

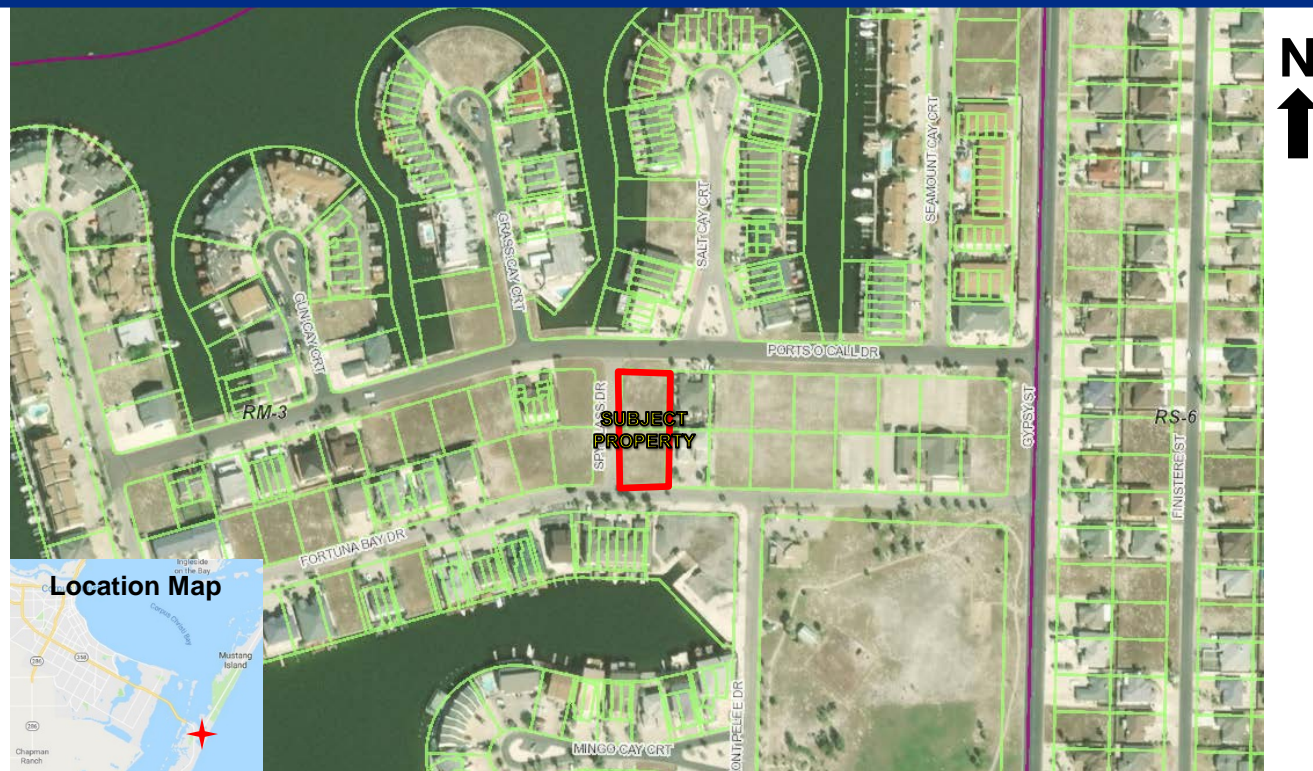
# Request for Sidewalk Waiver

**PI-CC Port O' Call, Block 20, Lots 9A-9H (Replat)**  
**Rezoning for a Property at 14001 Ports O' Call Drive**



Planning Commission  
January 22, 2020

# Aerial Overview



# Subject Property, South on Ports O' Call Drive



# Ports O' Call Drive, East of Subject Property



# Ports O' Call Drive, North of Subject Property



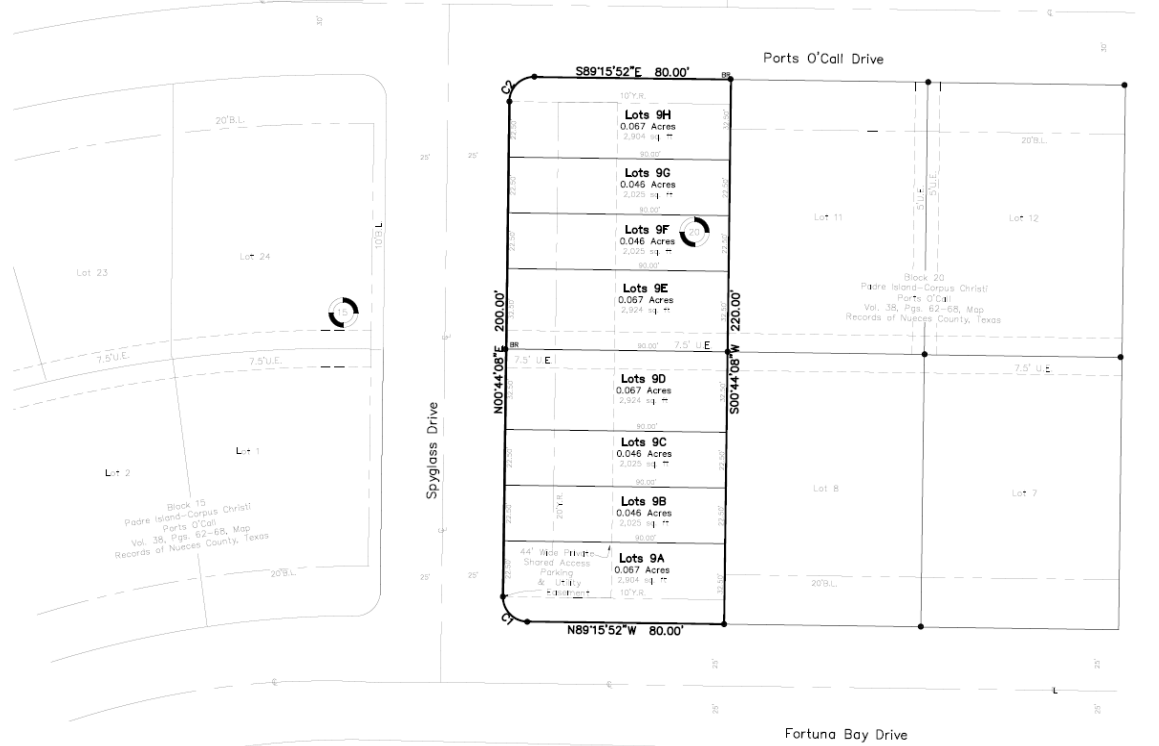
# Ports O' Call Drive, West of Subject Property



# Subject Property, North on Fortuna Bay Drive



# PI-CC Port O' Call, Block 20, Lots 9A-9H



## Staff Recommendation

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**Approval** of the request for a waiver from the sidewalk construction requirement.

- Planning Commission may choose to follow or decline Staff's recommendation
- Planning Commission may approve, approve with conditions, or deny the waiver request

# Factors in Sidewalk Waiver

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## **Applicant's Factors in Support of Sidewalk Waiver**

- None of the developed properties in this portion of Padre Island have sidewalk
- Area not located on any transit stops
- Ports O' Call is not on UTP
- Comprehensive Plan not substantially affected
- Ports O' Call is not on the City's ADA Master Plan.
- Waiver of sidewalk will not be detrimental to the public health, safety, or general welfare, and adjacent property will not be restricted or rendered unfeasible.

## **Factors Against Sidewalk Waiver (for sidewalk construction)**

- The area is within a residential subdivision, zoned "RM-3" Multifamily District. The primary uses in the area are single-family homes and townhouse developments.
- Plan CC
  - Vision for Transportation and Mobility: "connected networks of good streets and sidewalks, safe bicycle routes"



# Plat Requirements

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- UDC 3.30.1.A: requires installation of improvements, or financial guarantee, during platting
  - UDC 8.1.4: During platting, the “developer shall provide”:
    - A. “Streets, including but not limited to pavement, curb and gutter, **sidewalks** ....”
  - 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”
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## Plat Waiver UDC 3.8.3.D

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- 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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