



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 18-0020SUP2, **Version:** 1

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Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automotive Repair and Service Uses (Valvoline), Located Approximately 415 Feet West of Walnut Grove Road and on the North Side of U.S. Highway 380 (University Drive), 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 4, 2019

**DEPARTMENT:** Planning

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

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

**APPLICATION SUBMITTAL DATE:** January 7, 2019 (Original Application)  
March 20, 2019 (Revised Submittal)  
April 11, 2019 (Revised Submittal)  
April 22, 2019 (Revised Submittal)  
April 30, 2019 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting a specific use permit to allow for automotive repair and service uses (Valvoline) located approximately 415 feet west of Walnut Grove Road and on the north side of U.S. Highway 380 (University Drive). The applicant is proposing to construct a 2,108 square-foot building.

Although the current zoning on the subject property (PD - Planned Development District Ordinance No. 2005-06-064) does not allow for automotive repair and service uses, the applicant has also requested to rezone the subject property (18-0096Z), which is being heard concurrently with this item. The proposed zoning district for the subject property ("C2" - Local Commercial District) requires that a specific use permit be granted in order for such uses to be operated 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.

Additionally, the applicant is seeking variances to orient the overhead doors towards public right-of-way, to use an alternate screening device to screen the said doors from the public right-of-way, and

to use an alternate screening device to screen from adjacent residential property.

In an associated item on tonight's agenda (19-0032Z), the same applicant is requesting to rezone an adjacent property from C - Planned Center District to C2 - Local Commercial District. It is important to note that the entitlements on the tract presently zoned C - Planned Center District allow for auto-related uses by right. However, if the request to rezone that tract from C - Planned Center District to C2 - Local Commercial District is approved, auto-related uses would no longer be allowed by right, but would require consideration of a Specific Use Permit (SUP).

Staff has considered all of these factors in our recommendation and feel comfortable that the rezoning and SUP request do not result in any increase to the amount of auto-related uses presently allowed for by right in this area. Furthermore, the SUP Subject Property is approximately 700 feet off the intersection of US 380 and Custer Road, which allows for the primary commercial corner to remain intact for future development. As well, Staff also feels that the applicants' request ultimately allows for an improved opportunity for other retail and service uses to develop in a more cohesive development pattern east of the SUP Subject Property. These properties to the east were also recently rezoned to C2 - Local Commercial District.

#### **ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	"PD" - Planned Development District Ordinance No. 2005-06-064 and "CC" - Corridor Commercial Overlay District (Retail Uses)	Brackeen Trailer Sales
North	City of McKinney Extraterritorial Jurisdiction (ETJ)	Walnut Grove Subdivision
South	"PD" - Planned Development District Ordinance No. 2003-02-015 and "CC" - Corridor Commercial Overlay District (Retail Uses)	Undeveloped Land
East	"C" - Planned Center District and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
West	"AG" - Agricultural District and "CC" - Corridor Commercial Overlay District (Agricultural Uses)	Brackeen Trailer Sales

**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. Also, said bays in any retail district shall be oriented away from the street frontage. Since the proposed bay doors are oriented towards U.S. Highway 380 (University Drive), the applicant is required to screen the proposed development 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 denser ratio of one tree for every 20 to 25 feet along U.S. Highway 380 (University Drive) with the addition of 6' tall evergreen shrubs and ornamental trees with wide crowns as an alternate screening device. Also, the applicant is proposing to utilize the existing tree line in the rear to serve as a screening device for the bay doors facing adjacent residential properties. 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 20 to 25 feet, provide a denser screening effect than the typical ratio of one tree every 40 feet. In combination with 6' tall evergreen shrubs and wide-crowned ornamental trees, the landscaping acts to screen the property from multiple viewpoints and different heights. Given that the proposed screening stretches a short section of approximately 135 feet along the street frontage, it has the additional benefit of blending in with the proposed site design rather than creating an odd and disconnected feel with a section of wall being located at the street. Regarding the proposed alternate screening device for bay doors facing residential property, Staff believes that utilizing the existing tree line will adequately screen said bay doors. In sum, Staff is of the opinion that the proposed landscaping features will adequately screen the view of the overhead doors from the right-of-way and adjacent residential properties. As such, Staff recommends approval of the variance requests.

**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 at this location. Such uses are appropriate given the adjacency to a major regional highway (U.S. Highway 380, with depths of 750 to 1,000 feet typically preserved for non-residential development along major highways to serve as a buffer between residential developments and rights-of-way. As such, Staff recommends approval of the proposed specific use permit request.

**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 Northridge District. General placetypes included in this district are Commercial Center, Neighborhood Commercial, Suburban Living, and Estate Residential.

Although the proposed specific use permit does not align directly with the Comprehensive Plan, there are numerous factors that warrant this item to be an appropriate use at this location within the confines of the Comprehensive Plan. Even though this area calls for uses in accordance to the Estate Residential placetype, the request for commercial development is reasonable respective to the surrounding commercial developments and uses. Additionally, with the property adjacent to a major regional highway, commercial uses on this property will provide an appropriate transition and buffer between the intense traffic of U.S. Highway 380 and the single family residences to the north that are envisioned in the Estate Residential placetype while also providing commercial and retail amenities for the residents in the district. Although this project is not in strict conformance with the Land Use Diagram, the proposed project is in line with the intent and criteria and should be deemed compatible with the Preferred Scenario.

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

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Width Right-of-Way,  
Major Regional Highway

**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 14, 2019, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed specific use permit request.