

CITY OF MCKINNEY

SPECIFIC USE PERMIT SUBMITTAL PACKET



PLANNING

221 N. TENNESSEE STREET, MCKINNEY, TEXAS 75069





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This publication can be made available upon request in alternative formats, such as, Braille, large print, audiotape or computer disk. Requests can be made by calling 972-547-2694 (Voice) or email

contact-ada Compliance@mckinneytexas.org. Please allow at least 48 hours for your request to be processed.

APPROVAL PROCESS FLOWCHART





FOR SPECIFIC USE PERMIT REQUESTS:

- Define acreage of subject property
- Describe in detail the location of the property [Example: approximately (distance) feet South of (street name), approximately (distance) feet North of (street name), approximately (distance) feet East of (street name), and/or approximately (distance) feet West of (street name)]
- Specify the existing zoning district
- Define the reason(s) why the applicant is requesting approval of a specific use permit on the subject property and information regarding the business requesting the SUP
- Provide detailed justification and/or supporting documentation as to why the specific use permit is appropriate on the subject property
- Describe any other special considerations or unique characteristics of subject property
- Requested Planning & Zoning Commission and City Council consideration dates
- Provide the signature and contact information of the owner or applicant.

TIPS FOR SUBMITTAL

- Each submittal item above should be an individual file to upload through CSS and/or eReviews. For example: a multiple page site plan can be consolidated into a single file but a site plan and landscape plan should be two separate files.
- The plans' files sizes should be as small as possible to allow for easy downloading and viewing from the internet.

REQUIRED CSS ATTACHMENTS:

- LETTER OF INTENT
- PLANNING APPLICATION must be completely filled out and signed by owner (*separate letters of authorization will not be accepted*)

REQUIRED EREVIEWS ATTACHMENTS (when uploading, please name all files as listed below):

- SPECIFIC USE PERMIT EXHIBIT* formatted and scaled to a 24" x 36" page size
- LETTER OF INTENT
- PLANNING APPLICATION must be completely filled out and signed by owner (*separate letters of authorization will not be accepted*)

FEE:

- \$300.00 - (If paying through CSS, currently accepted cards include MasterCard, Visa or Discover)

*If the specific use permit request is for a private club with alcohol sales, the drawings need to show the floor plan of the proposed private club, including number of seats in the dining area and square footage of the dining area.

All specific use permit requests require Notification Signs to be placed on the property within the specified time frame in Section 146-164 of the City of McKinney Zoning Ordinance. **Failure to post the notification sign(s) on the property by the close of business (5 pm) on the Tuesday prior to the Tuesday Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission. Failure to maintain the signs prior to the City Council public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.**

DUE TO HIGH SUBMITTAL VOLUMES AND DUE TO THE PLANNING DEPARTMENT'S CONTINUED EFFORTS TO PROVIDE THE VERY BEST CUSTOMER SERVICE TO ALL OF OUR APPLICANTS, BOTH ALREADY IN QUEUE AND NEW SUBMITTERS, LATE AND/OR INCOMPLETE SUBMITTALS CANNOT BE ACCEPTED

10/9/2018



GENERAL INFORMATION



Specific use permits are required for those uses listed in the Schedule of Uses of the City of McKinney Zoning Ordinance. Specific use permits (SUP) are required for private clubs, or restaurants that are proposed to have alcohol sales and private street subdivisions. In certain zoning districts a SUP is required for Bed and Breakfast facilities, auto fuel sales, and car wash facilities. Some “PD” – Planned Development District Ordinances also require approval of a specific use permit for certain uses.

All applications for Specific Use Permits shall be accompanied by a site plan drawn to scale and showing the general arrangement of the project, as indicated on the Site Plan Checklist. Applicants for specific use permits are required to post public hearing notification signs on the subject property, in accordance with Section 146-164 of the City of McKinney Zoning Ordinance.

Private Clubs

The following lists the requirements for private clubs (alcohol sales):

A private club is defined as an establishment providing social and dining facilities, as well as alcoholic beverage service, to an association of persons, and otherwise falling within the definition of, and permitted under the provisions of, that portion of V.T.C.A., Alcoholic Beverage Code § 32.01 et seq., as it pertains to the operation of private clubs. Private clubs shall be restricted to planned center, general business, commercial historic district, business commercial, and planned development zoning districts.

All Specific Use Permits issued for the operation of private clubs shall be conditioned that:

- Thirty five percent (35%) of the gross receipts be derived from the sale of food, subject to an annual audit provided at the expense of the permittee for review by the City Council;
- The permitted premises contain a minimum of fifty (50) dining seats and a minimum of six hundred (600) square feet of dining area;
- The permittee comply with the provisions of the alcoholic beverage code and receive a private club permit from the State of Texas within six months from the date of issuance of the Specific Use Permit by the City Council, each such limitation in time being subject to review and possible extension by the City Council; and
- Such other conditions and restrictions which the City Council determines, at the time of granting the Specific Use Permit, are necessary to protect and provide for the health, safety, and general welfare of the community.

Distance Requirements:

- A private club shall be prohibited within three hundred feet (300') of the property line of any church, public or parochial school, hospital, extended care facility, or publicly owned park, except that the prohibition will not apply to property located within three hundred feet (300') of publicly owned parks if the City Council affirmatively finds that issuance of the Specific Use Permit would not be detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood. The 300-foot distance shall be determined by a measurement on the ground as a pedestrian would legally walk from the front door of the private club to the front door of said church, public or parochial school, hospital, or publicly owned park.

The City Council may revoke a Specific Use Permit granted hereunder if it finds that any of the conditions imposed at the time of granting the permits are not met, or thereafter cease to exist. The City Council may deny a Specific Use Permit for the operation of a private club if it should affirmatively determine that issuance of the same would be detrimental or offensive to the neighborhood or otherwise be contrary to the health, safety, or general welfare of the City and its inhabitants.

All Specific Use Permits for the operation of private clubs shall be further conditioned that the same may be canceled, suspended, or revoked in accordance with the provisions of Sections 138 of the City of McKinney Code of Ordinances, which are incorporated herein by reference and made a part hereof for all purposes.



OTHER USES THAT REQUIRE SPECIFIC USE PERMITS

Although specific use permits for private clubs are the most commonly type of specific use permit that is applied for, specific use permits are also required for the following uses:

Car Wash

In the "BN" – Neighborhood Business District, a specific use permit may be approved to allow a car wash only in connection with an auto fuel sales facility. The car wash shall be limited to a fully automated facility, which will accommodate only one vehicle at a time. The location and orientation of the facility on the site and the proximity of residentially zoned areas shall be considered, in addition to any other factors deemed appropriate, in determining whether the permit should be approved.

Service Station

In the "BN" – Neighborhood Business District, four vehicles can fuel at one time by right regardless of the location of those pumps. Eight (8) vehicles can fuel at one time by right if the pumps are located within 350' of the intersection of two arterial roadways as shown on the Thoroughfare Plan. Anyone requesting anything other than what is allowed by right will have to request a SUP. A specific use permit may be approved to allow motor vehicle fuel sales with facilities to fuel additional vehicles at one time or a gasoline service station which does not conduct major automotive repairs, body and fender work, or automobile painting, provided all uses and waste materials are kept within a solid enclosure so that the contents are not visible from the street or other properties, and provided no stock of goods is displayed out of doors with the exception of lubricants and additives for frequent sale, and provided no lighting is constructed to shine on neighboring properties used for residential purposes. A maximum of two brand identification signs shall be allowed if their only illumination is non-flashing and shall not contain a rotating, oscillating or revolving beam or beacon of light. They may be installed at the property line. In determining whether a specific use permit should be approved to allow this use in a district where such permit would be required, the number of fueling stations, the range of automotive services to be provided and the proximity of residentially zoned areas shall be considered, in addition to any other factors deemed appropriate.

Bed and Breakfast

A bed and breakfast facility is defined as an owner-occupied private home which offers lodging for paying guests, and which serves breakfast to these guests and which contains one or more guest bedrooms. Specific use permits for bed and breakfast facilities may be granted only in the following districts:

- AG Agricultural District
- RED-1 Residential Estates District
- RED-2 Residential Estates District
- RS 120 Single Family Residence District
- RS 84 Single Family Residence District
- RS 72 Single Family Residence District
- RS 60 Single Family Residence District
- RS 45 Single Family Residence District
- RG 25 General Residence District
- RG 27 General Residence District
- RG 18 General Residence District
- MF-1 Multiple Family Residential-Low Density District
- MF-2 Multiple Family Residential-Medium Density District
- MF-3 Multiple Family Residential-Medium-High Density District
- RD 30 Duplex Residence District
- NC Neighborhood Convenience District
- BN Neighborhood Business District

GENERAL INFORMATION, CON'T.



BG General Business District
O-1 Neighborhood Office District
PD Planned Development District

Private Street Subdivisions

Private street subdivisions require the approval of a specific use permit (see Private Street section of the Subdivision Regulations).

Mini-Warehouse Facilities

In the “C” – Planned Center District and “BG” – General Business District, mini-warehouse facilities shall be allowed with the approval of a specific use permit. All proposed mini-warehouse developments in the “C” – Planned Center District and “BG” – General Business District, shall satisfy the following development standards:

- No overhead bay doors or loading areas shall be visible from an adjacent use or public right-of-way.
- Each building shall be covered with 100 percent masonry materials (brick or stone).
- Proposed mini-warehouse buildings located directly adjacent to residential uses or zones shall be limited to a single story.
- Proposed mini-warehouse buildings located directly adjacent to single family residential uses or zones shall feature a pitched room (minimum 4:12 slope).

In determining whether a specific use permit should be approved to allow this use in a district where such permit would be required, the following factors shall be considered:

- The compatibility of the proposed use with adjacent uses and other uses in the immediate area.
- The development’s proposed location within the city.
- Any other factors deemed appropriate.

Various Other Uses

Those uses indicated by “S” in the schedule of uses of this chapter shall require the approval of a specific use permit, and shall comply with the requirements of this chapter.

NOTIFICATION SIGNS



All zoning changes or amendments, including zoning, rezoning, amendments to Planned Developments, and the like, although specifically exempting site plan approval for site plans within a “PD” unless part of an SUP approval that requires a site plan, shall be required to have an official sign posted prior to Planning and Zoning Commission consideration and the sign maintained throughout the zoning change process. The Director of Planning shall have the authority to determine if the posting of the subject property met the intent of the requirements contained herein.

Sign Posting Process. The following process requirements shall apply to the posting of a zoning change sign:

- The applicant shall be responsible for posting the required number of notification signs on the subject property at least seven (7) days prior to the Planning and Zoning Commission consideration of the application and for maintaining the required signs throughout the zoning change process.
- **The applicant shall furnish an affidavit to the City of McKinney Planning Department by 12:00 P.M. (Noon) on the Wednesday prior to the Tuesday Planning and Zoning Commission meeting at which the public hearing is scheduled, certifying that the required sign was posted on the subject property on or before the seventh (7th) day prior to the said Commission meeting.**
- **Failure to post the sign at least seven (7) days prior to the Planning and Zoning Commission public hearing shall result in the postponement of the zoning change consideration by the Commission.** The applicant shall be subject to an additional fee to republish and/or re-notify due to such postponement.
- **The applicant shall furnish an affidavit to the City of McKinney by 12:00 P.M. (Noon) on the Wednesday prior to the Tuesday City Council meeting at which the public hearing is scheduled, certifying that the required sign was maintained on the subject property in a manner consistent with the requirements contained herein prior to the City Council holding a public hearing to consider the application.**

For special meetings, the Director of Planning shall set a sign posting schedule meeting the intent and purpose contained herein.

Sign Maintenance Process. The following process requirements shall apply to the maintenance of a zoning change sign:

- The applicant shall be responsible for maintaining the sign on the subject property throughout the zoning change process. The City of McKinney is not responsible for monitoring the required zoning change signs. Should the City of McKinney discover through routine duties related to other aspects of their daily functions that the sign is not being maintained, the City of McKinney shall contact the applicant to investigate and, if needed, correct the situation. An affidavit from the applicant certifying that the applicant has corrected the posting shall indicate that the intent of the posting requirement was met. Failure to maintain the sign during the process shall not result in the postponement of the zoning change consideration so long as the applicant attempted to replace damaged or missing signs upon notification.
- The applicant shall be responsible for removing the sign from the subject property within two (2) weeks of the final action by the City of McKinney.

Sign Specifications

- See attached specification sheet.

Sign Locations

- All required signs shall be posted in unobstructed view on private property and in a manner in which they can be clearly read from the public right-of-way.

NOTIFICATION SIGNS, CON'T.



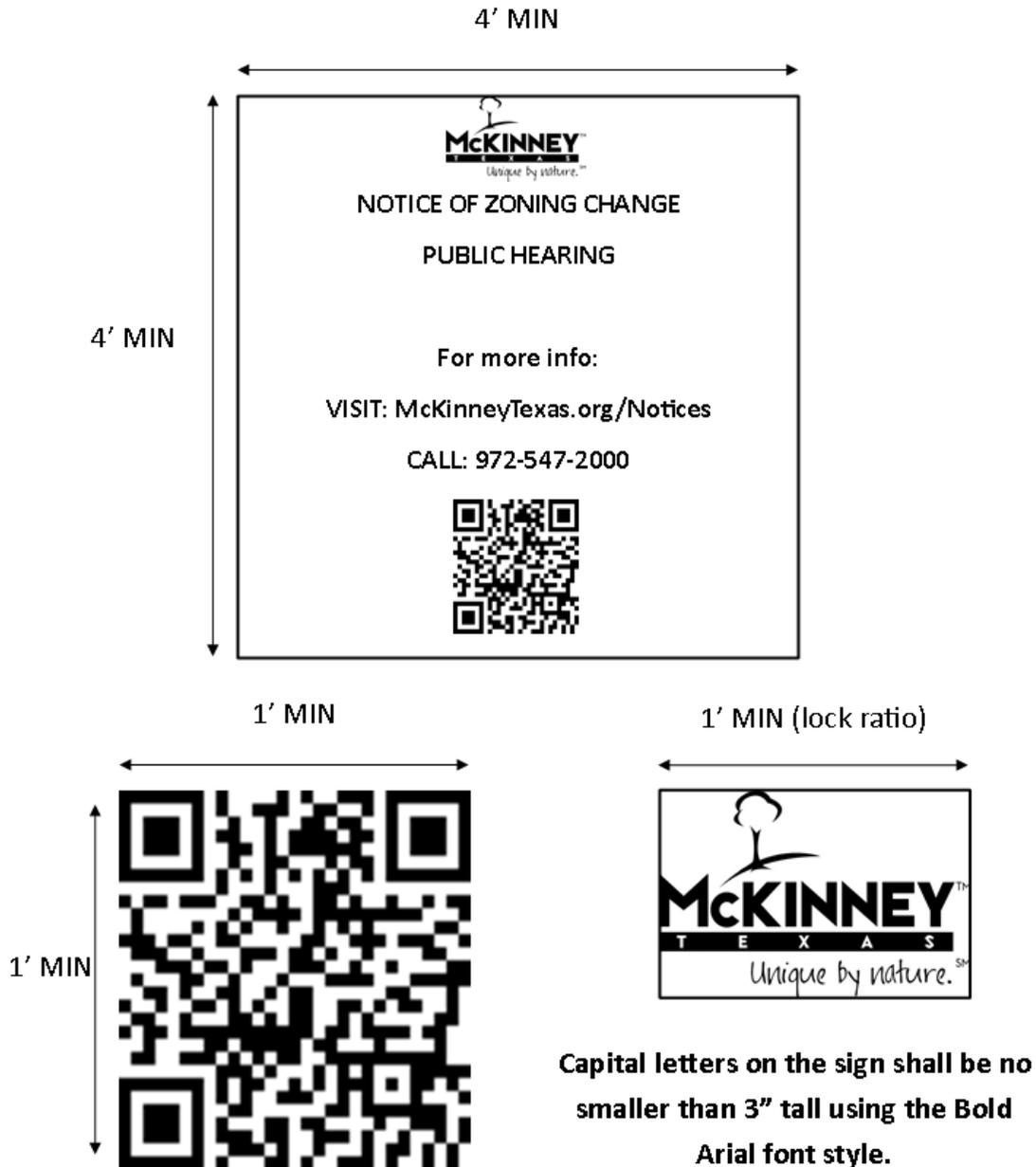
- On tracts of land with frontage on public right-of-way greater than 250 feet, additional signs shall be posted so that each sign is no greater than approximately 200 feet apart.
- On corner lots, a single sign may be posted at the intersection of the two streets if the frontage on either street does not exceed 250 feet.

List of Sign Contractors:

<p>Hobson's Signs 351 East Louisiana Street McKinney, Texas 75069 Phone: 972-540-1919 Fax: 972-542-0717 hobsonsigns@gmail.com Contact: Michael Armstrong</p>	<p>CDR Contracting Services 107 Westwood Circle McKinney, Texas 75070 Phone: 932-333-0639 Fax: 214-548-5975 CDRContract2016@gmail.com Contact: Casey Raymond</p>	<p>Superior Sign Company 1814 Solitude Court Allen, Texas 75002 Phone: 972-727-0789 Fax: 972-908-2839 superiorsignsallen@yahoo.com Contact: Matt Hall</p>
<p>Sign Express 604 Central Expressway North Allen, Texas 75013 Phone: 972-727-0789 Fax: 972-908-2839 radsigndude@yahoo.com Contact: Matt Hall</p>	<p>Colorit Graphic Services 330 Industrial Blvd., Ste. # 100 McKinney, TX 75069 Phone: 214-542-6567 contact@coloritgraphics.com Contact: Derrick Green</p>	<p>Sign A Rama 1502 W. University, Ste. 108 McKinney, TX 75069 Phone: 214-544-7446 Fax: 972-542-7079 mckinneysigns@sbcglobal.net Contact: Alan Schmoyer</p>



ZONING CHANGE SIGN SPECIFICATIONS CITY OF MCKINNEY, TX



AFFIDAVIT OF SIGN POSTING



Specific Use Permit Case No. _____

Date of Planning and Zoning Commission Meeting: _____

In accordance with the requirements of Section 146-164(2)(c) of the Code of Ordinances of the City of McKinney, Texas, I _____
_____ hereby certify that I have posted or caused to be posted Notification sign(s) on the property subject to
change, located at _____
_____.

Said sign(s) have been obtained through a designated contractor of the Planning Department and meet the specifications of Section 146-164(2)(c) of the Code of Ordinances of the City of McKinney.

Posting of said signs was accomplished on _____, 2_____, as provided for in Section 146-164(2)(c)
of the Code of Ordinances of the City of McKinney. Said signs have been posted in a manner which provides an unobstructed view and
which allows clear reading from the public right(s)-of-way along _____

_____.

I further certify that this affidavit was filed with the Planning Department of the City of McKinney within the time provisions of Section 146-164(2)(c) of the Code of Ordinances of the City of McKinney.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Specific Use Case No. _____

Printed Name of Applicant or Authorized Representative for Specific Use Case No. _____

Notary Public

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (5 pm) on the Tuesday prior to the Tuesday Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____

AFFIDAVIT OF SIGN MAINTENANCE



Specific Use Permit Case No. _____

Date of City Council Meeting: _____

In accordance with the requirements of Section 146-164(2)(c) of the Code of Ordinances of the City of McKinney, Texas, I _____
_____ hereby certify that Notification sign(s) have been maintained on the property subject to change, located
at _____

_____.

Said sign(s) have been maintained in a manner consistent with the requirements contained in Section 146-164(2)(c) of the Code of Ordinances of the City of McKinney.

I further certify that this affidavit was filed with the Planning Department of the City of McKinney on _____
_____, 2_____, within the time provisions of Section 146-164(2)(c) of the Code of Ordinances of the City of McKinney.

I understand that I am required to remove said signs within two weeks of any final action taken by the City of McKinney regarding the zoning change.

Executed this the _____ day of _____, 2_____.

Signature of Applicant or Authorized Representative for Specific Use Permit Case No. _____

Printed Name of Applicant or Authorized Representative for Specific Use Permit Case No. _____

Notary Public

PLEASE NOTE: Failure to maintain the signs prior to the City Council public hearing may result in postponement of consideration if the applicant has not attempted to replace damaged or missing signs upon notification by Staff.

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____



Submitting an Application through the *Citizen Self-Service (CSS) Portal*

- Please make sure that you are logged in to your registered account in CSS.
- Select “Apply”, navigate to the Plan module, and select the Plan Type for which you want to apply.
- After submitting, you will be directed to a confirmation screen with your new plan number, and will receive an confirmation email letting you know the next steps.
- Once Staff has received the application and accepted the submittal, an invoice for payment will be issued. **Payment made through CSS must be made with MasterCard, Visa or Discover.** Payment by check must be made in person.
- Upon receipt of the required files through eReviews, Staff will begin review and return comments within 10 business days*.

Submitting Revisions Digitally through eReviews

- Once you have received an email indicating plan revisions are necessary, please submit revisions through eReviews.
- Upon receipt of the revision, Staff will begin review and return comments within 3 business days*.

Important Notes for All Digital Submittals

- If you have not yet registered in CSS, or need assistance with any of the steps above, please visit our [How-To Guides](#) or contact the Planning Department at 972-547-2000.
- All documents and plans must be submitted through eReviews. Please do not email files as Staff will be unable to accept them.
- Different case type submittals (i.e., a preliminary-final plat and a site plan for same project) should be submitted in through the individual case number shown in eReviews and CSS. Please note that failure to do so may result in processing and case review delays.
- Please note that when submitting through eReviews, only PDF files can be accepted.

**Zoning/Rezoning: PD District submittals may take longer than the typical review turnaround times.*



PROJECT NAME: _____

PROPERTY INFORMATION:

General Location or Address: _____

Existing Survey Name and Abstract No.: _____

Existing Lot(s) and Block(s): _____

Existing Addition Name: _____

Total Acreage: _____

Proposed Number of Lots: _____

Geographic ID Number R- _____ R- _____

Geographic ID Number R- _____ R- _____

VARIANCE REQUEST

YES (Please list specific requests in Letter of Intent) NO

APPLICANT INFORMATION:

Applicant Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

PROPERTY OWNER INFORMATION:

Property Owner Name: _____

Company: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

- I will represent the application myself; or
- I hereby designate _____ (applicant above) to act as my agent for submittal, processing, representation, and/or presentation of this application. The designee shall be the primary contact person for this application.

I hereby certify that I am the owner of the property and certify that the information provided within this application is true and correct. By signing below, I agree that the City of McKinney is authorized and permitted to provide information contained within this application, including the email address, to the public and in response to a Public Information Request.

Owner Signature: _____ Date: _____