



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 22-0004SUP2  
**Name:** Aster Park Private Streets SUP  
**Type:** Ordinance  
**Status:** Public Hearing  
**In control:** City Council Regular Meeting  
**On agenda:** 5/17/2022  
**Final action:**  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Street Subdivision (Aster Park), Located on the North Side of FM 1461 and Approximately One Mile East of FM 2478, and Accompanying Ordinance  
**Indexes:**  
**Attachments:** 1. PZ Minutes, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Ex. PD ordinance No. 2021-06-055, 5. Proposed Ordinance, 6. Exhibits A-D, 7. Proposed Wall Plan Exhibit - Informational, 8. Presentation

Date	Ver.	Action By	Action	Result
5/17/2022	1	City Council Regular Meeting	Close the public hearing	Pass
5/17/2022	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Street Subdivision (Aster Park), Located on the North Side of FM 1461 and Approximately One Mile East of FM 2478, and Accompanying Ordinance

**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:** May 17, 2022

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Caitlyn Strickland, Planning Manager  
Jake Bennett, Planner I

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed specific use permit request to allow for a private street subdivision with the following special ordinance provision:

1. The property shall generally develop in accordance with the attached Specific Use Permit Exhibit, Wall Plan Exhibit, Entrance Exhibit, and all applicable development requirements of the city.

**APPLICATION SUBMITTAL DATE:** March 7, 2022 (Original Application)  
April 8, 2022 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting approval of a specific use permit for a Private Street subdivision (Aster Park) located on the north side of FM 1461 and approximately one mile east of FM 2478. A private street subdivision is one in which the public improvements (streets and utilities) are privately maintained by the Homeowner's Association for the subdivision and are not accepted as public improvements by the City. The proposed private street development will develop in accordance with the attached specific use permit exhibit and will include approximately 1,190 single family residential lots and 49 common areas. The applicant has proposed 12 entrances into the development, each with controlled access gates. All gates into and throughout the subdivision shall be automatic-only and comply with City of McKinney Fire Marshal specifications.

The zoning for the subject property (PD Ord. No. 2021-06-055) requires that a specific use permit be granted for the development of a Private Street Subdivision on the subject property.

The applicant has submitted an associated preliminary-final plat (21-0211PF), which has been approved with conditions

## ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District (Single Family Detached Residential, Single Family Attached Residential, Multiple Family Residential, and Commercial)	Undeveloped Land
North	City of McKinney Extraterritorial Jurisdiction	Single Family Residential, Agricultural, and Undeveloped Land
South	City of McKinney Extraterritorial Jurisdiction	Single Family Residential, Agricultural, and Undeveloped Land
East	City of McKinney Extraterritorial Jurisdiction	Single Family Residential, Agricultural, and Undeveloped Land
West	City of McKinney Extraterritorial Jurisdiction	Single Family Residential, Agricultural, and Undeveloped Land

**REQUIREMENTS AND GUIDELINES FOR PRIVATE STREET DEVELOPMENTS:** Section 142-192 (Guidelines for Development) of the City of McKinney Subdivision Ordinance specifies seven guidelines for private street developments. The first three guidelines listed are as follows:

1. The area shall be located within the City limits of the City of McKinney.
2. The development shall not impede the current or future street circulation needs of the area, especially any needed collector or arterial street route, or access to any adjoining tract.

3. The area shall not disrupt an existing or proposed City of McKinney public pedestrian pathway, hike and bike trail, or park.

The above three criteria are mandatory requirements that must be satisfied, and the proposed development satisfies these three requirements.

The remaining four criteria are guidelines that should be addressed when considering such a development; however, it is not mandatory that all of these criteria be addressed. However, the degree to which each is satisfied should be reviewed by Staff, the Planning and Zoning Commission, and the City Council as part of the determination of the merits of the proposed private street development.

4. If the area is intended for residential use, it should be zoned solely as a residential zoning district, except in the case of a PD zoning district, in which case the area should be designated solely for residential use.
  - The subject property is zoned in “PD” - Planned Development which requires specific amounts of single family detached residential, single family attached residential, multi-family residential, and commercial uses. The private streets shall only be constructed on the tracts that are specifically designated for single family detached residential uses, as shown on the proposed specific use permit exhibit. All single family detached residential uses must develop in accordance with the “SF5” Single Family Residential District development standards.
5. The area should be bounded on all sides by natural barriers, manmade barriers such as a greenbelt, hike and bike trail, golf course or park, screening walls, or collector thoroughfares.
  - The subject property will be bounded on all sides by designated common areas, collector streets, and arterial streets. Additionally, the subject property is surrounded by Stover Creek, which will act as a natural barrier along the western property line.
6. Except where substantial existing natural or man-made barriers would render the requirement unreasonable, each private street development shall be required to have a minimum of one point of access to a public street having a right-of-way of at least 60 feet, unless specifically approved otherwise.
  - The applicant has proposed 2 points of direct access to a future four-lane greenway arterial (Stonebridge Drive), as well as 11 points of direct access to additional future public rights-of-way which are equal to or greater than 60’ in width.
7. The proposed private street subdivision should not result in an overconcentration of such developments, to the extent of dominating the neighborhood development pattern.
  - The request will not result in an overconcentration of such development within the surrounding area.

**PROPOSED PRIVATE STREET SUBDIVISION:** The proposed Specific Use Permit exhibit shows the general layout, circulation, and pertinent features of the proposed private street development, including but not limited to access to a four-lane greenway arterial (Stonebridge Drive), collector streets surrounding the property, and a large natural amenity in Stover Creek to the west. Following consideration by the Planning and Zoning Commission, the applicant has also provided an Entrance Exhibit which shows a rendering of the proposed building materials for fencing and the typical entrance drive for the proposed private street development.

**ACCESS/CIRCULATION:**

Adjacent Streets: FM 1461 (Future Laud Howell Parkway), Future 140' Right-of-Way, 6-Lane Greenway Arterial CR 168, Future 124' Right-of-Way, 6-Lane Major Arterial Future Stonebridge Drive, Future 120' Right-of-Way, 4-Lane Greenway Arterial Future Greenway Arterial, Future 120' Right-of-Way, 4-Lane Greenway Arterial

The proposed private street development is spread among four phases of a larger planned development (Aster Park), which incorporates a mix of residential types and commercial uses. The adjacent collector streets will provide access to Future Laud Howell Parkway (FM 1461) located to the south, Future Stonebridge Drive located to the west, and to another Future Greenway Arterial.

The entrances to a private street subdivision must allow for the turnaround of all vehicles (including emergency service vehicles) that cannot gain access to the subdivision. The final dimensions and radii for drives in front of the proposed gates will be determined with the associated plat, subject to the review and approval of the City Engineer and Fire Marshal. The type of gate or controlled access mechanism is also subject to the approval of the City's Fire Marshal.

**IMPACT ON EXISTING DEVELOPMENT:** Staff does not anticipate that the proposed private street subdivision will negatively impact the existing and future adjacent single family residential developments.

**CONFORMANCE TO THE MASTER PARK PLAN (MPP):** The proposed SUP request does not conflict with the Master Park Plan. The proposed Hike and Bike Trail will be located outside the private street development.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any letters 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 City Council or Planning and Zoning Commission. As part of the Planning and Zoning Public Hearing process, Staff has not received any citizen comments through the online citizen portal.

**BOARD OR COMMISSION RECOMMENDATION:** On April 26, 2022, the Planning and Zoning Commission voted 6-0-0 to recommend approval of the proposed specific use permit.