

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Matt Robinson, AICP, Planning Manager

FROM: Eleana Galicia, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to allow for Additional Fueling Pumps for a Service Station with a Convenience Store (7-Eleven), Located on the Southwest Corner of Wilmeth Road and Lake Forest Drive

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the December 6, 2016 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, should the specific use permit request be approved, the applicant is requesting approval of the following special ordinance provisions:

1. A motor vehicle fuel sales facility fueling up to 12 vehicles at one time shall be permitted on the subject property.
2. The property shall generally develop in accordance with the attached site layout exhibit.

APPLICATION SUBMITTAL DATE: September 12, 2016 (Original Application)
September 26, 2016 (Revised Submittal)
October 10, 2016 (Revised Submittal)
October 24, 2016 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting a specific use permit (SUP) to allow for an increase in the maximum number of motor vehicle fuel dispensers from eight to twelve to increase the number of vehicles that can be fueled at one time.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
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Subject Property	“PD” – Planned Development District Ordinance No. 2003-06-060 (Commercial Uses)	Undeveloped Land
North	“BG” – General Business District (Commercial Uses)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2003-06-060 (Single Family Residential Uses)	Summit View Lake Subdivision
East	“AG” – Agricultural District (Agricultural Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2003-06-060 (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 pumps and the close proximity of the fueling station and associated storage tanks may negatively impact the existing single family residences located south of the subject property.

FUELING STATIONS: The existing zoning on the subject property (“PD” – Planned Development Ordinance No. 2003-06-060) contains a base zoning of “BN” – Neighborhood Business. In the “BN” – Neighborhood Business District, motor vehicle fuel sales are limited to the fueling of no more than four (4) vehicles at one time regardless of the location of the pumps and can allow the fueling of up to eight (8) vehicles at one time if the pumps are located within 350’ of the intersection of two arterial roadways as shown on the Thoroughfare Plan (Wilmeth Road and Lake Forest Drive). 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 six (6) fueling pumps, which can allow twelve (12) vehicles to fuel at one time.

IMPACT ON EXISTING DEVELOPMENT: Currently, the properties located north and west are undeveloped and are zoned for similar commercial uses, the properties located east of the subject property are undeveloped and zoned for agricultural uses, and the properties located south of the subject property are developed with single family residential uses.

Staff has concerns with the proposed fuel pump increase in such close proximity to single family residential uses located south of the subject property. As proposed in the site layout exhibit the closest fueling pump to the southern property line is approximately 64 feet and the underground storage tanks are approximately 18 feet from the southern property line. In Staff's opinion, the orientation of the building and the location of the fueling station and associated storage tanks do not mitigate the potential impacts of the use, such as noise and visibility. Although the subject property is zoned for commercial uses, the Neighborhood Business District is intended for low intensity, neighborhood commercial uses. As such, the subject property is more suitable for neighborhood scale retail next to single family residential uses, and should be limited in the number of fueling pumps. Given these factors, Staff recommends denial of the proposed specific use permit to allow for additional fueling pumps.

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. 2003-06-060 prior to issuance of a building permit.

ACCESS/CIRCULATION:

Adjacent Streets: Wilmeth Road, 120' Right-of-Way, Major Arterial

Lake Forest Drive, 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 received three letters in opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent

- Letters of Opposition
- Proposed SUP Exhibit
- PowerPoint Presentation