



SUBJECT: Case No.: CP2023-001

Applicant Oncor Electric Delivery Company LLC, representing Kam Woon Ip and Allen Real Properties LTD is requesting a conveyance plat of properties located at W Lingleville Rd, being Parcel R22664, Acres 11.918, A0520 MENEFEE JARRETT and W Lingleville Rd, being Parcel R22557, Acres 10.925, A0520 MENEFEE JARRETT of the City of Stephenville, Erath County, Texas.

DEPARTMENT: Development Services

STAFF CONTACT: Steve Killen, Director of Development Services

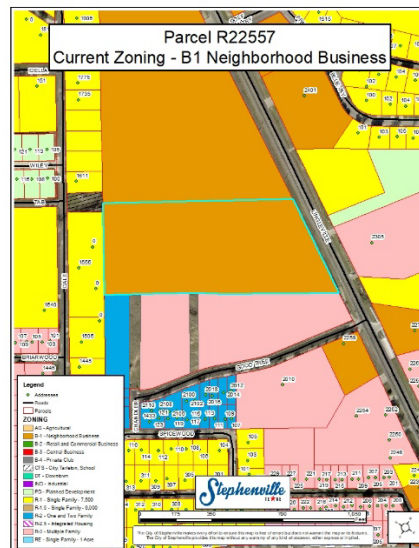
RECOMMENDATION:

The applicant has submitted a Conveyance Plat that has been reviewed by staff. Staff is requesting the Planning and Zoning Commission grant Approval of the Conveyance Plat for subdivision and recordation purposes only as outlined in Section 155.4.12 of the City of Stephenville’s Subdivision ordinance.

BACKGROUND:

Oncor Electric Delivery Company LLC is proposing a conveyance plat in order to acquire portions of Parcels R22664 and R22557.

PROPERTY PROFILE:



Sec. 155.4.12. Conveyance plat.

A. Purpose.

1. The purpose of a Conveyance Plat is to subdivide land and to provide for recordation of same, for the purpose of conveying (i.e., selling) the property without developing it.
2. A Conveyance Plat may be used to convey the property or interests therein; however, a Conveyance Plat does not constitute approval for any type of development on the property.

B. Applicability. A Conveyance Plat may be used in lieu of a Final Plat to record only the subdivision of property in the following instances:

1. Remainder Tract.

- a. To record the remainder of a tract that is created by a Final Plat, provided that the remainder is not intended for immediate development; and
- b. The remainder of a tract that was involved in a Final Plat must be larger than five (5) acres.

2. Inheritance or Holding Tract. To record the subdivision of property into parcels, five (5) acres or smaller in size, that are not intended for immediate development, provided all required Public Improvements exist to the City's current standards prior to approval and minimum frontage requirements are met.

- a. All public Right-of-Way must be dedicated, contingent that alignments have been determined.
- b. Installation of on-site improvements may be delayed if development of other tracts is not affected. All easements shall be dedicated to allow subdivided lot within the conveyance plat access to public infrastructure and/or drainage ways from the parent tract, if applicable.

C. Review and Consideration. Unless otherwise specified within this Section 4.12 Conveyance Plat for specific requirements for a Conveyance Plat, a Conveyance Plat shall be processed and approved using the same timing and procedures, including recordation, as specified for a Final Plat, refer to Section 4.06 Final Plat.

D. Concurrent or Prior Filing of a Final Plat. No Final Plat processed and approved in association with a Conveyance Plat shall be filed without the concurrent or prior filing of the associated approved Conveyance Plat for the remainder of the subject property.

E. Conveyance Plat Requirements.

- a. No building or development permits shall be issued nor permanent utility service provided for land that has only received approval as a Conveyance Plat; a Final Plat must be filed for building and development permits and for utility service.
 - b. Notwithstanding the above, the Building Official may authorize temporary building permits, temporary occupancy permits, and temporary utility service.
 - c. A Conveyance Plat may be superseded by a revised Conveyance Plat or a Final Plat in total or in part through compliance with the procedures and requirements of these regulations.
2. Require a Preliminary Site Plan or Sketch Plan per the request of the City to ensure all Conveyance Plat tracts and remainder tracts have adequate access to public utilities and infrastructure.

F. Standards for Approval.

1. Access.

- a. All lots created by a Conveyance Plat must have frontage and access to an existing or proposed public street, defined in the Comprehensive Plan, or an existing standard street meeting City construction standards and accessing the existing City street system.
 - b. All lots created by a Conveyance Plat must provide points of access as required by this Subdivision Ordinance.
2. *Dedication of Right-of-Way.* Dedication of Right-of-Way shall be required in accordance with the City requirements.

G. *Effect of Approval.*

1. *Development on the Property Prohibited.* The approval of a Conveyance Plat authorizes conveyance of the lot(s) created thereon, but does not authorize any type of development on the property.
2. *Future Development Requires Compliance.* The Applicant and future owner(s) of the property remain obligated to comply with all provisions in this Subdivision Ordinance upon future development of the property including, but not limited to, all requirements for platting, required Public Improvements, utility extensions, street improvements or assessments, Right-of-Way and easement dedications, and all other requirements in these regulations.

FACTORS TO CONSIDER:

- Compliance with Comprehensive Plan?
- Is application consistent with Plan?
- If not, have conditions changed or new information been offered to support change?
- Surrounding Zoning and Land Use
- Infrastructure Impacts
- Size and Location of Parcel – is land large enough and in property location for proposed use?
- Reasonable Use of Property – does proposed change provide reasonable use of property?
- Zoning has great discretion – deny if applicant has not proven it is in the best interest of City to approve

ALTERNATIVES:

- 1) Approve the Conveyance Plat.
- 2) Deny the Conveyance Plat.