

## PLANNING AND ZONING COMMISSION

MARCH 13, 2012

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on Tuesday, March 13, 2012 at 6:30 p.m.

Commission Members Present: Chairman Robert S. Clark, George Bush, Rick Franklin, David Kochalka, Matt Hilton, and Larry Thompson

Commission Member Absent: Vice-Chairman Lance Lindsay

Staff Present: Director of Planning Jennifer Cox; Senior Planners Brandon Opiela and Michael Quint; Planner II Anthony Satarino; Planner Arrie Mitchell; Parks Development Specialist Jenny Baker; and Administrative Assistant Terri Ramey.

There were approximately eighteen guests present.

Chairman Clark called the meeting to order at 6:30 p.m. after determining a quorum was present.

Chairman Clark explained the format and procedures of the meeting, as well as the role of the Commission. He announced that some of the items considered by the Commission on this date would be only heard by the Planning and Zoning Commission and others could be forwarded on to City Council. Chairman Clark stated that he would advise the audience if the case will go on to City Council or be heard only by the Planning and Zoning Commission. He requested that applicants and Staff limit their remarks to ten minutes each and that guests limit their remarks to five minutes and speak only once. Chairman Clark explained that there is a timer located on the podium, and when one minute of the speaker's time is remaining, the light will switch from yellow to red and a buzzer will sound. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking issues.

The Commission unanimously approved the motion by Commission Member Kochalka, seconded by Commission Member Franklin, to approve the following Consent Items:

**12-143      Minutes of the Planning and Zoning Commission  
                 Regular Meeting of February 28, 2012**

**END OF CONSENT**

**12-028MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of Uptown Custer Partners, L.P., for Approval of a Minor Replat for Lot 1R1, Block A, of the Shops at Eagle Point Addition, Approximately 14.15 Acres, Located on the West Side of Custer Road and Approximately 1,200 Feet South of U.S. Highway 380 (University Drive).**

Mr. Michael Quint, Senior Planner for the City of McKinney, explained the proposed minor replat request. He stated that Staff recommends approval of the proposed minor replat request as conditioned in the Staff Report.

Mr. Jonathan Hake, 131 S. Tennessee Street, McKinney, TX 75069, concurred with the Staff Report.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Franklin, seconded by Commission Member Thompson, the Commission unanimously approved the motion to close the public hearing and approve the proposed minor replat as conditioned in the staff report.

Chairman Clark stated that the Planning and Zoning Commission is the final approval authority for the proposed minor replat.

**12-036Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Y Street Ventures, L.L.C., on Behalf of Sterling Trust Company, for Approval of a Request to Rezone Approximately 0.35 Acres from "BG" - General Business District and "H" - Historic Preservation Overlay District to "CHD" - Commercial Historic District and "H" - Historic Preservation Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of Johnson Street and Louisiana Street.**

Mr. Anthony Satarino, Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provision as listed in the staff report.

Mr. Greg Johnson, 1696 S. Loop 288, Denton, TX, stated that he concurs with the staff report.

Chairman Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Bush, seconded by Commission Member Kochalka, to close the public hearing and recommend approval of the rezoning request as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 3, 2012.

**11-007Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Francisco Gomez, for Approval of a Request to Rezone Approximately 0.35 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southwest Corner of Josephine Street and Kentucky Street.**

Mr. Anthony Satarino, Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions as listed in the staff report.

Mr. Francisco Gomez, 809 N. Kentucky, McKinney, TX, stated that he concurs with the staff report.

Chairman Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Hilton, seconded by Commission Member Bush, to close the public hearing and recommend approval of the rezoning request as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 3, 2012.

Commission Member Kochalka stepped down during the consideration of the next item, due to a possible conflict of interest.

**12-035Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn And Associates, Inc., on Behalf of the City of McKinney and McKinney Economic Development Corporation, for Approval of a Request to Rezone Approximately 12.16 Acres from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of Marketplace Drive and U.S. Highway 75 (Central Expressway).**

Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions as listed in the staff report.

Mr. John Berendzen, 500 Washington, St. Louis, MO, stated that he concurs with the staff report.

Chairman Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Thompson, seconded by Commission Member Franklin, to close the public hearing and recommend approval of the rezoning request as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 3, 2012.

Commission Member Kochalka returned to the Council dias.

**12-037SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney, for Approval of a Site Plan for a Neighborhood Park (Sonntag Park), Approximately 16.94 Acres, Located on the Southwest Corner of Memory Lane and Westridge Boulevard.**

Mr. Anthony Satarino, Planner for the City of McKinney, explained the proposed site plan. He stated that Staff recommends approval of the proposed site plan as conditioned in the staff report.

Chairman Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Franklin, seconded by Commission Member Kochalka, to close the public hearing and recommend approval of the proposed site plan as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 3, 2012.

**12-013GDP Consider/Discuss/Act on the Request by Sanchez & Associates, on Behalf of TCI McKinney Ranch, Inc., for Approval of a General Development Plan for Barcelona, Approximately 76.00 Acres, Located between Silverado Trail and Stacy Road.**

Mr. Michael Quint, Senior Planner for the City of McKinney, gave the staff report and stated that the applicant is requesting approval of a proposed general development plan for the subject property. He explained why Staff did not feel the proposed general development plan conformed to the governing zoning. Mr. Quint stated that Staff recommends denial of the proposed general development plan due to a lack of conformance with the governing zoning district.

Commission Member Bush asked for clarification on the minimum of ten percent (10%) of certain housing types required in this parcel under the governing PD district. Mr. Quint explained the governing PD district's requirement. He stated that the applicant could rezone the property to allow a modified housing mix.

Commission Member Franklin questioned how much time it would take to get the property rezoned. Mr. Quint stated that it would take approximately two months.

Chairman Clark questioned why increasing the lot size was an issue. Mr. Quint stated that the governing PD District has specific requirements and not minimum

requirements. He stated that Staff is comfortable with a 5% increase or decrease on the lot sizes.

Mr. Martin Sanchez, 220 E. Virginia, McKinney, TX, gave a history of the project and a presentation explaining why he felt the request is appropriate. He discussed the differences between the current zoning exhibit and the proposed general development plan. Mr. Sanchez discussed some of the financial market changes since the original zoning exhibit was approved. He felt the proposed revised general development plan would create a better product than what is required by the governing zoning district.

Chairperson Clark called for comments.

Commission Member Bush stated that he liked the proposed general development plan better than the zoning exhibit that was approved in 2007.

Commission Member Franklin stated that he felt there was enough gray area in the PD district's requirements to approve the proposed general development plan with the increase in lot sizes. He expressed concerns over having the applicant wait another two months for something he felt was minor.

Commission Member Bush felt that the proposed general development plan met the spirit of the zoning exhibit that was approved in 2007.

On a motion by Commission Member Bush, seconded by Commission Member Franklin, the Commission voted 5-1 approve the proposed general development plan as requested by the applicant. Commission Member Hilton dissented.

Chairman Clark stated that the Planning and Zoning Commission is the final approval authority for the proposed general development plan.

Chairman Clark declared the meeting adjourned at 7:35 p.m.

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ROBERT S. CLARK  
Chairman