

## PLANNING AND ZONING COMMISSION

AUGUST 23, 2022

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, August 23, 2022 at 6:00 p.m.

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Deanna Kuykendall, Bry Taylor, Charles Wattley, Scott Woodruff, and Eric Hagstrom – Alternate

Alternate Commission Member Present; however, did not participate in the meeting: Russell Buettner

Commission Members absent: Hamilton Doak

Staff Present: Director of Planning Jennifer Arnold; Development Engineering Manager Matt Richardson; Facilities Construction Manager Patricia Jackson; Planning Manager Caitlyn Strickland; Planner II Kaitlin Gibbon; Planners Jake Bennett, Lexie Schrader, and Araceli Botello; and Administrative Assistant Terri Ramey

There were approximately 20 guests present.

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

Chairman Cox called for public comments on non-public hearing agenda items. There were none.

Chairman Cox called for the Consent Agenda. The Commission unanimously approved the motion by Commission Member Woodruff, seconded by Commission Member Wattley, to approve the following Consent item, with a vote of 7-0-0.

**22-0794** Minutes of the Planning and Zoning Commission Regular Meeting of August 9, 2022.

END OF CONSENT AGENDA

Chairman Cox called for the Plat Consideration under Texas Local Government Code Chapter 212. The Commission unanimously approved the motion by Vice-Chairman Mantzey, seconded by Commission Member Kuykendall, to disapprove the following three plat requests as recommended by Staff, with a vote of 7-0-0.

**22-0147PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A of the McKinney Bluff Addition, Located in the McKinney Extraterritorial Jurisdiction (ETJ), On the East Side of FM 1827 and Approximately 550 Feet North of Surrey Estates Road.

**22-0151PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lot 1, Block A, of the Independence Village Addition, Located in the McKinney Extraterritorial Jurisdiction (ETJ), On the Northwest Corner of Virginia Parkway and Independence Parkway.

**22-0152PF** Consider/Discuss/Act on a Preliminary-Final Plat for Hidden Lakes, Located on the South Side of US Highway 380 and approximately 1,000 Feet West of Custer Road.

END OF PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE  
CHAPTER 212

Chairman Cox called for the consideration of the Regular Agenda Items and Public Hearings.

**22-0061SP** Conduct a Public Hearing to Consider/Discuss/Act on Design Exceptions to a Site Plan for the McKinney Municipal Complex, Located on the Northwest Corner of Virginia Street and Throckmorton Street.

Ms. Kaitlin Sheffield, Planner II for the City of McKinney, explained the proposed design exceptions to the site development, building designs, and building form requirements of the site plan. She stated that Staff recommended approval of the request as conditioned in the Staff Report and offered to answer questions. There were none. Ms. Patricia Jackson, Facilities Construction Manager for the City of McKinney, discussed the request 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 Vice-Chairman Mantzey, seconded by Commission Member Woodruff, the Commission unanimously voted to close the public hearing and approve the request as recommended by Staff, with a vote of 7-0-0.

**22-0053SP** Conduct a Public Hearing to Consider/Discuss/Act on Variances to a Site Plan for Craig Ranch Corporate Center Multi-Family Residential

Development, Located on the Southeast Corner of Van Tuyl Parkway and Grand Ranch Parkway.

Mr. Jake Bennett, Planner I for the City of McKinney, explained the proposed two variances to the site plan. He stated that Staff recommended approval of the request as conditioned in the Staff Report and offered to answer questions. There were none. The applicant was not present to give a presentation. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing and approve the request as recommended by Staff, with a vote of 7-0-0.

**22-0062Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located Approximately 370 Feet North of Wilmeth Road and on the East Side of U.S. Highway 75.

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the request and offered to answer questions. There were none. Mr. David Martin, Creation, 2728 N. Harwood Street, Dallas, TX, explained the proposed rezoning request, asked for a favorable recommendation, and offered to answer questions. Chairman Cox asked about the proposed building front appearance for Building A, facing U.S. Highway 75 (Central Expressway). Mr. Taylor Mitcham, Creation Equity, 4925 Greenville Avenue, Dallas, TX, stated that they were proposing office with showroom in the front area with loading and unloading in the back of the building. He showed some design features of some of their previously completed projects in other cities. Chairman Cox opened the public hearing and called for comments. There were none. The following three individuals turned in Speaker Cards in support of the request; however, did not wish to speak during the meeting.

1. Mr. Chris Campbell, 4925 Greenville Avenue, Dallas, TX
2. Mr. Mark S. Gile, 4925 Greenville Avenue, Dallas, TX
3. Mr. Justin Loecker, 2595 Dallas Parkway, Frisco, TX

On a motion by Commission Member Kuykendall, seconded by Commission Member Taylor, the Commission unanimously voted to recommend approval of the request per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to the September 20, 2022 City Council meeting.

**22-0074Z** 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 "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards and to Allow for Commercial and Auto Related Uses, Located Approximately 330 Feet South of North Brook Drive and on the West Side of U.S. Highway 75 (Central Expressway).

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the request and offered to answer questions. There were none. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard; McKinney, TX; explained the proposed rezoning request, asked for a favorable recommendation, 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 Woodruff, seconded by Commission Member Kuykendall, the Commission unanimously voted to close the public hearing and recommend approval of the proposed rezoning request per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to the September 20, 2022 City Council meeting.

**22-0087Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District, Located on the Southwest Corner of Virginia Parkway and South Independence Parkway.

Mr. Jake Bennett, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the request and offered

to answer questions. Vice-Chairman Mantzey expressed concerns regarding uses with a drive-through being allowed in "C2" – Local Commercial District. Mr. Elliott Bogart, Triangle Engineering, 1782 W. McDermott Drive, Allen, TX, stated that they were looking at developing professional offices along with a daycare or retail at this site. Mr. Bogart stated that it was not their intent to construct any type of drive-through business at this intersection. He concurred with the Staff Report and offered to answer questions. Commission Member Woodruff asked if the intent was to have the office building and a daycare as one building or separate buildings. Mr. Bogart stated that currently they were proposing to have multiple buildings at the site. He stated that they were still working on a concept plan at this time. Chairman Cox opened the public hearing and called for comments. There were none. Vice-Chairman Mantzey reiterated his concerns with fast-food restaurants being in the same zoning as a daycare. He stated that an applicant could come in to a residential area stating that they intend to develop a daycare. Vice-chairman Mantzey stated that once they receive the rezoning to "C2" – Local Commercial District they can do what they want with other uses allowed by right. He stated that there is a different intensity of use between a fast-food restaurant and a daycare. Vice-Chairman Mantzey felt these uses should be required to obtain a Specific Use Permit (SUP). Chairman Cox asked Staff for clarification. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that daycare and fast-food restaurants would not require a Specific Use Permit (SUP) in a "C2" – Local Commercial District. On a motion by Commission Member Kuykendall, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing and approve the request per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to the September 20, 2022 City Council meeting.

**22-0079Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" - Traditional McKinney Neighborhood Overlay District to "DR" - Duplex Residential District and "TMN" - Traditional McKinney Neighborhood Overlay District, Located Approximately 250 Feet North of

Jefferson Street and on the East Side of Rockwall Street.

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed rezoning request and briefly discussed a previous submittal to rezone this property that was submitted in 2020. She stated that a written protest had been submitted for this request. Ms. Schrader stated that Staff recommends approval of this request. Mr. Omid Farzadpour, 827 Rockwall Street, McKinney, TX, explained the proposed rezoning request. He discussed the improvements that they made to the properties to address flooding and erosion control issues. Vice-Chairman Mantzey inquired about the proposed number of units. Mr. Omid Farzadpour stated that there would be three duplexes for a total of six units. Commission Member Woodruff asked who would maintain the remaining floodplain area. Mr. Ali Farzadpour, 581 Talia Circle, Fairview, TX, explained the proposed rezoning request. He stated that the blue area shown on the drawing was the 100-year flood area. Mr. Ali Farzadpour discussed the improvements that were made to address the flooding and drainage issues. He stated that lots 1 and 3 would maintain that floodplain area. Mr. Ali Farzadpour stated that he spent over \$100,000 on the improvements. He stated that these improvements benefit the surrounding neighbors. Mr. Ali Farzadpour stated that the property was currently in the replatting process. Commission Member Woodruff asked if Mr. Ali Farzadpour plans to hold the properties or sell them. Mr. Ali Farzadpour stated that his plans were to rent the properties. He stated that the surrounding property owners want to keep the lots vacant, so they could continue using it for various events and church parking. Mr. Ali Farzadpour stated that he plans to build very nice, modern structures on the properties, which would help revitalize the area. He stated that the new City Hall is proposed approximately four blocks away from this site. Commission Member Kuykendall asked when the property was purchased. Mr. Ali Farzadpour stated that he purchased the property two years ago. Commission Member Kuykendall asked if Mr. Ali Farzadpour's intent was to reside here. Mr. Ali Farzadpour stated that the original intent was for his family to live there and rent out the other units. Mr. Matt Richardson, Development Engineering Manager for the City of McKinney, discussed the drainage improvements made on the property. He stated that the City and airport did not do anything to cause additional flooding. Mr. Richardson stated that water from this area

flows towards the airport, not the other way around. He stated that the drainage system built 50 or more years ago is undersized compared to current drainage systems to address the 100-year flood. Mr. Richardson stated that storm intensities are going up. He stated that the improvements made to the property addressed a lot of the previous flooding concerns for this area. Commission Member Woodruff asked how the drainage lot would be maintained if the other three lots are sold. Mr. Richardson stated that property owner would be responsible to maintain the drainage easement area. He stated that the City would help maintain the main water channel and culvert. Vice-Chairman Mantzey asked if the applicant made these improvements under the direction of the City. Mr. Richardson said yes, and the City Inspectors monitored the improvements made to the site. Vice-Chairman Mantzey asked if the private individual would be responsible for fixing the drainage for other locations in this area. Mr. Richardson stated that it would depend on the situation. He stated that it is uncommon to be located next to a significant water channel like this site. Commission Member Wattley stated that he grew up in this area and flooding on this property was not new. Chairman Cox opened the public hearing and called for comments. The following three residents spoke in opposition to the proposed rezoning request. Ms. Kimberly Palmer, 904 Rockwall Street, McKinney, TX, stated that the property was used as a community area for the church next door. She preferred to see three single-family residential homes at this site, instead of three duplexes. Ms. Palmer felt that renters would not be invested in the community. She stated that this is historically one of five black communities in McKinney; however, is becoming more diverse. Ms. Palmer their focus was legacy and ownership. She expressed concerns regarding increased congestion. Ms. Angela Henderson, 824 Rockwall Street, McKinney, TX, stated that she has lived across the street for the subject property for over 40 years. She stated that they would prefer to see single-family residents on the property, since that is what they are accustomed to in this area. Ms. Henderson asked that the City keep the integrity of their neighborhood. Mr. Jonas Palmer, 904 Rockwall Street, McKinney, TX, expressed concerns regarding renters not taking care of the properties. He discussed the flooding on the property. Mr. Palmer concurred with the previous comments and preferred single-family dwelling homes be built on the subject property. The following resident

spoke in favor of the request. Mr. Iman Farzadpour, 581 Talia Circle, Fairview, TX, explained the proposed rezoning request. He stated that he helped his dad purchase the subject property. Mr. Iman Farzadpour stated that Federal Emergency Management Agency (FEMA) does not show this property on their flood maps. He discussed some of the improvements made to the property to address the drainage issues. Mr. Iman Farzadpour stated that he and his family would probably be living in one of the proposed duplexes. He stated that there are other duplexes in the neighborhood. Mr. Iman Farzadpour discussed the maintenance of the property. He understood that the neighbors had previously used the lot for various activities and parking; however, it is a privately owned property that at some point will be developed. Mr. Hayward Askew, 1211 E. Virginia Street, McKinney, TX, stated that he has attended the church for 23 years. He discussed the sanding water issue at the church; however, stated that it has never flooded. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Woodruff asked about the minimum lot size under the current zoning. Ms. Caitlyn Strickland, Planning Manager for the City of McKinney, stated that "RS-60" – Single Family Residence District required a minimum 6,000 square foot size, the lot width is required to be 50', and the lot depth is required to be 100'. Vice-Chairman Mantzey asked if the current lots were conforming to "RS-60" – Single Family Residence District. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that the current five lots do not conform. Ms. Schrader stated that some of the current lots face an alley and not the street, so they would not comply. She stated that some of the current lots were also too small. Vice-Chairman Mantzey stated that the intensity of six units on 30,000 square foot of property was not overwhelming compared to zoning in other locations. He expressed concerns regarding zoning out renters. Vice-Chairman Mantzey stated that 50% of the homes in this area are rented. He discussed increasing property values for the large lots in this area. Commission Member Kuykendall stated that she is not in favor of the request. She supported the neighbors. Commission Member Woodruff stated that he was in favor of the request. He stated that there is a housing shortage. Commission Member Woodruff stated that the property owner could build three single family homes on the



subject property and then rent them. He didn't see a big difference between renting six units versus three units. Commission Member Woodruff stated that there was a lack of affordable housing in this area. Commission Member Wattley stated that the residents trying to keep single family residents has upgraded their community. He stated that the current duplexes in the area that have not been kept up have brought down the surrounding property values. Commission Member Wattley stated that there are no duplexes on Rockwall Street, which is the main street in and out of this neighborhood. He stated that opposed the request. Vice-Chairman Mantzey stated that he was in support of the request. He stated that as property values increase there will not be any affordable housing in the area. Vice-Chairman Mantzey stated that six units on 30,000 square foot property is not intense. He stated that he respected the property rights and not zoning out renters. Commission Member Kuykendall stated that she does not see it as trying to zone out renters at all. She stated that it is preserving the historic nature of the community and supporting the people in the community. Commission Member Woodruff stated that they could built three houses there and rent them out. Commission Member Kuykendall stated that we are looking whether it is okay to have duplexes in a single-family neighborhood. She discussed the previously request being denied. Vice-Chairman Mantzey stated that they got stuck with a \$100,000+ expense to fix the drainage issue. He stated that there was nothing that he could have pulled to tell him about the flood issue since it was not listed on a Federal Emergency Management Agency (FEMA) map. Vice-Chairman Mantzey stated that the house becoming available at the price points is not for that community. He stated that community could disappear under the price pressures that come to market if we continue to restrict supply even more. Vice-Chairman Mantzey stated that there is a gap missing between single-family and multi-family uses. Alternate Commission Member Hagstrom stated that he appreciated the residents' comments and that their comments would be passed along. He was opposed to the request. Chairman Cox was in support of the request. He stated that Staff brought up some valid points. On a motion by Commission Member Kuykendall, seconded by Alternate Commission Member Hagstrom, the Commission voted to recommend denial of the request, with a vote of 4-3-0. Chairman Cox, Vice-Chairman Mantzey, and Commission Member Woodruff voted against the motion.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to the October 3, 2022 City Council meeting.

END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Chairman Cox called for Public Comments regarding matters not on the agenda.

There were none.

Chairman Cox called for Commission and Staff Comments. He thanked Staff for their hard work.

On a motion by Commission Member Kuykendall, seconded by Alternate Commission Member Hagstrom, the Commission unanimously voted to adjourn the meeting, with a vote of 7-0-0. There being no further business, Chairman Cox declared the meeting adjourned at 7:29 p.m.

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BILL COX  
Chairman