

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: February 5, 2009****NAME**

Mr. Brett Smith, Ragan Smith Associates

LOCATION

Northeast corner of Girby Road and Lloyds Lane.

PRESENT ZONING

B-2, Neighborhood Business District

ENGINEERING**COMMENTS**

The sidewalk waiver shall not apply along Lloyds Lane from the north property line to the southernmost access drive, approximately 378 feet. The location of the sidewalk shall be coordinated with Traffic Engineering and ROW. The sidewalk waiver shall apply to the remainder of the Lloyds Lane frontage and the entire Girby Road frontage.

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).

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along Lloyds Lane and Girby Road.

The applicant states that the required sidewalks should be eliminated due to the topographic features along the entire road frontages of Girby Road and Lloyds Lane. In addition to the topographic reasons (as illustrated on the submitted site topography), power poles and existing vegetation are to remain as the site develops. The applicant states for these reasons and as a matter of public safety, the sidewalk requirements should be waived for this 199-unit apartment complex.

At the January 8th Planning Commission meeting the proposed 15.9± acre, 1-lot subdivision and Planned Unit Development (PUD) to allow 28 apartment buildings, clubhouse, leasing office, and a maintenance/carwash facility on a single building site fronting Girby Road, and Lloyds Lane. Girby Road is a major street; therefore, dedication of 50-feet from the centerline of Girby Road is required by the Major Street Component of the Comprehensive Plan. The applicant has submitted a Traffic Impact Study to allow Traffic Engineering and Urban Development to assess the traffic volume and patterns, existing and proposed.

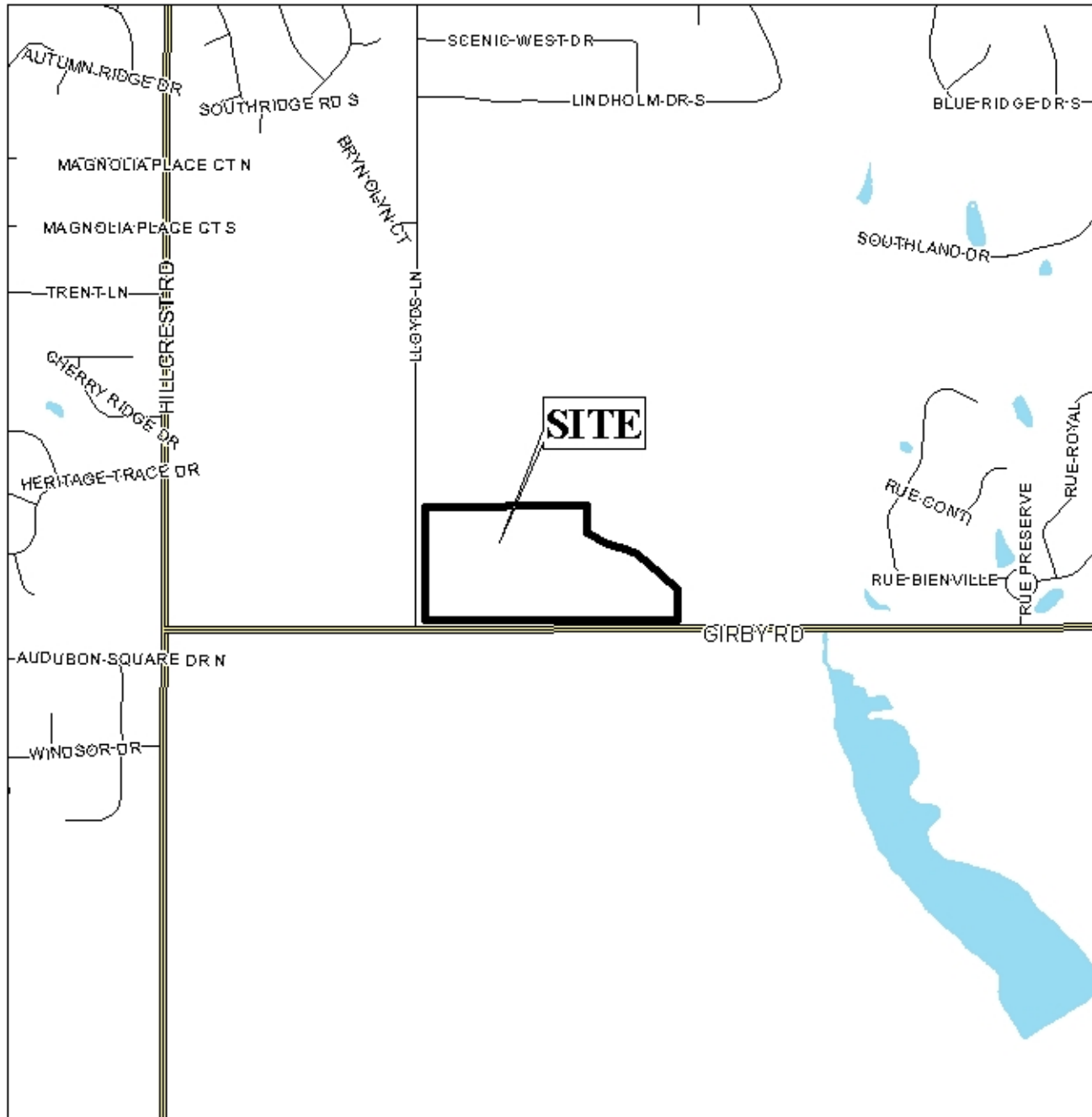
Therefore, the need for sidewalks may not be a factor for requiring sidewalks at this time. However, since the Traffic Impact Study references the existence of pedestrian traffic to the school, and with the future development of a 199-unit apartment complex it may be smart planning to locate sidewalks along Lloyds Lane for existing and proposed pedestrian traffic if construction of a sidewalk is not an engineering difficulty.

RECOMMENDATION

Based upon the preceding, this application for waiver of the sidewalk along Girby Road is recommended for approval; however, the sidewalk waiver along Lloyds Lane is recommended only for the section of sidewalk starting at the Northeast intersection of Girby Road and Lloyds Lane to the southernmost curb-cut along Lloyds Lane where construction is not practicable due to topographic reasons, subject to the following conditions:

- 1) the construction and location of the sidewalk along the portion of Lloyds Lane from the Northeast corner of the intersection of Girby Road/Lloyds Lane to the southernmost curb-cut be approved by Engineering Department.

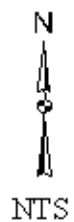
LOCATOR MAP



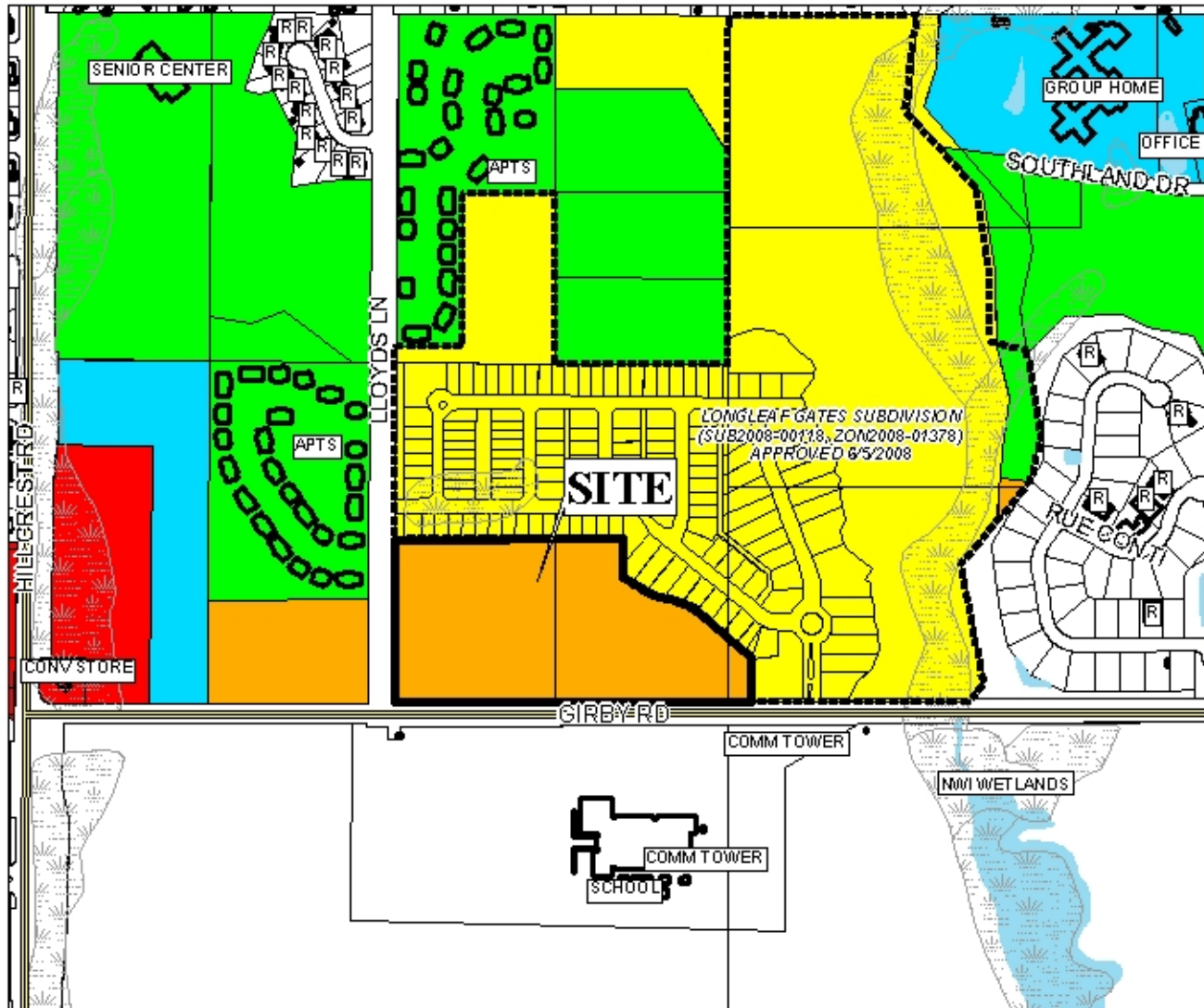
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

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LEGEND

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| R-1 | R-2 | R-3 | R-A | R-B | H-B | T-B | B-1 | LB-2 | B-2 | B-3 | B-4 | B-5 | I-1 | I-2 | NTS |
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

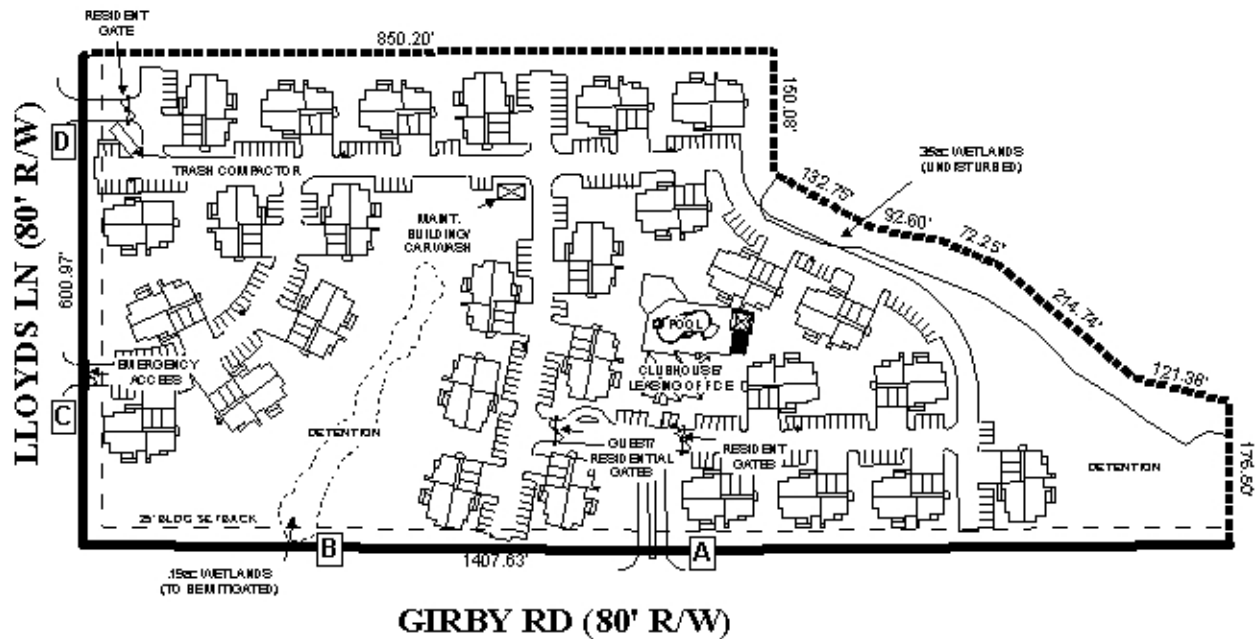
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NTS

SITE PLAN



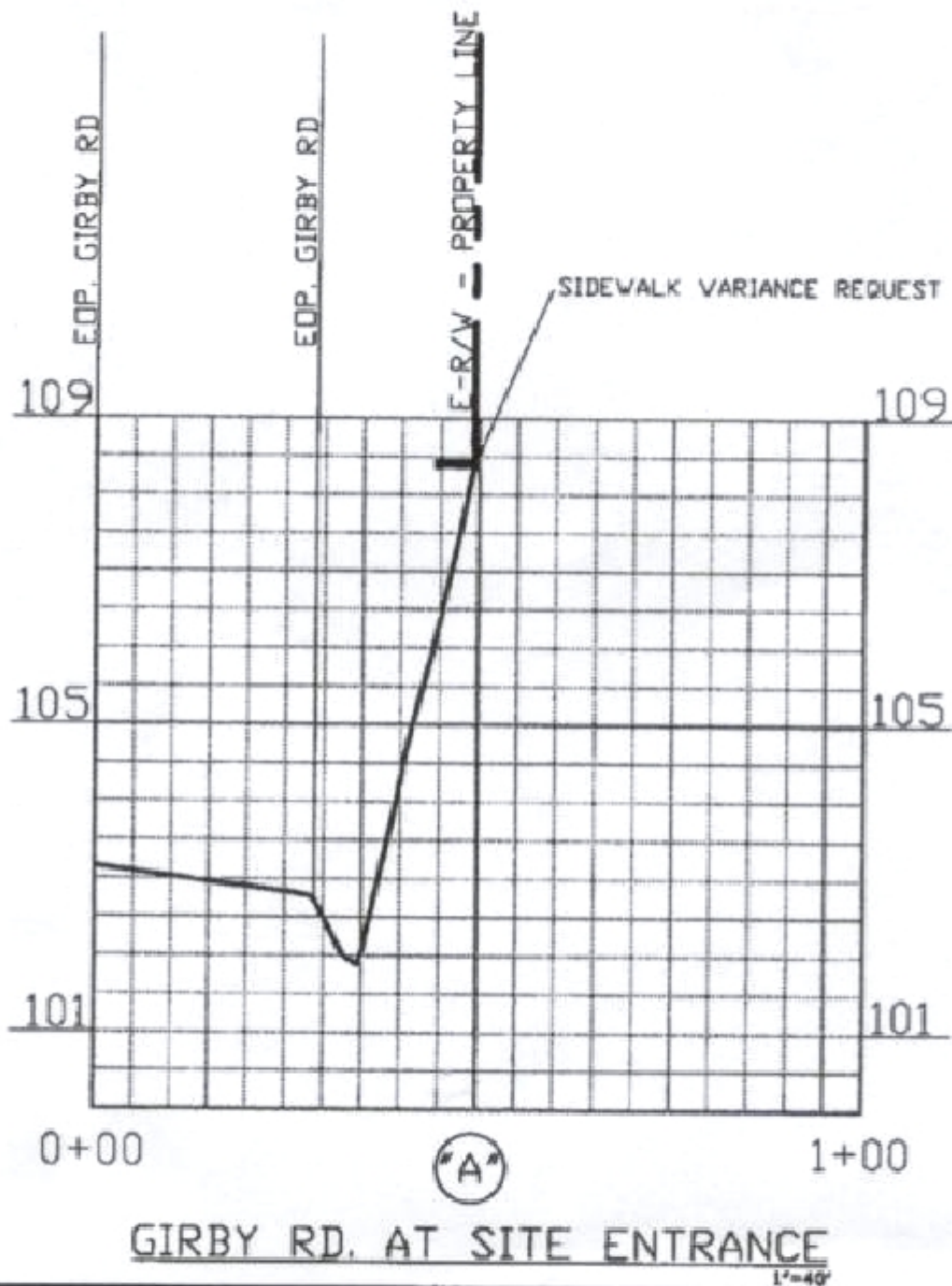
This site plan illustrates proposed lot configuration.
See detail site for sidewalk cross-sections.

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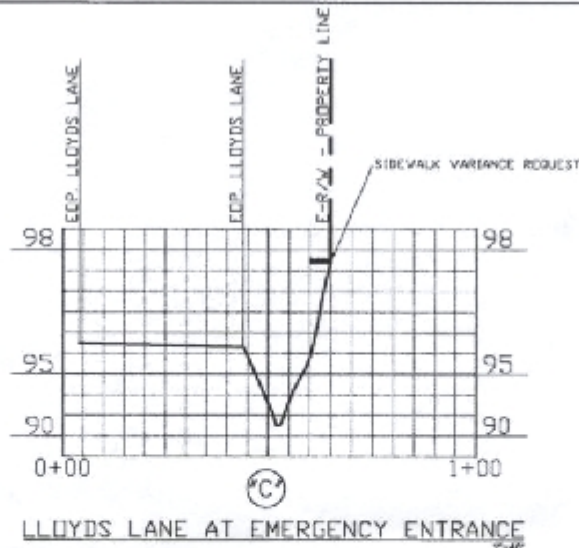
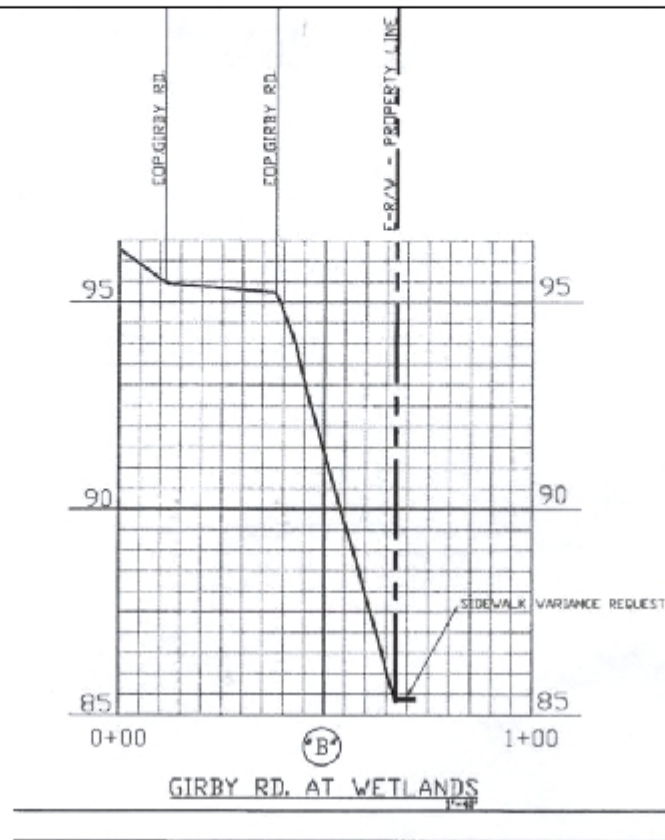
DETAIL SITE PLAN 1



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DETAIL SITE PLAN 2

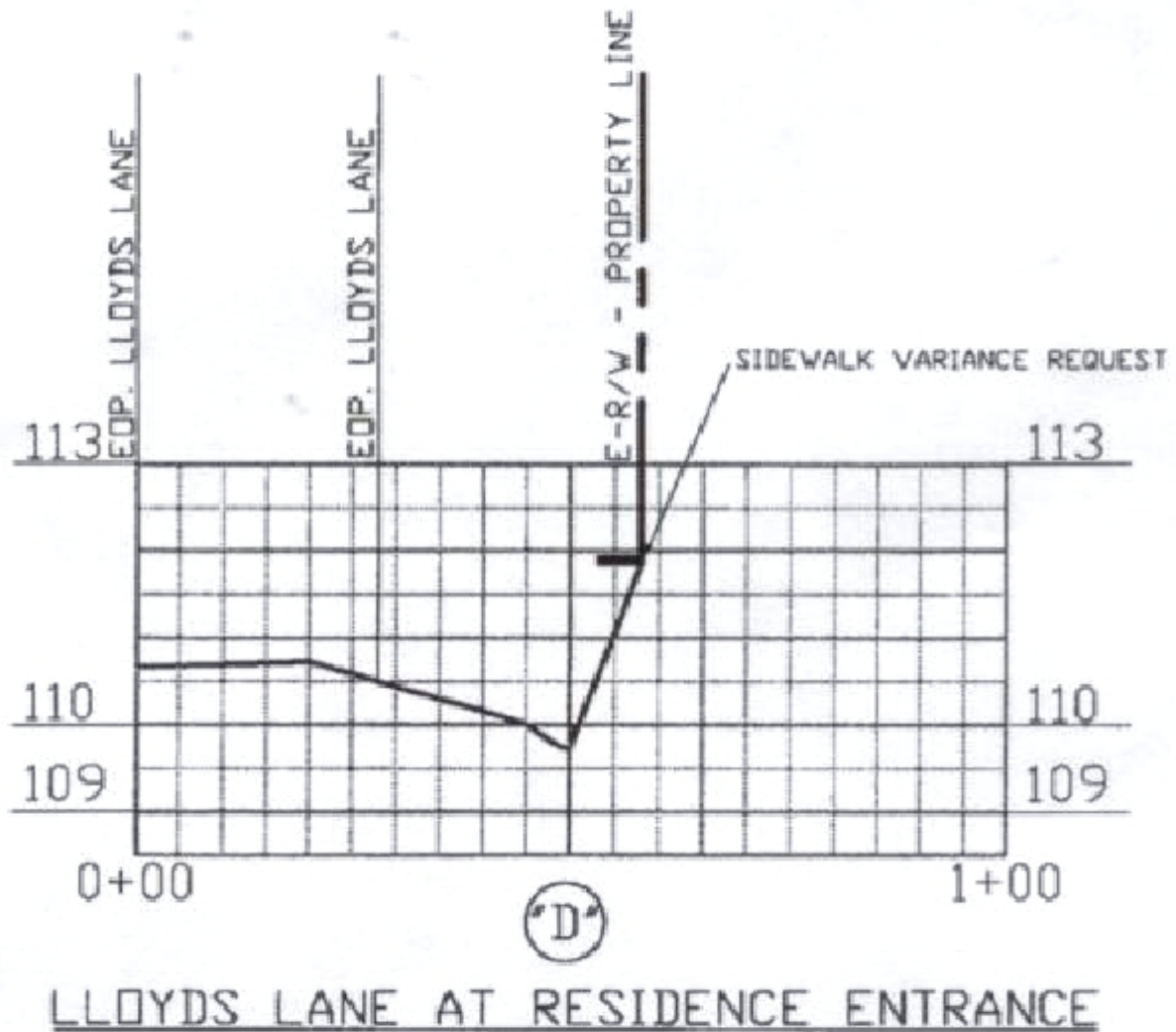


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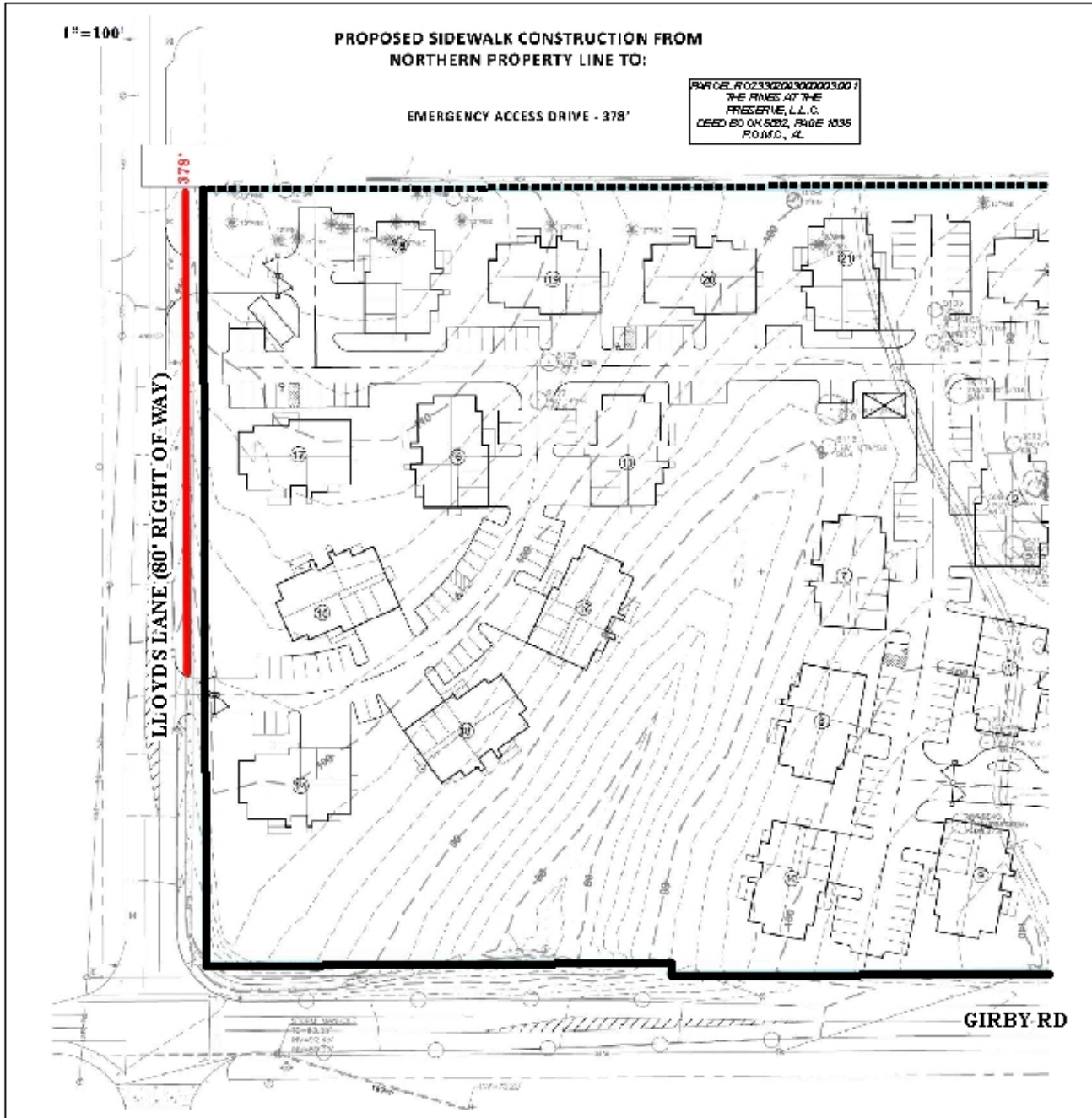
DETAIL SITE PLAN 3



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DETAIL SITE PLAN 4



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