

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Steven Duong, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by American Auto Spa, on Behalf of Lett Lane Group L.L.C., for Approval of a Request to Rezone Less than 1 Acre from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the Northwest Corner of Custer Road and Westridge Boulevard

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 15, 2014 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. The subject property shall develop in accordance with Section 146-85 “BG” – General Business District, and as amended, except as follows:
 - a. Prohibited uses:
 1. Residential Uses
 2. Auto painting or body shop
 3. Automobile trailer, light truck, tool rental
 4. Automobile, motorcycle, boat (sales, repair, or storage)
 5. Bait Shop
 6. Building material sales or monument sales
 7. Bus station
 8. Cleaning plant, laundry
 9. Creamery (dairy products)
 10. Farm implement sales and service
 11. Frozen food lockers
 12. Funeral homes and mortuaries
 13. Garage, auto repair
 14. Halfway house
 15. Pawnshops
 16. Railroad track or right-of-way

17. Recreational vehicle sales
18. Sexually oriented business

2. The character of any car wash facility on the subject property shall generally conform to the attached renderings, as shown on "Proposed Architectural Renderings", and shall also be subject to the Architectural and Site Standards section of the Zoning Ordinance.
3. Canopy trees shall be planted at a rate of one (1) tree per 30 linear feet of street frontage with a minimum caliper of 5" (measured 6" above the ground).

However, the applicant is also requesting two additional special ordinance provisions of which Staff recommends denial of:

4. The required landscape buffer for a single lane, fully automated car wash use along Custer Road shall be reduced from 20 feet to 10 feet.
5. Bays or bay doors in conjunction with a single lane, fully automated car wash shall be permitted to be oriented towards Custer Road street frontage.

APPLICATION SUBMITTAL DATE: February 24, 2014 (Original Application)
March 11, 2014 (Revised Submittal)
March 13, 2014 (Revised Submittal)
March 18, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 0.63 acres of land, located on the northwest corner of Custer Road and Westridge Boulevard from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards and allowed uses on the property.

The governing planned development ordinance for the subject property generally permits uses allowed by the "BN" - Neighborhood Business District. The applicant has requested to rezone the property to a base zoning district of "BG" - General Business District with a list of prohibited commercial uses typically allowed within the district, and to modify the development standards (landscaping and bay door orientation) with the intent to construct a single lane, fully automated car wash on the subject property.

ZONING NOTIFICATION SIGNS: The applicant has posted zoning notification signs on the subject property, as specified within Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2001-02-024
(Neighborhood Business Uses)

North	“PD” – Planned Development District Ordinance No. 2001-02-024 (Neighborhood Business Uses)	Surfton Place Retail Center
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South	City of Frisco	Meadowbrook Animal Hospital
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East	“PD” – Planned Development District Ordinance No. 2003-02-015 (Golf Course Uses)	West Ridge Golf Course
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West	“PD” – Planned Development District Ordinance No. 2001-02-024 (Neighborhood Business Uses)	Kids R Kids Daycare
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PROPOSED ZONING: As stated above, the applicant has requested that commercial development on the subject property develop in accordance with the “BG” - General Business District standards, while removing several uses that the City Council has indicated previously to be less desirable along the Custer Road corridor. Additionally, the applicant has requested to modify some of the development standards for the property including modifications to the number and size of the required street trees, a reduction in landscape buffer along Custer Road, and the orientation of bays and bay doors towards street frontage, with the intent to construct a car wash on the subject property.

The governing planned development ordinance for the subject property, and directly adjacent uses to the north and west of the subject property, generally permits uses allowed in the “BN” - Neighborhood Business District. With the adjacent land use designation being lower intensity than the requested “BG” – General Business District for the subject property, the applicant has requested to remove certain uses that may be less compatible with the adjacent existing uses. Given that the subject property is on the corner of two arterial roadways, Custer Road (Principle Arterial) and Westridge Boulevard (Major Arterial), and that the surrounding land uses are currently utilized for commercial use, Staff is not opposed to the requested change in zoning designation.

Furthermore, Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance states that no proposed PD District may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. In an effort to meet this requirement, the applicant has requested a special ordinance provision increasing the required landscaping from one (1) tree per 40 linear feet of

street frontage to one (1) tree per 30 linear feet of frontage, in addition to increasing the tree caliper from 4" to 5" (measured 6" above the ground).

Additionally, the applicant has provided six architectural renderings to which the character of any car wash facility constructed on the property must generally conform to. Section 146-139 of the Zoning Ordinance requires a minimum of 50% masonry materials on commercial buildings; however, the applicant has shown a car wash facility with 100% masonry finishing materials and a tile roof. As the proposed landscaping and architectural renderings exceed the minimum requirements of the Zoning Ordinance, Staff feels that the PD requirement ensuring exceptional quality has been satisfied.

However, the applicant is also requesting two additional special ordinance provisions of which Staff recommends denial of, detailed further below.

The applicant is requesting a reduction in the required landscape buffer along Custer Road to be reduced from 20 feet to 10 feet. Section 146-135 (Landscape Requirements) of the Zoning Ordinance requires that all non-residential parcels adjacent to a major thoroughfare provide a minimum twenty foot landscape buffer adjacent to the right-of-way. Staff acknowledges that the subject property is limited in size, but is of the opinion that landscape buffers along major arterial roadways (and in this particular case a principle arterial) should be preserved at the required 20 feet and, as such, recommends denial of the requested special ordinance provision.

Lastly, the applicant has requested that bays or bay doors be allowed to be oriented towards Custer Road (as shown on the site plan included in the packet for informational purposes only). Section 146-132 (Fences, walls, and screening requirements) of the Zoning Ordinance requires that bays in any retail district shall be oriented away from the street frontage. Staff acknowledges that this requirement could be a challenge on a property with dual street frontage; however, the Zoning Ordinance specifically prohibits this orientation and, as such, Staff recommends denial of the provision.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for commercial uses. The FLUP modules diagram designates the subject property as suburban mix within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed rezoning request is generally in conformance with the goals and objectives of the Comprehensive Plan. In particular, the proposed zoning change would help the community attain the goal of "land use patterns that optimize and balance the tax base of the city" through the stated objective of the Comprehensive Plan, "Land Use Compatibility and Mix".

- Impact on Infrastructure: The proposed rezoning request should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for similar commercial uses. The proposed rezoning request will not alter the commercial designation from what has been planned for the subject property.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base commercial zoning designation of the subject property.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of commercial land uses in the area.

CONFORMANCE TO THE MASTER PARK PLAN (MPP): The proposed rezoning request does not conflict with the Master Park Plan.

CONFORMANCE TO THE MASTER THOROUGHFARE PLAN (MTP): The proposed rezoning request does not conflict with the Master Thoroughfare Plan.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments or phone calls in support of or opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Zoning Exhibit
- Proposed Architectural Renderings
- Proposed Site Plan (Informational Only)
- PowerPoint Presentation