

## **PLANNING AND ZONING COMMISSION**

**MAY 13, 2014**

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, May 13, 2014 at 6:00 p.m.

City Council Present: Mayor Pro-Tem Travis Ussery

Commission Members Present: Chairman Rick Franklin, Jim Gilmore, Michael Osuna, and Dick Stevens

Commission Members Absent: Vice-Chairman George Bush, Larry Thompson, and Matt Hilton

Staff Present: Director of Planning Michael Quint; Planning Managers Brandon Opiela, Jennifer Arnold, and Matt Robinson; Planners Samantha Pickett, Steven Duong, Neil Rose, Jason Aprill, and Steven Doss; and Administrative Assistant Terri Ramey

There were approximately 19 guests present.

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

Chairman Franklin 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 Franklin 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 Franklin 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.

Chairman Franklin continued the meeting with the Consent Items.

The Commission unanimously approved the motion by Commission Member Stevens, seconded by Commission Member Gilmore, to approve the following four Consent items with a vote of 4-0-0.

- 14-471 Minutes of the Planning and Zoning Commission Regular Meeting of April 22, 2014**
- 14-096CVP Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of McKinney Growth III, for Approval of a Conveyance Plat for Lots 1-5, Block A, of the Lake Forest Crossing Addition, Being Fewer than 16 Acres, Located on the Southeast Corner of Highlands Drive and Lake Forest Drive**
- 14-052PF Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of McKinney Growth III, for Approval of a Preliminary-Final Plat for Lots 1R - 5R, Block A, of the Heatherwood Hill Addition, Being Fewer than 16 Acres, Located on the Northeast Corner of McKinney Ranch Parkway and Lake Forest Drive**
- 14-049PF2 Consider/Discuss/Act on the Request by Dowdey, Anderson and Associates, on Behalf of Verbi Hayes, for Approval of a Preliminary-Final Plat for 94 Single Family Residential Lots (Park Ridge), Being Fewer than 21 Acres, Located at the Northwest Corner of Virginia Parkway and Hardin Boulevard**

**END OF CONSENT**

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

- 14-076Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Dowdey, Anderson & Associates, Inc., on Behalf of Paul Lehner & Virginia R. Lehner, for Approval of a Request to Rezone Fewer than 102 Acres from "AG" - Agricultural District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Establish Development Regulations that Allow for the Development of Neighborhood Center, Multi-Family, Single Family Attached and Detached Residential Uses, and Civic Uses, Located on the Southeast Corner of Stacy Road and Alma Road**

Mr. Steven Duong, Planner for the City of McKinney, distributed a revised Staff report to the Commission Members prior to the meeting. He explained the proposed rezoning request. Mr. Duong stated that Staff recommends approval of the proposed rezoning request with the special ordinance provision listed in the revised Staff report.

Commission Member Stevens asked for clarifications on why properties within the "REC" – Regional Employment Center Overlay District do not have to follow the

City's Multi-Family Policy. Mr. Michael Quint, Director of Planning for the City of McKinney, briefly explained the City's Multi-Family Policy that was adopted by City Council in 2001 and explained why the "REC" – Regional Employment Center Overlay District was exempt.

Commission Member Stevens had concerns about the proposed screening around the proposed retail area shown on the concept plan included in the Staff report. He felt that the wall shown should not only go around the rear of the retail area, but should continue towards Alma Road to block the view from the proposed townhomes. Mr. Quint stated that Staff did not feel a wall was necessary in that area since the two sections were divided by a public street.

Commission Member Gilmore asked about the negative Cost/Benefit Comparison figure shown in the Staff report. Mr. Quint stated that most residential uses have a negative cost benefit. He stated that is the reason why the residential to non-residential tax base ratio is so important.

Chairman Franklin asked if the proposed multi-family units would be three to four stories tall. Mr. Duong said yes.

Chairman Franklin asked about the parking for the proposed multi-family units. Mr. Duong felt the applicant should address this question.

Mr. David Hicks, David Hicks Company, 2323 N. Houston Street, Dallas, TX, explained the proposed rezoning request. He stated that they plan to build an urban type design and the parking would be hidden on the interior of the multi-family complex or would be tuck-under parking.

Commission Member Gilmore asked if the multi-family units would be four-stories. Mr. Hicks stated that they proposed to build three to four-story multi-family units.

Commission Member Osuna asked if the applicant had a development plan for the project. Mr. Hicks stated that they plan to build the single-family residential properties first. He stated that the multi-family and retail units would be built at a later time.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Gilmore, seconded by Commission

Member Osuna, the Commission voted unanimously to close the public hearing, with a vote of 4-0-0.

Commission Member Gilmore asked for clarification on the height allowed on the multi-family units built in the "REC" – Regional Employment Center Overlay District. Mr. Quint explained that some areas of the "REC" - Regional Employment Center Overlay District allowed up to eight-story structures. He stated that in 2010 the City Council adopted modified multi-family standards which capped the multi-family building height to two-stories for most of the areas within the City of McKinney; however, this did not include the "REC" – Regional Employment Center Overlay District.

Commission Member Osuna expressed concerns that the proposed single-family residential development homeowners might not be in favor of the proposed multi-family units being built near them once the developer starts that phase of development.

Chairman Franklin felt this was not the best location for the proposed multi-family units being three to four-stories. He stated that he was in favor of the proposed single-family and townhomes uses on the property.

Commission Member Stevens was in agreement with Chairman Franklin. He stated that he was surprised that Staff supported the proposed rezoning request. Mr. Quint stated that this proposed rezoning request followed the vision outlined by the "REC" – Regional Employment Center Overlay District.

Chairman Franklin asked the applicant if he was willing to table the proposed rezoning request. Mr. Quint stated that since the public hearing was closed that they would not be able to table until the next Planning and Zoning Commission meeting.

Mr. Hicks stated that some of the surrounding properties were zoned for multi-family uses. He stated that they envisioned a mix of uses for this development and felt there was a market for these uses. Mr. Hicks stated that City Staff had a lot of input on the proposed rezoning request.

Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that this proposed rezoning request would be just below the average maximum net density requirement.

A motion by Commission Member Gilmore to approve the request died due to a lack of a second.

Mr. Jed Nelson, JBGL Communities, 3131 Harvard Avenue, Dallas, TX, stated that they were willing to table the request. He stated that they would prefer to build the townhomes first and then the single-family residential dwellings. Mr. Nelson mentioned some of the other developments their company had built in and felt their reputation should speak for itself.

On a motion by Commission Member Osuna, seconded by Commission Member Stevens, the Commission voted unanimously to table the rezoning request indefinitely, with a vote of 4-0-0.

Mr. Quint stated that Staff would re-notice for an upcoming meeting.

**14-112Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of R.D. Offutt Company, for Approval of a Request to Rezone Fewer than 11 Acres from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of U.S. Highway 75 (Central Expressway) and Wilmeth Road**

Ms. Samantha Pickett, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the Staff report.

Commission Member Osuna asked if the proposed revisions to the rezoning request addressed City Council's earlier concerns. Mr. Michael Quint, Director of Planning for the City of McKinney, briefly discussed City Council's earlier concerns and stated that the proposed rezoning request tried to address these concerns.

Commission Member Stevens stated that he was impressed with the R.D. Offutt Company from what he read on-line and felt the tax sales received would be beneficial for the City.

Commission Member Stevens expressed concerns about what other businesses could go into the location 20 years from now if the R.D. Offutt Company decided to leave this location. Mr. Quint stated that a change in use on the property would require that the parking facility be upgraded.

Commission Member Osuna asked about the proposed landscaping around the screening wall. Mr. Quint briefly discussed the proposed landscaping.

Jon David Cross, Cross Engineering Consultants, 131 S. Tennessee Street, McKinney, TX, explained the proposed rezoning request and briefly discussed the R.D. Offutt Company.

Chairman Franklin opened the public hearing and called for comments.

Mr. Tim Curran, R.D. Offutt Company, 700 S. 7<sup>th</sup> Street, Fargo, ND, turned in a speaker's card in favor of the proposed rezoning request; however, did not speak during the meeting.

On a motion by Commission Member Stevens, seconded by Commission Member Osuna, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended by Staff, with a vote of 4-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 3, 2014.

**14-100ME Conduct a Public Hearing to Consider/Discuss/Act on the Request by Grimes Development, on Behalf of Akita Properties, for Approval of a Meritorious Exception for McKinney Medical Plaza II, Being Less than 1 Acre, Located on the South Side of Virginia Parkway and Approximately 740 Feet West of Crutcher Crossing**

Ms. Samantha Pickett, Planner for the City of McKinney, explained the proposed meritorious exception. She stated that Staff recommends approval of the proposed meritorious exception.

Lon Braselton, Phelps Wood Architects, 1716 Lost Creek Drive, Allen, TX, concurred with the Staff report.

Commission Member Osuna asked if the applicant planned to keep the same look as the medical building next door. Mr. Braselton said yes.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Osuna, seconded by Commission Member Gilmore, the Commission voted unanimously to close the public hearing and approve the meritorious exception as recommended by Staff, with a vote of 4-0-0.

Chairperson Franklin stated that the Planning and Zoning Commission is the final approval authority for the proposed meritorious exception.

**14-101MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kadleck and Associates, on Behalf of Texoma Asset Management, L.P., for Approval of a Minor Replat for Lots 2A and 2B, Block A, of the Headington Heights Addition, Being Fewer than 6 Acres, Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 300 Feet West of Hardin Boulevard**

Mr. Steven Duong, Planner for the City of McKinney, explained the proposed minor replat. He stated that Staff recommends approval of the proposed minor replat as conditioned in the Staff report.

Ms. Amanda Kadleck, Texoma Asset Management, L.P., 2000 N. Central Expwy., Plano, TX, concurred with the staff report.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Gilmore, seconded by Commission Member Osuna, the Commission unanimously approved the motion to close the public hearing and approve the proposed minor replat as conditioned in the Staff report, with a vote of 4-0-0.

Chairperson Franklin stated that the Planning and Zoning Commission is the final approval authority for the proposed minor replat.

**14-125M Conduct a Public Hearing to Consider/Discuss/Act on the Semiannual Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees**

Mr. Neil Rose, Planner for the City of McKinney, explained the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees as required by Chapter 395 of the Texas Local Government Code. He stated that Staff recommends filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.

Chairman Franklin asked about the status of the FM 546 on the Project. Mr. Rose stated the final engineering, right-of-way land acquisition, and site design for the FM 546 project was underway.

Chairman Franklin asked if the costs associated with the FM 546 Replacement Project were being shared with other entities. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that the cost was proposed to be a shared partnership

between the City of McKinney, Texas Department of Transportation (TxDOT), and possibly Collin County.

Chairperson Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Osuna, seconded by Commission Member Stevens to close the public hearing and recommend filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees, with a vote of 4-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting of June 3, 2014.

**END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS ON THE  
AGENDA**

Chairman Franklin asked if Staff had any comments.

Mr. Michael Quint, Director of Planning for the City of McKinney, invited the Commission Members and McKinney residents to attend the Northwest Sector Study Public Open House on June 11, 2014 at 6:00 p.m. at the McKinney North High School Cafeteria.

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

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RICK FRANKLIN  
Chairman