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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

January 20, 2022

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AGENDA TOPIC: Consideration and possible action approving a Preliminary Plat request from Green Land Ventures Ltd., for Stone Creek Ranch Unit 2C proposing 35 single-family residential lots, generally located north-west of the intersection of Rolling Acres Trail and Ammann Road, City of Fair Oaks Ranch, Texas

DATE: January 20, 2022

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager, Engineering Services

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**The applicant has requested for an extension of time to address all staff comments. If the extension is approved, no action is needed on this item on the agenda.**

#### **SUMMARY:**

The purpose of this Preliminary Plat is to create 35 residential lots, and one private street which would be a continuation of Ranch Heights. The lots are approximately one acre in size.

The subdivision is generally located north-west of the intersection of Rolling Acres Trail and Ammann Road (see attached **Exhibit A: Location Map**). Street access to the subdivision will be provided from Ranch Heights.

#### **BACKGROUND:**

Unit 2C is one of the two remaining sections that was not platted as part of the existing Stone Creek Ranch Development. The subject parcel area is zoned Existing Residential 2 (R2).

There is an existing water service agreement between the City and the Green Land Ventures dated 2008 that restricted the number of units in the development to 230 single-family residential units.

Residential zone was assigned to areas that were covered under a development agreement or were subject to deed restrictions, staff has requested the applicant to confirm if there were such restrictions on this tract.

A Master Plan of the entire Stone Creek Ranch development provided by the applicant is given as **Exhibit B. Exhibit C** shows an aerial view of the Stone Creek Ranch development. The street providing access to this subdivision is constructed and has been accepted by the City. The parcel has protected trees on site that need mitigation. The applicant has prepared a tree mitigation plan (Tree Plan) that will need to be approved prior to a approval of the Preliminary Plat.

The Preliminary Plat review is based on the requirements of the Subdivision Regulations contained in Chapter 10 of the Code of Ordinances, which was in effect at the time of the approval of the service agreement. Staff has reviewed the Preliminary Plat and relayed review comments to the applicant. The applicant has requested for a 30-day extension of time to address the staff comments.

The outstanding comments area included in the attachments.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

The City of Fair Oaks Ranch's current process requires the Planning and Zoning Commission to consider the Preliminary Plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

**LONG-TERM FINANCIAL & BUDGETARY IMPACT:**

N/A

**LEGAL ANALYSIS:**

Sec. 212.006 (a) of the Texas Local Government Code titled, Authority Responsible for Approval Generally, states the following:

"The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission."

Sec. 212.009 (b-2) of the Texas Local Government Code titled, Approval Procedure: Initial Approval, states that - "...the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

- (1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and
- (2) the municipal authority or governing body, as applicable, approves the extension request."

During their January 13, 2022 meeting the Planning & Zoning Commission recommended approval of the 30-day extension of time for the approval of the Preliminary Plat for Stone Creek Ranch Unit 2C.

The motion passed unanimously (6-0).

**PROPOSED MOTION:**

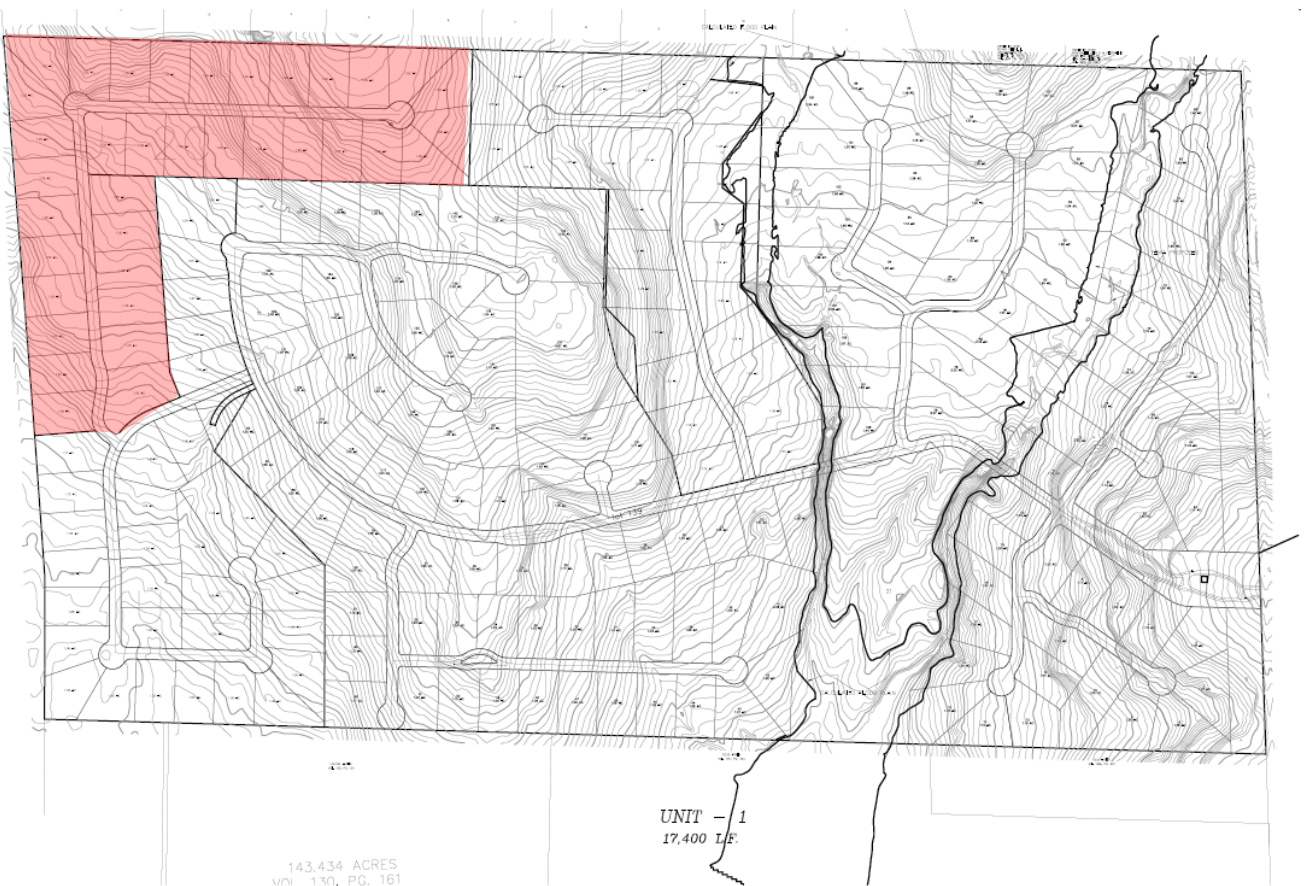
I move to deny the Preliminary Plat of Stone Creek Ranch Unit 2C due to the number of outstanding comments.

### Exhibit A: Stone Creek Ranch Unit 2C Location Map



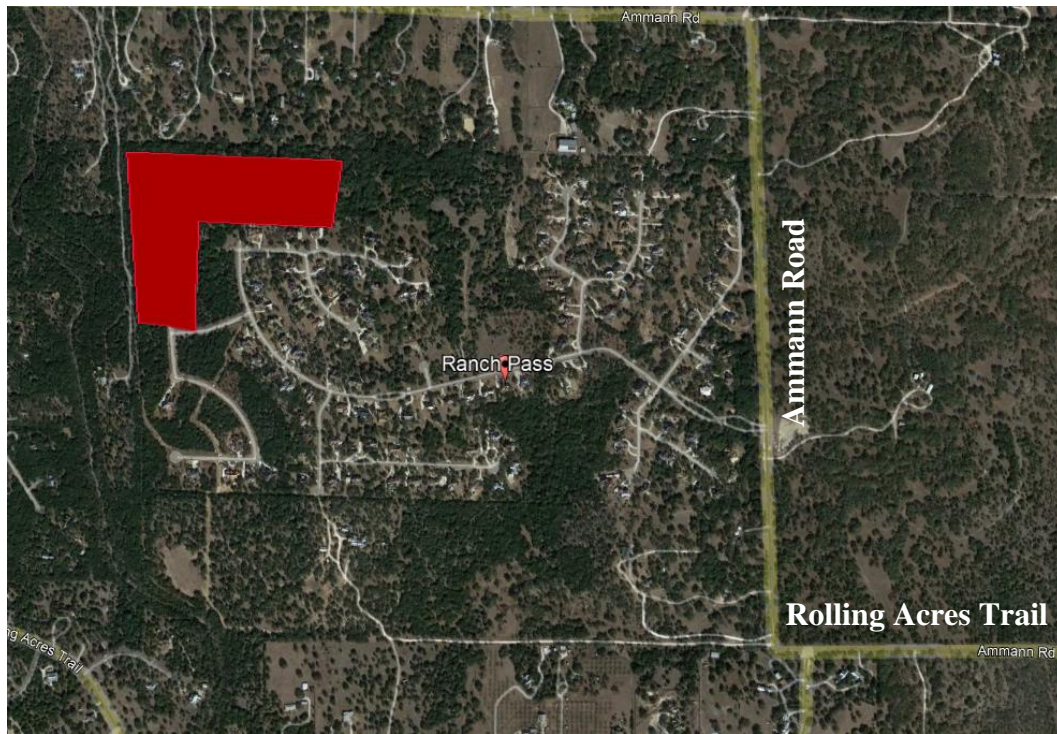
Source: Provided by the applicant

### Exhibit B: Stone Creek Ranch Subdivision Master Plan (Unit 2C Highlighted)



Source: Provided by the applicant

**Exhibit C: Stone Creek Ranch Subdivision Aerial View (Unit 2C Highlighted)**



**Attachments:**

1. Universal Application
2. S10 Preliminary Plat Specific Application Form
3. Stone Creek Ranch Unit 2C Subdivision Preliminary Plat
4. Stone Creek Ranch Masterplan
5. Time Extension Request
6. Outstanding Comments