

CITY COUNCIL MEETING OF 6-4-13 AGENDA ITEM #13-083MP

AGENDA ITEM

TO: City Council

THROUGH: Michael Quint, Director of Planning
Brandon Opiela, Planning Manager

FROM: Samantha Gleinser, Planner I

SUBJECT: Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of Heritage Christian Church, for Approval of a Minor Plat for Lot 1, Block A, of the Heritage Christian Church Addition, Being Less than 1 Acre, Located on the Northwest Corner of Greenville Road and Airport Drive

APPROVAL PROCESS: The City Council is the final approval authority for the proposed minor plat.

STAFF RECOMMENDATION: Staff recommends approval of the proposed minor plat with the following conditions:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Minor Plat Approval Checklist, attached.
2. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to dedicate 30' of right-of-way and construct the associated roadway along the north side of the property.
3. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to improve/reconstruct Greenville Road.
4. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct the sidewalks along Greenville Road and Airport Drive.

APPLICATION SUBMITTAL DATE: April 26, 2013 (Original Application)
May 13, 2013 (Revised Submittal)
May 16, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to plat the subject property as one lot in order to construct a church on the subject property. An associated site plan (13-084SP) for the proposed church is currently being reviewed by Staff.

Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the associated plat such as dedicating right-of-way and constructing a segment of roadway within the right-of-way to the north of the property, as well as improving Greenville Road and providing sidewalks along Greenville Road and Airport Drive. The applicant has requested a variance waiving the requirement to provide these improvements.

Minor plats are typically Staff approval; however, the variances requested can only be approved by City Council. The City Council has the authority to grant variances as outlined in the Subdivision Ordinance such as when there are special circumstances or conditions affect the property in question, enforcement would deprive the applicant of substantial property right, or that the variance, if granted, will not be detrimental to the public welfare. Pecuniary interests standing alone shall not be justification for granting a variance.

PLATTING STATUS: The subject property is currently unplatted. In order to plat the subject property as proposed by the applicant, variances to the requirements of the Subdivision Ordinance have been requested with regard to right-of-way dedication and construction of associated roadways and sidewalks. Prior to the issuance of a Certificate of Occupancy, the minor plat must be filed for recordation with the Collin County Clerk.

SURROUNDING ZONING AND LAND USES:

Subject Property: "O-1" – Neighborhood Office District (Church Uses)

North	"AG" – Agricultural District (Agricultural Uses)	Undeveloped Land
South	"AG" – Agricultural District (Single Family Residential Uses) and "RS 60" – Single Family Residential District (Single Family Residential Uses)	Single Family Residences
East	"PD" – Planned Development District Ordinance No. 09-07-052 (Government Uses)	City of McKinney Wastewater Lift Station
West	"AG" – Agricultural District (Single Family Residential Uses)	Single Family Residences

ACCESS/CIRCULATION:

Adjacent Streets: Greenville Road, 45' Right-of-Way, Town Thoroughfare

Airport Drive, 120' Right-of-Way, 6-Lane Major Arterial

Discussion: The site will gain access via Greenville Road. The final location of any ingress/egress points will be determined through the site plan process.

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 City Arborist. The applicant will be responsible for applying for all necessary permits for any tree removal that is to occur on site.

PUBLIC IMPROVEMENTS:

Sidewalks:	Required Along Greenville Road and Airport Drive
Hike and Bike Trails:	Not Applicable
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: The applicant has requested that the City Council grant variances to the requirements of the Subdivision Ordinance as listed below:

1. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to dedicate 30' of right-of-way and construct the associated roadway along the north side of the property.
 - Per the Subdivision Ordinance, the applicant is required to dedicate a 30' wide portion of right-of-way and construct an approximately 324 linear foot segment of road adjacent to the north side of the subject property. The public right-of-way to the north (of which only half of the right-of-way is currently dedicated and not constructed on the adjacent property to the north) was the original alignment for Greenville Road, which now runs adjacent to the southern property line. Since Greenville Road was realigned along the south side of the property, Engineering Staff feels the right-of-way is no longer necessary, and is comfortable recommending approval of this variance request.
2. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to improve/reconstruct Greenville Road.
 - Per the Subdivision Ordinance, the applicant is required to improve the approximately 344 linear foot segment of Greenville Road adjacent to the south side of the subject property. Currently, Greenville Road is closed to public access at its intersection with Airport Drive and a timeframe regarding when this segment may reopen is unknown; therefore, Staff is comfortable recommending approval of this variance request.

3. The applicant receive approval of a variance to Section 142-105 (Improvements) of the Subdivision Ordinance waiving the requirement to construct the sidewalks along Greenville Road and Airport Drive.

- Per the Subdivision Ordinance, the applicant is required to construct a sidewalk along the approximately 344 linear foot segment of Greenville Road and the approximately 64 linear foot segment of Airport Drive. There are no existing sidewalks along Enloe Road (south of the subject property) or on either side of Airport Drive. The closest section of sidewalks on Greenville Road is approximately 480' west of the property, near the Mouzon Ball Fields. Greenville Road currently has a non-standard asphalt surface and bar ditch cross section which would require extensive grading and drainage improvements to construct a sidewalk and bring it into conformance with ADA design criteria. At such time as the City can replace the asphalt street with a standard curb and gutter section, the City would then provide pedestrian facilities associated with that construction. As such, Engineering Staff is comfortable recommending approval of this variance request.

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.

FEES:

Roadway Impact Fees:	Applicable (Ordinance No. 2008-10-173)
Utility Impact Fees:	Applicable (Ordinance No. 2008-10-174)
Median Landscape Fees:	Applicable along Airport Drive (\$1,613.39)
Park Land Dedication Fees:	Not Applicable
Pro-Rata:	Not Applicable

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

ATTACHMENTS:

- Standard Conditions for Minor Plat Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Minor Plat
- PowerPoint Presentation