

**MINUTES
CITY OF MCKINNEY, TEXAS
PLANNING & ZONING COMMISSION
TUESDAY, MARCH 9, 1999
5:30 PM – COUNCIL CHAMBER – CITY HALL**

The Planning and Zoning Commission of the City of McKinney, Texas, met in regular session in the Council Chamber of the Municipal Building on Tuesday, March 9, 1999 at 5:30 p.m.

Commission members present were Chairperson Jan Hall, Vice-Chairperson Jim Chandler, John Childers, Joe Benton, Travis Ussery, Stan McWilliams and Ralph Evans.

Staff members present were City Planner John Kessel, Senior Planner Tina Pflughoeft, Planners Theresa Grahmann, Brian James and Jeanette Damato, Planning Technician Shonna Eichman, and Attorney Jeanine Cadena.

There were approximately 25 guests present.

Chairperson Hall presided.

Chairperson Hall explained that the Commission members have been appointed by and serve at the pleasure of the City Council. She announced that items considered by the Commission on this date that are further considered by the City Council will be considered at the City Council's regularly schedule meeting of April 6, 1999, and that all required revisions should be submitted to the Planning Division for its review no later than March 16, 1999. Chairperson Hall requested that applicants limit their presentation to ten minutes each, state their name and address for the record, and post any drawings. She explained that Staff will present the staff report, also limiting their remarks to ten minutes. Chairperson Hall also explained that any guest in the audience who wishes to speak regarding an item should limit their remarks to five minutes, speak only once, and complete a guest register card. She explained that there is a timer located on the podium, and that, when one minute of the speaker's time is remaining, the light will switch from green to gold. Chairperson Hall explained that the Commission will primarily make a recommendation to City Council, who will act upon the item, but that, for some items, the Commission does have final authority. She explained some of the reasons for a Commission member

stepping down during consideration of an item. Chairperson Hall stated that it is a pleasure to work with the Commission members, explaining that each member brings new insight in different areas of expertise. She stated that she respects each member and the integrity of the Commission. She thanked the members of the community for taking the time to attend the meeting and assured them that the Commission will be listening to their input. Chairperson Hall also thanked Staff for their efforts in working with the applicants and with the Commission members, and explained that Staff works diligently to ensure that McKinney develops according to the high standards set forth in the ordinances. She explained that Staff works for the City Manager and that the City Manager reports to the City Council. She thanked Staff for the courtesy they extend to the Commission. She explained that, although the Commission and Staff might occasionally disagree, the Commission has the utmost respect for Staff's work. She further thanked Mr. Kessel for his leadership. Chairperson Hall stated that it is important to be fair and respect each person's point of view.

Chairperson Hall began the agenda with the consent items, requesting that the applicant indicate his presence and questioned whether he would like his item to be considered separately from the consent items. The applicant announced his presence and agreed to his item being considered as a consent item. Chairperson Hall asked the members of the Commission if there were any consent items they would like to consider separately. There being no response, on a motion by Commission member Benton, seconded by Commission member Chandler, the Commission voted 7-0 to approve the following Consent Items:

Consider the Minutes of the February 23, 1999 Planning and Zoning Commission Meeting .

Consider the Request by Bill Olson for Approval of the Preliminary-Final Plat of the Willos Addition, Two Lots on 1.56 Acres Located on the West Side of Aero Country Road, Approximately 680 Feet North of Virginia Parkway.

99-019PF

Chairperson Hall continued the agenda with the Regular Items.

Conduct a Public Hearing to Continue Consideration of the Request by Kurtz-Bedford Associates, Inc., on Behalf of Maverick Development Co., Inc., for Approval of the Preliminary-Final Residential Replat of Hidden Creek Phase 2B, 72 Single Family Residential Lots on 24.643 Acres, Located Approximately 1,200 Feet West of Hardin Boulevard, North and South of the Extension of Maverick Trail.

99-012PF*

Chairperson Hall explained that the applicant has requested that consideration of this item be tabled until March 23, 1999. On a motion by Commission member Childers, seconded by Commission member Benton, the Commission voted 7-0 to continue the Public Hearing and table consideration of this item until the next regularly scheduled meeting of March 23, 1999.

Conduct a Public Hearing to Consider the Request by Glenn Engineering, on Behalf of M.I.S.D., for Approval of the Site Plan for a Public Elementary School, 9.150 Acres Located Approximately 700 Feet North of Eldorado Parkway, Approximately 2,300 Feet West of Ridge Road, and Approximately 3,950 Feet East of Stonebridge Drive.

99-025SP*

Chairperson Hall explained that the applicant has requested that consideration of this item be tabled until March 23, 1999. On a motion by Commission member Chandler, seconded by Commission member McWilliams, the Commission voted 7-0 to continue the Public Hearing and table consideration of this item until the next regularly scheduled meeting of March 23, 1999.

Mr. Kessel stated that owners of property within 200 feet of the subject property will not be renotified.

Conduct a Public Hearing to Consider the Request by Glenn Engineering, on Behalf of M.I.S.D., for Approval of the Site Plan for a Public Elementary School, 7.843 Acres Located Approximately 2,500 Feet North of Eldorado Parkway and Approximately 2,500 Feet West of Hardin Boulevard.

99-026SP*

Commission members Chandler and Evans stepped down during consideration of this item, due to a possible conflict of interest. Mr. Robert Howman of Glenn Engineering, 100 Decker Court, Suite 250, Irving, Texas, on behalf of McKinney Independent School District (M.I.S.D.), explained the proposed site plan. He stated that he concurs with the recommendations within the staff report. At the request of Chairperson Hall, Mr. Howman explained some of the features of the sustainability school. Mr. James gave the staff report, explaining the recommendations pertaining to access. He stated that Staff

recommends approval of the proposed site plan, conditioned as recommended in the staff report. Commission member Benton questioned whether the school would be delayed due to the completion of the roads. Mr. James explained that neither the City nor M.I.S.D. has control over the construction of the roads. Mr. Kessel further explained that there are contractual obligations between M.I.S.D. and the developer for the construction of Maverick Trail, and that Staff is confident that the street will be in place in time for construction to begin on the school. He further stated that the other off-site streets are expected to be constructed in a timely manner as well. Chairperson Hall opened the Public Hearing and called for comments. There being none, on a motion by Commission member McWilliams, seconded by Commission member Benton, the Commission voted 5-0 to close the Public Hearing and recommend approval of the proposed site plan, conditioned as recommended in the staff report.

Commission members Chandler and Evans returned to the dais.

Conduct a Public Hearing to Consider the Request by Magnetic Technology, on Behalf of Hudson-Knight Properties I, Ltd., for Approval of the Site Plan for an Approximately 26,650 Square Foot Office/Warehouse Building (Magnetic Technology Inc.), 5.499 Acres Located on the South Side of Bray Central Drive, Approximately 350 Feet East of Redbud Boulevard.

99-021SP*

Mr. Warren Hall, Architect, 2201 Rockbrook Drive, Lewisville, Texas, representing Magnetic Technology, stated that he concurs with Staff's recommendations. Ms. Damato gave the staff report, stating that Staff recommends approval of the proposed site plan, conditioned as recommended in the staff report. Commission member Childers questioned whether recommendation 3 had been addressed. Ms. Damato stated that the issue regarding the location of the dumpster has been resolved. Chairperson Hall opened the Public Hearing and called for comments. There being none, on a motion by Commission member Childers, seconded by Commission member Evans, the Commission voted 7-0 to close the Public Hearing and recommend approval of the proposed site plan, conditioned as recommended in the staff report.

Consider the Request by Bryson Realty Advisors, LLC, on Behalf of Hudson Knight Properties I, Ltd., for Approval of the Minor Replat of Lots 1RA and 1RB, Block E of the Bray Central II Addition, 11.018 Acres Located at the Southeast Corner of Bray Central Drive and Redbud Boulevard.

99-020MP*

Mr. Bry Taylor of Bryson Realty Advisors, 2530 Eldorado Parkway, Suite 200, McKinney, Texas, explained the proposed minor replat. He stated that he concurs with Staff's recommendations. Ms. Damato gave the staff report. She stated that Staff recommends approval of the proposed minor replat, conditioned as recommended in the staff report. Chairperson Hall opened the Public Hearing and called for comments. There being none, Chairperson Hall explained that the Commission has the authority to approve the proposed minor replat. Commission member Chandler made a motion to approve the proposed minor replat, which was seconded by Commission member McWilliams. Commission member Benton expressed his concern that there is discussion within the staff report regarding landscaping the drainage easement to screen the view from Redbud Boulevard, but that there is not a recommendation regarding this. Mr. Kessel explained that it would only be a condition if they installed the detention basin. He further stated that it would be a part of the engineering process in accepting the improvements. Answering Commission member Benton's question, Mr. Kessel stated that there should be no surprises with regard to this matter to the City or the applicant. There being no further discussion, the Commission voted 7-0 on the previous motion to approve the minor replat, conditioned as recommended in the staff report.

Conduct a Public Hearing to Consider the Request by McKinney Fellowship Bible Church for Approval of the Site Plan for an Approximately 335,270 Square Foot Church and Related Facilities, 38.72 Acres Located Approximately 300 Feet North of Eldorado Parkway, and Approximately 950 Feet West of Hardin Boulevard.

98-255SP*

Mr. Bob Roeder, 1700 Redbud Boulevard, Suite 300, McKinney, Texas, representing McKinney Fellowship Bible Church, explained the proposed site plan. He stated that the church is acquiring an additional eight acres northwest of the subject property, which should eliminate any single-family adjacencies. Mr. Roeder, addressing recommendation 3, stated that his client would be utilizing a living screen, rather than a fence, and requested that his client be

permitted to have an opening in the screening along Orchid Drive in the cul-de-sac, so as to permit a walkway. Mr. Roeder stated that, with the exception of the screening issues, he concurs with Staff's recommendations. Commission member McWilliams questioned when Orchid Drive would be constructed. Mr. Roeder stated that the plans are being reviewed by the City and that construction should begin imminently. At the request of the Commission, Mr. John Wardell, architect, pointed out and explained the phases of development. Mr. James gave the staff report. He stated that Staff concurs with Mr. Roeder's request for the gap in the screening within the cul-de-sac of Orchid Drive. He explained some of the recommendations and stated that Staff recommends approval of the proposed site plan, conditioned as recommended in the staff report. Chairperson Hall opened the Public Hearing and called for comments. There being none, on a motion by Commission member Evans, seconded by Commission member Childers, the Commission voted 7-0 to close the Public Hearing and recommend approval of the proposed site plan, conditioned as recommended in the staff report.

Conduct a Public Hearing to Consider the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of Bob Tomes Ford, to Amend a Portion of "PD" – Planned Development Ordinance No. 1400, 5.327 Acres Located at the Southeast Corner of North Brook Drive and Park View Avenue, and Approximately 600 Feet West of U.S. Highway 75 (Central Expressway), in Order to Allow Auto Painting and Body Shop as a Permitted Use.

99-018Z*

Mr. Bob Roeder, 1700 Redbud Boulevard, Suite 300, McKinney, Texas, representing Mr. Bob Tomes of Bob Tomes Ford, briefly explained the history of the subject property and explained that the reason for amending the "PD" is to provide only one additional use. Mr. Roeder explained that, prior to acquiring the property, his client met with various citizens who were against the previously proposed use on the subject property, and attained letters of support. Mr. Roeder requested approval of the proposed amendment to the "PD" – Planned Development, with the following special ordinance provisions:

1. Outside storage of vehicles awaiting repair be screened by either a masonry wall where adjacent to public rights-of-way or a living screen on the east property line of the tract.

2. The building setback for any structure along Park View Avenue be increased to 75 feet.
3. There be a 60-foot landscape easement within the 75-foot setback, as it abuts Park View Avenue.
4. The maximum height of any structure on the subject property be 24 feet, excluding any stacks required for air control/venting purposes.

Mr. Roeder stated that it is anticipated that storage of vehicles awaiting repair would be stored on the east side of the building that would be built on the subject property. He further explained that the storage would be bounded by the building on the west, the drainage ditch on the east, North Brook Drive on the north, and the balance of the property on the south. Mr. Roeder also stated that his client would propose that the portion of the screening wall along North Brook Drive be constructed of masonry material. He requested that a living screen and a chainlink fence be permitted along the drainage ditch. Discussion took place regarding the landscaping along the proposed chainlink fence along the drainage ditch. Mr. Roeder explained that, for immediate screening, his client could provide a chainlink fence with slats. Ms. Grahmann gave the staff report. She stated that Staff recommends disapproval of the proposed rezoning request because it is not in conformance with the Future Land Use Plan and the goals, objectives, and policies as set forth in the Comprehensive Plan for the City of McKinney. She further stated that, should the Commission recommend approval, then Staff would recommend requiring additional development standards for the additional use, similar to Mr. Roeder's suggested special ordinance provisions. Mr. Kessel stated that, generally, the provisions suggested by Mr. Roeder would be effective. Discussion took place regarding whether this could be considered spot zoning. Ms. Cadena stated that this would not be considered spot zoning due to various reasons. Chairperson Hall opened the Public Hearing and called for comments. There being none, and because there were no written objections, Commission member Childers made a motion, which was seconded by Commission member Ussery, to recommend approval of the proposed amendment to the "PD", as conditioned with the four provisions stated above. Commission member Chandler commended the Tomes' for seeking the

opinions of the neighbors of such a controversial piece of property before proceeding forth with his request. Commission member Childers questioned whether hours of operation could be addressed. Ms. Cadena stated she would not recommend doing so. Commission member Benton echoed Commission member Childers comment. There being no further discussion, the Commission voted 7-0 to recommend approval of the proposed amendment to the "PD", as conditioned above.

Chairperson Hall declared a recess at 6:20 p.m. and reconvened the meeting at 6:25 p.m.

Conduct a Public Hearing to Consider the Request by Petsche & Associates, Inc., on Behalf of Westerra Stonebridge, L.P., for Approval of the Concept Plan for Parcel 407, 31.533 Acres Located on the East Side of Stonebridge Drive, Approximately 3,600 Feet North of Eldorado Parkway, and Approximately 1,200 Feet South of Glen Oaks Drive.

99-015M*

Mr. Pete Petsche of Petsche & Associates, 6900 Virginia Parkway, McKinney, Texas, agents for Stonebridge Ranch, explained the proposed concept plan. He stated that he concurs with Staff's recommendations, with the exception of recommendation 2. Mr. Petsche requested that recommendation 2 be modified to read, "The applicant provide a minimum 10 foot side yard setback for the wider side yard, with a zero foot side yard setback for the other side yard, and modify the proposed concept plan drawings accordingly." Mr. Petsche stated that, with this change, he would propose a maintenance, roof drainage, and roof overhang easement on the 10-foot side of the adjoining lot. Ms. Grahmann gave the staff report. She stated that Staff recommends approval of the proposed concept plan, conditioned as recommended in the staff report and as modified by Mr. Petsche above. She explained that the requirement of the easement should be added as a condition for approval of the corresponding plat. In response to Commission member Benton, Ms. Grahmann stated that this is a permitted use within the zoning district. Chairperson Hall opened the Public Hearing and called for comments. There being none, on a motion by Commission member Benton, seconded by Commission member Ussery, the Commission voted 7-0 to close the Public Hearing and recommend approval of the proposed concept plan, conditioned as recommended in the staff report, with

the revisions to recommendation 2. Chairperson Hall stated that this item will be further considered by City Council at its regularly scheduled meeting of April 6, 1999.

Consider the Request by Petsche & Associates, Inc., on Behalf of Westerra Stonebridge, L.P., for Approval of the Preliminary-Final Plat of Parcel 407, 128 Single Family Residential Lots on 31.533 Acres, Located on the East Side of Stonebridge Drive, Approximately 1,200 Feet South of Glen Oaks Drive, and Approximately 3,600 Feet North of Eldorado Parkway

99-010PF

Mr. Pete Petsche of Petsche & Associates, 6900 Virginia Parkway, McKinney, Texas, agents for Stonebridge Ranch, explained the proposed preliminary-final plat. He stated that he concurs with Staff's recommendations. Ms. Grahmann gave the staff report. She stated that Staff recommends approval of the proposed preliminary-final plat, conditioned as recommended in the staff report, with the revision to recommendation 5 so that it reads, "The applicant provide...maintenance, **roof drainage, and roof overhang** easement..." Mr. Kessel explained the reason for the plat being forwarded to City Council. Discussion took place regarding the platting of Hillsdale Lane. Mr. Kessel explained that the applicant is intending to submit a minor plat for Hillsdale Lane, separately, so that construction of Hillsdale Lane would not be contingent upon the development of the subject property, but the right-of-way for Hillsdale Lane would still be established by plat prior to filing the subject plat. There being no further comments, on a motion by Commission member Childers, seconded by Commission member Chandler, the Commission voted 7-0 to recommend approval of the proposed preliminary-final plat, conditioned as recommended in the staff report, and as revised by Ms. Grahmann.

Conduct a Public Hearing to Consider the Request by DBA Architects, on Behalf of A Taste for Steaks, Inc., for Approval of the Conceptual Site Plan for the Wilson Creek Addition, 6.634 Acres Located on the East Side of U.S. Highway 75 (Central Expressway), on the West Side of Wilson Creek Parkway, and on the North Side of Rockhill Road.

98-242SP*

Mr. Bryan Moore of DBA Architects, 702 North College, McKinney, Texas, on behalf of A Taste for Steaks, stated that he concurs with Staff's recommendations. Discussion took place regarding the two access drives along the service road of Central Expressway. Mr. James gave the staff report. He

explained that there was discussion that two access drives off of Central Expressway might be excessive, but that the City Engineer has determined it acceptable. He stated that Staff recommends approval of the proposed conceptual site plan, conditioned as recommended in the staff report. Discussion took place regarding Lot 1. Mr. James explained that there would be several uses on Lot 1. At the request of Chairperson Hall, Mr. Moore explained the access and circulation of the subject property. In response to Commission member Childers, Mr. Moore stated that the fence, which is currently along the north side of the property, would be removed. Discussion took place regarding the fire lane. Mr. Kessel stated that the design of the drives should discourage cut-through traffic. Chairperson Hall opened the Public Hearing and called for comments. There being none, Commission member Benton expressed his concerns regarding the requirement of a conceptual landscape plan. Mr. Kessel explained that, since there is not a definition within Zoning Ordinance 1270 for "conceptual" site plans, Staff is of the opinion that they should be required to show the same type of information as shown on a site plan, but be "conceptual"; therefore, Staff is of the opinion that a conceptual landscape plan should be required with a conceptual site plan, as is a landscape plan required with a site plan. He further stated that, should the Commission disagree, it should remove the condition from its recommendation. Commission member Ussery questioned whether a conceptual landscape plan has been required previously. Mr. Kessel explained that such a plan was required for Cameron Crossing, but that it was a requirement of the "PD" which governed that property. Commission member Benton stated that it should be at the discretion of the applicant. Mr. Moore stated that he intended to submit landscape plans individually with each site plan, but that, since he is the architect for Lots 1-4, he would concur with developing those lots with the same landscaping design. Commission member Benton stated that a conceptual landscape plan would be appropriate, but stated that it should be entirely within the purview of the developer. Chairperson Hall questioned whether Mr. Moore agreed with the staff report presently. Mr. Moore stated that he has no concerns with the recommendations and that he would work with Staff regarding the landscape plan. There being no further discussion,

on a motion by Commission member Childers, seconded by Commission member Ussery, the Commission voted 7-0 to close the Public Hearing and recommend approval of the proposed conceptual site plan, deleting the condition that a final conceptual landscape plan be approved by the City Planner, prior to the first lot being developed, so as not to set a precedence. Chairperson Hall stated that she is of the opinion that there are merits in both arguments regarding the conceptual landscape plan and hopes that the applicant will provide some continuity in the landscaping. She stated that this item will be further considered by City Council at its regularly scheduled meeting of April 6, 1999.

Conduct a Public Hearing to Consider the Request by DBA Architects, on Behalf of A Taste for Steaks, Inc., for Approval of the Preliminary-Final Replat of the Wilson Creek Addition, 6.634 Acres Located on the East Side of U.S. Highway 75 (Central Expressway), on the West Side of Wilson Creek Parkway, and on the North Side of Rockhill Road.

98-243P*

Mr. Bryan Moore of DBA Architects, 702 North College, McKinney, Texas, on behalf of A Taste for Steaks, stated that he concurs with Staff's recommendations. Mr. James gave the staff report, explaining the zoning and access of the subject property, and stated that this plat also will be forwarded to City Council. Discussion took place regarding access easements in favor of the property to the north of the subject property. Mr. James explained that there is a requirement for the access easements. Chairperson Hall opened the Public Hearing and called for comments. There being none, on a motion by Commission member Benton, seconded by Commission member McWilliams, the Commission voted 7-0 to close the Public Hearing and recommend approval of the proposed preliminary-final replat, conditioned as recommended in the staff report.

There being no further business, Chairperson Hall declared the meeting adjourned at 6:58 p.m.



JAN HALL, CHAIRPERSON