



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

<b>File #:</b>	19-0044SP	<b>Name:</b>	MTC Photography Studio
<b>Type:</b>	Agenda Item	<b>Status:</b>	Approved
		<b>In control:</b>	Planning & Zoning Commission
<b>On agenda:</b>	10/22/2019	<b>Final action:</b>	10/22/2019
<b>Title:</b>	Conduct a Public Hearing to Consider/Discuss/Act on a Design Exception for a Site Plan for Commercial Uses (Photography Studio), Located at the Southeast Corner of Anthony Street and Johnson Street		
<b>Indexes:</b>			
<b>Attachments:</b>	1. Standard Conditions Checklist, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Proposed Facade Plan, 5. Proposed Site Plan, 6. Proposed Landscape Plan, 7. Presentation		

Date	Ver.	Action By	Action	Result
10/22/2019	1	Planning & Zoning Commission	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Design Exception for a Site Plan for Commercial Uses (Photography Studio), Located at the Southeast Corner of Anthony Street and Johnson Street

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

**MEETING DATE:** October 22, 2019

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Kaitlin Gibbon, Planner I  
Jennifer Arnold, AICP, Director of Planning

**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 of a design exception to allow for a high-pitched roof.

Prior to issuance of a building permit:

1. The applicant remove the landscape from the proposed site plan.
2. The applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.

**APPLICATION SUBMITTAL DATE:** May 31, 2018 (Original Application)  
July 26, 2018 (Revised Submittal)  
August 5, 2019 (Revised Submittal)  
September 27, 2019 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a photography studio on approximately 0.34 acres at the southwest corner of Anthony Street and Johnson Street. Both site and facade plans within the “MTC” - McKinney Town Center Zoning District can be approved administratively by Staff; however, the applicant has requested a Design Exception to utilize a higher pitch roof than allowed within the district. This is discussed in further detail below.

**PLATTING STATUS:** The subject property is currently platted as Lot 1, Block 10 of the Shorts Addition.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“MTC” - McKinney Town Center District (Downtown Edge)	Undeveloped Land
North	“MTC” - McKinney Town Center District (Downtown Core)	Davis at the Square
South	“MTC” - McKinney Town Center District (Downtown Edge)	Single Family Residences
East	“MTC” - McKinney Town Center District (Downtown Edge)	Single Family Residences
West	“MTC” - McKinney Town Center District (Downtown Edge)	Family Cosmetic and Implant Dentistry, Single Family Residence

**ACCESS/CIRCULATION:**

Adjacent Streets: Anthony Street, 40’ Right-of-Way, Local Street Johnson Street, 20’ Right-of-Way, Local Street  
Bevoe Street, 20’ Right-of-Way, Local Street

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Appendix G (“MTC” - McKinney Town Center District) of the Zoning Ordinance.

**LOADING SPACES:** No loading spaces are required per Section 146-131 (Off-Street Loading) of the Zoning Ordinance.

**SOLID WASTE CONTAINERS:** The applicant will utilize sanitation totes as approved by the Public Works Department due to the low volume of trash generated from the proposed use.

**LANDSCAPING REQUIREMENTS:** The applicant has satisfied all landscaping requirements as specified in Appendix G (“MTC” - McKinney Town Center District) of the Zoning Ordinance, except as

otherwise noted in the exceptions above.

**SCREENING REQUIREMENTS:** 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.

**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 Arborist.

**PUBLIC IMPROVEMENTS:**

Sidewalks:	Required along Anthony Street and Johnson 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. 2017-02-021)
Median Landscape Fees:	Not Applicable
Park Land Dedication Fees:	Not Applicable
Pro-Rata:	As determined by the City Engineer

**DESIGN EXCEPTION:** A Design Exception is a requested deviation from any Building Form and Site Development Standards, Building Design Standards, or Open Space Standards, beyond minor deviations specified in the Minor Modifications section of the "MTC" - McKinney Town Center Zoning District. All requests for a Design Exception are forwarded to the Planning and Zoning Commission for discretionary approval.

In reviewing any site plan applications or Design Exception requests, the Planning and Zoning Commission shall use the following criteria:

- 1) The goals, intent, and vision of the adopted McKinney Town Center Master Plan;
- 2) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;
- 3) The extent to which the proposal provides public benefits such as usable civic and open spaces, livable streets, structured and/or shared parking, and linkages to transit;
- 4) The extent to which the proposal hinders future opportunities for higher intensity Town Center development; and
- 5) Considerations of health and welfare of the general public.

Within the Downtown Edge Character District of the MTC, commercial and mixed-use buildings shall have flat or low pitched roofs with parapets. Typically, this requirement is achievable and seen on buildings with multiple stories. With this proposed development only being one story, it is difficult to achieve the intent of this requirement. Additionally, the character of this building design compliments the surrounding residential buildings. From Staff's perspective, the use of this roof type transitions the look of the buildings from the multi-family residential development located to the north to the single family homes to the east, south, and west. As such, Staff is in support of the requested design exception.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments in support of or in opposition to this request.