



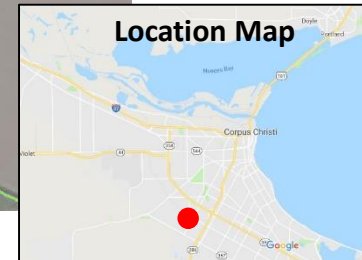
Cedar Grove, Block 3, Lot 5R (Replat)

**Request for Plat Waiver
from the Sidewalk Construction Requirement**

**Planning Commission Meeting
October 27, 2021**



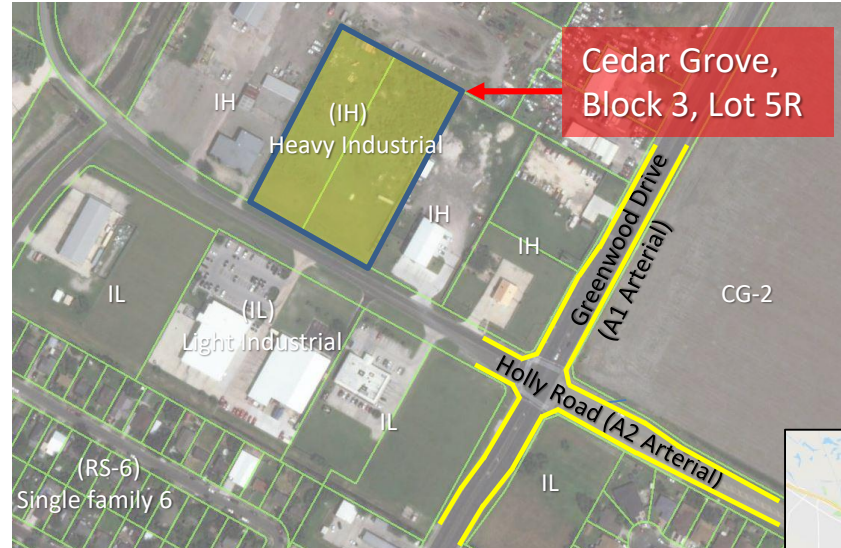
Vicinity Map



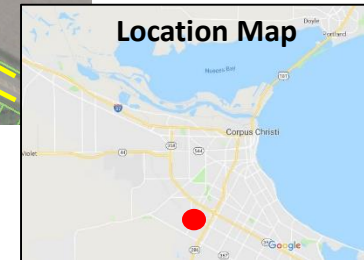


Aerial Map

— Indicates Sidewalk Network



Cedar Grove,
Block 3, Lot 5R





Plat Requirements

- 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 Requirements (Collectors)

Article 8: Subdivision Design and Improvements

Table 8.2.1.C Non-Local Street Standards Table

	ROW Width (ft.)	BB Width (ft.)	Through Lanes	Median/ Turn Lane	Spacing (miles)	Sidewalk** (ft.)	Back of Curb to Property Line (ft.)	Avg. Daily Trips
Non-local Streets*								
Minor Res. Collector (C1)	60	40	2	No	0.25 to 0.50	5	10	1,000 - 3,000
Secondary Collector (C2)	65	41	3	Center turn	0.25 to 0.50	5	12	2,000 - 5,500
Primary Collector (C3)	75	50	4	No	0.25 to 0.50	5	12.5	4,000 - 8,500
Parkway Collector (P1)	80	40	2	--	0.25 to 0.50	5 to 8	14.5 to 25.5	1,000 - 3,000
Minor Arterial (A1)	95	64	4	Center turn	1.0 to 1.5	5	15.5	15,000 - 24,000
Secondary Arterial (A2)	100	54	4	Median	1.0 to 1.5	5	15	20,000 - 32,000
Primary Arterial (A3)	130	79	6	Median	1.0 to 1.5	5	17.5	30,000 - 48,000
Freeway (FR)	400	Varies	4-10	Median	--	No	19	60,000 - 200,000
*Non-local streets contain curb, gutter and underground drainage.								
**Sidewalks are not required in industrial areas.								

(Ordinance 030769, 02/16/2016)



Plat Requirements (Industrial Districts)

- 8.2.2.A.1.a. Within industrial subdivisions, sidewalks having a width of not less than 4 feet and thickness of not less than 4 inches shall be required only on streets that meet any of the following conditions:
 - i. Streets that are in the UTP as arterials or collectors
 - ii. Through-streets that either are connecting to existing streets or to proposed arterials or collectors.
 - iii. Perimeter streets where a sidewalk presently exists to the boundary of industrial subdivisions.



Intersection w/sidewalks: Looking West





Intersection w/sidewalks: Looking East





Subject Site: Looking West







Factors in Sidewalk Waiver

Applicant's Factors in Support of Sidewalk Waiver

- The owner intends to construct a new building on the property and install a sidewalk as a public improvement as part of the construction project for the building.
- The waiver to the public improvement would allow for the sidewalk to be constructed after the major portion of the construction has been completed.
- FMP Masonry, Inc. would be agreeable to the completion of the sidewalk construction as a condition of the Certificate of Occupancy for the new construction project.

Factors Against Sidewalk Waiver (for sidewalk construction)

- Holly Road is categorized as an A2 Secondary Arterial street in the Urban Transportation Plan (UTP). UDC Table 8.2.1.C requires sidewalk along Arterials.
- The area is zoned IH (Heavy Industrial). Sidewalk is required in industrial subdivisions along streets that are in the UTP as arterials or collectors, and also along "through-streets" that either are connecting to existing streets or to proposed arterials or collectors, per UDC 8.2.2.A.1.a.i and ii.
- None of the exceptional conditions for a sidewalk waiver that are listed in UDC 8.2.2.C exist in this case.
- There is an established sidewalk connection along Holly Road at the nearby intersection with Greenwood Drive.



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
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Staff Recommendation

Weighing the factors, Staff recommends denial of the request for 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