

**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 Newsome Homes, Located on the North Side of McMakin Street and on the East Side of McDonald Street (State Highway 5)

**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 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 is requesting approval of the following variances, of which Staff recommends denial:**

2. The applicant receive approval of a 6-foot tall wood fence as an alternate screening device along the western and northern property lines, as detailed further on the site plan.
3. The applicant receive approval of a variance to reduce the landscape buffer to 10 feet in width along a portion of Amcott Street, as detailed further on the site plan.

**APPLICATION SUBMITTAL DATE:** February 24, 2014 (Original Application)  
March 12, 2014 (Revised Submittal)  
October 9, 2014 (Revised Submittal)  
October 23, 2014 (Revised Submittal)  
October 27, 2014 (Revised Submittal)  
November 3, 2014 (Revised Submittal)  
November 10, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 3-story, 180-unit senior public housing development (Newsome Homes). The applicant has also requested an alternate screening device along four property lines, as well as a reduced landscape

buffer from 20 feet to 10 feet along the northern portion of Amcott Street, both of which are discussed in further detail below.

In February of 2014, the subject property was rezoned to establish new development standards for the redevelopment of the site. This includes provisions regarding parking, setbacks, landscaping, screening and buffering (see attached PD).

Site plans can typically be approved by Staff; however, as the applicant is requesting variances to the screening device and landscape buffer, the request must be submitted to and reviewed by the Planning and Zoning Commission.

**PLATTING STATUS:** The subject property is currently unplatted. A record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a certificate of occupancy.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" – Planned Development District Ordinance No. 2014-02-007 (Senior Public Housing Uses)	Newsome Homes
North	"MTC" – McKinney Town Center District – Cotton Mill Core and "BG" – General Business District (Commercial Uses)	Mega Mow Lawn Service and Undeveloped Land
South	"RS 60" – Single Family Residential District (Single Family Residential Uses) and "BG" – General Business District (Commercial Uses)	Single Family Homes and Undeveloped Land
East	"MTC" – McKinney Town Center District – Cotton Mill Core, "MTC" – McKinney Town Center District – Cotton Mill Edge, and "RS 60" – Single Family Residential District (Single Family Residential Uses)	Single Family Homes and Undeveloped Land
West	"BG" – General Business District (Commercial Uses)	Dollar General, Economy Transmission, First Choice Auto & Tires, and T&R Tax Services

**ACCESS/CIRCULATION:**

Adjacent Streets: McDonald Street (State Highway 5), 120' Right-of-Way, Major Arterial

McMakin Street, 60' Right-of-Way, Collector Street

Amscott Street, 50' 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 zoning for the subject property (PD 2014-02-007) requires that a 20-foot landscape buffer be provided when the property is adjacent to a public right-of-way. The applicant is requesting a reduction of the required twenty (20) foot landscape buffer along Amscott Street to ten (10) feet between the northernmost property line and the fire lane/mutual access easement in line with Anderson Street. The ordinance states that 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.

Staff is of the opinion that the eight parking spaces and dumpster enclosure located with the 20' buffer (necessitating a 10' buffer) can be accommodated in other locations on the site. Since the site currently provides four parking spaces more than the required amount, only four parking spaces would need to be provided elsewhere on the site. Additionally, no further site design considerations have been taken to mitigate the impact of the reduced buffer and, as such, Staff cannot support the landscape buffer reduction.

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

**SCREENING REQUIREMENTS:** The zoning for the subject property (PD 2014-02-007) requires that a 6-foot screening device, per Section 146-132 (Fences, walls, and screening requirements) of the Zoning Ordinance, be provided along property lines except those adjacent to a public right-of-way. Allowed screening devices 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 an alternate screening device, a 6-foot tall wooden fence with metal poles and cedar pickets, along four property lines on the west side of the property (identified on the attached screening exhibit). 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.

While the proposed wood fence meets the minimum screening height required by the Zoning Ordinance, and should adequately screen the subject property from the adjacent properties, Staff has concerns about the long term maintenance of the wood fence. As such, Staff is not in support of the proposed screening device.

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. The applicant has submitted a tree survey, subject to review and approval of the City's Landscape Architect.

**PUBLIC IMPROVEMENTS:**

Sidewalks: Required along McDonald Street, McMakin Street, and Amcott Street

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
- Existing "PD" – Planned Development Ordinance No. 2014-02-007
- Proposed Screening Exhibit

- Proposed Site Plan
- Proposed Landscape Plan
- PowerPoint Presentation