



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

<b>File #:</b>	20-0008SUP2	<b>Name:</b>	Popeye's on Eldorado SUP
<b>Type:</b>	Agenda Item	<b>Status:</b>	Public Hearing
		<b>In control:</b>	City Council Regular Meeting
<b>On agenda:</b>	1/5/2021	<b>Final action:</b>	
<b>Title:</b>	Conduct a Public Hearing to Consider/Discuss/Act a Specific Use Permit Request to Allow for a Restaurant Including a Drive-Through Window (Popeye's), Located on the South Side of Eldorado Parkway and Approximately 395 Feet West of Hudson Crossing, and Accompanying Ordinance		
<b>Indexes:</b>			
<b>Attachments:</b>	1. PZ Minutes 12.8.2020 DRAFT, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Ex. PD Ord. No. 98-11-59, 5. Ex. PD Ord. No. 2011-05-031, 6. Proposed Landscape Plan, 7. Proposed Ordinance, 8. Exhibits A-C, 9. Presentation		

Date	Ver.	Action By	Action	Result
1/5/2021	1	City Council Regular Meeting	Close the public hearing	Pass
1/5/2021	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act a Specific Use Permit Request to Allow for a Restaurant Including a Drive-Through Window (Popeye's), Located on the South Side of Eldorado Parkway and Approximately 395 Feet West of Hudson Crossing, 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:** January 5, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Joe Moss, Planner I

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed specific use permit request.

**APPLICATION SUBMITTAL DATE:** September 28, 2020 (Original Application)  
October 16, 2020 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing a specific use permit to allow a restaurant including a drive through window (Popeye's) located on the south side of Eldorado Parkway and approximately 395 feet west of Hudson Crossing.

The zoning for the subject property (PD Ord. No. 2011-05-031) requires that a specific use permit be

granted in order for a restaurant with a drive through window to be operated on the site.

**SURROUNDING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" Planned Development District 2011-05-031 (Retail and Commercial Uses)	Undeveloped Land
North	"PD" Planned Development District 2003-02-015 (Single Family Residential Uses)	Live Oak Village 1
South	"PD" Planned Development District 1998-11-59 (Office and Commercial Uses)	Texas Best Gymnastics
East	"PD" Planned Development District 2011-06-043 (Retail and Commercial Uses)	Braum's
West	"PD" Planned Development District 2003-08-069 (Office and Commercial Uses)	Stonebridge Dental

**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 feels that the site is appropriate for the proposed use and is compatible with existing land uses of the adjacent properties. The site is surrounded on three sides by existing commercial development including an existing drive through restaurant to the east. The proposed use should complement the existing development and add to the neighborhood services available in the area.

**SITE LAYOUT:** The attached exhibit provides a general layout of the proposed building as well as the associated parking and internal site circulation. The site circulation, parking, and sanitation requirements are in general conformance with the Zoning Ordinance.

**ACCESS/CIRCULATION:**

Adjacent Streets: Eldorado Parkway, 120' Right-of-Way, Greenway Arterial

Internal Circulation: The request would connect existing east-west mutual access fire lane stub outs from surrounding developments and be accessed from these mutual access easements.

**IMPACT ON EXISTING DEVELOPMENT:** Staff does not anticipate that the specific use permit

request would have a negative impact on adjacent developments.

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

**BOARD OR COMMISSION RECOMMENDATION:** On December 8, 2020, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.