

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Pickett, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Additional Fuel Pumps and Car Wash, Located on the Southwest Corner of Westridge Boulevard and Independence Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the February 3, 2015 meeting.

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**STAFF RECOMMENDATION:** Staff recommends denial of the proposed specific use permit due to close proximity of the subject property to single family residential uses.

**However, the applicant is requesting approval of the following:**

1. A motor vehicle fuel sales facility fueling up to 14 vehicles at one time shall be permitted on the subject property.
2. A car wash shall be permitted in connection with a motor vehicle fuel sales facility on the subject property.
3. The property shall generally develop in accordance with the attached site layout exhibit.

**APPLICATION SUBMITTAL DATE:** November 10, 2014 (Original Application)  
November 24, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting a specific use permit (SUP) to increase the maximum number of motor vehicle fuel dispensers from four (4) to seven (7) in order to increase the maximum number of vehicles that can be fueled at one time from eight (8) to fourteen (14) vehicles. Additionally, the applicant is requesting a specific use permit to allow a car wash on the subject property, located on the southwest corner of Westridge Boulevard and Independence Parkway.

In 1997, the subject property was zoned for neighborhood business uses as part of a larger development through "PD" – Planned Development District Ordinance No. 97-06-

036. At that time, Staff believed that the intersection was appropriate for a 12-acre neighborhood retail service district, however felt that the appropriate scope of uses should be limited to those uses that can provide the surrounding neighborhood with convenient services, without creating an adverse impact on the quality of life within the residential areas that they are designed to serve.

On December 9, 2014, the Planning and Zoning Commission voted 7-0-0 to continue the public hearing and table the item to the January 13, 2015 Planning and Zoning Commission meeting per the applicant’s request.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2001-08-087 (Commercial Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2001-02-024 (Commercial Uses)	Village Park Subdivision and Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2001-08-087 (Commercial Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2001-08-087 (Single Family Residential Uses)	Eagle’s Nest at Westridge Subdivision
West	“PD” – Planned Development District Ordinance No. 2001-08-087 (Commercial Uses)	Undeveloped Land

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

- Compatibility with adjacent and neighboring land uses.
- Adaptability of building structures to the proposed use.
- Infrastructure requirements: roads, sidewalks, access to public streets, parking, and drainage.

- Elements such as screening, open space, building heights, and compatibility of existing buildings to the proposed use.

Staff has evaluated the request based on the above mentioned parameters and feels that the increased vehicular traffic generated by the proposed additional fueling positions or proposed car wash may negatively impact existing or future single family residences in close proximity to the subject property.

**FUELING STATIONS AND CAR WASH:** In the “BN” – Neighborhood Business District, four vehicles can fuel at one time regardless of the location of those pumps and eight (8) vehicles can fuel at one time if the pumps are located within 350’ of the intersection of two arterial roadways as shown on the Thoroughfare Plan (Westridge Boulevard and Independence Parkway). A specific use permit may be approved to allow motor vehicle fuel sales with facilities to fuel additional vehicles at one time for facilities which do not conduct major automotive repairs, body and fender work, or automobile painting. The applicant is proposing seven (7) fueling pumps, which can allow fourteen (14) vehicles to fuel at one time. Additionally, within the “BN” district, a specific use permit may be approved for a car wash so long as it is in conjunction with a motor vehicle fuel sales facility. The car wash must be fully automatic, and may only accommodate one vehicle at a time.

**IMPACT ON EXISTING DEVELOPMENT:** Currently, the property to the west/southwest of the commercial corner is platted for single family residential development, and the property directly to the south has an approved site plan for a daycare. The property to the east is currently developed as a single family residential subdivision, while the property to the north is designated for future commercial (approximately 12 acres) and single family residential (approximately 18 acres) uses.

Staff has concerns with the proposed fuel pump increase and associated car wash in such close proximity to single family residential uses. The proposed car wash structure is approximately 130 feet from closest single family residential lot to the west/southwest of the subject property, and approximately 260 feet from the single family residential development to the east; while the proposed gas pumps are approximately 240 feet from the single family residential development to the southwest, and approximately 200 feet from the single family residential development on the east side of Independence Parkway. Though the property is zoned for commercial uses, the intent is for low intensity, neighborhood uses. Two of the four corners at the intersection of Independence and Westridge are developed as single family residential uses, while the remaining two corners are zoned for both neighborhood commercial and single family residential uses. As such, the intersection is more suitable for neighborhood-scale retail next to single family residential which does not include higher intensity automotive uses such as a car wash and addition fueling pumps. Given these factors, Staff recommends denial of the proposed specific use permit.

**SITE LAYOUT:** The attached exhibit provides a general layout of the proposed fuel station. The site circulation, parking, loading, screening, sanitation, and landscaping requirements are in general conformance with the Zoning Ordinance. If this specific use permit request is approved, the applicant will be required to receive approval of an associated site plan and landscape plan package meeting all regulations stipulated in the Zoning Ordinance and governing Planned Development District Ordinance No. 2001-08-087, prior to issuance of a building permit.

**ACCESS/CIRCULATION:**

Adjacent Streets: Independence Parkway, 120' Right-of-Way, Major Arterial

Westridge Boulevard, 120' Right-of-Way, Major Arterial

**ARCHITECTURAL STANDARDS:** The applicant will be responsible for meeting the requirements of Section 146-139 Architectural and Site Standards of the City of McKinney Zoning Ordinance.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has six letters in support of this request.

**ATTACHMENTS:**

- PZ Minutes 12.09.14
- Location Map and Aerial Exhibit
- Letter of Intent
- Letters of Support
- Proposed Site Layout Exhibit
- Distances Exhibit
- PowerPoint Presentation