

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brian Lockley, AICP, Director of Planning

**FROM:** Samantha Pickett, Planning Manager  
Eleana Galicia, Planner I

**SUBJECT:** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A, of the Holder Hill Addition, Located at 4025 County Road 405

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

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

1. The applicant receive approval of the associated facilities agreement.
2. The applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct public streets including the associated street lighting and sidewalks adjacent to the property.
3. The applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream.
4. The applicant receive variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems.
5. The applicant receive a variance to the Storm Water Management Ordinance waiving the requirement to collect drainage in an underground storm water system.
6. The applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance to allow lot to lot drainage.
7. The applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance requiring water systems to be of a sufficient size to furnish fire protection to all lots.

Prior to the issuance of a building permit:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Preliminary-Final Plat Approval Checklist, attached.
2. The associated facilities agreement be filed with the county prior to filing the plat, subject to review and approval of the City Attorney.

**APPLICATION SUBMITTAL DATE:** August 29, 2016 (Original Application)  
September 8, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to subdivide approximately 10 acres of land, located at 4025 County Road 405 McKinney, Texas within the City of McKinney's Extraterritorial Jurisdiction (ETJ). Since the subject property located within the City's ETJ, the regulations of the Zoning Ordinance do not apply to the subject property, however regulations of the Subdivision Ordinance do apply.

Under State Law, before a property can be subdivided in the City of McKinney ETJ, it must be platted and filed for record with the Collin County Clerk, in accordance with the City of McKinney's subdivision regulations. Typically, preliminary-final plats are considered by the Planning and Zoning Commission. This preliminary-final plat has bypassed the Planning and Zoning Commission and is being considered by the City Council because the applicant has requested several variances to the requirements of the Subdivision Ordinance. Per the Subdivision Ordinance, only the City Council can grant a variance.

The applicant is requesting to subdivide the property into one lot to construct a single family residence. The applicant has indicated to Staff the desire to not construct or escrow for the typical required improvements, such as water, sanitary sewer, and roads, however the applicant has agreed to provide the easements for said infrastructure, and to enter into a facilities agreement with the City of McKinney.

**PLATTING STATUS:** The subject property is currently unplatted. Subsequent to the approval of the preliminary-final plat with the associated variance requests and conditions, a record plat, 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.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
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Subject Property	City of McKinney Extraterritorial Jurisdiction	Undeveloped Land
North	City of McKinney Extraterritorial Jurisdiction	Undeveloped Land
South	City of McKinney Extraterritorial Jurisdiction	Undeveloped Land
East	City of McKinney Extraterritorial Jurisdiction	Single Family Residence
West	City of McKinney Extraterritorial Jurisdiction	Undeveloped Land

**ACCESS/CIRCULATION:**

Adjacent Streets: County Road 405, 60' Right-of-Way, Collector

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

**PUBLIC IMPROVEMENTS:**

- Sidewalks: Required along County Road 405
- Hike and Bike Trails: Not Required
- 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. Required public improvements include the following:

Road Improvements: The site is currently served by CR 405 which is a 20-foot wide asphalt roadway with roadside ditches. The applicant would be required to reconstruct CR 405 adjacent to the site with minimum 24-foot wide concrete curb and gutter pavement, 4-foot sidewalks, and underground drainage systems. The applicant has proposed to only dedicate right-of-way for CR 405.

Water Improvements: The site is not currently served by a potable water system but is in an area currently served by North Collin Water Supply Corporation. The applicant would be required to construct City of McKinney water lines including a master planned 12-inch water line along CR 405 and offsite water lines capable of supplying adequate fire flow to the site. Site is located approximately 3 ½ miles from the nearest City of McKinney water line. The applicant has proposed to only dedicate an onsite easement for the water lines.

Sewer Improvements: The site is adequately sized to be served by a septic system. The applicant would be required to construct City of McKinney sewer lines onsite and offsite capable of serving the site. Site is located approximately 2 ½ miles from the nearest City of McKinney sewer line. The applicant has proposed to only dedicate an onsite easement for the sewer improvements.

Drainage Improvements: The site receives drainage flows from agricultural land upstream from the site. The applicant would be required to study drainage area and provide adequate capacity for fully-developed flow through the site. The applicant has proposed to only dedicate an onsite easement for the drainage improvements.

**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, unless the requested variances are approved.

**FEES:**

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| Roadway Impact Fees:       | Not Applicable (Ordinance No. 2013-11-108)   |
| Utility Impact Fees:       | Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118) unless City Council grants the requested variances. |
| Median Landscape Fees:     | Not Applicable   |
| Park Land Dedication Fees: | Not 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