



AGENDA MEMORANDUM

Planning Commission Meeting of February 20, 2019

DATE: February 12, 2019

TO: Nina Nixon-Méndez, Director of Development Services

FROM: Greg Collins, Senior City Planner, Development Services
gregc@cctexas.com
(361) 826-3535

Yorkwald Acres Lot 11 (Final Plat)

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

BACKGROUND:

Medina Consultants, on behalf of Katrina and Michael Hernandez, property owners, submitted a request for a waiver of the plat requirement to construct wastewater infrastructure under Section 8.1.4.C, 8.1.5, and 8.2.7.A of the Unified Development Code (UDC), and an exemption from the Wastewater Lot/Acreage fee under Section 8.5.2.G of the UDC.

The subject property, known as the Yorkwald Acres, Lot 11 Final Plat (2.349 acres +/-), is located in Flour Bluff, on the east side of Waldron Road, north of Yorktown Boulevard. The land is zoned General Commercial 1 ("CG-1"). The site is not in an AICUZ¹ zone. The land is vacant. The owners propose to develop a commercial self-service storage and/or boat and RV storage business.

STAFF ANALYSIS and FINDINGS:

UDC Section 8.1.4 and 8.2.2.A require construction of sidewalks as part of the platting process.

Waldron Road is designated as an A1 Arterial in the City's Urban Transportation Plan (UTP). The street design standards for A1 Arterials require 5-foot wide sidewalks per UDC Table 8.2.1.C.

The UDC does state, 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

¹ AICUZ is "Air Installation Compatible Use Zone," set forth at UDC Section 6.5.

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.

The following factors exist in support of the waiver request:

1. No current sidewalk network exists along Waldron Road in this vicinity that would connect directly to this site. The nearest sidewalk network is about 2,540 feet (0.48 mile) north, at Mediterranean Drive, at Caribbean Place Unit 3 subdivision.
2. There is drainage ditch running along the frontage of the property.
3. The adjacent uses to the south of the property are boat and RV storage, not pedestrian oriented uses.
4. The six residential lots about 370 feet to the north are in Yorkwald Acres subdivision platted in 1971, zoned Farm Rural, and do not have sidewalk.

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

1. Waldron Road is an A1 Arterial and sidewalk is required under UDC Table 8.2.1.C
2. Waldron Road in this vicinity is on ADA² Master Plan.
3. There is a transit stop at Waldron Road and Yorktown Boulevard about 675 feet (0.13 mile) south of the property.
4. There is a church about 225 feet (0.04 mile) north of the property.
5. There are baseball and softball fields across Waldron Road, at Waldron Field
6. The property is zoned CG-1 and is adjacent to property zoned Light Industrial and General Commercial-2 ("CG-2").
7. Plan CC's vision for transportation and mobility for the community calls for connected networks of good streets and sidewalks and safe bicycle routes.

STAFF RECOMMENDATION:

Staff recommends approval of the waiver of construction of sidewalk along Waldron Road, weighing the factors and evaluating the criteria in the UDC.

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:

Final Plat
PowerPoint Presentation

² "ADA" is the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)