

Planning and Zoning Commission Meeting Minutes of July 23, 2019:

19-0005SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for an Automotive Storage Facility (Jordan Towing), Located Approximately 1,160 Feet North of Harry McKillop Boulevard (FM 546) and on the East Side of Couch Drive. Mr. Derrick Rhys Wilson, Planner I for the City of McKinney, explained the proposed specific use permit request. He stated that the applicant is requesting a specific use permit for automotive storage uses (Jordan Towing). Mr. Wilson stated that the “ML” – Light Manufacturing District zoning requires a specific use permit be granted in order for automotive storage to be operated on the subject property. He stated that with the abundance of warehouse and industrial uses in the surrounding area, the proposed development fits well with the current development pattern. Mr. Wilson stated that the site had been designed in a way that places emphasis on the building along Couch Drive while fully screening the storage area to reduce any potential impacts. He stated that this also aligns with the Comprehensive Plan which calls for similar uses, such as manufacturing and employment mix. Mr. Wilson stated that Staff recommends approval of the proposed specific use permit and offered to answer questions. Commission Member McCall asked for clarification on what type of items would be stored on the subject property and if there was a size limit. Mr. Wilson stated that it would be automobiles. Commission Member McCall asked if mobile homes would be allowed. Mr. Wilson said not to his knowledge. Vice-Chairman Mantzey asked about the proposed screening. Mr. Wilson stated that there would be an 8’ tall masonry screening device going around the sides and back of the property. Commission Member Doak asked about the chain link fence

shown on the plans. Mr. Wilson stated that was the existing fence on the neighbor's property. Commission Member Woodruff asked if they were planning to store wrecked vehicles at the site. Mr. Wilson stated that the business is called Jordan Towing. He suggested that the applicant explain more about the vehicles that might be stored on the site. Mr. Bryan Weisgerber, Cross Engineering, 131 S. Tennessee Street, McKinney, TX, explained the proposed specific use permit. He stated that they are proposing to use the existing chain link fence on the southern property line. Mr. Weisgerber stated that they are proposing a masonry fence along Jordan Way, along the access gate, and the base of the building. He stated that a masonry fence would be seen from the right-of-way. Mr. Weisgerber thanked Staff. He stated that they had been through a lot of preliminary design layouts. Mr. Weisgerber stated that they are basically locating the building closer to Couch Drive to keep the separation away from the mobile home park to the east of the subject property. He stated that the entrance would be off of Couch Drive, so that it did not put a lot of traffic on Jordan Way. Mr. Weisgerber stated that most of the storage on the property would be vehicles. He stated that every so often they could have semi-trucks brought in. Mr. Weisgerber stated that they would have secure storage on the site. Commission Member McCall asked if the vehicles being stored would be covered or just out in the open. Mr. Weisgerber stated that the vehicles on the east side would be just out in the open. He stated that there would be a canopy on the east side adjacent to the building. Mr. Weisgerber stated that the City of McKinney Fire Department will be allowed to practice on getting into vehicles at the site. He stated that more of the vehicles would be stored there until the owner

or insurance company could pick them up. Commission Member Woodruff asked how longer stored vehicles would remain at the site. Mr. Weisgerber stated that it should be around 7 days. Commission Member Kuykendall asked what percentage of vehicles coming onto the site would be damaged. Mr. Weisgerber stated that he would need to get clarification from the business owner before answering these questions. Vice-Chairman Mantzey asked for clarification on the proposed fencing around the property, since there was a discrepancy between Staff and the applicant. He asked if there would be a masonry fence on the north side of the property and a chain link fence to the south. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that for automotive storage uses they are required to screen from the right-of-way, which they would be doing with the proposed masonry wall. She stated that they are adjacent to an industrial property to the south, which does not require screening for automotive storage. Ms. Pickett stated that they are utilizing the chain link fence to the south to keep the storage area secure. Vice-Chairman Mantzey asked if the applicant had any discussions with the neighbor to the south regarding their development plans. Mr. Weisgerber stated that they had not spoken with that property owner as of yet. He stated that there is also a fire lane that they will be tying into. Commission Member Doak asked for the purpose of the detention pond. He expressed concerns regarding storing wrecked automobiles that could be leaking fluids like oil and anti-freeze. Mr. Weisgerber stated that the detention pond would be helping with runoff water, picking up storm water to the north, and making sure that they were not discharging more flow. Commission Member Doak asked where the leaking fluids would be

stored. Mr. Weisgerber stated that any wrecked automobiles would come into the warehouse first and any leaks would be handled there, then it would be moved into the east storage lot depending on how quickly they will be picked up. Ms. Pickett stated that the detention pond is a requirement based upon where the property is located and normal storm water requirements. She stated that it must be contained onsite before being dispersed into the system. Ms. Pickett stated that runoff of fluids should definitely not be stored in there. Commission Member Woodruff asked who owns the fire lane to the south. Mr. Weisgerber stated that it is located in a public easement on the adjacent property to the south. Vice-Chairman Mantzey asked if the specific use permit had any requirement on how long the automobiles could be stored on the subject property. Ms. Pickett stated that the Commission could add a requirement as to how long they can be stored, since it is a discretionary item. Chairman Cox called for the applicant's partner to address the particular vehicles to be stored on site. Mr. Mark Fangio, Dal Nor Group, 2731 Sylvan Way, McKinney, TX, stated that he owned the subject property for over ten years and recently sold the property to the Jordan's. He stated that the adjacent industrial company to the south is a center for reclaiming computer components and has eighteen wheelers coming in and out all of the time. Mr. Fangio stated that the fence has been there for 15 – 20 years. He stated that they have access for emergency egress onto their property. Mr. Fangio stated that the Jordan's had a contract with the State of Texas for 23 years to remove any damaged vehicles from the toll road. He stated that the contract states that they must have a site within five miles of the toll road and must remove the vehicle within 2 ½ hours. Mr. Fangio stated

that the State of Texas occasionally comes in to check that they are following the regulations. He stated that the detention pond is a lot of real estate; however, it covers seven lots. Mr. Fangio stated that the output is regulated. He stated that he has never seen a detention pond full as of yet. Mr. Fangio stated that the City of McKinney Fire Department would have use of the facility to practice cutting open old vehicles that are planned to be discarded. He stated that the Jordan's will then dispose of the vehicles after the training. Mr. Fangio stated that when a vehicle is brought in to the facility, the insurance companies are contacted, and within a week 99% of the vehicles are gone. He stated that there would not be long term storage on the site. Commission Member Kuykendall asked for an example of another similar facility in the area. Mr. Fangio stated that the Jordan's has another similar located in Plano. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member Doak, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey asked if the specific use permit would be transferred to a new owner if they sold or changed their business plan. Ms. Pickett stated that specific use permits typically run with the land and not the owners. She stated that if the business was to vacate and it was to exceed 180 days, a new specific use permit would be required. Ms. Pickett stated that if it was immediately replaced with a similar business then they would still be subject to the terms of the adopted specific use permit. Vice-Chairman Mantzey stated that currently the proposed specific use permit does not stipulate the length of storage. Ms. Pickett stated that was correct. Commission Member Doak asked if there

was a turnover if the property could become a junkyard. Vice-Chairman Mantzey stated that he did not want it to be a burden upon the applicant on a short term storage; however, he would have concerns if vehicles are stored there over 90 days. Commission Member Woodruff asked if all four sides of the storage area could be required to be screened by the proposed masonry screening wall to block the view in case the use to the south changes at a later time. Ms. Pickett stated that the Commission could request that of the applicant. Mr. Fangio stated that he did not want to speak for the new owners. He stated that on the southwest corner of the building there is an 8' tall wall that fronts Couch Drive, goes to the south, and then turns over to the fence. Mr. Fangio felt that he could probably sell the Jordan's on extending the wall a little ways. He stated that you could not see it due to the building to the south blocks the view. Mr. Fangio stated that business is running eighteen wheelers out there. Commission Member Woodruff stated that we do not know what the future uses might be there. He stated that it might change at some point. Commission Member Woodruff stated that he was trying to think about the long term effect and not the short term. Mr. Fangio joked that it might turn into Avis Rental when the airport kicks off. He stated that the masonry fence is a huge expense. Mr. Fangio stated that he would be willing to speak to the new owner about extending the wall a little further. Commission Member Doak stated that he does not see the building blocking the view from Couch Drive. Mr. Fangio stated that the building is set back off of Couch Drive. He stated that there is a lot of foliage in that area. Mr. Fangio stated that he did not feel that it would take a lot to extent the wall back for better coverage. He stated that there is a lot of chain link fence along Industrial

that is not screened at all. He stated that the Jordan's want it to look nice, since at some point they will want to have an exit strategy that works for everybody. Chairman Cox asked Staff to discuss their position on having a masonry wall all the way around the storage lot. Ms. Pickett stated that screening is not required to the south. She stated that they want to provide a secure fence. Ms. Pickett stated that the view from the street would be blocked by the two buildings and having screened it around the other two sides would create a secure environment. Vice-Chairman Mantzey stated that he was comfortable with the proposed screening; however, he would like to place a 90-day time limit on storage though. Commission Member Doak stated that he felt a provision was necessary to protect the fact that if there is a turnover that the property would not turn into a salvage yard. Commission Member Woodruff asked if they were okay with leaving the chain link fence. Commission Member Doak stated that he was okay with the chain link fence. Commission Member Kuykendall asked if there was a reason why Vice-Chairman Mantzey suggested a 90-day time limit for storage opposed to 60-days. She stated that three months is a long time for a wrecked vehicle to sit on the property. Vice-Chairman Mantzey stated that the City might have difficulty tracking it and he did not want to be too much of a burden on the applicant. Commission Member Doak stated that it was also a deterrent if there is a turnover that the new owner could not make it a salvage yard. Commission Member Doak stated that she would be in agreement as long as the Commission put in those stipulations in there. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Doak, the Commission unanimously voted to recommend approval of the proposed specific use permit as recommended by Staff

with the additional condition of a 90-day limit on vehicle storage onsite, 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 August 20, 2019.