

Request for Sidewalk Waiver

Bayside Acres No. 2, Block 4, Lots 6-A and 6-B (Replat)
Property at 3729 Rick Lane



Planning
Commission
October 14, 2020

Aerial Overview

This aerial map provides an overview of the Bayside Acres Unit 2 development. The subject property is highlighted with a red rectangle and labeled "SUBJECT PROPERTY". A yellow line indicates a proposed or existing easement or boundary, running from the subject property down Yorktown Blvd and then east along the shore. The map shows various streets including Cliffview Way, Yorktown Blvd, Bayside Acres Blvd, and Laguna Shores Blvd. Other labeled areas include Bayside Acres Unit 2, Shores, Laguna Vista, and Harbor. The map also shows surrounding properties and natural features like the harbor and a river.

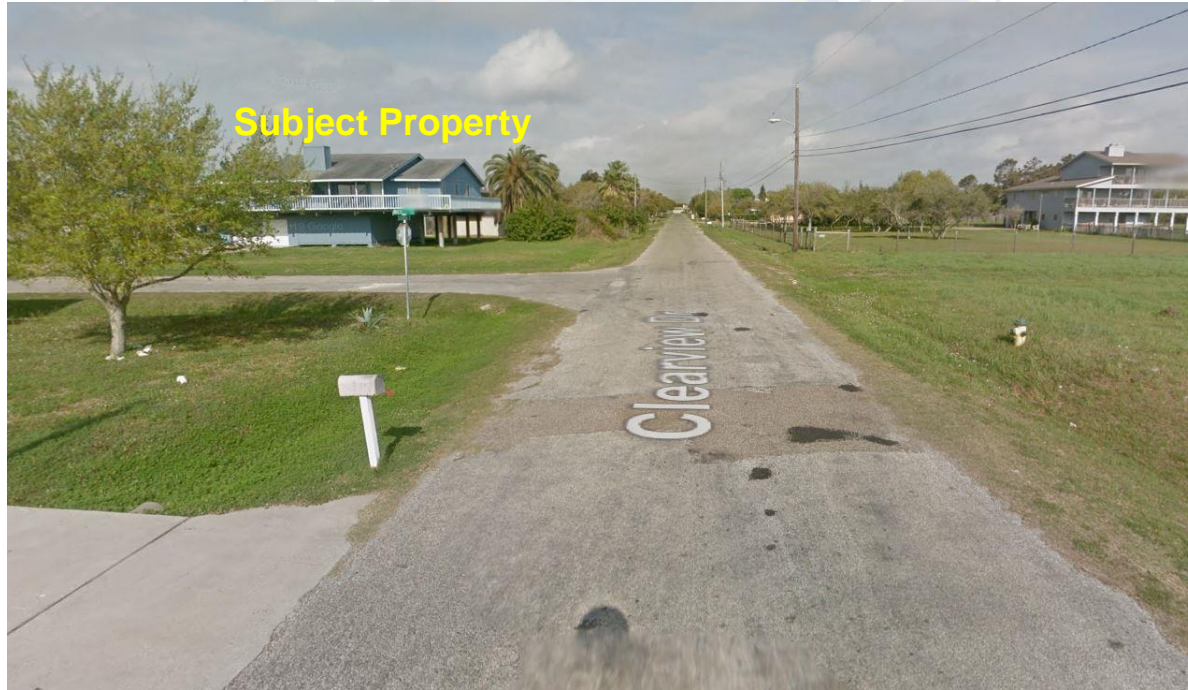


Subject Property, South on Rick Lane



1852

Subject Property, West on Clearview Drive



1852

Subject Property, West on Sea Side Drive



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The map illustrates the subdivision of Bayside Acres No. 2, Vol. 20, Pg. 15, M.R.N.C.T. into several lots:

- Lot 5**: Located at the top, containing **Lot 6-A** (9089.39 Sq.Ft., 0.209 Acres) and **Lot 6-B** (11887.66 Sq.Ft., 0.272 Acres). It has a width of 113.23' and a height of 86.77'. Boundary measurements include N29°00'00"E, S29°00'00"W, and E81°00'00"E.
- Lots 6 and 7**: Situated below Lot 5, separated by a 10' YARD REQUIREMENT. They share a common boundary with Lot 5.
- Lot 1**: Located to the west of Lot 5.
- Lot 24**: Located south of Lot 1.
- Other Lots**: To the east of the main group are **Lot 11**, **Lot 12**, and **Lot 13**.

Streets and Features:

- Seaside Drive**: Runs vertically along the western boundary of Lot 5.
- Rick Lane**: A horizontal road (60' R.O.W.) separating Lot 5 from Lots 6 and 7.
- Clearview Drive**: A vertical road (60' R.O.W.) running along the eastern side of the main lot group.
- Yard Requirements**: Specified as 25' for most sides of Lot 5 and Lot 6-B, and 10' between Lot 5 and Lot 6.
- Curved Boundaries**: Indicated by arcs with radii of R=10.00' and angles of 15.77° and 12.71° near the intersections with Rick Lane.
- North Arrow**: Located in the bottom right corner.

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 Clearview Drive, Rick Lane or Seaside Drive. The subdivision was approved with a rural street section containing ditches. There are not any nearby sidewalks on the adjacent subdivisions. The south road intersection with Yorktown Boulevard and east road intersection with Laguna Shores do not have sidewalk networks.
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 provided meeting current standards for a residential 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
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