

10-115Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by SB Harbor Market, J.V., for Approval of a Request to Rezone Approximately 35.15 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Virginia Parkway and Stonebridge Drive.

Mr. Michael Quint, Senior Planner for the City of McKinney, gave the staff report and stated that the applicant is requesting to rezone approximately 35.15 acres. He briefly explained the differences between case 10-098Z that was previously considered by the Planning and Zoning Commission and the proposed rezoning request. Mr. Quint went over the proposed ordinance provisions listed in the staff report. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the staff report. Chairperson Clark asked if any of the changes affect the timing of completing the buildings around the parking garage. Mr. Quint stated he did not believe so. Mr. Jeff Blackard, 401 Adriatica Parkway, McKinney, Texas, George Fuller, 6805 Dalmatia, McKinney, Texas addressed the Planning and Zoning Commission. Mr. Fuller stated that the timing for the buildings to be finished is affected by what is proposed. He stated that under the current zoning they could not start construction around the parking garage and stated that there is a requirement for a certain amount of residential units to be completed before being permitted to start non-residential construction and stated that the proposed change would allow them to immediately start construction. Chairperson Clark asked the

applicant if they had immediate plans to start construction. Mr. Fuller stated that they have had immediate plans for 3 ½ years. Vice-Chairperson Tate asked if there was a reduction in commercial and retail space. Mr. Blackard answered no. Chairperson Clark stated that the main 2 issues that the Planning and Zoning Commission had were the possible addition of multi-family units and increased heights, which have been addressed. Chairperson Clark opened the public hearing and called for comments. Ms. Nancie Poppema, 821 Creekline Way, McKinney, Texas, stated that she is in opposition of the proposed rezoning request and asked the Planning and Zoning Commission to table the proposed rezoning request. She stated that she did not think that anyone has had enough time to look at proposed request. Ms. Poppema thanked the applicant for making changes to the proposed rezoning request from the previous request that had been presented a month ago. Mr. Jerry Gantcer, 819 Creekline Way, McKinney, Texas, is in opposition of the proposed rezoning request and also thanked the applicant for making changes to the proposed rezoning request from the previous request that had been presented a month ago. He spoke about height issues, screening, zoning regulations and asked for the Planning and Zoning Commission to review the proposed rezoning request be studied further. Chairperson Clark asked Ms. Cox to address the issues of the setbacks, screening, and heights. Ms. Jennifer Cox, Director of Planning for the City of McKinney, stated that the Adriatica Development features a mixture of uses and stated that having a screening wall in between those uses is not appropriate in this context. Chairperson Clark asked if there would be a possibility of developing

a 5 story building along Stonebridge Drive. Mr. Blackard stated that the current zoning allows a 5 story building. Mr. Fuller stated that the proposed request has been available for the Staff to review for more than a month with the exception of what has been withdrawn. Ms. Cox stated that the applicant is not requesting a change in building height along Stonebridge Drive or anywhere on the subject property. Mr. Fuller stated they are only requesting to add residential in what is already allowed. He stated that they have the ability to build a 5 story building today in Adriatica. Chairperson Clark asked the applicant why the applicant felt the need to request an increase in height when it was already allowed. Mr. Fuller stated that the reason they wanted to increase the height was for aesthetic purposes only. Mr. Quint read the maximum height definition for the R-2 District from PD Ordinance 1621. Mr. Blackard stated that the current "PD" – Planned Development only allows only 50 feet. Mr. Quint stated that in Adriatica Planned Development District, it allows a 50 foot building in the Town Center District. Chairperson Clark asked Mr. Quint if commercial buildings were allowed along the Stonebridge Drive without residential. Mr. Quint answered yes. Chairperson Clark asked if it had retail use, if there would be any vertical development. Mr. Quint stated that there might be buildings 1 to 3 story buildings. Chairperson Clark asked if a 5 story building could be built along Stonebridge Drive. Mr. Quint stated yes. Mr. Fuller stated that they are not requesting to change the height. On a motion by Commission Member Thompson, seconded by Commission Member Bush, the Commission voted 6-0 to close the public hearing and approve the proposed rezoning request with the special ordinance

provisions listed in the staff report. Chairperson Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on November 16, 2010.