

## **PLANNING AND ZONING COMMISSION**

**AUGUST 12, 2014**

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on Tuesday, August 12, 2014 at 6:00 p.m.

Commission Members Present: Chairman Rick Franklin, Vice-Chairman George Bush, Jim Gilmore, Mark McReynolds, Dick Stevens, and Larry Thompson

Commission Member Absent: Matt Hilton

Staff Present: Assistant Director of Development Services Rick Leisner, Director of Planning Michael Quint, Planning Managers Brandon Opiela and Matt Robinson, Planner II Samantha Pickett, Planner Steven Duong, and Administrative Assistant Terri Ramey

There were twelve guests present.

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

Chairman Franklin 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 would be forwarded on to City Council. Chairman Franklin stated that he would advise the audience if the case will go on to City Council or be heard only by the Planning and Zoning Commission. He requested that applicants and Staff limit their remarks to ten minutes each and that guests limit their remarks to five minutes and speak only once. Chairman Franklin 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 the issues.

Chairman Franklin continued the meeting with the Consent Items.

The Commission unanimously approved the motion by Commission Member Thompson, seconded by Commission Member Gilmore, to approve the following four Consent items with a vote of 6-0-0.

- 14-757 Minutes of the Planning and Zoning Commission Regular Meeting of July 22, 2014**
- 14-192PF Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of VCIM Partners, L.P., for Approval of a Preliminary-Final Plat for Lots 1 - 4 and Common Area A-1, Block A of the Collin McKinney Commercial Addition, and Piper Glen Road Right-of-Way Dedication, Being Fewer than 21 Acres, Located on the South Side of Collin McKinney Parkway and on the East Side of Custer Road**
- 14-193PF Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of McKinney Seven 185, L.P., for Approval of a Preliminary-Final Plat for Lots 1 and 2 and Common Areas 1A, 2A, and 3A, Block A of the Sam Rayburn Commercial Addition, and Craig Ranch Parkway Right-of-Way Dedication, Being Fewer than 19 Acres, Located on the North Side of State Highway 121 (Sam Rayburn Toll Way) and Approximately 900 Feet West of TPC Drive**
- 14-197PF Consider/Discuss/Act on the Request by Redplains Professional, L.L.C., on Behalf of CDTC Investments, L.L.C., for Approval of a Preliminary-Final Plat for Lot 4R1, Block A, of the Tour Drive South Addition, Being Less than 1 Acre, Located Approximately 290 Feet North of Collin McKinney Parkway and on the East Side of Custer Road**

#### **END OF CONSENT**

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

- 14-180ME Conduct a Public Hearing to Consider/Discuss/Act on the Request by Matthew King, on Behalf of CR Midway Investments, L.P., for Approval of a Meritorious Exception for Schlotzsky's, Being Fewer than 2 Acres, Located on the Southeast Corner of U.S. Highway 380 (University Drive) and Graves Street**

Mr. Steven Duong, Planner for the City of McKinney, explained the proposed meritorious exception. He stated that Staff recommends denial of the proposed meritorious exception due to the lack of required minimum masonry exterior finishing materials used in the construction of the building.

Mr. Matthew King, 1212 Cabernet Dr., Allen, TX, offered to answer questions regarding the proposed meritorious exception.

Vice-Chairman Bush asked if all of the Schlotzsky's have the same exterior design with the vertical blade feature. Mr. King stated that had been the new prototype for the last few years. He showed an example of the Gaston store.

Commission Member Thompson asked if the blade would be considered part of the signage for the building. Mr. Duong stated that the blade was considered a wall under the City's ordinances.

Mr. King explained the proposed meritorious exception. He gave examples of other businesses that have similar features that were taller than their roofline and got approved by the City of McKinney.

Commission Member Thompson asked what material they planned to use on the proposed blade. Mr. King stated that they plan to use EIFS (Exterior Insulation and Finish System).

Commission Member Thompson asked if Staff wanted them to use yellow brick on the blade. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that the brick could be painted. He also stated that slate panels, limestone panels, or other approved finishing material could be used to get a similar result.

Commission Member Stevens asked Staff if they had some research that EIFS was a lesser quality than brick. Mr. Quint stated that the City's standards place a premium on masonry materials. He stated that the ordinance did not address whether it was a lesser quality material. Mr. Quint stated that the ordinance required an innovative quality or of exceptional design for approval of a meritorious exception. He stated that Staff did not feel a lime green EIFS wall met either of these requirements.

Commission Member Stevens stated that he had researched on-line about found some websites that stated that EIFS could be a higher quality in the long run. He suggested that Staff look at possibly updating the ordinance.

Commission Member McReynolds felt that the proposed building would primarily be considered to be made out masonry materials. He gave an example of the Dunkin Donuts exception that was recently approved that he felt was similar to this request. Commission Member McReynolds agreed with Commission Member Stevens that Staff might need to look into updating the ordinance.

Chairman Franklin asked how much of the total building was built using masonry materials. Mr. King stated that it was 80% or higher. He stated that they were trying to match the WinCo shopping center's materials. Mr. King offered to use Stucco instead

of EIFS. Commission Member Stevens felt that EIFS was a higher quality material than Stucco.

Commission Member Stevens asked how many blades were proposed for this structure. Mr. King said one. He also stated that it would be a multi-tenant building.

Commission Member McReynolds asked if the remaining walls were bricked. Mr. King stated that the tan bottom sections of the walls were proposed to be EIFS as well. He stated that WinCo used cast stone on the bottom of their building. Mr. King stated that he was trying to save some money by using EIFS instead of cast stone. He did not feel that you would be able to tell a difference between the materials. Mr. King stated that he was willing to use cast stone on the tan bottom sections of the exterior walls of the building.

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

Vice-Chairman Bush, Commission Member Stevens, and Chairman Franklin were in favor of using cast stone on the bottom sections of the walls that were shown in tan on the proposed elevations in the Staff report.

On a motion by Vice-Chairman Bush, seconded by Commission Member Thompson, the Commission voted unanimously to approve the meritorious exception with the agreement that cast stone would be used on the bottom sections of the walls that were shown in tan on the proposed elevations, with a vote of 6-0-0.

Chairperson Franklin stated that the Planning and Zoning Commission is the final approval authority for the proposed meritorious exception.

**14-167Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by J Volk Consulting, on Behalf of Standard Pacific Homes of Texas, for Approval of a Request to Rezone Fewer than 14 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located Approximately 1,745 Feet North of Silverado Trail and Approximately 650 Feet East of Alma Road**

Mr. Steven Duong, Planner for the City of McKinney, explained the proposed rezoning request. He stated that a letter of opposition was received after the Staff report was created and that copies had been distributed to the Commission Members prior to the meeting. Mr. Duong stated that Staff recommends approval of the proposed rezoning request.

Chairman Franklin felt that reducing the lot sizes would allow more lots on the property and could raise the tax revenue from the development.

Mr. Jay Volk, 800 E. Campbell Rd., Richardson, TX, stated that he was speaking on behalf of Standard Pacific Homes of Texas. He explained the proposed rezoning request and gave a presentation.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Gilmore, seconded by Commission Member Stevens, the Commission voted to close the public hearing and recommend approval of the proposed rezoning request as requested by Staff, with a vote of 6-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on September 2, 2014.

Vice-Chairman Bush left the meeting at 6:26 p.m.

**14-171Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Sanchez & Associates, on Behalf of TCI McKinney Ranch, Inc., for Approval of a Request to Rezone Fewer than 13 Acres from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of McKinney Ranch Parkway and Ridge Road (REQUEST TO BE TABLED)**

Mr. Steven Duong, Planner for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled indefinitely due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Thompson, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing and table the proposed rezoning request as recommended by Staff, with a vote of 5-0-0.

**14-147PFR Conduct a Public Hearing to Consider/Discuss/Act on the Request by Don Paschal Consulting, on Behalf of Alma/Silverado Investments, L.L.C., for Approval of a Preliminary-Final Replat for Lots 10 and 11, Block A of the Hico Acres Addition, Being Fewer than 16 Acres, Located on the South Side of Silverado Trail and on the East Side of Alma Road**

Ms. Samantha Gleinser, Planner II 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.

Mr. Don Paschal, 904 Parkwood Ct., McKinney, TX, explained the proposed preliminary-final replat and concurred with the Staff report.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Stevens, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing, with a vote of 5-0-0.

On a motion by Commission Member Gilmore, seconded by Commission Member Thompson, the Commission voted unanimously to approve the proposed preliminary-final replat request as recommended in the Staff report, with a vote of 5-0-0.

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

Michael Quint announced that Steven Duong, Planner for the City of McKinney, had accepted a position with another firm and this was his last City of McKinney Planning and Zoning Commission meeting and thanked him for his service.

There being no further business, Chairman Franklin declared the meeting adjourned at 6:31 p.m.

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RICK FRANKLIN  
Chairman