



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 6, 2017

Re: 811 Proctor Drive – Sidewalk Variance (Case #17-16)

## Executive Summary

Approval of the request will waive the requirement to build a sidewalk along the approximately 176-foot wide residential lot frontage of 811 Proctor Drive.

## Discussion

The applicant is requesting a variance from the requirement to construct a sidewalk along the property's approximately 176-foot Proctor Drive frontage. Section 25-48.1 of the Subdivision Regulations requires sidewalks to be built along the abutting street frontages of lots platted after 2001 prior to the issuance of a Certificate of Occupancy for newly built structures or within three years of final plat approval per standard performance contract obligations.

The subject site was subdivided earlier this year to allow a 0.23-acre portion of the original two-acre tract, which includes a pre-existing home, to be sold off. The property owner has indicated that she has no immediate plans to develop the remaining 1.74 acres, and she feels that the sidewalk requirement is burdensome and unnecessary at this location.

At their December 8, 2016 meeting, the Planning and Zoning Commission voted 9-0 to deny the proposed sidewalk variance. The Commission instructed the applicant to work with staff to determine whether design alterations could be administratively approved to avoid challenges associated with the cost of construction of a standard sidewalk along the site's frontage. The applicant's engineer has not provided adequate engineering and design detail for staff to make a determination as to whether or not proposed deviations could be supported by staff. Rather than incurring further engineering costs toward resolving this matter, the applicant is requesting that Council consider the full sidewalk variance at this time.

A copy of the Planning Commission staff report, locator maps, applicant's variance letter, and meeting excerpts are attached.

## Fiscal Impact

Short-Term Impact: No costs are associated with approval of the request.

Long-Term Impact: No costs are associated with approval of the request.



## Vision & Strategic Plan Impact

### Vision Impacts:

Primary Impact: Transportation, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Public Safety, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Infrastructure

## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Deny the requested sidewalk variance as recommended by the Planning and Zoning Commission.