



AGENDA MEMORANDUM

Planning Commission Meeting of January 23, 2019

DATE: January 14, 2019

TO: Nina Nixon-Méndez, Director of Development Services

FROM: Greg Collins, Senior City Planner, Development Services
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Riverbend Preliminary 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:

Urban Engineering, on behalf of Patricia H. Wallace, Trustee, property owner, 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 applicant requests a waiver from constructing sidewalk along Yorktown Boulevard.

The subject property, known as the proposed Riverbend Preliminary Plat (46.20 acres +/-), is located on the south side of Yorktown Boulevard, between Fred's Folly Drive and Starry Road. The land is zoned RS-4.5 ("Residential Single-Family 4.5") and is currently vacant land. The purpose of the plat is to build single-family residential homes and also townhomes in Unit 6 (pending a rezoning application for a Planned Unit Development for Unit 6).

STAFF ANALYSIS and FINDINGS:

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

This proposed preliminary plat's Units 2 and 6 front on the south side of Yorktown Boulevard. Yorktown Boulevard is designated as an A3 Arterial in the City's Urban Transportation Plan (UTP). The street design standards for A3 Arterials require 5-foot wide sidewalks along Yorktown, 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 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 request are:

1. No current sidewalk network exists along Yorktown Boulevard for the properties adjacent to the subject site. The nearest sidewalk connection along Yorktown is approximately 1 mile west, at the southwest corner of Yorktown and Bay Drive, west of Rodd Field Road, at the Move It Self Storage business.
2. The property is not located along an existing or foreseeably planned CCRTA¹ transit service route.
3. Yorktown Boulevard east of Rodd Field Road is not on the ADA Master Plan.
4. There are several residential platted subdivisions fronting along the south side of Yorktown Boulevard between Rodd Field Road and Starry Road that do not have sidewalk built along Yorktown Boulevard:

¹ "CCRTA" is Corpus Christi Regional Transportation Authority.

Subdivision/Plat Name	Location	Date of Plat
Rancho Vista Unit 1	South side of Yorktown Blvd.	8/5/2005
Rancho Vista Unit 2	South side of Yorktown Blvd.	1/10/2012
Riverbend Unit 1	South side of Yorktown Blvd.	9/28/2017
Starlight Estates Unit 1	South side of Yorktown Blvd.	6/8/2018

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

1. The nearest subdivision sidewalk networks are in the adjacent Riverbend Unit 1 to the west, approximately 200 feet away, and in the adjacent Starlight Unit 1 to the east, also approximately 200 feet away.
2. Riverbend Preliminary Plat is about 0.3 mile west of the planned Oso Parkway intersection with Yorktown Boulevard, per the Urban Transportation Plan (UTP). The Oso Parkway Master Plan includes a planned bikeway/pedestrian network, with sidewalk on one side of the parkway, and bikeway/pedestrian path on the other side.
3. The Rodd Field Road expansion project plans, part of Bond 2014, include sidewalk on both sides of Yorktown Boulevard, about 0.66 mile west of Riverbend Preliminary Plat. That sidewalk is planned along Yorktown along Rancho Vista Unit 1, beginning at Geiger Drive.
4. The property is in a residentially zoned district, the RS-4.5 zoned district, and is adjacent to residentially and commercially zoned property to the east, west, and on the north side of Yorktown Boulevard.
5. 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:

Weighing the factors, Staff recommends denial of the request for waiver from the sidewalk construction requirement, or, in lieu of construction, require cash payment.

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-Waiver from Sidewalk Requirement