



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 17-0271SP, **Version:** 1

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Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for a Multi-Family Residential Development (Cliffs of McKinney), Located Approximately 255 Feet South of U.S. Highway 380 (University Drive) and on the East Side of Ridge Road

**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:** March 12, 2019

**DEPARTMENT:** Planning

**CONTACT:** Derrick Rhys Wilson, Planner I  
Samantha Pickett, AICP, Planning Manager  
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 to utilize an alternate screening device along the eastern property line.

Prior to issuance of a building permit:

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

**APPLICATION SUBMITTAL DATE:** September 9, 2017 (Original Application)  
November 15, 2017 (Revised Submittal)  
February 28, 2018 (Revised Submittal)  
April 6, 2018 (Revised Submittal)  
May 10, 2018 (Revised Submittal)  
May 24, 2018 (Revised Submittal)  
June 5, 2018 (Approval)  
December 10, 2018 (Post Submittal)  
December 26, 2018 (Post Submittal)  
January 10, 2019 (Post Submittal)

January 25, 2019 (Post Submittal)

February 25, 2019 (Post Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a multi-family residential development (Cliffs of McKinney) on the subject property. The site plan was originally approved on June 5, 2018; however, the applicant is now requesting approval of an alternate screening device. The variance request is detailed further below.

**PLATTING STATUS:** The subject property is currently platted as Lot 2R, Block A, of the CVS Ridge Addition.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"BG" - General Business District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land
North	"BG" - General Business District (Commercial Uses), "PD" - Planned Development District Ordinance No. 2004-06-068 (Commercial Uses), and "CC" - Corridor Commercial Overlay District	CVS and Undeveloped Land
South	"AG" - Agricultural District (Agricultural Uses)	Undeveloped Land
East	"AG" - Agricultural District (Agricultural Uses) and "CC" - Corridor Commercial Overlay District	Future City Park
West	"C" - Planned Center District (Commercial Uses), "O" - Office District (Office Uses), and "CC" - Corridor Commercial Overlay District	McClure Elementary School and Undeveloped Land

**ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Width Right-of-Way, Major Regional Highway Ridge Road, 120' Right-of-Way Width, Greenway Arterial

**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 the Zoning Ordinance, a variance to the requirements of certain sections can be granted during site plan approval if the Planning and Zoning Commission finds that:

- Unique circumstances exist on the property that make application of specific items in this section (Sec. 146-132) 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.

Multi-family residential developments are required to provide and maintain a six-foot tall masonry screening wall along all side and rear property lines. The applicant is proposing a 6' tall wrought-iron fence with masonry columns spaced every 20' with screening shrubs (Dwarf Buford Holly), as well canopy trees (Live Oaks and Lacebark Elms spaced every 30') all along the eastern property line. The subject property is unique in that it features a high level of grade change across the site. Most notably, the site slopes down from Ridge Road on the western side to the future park on the eastern side where at this low point, the screening wall loses some of its intended effect as it is below the grade of the majority of the site. Additionally, as the site to the east is a future City park, the proposed alternate screening can provide a benefit to the residents beyond that of a solid wall by creating a view corridor into the park. It is Staff's professional opinion that the proposed wrought-iron fence with additional landscaping features will provide adequate screening while also softening the separation between the development and the adjacent park property. As such, Staff recommends approval of the proposed variance request.

**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 stated on a signed affidavit that there are no protected trees on the subject property.

## **PUBLIC IMPROVEMENTS:**

Sidewalks:	Not Required
Hike and Bike Trails:	Required along Ridge Road
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:	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.