



**22-0140PF**

**TITLE:** Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1-9, Block A, of the 1544 County Road 362 Development, Located in the McKinney Extraterritorial Jurisdiction (ETJ), on the Southeast Corner of Miller Road (County Road 339) and County Road 362

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

**MEETING DATE:** August 16, 2022

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Caitlyn Strickland, Planning Manager  
Araceli Botello, Planner I

**APPLICATION SUBMITTAL DATE:** July 18, 2022 (Original Application)

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends disapproval of the proposed preliminary-final plat due to its lack of conformance with the requirements of the Engineering Design Manual and the Subdivision Ordinance.

Additionally, Staff recommends denial of the applicant's requested variance from Section 142-106 (Screening and Buffering of certain residential lots adjacent to streets) for the required 20 foot common area adjacent to Miller Road (County Road 339) and County Road 362.

**ITEM SUMMARY:** The applicant is proposing to plat nine lots (approximately 12.456 acres) for development in the City of McKinney's Extraterritorial Jurisdiction (ETJ). Additionally, the applicant is requesting a variance from Section 142-106 (Screening and buffering of certain residential lots adjacent to streets) for the required 20 foot common area adjacent to Miller Road (County Road 339) and County Road 362.

Per the provisions of the City's Subdivision Ordinance, the proposed plat shall satisfy all requirements for a preliminary-final plat. Items currently not satisfied for the proposed

preliminary-final plat are shown on the attachment to this report titled "Explanation for Disapproval Summary."

Variance Requested:

- The applicant has requested a variance from Section 142-106 (Screening and Buffering of certain residential lots adjacent to streets) to not provide the required 20 foot common area adjacent to Miller Road (County Road 339) and County Road 362. In lieu of the required common area, the applicant requests to provide a development agreement that would designate a portion of the residential lots as "no-build" areas for landscaping. At this time, there does not appear to be any site constraints that would necessitate deviating from the typically-required 20 foot common areas adjacent to Miller Road (County Road 339) and County Road 362. As such, Staff is unable to support the variance request at this time.

**APPROVAL PROCESS:** The Planning and Zoning Commission is the primary approval authority for proposed preliminary-final plats. However, plats that include variance requests are usually and primarily considered by the City Council. In the event that a City Council meeting does not occur within the timelines required pursuant to Texas Local Government Code Chapter 212, the variance request may be considered by the Planning and Zoning Commission. Subsequent to the action taken by the Planning and Zoning Commission or City Council, the applicant has the opportunity to make one resubmittal which addresses any conditions or items identified as a condition of approval or reason for disapproval.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments in support of or opposition to this request.

**SUPPORTING MATERIALS:**

[Standard Conditions Checklist](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Proposed Preliminary-Final Plat](#)

[Explanation for Dissaproval Summmary](#)