PLANNING AND ZONING COMMISSION

DECEMBER 8, 2015

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, December 8, 2015 at 6:00 p.m.

Commission Members Present: Chairman Bill Cox, Janet Cobbel, Kevin Egan, Deanna Kuykendall, Pamela Smith, and Brian Mantzey - Alternate

Commission Members Absent: Vice-Chairman Eric Zepp and Cameron McCall

Staff Present: Interim Director of Planning Brian Lockley; Planning Managers Matt Robinson and Jennifer Arnold; Planner II Samantha Pickett; Planners Eleana Galicia, Aaron Bloxham, Jason Aprill; and Administrative Assistant Terri Ramey

Chairman Cox called the meeting to order at 6:00 p.m. after determining a quorum was present. He explained the format and procedures of the meeting, as well as the role of the Commission. Chairman Cox 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. He stated that the audience would be advised if the case would go on to City Council or be heard only by the Planning and Zoning Commission. Chairman Cox stated that guests would need to limit their remarks to three minutes and speak only once. He explained that there is a timer located on the podiumer, and when one minute of the speaker's time is remaining, the light will switch from yellow to red and a buzzer would sound. Chairman Cox 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 unanimously approved the motion by Commission Member Egan, seconded by Commission Member Cobbel, to approve the following five Consent items, with a vote of 7-0-0.

15-1218	**Minutes of the Planning and Zoning Commission Regular Meeting of November 10, 2015**
15-1219	**Minutes of the City Council and Planning and Zoning Commission Joint Meeting of November 16, 2015**

15-184PF **Consider/Discuss/Act on a Preliminary-Final Plat for 57 Single Family Residential Lots, 2 Commercial Lots, and 1 Common Area (Westminster at Craig Ranch), Located on the Northwest Corner of Alma Road and Chief Spotted Tail**

15-269PF **Consider/Discuss/Act on a Preliminary-Final Plat for 60 Single Family Residential Lots, 1 Commercial Lot, and 3 Common Areas, Located on the Southwest Corner of Bloomdale Road and Lake Forest Drive**

14-341PF **Consider/Discuss/Act on a Preliminary-Final Plat for 131 Single Family Residential Lots and 3 Common Areas (McDowell Ranch), Located on the Southwest Corner of McKinney Place and Collin McKinney Parkway**

END OF CONSENT

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

15-246FR **Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan for the Encore Wire Plant 4 Expansion, Located on the Northwest Corner of Airport Drive and Industrial Boulevard (REQUEST TO BE TABLED)**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request. She offered to answer questions.

Commission Member Egan asked why the request was being tabled. Ms. Galicia stated that the request was no longer necessary.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Egan, seconded by Alternate Commission Member Mantzey, the Commission voted unanimously to close the public hearing and table the proposed facade plan request indefinitely as recommended by Staff, with a vote of 6-0-0.

15-277MRP **Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 1R and 5, Block A, of the Custer Wal-Mart Addition, Located on the Southwest Corner of Custer Road and U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)**

Mr. Aaron Bloxham, Planner I for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 12, 2016 Planning and Zoning Commission meeting per the applicant's request. He offered to answer questions.

Chairman Cox asked what changes promoted the tabling of this request. Mr. Bloxham stated that the applicant intends to change a proposed lot line and that could cause some additional revisions.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member Smith, the Commission voted unanimously to continue the public hearing and table the proposed minor replat to the January 12, 2016 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 6-0-0.

15-295PFR **Conduct a Public Hearing to Consider/Discuss/Act on a Preliminary-Final Replat for 34 Single Family Residential Lots and 1 Common Area (Sorrento), Located Approximately 240 Feet North of Eldorado Parkway and on the East Side of Stonebridge Drive**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed preliminary-final replat. She stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff report and offered to answer questions. There were none.

Mr. Colin Helffrich, PE; Dowdey, Anderson & Associates, Inc.; 5225 Village Creek Dr., 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 Egan, seconded by Alternate Commission Member Mantzey, the Commission voted unanimously to close the public hearing, with a vote of 6-0-0.

On a motion by Commission Member Egan, seconded by Commission Member Smith, the Commission voted unanimously to approve the proposed preliminary-final replat as conditioned in the Staff report, with a vote of 6-0-0.

Ms. Galicia stated that the Planning and Zoning Commission was the final approval authority for the proposed preliminary-final replat.

15-113Z2 **Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "RS 60" - Single Family Residence District, and "PD" - Planned Development District to "PD" - Planned Development District, Generally for Single Family Residential Uses, Located Approximately 250 Feet East of Graves Street and on the South Side of**

Rockhill Road

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed rezoning request. She stated that three letters of support had been distributed to the Planning and Zoning Commission prior to the meeting. Ms. Pickett stated that Staff recommended approval of the proposed rezoning request and offered to answer questions.

Commission Member Egan asked for clarification on the selection of three architectural features. Ms. Pickett stated that they will choose a specific category and then select three architectural features within that category.

Mr. Gary Schell, SC&D, Inc., 7033 Coverdale Dr., Plano, TX, explained the proposed rezoning request. He briefly discussed the style, sizes, and price points on the houses they intend to build on the proposed development. Mr. Schell offered to answer questions.

Commission Member Egan asked to clarify the proposed average square footage for the houses. Mr. Schell stated that the average square footage that they were proposing would be around 2,500 – 3,500 square feet. He stated that with some added features that the square footage could go higher.

Commission Member Kuykendall asked if the applicant has been in communication with the property owners surrounding the neighborhood. Mr. Schell stated that he had invited the Chapel Hill property owners to a meeting to discuss the proposed project and their concerns. He stated that only 8 – 10 homeowners showed up to the meeting to discuss their concerns. Mr. Schell stated that the following week he met with eight different homeowners to discuss their concerns. He stated that in the past week he met with the Chapel Hill Homeowners Association (HOA) to discuss their concerns and came up with various solutions. Mr. Schell stated that they were requesting the same zoning as the Chapel Hill subdivision.

Commission Member Smith asked if the pond on the property was man made. Mr. Schell said yes.

Commission Member Egan asked what Mr. Schell's take was on the Chapel Hill homeowners' concerns. Mr. Schell stated that they would have similar type houses. He stated that they would have similar issues with the Chapel Hill subdivision. Mr. Schell

gave some examples. He stated that he was meeting with Staff to discuss a living screening wall to help with possible view issues. Mr. Schell stated that some of the Chapel Hill fences are further back on the property lines, so that they would not be able to attach to those fences. He stated that it would create an unwanted space between the two fences and the issue of who would take care of that area. Mr. Schell stated that he suggested that area to be a common area between the two subdivisions or provide a maintenance easement to handle taking care of the area between the two fences. He stated that should only be an issue on 8 – 9 properties.

Commission Member Egan asked if there would be any type of covenants or restrictions that would not allow a second story house to be built next to a property that was below grade. Mr. Schell said no. He stated that a living screening wall would be the best solution and would be attractive. Mr. Schell stated that some of the Chapel Hill properties had garages with a second story living space that had windows that were located within five feet of the back property lines. He stated that those windows would have views directly down on the properties he was proposing to build along that property line. Mr. Schell stated that they needed to agree upon a solution that helped both subdivisions with the same issue.

Chairman Cox suggested that Mr. Schell keep the dialog open with the Chapel Hill property owners no matter what decision was made during this meeting. Mr. Schell stated that he also sent out an update about two weeks ago. He stated that he had been trying to address the various issues brought to his attention. Mr. Schell stated that he suggested Chapel Hill create a committee of about three homeowners to communicate with him where they could discuss various concerns and solutions.

Chairman Cox opened the public hearing and called for comments. He stated that there were a number of residents present to speak on this item. Chairman Cox explained that Staff had been given a list of four names of David Patterson, Robert Sampsell, Joseph Glahn, and Alden Harsch that were there to represent the residents of Chapel Hill. They requested to allow these four speakers more time in lieu of all of the residents present who filled out speaker’s cards on this item. He stated that we want to hear everyone’s concerns and asked them to be as concise as possible.

The following residents filled out speaker cards in opposition to the request and yielded their time to the four speakers:

- Ms. Lorena Boynton, 407 S. Morris Street, McKinney, TX
- Mr. James Bresnahan, 2805 Piersall Drive, McKinney, TX
- Ms. Shirley Conrad, 817 Cloister Way, McKinney, TX
- Ms. Lori Erickson, 821 Chapel Hill Lane, McKinney, TX
- Ms. Nancy Green, 836 Chapel Hill Lane, McKinney, TX
- Mr. Richard Green, 836 Chapel Hill Lane, McKinney, TX
- Mr. Greg Griffin, 832 Chapel Hill Lane, McKinney, TX
- Ms. Maureen Griffin, 832 Chapel Hill Lane, McKinney, TX
- Ms. Cindy Harty, 908 Chapel Hill Lane, McKinney, TX
- Ms. Martha LaFerney, 1208 Steepleview Lane, McKinney, TX
- Ms. Virginia Nearing McDunn, 804 Chapel Hill Lane, McKinney, TX
- Ms. Betty Patterson, 705 Chapel Hill Lane, McKinney, TX
- Ms. Jane Remaley, 504 Oak Point Drive, McKinney, TX
- Ms. Robin Reynolds, 809 Chapel Hill Lane, McKinney, TX
- Ms. Ann Shepler, 1400 Park Hill Avenue, McKinney, TX
- Mr. Dean Soderstrom, 808 Chapel Hill Lane, McKinney, TX
- Ms. Pat Soderstrom, 808 Chapel Hill Lane, McKinney, TX
- Ms. Karen Thomas, 700 Chapel Hill Lane, McKinney, TX
- Mr. Simon Thomas, 700 Chapel Hill Lane, McKinney, TX
- Ms. Jane Valentine, 1500 Steepleview Lane, McKinney, TX
- Ms. Betty Voss, 1409 Steepleview Lane, McKinney, TX

Mr. David Patterson, 705 Chapel Hill Lane, McKinney, TX, discussed some of his concerns regarding drainage issues. He gave three examples of surrounding future developments that would add to the drainage issues. Mr. Patterson felt that there was not enough capacity to handle all of these future drainage issues. He expressed concerns regarding possible damage to the existing tree line due to future drainage issues on the southern area of the property.

Mr. Robert Sampsell, 720 Chapel Hill Lane, McKinney, TX, spoke in opposition to the request. He distributed a document to the Planning and Zoning Commission listing some of the Chapel Hill Subdivision and Lee Street property owner concerns. He stated that he had been a resident of McKinney for six years. Mr. Sampsell stated that 35 of the 39 property owners located within 200' of the proposed property had signed a petition against this request. He stated that he obtained a possible site layout for the development from the Hillcrest Christian Church and that was not included in the rezoning submittal documentation. Mr. Sampsell stated that Chapel Hill's ordinance was approved in 2004. He stated that the Chapel Hill houses that border the proposed property had already been built. Mr. Sampsell stated that Vintage Place would need to integrate with Chapel Hill. He discussed current traffic issues along Yosemite Place and Rockhill Road and how this development would increase the traffic issues. Mr. Sampsell stated that there had been 15 letters of intent submitted on this request with various proposed changes to the request. He stated that the number of lots shown on the site layout of the development that he received from the church did not match the number of proposed lots listed on the current letter of intent. Mr. Sampsell stated that the proposed development was at a higher elevation than the Chapel Hill subdivision. He stated that 75% of the Chapel Hill subdivision was single story. Mr. Sampsell stated that Mr. Schell stated that he wants to build 100% two-story houses in the proposed development. Mr. Sampsell stated that they had some concerns about these two-story houses overlooking the surrounding single story houses. He stated that he had concerns over the Staff report for this request. Mr. Sampsell stated that he had called regarding this request prior to the June 23, 2015 Planning and Zoning Commission meeting and Staff told him the item was being tabled at the meeting. He stated that he was not aware that there was going to be a public hearing at that meeting on this item where he and other residents could have shown up to speak in opposition to this request prior to it being tabled. Mr. Sampsell stated that there had been ten submissions on this one request over the past 28 weeks and he briefly discussed the various revised documents submitted. He criticized City Staff on various issues. Mr. Sampsell stated that keeping track of all of the various submissions for this request and going to the City to obtain copies of each document had been a big stress on him over

the past seven months. He stated that he did not know why all of the submitted documents could not have been published on the City's website for public access. Mr. Sampsell criticized the applicant for basing his letter of intent and rezoning request off of the Chapel Hill "PD" - Planned Development District ordinance. He stated that they were almost word for word out of the Chapel Hill ordinance; however, the applicant had not included a lot of the enhancements that were included in the Chapel Hill ordinance. Mr. Sampsell briefly discussed the variations between the "SF5" District, Vintage Place, and Chapel Hill space limits. He questioned why the applicant was requesting 38' for the maximum height of the structures, maximum density of 4.9 dwelling units per acre, 3' encroachment zone, no common areas or open spaces, and why the minimum mean and median was not 7,200 sq. ft. Mr. Sampsell stated that it was negligence not to justify why these changes should be approved. He questioned the rationale for the applicant not including all five of Chapel Hill architectural styles in their request. Mr. Sampsell stated that there was a City ordinance requiring that "PD" – Planned Development zoning applications provide all four sides of elevations for every proposed structure to be built in the development. He questioned why the City did not require all of the elevations to be submitted for this request. Mr. Sampsell stated that he was then told that the Historic Preservation Officer for the City of McKinney would need to review and approve all elevations prior to the issuance of a building permit to ensure key features of the selected architectural styles had been included on the structures in this development. He briefly discussed the Chapel Hill entrance and common areas. Mr. Sampsell stated that you can easily research online to find out various information and qualifications about the individuals and companies responsible for the Chapel Hill development. He expressed concerns about the applicant having a lot of domain names that he was associated with that did not have an internet presence. Mr. Sampsell stated that Mr. Schell told the Chapel Hill home owners at the October 27, 2015 that he built units in the Adriatica and Craig Ranch developments; however, Mr. Sampsell was not able to verify that information. Mr. Sampsell expressed concerns regarding the capability of the applicant and the engineering firm's ability to perform as promised. He stated that the Planning Department had not required all of the documentation shown on the rezoning submittal checklist and expressed concerns

regarding some missing information and/or documents in the submittal. Mr. Sampsell summarized his objections to this request. He stated that the proposed development would overlook 27 surrounding properties and be an invasion of privacy; development standards were not cohesive and could cause appearance issues; development risk with no creditable capability demonstrated; declining property values; excessive traffic; City's lack of due diligence; City's unwillingness to enforce compliance; and the applicant's lack of credentials. Mr. Sampsell stated that he would like to see the City do the job that called out in the ordinances and checklist. He stated that the City made up the rules as they go. Mr. Sampsell complained about the Open Records policy and procedures. He stated that they were not opposed to development of the property; however, that they wanted to be involved in the development.

Commission Member Egan asked how often residents of Chapel Hill walk to Downtown McKinney. Various audience members commented; however, nobody came up to the microphone to officially answer his question.

Commission Member Egan thanked Mr. Sampsell for his due diligence that he provided in his presentation to the Commission regarding this request.

Mr. Joseph Glahn, 716 Chapel Hill Lane, McKinney, TX, stated that he had lived there for four years, loved their neighborhood, and visited Downtown McKinney. He stated that he lived next door to Mr. Sampsell. Mr. Glahn stated that he was a retired chief investigator for the law office of Frank Branson. He stated that he was asked to do a background check on Mr. Schell, the companies and corporations that he has owned, and the lawsuits that he had been involved in. Mr. Glahn stated that this information was available through public records. He stated that Mr. Schell, his companies and corporations had been sued a minimum of 16 times. Mr. Glahn stated that he was concerned with Mr. Schell and his companies starting this project. Mr. Glahn stated that Mr. Schell stated that he was not putting in his own money into the development; however, would be using limited liability partners to fund the project. He stated that they were told that Mr. Schell's son would be the general superintendent. Mr. Glahn stated that this was a major development project. He expressed concerns that Mr. Schell might start the project and then not finish it. Mr. Glahn expressed concerns on how it

would affect the surround properties. He stated that the City Staff should do research into the background of submittal applicants through various agencies.

Mr. Alden Harsch, 1512 Steepleview Lane, McKinney, TX, spoke in opposition to this request. He stated that his property was approximately six feet below the property grade of the Vintage Place property next to him. Mr. Harsch expressed concerns if they built a two-story house on that property and the lack of privacy. He questioned the screening between to the two properties and did not feel that they would be able to connect to their current fence. Mr. Harsch discussed traffic issues at Wilson Creek Parkway and Graves Street, and felt a traffic light was needed at this intersection. He stated that this development would increase the traffic issues.

Ms. Deborah Diviney, 2216 Grayson Road, McKinney, TX, spoke in favor of the request. She stated that she lived in McKinney for approximately 17 years and had been a Realtor in the area for about 16 years. Ms. Diviney stated that she represented Hillcrest Christian Church in selling the property to Mr. Schell. She stated that at least 85% of the church congregation had to agree to sell the property, and 87% agreed it was a good idea. Ms. Diviney stated that there were at least 100 people present that day to vote on selling the property. She stated the church's entrance is off of Graves Street. Ms. Diviney felt that the traffic from this proposed development would come in from Yosemite Place. She stated that housing was needed on the east side of U.S. Highway 75 (Central Expressway). Ms. Diviney stated that the Realtor community was excited about this proposed development and price range. She mentioned some of the reasons people were relocating to this area. Ms. Diviney felt the proposed houses had a historic appearance to them. She stated that she had received calls from some doctors and attorneys interested in this proposed development.

Mr. Robert Sampsell, 720 Chapel Hill Lane, McKinney, TX, asked if he could speak again regarding this request. Chairman Cox said yes; however, typically the audience was allowed to speak only once on a request. Mr. Sampsell stated that the Tucker Hill development was a very formidable development that was built to considerable standards. He did not feel that Vintage Place would be anything like Tucker Hill.

Mr. Jack Vaughn, 1509 Lee Street, McKinney, TX, stated that he built the first new house on Lee Street and had lived in McKinney for approximately 16 years. He stated that they did not oppose the development of the property; however, opposed the planned density and lot sizes of the proposed development. Mr. Vaughn felt that this type of density could decrease surrounding property values. He stated that when the tree survey was completed that some of the trees on his property were marked and expressed concerns about damage to some of their trees. Mr. Vaughn stated that he had not been contacted by Mr. Schell about this proposed development. He stated that he liked the proposed renderings shown in the meeting packet for this item. Mr. Vaughn stated that he also owned the vacant 8,000 sq. ft. lot at 1505 Lee Street that he might sell at a later time; however, had concerns of what might be built on the lot. He expressed concerns about increased traffic issues on Lee Street with the proposed development. Mr. Vaughn stated that he also had concerns about the height, variance, and setbacks for the proposed development.

Mr. Chris Barta, 1516 Steepleview Lane, McKinney, TX, stated that he had lived in McKinney for about four years and that he moved to Chapel Hill this past June. He stated that one of the reasons they moved was due to the surrounding two-story houses that overlooked his previous property. Mr. Barta was worried that the proposed development with two-story homes could create similar privacy issues and create quality of life issues. He suggested that single-story residential houses be built on the exterior lots of the proposed development to help address the issue. Mr. Barta stated that he had not received any communications from the applicant about the proposed development.

Mr. Richard H. Bass, 1605 Rockhill Road, McKinney, TX, stated that his family previously owned the property and gave a brief history. He stated that Chapel Hill was not built on the natural elevation and that they cut 15’ down the hillside when developing the property. Mr. Bass briefly discussed the trees that were removed when Chapel Hill was developed.

Mr. Jim Voss, 1409 Steepleview Lane, McKinney, TX, stated that he researched into Chapel Hill and McKinney prior to moving here. He stated that this was his 18th home and hoped that it was his last. Mr. Voss stated that he hoped the City would

uphold the standards. He questioned who was responsible to research into developers to verify that they have financial backing and were to finish what they start.

Mr. Jay Childs, 5131 Ranch Cedar Road, Midlothian, TX, stated that he was one of the engineers that were designing the proposed development. He briefly explained the proposed rezoning request and stated that a lot of effort had gone into the project. Mr. Childs stated that he choose not to have a website. He stated that he had a lot of repeat business and received referrals by word of mouth. Mr. Childs stated that City Staff had requested that the site layout not be included in the rezoning request paperwork. He briefly discussed Mr. Stan Randall's qualifications, which was the arborist on the project and completed the tree survey.

Mr. Robert Boynton, 407 S. Morris Street, McKinney, TX, stated that he lived just outside of the 200' notification area and that he found out about the proposed development through some of the surrounding neighbors. He expressed privacy concerns with building two-story houses on the exterior lots with the property grade difference between neighbors.

Mr. Boone Nerren, 320 Beechwood Lane, Coppell, TX, turned in the speaker card in favor of the request; however, did not wish to speak during the meeting.

On a motion by Commission Member Egan, seconded by Commission Member Smith, the Commission voted unanimously to close the public hearing, with a vote of 6-0-0.

Commission Member Smith asked about the potential impact that the proposed development would have on the McKinney Independent School District (MISD). Ms. Pickett stated that Staff reports typically stated that there could be an impact on infrastructure, Police and Fire Department services, and schools due to zoning changes from non-residential zoning to residential zoning and the addition of rooftops.

Commission Member Smith stated that she heard concerns regarding traffic and drainage issues. Ms. Pickett stated that there were various standards and ordinances in place and that the Engineering Department would be working with the applicant to make sure these issues were addressed.

Commission Member Smith stated that she would like to see a decrease in density and an increase in the encroachment space. Ms. Pickett stated that the

encroachment was between the front setback line and the property line. She stated that they could encroach 3' past their front setback line. Ms. Pickett stated that the closest that they could build to the front property line was 7'. She stated that it might create a tighter street feel. Ms. Pickett stated that the encroachment did not apply to the side setbacks. She stated that they would still need to meet Fire and Building codes for building separation. Commission Member Smith asked if a slightly lesser density would reduce the feeling like driving through a valley with the houses close to the road. Ms. Pickett agreed that less density could potentially address that concern. She briefly discussed how the lot widths could change the placement of the garages on the properties and the feel of the density.

Commission Member Smith stated that she would like to see the applicant commit to a 10' living screen.

Commission Member Smith asked if a common area would be required in the development. Ms. Pickett stated that common areas could be required adjacent to certain streets and gave some examples. She stated that the City did not typically take anything less than 8 – 10 acres for parkland dedication. Ms. Pickett stated that the applicant could choose to have a private open space area.

Commission Member Smith asked why the applicant was requesting a 3-foot height change. Ms. Pickett recommended that the applicant answer that question.

Ms. Pickett stated that there were currently no set architectural standards for single-family developments; therefore, the applicant was not required to submit every side of every building proposed to be constructed on the property at this time. She stated that the applicant submitted some renderings for informational purposes only to give an idea of what they would be proposing for the development.

Commission Member Egan questioned if Chapter 146, Article III, Section 146-96(e) of the Code of Ordinances required that elevation renderings for all sides of every proposed structure needed to be submitted. Ms. Pickett stated that it was required when they were proposed something that did not meet the current Architectural and Site Standards. She stated that currently there were not any architectural or site standards associated with single family detached residential uses; therefore, submitting elevations for each side of all proposed structures was not required.

Commission Member Egan asked why Staff did not require a site plan to be submitted with this rezoning request. Ms. Pickett stated that in the past when a distinct layout was tied down that there were issues going forward. She briefly discussed several “PD” – Planning Development Districts that had to be rezoned because they could not work within the confines of the layout that was tied down. Ms. Pickett stated that was a lot of detail and work was required, and Staff typically did not ask applicants to commit to that when a rezoning request was talking about land use and entitlements. She stated that the engineering required on this project would be extensive. Ms. Pickett stated that it would be required at the platting stage when it was appropriate. She stated that right now the applicant was only asking if they could build single family houses on the property. Commission Member Egan stated that he felt it would have been beneficial to have received an informational only site plan to show the proposed density, look, and feel of the proposed development.

Commission Member Egan asked if emergency services had been involved in the review of this request with the traffic and only one entrance to the Chapel Hill neighborhood. Ms. Pickett stated that typically two points of access were required for a neighborhood. She briefly discussed possible entrance points for the proposed development.

Commission Member Egan asked if this request was denied what else could be built on the property. Ms. Pickett stated that the Future Land Use Map (FLUP) showed the property for residential development. She stated that the “AG” – Agricultural District was more restrictive and only allowed one house to be built on the property. Ms. Pickett stated that they would have to rezone the “AG” - Agricultural District to be able to build more than one residential structure on the property.

Commission Member Kuykendall asked if there were any protections regarding building two-story houses in neighborhoods to help address privacy issues. Ms. Pickett stated that there were not any screening requirements between two single family residential developments. She stated that there were provisions in place for multi-family residential units next to single family residential developments. Ms. Pickett stated that there would be a minimum setback and tree buffer between Chapel Hill and proposed

development. She stated that you typically do not see such a change in grade between two single family residential developments.

Commission Member Kuykendall asked about possible drainage issues. Ms. Pickett stated that a study would need to be completed for the property. She stated that they would need to show that the flow they were putting out when they construct could be contained or they have to detain on the property or make improvements. Ms. Pickett stated that the Engineering Department would be closely monitoring it.

Commission Member Kuykendall asked if this development could have a major impact on traffic is this area. Ms. Pickett stated that she would like to see a good portion of the development exit onto Rockhill Road, where they are more access points than Yosemite Place. She stated that Staff had not seen how the streets in the development would be laid out. Ms. Pickett stated that could also impact what direction the residents exited the development. Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that vehicle trips and the development's density would help determine what improvements would be required.

Alternate Commission Member Mantzey asked for clarification that there were some two-story houses in Chapel Hill that would back up to the proposed development. Ms. Pickett did not have that information. She stated that the Chapel Hill residents did have an option where they could build a bonus room above the garage in the back; however, those were still considered one-story homes.

Commission Member Cobbel wanted to clarify that the proposed density in this request was a maximum density for the property and that it could be reduced at a later time after more detailed plans were approved. Ms. Pickett said yes.

Chairman Cox stated that this was a rezoning request and a site plan was not being considered at this time. Ms. Pickett stated that was correct.

Commission Member Kuykendall asked if there needed to be a change in the density for this development if it would need to come back before the Commission to be approved. Ms. Pickett stated that the plat would come before the Commission as a consent item.

Commission Member Smith wanted to clarify that they were approving a maximum density for the property. Ms. Pickett said yes.

Commission Member Smith recommended tabling the request to allow more time for the applicant to meet with the surrounding neighbors to work out various concerns and address the Commissioners' comments.

Commission Member Egan recommended denying the request due to the proposed higher density and a lack of information. He also stated that he would like to see an informational only site plan to justify the numbers submitted. Commission Member Kuykendall agreed with Commission Member Egan.

Commission Member Cobbel asked if the applicant was okay with tabling the request. Chairman Cox stated that the applicant nodded that he was in agreement.

Mr. Brian Lockley, Director of Planning for the City of McKinney, asked to clarify the Commission's concerns about the proposed density, receiving an informational only site plan for the development, and to look at how to address privacy concerns where two-story houses would be located next to single-story houses in Chapel Hill.

On a motion by Commission Member Smith, seconded by Commission Member Egan, the Commission voted to table the request to the January 26, 2016 Planning and Zoning Commission meeting, with a vote of 5-1-0. Commission Member Cobbel voted against the motion.

Chairman Cox stated that he would encourage the applicant, adjacent property owners, and City Staff to meet and work out some of the various concerns. Mr. Sampsell asked if they need to report their progress back to City Staff. Chairman Cox said yes.

A short break was held.

15-283SP **Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Medical and Office Buildings (The Crescent Executive Office Suites), Located Approximately 770 Feet South of U.S. Highway 380 (University Drive) and on the East Side of Coit Road**

Mr. Aaron Bloxham, Planner I for the City of McKinney, explained the proposed site plan request. He stated that site plans could typically be approved by Staff; however, the governing planned development ordinance required that site plan to be approved by the Planning and Zoning Commission. Mr. Bloxham stated that Staff recommends approval of the proposed site plan request. He offered to answer questions. There were none.

Mr. Adam Reeves, PE, Dunaway Associates, 170 N. Preston Road, Prosper, 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 Cobbel, the Commission voted unanimously to close the public hearing and approve the proposed site plan request as conditioned in the Staff report, with a vote of 6-0-0.

15-258FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for a Church (Life Fellowship Church), Located on the North Side of Henneman Way and Approximately 1,600 Feet West of Stacy Road

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed facade plan appeal. Ms. Pickett stated that Staff recommends approval of the proposed facade plan appeal. She offered to answer questions. There were none.

Ms. Lauren Cadieux, 800 Jackson Street, Suite 500, Dallas, Texas, concurred with the Staff report and offered to answer questions.

Commission Member Kuykendall asked if the main entrance of the church would be facing Sam Rayburn Tollway (State Highway 121). Ms. Cadieux said yes and briefly explained the main entrance's proposed design.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Egan, seconded by Alternate Commission Member Mantzey, the Commission voted unanimously to close the public hearing and approve the proposed façade plans, with a vote of 6-0-0.

15-300SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan and a Facade Plan for TRAXXAS Building Expansion, Located Approximately 620 Feet West of Stacy Road and on the North Side of Henneman Way

Mr. Aaron Bloxham, Planner I for the City of McKinney, explained the proposed site plan, facade plan appeal, and associated variance for an alternate screening device to screen the West facing loading dock. He stated that Staff recommends approval of the proposed site plan and facade plan as condition in the Staff report. Mr. Bloxham stated that Staff had concerns with the ongoing maintenance of the screening material associated with the alternate screening device and as such, Staff recommended denial

of the alternate screening device for the West facing loading dock. He offered to answer questions.

Commission Member Egan asked if the applicant received a variance for the existing screening device that was similar to the proposed alternate screening device to screen the West facing loading dock. Mr. Bloxham said no. He stated that gate faced a different direction on the property and a variance was not required for it.

Chairman Cox wanted to clarify that there were City codes and ordinances in place that required property owners to maintain their property to a certain level. Mr. Bloxham said yes.

Alternate Commission Member Mantzey asked how much material was being proposed for the eight foot tall sliding gate composed of metal anti-climbing fence with black curtain to screen the West facing loading dock. Mr. Bloxham stated that it was only covering the proposed gate at that entrance.

Commission Member Egan wanted to clarify that there were three variance requests for the façade finished hydraulic door, ACM metal panel on the elevation of the building facing Henneman Way, and alternate screening device for the eight foot sliding gate composed of metal anti-climbing fence with black curtain. Mr. Bloxham said yes.

Commission Member Egan questioned if the proposed design would blend with the existing building. Mr. Bloxham said that they plan to tie the new design in with the other building.

Mr. Mac McCloud, TRAXXAS, 6250 Traxxas Way, McKinney, TX, explained the proposed variance requests and offered to answer questions. He briefly discussed the existing screening along Henneman Way. Mr. McCloud stated that they were proposing to install a 45’ – 60’ wide gate that would be in two halves. He stated that the gate would be composed of the anti-climb fence and would have the black curtain material on the back side for screening. Mr. McCloud stated that black curtain material would allow light to penetrate; however, if you were standing on the other side of the material you should not be able to distinguish shapes according to the sales representative for the material.

Commission Member Egan asked about the screening for the hydraulic door. Mr. McCloud briefly discussed the screening along Henneman Way.

Commission Member Egan asked what would be visible when the hydraulic door was open. Mr. McCloud stated that it would be a collection of the owner's personal vehicles.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Alternate Commission Member Mantzey, the Commission voted unanimously to close the public hearing, with a vote of 6-0-0.

Commission Member Kuykendall asked if there were any examples of a similar screening material that was not maintained within the City of McKinney. Mr. Bloxham was not aware of any locations in McKinney to give as an example of where a similar material was not maintained.

Commission Member Kuykendall asked for clarification of why Staff recommended denial of the proposed black curtain screening material. Mr. Bloxham explained that Staff had concerns about the wear and tear of the material. He stated that he believed that the applicant would try to maintain it as best they could. Mr. Bloxham stated that there were concerns that the material could tear, which would allow someone to see through the gate.

Alternate Commission Member Mantzey asked if the variance request for the proposed screening material was approved if it would need to be kept in supply. Mr. Bloxham said yes.

Commission Member Cobbel asked what would need to take place if the material was not available to replace damaged material on the gate. Mr. Bloxham stated that the applicant would need to continue screening that section and would probably need to come back before the Planning and Zoning Commission to request an alternate screening device.

Commission Member Cobbel stated that the proposed design of the building was unique and interesting.

Commission Member Egan stated that he was also comfortable with the proposed design of the building.

Commission Member Kuykendall stated that the proposed building was such a nice design that she believed the owner would maintain it.

Chairman Cox also agreed with Commission Member Kuykendall's comments.

On a motion by Commission Member Egan, seconded by Commission Member Kuykendall, the Commission voted unanimously to approve the proposed site plan request and three associated variances as conditioned in the Staff report, with a vote of 6-0-0.

15-270SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Self-Storage Facility (Marketplace Retail Self Storage), Located Approximately 1,020 Feet East of Custer Road and on the North Side of Stacy Road

Mr. Aaron Bloxham, Planner I for the City of McKinney, explained the specific use permit request. He stated that Staff received four letters of support for this request and distributed them to the Commission prior to the meeting. Mr. Bloxham stated that Staff recommends denial of the proposed specific use permit as Staff felt that other uses may be more appropriate for the property. He offered to answer questions. There were none.

Mr. Maxwell Fisher, Masterplan, 900 Jackson Street, Dallas, TX, explained the specific use permit request and gave a PowerPoint presentation of the proposed development. Mr. Fisher felt there were some misconceptions about storage facilities. He stated that storage facilities had evolved over the years and gave some examples. Mr. Fisher briefly discussed The Jenkins Organization. He stated that they were recognized in the top twenty national operators. Mr. Fisher stated that The Jenkins Organization was going to development and operate the proposed facility. He stated that they were working with the United States Postal Service to have a postal unit located inside the front retail area of the proposed development. Mr. Fisher stated that there was currently no storage facility operating within a 1 ½ mile radius of this location. He felt this area was under served. Mr. Fisher discussed the layout of the master development at the corner of Custer Road and Stacy Road and how their proposed facility would be located on the property. He stated that they waited on the grocery store anchor to solidify their development first, so that the rest of the retail development would not be compromised. Mr. Fisher stated that they planned to have 135' of frontage along Stacy Road for their retail component of the development and the storage buildings would take up the back corner of the property.

Mr. Brandon Harris, CBRE, 8080 Park Lane, Dallas, TX, concurred with Mr. Maxwell's comments. He discussed the challenges of developing the corner of this deep property behind a large grocery store development and maintaining as much retail space along the frontage as possible. Mr. Harris stated that they were still researching into what might development in the space between the grocery store and this proposed development, shown as a medical office in Mr. Maxwell's presentation. Mr. Harris stated that the proposed storage facility would also create a buffer between the surround residential properties. He stated that they were in full support of this development. Mr. Harris offered to answer questions.

Chairman Cox asked if smaller uses want easy visibility and frontage. Mr. Harris said yes and that visibility and market presence was key. He stated that they want to be on the road that has the most traffic, which in this case is Custer Road.

Commission Member Egan asked if there were two separate properties. Mr. Harris said no, that Oncor Retail acquired all of the property at this corner. He stated that they were parceling it off. Mr. Harris stated that Walmart had closed on their portion of land and was at the planning stage of their development.

Commission Member Egan asked why they did not try to replicate the development at McKinney Ranch and Lake Forest with the anchor grocery store in the back and the retail closer to the road. Mr. Harris stated that the negotiations with Walmart were a long process and they were very insistent with their location at this site.

Alternate Commission Member Mantzey asked if the Walmart would be facing Custer Road. Mr. Harris said yes.

Mr. Maxwell stated that a recent trend with grocery stores is building them 1/3 to 1/2 the size of their typically stores with smaller parking lots; therefore, they prefer to be closer to the street. He stated that there has been a reduction in retail space built recently due to the economy. Mr. Maxwell continued with his PowerPoint presentation. He stated that they were complying with McKinney's Architectural Standards. He discussed some of the proposed features of the development, including 8' wide sidewalk, public space, landscaping, and street lights. Mr. Maxwell stated that storage facilities were one of the lowest trip generators of all land uses. He discussed the storage facilities that are operating within a three mile radius of this location. Mr.

Maxwell felt there was plenty of demand for additional storage facilities in the area. He stated that this would be a $10,000,000 development. Mr. Maxwell briefly discussed the additional tax benefits of building the proposed storage facility on this property. He addressed City Staff's recommendation for denial. Mr. Maxwell felt the proposed storage facility was an appropriate development for this property and would be done well. He stated that when you make a building adaptable that you were programming it to fail. Mr. Maxwell stated that storage wax a long lasting use. He stated that City's typically did not regulate the number of retailers and restaurants in a certain area. Mr. Maxwell stated that manufacturing uses generates spin-off businesses; however, storage uses did not. He briefly discussed the current allowed uses on the property. Mr. Maxwell felt that some of the current allowed uses were more intensive than the proposed storage use.

Commission Member Kuykendall asked how many storage units were proposed for the development. Mr. Maxwell stated that it would depend on the market and the overall size of the units.

Commission Member Kuykendall asked how often a storage unit is typically accessed. Mr. Maxwell stated that it varies considerably. He stated that there were typically only seven to eight trips per day to a storage facility. Mr. Maxwell stated that the peak times were on Saturday and Sunday afternoons. He stated that the renters of the units typically do not visit the site each month.

Mr. Rob Dejean, The Jenkins Organization, Inc., 4600 Mueller Blvd., Austin, TX, stated that the renters want their high end items close to their homes. He stated that the renters typically do not visit the site each month.

Commission Member Kuykendall asked about the entrance to the facility on Stacy Road. Mr. Maxwell stated that they would be installing a curb cut, fire lane, deceleration lane, and driveway that will serve their property along with the retail development. He stated that there are minimum spacing requirements between driveways.

Commission Member Kuykendall wanted to clarify that several businesses would be using the entrance that they were proposing to build. Mr. Maxwell said yes.

Commission Member Kuykendall asked if there would be 24 hour access to the facility. Mr. Maxwell said no, they would be able access their units between the hours of 6:00 a.m. – 10 p.m. He stated that they would have typical office hours. Mr. Maxwell stated that most of the renters would pay their bills on-line, which also reduces the trips to this location.

Commission Member Egan asked if the proposed United States Postal Service (USPS) facility on-site would be a full service facility. Mr. Dejean stated that they were still in negotiations with them. He stated that they liked the location and felt this area was underserved. Mr. Dejean stated that they were committed to providing some sort of packing and shipping center at the proposed front retail office area of the development to provide a service to the community. He stated that it would also generate sales tax revenue.

Commission Member Egan asked about the high security proposed at this location. Mr. Maxwell stated that a background check would be done on all of the renters. He stated that it would be a gated facility with cameras everywhere. Mr. Maxwell stated that a key code would be required to enter the facility. He stated that these facilities generate less crime than restaurants and other retail locations.

Commission Member Smith asked Staff about their position that the proposed self-storage facility would impede surrounding development and quality of development the proposed project could attract. Mr. Bloxham stated that the corner could have developed differently; however, it was tough to say exactly how it could have developed. He stated that the market dictates how it would be developed. Mr. Bloxham stated that Staff would have liked to have seen something more inclusive that utilized the space better with a different layout. He stated that this area was underutilized and that more people would be moving into this area. Mr. Bloxham stated that Staff would have liked to seen more retail at this site.

Alternate Commission Member Mantzey asked Staff if they were willing to accept dead space or less attractive retail behind the Walmart location. Mr. Bloxham stated that Staff had discussed this and it was a risk. He stated that he could not say what would go into this location if the proposed request was not approved.

Commission Member Egan asked if the medical office shown on the applicant's Power Point presentation was finalized. Mr. Bloxham stated that Staff had not received any formal submittals for it. He stated that the applicant had stated that they were not sure exactly how that would develop.

Commission Member Egan stated that there was a building located near Virginia Pkwy. and Custer Road that was located deep on the property and had multiple tenants that had failed and the building sat vacant for some time. He asked if Staff if they had similar concerns for this property. Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that the City wants to preserve as much of the commercial retail sites as possible. He stated that with the large grocery store's location on the property would dictate how the site was developed. Mr. Lockley stated that the placement of the grocery store in the center of the property would hinder the development of the property to maximize commercial uses. He stated that there would be some limitation to what could go in the rear corner of the property.

Commission Member Cobbel stated that the proposed development was a $10,000,000 development that would use up the back corner on the property that we do not know what else could be successfully developed at that location.

Chairman Cox stated that a lot of good points had been raised. He stated that the market determines how properties develop. Chairman Cox felt the proposed development was appropriate for this location.

Commission Member Cobbel stated that storage facilities do not seem to be transient uses. She stated that they seem to be needed and operate for long periods of time.

Commission Member Kuykendall stated that she had concerns about placing a storage facility at this location. She stated that was an important corner.

Alternate Commission Member Mantzey stated that there was retail at Custer Road and Sam Rayburn Tollway (State Highway 121). He also felt that there was more retail that could be built along Custer Road. Alternate Commission Member Mantzey stated that traffic was already a concern along Custer Road. He stated that this location was a dead space and located next to apartments. Alternate Commission Member Mantzey stated that if you shorten the community demands for storage facility supply

then you could increase the cost to the community. He stated that the proposed storage facility fits the area and a nice project.

Commission Member Smith stated that she was not favorable of a storage facility at this location. She did not feel that storage facilities were always appropriate next to apartment complexes. Commission Member Smith stated that this was a premier location with retail uses. She stated that she did not disagree with a lot of points that the applicant made.

Commission Member Egan stated that he lived near this location. He stated that he was not exactly thrilled to see a storage facility going in at this location; however, he liked the idea of having a postal service, cold-storage, and high security at this location. Commission Member Egan stated that these features do not exist in this area and were needed. He did not suggest opening a retail location behind the large retail site located in the center of the property. Commission Member Egan stated that the location of the other site in the center of the development hinder what else would go in around it. He felt that the proposed request was the best use for this site at this time.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Alternate Commission Member Mantzey, the Commission unanimously closed the public hearing, with a vote of 6-0-0.

Commission Member Egan asked what else could be developed at this location that would successful behind a future Walmart.

Chairman Cox stated that he agreed with Commission Member Egan's comments about not wanting to open a retail business in the northeast corner of the property.

Commission Member Egan stated that he had concerns if the medical office space shown on the applicant's Power Point presentation would be feasible at that location.

On a motion by Alternate Commission Member Mantzey, seconded by Commission Member Egan, the Commission voted to recommend approval of the specific use permit request with the special ordinance provisions listed in the Staff

report, with a vote of 4-2-0. Commission Members Kuykendall and 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 of January 5, 2016.

15-307M 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. Jason Aprill, Planner for the City of McKinney, explained the Semiannual Report with respect to the progress of the Capital Improvements Plan (CIP) 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 (CIP) for Roadway and Utility Impact Fees. He Aprill offered to answer questions.

Commission Member Cobbel asked if there were two different Capital Improvements Plans (CIP). Mr. Aprill stated that the CIP for impact fees is looked at every five years and the overall city Capital Improvements Program is a 10-year program.

Chairman Cox asked if an update could be given more frequently than what the law requires. Mr. Aprill briefly explained that several City departments were involved in compiling the information for this semi-annual report. Ms. Jennifer Arnold, Planning Manager for the City of McKinney, stated that the information could be shared quarterly if preferred by the Commission.

Commission Member Cobbel asked if Planning Staff generated a list of current street improvement projects. Ms. Arnold stated that the Engineering Department compiles the 10-year Capital Improvement Program list which includes different citywide improvement projects. She stated that the 10-year Capital Improvement Program information could be shared with the Commission as an update at future meetings. Commission Member Cobbel stated that when she was asking about two different types of Capital Improvement Plans (CIP) earlier that she was asking about the impact fee projects and the citywide improvement projects. Ms. Arnold clarified that the projects included in the Impact Fee Capital Improvements Plan aren’t different than those in the

10-year Capital Improvements Program, but that they only include those that are impact fee eligible.

Chairperson Cox opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Egan, seconded by Commission Member Cobbel, to close the public hearing, with a vote of 6-0-0.

On a motion by Commission Member Kuykendall, seconded by Commission Member Smith, the Commission unanimously approved the motion to 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 6-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting of January 5, 2016.

END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

The Commission and Staff briefly discussed some of tonight's issues with speaker's time limits and only allowing them to speak once during a public hearing item. The Commission thanked Staff for their hard work on the agenda items.

There being no further business, Chairman Cox declared the meeting adjourned at 9:39 p.m.

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BILL COX
Chairman