

## **PLANNING AND ZONING COMMISSION**

**DECEMBER 9, 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, December 9, 2014 at 6:00 p.m.

Commission Members Present: Chairman Rick Franklin, Vice-Chairman Matt Hilton, Deanna Kuykendall, Cam McCall, Mark McReynolds, Dick Stevens, and Eric Zepp

Commission Member Absent: Jim Gilmore

Staff Present: Assistant Director of Development Services Rick Leisner; Director of Planning Michael Quint; Planning Managers Brandon Opiela, Jennifer Arnold, and Matt Robinson; CIP & Transportation Engineering Manager Gary Graham; Planner II Samantha Pickett; Planners Eleana Galicia, Jason Aprill, and Aaron Bloxham; 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 five minutes each and that guests limit their remarks to three 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 Vice-Chairman Hilton, seconded by Commission Member McCall, to approve the following four Consent items with a vote of 7-0-0.

- 14-1273 Minutes of the Planning and Zoning Commission Regular Meeting of November 11, 2014**
- 14-287PF Consider/Discuss/Act on a Preliminary-Final Plat for 53 Single Family Residential Lots (Stone Hollow Addition Phase Five), Located on the North Side of Nicolet Lane and on the East Side of Caribou Trail**
- 14-309PF Consider/Discuss/Act on a Preliminary-Final Plat for 58 Single Family Residential Lots, 1 Commercial Lot and 5 Common Areas (Oak Knoll Villas), Located on the Southeast Corner of Ridge Road and McKinney Ranch Parkway**
- 14-314PF Consider/Discuss/Act on a Preliminary-Final Plat for 52 Single Family Residential Lots and 2 Common Areas (Trinity Falls Planning Unit 2, Phase 4), Located on the Southeast Corner of Trinity Falls Parkway and County Road 228**

**END OF CONSENT**

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

- 14-289Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "SO" - Suburban Office District, Located on the Southwest Corner of Linkside Point and Stonebridge Drive (WITHDRAWN)**

Ms. Samantha Pickett, Planner II for the City of McKinney, stated that the applicant officially withdrew this request and that no further action on this item was necessary.

- 14-166Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Overlay District and "CC" -Corridor Commercial Overlay District to "PD" - Planned Development District, "REC" - Regional Employment Overlay District and "CC" -Corridor Commercial Overlay District, Generally to Allow for Townhome Uses, Located on the Southwest Corner of McKinney Place Drive and Collin McKinney Parkway (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 13, 2015 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.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member McCall, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request to the January 13, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**14-297Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District, "PD" - Planned Development District, and "CC" - Corridor Commercial Overlay District to "C-1" - Neighborhood Commercial District, and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of Meadow Ranch Road and U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member Stevens, the Commission voted unanimously to close the public hearing and table the proposed rezoning request as recommended by Staff, with a vote of 7-0-0.

**14-305SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Additional Fuel Pumps and Car Wash, Located on the Southwest Corner of Westridge Boulevard and Independence Parkway (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 13, 2015 Planning and Zoning Commission meeting per the applicant's request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member Zepp, the Commission voted unanimously to continue the public hearing and table the proposed specific use permit request to the January 13, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**14-302Z 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 and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of Meyer Way and Collin McKinney Parkway (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the January 13, 2015 Planning and Zoning Commission meeting per the applicant's request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Stevens, seconded by Commission Member McCall, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request to the January 13, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**14-317SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for an Event Center (Five Star Concierge), Located Approximately 80 Feet East of Tennessee Street and on the North Side of Davis Street**

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the specific use permit request. He stated that Staff recommends approval of the proposed specific use permit for an event center use.

The applicant was not present at the meeting.

Chairman Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Stevens, seconded by Commission Member McReynolds, to close the public hearing and recommend approval of the specific use permit per Staff's recommendations, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on January 6, 2015.

**14-295SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit for a Restaurant with Drive-Through Window, Located Approximately 250 Feet East of Stonebridge Drive and on the North Side of Eldorado Parkway**

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

Mr. Tony Scalise, Dorado Crossing, LP, 1412 Main Street, Dallas, TX, offered to answer questions. There were none.

Chairman Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Vice-Chairman Hilton, seconded by Commission Member Kuykendall, to close the public hearing and recommend approval of the specific use permit with the special ordinance provisions listed in the staff report, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on January 6, 2015.

**14-267SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan to Waive the Screening Device on a Dry Cleaning Facility (Eco Green Dry Clean Super Center), Located on the West Side of Custer Road and Approximately 1,250 Feet South of U.S. Highway 380 (University Drive)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed site plan. She stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. Ms. Pickett stated that Staff could not support the applicant's request to waive the screening devices for the overhead bay doors on the western and northern sides of the building. She discussed some of Staff's concerns.

Mr. Todd Stein, 4631 Elsbey Avenue, Dallas, TX, discussed the proposed site plan and offered to answer questions.

Chairman Franklin asked why the applicant did not want to install the screening devices. Mr. Stein did not feel the rollup door would be very visible. He explained why they needed a rollup door for the business. Mr. Stein showed an example of another dry cleaner location in McKinney that was not screened. He also showed a photograph of the AutoZone that would be facing this property that had planted shrubs for their screening device. Mr. Michael Quint, Director of Planning for the City of McKinney, briefly discussed the various approved screening devices and some alternate screening

devices. Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that AutoZone did receive a variance to plant the living screening material on the property.

Mr. Brian Hoang, Dream Works USA, 1049 N. Preston Road, Prosper, TX, explained why he felt that they could not make some exterior changes to the design. He felt that the rollup door would be closed most of the time. Mr. Hoang stated that having rollup doors was an industry standard for dry cleaner businesses. Mr. Stein also explained why planting shrubs would be an issue on the western side of the property.

Vice-Chairman Hilton asked how many 6' tall evergreen shrubs (at time of full height) would be required for an alternate screening device on the property. Mr. Opiela stated it could be around 10 evergreen shrubs, if they are planted 3' on center.

Commission Member Zepp asked if the rollup door could be required to match the rest of the exterior. Mr. Hoang stated that they should be able to match the exterior color on the rollup door.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Hilton, seconded by Commission Member Zepp, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Chairman Franklin felt this request had unique circumstances. He was in favor of using a living screen.

Commission Member Kuykendall asked what was historically approved for situations similar to this. Mr. Quint briefly gave some examples of ways to address the screening issues. He felt development design was still flexible at this point.

Chairman Franklin asked if the applicant would be willing to move the driveway to the north of the property. Mr. Hoang stated that they had considered having the driveway to the north of its current proposed location on the property; however, the City of McKinney Engineering Department asked them to relocate the driveway to the proposed location on the property due to traffic concerns.

Chairman Franklin asked if the applicant if they would be willing to table the request to further discuss the driveway and screening issues with Staff.

Mr. Gary Graham, CIP & Transportation Engineering Manager for the City of McKinney, explained Engineering Staff's concerns with the northern location of the driveway and why they asked to have it moved to the south on the property.

Mr. Stein offered to add additional an living screen around the corner of the property.

Commission Member McReynolds asked about the dumpster on the property. Mr. Hoang stated that it was proposed for the future phase. Mr. Opiela explained that area would have landscaping on it until it was built for a dumpster enclosure at a future time. Chairman Franklin felt that would also help with the screening issues on the property. Mr. Quint stated that the only landscaping required at this location would be grass for erosion control and a tree. He stated that they were not required to have shrubs at the future dumpster location. Chairman Franklin asked if the Commission could request that shrubs be planted there. Mr. Quint said yes. Mr. Hoang was willing to plant shrubs at this location.

On a motion by Vice-Chairman Hilton, seconded by Commission Member Kuykendall, the Commission voted unanimously to approve the proposed site plan as conditioned in the Staff report and require screening living screen composed of evergreen shrubs, planted 3' on center and 3' tall at the time of planting, along the northern property line and the west side of the property up to the western access drive, with a vote of 7-0-0.

Chairman Franklin stated that the Planning and Zoning Commission was the final approval authority for the proposed site plan.

**14-053SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Newsome Homes, Located on the North Side of McMakin Street and on the East Side of McDonald Street (State Highway 5)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed site plan. She stated that Staff distributed a letter of support to the Commission prior to the meeting. Ms. Pickett stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. She stated that Staff could not support the applicant's variance request to install a 6' tall wood fence as an alternate screening device along the western and northern property lines as detailed further on

the site plan or the variance request to reduce the landscape buffer to 10' in width along a portion of Amcott Street, as detailed further on the site plan. Ms. Pickett discussed some of Staff's concerns.

Mr. Levi Wild, Sanchez and Associates, 402 N. Tennessee Street, McKinney, TX, explained the proposed site plan request and the two variance requests. He gave a brief history of the proposed development. Mr. Wild also discussed some of the issues they faced with the project.

Vice-Chairman Hilton asked for the estimates on the various fencing options. Mr. Wild stated that he did not have the numbers with him; however, it was significant enough to be a concern.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Stevens, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Commission Member Stevens asked if there would be screening between this project and the surrounding residential homes on the east side of the property. Ms. Pickett stated that there would be a living plant screen and an existing tree line along that area per the "PD" – Planned Development District.

Commission Member Stevens stated that he did not want to see wooden fences used as screening on the development. He preferred using a living screen. Mr. Wild stated that they would be willing to plant living screens on the property.

Commission Member McReynolds had concerns with planting living screens where walking paths could cause gaps in the screening. He did not want to see a wooden fence used on the property either. Commission Member McReynolds preferred using wrought iron fencing with masonry columns.

Mr. Wild stated that the wood fence would provide privacy and security for the residents.

Chairman Franklin asked Mr. Wild if they had considered a wood fence with masonry columns. Mr. Wild said yes; however, he did not feel it was in the budget for the project. He felt that if they spent additional money on the screening, then it would take away from other areas of the development.



Vice-Chairman Hilton asked what the budget amount for the development. Mr. Wild stated that the budget was close to \$20,000,000.

Vice-Chairman Hilton stated that this was a significant development at an entrance to the City of McKinney. He felt it was well worth investing in the screening to make sure the development looked good for years to come.

Commission Member Zepp had concerns about the proposed parking.

Mr. Wild stated that they would prefer 30' centers if they have to build masonry columns for the fencing.

Commission Member Zepp asked who would be responsible for the maintenance of the property after it was built. Mr. Wild stated that McKinney Housing Authority and the developer would be joint owners of the property for the next 15 years after the Certificate of Occupancy was issued. He stated that after 15 years the ownership would revert back to the McKinney Housing Authority.

On a motion by Vice-Chairman Hilton, second by Commission Member Zepp, the Commission approved the proposed site plan request as conditioned in the Staff report, approved the variance for a 10' landscape buffer along Amscott Street as detailed further on the site plan, and denied the variance for a 6' tall wood fence as an alternate screening device along the western and northern property lines, with a vote of 6-1-0. Chairman Franklin voted against the motion.

Chairman Franklin stated that the Planning and Zoning Commission was the final approval authority for the proposed site plan.

**14-238PFR Conduct a Public Hearing to Consider/Discuss/Act on the Request for Approval of a Preliminary-Final Replat for 80 Single Family Attached Residential Lots, 1 Commercial Lot and 7 Common Areas (Provence Townhome Addition), Located Approximately 1,135 Feet South of Eldorado Parkway and on the West Side of Alma Road**

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed preliminary-final replat. He stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff report.

Mr. Gary Nail, 5000 Whitestone Lane, Plano, TX, explained the proposed preliminary-final replat.

Commission Member Stevens asked if the development would be located in Stonebridge Ranch. Mr. Nail said no.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member McCall, seconded by Commission Member Zepp, the Commission voted unanimously to close the public, with a vote of 7-0-0. On a motion by Commission Member Zepp, seconded by Commission Member McReynolds, the Commission voted unanimously to approve the proposed preliminary-final replat as conditioned in the Staff report, with a vote of 7-0-0.

Chairman Franklin stated that the Planning and Zoning Commission was the final approval authority for the proposed preliminary-final replat.

**14-318M      Conduct a Public Hearing to Consider/Discuss/Act on the Semiannual Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees**

Mr. Jason Aprill, Planner for the City of McKinney, explained the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees as required by Chapter 395 of the Texas Local Government Code. He stated that Staff recommends filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.

Chairperson Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member McReynolds, seconded by Commission Member McCall to close the public hearing and recommend filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting of January 6, 2015.

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

Mr. Michael Quint, Director of Development Services for the City of McKinney, welcomed Cam McCall to the Commission. He stated that the next Planning and Zoning Commission meeting would be held on Tuesday, January 13, 2015.

There being no further business, Chairman Franklin declared the meeting adjourned at 7:08 p.m.

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RICK FRANKLIN  
Chairman