

PLANNING AND ZONING COMMISSION

OCTOBER 8, 2019

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, October 8, 2019 at 6:00 p.m.

City Council Present: Mayor George C. Fuller, Charlie Philips, and Rick Franklin

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Christopher Haeckler, Deanna Kuykendall, Cam McCall, Bry Taylor, and Scott Woodruff - Alternate

Commission Members absent: Hamilton Doak

Staff Present: Director of Planning Jennifer Arnold; Development Engineering Manager Matt Richardson; Development Engineer Christopher Gettert; Planners David Soto, Kaitlin Gibbon, Derrick Rhys Wilson, and Joseph Moss; and Administrative Assistant Terri Ramey

There were approximately 55 guests present.

Ms. Jennifer Arnold, Director of Planning for the City of McKinney, called the meeting to order at 6:00 p.m. after determining a quorum was present.

Ms. Arnold continued the meeting with the Public Comments for items not on the agenda and non-public hearing agenda items. There were no public comments.

Ms. Arnold continued the meeting with the election of the Chairman and Vice-Chairman positions.

19-0828 Election of Chair and Vice-Chair. On a motion by Commission Member Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to reelect Bill Cox as the Chairman. On a motion by Commission Member Haeckler, seconded by Commission Member Taylor, the Commission unanimously voted to reelect Brian Mantzey as the Vice-Chairman.

Chairman Cox continued the meeting with the Consent Item.

The Commission unanimously approved the motion by Vice-Chairman Mantzey, seconded by Alternate Commission Member Woodruff, to approve the following Consent item, with a vote of 7-0-0.

19-0829 Minutes of the Planning and Zoning Commission Regular Meeting of September 24, 2019.

END OF CONSENT

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

19-0170PF Consider/Discuss/Act on a Preliminary-Final Plat for Trinity Falls Planning Unit 7, Located North of County Road 228 and West of County Road 206. Ms. Kaitlin Gibbon, Planner I for the City of McKinney, stated that typically the preliminary-final plats are placed on the Consent Agenda with Staff's recommendation. She stated that this plat was submitted on September 16, 2019, which falls under the new State Laws. Ms. Gibbon stated that it falls under the shock clock for plats. She stated that to allow some discussion on this request, Staff listed it as a Regular Agenda Item on this meeting's agenda. Ms. Gibbon stated that going forward, Staff will place similar plats on the Consent Agenda with Staff's recommendation. She stated that the Commission will still have the ability to pull down those plats from the Consent Agenda to be considered individually. Ms. Gibbon stated that with the possibility of multiple plats being placed on an agenda, Staff has reworked the structure of the Staff Reports. She stated that with the action taken tonight, the applicant has the ability to submit one resubmittal to satisfy the conditions in order to meet the requirements of the Subdivision Ordinance. Ms. Gibbon stated that once the applicant resubmits the revised plat will be placed on the agenda again for final action of approval or denial by the Commission or City Council. She stated that the applicant is proposing to subdivide approximately 150 acres into 536 lots and 67 common areas for single family residential uses. Ms. Gibbon stated that there were significant comments from the City's Fire Department and Engineering Department stating that the proposed plat does not meet the requirements of the Subdivision Ordinance regarding ingress, egress, erosion hazard setbacks, flood study, et cetera. She stated that Staff recommends disapproval of the proposed preliminary-final plat. Ms. Gibbon offered to answer questions. Chairman Cox asked

if the applicant was present. Ms. Gibbon said no. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, explained that Staff is seeking a recommendation of disapproval of the proposed preliminary-final plat. She stated that with the structure of the new State Law, the first time around Staff recommends disapproval and if they resubmit Staff then would recommend approval or denial based upon the new request. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Haeckler, the Commission unanimously voted to disapprove the proposed preliminary-final plat per Staff's recommendation, with a vote of 7-0-0.

19-0159MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lot 1, Block A, of the 112 S. Church Addition, Located at the Northwest Corner of South Church Street and West Davis Street. Commission Member Haeckler stepped down on this request due to possible conflict of interest. Mr. Derrick Rhys Wilson, Planner I for the City of McKinney, explained the proposed minor replat request. He stated that the applicant is proposing to replat two lots into one lot. Mr. Wilson stated that the proposed minor replat has met the requirements of the Subdivision Ordinance. He stated that Staff recommends approval of the proposed minor replat. Mr. Wilson offered to answer questions. There were none. Mr. Don Day, 110 E. Louisiana Street, McKinney, TX, stated that the subject property is two old lots in Downtown McKinney that he would like replatted into one lot. He stated that it needs to be one lot to obtain a building permit. Mr. Day requested approval of the proposed minor replat. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member Taylor, the Commission voted to close the public hearing and approve the proposed minor replat per Staff's recommendation, with a vote of 6-0-1. Commission Member Haeckler abstained. He returned to the meeting after the consideration of this item.

19-0007SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request to Allow for Motor Vehicle Fuel Sales (7-Eleven), Located on the East Side of Hardin Boulevard and Approximately 1400 Feet South of University Drive (U.S. Highway 380) (REQUEST TO BE TABLED). Mr. Joe Moss, Planner I for the City of McKinney, stated that Staff requests that the public hearing be closed and the item tabled indefinitely. He stated that Staff will renote prior to an upcoming hearing. Mr. Moss offered to answer questions. Chairman Cox asked why the request was being tabled. Mr. Moss stated that the applicant needed additional time to work out some details on the site plan exhibit. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and table the item indefinitely per Staff's recommendation, with a vote of 7-0-0.

19-0063Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally for Car Wash Uses, Located at the Northwest Corner of Virginia Parkway and Ridge Road. Mr. David Soto, Planner I for the City of McKinney, explained the proposed rezoning request. He distributed to the Commission prior to the meeting an additional 14 letters of opposition and the applicant's response to these letters. Mr. Soto stated that the applicant is requesting to rezone the subject property to "PD" – Planned Development District to another "PD" – Planned Development District to allow for a car wash use. He stated that the applicant is proposing a base zoning of "SO" – Suburban Office District with modifications. Mr. Soto stated that the applicant was proposing a 3' landscape berm along Ridge Road and Virginia Parkway in order to mitigate the use. He stated that Staff has concerns with the proposed regulations. Mr. Soto stated that the applicant is requesting to have a minimum of 8'9" landscape buffer off of

Ridge Road. He stated that a 20' landscape buffer is required on all major thoroughfares with a right-of-way greater than 60' per the City's ordinance. Mr. Soto stated that a 10' landscape buffer may be allowed through a variance with board approval depending on circumstances and if it would be adequate. He stated that landscape buffers provide a transition zone from the roadway, softens the aesthetic of the building, and allows adequate growing space for the canopy trees and other required landscaping. Mr. Soto stated that Staff recommends denial for this requested provision. He stated that the applicant was requesting to waive all screening of any proposed bay doors. Mr. Soto stated that bay doors shall be screened from the view of right-of-way and adjacent nonresidential properties per the City's ordinance. He stated that Staff feels screening of the bay doors was an important aspect of the quality of the development. Mr. Soto stated that Staff recommends denial of this proposed provision. He stated that the applicant also requested to tie down a site exhibit and landscape plan for the subject property. Mr. Soto stated that there are several outstanding conditions with the proposed layout that do not meet the Engineering Design Manual Standards and as detailed in the Staff Report. He stated that Staff has significant safety concerns with the proposed regulations that would be tied down with the proposed layout. Mr. Soto stated that the property was currently zoned for office uses and was surrounded by planned or existing development, which includes single family residential to the east and offices located to the south, west, and north of the subject property. He stated that Staff was generally in support of the base zoning requested, especially that it aligns with the Professional Campus placetype of the Comprehensive Plan. Mr. Soto stated that Staff has concerns with the proposed car wash use and the regulations and site conditions being proposed for the subject property. He stated that Staff received a written protest from the adjacent property owners that covered 20.5% of the total adjacent area around the subject property. Mr. Soto stated that the percentage met the

minimum; therefore, a supermajority vote would be required by City Council on this request. He stated that given these concerns, Staff recommends denial of the proposed rezoning request. Mr. Soto offered to answer questions. Commission Member Haeckler asked how the applicant proposed to meet the 3:1 slope requirement with the proposed 8' landscape buffer. Mr. Matt Richardson, Development Engineering Manager for the City of McKinney, stated that a 3:1 slope would not fit within an 8' landscape buffer. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard; McKinney, TX; explained the proposed rezoning request. He stated that the proposed use was considered a neighborhood use. Mr. Roeder stated that the request was to ensure that if a car wash goes on the subject property that it would have to conform precisely to the specific approved layout. He stated that the proposed car wash would be a three minute drive-through the tunnel, then you can pull into one of the covered parking spaces to vacuum the inside of the vehicle, and there would be trash receptacles to throw trash away. Mr. Roeder stated that this particular car wash is not a destination style car wash. He stated that this car wash would capture existing traffic on Virginia Parkway and Ridge Road. Mr. Roeder stated that the capture rate in the industrial is approximately 1% of existing traffic. He stated that this car wash would not put any additional traffic on the road; however, it might redirect a little bit of traffic. Mr. Roeder stated that it would service the neighborhood. He stated that there was not a neighborhood service like this in Stonebridge Ranch, unless you drive to U.S. Highway 380 (University Drive). Mr. Roeder stated that the proposed car wash would be a one-story building and a little over 5,000 square feet. He stated that a site plan had been previously approved for the subject property for a 17,000 square foot, one-story, office building. Mr. Roeder stated that comparing the number of square feet between the two uses, the proposed car wash would be far less in terms of the look, feel, and volume. He stated that their goal was to make this a minimal

impact and an accessible neighborhood use. Mr. Roeder stated that he believes that his client wants to create a retaining wall on the inside of the 3' berm within the proposed 8' landscape buffer. He stated that the proposed perimeter trees would provide screening of the bay door from the south of Virginia Parkway. Mr. Roeder stated that the property to the north of the subject property is lower and there was a retaining wall there. He stated that there is an office building adjacent to the subject property. Mr. Roeder felt it was a slim chance to see into the bay door from the north on Ridge Road. He stated that the right-hand turn lanes do not exist on Virginia Parkway or Ridge Road in this area. Mr. Roeder stated that right-hand turn lanes are a new addition to McKinney's Engineering Design Manual as of January 1, 2018. He stated that it was a design preference on the part of the City. Mr. Roeder stated that it would not make or break traffic safety. He stated that the hooded left-turn lane on Ridge Road was closer to the intersection than what the Engineering Design Manual recommends. Mr. Roeder stated that his client would probably be willing to give it up, if it would make a difference in Commission's recommendation. He stated that his client was seeking to move the curb cuts further north on Ridge Road to create a better visual than where it is currently located. Mr. Roeder stated that his opinion was moving curb cuts was done to make a property more usable. He stated that the single vacuums would be the only thing in his opinion that would generate noise. Mr. Roeder stated that the subject property is located on the other side of the road from The Estates of Stonebridge. He stated that his client believes that the traffic on Ridge Road alone will be far greater than any noise that would be generated by this particular site. Mr. Roeder stated that the proposed berm would provide quite a bit of screening and buffering. He stated that if you look on Collin County Appraisal District's (CollinCAD) website at the small office buildings that are west of the subject property and in the vicinity the potential ad valorem value of this property was going to meet or exceed those. Mr.

Roeder stated that Staff was neutral on the value that this would add to the tax rolls. He stated that if the Commission wants an office building at this location that he would fold his cards and go home. Mr. Roeder stated that if the Commission was willing to accept the fact that this was a neighborhood service needed in this particular area. He stated that he could not think of a neighborhood service that would have less of an impact than the proposed car wash. Mr. Roeder offered to answer questions. Alternate Commission Member Woodruff asked if it would be a full-service or self-service car wash. Mr. Roeder stated that it was a combination of the two. He stated that the customer drives through the tunnel to wash and air dry the vehicle. Mr. Roeder stated that the customer could then park to vacuum or remove the trash from the inside of the vehicle themselves. Mr. Roeder stated that there would not be any employees there to dry or detail the vehicles. He stated that there would be an employee there to take the payments and program the specific car wash purchased. Chairman Cox opened the public hearing and called for comments. The following 17 residents spoke in opposition to the proposed rezoning request. Mr. Paul Lehman, 5805 N. Woodcreek Circle, McKinney, TX, gave a presentation showing photographs and sounds from other car washes in the area. He stated that he did a survey of what real car washes look like in the vicinity. Mr. Lehman stated that there were at least 12 existing car washes in McKinney and seven of those were within three miles of Virginia Parkway and Ridge Road. He stated that he visited ten of those car washes. Mr. Lehman stated that the recurring observations that he found were: dirty, hoses, trash cans, cleaning carts, congestion, noisy, signage, workers all around, cones, and structures that do not blend in with the surroundings. He stated that the purpose of a car wash for to transfer waste and filth from the vehicle to the car wash factory to be disposed of. Mr. Lehman stated that it has a detriment impact on the environment. He stated that most of the car washes have an industrial look to them. Mr. Lehman stated that the filth

on the ground from the chemicals coming off of the vehicles would eventually get down to the creek. He asked the Commission to think what the proposed car wash would look like in 3, 5, or 10 years from now. Mr. Lehman stated that the car wash would be inconsistent with the community and other structures nearby. He stated that they came to this neighborhood for its excellence. Mr. Lehman stated that it would not enhance the identity and brand of the neighborhood. Ms. Melanie Okon, 12770 Coit Road, Dallas, TX, stated that she was representing The Stonebridge Estates. She stated that the neighborhood does not want the proposed service in their neighborhood. Ms. Okon stated that the neighborhood feels that this would be invalid spot zoning. She explained spot zoning. Ms. Okon stated that this was not a necessary zoning change. She stated that the existing ordinance covers 920 acres. Ms. Okon stated that the subject property is approximately 1.50 acres looking to rezone to a use that the neighborhood feels is incompatible with the remaining 918.50 acres. She stated that the neighborhood feels that it would be a legal nuisance to the surrounding houses due to noise, traffic, and lighting issues. Ms. Okon stated that the neighborhood also had concerns that it would bring in a bunch of people into the community that would not normally be there. She offered to answer questions. There were none. Ms. Kim Brewer, 5801 S. Woodcreek Circle, McKinney, TX, stated that she is a resident of Stonebridge Estates and is also a realtor. She stated that she was impressed that McKinney was unique by nature and also unique by plan. Ms. Brewer stated that City has done a fantastic job of zoning and planning things properly. She stated that not a lot of cities do that. Ms. Brewer stated that she is proud to live in her neighborhood. She stated that it would be a huge issue if the property was rezoned. Ms. Brewer stated that the original intent was sustain and support the community. She stated that it was also meant to maintain the values of the property. Ms. Brewer stated that there were professional and medical building that all support the community. She stated that the

proposed rezoning could negatively affect the value of the surrounding properties. Ms. Brewer stated that they do not mind diversity; however, that diversity must support and maximize each owner's investment. She questioned if this would be a reasonable for this property. Ms. Brewer stated that there is a prefer spot about a mile down the road for a car wash. She stated that it was important to keep the zoning as is. Ms. Susie Williamson, 5705 S. Woodcreek Circle, McKinney, TX, stated that her property backs directly into the corner of Ridge Road and Virginia Parkway. She stated that prior to purchasing the property, they verified the zoning of the empty lot. Ms. Williamson questioned how a car wash would fit this area. She stated that her biggest concern was safety of those living and driving Virginia Parkway and Ridge Road. Ms. Williamson stated that Ridge Road is a four lane roadway that was not designed for heavy traffic. She stated that it was designed for less intense of use for a transition between residential and commercial uses. Ms. Williamson stated that all four corners of the intersection of Ridge Road and Virginia Parkway were currently zoned "PD" – Planned Development District. She stated that the approved uses would not allow for any heavy traffic flow like a car wash. Ms. Williamson stated that there was only one entrance and exit into their neighborhood. She stated that it was already difficult to exit their neighborhood due to curves of Ridge Road and the elevation changes. Ms. Williamson stated that the bridge and landscaping located just north of the exit blocks the visibility until the vehicles were right upon you. She stated that it was hard to see vehicles heading south at the intersection at Virginia Parkway due to the curves of Ridge and the slight elevation. Ms. Williamson gave an example of an accident that happened at the entrance of their neighborhood. She stated that based upon the site plan provided by the property owner, there was a proposed left turn lane cut out on Ridge Road, just north of Virginia Parkway, to enter into the proposed car wash. Ms. Williamson stated that Mr. Roeder conceded was too close to

Virginia Parkway to meet City requirements. She stated that there was not a cutout for vehicles heading east along Virginia Parkway shown on the site plan. Ms. Williamson stated that the site plan shows vehicles would be directed to Ridge Road to enter the car wash line. She stated that would cause additional traffic on Ridge Road, which was a two lane road designed for residential traffic. Ms. Williamson stated that there had been 24 accidents that required police assistance at the intersection of Ridge Road and Virginia Parkway during the past three years. She stated that 12 of those accidents caused injury to at least one person involved in the accident. Ms. Williamson gave the breakdown of the reasons listed for these accidents according to the police reports. Ms. Rhonda "Kay" Farr, 5713 S. Woodcreek Circle, McKinney, TX, thanked the Commission for hearing the united opposition to the proposed rezoning. She stated that she concurred with the previous speaker's comments in opposition to this request. Ms. Farr stated that they verified the zoning and it impacted the reason they purchased their property. She stated that the zoning for the subject property was clearly stated as light office, designed for less intensive use. Ms. Farr stated that she would like to see structure(s) esthetically consistent with the other two corners and the office buildings to the north. She stated that they were all opposed to a car wash at this location due to excessive noise generated by 20 vacuum cleaners within 150' – 200' of their backdoors. Ms. Farr stated that boomboxes that accompany car wash patrons, honking horns, whistles, unsightly portable canopies, trash, trash receptacles, carts, strung hoses, and people just loitering was some of her concerns. She stated that the roar of the equipment as the vehicles are routed through the wash tunnel would product noise levels at approximately 110 decibals. Ms. Farr stated that 140 decibals was the noise level of an outdoor concert. She stated that listening to this daily would be a nuisance. Ms. Farr stated that the lighting needed to be consistent with the surrounding buildings. She questioned what type of

signage they would have on the property. Ms. Farr requested that the Commission protect the interest of the homeowners. She asked to keep McKinney unique by nature. Ms. Penny Hawkins, 5801 N. Woodcreek, McKinney, TX, stated that her husband was in the automobile business that has a car wash. She stated that her husband gave her some reasons why they should be against having a car wash at this location. Ms. Hawkins stated that people tend to be freeloaders. She stated that they may not come to use the car wash, just the vacuums. Ms. Hawkins stated that they tend to leave their vehicle doors open with the boomboxes going. She stated that they tend to detail their vehicles there using their own equipment. Ms. Hawkins stated that they sometimes will change their oil there. She stated that not everyone places their trash in the trash cans. Ms. Hawkins stated that there is trash on the ground and the wind could blow it through the neighborhood. She stated that the car wash, equipment at air dries the vehicles, and vacuums were noisy. Ms. Hawkins stated that people tend to go there to hang out and show off their vehicle. She stated that they do not want that type of environment in their neighborhood. Ms. Hawkins stated that was not why they moved there. Mr. Don Jacob, 6190 Virginia Parkway, McKinney, TX, discussed the Executive Suites of Stonebridge Ranch building, located directly to the west of the subject property. He stated that it is an 11,000 square foot building. Mr. Jacob stated that City of McKinney recruited them over 10 years ago to come to this specific location. He stated that part of their rationale for selecting McKinney was the zoning. Mr. Jacob stated that they looked hard into the Stonebridge area and the zoning for this specific property. He stated that they felt like they had protection for keeping a certain environment in Stonebridge Ranch. Mr. Jacob stated that his building was one of the nicest office buildings in McKinney. He stated that a car wash does not belong next door to them. Mr. Jacob expressed concerns regarding the noise level of 20 vacuums and pollution. He stated that they were also concerned if there were

overages to the bays and people going to a spot in on the car wash property to do detail work, et cetera. Mr. Jacob stated that they would share one of the entrance ways with this property that he would anticipate that they would get the overflow traffic from this location into their parking lot. He stated that was a tremendous amount of U-turning at Ridge Road now with people traveling east on Virginia Parkway. Mr. Jacob stated that he believes that it was bad now; however, it would be terrible if a high volume car wash goes in at this location. He stated that they were very concerned over safety, noise, and crime issues of a car wash being located next to them. Mr. Jacob request a recommendation of denial of this proposed rezoning request. Mr. Michael Brown, 5800 Creekside Court, McKinney, TX, stated that he lived there 17 years. He stated that he was the President of the Stonebridge Estates homeowners association (HOA). Mr. Brown stated that they want an office building at this location and not a car wash. He gave an example that you will never hear anybody talking about a fancy car wash with all of the great landscaping and how they wished they lived right next door to it. Mr. Brown stated that he was surprised that something like this gets this far in the process. He stated that the eastern gateway to one of the finest master planned communities in the country is located at Virginia Parkway at Ridge Road. Mr. Brown stated that when you come down the hill in Stonebridge Ranch you would see a car wash. He stated that there had been little communication with the homeowners within The Stonebridge Estates about the propose car wash. Mr. Brown stated that he received a phone call from Mr. Roeder late on Thursday, September 19th wanting to show what the applicant wants to do on the subject property. He stated that Mr. Roeder then explained that he was going to be out of town for two weeks. Mr. Brown stated that he believes that the process to rezone the property has been going on for a long time; however, there had not been any communication from the applicate. He read Chapter 146-41 of the Zoning Ordinance. Mr. Brown stated that the proposed car

wash was not harmonious and they do not want it in the gateway to Stonebridge Ranch. He stated that he doesn't have a problem getting his car washed in McKinney. Mr. Brown reiterated that he does not want a car wash right outside his gates. He stated that the prominent wind was from the southwest. Mr. Brown stated that the subject property was exactly southwest of one of the finest residential gates communities in Texas. He stated that they would have the noise, smell, and everything associated with a car wash if it is not denied. Mr. Vincent Hrenak, 5802 N. Woodcreek Circle, McKinney, TX, stated that he concurred with the previous speaks in opposition to this request. He stated that he lived there for 16 years. Mr. Hrenak stated that he moved in there due to the wonderful planning that the City of McKinney and Stonebridge Ranch has done. He stated that he considers the proposed request a violation of why he and others moved into their community. Mr. Hrenak stated that their community is residential houses and low level administrative and medical buildings. He stated that in the mornings, evening, and weekends there is virtually no noise or traffic from the existing commercial buildings due to the nature of their cliental and their business. Mr. Hrenak stated that he walks and bikes a lot in the neighborhood. He stated that he had seen a lot of near misses or accidents at Ridge Road where there is a U-turn. Mr. Hrenak stated that Dowell Middle School was a block from their neighborhood. He stated that there would be haphazard traffic redirected for the car wash at a very dangerous location. Mr. Hrenak stated that some medical administrative buildings were being built across the street and they have not seen how the traffic will increase with them. He stated that he cannot imagine a car wash on top of all of this and what it would do to their community. Mr. Hrenak stated that they have a very wholesome community. He stated that he would consider it a violation of his trust with the City if this was allowed to be rezoned. Ms. Katherine Brewer, 5408 N. Woodcreek Circle, McKinney, TX, stated that three years ago the Commission heard

a case for a parcels to the north of the subject property to rezone from “PD” – Planned Development District to “C1” – Neighborhood Commercial District. She stated that if that request had been approved then a car wash and a number of neighborhood uses would have been allowed by specific use permit (SUP). Ms. Brewer stated that case was denied due to the proposed zoning uses being incapable with the surrounding neighborhood. She stated that the proposed zoning was incapable with the site. Ms. Brewer stated that the Staff presentation showed that numerous exceptions would have to be made for landscape and engineering standards. She stated that the request does not conform to the City’s Comprehensive Plan. Ms. Brewer stated that it would not enhanced the surrounding residential or professional office properties. She requested that the Commission recommend denial of the proposed rezoning request. Ms. Sally Huffman, 404 Creekside Drive, McKinney, TX, read a letter that her husband wrote to City Councilman Scott Elliott. She stated that regardless of how well the proposed car wash was isolated, it simply does not fit this entire area. Ms. Huffman stated that particularly when you include Adriatica and the numerous medical office buildings that go several blocks from Stonebridge Ranch Drive past Ridge Road on to Virginia Parkway. She stated that there were already four car washes within five miles of the intersection of Ridge Road and Virginia Parkway. Ms. Huffman stated that they moved to McKinney area eight years ago. She stated that they were attracted by the Unique by Nature culture of the area. Ms. Huffman stated that one of the major reasons that moved to The Stonebridge Estates subdivision was zoned “PD” – Planned Development District. She stated that it would be very detrimental and out of place for this area to change this particular lot to “C2” – Local Commercial District. Ms. Huffman stated that for these reason she and many in the room are against the proposed rezoning request. She stated that she hopes the Commission considered this when they are considering what to recommend on the request. Mr.

Joe Minissale, 409 Grove Park Place, McKinney, TX, stated that they moved to McKinney 3 ½ years ago. He stated that they selected Stonebridge Ranch due to the greenspace requirements, nice aesthetics, and the zoning. Mr. Minissale stated that the proposed rezoning request was a complete inconsistency with every aspect. He stated that the applicant was requesting variance after variance to the requirements. Mr. Minissale stated that the berm does not meet the requirements and it sounds like they don't want to do the required screening. He stated that the applicant stated that there were not safety concerns that were sited the Staff; however, he didn't hear any reason how there were not. Mr. Minissale stated that the applicant wants an entrance closer to Virginia Parkway that what was required. He stated that there is another safety concern across from YMCA (Y), the school, and community pool. Mr. Minissale stated that he could not imagine how they could satisfy the Commission. He stated that he assumes the Commission will take the good advice of all of the people that spoke at the meeting against the request. Mr. Josh Thursten, 413 Windwood Court, McKinney, TX, discussed the safety of children playing outside in the neighborhood and how it was important. He stated that the proposed car wash was directly in the path that goes to the YMCA (Y), schools, and the beach clubs. Mr. Thursten stated that it would pose a threat to the neighborhood children. He asked the Commission to protect the children. Ms. Peggy Baird, 409 Creekside Drive, McKinney, TX, stated that they built a building cattycorner from the Finish Car Wash on Virginia Parkway. She stated that the car wash was already there, so they knew what they were getting into. Ms. Baird stated that the noise at times was unbearable inside their office building. She stated that boomboxes play with the loud bases. Ms. Baird stated that there were cones everywhere. She stated that people go to that car wash deliberately and that it was a destination. Ms. Baird stated that it was not just people who were passing by that go there. She stated that there is a private road between them and there were lines all

the way down that road of people waiting to get their vehicle washed. Ms. Baird stated that things said by the applicant about the proposed car wash may not be the actual case. Ms. Mary Shelt, 509 Creekside Drive, McKinney, TX, stated that she is a retire school teacher. She concurred with the previous comments against the proposed rezoning request. Ms. Shelt stated that her biggest concerns were the safety of the 100's of 6th – 8th grade students at Dowell Middle School and the possible decrease in property values. Mr. Rabi Viswanath, 402 Creekside Drive, McKinney, TX, stated that he is a small business owner. He stated that Mr. Roeder stated that the proposed car wash would not be a destination and the usage would be less than 1% of the traffic going by this location. Mr. Viswanath questioned why they would want to put a business there with the usage being that low. He stated that it didn't make sense to him. Chairman Cox stated that the following 14 residents turned in speaker card in opposition; however, did not wish to speak during the meeting.

- Mr. Ray Caldwell, 5812 N. Woodcreek Circle, McKinney, TX
- Mr. Dennis Farr, 5713 S. Woodcreek Circle, McKinney, TX
- Ms. Piper Lehman, 5805 N. Woodcreek Circle, McKinney, TX
- Ms. Audra Maticcik, 5900 Waterview Court, McKinney, TX
- Mr. Wesley Merritt, MD, 5701 S. Woodcreek Circle, McKinney, TX
- Ms. Melanie Minissale, 409 Grove Park Place, McKinney, TX
- Ms. Suzanne Munck, 5608 S. Woodcreek Circle, McKinney, TX
- Ms. Alyson Nowell, 5804 S. Woodcreek Circle, McKinney, TX
- Mr. Kevin Nowell, 5804 S. Woodcreek Circle, McKinney, TX
- Ms. Sandra Peak, MD, 5005 S. Woodcreek Circle, McKinney, TX
- Mr. Karl Schraer, 5709 S. Woodcreek Circle, McKinney, TX
- Ms. Margie Schraer, 5709 S. Woodcreek Circle, McKinney, TX
- Mr. Jay Stamper, 5805 S. Woodcreek Circle, McKinney, TX
- Mr. Bryan Tyo, 5609 S. Woodcreek Circle, McKinney, TX
- Ms. J. Kevin Williamson, 5705 S. Woodcreek Circle, McKinney, TX

On a motion by Commission Member Haeckler, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Chairman Cox asked for clarification regarding Mr. Roeder stating that they may be willing to get rid of the left turn lane on Ridge Road that is too close to the Virginia Parkway intersection during his presentation. Mr. Matt Richardson, Development Engineering Manager for the City of McKinney, stated that turn lane was definitely too close to the intersection. He stated that he believes the proposed turn lane would be 325' – 350' from the intersection. Mr. Richardson stated that typically median openings were at least 500' – 525' from an intersection. He stated that the Engineering Staff remains in opposition to the proposed left turn lane at this location. Commission Member McCall asked what the typically acreage was for a similar car wash. Mr. Soto stated that they were roughly the same size properties. He stated that the subject property was a corner lot. Mr. Soto stated that the angle and topography issues were concerns. Commission Member Haeckler asked for the notification requirements. Mr. Soto stated that Staff sends notification to property owners within 200' of the subject property per State Law. He showed the aerial showing the buffer. Mr. Soto stated that property owner notices were mailed 15 days prior to the public hearing. Commission Kuykendall stated that she had a concern regarding the flow of traffic. She stated that there appeared to be only one way in and out of the property. Commission Member Kuykendall stated that there appeared to be different areas where it could bottleneck. She asked Mr. Roeder to explain how they see the flow so that it would not back up traffic, especially on the streets. Mr. Roeder stated that he was not the engineer that design the layout. He stated that it was his understanding that there would be a loop to enter the car wash tunnel from the south and then head north. Mr. Roeder stated that if the customer came entered off of Ridge Road, they would go south on the outer loop on the east side, where there is stack lane to go around to the

car wash tunnel. He stated that if the customer entered off of Virginia Parkway, then they would go along the back side of the car wash tunnel to make the loop back around, and then come up through the car wash tunnel. Mr. Roeder stated that he only one way area was entering and existing the tunnel. He stated that they could exit the tunnel north out on Ridge Road or south into the parking area. Mr. Roeder stated that from the parking area the customer could go back to Ridge Road or go back around to Virginia Parkway. Commission Member Kuykendall stated that she sees potential bottlenecks areas. She stated that people could be speeding through to cut off that corner. Commission Member Kuykendall stated that she has a lot of concerns and questions on top of what Staff has already mentioned. Alternate Commission Member Woodruff asked about the hours of operation. Mr. Roeder stated that he was not positive on the hours of operation; however, he felt that it would open around 7:00 – 8:00 a.m. and close around 8:00 – 9:00 p.m. He stated that it would not be open 24 hours a day, seven days a week. Alternate Commission Member Woodruff stated that he could see how the car wash could be closed off; however, questioned how the vacuum cleaners could be shut off. Mr. Roeder stated that it was his understanding that the vacuum cleaners were all operated remotely. He stated that they were electric, so they could be turned off. Mr. Roeder stated that he was not aware of any proposed gates to keep people from coming into the parking area. He reiterated that all of the equipment should be able to be turned off when the car wash was closed. Chairman Cox asked Mr. Roeder if he had any opinions on the comments made during the public hearing. Mr. Roeder stated that he appreciated the concerns of the residents and took really good notes of their comments. He stated that he would share the notes with his client. Vice-Chairman Mantzey stated that the proposed use was not suitable for the area. He stated that the residents have done their homework in long range planning that the subject property should remain an office area. On a motion by Commission Member Kuykendall,

seconded by Commission Member McCall, the Commission unanimously voted to recommend denial of the property rezoning request per Staff's recommendation, with a vote of 7-0-0.

19-0068Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "LI" - Light Industrial District to "PD" - Planned Development District, Generally to Modify the Use and Development Standards, Located on the South Side of University Drive (U.S. Highway 380) and Approximately 8,800 Feet East of Airport Drive. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that the applicant and Staff were requesting to table the proposed rezoning request in order to allow them time to continue working on the development standards included in the request. She offered to answer questions. Commission Member Haeckler asked if the public hearing would be kept open or closed. Ms. Arnold stated that Staff recommends that the public hearing be closed. She stated that Staff would renotice prior to the next public hearing. Mr. Casey Gregory, Sanchez & Associates, 2000 N. McDonald Street, McKinney, TX, stated that they were asking to table the request for now as they work with Staff on the exact wording of the development standards. He offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Mr. Jay Azami, 2675 University Drive (U.S. Highway 380), McKinney, TX, spoke in opposition to the request. He expressed traffic, safety, and health concerns. Mr. Azami stated that he did not receive any communication on the request. He stated that his property is located directly across the street for the subject property. Mr. Azami stated that there were already enough accidents on U.S. Highway 380 (University Drive) as is, without putting a concrete plat there. He stated that most concrete plants start work at 3:00 a.m. to be able to get to the various job sites. Mr. Azami asked the Commission to think about what will happen when a concrete truck pulls out in front of someone texting, putting on makeup, or just not paying attention at 3:00 a.m. He

stated that they could slam into a concrete truck weighting approximately ten thousand pounds. Mr. Azami felt that it would cause more fatalities. He stated that the speed limit was 60 miles per hour on U.S. Highway 380 (University Drive). He stated that it is already difficult for trucks to pull in and out of that property. Mr. Azami stated that there is no turn lane located there. He stated that the trucks would be able to turn in to the subject property when they are heading east along U.S. Highway 380 (University Drive). Mr. Azami stated that if they were heading west, then they would have to go up past the property and U-turn back east for access to the property. He stated that someone not paying attention could slam right into the truck making a U-turning there. Mr. Azami expressed concerns regarding all of the dust that would be generated by the concrete plant. Mr. Azami stated that he sells vehicles at his business, located across the street from the subject property. He stated that when someone looks at a vehicle to purchase that the first impression was very important. Mr. Azami stated that chances were high that a person would not purchase a vehicle that was very dusty and dirty. He stated that breathing the dust in the air was also a big concern. Mr. Azami stated that the dust could cause a haze that people would have to drive through. He stated that property along U.S. Highway 380 (University Drive) was pretty expensive. Mr. Azami stated that most of their competition has purchased properties out in the country that are out of the way. He gave an example of Charley's Concrete Plant in Princeton, TX, that has access to U.S. Highway 380 (University Drive); however, they were located off of Farmer Market 982. Mr. Azami stated that Charley's Concrete Plant has room to grow and expand there. He felt that they were not a nuisance to any other business or residences around them. Mr. Azami asked the Commission to reconsider allowing a concrete plant to go in on the subject property. On a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing

and table the item indefinitely per Staff's recommendation, with a vote of 7-0-0.

END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Ms. Arnold stated that the ONE McKinney 2040 Comprehensive Plan was recently awarded a Planning Excellence award from the Texas Chapter of the American Planning Association. She thanked the Commission for their involvement with the ONE McKinney 2040 Comprehensive Plan. Ms. Arnold stated that some City Council Members and Staff would be traveling to the State Conference in November 2019 to accept the award.

On a motion by Commission Member McCall, seconded by Commission Member Haeckler, the Commission unanimously voted to adjourn the meeting, with a vote of 7-0-0. There being no further business, Chairman Cox declared the meeting adjourned at 7:35 p.m.

BILL COX
Chairman