

## PLANNING AND ZONING COMMISSION

JULY 9, 2013

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, July 9, 2013 at 6:00 p.m.

Commission Members Present: Chairman Robert S. Clark, Vice-Chairman Rick Franklin, Matt Hilton, Larry Thompson, and Jim Gilmore

Commission Members Absent: George Bush and David Kochalka

Staff Present: Assistant Director of Development Services Rick Leisner; Director of Planning Michael Quint; Planning Manager Brandon Opiela; Planners Samantha Gleinser and Anthony Satarino; and Administrative Assistant Terri Ramey

There were nine guests present.

Chairman Clark called the meeting to order at 6:00 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 the issues.

The Commission unanimously approved the motion by Vice-Chairman Franklin, seconded by Commission Member Hilton, to approve the following two Consent Items with a vote of 5-0-0:

**13-648      Minutes of the Planning and Zoning Commission  
Regular Meeting of June 25, 2013**

- 13-125PF Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of FCH McKinney Senior Homes, L.L.C., for Approval of a Preliminary-Final Plat for Lots 1-24, Block A, Lots 1-14, Block B, Lots 1-10, Block C, and Common Areas, 1A, 1B, 2B, and 1C (Fireside Village Addition), Being Fewer than 14 Acres, Located on the Southwest Corner of Bois D'Arc Road and White Avenue**

**END OF CONSENT**

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

- 13-091Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Southern Land Company, L.L.C., on Behalf of SLC McKinney Partners, L.P., for a Request to Rezone Fewer than 29 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the East Side of Future Stonebridge Drive and Approximately 1,300 Feet North of U.S. Highway 380 (University Drive)**

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 a special ordinance provision listed in the Staff report.

The applicant did not wish to make a comment.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Hilton, seconded by Commission Member Thompson, the Commission voted unanimously to close the public hearing and to recommend approval of the rezoning request as recommended by staff, with a vote of 5-0-0.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 5, 2013.

- 13-096Z3 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of McKinney Seven 17, L.P. and VCIM Partners, L.P., for Approval of a Request to Rezone Fewer than 7 Acres from "AG" - Agricultural District, "PD" - Planned Development District, and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, to Modify the Allowed Land Uses and Development Standards, Located on the Northwest Corner of Chief Spotted Tail Drive and Alma Road**

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with the character and vision prescribed by Appendix B-2 (Regional Employment Center – Overlay Urban Design Standards) and Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance as outlined in the staff report.

Mr. Robert (Bob) Roeder; Abernathy, Roeder, Boyd & Joplin, P.C.; 1700 Redbud Blvd., Suite # 300, McKinney, TX, explained the proposed rezoning request and requested a recommendation for approval.

Commission Member Gilmore asked Mr. Roeder if there would be a gate at the proposed facility. Mr. Roeder stated that there would be a fence between the residential lots and the facility. He stated that it would not have any gated entries.

Chairman Clark asked Mr. Roeder who would maintain the proposed park on the property. Mr. Roeder stated that the property owner would maintain the park. He stated that they do not plan to dedicate it to the public or Homeowner's Association (HOA).

Chairperson Clark opened the public hearing and called for comments. There were none.

Chairman Clark asked Staff about the special ordinance provisions listed in the staff report. Mr. Michael Quint, Director of Planning for the City of McKinney, read them aloud. Chairman Clark asked Mr. Roeder if they were fine with these special ordinance provisions. Mr. Roeder said yes.

Commission Member Hilton expressed concerns regarding several recent rezoning requests seeking exceptions to the "REC" - Regional Employment Center Overlay District's standards. He felt that if these exceptions continued to be approved that we would be getting further away from the initial intent and character envisioned for the "REC" – Regional Employment Center Overlay District. Commission Member Hilton asked Staff where City Council stood on this issue. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that he had not been requested to make amendments to the "REC" – Regional Employment Center Overlay District; however,

was willing to propose amendments if the Planning and Zoning Commission and/or City Council requested it.

The Commission voted unanimously, on a motion by Commission Member Gilmore, seconded by Commission Member Thompson, to close the public hearing and to recommend approval of the rezoning request with the special ordinance provision listed in the staff report, with a vote of 5-0-0.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 5, 2013.

**13-103Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of McKinney Seven 50, L.P., for Approval of a Request to Rezone Fewer than 25 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the East Side of Custer Road and Approximately 300 Feet North of Collin McKinney Parkway**

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with Appendix B-2 (Regional Employment Center – Overlay Urban Design Standards) of the Zoning Ordinance as outlined in the staff report.

Mr. Robert (Bob) Roeder; Abernathy, Roeder, Boyd & Joplin, P.C.; 1700 Redbud Blvd., Suite # 300, McKinney, TX, explained the proposed rezoning request and requested a recommendation for approval.

Chairperson Clark opened the public hearing and called for comments.

Mr. David H. Craig, Craig International, 6850 TPC Drive, Suite # 104, McKinney, TX, briefly explained the proposed rezoning request, gave various reasons he felt the request was beneficial to the surrounding neighbors and the City of McKinney, and requested a recommendation for approval.

Mr. Steve Andelman, 5917 River Highlands Dr., McKinney, TX, stated that he is a member of the advisory committee for the surrounding neighborhood and spoke in favor of this rezoning request.

Chairman Clark asked Staff about the special ordinance provisions listed in the staff report. Mr. Michael Quint, Director of Planning for the City of McKinney, read them aloud. Chairman Clark asked Mr. Roeder if they were fine with these special ordinance provisions. Mr. Roeder said yes.

The Commission voted unanimously, on a motion by Commission Member Thompson, seconded by Commission Member Gilmore, to close the public hearing and to recommend approval of the rezoning request with the special ordinance provision listed in the staff report, with a vote of 5-0-0.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 5, 2013.

Chairman Clark stated that there had been a number of recent rezoning requests within the "REC" - Regional Employment Center Overlay District that City Staff had recommended denial of due to the requests not conforming to the requirements of the REC as adopted by the City Council. He stated that the Planning and Zoning Commission had recommended approval of these items because they have a different role and different responsibilities than City Staff has. Chairman Clark expressed his appreciation for the Planning Department and indicated that the Commission's recommendations, which were at odds with City Staff's recommendations, were not an indication of any issues with City Staff.

Chairman Clark declared the meeting adjourned at 6:25 p.m.

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ROBERT S. CLARK  
Chairman