

CITY COUNCIL MEETING OF 03-03-15 AGENDA ITEM 14-135PF

AGENDA ITEM

TO: City Council

FROM: Brandon Opiela, Planning Manager

SUBJECT: Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A, of the 380 Investors Addition, Located on the South Side of U.S. Highway 380 (University Drive) and Approximately 2,100 Feet East of F.M. 1827 (New Hope Road)

APPROVAL PROCESS: The City Council is the final approval authority for the proposed preliminary-final plat.

STAFF RECOMMENDATION: Staff recommends approval of the proposed preliminary-final plat and associated variance, in addition to the following conditions:

1. Approval of a variance to Section 142-105 (improvements) of the Subdivision Ordinance waiving the requirement to construct offsite sanitary sewer and water lines (and associated easements) to the subject property.

Prior to filing the lot for record:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat/Replat Approval Checklist, attached.
2. The applicant revise the plat to reflect additional onsite flood study areas, subject to the review and approval of the City Engineer.
3. The applicant revise the plat to reflect additional onsite easements necessary for construction of the 24" master planned water line, subject to the review and approval of the City Engineer.
4. The applicant revise the plat to label the FEMA and 100-year fully developed floodplain, erosion hazard setback easement, minimum finished floor elevation, and drainage easements necessary for the development of the property, subject to the review and approval of the City Engineer.
5. The applicant receive TxDOT approval for the proposed access drive off of U.S. Highway 380.
6. The applicant revise the plat to show the correct ownership information.

APPLICATION SUBMITTAL DATE: May 12, 2014 (Original Application)
 July 18, 2014 (Revised Submittal)
 October 28, 2014 (Revised Submittal)
 January 20, 2015 (Revised Submittal)
 February 2, 2015 (Revised Submittal)
 February 5, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to plat approximately 146.78 acres into one lot for future use of the site as a landfill. The applicant has requested a variance waiving the requirements to dedicate easements for and construct the off-site portions of the required water and sanitary sewer lines, which is discussed further in the *Public Improvements* section below.

Typically, preliminary-final plats are considered by the Planning and Zoning Commission; however this plat has bypassed the Planning and Zoning Commission and is being considered by the City Council instead because the applicant has requested variances to requirements of the Subdivision Ordinance. Per the Subdivision Ordinance, only the City Council can grant a variance.

PLATTING STATUS: The subject property is currently unplatted. Subsequent to the approval of the preliminary-final plat/replat, a record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a certificate of occupancy.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" – Planned Development District No. 2002-05-046 (Industrial and Type IV Landfill Uses)	Undeveloped
North	"AG" – Agricultural District (Agricultural Uses); "PD" – Planned Development District No. 2013-07-068 (Industrial Uses); "PD" – Planned Development District No. 2013-07-067 (Industrial Uses); Unzoned – "ETJ" – Extraterritorial Jurisdiction	Former Collin County Gun Range, Horse and Rider, Parkway Auto Sales, Single Family Residence, and Undeveloped
South	"AG" – Agricultural District (Agricultural Uses); Unzoned – "ETJ" – Extraterritorial Jurisdiction	Undeveloped

East	“AG” – Agricultural District (Agricultural Uses)	Hines Sand and Gravel, Single Family Residence, Undeveloped Land
West	“AG” – Agricultural District (Open Space)	Future City of McKinney Park

ACCESS/CIRCULATION:

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Right-of-Way, Major Regional Highway

Discussion: Prior to filing the plat for record, the applicant will be required to receive TxDOT approval for the proposed access drive off of U.S. Highway 380.

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance.

PUBLIC IMPROVEMENTS:

Sidewalks: Required along U.S. Highway 380

Hike and Bike Trails: Not Required

The applicant intends to extend the required sanitary sewer line within an easement through the property consistent with the City’s Master Plan; however, they would like to utilize a septic system for the small building proposed at the entrance to the landfill instead of tying into said sanitary sewer line. The applicant is also currently able to tie into the existing North Collin Water Supply Corporation water line in order to provide water to a fire hydrant onsite and has indicated that they plan to escrow funds for the construction of City’s master planned the water line via a facilities agreement. Prior to filing the plat for record, the applicant will be required to furnish an easement for the 24” water line meeting City requirements along the frontage of the property.

With that said, the applicant has requested two variances waiving the requirements to dedicate easements for and construct the off-site portions of the required master planned water and sanitary sewer lines. The water and sewer demands for this property, based on the current site plan are very limited. Due to the extremely low flows and significant infrastructure investment that would be required to construct the master planned lines to the property staff recommends a variance to waive construction of the offsite master planned water and sanitary sewer lines.

The City Council has the authority to grant variances as outlined in the Subdivision Ordinance such as when there are special circumstances or conditions affecting the

property in question, enforcement would deprive the applicant of a substantial property right, or that the variance, if granted, will not be detrimental to the public welfare. Pecuniary interests standing alone shall not be justification for granting a variance.

Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all other necessary public improvements prior to filing the associated plat, unless otherwise specified in an approved facilities agreement.

DRAINAGE: The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance.

MISCELLANEOUS: Prior to filing the plat for record, the applicant will be required to revise the plat to label the FEMA and 100-year fully developed floodplain, erosion hazard setback easement, minimum finished floor elevation, and drainage easements necessary for the development of the property as well as reflect additional onsite flood study areas subject to the review and approval of the City Engineer.

FEES:

Roadway Impact Fees: Applicable (Ordinance No. 2013-11-108)

Utility Impact Fees: Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118)

Median Landscape Fees: Not Applicable

Park Land Dedication Fees: Not Applicable

Pro-Rata: As Determined by the City Engineer

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to this request.

ATTACHMENTS:

- Standard Conditions for Preliminary-Final Plat/Replat Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Preliminary-Final Plat