



**18-0015SUP3**

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automobile Sales, Repair, and Storage Uses (McKinney Dodge), Located at the Northwest Corner of Rockhill Road and U.S. Highway 75 (Central Expressway), and Accompanying Ordinance

**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:** April 16, 2019

**DEPARTMENT:** Planning

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

**APPLICATION SUBMITTAL DATE:** September 14, 2018 (Original Application)  
October 29, 2019 (Revised Submittal)  
January 10, 2019 (Revised Submittal)  
January 16, 2019 (Revised Submittal)  
February 1, 2019 (Revised Submittal)  
February 11, 2019 (Revised Submittal)

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the specific use permit.

**ITEM SUMMARY:** The applicant is requesting a specific use permit to allow for automobile sales, repair, and storage uses (McKinney Dodge) at the northwest corner of Rockhill Road and US Highway 75. The applicant is proposing to construct a 26,967 square-foot building for the dealership.

Although the current zoning on the subject property (RED-1 - Residential Estates District) does not allow for car dealerships, the proposed zoning district for the subject property (C3 - Regional Commercial District) requires that a specific use permit be granted in order for such uses to operate on the subject property. As part of the specific

use permit request, the applicant has submitted a site layout exhibit detailing the building and parking locations, as well as internal site circulation, landscaping details, and preliminary engineering plans. Also, the applicant is seeking a variance to waive the screening requirements for overhead doors oriented towards public right-of-way in retail districts.

The specific use permit request was tabled at the February 26, 2019 Planning and Zoning Commission meeting (5-0-1) per the applicant's request.

At the March 26, 2019 Planning and Zoning Commission meeting, Staff and the Commission did hear citizen concern primarily focused on erosion, flood management, noise, and lighting pollution. In response to the discussion, the applicant proposed to relocate a 6' tall screening wall from the westernmost side of the property to a location directly adjacent to the westernmost parking row. For more discussion details, please refer to the attached March 26, 2019 Planning and Zoning Commission minutes.

## **ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	"RED-1" - Residential Estates District (Single Family Residential Uses) and "CC" - Corridor Commercial Overlay District	Single Family Residence
North	"PD" - Planned Development District Ordinance No. 1830 (Medical Office and Hospital Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land
South	"C" - Planned Center District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Chrysler, Jeep, and Dodge of McKinney
East	"C" - Planned Center District (Commercial Uses), "BN" - Neighborhood Business District (Commercial and Office Uses), and "CC" - Corridor Commercial Overlay District	Whataburger, CVS Pharmacy, Fast Signs, ACE Cash Express, Employee Solutions, and Undeveloped Land
West	"RS 120" - Single Family Residence District (Single Family Residential Uses)	Westwood Park

**SCREENING REQUIREMENTS:** Per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, loading docks and bay doors are required to be screened from view of the public right-of-way and from adjacent non-residential properties. Also, bays in any retail district or retail PD district shall be oriented away

from the street frontage. Since the proposed bay doors are oriented towards Rockhill Road and U.S. Highway 75, the applicant is required to screen the proposed doors with either an approved screening device or an alternate screening device with approval of the Planning and Zoning Commission. Allowed screening devices per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance include the following:

- Brick masonry, stone masonry, or other architectural masonry finish;
- Tubular steel (primed and painted) or wrought iron fence with masonry columns spaced a maximum of 20 feet on center with structural supports spaced every ten feet, and with sufficient evergreen landscaping to create a screening effect;
- Living plant screen, upon approval by the Planning and Zoning Commission and/or City Council, depending on which body has the final approval authority as indicated in section 146-45(a)(2) through the site plan process; or
- Alternate equivalent screening, upon approval by the Planning and Zoning Commission and/or City Council, depending on which body has the final approval authority as indicated in section 146-45(a)(2) through the site plan process.

The applicant is proposing to plant canopy trees at a ratio of one tree per every 25 feet along Rockhill Road and U.S. Highway 75 to serve as an alternate screening device. This is an increase in the typical tree planting ratio of the Zoning Ordinance, which is one tree per every 40 feet. 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 proposed trees, planted every 25 feet, provides an alternate equivalent screening effect, which is keeping in the spirit of the zoning ordinance. The use of landscaping for screening along the street frontage has the additional benefit of blending in with the existing site design rather than creating an odd and disconnected feel with a section of wall being located at the street. Staff is of the opinion that the proposed density of trees (and the slope of the property away from the U.S. 75 street frontage) will adequately

screen the view of the overhead doors from the rights-of-way. Considering these factors, Staff recommends approval of the variance.

**SPECIFIC USE PERMITS:** When acting on a request for a specific use permit, the following factors should be considered:

- Compatibility with adjacent and neighboring land uses in the immediate area
- Adaptability of building structures to the proposed use
- Infrastructure requirements: roads, sidewalks, access to public streets, parking, and drainage
- Elements such as screening, open space, building heights, and compatibility of existing buildings to the proposed use

Staff has evaluated the request based on the above mentioned parameters and believes that the site is appropriate for the proposed use and is compatible with existing land uses of the adjacent properties. As such, Staff recommends approval of the specific use permit.

**IMPACT ON EXISTING DEVELOPMENT:** Staff does not anticipate that the specific use permit request would have a negative impact on adjacent developments.

**CONFORMANCE TO ONE MCKINNEY 2040:** A key aspect of the ONE McKinney 2040 Comprehensive Plan is to provide direction related to the desired development patterns and to inform decisions related to the timing and phasing for future infrastructure investments in the City. To assist in guiding these decisions, the Preferred Scenario and Land Use Diagram establishes distinctive districts, each with a clear intent and market focus that are reinforced through character-defining placetypes. In conjunction with the Preferred Scenario, there will be a series of district diagrams which outline the desired development patterns for each unique area of McKinney. Per the Preferred Scenario, the subject property is located in the Established Community District. General placetypes included in this district are Aviation, Employment Mix, Commercial Center, Neighborhood Commercial, Urban Living, Mixed-Use Center, Manufacturing & Warehousing, and Professional Campus. The subject property is currently identified as Professional Campus.

Although the proposed specific use permit does not align directly with the Future Land Use designation of the subject property, the city-wide decision making criteria included in the Plan provides some flexibility in determining if a proposed project is compatible and consistent with the plan overall. It is Staff's professional opinion that the proposed specific use permit meets the following decision-making criteria and is therefore compatible and consistent with the plan overall: helps McKinney achieve the Comprehensive Plan's Vision and Guiding Principles; Advances the District's (Established Community) intent; Demonstrates compatibility with the District's Identity

and Brand; Includes uses compatible with the Land Use Diagram; and Creates a positive fiscal impact for the City through the timeframe of the Plan (2040).

In addition to meeting a majority of the decision making criteria of the Comprehensive Plan, there are several other factors that Staff considered when determining the appropriateness of the proposed use at this location. Given that there is limited arterial access to the subject property, it may be difficult to facilitate meaningful commercial, retail, and office development in this location. Throughout the City's commercial core areas, retail, office, and other commercial developments thrive in locations at intersections with major arterial accessibility. Given the limited arterial accessibility, and the fact that the neighboring use is an automobile dealership by the same owner, development focused towards auto-related uses is reasonable for the subject property. The existing dealership to the south operates at full capacity, and generates noticeable overflow. Such an expansion to the existing dealership on the subject property better mitigates for the dealership's daily operations and provides meaningful commercial development on a mid-block tract of land. Due to these factors, Staff feels as though the proposed specific use permit request is compatible and consistent with the Comprehensive Plan and Future Land Use Diagram for the Established Community District.

#### **ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 75, Variable Width Right-of-Way, Major Regional Highway/Multi-Modal Rockhill Road, 40' Right-of-Way, Collector

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments or phone calls in support of or opposition to this request; however, citizen concern was expressed during the Planning and Zoning Commission meeting.

**BOARD OR COMMISSION RECOMMENDATION:** On March 26, 2019, the Planning and Zoning Commission voted 5-0-1 to recommend approval of the proposed specific use permit request. As part of the recommendation for approval, the Planning and Zoning Commission included the relocation of the 6' tall screening wall from the westernmost side of the property to a location directly adjacent to the westernmost parking row.

#### **SUPPORTING MATERIALS:**

[Draft PZ Minutes](#)  
[Location Map and Aerial Exhibit](#)  
[Letter of Intent](#)  
[Comprehensive Plan Maps](#)  
[Established Community District](#)  
[Placetype Definitions](#)  
[Proposed Ordinance](#)  
[Proposed Exhibits A-C](#)

## Presentation