



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 19-0094SP **Name:** Floor & Decor Site Plan Variance  
**Type:** Agenda Item **Status:** Approved  
**In control:** City Council Regular Meeting  
**On agenda:** 12/17/2019 **Final action:** 12/17/2019  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for Floor & Décor, Located on the North Side of U.S. Highway 380 (University Drive) and on the East Side of Skyline Drive

### Indexes:

**Attachments:** 1. Location Map and Aerial Exhibit, 2. Standard Conditions Checklist, 3. Letter of Intent, 4. Ex. PD Ord. No. 1997-06-35, 5. Proposed Site Plan, 6. Proposed Landscape Plan

Date	Ver.	Action By	Action	Result
12/17/2019	1	City Council Regular Meeting	Close the public hearing	Pass
12/17/2019	1	City Council Regular Meeting	Approved	Pass
12/17/2019	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for Floor & Décor, Located on the North Side of U.S. Highway 380 (University Drive) and on the East Side of Skyline Drive

**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:** December 17, 2019

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Kaitlin Gibbon, Planner I

**APPROVAL PROCESS:** The action of the City Council for the proposed site plan is the final action.

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed site plan with the following conditions:

1. The applicant receive approval of a variance to utilize two loading docks within 200 feet of an adjacent residential use.
2. The applicant revise the site plan to add an additional canopy tree at the end of a terminus island.
3. The applicant revise the site plan to label what type of landscape material is being used.
4. The applicant revise the site plan to label the fire lane radii.

Prior to issuance of a building permit:

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

**APPLICATION SUBMITTAL DATE:** October 8, 2019 (Original Application)  
November 13, 2019 (Revised Submittal)  
November 27, 2019 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 78,495 square foot commercial building (Floor & Decor) on 5.25 acres on the North side of U.S. Highway 380 (University Drive) and on the East side of Skyline Drive. The applicant is seeking a variance to allow two loading docks within approximately 85 feet of an adjacent multi-family residential use.

Site plans can typically be approved by Staff; however, the current zoning requires the site plan and landscape plan be approved by City Council as well as the variance requested by the applicant.

**PLATTING STATUS:** The subject property is currently conveyance platted as Lot 1, Block A of the Skyline-University Addition. A record 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	"PD" - Planned Development District Ordinance No. 97-06-35 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 97-06-35 and "CC" - Corridor Commercial Overlay District (Residential Uses)	Skyway Villas
South	"PD" - Planned Development District Ordinance No. 1281 and "CC" - Corridor Commercial Overlay District (Industrial Uses)	Raytheon
East	"PD" - Planned Development District Ordinance No. 97-06-35 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
West	"PD" - Planned Development District Ordinance No. 2012-10-054 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Jiffy Lube

**ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Width Right-of-Way,  
Major Regional Highway Skyline Drive, 60' Right-of-Way, Collector

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

**LOADING SPACES:** Per Section 146-131 (Off-Street Loading), of the Zoning Ordinance, any loading dock and its associated loading spaces shall be set back 200 feet from any residential use or zoning, set back a minimum distance of 75 feet from any public street or front property line, and oriented away from the street frontage. In instances where a property has more than one street frontage, the bay doors shall be oriented away from the street frontage with the greatest width. The applicant is seeking a variance to locate the loading dock and its loading spaces less than 200 feet from adjacent multi-family residential uses (approximately 85 feet). The Zoning Ordinance states that a variance can be granted during site plan approval to decrease the distance of the loading dock and its associated loading space from the proposed building if City Council finds that:

- Unique circumstances exist on the property that make application of specific items in this section (Sec. 146-131) 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.

The applicant has proposed that the loading dock and its associated loading spaces be located approximately 85 feet from the multi-family residences to the north of the subject property. The applicant is proposing to provide evergreen shrubs along the multi-family property line to mitigate the impacts of the loading docks. The applicant is also proposing their building to be 25 foot 10 inches tall. The location of the loading docks will be screened from the multi-family residences by the building as well as the proposed 8 foot 3 inch masonry screening wall. Staff feels that the proposed location of the loading dock may have an impact on the surrounding site, but with the increased landscaping, buffers and orientation, the impact should be minimized. As such, Staff has no objection to the applicant's request.

The applicant has satisfied all other minimum requirements as specified in 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 will need to submit a revised site plan to 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.

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

**PUBLIC IMPROVEMENTS:**

Sidewalks:	Required along U.S. Highway 380 (University Drive) and Skyline Drive
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.