

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: September 5, 2013****NAME**

Corporate Property Services

LOCATION4707 Airport Boulevard
(South side of Airport Boulevard, 2/10± mile West of
University Boulevard)**PRESENT ZONING**

B-2, Neighborhood Business District

ENGINEERING**COMMENTS**

It appears that there is sufficient room within the ROW for construction of a sidewalk, providing removal of the trees is permitted. If tree removal is not allowed then the sidewalk should be constructed to a logical tie-in point within the destination.

TRAFFIC ENGINEERING**COMMENTS**

Light poles can be repositioned at the expense of the developer/owner to make way for necessary roadway improvements (e.g. driveways, turn lanes, sidewalks, etc). In this instance, the relocation of the light poles (and associated underground conduit/wiring) in relation to the trees and their root system may not be conducive. Urban Forestry should be consulted on matters related to excavating in the critical root zone.

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). Installation of a sidewalk will have a negative impact on the existing Live Oak tree roots along Airport Boulevard.

REMARKS

The applicant is requesting a waiver for the construction of a sidewalk along Airport Boulevard.

The sidewalk waiver site is adjacent to a site that was previously developed with a restaurant, now demolished, and is proposed to be developed with a new restaurant.

The applicant states that there are six existing live oak trees, ranging in size from 16 to 22 inches in diameter, located in the area where a sidewalk would normally be built. The applicant also states that there are light poles along Airport Boulevard, between the trees and the curb, further complicating installation of a sidewalk.

Airport Boulevard is a 6-lane major street, with traffic counts exceeding 48,000 cars per day adjacent to this site. The WAVE Transit System also has a bus route which passes the site, providing at least hourly service.

A sidewalk ends at the Western boundary of the site in question, but there are no sidewalks East of the site or across Airport Boulevard from the site.

RECOMMENDATION

Based upon the preceding, this application for waiver of the sidewalk is recommended for Approval.

Revised for the October 17, 2013 meeting:

The application was heldover from the September 5, 2013 to allow the applicant to meet with Engineering and Urban Forestry staff regarding the provision of a sidewalk at the site.

After discussion between city staff and the applicant, it was determined that a sidewalk could be provided in a manner that would not significantly impact the existing live oak trees, and thus the site plan has been revised to include the provision of a sidewalk.

*Due to the agreed upon solution, the applicant has **withdrawn** the Sidewalk Waiver request.*