

PLANNING & ZONING COMMISSION MEETING OF 4/23/2013 AGENDA ITEM #13-046SP

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Leo Bethge, Planner

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Turrentine Family Partnership, for Approval of a Site Plan for a Restaurant with Drive-Through Window, Being Less than 1 Acre, Located Approximately 400 Feet East of Jordan Road and on the South Side of Virginia Parkway.

**APPROVAL PROCESS:** The Planning and Zoning Commission is the final approval authority for the proposed site plan.

---

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed site plan with the following conditions:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.
2. The applicant receive approval of the proposed architectural elevations, for all four sides of the proposed development, to be compatible with surrounding buildings and be finished in a manner that blends with or is consistent with the balance of said building.

**APPLICATION SUBMITTAL DATE:** February 25, 2013 (Original Application)  
March 11, 2013 (Revised Submittal)  
March 14, 2013 (Revised Submittal)  
March 25, 2013 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 779 square foot restaurant with drive-through window (Bahama Bucks), along with a 519 square foot outdoor covered patio seating area, located approximately 400 feet east of Jordan Road and on the south side of Virginia Parkway. An associated specific use permit (13-028SUP) to allow a restaurant with drive-through window was approved for the subject property at the April 16, 2013 City Council meeting.

**PLATTING STATUS:** An associated amending plat (13-070AP) was submitted for the property to provide additional easements necessary for the development of the

property. The plat must be filed for record with the County Clerk prior to issuance of a Certificate of Occupancy.

**SURROUNDING ZONING AND LAND USES:**

Subject Property: “PD” – Planned Development District 2005-12-132 (Commercial and Office Uses)

North	“PD” – Planned Development District Ordinance No. 99-07-53 (Office Uses)	Green Path Debt Solutions
South	“PD” – Planned Development District Ordinance No. 2002-06-55 (Office Uses)	Undeveloped
East	“PD” – Planned Development District Ordinance No. 2005-12-132 (Commercial and Office Uses)	Undeveloped
West	“PD” – Planned Development District Ordinance No. 2005-12-132 (Commercial and Office Uses)	McKinney Finish Line Carwash

Discussion: The proposed restaurant with drive-through window is allowed on the subject property per specific use permit (SUP) ordinance 2013-04-038.

**ACCESS/CIRCULATION:**

Adjacent Streets: Virginia Parkway, 120’ Wide Right-of-Way, Major Arterial (M-6D)

Discussion: The proposed site plan reflects access to Virginia Parkway. The site is accessible by a north-south 24’ public access/fire lane easement, and indirect access to Jordan Road to the west, by an east-west 24’ public access/fire lane easement.

**PARKING:**

Proposed Use:	Restaurant Use (1,298 square feet)
Required Number of Spaces:	One Parking Space for Every 150 Square Feet of Floor Area
Total Required:	9 Parking Spaces
Total Provided:	12 Parking Spaces (Including 1 Handicapped Space)

Discussion: The applicant has provided five standard parking stalls north of the restaurant, plus seven angled parking stalls and one-way drive to access the site and egress to the drive through. The applicant has satisfied the minimum parking requirements as specified per Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

**LOADING SPACES:** No loading spaces are required for the proposed development as specified per Section 146-131 (Off-Street Loading) of the Zoning Ordinance.

**SOLID WASTE CONTAINERS:** The sanitation container screening walls will be brick, stone masonry or other architectural masonry finish, including a metal gate, primed and painted, and the sanitation container screening walls, gate, and pad site will be constructed in accordance with the City of McKinney Design Specifications. The applicant has provided the required notation on the proposed site plan.

**LANDSCAPING REQUIREMENTS:** The applicant has satisfied the minimum landscape standards per Section 146-135 (Landscape Requirements) of the Zoning Ordinance.

**SCREENING REQUIREMENTS:** The applicant has provided the required notation stating that all mechanical, heating, and air conditioning equipment shall be screened from the public right-of-way and from adjacent residential properties. The applicant has properly screened the sanitation container and has satisfied the minimum requirements as specified per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

**LIGHTING AND GLARE REGULATIONS:** The applicant will be responsible for complying with Chapter 58 (Lighting and Glare Regulations) of the City of McKinney Code of Ordinances. The applicant has provided the required notation stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances on the site plan.

**ARCHITECTURAL STANDARDS:** The governing Planned Development District Ordinance No. 99-07-53 requires elevation drawings for all sides of the development be submitted and approved by the Planning & Zoning Commission, as part of the site plan approval process. It is the intent of this PD that buildings constructed on this tract be compatible. In addition, all sides of the buildings constructed in this tract must be finished in a manner that blends in and is consistent in design for all building elevations. Staff feels the proposed elevations meet the intent of the aforementioned PD standards based on the use of brick and stone in a consistent manner on all sides of the building and by providing architectural continuity among the other buildings in this tract.

Even though the applicant submitted proposed elevation drawings so that Staff and the Planning and Zoning Commission could review these standards, the applicant is still responsible for submitting a full elevations package to the Building Inspections Department. At that time, the elevations must meet the requirements of Section 146-

139 (Architectural and Site Standards) of the City of McKinney Zoning Ordinance and the governing planned development district ordinance as well as meeting the minimum point score for non-residential/non-industrial projects, subject to the review and approval by the Chief Building Official.

**TREE PRESERVATION ORDINANCE:** The applicant will need to submit an Affidavit of No Trees to the City Landscape Architect, certifying the site is clear of trees. The affidavit will need to be approved by the City Landscape Architect prior to any development permits being issued for the site.

**PUBLIC IMPROVEMENTS:**

- |                       |  |
|-----------------------|--|
| Sidewalks:            | Required along Virginia Parkway  |
| Hike and Bike Trails: | Not applicable   |
| Road Improvements:    | All road improvements necessary for this development, and as determined by the City Engineer |
| Utilities:            | All utilities necessary for this development, and as determined by the City Engineer         |

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the accompanying plat, unless otherwise specified in an approved facilities agreement.

**DRAINAGE:** The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

**FEES:**

- |                            |  |
|----------------------------|--|
| Roadway Impact Fees:       | Applicable (Ordinance No. 2008-10-173) |
| Utility Impact Fees:       | Applicable (Ordinance No. 2008-10-174) |
| Median Landscape Fees:     | Not applicable                         |
| Park Land Dedication Fees: | Not applicable                         |
| Pro-Rata:                  | Not applicable                         |

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed site plan.

**ATTACHMENTS:**

- Standard Conditions for Site Plan Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Site Plan
- Proposed Landscape Plan
- Proposed Architectural Elevations
- PowerPoint Presentation