

PLANNING & ZONING COMMISSION MEETING OF 11-12-13 AGENDA ITEM #13-199SUP

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Gleinser, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Allen-Correll Engineering, on Behalf of HJR Partners, L.P., for Approval of a Specific Use Permit Request to Allow a Restaurant with Drive-Through Window, Being Fewer than 2 Acres, Located Approximately 300 Feet East of Stonebridge Drive and on the North Side of Eldorado Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the December 3, 2013 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the requested specific use permit with the following special ordinance provision:

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:** September 23, 2013 (Original Application)  
October 22, 2013 (Revised Submittal)  
October 25, 2013 (Revised Submittal)  
November 7, 2013 (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 11,185 square foot structure, of which 5,985 square feet shall be retail uses, and the remaining 5,200 square feet will be for restaurant uses, including a drive-through window on the west side of the proposed building and an outdoor patio on the east side, located approximately 300 feet east of Stonebridge Drive and on the north side of Eldorado Parkway.

The subject property is currently zoned "PD" – Planned Development District Ordinance No. 97-06-036, 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 NOTIFICATION SIGNS:** Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance states that all zoning changes or amendments, including zoning, rezoning, amendments to Planned Developments, meritorious exceptions to the architectural standards, specific use permits and the like shall be required to post zoning change signs. The applicant has posted the required zoning notification signs on the subject property, as specified within Section 146-164 of the City of McKinney Zoning Ordinance.

**SURROUNDING ZONING AND LAND USES:**

Subject Property: “PD” – Planned Development District Ordinance No. 97-06-036 (Commercial Uses)

North	“PD” – Planned Development District Ordinance No. 97-06-036 (Commercial Uses)	Undeveloped Land
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South	“PD” – Planned Development District Ordinance No. 2005-11-114 (Commercial Uses)	Undeveloped Land
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East	“PD” – Planned Development District Ordinance No. 97-06-036 (Commercial Uses)	Undeveloped Land
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West	“PD” – Planned Development District Ordinance No. 97-06-036 (Commercial Uses)	7-Eleven Convenience Store and Gas Station
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Discussion: Retail and restaurant uses are allowed on the subject property; however, a restaurant building with a drive-through window is not allowed by right and requires approval of a specific use permit (SUP), per Planned Development District Ordinance No. 97-06-036.

**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 site is appropriate for the proposed use and is compatible with existing or future developments on the adjacent properties.

**ACCESS/CIRCULATION:**

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

Discussion: The subject property is proposed to take direct access off Eldorado Parkway and indirect access via a mutual access drive to Stonebridge Drive.

**SITE LAYOUT:** The attached exhibit provides a general layout of the proposed restaurant. 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 the associated site plan and landscape plan package (13-201SP), meeting all regulations stipulated in the Zoning Ordinance and governing Planned Development District Ordinance No. 97-06-036, prior to issuance of a building permit.

**IMPACT ON EXISTING DEVELOPMENT:** Currently, the lots to the north, south and east are undeveloped, designated for future commercial development. The lot to west is currently developed as a 7-Eleven convenience store and gas station.

With frontage along Eldorado Parkway, Staff feels the proposed restaurant with drive through window will be compatible with the existing and future surrounding commercial uses. Staff does not anticipate that the specific use permit request would have a negative impact on existing or future developments in the area.

**ARCHITECTURAL STANDARDS:** The applicant has indicated that the finishing materials for the proposed building will be primarily masonry. 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
- Proposed Site Layout Exhibit
- PowerPoint Presentation