

# **DONALD E. PASCHAL, JR.**

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Mr. Brian Lockley  
Director of Planning  
City of McKinney  
308 North Tennessee  
McKinney, Texas 75069

Re: Letter of Intent – Zoning Amendment for a portion (approximately 28,500 SF) of lot 3R, Virginia Parkway Professional Center South containing approximately 1.76 acres on South side of Virginia approximately 350 feet east of Jordan Road

Dear Mr. Lockley,

## **Background / Existing Zoning:**

This letter of intent is submitted requesting a zoning amendment to the zoning for approximately 28,500 SF on the west extremity of existing Lot 3R in the Virginia Parkway Professional Center South (containing a total of 1.76 acres) on the south side of Virginia Parkway. The requested zoning amendment is only for a small portion of Lot 3R as platted in 2013; a copy of the plat is attached to further identify the subject property. This property was originally zoned as a PD back in 1999 and amended by zoning case 2005-12-132. We, at the request of the City agreed to abandon the PD Zoning and place a standard zoning classification on the property to help the Planning Department clear out the over-reliance on PD ordinances and simplify administration for both the user and the City staff. While the existing zoning provides for a variety of uses typically located on major thoroughfares and collector roads (minor arterials) including office, defined retail, and restaurant / food service, it fails to provide for the variety of uses needed for the volume of property we have on a major thoroughfare which will soon be the only 6 lane major thoroughfare extending from Hwy 75 westward. Additionally, our site is bounded on each end by minor arterials or collector roads, thus expanding the traffic potential, and significance as a business location.

The Turrentine Family Partnership, LTD has owned the property since 1999. Starting with approximately 25 acres including approximately 9.5 acres on the north side and 15 acres on the south side of Virginia Parkway, our Partnership has worked diligently to plan and develop the property through several tumultuous years and are pleased that we have been able to contribute significant property values and employment from high quality and attractive development. The current zoning request will help continue our record for

quality and successful locally owned small businesses. All the property has been developed according to City of McKinney standards with water, wastewater, drainage, and common mutual access easements providing access to all lots. The property has been re-plated periodically to accommodate specific user site requirements. There are 3 or 4 remaining office lots on the south side of the subdivision (now under separate ownership) which appear to have generated interest in recent months thus leaving only Lot 3R in the retail / commercial zoning area of the property.

Additionally we have worked with the City to provide pedestrian access capability to the south tier of office properties which was not required as part of the original project plan, plat, or development requirements. Our ownership group has been responsive to City and neighborhood concerns by careful zoning provisions, quality site planning, installation of masonry screening walls (allowing neighbors to the south to eliminate deteriorated wooden fences), and business placement with only office and related uses adjacent to the neighborhood to the south. We now are requesting support from the City to allow us to proceed with build-out, continued economic development, and creation of more new local employment opportunities.

**Requested Amendment to Zoning:**

Extensive efforts to market the remaining retail property have been met with the reality that a broader range of uses is necessary for full development. After three years of intensive efforts of marketing the C-1 use (feeling that food service, both with and without drive through would allow the property to build out), we have discovered that the C-1 limitations of use are simply not viable to achieve full buildout of the property, thus a small portion of the property is proposed for zoning to C-2, although we have designed the intended use to blend with and be part of the fabric of the existing user base.

**Rationale for Requested Amendment:**

Back in 2014, we reported that low impact auto service might be another option for the property, but absent a specific user, we delayed making a general zoning change request until we secured a specific proposal (and purchase contract) from a group that we believed would represent the quality of operation and ownership we wanted to bring to the site and surrounding neighborhoods.

The current zoning change request for an Honest-1 Franchise represents the neighborhood auto service concept and quality of operation we had hoped would become interested in the site. Thus, we are requesting a very small portion of the property be rezoned as C-2 and are submitting a companion SUP for an exceptional new neighborhood oriented Auto Service group. We understand that the SUP for auto service does require P & Z and Council action and acknowledge that this additional level of review will have contributed to assuring the quality of operation needed for our site. Further, we believe the use to be both appropriate for the site and needed by the area.

The amendment is slight and fairly simple. It will accommodate a need in the area even though only representing slightly over a half acre of the remaining 1.76 acres. We have worked with the user to craft a site plan that fits positively into the business corridor, has a fresh and quality architectural design, and will have very high quality landscaping to

contribute to the attractiveness of the area while providing high quality screening for the service bays.

To more fully explain rationale for the request and to brief the City on the proposed project and user, the following rationale is provided:

- Over the last few years, minor auto service facilities have become commonplace uses and are located near and even adjacent to residential and single family neighborhoods. McKinney has allowed multiple such projects, with some typically having enhanced architectural design over such facilities from prior years, appropriate landscaping, and a range of services that are not intrusive and more neighborhood oriented than once offered by car care uses.
- The proposed user is separated from residential use, specifically single family to the south by a series of platted office lots as well as a masonry screening fence we installed.
- The expansion / widening of Virginia Parkway to a six lane thoroughfare, especially considering two collector roads bookending the subject property, justifies a broader range of uses. Thus, instead of a site that has an intersection of two arterial roads, this site is on an arterial intersecting with two collector roads; this site is the size typically associated with arterial road intersections.
- The area needs a quality, neighborhood oriented Auto service provider.
- The proposed user, Honest-1, is a relatively small operation having only four bays on each side of the building (8 total) with quality landscaping to be planted providing both screening of the bays and site as well as blending with other quality landscaped commercial and office buildings in the area.
- Access will be provided by the mutual access drive on the north side of the building (and paralleling Virginia) with access via two existing curb cuts (one about 80' to the west of the site and one at the existing median break in Virginia about 180' to the east of the site; thus, there is no direct vehicular access from the site to the mutual access drive to the south side of the property.
- The Franchisee has proposed an attractive and inviting brand new prototype architectural design.
- Honest-1, as a relatively new entry in the Auto Service arena, was selected by the Franchisees for its Environmental sensitivity and inviting / welcoming approach to its customer base. Interesting, data has indicated that 66% of auto service is initiated by women customers (frequently mothers with children) who need and want a close, friendly, and neighborhood oriented service provider. We have provided a companion summary of the Honest-1 company philosophy and summary services provided; these further validate that the use is appropriate for the site.
- While employment may be viewed as an economic impact rather than as a zoning matter, the truth is that as a community, McKinney needs to foster our economy with good jobs and local business. Honest-1 will be employing about 10 people initially and up to 15 as the business grows. These will be good positions, requiring varying degrees of skill, thus allowing employees to grow and progress upwardly. Small, quality businesses are the backbone of the local economy.

As a matter of information, an amended plat on the 1.76 acres will be subsequently divided into two lots, one for the proposed Honest-1 use and the remaining approximately 43,000 SF (about an acre) into a second lot. This letter of intent, along with the respective Application forms and companion documents are being submitted electronically by email. If staff needs further documentation, please advise.

Relative to other potential issues, we are providing the following information, possibly in advance of when required, but we have worked through many project details and want the City to be aware of all of our thoughts and project plans:

- Landscape screening allows three options: 1) solid masonry screening fence with landscaping; 2) a combination tubular steel (wrought iron appearance) with columns and landscaping; 3) landscaping only, but meeting required heights within 18 months as shown on approved landscape plan. It is our strong desire to have the third option.....landscaping only. First, we do not want the project to have a barrier image with a solid masonry fence which we do not believe contributes any positives to the project. Second, as the respective landscaping grows, the wrought iron type fence will become engulfed and be of no consequence except for being a visible fence for the year or so and then being overtaken by planting growth. Thus, it is our plan to provide an enhanced landscape which will be superior to the fence / landscape combination in this location. We want and expect the landscaping to be viewed and enjoyed both internally and externally. Our landscape plan, when required will illustrate the quality aspect and contribution to the attractiveness of the overall commercial project. We are simply advising of the desired direction at this time and will illustrate full implementation on the landscape plan when required in the submittal process. If desired, we will be pleased to submit a conceptual schematic of landscape concepts ahead of the normal required submission.
- Overnight storage: Consistent with what we understand to be precedent from Staff, we do not propose to have or need any overnight storage parking spaces; we do note that the submitted concept site plan shows the site has 5 spaces more than required, thus we are not shorting parking. As a matter of corporate policy, all vehicles are to be picked up before closing. We acknowledge that occasionally a client will fail to pick up a vehicle before closing; in such cases, it is policy to put the vehicles in a bay overnight and allow morning pickup. The average ticket time for Honest-1 is one hour, so almost all vehicles are picked by or before closing. The reality is Honest-1 does not use or need dedicated overnight storage spaces. Having stated this position, as noted above, the site is over-parked by 5 spaces and has enough unused land along the south mutual access easement that an additional 3 to 4 parking spaces could be incorporated on the north side of the south E-W mutual access easement if ever needed, but we do not believe they will be used and would rather landscape that area.
- Separate loading / delivery space:

Justification 1 to not have - While our building plan is currently at 5202 SF, Honest-1 provides an oversized waiting area with plush leather chairs, an internet café, and a dedicated children's entertainment (cartoons, etc). This area is well over the typical and has nothing to do with normal auto service space requirements, thus we believe that a minimum of 225 SF of space should be removed from the calculation of square footage for the purposes of threshold building size to require a dedicated loading / delivery space. Additionally, the fire riser room in the prototype will not be used. While it could be eliminated from the plans, such space deletion would cost more than leaving it; therefore it will become an empty space that does not contribute to the business use and should be reduced from the calculation of square footage for the purposes of threshold build-to size relative to the required loading / delivery space. As a further explanation, virtually all of the deliveries for Honest-1 are from local parts suppliers or by Honest-1 employees. Vehicles for this purpose are normal pick-up or panel trucks or Fed-Ex type deliveries that are quick drop-offs which do not use large dedicated loading zones. Since the non-auto service business square footage noted above reduces the auto service building space to under 5000 SF, the loading / delivery zone is not required.

Alternate Provision of Loading Space (12 X 35) Explanation – In analyzing galleys options on the subject site and after reviewing the approval of the new Mercedes-Benz site plan and dedicated loading space, we have submitted a revised Site / SUP Plan that shows the 12 X 35 loading space as co-existing within the west side drive access to bays and the dumpster. The dumpster will only be emptied 2 or 3 times a week and each dumpster emptying process takes less than two minutes. The four adjacent bay doors are only access by Honest 1 staff; there is no parking on the drive isle and the drive is accessed only from the north, thus there is no customer or public use of the drive. Therefore dual use considering the lack of conflicts appears to be a positive solution.

In summary, we believe that this proposal is a quality project for the project site and for McKinney. We have taken steps to assure the project blends into the fabric of the existing development and is not just a needed service, but will be positive for the site and area.

We are anticipating that an amended plat will quickly follow zoning and SUP approval. It is anticipated that a building permit will be applied for within a month or two after the plat is recorded. Attached with this LOI are:

1. Zoning application
2. Subject site legal description
3. Conceptual Site Plan
4. Building elevations
5. Corporate Philosophy for Honest-1 and Summary of Services

I will be pleased to respond to any questions Staff may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald E. Paschal, Jr." with a stylized flourish at the end.

Donald E. Paschal, Jr.  
Turrentine Family Partnership, LTD  
Partner and Property Ownership Representative