

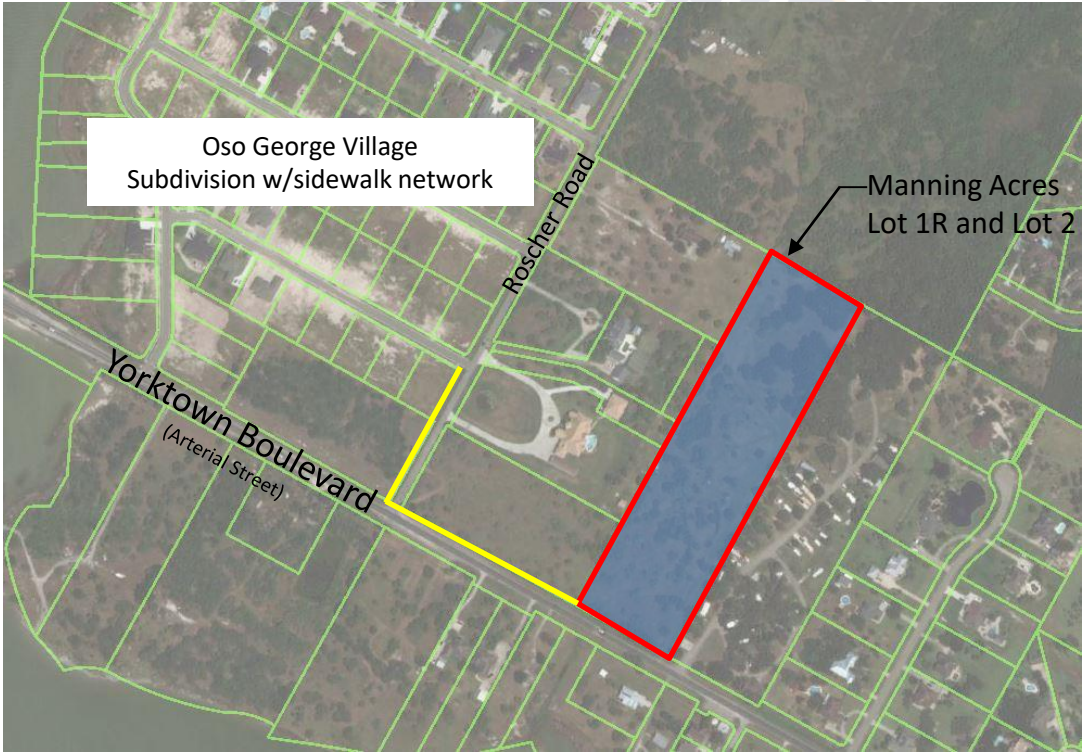
Request for Sidewalk Waiver

**Manning Acres, Lot 1R and Lot 2 (Replat)
Property at 2020 Yorktown Boulevard**



Planning Commission
November 10, 2021

Aerial Overview



Indicates 1200 ft length to Sidewalk network

Subject Property, East on Yorktown Boulevard



Subject Property, West on Yorktown Boulevard



Staff Recommendation

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. There are not sidewalks along the street along the adjacent properties.
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.
4. The Comprehensive Plan will not be substantially affected.
5. Waiver of sidewalk will not affect the adjacent Property in a manner to restrict or render feasible.

Factors Against Sidewalk Waiver (for sidewalk construction)

1. The property is along an Arterial street on the Urban Transportation Plan requiring a 5' sidewalk on each frontage of the street.
2. The Strategic Plan for Active Mobility has a designated One-way Cycle track for each frontage. Therefore, granting of the waiver will affect the Comprehensive Plan.
3. The nearest sidewalk connection is approximately 1,200 feet west in the Oso George Village residential subdivision off of Roscher Road.
4. Unplatted and undeveloped property in the area provides an opportunity to extend the sidewalk in the future.

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 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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