

AGENDA MEMORANDUM

Planning Commission Meeting of August 18, 2021

DATE: August 13, 2021

TO: Al Raymond, Director of Development Services

FROM: Mark Orozco, Engineering Associate, Development Services
MarkOr@cctexas.com
(361) 826-3921

Highland Oaks Unit 6 (Final)

Request for a Waiver for Modification to the Street Right-of-Way Dimensional Standards

BACKGROUND:

J. Perales Civil Engineering and Planning Services, on behalf of Mostaghassi Investment Trust, property owner, submitted a request for a waiver for modification to the Non-Local Street Standards in Section 8.2.1.B Street Right of Way Dimensional Standards, Table 8.2.1.C of the Unified Development Code (UDC). Caribbean Drive, on the plat's southern perimeter, is designated a C1 minor residential collector which requires 60 feet of right of way, 40 feet of pavement back to back, and 5 ft. wide sidewalks.

The applicant originally requested a half street construction of the C1 minor collector along the south boundary of the plat extended to St. Frances Street (Exhibit B). The property to the south is a military base, and it is unlikely that it will be platted in the foreseeable future. Thus, instead of the half street, the City recommends the construction of a modified 50-foot street section for Caribbean Drive with a 28 ft. pavement section (BB) and one sidewalk on the north. The street requirement layout can be seen on Exhibit A below. The extension requirement is necessary to meet UDC Section 8.2.1.E for the minimum external access points for a subdivision. The plat, Highland Oaks Unit 6, has 88-units requiring 2 access points with the second access point being St. Frances Street. The applicant has agreed to the City's recommendation.

The plat recording will provide an additional 10-foot street dedication for a 50-foot total right-of-way width for Caribbean Drive. Currently, Caribbean Drive between Flour Bluff Drive and Waldron Road does not exist and is considered a "Paper Street". The original subdivision plat (Flour Bluff and Encinal Farm and Garden Tracts) was approved by the Nueces County Commissioners and recorded in 1894. The original plat recording subdivision plat provided street dedication for Caribbean Drive as a 40-foot sectional road. The City of Corpus Christi annexed this area in 1961.

The subject property, known as the proposed Highland Oaks Unit 6 , Final (19.27 acres +/-), is in

Flour Bluff, located on the east side of Flour Bluff Drive, north of, and along Caribbean Drive. The land is zoned "RS-6" Single-Family 6 District. The site is not within in an AICUZ zone and is currently vacant. The owner proposes to develop an 88-unit single-family subdivision on a 19.27-acre lot.

STAFF ANALYSIS and FINDINGS:

UDC Sections 8.1.4 and 8.2.1 require construction of streets as part of the platting process.

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 for Modification. The applicant states that they do not believe the full street with curb, gutter and sidewalk should be required because:

1. The proposed street is considered a "Paper Street" since the plat of the subdivision that indicates Caribbean Drive was filed and recorded in January 20, 1894.
2. Since the development is located adjacent to a military base, and the potential for additional development that would construct the other half street is limited, a modified residential street section is recommended.
3. The Street extension to St. Frances Street will provide a secondary access to Fire Safety vehicles to reach the subdivision.
4. Construction for a full street section will require acquisition of rights of way from un-platted properties.
5. The area is not located along an existing or foreseeably planned CCRTA service route.
6. The Comprehensive Plan will not be substantially affected.
7. Not providing a full street section will not be detrimental to the public health, safety, or general welfare within or adjacent to the subdivision.

Factors weighing against the Waiver for Modification:

1. The property's boundary is on the Urban Transportation Plan.
2. The UTP has Caribbean Drive as a C1 60-foot street with a 40-foot back to curb pavement width, which connects two Arterials, Waldron Road and Flour Bluff Drive.

STAFF RECOMMENDATION:

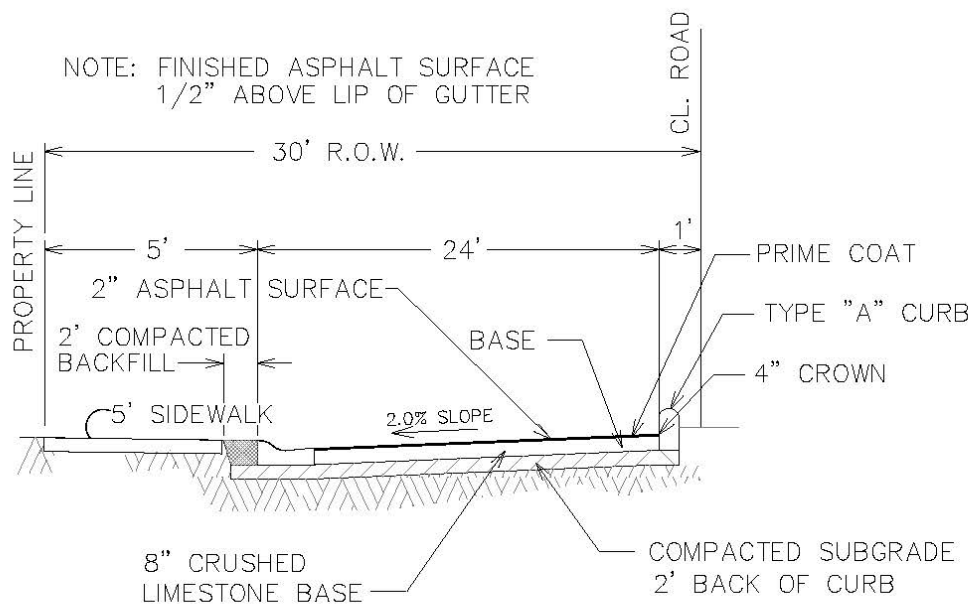
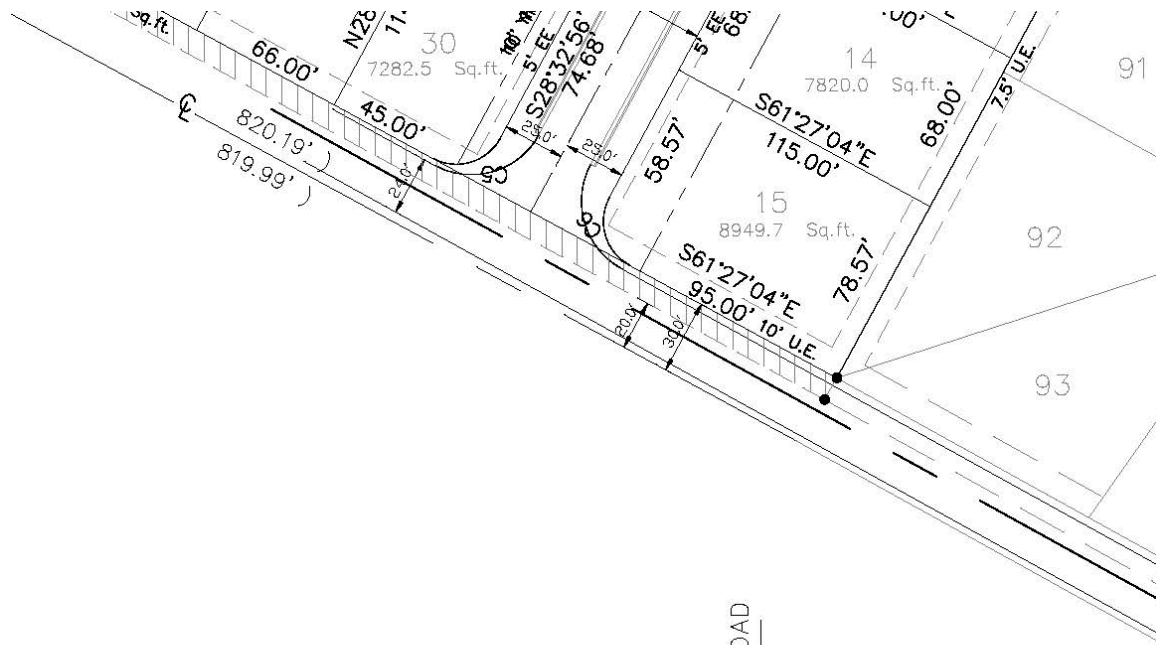
Staff recommends approval of the waiver for a modified street section of the Non-Local Street Standards in Unified Development Code (UDC) Section 8.2.1.B. Street Right-of-Way Dimensional Standards, Table 8.2.1.C .providing for a 50 ft. right-of-way, 28 ft. pavement section (BB) and one sidewalk on the north for Caribbean Drive. The 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 – Layout
Exhibit B – Section
Exhibit C – Waiver Request Letter



Exhibit A



TYPICAL 1/2 STREET CROSS SECTION CARIBBEAN DRIVE

SCALE: N.T.S.

Exhibit B

Juan Perales, Jr., P.E., dba

J. Perales Civil Engineering and Planning Services

T.B.P.E. Firm # F-14207

August 9, 2021

City of Corpus Christi
Department Development Services
2406 Leopard Street
Corpus Christi, Texas 78408

Attention: Ms. Nina Nixon-Mendez, Assistant Director of Development Services

Subject: Request for Waiver of Street Improvements for Highland Oaks Unit 6, Project 19PL1103

Dear Ms. Nixon-Mendez:

The City of Corpus Christi's Unified Development Code (UDC), Section 8.2.1 requires that streets be constructed in accordance with the Comprehensive Plan, applicable area development and master plans, the approved Mobility Plan, and the Design Standards within all subdivisions within the City's area of jurisdiction over new development.

Development Services Engineering plat review comment No. 2 for the subject project requested to "improve Caribbean Drive from the SW corner of this site up to Waldron Road". In the comment response it was noted that extension of Caribbean Drive to Waldron Road would require abandoning of existing City parkland as well as acquisition of rights-of-way from unplatted properties fronting Waldron Road. Based on these right of way restrictions, the plat review comment response also included the proposal to limit the extension of Caribbean Drive to its intersection with Saint Francis Street. The Technical Review Committee is allowing the plat to move forward based on this revised scope of street improvements. Staff has also determined that it is desirable to document this reduction in scope of street improvements by executing a formal waiver request.

Therefore, please consider this letter as a formal request for waiver of the requirement to construct the extension of Caribbean Drive between Waldron Road and Saint Francis Street.

Please do not hesitate to contact me should you have any questions or require additional information.

Sincerely,



Juan Perales, Jr., P.E.
J. Perales Civil Engineering & Planning Services

Attachment: Location map

P. O. Box 260547 Corpus Christi, Texas 78426
Phone: (361) 728-7188 Email: jperales@jperalesengineering.com

Exhibit C