



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 20-0011SUP2 **Name:** McKinney Dodge Specific Use Permit  
**Type:** Ordinance **Status:** Public Hearing  
**In control:** City Council Regular Meeting  
**On agenda:** 2/2/2021 **Final action:**  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automobile Sales, Repair, and Storage Uses (McKinney Dodge), Located at the Northwest Corner of Rockhill Road and U.S. Highway 75, and Accompanying Ordinance

### Indexes:

**Attachments:** 1. Draft P&Z Minutes Placeholder, 2. Letter of Intent, 3. Letters of Opposition, 4. Location Map and Aerial Exhibit, 5. Proposed Specific Use Permit, 6. Proposed Landscape Plans, 7. Proposed Preliminary Engineering, 8. Proposed Ordinance, 9. Proposed Exhibit A-C, 10. Presentation

Date	Ver.	Action By	Action	Result
2/2/2021	1	City Council Regular Meeting	Close the public hearing	Pass
2/2/2021	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automobile Sales, Repair, and Storage Uses (McKinney Dodge), Located at the Northwest Corner of Rockhill Road and U.S. Highway 75, 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:** February 2, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Kaitlin Gibbon, Planner II

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends denial of the proposed specific use permit request due to concerns regarding the proposed continued expansion of an automobile sales use on the subject property, which is near a major arterial and a major regional highway and for which was just recently rezoned for commercial uses.

**However, if the applicant's request is approved, the following special ordinance provisions shall apply:**

1. The property shall generally develop in accordance with the attached specific use permit exhibit;
2. The property shall meet the requirements of Chapter 146 of the Zoning Ordinance;

3. The property shall meet the requirements of the Engineering Design Manual; and
4. The property shall meet the requirements of the McKinney Fire Ordinance.

**APPLICATION SUBMITTAL DATE:** November 24, 2020 (Original Application)  
December 28, 2020 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting a specific use permit to allow for automobile sales, repair, and storage uses (McKinney Dodge) at the northwest corner of Rockhill Road and US Highway 75. The applicant is proposing to construct an approximate 58,800 square-foot building for the dealership.

A previous specific use permit request was approved for a portion of this site for the dealership by the City Council on April 16, 2019. The applicant is now bringing forward a new specific use permit request to expand the building and increase the lot size for this use. As part of this 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. The applicant is also seeking a variance for the bay door orientation towards right-of-way and to request an alternative screening device for the screening requirements of those bay doors.

#### EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"C3" - Regional Commercial District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Single Family Residence
North	"C3" - Regional Commercial District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Medical Center of McKinney Wysong Campus
South	"C" - Planned Center District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Chrysler, Jeep, and Dodge of McKinney
East	"C" - Planned Center District (Commercial Uses), "BN" - Neighborhood Business District (Commercial and Office Uses), and "CC" - Corridor Commercial Overlay District	Whataburger, CVS Pharmacy, Fast Signs, ACE Cash Express, Employee Solutions, and Undeveloped Land
West	"RS 120" - Single Family Residence District (Single Family Residential Uses)	Westwood Park

**OFF-STREET LOADING AND SCREENING:** Per Section 146-131 (Off-street loading) of the Zoning Ordinance, bays doors in any retail district or retail PD district shall be oriented away from the street frontage with the greatest width. Also, 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 and from adjacent non-residential properties. Given there are bay

doors oriented towards Rockhill Road and U.S. Highway 75, the applicant is required to request a variance for the orientation of bay doors towards U.S. Highway 75 and 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 Staff, the Planning and Zoning Commission and/or City Council, depending on which body has the final approval authority as indicated in section 146-132 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 25 feet along Rockhill Road and U.S. Highway 75 as an alternate screening device. 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 25 feet, provide a more dense screening effect than the typical ratio of one tree every 40 feet. The use of landscaping for screening along the street frontage has the additional benefit of blending in with the existing site design and providing a softer screening effect instead of a section of wall being located at the street. Staff is of the opinion that the proposed density of trees will adequately screen the view of the overhead doors from the rights-of-way. The orientation of bay doors and the alternative screening device were previously considered and approved with the previous specific use permit request. Considering these factors, Staff does not have any objections to these 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 has concerns with the expansion of this use beyond the previous specific use permit request on this site. The additional land that is now a part of this request was just recently zoned to “C3” - Regional Commercial District. This property has prominent visibility along U.S. Highway 75 and is an opportune location for achieving commercial and retail developments.

In 2018, City Council had several discussions regarding concerns about the prevalence of auto-related uses along many of the city’s major corridors. Ultimately, the Council approved amendments to the city’s zoning ordinance to better support the following goals:

- Create consistency with older and newer zoning districts;
- Discourage the proliferation of automotive sales along major thoroughfares; and
- Preserve U.S. Highway 75 and State Highway 121 for uses that enhance McKinney’s presence along these major corridors.

That said, it is Staff’s professional opinion that the additional land should be preserved for uses that more closely align with the vision of the commercial placetype in the Comprehensive Plan and uses that are permitted with the new zoning district of “C3” - Regional Commercial District.

As such, Staff feels that the site is not appropriate for the automotive dealership use and is unable to support the proposed specific use permit.

**IMPACT ON EXISTING DEVELOPMENT:** Staff does not anticipate that the specific use permit request would have a negative impact on adjacent developments.

**SITE LAYOUT:** The attached exhibit provides a general layout of the proposed building as well as the associated parking and internal site circulation. The exhibit does not yet fully include certain site plan-related elements such as all required landscaping, fire protection or engineering requirements. However, these items can be addressed prior to the City Council meeting or can otherwise be conditioned in the specific use permit. As such, they are not the basis for Staff’s recommendation of denial.

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

Adjacent Streets: U.S. Highway 75, Variable Width Right-of-Way, Major Regional Highway/Multi-Modal Rockhill Road, 40’ Right-of-Way, Collector

**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 three letters in opposition to this

request and no letters of support.

**BOARD OR COMMISSION RECOMMENDATION:** On January 12, 2021, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed specific use permit request.