



City of Pflugerville

Legislation Text

File #: RES-0974, **Version:** 1

Approving a resolution authorizing the acceptance, in accordance with City parkland dedication requirements and through special warranty deed, of certain real property described as Lot 82A, Block A, Carmel West Phase 3 Section 2 subdivision in the Travis County, Texas, recorded in Document No. 202100069 of the Official Public Records of Travis County, Texas, and directing the City Manager and City Attorney, or their respective designees, to take all necessary actions to complete the land conveyance to the City.

Per Section 4.01 (c) 10 of the City Charter, if authorized by the City Council, the City Manager may sign any contract, conveyance or other document. The proposed request is to authorize the City Manager to accept the conveyance of one lot that was platted as public parkland within the Carmel subdivision.

The Carmel development contains two separate municipal utility districts which were consented to in 2015. As part of the consent of the municipal utility districts, the City of Pflugerville entered into the Carmel Development Agreement on October 13, 2015, which established the development plan and specific parameters for how the overall Carmel subdivision would be developed. As part of the development agreement, the developer identified tracts of land that were planned to be dedicated and conveyed as public parkland. A first amendment to the agreement was approved on June 8, 2017, to address architectural adjustments in the subdivision, and on February 12, 2019, a second amendment was approved to address additional adjustments to the internal and boundary roadway improvements as well as annexation. A third amendment was approved on January 25, 2022, to adjust layout and annexation related to the eastern portion of the Carmel development.

The subject property, described as Lot 82A, Block A, Carmel West Phase 3, Section 2 was identified as public parkland in the original agreement and subsequent amendments. Lot 82A was platted in 2021 as a 60.083-acre public parkland lot with drainage easement due to the FEMA "100 year" floodplain (approximately 43 acres). The lot is largely vegetated with natural trees and shrub vegetation and contains a segment of Wilbarger Creek. A segment of the Wilbarger Creek 10-ft wide hike and bike trail was constructed within the parkland lot and extends from the general northwest to the southeast portion of the lot. The constructed trail provides trail head connections with the neighborhood and will eventually provide a regional trail system once connected with the trail segments constructed in the Verona and Sorento subdivisions to the north. The trail will be continued to the east as Carmel East is developed.

The development agreement for Carmel identified trails to be constructed in accordance with the trails master plan, which was generally along the main creeks. The proposed conveyance is consistent with the development agreement that was established for this part of the development.

The development agreement identified the area to be conveyed to the city and did not have maintenance provisions that would require the HOA to maintain the land.

Per Subchapter 14 Parkland Standards, Section 14.3.6 of the Unified Development Code, parkland shall be conveyed by general or special warranty deed with acceptable evidence of clear title, and the developer shall provide a title policy and pay all costs of transferring title to the City. The City Attorney has reviewed the Title Commitment, Special Warranty Deed, and Resolution, and will ensure all final documents necessary for conveyance are compliant.

Prior City Council Action

October 2015 - Approval of the Development Agreement
December 2015 - Approval of MUD Consents
December 2015 - Approval of Annexation of Carmel West
June 2016 - Approval of Rezoning of Carmel West
March 2017 - Approval of the 1st Amendment to the Development Agreement
May 2017 - Approval of Dedication of Parkland
February 2019 - Approval of the 2nd Amendment to Development Agreement
January 2022 - Approval of the 3rd Amendment to Development Agreement

Deadline for City Council Action

Action is requested on March 8, 2022

Funding Expected: Revenue ___ Expenditure ___ N/A

Budgeted Item: Yes ___ No ___ N/A

Amount: N/A

1295 Form Required? Yes ___ No

Legal Review Required: N/A ___ Required Date Completed: September 10, 2021; November 15, 2021

Supporting documents attached:

1. Location Map
2. Resolution
3. Special Warranty Deed

Recommended Action

Approve the resolution authorizing the acceptance and conveyance of public parkland, described as Lot 82A, Block A, Carmel West Phase 3, Section 2 and directing the City Manager and City Attorney, or their respective designees, to take all necessary actions to complete the land conveyance to the City.