

Planning and Zoning Commission Meeting Minutes of June 11, 2019:

19-0023Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "C1" - Neighborhood Commercial District, Located Approximately 670 Feet North of Stacy Road and on the East Side of Ridge Road. Mr. Joe Moss, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that the applicant is proposing to rezone the subject property to "C1" – Neighborhood Commercial District. Mr. Moss stated that the property is long and narrow in shape with the longest exposure along Ridge Road to the west and single family residential properties to the east. He stated that there is a multi-family development across the street to the south and a day care facility to the north of the subject property. Mr. Moss stated that the previous request to rezone the subject property to "C2" – Local Commercial District was withdrawn by the applicant. He stated that the applicant then submitted a new rezone request for "C1" – Neighborhood Commercial District. Mr. Moss stated that the proposed zoning aligns with the 2040 Comprehensive Plan, specifically the Urban Living place type in the Collin McKinney District. He stated that Staff is of the opinion that due to the location, space limits of the lot, and low intensity of uses permitted in the "C1" – Neighborhood Commercial District that this rezoning would be complementary to the surrounding area. Mr. Moss stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. Commission Member Haeckler asked Mr. Moss to

summarize the differences between “C1” – Neighborhood Commercial District allowed uses verses “C2” – Local Commercial District allowed uses. Mr. Moss stated that the “C-1” – Neighborhood Commercial District would allow lower intensity uses typically seen in a strip mall. He stated that you would not see heavier uses like garden centers or dry cleaners. Chairman Cox asked if drive-thru restaurants would be allowed in a “C1” – Neighborhood Commercial District. Mr. Moss stated that drive-thru restaurants were allowed by right in “C2” – Local Commercial District. He stated that they would require a Specific Use Permit (SUP) to be allowed in “C1” – Neighborhood Commercial District. Mr. Casey Gregory, Sanchez and Associates, 2000 N. McDonald Street, McKinney, TX, briefly explained the history of the two rezoning requests for the subject property. He concurred with the Staff Report and offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Mr. David Geise, 4800 Lasso Lane, McKinney, TX, spoke in opposition to the proposed rezoning request. He stated that the applicant’s previous rezoning request was voted down by the Planning and Zoning Commission and City Council. Mr. Geise stated that he opposes any retail uses on the subject property. He expressed concerns about decreasing his property value and this type of development adding a lot of negatives to the surrounding neighborhood which he detailed in a letter that he submitted to Staff while he was speaking at the meeting. Mr. Geise stated that he had not heard what type of establishments they plan to development on the subject property. He stated that they retired here ten years ago. Mr. Geise did not understand why the new property owner did not know what the property was currently zoned for when he purchased it

and why the applicant felt he could change the zoning on the property at this point in time. Ms. Susan Geise, 4800 Lasso Lane, McKinney, TX, stated that they live adjacent to the subject property. She stated that they do not want to see any commercial uses on the property. Ms. Geise stated that the day care's garbage is picked up at 6:30 a.m., which sometimes wakes her up. She questioned if the same thing would happen on the subject property if developed for commercial uses. Ms. Geise stated that the City previously decided that there was not a whole lot of space on the subject property for "C2" – Local Commercial District uses. She stated that she did not feel that there was enough land for public use on the subject property. Ms. Geise stated that this is a residential area and she would like to see it stay that way. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Kuykendall, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey asked Mr. Gregory if they have any current development plans for the subject property. Mr. Gregory stated that they currently do not have any set plans for the property. He stated that the current base zoning for the subject property is for office uses. Mr. Gregory stated that issues with garbage site and truck issues would be applicable to office uses as well. He stated that there had been previous discussions about developing residential uses on the property; however, the applicant was basically turned down by the City. Mr. Gregory stated that the low intensity commercial uses are in line with the City's 2040 Comprehensive Plan for the site. Commission Member Kuykendall asked Staff to discuss why City Council denied the previous rezoning request. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that

approximately two years ago a mixed-use development proposal was brought forward for the subject property. She stated that it was around four stories with commercial on the bottom story and multi-family residential located on the upper stories. Ms. Pickett stated that Staff had a lot of concerns over that request including the ability to fit the development on the subject property, ability to meeting the parking requirements, meeting landscaping and buffering requirements near single family residential uses, height adjacency, and the intensity of all of those uses with a 24-hour population verses a 12 or 18-hour population. She stated that this lead Staff to a recommendation of denial for that request. Ms. Pickett stated that request was ultimately denied by City Council. She stated that the applicant request the property be rezoned to "C2" – Local Commercial District about two months ago. Ms. Pickett stated that Staff had similar concerns as the previous request. She stated that the current rezoning request is a step down in intensity from the previous rezoning request that is more compatible with the surrounding area. Alternate Commission Member Woodruff asked about the height limitation under the current zoning. Ms. Pickett stated that the current zoning allowed for up to four stories. Mr. Moss stated that if the property was rezoned to "C1" – Neighborhood Commercial District that it would cap the building height to 35 feet. Chairman Cox asked if that would be about one-story with an eave. Mr. Moss stated that it could be one to two stories. Chairman Cox asked Staff to reiterate the approval process for a drive-thru restaurant under the requested zoning for the property. Mr. Moss stated that if someone wanted to build a fast food restaurant with a drive-thru then they would be required to submit a specific use permit (SUP). He stated that

would call for another set of hearings for that request where the public could voice their opinion on it. Vice-Chairman Mantzey stated that he voted against the mixed-use request and the “C2” – Local Commercial District rezoning requests due the residential properties located behind the subject property. He stated that this was about the best option regarding what the City would like to see developed in this location and what is compatible with the adjacent residential properties. Vice-Chairman Mantzey stated that he would be supporting Staff’s recommendation. On a motion by Commission Member Kuykendall, seconded by Commission Member Taylor, the Commission unanimously voted to recommend approval of the proposed 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 would be forwarded to the July 16, 2019 City Council meeting.