

SIDEWALK WAIVER REQUEST STAFF REPORT **Date: October 19, 2006****NAME**

The Mitchell Company

LOCATION9 Du Rhu Drive
(West side of Du Rhu Drive, 945'+ South of College Lane South)**PRESENT ZONING**

B-2, Neighborhood Business

ENGINEERING

The Engineering Department recommends waiver of the sidewalk requirements. The sidewalk can not be constructed due to the location of the telephone cabinet; it is not possible to construct a sidewalk on the north end of the site within the right of way.

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).

REMARKS

The applicant is requesting a waiver of a portion of the sidewalk construction requirements along Du Rhu Drive. The applicant states that due to a major utility (telephone) pedestal a small portion of the sidewalk along Du Rhu Drive cannot be constructed.

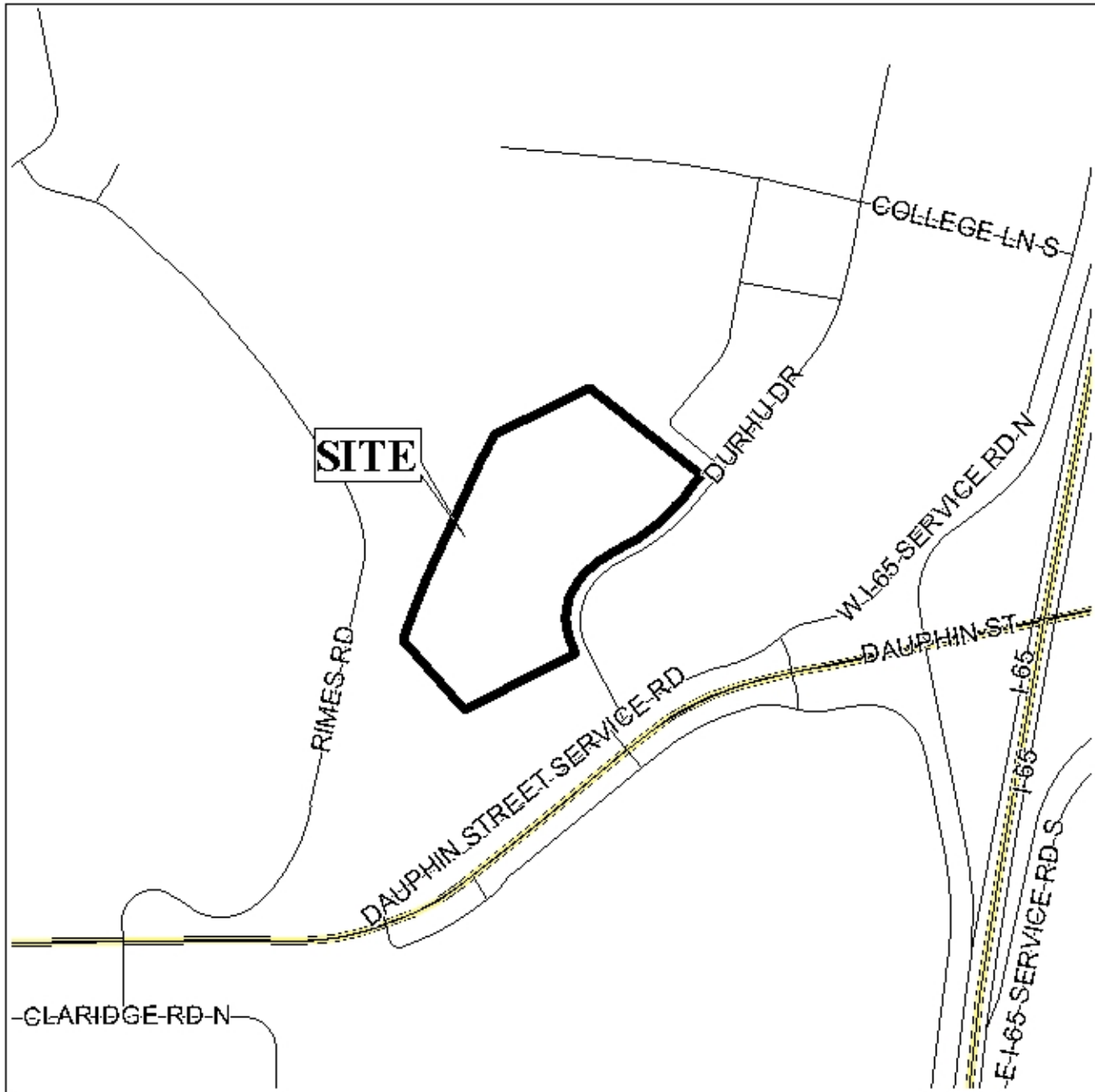
It should also be noted that the Commission has rarely allowed the absence of sidewalks in an area as justification for waiving sidewalk requirements. Further, it has been the policy of the Commission to approve sidewalk waivers only in cases where there was an engineering reason or physical barrier that made installation of the sidewalk impracticable.

Comments from City Engineering indicate that the sidewalks could not be constructed. Therefore, Engineering recommends that the waiver be approved since the sidewalk could not be constructed within the right-of-way.

RECOMMENDATION

Based on the preceding, it is recommended that this sidewalk waiver request be approved.

LOCATOR MAP



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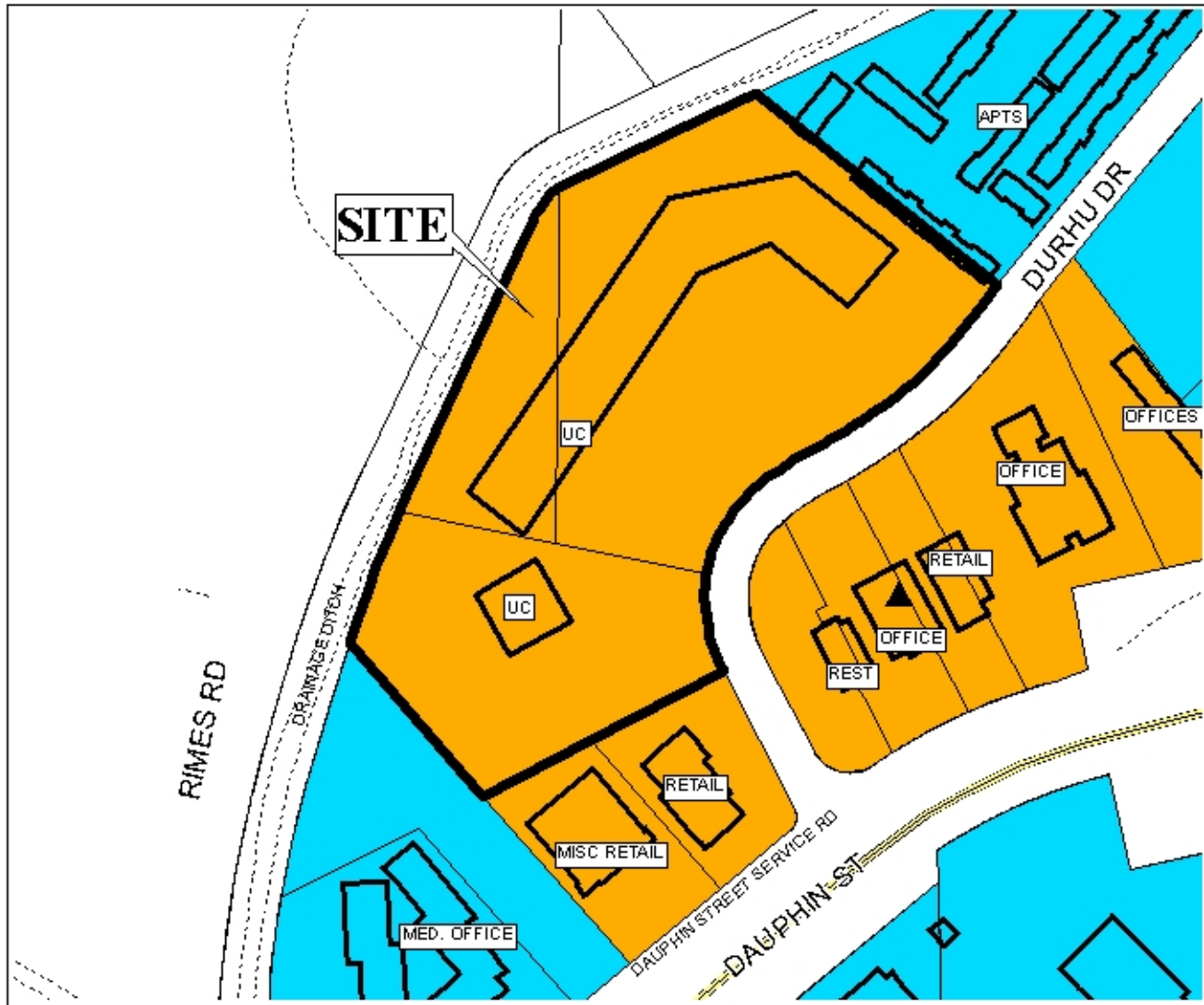
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Apartments are located to the north of the site. Commercial land use is located to the south and east of the site.

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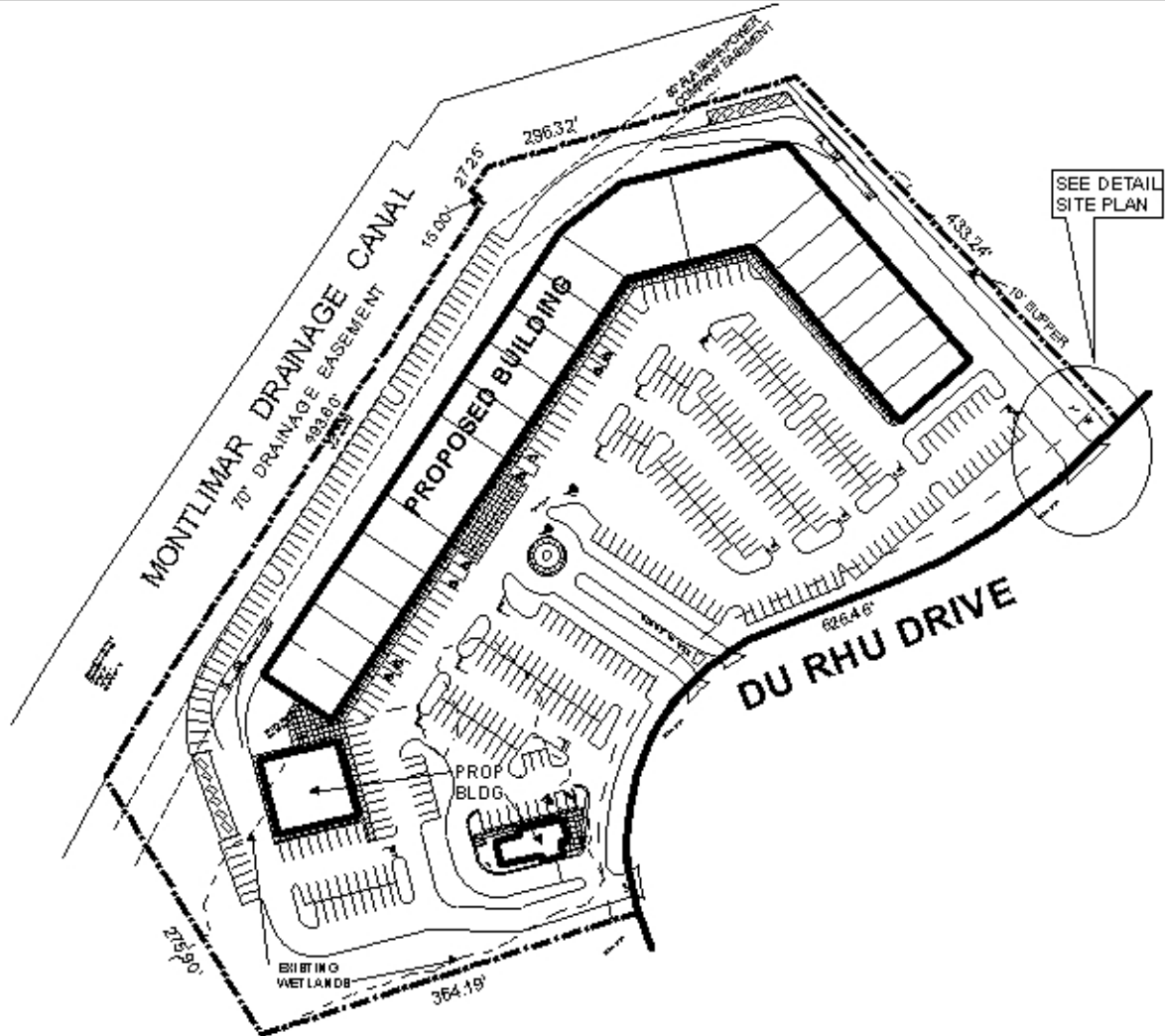
LEGEND

R-1	R-2	R-3	R-A	R-B	H-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2
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SITE PLAN

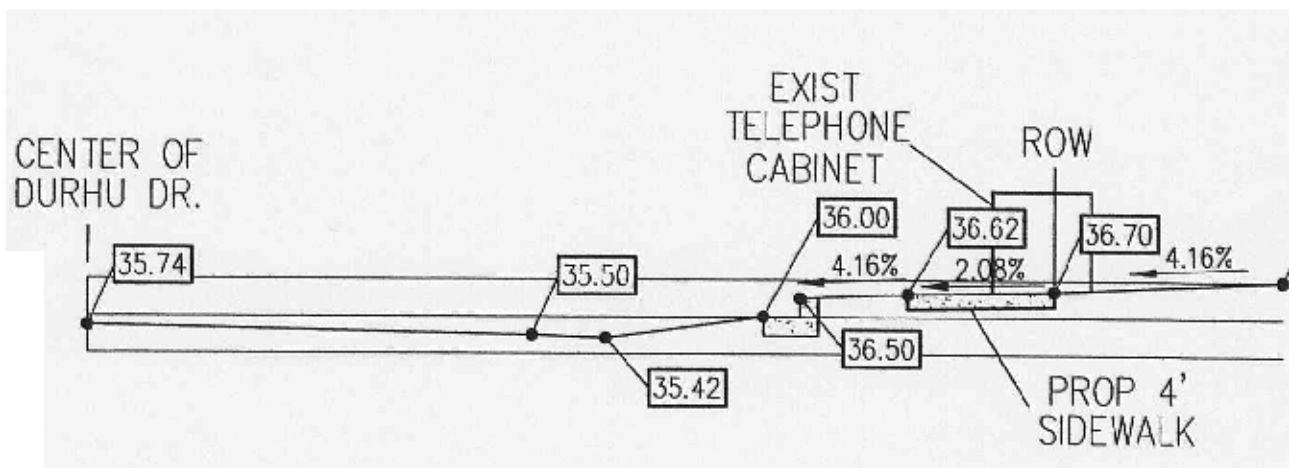


The site is located on the West side of Du Rhu Drive, 235' North of Dauphin Street. The plan illustrates the proposed buildings and parking.

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DETAIL SITE PLAN



CROSS-SECTION TAKEN AT NORTH FACE OF CABINET LOOKING SOUTH

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