

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Jennifer Cox, AICP, Director of Planning

**FROM:** Brandon Opiela, Senior Planner

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by QuikTrip Corporation, on Behalf of Oakwood Village Apartments, for Approval of a Request to Rezone Approximately 7.48 Acres from "C" – Planned Center District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Allow the Additional Use of a Truck Stop and Modify the Development Standards, Located on the Northeast Corner of Wilmeth Road and U.S. Highway 75 (Central Expressway).

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the October 18, 2011 meeting.

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**STAFF RECOMMENDATION:** Staff recommends denial of the proposed rezoning request due to a lack of conformance with the City of McKinney's Comprehensive Plan.

**APPLICATION SUBMITTAL DATE:** July 25, 2011 (Original Application)  
August 8, 2011 (Revised Submittal)  
August 9, 2011 (Revised Submittal)  
August 10, 2011 (Revised Submittal)  
August 11, 2011 (Revised Submittal)  
August 15, 2011 (Revised Submittal)  
August 26, 2011 (Revised Submittal)  
August 31, 2011 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to rezone approximately 7.48 acres of land, located on the northeast corner of Wilmeth Road and U.S. Highway 75 (Central Expressway) from "C" – Planned Center District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" - Corridor Commercial Overlay District, generally to allow a truck stop use and to modify the development standards.

The applicant is proposing a planned development district that modifies the allowed uses to allow a truck stop, limits the number of diesel fueling stations and truck parking spaces, and prohibits showering facilities and overnight truck parking on the subject

property. The applicant has indicated that the proposed QuikTrip Travel Center will operate similarly to the existing QuikTrip Travel Centers in Hutchins, Texas (Wintergreen Road and IH-45) and Fort Worth, Texas (Everman Parkway and IH-35W). Pictures from the QuikTrip Travel Center in Fort Worth have been attached to the report.

Additionally, the applicant has submitted a separate request for a variance to the signage ordinance, asking to increase the sign pole height from a maximum of 35 feet to a maximum of 65 feet, and to increase the square footage of the sign area from a maximum of 150 square feet per side to a maximum of 225 square feet per side. This variance request is not a part of the zoning request; however, the applicant has indicated the increase in signage height and square footage is a critical component of the site, and will go before City Council on October 18, 2011.

**PLATTING STATUS:** The subject property is currently unplatted. A record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a building permit.

**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: "C" – Planned Center District (Commercial Uses) and "CC" – Corridor Commercial Overlay District (High Rise Subzone)

North	"C" – Planned Center District (Commercial Uses) and "CC" – Corridor Commercial Overlay District (High Rise Subzone)	Undeveloped
South	"C" – Planned Center District (Commercial Uses) and "CC" – Corridor Commercial Overlay District (High Rise Subzone)	Undeveloped
East	"C" – Planned Center District (Commercial Uses) and "CC" – Corridor Commercial Overlay District (High Rise Subzone); "ML" – Light Manufacturing District (Industrial Use)	Blockbuster Distribution Warehouse and Undeveloped
West	"C" – Planned Center District (Commercial Uses) and "CC" – Corridor Commercial Overlay District (High Rise Subzone)	High Pointe Church of Christ and Undeveloped

Discussion: The Schedule of Uses found in the City of McKinney Zoning Ordinance does not currently include a truck stop use. The definition of a truck stop, as found on Webster's Online Dictionary (see attached), is "a commercial facility that provides fuel, parking, and usually food and other services to long-haul trucks." Staff is of the opinion that a truck stop use would more closely align with uses allowed in an industrial district than uses allowed in the current zoning designation of "C" – Planned Center District. The Zoning Ordinance defines the purpose of the "C" – Planned Center District as providing for "high-intensity concentrations of shopping and related commercial activities along regional highways or large arterial roadways." Since the property is currently designated for retail/commercial uses by the governing zoning district, a truck stop cannot be located on the property unless the proposed rezoning request is approved.

### **ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 75, Variable Width Right-of-Way, Major Regional Highway

Wilmeth Road, 120' Right-of-Way, Ultimate 6-Lane Major Arterial

Discussion: Based on Engineering Staff's review of the layout, separation of the passenger car and semi-trailer truck traffic will benefit the on-site circulation for this type of land use. While the proposed layout does not allow for the complete separation of passenger and semi-trailer trucks (combined vehicle access points are provided on both U.S. Highway 75 and Wilmeth Road frontage), the use of a hooded left turn on Wilmeth Road does reduce some of the combined traffic movements in and out of the site. Staff would not typically encourage the use of a hooded left in such close proximity to a major intersection; however, based on the intensity of the use, a hooded left turn will encourage separation of passenger cars and semi-trailer trucks which may reduce the amount of traffic/circulation related issues for the site. It is important to note that any median improvements, such as a hooded left turn, are not a part of the rezoning request.

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "C" – Planned Center District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District, generally to allow a truck stop use and to modify the development standards.

As stated above, the applicant is proposing a planned development district that modifies the allowed uses on the property to allow a truck stop use, limits the number of diesel fueling stations and truck parking spaces, and prohibits showering facilities and overnight truck parking on the subject property. Although Staff agrees with the applicant that a truck fueling facility could benefit the community's existing and future industrial/warehouse base, Staff feels that the proposed truck stop use closely aligns with other similar uses only allowed in industrial districts such as shuttle services, truck sales/repair/storage, and truck parking lots, rather than uses found commonly in retail/commercial districts. Since the existing zoning district does not allow the proposed

use by right and the Future Land Use Plan designates the property for commercial uses, Staff feels that a truck stop use would be more appropriately located in an industrial district and thus recommends denial of the request to add the proposed use. In researching the allowed uses of some of our neighboring municipalities (Plano, Allen, Frisco, and Fairview), Staff has found that a truck stop use is not currently included in any of said municipalities' schedule of permitted uses chart.

Section 146-94 (PD - Planned Development District) of the City of McKinney's Zoning Ordinance states, "no proposed PD District ordinance may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. Exceptional quality or innovation could come in many forms including, but not limited to, enhanced landscaping, creative site or architectural designs, or some other innovative element(s)." The applicant has stated in the letter of intent that this provision is being met by providing additional landscaping such as sod on 22% of the site instead of the minimum 10% required, 2 Texas Ash trees and 6 Crape Myrtle trees at the truck parking space terminuses, and 9 additional Chinese Pistache trees between the truck fueling area and Wilmeth Road. It is important to note that although 22% of the site is proposed to be covered in landscaping, over 75% of the 7.48 acres (approximately 5.61 acres) will be covered in pavement, with the footprint of the proposed building only comprising approximately 2.2% of the total lot area. Due to the nature of the use, Staff feels that additional landscaping provided by the applicant is essential to help mitigate views of on-site semi-trailer truck traffic from adjacent roadways and will be critical as future surrounding properties look to develop their site in such close proximity to the proposed use.

The applicant has also stated, "the building represents the latest architectural design in convenience store facilities" and will utilize "exceptionally high quality building materials." It is important to note that since no building elevations are being attached to this rezoning request, the proposed planned development standards will not ensure that the proposed building will be of any higher quality or innovativeness than what the minimum architectural standards require.

The proposed rezoning request has provided site plan and landscape plan exhibits requiring the site to develop as shown on the plans. Per said exhibits, items such as additional landscaping, maximum number of truck fueling location and parking spaces, and truck scale location will be regulated as shown on the plan. The applicant has also requested that showering facilities and overnight parking be prohibited on the site. Staff is not in opposition to these restrictions, but feels that the enforcement of prohibiting overnight parking will be difficult for Staff to enforce.

Staff sees great potential for the future development of the northern section of the U.S. Highway 75 corridor, and feels that high quality development along the corridor is crucial to providing a visually appealing corridor for both passerby traffic and McKinney residents traveling around the City. Staff feels the proposed truck stop will not contribute to the attractiveness of the corridor, will negatively impact the future development of commercial sites in close proximity to the use, and may lead to additional similar requests from other commercial properties along the U.S. Highway 75 corridor wishing

to develop their property for industrial uses rather than the uses currently allowed in commercially zoned districts (see attached exhibit for properties currently zoned “C”-Planned Center District along the U.S. Highway 75 corridor). With that said, Staff recommends denial of the proposed rezoning request.

**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 Regional Commercial 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 not in conformance with some of the Comprehensive Plan Goals and Objectives. A main goal of the Comprehensive Plan is to provide “Attractive Urban Design Elements” through the stated objective of “U.S. 75 as an attractive corridor through appropriate urban design.” Another goal of the Comprehensive Plan is “Land Use Compatibility and Mix” through “Land use patterns that complement one another.” The U.S. Highway 75 corridor is our City’s primary gateway from the north and south, and Staff is of the opinion that the proposed rezoning request is in conflict with the Goals and Objectives of the Comprehensive Plan and feels the proposed truck stop use will not contribute to the attractiveness of the U.S. 75 corridor nor will the use complement any existing or future developments surrounding the subject property.
- **Impact on Infrastructure:** The subject property is designated for commercial uses on the Future Land Use Plan. The City’s water master plan, sewer master plan, and master thoroughfare plan are based on the anticipated land uses as shown on the Future Land Use Plan. Although the proposed use is not typically associated with standard commercial uses, the proposed rezoning request does not alter the base zoning district of the subject property and should have a minimal impact on the existing and planned water, sewer, and thoroughfare plans in the area. While Staff examined the impact that the proposed truck stop use would have on the public infrastructure in the area, it is not a determining factor in Staff’s recommendation of denial.
- **Impact on Public Facilities/Services:** The subject property is designated for commercial uses on the Future Land Use Plan. Similar to infrastructure, the public facilities and services are all planned for based on the anticipated land uses as shown on the Future Land Use Plan. Although the proposed rezoning request does not alter the base zoning district of the subject property and may have a minimal impact on public services, such as schools, libraries, parks and sanitation services; the Police Department has provided a memo (see attached) suggesting the rezoning request will have an impact on services such as public safety, requiring additional resources.

- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned “C” – Planned Center District for commercial uses and are currently undeveloped (see attached exhibit). The proposed rezoning request does not alter the base zoning district; however, the proposed truck stop use is not currently permitted in any zoning district. Staff is of the opinion a truck stop use would be most appropriate in an industrial district, since other similar uses such as shuttle services, truck sales and storage, and truck parking lots are currently only permitted in industrial districts. Industrial districts are inherently higher intensity and are generally located away from key corridors within the City such as U.S. Highway 75. Staff feels that the proposed truck stop use could have a negative impact on the developability of surrounding commercial tracts to the north, south, and east due to the intensity and nature of the proposed use. Staff feels that the approval of a request such as this may lead to additional similar requests from other commercial properties along the corridor.
- Fiscal Analysis: Staff feels that there will not be a significant change in the economic impact associated with the proposed rezoning request since it does not alter the base commercial zoning of the property. As such, Staff did not perform a fiscal analysis for this request.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of truck stop uses in the area as this use is not included in the Schedule of Uses in the Zoning Ordinance and therefore prohibited within City limits. Currently, the properties directly adjacent to the subject property are zoned “C” - Planned Center District which is designated for retail/commercial use. Staff has concerns that allowing a truck stop as an additional use on a property zoned “C” – Planned Center District may encourage other undeveloped properties along the U.S. Highway 75 corridor to submit similar rezoning requests to allow a truck stop use or other higher-intensity use that is considered inappropriate for a commercial zoning district.

**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 two letters of opposition to the request, which are attached, and has received no other comments or phone calls in opposition or support of this request.

**ATTACHMENTS:**

- Maps
- Letter of Intent
- Memo from McKinney Police Department
- Letters of Opposition
- Letter from Applicant to MISD

- Photos of QuikTrip Travel Center in Fort Worth, Texas
- Map of “C” – Planned Center District Zoned Properties
- Webster’s Definition of a Truck Stop
- Proposed Zoning Exhibit – Site Plan
- Proposed Zoning Exhibit – Landscape Plan
- Proposed Zoning Exhibit – Metes and Bounds
- PowerPoint Presentation