

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Steven Duong, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pogue Engineering and Development Company, on Behalf of Custerstone Investment, L.L.C., for Approval of a Minor Replat for Lots 1R1, 1R2, and 1R3, Block A, of the Eldorado-Custer Addition, Being Fewer than 14 Acres, Located on the Northeast Corner of Stonebridge Drive and Custer Road

APPROVAL PROCESS: The Planning and Zoning Commission is the final approval authority for the proposed minor replat.

STAFF RECOMMENDATION: Staff recommends approval of the proposed minor replat with the following conditions:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Minor Replat Approval Checklist, attached.

Prior to filing the plat for record:

2. The applicant revise the plat to show the correct owner address.
3. The applicant revise the dedication language on the plat to say "minor replat".
4. The applicant revise the plat to modify the floodplain, drainage, and utility easement to be the most inclusive of the floodplain and erosion hazard setback, subject to review and approval of the City Engineer.
5. The applicant revise the plat to provide the document number for the approved Letter of Map Revision (LOMR).
6. The applicant revise the plat to show the floodway, subject to review and approval of the City Engineer.
7. The applicant revise the plat to show the applicable floodplain, subject to review and approval of the City Engineer.

8. The applicant revise the plat to show the following note:

“The owner and any subsequent owner of Lots 1R1, 1R2, and 1R3, Block A of this plat shall be solely responsible for the maintenance of the creek (including all erosion control) traversing said lot. The owner shall further hold the City of McKinney harmless from any damages to persons, to the owner’s lot or any affected lot arising from such maintenance responsibility. The City shall not be responsible for the maintenance of the referenced creek, although it retains the right to enter upon the easement for public purposes.” The drainage easement shown hereunder shall not create any affirmative duty to the City to repair, maintain, or correct any condition that exists or occurs due to the natural flow of storm water runoff, including but not limited to, storm water overflow, bank erosion and sloughing, loss of vegetation and trees, bank subsidence, and interference with structures. Alteration of natural flow of water shall be subject to the regulations and ordinances of the City of McKinney, the State of Texas and Unites States of America”

APPLICATION SUBMITTAL DATE: January 27, 2014 (Original Application)
February 07, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to subdivide one lot into three lots, Lot 1R1 (Approximately 10.28 Acres), 1R2 (Approximately 1.63 Acres), and 1R3 (Approximately 1.39 Acres). An associated site plan (14-033SP) for office buildings on proposed Lots 1R1, 1R2, and 1R3 has also been submitted for review.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development Ordinance No. 2003-02-015 (Office Uses)

North	“PD” – Planned Development Ordinance No. 2003-02-015 and “PD” – Planned Development Ordinance No. 2003-11-104 (Commercial and Office Uses)	Undeveloped Land and Wise Medical Building
South	“PD” – Planned Development Ordinance No. 2003-02-015 (Commercial and Office Uses)	Stonebridge Ranch Common Area, The Shops at Custer Crossing, and Undeveloped Land
East	“PD” – Planned Development Ordinance No. 2003-02-015 (Light Manufacturing Uses)	Torchmark Corporation

ACCESS/CIRCULATION:

Adjacent Streets: Custer Road, 130' Right-of-Way, 6-Lane Principal Arterial

Stonebridge Drive, 120' Right-of-Way, 4-Lane Greenway Arterial

Discussion: All proposed lots have frontage onto Custer Road or Stonebridge Drive and/or mutual access easements grating access to each respective roadway.

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance, and for submittal of a tree survey or tree preservation plan, as determined by the City Arborist. The applicant will be responsible for applying for all necessary permits for any tree removal that is to occur on site.

PUBLIC IMPROVEMENTS:

Sidewalks: Required per the Subdivision Ordinance

Hike and Bike Trails: Required along Stonebridge Drive and Custer Road

Road Improvements: All road improvements necessary for this development, and as determined by the City Engineer

Utilities: All utilities necessary for this development, and as determined by the City Engineer

DRAINAGE: The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

FEES:

Roadway Impact Fees: Not Applicable (Ordinance No. 2013-11-108) **(None due per Stonebridge Development Agreement)**

Utility Impact Fees: Not Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118) **(None due per Stonebridge Development Agreement)**

Median Landscape Fees: Not Applicable

Park Land Dedication Fees: Not Applicable

Pro-Rata:

As determined by the City Engineer

MISCELLANEOUS: The applicant will be responsible for the maintenance of the creek on the property. As such, the applicant should revise the plat to provide the note shown in the conditions above. Additionally, all applicable floodplains and floodways must be accurately delineated on the plat. All floodplains and erosion hazard setbacks are also required to be located within an easement, therefore the existing floodplain, drainage, and utility easement should be modified to be most inclusive of the existing floodplain and erosion hazard setback.

Engineering has indicated that a Letter of Map Revision (LOMR) will be required to build a portion of the fire lane currently located in the floodplain on the west side of the property along Stonebridge Drive. Once the LOMR has been approved, the associated document information should be shown on the plat prior to filing the plat for record.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments either in opposition to or in support of the proposed minor replat.

ATTACHMENTS:

- Standard Conditions for Minor Plat/Replat Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Minor Replat
- PowerPoint Presentation