

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 Grayson Collin Electric Cooperative, for Approval of a Conveyance Plat for Lots 1 and 2, Block A, of the GCEC Chambersville Substation Addition, Being Fewer than 7 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:

Prior to filing the plat for record:

1. The applicant revise the plat to dedicate an additional 20' of right-of-way along the F.M. 543 (Weston Road).
2. The applicant revise the plat to provide access to proposed Lot 1 via the dedication of an access easement to an existing right-of-way, subject to the review and approval by 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 approval of two variances waiving the requirement to dedicate 20' of right-of-way on proposed Lot 2 along F.M. 543 (Weston Road) (Condition #1 above) and waiving the requirement for Lot 1 to have access to an existing public right-of-way via frontage or via access easements (Condition #2 above), 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 into two lots, Lot 1 (approximately 3.06 acres), and Lot 2 (approximately 3.78 acres), Block A of the GCEC Chambersville Substation Addition, located on the southeast corner of C.R. 281 and C.R. 206.

The applicant has also requested two variances waiving the requirement of dedicating 20' of right-of-way along F.M. 543 (Weston Road) and waiving the requirement for Lot 1 to have adequate access to an existing public right-of-way via street frontage or the dedication of access easements, which is discussed further 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 the required right-of-way dedication (20') for proposed Lot 2 along F.M. 543 (Weston Road). Engineering staff has indicated that the future alignment of F.M. 543 adjacent to the subject property is set and, as such, Staff recommends the applicant revise the plat to provide the necessary right-of-way dedication along F.M. 543 prior to filing the plat for record.

However, the applicant has requested approval of a variance waiving the requirement to dedicate 20' of right-of-way on proposed Lot 2 along F.M. 543 (Weston Road), which Staff recommends denial of.

VARIANCE FOR ACCESS TO AN EXISTING RIGHT-OF-WAY: 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 adequate access to an existing public right-of-way via frontage on said right-of-way or via the dedication of access easements.

The applicant has not provided an access easement to proposed Lot 1 granting access to an existing public right-of-way. Without said access easement, Lot 1 would be

conveyed without any access to the parcel and, as such, Staff recommends that the applicant revise the plat to provide access to proposed Lot 1 via the dedication of an access easement to an existing right-of-way, prior to filing the plat for record.

However, the applicant has requested a variance waiving the requirement to provide Lot 1 with access to an existing public right-of-way via frontage or via access easements, which Staff recommends denial of.

It should be noted; however, that the property directly to the east of proposed Lot 1 is currently under construction (Trinity Falls Subdivision Phase 2B) and is proposed to stub Red River Trail to the eastern boundary of proposed Lot 1. Since Red River Trail has yet to be fully constructed and accepted, this future access point is unable to fulfill the conveyance plat requirement of having adequate access to an existing right-of-way.

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: Extraterritorial Jurisdiction

North	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Undeveloped Land
South	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Undeveloped Land
East	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Undeveloped Land
West	Unzoned – “ETJ” – Extraterritorial Jurisdiction	Undeveloped Land

ACCESS/CIRCULATION:

Adjacent Streets: FM 543 (Weston Road), 60’ Right-of-Way, Collector Road

Discussion: Lot 2 of the subject property currently has access via F.M. 543 (Weston Road) from the south, however, the applicant has not proposed any access to proposed Lot 1.

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