

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Michael Quint, Senior Planner

FROM: Abra R. Nusser, Planner

SUBJECT: Consider/Discuss/Act on the Request by Sanchez and Associates, L.L.C., on Behalf of Behringer Harvard McKinney Land, L.P., for Approval of a Preliminary-Final Plat for Lots 1 and 2, Block A of the Discovery at Rowlett Creek Addition, Approximately 45.16 Acres, Located on the Northeast Corner of Custer Road and Future Silverado Trail.

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

STAFF RECOMMENDATION: Staff recommends approval of the proposed preliminary-final plat with the following conditions:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist, attached.

Prior to filing the plat for record:

2. The applicant revise the plat to state both the gross acreage (45.16 acres) and net acreage (43.35 acres) for the subject property consistently on both sheets.
3. The applicant revise the plat to provide the filing information for the easements by separate instrument necessary for development of proposed Lot 1, subject to the review of the City Engineer.
4. The applicant receive approval from the Federal Emergency Management Agency (FEMA) for a Letter of Map Revision (LOMR) to reflect the proposed revised floodplain area and revise the plat to provide the LOMR information with the corresponding floodplain boundaries accordingly.
5. The applicant finalize the erosion hazard setback, valley storage, drainage areas, and floodplain boundaries, subject to the review and approval by the City Engineer, FEMA, and the Army Corps of Engineers.

APPLICATION SUBMITTAL DATE: August 26, 2008 (Original Application)
 May 9, 2011 (Revised Submittal)
 June 28, 2011 (Revised Submittal)
 July 21, 2011 (Revised Submittal)
 August 3, 2011 (Revised Submittal)
 August 9, 2011 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to subdivide approximately 45.16 acres into two lots, located on the northeast corner of Custer Road and Future Silverado Trail. The applicant received approval of an associated site plan (08-325SP) for a multi-family residential development (Discovery at Rowlett Creek) on proposed Lot 1 in 2008, and the corresponding easements necessary for development of said project have been provided on the proposed preliminary-final plat.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2008-09-097 (Neighborhood Business and Residential Uses), “PD” – Planned Development District Ordinance No. 2006-06-071 (Residential Uses), and “REC” – Regional Employment Center Overlay District

North	“PD” – Planned Development District Ordinance No. 2010-10-040 (Neighborhood Business and Neighborhood Office Uses) and “REC” – Regional Employment Center Overlay District	Single Family Residential Homes and Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 1756 (Commercial and Residential Uses) and “REC” – Regional Employment Center Overlay District	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2006-06-071 (Residential Uses) and “REC” – Regional Employment Center Overlay District	Future Fairways Meadows Residential Subdivision (10-106PF)
West	City of Frisco	Custer Creek Farms Residential Subdivision and Undeveloped Land

Discussion: The proposed lots comply with the minimum size requirements of the governing zoning district and the applicant has provided a note on the plat indicating the same.

ACCESS/CIRCULATION:

Adjacent Streets: Custer Road, 130-foot Right-of-Way, 6-Lane Principal Arterial (P6D)

Future Silverado Trail, 100-foot Right-of-Way, 4-Lane Minor Arterial (M4D)

Discussion: The proposed preliminary-final plat conforms to the associated access management plan/conceptual site plan (08-323CSP). Two direct access points are proposed to Custer Road on the subject property's west side, and cross access is proposed between Lot 1 and Lot 2 in two locations along the mutual property line. Each proposed lot has been provided with adequate access to an existing or proposed street by frontage on such street, or as provided for by an approved access management plan as required by the Subdivision Ordinance.

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance and for submittal of a tree survey and tree preservation plan, as determined by the City Arborist, prior to the issuance of a permit. 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 along Custer Road and Future Silverado Trail

Hike and Bike Trails: Required along the west side of Rowlett Creek

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.

With that stated, the Director of Engineering has concerns regarding the floodplain, drainage and erosion associated with and affecting the subject property. The applicant has not satisfied the drainage and stormwater requirements of the City of McKinney,

and some easements and the floodplain boundaries may be affected on the proposed plat. Upon completion of the necessary engineering, the proposed features may be correct, but at the present time, the applicant has not provided complete information validating the engineering-related features.

As such, Staff recommends that prior to filing the plat for record, the applicant finalize the erosion hazard setback, valley storage, drainage areas, and floodplain boundaries, subject to the review and approval by the City Engineer, Federal Emergency Management Agency (FEMA), and the Army Corps of Engineers. Since the applicant is proposing to modify the floodplain areas on the subject property, Staff also recommends that prior to filing the plat for record, the applicant receive approval from FEMA for a Letter of Map Revision (LOMR) to reflect the proposed revised floodplain area and revise the plat to provide the LOMR information with the corresponding floodplain boundaries accordingly.

FEES:

- Roadway Impact Fees: Applicable (Ordinance No. 2008-10-173)
- Utility Impact Fees: Applicable (Ordinance No. 2008-10-174)
- Median Landscape Fees: Required along Custer Road and Future 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.

MISCELLANEOUS: There are several easements by separate instrument shown on the plat that the applicant intends on filing prior to filing the plat for record. Staff recommends that prior to filing the plat for record, the applicant revise the plat to provide the filing information for the easements by separate instrument necessary for development of proposed Lot 1, subject to the review of the City Engineer.

There are several discrepancies regarding the subject property's acreage between the plat drawing, the plat language, and the plat's title block. Staff recommends that prior to filing the plat for record, the applicant revise the plat to state both the gross acreage (45.16 acres) and net acreage (43.35 acres) for the subject property consistently on both sheets. 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.

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