



TITLE: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Waldo & Lee R. Turner, for Approval of a Minor Replat for Lots 765R, 766, and 777R of the McKinney Outlots, Being Less than 1 Acre, Located on the Southeast Corner of State Highway 5 (McDonald Street) and Watt Street

MEETING DATE: June 18, 2013

DEPARTMENT: Planning

CONTACT: Michael Quint, Director of Planning
Brandon Opiela, Planning Manager
Samantha Gleinser, Planner I

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed minor replat with the following conditions:
 1. The applicant satisfy the conditions as shown on the Standard Conditions for Minor Replat Checklist, attached.
 2. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to dedicate 5 feet of right-of-way and construct a 24 foot wide section of roadway with associated sidewalk, adjacent to the south side of the property.
- Prior to filing the plat for record:
 3. The applicant revise the plat to show "2013" on all signature block dates.
 4. The applicant revise the plat to provide two state plane coordinates.
 5. The applicant revise the plat to show the current right-of-way widths for all adjacent streets.
 6. The applicant revise the plat to provide a note stating the purpose of the plat.
 7. The applicant revise the plat to provide the filing information for the 10' Street Dedication along Watt Street and Railroad Street previously dedicated.

8. The applicant revise the plat to provide the filing information for both of the 15' corner clips previously dedicated.

ITEM SUMMARY:

- The applicant is proposing to subdivide two existing lots (Lots 765 and 777) into three lots for future commercial use.
- Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the associated replat such as dedicating and constructing right-of-way and sidewalks to the south of the property. The applicant has requested a variance waiving the requirement to provide these improvements.
- Minor replats are typically Planning and Zoning Commission approval; however, the variances requested can only be approved by City Council. The City Council has the authority to grant variances as outlined in the Subdivision Ordinance such as when there are special circumstances or conditions affect the property in question, enforcement would deprive the applicant of substantial property right, or that the variance, if granted, will not be detrimental to the public welfare. Pecuniary interests standing along shall not be justification for granting a variance.

BACKGROUND INFORMATION:

- See attached City Council report.

FINANCIAL SUMMARY:

- N/A

BOARD OR COMMISSION RECOMMENDATION:

- The proposed minor replat has not been considered by another board or commission.