

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Matt Robinson, AICP, Planning Manager

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Retail Building and Restaurant with Drive-Through Window (Chicken Express), Located on the Southeast Corner of State Highway 5 (McDonald Street) and Anthony Street

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

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 approval of a Design Exception to allow for an additional driveway off of a Pedestrian Priority "B" Street (McDonald Street).
3. The applicant receive approval of a Design Exception to not meet the minimum 50% building frontage requirement along a Pedestrian Priority "B" Street (Anthony Street) for Building B.
4. The applicant receive approval of a Design Exception to not meet the 65% transparent storefront window requirement on a facade along a Pedestrian Priority "B" Street (Anthony Street) for Building B.

APPLICATION SUBMITTAL DATE: February 23, 2015 (Original Application)
March 9, 2015 (Revised Submittal)
May 12, 2015 (Revised Submittal)
May 26, 2015 (Revised Submittal)
June 3, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 3,511 square foot retail building and a 3,725 square foot restaurant use with drive-through window (Chicken Express) on approximately 1.18 acres at the southeast corner of State Highway 5 (McDonald Street) and Anthony Street. Site plans within the "MTC" – McKinney Town Center Zoning District can be approved administratively by Staff; however, the applicant

has requested Design Exceptions to the architectural design and site layout. These items are discussed in further detail below.

PLATTING STATUS: The subject property is currently platted as Lot 1, Block A of the Linfer Addition and Lot 3, Block 14 of the Shorts Addition.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"MTC" – McKinney Town Center Zoning District (Transit Village Core – Office, Commercial and Residential Uses)	Undeveloped Land
North	"MTC" – McKinney Town Center Zoning District (Transit Village Core – Office, Commercial and Residential Uses)	Offices
South	"MTC" – McKinney Town Center Zoning District (Transit Village Core – Office, Commercial, Light Industrial and Residential Uses) and "BN" – Neighborhood Business	Duplex and Single Family Residences
East	"MTC" – McKinney Town Center Zoning District (Transit Village Edge – Office, Commercial and Residential Uses)	Single Family Residences and Iglecia Pentecostes Church
West	"MTC" – McKinney Town Center Zoning District (Downtown Core – Office, Commercial and Residential Uses)	Chestnut Square

ACCESS/CIRCULATION:

- Adjacent Streets: McDonald Street, 100' Right-of-Way, Pedestrian Priority "B"
- Anthony Street, 40' Right-of-Way, Pedestrian Priority "B"
- Wilcox Street, 40' Right-of-Way, Service Street
- Standifer Street, 40' Right-of-Way, Service Street

PARKING: The applicant has satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) 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: The applicant has satisfied all landscaping requirements of the “MTC” – McKinney Town Center Zoning District of the Zoning Ordinance.

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.

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.

BUILDING SITE AND DESIGN STANDARDS: Within the “MTC” – McKinney Town Center Zoning District, the Architectural and Site Standards (Section 146-139) of the Zoning Ordinance do not apply. The applicant is instead responsible for meeting the requirements of the Building Site and Design Standards of the MTC. With the submission of a site plan, the MTC requires that elevations are provided and approved with the site plan. As proposed, the site plan and building elevations do not meet the following Building Site and Design Standards of the MTC:

- Required 50% building frontage located at build-to-zone along a Pedestrian Priority “B” Street (Anthony Street) for Building B;
- Required 65% transparent storefront windows on ground floor facades along a Pedestrian Priority “B” Street (Anthony Street) for Building B;
- Driveways and off-street loading and unloading shall only be located with access from or frontage along a Service Street (Wilcox Street)

The applicant has requested Design Exceptions to these requirements, discussed further below.

DESIGN EXCEPTION: A Design Exception is a requested deviation from any Building Form and Site Development Standards, Building Design Standards, or Open Space Standards, beyond minor deviations specified in the Minor Modifications section of the

“MTC” – McKinney Town Center Zoning District. All requests for a Design Exception are forwarded to the Planning and Zoning Commission for discretionary approval.

In reviewing any site plan applications or Design Exception requests, the Planning and Zoning Commission shall use the following criteria:

- 1) The goals, intent, and vision of the adopted McKinney Town Center Master Plan;
- 2) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;
- 3) The extent to which the proposal provides public benefits such as usable civic and open spaces, livable streets, structured and/or shared parking, and linkages to transit;
- 4) The extent to which the proposal hinders future opportunities for higher intensity Town Center development; and
- 5) Considerations of health and welfare of the general public.

Staff feels that the requested Design Exception to not meet the required 50% building frontage along a Pedestrian Priority “B” Street (Anthony Street) achieves the intent of having the building pulled up to the street, while still allowing for some off-street parking to take place on the site.

For the requested Design Exception to the 65% transparent storefront windows, Staff feels that the building is still achieving the intended look called for in the MTC Standards and as such, should not hinder the development or redevelopment of properties in close proximity.

In regards, the requested Design Exception to allow an additional driveway to be located off a Pedestrian Priority “B” Street (McDonald Street), Staff feels that given the site constraints, the driveway provides better circulation and accessibility to and from the site and that it should not hinder development or redevelopment of properties in close proximity.

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance.

PUBLIC IMPROVEMENTS:

Sidewalks: Required along McDonald Street, Anthony Street and Wilcox Street. Sidewalks are existing along Standifer 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:

- PZ Minutes 05.26.15
- Standard Conditions for Site Plan Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Site Plan
- Proposed Landscape Plan
- Proposed Building Elevations
- PowerPoint Presentation