



CITY COUNCIL CONSENT AGENDA ITEM

CITY OF FAIR OAKS RANCH, TEXAS

June 1, 2023

AGENDA TOPIC: Approval of a Final Plat request from Green Land Ventures Ltd., for Stone Creek Ranch Unit 2C, a 65.894-acre tract zoned Existing Residential 2 (R2), proposing 53 single-family residential lots, generally located north-west of the intersection of Rolling Acres Trail and Ammann Road, City of Fair Oaks Ranch, Texas

MEETING DATE: June 1, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Consent Agenda - Grant Watanabe, P.E., Director of Public Works & Engineering Services

SUMMARY:

As part of the Stone Creek Ranch development, the purpose of this Final Plat for Unit 2C is to create 53 residential lots, one drainage reserve, 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 Exhibit C: Aerial View). Street access to the subdivision will be provided from Ranch Heights.

BACKGROUND:

The Preliminary Plat was approved in March 2022. The tree mitigation plan (Tree Plan) was approved prior to the approval of the Preliminary Plat. The Construction Plans for Public Improvements were approved in March 2023.

Unit 2C is one of two remaining units that has not been platted as part of the existing Stone Creek Ranch Development. As per the applicant, Unit 1 (including subsequent amending plats), 1A, and Unit 2A have been recorded. The subject parcel area is zoned Existing Residential 2 (R2).

There is an existing water service agreement between the City and Green Land Ventures dated 2008 that restricted the number of units in the development to 238 living unit equivalents (LUEs). Since there are 58 LUEs remaining, Unit 2C will not exceed the total LUEs allowed.

Existing Residential zone was assigned to areas that were covered under a development agreement or were subject to deed restrictions. As per the applicant, there was no development agreement or master plan approved for this tract that is included in this plat prior to the adoption of the zoning regulations. The applicant provided a copy of the deed restrictions which does not include the subject tract being platted.

The open space provided in the overall Stone Creek Ranch exceeds the minimum requirements of the applicable old subdivision regulations.

A Master Plan of the entire Stone Creek Ranch development provided by the applicant is included as Exhibit B. Exhibit C shows an aerial view of the proposed subdivision, Stone Creek Ranch Unit

2C. The street providing access to this subdivision is constructed and has been accepted by the City.

The Final 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. The applicant has reduced the number of residential lots from the Preliminary Plat approval from 54 to 53 as one residential lot was changed into a drainage reserve. This change was made as part of the normal public improvement construction plan review process, after the Preliminary Plat approval.

Staff reviewed the Final Plat and relayed review comments to the applicant. The applicant has addressed all comments except the conditions listed below. The Final Plat was presented and considered at the May 11, 2023, P&Z Commission meeting. With the following conditions they unanimously recommended approval of the Final Plat:

1. If the drainage easement on the north-east of the subject parcel is a part of the plat area, correct the easement boundary line type (use solid line) to match the rest of the property line.
2. Amend the plat "General Notes" item 7 (see attachment 4) as follows:
 - a. The maintenance of all private streets, drainage easements or *reserves*, and easements of any nature within this subdivision shall be the responsibility of the property owners or the property owners' association, or its successors or assignees and not the City of Fair Oaks Ranch or Kendall County.
3. If required, add a signature block for the lien holder that is indicated in the report.

Staff recommends approval of the final plat with conditions as noted above. City staff will ensure all applicable conditions will be met prior to plat signing and recordation.

POLICY ANALYSIS:

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

LEGAL ANALYSIS:

Sec. 212.009 (b-2) of the Texas Local Government Code sets the following guidelines for approval of a plat.

Sec. 212.009. APPROVAL PROCEDURE: INITIAL APPROVAL.

(a) The municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plan or plat within 30 days after the date the plan or plat is filed. A plan or plat is approved by the municipal authority unless it is disapproved within that period and in accordance with Section 212.0091.

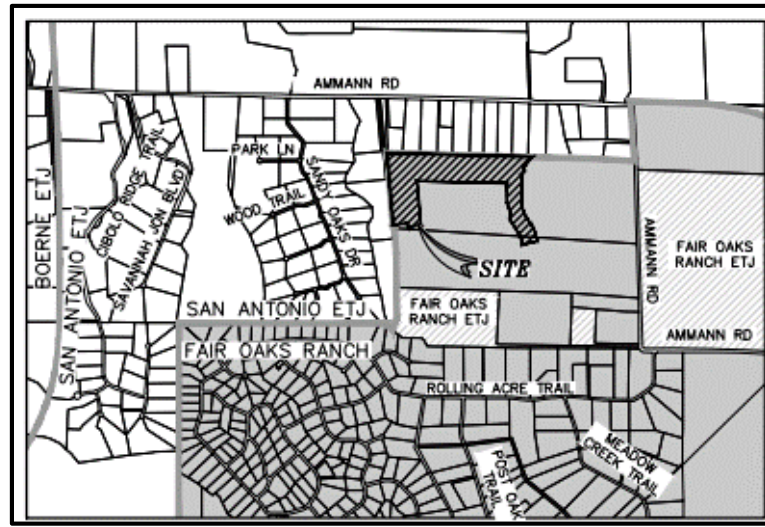
(b) If an ordinance requires that a plan or plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall approve, approve with conditions, or disapprove the plan or plat within 30 days after the date the plan or plat is approved by the planning commission or is approved by the inaction of the commission. A plan or plat is approved by the governing body unless it is disapproved within that period and in accordance with Section 212.0091.

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda – I move to approve the Final Plat with the following applicable conditions being met prior to signing and recordation of the plat:

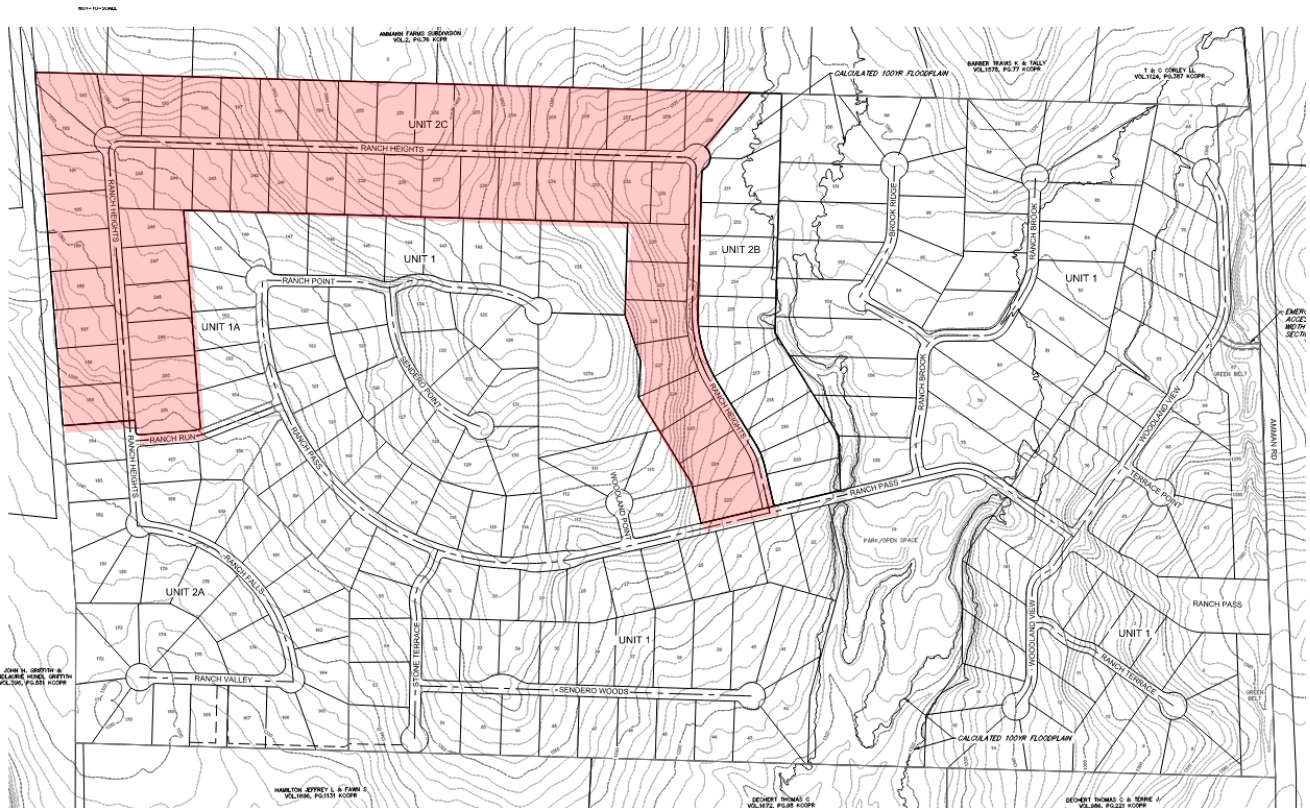
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 - a. The maintenance of all private streets, drainage easements or *reserves*, and easements of any nature within this subdivision shall be the responsibility of the property owners or the property owners’ association, or its successors or assignees and not the City of Fair Oaks Ranch or Kendall County.
3. If required, add a signature block for the lien holder as noted on the Final Plat Application Form (Attachment 2).

Exhibit A: Stone Creek Ranch Unit 2C Location Map



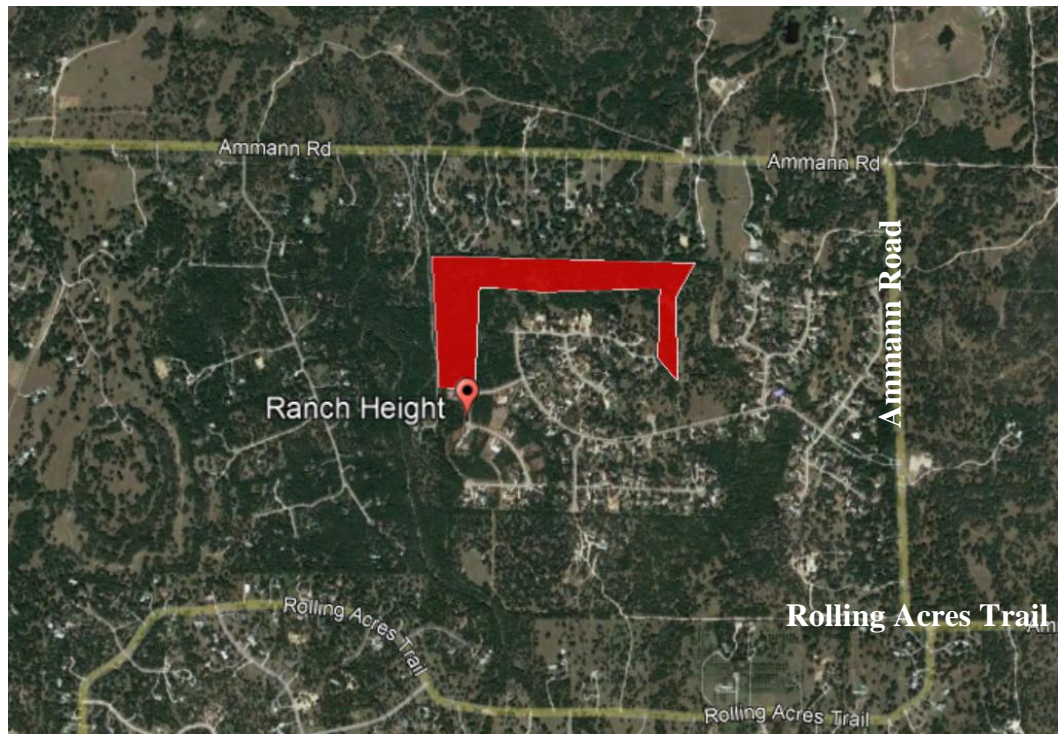
Source: Provided by the applicant

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



Source: Provided by the applicant

Exhibit C: Stone Creek Ranch Unit 2C Aerial View



Source: Google

Attachments:

1. Universal Application
2. S11 Final Plat Specific Application Form
3. Letter of Intent
4. Stone Creek Ranch Unit 2C Subdivision Final Plat
5. Stone Creek Ranch Masterplan