

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Alex Glushko, AICP, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn and Associates, Inc., on Behalf of Castle Hill Partners, for Approval of a Site Plan for a City Elevated Water Storage Tank (Trinity Falls), Being Fewer than 3 Acres, Located Approximately 3,000 Feet East of C.R. 229 on the North Side of F.M. 543 (Weston Road)

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the April 2, 2013 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed site plan with the following conditions:

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

Prior to issuance of a building permit:

2. The applicant revise the site plan to reflect the required sidewalk along the south side of the subject property, along F.M. 543 (Weston Road).
3. The applicant revise the landscape plan to reflect the same boundary/acreage as shown on the associated site plan.

**The applicant has requested a meritorious exception which Staff is recommending denial of:**

4. The applicant receive approval of a meritorious exception to utilize a chain linked fence with evergreen shrubs as an alternate screening device along the western boundary of the subject property.

**APPLICATION SUBMITTAL DATE:** February 11, 2013 (Original Application)  
February 25, 2013 (Revised Submittal)  
March 8, 2013 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct an elevated water storage tank on the north side of F.M. 543 (Weston Road) and approximately 3,000 feet east of C.R. 229 on approximately 2.87 acres. The tank is proposed to be 222 feet tall. The location of the tank is proposed to be located in the southwestern portion of the Trinity Falls Municipal Utility District Planning Unit #1, which is in McKinney's extraterritorial jurisdiction (ETJ).

Once completed, the proposed elevated water storage tank and associated features will be dedicated to and maintained by the City of McKinney. Site plans for City-owned and maintained properties are considered by the City Council; therefore, the recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the April 2, 2013 meeting.

**PLATTING STATUS:** The subject property is currently unplatted. The applicant has submitted an associated preliminary-final plat (13-034PF) which is currently under review. Prior to the issuance of a certificate of occupancy or final inspection approval, the applicant will be required to file an associated record plat with the County Clerk, subject to the review and approval of the Director of Planning.

**SURROUNDING ZONING AND LAND USES:**

Subject Property: City of McKinney Extraterritorial Jurisdiction (ETJ) – No Zoning (Undeveloped Land within the Future Trinity Falls Municipal Utility District)

North	City of McKinney ETJ (No Zoning)	Undeveloped Land
South	City of McKinney ETJ (No Zoning)	Undeveloped Land
East	City of McKinney ETJ (No Zoning)	Undeveloped Land
West	City of McKinney ETJ (No Zoning)	Undeveloped Land

**ACCESS/CIRCULATION:**

Adjacent Streets: F.M. 543 (Weston Road), Future 120' Width Right-of-Way, 6-Lane Major Arterial

Discussion: The applicant has proposed an asphalt drive approach in conjunction with a 24' concrete access drive.

**PARKING:**

Proposed Use: Elevated Water Storage Tank

Total Required: One Parking Space Required

Total Provided: One Parking Space Provided

Discussion: The applicant has provided one parking space so that maintenance vehicles have an area to park within the gate.

**LOADING SPACES:**

Proposed Use: Elevated Water Storage Tank

Required Number of Spaces: No Loading Spaces Required

Provided Number of Spaces: No Loading Spaces Provided

**SOLID WASTE CONTAINERS:** No solid waste collection is necessary for the elevated water storage tank so no container is proposed on the subject property.

**LANDSCAPING REQUIREMENTS:** The applicant is proposing to install 15 Shumard Oak trees, 10 Lacebark Elm, and 131 Nelly R. Stevens Holly shrubs along the perimeter of the site. The applicant has satisfied all landscaping requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance.

**SCREENING REQUIREMENTS:** In order to meet the screening requirements of Section 146-132 of the Zoning Ordinance, the applicant is proposing to construct an 8' tall wrought iron fence with masonry columns 20' on center with a living plant screen along the northern, eastern, and southern sides of the subject property. The applicant is also proposing an 8' tall chain linked fence with evergreen shrubs along the western side of the subject property in lieu of an approved screening device. The applicant has stated that the reason for the proposed use of chain linked fencing is due to adjacency to an electrical substation located to the west of the subject property.

Per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, the Planning and Zoning Commission may consider meritorious exceptions through the site plan approval process if unique circumstances exist on the property or an innovative design prevents strict adherence with the requirements of this section. A meritorious exception may be granted if the Planning and Zoning Commission finds:

- 1) Unique circumstances exist on the property or an innovative design is proposed that makes the application of specific items in this section unduly burdensome on the applicant;
- 2) The meritorious exception will have no adverse impact on current or future development;
- 3) The meritorious exception is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses;

- 4) The meritorious exception will have no adverse impact on the public health, safety and general welfare;
- 5) The meritorious exception will not reduce the quality of the development; and
- 6) Financial hardships shall not be considered a basis for the granting of a meritorious exception.

Typically, City elevated water storage tanks are screened with the use of wrought iron with masonry columns and evergreen shrubs along the perimeter of the site. Staff does not feel as though there are unique circumstances that prevent adherence to the minimum requirements of the Zoning Ordinance, feels as though the screening is inconsistent with other new elevated water storage tanks within the City, and feels as though the request will result in a reduced quality of screening along the west side of the property. As such, Staff recommends denial of this meritorious exception request.

**LIGHTING AND GLARE REGULATIONS:** Per the terms of the associated Development Agreement, the subject property is not subject to the requirements of Chapter 58 (Lighting and Glare Regulations) of the City of McKinney Code of Ordinances.

**ARCHITECTURAL STANDARDS:** Per the terms of the associated Development Agreement, the subject property is not subject to the requirements of Section 146-139 (Architectural and Site Standards) of the City of McKinney Zoning Ordinance.

**TREE PRESERVATION ORDINANCE:** Per the terms of the Development Agreement, the subject property is not subject to the requirements of Section 146-136 (Tree Preservation) of the City of McKinney Zoning Ordinance.

**PUBLIC IMPROVEMENTS:**

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| Sidewalks:            | Required along F.M. 543 (Weston Road)  |
| 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: Per the terms of the Development Agreement, the applicant will be required to construct all necessary public improvements, in accordance with the requirements of the Subdivision Ordinance, prior to filing the associated plat. The proposed site plan does not reflect the required sidewalk along F.M. 543 (Weston Road), on the south side

of the subject property. As such, Staff has added a condition of approval that the sidewalk be added to the plan.

**DRAINAGE:** Per the terms of the Development Agreement, 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: Not Applicable

Utility Impact Fees: Not Applicable

Median Landscape Fees: Not applicable

Park Land Dedication Fees: Not applicable

Pro-Rata: Not applicable

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any 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