

**AGENDA REPORT**

**Planning and Zoning:** 11/5/2012

**Staff Contact:**

Lindsay Key

**E-mail:**

[lindsayk@pflugervilletx.gov](mailto:lindsayk@pflugervilletx.gov)

**Phone:**

512-990-6300

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**SUBJECT:** To consider and approve a resolution to remove plat notes 16 and 17 from the approved Cornerstone at Kelly Lane Phase 1 Final Plat.

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**Background**

In 2009, the final plat for the Cornerstone at Kelly Lane Phase 1 was approved. Since approval of the plat, Timewise gas station has developed at the corner of Kelly Lane and Colorado Sand, on Lot 4 of the subdivision. When Cornerstone at Kelly Lane Phase 1 was being reviewed initially, the future development plans for Colorado Sand Drive were not known. The City Engineer at the time required plat notes 16 and 17 which limited access to Lots 4 and 5 of Block A and Lots 1 and 2 of Block B as right in/right out (Exhibit "A").

**Project Description**

In August 2012, CVS submitted a site plan to develop Lot 1 (SE corner at Kelly Lane/Colorado Sand) of the Kelly Lane Phase 1 Subdivision. CVS requested in the site plan, an opportunity for a left turn in to Lot 1 of the Subdivision. Prior to the formal CVS submittal, the City had begun design of the Colorado Sand roadway extension project. After discussions between the Planning Director, the City Engineer, and the design engineer for the CVS development, it was determined that a median opening could be accommodated on Colorado Sand for Lots 1,2,4, and 5 and would not negatively impact future Colorado Sand roadway project. As a result of the collaboration on Colorado Sand, plat notes 16 and 17 are no longer needed as now access can be provided. The CVS site plan shows the proposed left turn lane off of Colorado Sand Drive (Exhibit "B") that will not negatively affect traffic on Colorado Sand Drive. By removing these plat notes (#16 and #17), both Lots 1 and 4 will benefit from the changes proposed.

In order for these notes to be removed from the plat, a written request was submitted and signed by the affected property owners of Lot 1 and 4 along with a resolution to be approved and signed by the Planning and Zoning Commissioner.

**Staff Recommendation**

Plat Note 16 and Plat Note 17 no longer serve their intended purpose and City staff has approved removal of the notes (see attached approval letter from City Engineer). Staff recommends approval of the request to remove these notes from the Cornerstone at Kelly Lane Phase 1 Subdivision plat.





**Exhibit "B": CVS Site Plan with turn lane improvements**

