

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Eleana Galicia, Planner I

SUBJECT: Consider/Discuss/Act on a Request for a Conveyance Plat for Lots 4 and 5, Block A, of the Custer's Bobos Addition, Located on North Side of Virginia Parkway and the West Side of Custer Road

APPROVAL PROCESS: The Planning and Zoning Commission is the final approval authority for the proposed conveyance plat.

STAFF RECOMMENDATION: Staff recommends approval of the proposed conveyance plat with the following conditions, which must be satisfied prior to filing the plat for record:

1. The applicant revise the plat to revise the notation "All proposed lots situated outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the requirements of the subdivision ordinance," to read "All proposed lots situated in whole or in part within the city's corporate limits comply with the minimum size requirements of the governing zoning district and the requirements of the subdivision ordinance."
2. The applicant revise the plat to revise the spelling of the owner's name in the owner's dedication.
3. The applicant revise the plat to show the correct acreage for Lot 4 from "11.399 Acres" to "11.339 Acres."
4. The applicant revise the plat to provide a minimum 15' wide drainage easement extending from the drainage and the detention easement on proposed Lot 4, to proposed Lot 5, subject to the review and approval by the City Engineer.

APPLICATION SUBMITTAL DATE: February 23, 2015 (Original Application)
March 9, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to subdivide approximately 12.37 acres into two lots, Lot 4 (approximately 11.34 acres) and Lot 5 (approximately 1.03 acres) for commercial uses.

The approval of a conveyance plat authorizes the recordation and conveyance of the parcel(s) created thereon, but does not authorize any type of development on the property. The applicant and future owner(s) of the property remain obligated to comply with all provisions of the Subdivision Ordinance upon future development of the property including, but not limited to, all platting requirements, required public improvements, utility extensions, street improvements, right-of-way and easement dedications, and all other applicable requirements of the Subdivision Ordinance. The submission and approval of a conveyance plat does not vest any rights in the property.

PLATTING STATUS: The subject property is currently unplatted. A record plat(s) of the subject property must be approved prior to the commencement of any development activity on the subject property.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" – Planned Development District Ordinance No. 2006-04-039 (Commercial Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 98-08-44 (Single Family Residential) and "PD" – Planned Development District Ordinance No. 2008-07-069	Virginia Hills Addition Phase One Subdivision and Kwik Kar Lube & Tune
South	"PD" – Planned Development District Ordinance No. 2001-02-024 (Commercial Uses)	Sprouts Farmers Market
East	"PD" – Planned Development District Ordinance No. 1741 (Commercial Uses)	Custer Virginia Marketplace
West	"PD" – Planned Development District Ordinance No. 98-08-44 (Single Family Residential)	Virginia Hills Addition Phase One Subdivision

ACCESS/CIRCULATION:

Adjacent Streets: Virginia Parkway, 120' Right-of-Way, Major Arterial

Custer Road, 130' Right-of-Way, Principal Arterial

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Conveyance Plat