



## AGENDA ITEM SUMMARY

### District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Scott
- ☐ 4 = Fowler
- ☐ 5 = Macaluso
- ☐ All

<b>AGENDA DATE</b>	October 7, 2019
<b>DESCRIPTION</b>	Consider the Preliminary Plat for The Birch at Spencer Ranch Phase 1B, (60 residential lots, 3 open space lots, 2.61 acres of right-of-way in ETJ) (21.27 acres) (KAD No.14916 & 63687). Take necessary action.
<b>STAFF'S RECOMMENDED ACTION (be specific)</b>	Consider the preliminary plat for The Birch at Spencer Ranch Phase 1B, (60 residential lots, 3 open space lots, 2.61 acres of right-of-way in ETJ) (21.27 acres) (KAD No.14916 & 63687).
<b>CONTACT PERSON</b>	Laura Talley, Planning and Community Development Director
<b>SUMMARY</b>	<p>This is the preliminary plat for The Birch at Spencer Ranch Phase 1B. The Preliminary Plat consists of 60 residential lots, 3 open space lots, 2.61 acres of right-of-way in ETJ, on 21.27 acres. The property is in the City's ETJ (Extra-Territorial Jurisdiction).</p> <p>The master plan for this community was approved by the Planning and Zoning Commission in October of 2018. The master plan identified three phases of development for a total of 209 homes, 17.98 acres of open space with an average density of 2.94 units per acre. The use of this property conforms to Future Land Use Map designation of Neighborhood Residential. It also provides right-of-way dedication as is identified on the City's Thoroughfare Plan. The developer has worked with TxDOT and aligned this section of the thoroughfare plan with Coughran Road.</p> <p>It is proposed that public water and sewer will be provided from Kendall West Utility (KWU). State law (Section 212.003) provides municipalities limited regulatory authority over developments in the ETJ that are provided public water and sewer. <i>A municipality shall not regulate (1) the use of any building; (2) the bulk, height, or number of buildings constructed; (3) the size of a building; or (4) the number of residential units that can be built per acre of land.</i> Therefore, we cannot, by law, control density in the ETJ. We may however restrict impervious cover in order to provide environmental protection within the City's extraterritorial jurisdiction (ETJ) and protect the natural and ecological resources.</p> <p>The plat meets all the requirements of the subdivision ordinance.</p>

	Staff recommends approval of the preliminary plat.
<b>COST</b>	
<b>SOURCE OF FUNDS</b>	
<b>ADDITIONAL INFORMATION</b>	

This summary is not meant to be all inclusive. Supporting documentation is attached.