



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 23-0007SUP, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for Outdoor Commercial Entertainment (McKinney Flour Mill), Located at 601 East Louisiana 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: June 13, 2023

DEPARTMENT: Development Services - Planning Department

CONTACT: Jake Bennett, Planner I
Caitlyn Strickland, Planning Manager
Jennifer Arnold, AICP, Director of Planning

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the July 18, 2023 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed specific use permit request with the following special ordinance provision(s):

1. The property shall generally develop in accordance with the attached specific use permit exhibit and all applicable development requirements of the city.

APPLICATION SUBMITTAL DATE: May 8, 2023 (Original Application)
May 30, 2023 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing a Specific Use Permit (SUP) to allow outdoor commercial entertainment (McKinney Flour Mill) located at 601 East Louisiana Street.

The zoning for the subject property ("MTC" - McKinney Town Center District) requires that a specific use permit be granted in order for outdoor commercial entertainment to be operated on the subject property.

Specifically, the applicant is proposing to construct an outdoor stage and seating area, immediately adjacent to an existing event lawn. You may recall that an SUP for outdoor commercial amusement was previously approved for this site in August of 2021. The newly proposed outdoor space is approximately 3,300 square feet which would result in a total area of 6,600 square feet of outdoor commercial entertainment for the Flour Mill.

This site plan is being reviewed under Article 2 (Zoning Regulations) of the Unified Development Code (UDC), which was adopted by the McKinney City Council on November 15, 2022.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"MTC" - McKinney Town Center District (Commercial and Residential Uses)	Five Star Event Services
North	"MTC" - McKinney Town Center District (Commercial and Residential Uses)	Tri County Adjusters
South	"MTC" - McKinney Town Center District (Commercial and Residential Uses)	Old Red Lumberyard Vintage Market
East	"MTC" - McKinney Town Center District (Commercial and Residential Uses)	MISD
West	"MTC" - McKinney Town Center District (Commercial and Residential Uses)	McKinney Flour Mill

SPECIFIC USE PERMITS: When acting on a request for a specific use permit, the following factors should be considered:

- Whether the request complies with all site specifications adopted by the City, including the base zoning district and/or the PD entitlements;
- Whether the site, buildings, and use meet the criteria specified for the use in §205C, Use Definitions and Use-Specific Standards;
- Whether the proposed use will be detrimental to the adjacent properties or to the City as a whole;
- Whether the proposed uses are compatible in terms of scale (building massing, form, orientation, and location), intensity, and operating characteristics with uses and structures on adjacent properties and properties in the vicinity of the proposed application; and
- Whether potential impacts associated with such use are adequately mitigated through enhanced site or building design, including but not limited to additional landscaping, buffers, or screening, to minimize adverse impacts on surrounding uses and the City.

Staff has evaluated the request based on the above-mentioned parameters and feels that the site is appropriate for the proposed use and is compatible with existing land uses of the adjacent properties. The Flour Mill is currently between two redevelopment sites, the new McKinney City Hall to the north and the TUPPS Brewery site to the south, and existing commercial businesses to the east.

The subject property is located approximately 250 feet from the nearest residential property and is subject to the City's "Quiet Zone" regulations found in Chapter 70, Article V of the city's Code of

Ordinances (commonly referred to as the “Noise Ordinance”). This specifically prohibits certain noise disturbances in/within proximity to residential uses.

Specifically, use of musical instruments, loudspeaking amplifiers and similar devices on the subject property would be considered a noise disturbance and subject to the city’s enforcement authority if operated between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday, and between the hours of 11:30 p.m. and 7:00 a.m., Friday and Saturday (Section 70-120).

While the subject property and SUP area is located within a “Quiet Zone,” the area does not have any direct residential adjacency and the closest residential uses are buffered by a commercial block. Additionally, the proposed scale of the outdoor uses is relatively small compared to the overall building footprint(s) and development of the Flour Mill site.

As such, Staff recommends approval of the request.

SITE LAYOUT: The attached exhibit provides a general layout of the proposed building as well as the associated parking and internal site circulation. The site circulation, parking, and sanitation requirements are in general conformance with the Zoning Ordinance.

ACCESS/CIRCULATION:

Adjacent Streets: Louisiana Street, Town Thoroughfare (2 Lane One-Way Pairing)
Throckmorton Street, Town Thoroughfare (2 Lane One-Way Pairing)

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no letters of support to this request and no letters of opposition. This does not include emails or letters that may have been sent directly to members of the Council. Staff has not received any citizen comments through the online citizen portal.