

## PLANNING AND ZONING COMMISSION

OCTOBER 10, 2017

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Jack Hatchell Collin County Administration Building – Commissioners Court – 4<sup>th</sup> Floor at 2300 Bloomdale Road on Tuesday, October 10, 2017 at 6:00 p.m.

City Council Present: Chuck Branch and Charlie Philips

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

Staff Present: City Secretary Sandy Hart; Executive Director of Development Services Michael Quint; Director of Planning Brian Lockley; Planning Manager Samantha Pickett; Planners Danielle Quintanilla, Melissa Spriegel, and David Soto; and Administrative Assistant Terri Ramey

There were approximately 15 guests present.

Mr. Brian Lockley, Director of Planning for the City of McKinney, called the meeting to order at 6:00 p.m. after determining a quorum was present.

### **17-980 Oaths of Office**

Ms. Sandy Hart, City Secretary for the City of McKinney, gave the Oath of Office to Janet Cobbel, Bill Cox, Deanna Kuykendall, Cam McCall, Brian Mantzey, Pamela Smith, and Eric Zepp

### **17-981 Election of Chair and Vice-Chair**

The Commission approved the motion by Commission Member Zepp, seconded by Commission Member Mantzey, to elect Bill Cox as Chairman, with a vote of 7-0-0.

The Commission approved the motion by Commission Member Smith, seconded by Commission Member Zepp, to elect Brian Mantzey as Vice-Chairman, with a vote of 7-0-0.

Chairman Cox continued the meeting with the Consent Items.

Commission Member Kuykendall requested that item # 17-196SP be pulled down from the Consent Agenda to be considered individually.

The Commission unanimously approved the motion by Commission Member McCall, seconded by Commission Member Smith, to approve the following three Consent items, with a vote of 6-0-1. Commission Member Zepp abstained.

**17-978 Minutes of the Planning and Zoning Commission Work Session of September 26, 2017**

**17-979 Minutes of the Planning and Zoning Commission Regular Meeting of September 26, 2017**

**17-226PF Consider/Discuss/Act on a Preliminary-Final Plat for Lots 2R and 10, Block A, of the Encore McKinney Addition, Located Approximately 660 Feet East of Custer Road and on the North Side of Stacy Road**

**END OF CONSENT**

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

**17-196SP Consider/Discuss/Act on Site Plan for a Multi-Family Residential Development, Located on the Southeast Corner of Rockhill Road and North Brook Drive**

Commission Member Kuykendall asked if this had come before City Council for consideration, since there had been several revised submittals listed in the Staff Report. Ms. Danielle Quintanilla, Planner I for the City of McKinney, stated that this was the first time that this item had been presented to a board. She stated that it must be approved by the Planning and Zoning Commission prior to being presented to City Council.

Commission Member Kuykendall asked for clarification on when a Specific Use Permit (SUP) was required for multi-family residential uses. Ms. Quintanilla stated that a Specific Use Permit (SUP) is sometimes required based on the base zoning district. She stated that in this case the base zoning district is "RG-18" - General Residence District and within a "PD" – Planned Development District. Ms. Quintanilla stated that multi-family residential uses were allowed by right within the "RG-18" – General Residence District.

Commission Member Kuykendall asked which zoning districts require a Specific Use Permit (SUP) for multi-family residential uses. Ms. Quintanilla stated that looking at the Schedule of Uses in the Zoning Ordinance, there are no districts that require a Specific Use Permit (SUP) for multi-family residential uses. She stated that you would only see a Specific Use Permit (SUP) for a multi-family residential use when it was written in a "PD" – Planned Development District ordinance.

Commission Member Cobbel asked if there was a zoning change associated with this request. Ms. Quintanilla stated that the applicant did initially come forward with a zoning application to rezone the property to a “PD” – Planned Development District to modify some of the development standards and requirements within the ordinance. She stated that they had since withdrawn the application and moved forward with the proposed site plan request. Ms. Quintanilla stated that the site plan met all of the requirements in the ordinance.

Commission Member Smith asked to clarify that Staff stated that the only time the Planning and Zoning Commission would see a Specific Use Permit (SUP) for multi-family residential uses would be when it was specifically called for in the “PD” – Planned Development District. Ms. Quintanilla stated that was correct as the Schedule of Uses in the Zoning Ordinance stands right now. She stated that multi-family residential uses were either permitted by right or not permitted at all.

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Zepp, the Commission unanimously voted to recommend approval of the proposed site plan as conditioned in the Staff Report, 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 October 17, 2017.

**17-125SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit and Site Plan for a Pump Station (Redbud Pump Station), Located Approximately 980 Feet South of Bloomdale Road and on the West Side of Redbud Boulevard (REQUEST TO BE TABLED)**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the October 24, 2017 Planning and Zoning Commission meeting due to changes requested by the City of McKinney Engineering Department’s Staff on the specific use permit and site plan exhibit. She 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 McCall, the Commission voted unanimously to continue the public hearing and table the proposed Specific Use Permit (SUP) and Site Plan for a Pump Station (Redbud Pump

Station) request to the October 24, 2017 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**17-085Z      Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "SF7.2" - Single Family Residential District, Located at 1500 Greenville Road (REQUEST TO BE TABLED)**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled to the October 24, 2017 Planning and Zoning Commission meeting due to a change in the rezoning request. She stated that Staff would re-notice the item prior to the upcoming meeting. Ms. Spriegel 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 McCall, seconded by Commission Member Cobbel, the Commission voted unanimously to close the public hearing and table the proposed rezoning request to the October 24, 2017 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**17-254Z      Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "C1" - Neighborhood Commercial District and "C2" - Local Commercial District, Located at 1301 North Custer Road**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was requesting to rezone approximately 6.89 acres of land, generally for commercial uses. Ms. Spriegel stated that the proposed request is to rezone from "AG" – Agricultural District to "C1" – Neighborhood Commercial District and "C2" – Local Commercial District. She stated that the current zoning district allows for primarily agricultural uses; however, the eastern portion of the property is currently developed as a commercial use (veterinary clinic) and the applicant has indicated the potential for the remainder of the property to develop for commercial uses. Ms. Spriegel stated that while the properties to the south, west, and northwest are currently used or zoned for single family residential uses, the properties to the northeast are zoned and used for commercial uses. She stated that the property to the east is zoned as open space for the adjacent single family residential subdivision. Ms. Spriegel stated that given the current use of the property, it is Staff's professional opinion the

rezoning request is appropriate for the subject property and will remain compatible with the existing and future land uses. She stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Dwayne Zinn, Cross Engineering Consultants, 131 S. Tennessee Street, McKinney, TX, concurred with the Staff Report and offered to answer questions.

Commission Member Zepp asked if there was cross access to the commercial property to the north. Mr. Zinn said yes. He stated that there was access on both tracts.

Commission Member Kuykendall asked the applicant what was proposed to be developed on the property if this rezoning request was approved. Mr. Zinn stated that the current owner plans to sell the property and does not have any plans to develop it. He stated that the property owner runs the veterinary clinic on the front portion of the subject property. Mr. Zinn stated that the property owner has decided to retire and sell the business and remainder tract of land. He reiterated that there were no plans to develop the property at this time.

Commission Member Smith asked about the chickens on the property. Mr. Zinn stated that the veterinary clinic would remain as a non-conforming use. He stated that if the new property owner wants to develop the property for another use then they would need to meet the "C2" – Local Commercial District requirements.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, 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 November 7, 2017.

**17-263FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for Southwest International Trucks, Located at 2105 North Central Expressway**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed facade plan appeal and the variance request and distributed a sample of the proposed metal exterior finishing material to the Planning and Zoning Commission Members. She stated that the applicant was requesting a facade plan appeal for an exterior renovation to the existing Southwest International Trucks. Ms. Quintanilla stated

that as part of a renovation, the materials should be of equal or higher quality than what is currently existing on the building per the City's Architectural Standards. She stated that the applicant is requesting approval of a variance to utilize aluminum composite metal panels as an exterior finishing material on the east and south elevations. Ms. Quintanilla stated that currently the building features approximately 50% brick veneer on the east elevation where the lobby is located, seamed metal panels on approximately 30% of the east elevation, and exposed concrete tilt-wall on the remainder of the east elevation where the service bay doors are located. She stated that the applicant has requested to replace or cover the existing tilt-wall, brick veneer, and existing metal with 100% aluminum composite metal panels. Ms. Quintanilla stated that in keeping with the requirement for existing buildings, a wide variety of materials can be used for the renovation, including brick, stone, stucco, concrete tilt-wall, EIFS, as well as architecturally finished metal, provided that the proposed metal did not exceed the area currently covered by the seamed metal panels. She stated that under these requirements, the extent to which the aluminum composite metal panel is proposed, at 100%, would not currently be permitted. Ms. Quintanilla stated that the existing zoning is "BG" – General Business District, which would require new buildings to meet the "Non-Residential Uses in Non-Industrial Districts" architectural standards. She stated that although the existing land uses to the north and west of the subject property are currently undeveloped, it is anticipated, given the frontage along U.S. Highway 75 (Central Expressway) and existing commercial zoning, that they will be developed for commercial uses. Ms. Quintanilla stated that under our current standards, a minimum of 50% masonry, considered brick, stone, or synthetic stone, would be required on each elevation. She stated that the renovation of this building featuring 100% metal facing U.S. Highway 75 (Central Expressway) would not be compatible with the exterior finishing materials of the future land uses. Ms. Quintanilla stated that the existing shopping center to the south of Taylor-Burk Drive features a significant amount of brick masonry as the uniform exterior finishing material. She stated that given the frontage along U.S. Highway 75 (Central Expressway), the exterior materials within the existing shopping center to the south, and the future anticipated commercial uses surrounding the subject property to the north and west, Staff cannot support the request. Ms. Quintanilla stated that Staff

recommends denial of the variance request to utilize the aluminum composite metal panel material for the proposed exterior renovation. She offered to answer questions.

Commission Member Cobbel asked if the material sample that was distributed was the proposed metal finishing material. Ms. Quintanilla stated that was the sample that the applicant provided.

Commission Member Cobbel asked if this material had been used on a structure in McKinney before. Ms. Quintanilla stated that she did not know if that particular material had been used before in McKinney. She stated that there are some existing car dealerships in McKinney that have metal panels on the exterior of their buildings. Ms. Quintanilla stated that the development of those dealerships were either prior to the architectural standards or they received approval of a meritorious exception or a facade plan appeal, depending on the year when they submitted the request. She stated that they had a recommendation of approval by Staff since they provided innovative design with additional architectural features that warranted the approval of using similar metal panels.

Commission Member Cobbel asked which auto dealerships received approval of a meritorious exception or a facade plan appeal. Ms. Quintanilla stated the Toyota, Honda, Nissan, and Mercedes dealerships received approval. She stated that Mercedes was the most recent to receive approval in 2015.

Commission Member Kuykendall asked if the applicant was proposing any unique features for the exterior renovation. Ms. Quintanilla stated that the applicant was proposing to cover up all of the existing exterior materials with the sample that was distributed to the Commission. She stated that they were not proposing to change anything else other than add the metal panels to the exterior of the building.

Commission Member McCall asked if the signage would change. Ms. Quintanilla stated that they do propose to change their signage. She stated that would not part of the elevations, since it would be permitted separately through the Building Inspections Department.

Commission Members Cobbel and McCall asked for clarification on what elevations were being proposed to have the metal panels. Ms. Quintanilla stated that it

would be the east and south elevations. She stated that the north and west elevations were not changing.

Commission Member Cobbel asked Staff to clarify why they were recommending denial of the request. Ms. Quintanilla stated that under the City's ordinance, the material proposed for an existing building must be of equal or higher quality than what is existing currently on the building. She stated that there was brick veneer currently on the exterior of the building and was an approved exterior material. Staff does not feel that covering the brick with the metal panels was sufficient to meet that requirement.

Commission Member McCall asked if they were replacing or just covering the exterior brick. Ms. Quintanilla stated that they were proposing to cover the brick.

Commission Member Smith asked if Staff felt that the covering up the brick with the metal panels was considered a downgrade architecturally. Ms. Quintanilla stated that if they were replacing existing metal with new metal then that would be of equal or higher quality. She stated that since they were changing the brick veneer and concrete tilt wall to metal, Staff was of the opinion that it would not meet that requirement.

Commission Member Zepp asked if the existing brick material was painted brick. Ms. Quintanilla said yes.

Mr. Kevin Waller, Waller Construction, 210 St. Louis Avenue, Fort Worth, TX, briefly explained the proposed facade plan appeal and the variance request. He stated that they want to enhance the existing, dated building. Mr. Waller stated that he thought that commercial buildings required 50% masonry on the exterior. He stated that if you take into account the exterior of all elevations of the building, then he felt they would meet the requirement. Mr. Waller displayed examples of auto dealerships that used metal panels with some masonry mixed in. He stated that sometimes when you retain masonry materials after a remodel it appears that they were trying to disguise it. Mr. Waller stated that when you think about the aesthetics of an auto and truck dealership that they were marketing a product. He stated that the Architectural Standards were marketing the City. Mr. Waller stated that auto dealerships were typically set back on the property with a sea of shiny automobiles out front. He stated that automobiles were some of the most modern items that we see and use every day. Mr. Waller stated that the building needs to reflect that aesthetic appeal and instill confidence and loyalty in customers. He stated that the



auto dealerships relied upon the general market, whereas the Southwest International Trucks market was a niche market for big rig trucks. Mr. Waller stated that what they were proposing would make the existing building more modern. He requested approval of the proposed facade plan appeal.

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

Commission Member Smith stated that the applicant referred to their initial design scheme and modern image with the proposed metal panels; however, it did not seem like Staff felt that what was presented would ensure accomplishing it. Ms. Quintanilla stated that since it is an existing building, Staff is not requiring everything that a new development would be required to do. She gave an example of the Mercedes dealership. Ms. Quintanilla stated that Staff felt that they could have provided additional materials and an innovative design to warrant the additional use of the metal on the building.

Chairman Cox asked for clarification on the calculation of the percentages used. Ms. Quintanilla stated that there were different standards. She stated that the architectural standards for new construction of non-residential uses in non-industrial districts would require 50% masonry on each elevation. Ms. Quintanilla stated that since the building was prior to those standards, the only requirement for their renovation would be to provide material of equal or higher quality.

Chairman Cox asked if all four elevations were used if it would fall under the 50% masonry requirement. Ms. Quintanilla stated no, since the existing building would not be under that regulation. She stated that Staff was looking for their renovation to be of equal or high quality in the materials that they are proposing for the renovation.

Chairman Cox asked if the issue with the interpretation of higher quality material being used. Mr. Lockley stated that was one way to look at it. He stated that there were several options that the applicant could use to offset the amount of metal being proposed for the building. Mr. Lockley stated that a combination of materials could be used so that it was not just metal panels facing U.S. Highway 75 (Central Expressway).

Commission Member Kuykendall asked if the applicant had considered using other available materials. She asked if they had not considered it, then why not. Mr. Waller stated that the proposed metal materials was to match a corporate image. He showed a similar facility nearby that they were trying to match. Mr. Waller stated that with this proposal they were trying to match the image that the Southwest International Trucks Company wishes to portray in all of their locations. He stated that he was unaware that there were other options that they could do to receive a recommendation of approval from Staff.

Commission Member Smith asked Mr. Waller if he was willing to continue working with Staff. Mr. Waller said yes.

Commission Member Smith asked Mr. Waller if he would be willing to table this item to continue working with Staff to come up with a design scheme that was acceptable with the materials that Staff was suggesting. Mr. Waller stated that he was willing; however, Staff had not offered any details on ways to reach an agreement as of yet. He stated that he would be the go-between, since he was only the designer working for the client. Mr. Waller questioned if they could get there if his client wanted the exterior to look a certain way.

Commission Member Kuykendall asked if Staff had explained that there could be alternatives that could be used to keep the same branding and stay within the City's standards. Mr. Waller stated that what he understood from Staff was he could only replace the current metal panels with new metal panels and leave the rest of the exterior with the same or similar materials. Ms. Quintanilla stated that she had several conversations with Mr. Waller. She stated that Mr. Waller did mention that it was a corporate brand and that he would not be able to change the proposed material. Ms. Quintanilla stated that she told Mr. Waller early on what Staff was looking for and that Staff would not be able to recommend approval of the facade plan appeal based upon the reasons listed in the Staff Report and in this presentation. She stated that Mr. Waller wanted to move forward based upon it being a corporate image and wanting to use these materials. Ms. Quintanilla stated that Mr. Waller was aware of the recommendation of denial.

Commission Member Cobbel asked if Staff would be in favor of just using the proposed metal panels on the roofline and keeping the brick as is. Ms. Quintanilla stated that Staff could potentially be in support of it; however, would need to review it as a whole. She stated that one of the requirements was that it should be of equal or higher quality material. Ms. Quintanilla stated that since the existing building has metal on the building, it could be easily replaced by metal per the requirement.

Commission Member Cobbel stated that she is thrilled that they were willing to get rid of the mansard roof and felt the proposed material would look better. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that Staff was not necessarily looking for an exact replacement of metal, but that the general percentage not be exceeded. Ms. Pickett stated that there were various options of materials that Staff feels is equal to or greater than the current materials on the building. She stated that the concrete tilt wall was a secondary material, where brick is a primary material. Ms. Pickett stated that Staff would be happy to go back and work with the applicant to come up with a combination of equal to or better than materials used on the renovation. Mr. Waller questioned if Staff would be coming up with the materials to be used on the building. Ms. Pickett stated that Staff would work with him but they did not want to dictate the design of the building. Mr. Waller questioned if the design would continue being designed and submitted to Staff over and over again until they were happy. Ms. Pickett stated that Staff was willing to work with him to come up with the materials and percentages that Staff was looking for to meet the City's requirements. She stated that they might still have a portion of metal on the brick area; however, there would be additional materials there as well to create some visual interest on the building.

Commission Member Kuykendall stated that she was hesitant to vote for denial if the applicant was willing to work with Staff to try to reach an agreement. She stated that she would recommend tabling the item to another Planning and Zoning Commission meeting. Commission Member Kuykendall stated that she shared Staff's concerns.

Commission Member Zepp asked to clarify that the proposed metal panels were proposed to be located on the tilt wall on the front of the building, the painted brick structure on the front of the building, redo the outdated roofline, and entryway. Ms. Pickett said yes. She stated that Staff is not saying that they need to keep what is currently on

the building. Ms. Pickett stated that Staff would like to have some more visual interest and variety than just 100% metal across the whole face of the building. Commission Member Zepp stated that he could see why Staff would want that; however, the alternative might be keeping the building the way it currently looks.

Commission Member Smith stated that she could appreciate where Staff was coming from and also the applicant's willingness to go back to revisit this with Staff. She stated that she would support moving forward with Staff and the applicant trying to come up with another solution.

Commission Member Cobbel stated that she liked the proposal for that building and its location. She stated that the proposed material gave a more modern, updated vibe for a building that was more of an industrial use. Commission Member Cobbel stated that she appreciated that Southwest International Trucks was willing to update their building and keep doing business in McKinney. She stated that she was in favor of the request.

Commission Member Zepp agreed and stated that anything would be an improvement.

Commission Member McCall also concurred with Commission Member Cobbel's comments. He stated that there were other similar business in McKinney that have used similar materials on the exterior of their buildings.

Vice-Chairman Mantzey stated that this was an opportunity to update the frontage along U.S. Highway 75 (Central Expressway) where there is a lot of commercial growth coming along. He stated that he could not go along with erasing the City's standards just for a corporate image. Vice-Chairman Mantzey stated that he could not recommend approval as it existed and agreed with Staff's recommendation.

Commission Member Kuykendall stated that if it stays as is then she would not vote in favor of the request.

Commission Member Smith stated that she echoed sentiments about the U.S. Highway 75 (Central Expressway) corridor. She stated that she understands that some of the auto dealerships have similar facades; however, did not know that we were looking at replicating that look along U.S. Highway 75 (Central Expressway) north of U.S. Highway 380 (University Drive). Commission Member Smith stated that she was in favor

of maintaining the City's standards, especially on highly visible corridors. She stated that she would be willing to make a motion to table the item.

Chairman Cox stated that he would vote against a motion to table the request. He stated that he agreed with the applicant. Chairman Cox stated that they were a good corporate citizen. He stated that what they were proposing was an acceptable visible product.

On a motion by Commission Member Smith, seconded by Commission Member Kuykendall, the Commission voted to table the request, with a vote of 3-4-0. The motion failed. Chairman Cox, Commission Member Cobbel, Commission Member Zepp, and Commission Member McCall voted against the motion.

On a motion by Commission Member Cobbel, seconded by Commission Member McCall, the Commission voted to approve the proposed facade plan appeal per the applicant's request, with a vote of 4-3-0. Vice-Chairman Mantzey, Commission Member Kuykendall, and Commission Member Smith voted against the motion. Chairman Cox stated that the request had been approved.

**17-225PFR Conduct a Public Hearing to Consider/Discuss/Act on Preliminary-Final Replat for Lots 1R-5R and 6-9, Block W, of The Trails at Craig Ranch, Phase 4, Located on the Northwest Corner of Uplands Drive and Wessex Court**

Mr. David Soto, Planner I for the City of McKinney, explained the proposed preliminary-final replat. He stated that the applicant is proposing to replat five existing lots, approximately 0.487 acres, into nine single family attached residential (townhome) lots. Mr. Soto stated that the applicant has met all the requirements of the Subdivision Ordinance. He stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff Report. Mr. Soto offered to answer questions.

Commission Member Smith asked for the current maximum density verses the density with the proposed preliminary-final replat. Mr. Soto stated that the current zoning on the subject property was approved in July 2017. He stated that it amended the space limits to allow nine townhomes. Mr. Soto stated that there is a minimum lot size of 2,040 square feet and all of the proposed lots meet that requirement.

Mr. Casey McBroom, Cross Engineering Consultants, 131 S. Tennessee Street, McKinney, TX, explained the proposed preliminary-final replat. He stated that they were

proposing to construct a single structure, nine-unit townhome on the property. Mr. McBroom stated that it would have rear entry garages. He stated that it would have an urban frontage that would be close to the street.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion of Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and approved the preliminary-final replat request as conditioned in the Staff Report, with a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for this preliminary-final replat.

**17-267M     Conduct a Public Hearing to Consider/Discuss/Act on  
                 an Amendment to Section 146-42 (Temporary Uses) of  
                 the Code of Ordinances**

Mr. Michael Quint, Executive Director of Development Services, explained the proposed amendments to Section 146-42 (Temporary Uses) of the Code of Ordinances. He stated that Staff was proposing to modify the Zoning Ordinance to remove the food truck regulations. Mr. Quint stated that Staff had been working with City Council since August 2017 to make modifications to the food truck regulations. He stated that Staff is proposing to move the food truck regulations from Section 146-42 of the Zoning Ordinance to Section 138 of the Code of Ordinances which is outside the Zoning Ordinance. He requested a recommendation of approval for the proposed amendment to Section 146-42 (Temporary Uses) of the Code of Ordinances and offered to answer questions.

Commission Member Zepp asked about the purpose of the proposed amendment. Mr. Quint stated that Staff was proposing new regulations for food truck courts and modifying several provisions to address some feedback received by City Council. He stated that the food truck ordinance had expanded its scope into multiple City departments outside of the Planning Department. Mr. Quint stated that it made sense to pull it out of the Zoning Ordinance to put it somewhere else in the Code of Ordinances that had a more global reach.

Commission Member Cobbel asked for clarification about the moving of the food truck regulations in the Code of Ordinances. Mr. Quint explained that they would be moving to Chapter 138 of the Code of Ordinances. He stated that it would be

administered by the Building Inspections, Environmental Health, and the Planning departments. Mr. Quint explained that there were different regulations depending on what type of food truck site the applicant was requesting.

Commission Member Cobbel asked if a food truck on a site would be an allowed use. Mr. Quint briefly explained the process that would be required for a food truck site versus a food truck court. He stated that a Specific Use Permit (SUP) and various permits would be required for a food truck court. Mr. Quint stated that a Specific Use Permit (SUP) would not be required for a food truck operational site; however, they would be required to receive certain permits from the City to operate on the site.

Vice-Chairman Mantzey asked if Staff had researched into the food truck regulations of other nearby cities. Mr. Quint said yes. He stated that Staff wanted to see what other cities were doing and a lot of the current regulations were the same. Mr. Quint stated that what works for one city might not work for another city. He stated that the City wants to stay competitive and comparable to other nearby cities. Mr. Quint stated that Staff also wants to address City Council and the food truck industry's feedback. He stated that some of the proposed amendments would make it easier to have a food truck in the City of McKinney.

Commission Member McCall asked if the food truck regulations were for the entire City of McKinney or just sections of the City. Mr. Quint stated that the regulations would apply to the entire incorporated city limits for the City of McKinney. He stated that the regulations would not apply to the Extraterritorial Jurisdiction (ETJ).

Commission Member Zepp stated that it would be a good move. He stated that it would make it more conducive to having food trucks in the City of McKinney. Mr. Quint agreed.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Commission Member McCall, the Commission unanimously voted to recommend approval of the proposed amendments to Section 146-42 (Temporary Uses) of the Code of Ordinance, 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 October 17, 2017.

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

There being no further business, Chairman Cox declared the meeting adjourned  
at 6:59 p.m.

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BILL COX  
Chairman