

**SIDEWALK WAIVER REQUEST
STAFF REPORT**

Date: September 2, 2004

NAME Premier Capital Funding, Inc.

LOCATION 153 West I-65 Service Road North
(Northwest corner of West I-65 Service Road North and South Avenue)

PRESENT ZONING B-1, Buffer-Business District

ENGINEERING

COMMENTS

With modifications to the city standards, a sidewalk can be constructed. The roadside drainage has been enclosed and the applicant has installed 4 stormwater inlets to capture stormwater runoff. Where the sidewalk is immediately adjacent to the newly installed inlets, small retaining walls, possibly constructed of concrete retaining-wall block, could be provided to accommodate the change in elevation. If the drop-off from the sidewalk to the newly installed inlets is too great, handrails could be provided similar to the one provided on the site to the north.

An ALDOT representative has stated that they neither want nor don't want this sidewalk. However, they have requested that if the sidewalk is required, it be constructed on the property line instead of the COM standard of 1' off of the property line. This location would place it immediately adjacent to the curb of the applicant's parking lot and would move it further from the drainage inlets, thereby providing for a less-steep tie-in where the 4 inlets are located.

REMARKS

The applicant is requesting a waiver of sidewalk construction along both West I-65 Service Road North and South Avenue. The applicant states that the sidewalk is not feasible due to the extreme elevation difference between the proposed sidewalk and the adjacent drainage inlets. The applicant also states that the sidewalk cannot be construct to City standards.

The City Engineering Comments acknowledge that the sidewalk cannot be constructed one foot off the property line; however, City Engineering is willing to modify standards and allow the sidewalk along the property line. Additionally, moving the sidewalk to the property line (as necessary) would reduce the elevation changes referenced by the applicant.

Typically, the Planning Commission waives the sidewalk requirements only in situations where topography or other physical constraints preclude construction of a sidewalk. In this situation, based upon City Engineering Comments, the sidewalk can be installed and would connect with the existing sidewalk to the North.

RECOMMENDATION

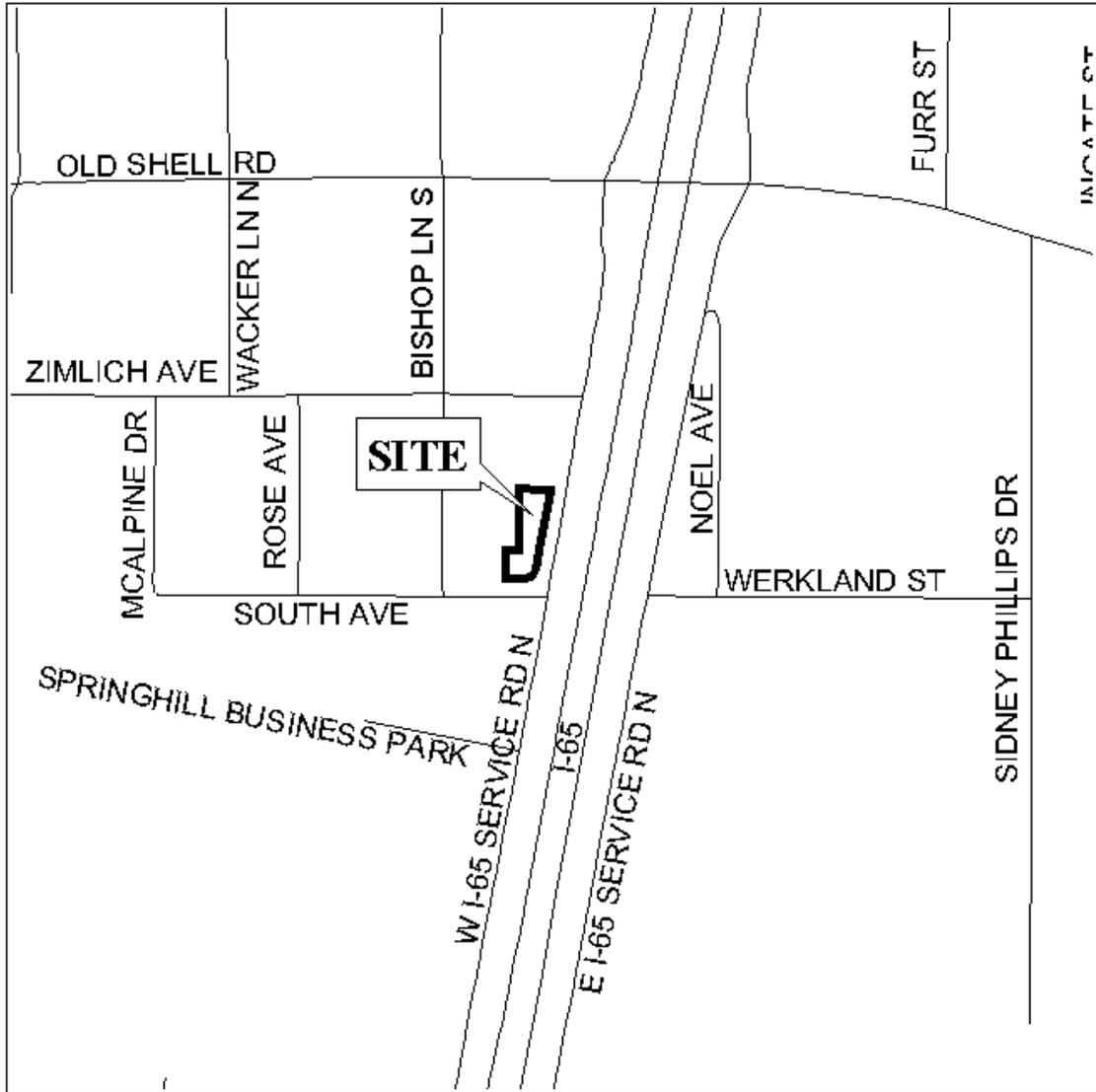
Based upon the preceding, it is recommended that the waiver be denied.

Revised report for the September 16th meeting:

This application was heldover from the Commission's September 2nd meeting at the applicant's request. Since that meeting, an inspection of the site revealed that trees were planted in the right-of-way where the sidewalk is required. The site and landscaping plan that was approved for the building permit illustrated all required tree plantings on private property; however, these trees have been planted in the right-of-way. These trees should be relocated to private property as illustrated on the approved site plan, and the sidewalk installed.

Based upon the preceding, it is recommended that the waiver be denied.

LOCATOR MAP



APPLICATION NUMBER 18 DATE September 2, 2004

APPLICANT Premier Capital Funding, Inc.

REQUEST Sidewalk Waiver



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



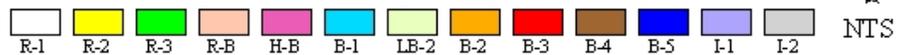
Located to the North, East, and South of the site are miscellaneous offices; to the West are single family residential dwellings.

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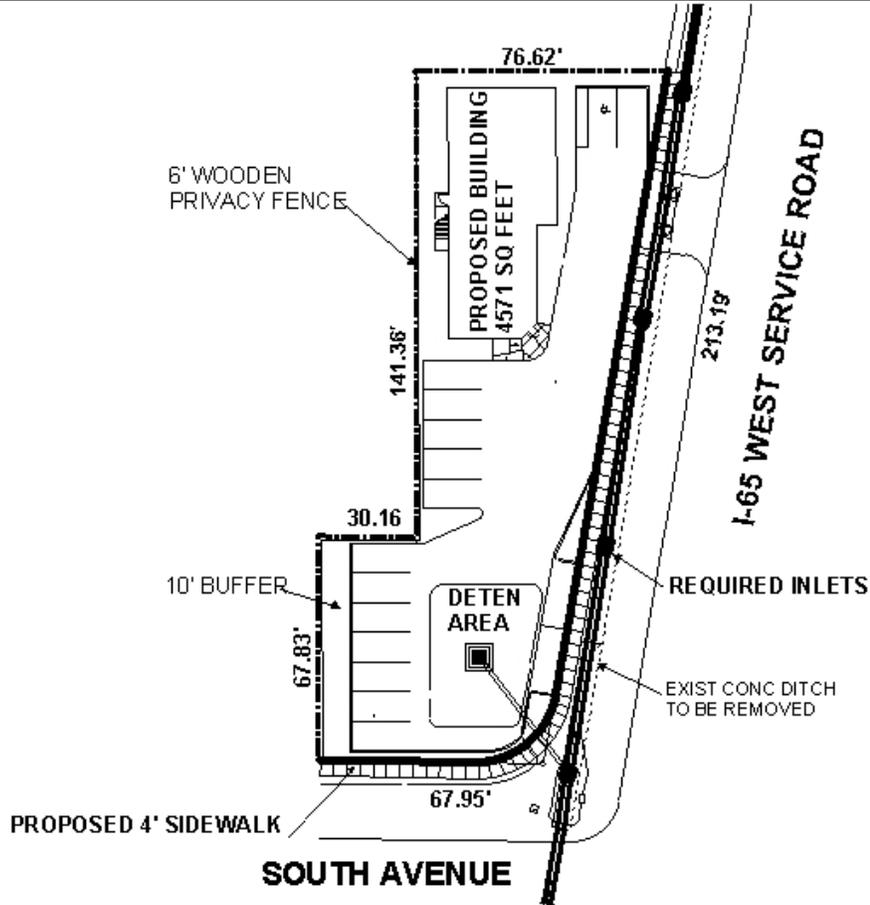
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LEGEND



SITE PLAN



The site is located on the Northwest corner of West I-65 Service Road North and South Avenue. The plan illustrates the proposed building, parking, and sidewalks.

APPLICATION NUMBER 18 DATE July 15, 2004
APPLICANT Premier Capital Funding, Inc.
REQUEST Sidewalk Waiver

