

DRAFT

10-082SUP/SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by O'Reilly Automotive, Inc., for Approval of a Specific Use Permit and Site Plan for an Indoor Automotive Parts Sales Building (O'Reilly Auto Parts), Approximately 0.78 Acres, Located on the West Side of Custer Road and Approximately 900 Feet North of Virginia Parkway.

Ms. Abra Nusser, Planner for the City of McKinney, gave the staff report and stated that the applicant is requesting a specific use permit on the subject property for an indoor auto parts sales use, O'Reilly Auto Parts. She stated that there are existing single family residential uses adjacent to the subject property on its north and west sides. Ms. Nusser stated that Staff recommends denial of the proposed specific use permit application due to the close proximity of the subject property to residential uses. She stated that should the Commission wish to approve the application, Staff can run through the conditions recommended at that time since they involve process and items to revise on the associated site plan. Mr. Ken Paxton, 5613 South Woodcreek Circle, McKinney, Texas, stated that noise and hours of operation are not an issue. He stated that vehicle testing or maintenance is prohibited in the parking lot and that hours of operation would be more limited than the other O'Reilly Auto Parts stores in McKinney. Paul Engel, 2045 West Woodlawn, Springfield, Missouri, explained the proposed site and stated that they have made changes to the proposed development that Staff was not made aware of. He stated that per a nearby resident's request, the masonry wall will be eight feet in height rather than six feet, delivery services

would be at normal business hours as per the City's ordinance, and the construction of the masonry wall would run concurrently with the overall site development as soon as possible. Ms. Jennifer Cox, Director of Planning for the City of McKinney, stated that if the Planning and Zoning Commission chooses to recommend approval of the proposed specific use permit and site plan, and the Planning and Zoning Commission would like to condition that an eight-foot fence be installed, that would be acceptable. Commission Member Lingenfelter asked if it would be a solid masonry wall. Mr. Engel answered yes. Ms. Cox asked for clarification on store hours. Mr. Engle stated that store hours would be from Monday through Friday from 8 a.m. to 8 p.m. and Saturday and Sunday from 8 a.m. to 6 p.m. Ms. Cox stated that Staff's comment regarding late hours was based on the two existing O'Reilly stores in the City of McKinney and stated that the advertised hours for those two stores are Monday through Saturday from 7:30 a.m. to 10 p.m. and Sunday 8 a.m. to 9 p.m. Mr. Engle stated that the hours of operation for the specific site would be Monday through Friday from 8 a.m. to 8 p.m. and Saturday and Sunday from 8 a.m. to 6 p.m. Chairperson Clark clarified that if the Planning and Zoning Commission approves the specific use permit and site plan, they could not regulate the store hours. Ms. Cox confirmed that Staff and the Planning and Zoning Commission could not regulate store hours. Commission Member Lingenfelter asked how O'Reilly handles deliveries. Mr. Engle stated that deliveries to the facility will be to the back of the O'Reilly building, and deliveries from the O'Reilly store to customers would be in small pick-up trucks. Mr. Jeremy Rogers, 9001 Roanoke Court, McKinney, Texas,

spoke in favor of the proposed specific use permit and site plan. He stated that his only concerns were the wall height, hours of operation, noise, and that no metal being visible from the roof. Chairperson Clark asked the applicant to address citizen concerns. Mr. Engle stated that the screening wall would be eight-feet tall and that it would match the proposed building. Ms. Cox stated that the citizen's concern was that the screening wall match the one abutting the subject property, which is a different material. Mr. Engle stated that he advised Mr. Rogers that O'Reilly is going by City regulations. Chairperson Clark asked Ms. Cox for clarification on what the City regulations were for the screening. Ms. Cox stated that the specific use permit application is discretionary and stated that the Planning and Zoning Commission could add other requirements to the recommendation in order to be comfortable recommending approval of the use, which can include increasing the screening wall height and changing its material. Vice-Chairperson Tate asked what kind of material the front of the building would have. Mr. Engle stated that the material would be dove gray brick with accentuating natural stone features. Vice-Chairperson Tate asked what material is between the columns. Mr. Engle stated that stone material, Gold Snap Dimensional Veneer, is between the columns. Ms. Cox read a portion of the existing planned development district ordinance that states that the proposed screening wall needs to be of a uniform look, meaning that the wall needs to be of the same material as the existing wall. She stated that the Planning and Zoning Commission could require it to be the same color as the existing wall but be of a different material. Commission Member Thompson asked the General

Manager if the proposed O'Reilly would generate eight to ten jobs and what the projected annual revenue for the store was. Mr. Jeff Jennings, 6653 McKinney Ranch Parkway, McKinney, Texas, answered yes to eight to ten jobs available and stated that the projected revenue was about \$1,500,000 annually. On a motion by Vice-Chairperson Tate, seconded by Commission Member Radke, the Commission voted 7-0 to close the public hearing. Commission Member Lingenfelter asked what the height of the trees along the screening wall would be at maturity. Mr. Engle stated that the trees would probably grow to be nine to 10 feet in height. Mr. Michael Quint, Senior Planner for the City of McKinney, stated that the definition of a canopy tree per the Zoning Ordinance is that they have a mature canopy of 25 feet or greater and stated that the trees should be at least 25 feet in height at time of maturity. On a motion by Vice-Chairperson Tate, seconded by Commission Member Thompson, the Commission voted 7-0 to recommend approval of the proposed specific use permit and site plan as conditioned in the staff report, plus an eight-foot wall adjacent to the single family residential along the north and west property lines of a uniform look to match the existing masonry wall. Chairperson Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on November 2, 2010.