



MEMORANDUM

Date: December 8, 2004

To: Mayor Torrey and City Council

From: Mark Schoening, 682-5243
City Engineer

Subject: ACORN PARK STREET SIDEWALKS

This memo responds to the Council assignment regarding the missing sidewalks in the Acorn Park area. The assignment was in response to an e-mail inquiry from Tom and Victoria Schneider (attached). In addition, information is provided to the Council on the City's sidewalk infill program.

Acorn Park Street

Acorn Park Street is an unimproved local street between West 11th Avenue and 17th Avenue. When local streets are improved the current City standard requires setback sidewalks on both sides of the improved streets. Sidewalks are not built on unimproved streets because the grade and alignment of the sidewalk is dependent upon the grade and alignment of the improved street. Constructing a sidewalk in advance of improving a street could result in having to reconstruct the sidewalk when the street is improved due to conflicts with the grade and alignment of the improved street.

New development projects are required to construct new streets with sidewalks for streets that are internal to the development project at the time of development. New development projects are also required to participate in the improvement of unimproved streets abutting the development project. The City cannot require a new development project to participate in street improvements in the general area of the development project as suggested by the Schneiders. However, the City does collect transportation system development charges from new development and these funds are used to fund street improvements, including sidewalks, on the City's arterial and collector streets. Generally, the City can only require a one-half street improvement for the length of the frontage of the new development on the unimproved street. In most cases, the grade and alignment of a fully improved street changes significantly from the grade and alignment of the existing unimproved street, making it impractical to construct a one-half street improvement. In lieu of the one-half street improvement, the developer of development project is required to sign an irrevocable petition that runs with the property and commits the future property owner to participate in an assessment project to improve the unimproved street. An exception to the requirement to sign an irrevocable petition was required under state law for the Richardson Bridge Apartments because of the nature of the

public corporation developing the Richardson Bridge Apartments. All of the other development projects mentioned in the Schneider's e-mail met all of the City code requirements in place at the time the projects were developed.

The present method to fund and improve Acorn Park Street and other unimproved streets is to assess the abutting property owners through the formation of a local improvement district. The City conducted a petition poll of the properties abutting Acorn Park Street in 1987. Only 21 percent of the property owners supported the formation of a local improvement district for the improvement of Acorn Park Street.

Sidewalk Infill Program

The City implemented a sidewalk infill pilot program in 1994. During the three-year program, approximately 6.3 miles of high priority missing sidewalk was constructed. The program was funded through assessments paid by abutting property owners, supplemented with City Road Funds for City-share costs (e.g., for access ramps, intersection work, sidewalks adjacent to parks and other City property, etc.). The pilot program was completed in 1997, and several conclusions were reached:

- Options should be considered to reduce the cost to property owners
- The Road Fund is no longer a viable funding source for the City's share of capital costs for sidewalk improvements
- The next phase of infill needs to recognize that work will become increasingly complex (because the easiest projects were completed in the pilot program)
- A successful program requires lots of interaction with property owners on both design and financial issues.

As part of the Sidewalk Infill Program, an extensive inventory was done to identify missing sidewalk segments. About 40 miles of missing sidewalk remains on the City's improved streets, after the 6 miles of sidewalk constructed during the pilot program. Project priorities have been identified, and a potential 5-year program was developed to construct an additional 23 miles of missing sidewalk (with the balance to be constructed beyond the 5-year program). Priorities for future sidewalk infill projects are:

- Gaps on busy streets
 - Access to schools
- Access to transit
- Access to parks, and
- Access to commercial nodes

Attachment: e-mail from Tom and Victoria Schneider