

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 for McKinney Dance Academy, Located on the Northeast Corner of Elm Street and Lindsey Street

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

STAFF RECOMMENDATION: Staff recommends approval of the proposed site plan with the following conditions, 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.
2. The applicant receive approval of a variance to reduce the landscape buffer along Elm Street from twenty (20) feet in width to ten (10) feet.
3. The applicant receive approval of an alternate screening device (4' tall evergreen shrubs planted 4.5' on center in addition to the existing landscaping) along the northern property line.
4. The applicant revise the site plan to add a note that trash will be collected in trash receptacles ("toters") which will be stored inside the building when not being serviced.

APPLICATION SUBMITTAL DATE: June 23, 2014 (Original Application)
September 24, 2014 (Revised Submittal)
October 14, 2014 (Revised Submittal)
October 16, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct an 854 square foot expansion to the existing 2,800 square foot dance studio (McKinney Dance Academy), located on the northeast corner of Elm Street and Lindsey Street.

Site plans can typically be approved by Staff; however, the applicant is requesting two variances, which requires Planning and Zoning Commission approval. The two variances requested are discussed in detail below.

PLATTING STATUS: The subject property is currently platted as Lot 1, Block A of the Studio C Addition.

SURROUNDING ZONING AND LAND USES:

Subject Property: “ML” – Light Manufacturing District (Manufacturing Uses)

North	“RS 60” – Single Family Residence District (Single Family Residential Uses)	Undeveloped Land
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South	“ML” – Light Manufacturing District (Manufacturing Uses)	Encore Wire and Timber Blind
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East	“MH” – Heavy Manufacturing District (Manufacturing Uses)	Nel-Mac Tool Manufacturing
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West	“RS 60” – Single Family Residence District (Single Family Residential Uses)	Undeveloped Land
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ACCESS/CIRCULATION:

Adjacent Streets: Elm Street, 60’ Right-of-Way, Collector

Lindsey Street, 27’ Right-of-Way, Local

Discussion: The subject property has direct access to Elm Street and Lindsey 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: Section 146-135 (Landscape Requirements) of the Zoning Ordinance requires that all non-residential parcels adjacent to a major

thoroughfare provide a minimum twenty foot landscape buffer adjacent to the right-of-way. The applicant is requesting a reduction in the required twenty foot landscape buffer along Elm Street to ten feet in width. The Zoning Ordinance states that if unique circumstances exist which prevent strict adherence with the landscape buffer as required, the Planning and Zoning Commission may consider granting a variance during the site plan approval process to reduce the minimum twenty foot landscape buffer to a minimum of ten feet, provided that site design considerations have been incorporated to mitigate the impact of the variance. Unique circumstances, according to the Zoning Ordinance, include, but are not limited to insufficient lot depth or size of the existing lot, existing structures and drives, and floodplain and existing trees to be preserved.

As the applicant has indicated in their letter of intent, providing a 20-foot landscape buffer would encroach into the existing drive aisle. In order to provide the minimum width for a two-way drive aisle of 24 feet, the applicant would need to shift the existing drive aisle to the north and remove seven existing parking spaces adjacent to the building. Due to the existing site constraints, the options for parking elsewhere on-site are limited. As such, Staff has no objections to the reduction in the width of the landscape buffer to ten feet.

SCREENING REQUIREMENTS: Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance states that whenever a non-residential use is developed adjacent to a single-family residential zone or use, a 6-foot tall screening device is required. 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 to allow the use of a living plant screen along the northern property line to screen the subject property from the adjacent single-family residential property. 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.

Staff is of the opinion that the existing plant material along the shared property line has provided sufficient screening for the existing development, and the additional proposed evergreen shrubs will help further screen the development from the adjacent property to the north. As such, Staff is not opposed to the proposed living plant screen.

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 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. Prior to the issuance of a building permit, the applicant will be responsible for submitting a signed affidavit that there are no protected trees on the subject property.

PUBLIC IMPROVEMENTS:

Sidewalks: Existing along Elm Street and Lindsey Street

Hike and Bike Trails: Not Required

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 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