



AGENDA MEMORANDUM

Planning Commission Meeting of February 17, 2021

DATE: February 10, 2021

TO: Al Raymond, Director of Development Services

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

Padre Island-Corpus Christi Section 4, Block 191, Lots 7A, 7B & 7C (Replat)
Request for a Plat Waiver of the Sidewalk Construction Requirements
in Section 8.1.4 and 8.2.2 of the Unified Development Code

BACKGROUND:

Voss Engineering, Inc., on behalf of property owner, New Castle Construction, LLC, 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-Corpus Christi Section 4, Block 191, Lots 7A, 7B & 7C addressed as 15226 Cruiser Street, is a corner lot located along the east side of Cruiser Street and north of Whitecap Boulevard. This is a replat subdividing Lot 7 into Lots 7A, 7B and 7C. The purpose of the plat is to obtain a residential building permit for the purpose of constructing townhomes. The original subdivision was platted in June of 1969 within the jurisdiction of Nueces County on Padre Island. The land was annexed into the City of Corpus Christi in 1981 and is currently zoned "RS-TF" Two-family District.

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 Development Code (UDC).
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 (UDC).

Factors in Support of the Waiver. The applicant states that they do not believe sidewalk should be required because:

1. From the property line to the edge of the existing roads, and with the existing infrastructure of the gas and water lines in place, there is not ample room for a sidewalk.
2. No current sidewalk network exists along Cruiser Street.
3. The subdivision was platted with not sidewalk requirements at that time.
4. The Comprehensive Plan will not be substantially affected.

Factors Against the waiver and in support of requiring sidewalk construction:

1. The property is zoned "RS-TF" Two-family District from which a sidewalk network can be provided meeting current standards for a residential street.
2. The lot has frontage on Whitecap Boulevard designated as a C2 Collector Street and has an existing sidewalk network along the north side of the right of way. There is a sidewalk along a portion of the adjacent alley.
3. The lot is a corner lot from which a network can be continued. With three driveways, 35 linear feet of standard sidewalk and 48 linear feet of sidewalk tied to the driveways can be installed. A shared driveway is also an option. Excluding these three lots, 33% of the blockface is undeveloped and would require replatting if developing townhomes and could

have sidewalks constructed.

4. The subject property is located approximately 323 feet away from a Commercial node at the intersection of Whitecap Boulevard and Park Road 22.

STAFF RECOMMENDATION:

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 – Waiver Request Letter

Exhibit B – Final Plat

PowerPoint Presentation-

VOSS ENGINEERING, INC.
CIVIL ENGINEERING AND LAND SURVEYING
6838 GREENWOOD ROAD (361) 854-6202
CORPUS CHRISTI, TX 78415 (361) 853-4696 -FAX

January 18, 2021

To: Development Services
City of Corpus Christi

RE: PI-CC, Section No. 4, Lot 7A, 7B & 7C

Sirs,

For the above referenced plat, and by Section 3.8.3.D of the UDC, we are requesting a waiver to the engineering comment of "public improvement for sidewalk is required along Cruiser Street.

Referring to Section 8.2.2.B of the UDC, we wish to apply for the waiver of the sidewalk construction as per Section 8.2.2.A based on the following factors:

1. From the property line to the edge of the existing roads, and with the existing infrastructure of the gas and water lines in place, there is no room for a sidewalk.
2. For the whole neighborhood along said Streets, there are no existing sidewalks.
3. Also, for the whole subdivision, this plat was filed years ago.
4. The granting of said Waiver, and with said current improvements existing on said Cruiser Street, should not conflict with the Comprehensive Plan and the purposes of said UDC.

If anything else is needed, please contact us.

Ron Voss Jr.

Exhibit A

**PADRE ISLAND-CORPUS CHRISTI
SECTION NO. 4
BLOCK 191, LOT 7A, 7B & 7C**

THIS MAP IS A PART OF LOT 7, BLOCK 191,
PADRE ISLAND-CORPUS CHRISTI, SECTION NO. 4,
BLOCK 191, LOT 7A, 7B & 7C, PADRE ISLAND,
CORPUS CHRISTI, NUECES COUNTY, TEXAS.

NOTES:
1. WHEN REQUIREMENTS ARE EXPRESSED HEREIN AS A REQUIREMENT OF THE LANE DEVELOPMENT CODE AND SUBJECT TO CHANGE AS THE ZONING MAY CHANGE.

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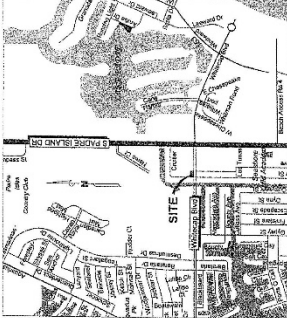
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- 2. COMMUNITY BASED FLOOD HAZARD & CORRELATION TO FLOOD HAZARD ZONE.
- 3. REFER TO MAP DATED 01/19/21 FOR A-1 (2) (A) (1).
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- 15. DATED 01/19/21.

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2. COMMUNITY BASED FLOOD HAZARD & CORRELATION TO FLOOD HAZARD ZONE.
3. REFER TO MAP DATED 01/19/21 FOR A-1 (2) (A) (1).

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VICINITY MAP (NTS)

STATE OF TEXAS
COUNTY OF NUECES
THIS PLAN IS A PART OF THE RESERVATION PROPERTY WAS APPROVED BY THE
COUNTY CLERK OF NUECES COUNTY, TEXAS, ON 01/19/21.

THIS THE ____ DAY OF _____, 2021.

COUNTY CLERK

COUNTY CLERK

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VOSS ENGINEERING, INC.
ENGINEERING AND LAND SURVEYING
6833 GREENWOOD DRIVE, CORPUS CHRISTI, TEXAS 78416
PHONE: (361) 884-6202 FAX: (361) 884-6886

DATE:	REVISED:	OFFICE:	JOB #:
12/08/2020	01/25/2021	RV & PP	19-6295
FIRM NO. F-166			