



Planning and Zoning Commission Meeting Planning Department Staff Report

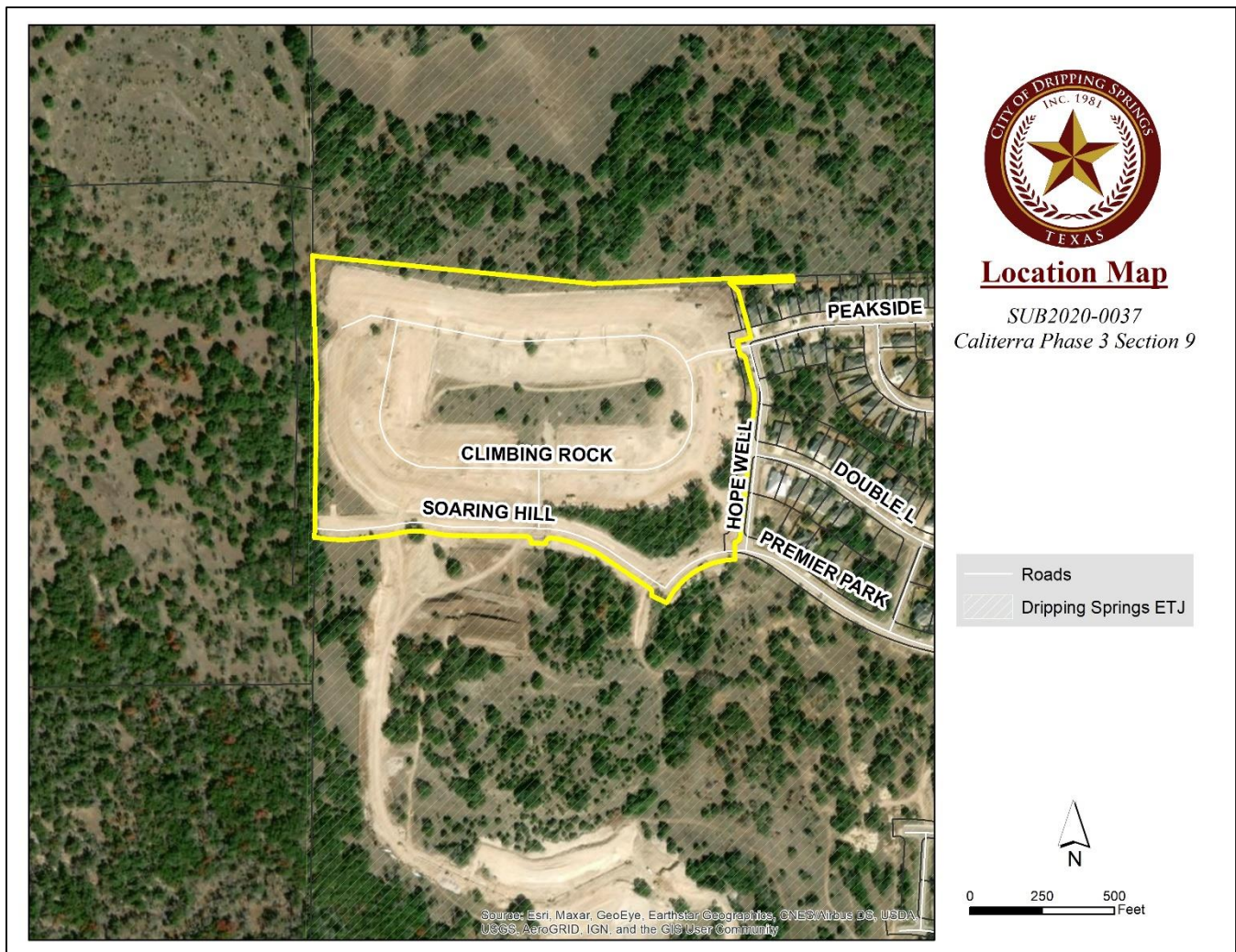
Planning and Zoning Commission Meeting: December 16, 2020
Project Number: SUB2020-0037
Project Planner: Amanda Padilla, Senior Planner

Item Details

Project Name: Caliterra Phase 3 Section 9 Replat with Vacation
Property Location: West of Ranch Road 12 and near Double L Drive.
Legal Description: Caliterra Section 3 Phase 9
Applicant: Bill Couch, CBD, INC
Property Owner: Development Solutions CAT, LLC
Request: Applicant is asking to Replat with a vacation the subdivision Caliterra Phase 3 Section 9 Final Plat to vacate a five-foot (5') utility easement along all side lot lines.

Staff Recommendation

Staff Recommends disapproval of the replat with a vacation of the Caliterra Phase 3 Section 9 Subdivision based on the outstanding comments attached.



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Overview

The applicant is requesting to Replat with a Vacation the Caliterra Phase 3 Section 9 Final Plat Subdivision. The applicant is vacating a Plat note.

The Caliterra subdivision is under a development agreement that was approved on January 14, 2014 (Vol 4978 Pg 215). The Plat has a total of 86 lots with 82 lots being single-family. The total acreage for this plat is 31.792 acres. The subject property is within the City's extraterritorial jurisdiction.

The City's subdivision ordinances do not permit anything to be built within an easement that could potentially interfere with the use of the easement. During the Building permit stage, it was noted that the applicant was placing air conditioning units within the utility easement. In order for the applicant to continue to keep placing the A/C units where they are currently being placed, the applicant is requesting to vacate the five-foot (5') utility easements along each side lot line. In order to vacate the easement, the applicant provided written consent from the utilities that would be affected.

The utilities that are provided to Caliterra are listed below:

Water: Dripping Springs Water Supply Corporation

Wastewater: City of Dripping Springs

Electric: Pedernales Electric Cooperation

The note to be removed is plat note # 16, which states:

“Utility easement of 15 feet shall be located along each side of dedicated R.O.W. and 5' along each side lot line.”

The Applicant is removing the portion “5' along each side lot line”.

The City has received sign off from Dripping Springs Water Supply Corporation and the Wastewater reviewer for the City of Dripping Springs has approved the note removal. The City received sign off from PEC with the following note “Individual easements will be required for all lots in Caliterra Phase 3, Section 9.” Per section 12.2.5 of the Subdivision Ordinance “For new development, all necessary on-site easements shall be established on the subdivision plat and not by separate instrument, and they shall be labeled for the specific purpose, and to the specific entity if other than the City, for which they are being provided”. The applicant will be required to place the individual easements on the plat prior to the vacation and replat of the property.

Summary, Recommendation, and Required Action

Staff recommends disapproval of the replat with a vacation of Caliterra Phase 3 Section 9 due to the Outstanding comments attached in the staff report.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the request.

Attachments

Exhibit 1 –Subdivision Application

Exhibit 2 – Caliterra Phase 3 Section 9 Recorded Plat

Exhibit 3 – Caliterra Phase 3 Section 9 Proposed Plat

Exhibit 4 – Caliterra Phase 3 Section 9 Vacation Document

Exhibit 5 – Utility Letters and Signoffs

Exhibit 6 – Outstanding Comments

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Recommended Action:	Deny the replat with a vacation, with outstanding comments
Alternatives/Options:	N/A
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A