

PLANNING AND ZONING COMMISSION

MAY 8, 2018

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, May 8, 2018 at 6:00 p.m.

City Council Present: Charlie Philips

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Janet Cobbel, Deanna Kuykendall, Cam McCall, Mark McReynolds, and Pamela Smith

Staff Present: Director of Planning Brian Lockley, Planning Manager Samantha Pickett, Planners Danielle Quintanilla and David Soto, and Administrative Assistant Terri Ramey

There were approximately 15 guests present.

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

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

18-407 Minutes of the Planning and Zoning Commission Regular Meeting of April 24, 2018

17-258PF Consider/Discuss/Act on a Preliminary-Final Plat for 75 Single Family Residential Lots and 2 Common Areas (Barcelona Phase III), Located Approximately 1,200 Feet West of McKinney Ranch Parkway and on the South Side of Silverado Trail

18-0032SP Consider/Discuss/Act on a Site Plan for an Auto Repair Facility (Collin County Customs), Located Approximately 100 Feet South of Power House Drive and on the East Side of Mercury Circle

END OF CONSENT

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

18-0051Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "SF7.2" - Single Family Residential District, Located Approximately 975 Feet South of Gray Branch Road and on the East Side of Ridge Road

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant is requesting to rezone approximately 17 acres of land from "PD" – Planned Development District to "SF7.2" – Single Family Residential District. Ms. Quintanilla stated that this case was tabled indefinitely at the April 10, 2018 Planning and Zoning Commission meeting. She stated that since that meeting the applicant has revised the rezoning request from "SF5" – Single Family Residential District to "SF7.2" – Single Family Residential District, which requires a minimum 7,200 square foot lot. Ms. Quintanilla stated that the applicant has also provided an information only concept plan to depict how the property may develop. She stated that the current and proposed zonings are generally for single family detached residential uses; however, the current "PD" – Planned Development District requires the property to develop in accordance with a layout exhibit. She stated that the applicant is requesting to rezone the subject property to remove the layout and adopt a straight zoning district of "SF7.2" – Single Family Residential District. Ms. Quintanilla stated that Staff is of the professional opinion that the proposed rezoning request will increase the development potential of the property and complement the surrounding land uses. She stated that Staff recommends approval of the proposed rezoning request and offered to answer questions.

Vice-Chairman Mantzey asked for clarification of the differences between the average size lots and minimum lot sizes from the previous rezoning request to the proposed rezoning request. Ms. Quintanilla stated that the previously requested "SF5" – Single Family Residential District had a minimum lot size of 5,000 square feet with a mean and median of 7,200 square feet. She stated that the proposed "SF7.2" – Single Family Residential District has a minimum lot size of 7,200 square feet and does not include a mean and median lot size.

Vice-Chairman Mantzey wanted to verify that this is only a concept plan and not a site plan. He asked if there is a cap to the number of lots that could be developed on the subject property as long as they meet the 7,200 square foot lot size. Ms. Quintanilla stated that there would be a cap based on the 3.2 units per acre density on the proposed subject property. She stated that with 17.63 gross acres there could be a maximum of 56 lots. Vice-Chairman Mantzey asked if the current exhibit showed 49 lots. Ms.

Quintanilla stated that the information only concept plan does show 49 lots. She stated that the current zoning on the property has a maximum density of 53 lots. Chairman Cox wanted to clarify that the drawing tied to the current zoning shows a maximum of 42 lots. Ms. Quintanilla stated that was correct. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that since it was generally conforming to the layout exhibit that they could have the ability to develop up to 53 lots as long as it generally matched the exhibit.

Vice-Chairman Mantzey asked if the Commission could decide to limit the number of lots and apply it to the requested zoning for the subject property. Ms. Pickett stated that would create the need for a "PD" – Planned Development District.

Mr. Bob Roeder, Abernathy, Roeder, Boyd & Hullett, P.C., 1700 Redbud Blvd. McKinney, TX, explained the proposed rezoning request and the revision since the previous application. He stated that he was not present at the April 10, 2018 meeting; however, he had read the minutes. Mr. Roeder stated that the proposed rezoning request meets the spirit and intent of the current "PD" – Planned Development District for the subject property. He stated that if they could stipulate the maximum number of lots to be 49 with the straight zoning district then they would. Mr. Roeder stated that there are several regulations in the City's ordinance that conflict with each other on how to plat a property when an erosion hazard setback is involved and gave examples. Mr. Roeder briefly discussed the current zoning and lot sizes allowed on the subject property. He stated that when the erosion hazard setback is the rear yard setback, then the maximum number of lots they could have would be 49 lots. Mr. Roeder stated that each lot would be larger than 7,200 square feet. He stated that the layout associated with the current zoning on the property was done at a high level without any engineering being done at that time; therefore, some of the roads and lot locations do not make sense. Mr. Roeder stated that the developer's intent is to make this a gated subdivision. He stated that City Staff prefers to rezone to straight zoning instead of a "PD" – Planned Development District, which can get complicated years later. Mr. Roeder stated that the properties along the creek will appear larger due to the erosion hazard setback. He requested a favorable recommendation of the proposed rezoning request and offered to answer questions. There were none.

Mr. Mike Buchanan, 900 Gray Branch Road, McKinney, TX, stated that this was part of a master plan that is zoned "RS84" - Single Family Residential District and "RS120" - Single Family Residential District. He stated that Emerald Heights was originally part of this parcel and has the same issues as the subject property. Mr. Buchanan stated that they were accountable to the original zoning. He requested consistency within the master plan.

Mr. Michael Brown, 5800 Creekside Court, McKinney, TX, stated that the developer is from out of town and wants to maximize the number of lots on the property. He stated that the applicant got with City Staff to discuss revisions to the request. Mr. Brown stated that they did not reach out to any of the surrounding property owners to discuss the proposed project. He stated that Emerald Heights, Stonebridge Estates, Altamura Estates, Waterbury, Kings Lake, and Isleworth have larger lot sizes along their creeks. Mr. Brown stated that Wynn Ridge and Saddlehorn Creek subdivisions were across the street from the subject property and have very nice houses packed on smaller lots. He expressed concerns about noise issues from the additional smaller lots along the creek on the subject property. Mr. Brown requested that the proposed rezoning request be denied. He stated that he would like to keep the current zoning with the lots along the creek being a minimum of 12,000 square feet and the rest of the lots being a minimum of 8,400 square feet.

Ms. Peggy Baird, 409 Creekside Drive, McKinney, TX, concurred with Mr. Buchanan and Mr. Brown's comments. She stated that she would like to see the lots along the creek mirror the lots along the creek in the Emerald Heights subdivision. Ms. Baird expressed concerns about trees that might be removed along the creek that blocks a lot of noise. She stated that she would have loved to have discussed the plans for this property with the developer after the April 10, 2018 Planning and Zoning Commission meeting.

The following resident turned in a speaker's card in opposition to the proposed rezoning request; however, did not wish to speak during the meeting.

- Ms. Jennifer Buchanan, 900 Gray Branch Road, McKinney, TX

On a motion by Commission Member McReynolds, 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 what size lots were located along the creek to the north of the subject property. Ms. Pickett stated that they appear to be approximately 50 – 60 feet wide and 160 – 300 feet in depth. Commission Member Cobbel asked for the square footage along the creek in the adjacent subdivision. She also stated that the lots appear to range in size. Ms. Pickett gave the example of an 80' x 160' lot being 12,800 square feet.

Commission Member Smith stated that the previous letters of opposition from the April 10, 2018 Planning and Zoning Commission meeting were asking for a minimum of 7,200 square foot lot sizes for the subject property. She stated that she was glad to see that the applicant revised the request to include that minimum lot size. Commission Member Smith stated that there was an expectation that the developer would communicate with the surrounding property owners after the previous meeting; however, that did not happen. She stated that there is still strong opposition from the neighboring residents to the proposed rezoning request. Commission Member Smith stated that she feels that we would be doing a disservice to the neighboring residents if we approve the rezoning request in light of their objections and the value and price point of the surrounding neighborhood. She stated that she would feel better if the applicant communicated their plans with the neighboring residents, even if the same proposal comes back before the Commission.

Commission Member McReynolds asked if the proposed lot sizes were larger compared to the previous request. Ms. Pickett stated that the minimum lot sizes were possible larger. Commission Member McReynolds stated that it appears that they took some advice from the first meeting.

Commission Member Cobbel stated that the public had the opportunity to speak at the April 10, 2018 Planning and Zoning Commission meeting. She stated that the developer appears to have taken their comments under advisement.

Commission Member McReynolds stated that there seems to have been some thought put into the concept plan, included in the Staff Report for informational purposes

only, regarding engineering, setbacks, roads, and connectivity. He stated that he understands what Mr. Roeder was saying about the lots along the creek appearing larger than what they actual would be due to the erosion control setbacks. Commission Member McReynolds stated that he was in support of the proposed rezoning request.

Vice-Chairman Mantzey stated that at the last meeting he was thoroughly opposed to the minimum lot size being 5,000 square feet, which he did not feel would meet the intent of the current "PD" – Planned Development District. He stated that it is unfortunate that we move away from "PD" – Planned Development Districts for cases on unique pieces of land. Vice-Chairman Mantzey stated that the applicant did take into account the references of getting to the larger minimum lot size overall. He stated that it is unfortunate that they did not meet with the surrounding property owners. Vice-Chairman Mantzey stated that even though the proposed rezoning request is not perfect, it is within range of the original number of lots for that area and works with the layout of the land. He stated that he hopes the overall lots for the development stays under 50 total lots. Vice-Chairman Mantzey stated that he would be in support of the request since it has a minimum of 7,200 square feet per lot.

Chairman Cox asked for clarification on the major differences from the previous request and the proposed rezoning request. Mr. Roeder stated that they eliminated the opportunity to have a lot size less than 7,200 square feet. He stated that they took into account the erosion hazard setback for the lots along the creek. Mr. Roeder stated that he did speak with Mr. Mike Buchanan about this request; however, he did not speak with the other surrounding property owners. He stated that he has not heard anything new that was not in the April 10, 2018 Planning and Zoning Commission minutes. Mr. Roeder stated that he has not seen any harm being shown by any of the complainants.

Chairman Cox and Commission Member McCall concurred with the other Commission Member's comments.

Chairman Cox stated that he applauds the applicant for bringing up the minimum lot size up significantly. He stated that he would be in support of the proposed rezoning request.

On a motion by Commission Member Cobbel, seconded by Commission Member McReynolds, the Commission voted to recommend approval of the proposed rezoning

request as recommended by Staff, with a vote of 6-1-0. Commission Member Smith voted against the motion.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 5, 2018.

18-0046FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for Auto Repair Facility (Collin County Customs), Located Approximately 100 Feet South of Power House Drive and on the East Side of Mercury Circle

Mr. David Soto, Planner I for the City of McKinney, explained the proposed facade plan appeal. He stated that the applicant was requesting a facade plan appeal for an auto repair facility (Collin County Customs) due to the proposed elevations not conforming to the requirements of the City's Architectural Standards for non-residential uses in non-industrial districts. Mr. Soto stated that typically facade plans can be approved by Staff; however, the applicant is requesting approval of a facade plan appeal which must be considered by the Planning and Zoning Commission. He stated that the applicant has submitted the associated site plan (18-0032SP), which was considered during the Consent items during this meeting. Mr. Soto stated that the purpose of the architectural standards is to set minimum standards for the appearance of non-residential and corresponding site elements, which are recognized as enhancing property values and are in the interest of the general welfare for McKinney. He stated that staff received one call expressing concerns regarding this request. Mr. Soto stated that the applicant is requesting six variances to the facade plan.

Mr. Soto stated that Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance states that commercial uses following the standard of a non-residential in non-industrial districts shall have at least 50% masonry finishing materials on each elevation. He explained that masonry is defined as brick or stone. Mr. Soto stated that the applicant is requesting to waive all masonry requirements. He stated that the applicant is proposing a combination of concrete masonry unit (CMU) block, exterior insulation and finish system (EFIS), and metal as the materials. Mr. Soto stated that a majority of metal is being proposed on three of the four facades. He stated that although the proposed development is in an area primarily designed for industrial uses, auto repair facilities and offices are considered commercial uses, and can be located within both

commercially and industrially zoned areas of the city. Mr. Soto stated that both proposed buildings were requested to have a masonry component along with the other elements. He stated that many of the surrounding buildings have either provided masonry or have forgone metal entirely. Mr. Soto stated that given the surrounding area and proposed uses, Staff is of the opinion that the lack of masonry may not complement the existing and future development of the area, and that masonry material could be used to achieve a similar look. He stated that Staff recommends denial of this proposed variance request.

Mr. Soto stated that for the second variance, the Zoning Ordinance states that the minimum elevations that are 50' or longer in horizontal length shall be interrupted by at least two offsets (projection or recess). He stated that while the applicant has provided the required offsets on the west elevation that faces the public right-of-way. Mr. Soto stated that the north, south, and east elevations do not feature the required offsets. He stated that offsets provide an aesthetic articulation for otherwise flat building elevations by creating visual interest. Mr. Soto stated that it is Staff's professional opinion that this building can maintain a unique identity, while still incorporating similar architectural elements, such as offsets, in order to provide visual interest. He stated that Staff recommends denial of the second proposed variance request.

Mr. Soto stated that for the third variance, the Zoning Ordinance states that the windows shall appear as holes that are punched through walls rather than an appendage to the wall. He stated that this requirement is to draw the eye to the window by providing depth and shadow, adding to the visual interest of the facade. Mr. Soto stated that the applicant is proposing windows that are relatively flush with the veneer (1" deep). He stated that although this is intended to create a modern look, it is Staff's professional opinion that the increased depth and emphasis on the windows would create more visual interest. Mr. Soto stated that Staff recommends denial of the third proposed variance request.

Mr. Soto stated that for the fourth variance, the Zoning Ordinance states that the parapet roof lines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation. He stated that this requirement is to provide depth and contrast to highlight the roofline of the building. Mr. Soto stated that the applicant is proposing a 6" cap; however, the color is similar to the

remainder of the building causing it to blend in rather than contrast. He stated that Staff recommends denial of the fourth variance request.

Mr. Soto stated that for the fifth and sixth variances, the Zoning Ordinance states that the buildings shall provide an additional feature in order to create a visual interest for the building. He stated that the additional feature that the applicant selected is "The building features has at least two distinctly different significant architectural design concepts that are not already mandated by these requirements which add to the visual interest of the building". Mr. Soto stated that the applicant is proposing to utilize a single architectural element, a graphic design featuring a tachometer on the north and west elevation of the auto repair facility and a speedometer on the north and west of the office building. He stated that it is Staff's professional opinion that this architectural element, while unique in design, only counts as one distinct design concept. Mr. Soto stated that one additional unique design concept would need to be provided in order to meet this requirement. He stated that Staff recommends denial of the proposed variance request. Mr. Soto offered to answer questions.

Commission Member Smith asked Mr. Soto to elaborate on the concerns from the caller. Mr. Soto stated that they expressed concerns on how the building would look compared to the surrounding buildings that mostly has some masonry on the facade that faces the right-of-way.

Commission Member Cobbel asked if Staff would be happier if the applicant provided some masonry on the facade facing the right-of-way or was it a combination of all of the variances that Staff opposes. Mr. Soto stated that if they provide some masonry on the exterior that it would fit in with the existing buildings in the area. He also stated that Staff has concerns about all six variances requested.

Mr. Nick Mourton, 7850 Collin McKinney Parkway, McKinney, TX, explained the proposed facade plan appeal. He stated that if this was considered an industrial use, then EFIS and CMU would both be considered an appropriate material for the facade. Mr. Mourton stated that Collin County Customs provides custom restoration and upgrades to classic and high value vehicles. He stated that they currently operate at 192 Industrial Boulevard, which is a similar zoned district as to the proposed new location. Mr. Mourton stated that they purchased a property in the Power House Industrial Park with the intent

to relocate there. He stated that there are several other related businesses in this development. Mr. Mourton stated that during a predevelopment meeting in September 2017 they learned that they would not be considered an industrial or manufacturing use. He stated that since they are being considered a commercial use it triggered the Architectural Standards. Mr. Mourton stated that it does not seem logical to them that this seemingly compatible business would be subjected to an undue burden. He stated that he could not find the definition of industrial or commercial in the Zoning Ordinance, which he felt makes it difficult to determine if they are an industrial or commercial use. Mr. Mourton stated that Staff explained that the Schedule of Uses has a column for residential uses, another column for industrial uses, and that any uses not listed under one of them would by default be a commercial use. He stated that they would fall under that category, since their use did not fall under the allowed uses in either of those categories. Mr. Mourton stated that they feel strongly that the proposed development and use is very compatible with the neighboring businesses. He stated that none of the surrounding buildings has anywhere near these Architectural Standards that they are being asked to follow. Mr. Mourton distributed photographs of the surrounding buildings. He felt that the proposed development would be an upgrade to the neighborhood compared to the product that is existing developments near there. Mr. Mourton asked for approval of the facade plan with the variances that they requested and offered to answer questions. He stated that his architect was also available to answer questions.

Commission Member Smith asked for clarification on what Mr. Mourton considered an undue burden. Mr. Mourton considers the Architectural Standards being imposed for a commercial use is an undue burden. He stated that he considers the proposed use to be industrial instead of commercial. Mr. Mourton felt that the code was unclear on what uses were considered commercial, since it was not specifically specified in the Schedule of Uses.

Commission Member McReynolds asked the architect to discuss the proposed development. Mr. Kent Holcomb, KH Architects, 301 Flat Rock Road, Azle, TX, stated that they have a unique customer that wanted something streamlined, modern, and contemporary. He stated that they wanted a lot of gray tones and did not want to see a lot of color. Mr. Holcomb stated that for the proposed graphics they propose to use an

almost white EFIS material with recessed depressions for the graphics. He stated that to go along with that on the front and partially around the edges they proposed to use a smooth face CMU. Commission Member McReynolds asked if it would have an appearance of a cast stone instead of a rough surface. Mr. Holcomb said yes. He stated that if they could have afforded limestone, they might have used it instead. Mr. Holcomb stated that they upgraded the other three sides with a charcoal colored 7.2 deep ribbed panel that costs substantially more than vertical R panels which are on typical metal buildings. He stated that the proposed metal panels would have more of a shadow effect to it.

Chairman Cox stated that after reading the letter of intent that included what the business does it sounded like something similar to an industrial use to him. Mr. Mourton stated that they were surprised that City Staff did not consider them an industrial use. Mr. Holcomb gave an example of Christian Brothers Automotive being a commercial enterprise that needs to be on a commercial street for drive by traffic for customers to stop by to get their automobile repaired. He stated that the proposed use is not the typical automobile repair business and that was why they chose an industrial site. Mr. Holcomb compared the business to more of a manufacturing facility.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member McReynolds, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0.

Commission Member McReynolds gave an example of how Cracker Barrel restaurant's facades invoke a feeling of a country general store. He stated that they would not have the same effect if the exterior was brick and/or stone with other architectural elements that might typically be required on commercial buildings in McKinney. Commission Member McReynolds stated that when you look at the proposed buildings that you think mechanics. He felt the design was significant and distinct for McKinney. Commission Member McReynolds stated that the proposed design was appropriate for the industrial area. He also stated that it was important to have a standard in the city. Commission Member McReynolds stated that he was in favor of the proposed facade plan.

Commission Member Cobbel concurred with Commission Member McReynolds comments. She stated that it was a new innovation and look coming to McKinney. Commission Member Cobbel stated that she appreciated Staff's opinions on this submittal.

Commission Member Kuykendall concurred with Commission Members McReynolds and Cobbel. She stated that it was a unique design.

Commission Member Smith stated that she is not typically in support of a long list of variance requests. She stated that this is an industrial area and the proposed use would be appropriate there. Commission Member Smith stated that she understands Staff's view point.

On a motion by Commission Member Cobble, seconded by Commission Member McReynolds, the Commission unanimously voted to approve the facade plan appeal as requested by the applicant, with a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for this facade plan appeal.

18-0034SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for an Elementary School (Prosper Independent School District No. 10), Located Approximately 1,275 Feet South Of Virginia Parkway and Approximately 600 Feet West of Independence Parkway

Mr. David Soto, Planner I for the City of McKinney, explained the proposed site plan request. He stated that the applicant is proposing to construct an elementary school on 10.8 acres. Mr. Soto stated that site plans can typically be approved by Staff; however, the applicant is requesting approval of an alternate screening device to screen the proposed elementary school from the adjacent residential uses located northeast of the subject property. He stated that per Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, screening devices shall be placed along any property line or district boundary between single family residential uses and non-residential uses. Mr. Soto stated that since the proposed elementary school is adjacent to single family residential uses, the applicant is required to screen the proposed development on the northeast side of the property with either an approved screening device or an alternate screening device with approval of the Planning and Zoning

Commission. He stated that the applicant is seeking approval of an alternate screening device, consisting of 87 Juniper Spartan trees (spaced approximately 4' 6" on center and to be 6' tall at the time of planting), to screen the non-residential property from the single family residential properties to the northeast. Mr. Soto stated that these trees will be provided in conjunction with the canopy trees required, as well as the existing residential wood fence along the rear property lines of the residential properties. He stated that given that the existing wood fence, required trees, and multiple easements along the property line, it is Staff's professional opinion that the proposed alternate screening device will serve as adequate screening between the elementary school and the adjacent single family residential uses. Mr. Soto stated that Staff recommends approval of the applicant's request and offered to answer questions. There were none.

Mr. Shawn Rockenbaugh, TNP, Inc., 825 Watters Creek Boulevard, Allen, TX, briefly explained the proposed site plan request. He stated that there are a number of utilities along the north side of the property and adjacent to the single family residential uses. Mr. Rockenbaugh stated that they had worked with CoServe regarding the electric lines in this location. He stated that CoServe was against installing any type of masonry or stone screening in this area that would impact their ability to access their lines. Mr. Rockenbaugh stated that CoServe agreed to the installation of a living screen in this area.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and approve the proposed site plan as conditioned in the Staff Report, with a vote of 7-0-0.

END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Chairman Cox thanked Staff for their hard work.

There being no further business, Chairman Cox declared the meeting adjourned at 7:10 p.m.

BILL COX
Chairman