



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 20-0003SUP2  
**Name:** Brandon Tomes Subaru  
**Type:** Ordinance  
**Status:** Approved  
**In control:** City Council Regular Meeting  
**On agenda:** 6/16/2020  
**Final action:** 6/16/2020  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automobile Sales, Repair, or Storage (Brandon Tomes Subaru), Located Approximately 870 Feet East of Hardin Boulevard and on the North Side of State Highway 121 (Sam Rayburn Tollway), and Accompanying Ordinance

### Indexes:

**Attachments:** 1. PZ Minutes, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Comprehensive Plan Maps, 5. Collin McKinney Commercial District, 6. Placetype Definitions, 7. PD Ord. No. 2018-12-081, 8. Elevation-Informational Only, 9. Proposed Ordinance, 10. Proposed Exhibits A-C, 11. Presentation

Date	Ver.	Action By	Action	Result
6/16/2020	1	City Council Regular Meeting	Close the public hearing	Pass
6/16/2020	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automobile Sales, Repair, or Storage (Brandon Tomes Subaru), Located Approximately 870 Feet East of Hardin Boulevard and on the North Side of State Highway 121 (Sam Rayburn Tollway), 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:** June 16, 2020

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Danielle R. Mathews, AICP, Planner II

**STAFF RECOMMENDATION:** Staff recommends denial of the proposed specific use permit due to the lack of conformance with the Comprehensive Plan and the vision for the Collin McKinney Commercial District of the Comprehensive Plan.

**However, if the applicant's request is approved, the following special ordinance provisions shall apply:**

1. The property shall generally develop in accordance with the attached site layout;
2. The property shall provide the required parking pursuant to Section 146-130 of the Zoning

Ordinance;

3. The property shall provide the required screening devices pursuant to Section 146-132 of the Zoning Ordinance;
4. The property shall provide the required fire protection features pursuant to the McKinney Fire Ordinance; and
5. The property shall provide the required landscaping pursuant to Section 146-135 of the Zoning Ordinance.

**APPLICATION SUBMITTAL DATE:** April 6, 2020 (Original Application)  
May 11, 2020 (Revised Submittal)

**ITEM SUMMARY:** The applicant requests a specific use permit to allow for Automobile Sales, Repair, or Storage (Brandon Tomes Subaru), located approximately 870 feet east of Hardin Boulevard and on the north side of State Highway 121 (Sam Rayburn Tollway).

The current zoning for the subject property ("PD" - Planned Development) requires that a specific use permit be granted for a car dealership at this site. As part of the specific use permit request, the applicant has submitted an exhibit, detailing building locations, parking, and ingress/egress points. Certain screening requirements have not yet been identified, and fire lanes, fire lane radii, and hose lay items must still be addressed.

Following the Planning and Zoning Commission meeting, the applicant submitted a revised specific use permit exhibit to address outstanding items from planning, landscaping, fire, and engineering. This revision does not yet fully address elements. However, should the specific use permit be approved, these items can be conditioned in the approval and will be addressed at site plan review.

**EXISTING ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" – Planned Development District and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
North	"GC" – Governmental Complex District (Governmental Uses)	McKinney ISD Stadium and Community Event Center
South	City of Allen	Undeveloped Land
East	"PD" – Planned Development District and "REC" – Regional Employment Center Overlay District (Commercial Uses)	Oncor Electric Delivery Company
West	"C" – Planned Center District and "PD" – Planned Development District (Light Manufacturing Uses)	Porsche McKinney Remote Service Center

**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; and
- Elements such as screening, open space, building heights, and compatibility of existing buildings to the proposed use.

In 2018, City Council had several discussions regarding concerns about the prevalence of auto-related uses along many of the city's major corridors. Ultimately, the Council approved amendments to the city's zoning ordinance to better support the following goals:

- Create consistency with older and newer zoning districts;
- Discourage the proliferation of automotive sales along major thoroughfares; and
- Preserve U.S. Highway 75 and State Highway 121 for uses that enhance McKinney's presence along these major corridors.

When considering compatibility of the proposed request with the adjacent and surrounding land uses,

the site's prominent visibility along SH 121, the vision of the ONE McKinney 2040 Comprehensive Plan, and the stated Council concerns regarding auto-related uses must also be considered. That said, it is Staff's professional opinion that the site should be preserved for uses that more closely align with the vision of the Comprehensive Plan and that better diversify the entertainment and commercial mix in the city.

As such, Staff feels that the site is not appropriate for the automotive dealership use, and we are unable to support the proposed specific use permit.

**IMPACT ON EXISTING DEVELOPMENT:** Staff does not anticipate that the specific use permit request will negatively impact 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. Per the Preferred Scenario, the subject property is located in the Collin McKinney Commercial District and is designated as the 'Entertainment Center' placetype. General placetypes included in this district are Entertainment Center, Mixed-Use Center, Professional Campus, and Urban Living.

- Guiding Principles: The proposed rezoning request is not in conformance with the Guiding Principle of "Diversity (Supporting our Economy and People)" established by the Comprehensive Plan. In particular, the proposed request does not allow "city leaders and decision-makers [to] focus attention and investment in each of the distinctive districts throughout the city, so each one can appeal to its targeted market and achieve the vision described in this plan".
- Land Use Diagram Compatibility: In evaluating development requests, the City should determine that a project meets the majority of the established criteria to be considered compatible with the Land Use Diagram. The proposed rezoning request is not in strict conformance with the Entertainment Center placetype of the Collin McKinney Commercial District. This rezoning request specifically does not meet the following criteria:
  - Help McKinney achieve the Comprehensive Plan's Vision and Guiding Principles;
  - Advance the District's intent;
  - Demonstrate compatibility with the District's identity and brand; and
  - Strengthen or create connections to activity centers within and beyond the District.

## **ACCESS/CIRCULATION:**

Adjacent Streets: State Highway 121 (Sam Rayburn Tollway), Variable Width Right-of-Way, Tollway Collin McKinney Parkway, 70-Foot Right-of-Way, Minor Arterial

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments in support of or opposition to this request.

**BOARD OR COMMISSION RECOMMENDATION:** On May 26, 2020, the Planning and Zoning Commission voted 5-2-0 in favor of the specific use permit request.