

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Matt Robinson, AICP, Planning Manager

**FROM:** Aaron Bloxham, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for an Office Building, Located at 400 West Virginia Street

**APPROVAL PROCESS:** The action of the Planning and Zoning Commission for the proposed site plan may be appealed to the City Council.

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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.
2. The applicant receive approval of a variance to use the existing screening to screen the property from the adjacent residential property located on the West property line.

**APPLICATION SUBMITTAL DATE:** February 22, 2016 (Original Application)  
March 8, 2016 (Revised Submittal)  
March 11, 2016 (Revised Submittal)  
March 16, 2016 (Revised Submittal)  
May 27, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a new 3,040 square foot single story office building on 1.15 acres at 400 W. Virginia St. On the site, there is currently an existing 13,059 square foot office building that was built in 1965.

Typically, site plans are administratively approved, however, the applicant is requesting a variance to the Zoning Ordinance to continue using the existing screen to screen the property from an adjacent residential property.

**PLATTING STATUS:** The subject property is currently platted as Lot 1, Block A of the 400 Virginia Addition.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“BG” – General Business District (Office Uses)	McKinney Chamber of Commerce
North	“BG” – General Business District and “RD-30” – Duplex Residential District (Commercial and Residential Uses)	Collin County Mental Health Center and Single Family Residences
South	“PD” – Planned Development District Ordinance No. and “RD-30” – Duplex Residential District (Office and Residential Uses)	The Tom Day Company and Single Family Residences
East	“MTC” – McKinney Town Center District (Retail and Residential Uses)	Heritage Hardwood and a Single Family Residence
West	“RD-30” – Duplex Residential District (Residential Uses)	Single Family Residence

**ACCESS/CIRCULATION:**

Adjacent Streets: Virginia Parkway, 60’ Right-of-Way, Town Thoroughfare  
Benge Street, 40’ Right-of-Way, Collector  
Herndon Street, 20’ Right-of-Way, Residential Street

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

**LOADING SPACES:** The applicant has satisfied the minimum loading space requirements as specified within Section 146-131 (Off-Street Loading) of the Zoning Ordinance.

**SOLID WASTE CONTAINERS:** The sanitation container screening walls will be brick, stone masonry or other architectural masonry finish, including a metal gate, primed and painted, and the sanitation container screening walls, gate, and pad site will be

constructed in accordance with the City of McKinney Design Specifications. The applicant has provided the required notation on the proposed site plan.

**LANDSCAPING REQUIREMENTS:** The applicant has satisfied all landscaping requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance.

**SCREENING REQUIREMENTS:** Per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, Screening devices shall be placed along any property line or district boundary between any single family detached or attached or any two family zoning or use and any mobile home park, or non-residential use, but not across a dividing street between such uses. Since the property to the West is zoned for duplex residential and the property is used for single family residential, the applicant is required to screen the proposed development with either an approved screening device or an alternate screening device with approval of the Planning and Zoning Commission. 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 is requesting a waiver to the screening requirements in order to continue using the 6' chain-link fence with slats and existing landscaping to screen from the adjacent residential property. Additionally, the adjacent property has a wooden fence and landscaping along the property line. Both of the fences located on each property have existed in the current configuration for a long period of time, and as expected, are showing signs of aging and need some repair. The applicant has stated that the fence has been in place for decades and due to the space between the parking and property line there is not adequate space to provide an approved screening device. The Zoning Ordinance states that a variance to the 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.

The property and its current use as an office building have been in the existing configuration for an extended period of time (original building built in 1965) and in Staff's opinion the space between the existing parking and the property line is not adequate to provide an approved screening device. Staff feels that these conditions meet the requirements set forth under section 146-132 of the Zoning Ordinance. As such, Staff has no objection to the applicant's request and recommends approval of the site plan with the variance request.

The applicant has provided the required notation stating that all mechanical, heating, and air conditioning equipment shall be screened from the public right-of-way and from adjacent residential properties. The applicant has properly screened the sanitation container and has satisfied the 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. The applicant has stated on a signed affidavit that there are no protected trees on the subject property.

**PUBLIC IMPROVEMENTS:**

Sidewalks: Required along Herndon Street and existing along Virginia Parkway and Benge Street

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: 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 one letter of opposition to this request.

**ATTACHMENTS:**

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