

# Request for Sidewalk Waiver

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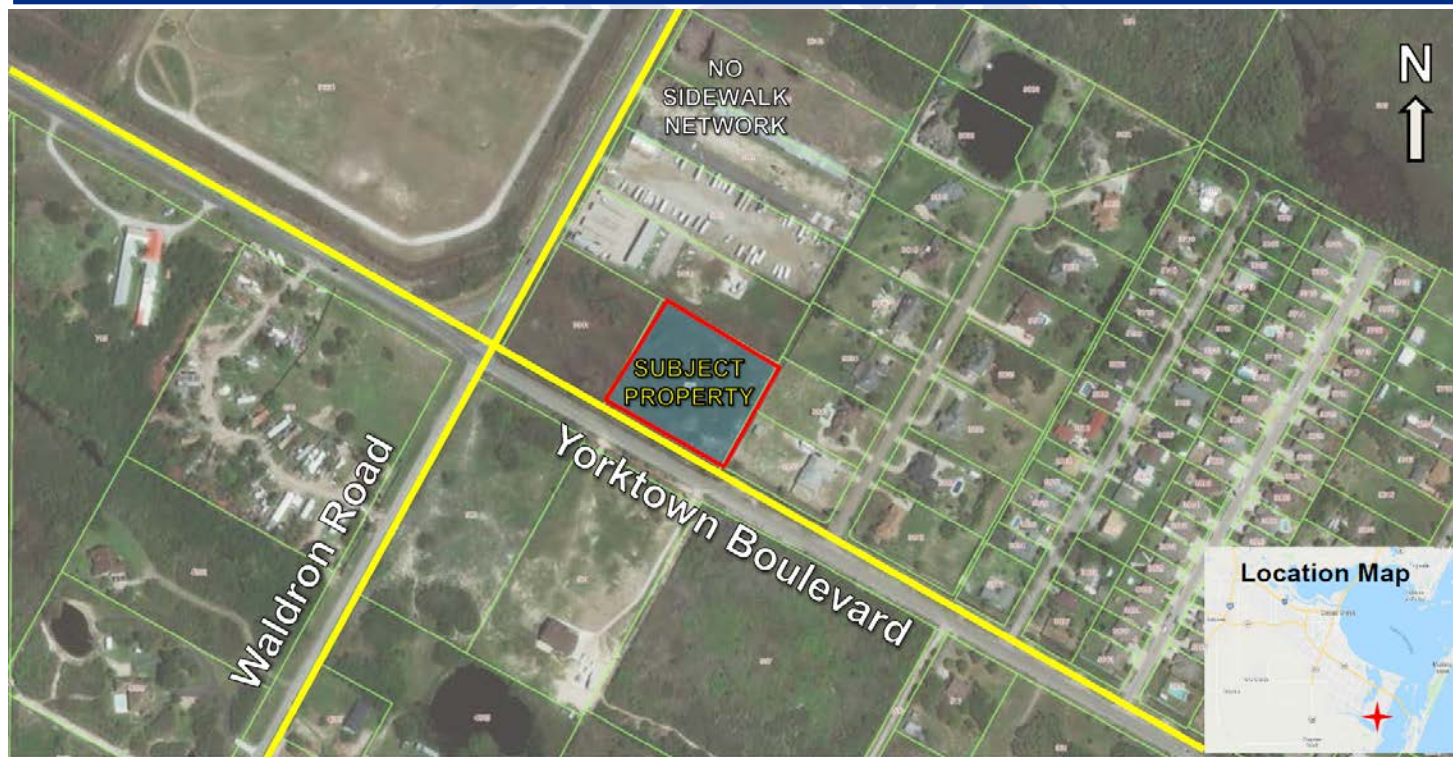
**CorFer Tract, Block 1, Lot 1 (Final Plat)**

**Property at 582 Yorktown Boulevard**



Planning  
Commission  
February 3,  
2021

# Aerial Overview



# Subject Property, South on Yorktown Boulevard



1852



# Subject Property, North on Yorktown Boulevard



1852



# Staff Recommendation

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**Denial** 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 Palmira Avenue and there is not a sidewalk tie in with the existing sidewalk along any connecting streets.
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 "CG-1" General Commercial District with the Island Overlay from which a sidewalk network can be provided meeting current standards for a residential street.
2. The adjacent corner lot is undeveloped. As adjacent lots may be replatted and developed, sidewalks will be required as part of a future platting process.
3. The closest sidewalk connection is approximately 1,500 feet to the east at Holland Drive. The entrance to the little league baseball fields at Waldron Field is approximately 2,000 feet to the northwest along Waldron Road.

# 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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