

# Request for Sidewalk Waiver

**Gateway Park Block 5, Lots 15A and 15B (Replat)**  
**Property at 1122 Nagle Street**



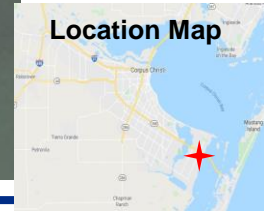
Planning  
Commission  
November 11, 2020

# Aerial Overview

**Aerial Overview**

The map displays a residential area with various zoning designations and street layouts. Key features include:

- Streets:** Spadina Island Drive, Knottbrook Ct, Stewart St, and Maple Street.
- Zoning Designations:** CG-1, CG-2, and RM-1.
- Subject Property:** A red rectangle highlights the property located on Maple Street.
- Existing Sidewalk:** A yellow line indicates the existing sidewalk along Maple Street.
- No Sidewalk Network:** A red arrow points to an area near Knottbrook Ct, indicating a lack of sidewalk network.



# Subject Property, South on Nagle Street

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# Subject Property, North on Nagle Street

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## 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

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

1. No current sidewalk network exists along Nagel Street and there is not a sidewalk tie in with the existing sidewalk along the Padre Island Drive frontage.
2. The entire residential subdivision is platted and there is little or no opportunity to extend a sidewalk network in the near future on adjacent lots. This is a developed neighborhood with infill lots. The subdivision was approved with a rural street section containing ditches
3. The south road intersection with Knickerbocker Street does not have a sidewalk network.
4. The property is not located along an existing or foreseeably planned CCRTA fixed route service.
5. 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.
6. The Comprehensive Plan will not be substantially affected.

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

1. The property is zoned "RM-1" Multifamily 1 District from which a sidewalk network can be provided meeting current standards for a residential street.

# 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”



## 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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