

<b>AGENDA ITEM</b>
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**TO:** Planning and Zoning Commission

**THROUGH:** Jennifer Cox, AICP, Director of Planning

**FROM:** Michael Quint, Senior Planner

**SUBJECT:** Consider/Discuss/Act on the Request by Sanchez & Associates, on Behalf of TCI McKinney Ranch, Inc., for Approval of a Preliminary-Final Plat for of the Barcelona Addition, Approximately 100.91 Acres, Located on the Northwest Corner of Stacy Road and McKinney Ranch Parkway.

**APPROVAL PROCESS:** The Planning and Zoning Commission is the final approval authority for the proposed preliminary-final plat. However, a denial of the proposed plat by the Planning and Zoning Commission may be appealed to the City Council per the regulations contained in Section 142-72 (Preliminary-Final Plat) of the Subdivision Ordinance.

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**STAFF RECOMMENDATION:** The proposed preliminary-final plat must be denied due to the following reasons:

1. The applicant has not received approval of an access management plan for portions of the subject property as required by the Zoning Ordinance.
2. The applicant has not received approval of a general development plan for portions of the subject property as required by the governing planned development district's regulations.

**APPLICATION SUBMITTAL DATE:** March 26, 2012 (Original Application)  
April 23, 2012 (Revised Submittal)  
April 26, 2012 (Revised Submittal)  
April 30, 2012 (Revised Submittal)  
May 2, 2012 (Revised Submittal)  
May 3, 2012 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to subdivide approximately 100.91 acres into 105 lots, located on the northwest corner of Stacy Road and McKinney Ranch Parkway.

**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. 2002-03-019 and amended by “PD” – Planned Development District Ordinance No. 2007-08-072 and “REC” – Regional Employment Center Overlay District

North	“PD” – Planned Development District Ordinance No. 01-07-078, “PD” – Planned Development District Ordinance No. 2007-08-072, and “REC” – Regional Employment Center Overlay District	The Brookstone Phase III subdivision and Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 02-03-019, “AG” – Agricultural District, and “REC” – Regional Employment Center Overlay District	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 02-03-019, and as amended, and “REC” – Regional Employment Center Overlay District	Undeveloped Land and the SoHo multi-family development
West	“AG” – Agricultural District, “PD” – Planned Development District Ordinance No. 02-06-068, and “REC” – Regional Employment Center Overlay District	Undeveloped Land and the Harvest Bend subdivision

Discussion: Planned Development District Ordinance No. 2002-03-019, which applies to the subject property, states “prior to the approval of a preliminary plat or site plan for any one parcel, a detailed general development plan shall be submitted for approval.” A general development plan for a large portion of the subject property (approximately 76 acres of single family residential uses) was approved on March 13, 2012 by the Planning and Zoning Commission, however, a general development plan has not been submitted or approved for the remaining portions of the subject property; specifically proposed Lot 1, Block L and Lot 1, Block M.

The applicant was notified of this requirement with their initial staff comments (4/2/12), their second review comments (4/24/12), and again with their third review comments

(4/27/12). The applicant has decided not to submit a general development plan for review and approval despite Staff's constant efforts to inform the applicant that his plat could not be approved without it. Nevertheless, the applicant has requested that the proposed plat move forward for consideration. The proposed plat cannot be approved as the requirements of the governing planned development district ordinance have not been satisfied.

**ACCESS/CIRCULATION:**

Adjacent Streets: Silverado Trail, 100' Right-of-Way, Minor Arterial (M4D)

McKinney Ranch Parkway, 120' Right-of-Way, Major Arterial (M6D)

Stacy Road, 130' Right-of-Way, Principal Arterial (P6D)

Discussion: The applicant has provided each lot with adequate access to an existing street by frontage on such street as required by the Subdivision Ordinance.

Section 146-44 (Access Management Plan Approval) of the Zoning Ordinance states that "prior to any subdivision of property or approval of a site plan in any district other than a single family residential or duplex residential district, an access management plan representing the general site assessment of the property shall be approved by the Director of Planning." Proposed Lot 1, Block L and Lot 1, Block M are zoned as high density residential (multi-family residential) and mixed use/retail districts (respectively) per Planned Development District Ordinance No. 2007-08-072. As such, an access management plan must be approved for these proposed lots prior to the approval of this plat.

The applicant was notified of this requirement with their initial staff comments (4/2/12), their second review comments (4/24/12), and again with their third review comments (4/27/12). The applicant has decided not to submit an access management plan for review and approval despite Staff's constant efforts to inform the applicant that his plat could not be approved without it. Nevertheless, the applicant has requested that the proposed plat move forward for consideration. The proposed plat cannot be approved as the requirements of the Zoning Ordinance have not been satisfied.

**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

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.

**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 drainage associated with and affecting the subject property. Moreover, the applicant has not satisfied the drainage and storm water requirements of the City of McKinney. Some of the proposed lots may not be developable as they are within a drainage area. There is a drainage way on the southwest portion of the subject property that has not been formally evaluated. As such, it is unknown how many of the proposed lots in this area will actually be useable. Upon completion of the necessary engineering, the lots in question may be useable but at the present time the applicant has not provided information validating the usability of said lots. As such, Staff recommends that prior to submitting a record plat for review and approval, the applicant revise the plat as necessary to address the drainage issues that are present on the subject property, subject to review and approval by the Director of Engineering. If, after the proper amount of engineering has been done, the affected lots cannot meet the City's requirements, these lots must be dedicated as common areas, to be owned and maintained by the homeowners' association.

**FEES:**

Roadway Impact Fees:	Applicable (Ordinance No. 2008-10-173)
Utility Impact Fees:	Applicable (Ordinance No. 2008-10-174)
Median Landscape Fees:	Not Required
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:**

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