

SIDEWALK WAIVER STAFF REPORT**Date: July 20, 2006****NAME**

Louis J. Naman Subdivision, Resubdivision of Lots 2 & 3

LOCATION4125, 4137, 4151, and 4203 Moffett Road
(Southwest corner of Moffett Road and Wolf Ridge Road)**CITY COUNCIL
DISTRICT**

District 7

PRESENT ZONINGR-1, Single-Family Residential, and B-2, Neighborhood
Business**TIME SCHEDULE
FOR DEVELOPMENT**

Immediate

ENGINEERING**COMMENTS**

All increase in impervious area since the implementation of the COM Stormwater Ordinance must be accounted for and be brought into detention compliance. Must comply with all stormwater and flood control ordinances. Any work performed in the right of way will require a right of way permit. The applicant is responsible for verifying if the site contains wetlands. The site can be checked against the National Wetlands Inventory on the COM web site Environmental Viewer. If the site is included on the NWI, it is the applicant's responsibility to confirm or deny the existence of regulatory wetlands. **Please provide the information requested on the application for a sidewalk waiver (specifically, no. 2 on the application. Please provide for each lot and/or site requesting the waiver.**

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards. Remove any unused existing driveway cuts.

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). Preservation status is to be given to the 40" Live Oak Tree located on the West side of Lot 1, the 54" Live Oak Tree located on the North side of Lot 2, the 54" Live Oak Tree located on the West side of Lot 3, and the 60" Live Oak Tree located on the North side of Lot 3. Any work on or under these trees are to be permitted and coordinated with Urban Forestry; removal to be permitted only in the case of disease or impending danger.

REMARKS

The applicant is requesting a waiver of sidewalk construction requirements, citing the absence of sidewalks at neighboring properties and a steep slope at the site.

It should be noted that the Commission has rarely allowed the absence of sidewalks in an area as justification for waiving sidewalk construction 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.

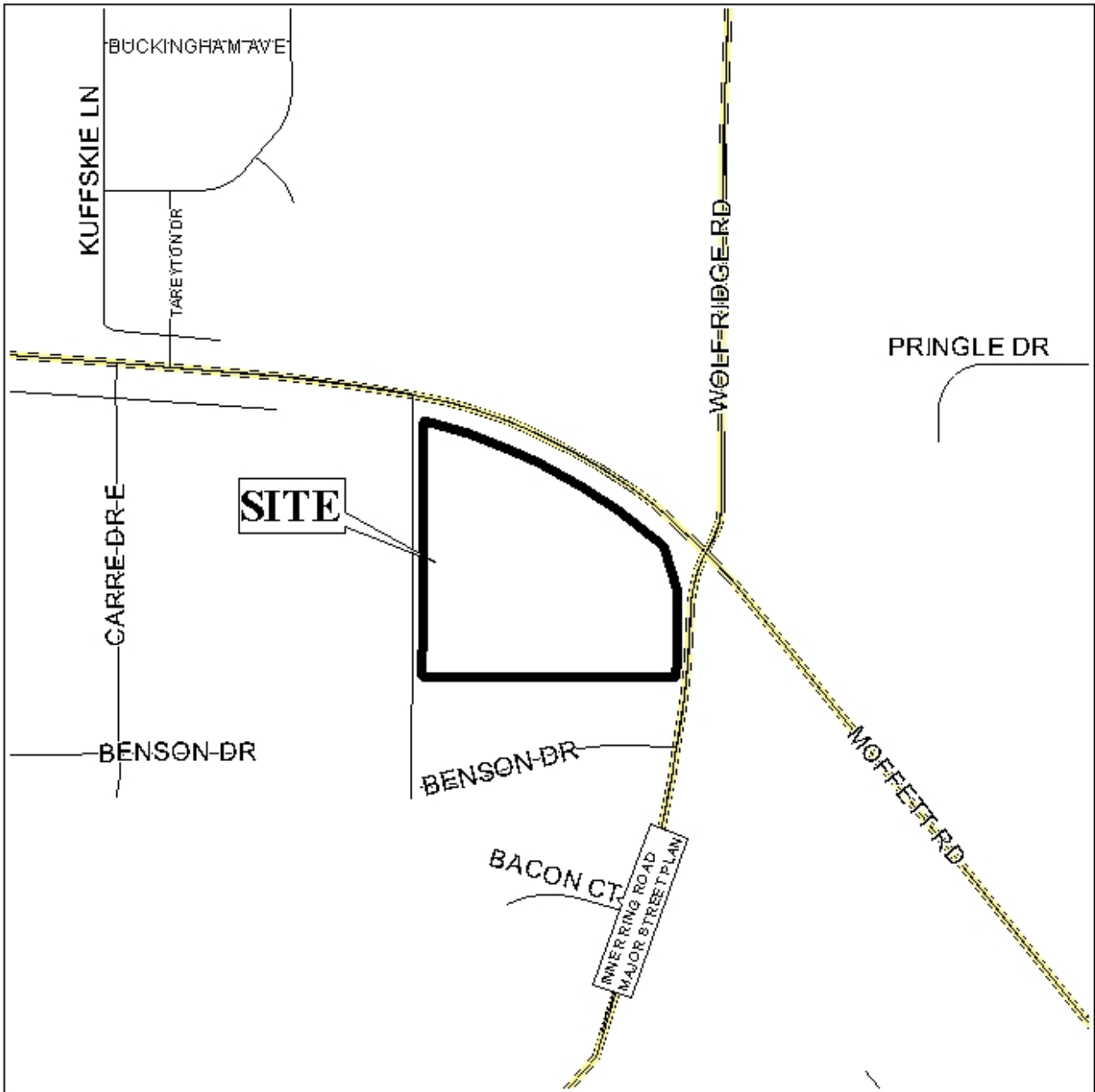
It should be noted that sidewalks do exist along the Eastern boundary of the site, connecting with the neighborhood to the South, and a sidewalk has been constructed on the North side of Moffett Road, East of the site. Engineering has been unable to comment on the request, stating: "Please provide the information requested on the application for a sidewalk waiver (specifically, no. 2 on the application. Please provide for each lot and/or site requesting the waiver."

Subdivision Based on the preceding, this application is recommended for Holdover to the August 17th meeting, to allow the applicant to submit typical cross-sections for each lot requesting Sidewalk Waiver.

Revised for the August 17th meeting:

This application was held over from the July 20th meeting to allow the applicant to submit cross-sections of all streets and lots for which waivers were requested. As no revisions have been received, this application is recommended for Denial, for the following reasons: no physical barrier or engineering reason was shown that would make sidewalk construction impracticable.

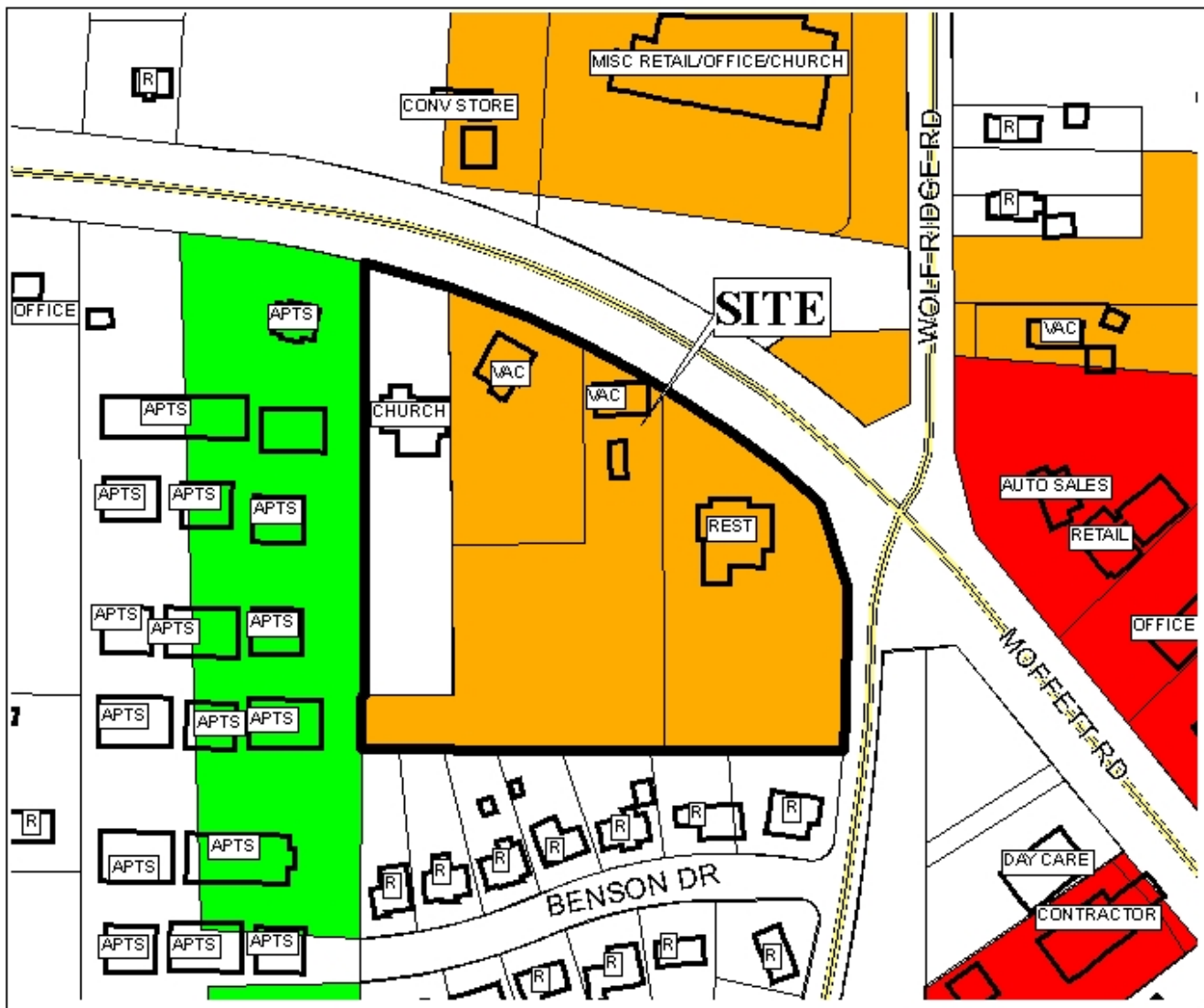
LOCATOR MAP



APPLICATION NUMBER Holdover DATE August 17, 2006
APPLICANT Dr. Louis J. Naman (Ben Cummings, Agent)
REQUEST Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by mixed land use

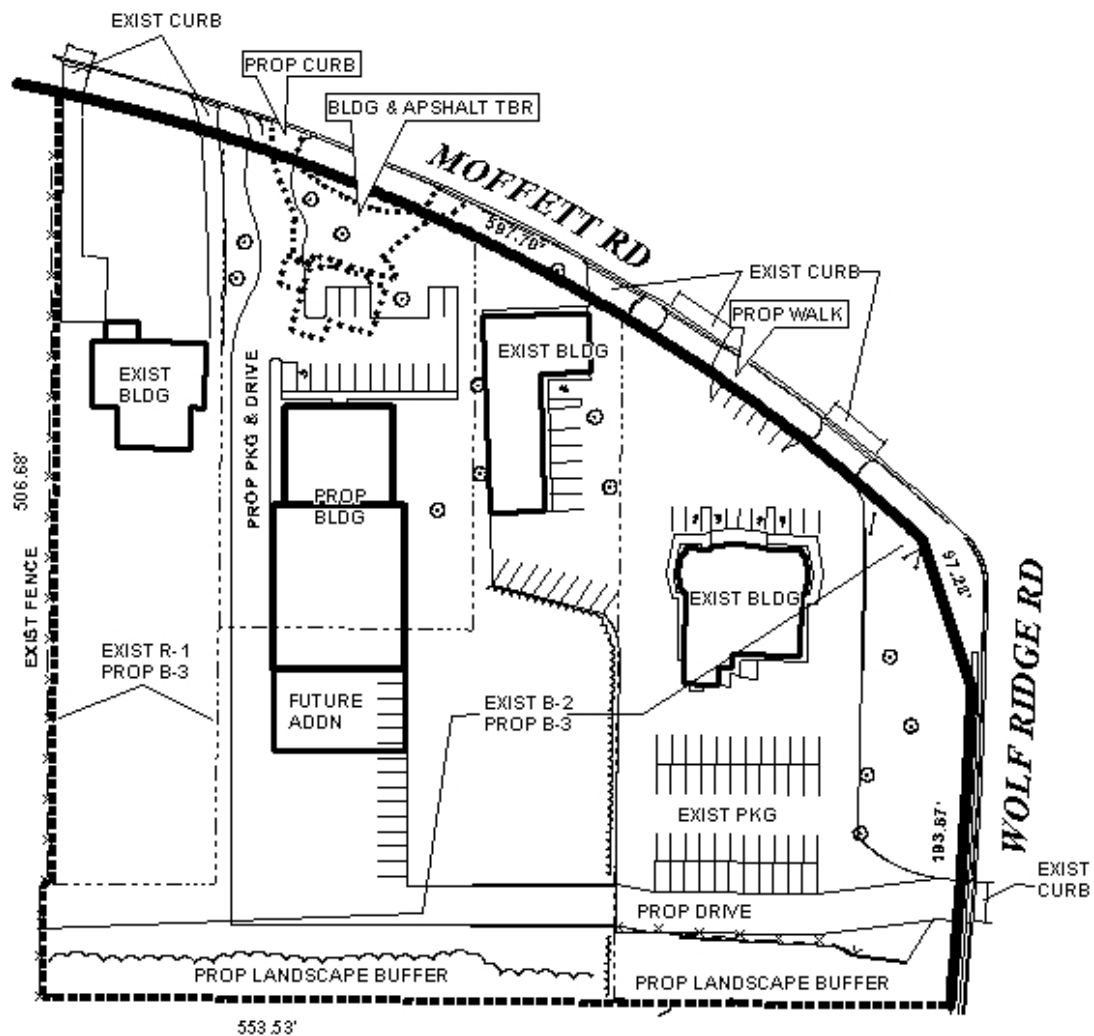
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LEGEND NTS

SITE PLAN



The site plan illustrates the existing improvements along with the proposed buildings, parking, drives, and structures to be removed

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NTS