

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: September 18, 2008****NAME**

Center Pointe Assembly of God

LOCATION1375 West I-65 Service Road North
(West side of West I-65 Service Road North, 232'± North
of Desirrah Drive South).**PRESENT ZONING**

B-3, Community Business District

**ENGINEERING
COMMENTS**Recommend approval of sidewalk waiver due to drainage
conflicts.**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 the waiver of the construction
of sidewalk along West I-65 Service Road North. It should be noted that the applicant is
requesting the waiver for the northern portion of the site as illustrated on the Vicinity Map.

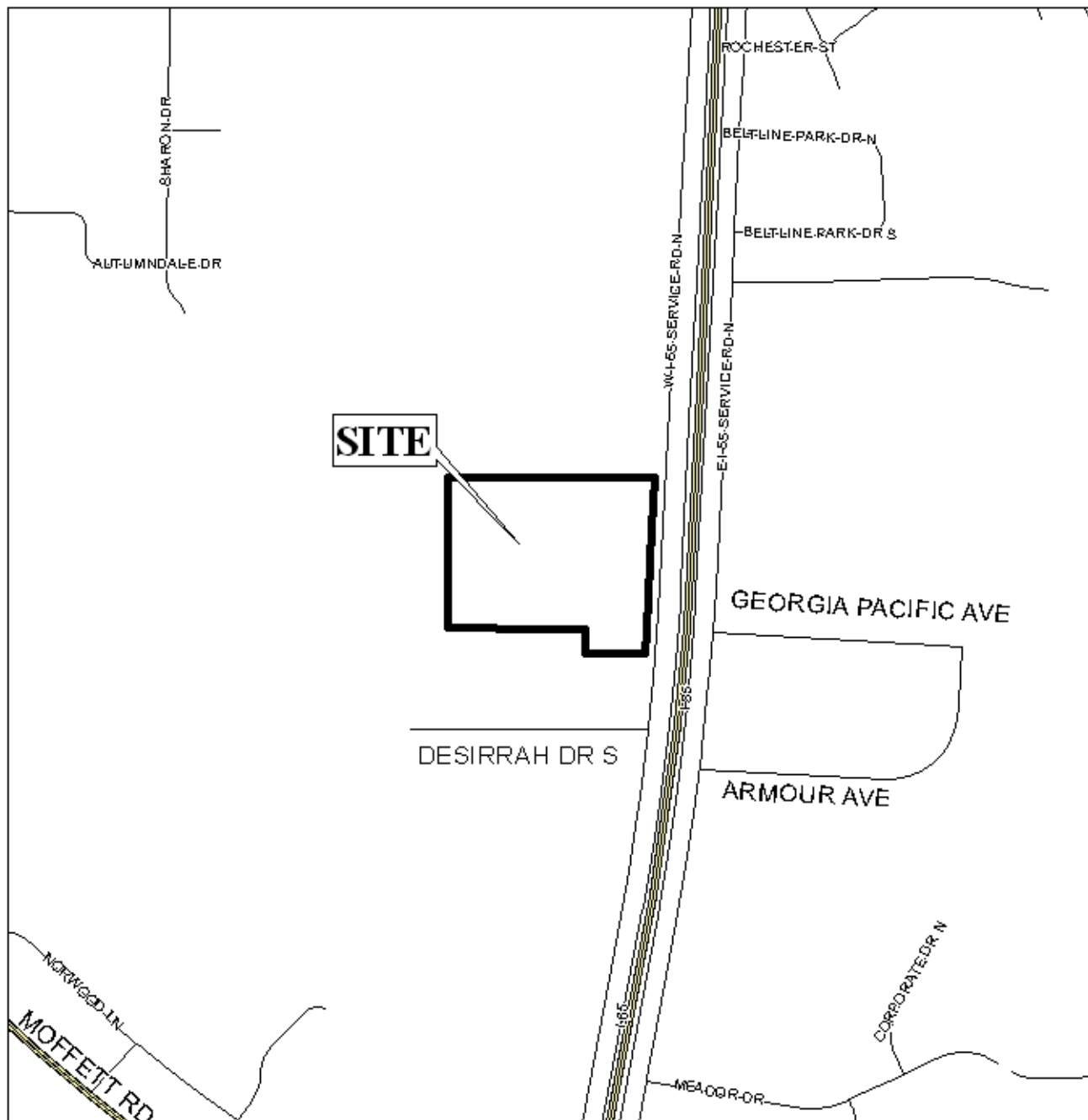
The applicant states that due to the location of the site on a major road, within a B-3, Community
Business zoning district and the frontage proposed for the waiver would not be developed until
future phases.

As stated by the Engineering Department a sidewalk is not constructible at this location due to
drainage conflicts.

While West I-65 Service Road North is a major street and is zoned B-3, are not justification for a
sidewalk waiver, it has been the policy of the Commission to approve sidewalk waivers only in
cases where there was an engineering reason or physical barrier that made installation of the
sidewalk impracticable.

RECOMMENDATIONBased upon the preceding, this application for waiver of the
sidewalk along West I-65 Service Road North is recommended for approval.

LOCATOR MAP



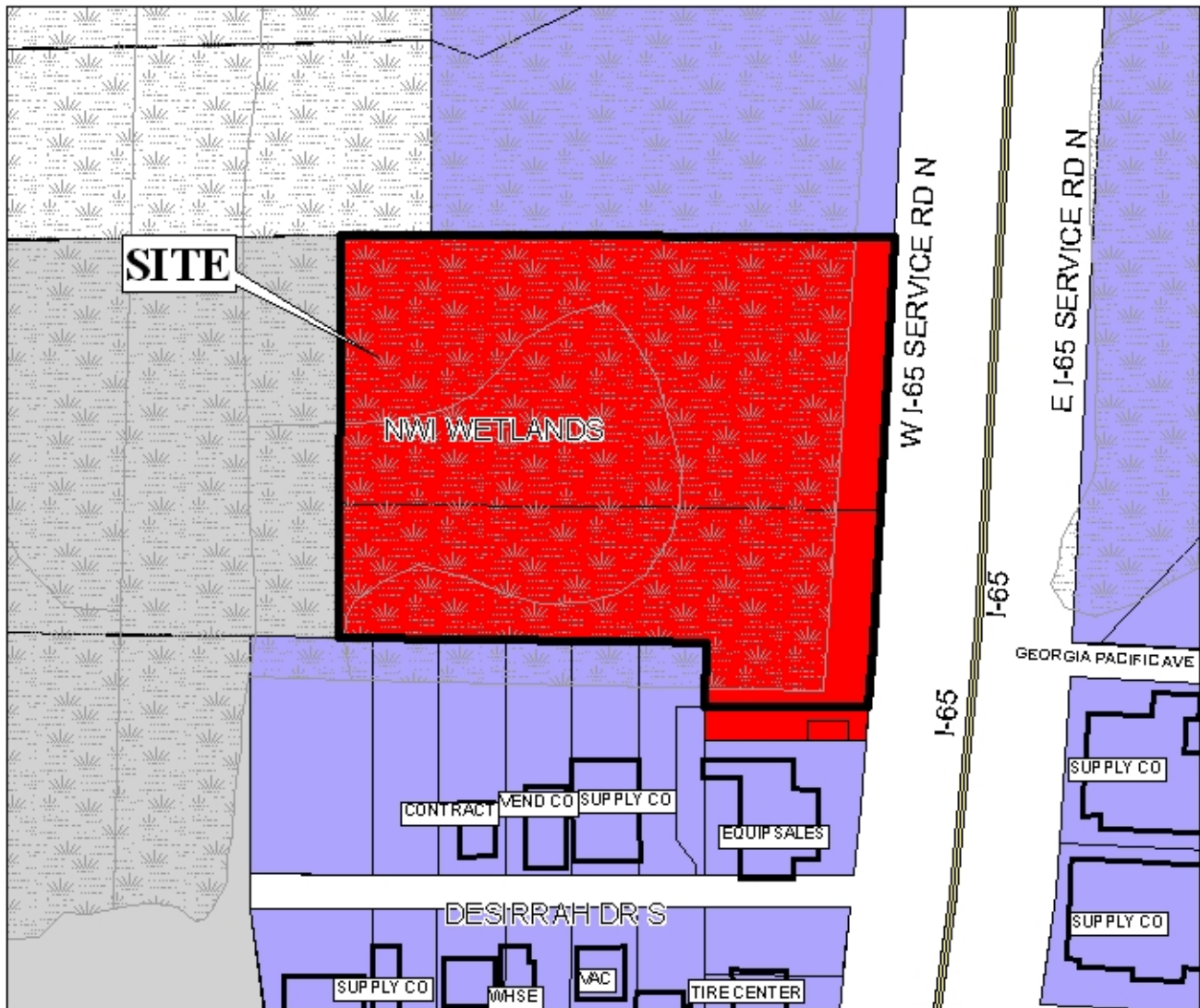
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by commercial and industrial land use

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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	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



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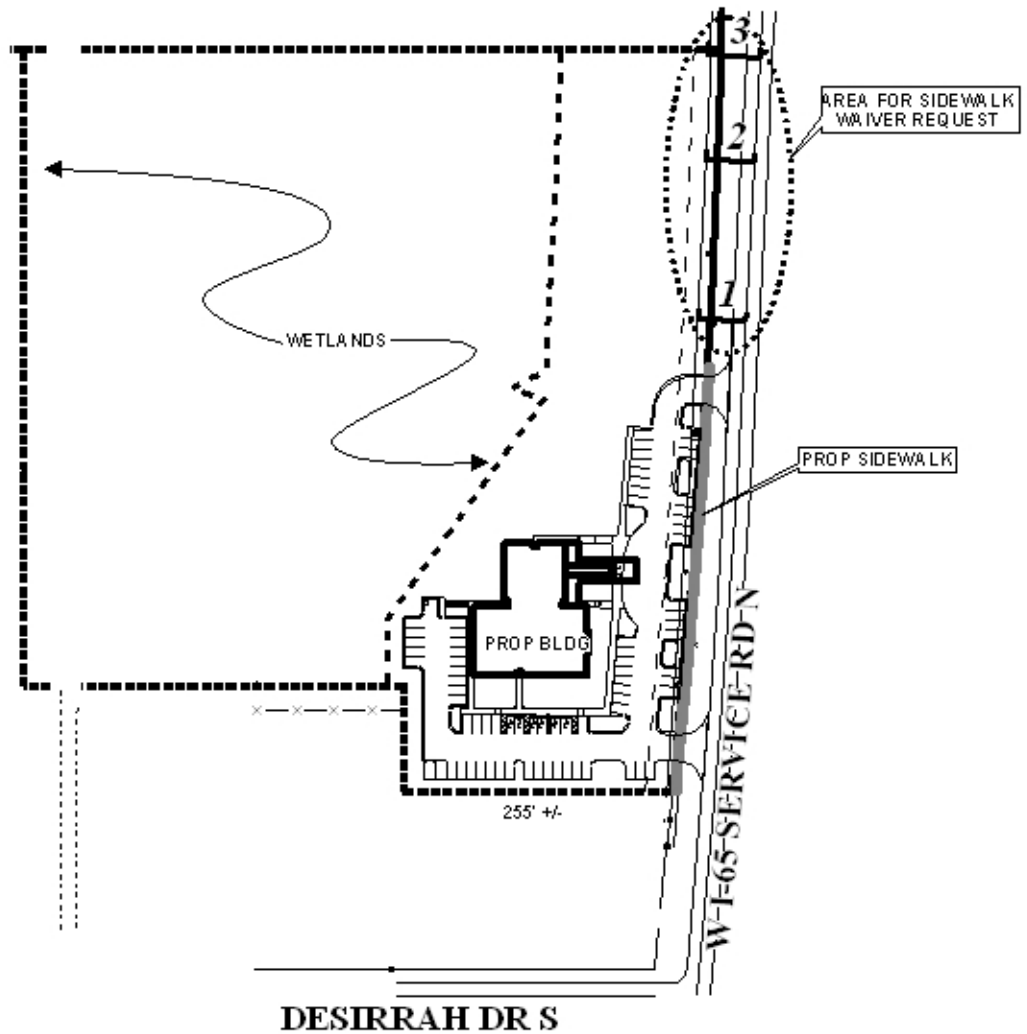
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NTS

SITE PLAN



The site plan illustrates the proposed sidewalk and sidewalk waiver request area.

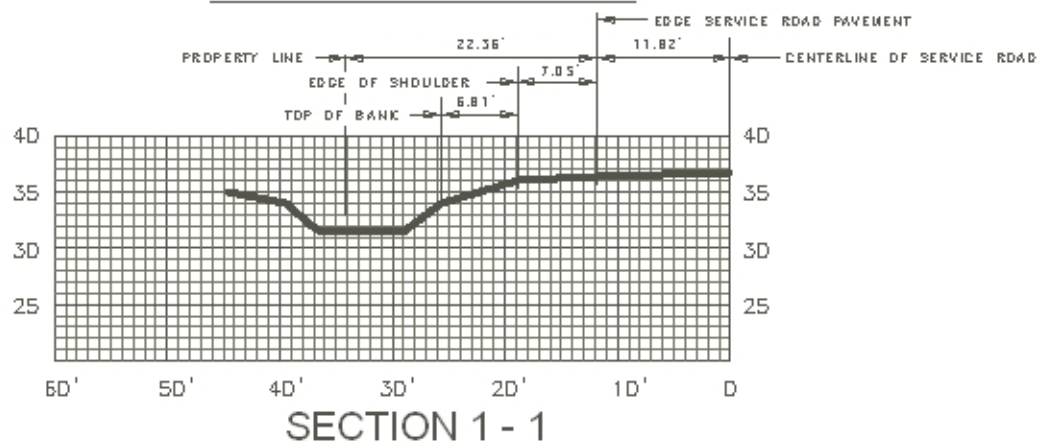
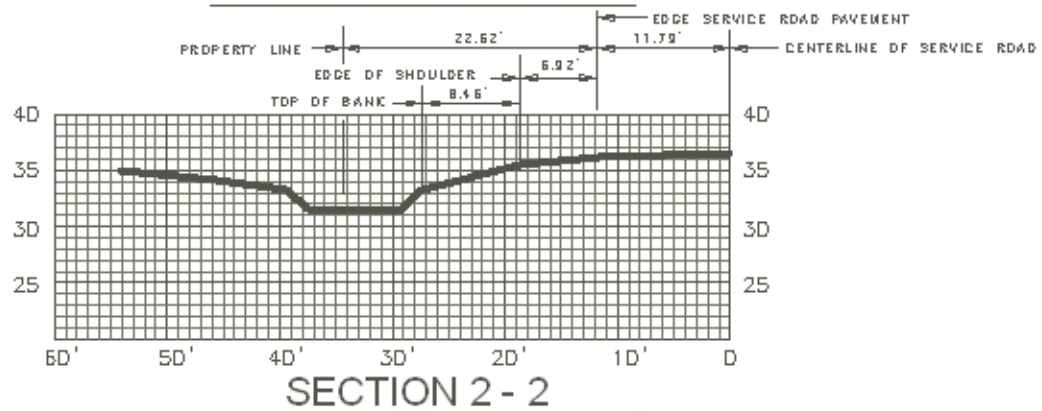
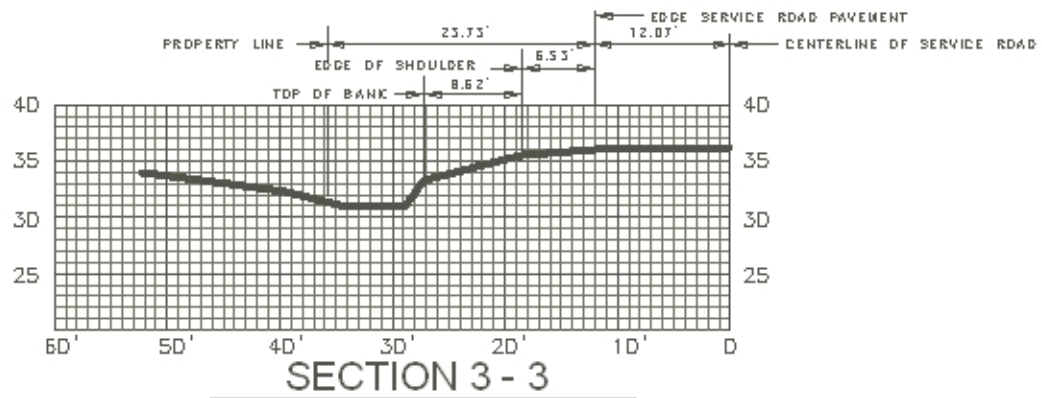
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SIDEWALK CROSS SECTION DETAIL



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