

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: September 1, 2005****NAME**

Dewitt McCrary (M. Don Williams, Agent)

LOCATION4007, 4051 and 4057 Moffett Road
(South side of Moffett Road at Pine Grove Avenue)**PRESENT ZONING**

B-3, Community Business

**ENGINEERING
COMMENTS**

Recommend Waiver. Sidewalk cannot be constructed to COM standards.

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 the waiver of the sidewalk requirements along Moffett Road, on the north side of the site.

The applicant states that the natural ground slopes down and away from Moffett Road, and would thus require two to three feet of backfill for the sidewalk, and for the slope back to natural grade on the site. The applicant also states that because the planned development will occur in phases, construction of the sidewalk for phase one will cause grading problems for future phases. Finally, the applicant's agent states that there is "no sidewalk for miles in both directions..."

The Planning Commission approved a resubdivision and Planned Unit Development for the site at its June 3, 2004 meeting. One of the conditions for approval was the provision of a sidewalk along Moffett Road.

Moffett Road is a major street with a right-of-way width that conforms to the recommendations contained within the Major Street Plan. The roadway has four travel lanes and a center turn lane at this location, and a posted speed limit of 40 miles an hour. As a component of the U.S. highway system, the Alabama Department of Transportation has purview over the roadway.

The site fronts onto Moffett Road, and is primarily surrounded by properties zoned R-1, Single-Family Residential. A B-3 site is located immediately to the south of the site, while a property zoned B-2, Neighborhood Business, is located north of the site. A small residential subdivision abuts the rear of the site, and exits via Oak Lane Drive onto Moffett Road approximately 200 feet south of the site.

Sidewalks along Moffett Road are intermittent, however, a sidewalk does occur approximately 500 feet south of the site on the same side of the road, and there is also a sidewalk 700 feet \pm north of the site, on the opposite side of Moffett Road. It should also be noted that the WAVE Transit System's outbound portion of Route 4, Spring Hill, passes the site.

RECOMMENDATION

Based upon the comments provided by the Engineering Department, the sidewalk waiver request is recommended for Approval.

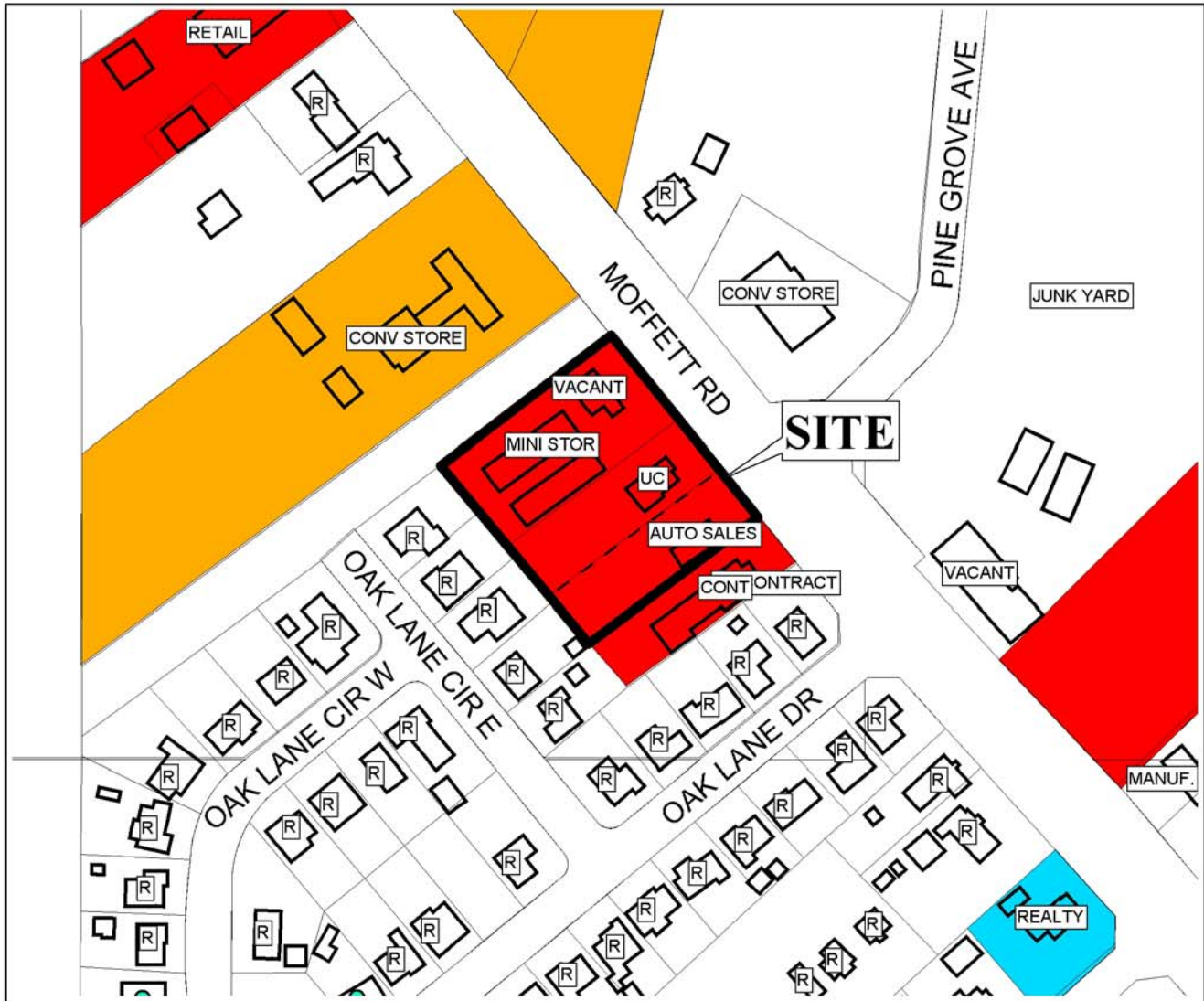
LOCATOR MAP



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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Single-family residential dwellings are to the south and mixed land use is to the north.

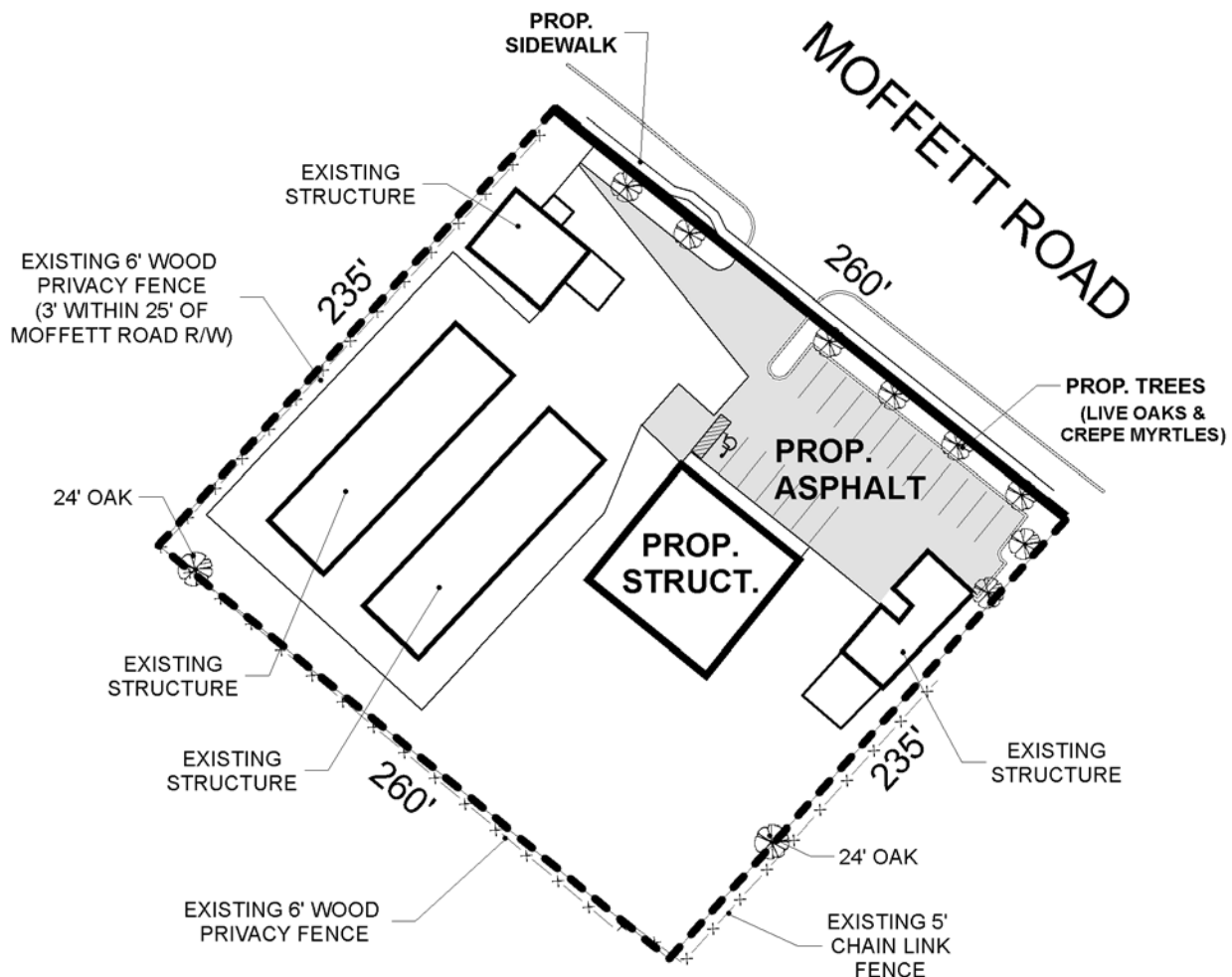
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LEGEND

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 South side of Moffett Road at Pine Grove Avenue.
The plan illustrates the existing and proposed structures, paving and trees.

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