

PLANNING AND ZONING COMMISSION

JULY 26, 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, July 26, 2016 at 6:00 p.m.

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

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

There were approximately 20 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 Vice-Chairman Zepp, seconded by Commission Member McCall, to approve the following two Consent items, with a vote of 6-0-1. Vice-Chairman Zepp abstained from the vote due to not being present at the previous meeting.

**16-780 Minutes of the Planning and Zoning Commission
Regular Meeting of July 12, 2016**

END OF CONSENT

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

16-164MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 1R2, 2R2 and 10, Block A, of the North Texas Athletic Center Addition, Located Approximately 190 Feet East of Alma Road and on the North Side of Henneman Way

Mr. Aaron Bloxham, Planner I for the City of McKinney, explained the proposed minor replat. He stated that the applicant was proposing to subdivide two lots into three lots. Mr. Bloxham stated that the applicant has indicated that the newly created lot was being created in order to be deeded to the City per the VCIM Development Agreement. He stated that Staff recommends approval of the proposed minor replat as conditioned in the Staff report and offered to answer questions. There were none.

Mr. Jonathan Hake, Cross Engineering, 131 S. Tennessee St., McKinney, TX, concurred with the Staff report and offered to answer questions. There were none.

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 proposed minor replat as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for the proposed minor replat.

16-153SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Grocery Store (Kroger), Service Station, Two Restaurants/Retail Buildings, Located Approximately 220 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Lake Forest Drive

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed site plan request. She stated that the applicant was proposing to construct a commercial development consisting of four pad sites for a Kroger grocery store, Kroger fueling station, and two buildings with restaurant and retail uses. Ms. Galicia stated that typically site plans could be administratively approved by Staff; however, the applicant was requesting approval of a variance to allow the proposed overhead door and loading dock to be

oriented towards public right-of-way (Lake Forest Drive) and approval to utilize a living plant screen to screen the proposed overhead doors and loading dock from view of the public right-of-way (Lake Forest Drive), which are associated with the development of the grocery store (Kroger). She stated that the site plan would need to be approved by the Planning and Zoning Commission and City Council. Ms. Galicia stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. She offered to answer questions. There were none.

Mr. Michael Doggett, Winkelmann & Associates, 6750 Hillcrest Plaza Dr., Dallas, TX, stated that he appreciated Staff working with them on this project. He requested approval of the site plan request and offered to answer questions. Chairman Cox wanted to clarify that he concurred with the Staff report. Mr. Doggett said yes.

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

09-059FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for a Hangar/Townhome on Lot 11R1 of Aero Country East Addition, Located at 309 Lloyd Stearman Drive

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed facade plan appeal. He stated that the applicant was requesting approval of a facade plan appeal for one hangar/townhome unit (Lot 11R1) located in the Aero Country East Addition due to the proposed elevations featuring concrete masonry units as the primary finishing material. Mr. Robinson stated that Staff recommended denial of the proposed facade plan appeal due to the proposed elevations not being finished with the required masonry materials. He stated that Staff had received one e-mail in opposition to the proposed facade plan appeal and it was distributed to the Commission prior to the meeting. Mr. Robinson offered to answer questions.

Commission Member Smith asked if the applicant had explained why they did not want to meet the City's requirement. Mr. Robinson stated that in the applicant's letter of intent they had stated that the use of concrete masonry units "CMU" would allow for a more structurally sound building and has increased insulation values compared to typical

metal frame hangars and that the attached home would be stud frame construction with a CMU veneer to match the hanger.

Commission Member Smith asked if Staff felt the proposed material would be more structurally sound. Mr. Robinson felt that the City of McKinney Building Inspections would be better at making that determination.

Commission Member Cobbel asked if Staff had received calls from surrounding neighbors on this request. Mr. Robinson stated that he had received one call inquiring about the proposed development. He stated that caller did not make a comment in support or opposition to the request.

Commission Member Mantzey asked if three sides met the City's requirement. Mr. Robinson stated that the north, south, and east elevations were required to meet the City's Architectural Standards of having 85% masonry. He stated that the applicant was proposing to use 96% CMU on the north elevation, 100% CMU on the south elevation, and 94% CMU on the east elevation. Mr. Robinson stated that the west elevation was not required to meet the Architectural Standards due to the hanger.

Vice-Chairman Zepp asked if there were currently other townhome units on the property. Mr. Robinson stated that there were two townhome units at this moment. Vice-Chairman Zepp asked if those townhomes met the City's standard. Mr. Robinson said yes.

Commission Member Cobbel asked if they were similar in design. Mr. Robinson stated that each one came in with their own design.

Commission Member McCall wanted to clarify that the proposed material was the issue. Mr. Robinson stated that was the sole requirement for the townhomes at this location was that they meet the material requirement.

Vice-Chairman Zepp asked about the proposed material. Mr. Robinson shared a sample of the proposed material with the Commission.

Mr. Chad Cohoon, 800 Arrowhead Dr., Prosper, TX, stated that the proposed material had a more industrial look to it. He stated that after speaking with their engineer that they felt the proposed building materials would be more structurally sound than using a standard steel construction. Mr. Cohoon stated that it would also help with installation for the building.

Vice-Chairman Zepp asked the applicant if the proposed CMU material would be similar to faux stone and not uniform. Mr. Cohoon stated that the material would be uniform in size; however, not in color.

Commission Member Smith asked if there was an economic hardship that was causing not using the required material versus a preference. Mr. Cohoon stated that there would be some economic hardship since additional materials would be needed to have the required exterior material on the building.

Commission Member Kuykendall asked Mr. Cohoon if he discussed the proposed material being structurally sound and having an installation value to the building with Staff. Mr. Cohoon stated that he did not have that conversation with Staff. He stated that most of the communication was between his architect and Staff.

Commission Member Kuykendall asked Mr. Robinson if he felt the proposed material would be structurally sound and meet what the City was trying to achieve. Mr. Robinson stated that he felt the CMU material would be just as structurally sound as brick. He stated that the City's Architectural Standards has a brick requirement.

Commission Member Cobbel asked Mr. Robinson if Staff was recommending denial due to what the City's ordinance requirement. Mr. Robinson stated that was correct. He also stated that the ordinance allows CMU as a secondary material on the facade. Mr. Robinson stated that Staff was comfortable with the proposed material; however, the ordinance requires the brick masonry be the predominant finishing material.

Commission Member Mantzey asked about the brick masonry requirement. Mr. Robinson gave a brief history of the "PD" Planned Development District for this property and the brick masonry requirement.

Chairman Cox wanted to clarify that a current hanger was not blocking the proposed hanger/townhome unit from public view. Mr. Robinson pointed out on the aerial exhibit shown on the projector where the current hangers were located on the property. He stated that the current hangers meet the requirement. Mr. Robinson stated that there was not a current hanger/townhome unit that would block the view from the surrounding subdivision.

Mr. Cohoon stated that the proposed CMU block would not be just a finishing material. He stated that the CMU Block would be for the integrity of the building.

Chairman Cox stated that the material being proposed did not meet with City's requirements.

Vice-Chairman Zepp asked if the requirement was part of the "PD" – Planning Development District or if it was a City ordinance. Mr. Robinson stated that the "PD" – Planning Development District specifically references back to the City's Architectural Standards. Vice-Chairman Zepp stated that City Council had recently passed the revised Architectural Standards.

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

Chairman Cox called for comments or questions from the Commission or Staff.

Vice-Chairman Zepp restated that City Council had recently reviewed and approved the revised Architectural Standards. He stated that City Council apparently did not feel at that time that the CMU was an acceptable material. Vice-Chairman Zepp stated that he was not adverse to the proposed product; however, he did not feel comfortable going against City Council's point of view on the matter.

Commission Member Smith stated that she would support Staff's recommendation.

Commission Member Kuykendall stated that she would also support Staff's recommendation, especially since the other units had met the requirements.

Commission Member Mantzey expressed concerns for the surrounding residential neighborhood and the fact that the other units had met the requirements.

Chairman Cox stated that he agreed with these Commission Member's comments.

On a motion by Commission Member Smith, seconded by Commission Member Kuykendall, the Commission unanimously voted to deny the facade plan appeal as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the action of the Planning and Zoning Commission for the facade plan appeal could be appealed by the applicant to City Council.

16-182Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor

Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 290 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Community Avenue

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed rezoning request. She stated that a special provision in the existing zoning specifically excludes day care uses for the subject property. Ms. Galicia stated that applicant had submitted an associated site plan to develop the subject property with a retail store and a Montessori Academy. She stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Ms. Katherine Tijerina, 5313 Comanche Wells Dr., McKinney, TX, stated that she concurred with the Staff report and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Mantzey, seconded by Alternate Commission Member McCall, 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 August 16, 2016.

16-167Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northeast Corner of Christian Street and Chestnut Street

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed rezoning request. She stated that it was Staff's professional opinion that proposed rezoning request would help implement the City's vision for this area and would encourage similar development patterns surrounding the subject property. Ms. Galicia stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Adam Wilkinson, 1519 Engineering, 5054 Franklin Ave., Waco, TX, stated that he concurred with the Staff report and offered to answer questions. There were none.

Chairman Cox stated that this was an area would become a main entrance into Downtown McKinney and City Council had made it a priority. He stated that he felt the proposed project was a good thing in this neighborhood.

Chairman Cox opened the public hearing and called for comments.

Ms. Karen Lynch, 800 S. Chestnut, McKinney, TX, stated that they have the adjacent property and expressed concerns about how the property would be screened. She asked about the proposed landscaping along the backside of the property near the proposed parking area. Ms. Galicia stated that they would generally have to follow the proposed concept plan for the property. She stated that the proposed concept plan shows sidewalks going around all street frontages and a 5' landscaping buffer. Ms. Galicia stated that they would have streets on three sides of the property. She stated that the City's landscaping standards required one tree for every 40 linear feet of street frontage.

Ms. Marina Holland, 2102 Summit Dr., McKinney, TX, stated that she was representing St. Nicholas Orthodox Church, 708 S. Chestnut, McKinney, TX. She expressed concerns regarding increased traffic due to the proposed development and safety issues of their parishioners walking to the church on Saturdays and Sundays. Ms. Holland asked if there would be new stop signs added to the area to help address the traffic and safety issues. Ms. Galicia stated that the applicant still needed to go through the civil review process. She stated that the applicant might be able to answer whether or not he had discussed whether or not any stop signs would be required. Mr. Wilkinson stated that he had not had a conversation with the Engineering Department regarding whether or not stop signs would be required. Chairman Cox explained that the City had guidelines in the development process and that the stop sign question was further along the process. He suggested that Ms. Galicia take Ms. Holland's contact information so an Engineering Staff could contact her about her question.

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

Vice-Chairman Zepp wanted to clarify that there was not a fundamental change in use with the requested rezoning of the property. Ms. Galicia stated that the proposed rezoning was actually more restrictive in the allowed uses than the current zoning on the

property. Vice-Chairman Zepp stated that the property could currently be developed under the existing zoning that allowed a higher use that could create more traffic. Ms. Galicia stated that the main reason the applicant was requesting to rezone the property was to allow flexibility for the building and parking on the site. She stated that the applicant had mentioned possibly having retail uses on the property. Vice-Chairman Zepp clarified that currently there were a wider number of uses allow on the property under the current zoning compared to the proposed rezoning request. Ms. Galicia said yes.

On a motion by Commission Member McCall, seconded by Commission Member Mantzey, the Commission voted unanimously to 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 August 16, 2016.

16-171Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northeast Corner of Chestnut Street and Short Street

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed rezoning request and the similarities to the previous item on the agenda by the same applicant. She stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Adam Wilkinson, 1519 Engineering, 5054 Franklin Ave., Waco, TX, stated that he concurred with the Staff report and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Commission Member Mantzey, 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 August 16, 2016.

16-194Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "ML" - Light Manufacturing District to "LI" - Light Industrial District, Located approximately 170 Feet North of U.S.

**Highway 380 (University Drive) and on the East Side of
Church Street**

Mr. Brian Lockley, Director of Planning for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Ed Rawls, Rawls Architects, 901 N. McDonald St., McKinney, TX, briefly explained the proposed rezoning request and renovation plans. He stated that they had visited various MHMR facilities around the state and a big part of their services was having a facility that allowed patients to stay overnight if needed. Mr. Rawls stated that the outside of the building would not change much; however, the inside would not look the same as it does now. He then offered to answer any questions.

Vice-Chairman Zepp asked what the maximum number of days someone could stay at the facility before being released or moved to a new location if this rezoning request was approved. Mr. Randy Routon, 1515 Heritage, McKinney, TX, stated that that they were proposing two parts of the building. He stated that one side would allow someone to stay there up to 48 hours. Mr. Routon stated that the other side of the building would allow someone to stay there up to five days.

Commission Member Smith asked Mr. Routon why they were requesting the change to allow individuals to stay overnight at the facility. Mr. Routon stated that that there would be a major change in the way mental health would be administered in this area and across the state. He stated that since 1999 it had been administered by a Dallas County group with most of the services being located in Dallas. Mr. Routon stated that as of January 1, 2016 the Legislator had given the Collin County MHMR authority to be the local mental health authority; therefore, they plan to provide more services to Collin County residents.

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 August 16, 2016.

END OF THE REGULAR ITEMS AND PUBLIC HEARING ITEMS

Chairman Cox thanked Staff for their hard work, everyone in the audience for attending the meeting, and the Developers who presented projects tonight that will change the way parts of McKinney will look in the future. He stated that it was an exciting time to be here.

There being no further business, Chairman Cox declared the meeting adjourned at 6:57 p.m.

BILL COX
Chairman