PLANNING AND ZONING COMMISSION

JUNE 13, 2017

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 13, 2017 at 6:00 p.m.

City Council Present: Mayor Pro Tem Travis Ussery

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

Commission Member Absent: Vice-Chairman Eric Zepp

Staff Present: Director of Planning Brian Lockley, Planning Managers Samantha Pickett and Matt Robinson, Planner Danielle Quintanilla, and Administrative Assistant Terri Ramey

There were approximately 25 guests present.

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

Chairman Cox continued the meeting with the Consent Items.

The Commission unanimously approved the motion by Commission Member Smith, seconded by Commission Member McCall, to approve the following five Consent items, with a vote of 7-0-0.

17-600 **Minutes of the Planning and Zoning Commission Work Session of May 23, 2017**

17-601 **Minutes of the Planning and Zoning Commission Regular Meeting of May 23, 2017**

17-110CVP **Consider/Discuss/Act on a Conveyance Plat for Lot 1 and 2, Block A, of Parcel 1502 Addition, Located on the Northeast Corner of Virginia Parkway and Coit Road**

17-118PF **Consider/Discuss/Act a Preliminary-Final Plat for Lot 1, Block A, of the Hall Addition, Located at 2401 Woodlawn Road**

17-120PF **Consider/Discuss/Act on a Preliminary-Final Plat for 175 Single Family Residential Lots, 6 Common Areas and 1 Non-Residential Lot (Weston Ridge), Located Approximately 3,400 Feet West of Trinity Falls Parkway and on the North Side of F.M. 543 (Weston Road)**

END OF CONSENT

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

Chairman Cox stepped down on the following item # 17-092Z due to a possible conflict of interest.

Board Member Mantzey continued the meeting.

17-092Z **Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RG 18" - General Residence District to "PD" - Planned Development District, for Multi-Family Residential Uses and Generally to Modify the Development Standards, Located at the Southeast Corner of Rockhill Road and North Brook Drive**

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed rezoning request. He stated that this was a rezoning request for multi-family residential uses. Mr. Robinson stated that this item was previously tabled at the May 23, 2017 Planning and Zoning Commission meeting. He stated that the applicant was requesting to rezone approximately 3.56 acres of land. Mr. Robinson stated that the applicant was requesting a “PD” – Planned Development District to follow the “MF-2” – Multiple Family Residential – Medium Density District standards with several special ordinance provisions. He stated that these ordinance provisions include a density limited to 17 units per acre, which is allowed under the current zoning on the property. Mr. Robinson stated that the “MF-2” – Multiple Family Residential – Medium Density District allows 16 units per acre. He stated that the applicant was requesting to go up one unit. Mr. Robinson stated that the applicant had requested that no less than 50% of the units have covered parking. He stated that currently the requirement was 50% of the units have enclosed parking spaces. Mr. Robinson stated that the applicant requested to have exterior facing windows in the proposed multi-family residential structures within 150’ of adjacent single family residential uses or zones. He stated that the applicant requested the allowance of a six-foot tall wrought iron fence with masonry columns spaced 20’ on center with evergreen screening on the east and south property lines in lieu of a six-foot tall masonry screening wall. Mr. Robinson stated that a “PD” – Planned Development District is required to ensure a level of exceptional quality or innovation for the design or development prior to approval. He stated that the applicant proposed 100% masonry

materials on each elevation of each building facade, two types of complementary masonry finishing materials on facades visible from the right-of-way or single family residential use or zone, a minimum of 15% of the pattern brickwork on each facade visible from right-of-way or single family residential use or zone, additional dormer for each roof plan over 1,000 sq. ft., all chimneys be featured be finished in 100% masonry material, all windows feature shutters, and roof mounted screening for HVAC (Heating, ventilation, and air conditioning). Mr. Robinson stated that Staff has concerns related to the wrought iron fence on the eastern property line, given that the adjacent property to the east is zoned "RG-18" – General Residence District. He stated that the adjacent property to the east could develop for multi-family or single family residential uses. Mr. Robinson stated that the property to the south is already zoned and developed for multi-family uses, so Staff does not have a concern related to the south property line. He stated that Staff had concerns with facing windows toward residential uses or zones. Mr. Robinson stated that according to the informational-only Concept Plan rendering that the applicant provided with this request, both the north and east would be encroaching into the 150' required setback. He stated that Staff has concerns related to exterior windows looking down into the single family residential uses to the north and potentially to the east. Mr. Robinson stated that the required 50% enclosed parking spaces generally speaks to a higher quality development as opposed to only having covered parking, potentially with masonry columns provided. He stated that Staff has general concerns related to the proposed zoning due to the applicant wanting to amend the development regulations so that they did not have to do the specific requirements related to the parking, screening, and the exterior-facing windows. Mr. Robinson stated that the proposed development is not in compliance with the City's Multi-Family Policy related to the number of units allowed in each sector of the City. He offered to answer questions.

Alternate Commission Member McReynolds asked about the distance between the proposed buildings and the property lines. Mr. Robinson stated that to the north it was approximately 92' and to the east it was approximately 86'.

Commission Member Mantzey asked if they recommend approval of the request if they would need to state the acceptable distance in feet to the north and east since it is a Concept Plan and not a Site Plan. Mr. Robinson stated that the Commission could

establish a standard with this zoning or just give it a blanket approval depending on how the Commission feels about it.

Commission Member McCall asked about the percentage rate of multi-family uses verses single family residential uses. Mr. Brian Lockley, Director of Planning for the City of McKinney, stated that the Multi-Family Policy speaks to the amount of multi-family uses allowed per sector. He stated that the current zoning allows for multi-family uses. Mr. Robinson stated that the density was not increasing. He stated that Staff feels the property should be developed under the current zoning district as opposed to rezoning the property to modify the standards to not meet the current zoning requirements.

Ms. Eleana Tuley, Kirkman Engineering, 4821 Merlot Avenue, Grapevine, TX, briefly discussed the previous rezoning request that they submitted that went before the Planning and Zoning Commission at the May 23, 2017 and was tabled. She gave a Power Point presentation. Ms. Tuley stated that they met with their client, took into consideration the feedback that they received at the May 23, 2017 meeting, and decided to modify their request. She stated that they removed the request to increase the density on the property. Ms. Tuley stated that with the current zoning they were allowed 17 units per acre. She stated that they would like to maintain that same density. Ms. Tuley stated that they were still requesting the three additional ordinance provisions in regards to the alternative screening, location of the exterior windows, and the carports. She discussed the differences between the original Concept Plan that they submitted and the Modified Concept Plan being shown with this request. Ms. Tuley stated that they reduced the number of buildings from three to two, the total number of units from 72 to 60, and relocated the nearest building to the northern property line further away from the existing residential uses. She stated that with the modified Concept Plan the exterior windows would be 130’ from the northern property line and any potential exterior windows on the east side would be 93’ from the property line. Ms. Tuley stated that they were requesting a 6’ tall wrought iron fence with masonry columns spaced out at a maximum of 20’ with a living screen on the eastern and southern property lines. She stated that the Zoning Ordinance requires a 6’ tall masonry wall. Ms. Tuley stated that they were choosing this alternative screening to help preserve the trees on the eastern property line. She stated that they felt the proposed screening alternative was less invasive, not as many trees

would need to be removed. Ms. Tuley stated that the trees in this area would provide additional screening to the undeveloped tract to the east of the subject property. She stated that exterior windows on multi-family units could not be oriented or located within 150' of existing single family residential or future residential zoning per the City's Architectural Standards. Ms. Tuley showed an example of the available space they would have to build on the subject property if they had to conform to the required setbacks. She stated that this provision hinders the development of the site. Ms. Tuley stated that they were proposing to build a masonry wall on the northern and western property lines. She stated that they would provide the screening alternative on the eastern and southern property lines, if approved. Ms. Tuley stated that they would be providing a 20' landscape buffer around the entire perimeter of the property. She stated that they have a height restriction of two stories. Ms. Tuley stated that they believe all of these site elements combined appropriately buffer the proposed multi-family development from the existing single family uses to the north. She stated that a component of the multi-family parking requirements is 50% of the units are required to have one enclosed parking space. Ms. Tuley stated that given the unique size of the lot they were not able to accommodate the required enclosed parking spaces. She stated that they could do tuck under parking or a detached garage. Ms. Tuley stated that per the zoning they were allowed up to 35' and two stories. She stated that currently they were at 29' for the building height, therefore, the tuck under parking would not work. Ms. Tuley stated that when you provide detached garages that you have to provide a 20' driveway in front of the garage door or 0.5 parking spaces somewhere else on the property. She stated that they would not be able to provide the detached garages with the additional criteria required. Ms. Tuley stated that they feel the proposed covered parking for 50% of the units meets the intent of the enclosed parking requirements. She stated that the proposed carports would meet the architectural requirements and the masonry columns would complement the main building. Ms. Tuley stated that they were proposing 54 covered parking spaces. She stated that if they went by the 50% requirement then they would only be required to provide 30 covered parking spaces. Ms. Tuley stated that since they were requesting to rezone to a "PD" – Planning Development District they have to satisfy the provision of exceptional quality. She stated that they

tried to consider what would enhance the overall quality of the development. Ms. Tuley stated that they did that by increasing the architectural standards over what is typically required. She stated that for the exterior finishing materials they plan to provide 100% masonry when only 50% is required per elevation for multi-family uses. Ms. Tuley stated that they plan to provide four amenities on the site, when only two are required. She stated that they were proposing a business center, fitness center, basketball court, and a covered patio with barbecue (BBQ) grills. Ms. Tuley stated that they were also providing three minor architectural enhancements consisting of patterned brick work, dormers, and enhanced window treatment. She briefly discussed the City's Multi-Family Policy, which was originally adopted in August 2001. Ms. Tuley stated that the zoning on the subject property was adopted in March 1984. She stated that it was her professional opinion that the intent of the Multi-Family Policy was to help guide new multi-family zoning requests when the existing zoning does not currently allow for multi-family uses. Ms. Tuley stated that multi-family uses have been allowed on their property since 1984. She stated that Multi-Family Policy limited multi-family uses to 10% in each sector. Ms. Tuley stated that the subject property already allows for multi-family uses; therefore, it was not increasing the multi-family in its sector. She stated that the intent of this rezoning request is to modify the development standards that currently hinder the development of the site for a use that is already permitted within the existing zoning. Ms. Tuley stated that they were not requesting to modify the standards because they do not want to comply with them. She stated that they had provided great alternatives to meet the intent of the Zoning Ordinance. Ms. Tuley offered to answer questions.

Alternate Commission Member McReynolds asked about the proposed wrought iron fence along the eastern property line by the trees. Ms. Tuley stated that they had not completed a tree survey at this time. She stated that the Zoning Ordinance requires a 15' perimeter buffer around any quality trees. Ms. Tuley stated that if there are some quality trees along the fence area, then the fence would have to meander to accommodate the 15' perimeter buffer around a quality tree.

Board Member Mantzey opened the Public Hearing and called for comments.

The following seven residents spoke in opposition to the rezoning request.

Mr. Jeff Ellis, 2802 Rockhill Road, McKinney, TX, stated that he had lived there over 20 years. He stated that the proposed project does not meet with present requirements. Mr. Ellis stated that they should be held to the existing requirements. He expressed concerns about increased traffic on Rockhill Road, parking on the street issues, speeding traffic on Rockhill Road, people using Rockhill Road as a cut through to U.S. Highway 75 (Central Expressway), children's safety, increased noise, and increased trash. Mr. Ellis stated that he was not anti-development of the property and realized that the property will be developed at some point in the future. He stated that he rents the pasture to the east. Mr. Ellis stated that he would like to see a quality development of single family houses or townhomes on the property with a low density that fits in with the surrounding neighborhood.

Mr. Gary Davis, 5141 Forest Lawn, McKinney, TX, stated that his mother lives to the north of the subject property. He stated that his mother's house was built in 1968. Mr. Davis stated that it was his understanding that the property was last zoned for townhomes with tuck under parking. He stated that he had issues with the applicant's special ordinance provision requests. Mr. Ellis expressed concerns about the increase in traffic and trash. He stated that he was not against the property being developed; however, he wanted to see it developed under the current zoning the way it was originally intended.

Mr. Michael Hann, 2720 Rockhill Road, McKinney, TX, agreed with the comments of the previous two speakers. He stated that he lived approximately 150 yards east of the subject property. Mr. Hann stated that he had lived there for 21 years. He expressed concerns that rezoning the property could change the texture of the neighborhood and increase traffic. Mr. Hann stated that he did not feel there was any reason the change the zoning.

Ms. Julie Chapin Ellis, 2802 Rockhill Road, McKinney, TX, stated that she lives within 50 – 100 yards of the subject property. She stated that they built there house in 1996. Ms. Ellis stated that she was the other lessor on the property to the east. She stated that Ms. Tuley's presentation was more eloquent than what they heard at the May 23, 2017 Planning and Zoning Commission meeting and that it was a less terrible option. Ms. Ellis stated that she still had a lot of issues with the proposed changes that the

applicant has requested. She stated that they were asking for a lot of variances. Ms. Ellis stated that she did not want to see someone standing at their window looking into her front or side yard. She stated that they had put up with the apartments across from them for approximately 20 years and that they had been an obnoxious neighbor. Ms. Ellis expressed concerns about increased traffic and trash. She stated that the applicant was proposing a project that did not fit the property. Ms. Ellis stated that it would not fit the neighborhood. She questioned who owns the trees to the east of the subject property and who had the right to remove the trees. Ms. Ellis stated that a wrought iron fence was not a good option, since she kept horses on the property to the east. She stated that the proposed parking of this development has been ridiculous. Ms. Ellis stated that people from other nearby streets and the park parking on their street. She stated that abandoned vehicles has also been an issue. Ms. Ellis stated that someone from the apartments park their semi-truck in front of her house. She stated that it was getting old. Ms. Ellis stated that the proposed multi-family development would make the issues worse. She stated that the pavement on Rockhill Road was substandard. Ms. Ellis stated that the proposed development would make the road worse and suggested that the developer redo the entire road, curbing the road, and provide utilities. She stated that the City's taxes should not be paying for these things.

Ms. Pamela Davis, 2900 Rockhill Road, McKinney, TX, stated that she lives across the street from the subject property. She stated that she realizes that eventually the property will develop. Ms. Davis requested that the property maintain a lower density, so that it would stay within the confines of the neighborhood.

Mr. Ken Jordan, 2804 Rockhill Road, McKinney, TX, stated that approximately four years ago a request for an auto store was presented for the property and it was denied. He questioned if the proposed rezoning request was denied, when another request for the property might be proposed. Mr. Jordan stated that he would like to see the property subdivided into two lots with a single family house on each lot.

Mr. Youwon Kahng, 7201 Avondale Drive, McKinney, TX, expressed concerns regarding privacy, security, parking, trash, noise, and environmental issues.

The following residential turned in a speaker card in opposition; however, did not wish to speak during the meeting:

- Ms. Patricia Jordan, 2804 Rockhill Road, McKinney, TX

On a motion by Commission Member Cobbel, seconded by Alternate Commission Member McReynolds, the Commission voted to close the public hearing, with a vote of 6-0-0. Chairman Cox abstained.

Alternate Commission Member McReynolds asked if four units would face north per the Concept Plan the applicant shared with this request. Ms. Tuley stated yes and that there would be two two-story units that face north.

Alternate Commission Member McReynolds stated that residential houses could potentially be 50' apart. He stated that 150' on the north and east sides would make the property undevelopable. Alternate Commission Member McReynolds stated that he felt the applicant would try to maintain as many of the trees on the eastern side of their property as possible. He stated that he did not have a big issue with the proposed fence and location on the exterior windows. Alternate Commission Member McReynolds stated that it seemed like the applicant tried to make concessions where they could. He stated that they kept the density the same as what is currently allowed on the property. Alternate Commission Member McReynolds stated that they were proposing 100% masonry on the exterior of the buildings, which was positive. He stated that he was not in favor of the proposed covered parking.

Commission Member McCall concurred with Alternate Commission Member McReynolds. He stated that he also had concerns about Rockhill Road and suggested that the applicant improve it. Commission Member McCall stated that he had concerns about the number of surrounding residents objecting to the project, the covered parking and increased traffic. He stated that the applicant had done the best they could on the proposed modification from the previous request.

Commission Member Kuykendall asked Staff if they still had the same recommendation as in the Staff Report after hearing the applicant's presentation. Mr. Robinson said yes. He stated that the required tree zone mentioned earlier would only be required if the property to the east was platted for single family residential uses. Mr. Robinson stated that property was not platted that way at this time. He stated that there were actually no requirements that the trees to the east remain at this time. Mr. Robinson stated that the trees may end up being torn down with this development or a future

development to the property to the east. He stated that if the property to the east develops as single family houses in the future, then you could have a wood fence abutting the wrought iron fence.

Commission Member McCall stated that this was a rezoning request and not a site plan request. Mr. Robinson stated that the Concept Plan included in the Staff Report was not tied down to this rezoning request and the development could end up being different than what is shown.

Commission Member Smith stated that the Concept Plan was for informational purposes only. Mr. Robinson said yes.

Mr. Robinson stated that if the Commission was interested in granting the requested zoning, then they needed to stipulate the distance of the exterior-facing windows. He did not suggest giving a blanket waiver to that requirement. Mr. Robinson stated that even though the informational only Concept Plan shows 130', with a blanket waiver it would not have to be 130'.

Commission Member Cobbel stated that "RG-18" – General Residence District is already an allowed use on the subject property. She stated that this was a longstanding community of houses in this area. Commission Member Cobbel stated that the current zoning has been in place and the surrounding residents had an idea of what to expect there. She stated that the change in the multi-family ordinance was on purpose to help some of what was being proposed not occur. Commission Member Cobbel stated that she was not in favor of the rezoning request.

Commission Member Smith asked about the Multi-Family Policy's parameters regarding new multi-family zoning shall not be located within 1,320' (one-quarter mile) of any other multi-family zoning district. She asked if the proposed rezoning would be considered new multi-family zoning. Mr. Robinson stated that it technically would be considered new multi-family zoning.

Commission Member Smith stated that she appreciated all of the residents coming out to the meeting to voice their opinions and that it was an important part of the process. She stated that the subject property was a very appealing piece of property with the view of the park with the wooded area. Commission Member Smith stated that she understood the established community having an expectation. She stated that Staff was not

comfortable with the screening and window orientation and she agreed with Staff's opinion on these issues. Commission Member Smith stated that the City's standards were created for a reason. She stated Staff's opinion that not having enclosed parking lessens the quality of the development. Commission Member Smith stated that she was not in favor of lessening the quality of a development. She stated that she was not in favor of deviating from the City's standards, especially against Staff's professional opinion. Commission Member Smith stated that she would not be supporting the rezoning request.

Commission Member Mantzey stated that any time you do a fill in property there are issues with the building around it. He stated that the subject property was a unique piece of land as far as the size and location. Commission Member Mantzey stated that he could see Alternate Commission Member McReynolds' point about windows in two-story houses encroaching more than an apartment. He stated that the applicant had a number of things they requested altered on this rezoning request. Commission Member Mantzey stated that the more you ask for the more complicated it gets. He stated that he did not an issue with the encroachment of the 150' setback requirement. Commission Member Mantzey stated that he would hold to the standard of the covered parking and fence to the back to keep the quality of the units there for the community.

Commission Member Kuykendall stated that she concurred with the Staff Report. She stated that she had issues with the proposed parking and the wall. Commission Member Kuykendall stated that she would not be supporting this rezoning request.

On a motion by Commission Member Smith, seconded by Commission Member Cobbel, the Commission voted to recommend denial of the proposed rezoning request as recommend by Staff, with a vote of 5-1-1. Alternate Commission Member McReynolds voted against the motion. Chairman Cox abstained.

Commission Member Mantzey stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 20, 2017.

Chairman Cox returned to the meeting.

17-133Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District for Townhome Uses and to

Generally Modify the Development Standards, Generally Located on the Southeast Corner of Avondale Drive and Uplands Drive

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed rezoning request. He stated that the applicant was planning to rezone approximately 0.487 acres of land for single family attached residential uses. Mr. Robinson stated that the current zoning allows for single family detached residential uses. He stated that the property was previously planned for townhome uses, prior to being rezoned and platted. Mr. Robinson stated that the applicant was requesting to rezone back to townhome uses, since they do not have a product type that will fit the subject property. He stated that as part of the "PD" – Planned Development District the applicant has requested deviations to increase the density to a maximum of nine units, reduce the front and side yard setbacks to 5', and to reduce the minimum lot area to 2,040 square feet. Mr. Robinson stated that to satisfy the requirements of exception quality the applicant has proposed several enhancements to the architecture including 100% masonry for each building facade, which is an increase from the required 85%, the use of the separate types of masonry for each building facade, and the addition of detailed brick work for the side and rear elevations consisting of soldier coursing and pilasters. He stated that the applicant also proposed to add eight canopy trees along Avondale Drive at the rear of the building and two canopy trees along Esplanade Drive and Uplands Drive. Mr. Robinson stated that in Staff's opinion that proposed rezoning request is compatible and complements adjacent single family detached uses to the north, west, and east and provides a transition to the multi-family residential uses to the south. He stated that the proposed zoning is in compliance with the Comprehensive Plan which calls for medium density residential uses. Mr. Robinson stated that Staff recommends approval of the proposed rezoning request and offered to answer questions.

Commission Member McCall asked about the surrounding multi-family residential uses. Mr. Robinson explained that the properties to the north, west, and each were zoned for single family residential uses. He stated that the property to the south was zoned for multi-family residential uses.

Mr. Casey McBroom, Cross Engineering Consultants, 131 S. Tennessee Street, McKinney, TX, concurred with the Staff Report and offered to answer questions.

Commission Member Smith stated that she had seen a sign posted on or near the subject property that she thought stated that a fitness center was being built. Mr. McBroom stated that the master development that was going in was once called Cooper Life; however, the name has since changed. He stated that several developments in that area include the Cooper name.

Chairman Cox opened the public hearing and called for comments.

Mr. Devarup (Dave) Rastogi, 7417 Kickapoo Drive, McKinney, TX, spoke in opposition to the rezoning request. He stated that a school was planned to be built to the north of his property. Mr. Rastogi expressed concerns about his property value decreasing. He stated that he did not believe it was fair to the surrounding property owners to allow the applicant to rezone the property back to a townhome use. Mr. Rastogi stated that if people want to live in a townhouse, then there were other options on the other side of Alma Road. He stated that there was a nice park to the south of the subject property. Mr. Rastogi stated that if the applicant could not develop single family residential uses on the property then they could continue the park on the subject property. He stated that he felt the developer was playing fast and loose with the surrounding residential property owners.

Mr. Youwon Kahng, 7201 Avondale Drive, McKinney, TX, spoke in opposition to the rezoning request. He expressed concerns about privacy issues with the windows of the proposed development being at a higher elevation than his single-story house. Mr. Kahng also expressed concerns that his property values might decrease with the proposed townhomes. He stated that he had security concerns.

Mr. Mark Winnette, 5821 Portsmouth Lane, Dallas, TX, stated that he was the developer of the property and briefly explained the proposed rezoning request. He stated that the subject property was too shallow to accommodate the footprint that Ashton Woods builds in their subdivisions. Mr. Winnette stated that the price point was going to be compatible with the area. He stated that they had gone to a lot of trouble designing a functional and livable situation without having worries about maintenance of the house. Mr. Winnette stated that it would be a great addition to the area. He stated that they had spent a lot of time and money preparing something that would fit there and be very attractive. Mr. Winnette stated that it was going to improve the surrounding neighborhood

and not detract from it. He stated that there were townhomes across the street from the subject property and some others nearby that were successful. Mr. Winnette stated that it would be a nice addition to the City of McKinney and surrounding community.

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

Commission Member McCall asked about the area behind the proposed townhomes that back up to the single family residential development. Mr. Robinson stated that there would be an alley back there for the residents to access their garages.

Commission Member Kuykendall asked when the property was rezoned to the current zoning. Mr. Robinson stated that the subject property was rezoned in 2014 to the current zoning.

Chairman Cox asked the applicant about the proposed maximum height of the project and if they had any additional comments. Mr. McBroom stated that it would be consistent with the surrounding two-story residential properties. He stated that the property to the southeast of the subject property was also zoned for townhome uses and that they could build higher than two-story units. Mr. McBroom stated that the original intent of the property was to be developed for townhome uses. He stated that the previous townhome project for this property folded; however, they had already built the streets on the property. Mr. McBroom stated that Ashton Woods rezoned the property to single family residential uses. He stated that he felt this lot was an oversight by Ashton Woods when they purchased the property. Mr. McBroom stated that later they realized that they did not have a footprint to develop the lot as they planned. He stated that Ashton Woods then wanted to sell the lot off so something else could develop. Mr. McBroom stated that the streets that have already been built on the property are so close that it only makes sense to build townhomes there. He explained why they were asking for the reduced setbacks on the property. Mr. McBroom stated that it was consistent with the neighboring houses that are so close to the street and that it gave an urban feel.

Commission Member McCall asked how many units were going to be built. Mr. McBroom stated nine two-story units.

Commission Member Mantzey stated that Craig Ranch was a dense development with houses close in proximity to each other. He stated that the land tract looks like the purpose is and was originally for townhomes. Commission Member Mantzey stated that he felt the townhomes would fit in nicely on the subject property. He stated that Craig Ranch had standards that would hold it to being a nicely developed project.

Chairman Cox stated that the applicant had gone over and above what is required, which was appreciated. He stated that he appreciated Staff's thorough work in their review and recommendation. Chairman Cox stated that he liked the project and would support a motion to recommend approval of the item.

Commission Member Smith stated that she liked the detail of the enhanced improvements to bring up the quality and aesthetic appeal.

On a motion by Commission Member Mantzey, seconded by Commission Member McCall, the Commission voted to recommend approval of the rezoning request per Staff's recommendation, with a vote of 6-1-0. Commission Member Kuykendall voted against the motion.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on July 18, 2017.

17-106FR Conduct a Public Hearing to Consider/Discuss/Act on a Façade Plan Appeal for a Restaurant with Drive-Through Window (Wendy's), Located at 1714 West University Drive

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed facade plan appeal and the variance requests. She stated that the applicant was requesting a facade plan appeal for an exterior renovation to an existing Wendy's restaurant located at 1714 W. University Drive (State Highway 380). Ms. Quintanilla stated that as part of the renovation the building material should be of equal or higher quality than those currently found on the building. She stated that the applicant was requesting approval of three variances. Ms. Quintanilla stated that Staff has no objections to the use of woodgrain tile as an exterior finishing material on the west and south elevations. She stated that the tile appears similar to a masonry product in its look and pattern. Ms. Quintanilla stated that it was complementary to the existing brick facade. She stated that Staff recommends denial of the other two variance requests. Ms.

Quintanilla stated that the second variance request was to utilize corrugated metal panel as an exterior finishing material on the south, east, and west elevations. She stated that currently the building features brick facade and seamed metal panel in the front. Ms. Quintanilla stated that it was Staff's professional opinion that the look achieved with corrugated metal could be achieved with a different material to provide a higher quality design. She stated that Staff could not support the utilization of this material as an exterior finish. Ms. Quintanilla stated that the third variance request was to use the primary color red on the south facade for more than the allowed 20% of exterior color on the south elevation. She stated that the applicant was requesting to use approximately 39% of the primary color. Ms. Quintanilla stated that it was Staff's professional opinion that the utilization of a primary color of that percentage is brand specific, does not provide a neutral, complementary color to its surrounding environment, and is not sustainable for the building's design in the future. She stated that staff could not support the use of the primary color red above the allowed 20%. Ms. Quintanilla offered to answer questions.

Commission Member McCall asked if there was currently a Wendy's in McKinney with a similar facade as to what is being proposed. Ms. Quintanilla stated that she was not aware of a Wendy's in McKinney that utilizes the primary color red or the proposed metal.

Commission Member Mantzey asked if the 39% was calculated using the windows on that elevation. Ms. Quintanilla stated that Staff takes into consideration the exterior finishing material and the color for each elevation. She stated that for each elevation it was based off of the calculations of the materials and excluded windows, doors, and trim. Ms. Quintanilla stated that the south elevation has a good portion of windows and the windows were excluded from the calculation of the percentages.

Ms. Irma Reiner, Linear Architecture, 703 Ashley Court, Highland Village, TX, explained the proposed facade plan appeal and the variance requests. She stated that they were trying to revamp the exterior appearance of the current Wendy's. Ms. Reiner stated that the current Wendy's was built in 1988. She stated that it had not changed its look or décor since then. Ms. Reiner gave a PowerPoint presentation and shared sample boards of the proposed materials. She stated that the area above the drive-thru window would only protrude 2" from the existing brick venture and was an EFIS (exterior insulation

finishing system) application. Ms. Reiner stated that it would give a branding moment at the time the order was picked up. She stated that the proposed corrugated metal panels were going to be placed where there are currently metal panels. Ms. Reiner stated that the building currently has a standing metal seamed roof or a mansard roof. She stated that they were trying to replace metal for metal. Ms. Reiner stated that the building currently has the old branding concept. She gave a brief history of Wendy's. Ms. Reiner stated that Wendy's has not required their franchisees to remodel in any way, shape, or form, unless they wanted to do it, until now. She stated that Wendy's has changed all of their logos, menus, and had gone through an extensive effort to uniform the stores nationwide. Ms. Reiner stated that she does projects all over the country for Wendy's and that they were getting the same form of branding package. She stated that it includes a dark bronze metal to replace the current copper mansard. Ms. Reiner stated that for the front corner of the building the calculations were done on the smallest face of the building, which is the primary facade of the building facing the street. She stated that once you take out the windows you have the remaining become the predominant element. Ms. Reiner stated that in balance it is not perceived as 39% and that it was perceived as a lot less. She stated that most of the Wendy's have the trademark of having open windows at the front of the building to have a clear view out of the front of the restaurant. Ms. Reiner stated that they were bringing in the model look of this branding element to only go up about 2' above the parapet. She asked the Commission to consider some of the new materials and how they were being applied moderately to the existing building that has not been renovated in quite some time. Ms. Reiner stated that they were also updating for ADA (Americans with Disabilities Act) parking. She offered to answer questions.

Alternate Commission Member McReynolds asked Ms. Reiner if she was the owner or architect. Mr. Reiner stated that she was the designer/architect. She stated that she was with Linear Architecture. Ms. Reiner stated that the owner was in the audience. She stated that the building had been a Wendy's since 1988.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Mantzey, seconded by Commission Member

Smith, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0.

Alternate Commission Member McReynolds stated that having a percentage to design to can be difficult. He stated that he liked the new look, color, and that it would not look exactly the same way as the other Wendy's in McKinney. Alternate Commission Member McReynolds discussed examples of other great designed buildings in McKinney. He liked the fact that Wendy's was updating the building. Alternate Commission Member McReynolds stated that the 39% was not a deal breaker for him. He stated that there were a lot of different buildings on State Highway 380 (University Drive) that could use a lot of help. Alternate Commission Member McReynolds stated the proposed red design gave just the right amount of punch. He stated that he liked the idea of the corrugated steel on the building. Alternate Commission Member McReynolds stated that Texas Roadhouse used it as a finishing material on their building. He stated that he was in favor of all of the proposed changes. Alternate Commission Member McReynolds stated that hopefully this would help kickoff some other nearby businesses to update their buildings as well.

Commission Member Mantzey stated that he appreciated Staff's comments and recommendations; however, he could not see that this was any more of an issue than some of the orange and white roofs on other restaurants in McKinney. He stated that he felt the new design was appealing for a fast food restaurant.

Commission Member Smith stated that she agrees with blending in with the aesthetics of the surrounding development. She stated that she was pleased that one of the establishments along State Highway 380 (University Drive) is willing to give its building a facelift. Commission Member Smith stated that she would love to see others follow suit. She stated that the building currently has a very dated look to it. Commission Member Smith stated that she understood Staff's recommendations; however, she liked what they were proposing. She stated that it will enhance this older section of McKinney. Commission Member Smith stated that she would support the request.

Commission Member Kuykendall stated that she did not have an issue with the proposed woodgrain tile and the use of red on the exterior of the building. She stated that she did have an issue with the proposed corrugated metal. Commission Member

Kuykendall stated that she agreed with Staff that there could be a different material that could be used to provide a higher design quality. She stated that she appreciated the applicant submitting a great plan to update the building.

Commission Member Cobble stated that she felt it was a great design. She stated that the area could use some great modern design.

Commission Member McCall stated that he concurred with the other Commissioner's comments. He stated that he would like to see a unique modern design for the building.

On a motion by Alternate Commission Member McReynolds, seconded by Commission Member McCall, the Commission unanimously voted to approve the proposed facade plan appeal per the applicant's request, with a vote of 7-0-0.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Commission Member Cobbel, Chairman Cox, and the rest of the Commissioners congratulated the new City Council members and Mr. Travis Ussery for being Mayor Pro Tem. They thanked Mr. Ussery for all of his long standing service to the City of McKinney. Commission Member Smith also thanked Mr. Ussery for attending so many of the Planning and Zoning Commission meetings.

There being no further business, Chairman Cox declared the meeting adjourned at 7:32 p.m.

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BILL COX
Chairman