



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 19-0007PF, **Version:** 1

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Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1-3, Block A of the Lake Forest Business Park, Located North and West of the Farm to Market Road 1461 (Lake Forest Drive) and County Road 123 (Bloomdale Road)

**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:** July 16, 2019

**DEPARTMENT:** Planning

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Aaron Bloxham, Planning Manager

**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 offsite sanitary sewer to the subject property.
  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:** January 8, 2019 (Original Application)  
March 5, 2019 (Revised Submittal)  
April 3, 2019 (Revised Submittal)  
April 16, 2019 (Revised Submittal)

**ITEM SUMMARY:**

- The applicant is proposing to subdivide approximately 17.38 acres of land into three (3) lots, located north and west of Farm to Market Road 1461 (Lake Forest Drive) and County Road 123 (Bloomdale Road), 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 developed 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 a 17.38 acre tract of land into three (3) lots. There is currently an existing home on Lot 3 and farmland on Lot 3, which will continue. However, the applicant is proposing to construct seven (7) office/warehouse buildings on Lot 1. The applicant has indicated to Staff the desire to not construct or escrow for the typical required improvements, such as the offsite sanitary sewer improvements; however, the applicant has agreed to provide the easements for said infrastructure, to construct onsite sanitary sewer 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.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	City of McKinney Extraterritorial Jurisdiction	Residential and Agricultural uses

North	City of McKinney Extraterritorial Jurisdiction	Commercial Property
South	City of McKinney Extraterritorial Jurisdiction and "PD" - Planned Development District Ordinance No. 2004-02-014 (Commercial Uses)	Ranch/Farm and Undeveloped Land
East	City of McKinney Extraterritorial Jurisdiction	Single Family Residences
West	City of McKinney Extraterritorial Jurisdiction	Single Family Residence and Farm/Ranch

#### **ACCESS/CIRCULATION:**

Adjacent Streets: FM Road 1461 (Lake Forest Dr), Variable Width Right-of-Way County Road 123 (Bloomdale Road), Variable Width Right-of-Way

#### **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.

#### **ROAD IMPROVEMENTS:**

- The site is currently served by Farm to Market Road 1461 and County Road 123 which are variable width paved roadways with surface drainage. The applicant would be required to improve the roadway across their frontage by construction a minimum 24-foot concrete curb & gutter roadway with underground drainage, 5-foot sidewalks, and other appurtenances. However, TxDOT has recently rebuilt the roadway to the site and the existing roadway is adequate to serve the site.

#### **WATER IMPROVEMENTS:**

- The site is currently served by a 12-inch City of McKinney water line.

#### **SEWER IMPROVEMENTS:**

- The site is adequately sized to be served by individual septic systems. The applicant is constructing a 12-inch City of McKinney sewer line through their site; however, the applicant would be required to build 1.55 mile of offsite sewer line capable of serving the site. The applicant is dedicating an easement for the sewer line improvement on the property and has

requested a variance from the construction requirements to extend the sanitary sewer line to the property.

**DRAINAGE IMPROVEMENTS:**

- The site receives drainage flows from agricultural and estate residential land upstream of 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 is dedicating an easement for future drainage improvements and has requested a variance from the construction requirements.
- 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:**

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 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.