



PL8482 Rally Credit Union Block 1 Lots 1 and 2

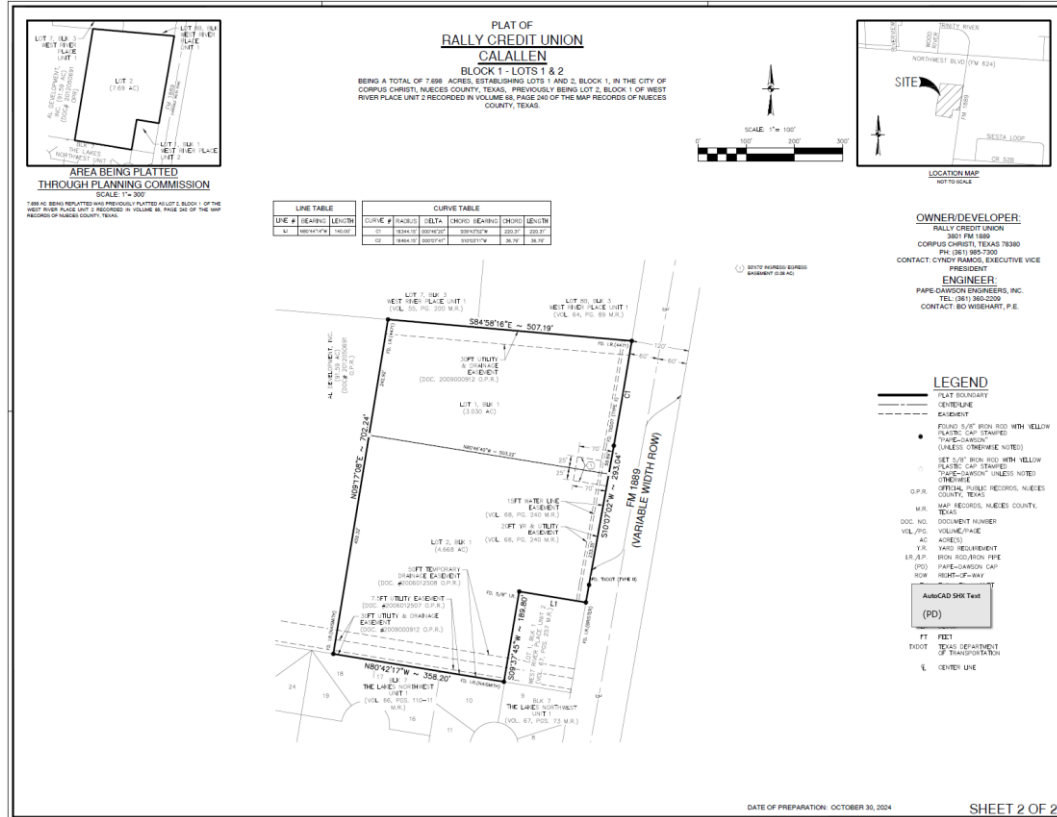
**Request for Plat Waiver
for Sidewalk Construction**

Planning Commission
November 13, 2024



Proposed Plat

Rally Credit Union Block 1 Lots 1 and 2





Aerial View

Rally Credit Union Block 1 Lots 1 and 2





Applicable Final Plat Approval Procedures

Property must comply with subdivision design to for final plat approval

UDC 3.8.5.D.3. Final Plat Review Criteria

"The final plat is in compliance with any subdivision design and improvement standards adopted by the City...to promote the health, safety or general welfare of the City and the safe, orderly and healthful development of the City."

UDC 3.30.1.A: Applicability of Developer Guarantees

"Neither a final plat approval nor a certificate of occupancy for building development shall be issued until the developer has installed the improvements required by this Unified Development Code or has guaranteed that such improvements will be installed."



Sidewalk Subdivision Design Standards

Sidewalk construction is a general provision of subdivision design

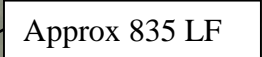
UDC 8.1.4: General provisions for required improvements of subdivision design

"The developer shall provide the following improvements, as approved in the construction plans, in conformity with the standards...A. Streets, including but not limited to pavement, curb and gutter, sidewalks, roadside ditches, hike and bike trails, alleys, bridges and street lighting;"

Sidewalks should follow design standards and allow neighboring properties to extend at development

UDC 8.2.2.A.1: Subdivision design standards for sidewalk improvements

"Concrete sidewalks...shall be constructed in accordance with Subsection 8.2.1.B, Street Right-of-Way Dimensional Standards, and the ADA Master Plan, within all subdivisions except as provided...4. Sidewalks shall connect to existing adjacent sidewalks or be designed and placed to allow connection to future adjacent sidewalks."

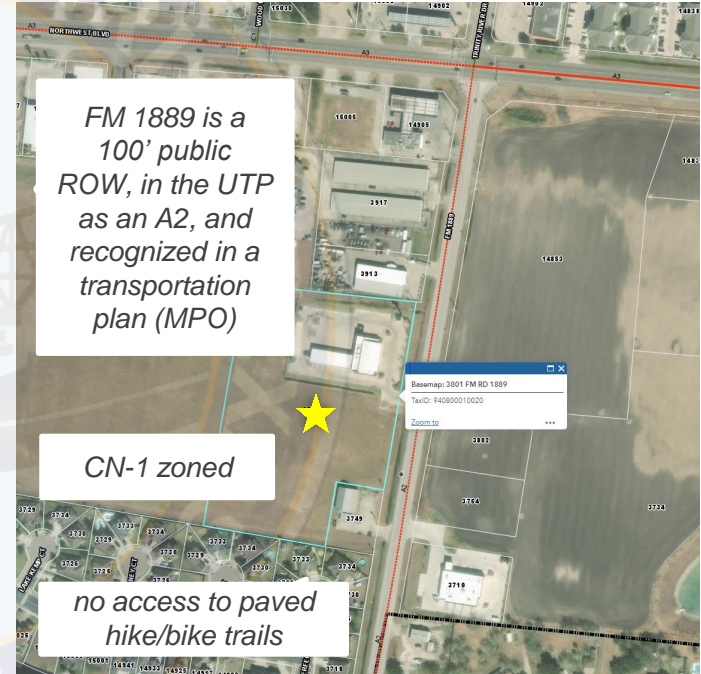




UDC 8.2.2.C

Criteria for Administrative Exemption

1. On permanently dead-ended streets, one side of the ROW sidewalk construction can be administratively waived if there's pedestrian access to a paved hike/bike trail;
2. Each lot has direct access to a paved hike/bike trail;
3. Property is zoned FE or RE and 22,000+sqf;
4. One side of a private street is constructed with 6' or greater sidewalk;
5. ALL of the following applies:
 1. Street is not on the UTP nor greater than 50'
 2. Street is not on a city recognized transportation plan
 3. Farm Rural, Residential Estate or Single-Family Residential RS-4.5, RS-6, RS-10, RS-15, RS-22, or Single Family Residential Two Family (RS-TF)
 4. 75% block frontage (lots/sqf) is improved and does not have sidewalk



The criteria listed in UDC 8.2.2.C for staff to administratively waive sidewalk is not applicable



UDC 3.8.3.D.

Applicable Factors for Consideration

The waiver may be *approved*, *approved with conditions* or *denied* after Planning Commission's **consideration of the following factors for waiving sidewalk construction**:

1. Granting waiver shall not be a detriment to public health, safety, or general welfare, or be injurious to other property in area, or to the City;
 2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
 3. If application of a provision will render subdivision of land unfeasible;
 4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of the UDC
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Existing ROW Condition

Facing North from nearest sidewalk





Existing ROW Condition

Facing South from North Property Line





Factors Against Waiver

1. There are currently no adjacent sidewalks along FM 1889 to connect to. The nearest sidewalk is 850 feet to the south. The next major thoroughfare is Northwest Blvd which also does not have sidewalks.
 2. There is a drainage ditch along the right of way of FM 1889 which would make it unsafe for pedestrians to use sidewalk.
 3. There are no bus stops located along FM 1889.
 4. Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare.
 5. Waiver of sidewalk will not affect the adjacent property in a manner to restrict or render unfeasible
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Factors In Support of Waiver

1. Not having sidewalks along a local street typically leads to pedestrians walking in roadways, an unsafe situation.
 2. Construction of sidewalks, even unconnected sections, promotes construction of sidewalk throughout the community.
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Staff Recommendation

Staff recommends **approval** of the waiver from the sidewalk construction requirement.

(**Approval** = sidewalks do **not** have to be constructed for recordation
Disapproval = sidewalks **do** have to be constructed for recordation)

Planning Commission may choose to follow or decline Staff's recommendation, and Planning Commission may approve, approve with conditions, or deny the waiver request.
