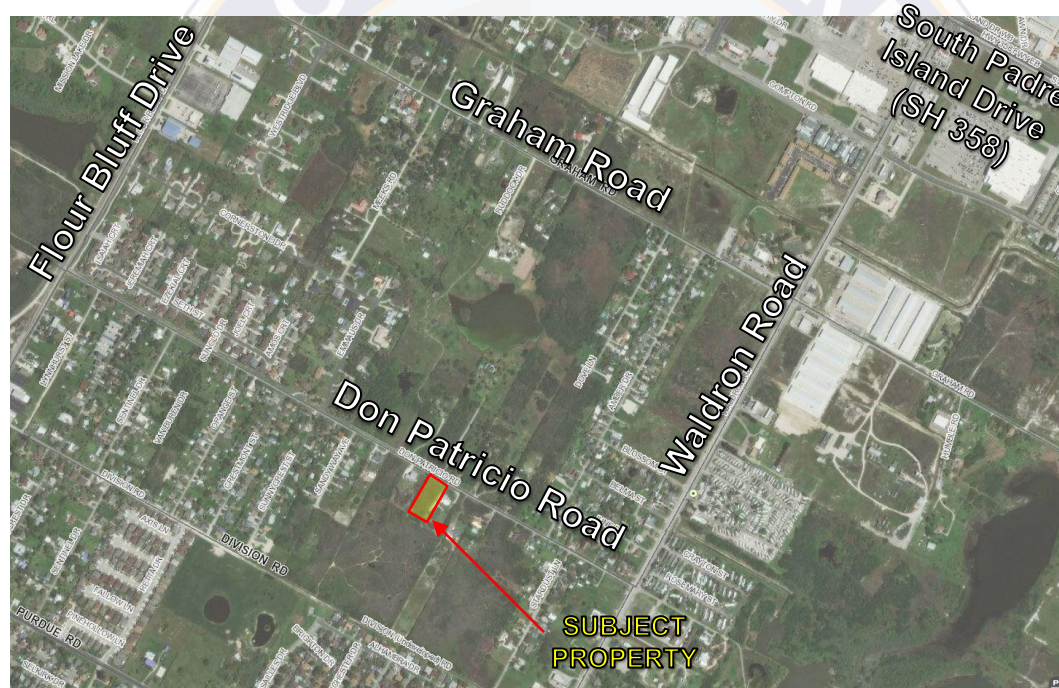


# Street Waiver from Local street Construction

## Don Patricio, Block F, Lot 47R



Planning  
Commission  
May 13, 2020

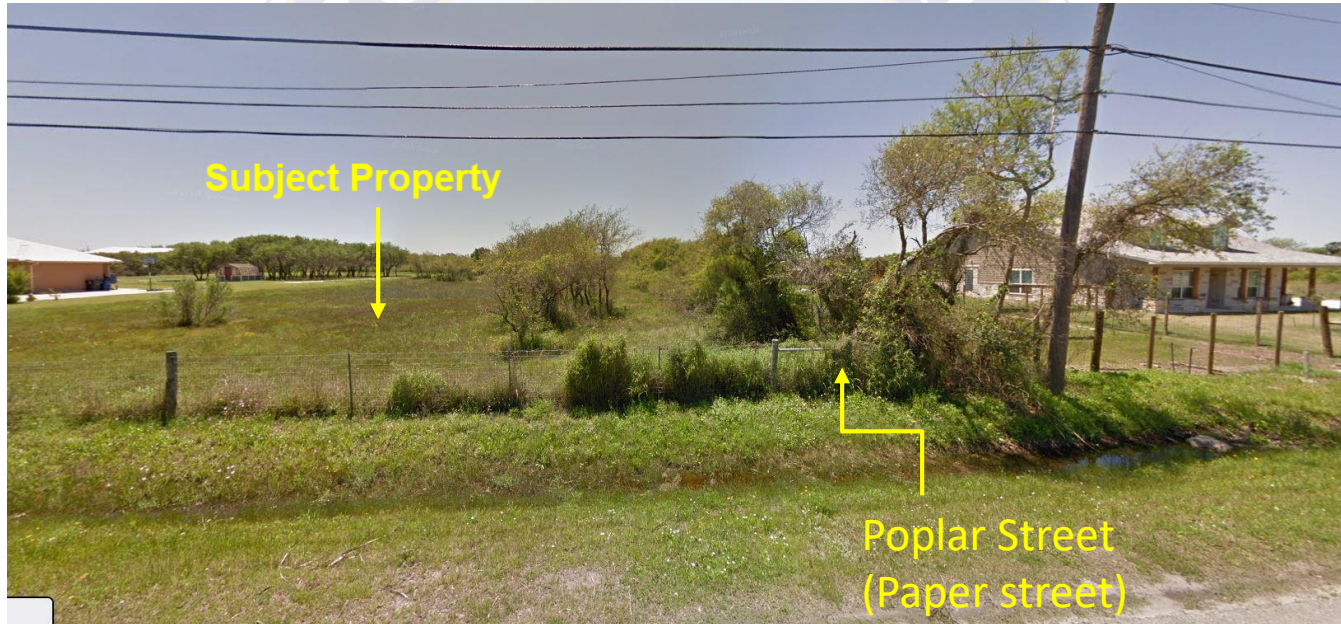
# Aerial

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# Subject Property on Don Patricio Road

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# Subject Property, West on Don Patricio Road

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1852

# Don Patricio, Block F, Lot 47R



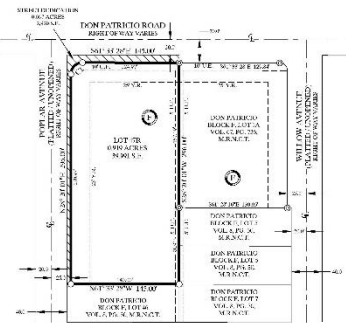
**SITE MAP**  
NOT TO SCALE



GRAPHIC SCALE  
0 100 FEET  
1" = 100'

**PLAT OF  
DON PATRICIO  
BLOCK F, LOT 47R**

BEING A REPLAT OF DON PATRICIO, BLOCK F, LOTS 47, 48, 49, 51 & 52, AS SHOWN ON A MAP RECORDED IN VOLUME 8, PAGE 30, MAP RECORDS NUTTS COUNTY, TEXAS.



**DEED TO DON PATRICIO, BLOCK F, LOT 47R**  
DON PATRICIO, BLOCK F, LOT 47R, VOL. 8, P. 30, NUTTS COUNTY, TEXAS.

**DEED TO DON PATRICIO, BLOCK F, LOT 48**  
DON PATRICIO, BLOCK F, LOT 48, VOL. 8, P. 30, NUTTS COUNTY, TEXAS.

**DEED TO DON PATRICIO, BLOCK F, LOT 49**  
DON PATRICIO, BLOCK F, LOT 49, VOL. 8, P. 30, NUTTS COUNTY, TEXAS.

**STATE OF TEXAS  
COUNTY OF NUTTS**

I, DONALD E. BRISTER, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified surveyor under the laws of the State of Texas.

WITNESSE MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**NOTARY PUBLIC**

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**NOTARY PUBLIC**

# Factors in Street Waiver

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

1. The proposed street is considered a "Paper Street" since the plat of the subdivision that indicates Poplar Street was filed and recorded on May 10, 1941.
2. The adjacent properties to this "Paper Street" have and are being developed as large tract single-family lots and are not requiring access from Poplar Street.
3. The street would be a dead-end street that would not be extended, of which is evident since the proposed street was platted 79-years ago and has not been constructed.
4. The area is not located along an existing or foreseeably planned CCRTA service route.
5. The Comprehensive Plan will not be substantially affected.
6. Not providing the street will not be a detrimental to the public health, safety, or general welfare within or adjacent to the subdivision.
7. The property is not along a road on the Mobility Plan or ADA Master Plan.

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

1. The property is in the "RS-6" Single-Family 6 District and is a corner lot from which a street and sidewalk network can be continued for future development of single-family homes down Poplar Street. The crossroad is Don Patricio Road, designated as Collector street on the Urban Transportation Plan (UTP). The property is less than a half-mile from an existing Arterial Road (Waldron Road).
2. The approval of the requested waiver will put extra burden on the additional lots which must have access to Poplar, they will end up constructing more of Poplar Street than their fair share.

# 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, gutter, and *sidewalks* ....”

# 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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# Staff Recommendation

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**Denial** of the request for a waiver from the Local Street Standard 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