



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 23-0081SP, **Version:** 1

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Conduct a Public Hearing to Consider/Discuss/Act on a Design Exception to a Site Plan for a Restaurant with Drive-Through (McDonalds), Located at 12081 West University Drive

**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:** July 9, 2024

**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 the following:
  - a. A Design Exception to Section 206A.5.c.II to provide 20 feet of Street Buffer (Landscape Buffer) along the frontage of the property adjacent to W University Drive.

Prior to issuance of a building permit:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.

**APPLICATION SUBMITTAL DATE:** July 11, 2023 (Original Application)  
August 22, 2023 (Revised Submittal)  
November 03, 2023 (Revised Submittal)  
February 13, 2024 (Revised Submittal)  
March 4, 2024 (Revised Submittal)  
March 14, 2024 (Revised Submittal)  
May 29, 2024 (Revised Submittal)

June 14, 2024 (Revised Submittal)  
June 21, 2024 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 4,445 square foot restaurant with drive-through (McDonalds) on 1.354 acres located South Side of West University Drive and Approximately 435 Feet West of Prestwick Hollow Drive.

Typically, site plans are approved at the staff level; however, the applicant has requested Design Exceptions that require approval by the Planning and Zoning Commission.

Specifically, the applicant has requested a Design Exception to reduce the 20' landscape buffer along the right-of-way.

**PLATTING STATUS:** The subject property is currently platted via a Conveyance Plat. A minor plat of the subject property must be approved prior to the commencement of any development activity on the subject property.

**EXISTING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"C2 Local Commercial (Commercial Uses)	Vacant Land
North	Town of Prosper	Vacant Land
South	C2 Local Commercial (Commercial Uses)	Vacant Land
East	C2 Local Commercial (Commercial Uses)	Vacant Land
West	C2 Local Commercial (Commercial Uses)	Vacant Land

**ACCESS/CIRCULATION:**

Adjacent Streets: West University Drive, Major Regional Highway

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

**LOADING SPACES:** The applicant has satisfied the minimum loading space requirements as specified within Section 206E (Vehicle Parking and Loading) 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 as follows:

The applicant has requested a Design Exception for a landscape buffer reduction from the required 20' street buffer along the frontage of West University Drive (US Highway 380).

The request is for a reduction of 2'3" due to additional right-of-way (ROW) acquisition from the Texas Department of Transportation (TXDOT) for the expansion of West University Drive (US Highway 380). This would result in a landscape buffer of 17'9" along the W University Drive ROW. It should be noted that before the additional ROW acquisition that has necessitated this design exception request, the site plan had met all zoning district requirements as well as site specifications and was approved at the staff level.

The applicant has provided the required street buffer canopy trees and evergreen shrubs for screening of parking adjacent to ROW. Additionally, the site complies with all other required site specifications and staff does not believe that this reduction will negatively impact the adjacent development.

As such, Staff recommends approval of the proposed 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. 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 will be responsible for meeting all applicable requirements of Section 206F (Architectural Standards) of the Unified Development Code. Architectural building elevations are subject to review and approval by the Chief Building Official, prior to issuance of a building permit.

**TREE PRESERVATION ORDINANCE:** The applicant will be responsible for complying with the Tree Preservation Ordinance. The applicant has submitted a tree survey, subject to review and approval of the City's Landscape Architect.

**PUBLIC IMPROVEMENTS:**

Sidewalks:	Required along West University Drive
Hike and Bike Trails:	Not Required
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 has 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 or Commission.