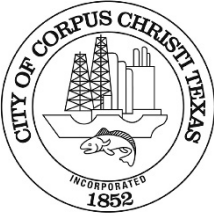


**APPROVED**

by Planning Commission  
8/18/2021



**AGENDA MEMORANDUM**

Planning Commission Meeting of August 18, 2021

**DATE:** August 5, 2021  
**TO:** Al Raymond, Director of Development Services  
**FROM:** Mark Orozco, Engineering Associate, Development Services  
markor@cctexas.com  
(361) 826-3921

**Pin Oak Terminal Tract Preliminary Plat**

Request for a Plat Waiver of the Sidewalk Construction Requirements  
in Section 8.1.4 and 8.2.2 of the Unified Development Code

**BACKGROUND:**

Urban Engineering, on behalf of property owner, Aqua Nueva Rail, LLC submitted a request for a waiver of the plat requirement to construct sidewalk in Section 8.1.4.A and 8.2.2.A of the Unified Development Code (UDC).

The subject property, known as the proposed Pin Oak Terminal Tract Preliminary Plat (227.22 acre +/-), is located north of Agnes Street (Spur 544) between Bronco Road and Hopkins Road. This is a Preliminary plat providing a layout of the property into (3) three lots. The applicant states that the purpose of the plat is to develop Industrial lots. The land is zoned IL/SP (Light Industrial with a Special Permit). The Special Permit is for the wholesale storage and transfer of petroleum-based products.

**STAFF ANALYSIS and FINDINGS:**

UDC Sections 3.30.1 and 8.1.4 require construction of sidewalk as part of the platting process. The UDC also states, under Section 8.2.2.B.1, that a waiver *may* be granted, in accordance with the waiver procedure in Section 3.8.3.D., for sidewalk construction within an Industrial subdivision where the street is meeting any of the following conditions:

**8.2.2.2.A.1.**

**a. Within industrial subdivisions, sidewalks having a width of not less than 4 feet and thickness of not less than 4 inches shall be required only on streets that meet any of the following conditions.**

1. Streets that are in the Urban Transportation Plan as arterials or collectors.
2. Through-streets that either are connecting to existing streets or to proposed arterials or collectors.

3. Perimeter streets where a sidewalk presently exists to the boundary of industrial subdivisions.

In any event, Section 3.8.3.D of the UDC provides factors to consider plat waivers, and states that the need for the waiver shall be demonstrated to the Planning Commission's satisfaction. The waiver may be approved, approved with conditions, or denied, after consideration of the following factors:

1. The granting of the waiver shall not be detrimental to the public health, safety or general welfare, or be injurious to other property in the area, or to the City in administering this Unified Code;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
3. Application of a provision of this Unified Development Code will render subdivision of land unfeasible; or
4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of this Unified Development Code.

**Factors in Support of the Waiver.** The applicant states that they do not believe sidewalk should be required because:

1. The granting of the waiver is not detrimental to the public health, safety or general welfare, nor is it injurious to other property in the area, or to the city in administering the UDC.
2. The granting of the waiver would not substantially conflict with the Comprehensive Plan or the purpose of the UDC.
3. Hopkins Road is a fully developed two lane road. There is an existing drainage ditch located on the side of the subject property. Currently there is no sidewalk anywhere near the subject area.
4. Adjacent properties are zoned IH Heavy Industrial and IL Light Industrial.
5. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity.

Additional factors in support of the waiver:

6. Hopkins Road and Agnes Street in that area are not on the City's ADA Master Plan
7. Hopkins Road and Agnes Street are not on the Bicycle Mobility Plan.

**Factors weighing against the waiver and in support of requiring sidewalk:**

1. Hopkins Road is categorized as an C1 Collector street in the Urban Transportation Plan (UTP). UDC Table 8.2.1.C requires sidewalk along Collectors.
2. The area is zoned IL (Light Industrial). Sidewalk is required in industrial subdivisions along streets that are in the UTP as arterials or collectors, and also along “through-streets” that either are connecting to existing streets or to proposed arterials or collectors, per UDC 8.2.2.A.1.a.i and ii.
3. None of the exceptional conditions for a sidewalk waiver that are listed in UDC 8.2.2.C exist in this case.

**STAFF RECOMMENDATION:**

Weighing the factors, Staff recommends approval of the waiver from the sidewalk construction requirement.

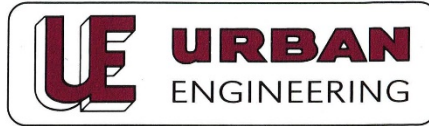
Planning Commission may choose to follow or decline Staff’s recommendation, and Planning Commission may approve, approve with conditions, or deny the waiver request.

**LIST OF SUPPORTING DOCUMENTS:**

Exhibit A – Waiver Request Letter

Exhibit B – Final Plat

PowerPoint Presentation-Waiver from Sidewalk Requirement



Job No. 41316.C0.01

August 3, 2021

Mr. Andrew Dimas, Senior City Planner  
Development Services, City of Corpus Christi  
2406 Leopard  
Corpus Christi, TX 78408

**RECEIVED**  
♦ 03 AUG 2021 ♦  
City of Corpus Christi  
Development Services

Subject: Pin Oak Terminal Tract, Block 1, Lot 1 (Preliminary)

Mr. Dimas

We, Urban Engineering, on behalf Agua Nueva Rail, LLC, hereby request a waiver for the required sidewalk construction along Violet Road, as part of the plat review of the subject property. As allowed under Section 3.8.3.D of the Unified Development Code (UDC), we are requesting a waiver to Sections 8.1.3 and 8.1.4 and 8.2.2 A.1.i based on the following reasons:

- The granting of the waiver is not detrimental to the public health, safety or general welfare, nor is it injurious to other property in the area, or to the City in administering the UDC.
- The granting of the waiver would not substantially conflict with the Comprehensive Plan or the purposes of the UDC.
- Hopkins road is a fully developed two lane road. There is an existing drainage ditch located on the side of the subject property. Currently there is no sidewalk anywhere near the subject area
- The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;

Thank You,

A handwritten signature in black ink, appearing to read 'Xavier Galvan', written over a horizontal line.

Xavier Galvan

(361)854-3101

2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404

FAX (361)854-6001

www.urbaneng.com

TBPE Firm #145

TBPLS Firm #10032400

Exhibit A

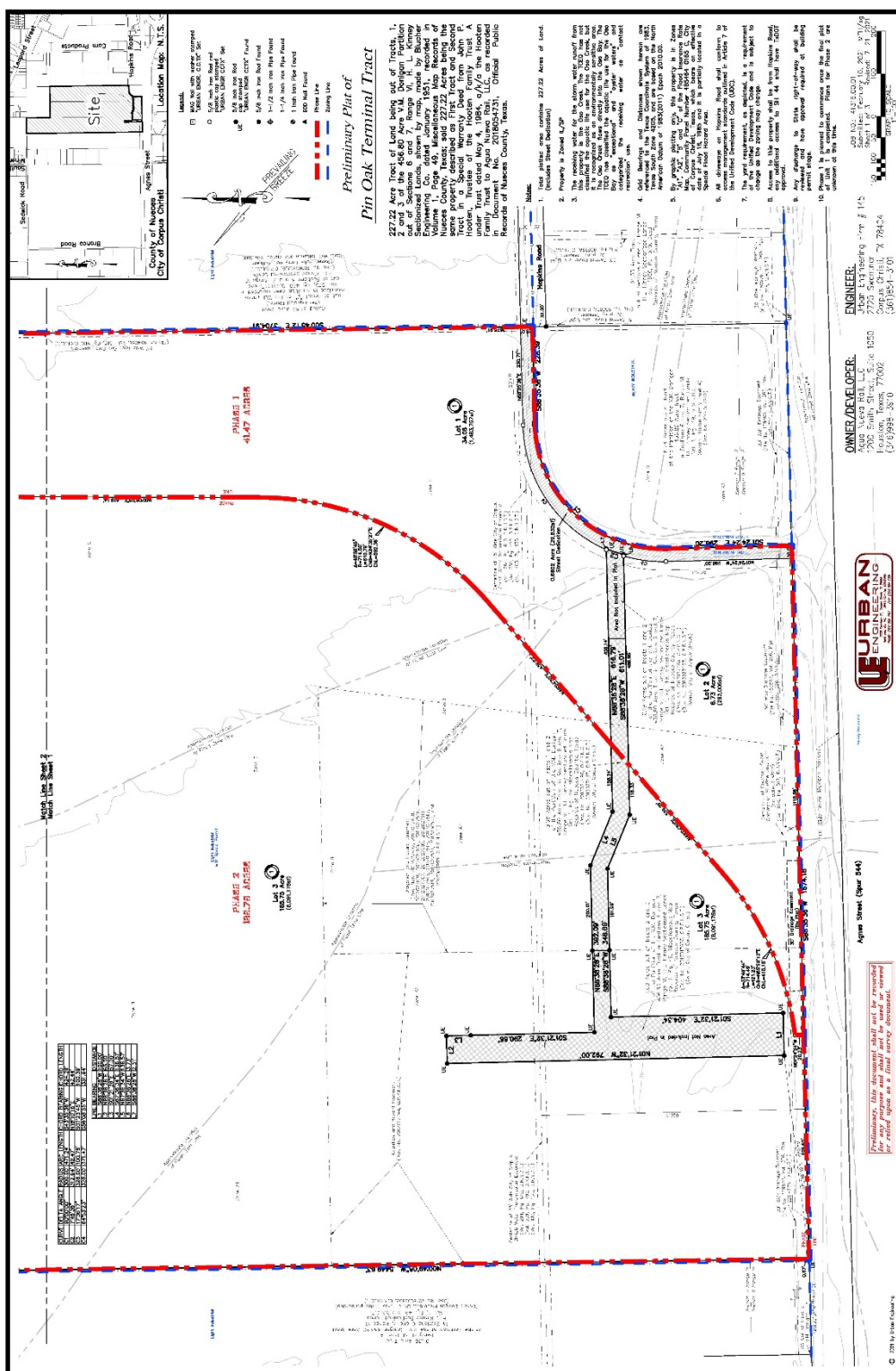


Exhibit B



