CITY OF McKINNEY, TEXAS

Legislation Details (With Text)

File #:	21-0108SP	**Name:**	Encore Wire - XLPE Plant
Type:	Agenda Item	**Status:**	Regular Agenda Item
		In control:	Planning & Zoning Commission
On agenda:	5/10/2022	**Final action:**	
Title:	Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for Encore Wire - XLPE Plant, Located Approximately 850 Feet South of Elm Street and Approximately 650 Feet West of Millwood Road		
Indexes:			
Attachments:	1. Standard Conditions Checklist, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Ex. Ord. No. 1614, 5. Proposed Site Plan, 6. Proposed Landscape Plan, 7. Proposed Facade Plan, 8. Presentation		

Date	Ver.	Action By	Action	Result
5/10/2022	1	Planning & Zoning Commission	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for Encore Wire - XLPE Plant, Located Approximately 850 Feet South of Elm Street and Approximately 650 Feet West of Millwood Road

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: May 10, 2022

DEPARTMENT: Development Services - Planning Department

CONTACT: Caitlyn Strickland, 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 receive approval of a variance to Section 146-132(3)(j) (Fences Walls, and Screening Requirements) of the Zoning Ordinance to waive the requirement that all rooftop HVAC equipment be screened from right-of-way and adjacent residential property.

2. The applicant receive approval of a variance to Section 146-132(2)(a)(3)(iv) (Fences, Walls, and Screening Requirements) of the Zoning Ordinance to allow a 6 ft. black vinyl coated chain link fence with evergreen screening shrubs (Nellie R. Stevens Holly) as an alternate

equivalent screening device to screen bay doors from adjacent residential zoned property to the West.

3. The applicant receive approval of a variance to Section 146-132(2)(a)(3)(iv) (Fences, Walls, and Screening Requirements) of the Zoning Ordinance to allow a 6 ft. black vinyl coated chain link fence with evergreen screening shrubs (Nellie R. Stevens Holly) as an alternate equivalent screening device to screen along the property line between the adjacent residential zoned property to the West and the proposed industrial use.

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: November 22, 2021 (Original Application)
December 30, 2021 (Revised Submittal)
February 8, 2022 (Revised Submittal)
April 1, 2022 (Revised Submittal)
April 20, 2022 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 35,087 square foot manufacturing facility, which includes offices and warehouse uses on 4.57 acres at approximately 850 feet South of Elm Street and Approximately 650 feet West of Millwood Road.

Typically, site plans can be approved at the staff level; however, the applicant has requested three variances from screening requirements, which require consideration by the Planning and Zoning Commission for approval.

PLATTING STATUS: The subject property is currently platted as Lot 3, Block A of Homco Addition. An Amending Plat must be approved prior to the commencement of any development activity on the subject property.

EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“ML” Light Manufacturing District (Industrial Uses)	Undeveloped Land
North	“ML” Light Manufacturing District (Industrial Uses)	Encore Wire Corporation
South	“ML” Light Manufacturing District (Industrial Uses)	Timber Blind Metro Shade Manufacturer
East	“PD” Planned Development District 2006-09-101 (Industrial Uses)	Encore Wire Corporation
West	“RS-60” Single Family Residence District (Single Family Residential Uses)	Undeveloped Land

ACCESS/CIRCULATION:

Adjacent Streets: Elm Street, 80’ Right-of-Way, Minor Arterial
Millwood Road, 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: 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 applicant has provided the required notation that 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.

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, mechanical and heating and air conditioning equipment shall be screened from view from the public right-of-way and from adjacent residential property and loading docks or structures, bays, and bay doors shall be screened from adjacent residential property, and from adjacent non-residential property, other than industrial. 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, meeting the standards as identified in section 146-132(2)(a)(3)(iii) 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 requesting a variance to waive the requirement that all rooftop HVAC equipment be screened from right-of-way and adjacent residential property. Due to the size of the proposed building and type of rooftop equipment necessary, strict application of the screening requirement would require a nearly 10’ tall parapet, to the extent that screening on this scale is not practical and unduly burdensome to the applicant. As such, staff recommends approval of this variance request.

The applicant is also requesting a variance to allow a 6 ft. black vinyl coated chain link fence with evergreen screening shrubs (Nellie R. Stevens Holly) as an alternate equivalent screening device to

screen bay doors from adjacent residential zoned property to the West. While the proposed screening device is not listed as one of the approved materials, staff has no objections to this variance request as the alternate screening device will meet the intent of the Fences, Walls, and Screening Requirements as it will provide sufficient visual screening.

The applicant is also requesting a variance to allow a 6 ft. black vinyl coated chain link fence with evergreen screening shrubs (Nellie R. Stevens Holly) as an alternate equivalent screening device to screen along the property line between the adjacent residential zoned property to the West and the proposed industrial use. Given that this type of screening device has been used quite consistently throughout the Encore Wire campus, staff has no objections of the proposed variance request.

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.

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 all 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 provided 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:	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 comments in support of or in opposition to this request.

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