

**SIDEWALK WAIVER REQUEST
STAFF REPORT****Date: November 15, 2007****NAME**

Nazaree Full Gospel Church

LOCATION

Southwest corner of West I-65 Service Road North and First Avenue (unopened public right-of-way)

PRESENT ZONING

B-3, Community Business District

ENGINEERING**COMMENTS**

Based on information submitted by the applicant, due to the existing drainage ditch, City standard sidewalk is not constructible at this location.

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 West I-65 Service Road North.

The sidewalk waiver site is adjacent to the proposed school associated with the Nazaree Full Gospel Church, located just North of the site. The school received Planning Approval at the November 1, 2007 meeting of the Planning Commission.

West I-65 Service Road North has a two lane cross-section at this location. Aerial photographs and information provided by the applicant clearly show that there is an open ditch along the West side of the service road, making construction of a City-standard sidewalk difficult.

There are no residential developments located along the service road that would generate pedestrian traffic to or from the school, and it appears that there are no sidewalks at all along the service road to the North, or within approximately 2000 feet South of the site.

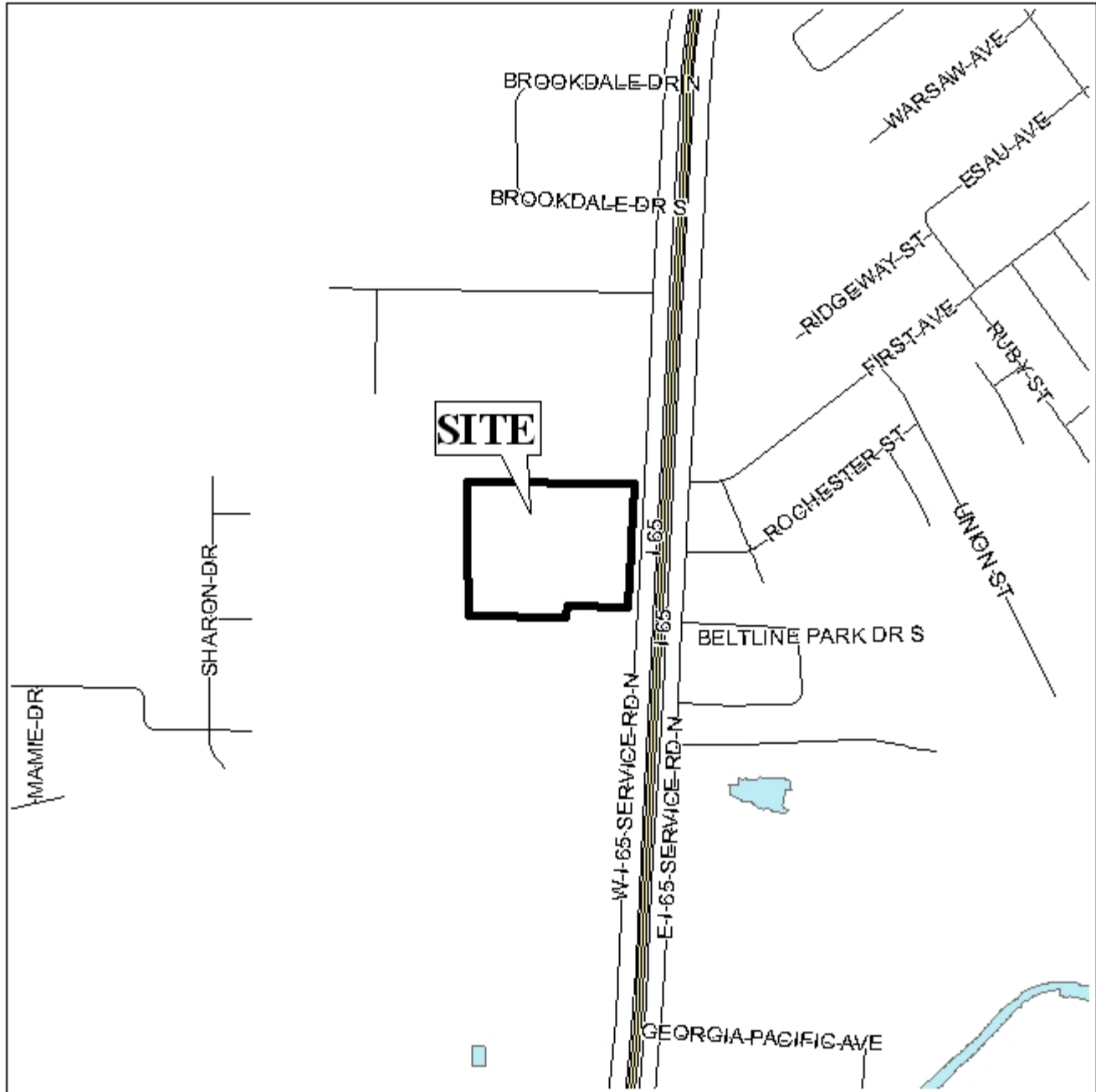
It should be pointed out that the most likely generator of pedestrian traffic to and from the proposed school will, in fact, be the associated church North of the site. As no sidewalk will be connecting the two sites, and as an unopened public right-of-way exists between the sites, direct connection between the two sites will not be possible until the public right-of-way is improved. Staff would prefer a sidewalk linking the Church to the school, but it appears that a variety of obstacles, both topographic and ownership-related, will preclude such a connection.

The applicant states that *"There are no sidewalks along the service on the adjacent properties so the owner feels it is not necessary to have them for this project. Children will not be walking to/from school."*

RECOMMENDATION

Based 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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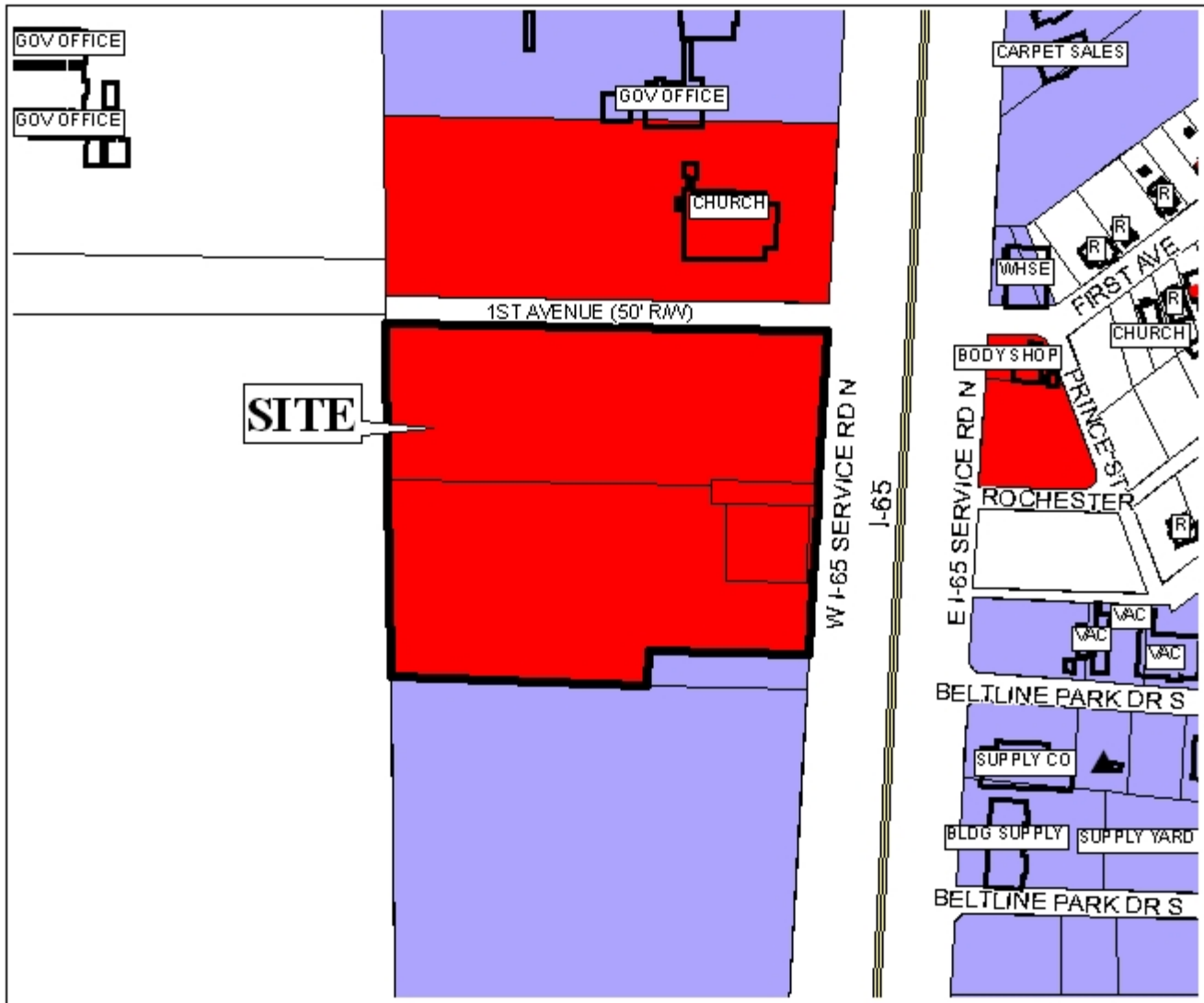
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



This site is surrounded by miscellaneous land use.

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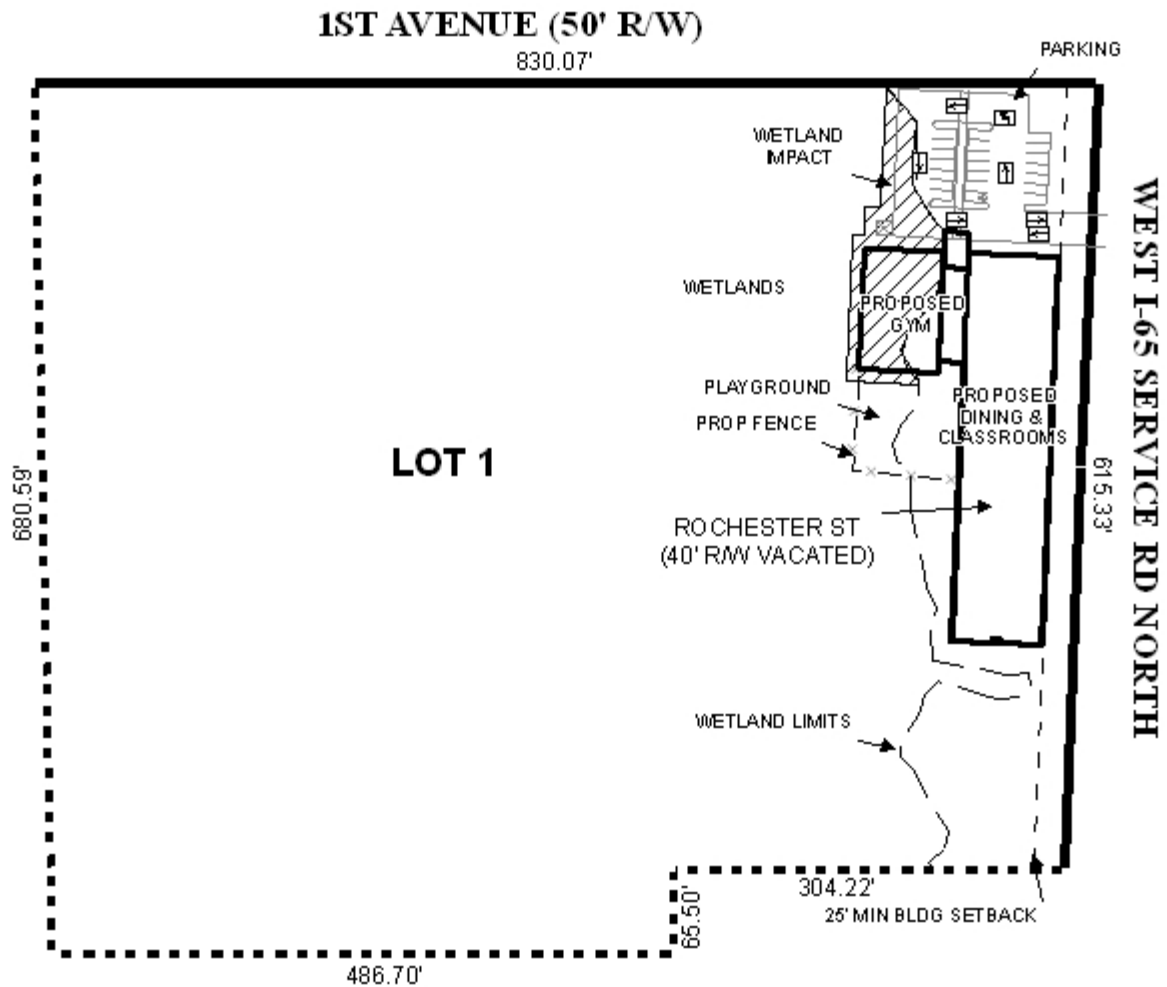
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LEGEND

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	NTS
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SITE PLAN



This site illustrates proposed structures and lots.

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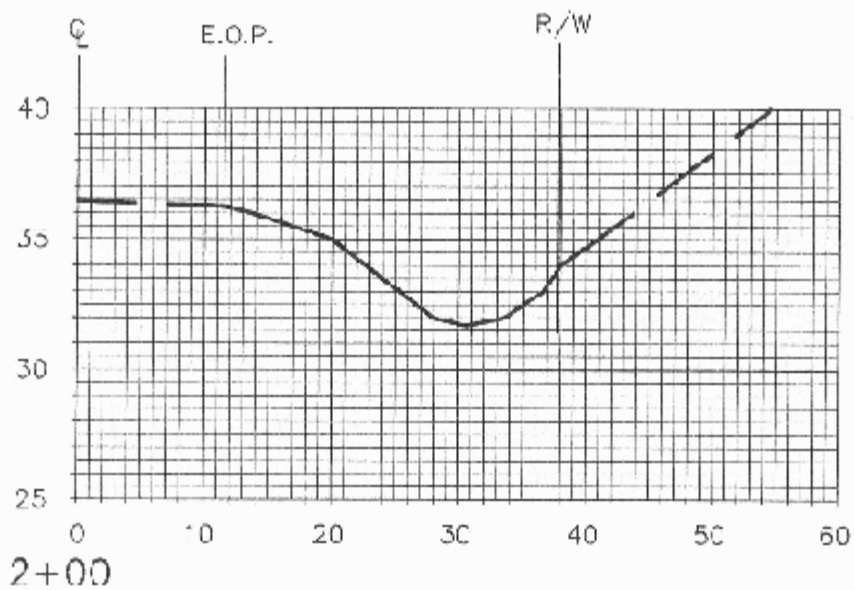
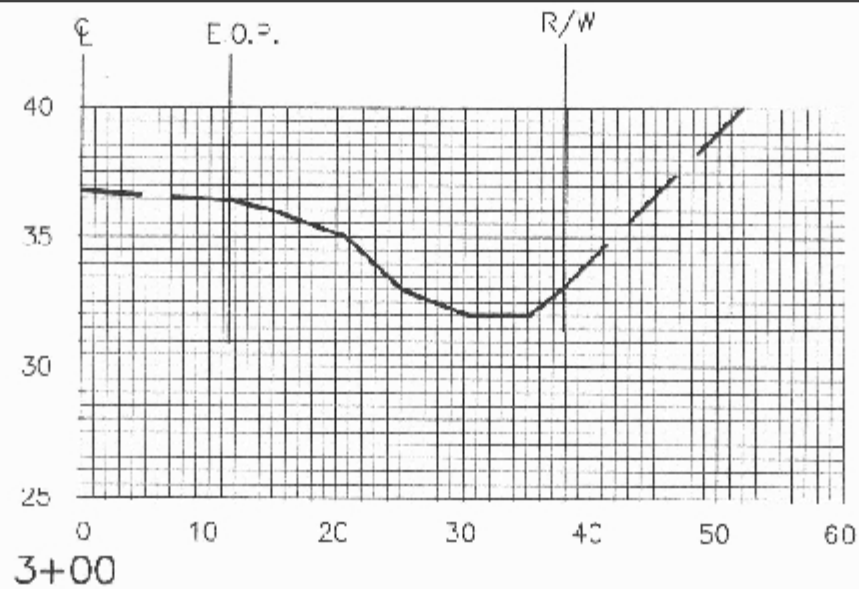
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SIDEWALK ELEVATION DETAIL #1



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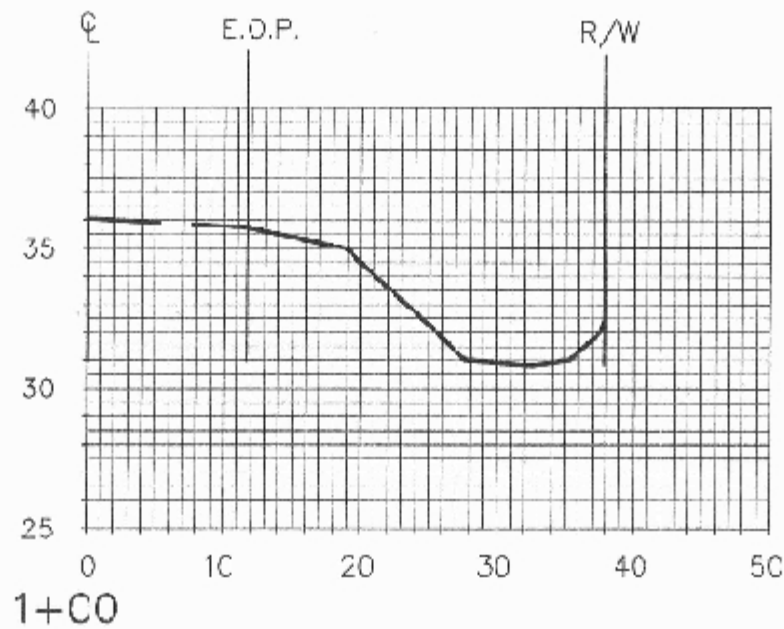
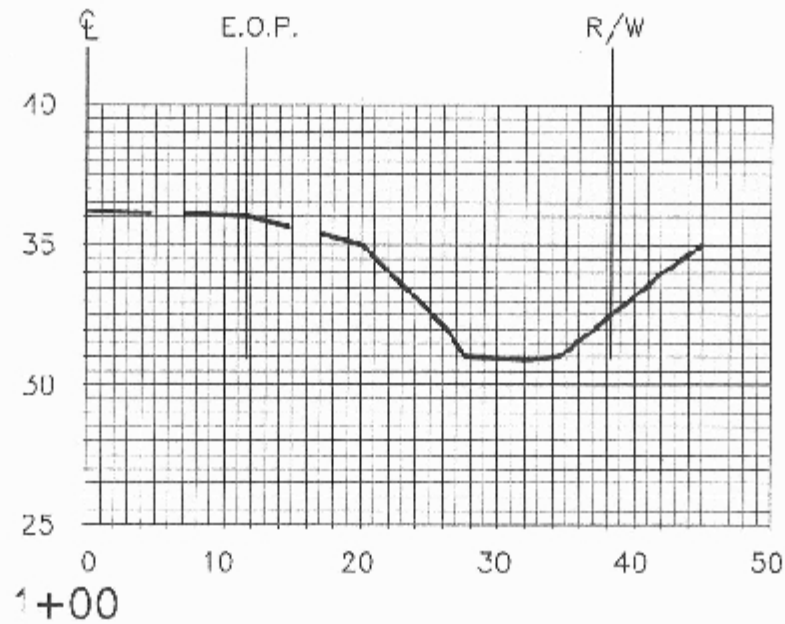
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SIDEWALK ELEVATION DETAIL #2



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