

SIDEWALK WAIVER REQUEST STAFF REPORT **Date: November 2, 2006****NAME**

Ruffin J. Graham, III

LOCATION

4718 Halls Mill Road
(North side of Halls Mill Road, 725'± East of the South terminus of Rochelle Street)

PRESENT ZONING

B-3, Community Business

ENGINEERING**COMMENTS**

The drainage ditch on Halls Mill Road would conflict with the construction of 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).

REMARKS

The applicant is requesting a waiver of the sidewalk construction requirements along Halls Mill Road. The applicant further states that no sidewalks currently exist on either adjoining property and that the existing drainage ditch would hinder the construction of the sidewalk.

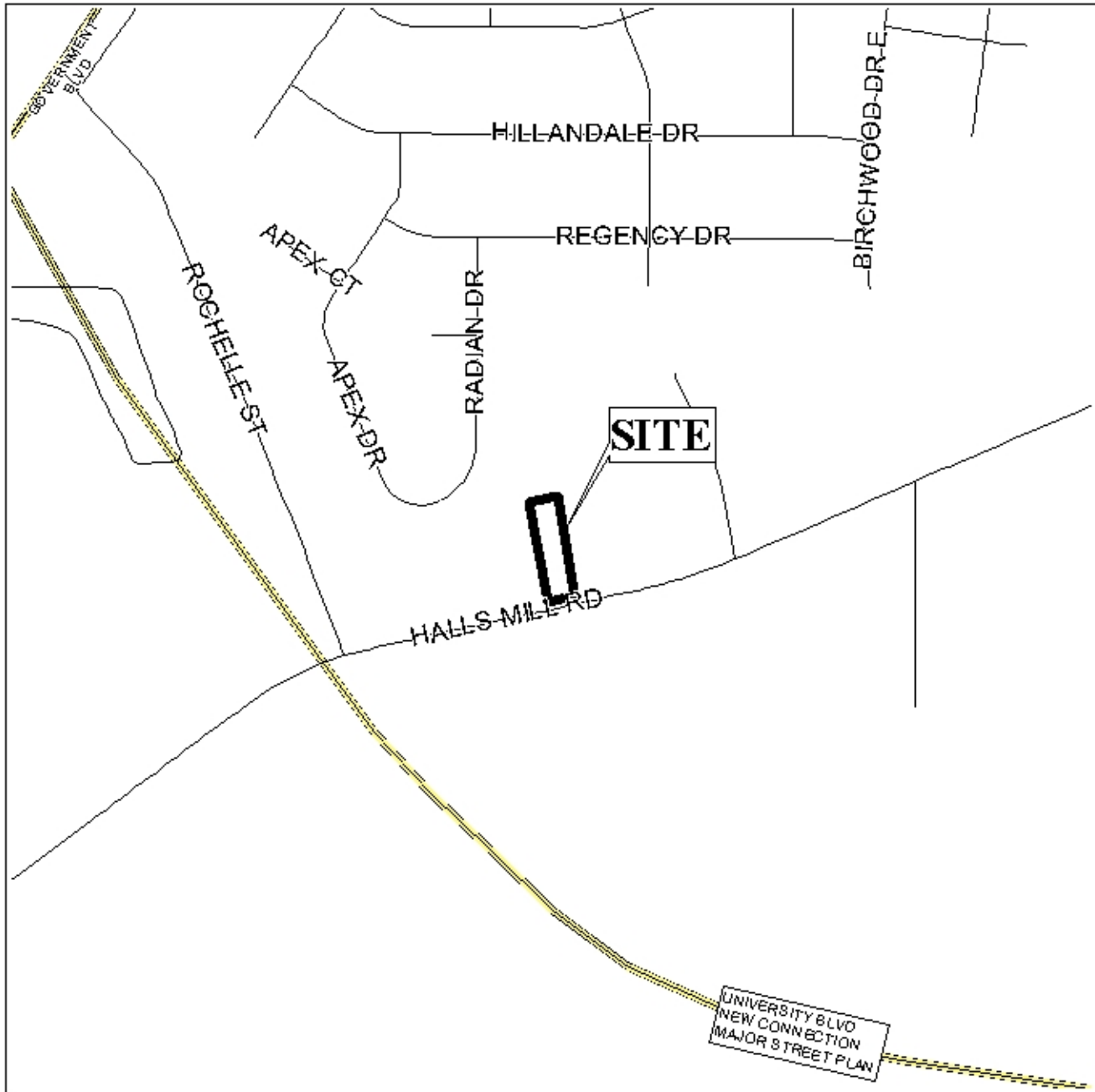
It should also be noted that the Commission has rarely allowed the absence of sidewalks in an area as justification for waiving sidewalk requirements. Further, it has been the policy of the Commission to approve sidewalk waivers only in cases where there was an engineering reason or physical barrier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

Comments from City Engineering indicate that the sidewalks could not be constructed due to the drainage ditch located along Halls Mill Road.

RECOMMENDATION

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

LOCATOR MAP



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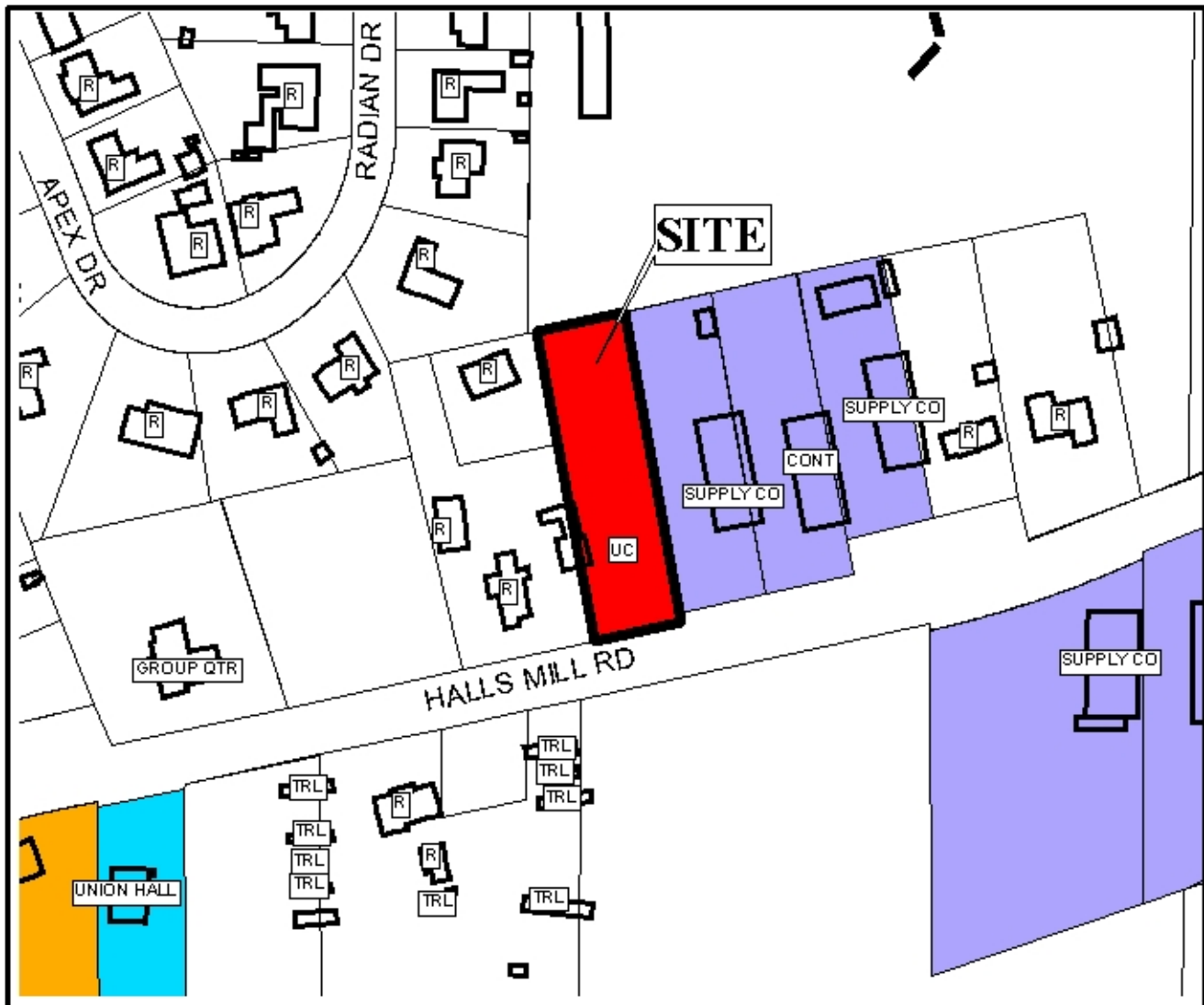
APPLICANT Ruffin J. Graham, III

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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed land use

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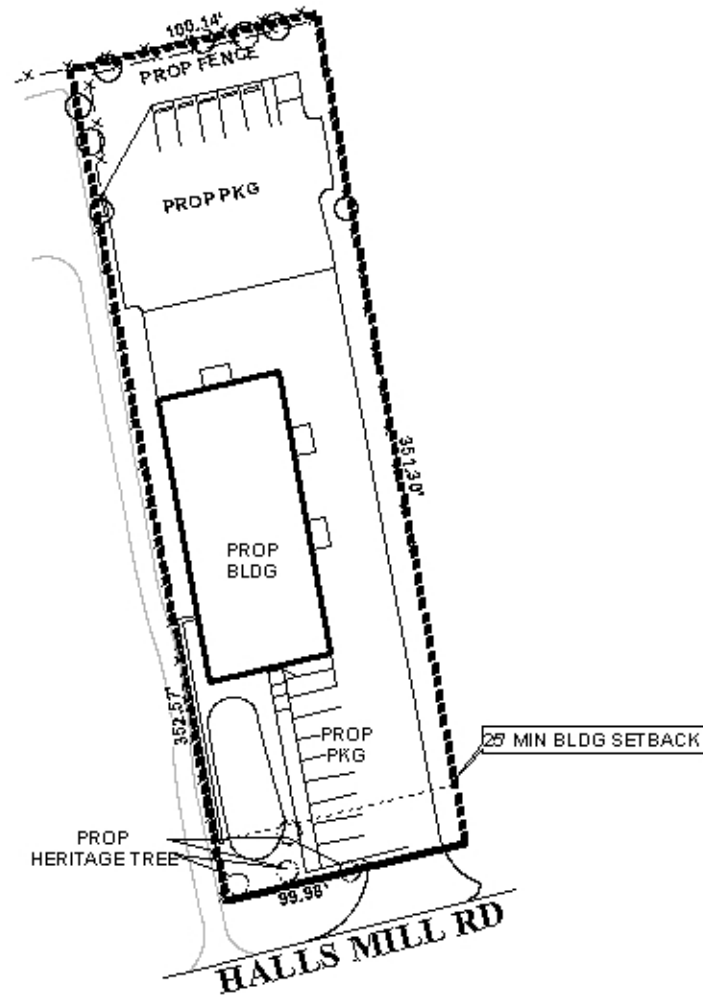
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LEGEND

 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	NTS
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SITE PLAN



The site plan illustrates the proposed building, parking, and landscaping

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