



**19-0016SP**

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for an Automotive Repair and Service Station (Take 5 Oil Change), Located at the Northeast Corner of West University Drive (U.S. Highway 380) and Graves Street

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential, and open space)

**MEETING DATE:** July 23, 2019

**DEPARTMENT:** Planning

**CONTACT:** Derrick Rhys Wilson, Planner I  
Samantha Pickett, AICP, Planning Manager  
Jennifer Arnold, AICP, Director of Planning

**APPROVAL PROCESS:** The action of the Planning and Zoning Commission for the proposed site plan may be appealed to the City Council.

**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 to orient the overhead doors towards Graves Street.
3. The applicant revise the screening wall on the site plan to match the location shown on the landscape plan.

**APPLICATION SUBMITTAL DATE:** February 25, 2019 (Original Application)  
April 11, 2019 (Revised Submittal)  
April 23, 2019 (Revised Submittal)

May 21, 2019 (Revised Submittal)  
June 17, 2019 (Revised Submittal)  
June 28, 2019 (Revised Submittal)  
July 8, 2019 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 1,531 square foot automotive repair and service station (Take 5 Oil Change) on 0.68 acres at the northeast corner of W. University Drive (U.S. Highway 380) and Graves Street.

Typically, site plans can be approved by Staff; however, the applicant is requesting a variance to receive approval to orient overhead doors towards Graves Street. The variance request is detailed further below.

**PLATTING STATUS:** The subject property is currently platted as lots 1, 2, 3, 4, 15, 16, and 17 of the Free Methodist College Addition; however, an amending plat (17-0027AP) has been approved to create one lot for development.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"BG" - General Business District (Commercial Uses)	Undeveloped Land
North	"RS 84" - Single Family Residence District (Single Family Residential Uses)	Single Family Residence
South	"PD" - Planned Development District Ordinance No. 2013-07-069 (Commercial Uses)	Schlotzsky's Cafe, T-Mobile, SuperCuts, Apollo Dental
East	"BN" - Neighborhood Business District (Commercial Uses)	Bill Smith Cafe
West	"BG" - General Business District (Commercial Uses)	Lone Star Title Loans

**ACCESS/CIRCULATION:**

Adjacent Streets: W. University Drive (U.S. Highway 380), Variable Width Right-of-Way, Major Regional Highway/Multi-Modal Graves Street, 60' Right-of-Way, Collector Bailey Street, 50' Right-of-Way, Local

**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:** The applicant has satisfied all landscaping requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance.

**SCREENING REQUIREMENTS:** Per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, loading docks and bay doors in any retail district shall be oriented away from the street frontage. The applicant is requesting a variance to orient the overhead doors towards Graves Street. 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.

The applicant has proposed three overhead doors to be oriented toward Graves Street. The overhead doors are proposed to be approximately 120 feet away from the street, and will be obscured by a 6-foot tall tubular steel fence with masonry columns and a living screen, composed of Waxleaf Ligustrum and Podocarpus (3 feet in height at the time of planting, spaced 3 feet on center). Given the constraints of the site, with frontage on three rights-of-way (Graves, University, and Bailey), the overhead doors would be oriented toward right-of-way wherever the building is placed on site. As the applicant has oriented the overhead doors to the less heavily trafficked right-of-way and provided screening of the overhead doors, Staff has no objections to the proposed variance request.

**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.

**TREE PRESERVATION ORDINANCE:** The applicant will be responsible for complying

with the Tree Preservation Ordinance. The applicant submitted a tree survey, subject to review and approval of the City's Landscape Architect.

**PUBLIC IMPROVEMENTS:**

Sidewalks:	Required along W. University Drive (U.S. Highway 380), Graves Street, and Bailey Street
Hike and Bike Trails:	Not Required
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. 2017-02-021)
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.

**SUPPORTING MATERIALS:**

[Standard Conditions Checklist](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Proposed Site Plan](#)  
[Proposed Landscape Plan](#)  
[Presentation](#)