

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: June 30, 2022
SUBJECT: Request for construction of retaining wall in East Jefferson Street right of way

The property owner at 300 East Jefferson Street plans to submit a permit application to replace a failing railroad tie retaining wall along their driveway. That wall extends at a tapered height into the right of way nearly to the street curb.

Replacement of this wall for its entire length into the right of way would require approval of the Board of Aldermen. There is no mechanism for the Board of Adjustment to grant a variance outside the private property boundaries.

In addition to replacing the existing wall, the owner of this property at 300 East Jefferson Street and the owner of the adjacent property at 320 East Jefferson Street are also asking to construct a retaining wall connected to the driveway wall that runs parallel with the street and is located 3' from the curb. This would be entirely in the right of way.

Staff review elicited the following comments:

- There are no current city utilities in this location. Other utilities are unknown.
- This right of way may be needed for utility relocation for the future construction for Immaculate Conception Church.
- Jefferson Street is not specifically listed as a priority on the SEMPO Regional Bicycle and Pedestrian plan, but it is connected to the proposed Old Cape Road sidewalk route. The wall construction should include a sidewalk or provision for a future sidewalk that meets city specifications.
- Construction of a wall over 4' in height requires engineered plans.
- 320 East Jefferson has an existing Memorandum of Understanding with the city for construction of their driveway within the Old Cape Road right of way. In addition to their approved driveway, they have also constructed stairs.

If the Board has interest in allowing wall construction / re-construction into the right of way, a Memorandum of Understanding would be needed between the city and the property owners and would be prepared for approval at a future meeting.