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City of McKinney
401 E. Virginia St.
McKinney, Texas 75069
972-547-7500

RE: Letter of Intent – Specific Use Permit (SUP) Request for ±5,500 SF Multi-Tenant Retail Building with Drive-Thru

9105 W University Dr, McKinney, TX 75071
Parcel Number: R-12879-00H-0030-1

Existing Zoning: PD: PLANNED DEVELOPMENT , Proposed use: C2 – Local Commercial

Dear Planning Department,

This Letter of Intent is submitted in support of a Specific Use Permit (SUP) request for a proposed ±5,500-square-foot, single-story, multi-tenant retail building on an approximately 0.961-acre undeveloped site located within the City of McKinney. The property is zoned **PD (Planned Development)**, and we are proposing a use consistent with **C2 – Local Commercial**.

The proposed development is part of a larger **11.62-acre mixed-use commercial project** located along **US-380**, with over **1,500 feet of highway frontage**. The site layout includes two anticipated tenant spaces:

- A national **Quick Service Restaurant (QSR)** with a **single-lane drive-thru** (Group A-2 occupancy)
- Additional tenant space(s) expected to fall under **Group B (Business)** or **Group M (Mercantile)** classifications

The building will be delivered as a **cold-dark shell**, with supporting site improvements including parking, landscaping, and vehicular circulation.

The proposed site plan includes off-street parking adjacent to a residential property. A Design Exception to the Residential Adjacency Buffer requirement is requested and is detailed later in this Letter of Intent.

Justification for the Specific Use Permit

Under the existing **PD: PLANNED DEVELOPMENT** zoning, **C2 – Local Commercial** use, restaurants with and without drive-thru features are permitted with criteria. However, per City of McKinney development regulations, an **SUP is required** in this case **due to the drive-thru's proximity to the adjacent residential zoning**.

The proposed drive-thru lane is located at the **rear of the building**, and several measures have been incorporated into the site design to mitigate any potential impacts on nearby residential properties, including:

- A **landscape buffer** along the rear property line (12' high Canopy trees) that provides visual and noise separation from residential areas.
- An **existing 8' tall masonry wall** along the rear property line that provides visual and noise separation from residential areas.
- An **over 66' distance from the point of order and speaker box**, which mitigates the impact of any noise. All conversations from the speaker box will be inaudible to the adjacent residential areas.
- **No heavy drive-thru** is expected for the future QSR tenant, which mitigates the impact of any noise.
- **Limited business hours** for the future QSR tenant (10am-10pm), which mitigates the impact of any noise.
- An **over 48' distance from the drive-thru lane** to the adjacent residential property, which mitigates the impact of any noise.

The drive-thru is a key component of the QSR tenant's operations and is essential for the viability of this retail building. Its inclusion aligns with the commercial nature of the area and the expected customer demand along the highway 380 corridor.

Why the SUP Is Appropriate for the Subject Property

This SUP is appropriate for the site for the following reasons:

The requested SUP is essential for the development of this site due to unique physical and regulatory constraints that create a clear hardship under the base zoning.

Lot Proportions: The subject property is both shallow and narrow, with residential zoning directly adjacent to the south property line. Although multiple site layout iterations were explored to avoid the need for an SUP, the residential proximity could not be reasonably avoided due to the lot's proportions and orientation.

Utility Easements: Further complicating site design are utility easements along the north property line, which significantly reduce the usable depth of the site and eliminate alternative placement options for the drive-thru lane.

Cumulative Constraints: The combination of lot proportions, residential adjacency, and utility easements makes the proposed layout the most efficient and compatible use of the site. Without approval of this SUP, the site cannot be developed in a manner that accommodates a drive-thru configuration—despite the use being otherwise consistent with the C2 zoning and surrounding commercial context. The SUP enables a practical and context-sensitive development that is compatible with surrounding uses, serves the needs of the community, and respects adjacent residential areas through effective buffering and thoughtful site planning.

Special Considerations and Unique Characteristics

- The **existing site conditions** and design flexibility allow for safe vehicular queuing, effective audio & visual screening from nearby residential areas, and architectural consistency already approved for the adjacent developments.
- A **site exhibit** is included with this application to further demonstrate the project's compatibility and functionality.

We believe this SUP request meets the City of McKinney's intent for compatible commercial development, while also delivering a high-quality, food service and retail option to a rapidly growing area.

As part of the overall site design, the proposed development includes parking adjacent to a residential property. Accordingly, the applicant is requesting a Design Exception as outlined below.

Design Exception Request – Residential Adjacency Buffer Reduction

Pursuant to Section 206.E.5.e, *Residential Adjacency for Off-Street Parking*, and Section 206.E.9, *Design Exception*, of the City of McKinney Zoning Ordinance, the applicant respectfully requests approval of a Design Exception to allow off-street parking to be located within twenty (20) feet of the adjacent residential property line.

Section 206.E.9.a, *Residential Adjacency*, permits a Design Exception to reduce the required Residential Adjacency Buffer width to **no less than ten (10) feet**, provided the request satisfies the approval criteria of Section 203G.1, *Design Exception*, and the additional criteria outlined in Section 206.E.9.a. The proposed development has been designed to fully comply with these standards.

The proposed site plan maintains a **consistent ten-foot (10') landscaped buffer** between the parking area and the adjacent residential property. This buffer is designed

as a continuous and unified landscape edge and includes the installation of **twelve-foot (12') tall canopy trees spaced at regular intervals**, which will provide effective year-round visual screening and enhance compatibility with the adjacent residential use as the landscaping matures. In addition, an **existing eight-foot (8') masonry wall** is located along the shared property line, providing substantial screening and privacy for the adjacent residential property.

The requested buffer reduction establishes a **consistent residential adjacency condition** along the property line and results in a **unified and enhanced landscape design**, satisfying the additional criteria set forth in Sections 206.E.9.a.I and 206.E.9.a.II. The combination of the masonry wall and enhanced landscaping exceeds the intent of the standard buffering requirement by minimizing potential visual, noise, and operational impacts associated with the adjacent parking area.

The Design Exception is further supported by **site-specific constraints**, including existing utility easements and overall site proportions, which limit the ability to fully comply with the standard twenty-foot buffer while maintaining appropriate parking, circulation, and site functionality. Granting the requested Design Exception allows the site to be developed in a manner that is both efficient and sensitive to adjacent residential properties without compromising the intent of the City's residential adjacency standards.

Overall, the proposed Design Exception is consistent with the purpose of the City of McKinney Zoning Ordinance. Approval of this Design Exception will result in a development that is compatible with the surrounding area, appropriately buffered from nearby residential uses, and consistent with the City of McKinney's design and development objectives.

Sincerely,

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