



## AGENDA MEMORANDUM

Planning Commission Meeting of October 02, 2019

**DATE:** September 25, 2019

**TO:** Al Raymond, Director of Development Services

**FROM:** Ratna Pottumuthu, Engineer IV, Utilities and Development Service  
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### **Rodd Village Block 9-Lot 9R**

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, on behalf of Unlimited Management Corp, LLC, 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 sidewalk is 221.43 linear feet in length along Schnauzer Street.

The subject property, known as the proposed Rodd Village Block 9-Lot 9R Replat (1.10 acres +/-), is located south of Schnauzer Street and west of Rodd Field Road (un-improved). The land is zoned IL (Light Industrial) with 221.43 linear feet of frontage to Schnauzer Street where the sidewalk construction is required.

### **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 subject property is zoned light industrial.

UDC Section 8.2.2.A.1.a. states that within industrial subdivisions, sidewalks shall be required only on streets that meet any of the following conditions:

1. Streets that are in the Urban Transportation Plan as arterials or collectors;
2. Through-streets that either are connecting to existing streets or to proposed arterials or collectors; or
3. Perimeter streets where a sidewalk presently exists to the boundary of industrial subdivisions.

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 are in support of the waiver request:

1. No current sidewalk network exists in the entire surrounding industrial area.
2. The street is not on the UTP.
3. The street is not on the ADA master plan.

4. The property is not located along an existing or foreseeably planned CCRTA<sup>1</sup> transit service route.
5. There are several platted lots, with light industrial zoning in the vicinity that do not have sidewalk.
6. Dalmation Drive is classified as a C1 on UTP. Dalmation Drive would be the pedestrian route to Bill Will Park connecting to Yorktown Boulevard and Rodd Field Road.

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

1. Subject lot is 500 LF from Rodd Field Road. Rodd Field is an (un-improved) planned A3 Primary Arterial street with 5 feet sidewalks.
2. Schnauzer Street functions as a through street connecting to proposed Arterial and Collector streets.
3. 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.

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  
Applicant's Waiver request  
PowerPoint Presentation-Waiver from Sidewalk Requirement

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<sup>1</sup> "CCRTA" is Corpus Christi Regional Transportation Authority.