

Planning and Zoning Commission Meeting Minutes of March 22, 2016:

16-037SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Westridge Retail, Located on the Northwest Corner of Westridge Boulevard and Independence Parkway

Mr. Aaron Bloxham, Planning for the City of McKinney, explained the proposed site plan request. He stated that site plans could typically be approved by Staff; however, the applicant was requesting variances for the loading dock and its associated loading spaces to be located 68 feet from single-family residential uses, which must be considered by the Planning and Zoning Commission. Mr. Bloxham stated the applicant was proposing to a 42,000 square foot grocery store and 760 square foot fueling station on the subject property. He discussed the proposed landscaping and screening for the site and stated that it was more than what was required by the City. Mr. Bloxham stated that a concept plan and a preliminary-final plat that were both approved by the Planning and Zoning Commission. He stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. Mr. Bloxham offered to answer questions.

Commission Member Mantzey asked if the zoning required is 200 feet and the applicant is requesting to reduce the distance to 68 feet. Mr. Bloxham stated that was correct.

Commission Member Mantzey asked if there was a loading dock with a trash compactor to the back. Mr. Bloxham stated that was correct.

Commission Member Mantzey stated that seemed like a great distance to cover. He stated that other grocery stores in McKinney were much closer to residential units. Commission Member Mantzey asked then the 200 feet requirement came into effect. Mr.

Bloxham stated that the ordinance came into effect in 2006. He stated that a lot of McKinney's grocery stores were built prior to 2006; therefore, did not have this requirement at that time.

Commission Member Mantzey asked if the City had received complaints from neighbors that lived near grocery stores and that was why the ordinance was changed. Mr. Bloxham stated that he had not read all of the minutes associated with that ordinance change; however, thought that was probably the reasoning behind it.

Vice-Chairman Zepp stated that he thought it would be hard to get back there with a large truck and trailer. Mr. Bloxham stated that he had not seen or heard anything about it being hard to get back there.

Mr. Michael Westfall, Kimley-Horn and Associates, 5750 Genesis Court, Frisco, TX, stated that he concurred with the Staff report. He stated that along with all of the landscaping and screening improvements that Mr. Bloxham had mentioned earlier they were also increasing the trees along the back from the required 2" caliper to 4" caliper. Mr. Westfall stated that those trees were 12 to 15 feet tall at time of planting. He stated that it would make a bigger impact at time of planting. Mr. Westfall offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

Mr. Thomas Coffman, 10129 Waterstone Way, McKinney, TX, stated that he lived 1/10th of a mile from this location. He stated that there were seven grocery stores within a four mile radius of this location. Mr. Coffman stated that two of the grocery stores were within a two miles radius of his house. He stated that he grew up in McKinney and there were three grocery stores back then. Mr. Coffman expressed concerns about the safety

of the children from their community walking the Roach Middle School during the construction of the proposed development. He also expressed concerns regarding increased traffic issues. Mr. Coffman felt that the property owners who just purchased properties located directly behind the subject property would be upset having a big box grocery store built there.

Mr. Carlos Hutt, 1909 Masterson Drive, McKinney, TX, felt that a reduction from 200 feet to 68 feet from the adjacent single family residential uses was inappropriate. He questioned why the layout could not be adjusted to have 120 to 150 feet between the proposed development and the adjacent single family residential uses. Mr. Hutt stated that there was a Corner Store located close by the subject property. He stated that there was seven to eight grocery stores within a five mile radius as well. Mr. Hutt did not feel that a grocery store was needed at this location and questioned why the grocery store was not built on another lot about a mile away.

Mr. Raghu Duvva, 10853 Sedalia Drive, McKinney, TX, concurred with the two previous speakers. He expressed concerns regarding safety of the children in the community that walk to the nearby school and ride their bikes in the area. Mr. Duvva asked if the proposed development was for a Neighborhood Walmart. He stated that they would be against having one built in their neighborhood because it would disrupt the peace and tranquility of their neighborhood. Mr. Duvva questions why there were so many grocery stores in the area. He did not feel that another one was needed at this time.

Mr. Mike Broughton, 10516 Bolivar Drive, McKinney, TX, stated that he was approximately 2/10th of a mile from this location. He stated that they purchase their house

in this quite community in 2012. Mr. Broughton expressed some traffic concerns in the area. He stated that he use to drive a big rig delivering beverages. Mr. Broughton stated that 68 feet from the back of the store to the adjacent single family residential properties were very small narrow space to maneuver a large semi-truck. He stated that there would be a lot of backing up and beeping, which would be an annoyance to the adjacent single family property owners. Mr. Broughton stated that he did not believe that this site plan worked in their community.

Mr. Chris Okonski, 308 Cherry Spring Drive, McKinney, TX, stated that he also opposed the proposed site plan request due to there already being plenty grocery stores and gas stations in the area, safety of the neighborhood children, and how the proposed development would impact the adjacent single family property owners. Mr. Okonski stated that the 80 single family development directly behind the subject property was just beginning to be developed. He thought that only two properties had been closed on to-date.

On a motion by Commission Member Mantzey, seconded by Commission Member Smith, the Commission unanimously approved the motion to close the public hearing, with a vote of 7-0-0.

Commission Member McCall expressed concerns about having 68 feet between the proposed development and the adjacent single family uses. He questioned if a large semi-truck could get stuck back there. Mr. Westfall stated that there would be a fire lane that met all of the City's requirements back there. He did not believe that the 68 feet distance between the proposed development and the adjacent single family uses would impact the ability of semi-trucks to maneuver back there. Mr. Westfall did not feel that

the trucks would get stuck back there. He stated that there was also a 25-foot building set back as well. Mr. Westfall stated that the variance request was for the truck dock itself.

Vice-Chairman Zepp asked where the trucks were going to back up on the property. He expressed concerns about the trucks backing up in the mornings and evenings with a loud beeping noise. Mr. Westfall showed where the trucks would be driving behind the building and backing up into the docks. He stated that they proposed to build a 10-foot masonry wall, another 8-foot wall, and larger trees to be planted back there to help with the truck noise. Mr. Westfall stated that there was another fence at the property line as well. He stated that it was common for other grocery stores to be this close. Mr. Westfall stated that they did realize that they were asking for a variance; therefore, they were offering up a lot of mitigation to offset it.

Commission Member Mantzey stated that the Planning and Zoning Commission could not determine how many grocery stores, banks, drug stores, et cetera could be built in an area if it was already zoned for that use. He expressed concerns for the single family residential properties adjacent to the subject property. Commission Member Mantzey felt that those future residents would have concerns about being located so close to a grocery store. He felt that there was plenty of land on the corner to reposition the development. Commission Member Mantzey did not feel that it was a hardship trying to fill a lot; just, trying to maximize a site plan to the most extent. He stated that he found 68 feet to be too short of distance to the adjacent single family properties.

Mr. Westfall stated that there were four different screening options allowed. He stated that he felt that the proposed site plan was a much better situation for those

residents. Mr. Westfall gave some examples of the other options that he did not feel would be better options than what was proposed.

Vice-Chairman Zepp questioned what dictated the position of this specific footprint of the grocery store. He asked why it could not be rotated 90 degrees counterclockwise. Mr. Westfall stated that typically a grocery store's parking would be located in the front. He stated that if the site plan was rotated 90 degrees that it would not leave any room for the parking. Mr. Westfall stated that if he offset it 200 feet from the back that would also leave no room for the parking. He stated that 200 feet from the property line came down to where the front of the building was currently shown on the proposed site plan to give reference to show how large that distance would be. Mr. Westfall stated that it would hinder the ability to build a grocery store, which was allowed by the zoning on the property. He stated that they did look at various options when they saw that requirement.

Vice-Chairman Zepp asked about the entrance to the proposed development. Mr. Westfall stated that there were three points of access with one on Independence and two on Westridge.

Vice-Chairman Zepp stated that he was referring to the main entrance to the building itself. Mr. Westfall stated that it would be facing Westridge and pointed it out on the site plan projected on the screen.

Mr. Westfall stated that there were turn lanes being proposed on Westridge and Independence. He stated that they were also proposing to build a 10-foot trail along Westridge and a six-foot trail along Independence for individuals to walk or bike on. Mr. Westfall felt it would be a safer route for the children.

Vice-Chairman Zepp stated that with the current zoning that there would most likely be some sort of commercial use go in on the property and the surrounding neighborhood would probably have similar concerns with it. He stated that he had concerns about the proximity of the loading dock to the single family residential houses to the north. Vice-Chairman Zepp stated that he appreciated all of the additional screening the applicant offered to install; however, he was not convinced that it would be sufficient.

Chairman Cox stated that he would like to see the distance to the adjacent single family residential uses increased.

Commission Member Kuykendall concurred with Vice-Chairman Zepp's comments. She stated that what was being proposed was about a third of what was required. Commission Member Kuykendall felt that was a drastic difference and that she was having a hard time to coming to terms with it.

Commission Member McCall stated that if the adjacent homeowner's were coming out in support of the item it would be a different situation, but the surrounding homeowner's that came to the meeting are not in support of the request.

Mr. Westfall stated that the 68 feet was still wider than most all grocery stores in McKinney. He stated that there was a Kroger just down the street, technically located in Frisco, which was right on the property line. Mr. Westfall stated that 200 feet left a big burden on the developer of this property. He stated that most of the objections that he heard tonight were towards it being a grocery store, which was an allowable use on the property. Mr. Westfall stated that he was not asking for a rezoning or change of use. He stated that the market dictates what would be build there. Mr. Westfall stated that he felt that they had offered up a lot of mitigation for the variance request.

Commission Member Kuykendall asked Staff if they felt the 68 feet distance was a concern for the potential homeowners. Mr. Bloxham said yes and that was why they did all of the additional mitigation. He stated that there were other ways that the site plan could layout. Mr. Bloxham stated that if the proposed site plan was rotated 90 degrees, then the loading dock would face the residents where it was currently blocked. He also questioned how that would affect another piece of future development. Mr. Bloxham stated that the “PD” – Planned Development District for this site had an increase parking ratio of 1:200 parking ratio; whereas, the City currently has 1:250 parking ratio. He stated that it was a difficult site in being able to provide what was allowed to be built on the site and satisfying all of the City’s requirements. Mr. Bloxham stated that the City had been working with the applicant on the proposed development and this was what they came up with in the end.

Commission Member Mantzey stated that it was a difficult site for a grocery store; however, there were other things that could be built there. Mr. Bloxham stated that was correct.

Vice-Chairman Zepp asked what the zoning was for the property to the west. Mr. Bloxham stated that property had the same zoning as the subject property. He stated that it was all zoned for “R1” – Retail Zone.

Commission Member Cobbel asked Staff if they had heard anything from the neighborhood to the north. Mr. Bloxham stated that he had not heard anything from them.

Commission Member Cobbel asked if notices were sent out about this request. Mr. Bloxham said yes.

Commission Member Mantzey asked if the subject property and the residential development to the north had the same ownership. Mr. Bloxham did not know and stated that he would have to check on it. Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that if the development to the north was owned by the same owner as this property, then they would be receiving the property owner notice for that area.

Vice-Chairman Zepp asked Mr. Westfall if the Planning and Zoning Commission tabled the item if he would be willing to continue working with Staff on a plan to increase the distance between the single family residential properties and the loading spaces. Mr. Westfall stated that he would prefer the item be tabled instead of denied. He stated that he would be willing to continue to discuss options with Staff. Mr. Westfall stated that he felt that they had already met a lot with Planning to do that. He stated that a reduction in parking requirements would help. Mr. Westfall felt that was a larger issue than asking for the proposed variance.

Mr. Bloxham asked for clarification on what the Planning and Zoning Commission wanted to have accomplished by tabling the item. Vice-Chairman Zepp stated that he personally believed that 68 feet was too close. He wanted to see that distance increased.

On a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission voted to table the item to the April 12, 2016 Planning and Zoning Commission meeting to encourage Staff and the applicant to continue to work on the set back of the loading dock, with a vote of 6-1-0. Commission Member Smith voted against the motion.

Commission Member Smith stated that she liked the proposed 10-foot wall and 8-foot trees as screening. She stated that it was a nice feature.