



AGENDA MEMORANDUM

Planning Commission Meeting of January 6, 2021

DATE: December 22, 2020

TO: Al Raymond, Director of Development Services

FROM: Mark Orozco, Engineering Associate, Development Services
MarkOr@cctexas.com
(361) 826-3921

<p>Padre Island-CC Section E, Block 2, Lot 19R (Final) Request for a Plat Waiver of the Sidewalk Construction Requirements in Section 8.1.4 and 8.2.2 of the Unified Development Code</p>
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BACKGROUND:

York Engineering, on behalf of Mario A. Martinez, property owner, submitted a request for a waiver of the plat requirement to construct a sidewalk in Section 8.1.4.A and 8.2.2.A of the Unified Development Code (UDC).

The subject property, known as the proposed Padre Island-CC Section E, Block 2, Lot 19R , Replat (0.79 acres +/-), is in Padre Island, located west of Leeward Drive and north of Aruba Drive. The land is zoned "CR-2/IO" Resort Commercial with an Island Overlay District. The original subdivision plat was approved by the City of Corpus Christi and recorded in 1972. The City of Corpus Christi annexed this area in 1989.

The site is not within in an AICUZ zone and is currently vacant. The owner proposes to combine the platted lots into one lot for Resort Commercial development.

STAFF ANALYSIS and FINDINGS:

UDC Sections 3.30.1 and 8.1.4 require construction of sidewalk as part of the platting process. The UDC also states, under Section 8.2.2.B.1-4, that a waiver *may* be granted, in accordance with the waiver procedure in Section 3.8.3.D., but only if certain conditions exist:

1. Sidewalks shall not be required along each side of a street right-of-way where such street is a permanent dead-end street and where there is pedestrian access from the permanent dead-end street to a paved hike and bike trail. In such instance, a sidewalk only shall be required on one side of the street right-of-way.
2. Sidewalks shall not be required along street rights-of-way where each lot fronting on such

street has direct access from the side or rear to a paved hike and bike trail.

3. Sidewalks shall not be required for residential subdivisions in the Farm-Rural and Residential Estate zoning districts.
4. Sidewalks adjacent to private streets may be allowed to be placed on only one side of the street if the sidewalk width is 6 feet or greater and approved by the Assistant City Manager of Development Services.

None of the enumerated conditions in UDC 8.2.2.B.1-4 for a sidewalk waiver exist on this subject property.

In any event, Section 3.8.3.D of the UDC provides factors to consider plat waivers, and states that the need for the waiver shall be demonstrated to the Planning Commission's satisfaction. The waiver may be approved, approved with conditions, or denied, after consideration of the following factors:

1. The granting of the waiver shall not be detrimental to the public health, safety or general welfare, or be injurious to other property in the area, or to the City in administering this Unified Code;
2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
3. Application of a provision of this Unified Development Code will render subdivision of land unfeasible; or
4. The granting of the waiver would not substantially conflict with the Comprehensive Plan and the purposes of this Unified Development Code.

Factors in Support of the Waiver. The applicant states that they do not believe the sidewalk should be required along both frontages for Aruba Drive and Leeward Drive because:

1. No current sidewalk network exists along Aruba Drive or Leeward Drive. The subdivision was approved with no sidewalk requirement as Padre Island was not part of Corpus Christi at time of development.
2. This final plat is located along, but not immediately adjacent to any bus stop served by Route 65 Padre Island Connection and should not adversely impact any CCRTA Services.
3. Aruba Drive and Leeward are not on the City's ADA Master Plan.

Factors weighing against the waiver and in support of requiring street:

1. The property is in the "CR-2" Resort Commercial District and is a corner lot from which a street and sidewalk network can be continued.
2. Resort Commercial Districts emphasis is placed on establishing scenic and/or pedestrian

corridors, walking and bike paths, amenities, and public open spaces.

3. The property is 0.30 miles from beach public access.
4. Leeward Drive is a Collector Street on the Urban Transportation Plan.
5. The Comprehensive Plan, Plan CC, states the community's vision for Transportation and Mobility and calls for connected networks of good streets and sidewalks and safe bicycle routes.
6. The Bicycle Mobility Plan shows Leeward Drive as a One-Way Cycle Track (Both Sides) with a Buffered Bike Lane.

STAFF RECOMMENDATION:

Weighing the factors, Staff recommends denial of the waiver from the sidewalk construction requirement.

Planning Commission may choose to follow or decline Staff's recommendation, and Planning Commission may approve, approve with conditions, or deny the waiver request.

LIST OF SUPPORTING DOCUMENTS:

Exhibit A – Final Plat

Exhibit B – Waiver Request Letter

PowerPoint Presentation-Waiver from Sidewalk Requirement

Exhibit B



November 19, 2020

Platting
Development Services Department
City of Corpus Christi
2406 Leopard St, Suite 100
Corpus Christi, Texas 78408

Subject: Padre Island, Section E, Block 2, Lot 19R

To Whom it May Concern:

The Owner/Developer platting the subject property would like to request a waiver for the required sidewalk construction. The reason for the request is the absence of sidewalk at adjacent developed lots as well as in the general area.

Please contact me with any questions or concerns you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael C. York', is positioned above the printed name.

Michael C. York, P.E.
President
York Engineering, Inc.