

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: October 6, 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.

Revised for the October 6th meeting: Per the previous comment, It appears that there is sufficient room within the ROW for construction of a sidewalk, providing removal of the trees is permitted.

Representatives from the City Engineering and Urban Forestry Departments met with the engineer with McCrory Williams to discuss construction of the sidewalk. Discussions included lack of sidewalk connectivity to the north and that termination of the sidewalk at the north property line could possibly lead pedestrians to cross Shelton Beach Rd Extension at a location close to a curve in the roadway that could pose a safety hazard due to a lack of visibility around the curve for southbound traffic. One alternative to having a sidewalk terminating at the north property line would be to either terminate at or about a location adjacent to Pallister Pl N, provided an appropriate crossing is constructed on each side and across Shelton Beach Rd Ext, with the approval of Traffic Engineering. The other alternative discussed was to terminate the sidewalk at the south side of the entrance drive to the apartment complex.

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.

Revised for the October 6th 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.

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.

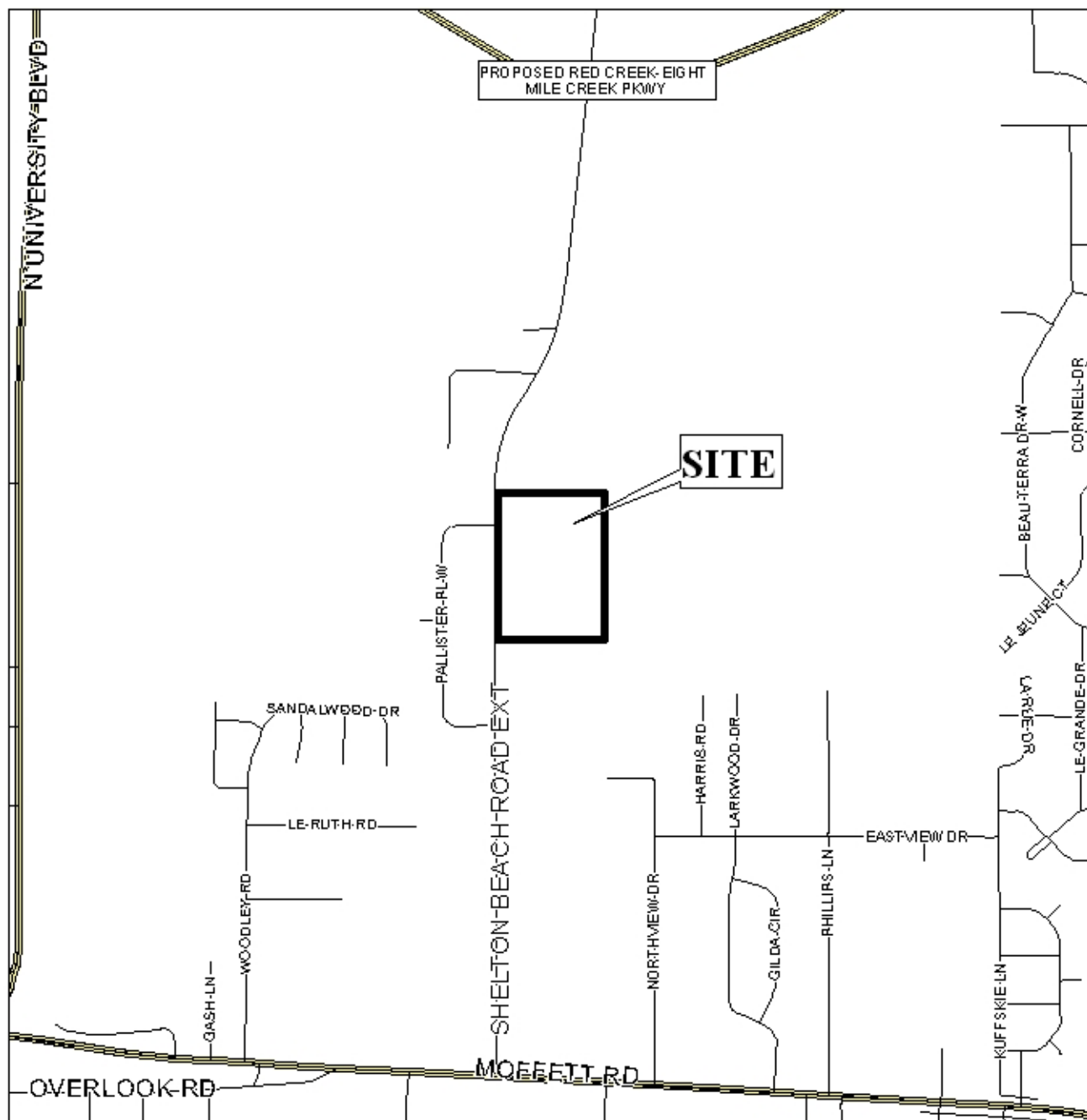
Revised for the October 6th meeting:

This application was heldover from the September 1st meeting to allow Engineering, Urban Forestry, and Right-of-Way to consider alternative designs. Urban Forestry still indicates 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.

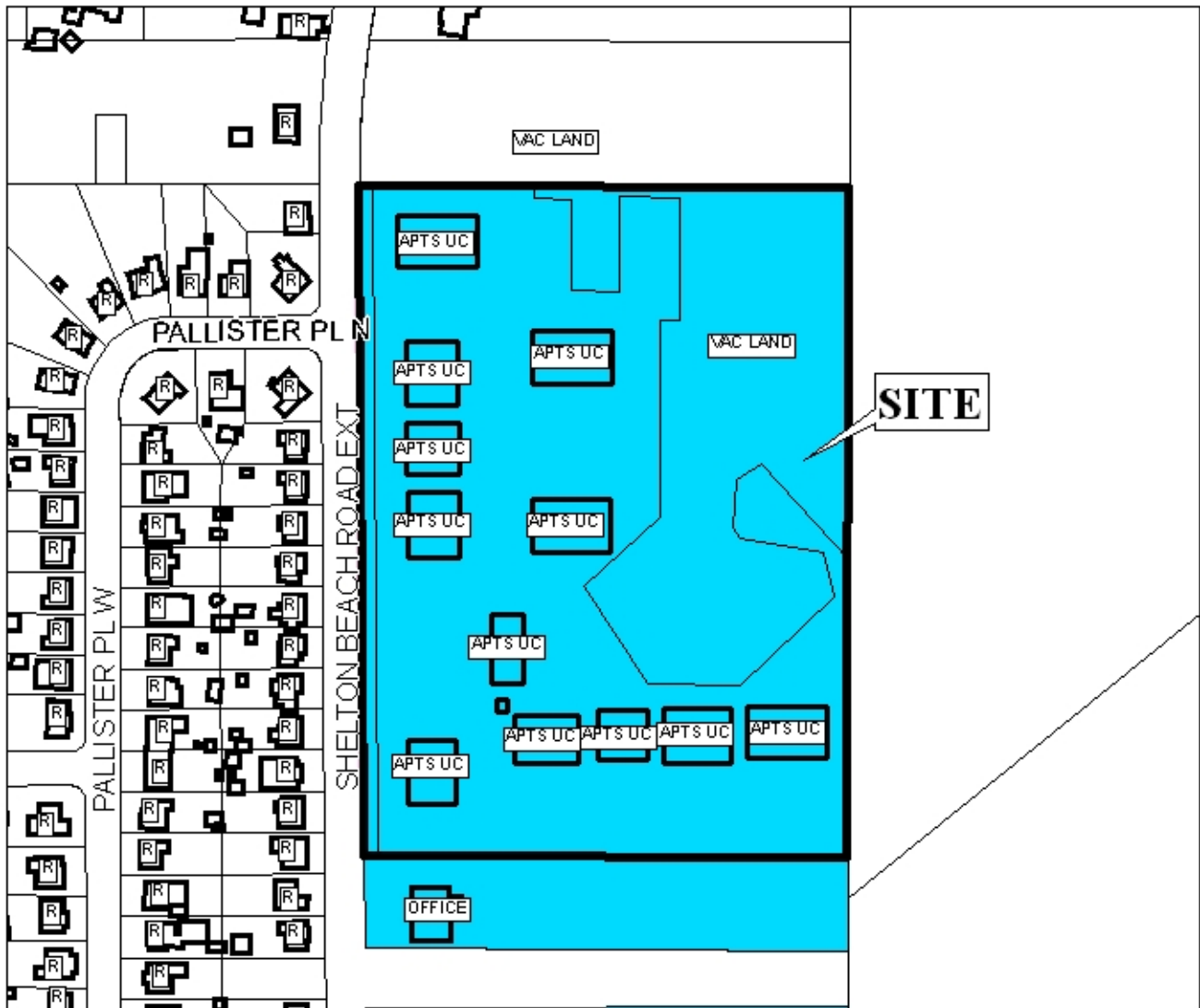
LOCATOR MAP



APPLICATION NUMBER 1 DATE October 6, 2011
APPLICANT Hill Forest LLC: David G. Sumrall
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

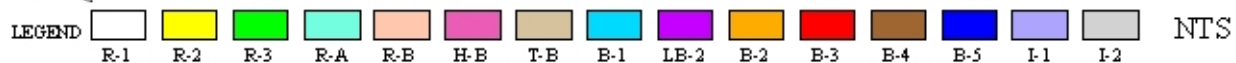


Single-family residential units are located to the west of the site. An office is located to the south of the site.

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

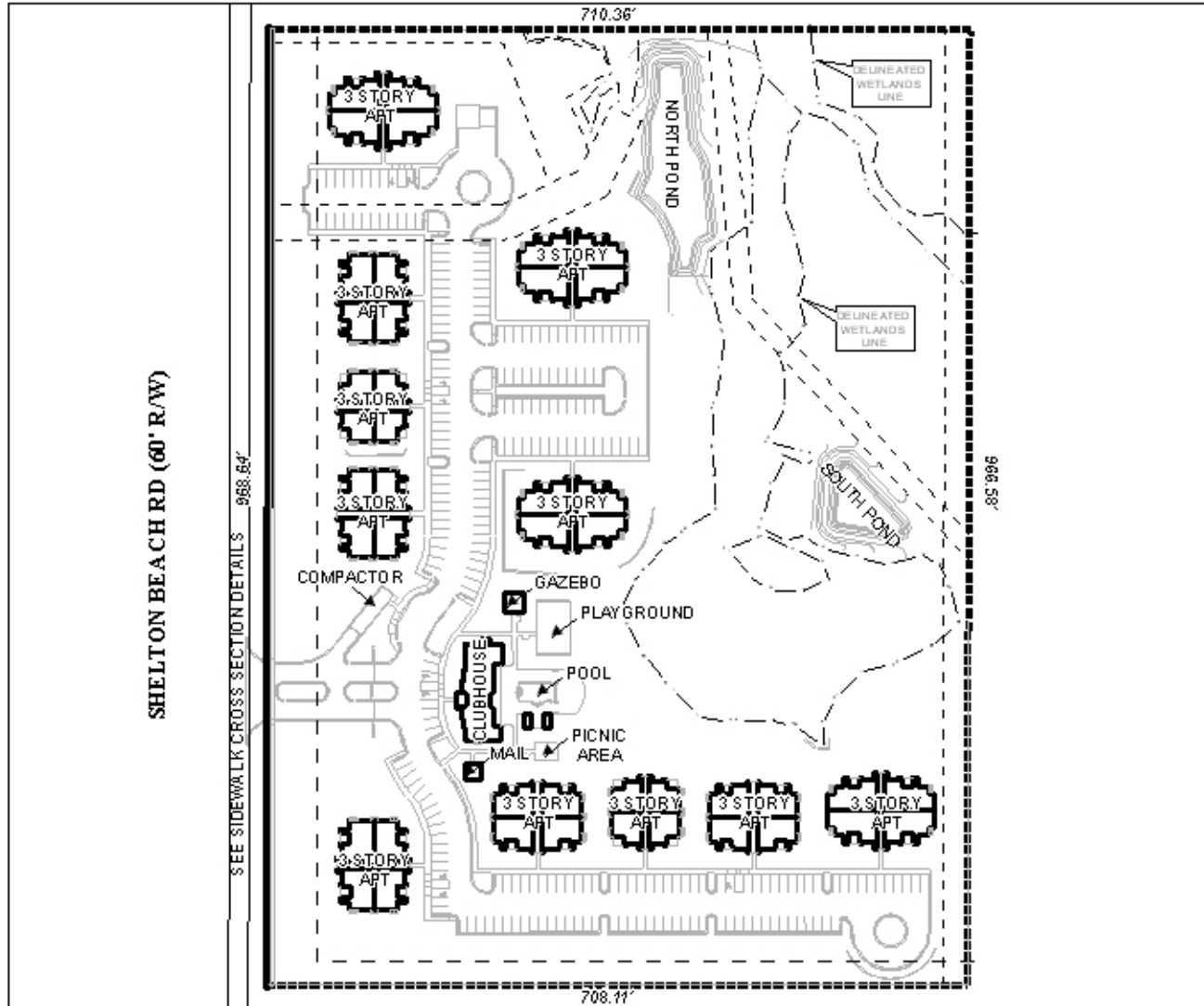


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SITE PLAN



This site plan illustrates the proposed structures and parking.

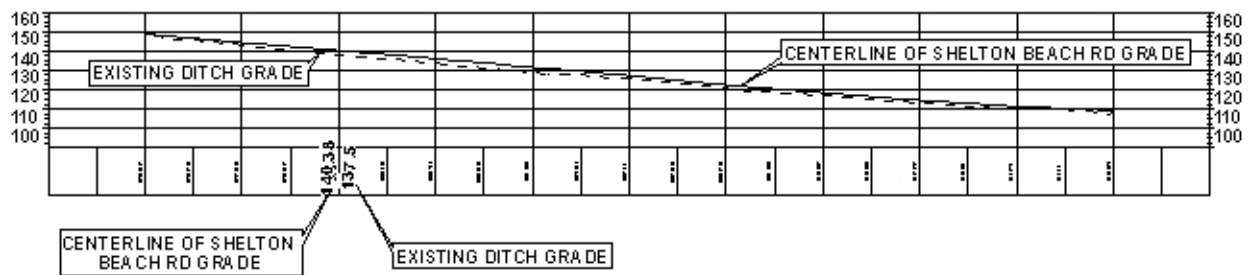
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CROSS-SECTION DETAIL



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