

PLANNING AND ZONING COMMISSION

OCTOBER 25, 2022

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, October 25, 2022 at 6:00 p.m.

City Council Present: Patrick Cloutier and Rick Franklin

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Russell Buettner, Steve Lebo, Bry Taylor, Charles Wattley, and Scott Woodruff

Alternate Commission Member Present; however, did not participate in the meeting: Aaron Urias

Alternate Commission Member Absent: Eric Hagstrom

Staff Present: Director of Planning Jennifer Arnold; Senior Planner Kaitlin Sheffield; Planners Jake Bennett, Lexie Schrader, and Araceli Botello; and Administrative Assistant Terri Ramey

There were approximately 25 guests present.

Ms. Jennifer Arnold, Director of Planning for the City of McKinney, called the meeting to order at 6:00 p.m. after determining a quorum was present.

Ms. Arnold called for public comments on non-public hearing agenda items. There were none.

22-0990 Election of the Chair.

Ms. Arnold called for the election of the Chair. On a motion by Commission Member Taylor, seconded by Commission Member Mantzey, the Commission unanimously voted to reelect Bill Cox as the Chairman, with a vote of 7-0-0.

Chairman Cox continued the meeting.

22-0990 Election of the Vice-Chair.

Chairman Cox called for the election of the Vice-Chair. On a motion by Commission Member Woodruff, seconded by Commission Member Buettner, the Commission voted to reelect Brian Mantzey as the Vice-Chairman, with a vote of 6-0-1. Vice-Chairman Mantzey abstained.

Chairman Cox called for the consideration of the Consent Items.

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Lebo, the Commission unanimously voted to approve the following two Consent Items with Commission Member Lebo's name added to the Commission Member's attendance record at the top of each document, with a vote of 7-0-0.

22-0991 Minutes of the Planning and Zoning Commission Regular Meeting of October 11, 2022.

22-0992 Minutes of the Planning and Zoning Commission Work Session of October 11, 2022.

Commission Member Taylor stepped down on the following four agenda items due to a possible conflict of interest.

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Lebo, the Commission voted to approve the following Consent Item per Staff's recommendation, with a vote of 6-0-1. Commission Member Taylor abstained.

22-0001GDP Consider/Discuss/Act on a General Development Plan for McKinney Horizons, Located on the Northeast Corner of Bloomdale Road and Future Hardin Boulevard.

END OF CONSENT AGENDA

Chairman Cox called for the Plat Consideration under Texas Local Government Code Chapter 212.

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Wattley, the Commission voted to follow Staff's recommendations for the following three plat items, with a vote of 6-0-1. Commission Member Taylor abstained.

22-0197PF Consider/Discuss/Act on a Preliminary-Final Plat for McKinney Ridge Phase 2 Addition, Located on the East Side of Future Hardin Boulevard and Approximately 720 Feet North of Bloomdale Road.

22-0200PF Consider/Discuss/Act on a Preliminary-Final Plat for Bloomdale 140 West Addition, Located on the East Side of Future Hardin Boulevard and on the North Side of Bloomdale Road.

22-0201PF Consider/Discuss/Act on a Preliminary-Final Plat for Modera McKinney

Addition, Located on the North Side of Bloomdale Road and
Approximately 630 Feet East of Future Hardin Boulevard.

Commission Member Taylor returned to the meeting.

On a motion by Commission Member Woodruff, seconded by Commission
Member Lebo, the Commission unanimously voted to follow Staff's recommendations
on the following two plats, with a vote of 7-0-0.

22-0203PF Consider/Discuss/Act on a Preliminary-Final Plat for Painted Tree
Multifamily, Located on the Northeast Corner of Lake Forest Drive and
Wilmeth Road.

22-0206PF Consider/Discuss/Act on a Preliminary-Final Plat for the Canvas at
Bloomdale Addition, Located in the McKinney Extraterritorial Jurisdiction
(ETJ), On the North Side of County Road 164 (Bloomdale Road) and
approximately 2,500 feet West of Community Avenue.

END OF PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE
CHAPTER 212

Chairman Cox called for the consideration of the Regular Agenda Items and
Public Hearings.

22-0044SP Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a
Landscape Plan for Louisiana Retail, Located at 1719 West Louisiana
Street.

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed
variance to the landscape plan. She stated that the applicant is requesting a variance
to reduce the required 20' landscaping buffers along West Louisiana Street and Wilson
Creek Parkway frontages to 10' landscaping buffers due to site limitations. Ms.
Schrader stated that West Louisiana Street and Wilson Creek Parkway have similar
landscaping buffers. She stated that the ordinance requires the planting of one canopy
tree per 40 linear feet of street frontage in the required landscaping buffer along
thoroughfares. Ms. Schrader stated that the ordinance does not permit trees to be
planted within 8' of public utility lines. She stated that due to water and sewer lines in
the right-of-way along West Louisiana Street, the applicant is unable to plant the

required canopy trees with the necessary 8' clearance from the utilities. Ms. Schrader stated that the applicant worked with Staff to find an alternate solution that provides the required screening along the right-of-way and meets the spirit of the Zoning Ordinance. She stated that with the conformance with adjacent properties' landscaping buffers, the alternative design of planting canopy trees within the additional landscaping islands, and the required variance keeping in spirit of the zoning regulations for landscape requirements, Staff is comfortable with the request and recommends approval of the variance. Ms. Schrader offered to answer questions. Vice-Chairman Mantzey stated that the proposed setback was like the setbacks at nearby properties. He asked if there were more proposed landscaping than what has been on the property. Ms. Schrader said yes. Commission Member Woodruff asked about the fire lane. Ms. Schrader stated that it was for the apartment development. She stated that the site plan for the subject property did not include the fire lane. Commission Member Woodruff asked about the proposed use. Ms. Schrader stated that they requested a laundromat and convenience store. Mr. Houshang Jahvani, Jahvani Consulting Engineers, 2121 N. Jossey Lane, Carrollton, TX, explained the proposed request. Commission Member Woodruff asked how close the property was to a nearby church and if they plan to sell alcohol. Mr. Jahvani stated that the property owner plans to build a retail building and they currently do not have tenants for the site. He stated that the property owner was considering having a laundromat and convenience store at the site. Chairman Cox asked about the how the landscaping buffer affected the size of the building. Mr. Jahvani stated that the required setback would not allow for any kind of business to be developed on the property. Chairman Cox discussed the importance of the entrances into McKinney. He expressed concerns about reducing landscaping on a highly visible location that is a very traveled area. Mr. Jahvani discussed the proposed landscaping and reduced parking. Chairman Cox stated that he did not have an issue with the proposed site plan. Mr. Jahvani stated that the proposed development would look better than the carwash currently on the site. Commission Member Taylor stated that this location is an entrance way to the most cherished part of McKinney. He stated that the nearby dentist has a 20' buffer and what a difference it makes. Commission Member Taylor was not in support of the request. Mr. Jahvani stated that they propose

to provide more trees and shrubs on the site than what was required by the ordinance. Commission Member Taylor believed that the 20' buffer was needed at this site. Chairman Cox asked how much the 20' buffer would reduce the building size. Mr. Jahvani stated that it would affect the square footage and depth of the building. He stated that reducing the depth would not work for retail uses. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Woodruff asked about the zoning on the property. Ms. Schrader stated that it is currently zoned as "BN" Neighborhood Business District. Commission Member Woodruff asked how the New Code Overhaul could affect this development. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that there is a six-month dual code window where an applicant can choose to develop under the current code or the new code. She thought that the uses and landscaping requirements would be similar. Commission Member Wattley asked if the proposed development would conform to Quick Car Lube's buffer. Ms. Schrader stated that the Quick Car Lube was directly to the east of this site. She stated that currently the Quick Car Lube buffer was approximately 8'. Ms. Schrader stated that there is basically no buffer further down by the flower shop. She stated that it would be a slight improvement to what is already there. Vice-Chairman Mantzey agreed with the previous comments about the entrance to McKinney being important. He felt that Staff and the applicant had worked on the proposed request well given the 30' corner buffer requirement and proposed island trees on the site. He mentioned nearby businesses with less than 10' setbacks. Vice-Chairman Mantzey felt that Staff and the applicant had done a good job for what can be achieved on this corner. Commission Member Woodruff had concerns regarding the depth of the building and what uses that might go in for the proposed request. Chairman Cox stated that the letter of intent stated that the current structure would be demolished for a coin laundromat and convenience store to be built. He asked if a site plan had been submitted to Staff. Ms. Schrader said yes, and that the site plan had been approved other than the requested landscaping variance. On a motion by Commission Member Taylor, seconded by Commission Member Lebo, the Commission

voted to deny the request, with a vote of 5-2-0. Vice-Chairman Mantzey and Commission Member Wattlely voted against the motion. Chairman Cox asked Staff to discuss available options to the applicant.

22- Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use
0017SUP Permit Request to Allow for Commercial Amusement (Indoor) Use
(Horse's Axe), Located at 212 East Louisiana Street.

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed Specific Use Permit (SUP) for a commercial amusement indoor use. She stated that Staff feels that the proposed use might bring additional visitors to Downtown McKinney with foot traffic and customers, which could benefit existing businesses. Ms. Schrader stated that Staff feels that the use will not negatively impact the adjacent businesses. She stated that Staff feels that the proposed indoor use is compatible with neighboring businesses. Ms. Schrader stated that Staff recommends approval of the request and offered to answer questions. Vice-Chairman Mantzey asked about the differences between an indoor amusement use that allows throwing axes versus a bar that has dart games. Ms. Schrader stated that it would depend on the primary use for the business. She stated that businesses with arcade games as the primary use are generally considered an indoor amusement use. She stated that a private club use is usually for a business with the sale of alcohol as the primary use. Vice-Chairman Mantzey asked about the proposed percentage of sales from the axe throwing versus alcohol sales. Ms. Schrader deferred the question to the applicant. Dr. Jason Pearson, 1001 Mason Street, Aubrey, TX, explained the proposed request. He stated that the alcohol sales at their other two locations is approximately 21% of the overall sales. Dr. Pearson stated that the proposed primary use would be billiards and axe throwing. He stated that alcohol would be a concessionary item. Dr. Pearson stated that they would not have space for an oven in the kitchen area and they would not want to compete with area restaurants. Mr. Andrew Duncan, 9808 Lexington Drive, Providence Village, TX, stated that there would be a two-drink limit per person. Board Member Buettner asked if they had considered other uses for the empty building. Dr. Pearson said no. Vice-Chairman Mantzey asked what the typical clientele and business hours were for the two current locations in Denton, TX and Denison, TX. Dr. Pearson stated that the typical customers

in Denton, TX were between the ages of 22 – 40. He stated that the Denison, TX downtown location has a little older cliental. Mr. Duncan stated that they get a lot of families as well. Dr. Pearson stated that they offer intensive trainings. He stated that the busiest hours for both locations were between 6 – 9 PM and on the weekends. Dr. Pearson stated that they have axe throwing leagues held on the first Thursday of each month. He stated that they offer an axe throwing club membership. Commission Member Buettner asked if they had discussed the proposed use with the adjacent property owners. Mr. Duncan said yes, and they seemed excited about it. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Woodruff, seconded by Commission Member Lebo, the Commission unanimously voted to close the public hearing and recommend approval of the request as recommended by Staff, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the November 1, 2022 meeting.

22-0112Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, to Allow for Age Restricted Residential Uses and to Modify the Development Standards, Located Approximately 510 Feet North of Virginia Parkway and Approximately 260 Feet West of Joplin Drive.

Ms. Kaitlin Sheffield, Senior Planner for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item tabled to the November 8, 2022 Planning and Zoning Commission meeting due to a possible public notice error. She stated that Staff will be mailing out new notices. Ms. Sheffield offered to answer questions; however, there were none. Mr. Casey Bump, Bonner Carrington, 901 Mopac Expressway, South, Austin, TX, was disappointed that Staff was recommending tabling the item. He offered to give a presentation on the proposed development. Chairman Cox suggested that he wait on giving the presentation until the next meeting. Mr. Bump stated that they had been speaking and addressing concerns in the community. He gave a brief history on the project. Mr. Bump offered to answer questions. Commission Member Lebo asked about the number of units proposed for the site. Mr. Bump stated

that they were proposing 15.5 units per acre, which would limit it around 200 units. He stated that the concept plan in the agenda packet has 180 units. Mr. Bump stated that they mailed letters with tracking to everyone who opposed the previous request requesting to meet to discuss the proposed project. He stated that they met with Stonebridge Ranch Homeowners Association representatives and the Cambridge Homeowners Association representatives last week. Mr. Bump stated that they would continue to be available to address community concerns. Chairman Cox opened the public hearing and called for comments. Mr. Samuel Paul Lehman, 5805 N. Woodcreek Circle, McKinney, TX, stated that he spoke in opposition at the previous meeting and had not received anything in the mail from the applicant. The following two residents turned in speaker cards in opposition to the request; however, did not speak during the meeting:

- Katherine Brewer, 5804 N. Woodcreek Circle, McKinney, TX
- Michael Brown, 5800 Creekside Court, McKinney, TX

On a motion by Commission Member Lebo, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing and table the item to the November 8, 2022 Planning and Zoning Commission meeting per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that Staff will be mailing out notices for the November 8, 2022 Planning and Zoning Commission meeting.

22-0122Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Bloomdale Road and U.S. Highway 75 (Central Expressway).

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the zoning request aligns with the Employment Mix placetype designation on the Comprehensive Plan and should be compatible with existing and proposed adjacent uses. Ms. Schrader stated that neighboring properties to the south of this site have similar zonings and established uses. She stated that due to its conformance with the Comprehensive Plan and the compatibility with surrounding developments in the growing industrial area, Staff recommends approval of the

proposed rezoning request. Ms. Schrader offered to answer questions. Vice-Chairman Mantzey expressed concerns about removing commercial zoning from the hard corner at Bloomdale Road and US Highway 75 (Central Expressway). He asked if Staff looked into whether commercial uses would be viable at this location. Ms. Schrader stated that Staff looked into the compatibility with the adjacent zonings and the Comprehensive Plan. She discussed some of the adjacent properties uses. Commission Member Buettner questioned the fiscal analysis differences between the current zoning and the proposed zoning. Ms. Schrader stated that Staff provides the fiscal analysis as a tool; however, they do not use it to base decisions on the request. Commission Member Lebo asked about the uses allowed under the proposed zoning. Ms. Schrader stated that the uses were similar and gave examples. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard; McKinney, TX; explained the proposed rezoning request and concurred with the Staff Report. He stated that he sent an email with details about the request to the Commission Members prior to the meeting. Mr. Roeder stated that the property has been undeveloped since the 1960's. He discussed some of the topography, floodplain, and curb cut issues that make the property unusable as a retail site. Mr. Roeder discussed the surrounding properties. He stated that his client would like to have outdoor trailer sales business at this location. Mr. Roeder stated that the City would collect sales tax and there would be employment opportunities created by this business. He offered to answer questions and asked for a favorable recommendation. Commission Member Woodruff inquired about the sales tax that would go back to the City of McKinney. Mr. Roeder stated that he had not researched into it. He stated that this type of business sells addons, which would be taxable. Commission Member Wattley asked if the trailers would be made at this location and if repairs to the trailers would be made there. Mr. Roeder stated that the trailers would be shipped to this location. He stated that they might install some wheels and boards on the trailers. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member Woodruff, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey stated that he would not support taking the hard corner at this location and allowing trailer sales. He discussed the

investment from the City on Bloomdale Road and the Collin County offices being catty-corner to this site. On a motion by Commission Member Lebo, seconded by Vice-Chairman Mantzey, the motion to recommend denial of the request failed, with a vote of 3-4-0. Chairman Cox, Commission Member Buettner, Commission Member Taylor, and Commission Member Wattley voted against the motion. On a motion by Commission Member Taylor, seconded by Commission Member Wattley, the Commission voted to recommend approval of the proposed rezoning request as recommended by Staff, with a vote of 4-3-0. Vice-Chairman Mantzey, Commission Member Lebo, and Commission Member Woodruff voted against the motion. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the November 15, 2022 meeting.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Chairman Cox called for Public Comments regarding matters not on the agenda. There were none.

Chairman Cox called for Commission or Staff comments. Leadership McKinney class members in the audience were acknowledged. Chairman Cox thanked Staff for their hard work.

On a motion by Commission Member Woodruff, seconded by Commission Member Taylor, the Commission unanimously voted to adjourn the meeting, with a vote of 7-0-0. There being no further business, Chairman Cox declared the meeting adjourned at 7:02 p.m.

The video recording of the meeting is available online through the City of McKinney video archives.

BILL COX
Chairman