

SIDEWALK WAIVER REQUEST STAFF REPORT**Date: June 4, 2009****NAME**

Jaye Hoffman

LOCATION319 Morgan Avenue
(Northeast corner of Morgan Avenue and Creek Street)**PRESENT ZONING**

B-1, Buffer Business

ENGINEERING**COMMENTS**

Pending Urban Forestry review of sidewalk waiver, it appears sidewalk construction is possible on both Morgan Avenue and Creek St. A sidewalk waiver may be required on Creek St to route sidewalk around trees.

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 root system of the existing trees along Creek Street. It appears that a sidewalk can be installed along Morgan Avenue by curving away from the trunk and ramping over the existing root system of the 12" Live Oak Tree.

REMARKS

The applicant is requesting a waiver of the sidewalk construction requirements along Morgan Avenue and Creek Street. The applicant states that there are four trees in the path of and adjacent to the sidewalk location and that two trees would have to be removed to construct the sidewalk and there would be a conflict with the root system on two of the other trees. It is also stated that there are no other sidewalks adjacent to this site.

The subject site is proposed to be changed from single-family residential use to commercial use and sidewalk installation is required for site compliance. Along with this application, the applicant has submitted an application for Parking Surface, Access and Maneuvering Variances for the site.

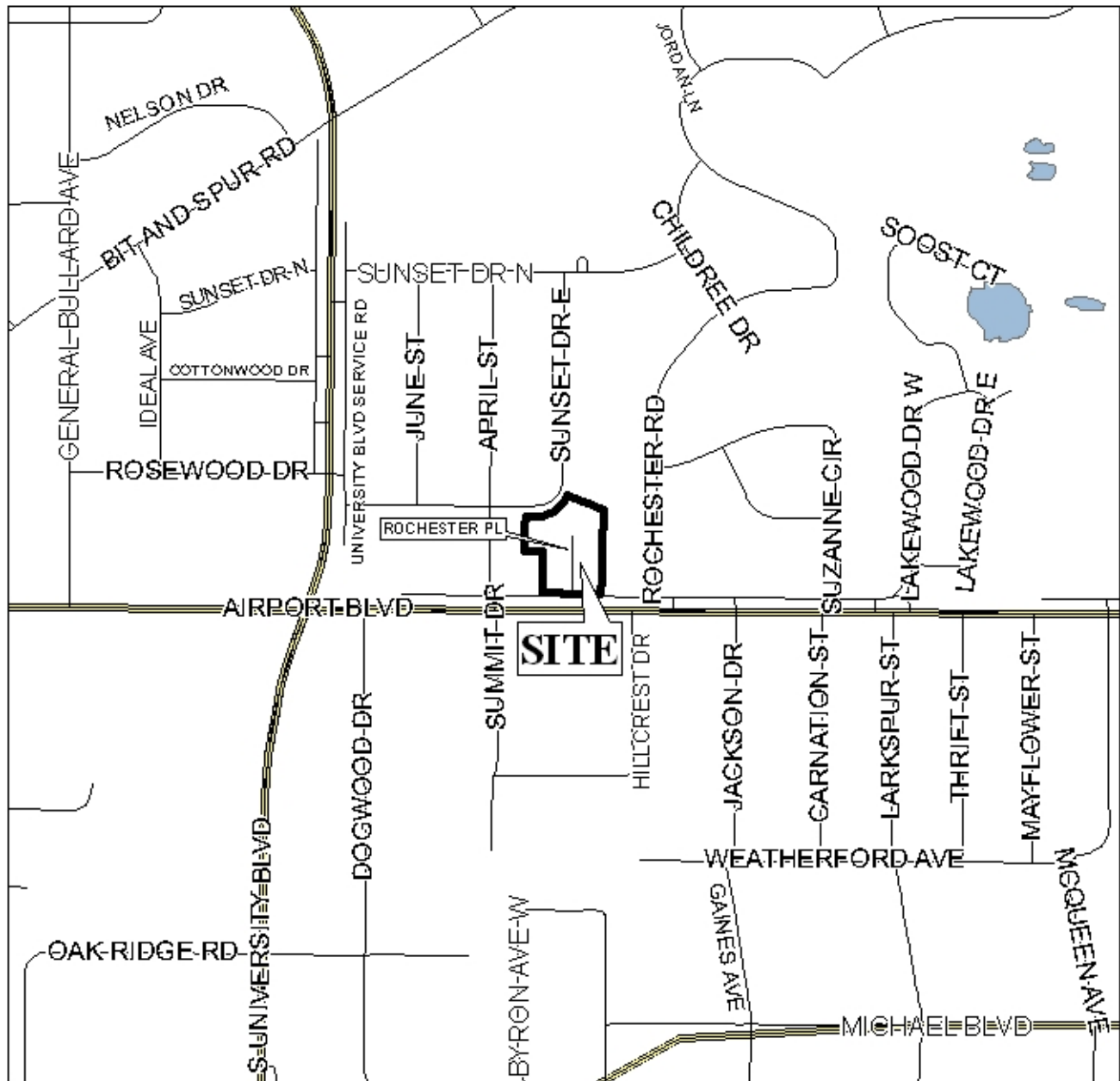
Along Morgan Avenue, there is one tree located approximately 2' inside the property line. However, there is a neutral ground/right-of-way of approximately 16' in which to locate the sidewalk away from the immediate tree trunk. Along Creek Street there are two trees in the area where the sidewalk would be located, and one more along the property line adjacent to where the sidewalk would be located. The neutral ground/right-of-way along Creek Street is only about 6' wide. There are no sidewalks located along the East side of Morgan Avenue between Airport Boulevard and Government Street, and none along Creek Street.

Comments from City Engineering indicate that sidewalk construction is possible along both Morgan Avenue and Creek Street. Since Urban Forestry indicates that construction of a sidewalk along Creek Street would have a negative impact on the root systems of the existing trees, a waiver of sidewalk construction along Creek Street is recommended.

RECOMMENDATION

Based on the preceding, it is recommended that this sidewalk waiver request be approved along Creek Street due to the negative impact the construction would have on the existing tree root systems. The waiver request along Morgan Street is recommended for denial since there is sufficient neutral ground/right-of-way along Morgan Avenue to construct a sidewalk curving around the existing tree trunk and ramping over the existing root system.

LOCATOR MAP



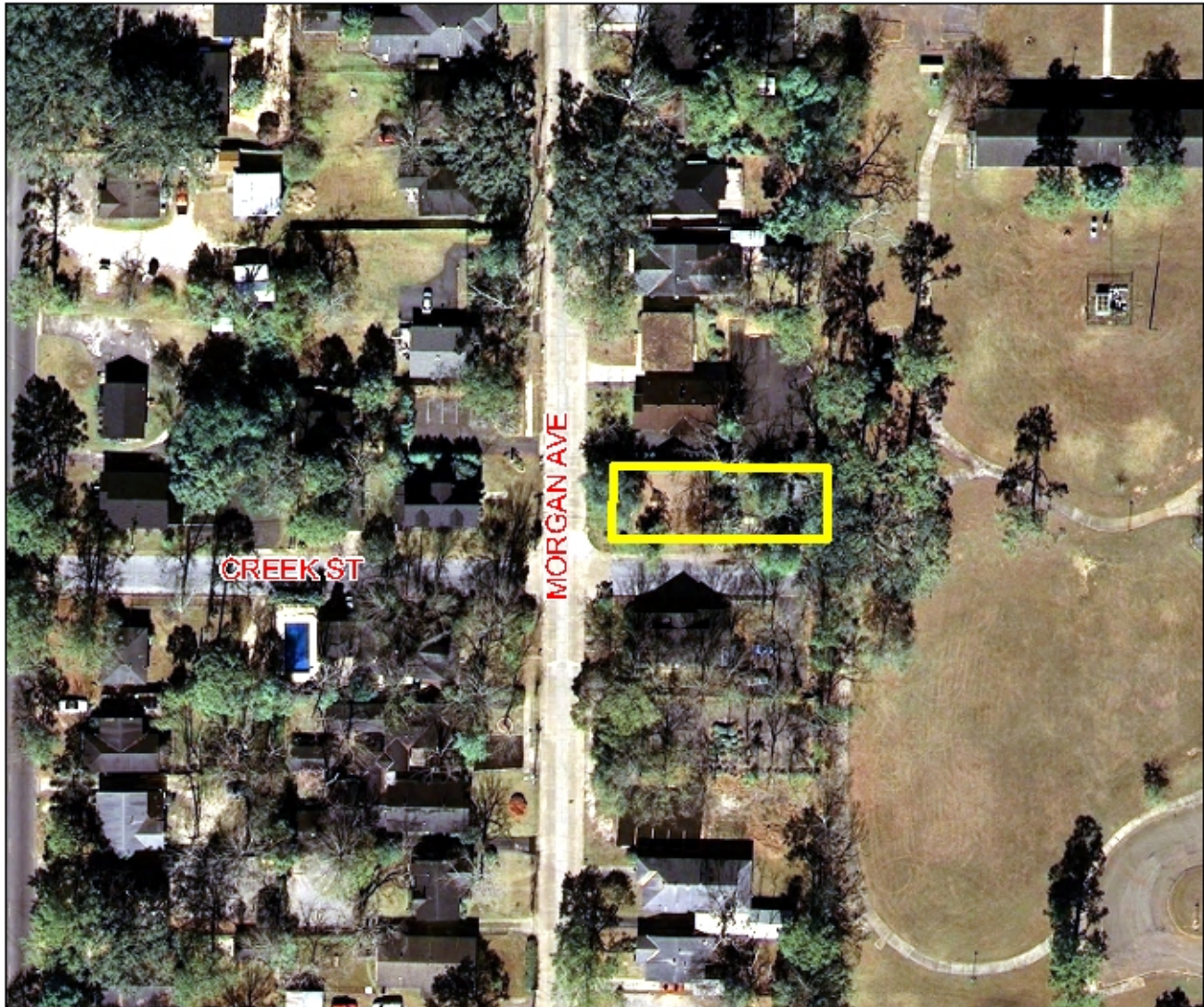
APPLICATION NUMBER 16 & 17 DATE June 4, 2009

APPLICANT Rochester Place Subdivision

REQUEST Subdivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

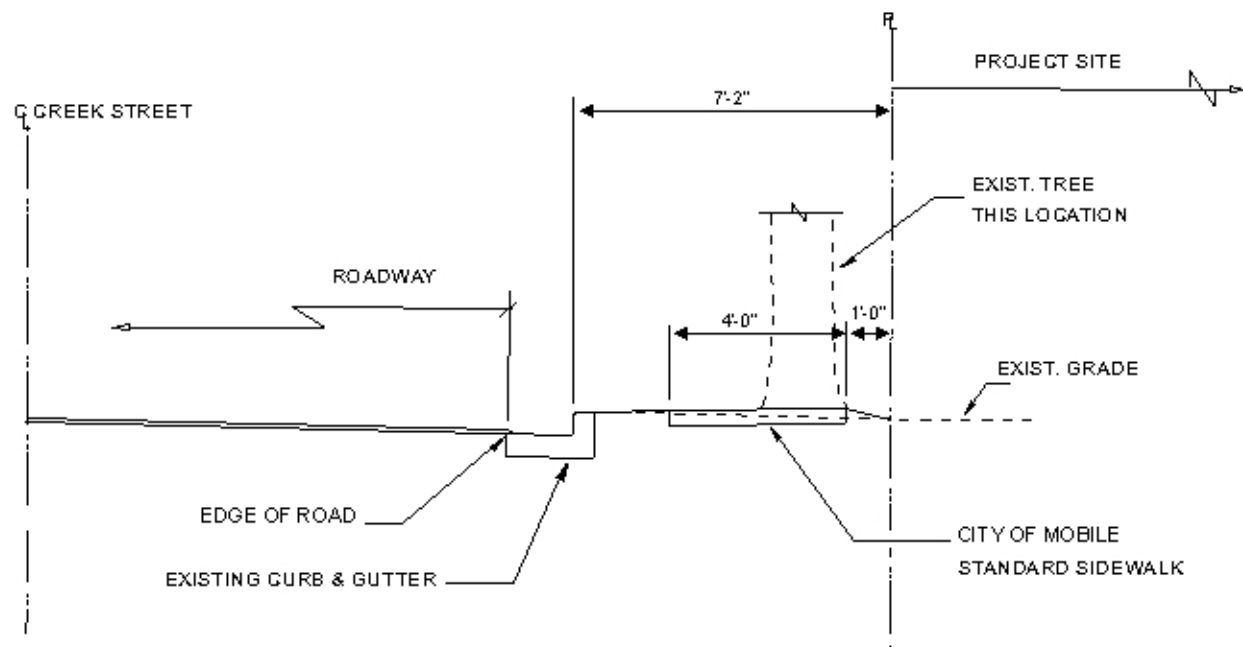


A medical office is located to the north and south of the site, government offices are to the east, and single family residential units are to the west.

APPLICATION NUMBER 25 DATE June 4, 2009
APPLICANT Jaye Hoffman
REQUEST Sidewalk Waiver

N
NTS

CROSS-SECTION DETAIL 1



SECTION @ CREEK STREET
NO SCALE

(LOOKING WEST)

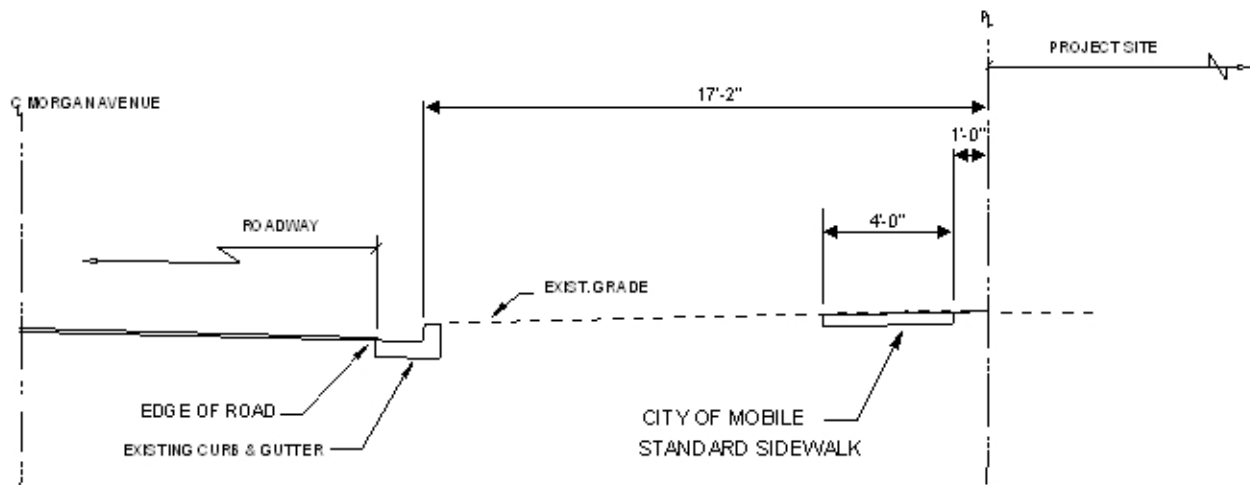
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N
NTS

CROSS-SECTION DETAIL 2



SECTION @ MORGAN AVENUE

NO SCALE

(LOOKING NORTH)

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REQUEST Sidewalk Waiver

