



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 23-0091SP2, **Version:** 1

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Conduct a Public Hearing to Consider/Discuss/Act on Design Exceptions to a Site Plan for Commercial Entertainment, Outdoor (McKinney Flour Mill), Located at 601 East Louisiana 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:** November 14, 2023

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jake Bennett, Planner II  
Caitlyn Strickland, AICP, 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 shall receive approval of the following Design Exceptions to:
  - a. Not meet the minimum 85% building frontage requirement along a Pedestrian Priority "A" Street (East Virginia Street).
  - b. Not meet the minimum 85% building frontage requirement along a Pedestrian Priority "A" Street (East Louisiana Street).
  - c. Not meet the minimum 50% building frontage requirement along a Pedestrian Priority "B" Street (Throckmorton Street).
  - d. Provide a Street Screening Device greater than 4' in height.
  - e. Provide a Street Screening Device of alternative material.

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 7, 2023 (Original Application)  
August 29, 2023 (Revised Submittal)  
September 21, 2023 (Revised Submittal)  
October 26, 2023 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct an approximately 3,500 square foot outdoor commercial entertainment venue (McKinney Flour Mill) at 601 East Louisiana Street.

**PLATTING STATUS:** The subject property is currently platted.

**EXISTING ZONING AND LAND USES:**

| Location         | Zoning District (Permitted Land Uses)                                   | Existing Land Use                 |
|------------------|---|-----------------------------------|
| Subject Property | "MTC" - McKinney Town Center District (Commercial and Residential Uses) | Five Star Event Services          |
| North            | "MTC" - McKinney Town Center District (Commercial and Residential Uses) | Tri County Adjusters              |
| South            | "MTC" - McKinney Town Center District (Commercial and Residential Uses) | Old Red Lumberyard Vintage Market |
| East             | "MTC" - McKinney Town Center District (Commercial and Residential Uses) | MISD                              |
| West             | "MTC" - McKinney Town Center District (Commercial and Residential Uses) | McKinney Flour Mill               |

**ACCESS/CIRCULATION:**

Adjacent Streets: Louisiana Street, Town Thoroughfare (2 Lane One-Way Pairing)  
Throckmorton Street, Town Thoroughfare (2 Lane One-Way Pairing)

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Appendix 2B (McKinney Town Center District MTC) of the Unified Development Code.

**LOADING SPACES:** The applicant has satisfied the minimum loading space requirements as specified within Section 206E (Vehicle Parking and Loading) of the Unified Development Code.

**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 the minimum landscaping requirements as specified within Appendix 2B (McKinney Town Center District MTC) of the Unified

Development Code.

**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 206C (Screening) of the Unified Development Code.

**LIGHTING AND GLARE REGULATIONS:** The applicant will be responsible for complying with Article 5 (Exterior Lighting) of the Unified Development Code. The applicant has provided the required notation on the site plan stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances.

**BUILDING FORM AND SITE DEVELOPMENT STANDARDS:** Per Appendix 2B (McKinney Town Center District MTC) of the Unified Development Code, developments within the MTC shall meet a series of form-based building and site standards including building placement, building height, frontage requirements, parking and access, encroachments, lot and block standards, and residential transitions.

*The applicant has requested Design Exceptions to these typical standards, which are further discussed below.*

**BUILDING DESIGN STANDARDS:** Within the “MTC” - McKinney Town Center Zoning District, the Architectural Standards (Section 206F) and the Multi-Family Residential Site Design Standards (Section 206G) of the Unified Development Code do not apply. The applicant is instead responsible for meeting the requirements of the Building Design Standards of the MTC. With the submission of a site plan, the MTC requires that elevations are provided and approved with the site plan.

*The applicant has requested design exceptions to the Building Design Standards, which are further discussed below.*

**MTC DESIGN EXCEPTIONS:** A Design Exception is a requested deviation from any Building Form and Site Development Standards, Building Design Standards, or Open Space Standards, beyond minor deviations specified in the Minor Modifications section of the “MTC” - McKinney Town Center Zoning District. A Design Exception may also include a requested deviation from the Design Criteria of the Schedule of Permitted Uses. Requests for Design Exceptions shall be forwarded to the Planning and Zoning Commission for action; however, requests for Design Exceptions involving building height(s) shall be forwarded directly to the City Council for action.

In reviewing any site plan applications or Design Exception requests, the following criteria should be considered:

- 1) The goals, intent, and vision of the adopted McKinney Town Center Master Plan;
- 2) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;

- 3) The extent to which the proposal provides public benefits such as usable civic and open spaces, livable streets, structured and/or shared parking, and linkages to transit;
- 4) The extent to which the proposal hinders future opportunities for higher intensity Town Center development; and
- 5) Considerations of health and welfare of the general public.

Though multiple design exceptions have been requested, the modifications to typical building frontage requirements are due to the fact that the existing Flour Mill complex already contains existing buildings that are located centrally on the site. The applicant is not proposing to construct any new buildings or building expansions that would otherwise be subject to the frontage requirements.

Specifically, the applicant has requested the following design exceptions related to building frontage requirements:

- Request to not meet the minimum 85% building frontage requirement along a Pedestrian Priority “A” Street (East Virginia Street).
- Request to not meet the minimum 85% building frontage requirement along a Pedestrian Priority “A” Street (East Louisiana Street).
- Request to not meet the minimum 50% building frontage requirement along a Pedestrian Priority “B” Street (Throckmorton Street).

Given the fact that the proposed site plan only seeks to expand outdoor entertainment space(s), Staff has no objection to the requested design exceptions for building frontage requirements.

Additionally, the applicant has also requested the following Design Exceptions to deviate from the height and materials requirements for street screening along the frontage of Throckmorton Street:

- Request to provide a Street Screening Device greater than 4’ in height.
- Request to provide a Street Screening Device of alternative material.

Following the October 24 Commission meeting, the applicant has modified the request for a design exception to ask for an 8’ tall wood fence for the required street screening device. The MTC requires a 2’ - 4’ tall device constructed of the same finishing material as the principal structure on the lot, masonry (brick, stone, or architectural masonry finish), a living plant screen composed of evergreen shrubs planted to be opaque at maturity, or a combination of the above. As originally proposed, the applicant sought a design exception to allow for a 6’ tall wood fence, as opposed to the 2’-4’ tall device required by the zoning ordinance.

The applicant is now proposing to have an 8’ tall wood fence start at the corner of East Louisiana Street and North Throckmorton Street to screen the back of the proposed stage and continue along the eastern property line. Additionally, the applicant is now proposing to utilize a 4’ wrought iron fence

with evergreen shrubs along East Louisiana Street, which will meet the intent of the MTC.

The MTC emphasizes not only the preservation and reuse of historic buildings, but also redevelopments that foster a pedestrian-friendly environment. The required street screening, a screening wall between 2' - 4' in height, is intended to create an inviting, walkable environment where buildings and features frame the street(s) when a building is not located within the build-to-zone of the street frontage.

Staff supports the Design Exception request to deviate from the screening requirements as the applicant now proposes to meet the required 4' screening along East Louisiana Street to foster the pedestrian-friendly environment along a Priority A street while the requested 8-foot wood fence will provide adjacent properties additional screening of the future stage.

As such, Staff recommends approval of the proposed Site Plan.

**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:            | 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         |

**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 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. Staff has not received any citizen comments through the online citizen portal.

**BOARD OR COMMISSION RECOMMENDATION:** On October 24, 2023, the Planning and Zoning

Commission voted 7-0-0 to table the item to the November 14<sup>th</sup> meeting.