

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 Gary C. Roper, for Approval of a Specific Use Permit Request for a Bed and Breakfast (The Red Gate Inn), Being Less than 1 Acre, Located on the Southwest Corner of Josephine Street and Church Street

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

STAFF RECOMMENDATION: Staff recommends approval of the requested specific use permit for a bed and breakfast, with the following special ordinance provision:

1. The property shall generally develop in accordance with the associated site layout exhibit.

Prior to the City Council meeting:

2. The applicant revise the site layout exhibit to ensure that all dimensions and labeling is legible.

APPLICATION SUBMITTAL DATE: September 23, 2013 (Original Application)
October 8, 2013 (Revised Submittal)
October 25, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting a specific use permit so that the existing residence, located at 811 North Church Street, can be utilized as a bed and breakfast facility (The Red Gate Inn). The applicant is proposing two guestrooms within the main house, built in 1920, with a future guestroom to be located above the adjacent detached garage.

The City of McKinney Zoning Ordinance requires that a specific use permit be granted in order for a bed and breakfast facility to be operated on the subject property.

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 public hearing notification signs on the subject property as specified Section 146-164.

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 in the immediate area
- 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 land uses of the adjacent properties.

SPECIAL ORDINANCE PROVISIONS: The following special regulations, found in Section 138-394 (Special Use Permits) of the City of McKinney Zoning Ordinance, shall apply to all specific use permits issued for bed and breakfast facilities:

1. All bed and breakfast facilities must be owner-occupied and managed at all times.
2. The maximum length of stay for any guest shall be 14 consecutive days in any one calendar month.
3. The maximum number of bedrooms that may be rented is five, unless the City Council specifically finds that the structure and tract on which it is located is of sufficient size to permit more bedrooms and that the same will adversely impact the surrounding properties.
4. Breakfast shall be the only meal served to paying overnight guests. No cooking facilities shall be permitted in any of the bedrooms.
5. One attached sign shall be permitted on the premises. Such signs shall not exceed four square feet in area, and shall not include the word "hotel" or "motel".

6. "Off-street" parking shall be provided equal to 1 parking space per guest bedroom and shall be screened from all streets. No parking shall be permitted in the front yard area.
7. The facilities shall meet all of the minimum requirements of the health department and shall conform in all respects to the requirements of the fire code, building code, electrical code and plumbing code.
8. All such facilities shall be responsible for the collection of the city hotel/motel tax.
9. All City health officers, building inspectors, the Fire Marshal and his assistants and other code enforcement officials of the City of McKinney shall have the right to go on any premises for which a specific use permit for a Bed and Breakfast facility has been issued during normal business hours for the purpose of verifying compliance with this ordinance and all other applicable ordinances of the city.

SURROUNDING ZONING AND LAND USES:

Subject Property: "RS 60" – Single Family Residential District (Single Family Residential Uses)

North	"RS 60" – Single Family Residential District (Single Family Residential Uses)	Single Residence	Family
South	"RS 60" – Single Family Residential District (Single Family Residential Uses)	Single Residence	Family
East	"RS 60" – Single Family Residential District (Single Family Residential Uses)	Single Residence	Family
West	"RS 60" – Single Family Residential District (Single Family Residential Uses)	Single Residence	Family

ACCESS/CIRCULATION:

Adjacent Streets: Church Street, 60' Right-of-Way, Residential Street
 Josephine Street, 50' Right-of-Way, Residential Street

Discussion: The residence takes access off of Josephine Street.

PARKING:

Proposed Use: Bed and Breakfast Facility (3 Guestrooms)

Required Number of Spaces: 1 Parking Space for Each Guestroom, Plus 2 Spaces for the Residential Use

Total Required: 5 Parking Spaces

Total Provided: 5 Parking Spaces (3 surface parking spaces and 2 enclosed parking spaces)

Discussion: The applicant has shown adequate parking on the site layout exhibit for the proposed bed and breakfast. Currently; however, only two garage spaces are available (satisfying the residential parking requirement), while the three remaining surface parking spaces required for the bed and breakfast guestrooms, will be constructed upon approval of the specific use permit. As each of the proposed parking spaces are constructed, the associated guestroom requiring the parking space will be permitted to be utilized for the bed and breakfast use. Subsequent to construction of said parking spaces, the applicant will have satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

SCREENING: Parking spaces for a bed and breakfast use are required to be screened from all streets. The two surface spaces proposed behind the residence will be screened by 3' tall evergreen screening shrubs (Dwarf Burford Holly), planted 3' on center along Josephine Street, and the single surface parking space on the north side of the detached garage (to be completed with the future guestroom above the detached garage) will be adequately screened from Josephine Street by the existing wood fence and 3' tall evergreen screening shrubs (Dwarf Burford Holly), planted 3' on center (as indicated on the proposed site layout exhibit).

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
- Photo of 811 N. Church Street
- Proposed Site Layout Exhibit
- PowerPoint Presentation