



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

<b>File #:</b>	22-0085SP3	<b>Name:</b>	McDonald St MF Site Plan
<b>Type:</b>	Agenda Item	<b>Status:</b>	Approved
		<b>In control:</b>	City Council Regular Meeting
<b>On agenda:</b>	2/7/2023	<b>Final action:</b>	2/7/2023
<b>Title:</b>	Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for McDonald Street Multifamily, Located at 3352 North McDonald Street		
<b>Indexes:</b>			
<b>Attachments:</b>	1. PZ Minutes 01.10.2023, 2. Standard Conditions Checklist, 3. Location Map and Aerial Exhibit, 4. Letter of Intent, 5. Ex. PD Ord. No. 1995-04-21, 6. Proposed Site Plan, 7. Proposed Landscape Plan, 8. Presentation		

Date	Ver.	Action By	Action	Result
2/7/2023	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for McDonald Street Multifamily, Located at 3352 North McDonald 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:** February 7, 2023

**DEPARTMENT:** Development Services - Planning Department

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

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

1. The applicant receive a variance to Section 146-132 (3)b. in order to not provide a 6' tall masonry screening wall along the eastern property line of the subject property.

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 22, 2022 (Original Application)  
October 7, 2022 (Revised Submittal)

October 25, 2022 (Revised Submittal)  
November 7, 2022 (Revised Submittal)  
November 17, 2022 (Revised Submittal)  
November 30, 2022 (Revised Submittal)  
December 8, 2022 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 189-unit multi-family residential development. As part of this application, the applicant has requested a variance to not screen the eastern boundary of the property. The applicant is requesting to not screen the eastern side of the property due to an irregular boundary and substantially wooded floodplain.

**PLATTING STATUS:** The subject property is currently unplatted. A record/minor plat of the subject property 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	PD 1995-04-021 (Residential Uses)	Undeveloped Land
North	PD 1995-04-021 (Residential Uses)	Trinity Heights Neighborhood
South	PD 1995-04-021 (Residential Uses)	Kinwood Apartments
East	PD 1619 (Light Industrial and Office Uses)	Undeveloped Land
West	PD 1451 (Light Industrial Uses)	Undeveloped Land

**ACCESS/CIRCULATION:**

Adjacent Streets: State Highway 5 (McDonald Street), 6-lane Major Arterial Roadway

**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, except for the required screening along the eastern property line.

The applicant is requesting a variance to Section 146-132 (3)b. to not provide the 6' tall masonry screening device along the eastern property line. Per this section, all multiple-family residential developments are required to provide a 6' tall masonry wall along all side and rear property lines. However, this boundary includes a floodplain that surrounds a creek and is heavily wooded. The property on the other side of the creek is zoned for office and light industrial uses. All other required screening has been provided.

Section 146-132 (4) allows applicants to request variances to screening requirements and seek approval from the Planning and Zoning Commission. A variance may be granted if the Commission finds that:

- a. Unique circumstances exist on the property that make application of specific items in this section unduly burdensome on the applicant;
- b. The variance will have no adverse impact on current or future development;
- c. 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; or
- d. The variance will have no adverse impact on the public health, safety and general welfare. A financial hardship shall not be considered a basis for the granting of a variance.

It is Staff's opinion that the proposed variance will not be detrimental to this site or the adjacent property and meets the intent of the screening variance section. As such, Staff is recommending approval of the variance.

**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 submitted a tree survey, subject to review and approval of the City's Landscape Architect.

#### **PUBLIC IMPROVEMENTS:**

Sidewalks:	8' sidewalk required along McDonald Street
Hike and Bike Trails:	Not required
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:	Applicable
Pro-Rata:	As determined by the City Engineer

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any letters in support of or in opposition to this request. This does not include emails or letters that may have been sent directly to members of the Council. Staff received seven citizen comments through the online citizen portal prior to the Planning and Zoning Commission meeting on January 10, 2023.

**BOARD OR COMMISSION RECOMMENDATION:** On January 10, 2023, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed variance request and site plan.