

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: June 21, 2007****NAME**

The Pines at the Preserve LLC

LOCATIONNorth side of Girby Road, 1800'± West of Rue Preserve,
and extending Northwest to Lloyds Lane**PRESENT ZONING**

R-2, Two-Family Residential District

ENGINEERING**COMMENTS**

The sidewalk cannot be built to City standards along Girby Road. The sidewalk may potentially be built to City standards along Lloyds Lane along the proposed development, however, conditions along the right-of-way South of the proposed development would likely prohibit the future extension of the sidewalk to the intersection of Lloyds Lane and Girby Road, therefore construction of the sidewalk at this time is not recommended.

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 *Sidewalk Waiver* approval to waive construction of sidewalks along Girby Road and Lloyds Lane due to adverse topographic features, wetlands, and a lack of pedestrian traffic. This request was Heldover from the June 21st meeting due to the Engineering Department needing additional information depicting the edge of shoulder and the culvert, and water surface elevation. The requested information was provided by the applicant.

The site fronts Girby Road, a planned major street, and Lloyds Lane, a minor street. The Planned Unit Development and Subdivision applications that accompanied this Sidewalk Waiver application, and that were approved by the Planning Commission at its June 21st meeting, require dedication of right-of-way sufficient to provide 50 feet, as measured from the centerline, for the Girby Road frontage.

North and West of the site are apartment complexes, while South of the site, at the intersection of Lloyds Lane and Girby Road, is Burns Middle School. Aerial photographs show that the intersection next to the school has marked crosswalks, and it appears that there may be a sidewalk at the Northeast corner of the intersection, or a worn trail. A call to the administrative offices confirms that the school does have students walking to and from the school along Lloyds Lane and Girby Road.

While the development itself may not generate much pedestrian traffic to locations outside of the development, it is likely that students will continue to be generated by adjacent apartment

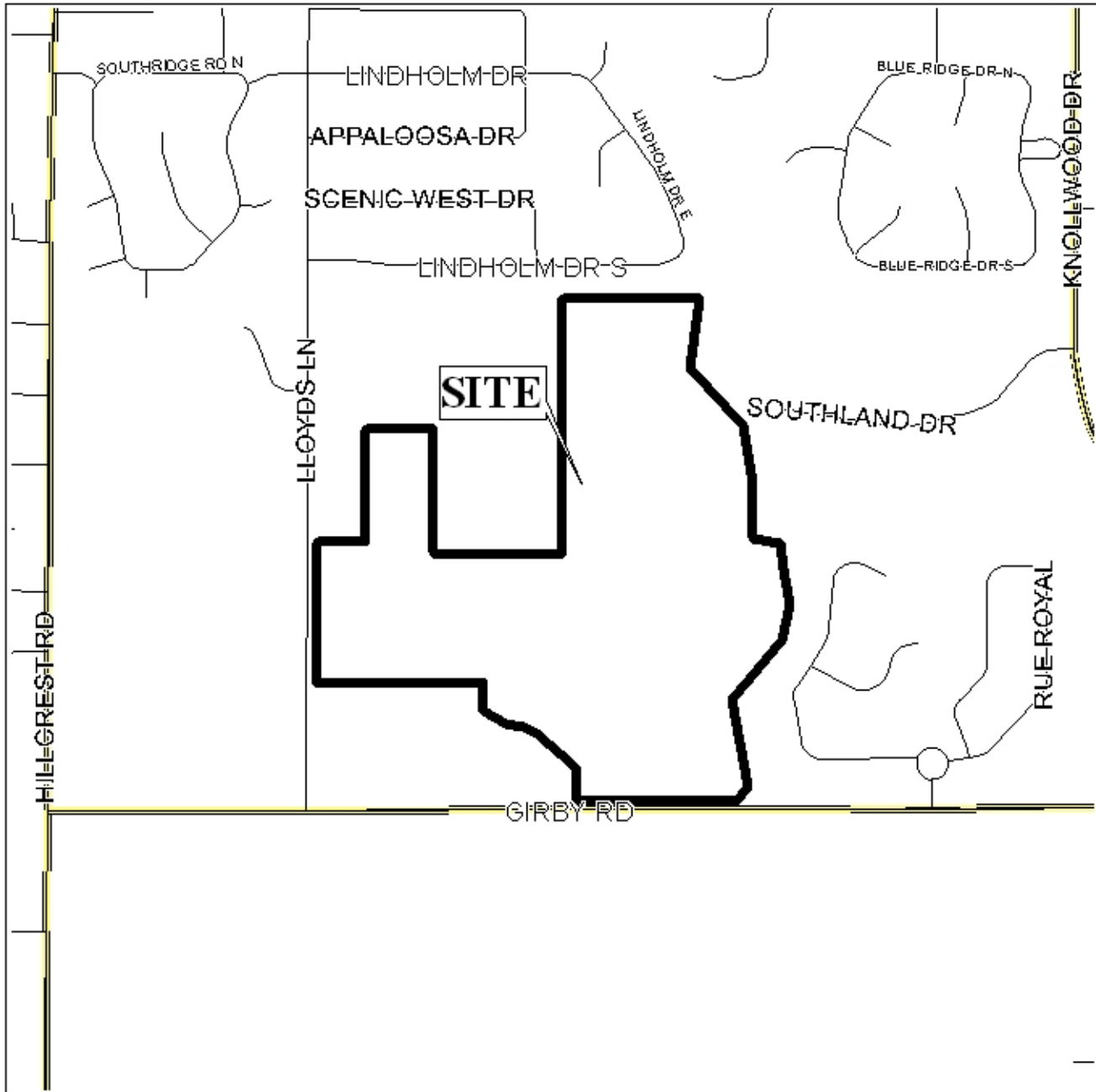
developments along Lloyds Lane, especially North of the site. As for Girby Road, the adjacent development does not appear to provide as strong an argument regarding the need for a sidewalk, as the larger residential development is on the other side of Girby from the site, and the distance would appear to approach such that it would be less likely that students might walk to the school.

Again, the “Smart Growth” issue claimed by the applicant for the associated Subdivision and Planned Unit Development would indicate that sidewalks should be provided. The sections provided by the applicant do show that there are compelling topographic reasons to not require sidewalks, yet the proximity to a public school, apartments and a major street counteract, at some level, the sheer physical challenge.

RECOMMENDATION

Sidewalk Waiver: Based upon the additional information, the request for Sidewalk Waiver is recommended for Approval.

LOCATOR MAP



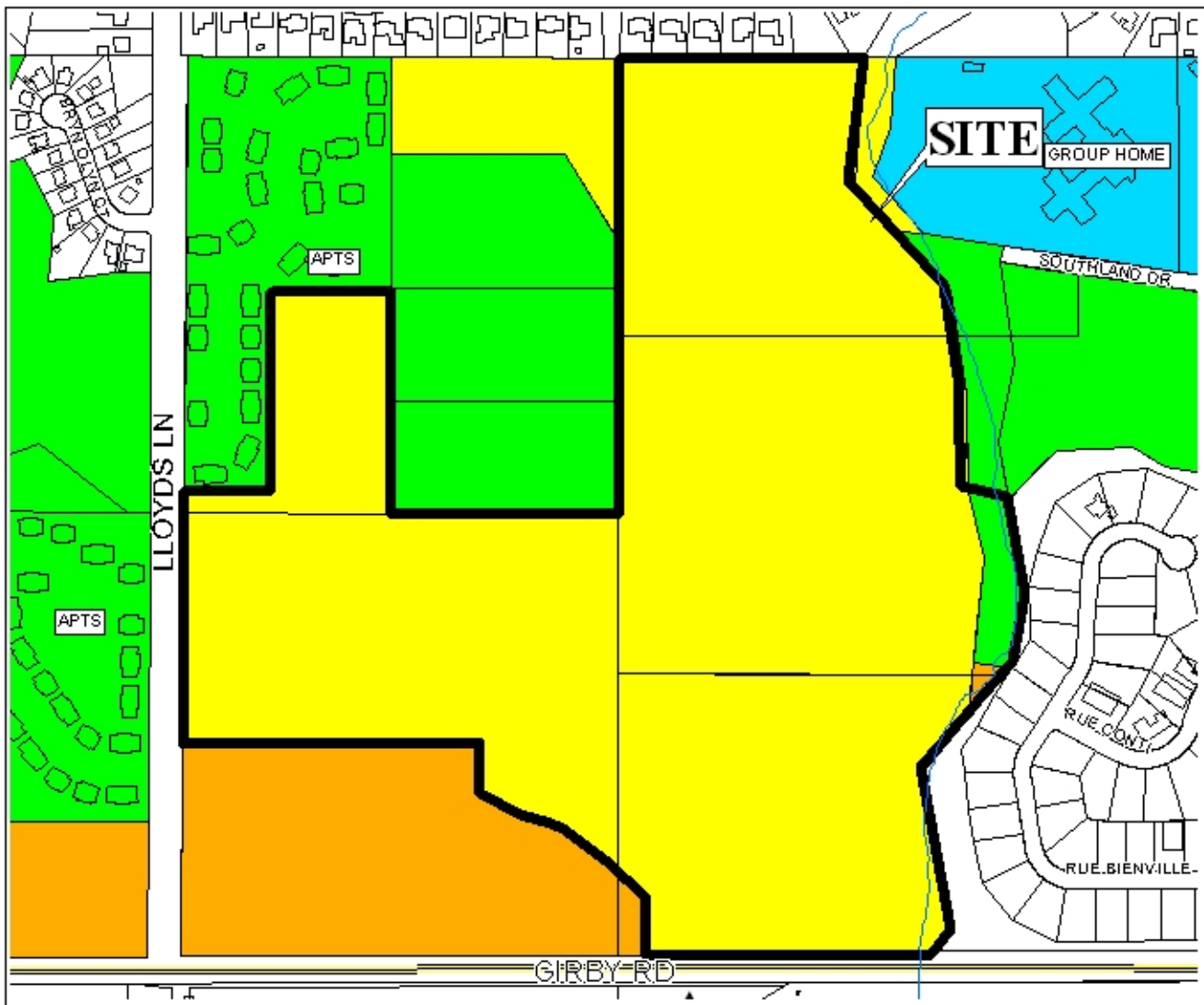
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single-family residential units. Apartments are located to the west of the site. A group home is located to the east of the site. A school is located to the south of the site.

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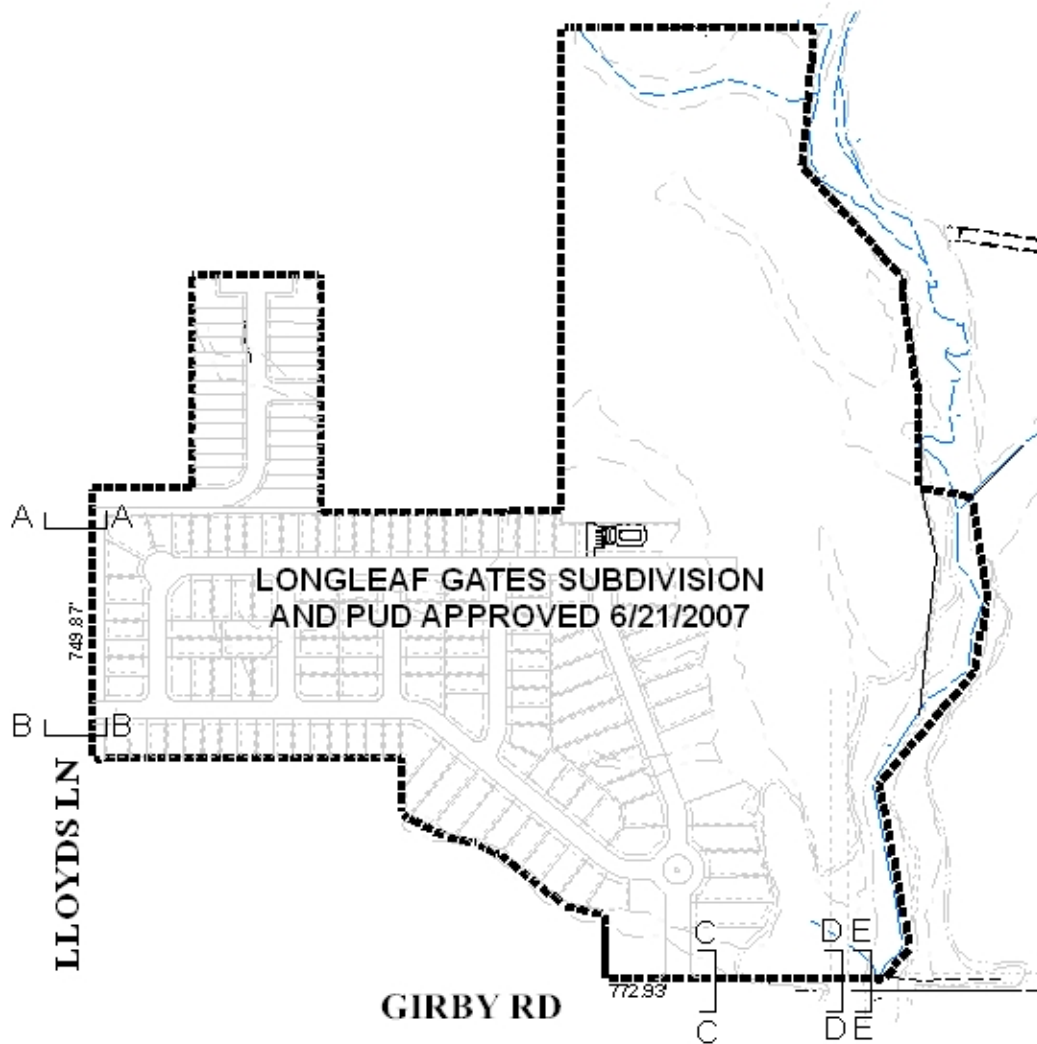
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LEGEND

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
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DETAIL SITE PLAN

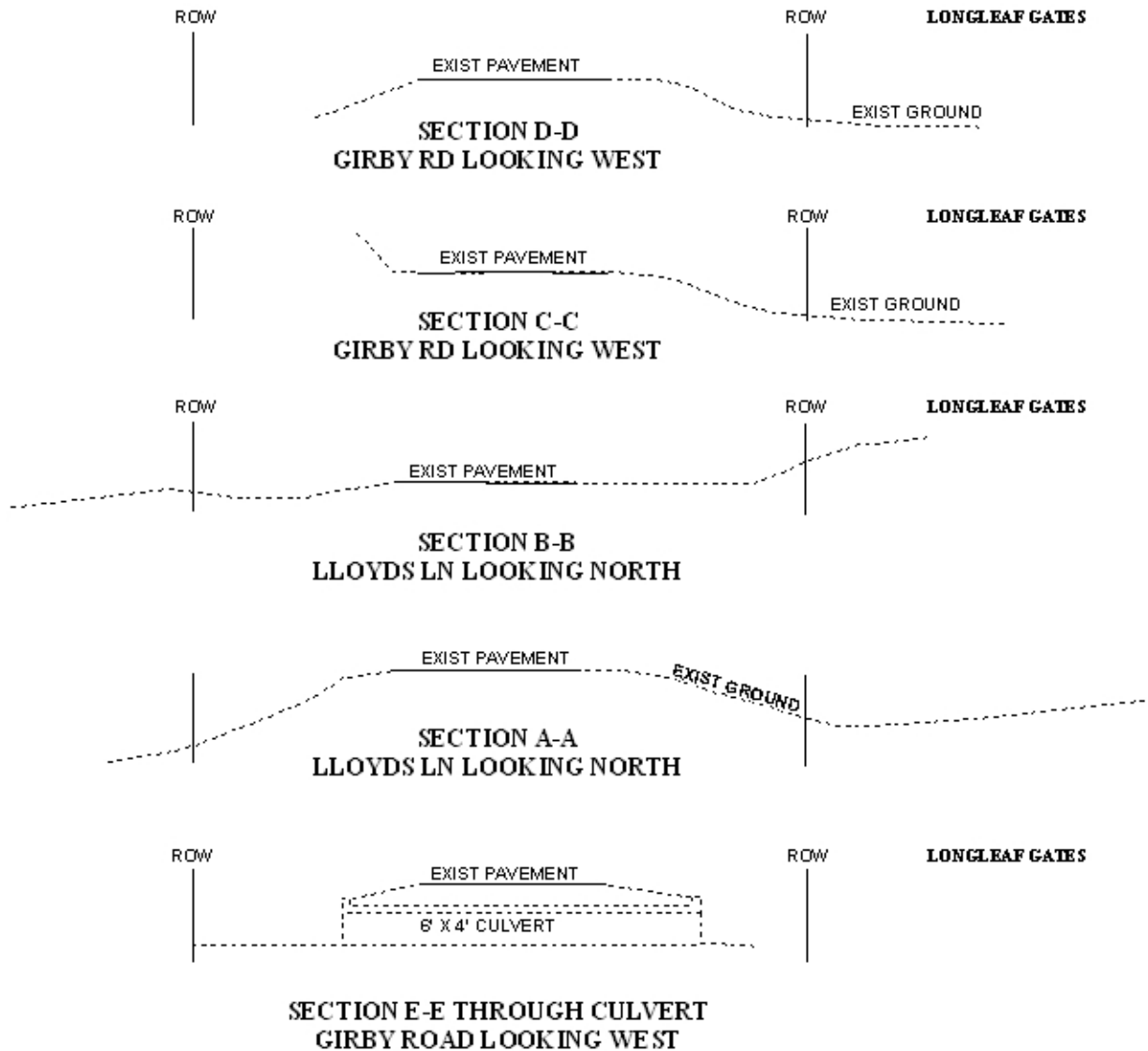


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SIDEWALK CROSS-SECTION DETAIL



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