

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Matt Robinson, AICP, Planning Manager

**FROM:** Aaron Bloxham, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for an Auto Parts Store (Advanced Auto Parts), Located on the Northeast Corner of U.S. Highway 380 (University Drive) and Church Street

**APPROVAL PROCESS:** The action of the Planning and Zoning Commission for the proposed site plan may be appealed to the City Council.

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**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 a variance to reduce the landscape setback from 20 feet to 10 feet along the major thoroughfares (U.S. Highway 380 (University) and Church Street).

**APPLICATION SUBMITTAL DATE:** January 25, 2016 (Original Application)  
February 8, 2016 (Revised Submittal)  
February 11, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 7,590 square foot Indoor Auto Parts Store (Advanced Auto Parts) on 0.84 acres at the northeast corner of U.S. Highway 380 (University Drive) and Church Street.

Site plans can typically be approved by Staff; however, the applicant is requesting variances to reduce the landscape setbacks along major thoroughfares from 20 feet to 10 feet which must be considered and acted upon by the Planning and Zoning Commission. The requested variances are detailed further below.

**PLATTING STATUS:** The subject property is currently platted. An amending plat, 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 certificate of occupancy.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“ML” – Light Manufacturing District (Commercial Uses)	All Pro Auto & Tires
North	“ML” – Light Manufacturing District (Institutional Uses)	Life Path System
South	“PD” – Planned Development District Ordinance No. 2004-09-004 (Commercial Uses)	McKinney Autoflex and Pride Burger
East	“ML” – Light Manufacturing District (Industrial and Commercial Uses)	Extra Space Storage and the Tobacco Box
West	“BG” – General Business District (Commercial Uses)	Church’s Chicken

**ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 380 (University Drive), 175’ Right-of-Way, Regional Highway

Church Street, 110’ Right-of-Way, Minor Arterial

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

**LOADING SPACES:** The applicant has satisfied the minimum loading space requirements as specified within 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:** Per Section 146-135 (Landscape Requirements) of the ordinance, for non-residential and multiple family parcels, a minimum 20-foot landscape buffer adjacent to the right-of-way of any major thoroughfare is required. If unique circumstances exist which prevent strict adherence with this requirement, the planning and zoning commission may consider a granting of a variance during the site plan approval process to reduce the minimum 20-foot landscape buffer to a minimum of ten feet; provided that site design considerations have been incorporated to mitigate the impact of the variance. Unusual circumstances include, but are not limited to: insufficient lot depth or size of the existing lot, existing structures and drives, and floodplain and existing trees to be preserved.

The applicant is requesting to reduce the landscape setback from a minimum of 20 feet to a minimum of 10 feet along U.S. Highway 380 (University Drive) and Church Street, due to the odd lot configuration. The Zoning Ordinance states that a variance to the required screening may be granted if the Planning and Zoning Commission finds that:

- Unique circumstances exist on the property that makes application of this section unduly burdensome on the applicant;
- The variance will have no adverse impact on current or future development;
- The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
- The variance will have no adverse impact on the public health, safety and general welfare.

Staff feels that the proposed request to reduce the minimum landscape setback from 20 feet to 10 feet should not have an adverse impact for the site and the adjacent land uses. Additionally, unique circumstances exist due to the existing lot configuration and the large landscaped area within the right-of-way along U.S. Highway 380 and Church Street. The applicant has satisfied all other landscaping requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance, and as such, Staff recommends approval of the site plan and the associated development.

**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 in 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 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.

**TREE PRESERVATION ORDINANCE:** The applicant will be responsible for complying with the Tree Preservation Ordinance. The applicant has stated on a signed affidavit that there are no protected trees on the subject property **OR** submitted a tree survey, subject to review and approval of the City's Landscape Architect.

**PUBLIC IMPROVEMENTS:**

Sidewalks: Required along U.S. Highway 380 (University Drive) and Church Street

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. 2013-11-108)

Utility Impact Fees: Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118)

Median Landscape Fees: Not applicable

Park Land Dedication Fees: Not applicable

Pro-Rata: As determined by the City Engineer

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments in support of or in opposition to this request.

**ATTACHMENTS:**

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