

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: June 6, 2013****NAME**

Pinebrook Investments, LLC

LOCATION3952, 3954, 3958, 3960, 3962, 3964, 3966, 3968, 3972,
Airport Boulevard and 271, 273, 275, 277, 279, 281, 283 S
McGregor Avenue**PRESENT ZONING**B-2, Neighborhood Business District and
B-3, Community Business District**ENGINEERING****COMMENTS**

AIRPORT BLVD: It appears that there is sufficient room within the ROW, or on private property, for construction of a sidewalk. MCGREGOR AVE: Due to the limited space within the existing ROW it is recommended that this request be approved.

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 Airport Boulevard and McGregor Avenue.

The sidewalk waiver site is adjacent to an existing shopping center that will be undergoing major renovations and improvements over the next year or two. The improvements include the vacation of city right-of-way along Airport Boulevard to provide more parking for the shopping center, as well as the creation of a new signalized intersection at the western end of the property on Airport Boulevard.

The applicant states that *"a generous 10 foot wide internal sidewalk will be provided between the parking and the retail frontage"* of the shopping center. For the McGregor Avenue side of the shopping center, the applicant states that the City will be widening McGregor in the near future, and that there are existing light poles in the way of any proposed sidewalk. For the Airport Boulevard side of the shopping center, the applicant states that the high traffic volume and proposed curb-cuts along Airport Boulevard would make pedestrian travel dangerous, that there are utilities in the way, that there are no sidewalks on the adjacent property to the West, and finally that the McGregor Avenue / Airport Boulevard intersection is not setup for pedestrian crossing.

A portion of the site was the subject of a Sidewalk Waiver request in 2009. Specifically, the corner containing Regions Bank was granted a waiver for that portion along McGregor Avenue, due to widening anticipated within the next 5 years, and was denied a waiver for that portion along Airport Boulevard. A sidewalk was constructed along Airport Boulevard.

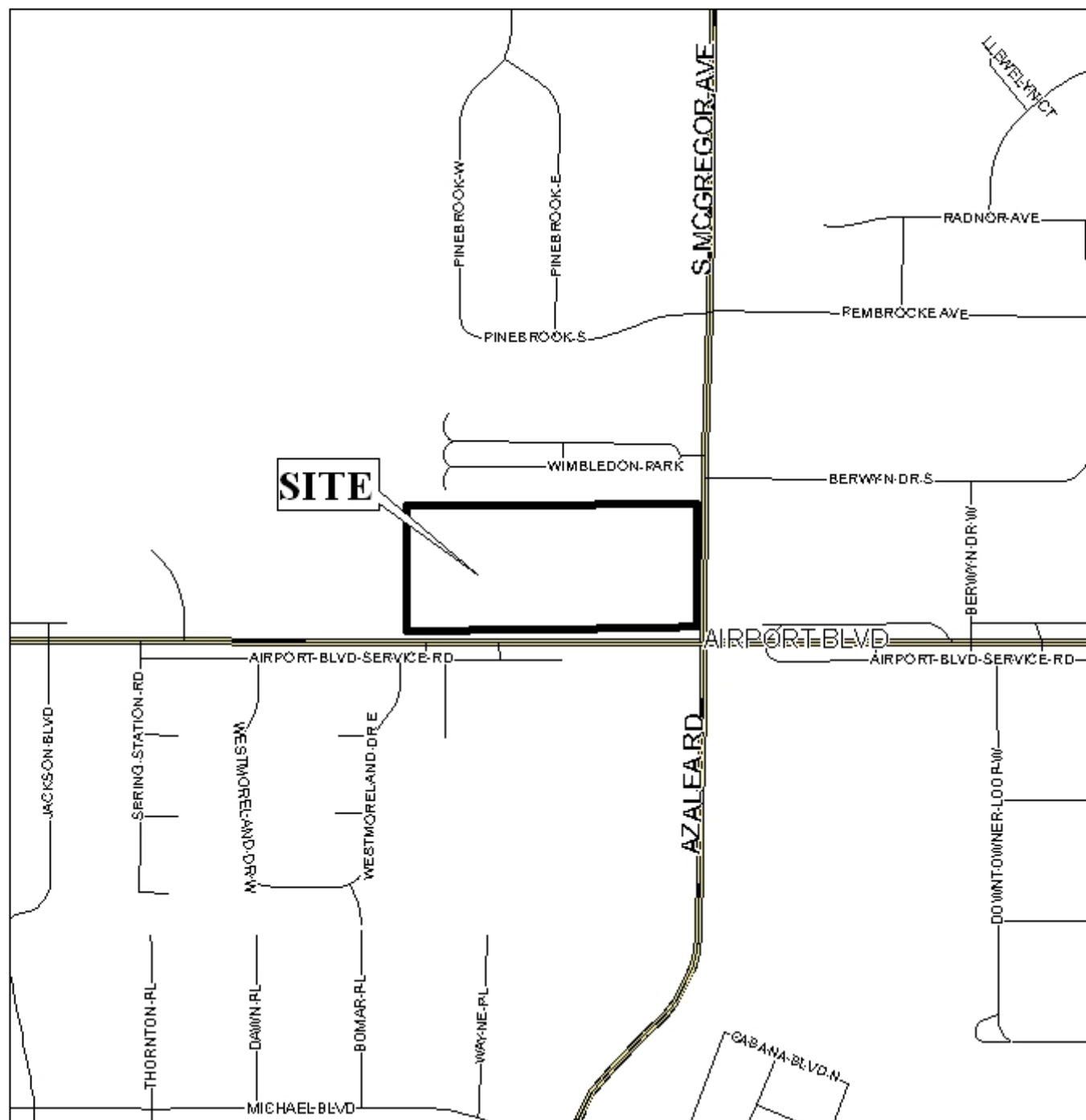
The City has plans to widen McGregor Avenue from Airport Boulevard to Dauphin Street within the next five years, and as such, the provision of a sidewalk by the applicant along McGregor Avenue at this time would likely result in its removal for the widening project. Thus a waiver along McGregor Avenue would seem to be a reasonable request.

As for the sidewalk waiver request along Airport Boulevard, since the Planning Commission has already required the provision of a sidewalk in front of the Regions Bank, and as the City is vacating the service road right-of-way for the shopping center to allow additional parking, it would seem that the applicant could accommodate the provision of a sidewalk along Airport Boulevard as part of its redevelopment scheme. Furthermore, as a new signalized intersection is proposed, and as one of the new major tenants proposed for the shopping center will be a major draw, the provision of a sidewalk along Airport would likely benefit the shopping center. Finally, it would seem logical that providing a sidewalk along a major thoroughfare such as Airport Boulevard would make more sense than encouraging pedestrians to walk in the street due to a lack of sidewalk facilities: a sidewalk along Airport Boulevard is being required of the new Publix grocery store located to the West, thus it would seem reasonable and logical to require the same for the shopping center at hand due to the nature and scope of site improvements.

RECOMMENDATION

Based upon the preceding, the waiver of the sidewalk along McGregor Avenue is recommended for Approval, while the waiver of the sidewalk along Airport Boulevard is recommended for Denial.

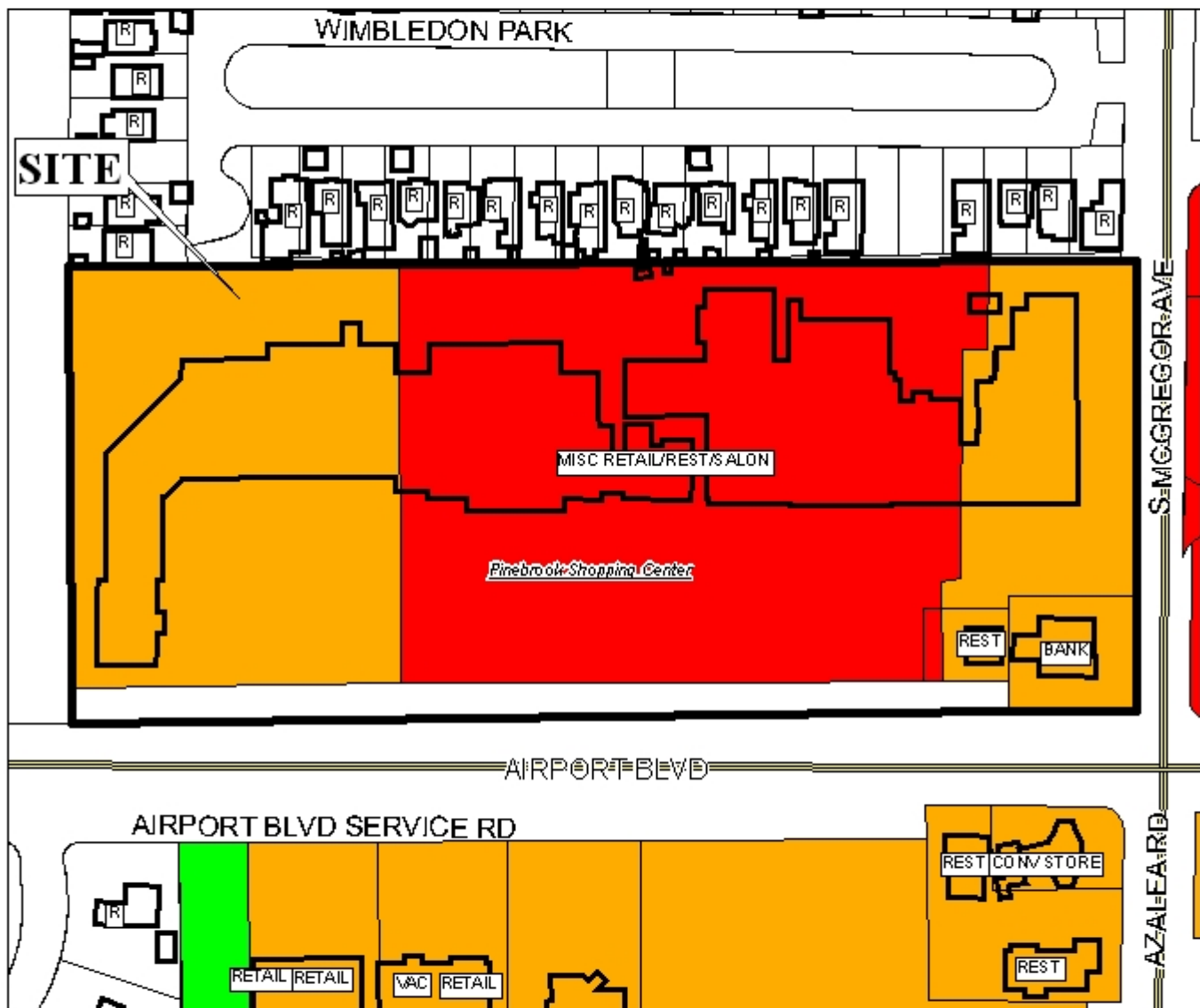
LOCATOR MAP



APPLICATION NUMBER 16 DATE June 6, 2013
APPLICANT Pinebrook Investments, LLC
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N
NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



Residential land use is located to the north of the site.
Business land use is located to the east and south of the site.

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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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NTS

PLANNING COMMISSION VICINITY MAP - EXISTING ZONING

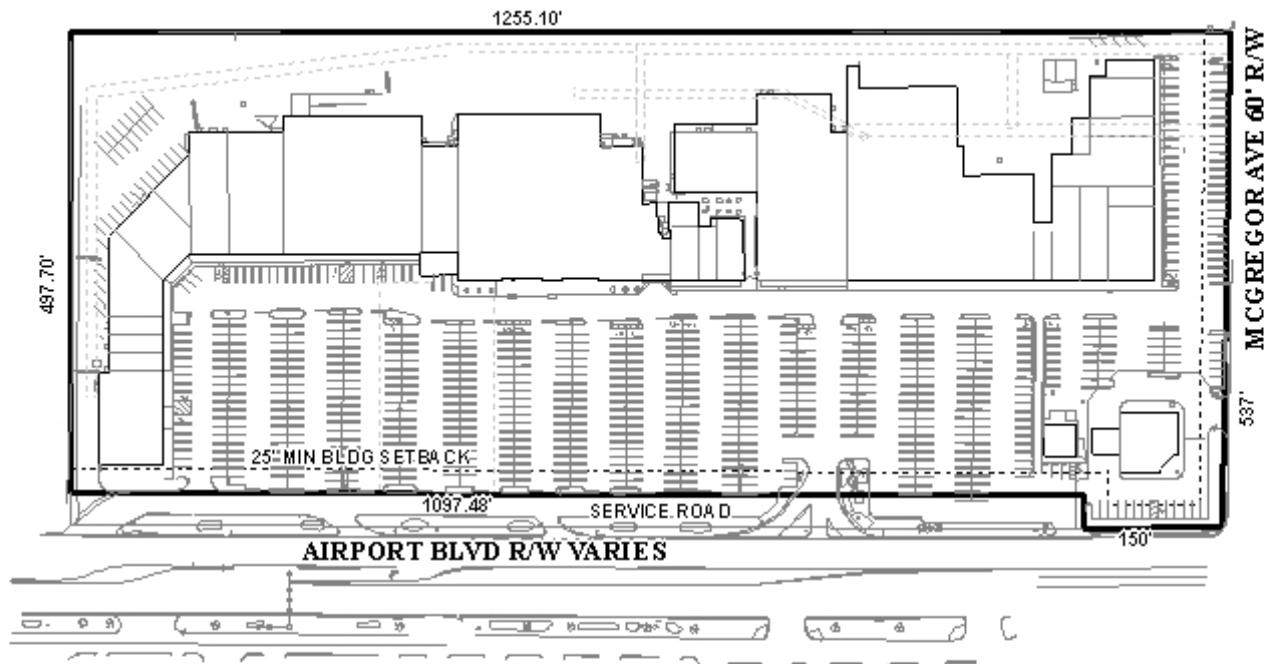


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SITE PLAN

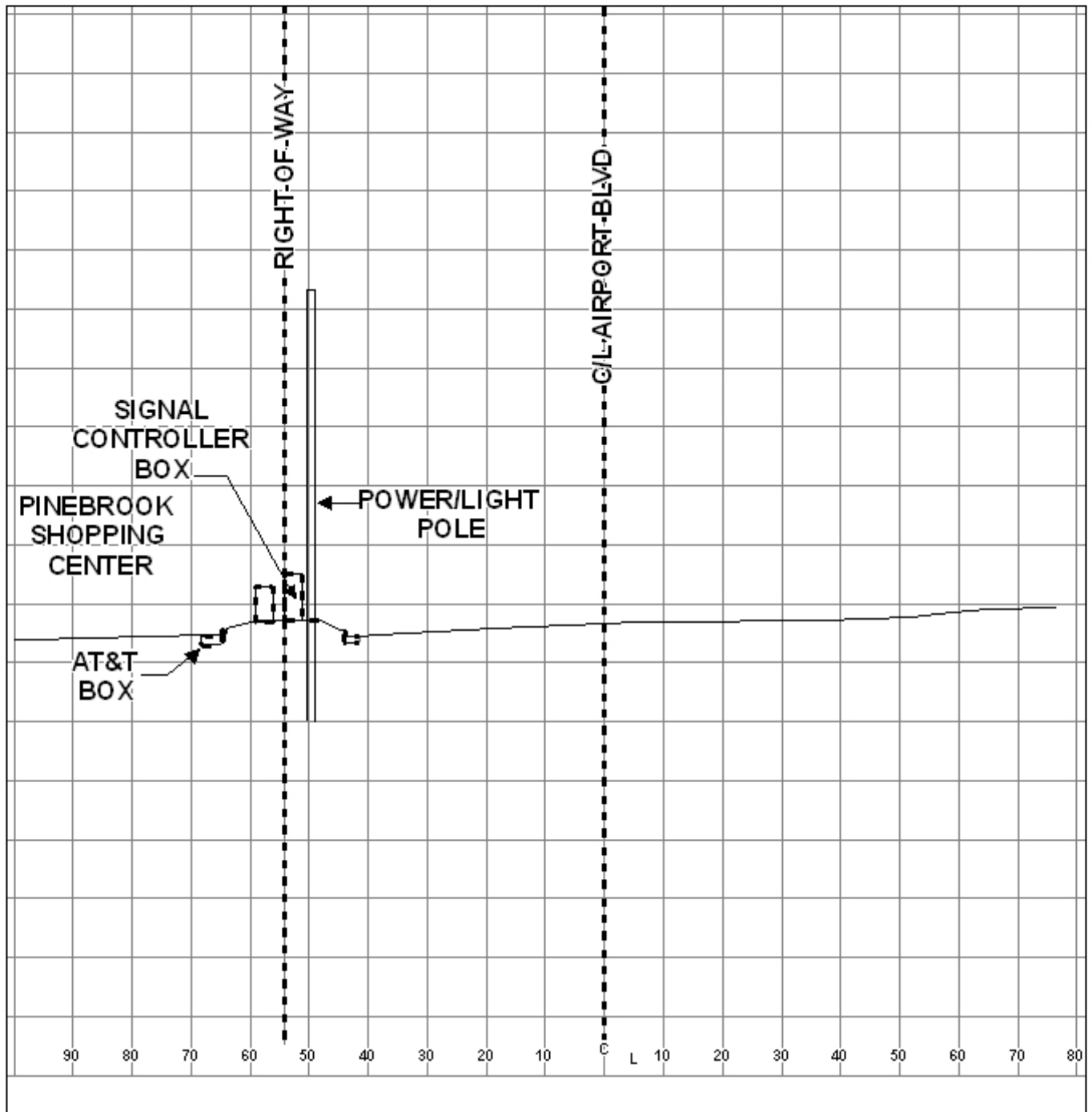


The site plan illustrates the existing shopping center.

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SIDEWALK CROSS SECTION DETAIL



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