



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 21-0012SP, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for a Multifamily Development (Pitts Community Multifamily) Located on the Southeast Corner of James Pitts Drive and Community Avenue

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: June 8, 2021

DEPARTMENT: Development Services - Planning Department

CONTACT: Joe Moss, Planner I
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 condition(s):

1. The applicant receive approval of a variance to Section 146-132 (3)(b) - (Fences, Walls, and Screening Requirements) of the Zoning Ordinance to waive the requirement to provide a 6' masonry wall around the rear and sides of the property.
2. The applicant revise the site plan to show the correct number of driveway parking spaces provided to be 142.
3. The applicant revise the plant schedule to show the overall quantities of plants, note a minimum of 12' in height for canopy trees at time of planting, and note that evergreen screening shrubs must be planted at a minimum of 3' on center.
4. The applicant receive approval of a flood study from the engineering department.

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: March 1, 2021 (Original Application)
April 22, 2021 (Revised Submittal)
May 18, 2021 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a multifamily development (Pitts Community Multifamily) on 11.37 acres of land. The subject property is part of a larger approximately 28.25 acre tract located on the southeast corner of James Pitts Drive Community Avenue which is proposed for a mix of multifamily and townhome residential uses.

Typically, site plans can be approved by Staff; however, the applicant is requesting a variance to the requirement in Section 146-132 (Fences, Walls, and Screening Requirements) that multifamily developments provide a 6' masonry wall on the rear and sides of the property. The requested variance is detailed further below.

PLATTING STATUS: The subject property is currently unplatted A record 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" - Planned Development District Ordinance No. 1509 (Residential Uses)	Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 1642 (Residential and Commercial Uses)	Undeveloped Land
South	"PD" - Planned Development District Ordinance No. 1907 (Residential and Commercial Uses)	Scott Johnson Middle School
East	"PD" - Planned Development District Ordinance No. 1642 (Residential and Commercial Uses), "AG" - Agricultural District (Agricultural Uses), and "PD" - Planned Development District Ordinance No. 2020-02-014 (Multi-Family Residential Uses)	Single family home and Undeveloped Land
West	"PD" - Planned Development District Ordinance No. 1509 (Residential Uses)	Creek Hollow

ACCESS/CIRCULATION:

Adjacent Streets: James Pitts Road, Variable Width Right-of-Way, Collector Road
Community Avenue, 80' Right-of-Way, Minor Arterial

PARKING: The applicant has satisfied the minimum parking requirements as specified within Section

146-130 (Vehicle Parking) of the Zoning Ordinance and as required within the planned development regulations.

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 is requesting a variance from Section 146-132 (3)(b) that *“Multiple family residential developments outside of the MTC McKinney town center zoning district shall provide and maintain a six-foot tall masonry screening wall along all side and rear property lines.”*

Per the Zoning Ordinance, a variance to the requirements of certain sections can be granted during site plan approval 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.

The applicant is providing a 6' masonry wall along the southern property line where one does not currently exist; however they are requesting a variance to the screening requirement on the western portions of the property where the proposed multifamily use abuts the proposed townhome development.

The multifamily uses proposed as part of this site plan are intended to mimic a single family-style development with freestanding units that have garages, driveways, and private yards. Per the proposed site plan, the units along the western property line are proposed to face or side to the townhome development in an effort to integrate the uses as a single development or neighborhood.

The applicant has indicated that the townhomes and multifamily uses would be constructed in tandem and be operated as a unified site, including a potential amenity center at the corner of James Pitts Drive and Community Avenue. With this interface between the multifamily and townhomes, a screening wall would interfere with the integration of the uses and would impede functionality by limiting access for some of the multifamily units.

Given the proposed integration of the multifamily and townhome uses, Staff feels that the variance request is in keeping with the spirit of the zoning regulations, and will have minimal impact, if any, on the surrounding land uses. As such, we recommend approval of the proposed screening 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 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 submitted a tree survey, subject to review and approval of the City's Arborist.

PUBLIC IMPROVEMENTS:

Sidewalks:	Required along James Pitts Drive and Future Rights-of way.
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. 2013-11-108)
Utility Impact Fees:	Applicable (Ordinance No. 2017-02-021)
Median Landscape Fees:	Not Applicable
Park Land Dedication Fees:	As determined by the Parks Department

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.