

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: September 3, 2009****NAME**

The Village at Midtown LLC

LOCATION

South side of Pleasant Avenue, 208' ± East of Stanton Road extending to the East side of Stanton Road 272' ± South of Pleasant Avenue.

PRESENT ZONING

R-3, Multiple-family District

ENGINEERING**COMMENTS**

Due to the existing trees and drainage system, a city standard sidewalk cannot be constructed within the southern ROW of Pleasant Avenue. However, sidewalk construction appears to be possible if placed on private property (with a sidewalk easement), allowing for alignment changes to avoid tree roots, utilities, etc.

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).

Installation of a sidewalk will have a negative impact on the existing tree roots along Pleasant Avenue.

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along Pleasant Avenue.

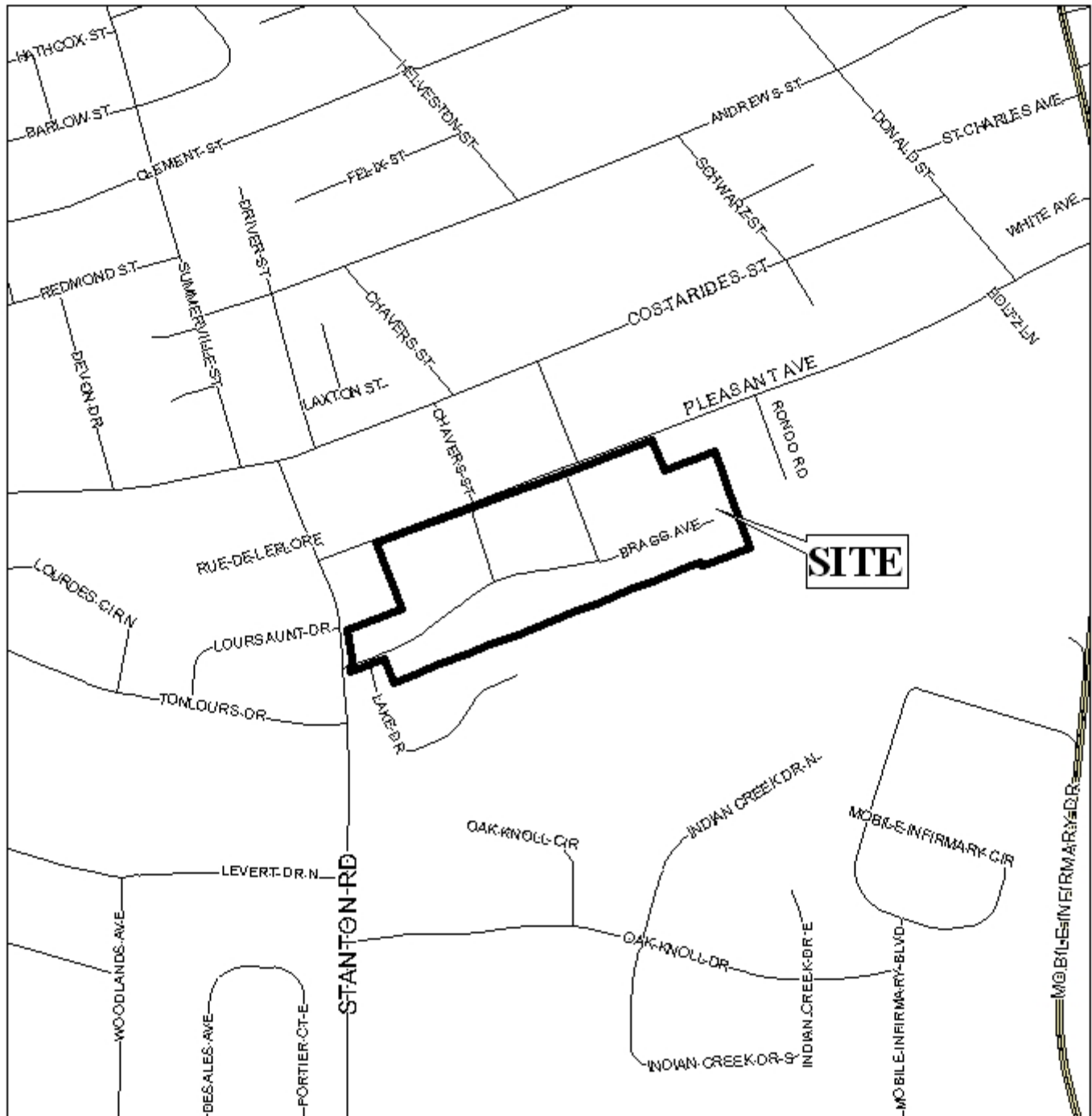
The sidewalk waiver site is a proposed multiple-family apartment complex development. The applicant states that the required sidewalk is not buildable due to "limited right-of-way available and numerous trees would have to be removed." The applicant additionally states that there is not an existing sidewalk to connect to.

Urban Forestry has commented that sidewalk construction will have a negative impact on existing tree roots of several heritage trees.

RECOMMENDATION

Based upon the preceding, this application for waiver of the sidewalk along Pleasant Avenue is recommended for approval.

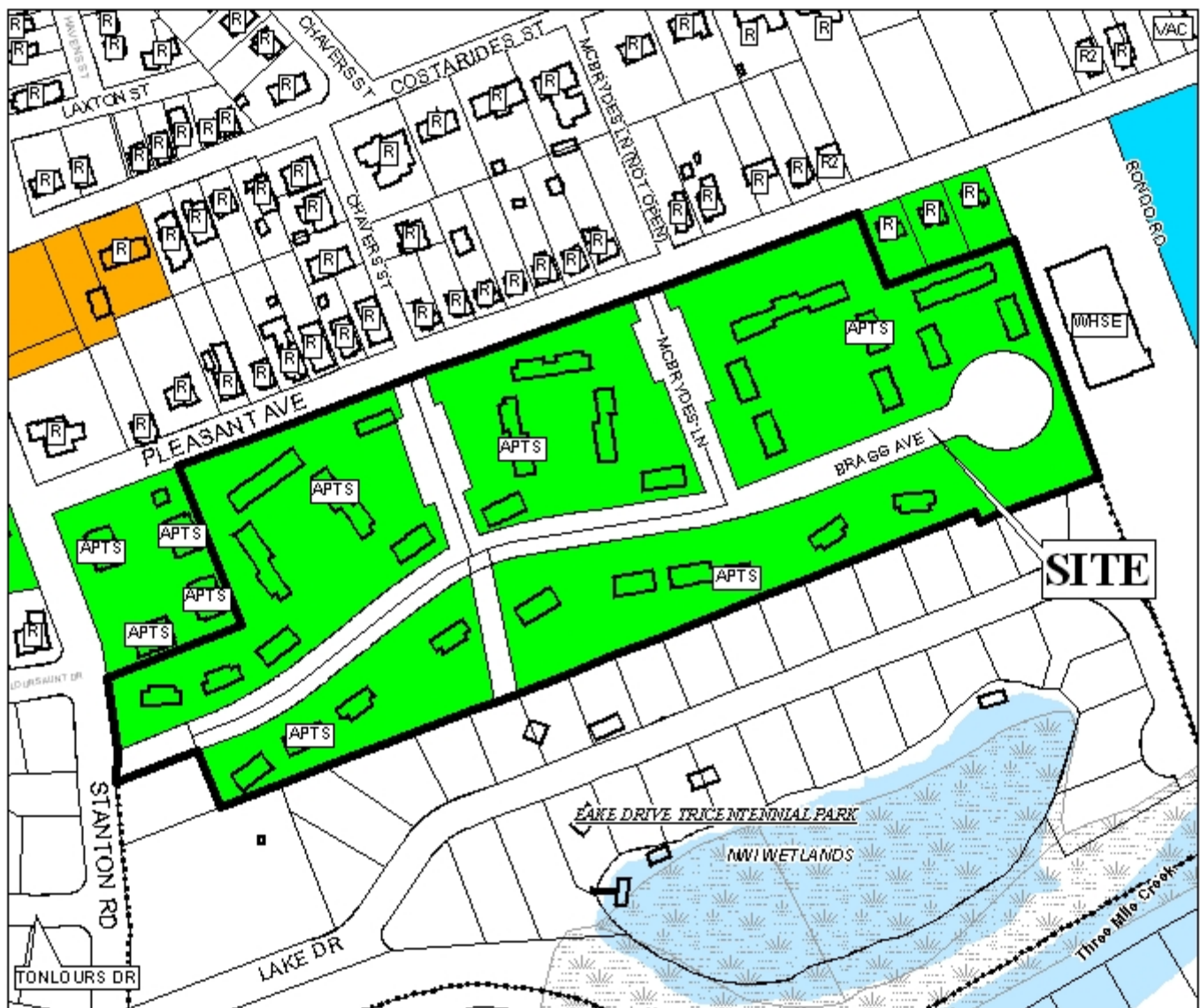
LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Residential land use is located to the west and north of the site. A warehouse is located to the east of the site. A park is located to the south of the site

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

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

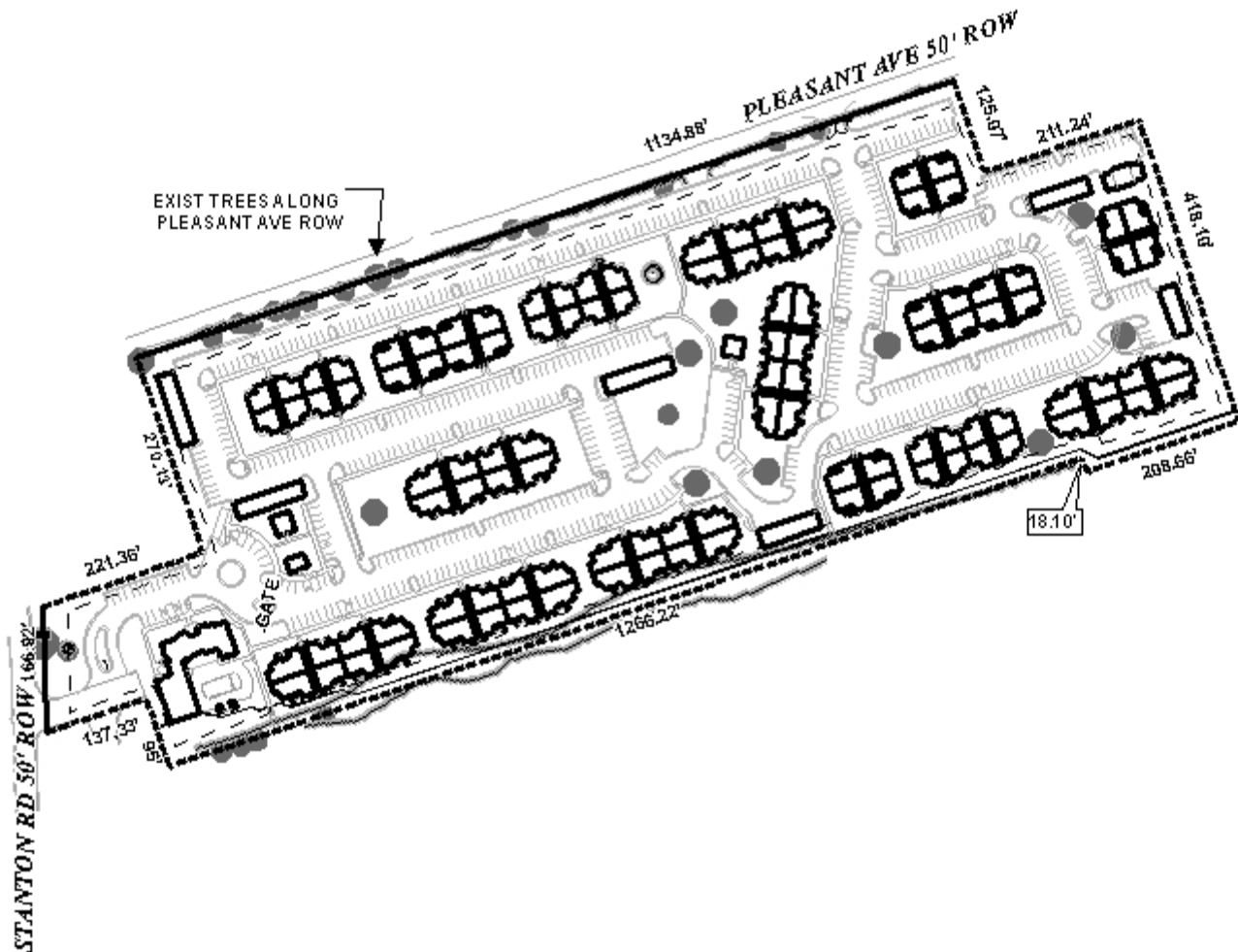


Residential land use is located to the west and north of the site. A hospital facility is located to the east of the site. A park is located to the south of the site

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SITE PLAN

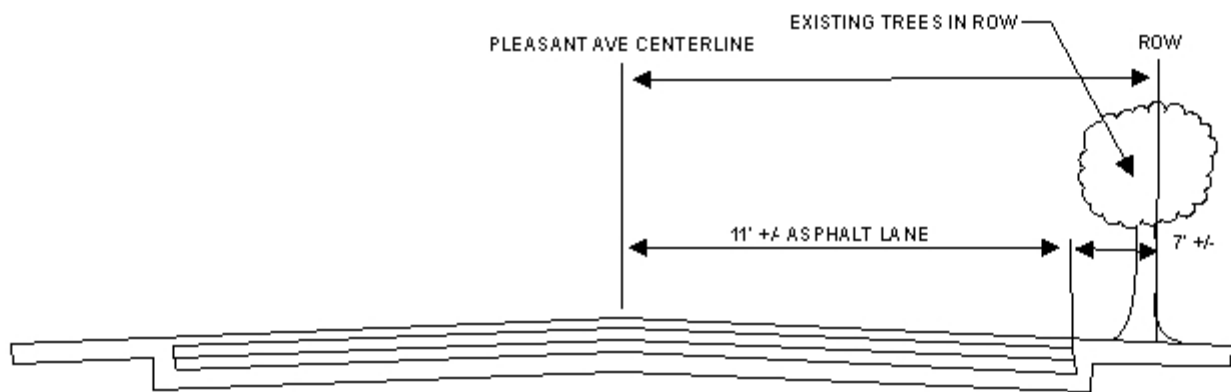


The site plan illustrates the proposed development and existing trees along Pleasant Avenue

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N
NTS

SIDEWALK CROSS SECTION DETAIL



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N
NTS