



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 20-0100PF, **Version:** 1

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Consider/Discuss/Act on a Preliminary-Final Plat for Oxford Place, Located in the ETJ of McKinney on the Southwest Corner of County Road 412 and County Road 409

**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 4, 2020

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Danielle R. Mathews, AICP, Planner II  
Gary Graham, PE, PTOE, Director of Engineering  
Matt Richardson, PE, Development Engineering Manager

**APPLICATION SUBMITTAL DATE:** July 13, 2020 (Original Application)

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed preliminary-final plat for Oxford Place subject to the applicant's compliance with the following conditions and City Council's approval of the following variances:

1. The applicant must satisfy the conditions as shown on the attached Standard Conditions for Preliminary-Final Plat Checklist; and
2. The applicant must receive approval from the City Council of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to provide a traffic impact analysis and to construct perimeter roadways and offsite roadways meeting City of McKinney design standards specifically conditioned upon the applicant's construction of, and the City's subsequent approval and issuance of a green tag for, a two-inch (2") asphalt overlay including full-depth repair of any pavement failures identified by the City of McKinney and/or Collin County and restriping of the asphalt overlay once constructed:
  - a. Across and along the entire width of County Road 412 extending from both intersections of County Road 412 with FM 2933 and traveling in an easterly direction the full width of County Road 412 from its intersections with FM 2933 to and through the eastern-most edge of the intersection between County Road 412 and County Road 409; and,
  - b. Across and along the entire width of County Road 409 extending from the northern-

most edge of the intersection of County Road 409 with County Road 412 and traveling in a southerly direction to the southern-most edge of the intersection of County Road 409 with County Road 341; and

3. The applicant must receive approval from the City Council of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to connect to the City of McKinney water system and waiving the requirement to provide fire flow meeting City of McKinney design standards conditioned upon the applicant:
  - a. Designing, constructing and providing a water distribution system within the proposed Oxford Place subdivision that meets City of McKinney design standards, except as specifically provided herein, with a reduced fire flow of 1,000 gallons per minute at 20 pounds per square inch residual pressure; and,
  - b. Entering into a contract with North Collin Special Utility District ("North Collin SUD") for the provision and supply of potable drinking water necessary to serve both the domestic uses and fire flow requirements of the proposed Oxford Place subdivision rather than building the infrastructure necessary to connect to the City of McKinney's potable drinking water system; and
  - c. Designing, constructing, and receiving approval and final acceptance of, any and all on-site and off-site improvements to North Collin SUD's potable drinking water system as may be required to supply potable drinking water necessary to serve both the domestic uses and fire flow requirements of the proposed Oxford Place subdivision rather than building the infrastructure necessary to connect to the City of McKinney's potable drinking water system; and
4. The applicant must receive approval from the City Council of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to connect to the City of McKinney's sanitary sewer system conditioned upon the applicant:
  - a. Designing, constructing, and providing a sanitary sewer or wastewater collection system within the proposed Oxford Place subdivision that meets City of McKinney design standards, except as specifically provided herein; and
  - b. Designing, constructing, and receiving approval and final acceptance of a sanitary sewer or wastewater treatment package plant meeting TCEQ standards to serve the requirements of the proposed Oxford Place subdivision rather than building the infrastructure necessary to connect to the City of McKinney's sanitary sewer system; and
  - c. Contracting with a sanitary sewer or wastewater operator licensed by the State of Texas to operate and maintain the sanitary sewer or wastewater treatment package plant running and operating in accordance with all applicable TCEQ standards; and
  - d. Establishing a funding mechanism to fully support the continuing operation, maintenance, repair and replacement of the sanitary sewer or wastewater treatment package plant in strict compliance with all applicable TCEQ standards; and

5. The applicant must receive approval from the City Council of a variance to Section 142-106 (Screening and buffering of certain residential lots adjacent to streets) of the Subdivision Ordinance waiving the requirement that the applicant provide screening and landscaping within the common areas of the proposed Oxford Place subdivision adjacent to County Roads 409 and 412; and
6. The items currently marked as “not met” on the attached Conditions of Approval Summary must be satisfied by the applicant prior to issuing preliminary-final plat approval.

**ITEM SUMMARY:** The applicant proposes to subdivide approximately 82.572 acres into 333 lots, with one lot dedicated to a sewer easement (for a wastewater package plant), one homestead lot to preserve the existing single family dwelling unit, and eight common areas, located 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.

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 “Conditions of Approval Summary.”

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.

**PUBLIC IMPROVEMENTS:** The applicant has indicated in their Letter of Intent the desire to not construct all public improvements associated with the property and required by Chapter 142 of the Code of Ordinances. Based on the relatively remote location of this property and the long distances from existing City of McKinney infrastructure, staff recommends that City Council approve the following variances from the typical public improvement requirements:

- The requirement to construct twenty-four (24) foot wide concrete curb and gutter pavement section on County Road 409 and County Road 412, future 4-lane divided minor arterial roadways, including the associated street lighting, sidewalks, underground drainage systems, and other appurtenances.
  - This site is currently served by asphalt roadways with roadside ditches and there are no imminent plans by either the City or County to construct new concrete curb & gutter roadways in this area. Two TxDOT highways provide access in the vicinity of the property: FM 2933 is approximately ½ mile west, while FM 1827 is approximately 1 ½ miles south.
  - Transitions between asphalt and concrete roadways are often maintenance intensive and the curvature of the transitions may be perceived by many drivers as less safe. Signage and striping for transitions will also have to be replaced periodically.
  - In lieu of the typical roadway construction, staff recommends that the applicant

construct a two-inch (2") asphalt overlay including full-depth repair of any pavement failures identified by the City of McKinney and/or Collin County and restriping of the asphalt overlay once constructed:

- Across and along the entire width of County Road 412 extending from both intersections of County Road 412 with FM 2933 and traveling in an easterly direction the full width of County Road 412 from its intersections with FM 2933 to and through the eastern-most edge of the intersection between County Road 412 and County Road 409; and,
- Across and along the entire width of County Road 409 extending from the northern-most edge of the intersection of County Road 409 with County Road 412 and traveling in a southerly direction to the southern-most edge of the intersection of County Road 409 with County Road 341

Collin County has a project underway to overlay County Road 409 the remainder of the distance from CR 341 to FM 1827.

- The applicant will still dedicate the typical right-of-way for one-half of the future 4-lane divided minor arterial roadways along the perimeter of the property.
- Staff has reviewed the rough proportionality of these improvements and found it to be roughly proportional to the applicant's impact on the transportation system.
- The requirement to construct minimum 12-inch diameter water line along County Road 409 and County Road 412, including approximately three and one-half (3 ½) miles of offsite 12-inch diameter water lines and appurtenances capable of supplying adequate domestic and fire flow to and through the property from the nearest City of McKinney water line; and the requirement to provide a minimum fire flow of 1,500 gallons per minute.
  - The nearest City of McKinney water lines capable of serving this site are approximately 3 ½ miles away at the Willow Wood development.
  - By extending water lines to this site, it is likely that a significant amount of water waste would occur as a result of flushing needed to keep chlorine residuals in the water supply at an acceptable level, in addition to added costs of maintenance and operation at such a remote location. Water line extensions by the City of McKinney could also incentivize other development within this area of the ETJ.
  - This property is currently served by North Collin Special Utility District (NCSUD). NCSUD has indicated their willingness to serve this site but can only do so with a maximum fire flow of approximately 1,000 gallons per minute, which is 33% less than the City's minimum standard. This reduced fire flow rate meets the International Fire Code rate for typical residential construction up to 3,600 square feet.
  - In consideration of the remote location and added costs of water waste, maintenance, and operations, staff recommends that the applicant utilize NCSUD for their water

supply, including the reduced fire flow rate.

- The requirement to construct a minimum 8-inch diameter sanitary sewer line through the Property together with approximately two and one-quarter (2 ¼) miles of offsite 8-inch diameter sanitary sewer lines capable of serving the property from the nearest City of McKinney sewer line.
  - The nearest City of McKinney sewer lines capable of serving this site are approximately 2 ¼ miles away near FM 2933 and CR 340, where the City of McKinney receives regional sewer flows from the City of Melissa.
  - By extending sewer lines to this site, it is likely that a significant amount of rainwater infiltration would occur, in addition to added costs of maintenance and operation at such a remote location. Sewer line extensions by the City of McKinney could also incentivize other development within this area of the ETJ.
  - The applicant has received approval from TCEQ to operate a small “package” wastewater treatment plant at this location.
  - In consideration of the remote location and added costs of maintenance and operations, staff recommend that the applicant utilize the TCEQ approved wastewater treatment plant for their sewer system.

**APPROVAL PROCESS:** Under State Law, before a property can be subdivided in the City of McKinney’s ETJ, it must be platted and filed for record with the Collin County Clerk, in accordance with the City of McKinney’s subdivision regulations.

The City Council is the final approval authority for the proposed preliminary-final plat.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed preliminary-final plat.