

## PLANNING AND ZONING COMMISSION

AUGUST 14, 2012

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, August 14, 2012 at 6:30 p.m.

Commissioner Members Present: Chairman Robert S. Clark, Vice-Chairman Lance Lindsay, George Bush, Rick Franklin, Matt Hilton, David Kochalka, and Larry Thompson.

Staff Present: Director of Planning Michael Quint, Senior Planner Brandon Opiela, Planner II Anthony Satarino, and Administrative Assistant Terri Ramey.

There were 10 guests present.

Chairman Clark called the meeting to order at 6:30 p.m. after determining a quorum was present.

Chairman Clark explained the format and procedures of the meeting, as well as the role of the Commission. He announced that some of the items considered by the Commission on this date would be only heard by the Planning and Zoning Commission and others could be forwarded on to City Council. Chairman Clark stated that he would advise the audience if the case will go on to City Council or be heard only by the Planning and Zoning Commission. He requested that applicants and Staff limit their remarks to ten minutes each and that guests limit their remarks to five minutes and speak only once. Chairman Clark explained that there is a timer located on the podium, and when one minute of the speaker's time is remaining, the light will switch from yellow to red and a buzzer will sound. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking issues.

The Commission unanimously approved the motion by Vice-Chairman Lindsay, seconded by Commission Member Hilton, to approve the following Consent Item:

**12-629 Minutes of the Planning and Zoning Commission  
Regular Meeting of July 24, 2012.**

**END OF CONSENT**

Chairman Clark continued the meeting with the Regular Items on the agenda.

**12-133Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by American Legend Homes, on Behalf of McKinney Village Park North, L.P., for Approval of a Request to Rezone Approximately 40.63 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Northeast Corner of Colt Lane and Berkley Drive.**

Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions as listed in the staff report.

Commission Member Kochalka asked if the planting height around the courtyard would have to be five feet tall. Mr. Opiela stated that the proposed requirement is that the plantings must be a minimum of five feet tall to give the space a feeling of enclosure.

Commission Member Kochalka asked how they would determine which options would be used on each house in the development. Mr. Opiela stated that the City would see what option that they had chosen when they brought in the building plans. He stated that each property could have some variety; however, would still need to meet the minimum requirements.

Commission Member Kochalka asked if courtyard modifications could be approved at a staff level. Mr. Opiela stated that the Director of Planning could approve changes as described in the proposed special ordinance provisions.

Commission Member Bush asked to clarify that the setback would be 10' on the courtyard option. Mr. Opiela stated yes. Commission Member Bush stated that he thought the intent of the "REC" Regional Employment Center development was to promote activity in the front yards. Mr. Opiela stated that the offset in the structure offers a lot of visual interest compared to a flat surface. He also stated that front porches encourage pedestrian interaction, in the front yards, as would the proposed courtyards. Mr. Michael Quint, Director of Planning for the City of McKinney, explained that there is a difference between the "REC" Regional Employment Center developments and other residential developments within the City. He felt that a 10'

setback in the front yard was typical for the "REC" Regional Employment Center developments.

Chairman Clark commented on some people preferring a larger back yard verses a front yard. Mr. Opiela stated that the City prefers pedestrian friendly neighborhoods within the "REC" Regional Employment Center, which requires homes to be pulled closer to the streets. Commission Member Franklin felt that families with young children typically prefer to have larger back yard to play in that would be more protected. He stated that empty nesters or older property owners might prefer amenities in the front yard where they could interact with their neighbors.

The applicant did not wish to make any comments.

Chairman Clark opened the public hearing and called for comments.

Ms. Lucy Yowg, 5404 Bentrose Drive, McKinney, TX 75070, asked if the price range of the houses would change with this option. She also asked who would be responsible for taking care of the creek after the property is developed.

The Commission unanimously approved the motion by Vice-Chairman Lindsay, seconded by Commission Member Thompson, to close the public hearing.

Mr. Kevin Egan, American Legion Homes, 2540 King Arthur, Lewisville, TX 75056, stated that the courtyard would cost approximately \$5,000. He also stated that they have not finalized the prices of the houses; however, he thought the houses in this development would be in the range of \$300,000 to \$350,000.

Mr. Opiela stated that the creek would be included in a common area. He stated that the developer would make any necessary improvements to the creek area during development of the subdivision. Mr. Opiela stated that after development, the creek area would then be the responsibility of the Home Owner's Association to maintain.

The Commission unanimously approved the motion by Vice-Chairman Lindsay, seconded by Commission Member Thompson, to recommend approval of the rezoning request as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on September 4, 2012.

**12-110SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by BBV Texas Development, L.L.C., on Behalf of Kayasa Family, Ltd., for Approval of a Site**

**Plan for a Nursing Home Facility, Approximately 6.01 Acres, Located Approximately 400 Feet East of Lake Forest Drive and Approximately 700 Feet North of U.S. Highway 380 (University Drive).**

Mr. Anthony Satarino, Planner II for the City of McKinney, explained the proposed site plan. He stated that Staff recommends approval of the proposed site plan as conditioned in the staff report.

Chairman Clark asked for clarification on the location of the building, bay door, and the screening. Mr. Satarino pointed out the locations as shown on the proposed site plan and stated that the applicant would be providing the required screening.

Commission Member Thompson asked about the height of the proposed nursing home. Mr. Satarino stated that it would be a single-story structure and is listed on the proposed site plan as 32' tall.

Commission Member Thompson asked about the distance between the proposed nursing home and the residential development next to the property. Mr. Satarino stated that it would be at least 34' between the closest point between the nursing home and the residential properties. Mr. Brandon Opiela, Senior Planner for the City of McKinney, stated that there is a 10' buffer to the property line, 24' fire lane, six-foot masonry screening wall at the property line, and a six-foot retaining wall that sits inside the property line.

Commission Member Bush asked if the residential properties would sit up higher than the nursing home property. Mr. Satarino stated yes.

Mr. Josh Prusak, 4664 Venetian Way, Frisco, TX 75034, explained the proposed site plan.

Commission Member Thompson asked how many people the proposed nursing home would house. Mr. Prusak stated that it could handle 104 residents.

Chairman Clark opened the public hearing and called for comments.

Mr. Earl Garstka, 4916 Rustic Ridge Drive, McKinney, TX 75071, asked about the proposed roads shown on the proposed site plan. He questioned whether or not he should install a new fence on this property. Mr. Satarino stated that those roads are for access to the proposed nursing home. He stated that when the surrounding properties develop that they would have screening requirements.

The Commission unanimously approved the motion by Vice-Chairman Lindsay, seconded by Commission Member Kochalka, to close the public hearing and approve the proposed site plan as conditioned in the staff report.

Chairperson Clark stated that the Planning and Zoning Commission is the final approval authority for the proposed site plan.

**END OF THE REGULAR AGENDA ITEMS**

Commission Member Thompson congratulated Michael Quint on his promotion to the Director of Planning.

Chairman Clark declared the meeting adjourned at 6:58 p.m.

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ROBERT S. CLARK  
Chairman