

<b>AGENDA ITEM</b>
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**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Alex Glushko, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by SDH Realty, Ltd., for the Approval of a Meritorious Exception for The Beach At Craig Ranch, Approximately 5.00 Acres, Located on the East Side of Alma Road and Approximately 550 Feet North of Henneman Way

**APPROVAL PROCESS:** The Planning and Zoning Commission is the final approval authority for the proposed meritorious exception.

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**STAFF RECOMMENDATION:** Staff recommends denial of the proposed meritorious exception request due to a lack of approved masonry finishing materials, the use of a prohibited building material, and a lack of innovative design or exceptional quality and appearance.

**APPLICATION SUBMITTAL DATE:** November 12, 2012 (Original Application)  
November 27, 2012 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting a meritorious exception to the Architectural and Site Standards section of the Zoning Ordinance for the enclosure/expansion of the existing pavilion at the Beach at Craig Ranch, a sand volleyball complex, generally located on the east side of Alma Road and approximately 550 feet north of Henneman Way.

The existing building is approximately 2,700 square feet, and of that square footage, the applicant is proposing to enclose the existing approximate 1,200 square foot covered pavilion. With the enclosure/expansion the applicant is proposing to utilize a combination of EIFS (not an approved primary finishing material) and hardi-plank siding (not an approved finishing material). The applicant has indicated that the proposed portion of the building will create a “beach” look and that this beach bungalow look will “create more of a beach atmosphere for customers.” It should be noted that the existing building on the property meets the Architectural and Site Standards of the Zoning Ordinance, and utilizes stone almost entirely on each side of the building.

The meritorious exception is being requested because the proposed architectural elevations:

- (1) Do not provide a minimum of 50 percent brick, stone, or synthetic stone material on the eastern wall; and
- (2) Feature hardi-plank on the north, east and west elevations, which is not an approved exterior finishing material

**ZONING NOTIFICATION SIGNS:** The applicant has posted zoning notification signs on the subject property, as specified within Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance.

**COMPLIANCE WITH ARCHITECTURAL STANDARDS:** The purpose of the architectural standards is to set minimum standards for the appearance of non-residential and multiple-family buildings and corresponding site elements, which are recognized as enhancing property values and are in the interest of the general welfare of the City of McKinney.

The provisions within the Architectural and Site Standards section of the Zoning Ordinance regarding meritorious exceptions state that “it is not the intent of this ordinance to discourage innovation. An architectural and site design that does not conform with the specific requirements of this ordinance, but which has merit by marking a positive contribution to the visual environment and which is appropriate to the site and use, may be submitted for consideration as a meritorious exception.” Staff does not believe the proposed primary exterior finishing materials or proposed design for the enclosure of the pavilion at the Beach at Craig Ranch is innovative or of exceptional quality, or that the building will provide a positive contribution to the visual environment.

The architectural standards pertaining to granting a meritorious exception state that the Planning and Zoning Commission shall consider the following factors in determining the extent of any exception to be granted:

1. The extent to which the application meets other specific standards of this ordinance.
  - The proposed enclosure/expansion does comply with many of the minimum architectural or site standard requirements pertaining to non-residential buildings located in non-industrial zoning district developments. Elements such as building massing, exterior color, roof treatment, and façade offsets meet the spirit and intent of the section.
2. The extent to which the application meets the spirit and intent of this ordinance through the use of building materials, colors, and façade design to create a building of exceptional quality and appearance.

- Staff feels that the proposed building materials and façade design are not consistent with the existing structure and creates a piecemeal façade that is neither innovative nor promotes a building of exceptional quality and appearance.
3. The positive or negative impact of the proposed project on surrounding property use and property values, in comparison to the expected impact of a project which could be built in conformance with the standards of this ordinance.
- Staff feels that the design, form and combination of exterior finishing materials used on the proposed enclosure/expansion will not make a positive contribution to the visual environment of the surrounding properties, as the developed properties adjacent to the subject property have utilized a large percentage of stone on their buildings in accordance with the Zoning Ordinance. Staff feels that if the applicant utilized approved masonry materials on the proposed enclosure, it would better promote continuity with future and existing buildings surrounding the subject property.
4. The extent to which the proposed project accomplishes City goals.
- The intent of the Architectural and Site Standards of the Zoning Ordinance is to provide a minimum level of quality development through building design and materials. Furthermore, the intent of the meritorious exception process is to allow for development which does not meet these minimum requirements, for proposed development achieving the intent of the Ordinance through added quality design and/or materials.
  - Staff believes that the proposed enclosure/expansion does not provide the added quality of design and/or appropriate exterior finishing materials intended to offset any deviation from the minimum requirements of the Ordinance, as is intended by the meritorious exception process, and therefore is not in keeping with the goals and objective of the City and its respective Ordinances.

While some of these factors to be considered support the spirit and intent of the Ordinance, it is Staff's opinion that the overall proposed development does not satisfy the requirements necessary to earn a meritorious exception to the Architectural Standards as spelled out in the Zoning Ordinance. Staff recommends the Commission deny the proposed meritorious exception.

**MINIMUM POINT SCORE:** Section 146-139 (Architectural and Site Standards) in the Zoning Ordinance requires a minimum point score of 85 points for non-residential uses in non-industrial districts in order for the architectural elevations to be approved by Staff. The Architectural and Site Standards state that for all non-residential uses in non-industrial districts, at least 50 percent of each wall shall be covered with a masonry finishing material. Acceptable primary masonry finishing materials are brick, stone, or

synthetic stone materials, including, but not limited to slate, flagstone, granite, limestone and marble.

The applicant's proposal does not utilize a minimum of 50 percent of approved primary masonry finishing materials for each wall of the building. On the eastern elevation, the applicant has proposed EIFS (which is not an approved primary finishing material) for 47 percent of the façade and hardi-plank (which is not an approved primary or secondary finishing material for commercial buildings) for 53 percent of the façade. The northern and southern elevations of the enclosure/expansion, propose to utilize hardi-plank for 33 percent of the exterior finishing materials for the respective elevations.

The proposed enclosure/expansion earns points for other features, besides masonry, such as exterior color, roof treatment, building massing, minor façade offsets, doors and windows treatment, height slope standards and glass treatment. Although the applicant cannot receive any points for their proposed elevations due to a lack of approved masonry materials, if the remaining point categories were to be totaled, the applicant would exceed the minimum 85 point requirement, achieving 87 points per the attached Non-industrial District Calculation Sheet.

Because the applicant has proposed to utilize primary masonry finishing materials that are not approved (EIFS and hardi-plank) along the eastern elevation and has proposed a prohibited finishing material (hardi-plank) on the north, east, and south elevations the project is unable to receive approval of the design by Staff.

**MERITORIOUS DESIGN:** The intent of the Architectural and Site Standards section of the Zoning Ordinance is to set standards for the appearance of non-residential and multiple family buildings and corresponding site elements, which are recognized as enhancing property values and are in the interest of the general welfare of the City.

The applicant has described in the letter of intent the following building design characteristics:

*"We will create a "beach" look with the remodeled building being a bungalow on the beach surrounded by sand. This is very appropriate given the site is used primarily as a sports complex for various sand sports (i.e. volleyball, soccer, tennis) and is surrounded by other sport venues. The beach bungalow look will also create more of a beach atmosphere for the customers who can feel as if they escaped to the beach."*

With that said, Staff feels that while the applicant has pursued finishing materials intended to create a "beach" feel, simply utilizing finishing materials such as EIFS and hardi-plank, absent other design elements typically found in bungalow architecture (knee bracing, multi-pane and mulled/cased windows, shake shingles or vents in the gable, roof overhang enhancements), the applicant has not achieved a level of exceptional quality or appearance intended with the meritorious exception process.

**IMPACT ON EXISTING DEVELOPMENT:** The land surrounding the subject property is mostly developed. The Ballfields at Craig Ranch are located immediately to the east and south of the subject property and there is undeveloped land currently owned by the Ballfields at Craig Ranch immediately to the north of the subject property. To the west of the subject property, the land is undeveloped and zoned both for commercial and general residence uses. Staff believes that the lack of masonry finishing materials and use of prohibited finishing materials is not consistent with the architectural design of the existing buildings in close proximity of the subject property and will not provide a positive contribution to the surrounding visual environment.

**MISCELLANEOUS DISCUSSION:** A meritorious exception shall not be granted to serve as a convenience to the applicant or for reasons related to economic hardship.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any comments either in opposition to or in support of this request.

**ATTACHMENTS:**

- Maps
- Letter of Intent
- Proposed Elevations
- Non-Industrial District Calculation Sheet
- PowerPoint Presentation

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**Action:**