

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: September 1, 2011****NAME**

Hill Forest, LLC (David G. Sumrall, Agent)

LOCATION

1900 Shelton Beach Road Extension (East side of Shelton Beach Road, ½ mile± North of Moffett Road)

PRESENT ZONING

B-1, Buffer Business District

ENGINEERING**COMMENTS**

It appears that there is sufficient room within the ROW for construction of a sidewalk, providing removal of the trees is permitted.

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). Tree removal permits are required from the Mobile Tree Commission before removing any trees within the right of way.

Revised for the September 1st meeting: It is possible to construct a sidewalk to city standards for the Hill Forest LLC Apartments. An 8 foot sidewalk construction zone would need to be cleared from the property line for the construction of the sidewalk. Engineering reported no grading problems with construction along the property line. There will be a few small Pines and Oaks that will need to be removed with a Mobile Tree Commission permit. The MTC permit can be handled administratively due to the type and small size of the trees.

REMARKS

The applicant is constructing a 128-unit apartment complex on the site and is requesting a waiver of construction of a sidewalk along Shelton Beach Road. A similar application for the site was heard by the Commission in July, 2009, submitted by the previous developer of the site. The reason for that request was based on the fact that the depth of the open ditch along Shelton Beach Road and its proximity to the road would place the sidewalk at or near the road pavement. Engineering concurred with that argument, but staff determined that there may be sufficient room for the placement of the sidewalk after the dedication of right-of-way required by the associated subdivision. The application was recommended for denial, and the Commission did so. The current applicant states that the trees which will need to be removed to construct a sidewalk serve as a buffer to the apartments shielding them from road noise as well as providing a visual buffer for the homes on the West side of Shelton Beach Road. It is further stated that there is an existing sidewalk on the West side of Shelton Beach Road currently servicing the community.

As the site is being developed as apartments, the potential exists for greater pedestrian traffic along the East side of Shelton Beach Road. Also, City Engineering and Urban Forestry have made no determinations that a compliant sidewalk could not be constructed.

RECOMMENDATION Based upon the preceding, this application for waiver of the sidewalk along Shelton Beach Road is recommended for denial.

Revised for the August 4th meeting:

This application was heldover from the July 21st meeting at the applicant's request. As no new information has been submitted, the original recommendation for denial would stand.

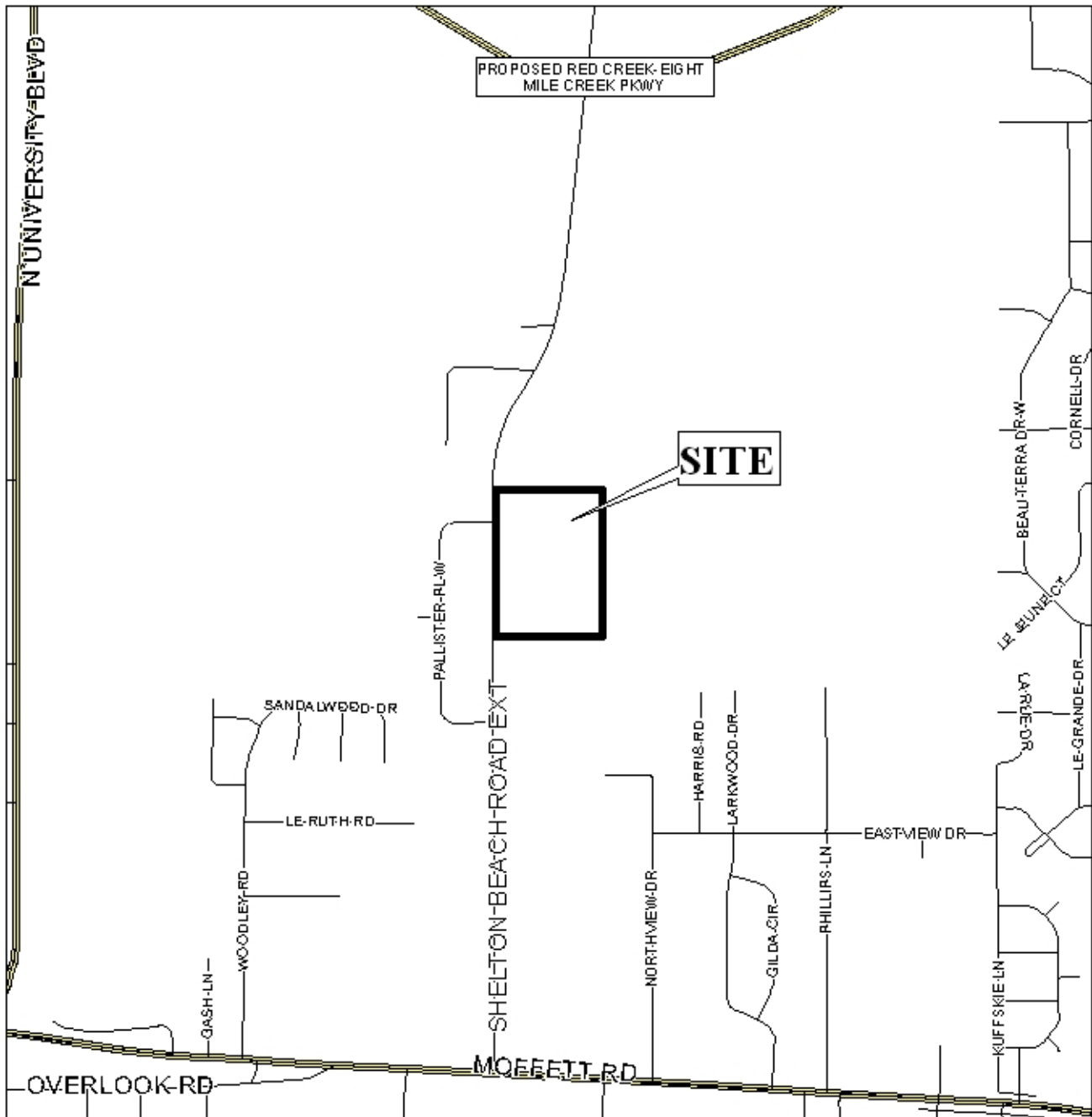
RECOMMENDATION Based upon the preceding, this application for waiver of the sidewalk along Shelton Beach Road is recommended for denial.

Revised for the September 1st meeting:

This application was heldover from the August 4th meeting at the applicant's request. No new information has been submitted by the applicant. However, Urban Forestry visited the site, and has revised its comments to indicate that it is possible to construct a sidewalk to city standards. Therefore, the original recommendation for denial would stand.

RECOMMENDATION Based on the preceding, this application for waiver of the sidewalk along Shelton Beach Road is recommended for denial.

LOCATOR MAP



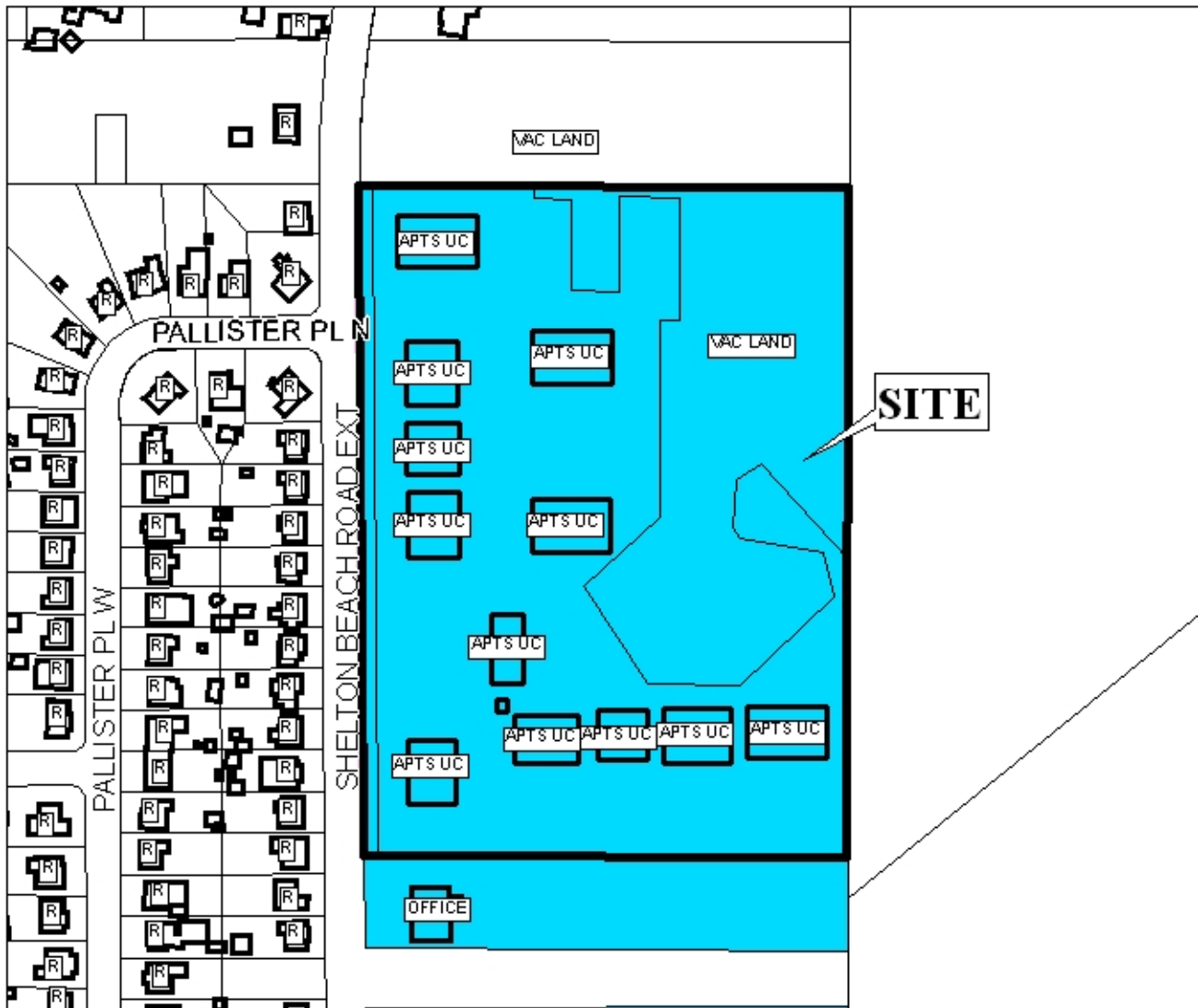
APPLICATION NUMBER 1 DATE September 1, 2011

APPLICANT Hill Forest LLC: David G. Sumrall

REQUEST Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the west of the site. An office is located to the south of the site.

APPLICATION NUMBER 1 DATE September 1, 2011

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LEGEND

															NTS
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	



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential units are located to the west of the site. An office is located to the south of the site.

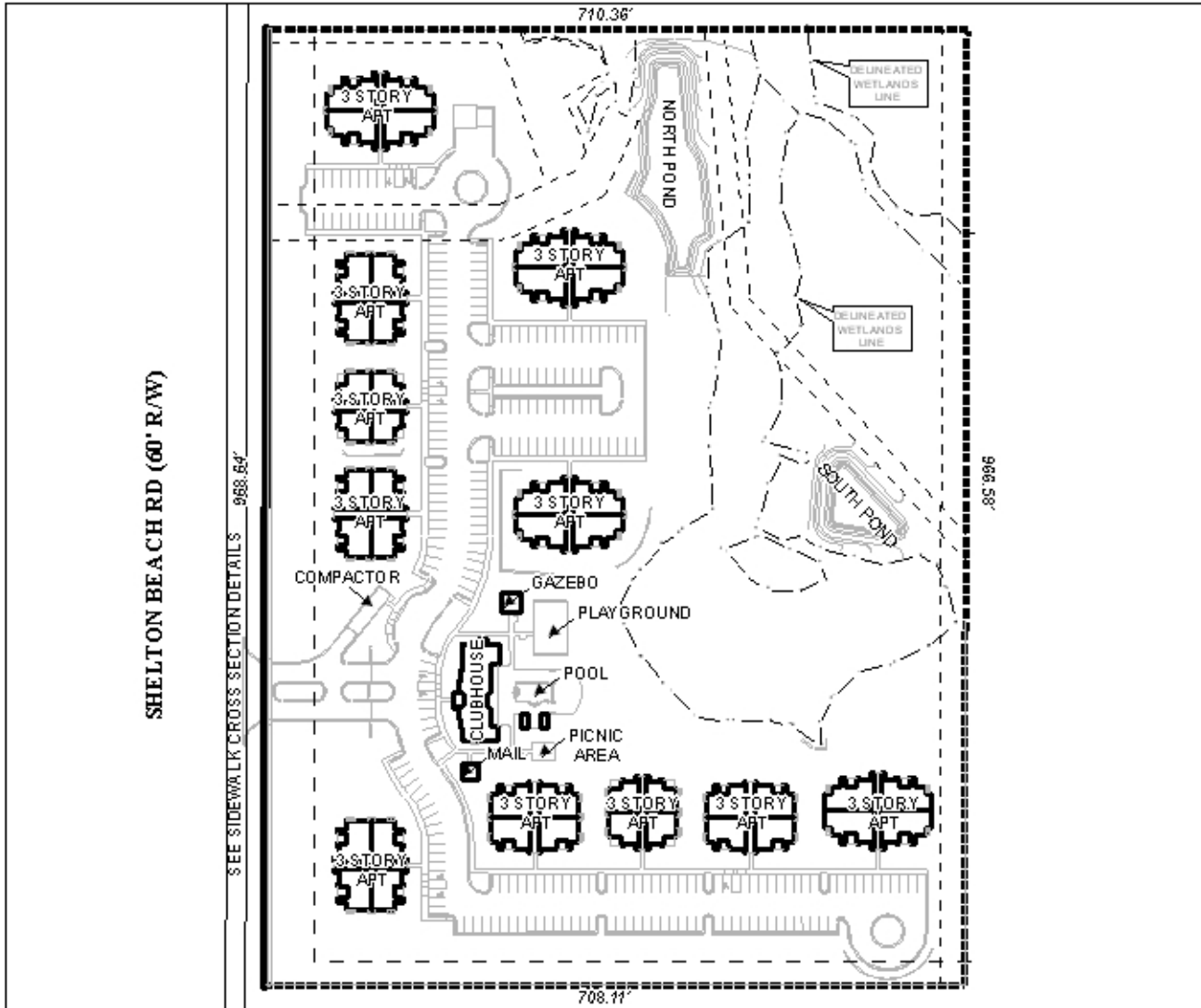
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SITE PLAN



This site plan illustrates the proposed structures and parking.

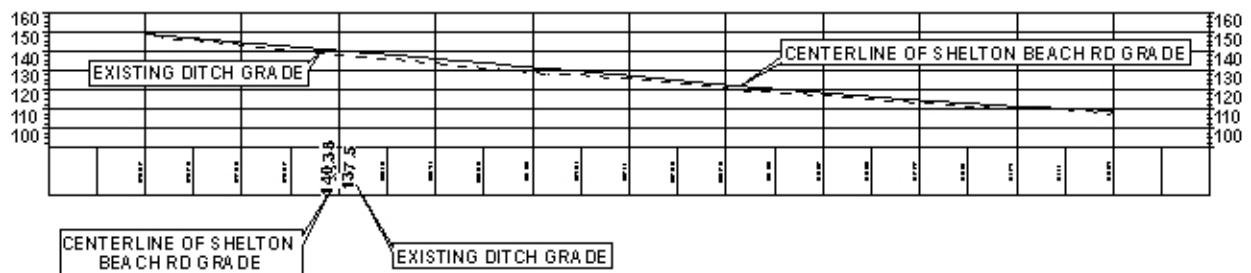
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CROSS-SECTION DETAIL



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