

AGENDA MEMORANDUM
Planning Commission Meeting of July 22, 2020

DATE: July 14, 2020
TO: Al Raymond, Director of Development Services
FROM: Andrew Dimas, Senior City Planner, Development Services
AndrewD2@cctexas.com
(361) 826-3584

Grange Park Unit 3 (Final)
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:

Munoz Engineering on behalf of property owner, Grangefield Development, LLC., submitted a request for a waiver of the plat requirement to construct a 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 Grange Park Unit 3 addressed as 7702 Yorktown Boulevard, is located west of Starry Road, and east of Rodd Field Road. This is a final plat. The purpose of the plat is to obtain commercial and residential building permits for development. The land has been recently rezoned from the “FR” Farm Rural District to the “CN-1” Neighborhood Commercial District and “RS-6” Single-Family 6 District.

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.1-4, that a waiver *may* be granted, in accordance with the waiver procedure in Section 3.8.3.D., but only if certain conditions exist:

1. Sidewalks shall not be required along each side of a street right-of-way where such street is a permanent dead-end street and where there is pedestrian access from the permanent dead-end street to a paved hike and bike trail. In such instance, a sidewalk only shall be required on one side of the street right-of-way.
2. Sidewalks shall not be required along street rights-of-way where each lot fronting on such street has direct access from the side or rear to a paved hike and bike trail.
3. Sidewalks shall not be required for residential subdivisions in the Farm-Rural and Residential Estate zoning districts.

4. Sidewalks adjacent to private streets may be allowed to be placed on only one side of the street if the sidewalk width is 6 feet or greater and approved by the Assistant City Manager of Development Services.

None of the enumerated conditions in UDC 8.2.2.B.1-4 for a sidewalk waiver exist on this subject property.

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. No current sidewalk network exists along Yorktown Boulevard. The nearest sidewalk is part of the Rodd Field Road bond project 0.38 miles to the west of the subject property.
2. The property is not located along an existing or foreseeably planned CCRTA fixed route service.
3. Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare, and adjacent property will not be restricted or rendered unfeasible.
4. The Comprehensive Plan will not be substantially affected.

Factors Against the waiver and in support of requiring sidewalk construction:

1. The property is zone "CN-1" Neighborhood Commercial District and "RS-6" Single-Family 6 District from which a sidewalk network can be started. The property is less than 0.25 mile from properties to the east that have already been rezoned for single-family residential developments.
2. Future development could occur between the subject property and Rodd Field Road to the west. Therefore, connecting the subject property to an existing sidewalk network.
3. The subject property is located within 0.38 miles of the intersection of the commercial node of Rodd Field Road and Yorktown Boulevard. This commercial node also connects to the new Del Mar College southside campus.
4. The subject property is approximately 2-miles to the east of Bill Witt Park. According to

the Federal Transit Administration, a 3-mile distance is a standard bike shed. A bike shed is defined as the reasonable distance a person will travel via bicycle. Therefore, a sidewalk will provide a viable connection as part of a standard bike shed from the subject property to Bill Witt Park.

STAFF RECOMMENDATION:

Staff recommends denial 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.¹

LIST OF SUPPORTING DOCUMENTS:

Exhibit A – Waiver Request Letter

Exhibit B – Final Plat

PowerPoint Presentation-Waiver from Sidewalk Requirement



June 5, 2020

Andrew Dimas, Senior City Planner
City of Corpus Christi – Development Services Department
2406 Leopard Street
Corpus Christi, Texas 78408

**RE: GRANGE PARK UNIT 3
REQUEST FOR A PLAT WAIVER FOR THE SIDEWALK CONSTRUCTION
REQUIREMENT ALONG YORKTOWN BOULEVARD**

Dear Mr. Dimas,

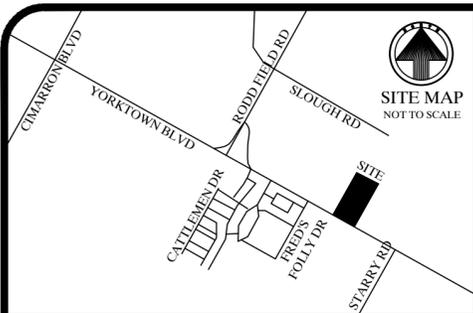
On behalf of our Client, Grangefield Development, LLC, we hereby request for a waiver of the sidewalk construction requirement per City of Corpus Christi Unified Development Code (UDC) Section 8.1.4.A, Section 8.1.12.E.3, and Section 8.2.2. We request the waiver per the following reasons:

1. There are no sidewalks along the street along the adjacent properties.
2. The existing street is a rural street section.
3. The area is not located on any transit stops or transportation plan.
4. The comprehensive plan will not be substantially affected.
5. Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare.
6. Waiver of sidewalk will not affect the adjacent property in a manner to restrict or render unfeasible.

Please feel free to contact us if you have any comments or questions.

Sincerely,
Munoz Engineering, LLC

Thomas Tiffin, PE
Project Manager



FINAL PLAT OF GRANGE PARK UNIT 3

A 20.000 ACRE TRACT OUT OF LOT 6 AND LOT 11, SECTION 25, FLOUR BLUFF AND ENCINAL FARM AND GARDEN TRACTS, AS SHOWN ON A MAP RECORDED IN VOLUME "A", PAGES 41 - 43, MAP RECORDS NUECES COUNTY, TEXAS. SAID 20.00 ACRE TRACT ALSO BEING SHOWN IN A DEED RECORDED IN DOCUMENT NO. 2017042252, DEED RECORDS NUECES COUNTY, TEXAS.



Brisler Surveying
4455 South Padre Island Drive Suite 51
Corpus Christi, Texas 78411
Office 361-850-1800
Fax 361-850-1802
bristersurveying@corpus.twcbe.com
Firm Registration No. 10072800

Curve Table				
Curve #	Length	Radius	Delta	Chord
C1	31.45	20.000	090° 06' 10"	N73° 44' 33"E, 28.31
C2	31.38	20.000	089° 53' 50"	S16° 15' 27"E, 28.26
C3	31.45	20.000	090° 06' 10"	N73° 44' 33"E, 28.31
C4	31.38	20.000	089° 53' 50"	S16° 15' 27"E, 28.26
C5	31.45	20.000	090° 06' 10"	S73° 44' 33"W, 28.31
C6	31.38	20.000	089° 53' 50"	N16° 15' 27"W, 28.26
C7	31.45	20.000	090° 06' 10"	N73° 44' 33"E, 28.31
C8	31.38	20.000	089° 53' 50"	S16° 15' 27"E, 28.26
C9	31.45	20.000	090° 06' 10"	S73° 44' 33"W, 28.31
C10	31.38	20.000	089° 53' 50"	N16° 15' 27"W, 28.26
C11	31.45	20.000	090° 06' 10"	N73° 44' 33"E, 28.31
C12	8.73	10.000	049° 59' 41"	N03° 41' 38"E, 8.45
C13	21.59	60.000	020° 36' 57"	N10° 59' 44"W, 21.47
C14	54.00	60.000	051° 34' 05"	N25° 05' 47"E, 52.20
C15	40.74	60.000	038° 54' 20"	N70° 19' 59"E, 39.96
C16	48.28	60.000	046° 06' 06"	S67° 09' 48"E, 46.99
C17	34.45	60.000	032° 54' 04"	S27° 39' 42"E, 33.98
C18	8.73	10.000	049° 59' 41"	S36° 12' 31"E, 8.45
C19	31.45	20.000	090° 06' 10"	N73° 44' 33"E, 28.31
C20	29.63	70.000	024° 15' 11"	N40° 49' 04"E, 29.41
C21	80.45	70.000	034° 02' 47"	N85° 52' 00"E, 76.10
C23	31.45	20.000	090° 06' 10"	N73° 44' 33"E, 28.31
C24	31.38	20.000	089° 53' 50"	N16° 15' 27"W, 28.26
C25	31.42	20.000	090° 00' 44"	N73° 41' 50"E, 28.29
C26	31.38	20.000	089° 53' 50"	N16° 15' 27"W, 28.26

NOTES:

- 1.) THE SUBJECT SITE IS AND IS NOT LOCATED ON A 100-YEAR FLOOD PLAIN, IN A FLOOD WAY, IN AN IDENTIFIED "FLOOD PRONE AREA", AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PURSUANT TO THE FLOOD DISASTER PROTECTION ACT OF 1973, AS AMENDED, OR AN AREA IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS AN AREA HAVING SPECIAL FLOOD HAZARDS. THIS PROPERTY IS LOCATED IN FLOOD ZONE "B" AND FLOOD ZONE "A13" WITH A BASE FLOOD ELEVATION OF 10.0', AS INDICATED ON PANEL NUMBER 485494 0540 C, DATED MARCH 18, 1985, CITY OF CORPUS CHRISTI, TEXAS.
- 2.) BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM, TEXAS STATE PLAIN NAD 83 (93), TEXAS SOUTH ZONE 4205.
- 3.) THE YARD REQUIREMENT, AS DEPICTED, IS A REQUIREMENT OF THE UNIFIED DEVELOPMENT CODE (UDC) AND IS SUBJECT TO CHANGE AS THE ZONING MAY CHANGE.
- 4.) SET 5/8" RE-BAR WITH CAPS STAMPED "BRISTER SURVEYING" UNLESS NOTED OTHERWISE.
- 5.) THE TOTAL PLATTED AREA IS 20.000 ACRES INCLUDING STREET DEDICATION.
- 6.) NO ACCESS ALLOWED TO BLOCK 4 LOT 41, BLOCK 4 LOT 42, BLOCK 3 LOT 29 AND BLOCK 3 LOT 30 TO JACK SHUFF DRIVE.
- 7.) NO ACCESS ALLOWED TO BLOCK 4 LOT 36, BLOCK 4 LOT 47, BLOCK 3 LOT 24 AND BLOCK 3 LOT 35 TO NADIA DRIVE.
- 8.) ALL DRIVEWAYS TO PUBLIC STREETS WITHIN THE SUBDIVISION SHALL CONFORM TO ACCESS MANAGEMENT STANDARDS OUTLINED IN ARTICLE 7 OF THE UDC.
- 9.) PUBLIC OPEN SPACE: IF LOTS 70-72 ARE DEVELOPED WITH RESIDENTIAL USES, COMPLIANCE WITH THE OPEN SPACE REGULATION WILL BE REQUIRED DURING THE BUILDING PERMIT PHASE.
- 10.) THE RECEIVING WATER FOR THE STORM WATER RUNOFF FROM THIS PROPERTY IS THE OSO BAY. THE TCEQ HAS CLASSIFIED THE AQUATIC LIFE USE FOR THE OSO BAY AS "EXCEPTIONAL" AND "OYSTER WATERS". TCEQ ALSO CATEGORIZED THE RECEIVING WATER AS "CONTACT RECREATION" USE.
- 11.) CROSS ACCESS SHALL NOT BE OBSTRUCTED BETWEEN LOTS 70 AND 71, BLOCK 5.

STATE OF TEXAS §
COUNTY OF NUECES §

WE, GRANGFIELD DEVELOPMENT, LLC., DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LANDS EMBRACED WITHIN THE BOUNDARIES OF THE FOREGOING MAP; EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF PUBLIC UTILITIES. THIS THE ____ DAY OF _____, 20__.

BY: _____
JACQUELINE MARIE AZALLI, MANAGER

BY: _____
ALYEH AZALI HATAMI-FARDY, MANAGER

STATE OF TEXAS §
COUNTY OF NUECES §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____ PROVEN TO ME TO BE THE PERSON WHOSE SIGNATURE IS MADE ON THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20__.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

STATE OF TEXAS §
COUNTY OF NUECES §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____ PROVEN TO ME TO BE THE PERSON WHOSE SIGNATURE IS MADE ON THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20__.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

STATE OF TEXAS §
COUNTY OF NUECES §

I, NICK BLACK, VP/BRANCH MANAGER FOR THE FIRST COMMUNITY BANK, DO HEREBY CERTIFY THAT WE ARE THE HOLDERS OF A LIEN ON THE LAND SHOWN ON THE FOREGOING MAP OF WHICH GRANGFIELD DEVELOPMENT, LLC., IS THE OWNER, AND WE APPROVE OF THE SUBDIVISION AND DEDICATION FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED. THIS THE ____ DAY OF _____, 20__.

BY: _____

STATE OF TEXAS §
COUNTY OF _____ §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____ PROVEN TO ME TO BE THE PERSON WHOSE SIGNATURE IS MADE ON THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY OF _____, 20__.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

STATE OF TEXAS §
COUNTY OF NUECES §

THIS PLAT OF GRANGE PARK UNIT 3, APPROVED BY THE CITY OF CORPUS CHRISTI, TEXAS, THIS THE ____ DAY OF _____, 20__.

AL RAYMOND III, AIA SECRETARY

CARL CRULL, P.E. CHAIRMAN

STATE OF TEXAS §
COUNTY OF NUECES §

THIS GRANGE PARK UNIT 3, APPROVED BY THE DEPARTMENT OF DEVELOPMENT SERVICES OF THE CITY OF CORPUS CHRISTI, TEXAS, THIS THE ____ DAY OF _____, 20__.

JALAL SALEH, P.E.
DEVELOPMENT SERVICES ENGINEER

STATE OF TEXAS §
COUNTY OF NUECES §

I, KARA SANDS, CLERK OF THE COUNTY COURT IN AND FOR SAID NUECES COUNTY, TEXAS, HEREBY CERTIFY THAT THE FOREGOING MAP OF THE PLAT OF GRANGE PARK UNIT 3, DATED THE ____ DAY OF _____, 20__, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THIS THE ____ DAY OF _____, 20__, AT ____ O'CLOCK ____M. AND DULY RECORDED IN VOLUME _____, PAGE _____, MAP RECORDS OF NUECES COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF SAID COURT AT OFFICE IN CORPUS CHRISTI, TEXAS, THIS THE ____ DAY OF _____, 20__.

NO. _____

FILED FOR RECORD
AT ____ O'CLOCK ____M.
_____, 20__.

KARA SANDS
COUNTY CLERK
NUECES COUNTY, TEXAS

BY: _____
DEPUTY

STATE OF TEXAS §
COUNTY OF NUECES §

I, RONALD E. BRISTER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF BRISTER SURVEYING, HEREBY CERTIFY THAT THIS SURVEY MAP WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION, AND REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY, AND THAT THIS SURVEY COMPLIES WITH THE CURRENT STANDARDS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

DATE: _____
RONALD E BRISTER, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5407

