

## PLANNING AND ZONING COMMISSION

AUGUST 9, 2016

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, August 9, 2016 at 6:00 p.m.

City Council Present: Chuck Branch

Commission Members Present: Chairman Bill Cox, Vice-Chairman Eric Zepp, Janet Cobbel, Deanna Kuykendall, Cameron McCall, Brian Mantzey, and Pamela Smith

Commission Members Absent: Mark McReynolds – Alternate

Staff Present: Director of Planning Brian Lockley; Planning Manager Matt Robinson; Planners Eleana Galicia, Danielle Quintanilla, and Melissa Spriegel; and Administrative Assistant Terri Ramey

There were approximately 16 guests present.

Chairman Cox called the regular meeting to order at 6:00 p.m. after determining a quorum was present.

Chairman Cox 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 would be forwarded on to City Council. Chairman Cox 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 stated that guests would need to limit their remarks to three minutes and speak only once. Chairman Cox 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 to yellow, and when the time is up the light will change to red. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking the issues.

Chairman Cox continued the meeting with the Consent Items.

The Commission approved the motion by Commission Member Cobbel, seconded by Commission Member Kuykendall, to approve the following three Consent items, with a vote of 7-0-0.

**16-180CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1 and 2, Block A, of the TCI McKinney Ranch Addition, Located on the Southwest Corner of McKinney Ranch Parkway and Ridge Road**

**16-219CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1 and 2, Block A, of the Caliber Collision Northwest Addition, Located Approximately 450 Feet North of U.S. Highway 380 (University Drive) and on the East Side of Custer Road**

**END OF CONSENT**

Chairman Cox continued the meeting with the Regular Agenda Items and Public Hearings on the agenda.

**16-214MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 13 and 14, Block B, of the Metro Industrial Park #2 Addition, Located on the Southwest Corner of McKinney Parkway and Metro Park Drive**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed minor replat. She stated that Staff recommends approval of the proposed minor replat and offered to answer questions.

Ms. Quintanilla explained that the applicant could not be present at the meeting; however, submitted an e-mail concurring with the Staff report.

Chairman Cox asked if the applicant had mentioned a possible use for the property. Ms. Quintanilla stated that no site plan had been submitted at this time and the applicant had not mentioned a possible use for the property to her.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and approve the minor replat as recommended by Staff, with a vote of 7-0-0.

**16-205Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Generally Located Approximately 445 Feet North of Wilmeth Road, on the East Side of Hardin Boulevard, and South of County Road 164 (Future Bloomdale Road)**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Ms. Traci Shannon Kilwer; Dowdey, Anderson & Associates, Inc.; 5225 Village Creek Dr.; Plano, TX; briefly explained the rezoning request and concurred with the Staff report. She offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Zepp, seconded by Commission Member Smith, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on September 6, 2016.

**16-181SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Automotive Sales, Repair and Car Wash (CarMax), Located on the Northwest Corner of White Avenue and U.S. Highway 75 (Central Expressway)**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed site plan request and requested variances. She stated that typically site plans could be approved by Staff; however, the applicant was requesting approval of variances to allow bay doors to be oriented towards public right-of-way (US Highway 75 and White Avenue), to utilize a living plant screen composed of Foster's Holly 6' at the time of planting to screen the bay doors located on the south side of the main building from White Avenue, and to waive the requirement to provide a 6' screening device along the western property line which must be approved by the Planning and Zoning Commission. Ms. Spriegel stated that Staff recommended approval of the proposed site plan and variances as conditioned in the Staff report. She offered to answer questions. There were none.

Mr. John Thatcher, 800 E. 15<sup>th</sup> Ave., Denver, CO, explained the proposed site plan and requested variances and gave a presentation. He offered to answer questions.

Chairman Cox asked for the distance of the proposed bay doors to the public right-of-way. Ms. Spriegel stated that the distance from the bay door that faces Highway 75 (Central Expressway) was about 540'. She stated that the distance from the bay door that faces White Avenue was about 330'.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Vice-Chairman

Zepp, the Commission voted unanimously to close the public hearing and recommend approval of the proposed site plan as conditioned in the Staff report, with a vote of 7-0-0.

**09-059FR2 Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for a Hangar on Lot 33R of the Aero Country East Addition, Located at 9409 Learjet Lane**

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed facade plan appeal for one hangar (Lot 33R) located in the Aero Country East Addition. He explained that the facade plan appeal was being requested because the proposed east elevation features a 100% metal facade while not being screened from view of the eastern property line (Virginia Hills Subdivision). Mr. Robinson stated that as part of the "PD" – Planned Development zoning (PD 2008-11-106) that covers the Aero Country East development, the east elevation of all hangars must be constructed of 100% masonry unless a townhome unit has been constructed between the hangar and the eastern property line at the time of a building permit application. He stated that the applicant was requesting to utilize a 100% metal façade on the east elevation, which does not meet the special ordinance provision of the PD zoning. Mr. Robinson stated that the hangar at this location was previously approved and permitted with a 100% masonry finish on the east elevation; however, the east elevation was not constructed per the approved plans with the approved 100% masonry. He stated that there had not been any hangar or townhome hangars constructed or started construction that would block the hangar from view of the residential subdivision to the east. Mr. Robinson stated that it was Staff's opinion that the facade plan appeal was being requested as a convenience to the applicant for economic reasons, as such Staff was recommending denial of the request for the proposed façade plan appeal. He offered to answer questions.

Commission Member Cobbel wanted to verify that there were additional lots to the east of the proposed property. Mr. Robinson explained that there were additional lots to the east of this property that had not been built on as of yet.

Commission Member Mantzey wanted to verify that if a townhome had been built on one of the properties that blocked the view to the east of this property then this hangar would not be required to have the 100% masonry on the east elevation. Mr. Robinson stated that was correct.

Commission Member Cobbel wanted to verify that the hangar had been constructed. Mr. Robinson stated that it had been constructed; however, had not received a Certificate of Occupancy (CO) with a final inspection from the City.

Commission Member Cobbel asked if the applicant realized that the east elevation was to be constructed with 100% masonry exterior. Mr. Robinson stated that the hangar was approved and permitted with the brick masonry on the facade; therefore, they were aware that it was required.

Mr. Mark Fangio, 2731 Sylvan Way, McKinney, TX, explained the proposed facade plan appeal. He stated that they gambled that one of the lots to the east of this property would sell and be built before now. Mr. Fangio briefly discussed the other hangers that had been built that were not shown on the Aerial Exhibit that was included in the packet and the vacant lots available at the site. He stated that the hangar at 9409 Pipercub Dr. was approved without 100% masonry on the east elevation. Mr. Fangio stated that the owner felt he was being punished for building his hanger prior to future hangers to the east of him. He felt that adding the approved brick to the exterior would cost an additional \$15,000. Mr. Fangio did not feel that it would take too long before the other lots were built upon, which would screen this property. He stated that they could not get permitted without the 100% masonry requirement. Mr. Fangio stated that they hoped that another property to the east of this lot would have been built prior to the completion of this property; however, that did not happen. He stated that they didn't really intend to have brick masonry on the east elevation of the building. Mr. Fangio felt that brick on this hangar would look odd after the other hangars to the east were built. He stated that all of the townhome lots had sold; however, they have not started building them yet. Mr. Fangio offered to answer questions.

Vice-Chairman Zepp asked when this hangar was permitted. Mr. Fangio thought it was about a year ago; however, was not positive. Mr. Robinson stated that it was permitted in June 2015.

Commission Member McCall asked when the surrounding hangars were built. Mr. Fangio stated that he built four located in the City of McKinney portion and one in the county portion this year.

Commission Member Cobbel asked if the hangar at 9409 Piper Cub Dr. requested a variance to build without the 100% masonry requirement. Mr. Robinson stated that when that hangar was built and permitted the City missed the 100% masonry requirement and allowed it to be permitted without it.

Chairman Cox opened the public hearing and called for comments.

Mr. Mike Hance, 10025 Eagle Dr., McKinney, TX, stated that he was a representative for the Aero Country Airport and also lived at the airport. He stated that he was in favor of approving the requested facade plan appeal. Mr. Hance stated that there was an area of vegetation and trees between the airport and residential subdivision. He stated that this airport was the #1 private airport in Collin County and was growing. He offered to answer questions. There were none.

On a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0.

Commission Member Cobbel asked if part of the airport was not annexed into the City. Mr. Robinson stated that west of the runway was not annexed into McKinney.

Vice-Chairman Zepp stated that he was in favor of approving the variance and felt this was a timing issue. He stated that he understood the initial intent of the requirement; however, did not feel it was appropriate for this situation. Vice-Chairman Zepp expressed concerns that the builder agreed to build the hangar with a 100% brick exterior on the east elevation and then did something else hoping to get it changed later.

Commission Member Kuykendall agreed with Vice-Chairman Zepp's comments that it was a timing issue.

Commission Member Smith asked what the benefit would be to having brick on the east elevation of this hangar when hangars and townhomes could be built to the east of it blocking the view. Mr. Robinson stated that it was an ordinance requirement. He stated that Staff cannot consider economic hardship as a reason to approve a variance. Mr. Robinson stated that this was a timing issue.

Commission Member McCall asked if the lot to the east of this property is developed and the lots east of it had not been developed yet if they would also need to request a variance so that they did not have to build the east elevation with masonry. Mr. Robinson stated that would be correct.

Chairman Cox stated that there was momentum at the airport and large companies coming to the area to increase the demand for the available lots. He agreed that it was timing issue.

Commission Member Mantzey stated that he appreciated Staff's recommendation upholding the ordinance. He stated that some of the surrounding residents might not have been noticed about this request if they lived outside the required distance. Commission Member Mantzey stated that the hangar further west had metal exteriors and were less visually appealing than the newer hangers. He stated that it was questionable asking for forgiveness instead of asking for approval upfront.

Commission Member Smith stated that she appreciate Staff's recommendation and agreed with the previous Commission Member comments. She stated that she wasn't looking at it from the cost benefit for the owner, but was looking at the benefit to the overall facility.

On a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission unanimously voted to approve the facade plan appeal, with a vote of 7-0-0.

**END OF THE REGULAR ITEMS AND PUBLIC HEARING ITEMS**

Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that the annual American Planning Association Texas Chapter Conference would be held in San Antonio, TX on November 2 - 4, 2016. He requested the Commission Members let him know if they were interested in attending it.

There being no further business, Chairman Cox declared the meeting adjourned at 6:50 p.m.

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BILL COX  
Chairman