



Legislation Details (With Text)

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| File #: | 17-0585 | Version: | 1 | Name: | Pinnacle Park Encroachment |
| Type: | Agenda Item | Status: | | Status: | Approved |
| File created: | 9/21/2017 | In control: | | In control: | City Council |
| On agenda: | 9/26/2017 | Final action: | | Final action: | 9/26/2017 |
| Title: | Consider and take action on a resolution authorizing an encroachment agreement with Galveston County Management District Number One providing for certain private improvements within the Pinnacle Park Drive public right-of-way (Director of Planning and Development) | | | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. Data Sheet, 2. Proposed Resolution, 3. Exhibit A – Encroachment Agreement, 4. Final Plat of “Pinnacle Park – MH”

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 9/26/2017 | 1 | City Council | Approved | Pass |

Consider and take action on a resolution authorizing an encroachment agreement with Galveston County Management District Number One providing for certain private improvements within the Pinnacle Park Drive public right-of-way (Director of Planning and Development)

July 18, 2016- Final plat of “Pinnacle Park - MH” approved by the Planning and Zoning Commission. Plat includes 3 lots and the proposed right-of-way (ROW) for the new Pinnacle Park Drive (see attached plat).

August 2017 - City receives requests/permit applications from the management district (GCMD1) for proposed private improvements within the Pinnacle Park Drive ROW including sidewalks, street lights, trees/landscaping and irrigation, and electrical conduits.

Early September 2017 - City staff approves construction permits for the private improvements subject to approval by the City Council of an encroachment agreement allowing for such in the public ROW.

September 21, 2017 - Final plat of “Pinnacle Park - MH” recorded at the Galveston County Clerk’s office; such recordation dedicates the Pinnacle Park Drive ROW to the public.

September 26, 2017 - City Council to consider allowing the mentioned private improvements within the (now) public Pinnacle Park Drive ROW via the attached encroachment agreement.

Spring 2018 - Projected opening date of the new Memorial-Hermann Convenient Care Clinic on Lot 2.

Summary:

As part of the continued development in Pinnacle Park, the developers and GCMD1 have proposed to construct and maintain certain private improvements within the Pinnacle Park Drive right-of-way for both the benefit of the development and the area. GCMD1 is a special taxing district created by the Texas legislature in 2005 and has the authority to levy assessments within the District’s boundaries to fund certain improvements and activities therein.

The proposed privately constructed and maintained improvements include sidewalks, street lights, trees/landscaping and irrigation, and electrical conduits. The proposed encroachment agreement, if approved, would provide for both the construction and maintenance of the improvements by GCMD1 within the Pinnacle Park Drive right-of-way.

Neither the recordation of the plat on September 21, 2017, nor the approval by the City Council of this proposed encroachment agreement includes acceptance by the City of the public infrastructure associated with this phase of the development, including that of the constructed Pinnacle Park Drive. The proposed acceptance of Pinnacle Park Drive for

public maintenance will be considered at a future City Council meeting.

Staff recommends approval of the encroachment agreement as proposed.

Attachments:

1. Data Sheet
2. Proposed Resolution
3. Exhibit A - Encroachment Agreement
4. Final Plat of "Pinnacle Park - MH"

ORIGINATION:

Planning and Development Department

FUNDING

{ } NOT APPLICABLE

{ } Funds are available from Account # _____

{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____