



PLANNING

To: Planning & Zoning Commission

From: Jerron Hicks, Planner

Through: David Hoover, AICP, Director of Development Services

Cc: Suzanne Porter, AICP, Planning Manager

Re: Lot Frontage Waiver for Teel 380 Addition, Block A, Lot 7

Meeting: September 2, 2025

Item No. 3d

Agenda Item:

Consider and act upon a request for a Waiver for Lot Frontage on Teel 380 Addition, Block A, Lot 7, located on the northwest corner of Teel Parkway and University Drive (US 380). (WAIV-25-0004)

Description of Agenda Item:

The previously approved Preliminary Site Plan (D22-0021) showed 13 lots in total with multiple lots not having frontage onto public right-of-way. The approved conveyance plat (DEVAPP-25-0072) showed 9 lots with Lot 7 not having frontage onto public right-of-way.

In Article 10.03, Section 137 (§ 10.03.137) of the Town's Subdivision Ordinance, it is acknowledged that certain nonresidential developments may contain lots that cannot achieve access to a public street and allows for Town Council to grant a waiver if adequate access including required fire lanes are provided through dedicated public access easements from a public street. A subdivision waiver to regulations within the Subdivision Ordinance may be approved only when, in the decision-maker's opinion, undue hardship will result from strict compliance to the regulations.

The following criterion should be considered when evaluating a waiver request:

- The nature of the proposed land use involved and existing uses of the land in the vicinity.
- The number of persons who will reside or work in the proposed development.
- The effect such subdivision waiver might have upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

The following findings should be presented when evaluating a waiver request:

- There are special circumstances or conditions affecting the land involved or other physical conditions of the property such that the strict application of the provisions of this subdivision ordinance would deprive the applicant of the reasonable use of his or her land.
 - Lot 7 was approved on the preliminary site plan without lot frontage. Subsequently, the site plan and final plat were approved. The property is under construction. Adequate fire lane access is provided to the site.
- That the subdivision waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the subdivision waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area
 - If the waiver is granted, the property will be able to be final platted in the configuration that was approved prior to construction.
- That the granting of the subdivision waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this subdivision ordinance.
 - This lot is centered in a retail development and will not affect the orderly subdivision of other lands.

Additionally, waivers should meet the minimum degree of variation of requirements necessary to meet the objective of the applicant requesting the waiver and should not violate or conflict with any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the town.

Access:

Access will be provided from Teel Parkway and University Drive through cross-access interior to the retail development.

Companion Item:

As a companion item, the Conveyance Plat (DEVAPP-25-0072) is on this Planning & Zoning Commission agenda.

Attachments:

1. Location Map
2. Waiver Request Letter
3. Previously Approved Preliminary Site Plan (D22-0021)
4. Approved Site Plan (DEVAPP-24-0006)

Town Staff Recommendation:

Town Staff recommends approval of the Lot Frontage Waiver.