

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Matt Robinson, AICP, Planning Manager

**FROM:** Eleana Galicia, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Street Subdivision (Emerald Heights), Located Approximately 140 Feet South of Gray Branch Road and on the East Side of Ridge Road

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the October 4, 2016 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed specific use permit to allow for a private street subdivision, with the following condition:

1. The subject property shall generally develop in accordance with the attached Concept Plan Exhibit, and Entrance Exhibit.

**APPLICATION SUBMITTAL DATE:** June 13, 2016 (Original Application)  
June 27, 2016 (Revised Submittal)  
July 26, 2016 (Revised Submittal)  
August 25, 2016 (Revised Submittal)  
September 2, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting approval of a Specific Use Permit (SUP) to allow for a private street subdivision (Emerald Heights). A private street subdivision is one in which the public improvements (streets and utilities) are privately maintained by the Homeowner's Association for the subdivision and are not accepted as public improvements by the City. The proposed private street development will develop in accordance with the attached Concept Plan and Entrance exhibits, and will include 43 single family residential lots and 4 common areas. The applicant has proposed one main entrance into the development with a controlled access gate, and a second entrance that will serve as an emergency access only entrance.

The applicant has submitted an associated preliminary-final plat (16-206PF), which is currently under review by Staff.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“PD” – Planned Development District Ordinance No. 2011-06-039 (Single Family Residential Uses)	Undeveloped Land
North	“AG” – Agricultural District (Single Family Residential Uses), and “PD” – Planned Development District Ordinance No. 1763 (Single Family Residential Uses)	Single Family Residence
South	“PD” – Planned Development District Ordinance No. 2011-06-039 (Single Family Residential Uses), and “PD” – Planned Development District Ordinance No. 2000-11-092 (Single Family Residential Uses)	Undeveloped Land, and Stonebridge Estates Subdivision
East	“PD” – Planned Development District Ordinance No. 2000-03-022 (Single Family Residential Uses)	Cambridge Subdivision
West	“PD” – Planned Development District Ordinance No. 2011-06-039 (Single Family Residential Uses)	Wynn Ridge Estates Subdivision

**ACCESS/CIRCULATION:**

Adjacent Streets: Ridge Road, 120' Right-of-Way, Greenway Arterial

The entrances to a private street subdivision must allow for the turnaround of all vehicles (including emergency service vehicles) that cannot gain access to the subdivision. The final dimensions and radii for drives in front of the proposed gates will be determined with the associated plat, subject to the review and approval of the City Engineer and Fire Marshal. The type of gate or controlled access mechanism is also subject to the approval of the City's Fire Marshal.

**REQUIREMENTS AND GUIDELINES FOR PRIVATE STREET DEVELOPMENTS:**

Section 142-192 (Guidelines for Development) of the City of McKinney Subdivision Ordinance specifies seven guidelines for private street developments. The first three guidelines listed are as follows:

1. The area shall be located within the City limits of the City of McKinney.

2. The development shall not impede the current or future street circulation needs of the area, especially any needed collector or arterial street route, or access to any adjoining tract.
3. The area shall not disrupt an existing or proposed City of McKinney public pedestrian pathway, hike and bike trail, or park.

The above three criteria are mandatory requirements that must be satisfied, and the proposed development satisfies these three requirements.

The remaining four criteria are guidelines that should be addressed when considering such a development; however, it is not mandatory that all of these criteria be addressed. However, the degree to which each is satisfied should be reviewed by Staff, the Planning and Zoning Commission, and the City Council as part of the determination of the merits of the proposed private street development.

4. If the area is intended for residential use, it should be zoned solely as a residential zoning district, except in the case of a PD zoning district, in which case the area should be designated solely for residential use.
  - The subject property is zoned solely for single family detached residential uses. The subject property shall conform to the district regulations of the “RS-84” – Single Family Residence District, and “RS-120” – Residence District, and as amended by the governing zoning (“PD” – Planned Development District Ordinance No. 2011-06-039) on the subject property.
5. The area should be bounded on all sides by natural barriers, manmade barriers such as a greenbelt, hike and bike trail, golf course or park, screening walls, or collector thoroughfares.
  - The subject property will be enclosed by a 6-foot high ornamental fence on the southern, eastern, and northern property lines, and a 6’ masonry wall with a controlled access gate is proposed on the western property line. Additionally, the subject property is surrounded by Gray Branch Tributaries on the northern, eastern and southern property lines except for the western property line, where the property is abutting Ridge Road. The subject property will also be bounded by City’s hike and bike trail proposed along Ridge Road.
6. Except where substantial existing natural or man-made barriers would render the requirement unreasonable, each private street development shall be required to have a minimum of one point of access to a public street having a right-of-way of at least 60 feet, unless specifically approved otherwise.
  - The applicant has met this guideline as the development has two points of direct access to an existing four-lane greenway arterial (Ridge Road).

7. The proposed private street subdivision should not result in an overconcentration of such developments, to the extent of dominating the neighborhood development pattern.
  - The request will not result in an overconcentration of such development within the surrounding area.

**PROPOSED PRIVATE STREET SUBDIVISION:** The proposed Concept Plan shows the general layout, circulation, and pertinent features of the proposed private street development, including but not limited to access to a four-lane greenway arterial (Ridge Road) with a minimum width of at least 120 feet, the location of fencing materials, surrounding natural amenities, and the proposed Hike and Bike Trail. The Entrance Exhibit shows a rendering of the proposed building materials for fencing, and the access gate for the gated community.

A 6-foot high ornamental fence is proposed for the south, east, and northern property lines, and a 6' masonry wall with a controlled access gate is proposed on the western property line. Additionally, the subject property is bounded by Gray Branch Tributaries on the north, east and southern property lines. There is a required 10-foot wide Hike and Bike Trail proposed along Ridge Road, which will be located outside the private street subdivision in accordance with the City's Hike and Bike Trail Master Plan.

**IMPACT ON EXISTING DEVELOPMENT:** Staff does not anticipate that the proposed private street subdivision will negatively impact the existing and future adjacent single family residential developments (including the Stonebridge Estates and Cambridge Subdivisions located south and east of the subject property).

**CONFORMANCE TO THE MASTER PARK PLAN (MPP):** The proposed SUP request does not conflict with the Master Park Plan. The proposed Hike and Bike Trail will be located outside the private development, as shown on the attached Concept Plan.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any comments in opposition to or in support of this proposed specific use permit request.

**ATTACHMENTS:**

- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed SUP Exhibit A – Location Map
- Proposed SUP Exhibit B – Legal Description
- Proposed SUP Exhibit C – Concept Plan
- Proposed SUP Exhibit D – Entrance Exhibit
- PowerPoint Presentation