



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 17-184PF, **Version:** 1

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Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1-3, Block A, of the Easterling Addition, Located Approximately 1,070 Feet South of County Road 339 and Approximately 1,050 Feet East of County Road 338

**COUNCIL GOAL:** Direction for Strategic and Economic Growth

**MEETING DATE:** September 5, 2017

**DEPARTMENT:** Planning

**CONTACT:** Matt Robinson, AICP, Planning Manager  
Brian Lockley, AICP, Director of Planning

**RECOMMENDED CITY COUNCIL ACTION:** 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 sanitary sewer and water lines to the subject property and extend them to the adjacent property upstream.
3. The applicant receive variance to Section 142-105 (Improvements) of the Subdivision Ordinance allowing the use of individual septic systems.
4. The applicant receive a variance to the Storm Water Management Ordinance waiving the requirement to collect drainage in an underground storm water system.
5. The applicant receive a variance to Section 142-105 (Improvements) of the Subdivision Ordinance to allow lot to lot drainage.
6. 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:** June 27, 2017 (Original Application)  
August 3, 2017 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to subdivide approximately 15.387 acres of land, located approximately 1,070 feet south of County Road 339 and approximately 1,050 feet east of County Road 338 within the City of McKinney's Extraterritorial Jurisdiction (ETJ). Since the subject property is 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 three lots. The subject property currently is undeveloped. The applicant has indicated to Staff the desire to not construct or escrow for the typical required improvements, such as water and sanitary sewer; 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, 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.

**ZONING:**

| Location         | Zoning District (Permitted Land Uses)          | Existing Land Use                         |
|------------------|------------------------------------------------|-------------------------------------------|
| Subject Property | City of McKinney Extraterritorial Jurisdiction | Undeveloped Land                          |
| North            | City of McKinney Extraterritorial Jurisdiction | Single Family Residence, Undeveloped Land |
| South            | City of McKinney Extraterritorial Jurisdiction | Single Family Residence, Undeveloped Land |
| East             | City of McKinney Extraterritorial Jurisdiction | Undeveloped Land                          |
| West             | City of McKinney Extraterritorial Jurisdiction | Single Family Residence                   |

**ACCESS/CIRCULATION:**

Adjacent Streets: Private Road 5042, 50' Right-of-Way, Private Street

**TREE PRESERVATION ORDINANCE:** The applicant will not be responsible for complying with the Tree Preservation Ordinance.

**PUBLIC IMPROVEMENTS:**

Sidewalks: N/A  
Hike and Bike Trails: N/A

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, unless the requested variances are approved.

Road Improvements: The site is currently served by Private Road 5042 and is located approximately 1,050 feet east of CR 338. Private Road 5042 is a 16' asphalt roadway with roadside drainage ditches. Access for the lots to CR 338 is provided via a series of road/access easements.

Water Improvements: The site is currently served by a North Collin Water Supply Corporation water line and is located adjacent to a City of Melissa water line. The applicant would be required to construct a minimum 8-inch water line capable of supplying domestic water supply and fire flow to the site. A utility easement already exists on the site concurrent with the private road easement. The applicant has requested a variance from the water line construction requirements.

Sewer Improvements: The site is adequately sized to be served by septic systems. The applicant would be required to construct a minimum 8-inch sewer line through the site and offsite lines capable of serving the site and upstream areas. The site is located approximately 2 ½ miles from the nearest City of McKinney sewer line. The applicant has dedicated easements for the sewer lines but has requested a variance from the construction requirements.

Drainage improvements: The site receives drainage flows from agricultural and residential estate land upstream from the site. The applicant would be required to study the drainage area and provide adequate capacity for fully-developed flow through the site. The applicant has dedicated easements for the drainage systems but has requested a variance from the study requirements.

**FEES:**

Roadway Impact Fees: Not Applicable (Ordinance No. 2013-11-108)  
Utility Impact Fees: Applicable (Ordinance No. 2017-02-021)  
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.

**BOARD OR COMMISSION RECOMMENDATION:** This preliminary-final plat has bypassed the Planning & Zoning Commission and is being considered by the City Council instead because the applicant has requested variances to the requirements of the Subdivision Ordinance. Per the Subdivision Ordinance, only the City Council can grant a variance.