## Request for Sidewalk Waiver

Gateway Park, Block 5, Lots 16A, 16B, 16C, 17A and 17B (Final)
Property at 1121 and 1125 O'Connell Street



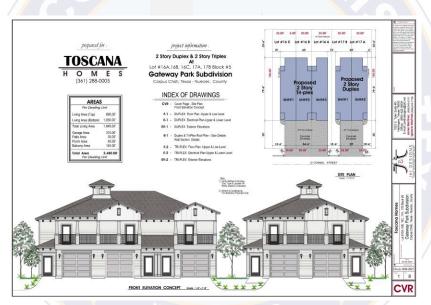


Planning Commission March 31, 2021

### **Aerial Overview**



## **Proposed Development**



NCORPORATED 1852

# Subject Property, South on O'Connel Street



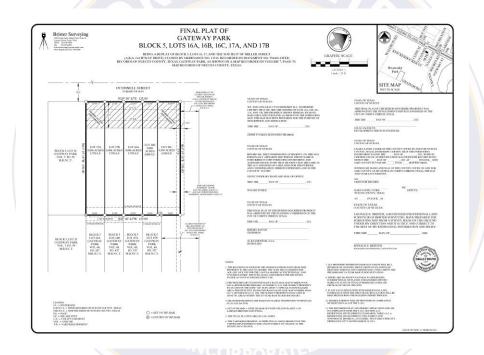
NCORPORATED 1852

# Subject Property, North on O'Connel Street



NCORPORATED 1852

#### Gateway Park, Block 5, Lots 16A, 16B, 16C, 17A, & 17B (Final)



#### 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

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#### Factors in Sidewalk Waiver

# Applicant's Factors in Support of Sidewalk Waiver

- 1. There are currently no adjacent sidewalks along O'Connell Street to connect to.
- The property is not located along an existing or foreseeably planned CCRTA service route.
- There are open ditches along the right of way of O'Connell Street, which would make it unsafe for pedestrians to use sidewalk.
- 4. The waiver of the sidewalk will not be detrimental to the public health, safety, or general welfare.
- The waiver of the sidewalk will not affect the adjacent property in a manner to restrict or render unfeasible.

# Factors Against Sidewalk Waiver (for sidewalk construction)

- The property is zoned "RM-1 Multi-Family 6 District from which a sidewalk network can be provided meeting current standards for a residential street.
- 2. The property is adjacent to Commercial lots and is 145 ft to a Commercial node along South Padre Island Drive.
- 3. The Commercial node along South Padre Island Drive has a sidewalk network running along the frontage road.

### Plat Requirements

- <u>UDC 3.30.1.A</u>: 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, <u>sidewalks</u>...."
- <u>UDC 8.2.2.A.4</u>: "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