



24-0146RP

TITLE: Consider/Discuss/Act on a Final Plat for Lot(s) 5R - 6, Block A of the Forest Grove Estates Addition, Located in the McKinney Extraterritorial Jurisdiction (ETJ), and Located on the Northeast Corner of FM 2933 and County Road 340

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: January 7, 2024

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Caitlyn Strickland, AICP, Planning Manager
Roderick Palmer, Planner II

APPLICATION SUBMITTAL DATE: October 8, 2024 (Original Application)
December 23, 2024 (Resubmittal)

RECOMMENDED CITY COUNCIL ACTION: Staff recommends approval of the proposed Final plat with the following conditions:

1. The items currently marked as "not met" on the attached Conditions of Approval Summary be satisfied prior to issuing replat plat approval; and
2. The applicant receive approval of a Facilities Agreement;
3. The applicant receive a variance to Section 301-E (Improvements Required) of the Subdivision Ordinance to not escrow or construct Public Improvements and Stormwater Management Improvements, identified in a Facilities Agreement; and
4. The applicant receive a variance to Section 307-C (Improvements) of the Subdivision Ordinance waiving the requirement to install roadway improvements identified in a Facilities Agreement; and

5. The applicant receive a variance to Section 307-C (Improvements) of the Subdivision Ordinance waiving the requirement to install a water system, identified in a Facilities Agreement; and
6. The applicant receive a variance to Section 307-C (Improvements) of the Subdivision Ordinance to not install a sanitary sewer system, identified in a Facilities Agreement; and
7. The applicant receive a variance to Section 307-C (Improvements) of the Subdivision Ordinance to not install a storm water system, identified in a Facilities Agreement.
8. The associated facilities agreement be filed with the county prior to filing the Final Plat, subject to review and approval of the City Attorney

ITEM SUMMARY: The applicant is proposing to subdivide 6.047 Acres into 2 lots for development in the City of McKinney's Extraterritorial Jurisdiction (ETJ). The City has the authority to regulate subdivisions and platting within the ETJ in accordance with Chapter 212 of the Texas Local Government Code and Article 3 (Subdivision Regulations) of the City of McKinney Unified Development Code.

Given the fact that the Texas Local Government Code does not authorize the City to regulate land uses in the ETJ, if the applicant were required to extend public improvements to and through the property as required by the Subdivision Ordinance, it may open up other ETJ properties for development which may not be consistent with the vision outlined by the City's Comprehensive Plan. For this primary reason, Staff is comfortable entering into a Facilities Agreement and supportive of the request to not install a landscape buffer in the form of a common area if the property is only used for the purposes outlined in the agreement.

The proposed plat was previously considered for disapproval during staff review on October 22, 2024. Since that time, the applicant has worked with staff to address the noted plat deficiencies and staff is now recommending approval of the proposed Replat with conditions.

Per the provisions of the City's Subdivision Ordinance, the proposed plat shall satisfy all requirements for a Replat. Items currently not satisfied for the proposed Replat are shown on the attachment to this report titled "Conditions of Approval Summary."

APPROVAL PROCESS: The City Council will be the final approval authority for the proposed Replat.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or opposition to this request. This does not include emails or letters that may have been sent directly to members of the Council. As part of the City Council Public

Hearing(s), Staff has not received any citizen comments through the online citizen portal.

SUPPORTING MATERIALS:

[Standard Conditions Checklist](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Proposed Replat](#)

[Conditions of Approval Summary](#)