



SIDEWALK WAIVER REQUEST Island Village Montessori School

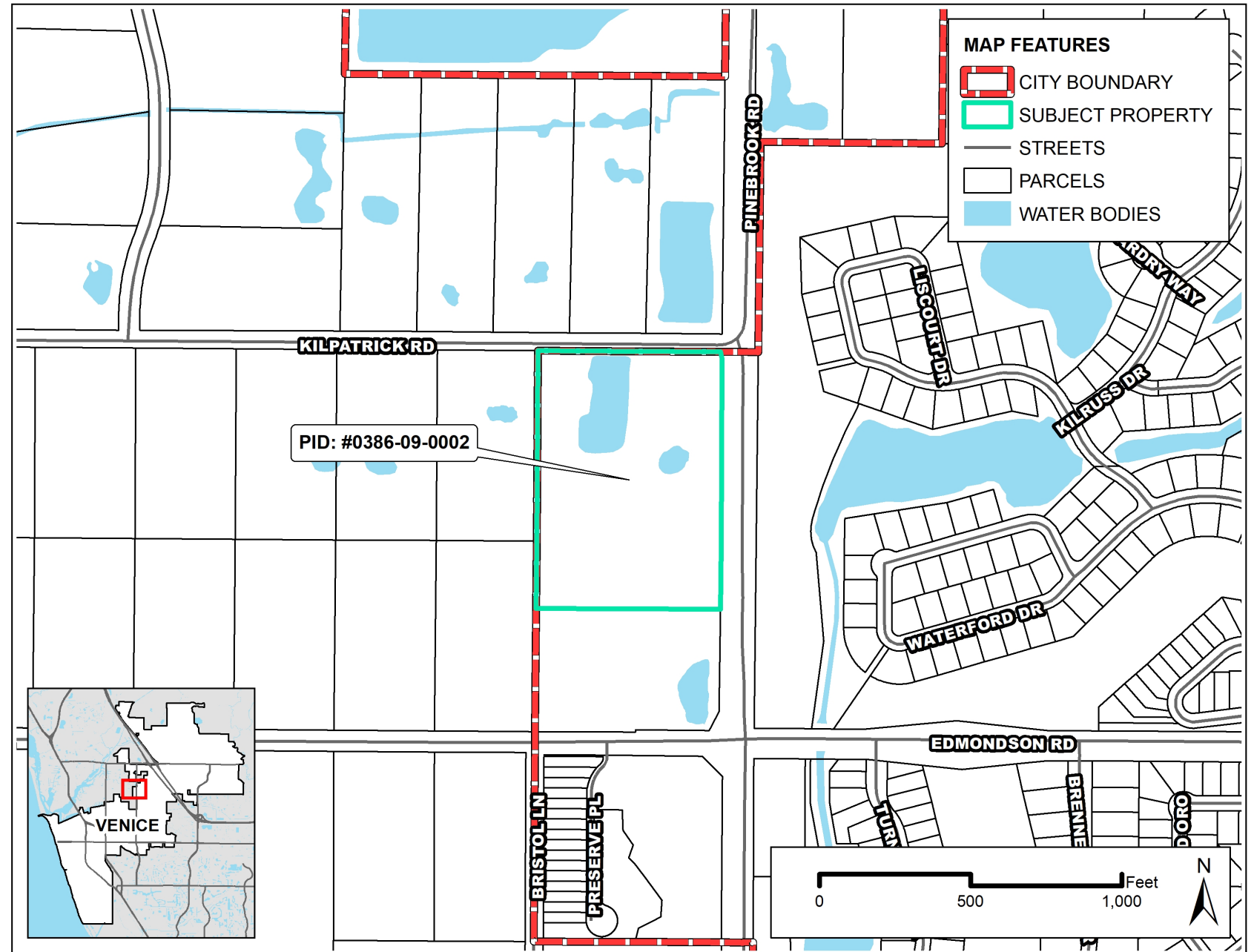
Agent: Gregg Fisher, Fisher
Engineering

Owner: Island Village Montessori
Charter School

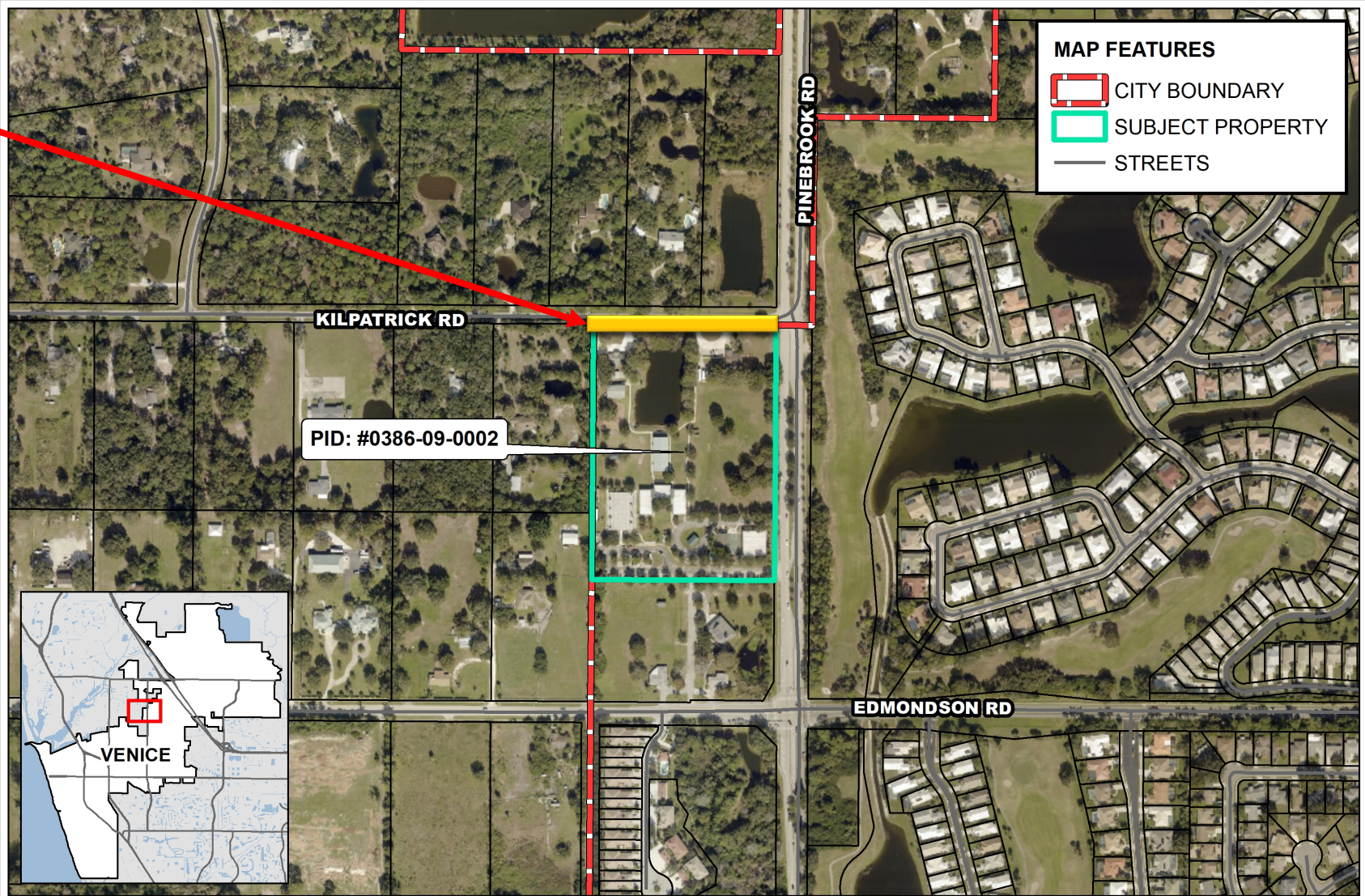
GENERAL INFORMATION

Associated Petition Number:	20-55SP
Address:	2001 Pinebrook Rd.
Request:	A sidewalk waiver along the southern portion of Kilpatrick Road.
Owners:	Island Village Montessori Charter School
Agent:	Gregg Fisher, Fisher Engineering
Parcel IDs:	0386090002
Property Size:	12.054 acres
Future Land Use:	Low Density Residential
Zoning:	Residential Single Family (RSF-3)
Comprehensive Plan Neighborhood:	Pinebrook Neighborhood
Application Received:	October 20, 2020

Location Map



Subject
Sidewalk

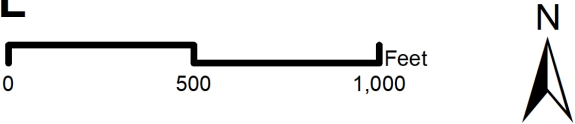


Aerial Map



ISLAND VILLAGE MONTESSORI SCHOOL

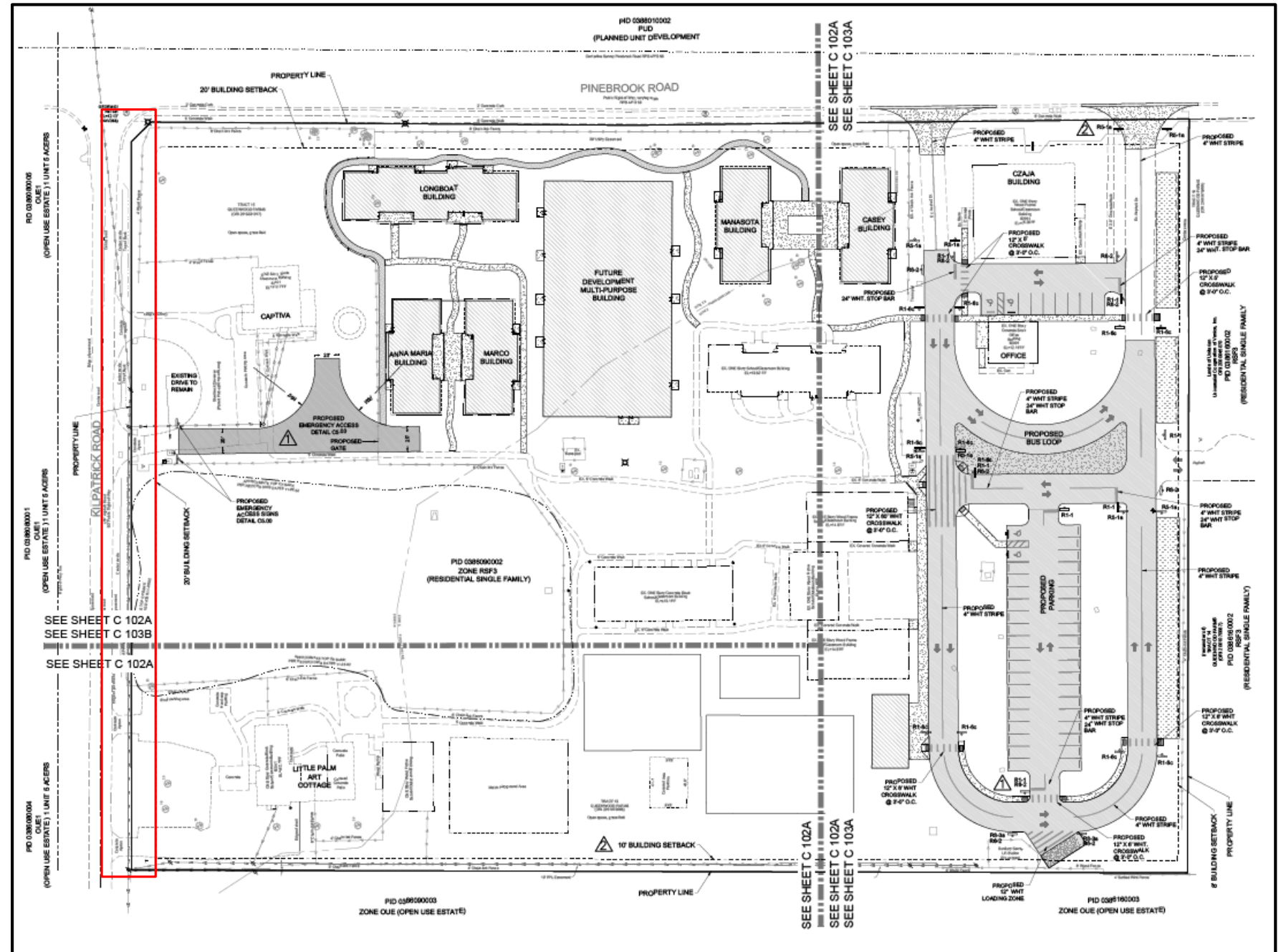
SUBJECT PROPERTY AERIAL
PLANNING AND ZONING DIVISION



Sidewalk Waiver

- Pursuant to Sec. 86-520(c) the applicant is requesting a waiver of the sidewalk requirements along Kilpatrick Road.

Site Plan



Existing Conditions

Site Photos, Zoning & Future Land Use, Surrounding Uses



Pinebrook Rd. looking north at the school's south vehicular exit.



Looking east along Kilpatrick Rd. at the Pinebrook Rd. intersection.



Looking south along Pinebrook Rd. at the Kilpatrick Rd. intersection.



South side of Kilpatrick Rd. looking east towards Pinebrook Rd.

Sidewalk Waiver Request

City of Venice Land Development Code Section 86-520 (a-c)

Per **Section 86-520 (a-c)** sidewalks shall be required improvements constructed on the behalf of the applicant as per the following:

(a) Sidewalks shall be required improvements along the following types of streets in connection with the construction of any new building or as a required condition to the approval of any site and development plan. The following sidewalk provisions shall apply in all zoning districts, except that no sidewalk shall be required for construction of single-family residences on existing platted lots or along local streets in the ILW industrial, light and warehousing district:

- *(1)**Responsibility for construction; specifications.** Sidewalks shall be installed by the developer or at the developer's expense along all property abutting arterial, collector and local streets. The sidewalks shall be constructed in accordance with the city standard details and shall be at least five feet in width. Sidewalks shall be installed prior to the issuance of a certificate of occupancy for any adjoining building. If the sidewalks have not been installed, a certificate of occupancy may only be issued if the developer provides a satisfactory cash or surety bond to ensure completion of all remaining sidewalks within two years or at any other time completion is required by the city.*
- *(2)**Alternative proposal.** The developer may, at his discretion, submit an alternative proposal to the requirements of subsection (1) of this section. The proposal shall reflect a sidewalk system along streets and lot line easements which links the property to activities such as school sites, shopping and other pedestrian systems. Final approval of this design alternative shall be with the planning commission.*

If the construction of sidewalks is deemed not feasible the applicant has the option to request one of the following alternatives per Section 86-520 to me reviewed and approved by Planning Commission:

*(b) **Cash deposit in lieu of construction.** Where the planning commission determines that circumstances exist, such as the planned future reconstruction of a street or the existence of a major surface drainage system, which make the immediate construction of an otherwise beneficial or useful sidewalk or portion thereof impractical within a reasonable time after completion of the project, the owner or developer may, in lieu of construction of such sidewalk or portion thereof, deposit with the city a sum of money established by the city council to represent the cost of constructing such sidewalk or portion thereof. All such sidewalk deposits shall be held in a special sidewalk fund which may be used by the city for construction of new sidewalks (but not maintenance of existing sidewalks) at any needed location in the city.*

*(c) **Waiver of sidewalk requirements.** The planning commission may recommend to the city council waiver of the sidewalk requirement when the property owner can demonstrate that the required sidewalk will not be reasonably beneficial or useful because of the location of the subject property and the characteristics of the immediate neighborhood.*

Sidewalk Waiver Request

Pursuant to **Sec. 86-520(c)** the applicant requests a waiver of the sidewalk requirements along Kilpatrick Road.

The applicant provided the following justification for the request:

- *The main access/entry to the school for students, parents, and teachers is located on Pinebrook Road and Edmondson Road where sidewalk connectivity exists. Additional sidewalks are existing and proposed internally providing a sidewalk circulation system to administration buildings and classrooms.*
- *Connectivity from Kilpatrick is discouraged due to safety and security reasons and would counter the purpose of the fenced "no entry" along Kilpatrick Road.*
- *Kilpatrick Road is a substandard road only 18 feet wide from edge of pavement with a roadside drainage ditch on the side of the schools property. Right-of-way width is extremely limited for a sidewalk.*
- *Additionally, no sidewalk exists along the entirety of Kilpatrick Road and the construction of a sidewalk along the property would encourage and require pedestrians to re-enter the substandard roadway and would be a significant pedestrian safety hazard.*



City Council Report and Action

Upon review of the waiver request and associated documents, comprehensive plan, land development code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for City Council to take action on the Sidewalk Waiver request associated with Site and Development Petition No. 20-55SP.

Prior Action(s):

Site and Development Petition No. 20-55SP was approved by the Planning Commission on April 20th, 2021 with a vote of 7-0 and received approval of the waiver.