

**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 a Site Plan for Bob Tomes Ford Expansion, Located at 950 South Central Expressway

**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 approval of a request for a variance to allow the bay doors to be oriented towards street frontage;
3. The applicant receive approval of a request for a variance to reduce the landscape buffer from 20' to 10' along a portion of North Brook Drive; and
4. The applicant remove the variance notes from the site plan.

**APPLICATION SUBMITTAL DATE:** February 22, 2016 (Original Application)  
March 7, 2016 (Revised Submittal)  
March 10, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 25,712 square foot addition to an automobile sales and repair (Bob Tomes Ford) to expand the service and repair shop and add a car wash on 5.99 acres at the northwest corner of North Brook Drive and U.S. Highway 75.

Site plans can typically be approved by Staff; however, the applicant is requesting variances to orient bay doors towards street frontage and 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 as Lot 1R-1, Block P of the North Brook Addition Subdivision.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"C" – Planned Center District	Bob Tomes Ford
North	"C" – Planned Center District	Bob Tomes Used Cars
South	"PD" – Planned Development District Ordinance No. 2005-07-073 and "C" – Planned Center District (Commercial Uses)	Brandon Tomes Subaru and Cube Smart
East	"PD" – Planned Development District Ordinance No. 1998-05-31 and "C" – Planned Center District (Commercial Uses)	Just Brakes and Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 1994-01-02 (Residential Uses)	North Brook Estates

**ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 75, 350' Right-of-Way, Major Regional Highway  
 North Brook Drive, 100' Right-of-Way, Collector

**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 North Brook Drive, due to the existing conditions on the lot. 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, the current site exists in this configuration with the 10 foot landscape buffer along a portion of North Brook Drive. 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 applicant's request.

**SCREENING REQUIREMENTS:** Per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, Loading docks or structures, bays, and bay doors shall be screened from view from the public right-of-way, from adjacent residential property, and from adjacent non-residential property, other than industrial. Bays in any retail district or retail PD district shall be oriented away from the street frontage.

The applicant is proposing to have bays for the car wash and a service bay face North Brook Drive. 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 make application of specific items in this section (Sec. 146-132) 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 public health, safety, and general welfare.

Staff feels that the proposed orientation of the bay doors should not have an impact on the surrounding site and the proposed screening and distance from North Brook Drive will adequately screen the bays from the street frontage. As such, Staff recommends approval of the applicant's request.

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 all of the other 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 submitted a tree survey, subject to review and approval of the City's Landscape Architect.

**PUBLIC IMPROVEMENTS:**

Sidewalks:                                 Not Applicable

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