



AGENDA MEMORANDUM

Planning Commission Meeting of March 6, 2019

DATE: March 1, 2019

TO: Nina Nixon-Méndez, Director of Development Services

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

Bass Subdivision (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:

Texas GeoTech Land Surveying, Inc., on behalf of Mirabal Development Group, LC, 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 subject property, known as Bass Subdivision, Block 7, Lots 2R-1 and 2R-2 (Final Plat) (0.50 acre +/-), is located on the south side of Sandra Lane, east of Airline Road, north of Saratoga Boulevard. The land is zoned Single-Family Residential 6 ("RS-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.

The property fronts on Sandra Lane. Sandra Lane is a local street with 50 feet of dedicated right-of-way. The street design standards for local streets with 50-foot right-of-way require 4-foot wide sidewalks per UDC Table 8.2.1.B.

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.

The following factors exist in support of the waiver request:

1. No current sidewalk network exists along Sandra Lane in this vicinity that would connect directly to this site. The nearest sidewalk connection is about 934 feet (0.18 mile) west, at Airline Road.
2. There is drainage ditch running along the frontage of the property.
3. Sandra Lane is not on the ADA¹ Master Plan.
4. This replat is not located along an existing or foreseeably planned CCRTA²

¹ "ADA" is the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.)

² "CCRTA" is Corpus Christi Regional Transportation Authority.

service route.

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

1. Sandra Lane is a 50-foot wide right-of-way local street and sidewalk is required under UDC Table 8.2.1.B.
2. The nearest sidewalk connection, about 934 feet west at Airline Road, is within walking distance (within a 0.25 mile pedestrian shed.³).
3. The property is zoned Single-Family Residential 6 ("RS-6") and is adjacent to General Commercial-zoned property.
4. The property is adjacent to a credit union to the east.
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:

Staff recommends approval of the waiver of construction of sidewalk along Sandra Lane, 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

³ "Pedestrian shed" is a term analogous to a watershed. It is the distance that can be covered in five minutes at a normal walking pace, typically shown on a plan as a circle with a quarter-mile radius. Source: Congress for New Urbanism (CNU), Robert Steuteville, "Great idea: Pedestrian shed and the 5-minute walk", <https://www.cnu.org/publicsquare/2017/02/07/great-idea-pedestrian-shed-and-5-minute-walk>