

# Plat – Final (Extension of Plat Expiration Date)

PC-15-21\_03

## Northgate Center 1



### Summary

<b>Request:</b>	Consideration of an extension of the expiration period of the Final Plat.		
<b>Applicant:</b>	Urban Design Group PC 3660 Stoneridge Road, Ste 101 Austin, TX 78746	<b>Property Owner:</b>	Donald L. Hudgins, JR. 722 North Main Fort Worth, TX 76164
<b>Parkland Required:</b>	N/A	<b>Utility Capacity:</b>	Adequate / By Developer
<b>Accessed from:</b>	IH-35, Northgate Road	<b>New Street Names:</b>	Northgate Road

### Notification

<b>Application:</b>	N/A	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	June 2, 2019 – San Marcos Daily Record	<b># of Participants:</b>	N/A
<b>Posted:</b>	N/A	<b>Personal:</b>	N/A
<b>Response:</b>	None as of the date of this report.		

### Property Description

<b>Location:</b>	1400 Block of North IH-35		
<b>Acreage:</b>	9.93 ac	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	General Commercial "GC"	<b>Preferred Scenario:</b>	Midtown High Intensity
<b>Proposed Use:</b>	Commercial		
<b>CONA Neighborhood:</b>	Two Rivers East	<b>Sector:</b>	6

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Multifamily "MF-24"	Apartments	Midtown High Intensity
<b>South of Property:</b>	General Commercial "GC"	Vacant	Midtown High Intensity
<b>East of Property:</b>	General Commercial "GC"	Vacant	Midtown High Intensity
<b>West of Property:</b>	General Commercial "GC"	Gas Station	Midtown High Intensity

### Staff Recommendation

<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Approval with Conditions / Alternate	<input type="checkbox"/> Denial
<ul style="list-style-type: none"> <li>The subsequent approval of the extension of the expiration period shall be for two years (expiration date of July 24, 2021); and</li> <li>The development shall meet the same water quality requirements for properties located within the San Marcos River Protection Zone (80% reduction in TSS and 1.25" WQV capture) to mitigate for impacts to the water quality zone.</li> </ul>		
<b>Staff:</b> Andrea Villalobos, CNU-A	<b>Title :</b> Senior Planner	<b>Date:</b> June 14, 2019

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### History

On August 23, 2016, the Planning and Zoning Commission approved a Final Plat for the establishment of 5 lots which include the construction of a new road, being Northgate Road, to provide frontage to the proposed lots. The applicant submitted Public Improvement Construction Plans for the construction of Northgate Road and those PICPs have subsequently been approved. A Subdivision Improvement Agreement for the extension of water, wastewater, and a storm sewer system to serve the development was also approved at the time of the Plat approval.

Per section 1.6.5.7 of the Land Development Code, a plat shall remain in effect for a period of two years from the date the application is approved by the Planning and Zoning Commission unless otherwise extended in accordance with Section 1.3.5.1 of the Land Development Code. If the plat is not recorded within this two year period it shall be deemed expired.

On July 24, 2018, the Planning and Zoning Commission approved an extension to the expiration period of the plat for one year. The plat will expire on July 24, 2019. The applicant is requesting a subsequent extension to this plat in accordance with Section 1.3.5.1 of the Land Development Code. This second extension of the expiration date of the plat must be approved by City Council and shall not exceed two years. Therefore, the applicant is requesting that the plat be extended with a new expiration date of July 24, 2021.

### Additional Analysis

All requirements of the Final Plat were met in 2016 when the plat was approved.

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Evaluation			Criteria for Approval (Sec. 1.3.5.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The reasons for the requested extension;</p> <ul style="list-style-type: none"> <li><b><i>The applicant is requesting an extension to the expiration date of the replat in order to finalize the selling of the property and the implementation of the associated public improvements being constructed. Please reference the applicant's letter requesting the plat extension.</i></b></li> </ul>
<u>X</u>			<p>The ability of the applicant to comply with any conditions attached to the original approval;</p> <ul style="list-style-type: none"> <li><b><i>There were no conditions attached to the original approval. The requirements of the replat were met in 2016 when the plat was approved.</i></b></li> </ul>
<u>X</u>			<p>Whether extension is likely to result in timely completion of the project; and</p> <ul style="list-style-type: none"> <li><b><i>The applicant has stated that approval of this extension will allow sufficient time to finalize the selling of the property and the implementation of the associated public improvements.</i></b></li> </ul>
<u>X</u>			<p>The extent to which any newly adopted regulations should be applied to the proposed development.</p> <ul style="list-style-type: none"> <li><b><i>The property is currently zoned General Commercial, "GC", and will be required to meet all standards applicable to GC zoning in the Development Code.</i></b></li> <li><b><i>The property meets all current floodplain regulations.</i></b></li> <li><b><i>The property does not meet all current water quality regulations because it was approved prior to the adoption of new water quality standards. Therefore, the Engineering Department recommends that the following condition be added to the plat:</i></b>  <b><i>"The development shall meet the same water quality requirements for properties located within the San Marcos River Protection Zone (80% reduction in TSS and 1.25" WQV capture) to mitigate for impacts to the water quality zone."</i></b></li> </ul>