

**Draft Planning and Zoning Commission Meeting Minutes of April 12, 2022:**

- 22-** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use  
**0003SUP** Permit for Automobile Dealership Sales (Best Price Auto Group), Located  
at 751 North Central Expressway.

Mr. Jake Bennett, Planner I for the City of McKinney, explained the specific use permit request. He stated that this item had previously come before Planning and Zoning and City Council during meetings last October and November. Mr. Bennett stated that City Council, in 2018, had several discussions regarding concerns to the prevalence of auto-related uses along the City's major corridors. He stated that the key takeaways that came out of those discussions, and relate to this case, were directives to discourage the proliferation of automobile sales along major thoroughfares and preserve U.S. Highway 75 (Central Expressway) and State Highway 121 (Sam Rayburn Tollway) for uses that enhance McKinney's presence along those major corridors. Mr. Bennett stated that currently, less than a mile from this location, Staff found that there are seven vehicle dealerships with prominent frontage to U.S. Highway 75 (Central Expressway). He stated that those seven vehicle dealerships take up roughly 1/3 of the entire frontage in that span and were housed on a combined 67 acres. Mr. Bennett stated that while there have been some changes regarding the building and the layout of the site itself, the proposed land use has not changed, and it was because of the land use that Staff must recommend denial of the specific use permit request. He stated that one letter of opposition was received and distributed to the Commission prior to the meeting. Mr. Bennett offered to answer questions. There were none. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard; McKinney, TX; explained the specific use permit request. He stated that this was not the same case that came before the Commission or City Council last year. Mr. Roeder stated that this is a separate application for a specific use permit. He discussed the space

limitations of the site. Mr. Roeder stated that the property was approximately one acre and that the proposed building would take up most of the site. He stated that the building would have offices and interior showrooms. Mr. Roeder stated that there were only 14 designated parking spaces for outside automobile display. He stated that the remaining parking spaces were required by City Code based upon the size of the building. Mr. Roeder stated that it would be automobile sales in a unique environment. He gave examples of allowable automobile uses on the subject property without a specific use permit. Mr. Roeder offered to answer questions. Commission Member Woodruff asked about how the interior would be laid out for the automobile sales and office uses. Mr. Roeder stated that there would be office spaces; however, primarily the interior would be open space for vehicles to be displayed. He mentioned the benefit of having the vehicles protected inside a covered area. Commission Member Wattley asked if there were any bay doors or garage doors planned for the back of the structure. Mr. Roeder stated that there would be garage doors for the vehicles to enter and exit the building. He stated that there would not be any mechanical work done onsite; however, there might be makeready or detail work performed on the vehicles. Chairman Cox opened the public hearing and called for comments. Mr. Alek Chapman, 323 Bois D Arc Place, McKinney, TX, spoke in opposition to the request. He questioned how the proposed use would affect the adjacent residential neighborhood. Mr. Chapman asked about the proposed aesthetics of the building. He questioned if the use would be a boutique dealership or a used car dealership. Mr. Chapman stated that the front and back doors to McKinney are vehicle dealerships. He asked why another dealership was needed at this location and if any other uses had been considered at this site. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Woodruff, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Doak asked about the trees on the back of the property. Mr. Roeder stated that those trees were located within the erosion hazard setback and would not be touched. Commission Member Doak asked if the makeready work would take place inside or outside of the building.

Mr. Roeder stated that it would be in a limited situation and take place inside the building. Commission Member Doak asked about the proposed lighting on the back of the building near the adjacent residential properties. Mr. Roeder stated that he would not speak to that specifically; however, it would need to follow the City's lighting and glare ordinance. He added that the property sat vacant for years due to significant development issues. Vice-Chairman Mantzey stated that the City could not control facades due to recently passed State Laws. Mr. Bennett stated that was correct and that the City could not control facades within the historically significant area of the city. Commission Member Kuykendall asked about what all Staff considered when making the recommendation for denial for this request. Mr. Bennett stated that there were some differences of the site layout of the building from the last application and the current request; however, the land use did not change. He stated that the over concentration of the use in the area and City Council's directive was why Staff recommended denial. Vice-Chairman Mantzey asked if the City looked at concentration levels of any other uses. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that Staff made the recommendation based upon City Council's clear directive. Commission Member Doak questioned if Staff would push back on a carwash or lube center for this site. Mr. Bennett stated that a carwash would be allowed in a "C" – Planned Center District. Ms. Arnold stated that if a use was allowed by right, then Staff would have no subjective recommendation if the use is allowed by right within that zoning district. Commission Member Kuykendall stated that we are looking at the proposed use and whether it is the best use for the site. Commission Member Wattley questioned when enough would be enough if we just keep letting more vehicle sale uses development in a concentrated area. Commission Member Wattley agreed with Staff's recommendation for denial of the request. Commission Member Doak stated that the site sat vacant for a long period of time. He stated that there were not a lot of uses that could be developed on this lot. Commission Member Doak felt the request was better than the previous submittal. He stated that he was in support of the request. Commission Member Woodruff stated that the site is challenging. He

concurrent with Commission Member Doak's comments. Commission Member Woodruff was in support of the request. Commission Member Kuykendall stated that Staff has clear directives from City Council, and she supports Staff's recommendation for denial of the request. Chairman Cox stated that he felt it was unfortunate that the request was lumped in with other automotive sale uses up and down the road. He stated that less than 50% of the site would be utilized. Chairman Cox stated that he was in support of this standalone application. Vice-Chairman Mantzey stated that it is confusing since it is a difficult piece of land, the proposed use will be different than other nearby car dealerships, and Staff has a clear directive from City Council. He stated that he would recommend approval of the request to allow City Council to have a simple majority vote on approval or denial of the request. On a motion by Commission Member Doak, seconded by Commission Member Taylor, the Commission voted to recommend approval of the proposed specific use permit request as requested by the applicant with the special ordinance provisions listed in the Staff Report, with a vote of 5-2-0. Commission Members Kuykendall and Wattley 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 May 3, 2022.