

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Steven Duong, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Texas Development Services, on Behalf of Victory 380 Investments, L.L.C., for Approval of a Site Plan for a Retail Store and Pharmacy with Drive Through (Walgreens), Being Fewer than 2 Acres, Located on the Northeast Corner of Lake Forest Drive and U.S. Highway 380 (University Drive)

**APPROVAL PROCESS:** The Planning and Zoning Commission is the final approval authority for the proposed site plan.

---

**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.

Prior to issuance of a building permit:

2. The applicant revise the site plan to indicate the location of the FDC on the site plan.
3. The applicant revise the site plan to show a landscape buffer of 20' along the west side of the property along Lake Forest Drive frontage.
4. The applicant revise the site plan to show the zoning district as "PD 2012-08-37".
5. The applicant revise the site plan to show and dimension two (2) 12' x 35' loading spaces.

**However, the applicant is requesting a variance to reduce a portion of the required 20' landscape buffer along Lake Forest Drive frontage (Condition #3 above) to approximately 15', which Staff is recommending denial of.**

**APPLICATION SUBMITTAL DATE:** December 16, 2013 (Original Application)  
January 23, 2014 (Revised Submittal)  
February 04, 2014 (Revised Submittal)  
February 12, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 15,750 square foot retail store and pharmacy (Walgreens) on 1.54 acres at the northeast corner of Lake Forest Drive and U.S. Highway 380 (University Drive). The applicant has also requested a variance to reduce the landscape buffer along Lake Forest Drive, which is discussed further below.

**PLATTING STATUS:** The subject property is currently unplatted. A record plat or plats, 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.

**SURROUNDING ZONING AND LAND USES:**

Subject Property: “PD” – Planned Development District Ordinance No. 2012-08-037 and “CC” – Corridor Commercial Overlay District (Commercial Uses)

North “PD” – Planned Development District Ordinance No. 2012-08-037 and “CC” – Corridor Commercial Overlay District (Commercial Uses) Undeveloped Land

South “PD” – Planned Development District Ordinance No. 2001-03-028 and “CC” – Corridor Commercial Overlay District (Commercial Uses) Valero Gas Station

East “PD” – Planned Development District Ordinance No. 2012-08-037 and “CC” – Corridor Commercial Overlay District (Commercial Uses) Undeveloped Land

West “PD” – Planned Development District Ordinance No. 2007-07-068 and “CC” – Corridor Commercial Overlay District (Commercial Uses) Baylor Medical Center of McKinney

**ACCESS/CIRCULATION:**

Adjacent Streets: US 380 (University Drive), Major Regional Highway

Lake Forest Drive, 120’ Right-of-Way, 6 Lane Major Arterial

Discussion: The proposed development will take access off of US 380 and Lake Forest Drive.

**PARKING:**

|                            |  |
|----------------------------|--|
| Proposed Use:              | Retail (15,750 square Feet)                        |
| Required Number of Spaces: | 1 Space per 250 Square Feet                        |
| Total Required:            | 63 Parking Spaces                                  |
| Total Provided:            | 63 Parking Spaces (Including 3 Handicapped Spaces) |

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

**LOADING SPACES:**

|                            |                             |
|----------------------------|-----------------------------|
| Proposed Use:              | Retail (15,750 square Feet) |
| Required Number of Spaces: | 2 Loading Spaces            |

Discussion: The applicant has provided an area on the north side of the building near the sanitation enclosures for two loading spaces; however, said loading spaces have yet to be labeled on the plan. Staff recommends the applicant revise the site plan to dimension and label two (2) 12' x 35' loading spaces, prior to the issuance of a building permit 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:** Section 146-135 (Landscape Requirements) of the Zoning Ordinance requires that all non-residential parcels adjacent to a major thoroughfare provide a minimum twenty foot landscape buffer adjacent to the right-of-way. The applicant is requesting a reduction in the required twenty foot landscape buffer along Lake Forest Drive to just over 15 feet in some areas. The Zoning Ordinance states that if unique circumstances exist which prevent strict adherence with the landscape buffer as required, the Planning and Zoning Commission may consider granting a variance during the site plan approval process to reduce the minimum twenty foot landscape buffer to a minimum of ten feet, provided that site design considerations have been incorporated to mitigate the impact of the variance. Unique circumstances,

according to the Zoning Ordinance, 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.

A traffic projection study was performed by the applicant which determined a deceleration lane would be necessary for the site along the Lake Forest Drive and U.S. Highway 380 frontages. With the additional right of way dedication needed for the deceleration lane, the applicant has stated that they are unable to meet the 20' landscape buffer along the entire frontage, being deficient up to 4.55 feet on the south end of the parking row that extends into the buffer.

**Staff feels that the additional right-of-way required for the deceleration lane is common to many retail developments and the resulting deficiency in the landscape buffer caused by the deceleration lane does not satisfy the unique circumstance provision outlined in the Zoning Ordinance and, as such, Staff recommends denial of the variance request.**

Should the requested variance be approved, the applicant will have satisfied all other landscaping requirements as specified in Section 146-135 (Landscape Requirements) 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. 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.

**PUBLIC IMPROVEMENTS:**

Sidewalks: Required along Lake Forest Drive

- Hike and Bike Trails: Required along US 380 (University Drive)
- 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. Detention for the site has not yet been evaluated. As such, detention may be required for this site during the civil review process.

**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