

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Samantha Gleinser, Planner I

SUBJECT: Consider/Discuss/Act on the Request by Sanchez & Associates, on Behalf of Gammon Partners I, Ltd., for Approval of a Preliminary-Final Plat for 56 Single Family Residential Lots, 2 Commercial Lots and 3 Common Areas (The Hills of Alma), Being Fewer than 13 Acres, Located on the Northeast Corner of Silverado Trail and Alma Road

APPROVAL PROCESS: The Planning and Zoning Commission is the final approval authority for the proposed preliminary-final plat.

STAFF RECOMMENDATION: Staff recommends denial of the proposed preliminary-final plat due to non-conformance with the Subdivision Ordinance.

APPLICATION SUBMITTAL DATE: August 26, 2013 (Original Application)
September 9, 2013 (Revised Submittal)
September 12, 2013 (Revised Submittal)
September 16, 2013 (Revised Submittal)
September 23, 2013 (Revised Submittal)
October 1, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to subdivide approximately 12.74 acres into 56 single family residential lots, 2 commercial lots, and 3 common areas, located on the northeast corner of Silverado Trail and Alma Road. The associated general development plan (13-175GDP), required per the “REC” – Regional Employment Center Overlay District Standards, has also been submitted for consideration by the Planning and Zoning Commission.

CONFORMANCE TO THE SUBDIVISION ORDINANCE: Per Section 142-74 (Preliminary-final plat) of Subdivision Ordinance, “all proposed lots situated in whole or in part within the city’s corporate limits comply with the minimum size requirements of the governing zoning district.” The proposed preliminary-final plat has several lots that do not meet the minimum lot width requirement of the zoning on the property.

The “REC” – Regional Employment Center Overlay District applies to the property and requires that single family detached residential development must comply with one of three lot sizes; small, standard, or large. The majority of lots within the subdivision are

between 3,000 and 5,000 square feet, designating them as *single family detached, small lot*. Lots with this designation are required to have a minimum width of 35 feet at the build-to line. Lot 14, Block A and Lot 5, Block F do not meet this minimum width.

Additionally, several lots within the proposed subdivision (Lots 15 and 16, Block A; Lot 9, Block C; Lot 7, Block E; and Lot 6, Block F) are between 5,000 and 8,400 square feet, which are designated as *single family detached, standard lot* space limits and requires a minimum lot width of 50 feet. The applicant has provided lot widths ranging from approximately 35 feet to 46 feet on these lots, thus not meeting the minimum lot width requirements of the zoning.

Lastly, proposed Lot 7, Block F has a lot area of 9,312 square feet, which falls under the designation of *single family detached, large lot* within the REC. Within the large lot classification, the required minimum lot width is 70 feet. The applicant has provided a lot width of approximately 36 feet on this lot, thus not meeting the minimum width requirements of the zoning.

Because the proposed lots do not meet the minimum lot widths required by the governing zoning regulations, the proposed plat is not in conformance with the Subdivision Ordinance, thus Staff is recommending denial of the proposed preliminary-final plat.

It should be noted that Staff did present the applicant with three options to rectify the issues regarding the proposed lot sizing; with a fourth option to proceed as proposed. These options are described more fully below:

1. Reconfigure the proposed lots so that the lot area and lot widths are in conformance with the governing zoning regulations. Staff does; however, recognize that the governing zoning district regulations for the proposed small, standard, and large sized lots do not separately address lot widths at a 90 degree intersection where rounded turns or “knuckles” are present, creating the issue at hand.
2. Send the preliminary-final plat to the City Council for approval of a variance requesting that the specified lots in question not be required to meet the minimum size requirements of the governing zoning district, as required by the Subdivision Ordinance.
3. Submit a rezoning request modifying the minimum lot widths and areas to accommodate the lots in question surrounding a 90 degree intersection where rounded turns or “knuckles” are present.
4. The applicant has selected to proceed taking the proposed preliminary-final plat to the Planning and Zoning Commission for consideration with a Staff recommendation of denial, even though several of the proposed lots do not meet the requirements of the Subdivision Ordinance.

It is important to note that the consideration of a preliminary-final plat by the Planning and Zoning Commission is non-discretionary and is ministerial in nature, meaning that a proposed plat meeting the requirements of the City of McKinney's Subdivision Ordinance must be approved and likewise a plat not meeting the regulations of the City of McKinney's Subdivision Ordinance must be denied.

PLATTING STATUS: The subject property is currently unplatted. Subsequent to the approval of the preliminary-final plat, 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 building permit.

SURROUNDING ZONING AND LAND USES:

Subject Property: "PD" – Planned Development District Ordinance No. 2004-01-002 and "REC" – Regional Employment Center Overlay District (Commercial and Single Family Residential Uses)

North	"PD" – Planned Development District Ordinance No. 2011-12-081 and "REC" – Regional Employment Center Overlay District (Single Family Residential Uses)	Stone Hollow Subdivision
South	"AG" – Agricultural District, "PD" – Planned Development District Ordinance No. 2008-06-063 and "REC" – Regional Employment Center Overlay District (Agricultural, Office, and Commercial Uses)	Hico Acres Subdivision and Bell Telecom
East	"PD" – Planned Development District Ordinance No. 2011-12-081 and "REC" – Regional Employment Center Overlay District (Single Family Residential Uses)	Comstock Elementary School
West	"PD" – Planned Development District Ordinance No. 2001-02-017 and "REC" – Regional Employment Center Overlay District (Single Family Residential and Commercial Uses)	Craig Ranch North #6 Subdivision and Redeemer Presbyterian Church

ACCESS/CIRCULATION:

Adjacent Streets: Alma Road, 60' Right-of-Way, Greenway Arterial
Silverado Trail, 60' Right-of-Way, Minor Arterial

Grand Mesa Parkway, 60' Right-of-Way, Minor Arterial

Discussion: The proposed residential subdivision will have access via Grand Mesa Parkway and Silverado Trail, while the two commercial lots will have access via Alma Road.

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 Arborist. The applicant will also 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 Alma 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

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all 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, 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:	Applicable (Ordinance No. 2008-10-173)
Utility Impact Fees:	Applicable (Ordinance No. 2008-10-174)
Median Landscape Fees:	Required along Alma Road and Silverado Trail
Park Land Dedication Fees:	Applicable
Pro-Rata:	As determined by the City Engineer

CONFORMANCE TO THE MASTER THOROUGHFARE PLAN (MTP): The proposed request does not conflict with the Master Thoroughfare Plan.

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 Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Preliminary-Final Plat
- PowerPoint Presentation