

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: January 5, 2011****NAME**

Michael Muscat

LOCATION3671 Hayfield Place
(Northeast corner of Springhill Avenue and Tuthill Lane,
extending to the South side of Hayfield Place)**PRESENT ZONING**

R-1, Single-Family Residential District

ENGINEERING**COMMENTS**

It appears that there is adequate horizontal space (approx. 12') between the existing privacy wall and the back of curb to construct a 4' wide sidewalk within the existing ROW. However, there are 2 factors to consider; 1) The existing mature trees within the 12' would need to be removed; and, 2) The steep, existing slope from the existing masonry wall to the back of the curb would require additional grading and probably a short retaining wall to provide the required grade and cross slopes for the sidewalk.

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 Hayfield Place.

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along Hayfield Place.

The sidewalk waiver site is adjacent to a site proposed to be developed as a residential neighborhood. The applicant states that the required sidewalk is not buildable due to grade changes, the existence of a privacy wall, and the locations of existing oak trees.

Hayfield Place, is a minor street, and has a two lane cross-section at this location. There is currently a sidewalk along Hayfield Place to the North of the site; however, there are none along Hayfield Place to the East of the site. It should be noted that the non-existence of other sidewalks in the area does not negate the fact that a sidewalk is required by the Zoning Ordinance.

It should be pointed out that 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. A waiver of the sidewalk, as requested, will limit accessibility for pedestrians.

The site is completely surrounded by R-1, Single-Family Residential District, with the site to the West being occupied by Saint Ignatius Church and School. This site was the subject of a subdivision and planned unit development which were both approved at the January 6, 2011 meeting of the Planning Commission.

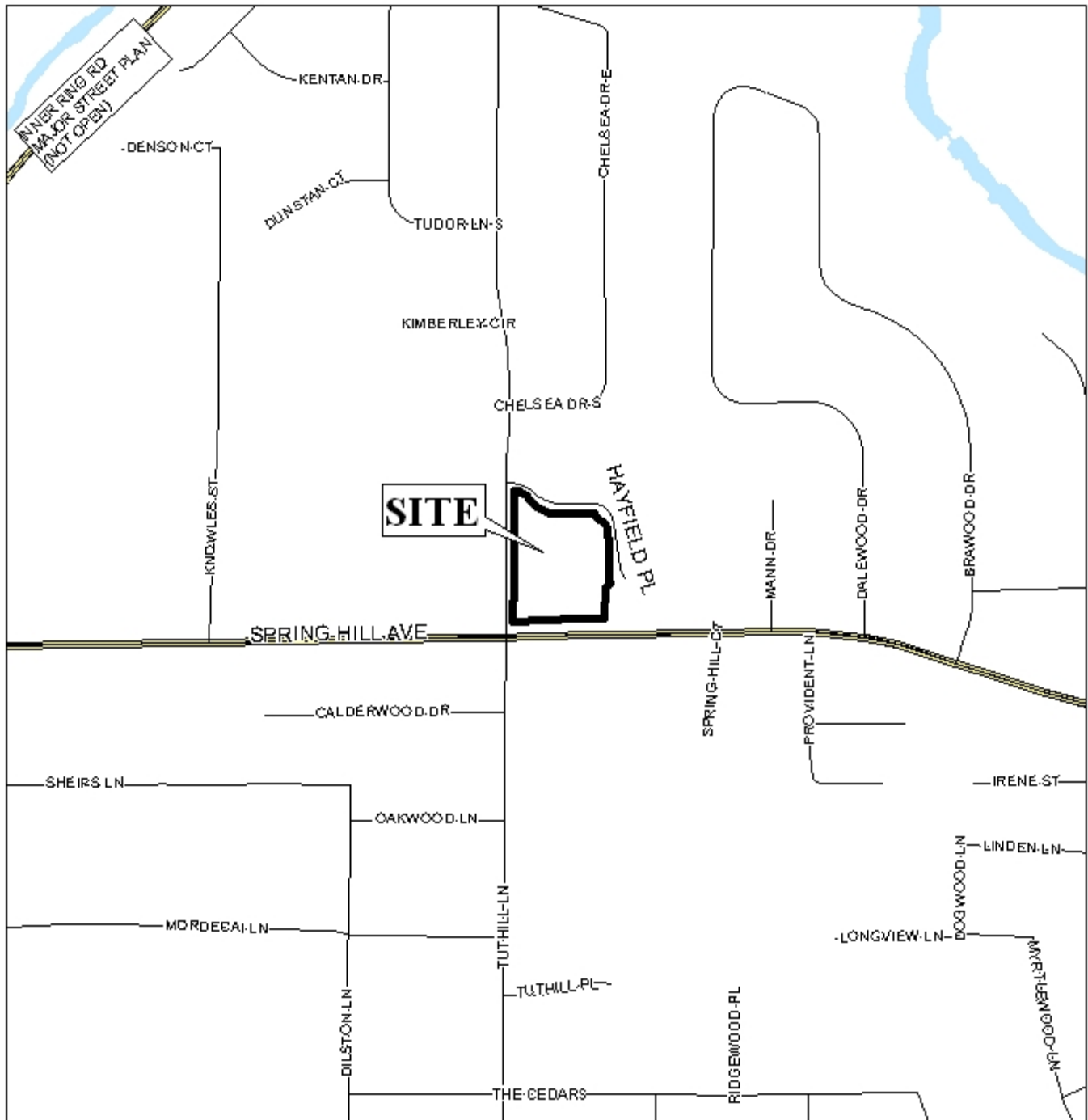
It should be noted that the existing grade illustrated on the cross-section appears to be rather steep for the placement of a sidewalk. Also, Urban Forestry's comment that the placement of the sidewalk would have a negative impact on existing tree roots agrees with the applicant's statements; and due the existing privacy wall, the sidewalk cannot be relocated in such a manner that would not impact the existing trees.

The applicant has provided sufficient reasoning to justify the approval of the sidewalk waiver.

RECOMMENDATION

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

LOCATOR MAP



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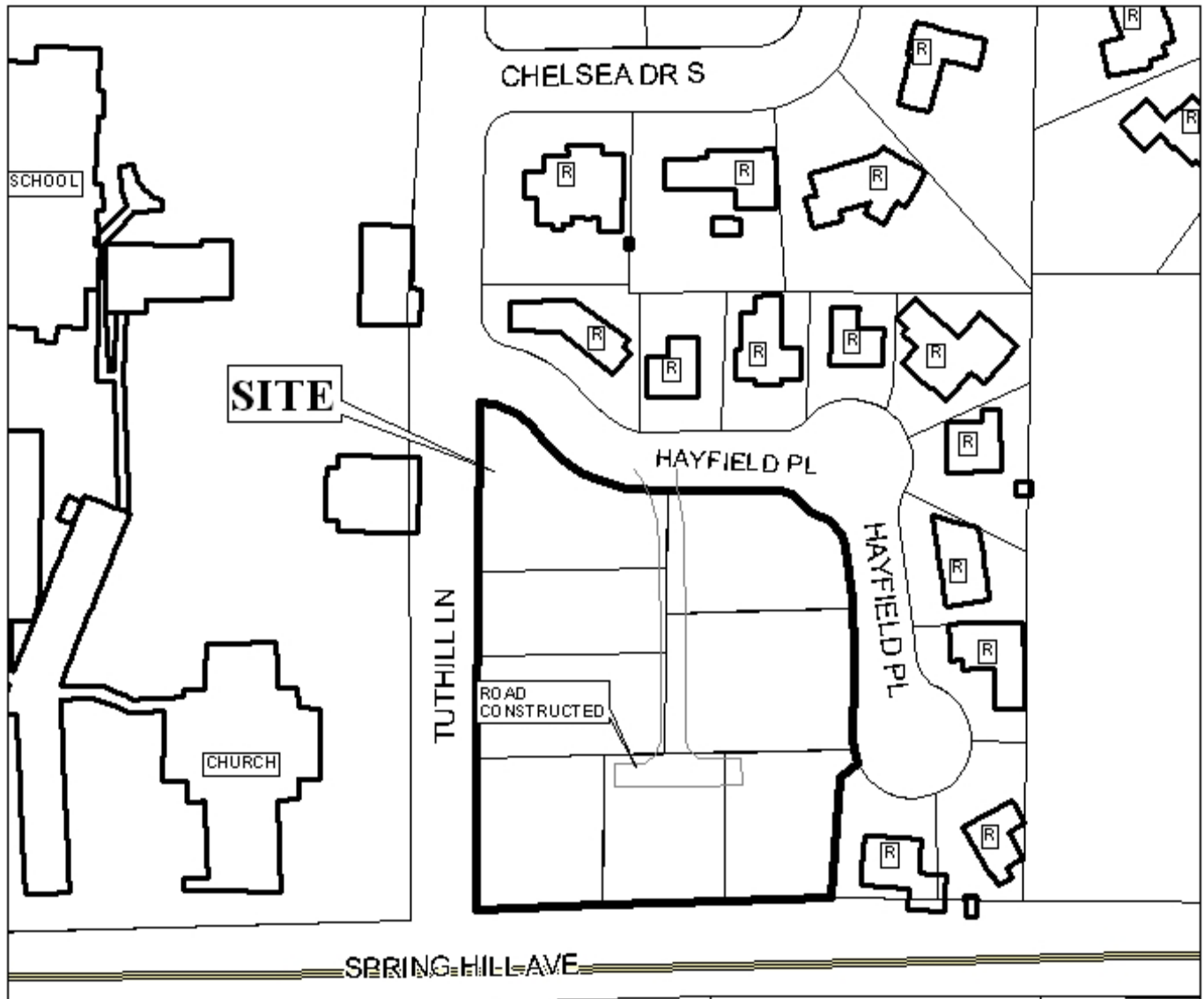
APPLICANT Michael Muscat

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single family residences are located to the east and north of the site. A church and school facility is located to the west of the site.

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LEGEND

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

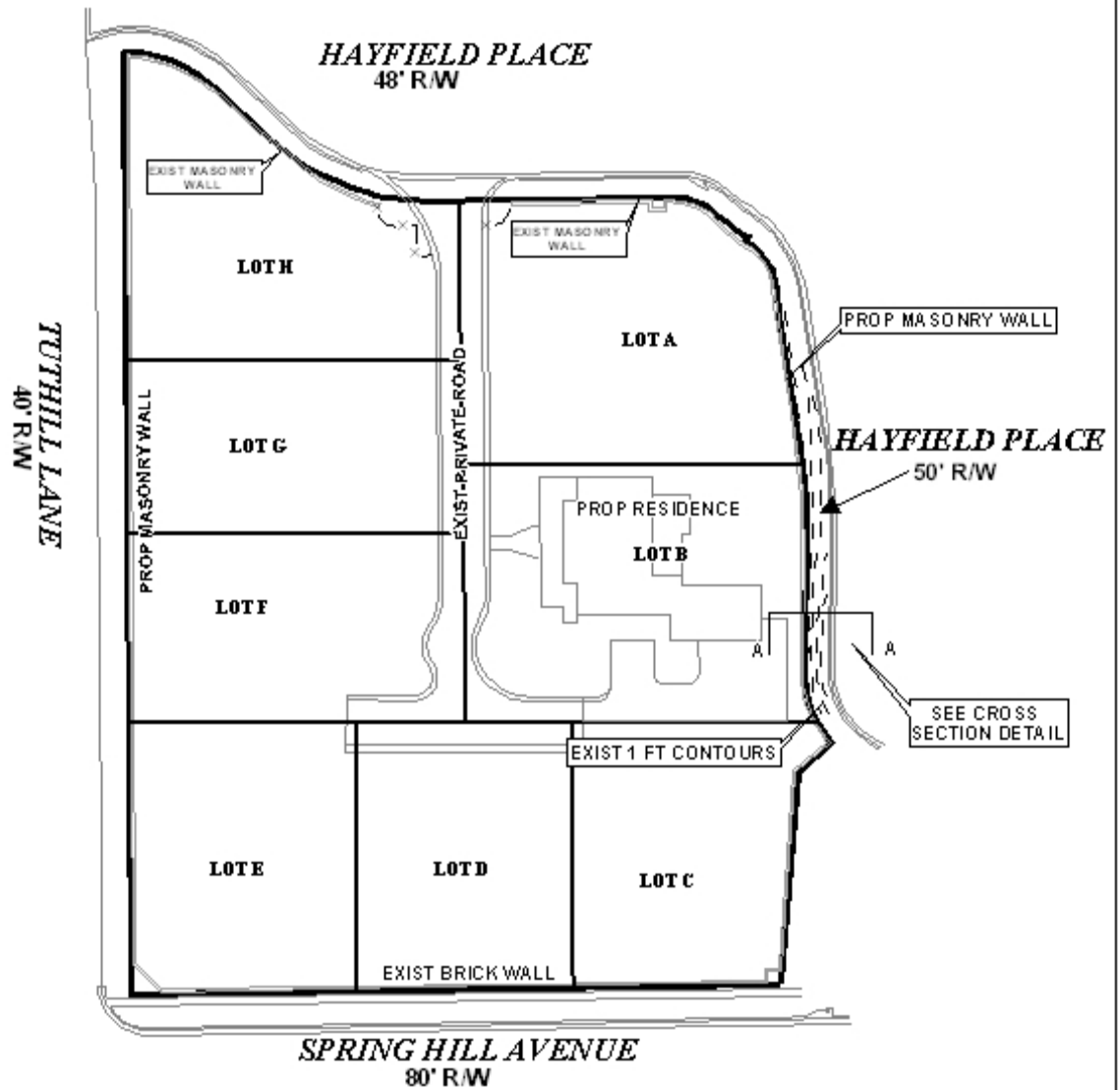


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SITE PLAN



The site plan illustrates the existing lot configuration, proposed masonry wall, and existing walls.

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