

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Pickett, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan to Waive the Screening Device on a Dry Cleaning Facility (Eco Green Dry Clean Super Center), Located on the West Side of Custer Road and Approximately 1,250 Feet South of U.S. Highway 380 (University Drive)

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

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed site plan with the following condition, which must be satisfied prior to the issuance of a building permit:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.

**However the applicant has also requested two variances to waive the screening devices for the overhead bay doors on the western and northern sides of the building, of which Staff recommends denial.**

**APPLICATION SUBMITTAL DATE:** September 15, 2014 (Original Application)  
September 29, 2014 (Revised Submittal)  
October 2, 2014 (Revised Submittal)  
November 18, 2014 (Revised Submittal)  
November 24, 2014 (Revised Submittal)

**ITEM SUMMARY:** A site plan for the subject property was previously approved by Staff on October 8, 2014, which proposed a dry cleaning shop to be placed on an approximately 0.57 acre parcel of land. The previously approved site plan did not show two bay doors on the north and west sides of the building. Per Section 146-132 (Fences, walls, and screening requirements) of the Zoning Ordinance, all bay doors must be screened from public right-of-way, adjacent residential property, and adjacent non-residential property (other than industrial) with an approved 6' screening device. The applicant is requesting that the required screening devices for both bay doors be waived.

Site plans can typically be approved by Staff; however, the request to waive the screening device requires that the site plan be submitted to and receive approval from the Planning and Zoning Commission.

**PLATTING STATUS:** The subject property is currently platted as Lot 1R, Block A, of the Shops at Eagle Point Addition.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" – Planned Development District Ordinance No. 2004-10-109 (Commercial Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 2004-10-109 (Commercial Uses)	AutoZone
South	"PD" – Planned Development District Ordinance No. 2004-10-109 (Commercial Uses)	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2001-07-080 and "PD" – Planned Development District Ordinance No. 2001-07-080 (Single Family Residential Uses)	Lacima Haven Meadows Common Area
West	"PD" – Planned Development District Ordinance No. 2004-10-109 (Commercial Uses)	Undeveloped Land

**ACCESS/CIRCULATION:**

Adjacent Streets: Custer Road, 130' Right-of-Way, Principal Arterial

**PARKING:** The applicant is not proposing any changes to the parking previously approved on October 8, 2014.

**LOADING SPACES:** No loading spaces are required.

**SOLID WASTE CONTAINERS:** The applicant will continue to utilize trash totes in lieu of a solid waste container as was previously approved on October 8, 2014.

**LANDSCAPING REQUIREMENTS:** The applicant is not proposing any changes to the landscaping previously approved on October 8, 2014.

**SCREENING REQUIREMENTS:** Loading docks or structures, bays, and bay doors are required to be screened from adjacent non-residential uses, other than industrial. Since the properties adjacent to the northern and western property lines are non-residential uses and are not being used for industrial purposes, the ordinance requires that the proposed bay doors to be screened from said properties. Allowed screening devices per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance include the following:

- Brick masonry, stone masonry, or other architectural masonry finish;
- Tubular steel (primed and painted) or wrought iron fence with masonry columns spaced a maximum of 20 feet on center with structural supports spaced every ten feet, and with sufficient evergreen landscaping to create a screening effect;
- Living plant screen, upon approval by the Planning and Zoning Commission and/or City Council, depending on which body has the final approval authority as indicated in section 146-45(a)(2) through the site plan process; or
- Alternate equivalent screening, upon approval by the Planning and Zoning Commission and/or City Council, depending on which body has the final approval authority as indicated in section 146-45(a)(2) through the site plan process.

The applicant has requested a variance waiving the required screening along the northern and western property lines for the purpose of screening the overhead bay doors. The Zoning Ordinance states that a variance to required screening may be granted if the Planning and Zoning Commission finds that:

- Unique circumstances exist on the property that make application of specific items in this section (Sec. 149-132) unduly burdensome on the applicant;
- The variance will have no adverse impact on current or future development;
- The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
- The variance will have no adverse impact on public health, safety, and general welfare.

When the site plan was previously approved by Staff on October 8, 2014, the applicant had not proposed any overhead bay doors. Since then, the applicant has revised the site plan to show the location of two overhead bay doors, located on the north and west sides of the building. The applicant is now requesting the screening devices for both overhead bay doors be waived.

While the west-facing overhead bay door is oriented towards an access drive, Staff sees no reason why the overhead door cannot be shifted on the west side of the building so that it will be located behind the proposed 6' high masonry wall on the west side of the building or the proposed wall lengthened to the south providing screening for the door. Additionally, Staff feels that a masonry wall, wrought iron fence with masonry columns and evergreen shrubs or an alternate screening device, such as a living screen, could be provided along the northern property line to screen the north-facing door. As such, Staff cannot support the request to waive the screening device for either overhead bay door.

The applicant has satisfied all other minimum requirements as specified in Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

**LIGHTING AND GLARE REGULATIONS:** The applicant will be responsible for complying with Chapter 58 (Lighting and Glare Regulations) of the City of McKinney Code of Ordinances. The applicant has provided the required notation stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances on the site plan.

**ARCHITECTURAL STANDARDS:** The applicant will be responsible for meeting the requirements of Section 146-139 (Architectural and Site Standards) of the City of McKinney Zoning Ordinance. Architectural building elevations are subject to review and approval by the Chief Building Official, prior to issuance of a building permit.

**TREE PRESERVATION ORDINANCE:** The applicant will be responsible for complying with the Tree Preservation Ordinance.

**PUBLIC IMPROVEMENTS:**

Sidewalks: Required along Custer Road

Hike and Bike Trails: Not Required

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the accompanying plat, unless otherwise specified in an approved facilities agreement.

**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. 2013-11-108)

Utility Impact Fees:                   Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118)

Median Landscape Fees:               Not Applicable

Park Land Dedication Fees:           Not Applicable

Pro-Rata:                                 As determined by the City Engineer

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments in support of or in opposition to this request.

**ATTACHMENTS:**

- Standard Conditions for Site Plan Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Site Plan
- Proposed Landscape Plan
- PowerPoint Presentation