



**23-0091SP**

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on Design Exceptions to a Site Plan for Commercial Entertainment, Outdoor (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:** October 24, 2023

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jake Bennett, Planner II  
Caitlyn Strickland, 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 denial of the proposed site plan due to concerns regarding the requested design exceptions related to street screening.

**However, should the Planning and Zoning Commission approve the site plan, the following shall apply:**

1. The applicant shall receive approval of the following Design Exceptions to:
  - a. Not meet the minimum 85% building frontage requirement along a Pedestrian Priority "A" Street (East Virginia Street).
  - b. Not meet the minimum 85% building frontage requirement along a Pedestrian Priority "A" Street (East Louisiana Street).
  - c. Not meet the minimum 50% building frontage requirement along a Pedestrian Priority "B" Street (Throckmorton Street).

- d. Provide a Street Screening Device greater than 4' in height.
- e. Provide a Street Screening Device of alternative material.

Prior to issuance of a building permit:

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

**APPLICATION SUBMITTAL DATE:** August 7, 2023 (Original Application)  
 August 29, 2023 (Revised Submittal)  
 September 21, 2023 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct an approximately 3,500 square foot outdoor commercial entertainment venue (McKinney Flour Mill) at 601 East Louisiana Street.

**PLATTING STATUS:** The subject property is currently platted.

**EXISTING ZONING AND LAND USES:**

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

**ACCESS/CIRCULATION:**

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

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Appendix 2B (McKinney Town Center District MTC) of the Unified Development Code.

**LOADING SPACES:** The applicant has satisfied the minimum loading space

requirements as specified within Section 206E (Vehicle Parking and Loading) of the Unified Development Code.

**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 the minimum parking requirements as specified within Appendix 2B (McKinney Town Center District MTC) of the Unified Development Code.

**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 206C (Screening) of the Unified Development Code.

**LIGHTING AND GLARE REGULATIONS:** The applicant will be responsible for complying with Article 5 (Exterior Lighting) of the Unified Development Code. The applicant has provided the required notation on the site plan stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances.

**BUILDING FORM AND SITE DEVELOPMENT STANDARDS:** Per Appendix 2B (McKinney Town Center District MTC) of the Unified Development Code, developments within the MTC shall meet a series of form-based building and site standards including building placement, building height, frontage requirements, parking and access, encroachments, lot and block standards, and residential transitions.

***The applicant has requested design exceptions to these typical standards, which are further discussed below.***

**BUILDING DESIGN STANDARDS:** Within the “MTC” - McKinney Town Center Zoning District, the Architectural Standards (Section 206F) and the Multi-Family Residential Site Design Standards (Section 206G) of the Unified Development Code do not apply. The applicant is instead responsible for meeting the requirements of the Building Design Standards of the MTC. With the submission of a site plan, the MTC requires that elevations are provided and approved with the site plan.

***The applicant has requested design exceptions to the Building Design Standards, which are further discussed below.***

**MTC DESIGN EXCEPTIONS:** 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. A Design Exception may also include a requested deviation from the Design Criteria of the Schedule of Permitted Uses. Requests for Design Exceptions shall be forwarded to the Planning and Zoning Commission for action; however, requests for Design Exceptions involving building height(s) shall be forwarded directly to the City Council for action.

In reviewing any site plan applications or Design Exception requests, the following criteria should be considered:

- 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.

Though multiple design exceptions have been requested, the modifications to typical building frontage requirements is due to the fact that the existing Flour Mill complex already contains existing buildings that are located centrally on the site. The applicant is not proposing to construct any new buildings or building expansions that would otherwise be subject to the frontage requirements. Given the fact that the proposed site plan only seeks to expand outdoor entertainment space(s), Staff has no objection to the requested design exceptions for building frontage requirements.

Specifically, Staff has no objection to the following design exceptions:

- Request to not meet the minimum 85% building frontage requirement along a Pedestrian Priority “A” Street (East Virginia Street).
- Request to not meet the minimum 85% building frontage requirement along a Pedestrian Priority “A” Street (East Louisiana Street).
- Request to not meet the minimum 50% building frontage requirement along a Pedestrian Priority “B” Street (Throckmorton Street).

However, Staff is not supportive of the requested Design Exceptions to deviate from the height and materials requirements for street screening along the frontage of East Louisiana Street and Throckmorton Street. Specifically, Staff has concerns with the

following:

- Request to provide a Street Screening Device greater than 4’ in height.
- Request to provide a Street Screening Device of alternative material.

The applicant is proposing a 6’ tall wood fence, as opposed to a 2’ - 4’ tall device, constructed of the same finishing material as the principal structure on the lot, masonry (brick, stone, or architectural masonry finish), a living plant screen composed of evergreen shrubs planted to be opaque at maturity, or a combination of the above. Staff does not support the request to deviate from these requirements, as wood is not an approved building or screening material per the McKinney UDC, and we feel it’s use, as proposed here, would not meet the intent of the MTC. Moreover, we do not feel that the proposed wood fence provides any type of an innovative or architecturally compelling alternative to the typically required materials or height.

The MTC emphasizes not only the preservation and reuse of historic buildings, but also redevelopments that foster a pedestrian-friendly environment. The required street screening of a screening wall between 2’ - 4’ in height is intended to create an inviting, walkable environment with buildings and features that frame the street(s) when a building is not provided within the build-to-zone of the street frontage. Staff has concerns that the proposed height of 6’ and the proposed wood material for the street screening does not meet the vision or intent of the MTC.

As such, Staff recommends denial of the proposed 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 Landscape Architect.

**PUBLIC IMPROVEMENTS:**

- Sidewalks: Not Applicable
- 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. 2020-12-091)
Utility Impact Fees:	Applicable (Ordinance No. 2020-12-092)
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 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.

**SUPPORTING MATERIALS:**

[Standard Conditions Checklist](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Proposed Site Plan](#)  
[Presentation](#)  
[Applicant Presentation](#)