

CITY COUNCIL CONSENT ITEM

CITY OF FAIR OAKS RANCH, TEXAS

June 2, 2022

AGENDA TOPIC: Approval of a Final Plat request from Elkhorn Ridge Development SA, LLC for Elkhorn Ridge Unit 4 proposing 26 single-family residential lots, generally located north-west of the intersection of Dietz Elkhorn Road and Elkhorn Ridge, City of Fair Oaks Ranch, Texas

DATE: June 2, 2022

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Consent Agenda - Katherine Schweitzer, P.E., Manager of Engineering Services

SUMMARY:

The purpose of this Final Plat is to create 26 residential lots, and one private street (Cheyenne Ridge) that will also be maintained as underground utility easements. The lot sizes range from 0.17 acres to 0.43 acres and the minimum lot width of the lots being platted in this phase is 65 feet except for one lot that is 55 foot wide.

The subdivision is generally located north-west of the intersection of Dietz Elkhorn Road and Elkhorn Ridge (see attached **Exhibit A: Location Map**). Street access to the subdivision will be provided from Cheyenne Ridge.

BACKGROUND:

In January 2014, the City of Fair Oaks Ranch entered into a development agreement with Elkhorn Ridge SA, LLC for the development of 311 single family residential lots as part of the Elkhorn Ridge subdivision. The referenced agreement stated the following regarding lot size dimensions: "In general all lots are approximately one hundred twenty feet (120 ft) in depth at a minimum with 148 lots being approximately fifty-five (55 ft) wide, 91 lots being approximately sixty-five (65 ft) wide and 72 lots being approximately eighty feet (80 ft) wide as measured from the front building setback line." The agreement also stated – "Any material changes to the Master Plan shall require the approval of City Council, unless such change results in a reduced density."

The table below shows the status of the entire development as of May 2022.

Table 1: Elkhorn Ridge Development Construction Status

Status	Completed	In Progress
Units	1, 2, 3, 5, 6A, 6B, 9	4, 7, 8
Number of lots	221	71

The proposed plat will meet the terms of the Development Agreement. As per the Open Space Plan provided by the applicant and dated August 2021, Unit 4 does not contain open space. (**Exhibits D and E**). **Exhibit F** shows an aerial view of the Elkhorn Ridge development. The street providing access to this subdivision is constructed and has been accepted by the City.

The Preliminary Plat was approved in January 2022. The parcel has protected trees on site that need mitigation. The tree mitigation plan (Tree Plan) was approved prior to approval of the Preliminary Plat. Construction drawings have been approved by staff.

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 Master Plan. Staff has reviewed the Final Plat and relayed review comments to the applicant. All comments have been addressed in the resubmittal except the conditions listed below.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

During their May 12, 2022, meeting the Planning & Zoning Commission recommended approval of the Final Plat request from Elkhorn Ridge SA, LLC for Elkhorn Ridge Unit 4 proposing 26 single-family residential lots with the following condition:

1. Label two-foot contour interval surveys tied to known reference points or USGS benchmarks.
2. Applicant to provide proof of USPS approval for Cheyenne Ridge prior to recordation.
3. Applicant to correct the year in the notarization field.

The motion was passed unanimously (7-0).

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

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.

LONGTERM 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:

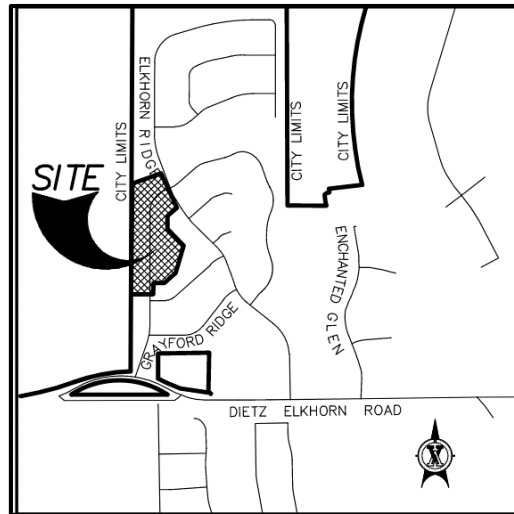
"The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to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

PROPOSED MOTION:

Consent Agenda: I move to approve the Final Plat of Elkhorn Ridge Unit 4 with the following minor conditions.

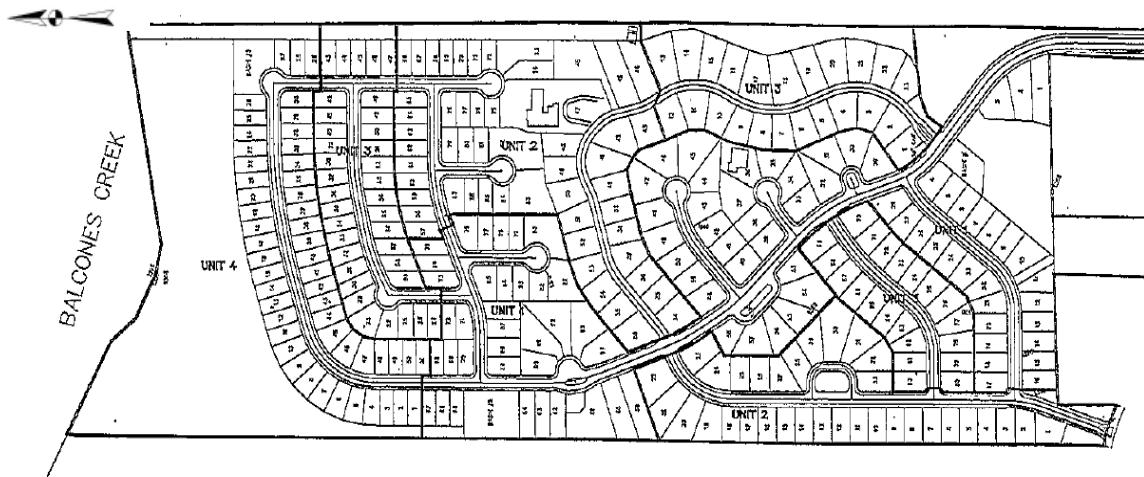
1. Label two-foot contour interval surveys tied to known reference points or USGS benchmarks.
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3. Applicant to correct the year in the notarization field.

Exhibit A: Location Map Elkhorn Ridge Unit 4



Source: Provided by the applicant

Exhibit B: Approved Elkhorn Ridge Subdivision Master Plan - Original Configuration

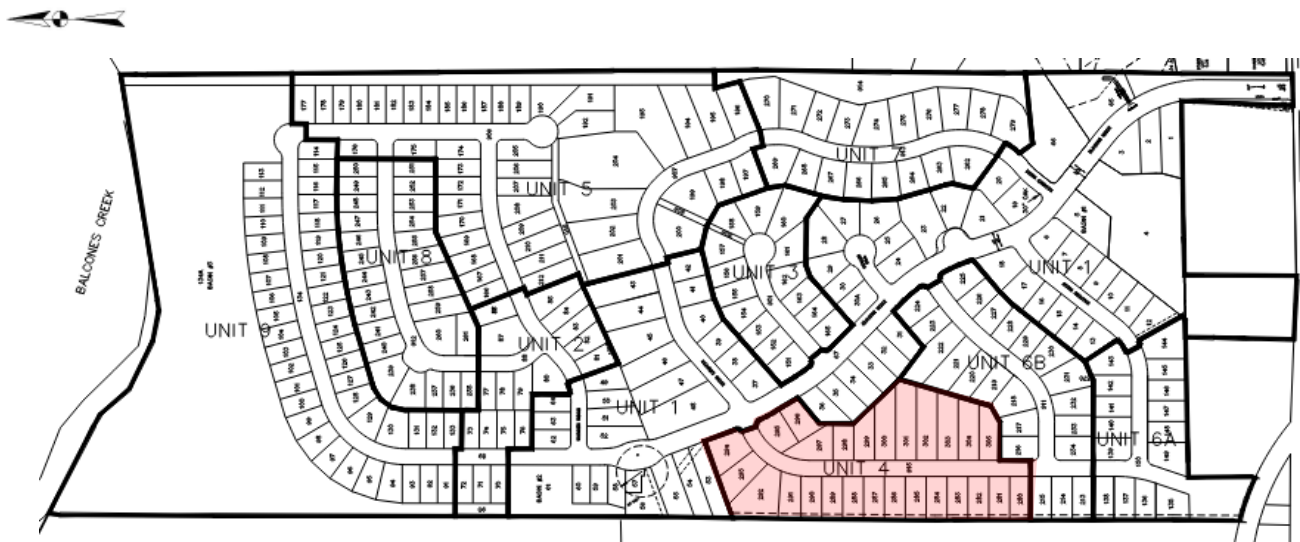


UNIT 1	25	28	38	3
UNIT 2	24	13	38	12
UNIT 3	25	19	27	9
UNIT 4	47	4	—	—
TOTAL	121	64	103	24

UNIT 2	87	8,300	4,060
UNIT 3	80	6,080	2,970
UNIT 4	51	3,020	1,470
TOTAL	312	23,780	14,120

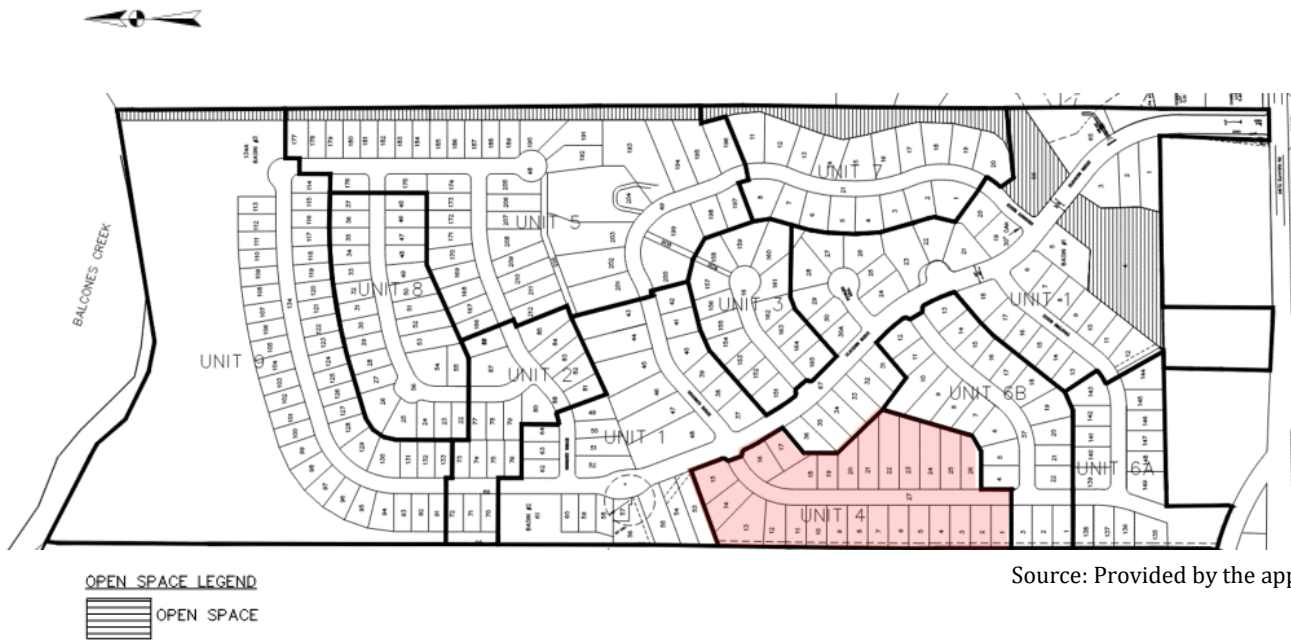
Source: Development Agreement dated 2014

Exhibit C: As Constructed - Elkhorn Ridge Subdivision Master Plan (Unit 4 Highlighted)



Source: Provided by the applicant – November 2021

Exhibit D: Elkhorn Ridge Subdivision Open Space Plan (Unit 4 Highlighted)



Source: Provided by the applicant

Exhibit E: Open Space Requirement

OPEN SPACE REQUIREMENT		
AREA = 292 LOTS/(100 LOTS/AC) = 2.92 AC.		
UNIT NO.	OPEN SPACE AC.	STATUS
1	3.08*	2015
2	0	2017
3	0	2019
4	0	UNKNOWN
5	1.26	2021
6A	0	2020
6B	0	2021
7	1.36	2022
8	0	2022
9	0.43	2019
TOTAL	6.13	

* THE OPEN SPACE REQUIRED FOR THE ENTIRE SUBDIVISION WAS PROVIDED WITH UNIT-1.

ALL CURRENT AND FUTURE OPEN SPACE WILL BE DEDICATED TO ELKHORN RIDGE HOA.

Source: Provided by the applicant

Exhibit F – Elkhorn Ridge Subdivision Aerial View (Unit 4 Highlighted)



Attachments:

1. Appendix A Universal Application
2. S11 Final Plat Specific Application Form
3. Letter of Intent
4. Elkhorn Ridge Unit 4 Subdivision Plat
5. Elkhorn Ridge Masterplan
6. Elkhorn Ridge Open Space Exhibit