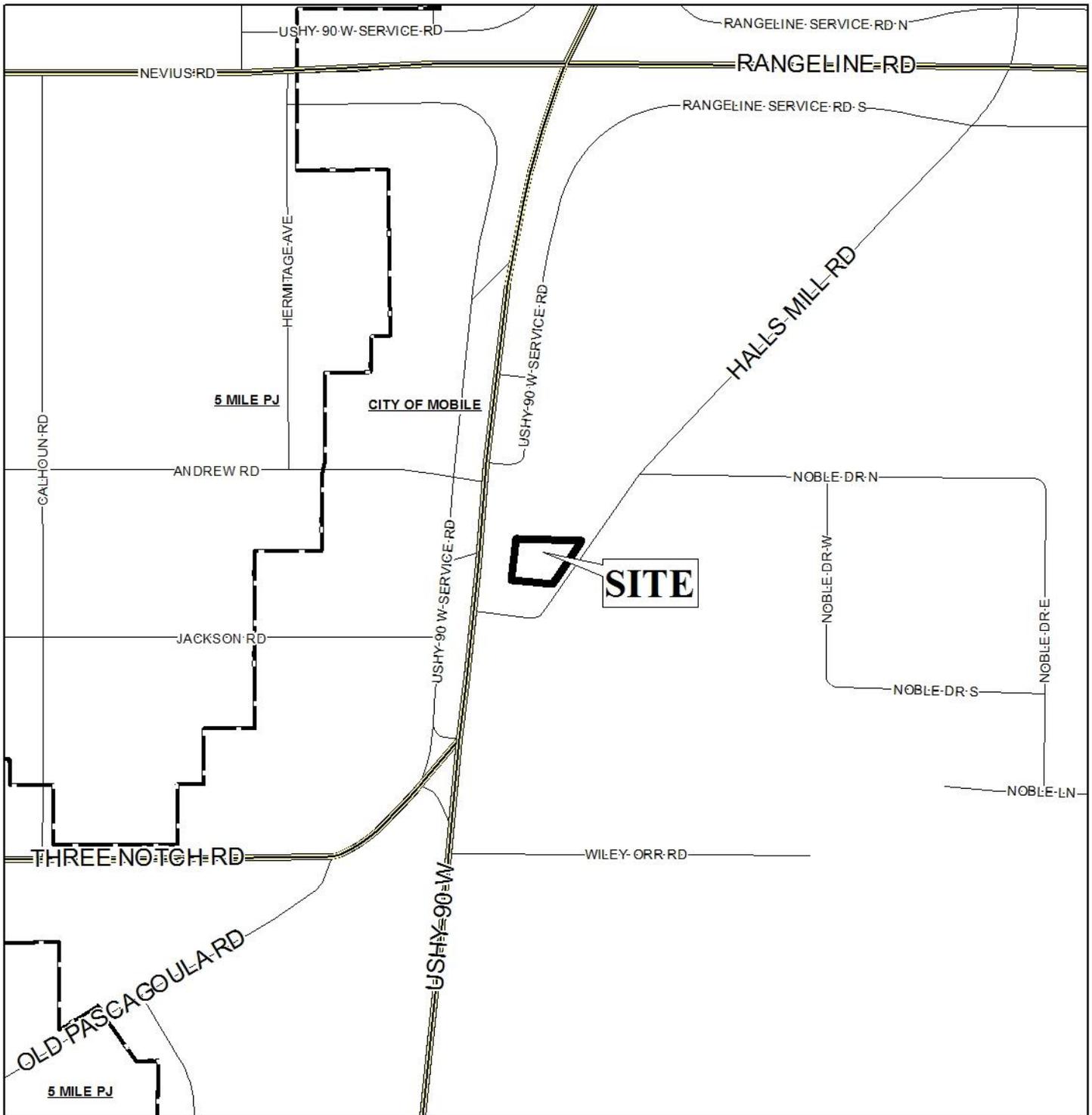
**Subdivision:** Based upon the preceding, the application is recommended for Tentative Approval, subject to the following:

- 1) provision of survey and all necessary notes and signature blocks on a single page;
- 2) dedication to provide 35' from the centerline of Halls Mill Road;
- 3) provision of the lot size in square feet and acres, adjusted for dedication;
- 4) retention of the 25' minimum building setback line along both frontages;
- 5) placement of a note on the site plan stating that the lot is limited to one curb cut to U.S. Highway 90 West and two curb cuts to Halls Mill Road, with size, location and design to be approved by ALDOT where necessary as well as Traffic Engineering and conform to AASHTO standards;
- 6) full compliance with the Traffic Engineering comments (*U.S. Highway 90 is an ALDOT maintained roadway. Site is limited to one curb cut to Highway 90 (shared with property to the south) and no more than two curb cuts to Halls Mill Road with size, location and design to be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. New on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Section 64-6 of the City's Zoning Ordinance.*);
- 7) full compliance with Engineering comments (*FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. REMOVE THE MOBILE TRAFFIC ENGINEERING DEPARTMENT NOTE FROM THE PLAT. C. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. D. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. E. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the ORIGINAL (with all other signatures) and one (1) copy (signatures not required) of the revised Final Plat to the Engineering Department.*);

- 8) compliance with Fire Department comments (*All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code)*);
- 9) compliance with 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 2015-116 and City Code Chapters 57 and 64)*); and
- 10) completion of the Subdivision process prior to issuance of building permits (demo ok).

**Sidewalk Waiver:** Based upon the preceding, the application to waive construction along U.S. Highway 90 West is recommended Denial.

# LOCATOR MAP



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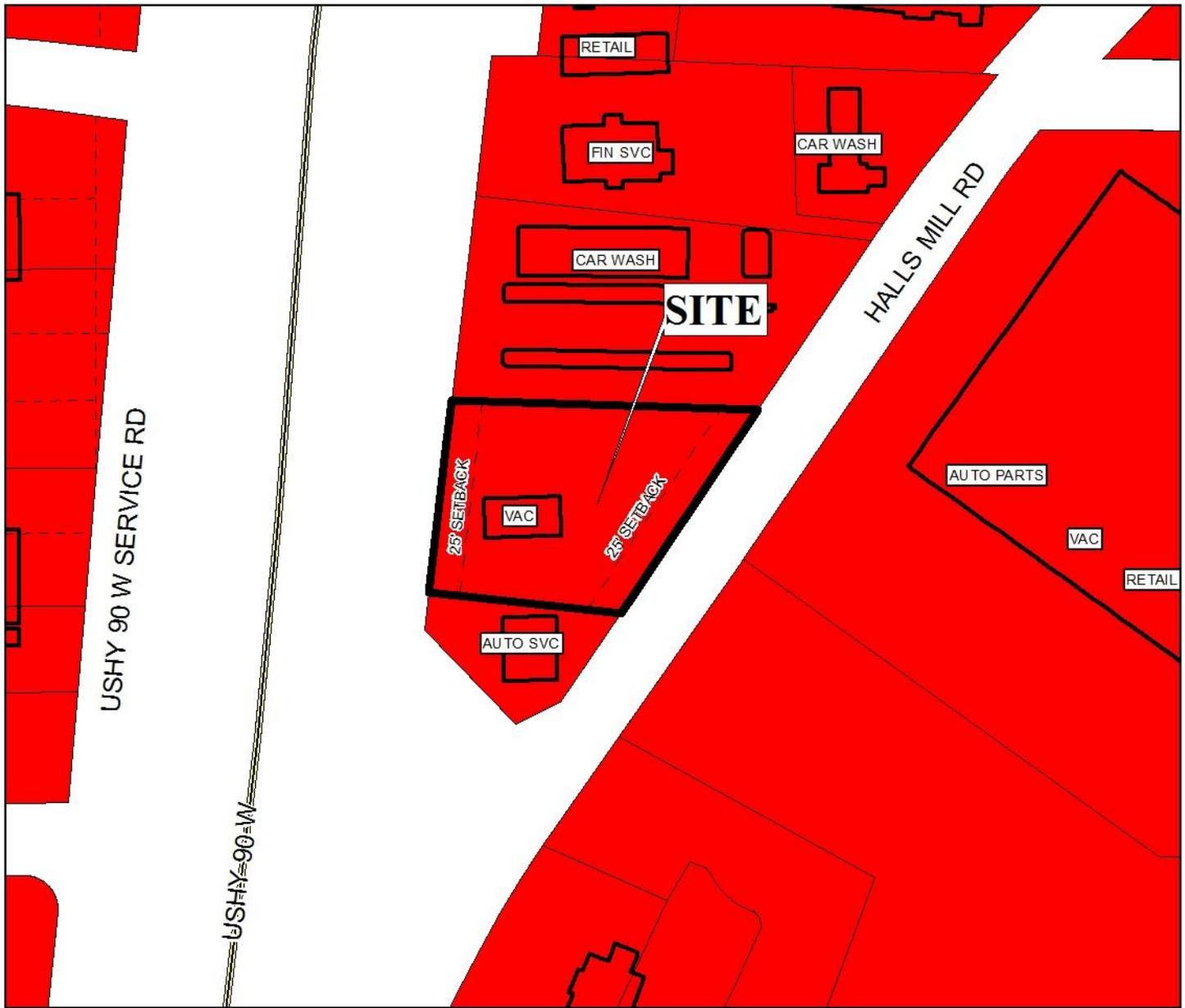
REQUEST Subdivision, Sidewalk Waiver



NTS



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial units.

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REQUEST Subdivision, Sidewalk Waiver

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 AERIAL



The site is surrounded by commercial units.

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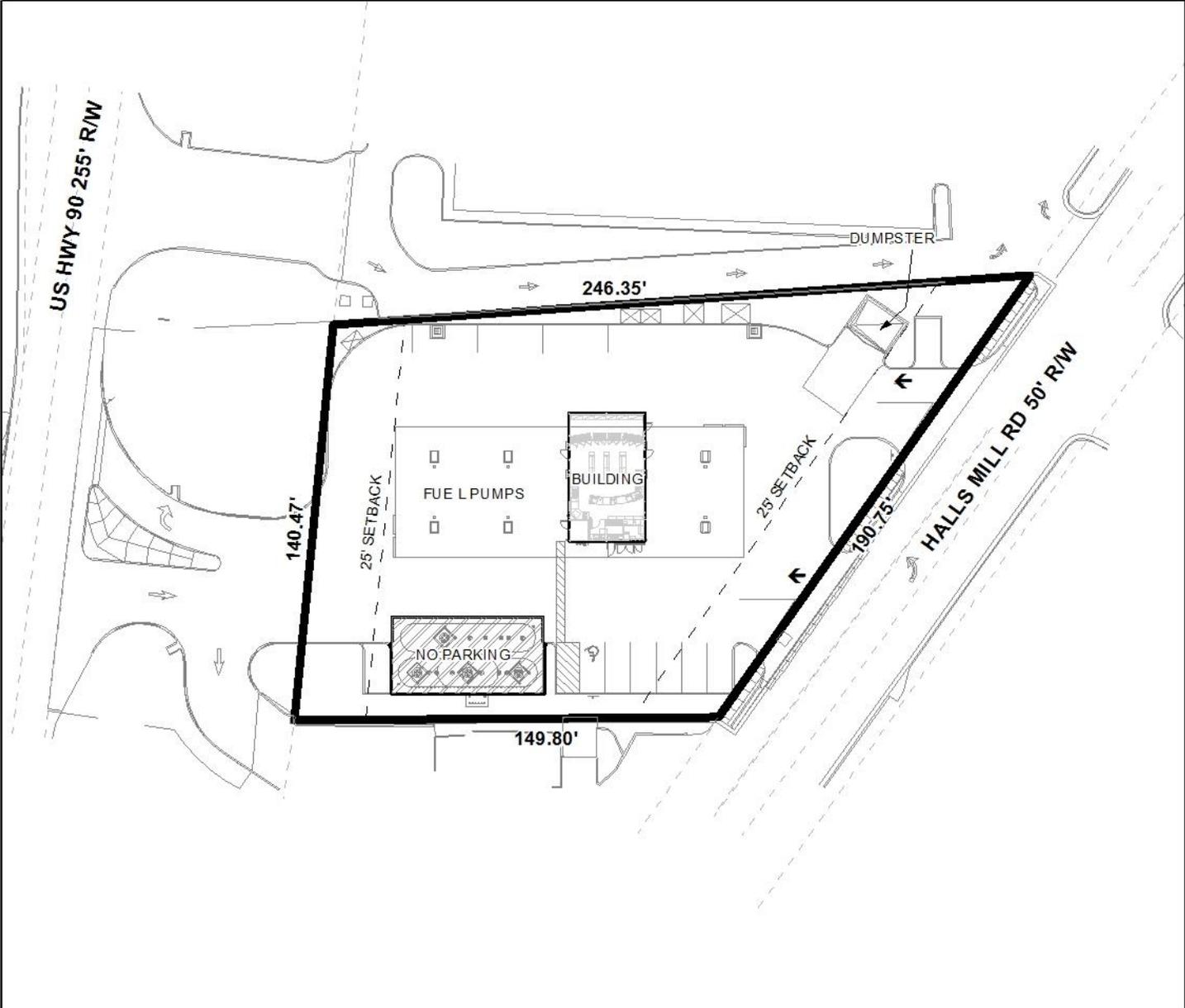
APPLICANT Tillman's Corner South Subdivision

REQUEST Subdivision, Sidewalk Waiver



NTS

# SITE PLAN

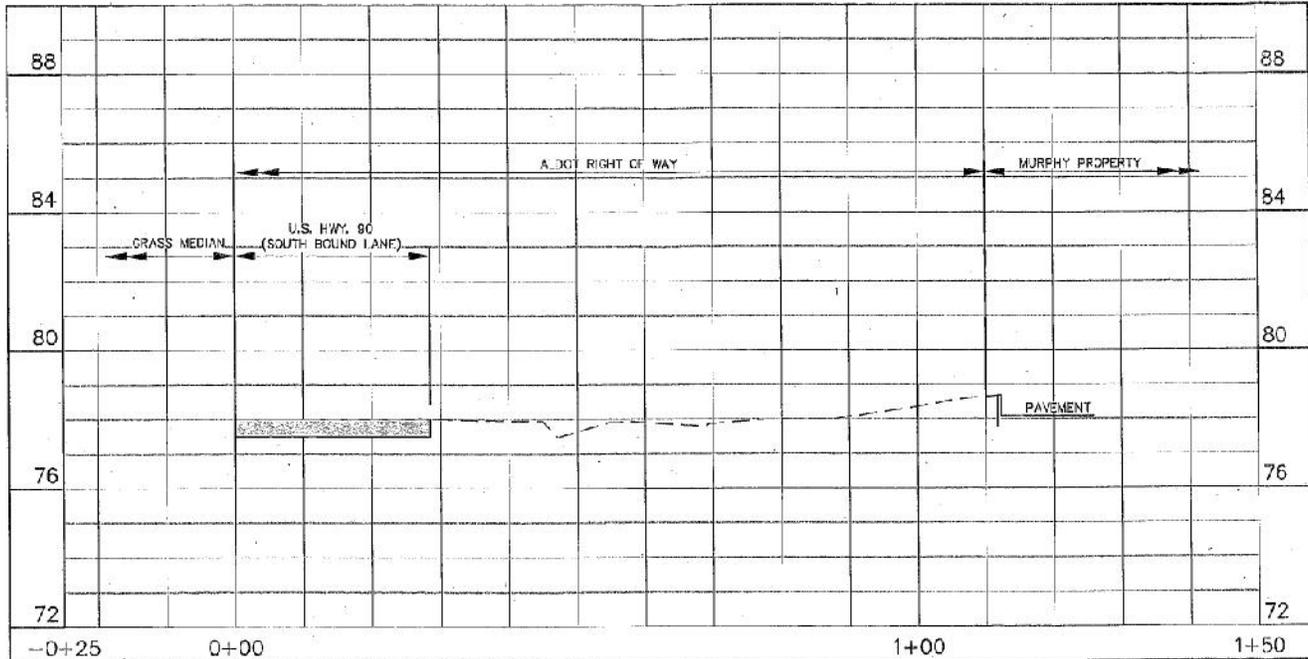


The site plan illustrates the building, setbacks, parking, fuel pumps, and dumpster.

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# DETAIL SITE PLAN



**CROSS SECTION OF ROW**  
**SCALE: 1" = 20' H.**  
**1" = 4' V.**

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