

## PLANNING AND ZONING COMMISSION

JUNE 10, 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, June 10, 2014 at 6:00 p.m.

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

Commission Members Absent: None

Staff Present: Director of Planning Michael Quint; Planning Manager Brandon Opiela; Planners Samantha Pickett and Steven Duong, and Administrative Assistant Terri Ramey

There were approximately 23 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 Gilmore, seconded by Commission Member Stevens, to approve the following two Consent items with a vote of 6-0-0.

**14-549 Minutes of the City Council and Planning and Zoning  
Commission Joint Meeting of June 2, 2014**

**END OF CONSENT**

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

**14-129Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd and Joplin, P.C., on Behalf of Frisco Independent School District and LCGRCRI, L.P., for Approval of a Request to Rezone Fewer than 55 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 South Side of Stacy Road and at the Terminus of McKinney Ranch Parkway (REQUEST TO BE TABLED)**

Ms. Samantha Gleinser, Planner for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled until the June 24, 2014 Planning and Zoning Commission meeting due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance. She stated that Staff would not re-notice prior to the next meeting.

Chairman Franklin opened the public hearing and called for comments.

Ms. Judith Cooperstein, 8309 White Stallion, McKinney, TX 75070, expressed concerns regarding water availability for all of McKinney's residents during drought conditions and while the City was still increasing its residential base. She felt that the City should halt the construction on new residential development and lift the water restrictions on the current residents until the water level was sustainable. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that the City of McKinney has a contract with the North Texas Municipal Water District to supply the water. He stated that the North Texas Municipal Water District had not indicated that the City should cease development due to water shortages.

On a motion by Commission Member Thompson, seconded by Commission Member Hilton, the Commission voted unanimously to continue the public hearing and tabled the proposed rezoning request as recommended by Staff, with a vote of 6-0-0.

**14-127ME Conduct a Public Hearing to Consider/Discuss/Act on the Request by PPK Architects, on Behalf of Collin**

**County Community College District, for Approval of a Meritorious Exception for a Conference and Health Science Center (Central Park Campus), Being Fewer than 53 Acres, Located on the Southeast Corner of Community Avenue and Taylor Burk Drive (REQUEST TO BE TABLED)**

Mr. Steven Duong, Planner for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled until the June 24, 2014 Planning and Zoning Commission meeting due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance. He stated that Staff would not re-notice prior to the next meeting.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Bush, seconded by Commission Member Gilmore, the Commission voted unanimously to continue the public hearing and tabled the proposed meritorious exception as recommended by Staff, with a vote of 6-0-0.

**14-085Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn and Associates, Inc., on Behalf of David Huang, for Approval of a Request to Rezone Fewer than 63 Acres from "AG" - Agricultural District to "PD" - Planned Development District, Generally to Establish Development Regulations that Allow for the Development of Single Family Residential Uses; and to Rezone Fewer than 30 Acres from "AG" - Agricultural District to "C2" - Local Commercial District, Located on the Southwest Corner of State High 5 (McDonald Street) and Bloomdale Road**

Mr. Steven Duong, Planner 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. He stated that Staff would re-notice for an upcoming public hearing.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Hilton, seconded by Commission Member Thompson, the Commission voted unanimously to close the public hearing and table the proposed zoning request indefinitely as recommended by Staff, with a vote of 6-0-0.

Chairman Franklin stated that Staff would re-notice for the upcoming public hearing on this item.

**14-118Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Spiars Engineering, Inc., on Behalf of Ysis Partners, L.P., for Approval of a Request to Rezone Fewer than 17 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the South Side of Bloomdale Road and on the West Side of Lake Forest Drive**

Ms. Samantha Pickett, Planner for the City of McKinney, stated that a revised Staff report and revised zoning exhibit were distributed to the Commission Members prior to the meeting. She explained the proposed rezoning request. Ms. Pickett stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with the Comprehensive Plan.

Commission Member Gilmore asked why the City of McKinney Engineering Department's comments were not included in the revised Staff report. Ms. Pickett stated that removing the lot layout in the revised zoning exhibit addressed those comments.

Vice-Chairman Bush asked if Staff's objection to the request had to do with the number of dwelling units proposed per acre on the site. Ms. Pickett stated that Staff recommended denial because of the proposed density on the property and changing the use from non-residential to residential which affects the City's tax base.

Mr. Steve Lenart, Lenart Development Company, 520 Central Parkway E, Plano, TX, discussed the proposed rezoning request and showed a presentation. He stated that they were working with Engineering Staff to address some of their concerns for the site. Mr. Lenart stated that the current property owners had no success marketing the property as a commercial use for the past seven to eight years. He felt the proposed development would be successful on the site.

Chairman Franklin opened the public hearing and called for comments.

Mr. Philip Scherer, 5108 Grovewood Dr., McKinney, TX, was in favor of the proposed rezoning request and felt it would enhance his property value.

On a motion by Commission Member Thompson, seconded by Commission Member Stevens, the Commission voted unanimously to close the public hearing, with a vote of 6-0-0.

Commission Member Thompson asked for clarification on why Staff recommended denial of the proposed rezoning request. Ms. Pickett explained that Staff recommended denial of the request because of the proposed density on the site and reduction in the commercial tax base with the proposed rezoning request.

Chairman Franklin felt that the surrounding neighbors would be against having straight commercial uses on the property. He also felt that the property was too large for a "BN" – Neighborhood Business district zoning.

Chairman Franklin and Commission Member Thompson were in favor of the proposed rezoning of the property.

Commission Member Stevens had questions regarding the Fiscal Analysis for the site. He felt the proposed residential development would bring in more taxes for the City than if the property sat vacant being zoned for a commercial use. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that he was not in favor of the current Fiscal Analysis format and that Staff was looking into having it revised. He stated that building residential developments costs the City money and that was why commercial development was so important for the City to help offset these expenses. Mr. Quint stated that City Council stated that they preferred to see a 60% residential to 40% non-residential tax base split.

Vice-Chairman Bush felt that when residential developments were built, then commercial developments would soon follow to address their needs.

On a motion by Vice-Chairman Bush, seconded by Commission Member Thompson, the Commission voted to recommend approval of the proposed rezoning request as conditioned in the Staff report, with a vote of 4-2-0. Board Members Hilton and Gilmore voted against the motion.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 17, 2014.

**14-013Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Southbrook Investments, Inc., on Behalf of Collin CR Wellness Communities, L.L.C., for Approval of a Request to Rezone Fewer than 26 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 Alma Road and Kickapoo Drive**

Ms. Samantha Pickett, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the Staff report.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Joplin, P.C.; 1700 Redbud, McKinney, TX, explained the proposed rezoning request and stated that he concurred with the Staff report.

Chairman Franklin opened the public hearing and called for comments.

Ms. Yvonne Gonzalez, 7604 Red Feather Trail, McKinney, TX, asked where the commercial uses would be located on the site. Ms. Pickett stated that they were proposed to be along Alma Road. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that there were also some mixed uses along Collin McKinney Parkway that were not included in the current rezoning request.

On a motion by Commission Member Hilton, seconded by Commission Member Gilmore, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended 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 July 15, 2014.

**14-130MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by CEI Engineering Associates, Inc., on Behalf of Greenway-Custer Partners, L.P., for Approval of a Minor Replat for Lots 2R-1, 2R-2 and 2R-3, Block A, of the CVS Stacy Custer Addition, Being Fewer than 11 Acres, Located on the Southeast Corner of Custer Road and Stacy Road**

Ms. Samantha Pickett, Planner for the City of McKinney, explained the proposed minor replat. She stated that Staff recommends approval of the proposed minor replat as conditioned in the Staff report.

Mr. Jeremy Yee, CEI Engineering, 3030 LBJ Freeway, Dallas, TX, concurred with the Staff report.

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 unanimously to close the public hearing and approve the minor replat as recommended by Staff, with a vote of 6-0-0.

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

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

Mr. Michael Quint, Director of Planning for the City of McKinney, distributed a memo from Mr. Tom Muehlenbeck, Interim City Manager for the City of McKinney, to the Commission Members and asked them to read it. He mentioned that there was a training opportunity for the Commission Members available and to let him know if they were interested. Mr. Quint briefly discussed the Northwest Sector Study Public Workshop being held on Wednesday, June 11, 2014 from 6:00 to 8:00 p.m. at the McKinney North High School cafeteria, 2550 Wilmeth Road, McKinney, TX and invited the Commission Members and the public to attend the event.

There being no further business, Chairman Franklin declared the meeting adjourned at 6:40 p.m.

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RICK FRANKLIN  
Chairman