

PLANNING AND ZONING COMMISSION

NOVEMBER 13, 2012

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on Tuesday, November 13, 2012 at 6:30 p.m.

Commissioner Members Present: Chairman Robert S. Clark, Vice-Chairman Rick Franklin, George Bush, Jim Gilmore, and Matt Hilton

Commission Members Absent: David Kochalka and Larry Thompson

Staff Present: Assistant Director of Development Services Rick Leisner, Director of Planning Michael Quint, Planning Managers Brandon Opiela and Ross Altobelli, Planner IIs Anthony Satarino and Alex Glushko, Planner Samantha Gleinser, and Administrative Assistant Terri Ramey

There were approximately twenty-five guests present.

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

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

The Commission unanimously approved the motion by Commission Member Bush, seconded by Vice-Chairman Franklin, to approve the following four Consent Items:

**12-1036 Minutes of the City Council and Planning and Zoning
Commission Joint Meeting of October 1, 2012**

**12-1037 Minutes of the Planning and Zoning Commission
Regular Meeting of October 23, 2012**

**12-195CVP Consider/Discuss/Act on the Request by Cross
Engineering Consultants, on Behalf of Carmichael Real
Estate Holdings, L.L.C., for Approval of a Conveyance
Plat for Lots 8, 9, and 10, Block A, of the Vigor-Eldorado
West Addition, Approximately 5.20 Acres, Located
Approximately 400 Feet South of Eldorado Parkway and
on the West Side of Ridge Road**

**12-198CVP Consider/Discuss/Act on the Request by QuikTrip
Corporation, for Approval of a Conveyance Plat for Lots
1 and 2, Block A, of the QT 963 Addition, Approximately
14.05 Acres, Located on the Northeast Corner of U.S.
Highway 75 (Central Expressway) and Wilmeth Road**

END OF CONSENT

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

**12-191Z Conduct a Public Hearing to Consider/Discuss/Act on the Request
by J Rose Architecture, on Behalf of Bungalow Builders, for
Approval of a Request to Rezone Approximately 0.28 Acres from
"RS 60" - Single Family Residence District and "H" - Historic
Preservation Overlay District to "PD" - Planned Development
District and "H" - Historic Preservation Overlay District, Generally to
Modify the Development Standards, Located on the Northwest
Corner of Barnes Street and Griffin Street (REQUEST TO BE
TABLED)**

Mr. Alex Glushko, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled until the December 11, 2012 Planning and Zoning Commission meeting due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe as required by the Zoning Ordinance. Staff will not re-notice prior to the next public hearing.

Chairman Robert Clark opened the public hearing and called for comments.

Ms. Wendy Long, 608 Parker Street, McKinney, TX, was opposed to subdividing the lot into smaller lots to allow more houses to be built. She felt that having the houses on smaller lots would make the area look cramped. Ms. Long was opposed to planned development within the Historic district and felt it would take away from the uniqueness of the Historic district. She had concerns about the increase in traffic with building more houses on smaller lots.

On a motion by Vice-Chairman Franklin, seconded by Commission Member Gilmore, the Commission voted unanimously to continue the public hearing and table

the proposed rezoning request until the December 11, 2012 Planning and Zoning Commission meeting.

12-207Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by IBG Adriatica Holdings, Inc., for Approval of a Request to Rezone Approximately 20.05 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located Approximately 200 Feet South of Virginia Parkway and Approximately 200 Feet East of Stonebridge Drive

Mr. Anthony Satarino, Planner II for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the staff report.

Mr. George Fuller, IBG Adriatica Holdings, 6991 Mediterranean Dr., McKinney, TX, concurred with the staff report.

Commission Member Gilmore asked Mr. Fuller to clarify the height increase request. Mr. Fuller stated that the height increase is for aesthetic purposes. He stated that they plan to change some of the proposed flat roofs to clay tile pitched roofs.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Bush, seconded by Vice-Chairman Franklin, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended by Staff.

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

12-163Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Churchill Residential, on Behalf of Donald M. Motsenbocker, for a Request to Rezone Approximately 5.50 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the East Side of College Street and Approximately 875 Feet North of Eldorado Parkway

Mr. Anthony Satarino, Planner II for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends denial of the proposed rezoning request due to nonconformance with City Council's stated vision for multi-family developments and due to nonconformance with the City's Multi-Family Policy.

Vice-Chairman Franklin asked what materials that the applicant was proposing was not allowed by City's Multi-Family Policy. Mr. Satarino stated that he believes that

they were requesting a stucco exterior; however, the current ordinance requires at least 85% masonry. Chairman Clark asked if the stucco material would be allowed under the proposed ordinance amendments. Mr. Quint, Director of Planning for the City of McKinney, stated that some ordinance amendments would be presented at the City Council and Planning and Zoning Commission Joint Work Session on November 26, 2012; however, he did not feel comfortable discussing those draft revisions prior to them being presented at that meeting.

Mr. Robert Roeder, 1700 Redbud, McKinney, TX, explained the proposed rezoning request. He did not feel that there was a zoning category that covered the proposed senior independent living facility. Mr. Roeder stated that the residents would be 55 years old or older. He stated that about 50% of the residents would drive their own vehicles. Mr. Roeder stated that they are requesting that 50% of their parking be covered or enclosed parking. He stated that they are requesting a requirement to be placed in the "PD" that the facility provides transportation for the residents. Mr. Roeder stated that they are requesting that the density be increased from 24 to 29 units to keep cost down for the residents. He stated that they are requesting the facility be four-stories to help reduce walking distances for the residents. Mr. Roeder stated that they do not see the need for a 6' tall masonry wall surrounding the property. He stated that he felt they only needed to provide traditional landscaping buffers and not the extended buffers required in the City's Multi-family Policy.

Commission Member Gilmore asked Mr. Roeder if the property would be gated. Mr. Roeder said yes, that it would have a gate going to the parking areas.

Commission Member Bush asked for clarification on the surrounding security fencing on the property. Mr. Roeder stated that they plan to build a 6' tall wrought iron fence instead of the required masonry fence.

Vice-Chairman Franklin asked for the total value of the project. Mr. Roeder stated that the appraised value would be between 7 – 7.5 million dollars. Vice-Chairman Franklin stated that it would help the City's tax base.

Commission Member Gilmore asked for the location of the facility compared to the Senior Citizen Center. Mr. Roeder stated that it would be north of the Collin County Appraisal District building and across from the Senior Citizen Center.

Chairman Clark asked Staff for guidance on making a recommendation on this request to City Council. Mr. Michael Quint, Director of Planning for the City of McKinney, recommended that the Commission vote on what they felt was right. He recognized the Zoning Ordinance was outdated on this topic. Mr. Quint stated that Staff was working on addressing the issues. He stated that Staff tried to address some of the concerns in the ordinance amendments that were presented on at the City Council and Planning and Zoning Commission Joint Meeting on November 5, 2012; however, those items did not pass. Mr. Quint stated that Staff plans to present some new definitions at the City Council and Planning and Zoning Commission Joint Work Session on November 26, 2012. Chairman Clark stated that those items would not be addressed by the City Council Meeting on December 4, 2012 for this item. He stated that there could be a chance that City Council could table the request until the definitions are decided upon. Mr. Roeder did not feel that City Council would table the item based upon his conversations with various Council Members.

Chairman Clark asked Mr. Roeder if they agreed with the conditions in the staff report. Mr. Roeder said yes.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Franklin, seconded by Commission Member Gilmore, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as listed in the staff report.

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

12-175Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by North Collin County Habitat for Humanity, for Approval of a Request to Rezone Approximately 0.46 Acres from "RS 60" - Single Family Residence District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northwest Corner of Lively Hill and Monterey Street

Mr. Alex Glushko, Planner II for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the staff report.

Commission Member Bush asked to clarify that once the applicant gives up 7 1/2 feet of right-of-way dedication for Monterey Street that they will be short about 4 feet per lot to reach the minimum lot requirement. Mr. Glushko said yes.

Mr. Blane Pound, 630 Bear Creek Dr., Prosper, TX, concurred with the staff report. He stated that they plan to build houses similar to the ones that they have already built on Lively Hill.

Chairperson Clark opened the public hearing and called for comments.

Ms. Gilda Garza, 1208 Garcia St., McKinney, TX, stated that she opposed the request. She had concerns about the additional traffic, cramped conditions, what will happen to the alleys near the property, and if there was a possibility that the lots could be subdivided even smaller in the future. Ms. Garza also asked about the difference in the "RS 60" – Single Family Residence District verses the proposed "PD" – Planned Development District.

On a motion by Commission Member Bush, seconded by Commission Member Gilmore, the Commission voted unanimously to close the public hearing.

Mr. Brandon Opiela, Planning Manager for the City of McKinney, explained that the difference between "RS 60" – Single Family Residence District and the proposed "PD" – Planned Development District. He explained that currently the three lots run north/south and face Monterey Street, which is an unimproved gravel driveway. Mr. Opiela stated that the applicant is proposing to change the three lots so that they run east/west and would face Lively Hill, which is an improved street. He stated that he was unaware of any plans to abandon the alleys near Ms. Garza's property. Mr. Opiela stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the staff report.

Chairman Clark asked to clarify that the proposed three lots would be basically the same square footage. Mr. Opiela said yes.

Commission Member Bush asked to clarify that the applicant could pull building permits on the current layout of the three lots. Mr. Opiela said yes.

Commission Member Gilmore asked for clarification about the proposed changes to the three lots. Commission Member Bush explained that the request is to reorient the three lots and to even out the lot widths. Mr. Michael Quint, Director of Planning for the

City of McKinney, stated that the three north/south lots would be changed to three east/west lots. He stated that the zoning difference between the “RS 60” – Single Family Residence District verses the proposed “PD” – Planned Development District is a four foot lot difference.

On a motion by Commission Member Hilton, seconded by Commission Member Gilmore, the Commission voted unanimously to recommend approval of the rezoning request as recommended by Staff.

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

11-125SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Geer Surveying and Engineering, on Behalf of Hassan Naderi for Approval of a Site Plan for an Auto Repair Shop and Office, Approximately 1.24 Acres, Located at the Southeast Corner of Powerhouse Drive and Mercury Drive

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

Chairman Clark asked if there is a difference in the site plan. Mr. Opiela said no.

Ms. Sherry Williams, 1514 N. McDonald St., McKinney, TX, stated that the living screen would be continuous along Mercury Drive and Powerhouse Drive.

Chairman Clark opened the public hearing and called for comments.

Mr. Bill Cox, 321 N. Central Expwy., McKinney, TX, stated that he is representing three of the surrounding property owners. He expressed concerns over the appearance of the development. Mr. Cox stated that they would like to request berming at the northwest corner of the property to block the view of the bay doors. He requested that the applicant plant 5” caliper trees to speed the growth process to help block some of the view. Commission Member Bush asked Mr. Cox about the height of the berms that Mr. Cox suggested. Mr. Cox suggested four-foot berms.

Ms. Williams explained that there would be a lot of required trees along Powerhouse Drive and Mercury Drive. She stated that they plan to build a nice building and curved driveway. Ms. Williams discussed the open landscaped space on the property and stated that a lot of the surrounding developments did not have this extra

space of their properties. She stated that the owner wants a very nice looking building and site. Ms. Williams did not feel that any berming could be done on the property due to drainage concerns that it would cause; however, she was willing to research into it. Commission Member Gilmore had concerns about installing berms on the property due to safety issues. Vice-Chairman Franklin asked if they would be willing to install 5" caliper trees. Ms. Williams stated that they plan to install 4" caliper trees that are 12' in height.

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

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

12-188Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Dallas Design Build, on Behalf of V.F.B. Family, Ltd. Partnership for Approval of a Request to Rezone Approximately 0.80 Acres from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located Approximately 1,100 Feet West of Bois D'Arc Road and on the South Side of U.S. Highway 380 (University Drive)

Mr. Alex Glushko, Planner II for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the revised staff report.

Commission Member Bush asked for clarification on this rezoning request. Mr. Michael Quint, Director of Planning for the City of McKinney, explained various developers had requested a flex space that had components of retail/office/warehouse uses. He stated that a new land use for a flex space was proposed during the November 5, 2012 ordinance amendments; however, it was not approved. Mr. Quint stated that rezoning the property from "ML" – Light Manufacturing to "C" - Planned Center District would mean more commercial uses and less industrial.

Mr. Sam Ellis, 6916 Echo Canyon, McKinney, TX, gave a brief history of the property.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Bush, seconded by Commission Member Hilton, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended by Staff.

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

12-186Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Sanchez & Associates, L.L.C., on Behalf of MountainPrize, Inc. for Approval of a Request to Rezone Approximately 1.11 Acres, from "BG" - General Business District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 900 Feet West of U.S. Highway 75 (Central Expressway) (REQUEST TO BE TABLED)

Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Hilton, seconded by Commission Member Gilmore, the Commission voted unanimously to close the public hearing and table the proposed rezoning request indefinitely as recommended by Staff.

12-208M 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

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees as required by Chapter 395 of the Texas Local Government Code. She stated that Staff recommends filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.

Commission Member Bush commented that he was surprised about the amount of increase in the fees collected in this economy. He asked if the increase could be contributed to large projects. Mr. Ross Altobelli, Planning Manager for the City of

McKinney, stated that the increase was due to the increase in the single-family homes being built and new development. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that there has also been an increase in the fees charged over the years.

Chairperson Clark opened the Public Hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Gilmore, seconded by Commission Member Bush, to close the public hearing.

The Commission unanimously approved the motion by Commission Member Bush, seconded by Vice-Chairman Franklin, to recommend filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.

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

END OF THE REGULAR ITEMS

Mr. Michael Quint, Director of Planning for the City of McKinney, announced that Mr. Anthony Satarino, Planner II for the City of McKinney, had accepted another job and this would be his last meeting. The Commission wished him well.

Mr. Quint also announced that Mr. Alex Glushko, Planner II for the City of McKinney, had passed his AICP exam. The Commission congratulated him.

Chairman Clark declared the meeting adjourned at 7:45 p.m.

ROBERT S. CLARK
Chairman