



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 18-0105SP, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for a Church (City Church), Located at the Southeast Corner of Rockwall Street and Lindsey 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: July 23, 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 satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.
2. The applicant receive approval of a variance to utilize an alternate screening device along the southern property line to screen from adjacent residential property.

APPLICATION SUBMITTAL DATE: August 15, 2018 (Original Application)
October 19, 2018 (Revised Submittal)
April 29, 2019 (Revised Submittal)
July 8, 2019 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 4,824 square foot church (City Church) on 0.62 acres at the southeast corner of Rockwall Street and Lindsey Street.

Typically, site plans can be approved by Staff; however, the applicant is requesting a variance to receive approval to utilize an alternate screening device to screen from adjacent residential property. The variance request is detailed further below.

PLATTING STATUS: The subject property is currently platted as Lots 15 and 16 of the J. G. Fitzhugh 2nd Addition; however, an amending plat (19-0074AP) has been submitted for review to create one lot for development. The amending plat must be approved prior to the commencement of any development activity on the subject property.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"RS 60" - Single Family Residence District (Single Family Residential Uses)	Undeveloped Land
North	"RS 60" - Single Family Residence District (Single Family Residential Uses)	Single Family Residence
South	"RS 60" - Single Family Residence District (Single Family Residential Uses)	Single Family Residence
East	"RS 60" - Single Family Residence District (Single Family Residential Uses)	Single Family Residence
West	"RS 60" - Single Family Residence District (Single Family Residential Uses)	Single Family Residence

ACCESS/CIRCULATION:

Adjacent Streets: Rockwall Street, 24' Right-of-Way, Local Lindsey Street, 24' Right-of-Way, Local

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) of the Zoning Ordinance, Screening devices shall be placed along any property line or district boundary between any single family detached zoning or use and any non-residential use, but not across a dividing street between such uses. The applicant is required to screen the proposed development with either an approved screening device or an alternate screening device with approval of the Planning and Zoning Commission. 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 to use 6' tall evergreen shrubs along the southern property line as a living plant screening device. The Zoning Ordinance states that a variance to the 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. 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.

Staff is of the opinion that the proposed living plant screening device of 6' tall evergreen shrubs will adequately screen the proposed development from residential uses in an aesthetically appealing manner. Additionally, Staff is supportive of the alternative screening device as the proposed living screening will be complementary to the existing wooden residential fences, and removes concerns of a potential "no man's land" if there were to be two walls back-to-back. As such, Staff recommends approval of the variance.

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

PUBLIC IMPROVEMENTS:

Sidewalks: Required along Rockwall 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

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