

AGENDA ITEM

TO: City Council

THROUGH: Brandon Opiela, Planning Manager

FROM: Steven Duong, Planner I

SUBJECT: Consider/Discuss/Act on the Request by Kimley-Horn and Associates, Inc., on Behalf of CH-B Trinity Falls, L.P., for Approval of a Conveyance Plat for Lots 1 and 2, Block A, of the Trinity Falls North Addition, Being Fewer than 1,200 Acres, Located on the Southeast Corner of County Road 281 and County Road 206

APPROVAL PROCESS: The City Council is the final approval authority for the proposed conveyance plat.

STAFF RECOMMENDATION: Staff recommends approval of the proposed conveyance plat with the following conditions:

1. The applicant receive approval of a variance waiving the requirement to dedicate the necessary right-of-way for C.R. 281, C.R. 206, C.R. 228, Trinity Falls Parkway, C.R. 279, and the Future Collin County Outer Loop, until the property is platted for development.

Prior to filing the plat for record:

2. The applicant revise the plat to provide the necessary water line, drainage, and sanitary sewer line easements to proposed Lot 1, subject to the review and approval of the City Engineer.
3. The applicant revise the plat to change the approval signature block to Mayor, City Council.
4. The applicant revise the dedication language on the plat to include the lot and block information.

However, the applicant is requesting a variance to Condition #2 (above), waiving the requirement to dedicate easements for proposed Lot 1, ensuring direct access to public utilities (water, drainage, and sanitary sewer), which Staff recommends denial of.

APPLICATION SUBMITTAL DATE: January 27, 2014 (Original Application)
February 10, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to subdivide the subject property for conveyance purposes into two lots, Lot 1 (approximately 3.06 acres), and Lot 2 (approximately 1,110.03 acres), Block A, of the Trinity Falls North Addition, located on the southeast corner of C.R. 281 and C.R. 206.

The applicant has also requested two variances to the Subdivision Ordinance. The first variance request is to waive the requirement of dedicating the appropriate amount right-of-way along roads shown on the City's Master Thoroughfare Plan or an existing roadway with insufficient right-of-way. The second variance request is to waive the requirement of dedicating easements for sanitary sewer, drainage, and water utility lines extending through proposed Lot 2 to proposed Lot 1. Both variances are discussed in further detail below.

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.

VARIANCE FOR RIGHT-OF-WAY DEDICATION: Section 142-81(d)(4) of the Subdivision Ordinance allows for a conveyance plat if a parcel that is located adjacent to a right-of-way shown on the City's Master Thoroughfare Plan or another existing roadway with insufficient right-of-way, based on its classification type, dedicates an appropriate amount of right-of-way to the City via the proposed conveyance plat.

The applicant has not provided any of the required right-of-way dedication on the plat along C.R. 281, C.R. 206, C.R. 228, C.R. 279, Trinity Falls Parkway, and Future Collin County Outer Loop, and has instead requested a variance waiving the requirement to dedicate the necessary amount of right-of-way. Staff is comfortable supporting this variance request as the associated Trinity Falls Municipal Utility District (MUD) development agreement requires that right-of-way dedication be made to the public and Collin County, relieving the City of the maintenance of said roadways. Additionally, the final road alignment for these thoroughfares has yet to be finalized, thus any portions of right-of-way dedicated with this conveyance plat may need to be modified in the future as the property is platted for development. Said changes to roadway alignments may trigger the need for right-of-way vacations, hindering the progress of development in the area.

VARIANCE FOR UTILITY EASEMENTS: Section 142-81(b) of the City's Subdivision Ordinance allows a conveyance plat to be used in lieu of a development plat to record

the subdivision of a property into parcels that are 5 acres in area or less, provided that each parcel has direct access to all required public improvements (water, sanitary sewer, drainage) via dedicated easements or direct adjacency to existing infrastructure. Proposed Lot 1 (approximately 3.06 acres) does not currently have access to said utilities and as such, Staff recommends that the applicant revise the plat to provide the necessary utility easements through proposed Lot 2 to proposed Lot 1, prior to filing the plat for record.

However, the applicant has requested a variance to Condition #2 (above) waiving the requirement to provide the necessary public utility easements to proposed Lot 1, which Staff recommends denial of.

PLATTING STATUS: A subsequent preliminary-final plat and record plat or minor plat of the subject property must be approved prior to the commencement of any development activity on the subject property.

SURROUNDING ZONING AND LAND USES:

Subject Property: Unzoned – “ETJ” – Extraterritorial Jurisdiction

North	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Single Residences	Family
South	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Single Residences	Family
East	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Single Residences	Family
West	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Single Residences	Family

ACCESS/CIRCULATION:

Adjacent Streets: C.R. 281, Ultimate 120’ Right-of-Way, 4-Lane Greenway Arterial
 C.R. 206, Ultimate 120’ Right-of-Way, 4-Lane Greenway Arterial and 6-Lane Major Arterial
 C.R. 228, Ultimate 120’ Right-of-Way, 4-Lane Greenway Arterial
 Future Trinity Falls Parkway, 120’ Right-of-Way, 4-Lane Greenway Arterial
 C.R. 279 (Melissa Road), Ultimate 120’ Right-of-Way, 4-Lane Greenway Arterial

Future Collin County Outer Loop, Major Regional Highway

Discussion: The subject property currently has access via C.R. 281, C.R. 206, and C.R. 228. Trinity Falls Parkway and the future Collin County Outer Loop will be constructed as tracts adjacent to said roadways are developed.

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
- PowerPoint Presentation