

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Pickett, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Restaurant with Drive-Through Window, Located Approximately 550 Feet East of Ridge Road and on the South Side of Eldorado Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the April 7, 2015 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the requested specific use permit with the following special ordinance provisions:

1. Restaurant with drive-through window shall be an allowed use.
2. The site shall generally develop in accordance with the attached site layout exhibit.

**APPLICATION SUBMITTAL DATE:** December 15, 2014 (Original Application)  
January 13, 2015 (Revised Submittal)  
January 26, 2015 (Revised Submittal)  
January 28, 2015 (Revised Submittal)  
March 9, 2015 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting a specific use permit (SUP) to allow a restaurant with drive-through window on the subject property. The applicant is proposing to construct a 3,196 square foot structure, including a drive-through window on the east side of the proposed building.

The subject property is currently zoned "PD" – Planned Development District Ordinance No. 98-11-59, and allows for a restaurant with a drive-through window, subject to the approval of a specific use permit by the City Council. The applicant has attached an exhibit for the proposed development depicting the general site layout.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2003-02-015 (Commercial Uses)	Market Street and Prosperity Bank
South	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 98-11-59 (Retail Uses)	Undeveloped Land

**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.
- 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 or future developments on the adjacent properties.

### **ACCESS/CIRCULATION:**

Adjacent Streets: Eldorado Parkway, 120' Right-of-Way, 4-Lane Greenway Arterial

**SITE LAYOUT:** The attached exhibit provides a general layout of the proposed restaurant. The site circulation, parking, screening, and sanitation requirements are in general conformance with the Zoning Ordinance. If this specific use permit request is approved, the applicant will be required to submit and receive approval of a site plan, meeting all regulations stipulated in the Zoning Ordinance and governing Planned Development District Ordinance No. 98-11-59, prior to issuance of a building permit.

**IMPACT ON EXISTING DEVELOPMENT:** Currently, the properties to the south, west, and east are undeveloped, designated for future retail development. More specifically, the properties to the east and west are also requesting a specific use permits for a restaurants with a drive-through windows (14-331SUP and 14-333SUP). The lot to the north is currently developed as Market Street grocery store and Prosperity Bank.

With frontage along Eldorado Parkway, Staff feels the proposed restaurant with drive-through window will be compatible with the existing and future surrounding commercial uses. Staff does not anticipate that the specific use permit request would have a negative impact on existing or future developments in the area.

**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.

**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
- Existing PD Ordinance No. 98-11-59
- Proposed Site Layout Exhibit
- PowerPoint Presentation