



## Agenda Item # 12

### SUB-SW-003198-2025

View additional details on this proposal and all application materials using the following link:

[Applicant Materials for Consideration – Sidewalk Waiver](#)

## DETAILS

### Location:

6255 Airport Boulevard

### Applicant / Agent:

Don Whittington, McCrory & Williams, Inc.

### Property Owner:

BWS-LD 2010 Properties LP 2/3 Interest & Peggy  
White-Spunner 1/3 Interest

### Current Zoning:

B-3, Community Business Suburban District

### Future Land Use:

Mixed Commercial Corridor &  
Low Density Residential

### Applicable Codes, Policies, and Plans:

- Unified Development Code
- Subdivision Regulations
- Map for Mobile Comprehensive Plan

### Proposal:

- Request to waive the construction of a sidewalk along Louise Avenue.

### Commission Considerations:

1. Sidewalk Waiver

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## PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by commercial and residential units.

APPLICATION NUMBER	12	DATE	February 20, 2025
APPLICANT	Don Whittington, McCrory & Williams, Inc.		
REQUEST	Sidewalk Waiver		



## SITE HISTORY

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The site has been the subject of multiple Variance requests approved since 1985, for different commercial uses. Planning Approval to allow use of the property as an auto car wash was granted by the Planning Commission in 1986.

Most recently at its meeting in April 2023, the Planning Commission approved the Resubdivision of Pinehurst Subdivision, Delany's Addition to Spring Hill.

There have been no other Planning Commission or Board of Zoning Adjustment applications associated with the site.

## STAFF COMMENTS

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### Engineering Comments:

Due to the limited size of the space and slopes between the existing asphalt wing and the existing parking lot curbing, and the existing overhead power lines it is recommended that this request be approved. The slopes would require a vertical wall along the west side of a proposed sidewalk.

### Traffic Engineering Comments:

No comment.

### 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 [Act 929 of the 1961 Regular Session of the Alabama Legislature (Acts 1961, p. 1487), as amended, and City Code Chapters 57 and 65]. Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from undeveloped residential sites, developed residential sites in historic districts, and all commercial sites will require a tree removal permit.

### Fire Department Comments:

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2021 International Fire Code). Fire apparatus access is required to be within 150' of all non-sprinklered commercial buildings and within 300' of all sprinklered commercial buildings. Fire water supply for all commercial buildings will be required to meet the guidance of Appendices B and C of the 2021 International Fire Code. The minimum requirement for fire hydrants is to be within 400' of non-sprinkled commercial buildings, within 600' of sprinkled commercial buildings, and within 100' of fire department connections (FDC) for both standpipes and sprinkler systems.

### Planning Comments:

Existing structures on site were recently demolished and development permits have been submitted to redevelop the site as a drive-thru restaurant. As new development is being proposed full compliance with the Unified Development Code (UDC) will be required, including the provision of sidewalks along all street frontages.

The applicant is requesting to waive the construction of a sidewalk along Louise Avenue stating that construction of an ADA compliant sidewalk within city right-of-way is not possible. A sidewalk is proposed to be constructed along the sites Airport Boulevard and Schaub Avenue frontages.

The applicant has submitted a site plan depicting the proposed development. All application materials can be viewed by using the link on page one (1) of this report.

## **SIDEWALK WAIVER CONSIDERATIONS**

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### **Standards of Review:**

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.

Sidewalks are typically encouraged, even in areas where none currently exist, although the appropriateness of sidewalks should also consider the existing infrastructure in the area.

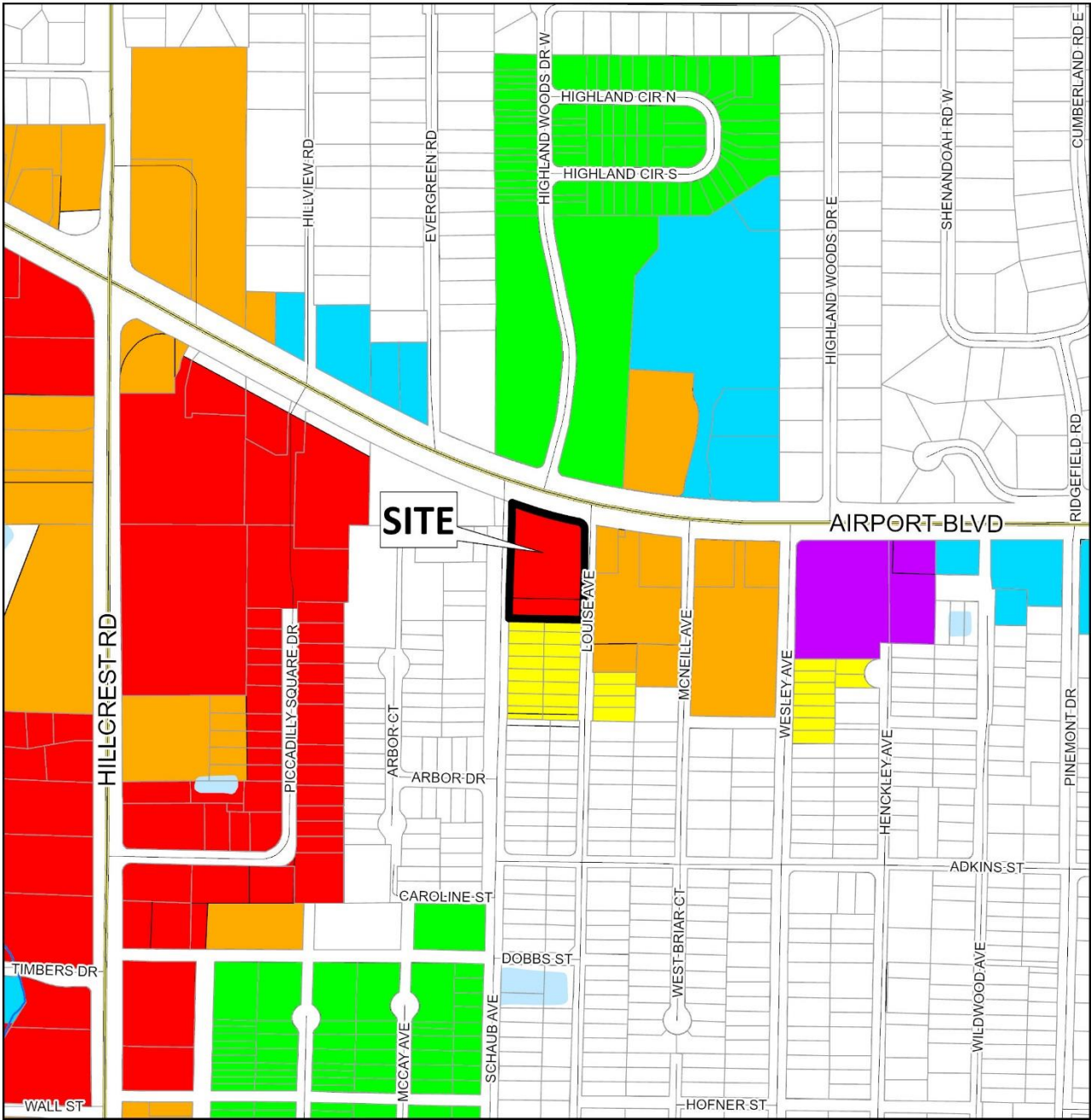
### **Considerations:**

In rendering a decision, the Planning Commission should evaluate the following factors:

1. The City of Mobile Complete Streets Policy which supports the design and construction of streets for all users, including pedestrians; and
2. The existing infrastructure in the area, such as adequate room for construction of a sidewalk, topography, as well as connectivity to existing sidewalks.



# LOCATOR ZONING MAP



APPLICATION NUMBER 12 DATE February 20, 2025

APPLICANT Don Whittington, McCrory & Williams, Inc.

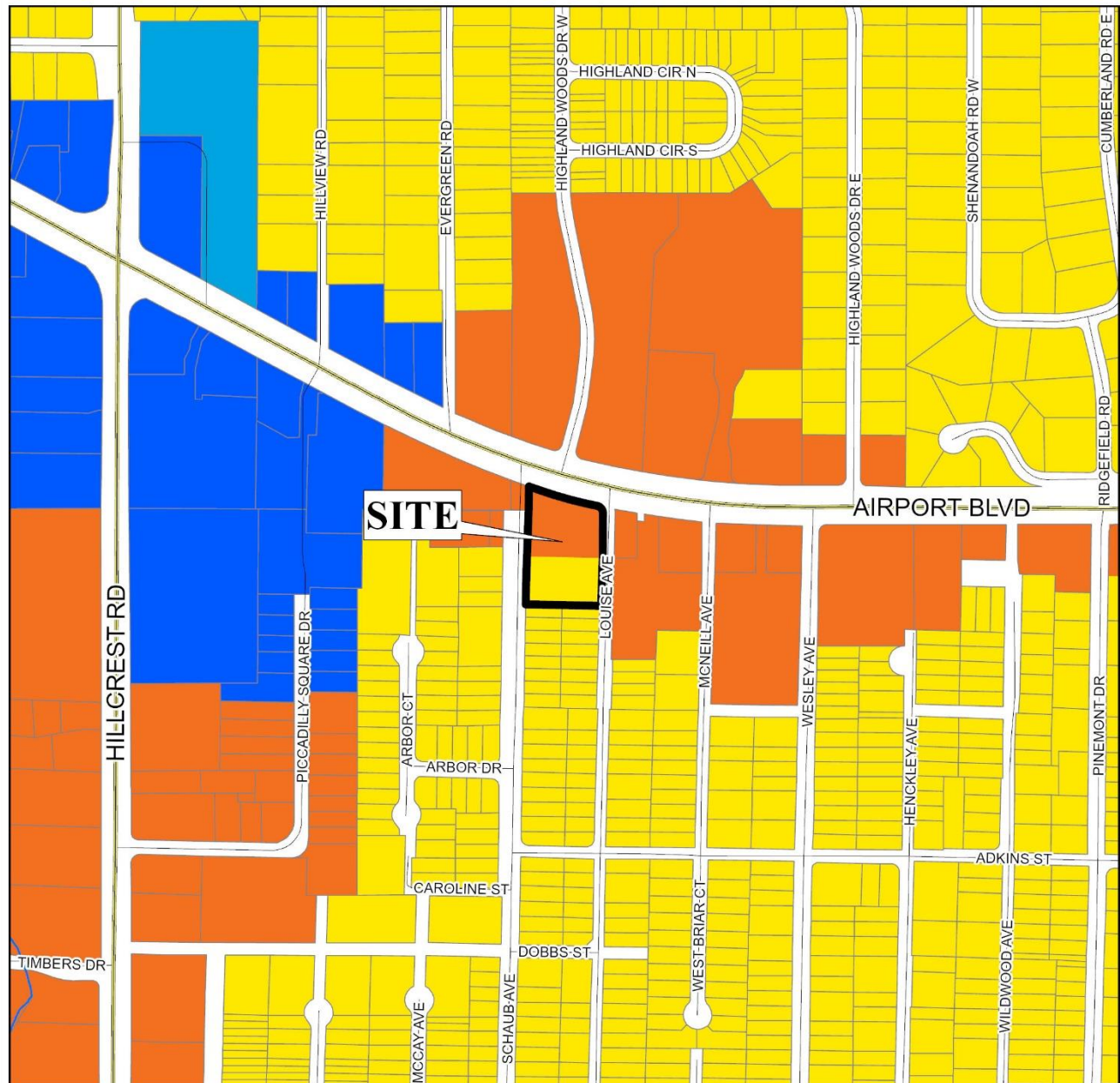
REQUEST Sidewalk Waiver

N



NTS

## FLUM LOCATOR MAP



APPLICATION NUMBER 12 DATE February 20, 2025

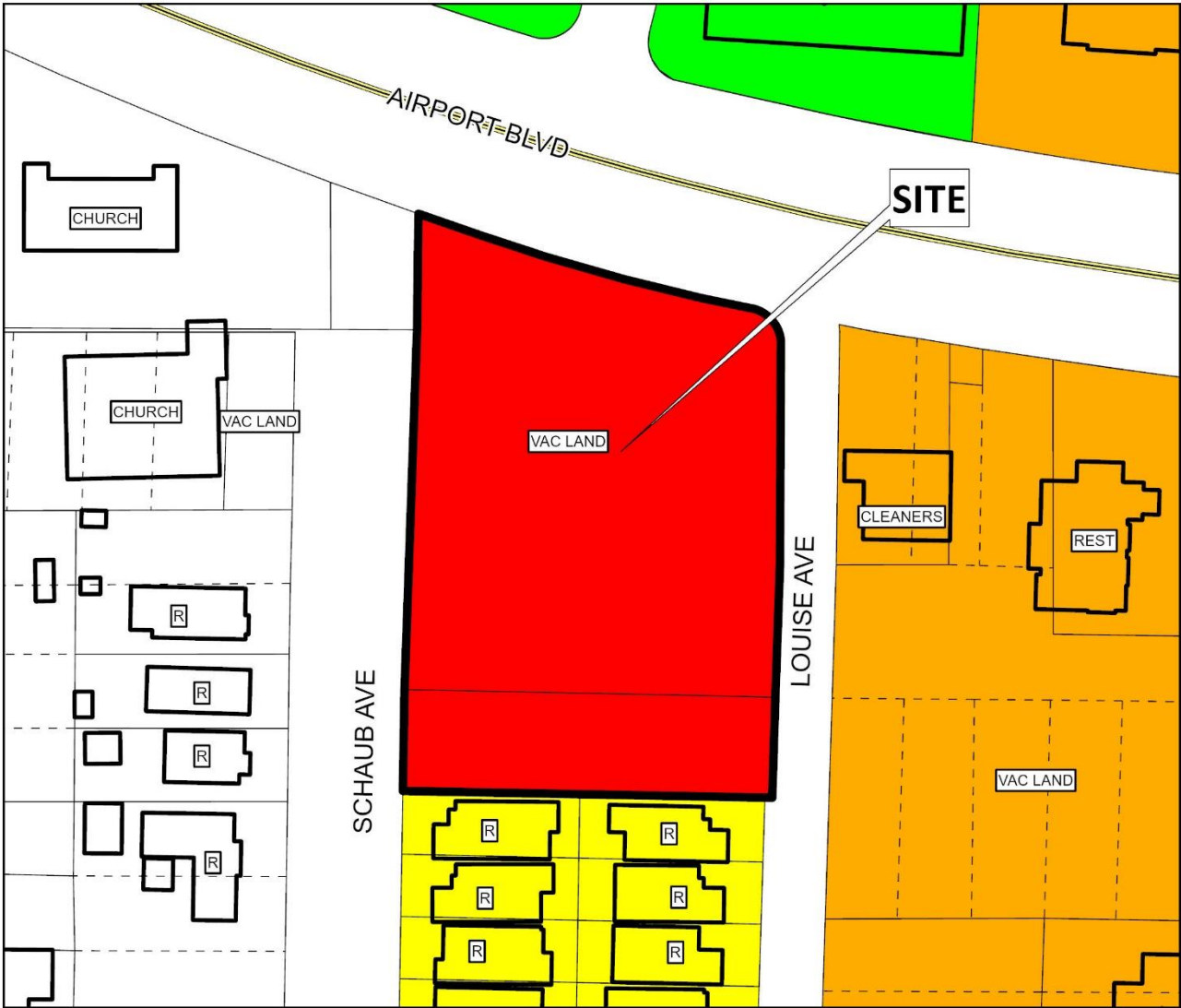
APPLICANT Don Whittington, McCrory & Williams, Inc.

REQUEST Sidewalk Waiver


- |  |   |  |   |
|--|---|--|---|
| <span style="display: inline-block; width: 10px; height: 10px; background-color: yellow; border: 1px solid black;"></span> Low Density Residential   | <span style="display: inline-block; width: 10px; height: 10px; background-color: darkred; border: 1px solid black;"></span> Neighborhood Center - Traditional | <span style="display: inline-block; width: 10px; height: 10px; background-color: brown; border: 1px solid black;"></span> Downtown Waterfront  | <span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen; border: 1px solid black;"></span> Parks & Open Space |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: orange; border: 1px solid black;"></span> Mixed Density Residential | <span style="display: inline-block; width: 10px; height: 10px; background-color: blue; border: 1px solid black;"></span> Neighborhood Center - Suburban       | <span style="display: inline-block; width: 10px; height: 10px; background-color: lightpurple; border: 1px solid black;"></span> Light Industry | <span style="display: inline-block; width: 10px; height: 10px; background-color: darkblue; border: 1px solid black;"></span> Water Dependent      |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: pink; border: 1px solid black;"></span> Downtown                    | <span style="display: inline-block; width: 10px; height: 10px; background-color: lightpink; border: 1px solid black;"></span> Traditional Corridor            | <span style="display: inline-block; width: 10px; height: 10px; background-color: purple; border: 1px solid black;"></span> Heavy Industry      |   |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: red; border: 1px solid black;"></span> District Center              | <span style="display: inline-block; width: 10px; height: 10px; background-color: lightorange; border: 1px solid black;"></span> Mixed Commercial Corridor     | <span style="display: inline-block; width: 10px; height: 10px; background-color: cyan; border: 1px solid black;"></span> Institutional         |   |



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

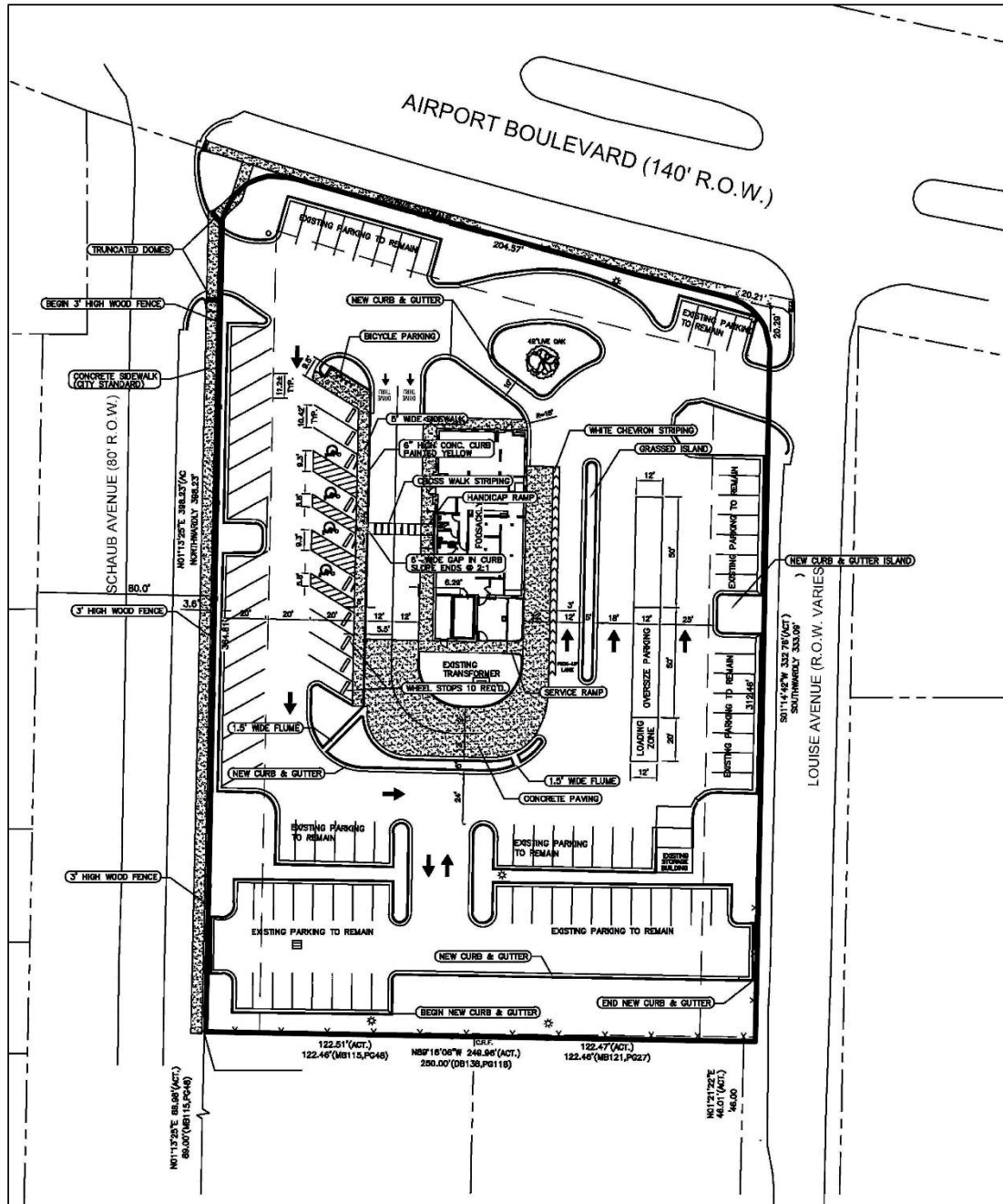


The site is surrounded by commercial and residential units.

APPLICATION NUMBER <u>12</u> DATE <u>February 20, 2025</u>		<div><div>N</div><div></div><div>NTS</div></div>
APPLICANT <u>Don Whittington, McCrory &amp; Williams, Inc.</u>		
REQUEST <u>Sidewalk Waiver</u>		
<div><div>R-A</div><div>R-1</div><div>R-2</div></div>	<div><div>R-3</div><div>R-B</div><div>H-B</div></div>	<div><div>B-1</div><div>T-B</div><div>LB-2</div></div>
<div><div>B-2</div><div>B-3</div><div>B-4</div></div>	<div><div>B-5</div><div>CW</div><div>B-4</div></div>	<div><div>ML</div><div>MH</div><div>I-1</div></div>
<div><div>I-2</div><div>MH</div><div>I-1</div></div>	<div><div>I-2</div><div>MH</div><div>I-1</div></div>	<div><div>OPEN</div><div>PD</div><div>MUN</div></div>
<div><div>T-3</div><div>T-4</div><div>T-5.1</div></div>	<div><div>T-3</div><div>T-4</div><div>T-5.1</div></div>	<div><div>T-5.2</div><div>T-6</div><div>SD-WH</div></div>



## SITE PLAN



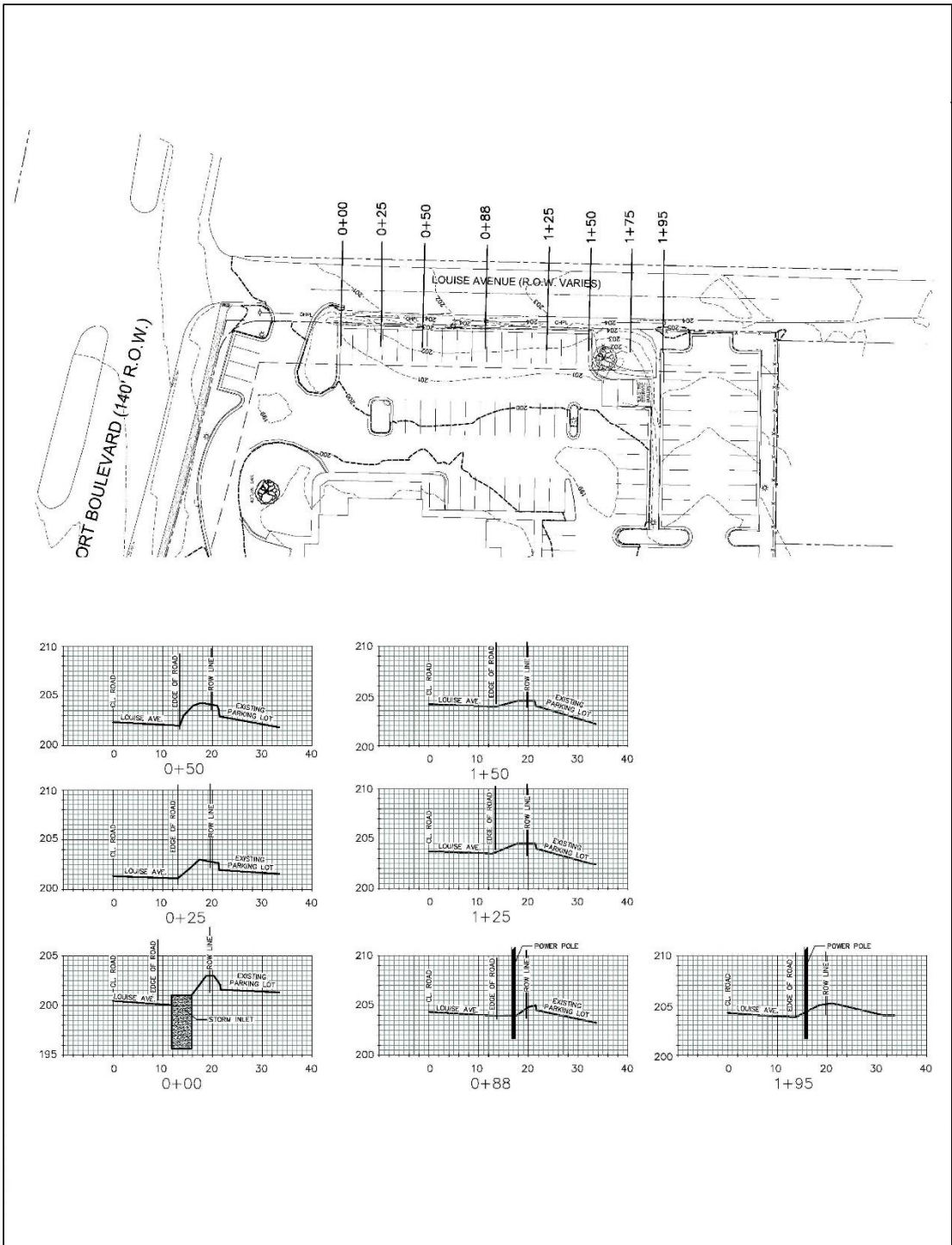
The site plan illustrates the proposed building, parking, drive thru, and fencing.

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# DETAIL SITE PLAN



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ZONING DISTRICT CORRESPONDENCE MATRIX															
		LOW DENSITY RESIDENTIAL (LDR)	MIXED DENSITY RESIDENTIAL (MXDR)	DOWNTOWN (DT)	DISTRICT CENTER (DC)	NEIGHBORHOOD CENTER - TRADITIONAL (NC-T)	NEIGHBORHOOD CENTER - SUBURBAN (NC-S)	TRADITIONAL CORRIDOR (TC)	MIXED COMMERCIAL CORRIDOR (MCC)	LIGHT INDUSTRIAL (LI)	HEAVY INDUSTRY (HI)	INSTITUTIONAL LAND USE (INS)	PARKS & OPEN SPACE (POS)	DOWNTOWN WATERFRONT (DW)	WATER DEPENDENT USES (WDWRU)
RESIDENTIAL - AG	R-A												□		
ONE-FAMILY RESIDENCE	R-1	■				■		■					□		
TWO-FAMILY RESIDENCE	R-2	■				■		■					□	○	
MULTIPLE-FAMILY	R-3	○	■			■	■						□	○	
RESIDENTIAL-BUSINESS	R-B		○			■		■					□	○	
TRANSITIONAL-BUSINESS	T-B		○		■	■	■	■					□		
HISTORIC BUSINESS	H-B			■		■		■					□		
VILLAGE CENTER	TCD					■	■						□		
NEIGH. CENTER	TCD					■	■						□		
NEIGH. GENERAL	TCD					■							□		
DOWNTOWN DEV. DDD	T-6			■									□		
DOWNTOWN DEV. DDD	T-5.1			■		■		□					□		
DOWNTOWN DEV. DDD	T-5.2			■		■							□		
DOWNTOWN DEV. DDD	T-4			■		■		□					□		
DOWNTOWN DEV. DDD	T-3			■		■							□		
DOWNTOWN DEV. DDD	SD-WH									○	○		□		
DOWNTOWN DEV. DD	SD	○	○	○	○	○	○	○		○	○		□		
BUFFER BUSINESS	B-1		□			□	■	■	■				□	○	
NEIGH. BUSINESS	B-2		○			□	■	■	■				□	○	
LIMITED BUSINESS	LB-2		○			□	■	■	■				□	○	
COMMUNITY BUSINESS	B-3				■				■			○	□	○	
GEN. BUSINESS	B-4			■					■			○	□	○	
OFFICE-DISTRIBUTION	B-5								■	■			□	□	
LIGHT INDUSTRY	I-1									■			□	□	□
HEAVY INDUSTRY	I-2										■		□		□

#### Zoning District Correspondence Matrix

- Directly Related
- Elements of the zoning category are related to the future LU category, but with qualifications (such as a development plan with conditions)
- Land use category is appropriate, but the district does not directly implement the category (e.g., open space in an industrial district)

## Residential Land Use

### LOW DENSITY RESIDENTIAL (LDR)

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single-family housing unit, detached or semi-detached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

### MIXED COMMERCIAL CORRIDOR (MCC)

This land use designation mostly applies to transportation corridors west of I-65 serving primarily the low-density (suburban) residential neighborhoods. MCC includes a wide variety of retail, services and entertainment uses.

This designation acknowledges existing commercial development that is spread along Mobile's transportation corridors in a conventional strip pattern or concentrated into shorter segments of a corridor.

Over time, new development and redevelopment in Mixed Commercial Corridors is encouraged to raise design quality, improve connectivity to surrounding neighborhoods; improved streetscapes; and improve mobility and accessibility for all users of the corridor.

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

