



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 23-0054SP, **Version:** 1

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Conduct a Public Hearing to Consider/Discuss/Act on a Design Exception to a Site Plan for Retail Sales and Restaurant, Drive-In or Drive-Through (Panera), Located at 2051 Eldorado Parkway

**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:** October 25, 2022

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Araceli Botello, Planner I  
Caitlyn Strickland, 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 receive approval of a design exception to Section 206A(5)(c) - Table 2-32 (Non-Residential Landscaping Requirements) of the Zoning Ordinance to reduce the required 30' landscape buffer adjacent to the right-of-way along Eldorado Parkway to 20'.

**APPLICATION SUBMITTAL DATE:** May 8, 2023 (Original Application)  
June 22, 2023 (Revised Submittal)  
August 15, 2023 (Revised Submittal)  
August 29, 2023 (Revised Submittal)  
September 18, 2023 (Revised Submittal)  
September 22, 2023 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 7,080 square foot shopping center on 1.12 acres at 2051 Eldorado Parkway.

Typically, site plans can be approved at the staff level; however, the applicant has requested a design exception, which requires consideration by the Planning and Zoning Commission for approval.

**PLATTING STATUS:** The subject property is currently un-platted and will require to plat.

**EXISTING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District (Commercial Uses)	Undeveloped
North	"PD" - Planned Development District (Commercial Uses)	Undeveloped
South	"PD" - Planned Development District (Commercial Uses)	Shopping Center (Panera and AT&T)
East	"PD" - Planned Development District (Commercial Uses)	Undeveloped
West	"PD" - Planned Development District (Commercial Uses)	Restaurant with Drive Through (Pei Wei Asian Kitchen)

**ACCESS/CIRCULATION:** Adjacent Streets: Eldorado Parkway, Greenway Arterial (4 lanes), South Central Expressway, Major Regional Highway.

**PARKING:** The applicant has satisfied the minimum parking requirements as specified within Section 206E (Vehicle Parking) of the Unified Development Code.

**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 206A (Landscaping) of the Unified Development Code, except for Section 206A (5)(c) - Table 2-32 which requires a 30' landscape buffer along Eldorado Parkway and South-Central Expressway.

The applicant is requesting a reduction from the required 30' landscape buffer along Eldorado Parkway frontage to a 20' landscape buffer due to site limitations.

The property is a corner lot which fronts south of Eldorado Parkway and west of South Central Expressway. For lots with multiple frontages, all frontages shall observe the greatest minimum street buffer width. A 30' landscape buffer is required to be observed as the property fronts along South Central Expressway. It should be noted that Eldorado Parkway is approximately 130' in width and would only require properties to provide a 20-foot Street Buffer adjacent to ROW.

With the depth of the existing lot and required site features that need to be included for redevelopment, such as the fire lane and parking, the applicant is unable to meet the 30 feet landscape buffer requirement along the Eldorado Parkway frontage. Additionally, similar landscape buffer of 20' widths is seen along Eldorado Parkway and the proposed reduction of 20' would align to the existing developments to the west of the property. The applicant is not requesting a reduction to

the frontage along South Central Expressway which would remain at a 30' width and comply with the landscape requirement for the street buffer.

It is the staff's opinion that the proposed design exception will not negatively impact surrounding development and will support the redevelopment of this site. As such, staff recommends approval of the design exception.

**SCREENING REQUIREMENTS:** The applicant has provided the required notation stating that all mechanical, heating, and air conditioning equipment shall be screened from the public right-of-way and from adjacent residential properties. Though not required, the applicant has proposed to properly screen the sanitation container with low evergreen shrub at 3 feet in height around the perimeter of the enclosure. The applicant has properly screened the sanitation container and has satisfied the minimum requirements as specified in Section 206C (Screening of the Unified Development Code).

**LIGHTING AND GLARE REGULATIONS:** The applicant will be responsible for complying with Article 5 (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.

**ARCHITECTURAL STANDARDS:** The applicant is responsible for meeting all applicable requirements of Section 206F (Architectural Standards) of the City of McKinney Zoning Ordinance. Architectural building elevations are not required due to the location of this project not located in the Historically Significant Area (HSA).

**TREE PRESERVATION ORDINANCE:** The applicant will be responsible for complying with the Tree Preservation Ordinance. The applicant has submitted an Affidavit of No Trees, subject to review and approval of the City's Engineering Department.

**PUBLIC IMPROVEMENTS:**

Sidewalks: Required along Eldorado Parkway

Hike and Bike Trails: Not Applicable

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. 2020-12-091)  
Utility Impact Fees:                 Applicable (Ordinance No. 2020-12-092)  
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 have received no letters of support to this request and no letters of opposition. This does not include emails or letters that may have been sent directly to members of the Council. Staff have not received any citizen comments through the online citizen portal.