

**SIDEWALK WAIVER REQUEST STAFF REPORT****Date: July 16, 2009****NAME**

St. Luke's Episcopal Upper School

**LOCATION**1400 South University Boulevard  
(South side of University Boulevard, 490'± East of Grelot Road)**PRESENT ZONING**

B-1, Buffer Business

**ENGINEERING****COMMENTS**

A city standard sidewalk cannot be constructed within the City ROW. However, construction of city standard sidewalk is possible if constructed just off of the ROW which would require a sidewalk easement.

**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 of the sidewalk construction requirements along South University Boulevard. The applicant is requesting a sidewalk waiver because of the severe slope within the property line and the edge of pavement.

With regard to the applicant's request, the non-existence of other sidewalks on the adjacent properties does not negate the fact that a sidewalk is required by the Subdivision Regulations. Furthermore, when vacant properties in the area are developed sidewalks are required as well as when existing developments are expanded or redeveloped (especially via Planned Unit Development and/or Planning Approval).

While South University Boulevard at this location does present difficulties for the applicant as mentioned in engineering comments, due to the recently approved Planned Unit Development and Planning Approval to allow a minor addition to St. Luke's Episcopal Upper School it could be considered prudent to require the sidewalk when future approvals by the Commission for expansion of the school would require that the sidewalk are considered. It should be noted that the Commission denied a sidewalk waiver several years ago.

The applicant has submitted a profile and cross-section illustrating a 3:1 slope within the area of sidewalk construction.

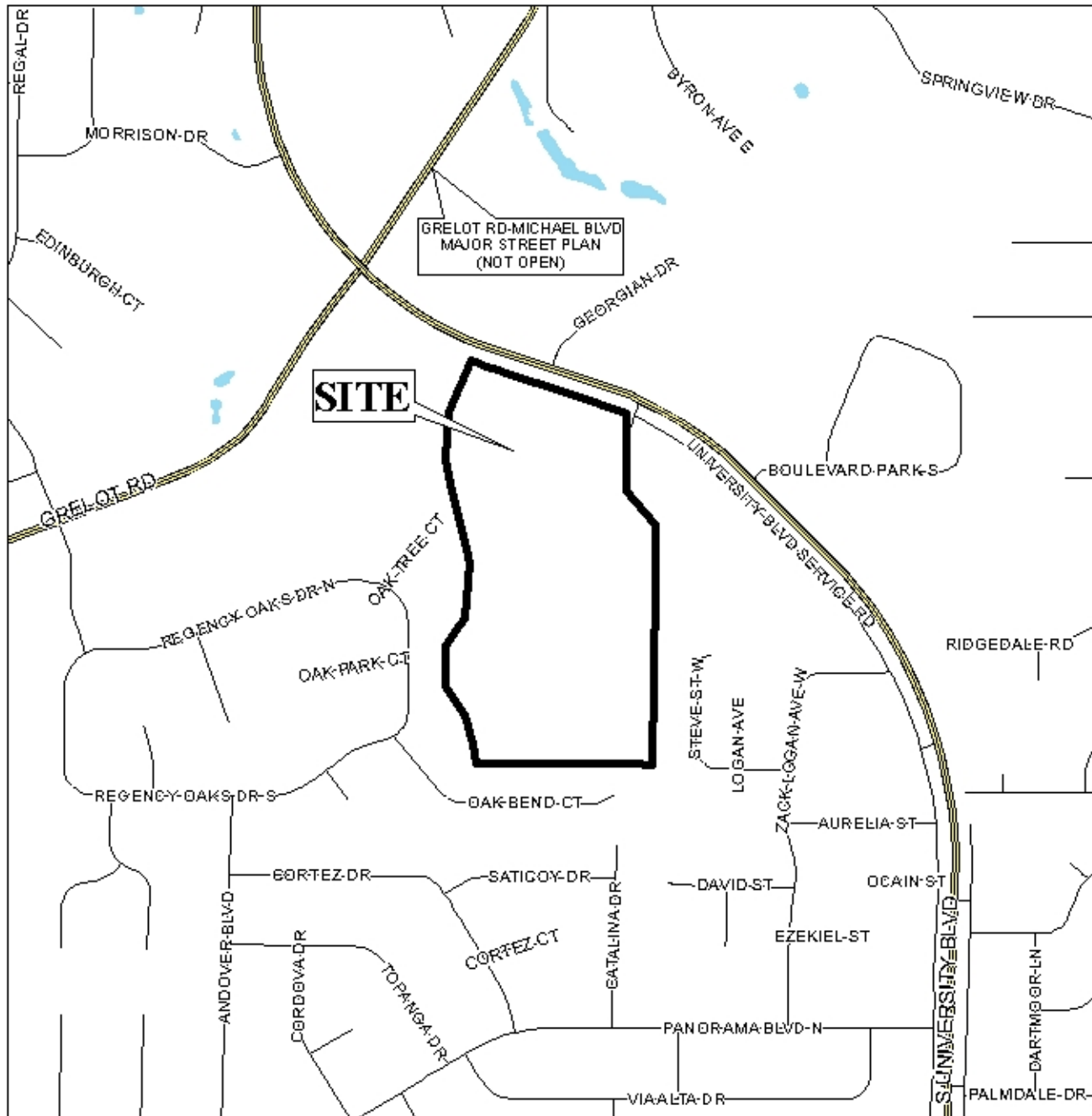
Comments from City Engineering does not indicate that the sidewalk waiver should be approved along this section of South University Boulevard, but could be constructed on private property with the proper easements; however, Urban Development recommends that the waiver be temporarily approved to allow the previously approved PUD and Planning Approval to go forward.

**RECOMMENDATION**

Based on the preceding, it is recommended that this sidewalk waiver request be temporarily approved with the following condition:

- 1) that construction of the sidewalk be required as a condition of future Planned Unit Development/Planning Approvals for the site.

## LOCATOR MAP



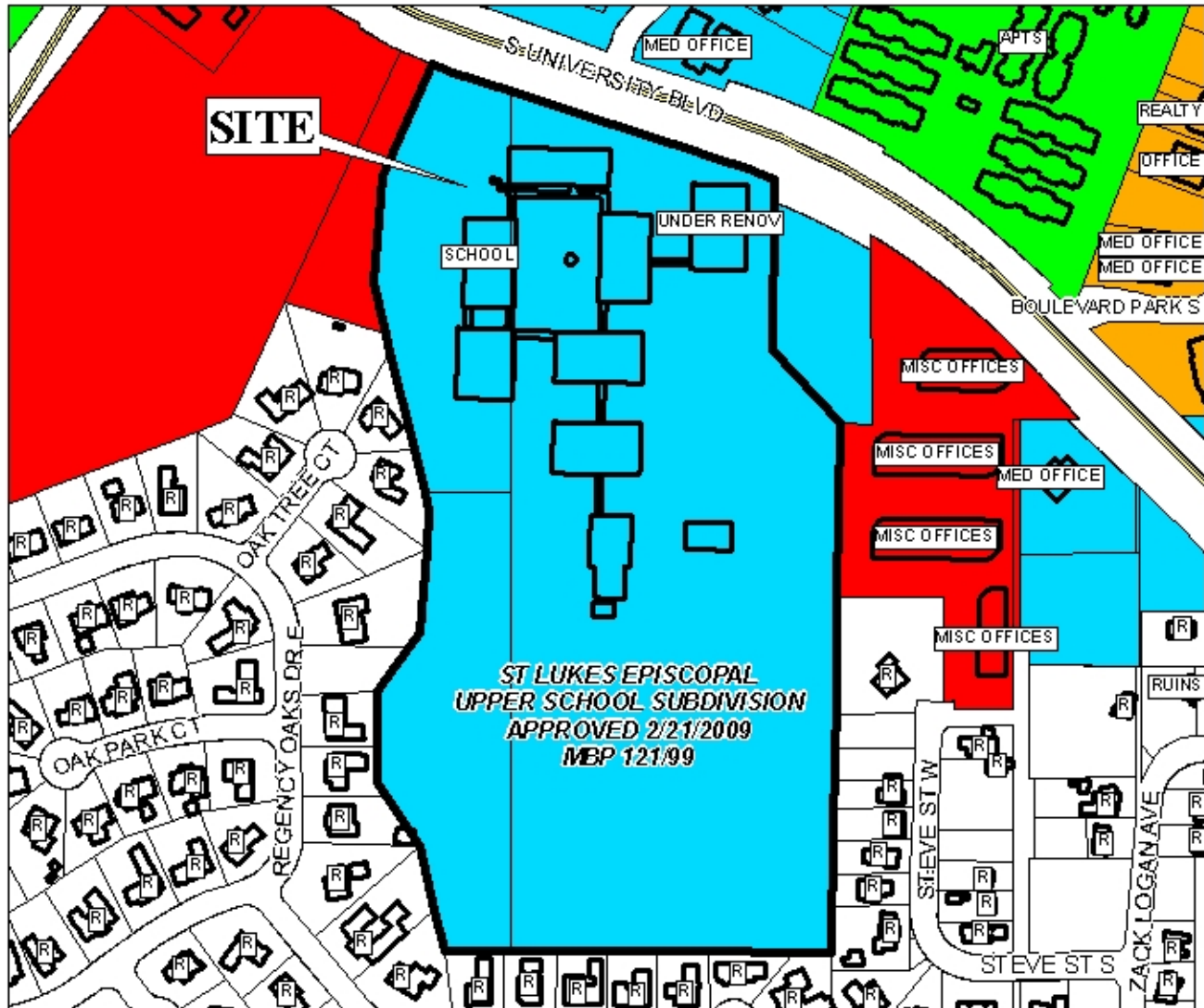
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REQUEST Sidewalk Waiver



# PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

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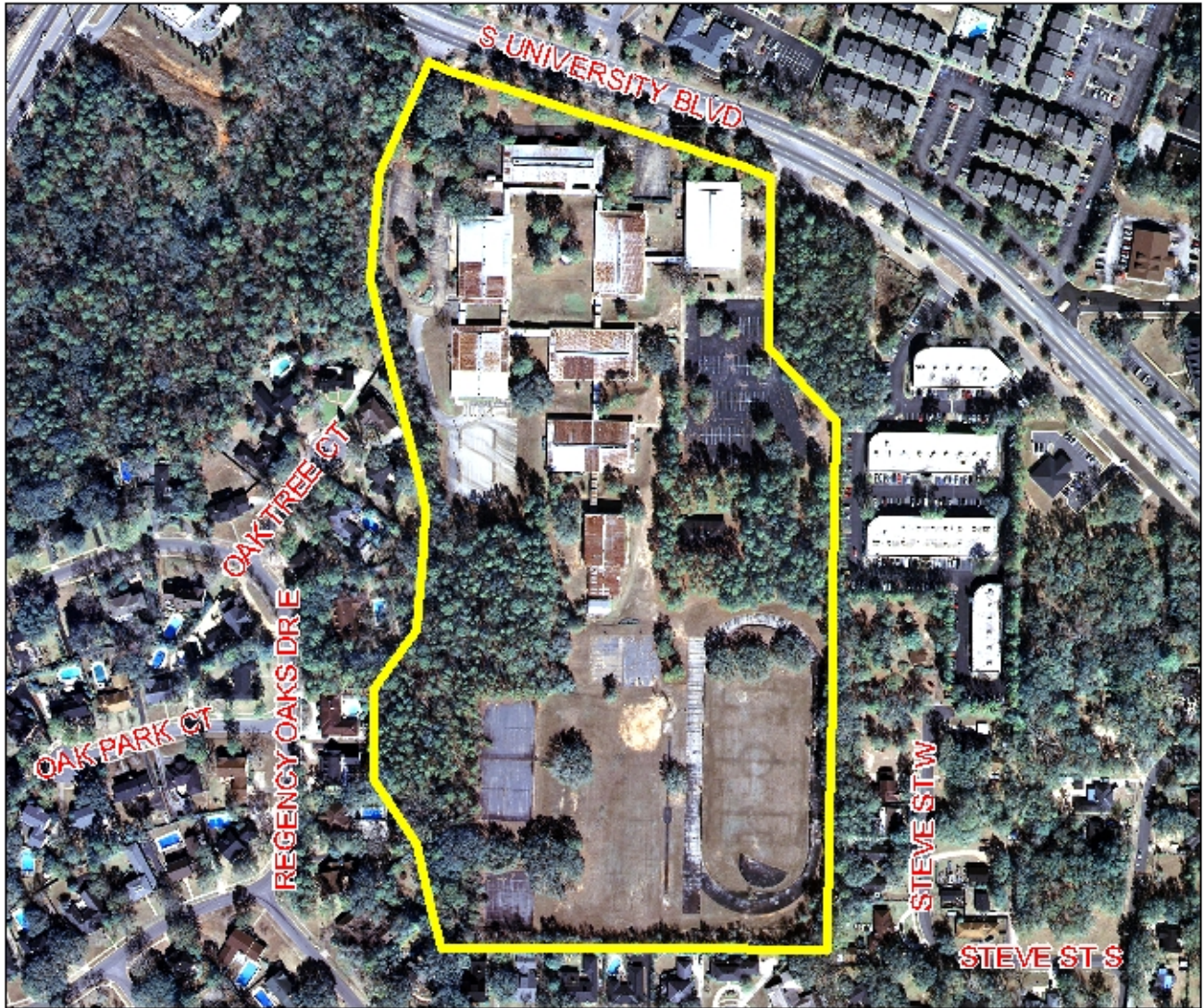
LEGEND 

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

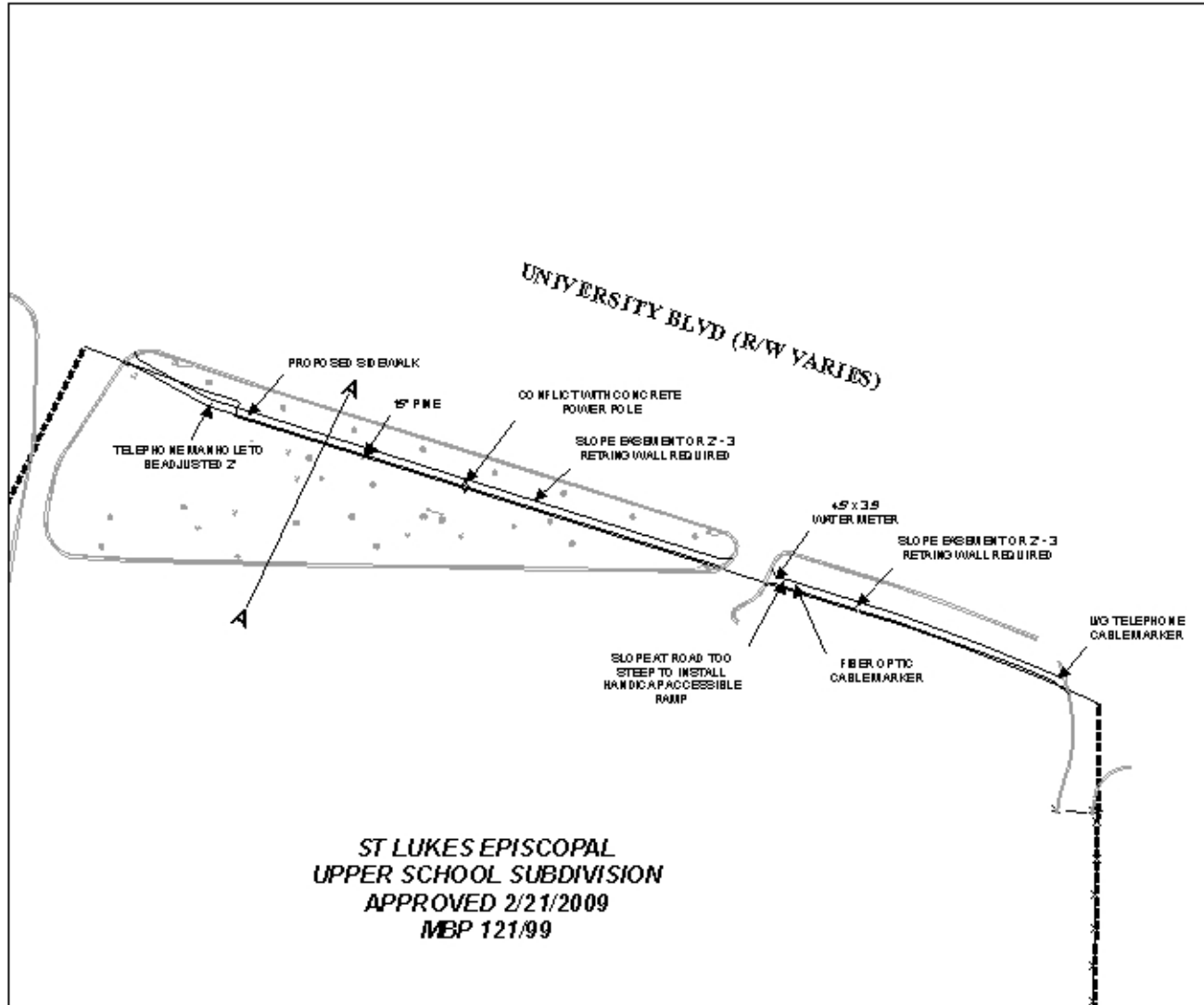


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N  
NTS

# SITE PLAN

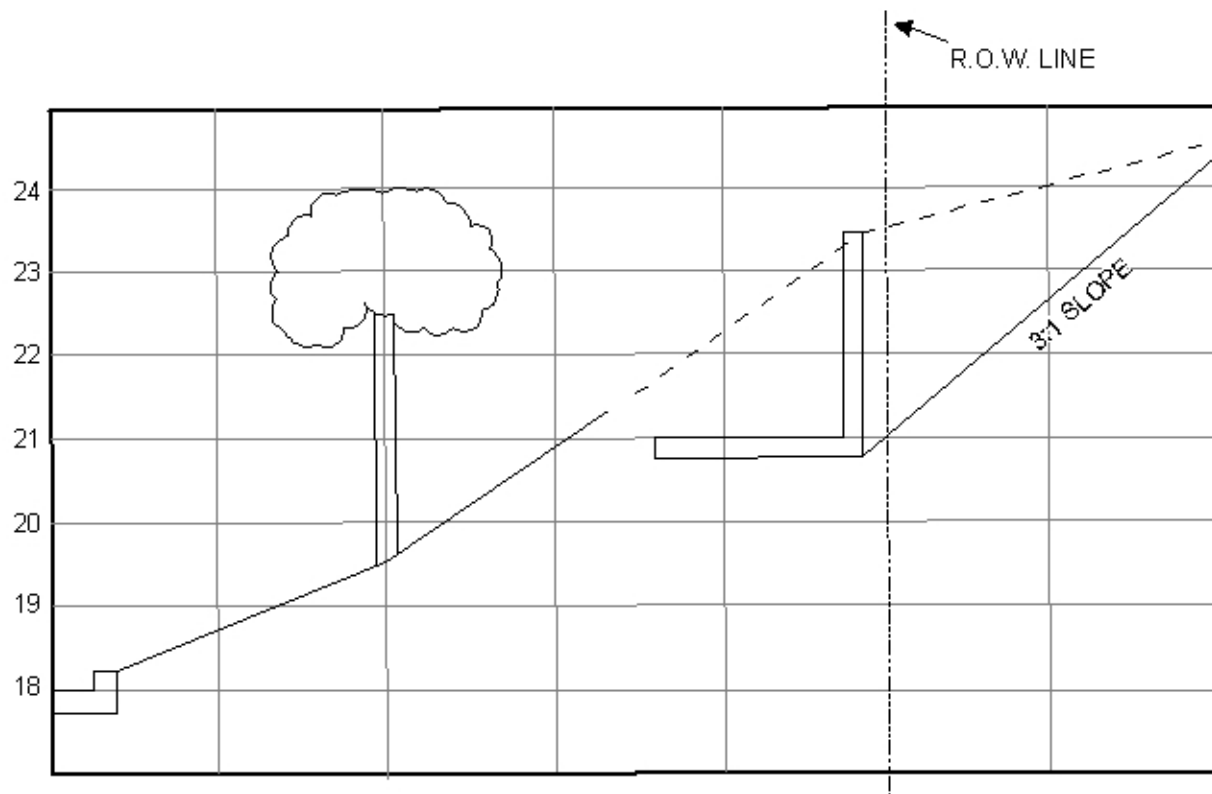


This site plan illustrates the proposed sidewalk along University Boulevard.  
See detail site plan for cross section of "A".

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N  
  
 NTS

## DETAIL SITE PLAN



### SECTION A

NOTE: THERE IS A TELEPHONE CABLE ALONG THIS PROPERTY. IT MAY NEED TO BE LOWERED BECAUSE NEW SIDEWALK WILL BE 2' - 3' BELOW EXISTING GRADE.

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N  
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NTS