



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 23-0001SUP6, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for a Utility Substation (Oncor Bloomdale Switch Station), Located Approximately 1,300 Feet East of U.S. 75 and North of Shawnee Drive, and Accompanying Ordinance

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: August 15, 2023

DEPARTMENT: Development Services - Planning Department

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

RECOMMENDED CITY COUNCIL ACTION: Staff recommends approval of the proposed specific use permit request with the following special ordinance provision:

1. The property shall generally develop in accordance with the attached specific use permit exhibit and all applicable development requirements of the city.

APPLICATION SUBMITTAL DATE: March 6, 2023 (Original Application)
March 23, 2023 (Revised Submittal)
April 19, 2023 (Revised Submittal)
May 10, 2023 (Revised Submittal)
May 15, 2023 (Revised Submittal)
July 27, 2023 (Revised Submittal)
August 3, 2023 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing a specific use permit to allow for a utility substation (Oncor) located approximately 1,300 feet east of U.S. 75 and north of Shawnee Drive.

The zoning for the subject property (PD Ord. No. 1640) requires that a specific use permit be granted for a utility substation to operate on the subject property.

The applicant chose to have this project reviewed under the Unified Development Code, which was adopted by the City Council of November 15, 2023.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ord. No. 1640 (Residential Uses)	Undeveloped Land
North	"AG" - Agricultural District (Uses)	Undeveloped Land
South	"O" - Office District (Office Uses)	Press Elementary School
East	"PD" - Planned Development District Ord. No. 1640 (Residential Uses)	Inspiration Park
West	"PD" - Planned Development District Ord. No. 1640 (Residential and Commercial Uses)	Undeveloped Land

SPECIFIC USE PERMITS: When acting on a request for a specific use permit, the following factors should be considered:

- Whether the request complies with all site specifications adopted by the City, including the base zoning district and/or the PD entitlements;
- Whether the site, buildings, and use meet the criteria specified for the use in §205C, Use Definitions and Use-Specific Standards;
- Whether the proposed use will be detrimental to the adjacent properties or to the City as a whole;
- Whether the proposed uses are compatible in terms of scale (building massing, form, orientation, and location), intensity, and operating characteristics with uses and structures on adjacent properties and properties in the vicinity of the proposed application; and
- Whether potential impacts associated with such use are adequately mitigated through enhanced site or building design, including but not limited to additional landscaping, buffers, or screening, to minimize adverse impacts on surrounding uses and the City.

Staff has evaluated the request based on the above-mentioned parameters and has no objections to the proposed use at this location. The substation facility will be approximately 1,300 feet east of U.S. 75. This should allow adequate room for the frontage of U.S. 75 to develop for commercial uses, while also providing necessary infrastructure to service existing and future developments.

While the site is located adjacent to an existing school and public park, its location allows for the needed connection to the existing overhead power lines that exist on the property. The proposed station will be operated remotely, so traffic impacts should be minimal to the surrounding area. Additionally, access to the property will be a private drive located along FM 543 rather than through the existing school, park, or neighborhood.

Since the last City Council meeting, the applicant has revised the specific use permit exhibit to shift the proposed switch station approximately 75' further from the nearest single-family residence and approximately 100' further from the school. The applicant is also dedicating a 20' landscape

easement to the City along the southern boundary, adjacent to the school and park properties.

The substation facility will include a 14' tall control building as well as necessary antennae and communication towers. The tallest of these elements is the proposed static mast and communication tower at 65' tall. These elements are used as operation antennae and lightning rods to protect the equipment and surrounding area. They will be approximately 425' away from the nearest single family residential property and 440' from the adjacent school, which are distances over 6 and a half times the height of the tallest piece of equipment. The facility will also be screened by an 8' tall masonry screening wall on the south and east sides, while a chain link fence with barbed wire will be used along the north and west sides.

Public and private infrastructure such as the facility being proposed is necessary to support growth and development in a community. Considering the location of the proposed substation in relationship to surrounding uses, the preservation of meaningful commercial frontage along U.S. 75, as well as the overall height of the buildings and equipment, Staff has no objections to the request and recommends approval of the specific use permit.

SITE LAYOUT: The attached exhibit provides a general layout of the proposed site as well as the associated parking and internal site circulation. The site circulation, parking, and sanitation requirements are in general conformance with the Zoning Ordinance.

ACCESS/CIRCULATION:

Adjacent Streets: FM 543 (Future Airport Drive), 6-Lane Right-of-Way, Major Arterial

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. As part of the Planning and Zoning Commission Public Hearings, Staff has received two citizen comments through the online citizen portal.

It should also be noted that Staff has received an official written protest for the proposed SUP request. As of April 18, the submitted protest includes signatures from property owners representing 7.21% of the total area within 200' of the subject property, which does not meet the 20% threshold to require a supermajority vote by the Council (6 of 7) for approval of the request.

On April 11, 2023, the Planning and Zoning Commission voted 7-0-0 to table the item and close the public hearing due to a notification error.

On April 24, 2023, the Planning and Zoning Commission voted 7-0-0 to table the item and close the public hearing due to request of the applicant.

On May 23, 2023, the Planning and Zoning Commission voted 7-0-0 to recommend denial of the Specific Use Permit to the City Council.

On June 20, 2023, the City Council voted 7-0-0 to close the public hearing and table the item to the July 18, 2023 City Council meeting.

On July 18, 2023, the City Council voted 7-0-0 to table the item and continue the public hearing to the August 15, 2023 City Council meeting.