



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 5, 2017

Re: Creeks Edge, Plat 1-B - Revised Preliminary Plat (Case# 17-93)

Executive Summary

Approval will result in a revised preliminary plat for 6 lots within the Creeks Edge subdivision.

Discussion

The applicant, Crockett Engineering Consultants on behalf of McGrath Marjorie Revocable Intervivos Trust, Chong, Lisenby, Martin, Gianino, Hristov & Misirova (owners), are seeking approval of a revised preliminary plat of property platted with the final plats of Creeks Edge, Plat No. 1 and Creeks Edge Clubhouse. The request includes the transfer of property from Lot 201 of the Creeks Edge Clubhouse plat to the abutting properties of Lots 101-105 of the Creeks Edge, Plat No. 1 plat.

A proposed replat of the subject property (Case #17-123) is inconsistent with the approved preliminary plat for Creeks Edge Plat No. 1. As such, the attached revised preliminary plat must be approved by both the Planning Commission and City Council. Following preliminary plat approval, the applicant may seek to have Council approve the replat which would effectuate the proposed transfer of a portion of Lot 201 of the Creeks Edge Clubhouse plat to the adjacent lot owners. Staff is concurrently reviewing the re plat and will submit it for Council approval following final action on this request.

Staff reviewed the proposed preliminary plat and finds that it meets the platting requirements of the UDC. During its review, there was no evidence identified that restrictions were placed upon the future division of Lot 201. Council, in accordance with Section 29-5.2(d)(4) of the UDC, may consider that the subdivision of Lot 201, improved with a clubhouse and pool, was intended to be a community amenity and that the proposed subdivision of it is not in the public's best interest.

At its May 4, 2017 meeting, the Planning and Zoning Commission considered this request. Staff presented its report and a representative for the applicant gave an overview of the request. The Commission questioned one of the applicants if they had received any approval from the Home Owner's Association for the requested replat - they had not. Staff indicated that it had not received any correspondence from the HOA either.

A Commissioner expressed concerns regarding the implications of allowing the replat if it affects a lot that was intended to be a benefit to all residents without some correspondence from the HOA. Staff stated that during the review it did not give consideration to the potential impact that the replat would have on the HOA. Lot 201, while improved with a pool and clubhouse, is still under private ownership and has not been conveyed to the HOA.



Furthermore, the HOA provided no correspondence on their behalf expressing concern with the replat. However, one resident of the subdivision did submit a letter requesting that the replat be denied (see attached).

Following additional general discussion, the Planning and Zoning Commission voted (5-2, with 1 abstention) to recommend approval of the preliminary plat.

A copy of the Planning Commission staff report, locator maps, preliminary plat, previously approved Creeks Edge, Plat No. 1, previously approved Creeks Edge Clubhouse plat, public correspondence, previously approved 2011 Preliminary Plat and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: Limited short-term impact. All infrastructure extension will be at developer's expense.

Long-Term Impact: Long-term impact would include infrastructure maintenance and public safety services. Such increased costs may be offset by increased property taxes and user fees.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Development, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
6/2/2014	Approval of final plat for Final Plat of Creeks Edge Clubhouse (Ord. #22078)
4/16/2012	Approval of final plat for Creeks Edge, Plat No. 1 (Ord. #21294)
11/21/2011	Approval of preliminary plat of Creeks Edge (Res. #208-11)

Suggested Council Action

Approval of the revised preliminary plat for "Creeks Edge, Plat 1-B".