PLANNING AND ZONING COMMISSION

APRIL 10, 2018

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, April 10, 2018 at 6:00 p.m.

City Council Present: Charlie Philips

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

Commission Member Absent: Cam McCall

Staff Present: 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.

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

The Commission unanimously approved the motion by Alternate Commission Member McReynolds, seconded by Commission Member Cobbel, to approve the following two Consent items, with a vote of 7-0-0.

18-298 **Minutes of the Planning and Zoning Commission Regular Meeting of March 27, 2018**

18-0105PF **Consider/Discuss/Act on a Preliminary-Final Plat for Lot 2R, Block A, of SK McKinney 380 Addition, Located Approximately 240 Feet East of Forest Ridge Lane and on the South Side of U.S. Highway 380 (University Drive)**

END OF CONSENT

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

17-283SP **Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Auto Sales and Repair (Da Shang Auto Sales and Repair), Located at the Northeast Corner of State Highway 5 (McDonald Street) and McMakin Street (REQUEST TO BE TABLED)**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the April 24, 2018 Planning and Zoning Commission meeting to allow Staff and the applicant to continue working on the plans. 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 Kuykendall, seconded by Commission Member Zepp, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request to the April 24, 2018 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

18-0051Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "SF5" - Single Family Residential District, Located Approximately 975 Feet South of Gray Branch Road and on the East Side of Ridge Road

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed rezoning request and stated that two letters of opposition were distributed to the Commissioners prior to the meeting. She stated that the applicant is requesting to rezone the subject property from “PD” – Planned Development District to “SF5” – Single Family Residential District. Ms. Quintanilla stated that both the current and proposed zonings generally allow for the single family attached residential uses; however, the current “PD” – Planning Development District requires the property to develop in accordance with a layout exhibit. She stated that this exhibit depicts an overall layout for the development of a single family subdivision, which extends on the east and west sides of Ridge Road. Ms. Quintanilla stated that while the western portion has developed in accordance with the current zoning, the eastern half has remained largely undeveloped. She stated that due to the constraints of the site layout, the applicant is requesting to rezone the remaining eastern property to remove the layout and adopt a straight zoning district of “SF5” – Single Family Residential District. Ms. Quintanilla stated that Staff is over the professional opinion that the proposed rezoning request will increase the development potential of the property and complement the surrounding land uses. She stated that Staff recommends approval of the proposed rezoning request and offered to answer questions.

Commission Member Smith asked where the residents who submitted letters of opposition to the proposed rezoning request live in comparison to the subject property. Ms. Quintanilla stated that one of the opposing residents lives at 900 Gray Branch Road. She stated that Gray Branch Road is approximately 1,000 north of the subject property. Ms. Quintanilla stated that second opposition letter is from the President of the Emerald Heights subdivision. She stated that subdivision is located just north of the subject property and was currently being developed for single family homes.

Commission Member Zepp asked for clarification on the rezoning request. Ms. Quintanilla stated that the applicant is requesting to rezone the property to a straight "SF5" – Single Family Residential District and would not have a layout tied down to it. She stated that at the platting stage the applicant and developer would create a layout that would work based upon the zoning for the property.

Commission Member Zepp had questions regarding the current layout of the property. Ms. Quintanilla stated that the subject property was located on the southern portion of Tract B and Tract C as shown on the layout. She stated that the northern section of Tract B and Tract C were currently under construction for the Emerald Heights development. Ms. Quintanilla stated that Tract A was developed as the Wynn Ridge Estates. She stated that the subject property was a leftover tract from the overall development.

Commission Member Smith asked for the density of the overall development. Ms. Quintanilla stated that the density for the east side of Ridge Road, Tracts B and C on the current layout, is three (3) units per acre. She stated that the density for the "SF5" – Single Family Residential District for the subject property is 3.2 units per acre. Ms. Quintanilla stated that it is a slight modification from the current density on the property.

Alternate Commission Member McReynolds asked if the proposed density would be similar to Tract A's density. Ms. Pickett stated that was correct, that Tract A was 3.2 units per acre.

Commission Member Smith asked for clarification on how the proposed rezoning would be compatible to the surrounding development and how the subject property would look when developed. Ms. Pickett stated that "SF5" – Single Family Residential District generally has smaller starting standards in terms of lot width, lot depth, and overall area;

however, it does require a mean and median lot size of 7,200 square feet. She stated that there would be a larger variety of lot sizes. Ms. Pickett stated that for every 5,000 square feet lot size there would need to be a larger lot to offset it. She stated that right now the subject property is zoned for "RS-84" – Single Family Residence District with a minimum 8,400 square feet per lot. Ms. Pickett stated that this zoning typically has similarly sized lots. She stated that what is being proposed would have various size lots that average out to 7,200 square feet per lot.

Vice-Chairman Mantzey asked what the current lot sizes were for the Emerald Heights development. He stated that the lots appear to be larger than the lot sizes for the Wynn Ridge Estates. Ms. Quintanilla stated that was correct. She stated that Tract A developed to the "RS-72" – Single Family Residence District (7,200 square feet per lot) standards. Ms. Quintanilla stated that the northern section of Tracts B and C developed to the "RS84" – Single Family Residence District (8,400 square feet per lot) standards, had a maximum potential of 80 units, but only proposed 43 lots for the development. She stated that given the common areas, circulation, and floodplain around the creek that they were not able to develop to the maximum density.

Vice-Chairman Mantzey asked about the density of the small, gated development to the south of the subject property. Ms. Quintanilla stated that development had 7,200 square foot lot minimums. She stated that there were maybe 6 – 10 large lots in that subdivision.

Vice-Chairman Mantzey asked if the "SF5" – Single Family Residential District had the highest density for residential development allowed with the exception of townhomes. Ms. Pickett stated that of the newer districts that would be correct; however, the older districts had densities that ranged from 5 dwelling units per acre and up.

Ms. Cecilia Salvans, 200 Noel Drive, Dallas, TX, explained the proposed rezoning request. She stated that the subject property is landlocked amongst the other developments. Ms. Salvans stated that the developable land, once you take out the erosion control, floodplain, and the utility easement, is approximately 12 acres of the overall 17 acres. She stated that they intend to have a cohesive look for the entire development and the surrounding developments. Ms. Salvans stated that their goal is not have any lots less than 7,200 square feet. She stated that they want to have the

larger lots that are in accordance with the surrounding neighborhoods. Ms. Salvans stated that they would be in compliance with the City's requirements. She stated that given the irregular shape and the constraints of the land is why they requested the "SF5" – Single Family Residential District. Ms. Salvans stated that it would give them some flexibility to maximize the development.

Commission Member Smith asked what it was about the current zoning that is preventing them from developing the property. Ms. Salvans stated that the property shape was one of the reasons. She stated that they want to be able to maximum the development and be able to build larger lots within it. Ms. Salvans stated that the "SF5" – Single Family Residential District gives them better flexibility to develop more parcels and meet with City's street and access requirements.

Alternate Commission Member McReynolds asked how many parcels are currently shown on the layout for the subject property. Ms. Quintanilla stated that there are approximately 42 lots on the layout tied to the current zoning on the property. She stated that with the proposed zoning's density they could develop up to 56 maximum lots. Ms. Quintanilla stated that they would still have to comply with the floodplain, creek, erosion hazard setback, and common area requirements. She stated that the likelihood of them developing 56 residential lots is unlikely.

Vice-Chairman Mantzey asked about the likelihood of them developing 42 lots under the current zoning. Ms. Pickett stated that engineering was likely not completed at the time the layout was tied to the current zoning was approved. She stated that the creek may not have been taken completely into consideration, which would require additional floodplain. Ms. Pickett stated that this could may cause difficulties in trying to provide the cross access street as shown, which would limit the property to one access point. She stated that it would be a costly venture to cross the creek for access. Ms. Pickett stated that they would be required to generally develop the property in accordance to the layout with some minor tweaks. She stated that having only one point of access would not allow them to development the property as shown on the layout. Ms. Pickett stated that by removing the layout it gives them the flexibility to give the life-safety access points and still provide a fair number of lots that is similar to the number of lots shown on the current layout.

Alternate Commission Member McReynolds asked if the street layout would basically stay the same with the exception to near the creek area if the property is rezoned as requested. Ms. Pickett explained that would come down to the engineering. She stated that they would not be tied to having a development that looks like the current layout. Ms. Salvans stated that they have some preliminary ideas and they have been working to make sure that they meet all of the street and radius requirements. She stated that the draft that they currently have looks somewhat similar to the current layout; however, it has three cul-de-sacs in it. Ms. Salvans stated that the floodplain around the creek and the minimum lot depths is a big driving factor behind this request.

Vice-Chairman Mantzey asked why the northern portion of the property was allowed to develop without the access over the creek being provided. Ms. Pickett stated that they have a private street specific use permit that was approved by City Council. She reiterated that full engineering was likely not done when the current zoning was adopted. Ms. Pickett stated that they may not have anticipated the creek going all the way to Ridge Road and how difficult it would be to add one there. She stated that they have two points of access to their development.

Commission Member Zepp asked if the City requires two points of access. Ms. Pickett stated that the Fire Department requires two points of access for any development. She stated that to get the second access point to the subject property would start messing with all of the streets and would end up not looking anything like the current layout.

Ms. Salvans stated that the letters of opposition had concerns about them developing smaller houses. She stated that it was not their intent to have 5,000 square foot lots. Ms. Salvans reiterated that they want to have a cohesive, comprehensive look throughout the neighborhood and help appreciate the land values in the area.

Chairman Cox opened the public hearing and called for comments.

The following three residents spoke in opposition to the proposed rezoning request. They had concerns about decreased property values, removing trees around the creek causing screening and noise issues, increasing the density, and possibility of the developer changing their plans after the rezone request is approved.

- Mr. Michael Baird, 409 Creekside Drive, McKinney, TX

- Mr. Michael Brown, 6400 Saint Michael, McKinney, TX
- Mr. Michael Brown, 5800 Creekside Court, McKinney, TX

On a motion by Commission Member Zepp, seconded by Vice-Chairman Mantzey, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0.

Commission Member Zepp asked if the second point of access would require a median break on Ridge Road. Ms. Pickett stated that it was not necessarily the case.

Commission Member Zepp asked if the initial point of access would require a median break. Ms. Quintanilla stated that typically Engineering Staff will want to carry that flow over from the west side of the median break to the east side.

Commission Member Zepp asked for clarification on a bridge across the creek was not required for the other development to the north. Ms. Pickett stated that it was more of an engineering question. She stated that it might have been a feasibility issue along with a cost issue. Ms. Pickett stated that Staff would follow up prior to the next meeting on the reasoning behind not putting the cross access in.

Commission Member Cobbel stated that it seemed like in the past that most zoning cases showed layouts; however, they had not gone through engineering to verify that the lots could actually be developed that way. Ms. Pickett stated that issues like this is why Staff now tends to stay away from tying down layouts during the zoning phase.

Commission Member Cobbel asked for clarification on the number of lots that could be developed if the proposed rezoning request is approved compared to the number of lots that could be developed under the current zoning on the property. Ms. Quintanilla stated that the subject property is 17.63 acres. She stated that with the density in place now, of three units per acre, they could do a maximum of 53 lots. Ms. Quintanilla stated that with the density of “SF5” – Single Family Residential District, of 3.2 units per acre, that they are proposing they could have a maximum of 56 lots. She stated that 3.2 units per acre is density for all of the new single family residential districts. Ms. Quintanilla stated that they could increase to 3.4 units per acre with a density bonus; however, they would be required to meet some extra criteria. She stated that the older single family residential districts have a much higher density. Ms. Quintanilla stated that is why the “PD” – Planned Development District tied down a reduction in density to three units per

acre. She reiterated that the density is only changing by .2 units per acre, which would equal 3 – 4 additional lots.

Vice-Chairman Mantzey asked if the density is barely changing, the why then rezone the property. Ms. Quintanilla stated that the layout tied to the current zoning was causing issues. Commission Member Cobbel stated that they could not change the layout. Vice-Chairman Mantzey wanted to clarify that they could not change the layout without having to rezone the property. Ms. Pickett stated that since they have an old zoning district base of "RS-84" – Single Family Residence District that you can no longer rezone to, then they would have to modify that as well.

Commission Member Cobbel wanted to clarify that they could have an additional three lots over what they could have now, prior to looking at engineering issues, tree survey, et cetera. Ms. Quintanilla stated that a tree survey would be required since there is property in the floodplain. She stated that the maximum number of trees that can be taken out of a floodplain is 30%. Ms. Quintanilla felt that the trees would likely remain in the creek area due to the floodplain and erosion hazard setback.

Alternate Commission Member McReynolds asked about the 42 lots that was mentioned earlier. Ms. Quintanilla stated that was the number shown on the layout.

Vice-Chairman Mantzey asked if the total number of lots was going from 42 lots per the layout up to 56 lots if the proposed rezoning request is approved. Ms. Pickett stated that slight tweaks could be made to the layout that could include some additional lots as long as they are still meeting the minimum lot size, density, and other regulations tied down to the zoning on the property. She stated that per the current zoning on the property the maximum number of lots that they could have would be 53 lots. Ms. Pickett stated that the layout shows 42 lots. She stated that they probably are not going to get up to the 53 lots. Ms. Quintanilla stated that Emerald Heights developed 43 lots; however, the zoning on the property allowed up to 80 lots.

Vice-Chairman Mantzey asked about a draft drawing that one of the residents mentioned receiving. Ms. Quintanilla stated that when the applicant originally submitted the rezoning request that they included a preliminary concept plan; however, it was not tied down to the rezoning of the property. She stated that City Staff reviewed it and gave some feedback to the applicant. Ms. Pickett stated that the preliminary concept plan was

just their first shot of how they might want to lay it out. She stated that they did not resubmit a preliminary concept plan after the initial submittal. Ms. Pickett stated that some of the initial feedback resulted in them changing the request to “SF5” – Single Family Residential District. She stated that they will not submit an actual layout until the preliminary-final plat phase and that it would need to meet the zoning on the property.

Commission Member Smith asked if it would be possible to develop 53 lots under the current zoning and meet the requirements of having two points of access, floodplain, not having the bridge over the creek, et cetera. Ms. Pickett stated that it was unlikely that they could hit the maximum density under any zoning due to the floodplain and lot size requirements. She stated that most of the developments in the area did not develop to their full density potential.

Commission Member Smith stated that she understood the surrounding property owners concerns that the subject property might have a denser look to it compared to the adjacent development.

Vice-Chairman Zepp stated that the development on the northern portion of the property was still able to develop according to the general layout of the “PD” – Planned Development District and it also has the creek bordering it. Ms. Pickett stated that the one wide lot shown perpendicularly to “Tract C” written on the layout was developed quite differently. She stated that location ended up having multiple lots instead of the one lot shown on the layout. Ms. Pickett stated that the block and street patterns were still the same. She stated that the floodplain changed from what the layout shows and when it came time to actually plat the property that restricted some of the developable lots along the northeastern portion of the property.

Commission Member Cobbel stated that Tract A was much easier to develop and that was why it was developed first. She stated that the subject property has more issues that would make it harder to develop according to the layout that was approved with the zoning on the property prior to any engineering being looked at on the property.

Commission Member Zepp asked if the second point of access could be a fire lane with a gate on it. Ms. Pickett stated that the Fire Marshal’s Office would need to make the determination when that would be okay. She stated that they might have to go through a variance process with the Fire Department.

Commission Member Zepp asked if they could use the land on the south west corner for access instead of buildable lots. Ms. Pickett stated that they would still need to meet spacing of the access points.

Commission Member Cobbel asked what the smallest and largest size lots that would be able to be developed if the proposed rezoning request is approved. Ms. Quintanilla stated that there is only a minimum lot size is 5,000 square feet. She stated that given the mean and medium of 7,200 square foot lot size requirement there will be a mix of lot sizes that could be developed. Ms. Quintanilla stated that they would not be able to have many 5,000 square foot lots and still be able to meet the average 7,200 square foot lot size requirement. Ms. Pickett stated that if they have only two lots, in order to meet the mean and medium 7,200 square foot lot requirement and one lot was 5,000 square feet, then the other lot would need to be a 9,400 square foot lot to average out to meet the requirement. She stated that with additional lots there could be more variety of lot sizes.

Commission Member Cobbel stated that she does not believe that they will be able to gain that many more lots with the proposed rezoning and that it would allow the property to be usable. She stated that it was never going to be ¼ - 1 acre lots. Ms. Quintanilla stated that was why Staff was recommending approval of the request. She stated that they were keeping the same type of use, basically the same amount of density, and allow the property to be developable.

Commission Member Zepp stated that there is a layout exhibit in a published document that people look at to use for their own reference. He stated that now we are proposing to rezone the property and the lot sizes are not defined as they are in the current zoning on the property. Commission Member Zepp stated that you cannot do full engineering on the property prior to purchasing it. He stated that some more work needs to be done before he would feel comfortable approving a rezoning request for this property.

Vice-Chairman Mantzey stated that it would be difficult to compare the density levels of the east side versus the west side of Ridge Road. He felt that the proposed rezoning request was to get more density in this area to create more value for the landowner and developer. Vice-Chairman Mantzey stated that he was not for increasing

density on that side without understanding exactly what it is. He stated that it was quite a bit different than what the surrounding property owners expected.

Chairman Cox asked the applicant to address some of the density concerns mentioned. Mr. Don Ping, 18210 Brighton Green, Dallas, TX, stated that with the current draft layout the smallest lot size would be around 6,200 square feet and the largest lot size would be about 17,000 square feet. He stated that there is a broad range in lot sizes. Mr. Ping stated that there is a concern with the topography, since the property drops about 45 feet from Ridge Road down to the creek. He stated that it was hard to be consistent with the lot sizes due to the drainage easement and retaining walls that will be required. Mr. Ping stated that the issues with the property is why they requested the "SF5" – Single Family Residential District, since it gave them more flexibility. He stated that their intent was to be at a starting price point of $500,000 – $600,000, which is consistent with the development north of the subject property. Mr. Ping stated that the smallest pad size would be 40' or 50'. He stated that a lot of lots would be wider than 40'. Mr. Ping stated that they were pretty good size footprints. He stated that the square footage should be considerable, especially for the price range. Ms. Salvans stated that they were only considering less than 10 lots being less than 6,500 square feet and none of the lots were 5,000 square feet. She stated that they were not trying to maximize density for the project. Ms. Salvans stated that they were trying to make sure that the development was cohesive with the surrounding area. She stated that they would follow the Tree Preservation Ordinance and that trees provide price point and luxury. Ms. Salvans stated that she did not think that they would get above three units per acre. Mr. Ping stated that the trees in the creek area would not be touched at all. He stated that some of the trees that were planted by the previous property owner would need to be removed.

Vice-Chairman Mantzey asked how many lots might be able to be developed on the property under the proposed zoning. Mr. Ping stated that they were assuming between 45 – 51 lots. He stated that it was hard to say for sure prior to the engineering on the property being completed.

Ms. Salvans stated that the Engineering and Fire Departments did initially request two functional points of access, which prohibits the layout tied to the current zoning. Mr. Ping stated that Engineering Staff also stated that they must meet the new radius

requirement. He stated that the surrounding developments did not have to meet that same requirement. Ms. Salvans stated that this requirement also affected their first preliminary draft layout that was originally submitted and the number of lots that would be developable.

Alternate Commission Member McReynolds asked what the average square footage of the houses and the pad sizes were for the development to north of the subject property. Mr. Ping stated that he was unsure of their numbers; however, they intent to be comparable with what they are doing in that development. He stated that they will have to compete with them.

Alternate Commission Member McReynolds asked if the actual layout for Tract B could be displayed. Ms. Pickett stated that plat had not been filed at this time, so we do not have it available to pull up on the display screen. Ms. Quintanilla stated that they received final acceptance late this afternoon and that she had a letter size paper copy that she could share with the Commission. Ms. Pickett stated that it should generally follow the street layout, with the exception of the cul-de-sac instead of the through street going across the creek and the bump out and common area due to the new radius requirement. She stated that some of the lots on the north side of the street flipped over to the south side of the street due to the shift in the floodplain area.

Commission Member Zepp stated that there seems to be a lot of uncertainty and some reasonable objections to the proposed rezoning request. He asked if the applicant would be willing to table the item to do some additional research and to speak with the City's Engineering Staff and the surrounding neighbors. Mr. Ping was willing to have the item tabled in lieu of a negative recommendation.

Alternate Commission Member McReynolds stated that he is pro-development; however, he also believes that the neighbors had a certain expectation for this site. He stated that there is so much unknown about this that he did not feel comfortable voting one way or the other; therefore, he was in favor of the item being tabled.

On a motion by Commission Member Zepp, seconded by Commission Member Kuykendall, the Commission voted to table consideration of the proposed rezoning request indefinitely, with a vote of 6-1-0. Commission Member Cobbel voted against the motion.

Chairman Cox encouraged the applicant to work with City Staff and engage the surrounding property owners.

Commission Member Zepp stated that everyone needs to realize that this piece of property is a little different and has some issues. He stated that at some point that it will be developed and will be good for all parties involved.

17-219SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Movie Theater (Cinemark at 380 Commons), Located on the Southwest Corner of Hardin Boulevard and U.S. Highway 380 (University Drive)

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed site plan request. She stated that the applicant is proposing to construct an approximate 56,000 square foot movie theater on 9.71 acres. Ms. Spriegel stated that typically site plans could be approved by Staff; however, the applicant is requesting approval of a variance that must be considered by the Planning and Zoning Commission. She stated that the applicant is seeking a variance to waive the required screening for the proposed roof mounted equipment. Ms. Spriegel stated that the roof mounted equipment is generally located in the middle of the roof. She stated that the applicant indicates in the Letter of Intent that when viewed in a flat elevation that the HVAC units extend between six inches and two feet above the parapet. Ms. Spriegel stated that the units would not be visible from public right-of-way when viewed by the surrounding streets. She stated that given the HVAC units are not visible from the ground, that the building is set back a minimum of 105 feet from public right-of-way, and that the HVAC equipment is generally located in the middle of the roof being between 10 – 70 feet from the parapet, Staff has no objections to the applicant's request. Ms. Spriegel offered to answer questions.

Vice-Chairman Mantzey asked if there were any nearby subdivisions that would be able to view the HVAC units. Ms. Spriegel stated that there was a subdivision located across Bois D'Arc Road. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that the theater is located farther away from the subdivision than how it appears on the map, as the map shows the entirety of the property, whereas the theater is located more in the middle of the property. Alternate Commission Member McReynolds stated that the grade was higher at US Highway 380 (University Drive) and then drops down towards the middle school. He stated that there were approximately 20 houses in

the neighborhood north of the middle school and their grade was significantly below that of the subject property.

Mr. Scott Somerville, 1807 Ross Avenue, Dallas, TX, concurred with the Staff Report. He stated that one of the first things they do as a matter of design for the movie theaters is to place the HVAC units on the roof and make sure that there are no sightline issues from the minimum 600 feet around the building. Mr. Somerville stated that the client wants to keep a clean image for all of their buildings. He stated that the nature of the building being so broad and deep helps in that regard. Mr. Somerville felt that it would be impossible to see the HVAC units at the proposed location on the roof and at the distance from the surrounding right-of-ways.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Alternate Commission Member McReynolds, the Commission unanimously voted to close the public hearing and approve the proposed site plan as conditioned in the Staff Report, with a vote of 7-0-0.

18-0110MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 2R, 3R and 4, Block A, of Creststone Addition, Located Approximately 515 Feet North of Crestwood Drive and on the East Side of State Highway 5 (McDonald Street)

Mr. David Soto, Planner I for the City of McKinney, explained the proposed minor replat. He stated that one letter of opposition was received and included in the amended Planning and Zoning Commission Meeting agenda for this item. Mr. Soto stated that the applicant is proposing to replat two existing lots into three lots (Lot 2R, approximately 10.46 acres; Lot 3R, approximately 10.88 acres; and Lot 4, approximately 3.73 acres) for commercial and industrial uses. He stated that this plat is a non-discretionary item and the applicant has met all of the requirements of the Subdivision Ordinance. Mr. Soto stated that Staff recommends approval of the proposed minor replat and offered to answer questions.

Chairman Cox asked if the applicant had given any indication of the intended use. Mr. Soto stated that a commercial use allowed by the zoning of the property.

Mr. David Kochalka, Kimley-Horn & Associates, Inc., 5750 Genesis Court, Frisco, TX, stated that he concurs with the Staff Report. He stated that they were subdividing

the property to match the zoning lines and cleaning up a lot of old easements on the property that do not apply. Mr. Kochalka offered to answer questions.

Chairman Cox asked if there were any proposed changes in the use of the property. Mr. Kochalka said no, that this was only a replat of the property.

Chairman Cox wanted to clarify that anything that they can do now on the property that they would be able to do after the property is replatted. Mr. Kochalka said yes.

Chairman Cox opened the public hearing and called for comments.

Ms. Linda Krohn, 2201 S. Highway 5 (McDonald Street), McKinney, TX, spoke in opposition to the proposed minor replat. She spoke about issues with the concrete batch plant noises, pollution, bright lights, hours of operation, traffic from the concrete trucks, and lack of screening.

On a motion by Alternate Commission Member McReynolds, seconded by Commission Member Kuykendall, the Commission voted unanimously to close the public hearing, vote of vote of 7-0-0.

Alternate Commission Member McReynolds wanted to clarify that this request was just a replat and no zoning or use would change with approval of this request. Ms. Pickett stated that was correct. She stated that this is a non-discretionary item, meaning that if they have met all of the regulations then it must be approved per State Law.

Vice-Chairman Mantzey asked who with the City could help address the citizen's concerns. Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that the City is aware of the issues surrounding these three uses. He stated that City Staff has reached out to those uses and is trying to get them to address the various issues that have been identified in the correspondence with them.

Commission Member Kuykendall asked if Staff was also in communication with the property owners filing the complaints. Mr. Lockley stated that the property owners brought up the issues at a City Council meeting. He stated that there were a number of residents that spoke during that meeting. Mr. Lockley stated that Staff was directed by City Council and the City Manager's office to reach out to those users about the issues. Chairman Cox stated that there had been some communications about the issues. He asked the residents to stay engaged in the process. Chairman Cox also mentioned that the Planning and Zoning Commission was not the body in charge of correcting those

issues. The Commissioners stated that they appreciate the residents coming forward to express their concerns and participating in meetings.

On a motion by Commission Member Kuykendall, seconded by Commission Member Zepp, the Commission unanimously voted to approve the proposed minor replat as conditioned in the Staff Report, vote a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for the proposed minor replat.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Commission Member Zepp announced that he is stepping down from the Planning and Zoning Commission due to his family relocating out of town. Chairman Cox and the Commissioners thanked and expressed how grateful they were to Commission Member Zepp for his service to the City of McKinney.

There being no further business, Chairman Cox declared the meeting adjourned at 7:20 p.m.

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BILL COX
Chairman