

Planning and Zoning Commission Meeting Minutes of September 26, 2017:

Chairman Cox stepped down on the following item # 17-032SUP due to a possible conflict of interest. Commission Member Mantzey continued the meeting.

17-032SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for Auto Parts Sales and Service (Omar's Wheels and Tires), Located at 1605 South McDonald Street

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed specific use permit. She stated that the applicant was requesting a specific use permit to allow auto parts sales and service (Omar's Wheels and Tires) located at 1605 South McDonald Street. Ms. Spriegel stated that Staff received a letter of opposition that was distributed to the Planning and Zoning Commission prior to the meeting today. She stated that the subject property is zoned "C3" – Regional Commercial District which allows for auto parts sales and service through the approval of a specific use permit (SUP). Ms. Spriegel stated that the specific use permit (SUP) requires additional consideration for specific uses to determine their appropriateness for the subject property and must be approved by the Planning and Zoning Commission and City Council. She stated that Staff had evaluated the request and feels that the site is not appropriate for the proposed auto parts sales and service use, as it will not remain compatible with the surrounding single family residential uses located to the north and east of the subject property. Ms. Spriegel stated that when City Council adopted the new districts, many auto-heavy uses were permitted in industrial districts only, and made specific use permits (SUPs) in commercial districts so the sites could be evaluated on a case-by-case basis. Ms. Spriegel stated that Staff had additional concerns that the

approval of this use could contribute to an overconcentration of similar automotive uses along State Highway 5 (McDonald Street), which would discourage an optimal development pattern of existing and future residential, retail, office, and community uses as envisioned in the State Highway 5 Corridor Study. She stated that within a one-mile radius of the subject property, there are currently eighteen similar automotive-related businesses operating along State Highway 5 (McDonald Street). Ms. Spriegel stated that these businesses include uses such as tire sales and installation, auto glass installation, auto body/repair, and car sales. She stated that the State Highway 5 Corridor Study designates this area as an Urban Transition Zone, which serves as a transition from a suburban character to the urban center. Ms. Spriegel stated that the preferred land uses in this zone include a mix of residential housing types with both neighborhood and regional office and commercial uses, as well as significant amounts of community facilities. She stated that Staff is of the professional opinion that the auto parts sales and service use would not remain compatible with existing and future surrounding land uses, and as such, Staff recommends denial of the proposed specific use permit. Ms. Spriegel offered to answer questions.

Alternate Commission Member McReynolds asked what type of things would be required at the site for this type of use at this point. He gave the example of landscape requirements. Ms. Spriegel stated that the applicant would be required to stripe parking spaces, add terminus islands with canopy trees at the end of each parking row, install a dumpster with a seven foot screening wall with evergreen shrubs, and install a screening wall and 10-foot landscape buffer with canopy trees along the property lines where they are adjacent to residential uses. She stated that these items are shown on the specific

use permit exhibit. Ms. Spriegel stated that since there is an existing building on the property, some items that were required for new construction were not required for this site.

Commission Member Cobbel asked if these items were tied to the specific use permit (SUP) or the certificate of occupancy (CO). Ms. Spriegel stated that these requirements would be finalized during the site plan process; however, they were required to be shown with the specific use permit (SUP) to show that it could work.

Commission Member Cobbel stated that she would have liked to have seen a list of allowable uses under the current zoning and a list of what uses require a specific use permit (SUP) included in the Staff Report.

Mr. Amr Abdelaty, Omar's Wheels and Tires, 106 E. University Drive, McKinney, TX, explained the proposed specific use permit. He stated that he was an owner of the Omar's Wheels and Tires on University Drive (U.S. Highway 380) in McKinney, TX. Mr. Abdelaty stated that he was looking forward to opening a second location in McKinney. He stated that they were going to resurface the asphalt in the parking lot on the subject property. Mr. Abdelaty stated that they were the only place in McKinney that sold and installed custom wheels and tires. He stated that the current location sold \$1,500,000 in sales. Mr. Abdelaty stated that the business would look nice inside and out. He stated that there is no mechanical work done. Mr. Abdelaty stated that they plan to spend approximately \$90,000 to refurbish the site. He stated that they plan to stay and grow their business there. Mr. Abdelaty asked for a favorable recommendation.

Commission Member McCall wanted to clarify that this would be a second location and they were not just relocating the business to a new location. Mr. Abdelaty stated

that there would be two locations in McKinney. He stated that they were very busy at their current location and need another location.

Commission Member Smith asked how long they had been at the University site. Mr. Abdelaty said two years.

Alternate Commission Member McReynolds asked if the University site was a remodel or new property. Mr. Abdelaty said it was a remodel. He stated that it was located at the corner of U.S. Highway 380 (University Drive) and Tennessee Street.

Alternate Commission Member McReynolds asked what type of changes were needed on the current building on the subject property. Mr. Abdelaty stated that they will have wheels on display. He stated that there was a lot of wood on the interior at this location that he would like to stain darker. Mr. Abdelaty stated that he plans to redo the floors, repaint the building, asphalt the parking lot, add landscaping, add an LED sign in the front, and add the required screening. Alternate Commission Member McReynolds asked if they were installing lighting for the property. Mr. Abdelaty stated that he had not been told about any lighting being required as of yet.

Commission Member Cobbel asked if their business sold custom tires and wheels, unlike a Discount Tire store. Mr. Abdelaty stated that the current location does lift kits for trucks. He stated that if this second location opens, he could send customers down the street to the first location if they are interested in a lift kit.

Commission Member Cobbel wanted to clarify that they would not be doing oil changes, automobile repair work, or other similar services. Mr. Abdelaty said no.

Commission Member Cobbel asked if they would be installing tires and wheels. Mr. Abdelaty said yes.

Commission Member Cobbel asked the applicant if he would be okay with removing certain uses allowed in the specific use permit (SUP) to limit the uses to what he had mentioned they would be doing at this site. She gave examples of removing oil changes and auto repair uses. Mr. Abdelaty stated that he would not have an issue with it.

Commission Member Smith asked what other things they would be doing at this site other than selling and installing tires and wheels. Mr. Abdelaty stated that they would be doing alignments.

Commission Member McCall wanted to clarify that they would not be doing the lift kits at this second location. Mr. Abdelaty stated that since they could be done at the first location on University that he did not mind agreeing not to do them at this second location. He stated that he could send the customers down to the other shop.

Commission Member Mantzey asked if they had any need for overnight parking at the property. Mr. Abdelaty stated that there would be one bay at this location. He stated that they could store two vehicles indoors, if necessary. Mr. Abdelaty stated that typically there would be no need for vehicles to stay overnight at their business.

Commission Member Mantzey opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Alternate Commission Member McReynolds, the Commission voted to close the public hearing, with a vote of 5-0-1. Chairman Cox abstained.

Alternate Commission Member McReynolds asked Staff if lighting would be required on the property. Ms. Spiegel stated that there would be lighting requirements that must be followed. She stated that would be detailed on the building plans.

Commission Member McCall asked if the adjoining neighbors were contacted about the proposed specific use permit. Ms. Spriegel said yes and that they had been sent notices.

Commission Member Cobbel asked Staff for their thoughts on limiting the uses allowed on the property. Mr. Lockley stated that if the Planning and Zoning Commission desires to refine the specific use permit (SUP) then we need to define what uses would be allowed on the property. He questioned if there would be anything stored in the rear of the property, adjacent to the residential neighbors.

Alternate Commission Member McReynolds asked if any of the Commissioners had an issue with them installing the lift kits at this site. Commission Member Cobbel stated that it would take away from the available bays.

Commission Member McCall asked if this would be going on to City Council for final approval. Ms. Spriegel said yes.

Commission Member Smith stated that she appreciated Staff's comments. She stated that the adjacent neighborhood did not voice any concerns about the request. Commission Member Smith stated that she liked the fact the applicant was already invested in McKinney. She stated that she was okay with the uses that the applicant stated they would do at this location; however, she would like to limit other uses on the specific use permit. Commission Member Smith stated that she would have liked to have seen a list of the allowable uses by right and which uses would need a specific use permit (SUP) on the property. She stated that it is extra work for Staff; however, it would be helpful.

Commission Member McCall stated that he would support this request with the stipulation that only the uses the applicant mentioned would be allowed.

Mr. Lockley stated that a motion in favor of the specific use permit (SUP) should state that it would be for the sale and installation of tires and wheels, alignments, and lift kits. Commission Member Mantzey asked that they include no outside overnight parking be allowed. He also suggested including language to address the concern about what would be stored towards the rear of the property.

Commission Member Cobbel wanted to clarify that the specific use permit was tied to the property or the business. Mr. Lockley stated that it stays with the property.

Alternate Commission Member McReynolds asked if there were ever any instances where a vehicle needed to stay overnight at the current business. Mr. Abdelaty stated that they had a situation about three months ago where the studs broke off and they had to keep the vehicle overnight inside the building.

Commission Member Mantzey asked the applicant if they store items in the rear of the property. Mr. Abdelaty said no.

Commission Member Cobbel asked the applicant if he was okay with limiting the specific use permit (SUP). Mr. Abdelaty said yes. He stated that they do not do oil changes or repair vehicles.

Alternate Commission Member McReynolds felt that the proposed improvements mentioned for the subject property would be a positive thing. He liked the fact that they already have another location in McKinney and are seeking to expand their business. Alternate Commission Member McReynolds stated that he agreed with stipulating the uses on the specific use permit as mentioned earlier.

Commission Member Mantzey stated that State Highway 5 (McDonald Street) would develop from the core of Downtown McKinney outward. He stated that it was a remodel of an existing building and not a new building.

Commission Member Cobbel stated that she was happy that the property being used.

On a motion by Commission Member Cobbel, seconded by Alternate Commission Member McReynolds, the Commission voted to recommend approval of the specific use permit as requested by the applicant with restricting the uses to limit Omar's Wheels and Tires to custom wheel and tire sales, installation, alignments, and lift kits and not allow any outside overnight parking or any outside storage in the rear of the property, with a vote of 5-0-1. Chairman Cox abstained.

Commission Member Mantzey stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 17, 2017.

Chairman Cox returned to the meeting.