



**20-0027SP**

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for Auburn Hills Office Park, Located on the Northwest Corner of University Drive (U.S. Highway 380) and Auburn Hills Parkway

**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 28, 2020

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Joe Moss, 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 denial of the proposed site plan variance request due to lack of conformance with Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

**However, if the applicant's request is approved, the following conditions of approval shall apply:**

1. The applicant revise the landscape plan to include the sidewalk along University Drive (U.S. Highway 380) as is shown on the site plan.
2. Prior to the issuance of a building permit, the applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.

**APPLICATION SUBMITTAL DATE:** March 30, 2020 (Original Application)

May 12, 2020 (Revised Submittal)  
July 6, 2020 (Revised Submittal)

**ITEM SUMMARY:** The applicant proposes to construct a 44,172 square foot office park comprised of nine buildings on 5.46 acres at the northwest corner of University Drive (U.S Highway 380) and Auburn Hills Parkway.

Typically, site plans can be approved at the staff level; however, the applicant is seeking a variance from the screening requirements outlined in more detail below:

1. The applicant is requesting a variance to Section 146-132(3)(a) (Fences, Walls, and Screening Requirements) of the Zoning Ordinance to waive the requirement that an approved screening device be placed along any property line or district boundary between any single family detached or attached or any two family zoning or use and any mobile home of non-residential use.

**PLATTING STATUS:** The subject property is currently unplatted. A minor plat of the subject property 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 | "C2" Local Commercial District (Commercial Uses)                      | Undeveloped Land  |
| North            | "SF5" Single Family Residence District (Single Family Residence Uses) | Auburn Hills      |
| South            | "AG" Agriculture District (Agricultural Uses)                         | Undeveloped Land  |
| East             | "C2" Local Commercial District (Commercial Uses)                      | Undeveloped Land  |
| West             | "SF5" Single Family Residence District (Single Family Residence Uses) | Auburn Hills      |

**ACCESS/CIRCULATION:**

Adjacent Streets: Auburn Hills Parkway, Variable Width Right-of-Way, Collector Road University Drive (U.S. Highway 380), Variable Width Right-of-Way, Major Regional Highway

**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:** 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.

However, the applicant requests a variance to Section 146-132(3)(a) (Fences, Walls, and Screening Requirements) to waive the requirement that an approved screening device be placed along any property line or district boundary between any single family detached or attached or any two family zoning or use and any mobile home park or non-residential use. Per Section 146-132(2)(v), the screening requirement may be waived by the Director of Planning or his/her designee or the request may be forwarded for review by the Planning and Zoning Commission. A waiver may be approved if one of the following conditions are maintained for the life of the project:

1. Sufficient screening exists on the adjacent property;
2. The portion of the subject property to be screened contains a wooded area that shall be maintained for the life of the project and a tree survey indicates that a majority of the trees in the wooded area on the subject property are found to be "quality trees," as defined in Sec. A-2 of Appendix A (of the Zoning Ordinance); or
3. The portion of the subject property to be screened is adjacent to a floodplain as defined in Section 130-381 of the City's Code of Ordinances).

The subject property is adjacent to property zoned for single family residential uses. This adjacent property is also designated as a floodplain. Section 146-132(2)(v) allows for consideration of a waiver to the screening requirement when adjacent to a floodplain; however, the adjacent property is a designated common area for the Auburn Hills subdivision and has been developed as a water feature and walking trail with no

notable tree coverage and/or natural wooded areas. Staff does not feel as though use of the floodplain in this case provides a natural screening effect of the proposed development, as is typical. Given the direct view that the residential neighborhood will have to this office development, Staff feels that the adjacent floodplain does not provide sufficient screening in lieu of the minimum requirements of the Zoning Ordinance. As such, Staff recommends denial of the variance request.

Given the adjacent floodplain and pond, Staff may be comfortable supporting a variance for use of an alternate equivalent screening device or enhanced landscaping in lieu of a screening device. However, at this time, the applicant has requested a full waiver of the required screening.

**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 applicable 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, subject to review and approval of the City's Landscape Architect.

#### **PUBLIC IMPROVEMENTS:**

|                       |  |
|-----------------------|--|
| Sidewalks:            | Along U.S. 380 and Auburn Hills Parkway  |
| Hike and Bike Trails: | Not Applicable   |
| 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.

**SUPPORTING MATERIALS:**

[Standard Conditions Checklist](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Proposed Site Plan](#)  
[Proposed Landscape Plan](#)  
[Elevations- Information Only](#)  
[Presentation](#)