

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, Planning Manager

FROM: Eleana Galicia, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for an Assisted Living Facility (Legends of McKinney), Located on the Southwest Corner of Virginia Parkway and Crutcher Crossing

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 with the following conditions:

1. The applicant receive approval to use a living plant screen (composed of Foster Holly 3' at the time of planting) to screen the HVAC equipment from view of residential properties located south of the subject property.
2. The applicant receive approval to waive the requirement of a 6' screening device along the southern property line.

Prior to issuance of a building permit:

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

APPLICATION SUBMITTAL DATE: January 11, 2016 (Original Application)
February 24, 2016 (Revised Submittal)
March 18, 2016 (Revised Submittal)
April 11, 2016 (Revised Submittal)
April 26, 2016 (Revised Submittal)
May 9, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct an 81,596 square foot assisted living facility (Legends of McKinney) on approximately 5.62 acres at the southwest corner of Virginia & Crutcher Crossing.

Site plans can typically be approved by Staff; however, the applicant is requesting approval of a living plant screen (composed of Foster Holly 3' at the time of planting) to

screen the HVAC equipment located south of the building and to waive the requirement to provide a 6’ screening device along the southern property line. These requests are detailed further below.

PLATTING STATUS: The subject property is currently unplatted. An associated preliminary-final plat (16-131PF) is currently under review by Staff. 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	“C1” – Neighborhood Commercial District (Commercial Uses)	Undeveloped Land and Single Family Residence
North	“PD” – Planned Development District Ordinance No. 2000-03-022 (Single Family Residential Uses)	Brookview Subdivision
South	“PD” – Planned Development District Ordinance No. 96-11-47 (Single Family Residential Uses)	Stone Brooke Crossing Subdivision’s Amenity Center and Common Area
East	“PD” – Planned Development District Ordinance No. 97-05-34 (Office Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2009-10-074 (Mixed Uses)	Advanced Ankle and Foot Center

ACCESS/CIRCULATION:

Adjacent Streets: Virginia Parkway, 120’ Right-of-Way, Major Arterial
 Crutcher Crossing, 60’ Right-of-Way, Collector

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) air conditioning, heating and mechanical equipment shall be screened from view of public right-of-way and residential properties. As proposed, the applicant is requesting approval of a living screen (composed of Foster Holly 3' at the time of planting) to screen the south side of the HVAC equipment from residential properties located south of the subject property. 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 proposed to screen the HVAC equipment located on the south side of the building with an approved screening device (composed of 6' tubular steel with masonry columns and living screen) along the side that is visible from public right-of-way (Crutcher Crossing) and is requesting to utilize a living screen (composed of Foster Holly 3' at the time of planting) to screen the side of the HVAC equipment that is oriented towards residential properties located south of the subject property. Staff is of the opinion that the creek with the associated vegetation and dense tree area will

provide a significant buffer (ranging in width between approximately 150 and 200 feet) from adjacent single family residential uses limiting visibility of the mechanical equipment. The applicant has met the intent of ordinance, and as such Staff recommends approval of the request.

Per Section 146-132 (Fences, walls, and screening requirements) screening devices shall be placed along any property line or district boundary between single family residential uses and nonresidential uses. As proposed, the applicant is requesting to waive the screening requirement of a 6' screening device along the southern property line adjacent to single family residential uses. The Zoning Ordinance states that a variance can be granted during site plan approval to waive the requirement of a 6' screening device along the southern property line, 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 is requesting to waive the requirement of a 6' screening device along the southern property line due to the environmental constraints associated with the creek. The creek is within a 100 Year Fully Developed Floodplain which limits the construction of any obstructions, such as fences, within the boundaries of the designated floodplain area. Given the environmental conditions of the site that hinder the applicant to construct a 6' screening device along the southern property line Staff feels that the variance request is appropriate. Staff is of the opinion that creek and associated vegetation will serve as a natural buffer in between the assisted living facility and adjacent single family residential uses. The variance is keeping with the spirit of the zoning regulations, and as such, Staff recommends approval of the request.

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 Planning Department, 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 Virginia Parkway and Crutcher Crossing

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