

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Leo Bethge, Planner

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Turrentine Family Partnership, Ltd., for Approval of a Specific Use Permit to Allow for a Restaurant with Drive-Through Window (Bahama Buck's), Being Less than 1 Acre, Located Approximately 400 Feet East of Jordan Road and on the South Side of Virginia Parkway.

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the April 16, 2013 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the requested specific use permit for a restaurant with a drive-through window, with the following special ordinance provision:

1. The site shall generally develop in accordance with the attached site layout exhibit.

APPLICATION SUBMITTAL DATE: February 25, 2013 (Original Application)
March 11, 2013 (Revised Submittal)
March 14, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 779 square foot restaurant with drive-through window (Bahama Buck's), along with a 519 square foot outdoor covered patio seating area, located approximately 400 feet east of Jordan Road and on the south side of Virginia Parkway.

The applicant is requesting a specific use permit (SUP) to allow a restaurant with drive through window on the subject property. The subject property is currently zoned "PD" Planned Development District No. 2005-12-132, which allows for a second 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, should the specific use permit be approved.

ZONING NOTIFICATION SIGNS: Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance states that all zoning changes or amendments,

including zoning, rezoning, amendments to Planned Developments, meritorious exceptions to the architectural standards, specific use permits and the like shall be required to post zoning change signs. The applicant has posted the required public hearing notification signs on the subject property as specified Section 146-164.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2005-12-132
(Commercial and Office Uses)

North	“PD” – Planned Development District Ordinance No. 99-07-053 (Office Uses)	Green Path Debt Solutions
South	“PD” – Planned Development District Ordinance No. 2002-06-055 (Office Uses)	Undeveloped
East	“PD” – Planned Development District Ordinance No. 2005-12-132 (Commercial and Office Uses)	Undeveloped
West	“PD” – Planned Development District Ordinance No. 2005-12-132 (Commercial and Office Uses)	McKinney Finish Line Carwash

Discussion: The proposed restaurant building is an allowed use on the subject property. However, a restaurant building with a drive-through window is not allowed by right and requires approval of a specific use permit (SUP), per Planned Development District Ordinance No. 2005-12-132.

SITE LAYOUT: The attached exhibit provides a general layout of the proposed Bahama Buck’s restaurant. The site circulation, parking, loading, screening, sanitation, and landscaping requirements are in general conformance with the Zoning Ordinance. If this specific use permit request is approved, the applicant will be required to receive approval of the associated site plan and landscape plan package (13-046SP), meeting all regulations stipulated in the Zoning Ordinance and governing Planned Development District Ordinance No. 2005-12-132 prior to issuance of a building permit.

IMPACT ON EXISTING DEVELOPMENT: Currently, the adjacent Lot 3 to the east is undeveloped, along with the lots adjacent to the south, designated for future office/commercial development. Both lots adjacent to the west and southwest, facing Jordan Road are developed with retail uses.

With frontage along Virginia Parkway, Staff feels the proposed restaurant with drive through window is in keeping with the intent of the governing planned development district, and is 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.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments either in opposition to or in support of the proposed specific use permit.