

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Aaron Bloxham, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Food Market (Aldi), Located Approximately 490 Feet East of Custer Road and on the South Side of Stacy Road

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

STAFF RECOMMENDATION: Staff recommends approval of the proposed site plan and associated variances in addition to the conditions listed below:

1. The applicant receive a variance permitting the proposed loading dock to be within approximately 77 feet of the eastern property line.
2. The applicant receive a variance to allow an alternate screening device (evergreen living screen composed of Nellie R. Stevens Holly) for the western facing overhead bay door.

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 revise the site and landscape plans to label the material of the screening wall south of the proposed loading area to be masonry.

APPLICATION SUBMITTAL DATE: January 12, 2015 (Original Application)
March 23, 2015 (Revised Submittal)
March 30, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 17,005 square foot grocery store (Aldi) on 2.08 acres.

Site plans can typically be approved by Staff; however, the two variance requests to reduce the minimum setback for the loading dock and proposed alternate screening device for the overhead bay door, requires that the site plan be submitted to and receive

approval from the Planning and Zoning Commission. The variance requests are detailed further below.

PLATTING STATUS: The subject property is currently platted (14-130MRP) as Lot 2R-3, Block A, of the CVS Stacy Custer Addition and the associated preliminary-final replat (15-004PFR) is being considered concurrently by the Planning and Zoning Commission at the April 14, 2015 meeting.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD"- Planned Development District Ordinance No. 2013-10-098 and "REC" – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 2013-08-075 and "REC" – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
South	"PD"- Planned Development District Ordinance No. 2013-10-098 and "REC" – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2010-11-049 and "REC" – Regional Employment Center Overlay District (Residential Uses)	The Retreat at Craig Ranch
West	"PD"- Planned Development District Ordinance No. 2013-10-098 and "REC" – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land

ACCESS/CIRCULATION:

Adjacent Streets: Stacy Road, 120' Right-of-Way, Principle Arterial

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

LOADING SPACES: Per Section 146-131 (Off-Street Loading), of the Zoning Ordinance, any loading dock or structure and its associated loading spaces shall be setback a minimum distance from any residential use or zoning district. The applicant is

seeking a variance to reduce the minimum setback from the proposed loading dock to the adjacent multi-family development to the east, from 200 feet to 77.5 feet.

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.

The applicant has provided a building layout which orients the loading dock away from the multi-family uses to the east and places a portion of the building between the loading dock and the multi-family development. To mitigate any negative impacts of the loading dock, the applicant is also providing a 6' high masonry screening wall with evergreen living screen along the southern edge of the loading dock and associated loading area. Staff feels that the proposed building orientation/location in conjunction with the proposed masonry wall and living screen should minimize any negative impacts the loading dock will have on the adjacent residential zone. As such, Staff supports the requested loading dock setback variance from 200 feet to 77.5 feet.

The applicant has satisfied all other minimum requirements as specified in 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 (Fencing, walls, and 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 western property line are future 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 is proposing an alternate screening device (Nellie R. Stevens Holly evergreen living screen) to screen the overhead doors from the adjacent non-residential property to the west within a parking row terminus island. 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 feels that the proposed canopy trees and evergreen shrubs should adequately screen the overhead bay door from the adjacent non-residential property. As such, Staff supports the variance for an alternate screening device.

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:

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| Sidewalks: | Required along Stacy 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: 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:

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| 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 in opposition to this request which has been attached.

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
- PowerPoint Presentation