



For office use:

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| Case #: | Submission Date: | Planner Assigned: |
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**If a design adjustment is requested, the Director or Commission may recommend approval of the design adjustment if it determines that the following criteria have been met, and the Council shall consider these criteria in making a decision on the requested design adjustment<sup>1</sup>:**

**Please explain how the requested design adjustment complies with each of the below criteria:**

- The design adjustment is consistent with the City’s adopted comprehensive Plan and with any policy guidance issued to the Department by Council;

There are no streets in the immediate area of the subject site that are on the Sidewalk Master Plan, referenced in the non-motorized section of the Comprehensive Plan.  
 Furthermore, Ordinances 010280 and 020333 (2009 rezonings: R-1 to C-P, & C-P to O-P, respectively) both only required sidewalk to be constructed on Holly Ave and not along Andy Drive.
- The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;

The design adjustment will not have adverse impact on any abutting properties.  
 Currently there is no sidewalk on any part of Andy Drive.
- The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the Subdivision Standards of Section 29-5.1 were met;

The design adjustment will not make it more difficult for or dangerous for automobiles, bicycles or pedestrians to circulate through the development, as currently there are no sidewalks on Andy Drive.
- The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and

The unique feature on this site is the existing slope and associated elevation difference from the street curb to the on site parking lot. Construction of sidewalk along the Andy Drive frontage will require significant regrading and installation of a retaining wall.
- The design adjustment will not create adverse impacts on public health and safety.

Due to the fact that Andy Drive currently has no sidewalks on either side of the street, this design adjustment will not create adverse impacts on public health and safety.

<sup>1</sup> Per Section 29-5.2 (b) Subdivision of Land Procedures General Provisions  
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