

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 a Specific Use Permit Request for a Restaurant with Drive-Through Window, Located on the South Side of Eldorado Parkway and Approximately 700 Feet East of Ridge Road

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the April 7, 2015 meeting.

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

However, the applicant is requesting approval of the following:

1. Restaurant with drive-through window shall be an allowed use.
2. The site shall generally develop in accordance with the attached site layout exhibit.

APPLICATION SUBMITTAL DATE: December 15, 2014 (Original Application)
January 13, 2015 (Revised Submittal)
January 26, 2015 (Revised Submittal)
January 28, 2015 (Revised Submittal)
March 9, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting a specific use permit (SUP) to allow a restaurant with drive-through window on the subject property. The applicant is proposing to construct a 2,043 square foot structure, including a drive-through window on the east side of the proposed building.

The subject property is currently zoned "PD" – Planned Development District Ordinance No. 98-11-59, and allows for a restaurant with a drive-through window, subject to the approval of a specific use permit by the City Council. The applicant has attached an exhibit for the proposed development depicting the general site layout.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2003-02-015 (Commercial Uses)	Market Street and Prosperity Bank
South	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 98-08-41 (Single Family Residential Uses)	Pine Ridge Estates Subdivision
West	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail 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 level of vehicular traffic and close proximity of the drive-through window on the east side of the building may negatively impact the existing single family residences directly adjacent to the subject property.

ACCESS/CIRCULATION:

Adjacent Streets: Eldorado Parkway, 120' Right-of-Way, 4-Lane Greenway Arterial

SITE LAYOUT: The attached exhibit provides a general layout of the proposed restaurant. The site circulation, parking, screening, and sanitation requirements are in general conformance with the Zoning Ordinance. If this specific use permit request is approved, the applicant will be required to submit and receive approval of a site plan, meeting all regulations stipulated in the Zoning Ordinance and governing Planned Development District Ordinance No. 98-11-59, prior to issuance of a building permit.

IMPACT ON EXISTING DEVELOPMENT: Currently, the properties to the south and west are undeveloped, designated for future retail development. More specifically, the property to the west is also requesting a specific use permit for a restaurant with a drive-through window (14-332SUP). The lot to the north is currently developed as Market Street grocery store and Prosperity Bank, and the property to the east is zoned and built for single family residential homes (Pine Ridge Subdivision).

Staff has concerns with the proposed drive-through lane and window in such close proximity to single family residential uses. The proposed point of order and pick-up window are approximately 70 feet and 65 feet, respectively, from the closest single family residential lots to the east of the subject property (see attached Distances Exhibit). While Staff feels that a restaurant may be appropriate in this location given the commercial nature of the intersection and Eldorado Parkway frontage, Staff has concerns with the proximity, location, and orientation of the drive-through menu board and window facing the single family residential development to the east. Given these factors, Staff recommends denial of the proposed specific use permit.

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. Architectural building elevations are subject to review and approval by the Chief Building Official, prior to issuance of a building permit.

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

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Existing PD Ordinance No. 98-11-59
- Distances Exhibit
- Proposed Site Layout Exhibit
- PowerPoint Presentation