

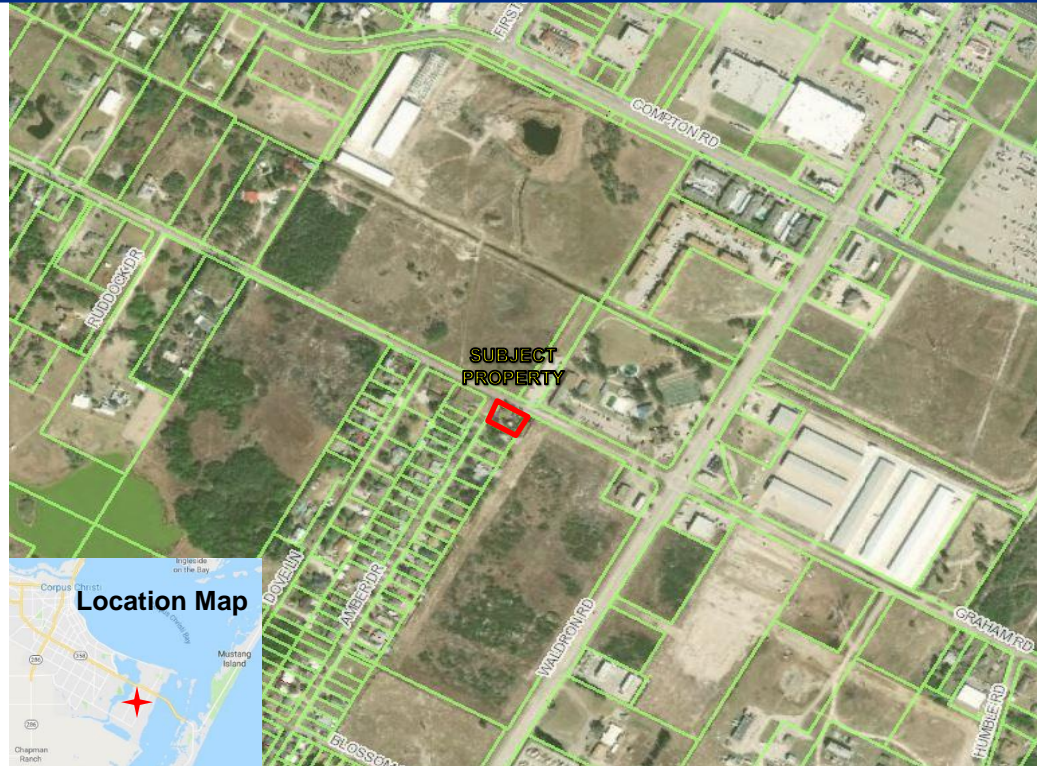
Request for Sidewalk Waiver

Perry's Estate, Block 2, Lot 21R (Replat)
Rezoning for a Property at 653 Graham Road



Planning Commission
February 5, 2020

Aerial Overview



Subject Property, East on Graham Road



Graham Road, East of Subject Property



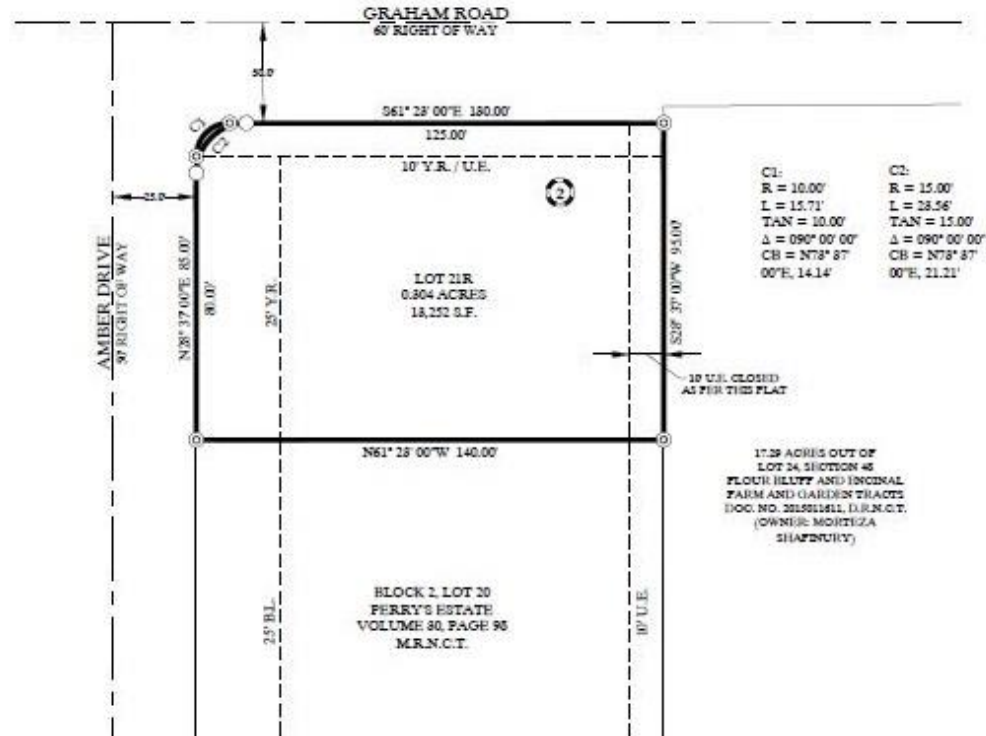
Graham Road, North of Subject Property



Graham Road, West of Subject Property



Perry's Estate, Block 2, Lot 21R



Staff Recommendation

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

Applicant's Factors in Support of Sidewalk Waiver

1. No current sidewalk network exists on Amber Drive and there is no sidewalk along Graham Road adjacent to the subject property.
2. The property is not located along an existing or foreseeably planned CCRTA fixed route service.
3. Applicant asserts that sidewalk installation is impractical because of drainage ditch on both streets, and the property abutting a major thoroughfare (Graham Road), and that UDC 8.2.2.A.2 allows an exception from the sidewalk requirement in these circumstances.
4. 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.
5. The Comprehensive Plan will not be substantially affected.

Factors Against Sidewalk Waiver (for sidewalk construction)

1. The property is in an RS-6 zoned district, and is a corner lot, from which a sidewalk network can be started. The property is less than 0.25 mile from an existing commercial / employment node and neighborhood amenities.
2. Graham Road is on the City's ADA Master Plan.
3. The property is about 385 feet (0.07 mile) from a CCRTA paratransit stop in front of the Ethyl Eyerly Senior Center. The property is about 1,328 feet (0.25 mile) from the nearest CCRTA fixed service transit stop, on Waldron Road to the east.

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”:
 - 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”

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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