



Cullen Place

Block B-2E, Lots 1 and 2 (Final Plat)

**Request for Plat Waiver
from the Sidewalk Ramp Construction Requirement**

Planning Commission Meeting
August 21, 2019



Vicinity Map

Cullen Place
Block B-2E, Lots 1 & 2







Plat Requirements

- UDC 3.30.1.A: requires installation of improvements, or financial guarantee, during platting
- UDC 8.1.4: During platting, the “developer shall provide the following improvements, as approved in the construction plans, in conformity with the standards, specifications and requirements of this UDC, the Design Standards, utility master plans and any state or federal requirements... ”:
 - A. “Streets, including but not limited to pavement, curb and gutter, **sidewalks**”
- UDC 8.1.5: Continuity of Improvements: “All required improvements shall be designed and installed in order to provide for a system of utilities, storm water and streets and to create continuity of improvements among adjacent properties.”
- UDC 8.2.2.A.2: “All required sidewalks ... shall extend along all street frontages....”
- UDC 8.2.2.A.4: “Sidewalks shall connect to existing adjacent sidewalks or be designed and placed to allow connection to future adjacent sidewalks”



Plat Requirements

Table 8.2.1.C Non-Local Street Standards Table

	ROW Width (ft.)	BB Width (ft.)	Through Lanes	Median/ Turn Lane	Spacing (miles)	Sidewalk** (ft.)	Back of Curb to Property Line (ft.)	Avg. Daily Trips
Non-local Streets*								
Minor Res. Collector (C1)	60	40	2	No	0.25 to 0.50	5	10	1,000 - 3,000
Secondary Collector (C2)	65	41	3	Center turn	0.25 to 0.50	5	12	2,000 - 5,500
Primary Collector (C3)	75	50	4	No	0.25 to 0.50	5	12.5	4,000 – 8,500
Parkway Collector (P1)	80	40	2	--	0.25 to 0.50	5 to 8	14.5 to 25.5	1,000 – 3,000
Minor Arterial (A1)	95	64	4	Center turn	1.0 to 1.5	5	15.5	15,000 - 24,000
Secondary Arterial (A2)	100	54	4	Median	1.0 to 1.5	5	15	20,000 – 32,000
Primary Arterial (A3)	130	79	6	Median	1.0 to 1.5	5	17.5	30,000 – 48,000
Freeway (FR)	400	Varies	4-10	Median	--	No	19	60,000 – 200,000
*Non-local streets contain curb, gutter and underground drainage.								
**Sidewalks are not required in industrial areas.								

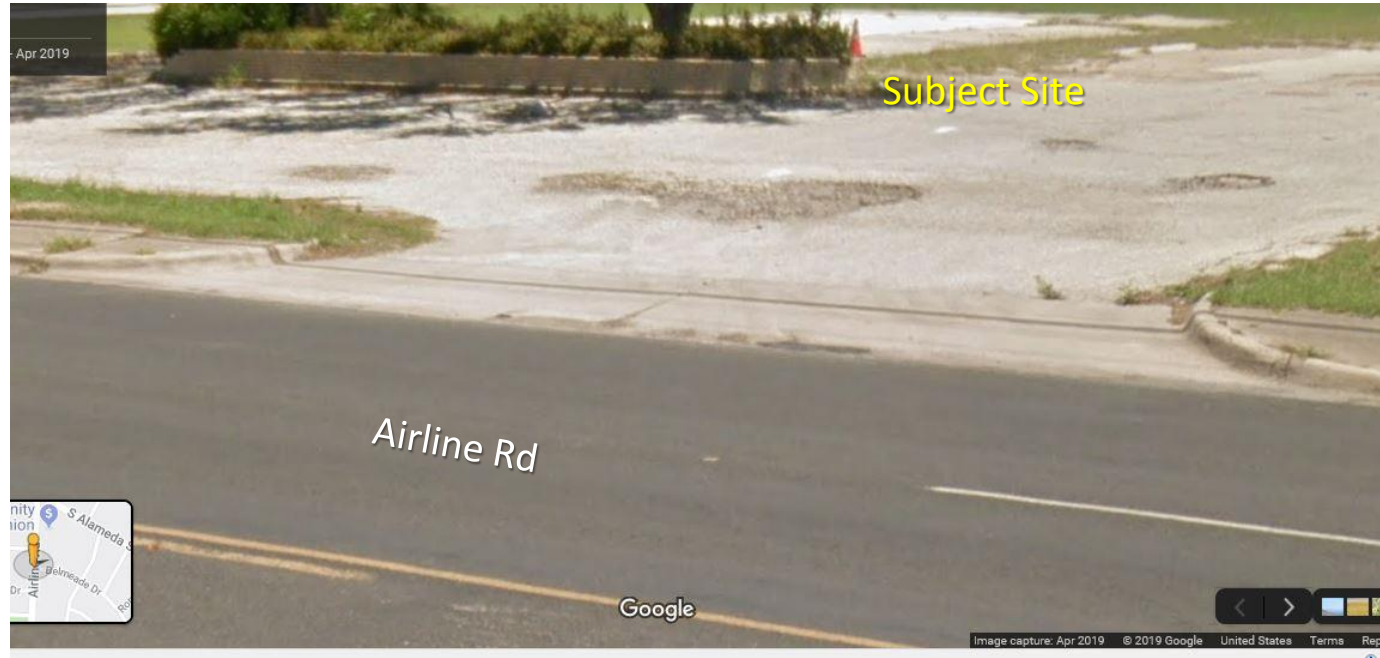


Street View: Looking East at Lot 1 Driveway





Street View: Looking East at Lot 1 Driveway: Curb Detail





Factors

Applicant's Arguments and Factors in Support of Waiver

- Buyer will be developing the property at a later time; will address curb ramp at time of site development/building permit
- Concern for duplication of cost and effort in construction now, and construction of building later
- Curb ramps installed now will likely require removal and replacement at time of redevelopment
- Site development/building permit stage is when TDLR review for ADA compliance occurs

Factors Against Waiver (for sidewalk ramps)

- A replat is a new plat; improvements in water, wastewater, stormwater, fire, and sidewalk occur at plat phase, and based on current subdivision and design standards
- The curb and sidewalk are along right-of-way; construction required at plat phase
- Comprehensive Plan calls for "connected networks of good streets and sidewalks and safe bicycle routes.
- Deferment agreement is an option



Plat Waiver UDC 3.8.3.D

- **Need for waiver shall be demonstrated to Planning Commission's satisfaction**
 - **The waiver may be approved, approved with conditions or denied after consideration of the following factors:**
 1. Not detrimental to public health, safety, or general welfare, or be injurious to other property in area, or to the City;
 2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
 3. Application of the provision will render subdivision of land unfeasible; or
 4. The granting of the waiver would not substantially conflict with the Comp Plan and the purposes of the UDC
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Staff Recommendation

Denial of the waiver of sidewalk ramp construction, and require construction of two ramps at the existing driveway on Airline Rd

Alternatively, Staff recommends applicant enter into a deferment agreement