

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** April 24, 2023  
**SUBJECT:** PLAT23-0035 Consideration of a request from Herbert S. Beasley Land Surveyors for a replat of Lots 5R1 and 5R2, Block 3, Industrial Park Addition, being 6.295 acres located at 6401 Wuliger Way.  
**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

On behalf of TotalEnergies E&P Barnett USA LLC (owner) and Providian Properties LLC (developer), Herbert S Beasley Land Surveyors is requesting approval of a replat of Lots 5R1 and 5R2, Block 3, Industrial Park Addition. This 6.295-acre property is located at 6401 Wuliger Way.

### **GENERAL DESCRIPTION:**

The property under consideration is located at the northwest corner of Browning Drive and Wuliger Way, west of Iron Horse Boulevard. The property is a remainder parcel from a replat of Lot 5RA that platted in 1986. A portion of the property is developed with a gas well site.

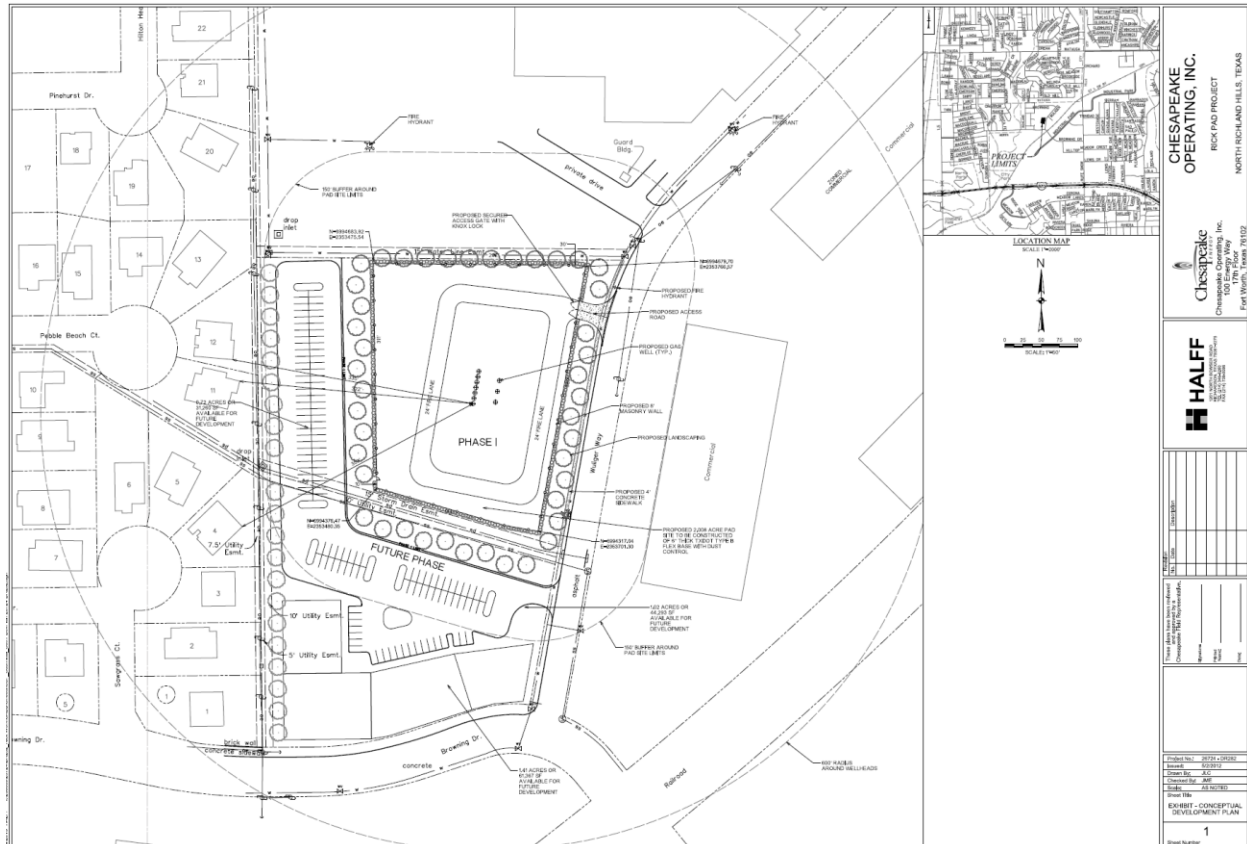
The owner proposes to subdivide the property into two lots so that the gas well site is on a separate lot and the remaining property can be developed. Lot 5R1 is 3.483 acres in size and has frontage on both Browning Drive and Wuliger Way. Lot 5R2 is 2.812 acres in size and would accommodate the gas well site in the northeast portion of the property.

As required by Section 104-6 of the Gas Drilling and Production regulations, a no-build easement would be added to the plat. The easement is measured 150 feet from the screening wall around the gas well site. The purpose is to prohibit the construction of residences, religious institutions, and retail or commercial buildings within the easement area. There is sufficient area on Lot 5R2 for the construction of buildings on the site outside the easement. The plat does not alter or remove any recorded covenants or restrictions, if any, on the property.

The property line establishing the split between the two properties was determined by the gas well pad site and the landscape buffer required to be maintained by the gas well operator as a condition of the Special Use Permit approval (Ordinance 3200, Case SUP 2012-01).

When the gas well pad site Special Use Permit was approved in 2012, the below concept plan was provided to demonstrate the developability of the property south of the gas well pad, taking the 150-foot easement into consideration. While this is not the exact site plan for the new development, it generally reflects how this property can be expected to

develop, with building frontage along Browning and parking between the building and the gas well pad site.



**2012 gas well pad site Special Use Permit exhibit demonstrating developable area outside a 150-foot no-build easement**

As required by Section 212.015(f) of the Texas Local Government Code, written notice of this replat will be mailed to each owner of the lots in the Industrial Park subdivision that are within 200 feet of the lots being replatted. The notice is required to be sent no later than 15 days after approval of the plat by City Council.

**LAND USE PLAN:** This area is designated on the Land Use Plan as Industrial. This designation provides for research and development, light industrial, assembly, warehousing, and other industrial uses.

**CURRENT ZONING:** The property is currently zoned I-2 (Medium Industrial). This district is intended to provide for a wide range of manufacturing, wholesale, and service type uses.



**TRANSPORTATION PLAN:** The development has frontage on the following streets. Right-of-way dedication is not required for this plat.

STREET	FUNCTIONAL CLASSIFICATION	LAND USE CONTEXT	DESIGN ELEMENTS
Browning Drive	C2U Major Collector	Suburban Neighborhood	2-lane undivided roadway 68-foot right-of-way width
Wuliger Way	Local Road	Local Road	2-lane undivided roadway 50-foot right-of-way width

#### **SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	I-2 (Medium Industrial)	Industrial	Tyson Foods processing plant
WEST	R-2 (Single-Family Residential)	Low Density Residential	Single-family residences
SOUTH	PD (Planned Development)	High Density Residential	Apartments (Bluffs at Iron Horse)
EAST	I-2 (Medium Industrial)	Industrial	Industrial and warehousing uses

**PLAT STATUS:** The property is currently platted as a portion of Lot 5RA, Block 3, Industrial Park Addition.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission considered this item at the April 6, 2023, meeting and voted 6-0 to approve the plat with the conditions outlined in the Development Review Committee comments. The applicant has revised the plat to address all conditions.

**DRC REVIEW & RECOMMENDATION:** The Development Review Committee (DRC) recommends approval of the plat, which is in conformance with the subdivision regulations and the zoning ordinance.

#### **RECOMMENDATION:**

Approve PLAT23-0037.