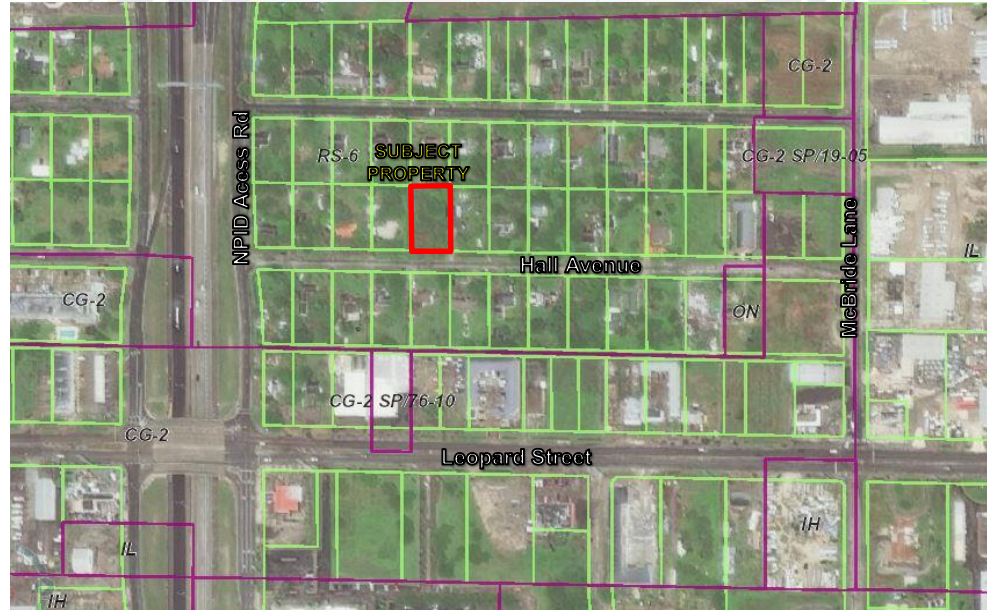


# Request for Sidewalk Waiver

**Ebony Acres No. 2, Lots 131A and 131B (Replat)**  
**Property at 5581 Hall Avenue**



Planning  
Commission  
August 5, 2020

# Aerial Overview



# Subject Property, West on Hall Avenue





# Subject Property, East on Hall Avenue

---





## 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 along Hall Avenue. The subdivision was approved with a rural street section containing ditches. The nearest sidewalk is on the North Padre Island Drive access road at the end of Hall Avenue. The east road intersection with McBride Lane does not have a sidewalk network.
2. The property is not located along an existing or foreseeably planned CCRTA fixed route service.
3. 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.
4. The Comprehensive Plan will not be substantially affected

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

1. The property is zoned "RS-6" Single-Family 6 District from which a sidewalk network can be started.
2. The subject property is located within 0.17 miles of the intersection of the commercial node of North Padre Island Drive and Leopard Street.

# 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
-