

## **PLANNING AND ZONING COMMISSION**

**SEPTEMBER 13, 2016**

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, September 13, 2016 at 6:10 p.m.

City Council Member Present: Chuck Branch

Commission Members Present: Chairman Bill Cox, Vice-Chairman Eric Zepp, Janet Cobbel, Deanna Kuykendall, Cameron McCall, Brian Mantzey, Pamela Smith, and Mark McReynolds – Alternate

Staff Present: Director of Planning Brian Lockley; Planning Manager Matt Robinson; Planners Eleana Galicia, Danielle Quintanilla, and Melissa Spriegel; and Administrative Assistant Terri Ramey

There were approximately 31 guests present.

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

Chairman Cox 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 Cox 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 stated that guests would need to limit their remarks to three minutes and speak only once. Chairman Cox 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 to yellow, and when the time is up the light will change to red. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking the issues.

Chairman Cox continued the meeting with the Consent Items. He stated that item number 16-184CVP would be pulled from the Consent Agenda to be considered separately.

The Commission approved the motion by Vice-Chairman Zepp, seconded by Commission Member McCall, to approve the following three Consent items, with a vote of 7-0-0.

- 16-917 Minutes of the Planning and Zoning Commission Work Session of August 23, 2016**
- 16-918 Minutes of the Planning and Zoning Commission Regular Meeting of August 23, 2016**
- 16-170CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1R3 and 6R, Block A, of the Parkside at Craig Ranch Addition, Located on the Southeast Corner of Van Tuyl Parkway and Meyer Way**

**END OF CONSENT**

Chairman Cox called for the Conveyance Plan for Lots 1 – 4, Block A, 380 Crossing at Headington Heights. The Commission unanimously approved the motion by Commission Member Cobbel, seconded by Commission Member Smith, to table indefinitely the following item per the applicant's request, with a vote of 7-0-0.

- 16-184CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1-4, Block A, 380 Crossing at Headington Heights, Located on the Northeast Corner of U.S. Highway 380 (University Drive) and Hardin Boulevard (REQUEST TO BE TABLED)**

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

- 16-233Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C1" - Neighborhood Commercial District to "C2" - Local Commercial District, Located Approximately 425 Feet East of Jordan Road and on the South Side of Virginia Parkway**

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed rezoning request. She stated that the applicant had submitted an associated specific use permit for an automotive repair shop for the subject property was also being considered at this meeting and was the following item on the agenda. Ms. Galicia stated that the approval of the specific use permit was contingent upon the approval of this rezoning request due to the existing zoning on the subject property currently does not allow for an automotive repair shop use. Ms. Galicia stated that the applicant had submitted a development proposal with the associated specific use permit; however, Staff had concerns with the allowed uses granted in the "C2" – Local Commercial District in

comparison with the current zoning on the property. She stated that if the automotive repair shop was not constructed on the property, then the "C2" – Local Commercial District would allow for other uses that may not be in conformance with the existing and future surrounding development. Ms. Galicia stated that Staff was of the professional opinion that supporting retail uses should not be discouraged; however, such uses that were permitted should be ancillary to the office identity established through the surrounding existing development. She briefly discussed the allowed uses between the two zoning districts shown on the comparison chart that was included in the Staff report. Ms. Galicia stated that Staff recommended denial of the proposed rezoning request due to a lack of conformance with the goals and objectives of the City's Comprehensive Plan of "Land Use Compatibility and Mix". She offered to answer questions. There were none.

Mr. Don Paschal, 904 Parkwood Ct., McKinney, TX, explained the proposed rezoning request and gave a presentation. He stated that they had an excellent relationship with Staff on this project. Mr. Paschal stated that he appreciated Staff's input and that it had made a better application. He discussed the zoning request and proposed special use permit for the subject property. Mr. Paschal stated that they had owned the property for 17 years. He gave a brief history of the development of the original property. Mr. Paschal discussed the previous zoning on the property. He stated that this location did not attract much interest from the restaurant community. Mr. Paschal discussed the positive impact on the community from the Virginia Commons development. He discussed the proposed Honest-1 automotive service and why they felt good about having it at this location. Mr. Paschal stated that they tried to incorporate design issues to blend in with the surrounding businesses. He stated that the City of McKinney was planning to increase the number of traffic lanes on Virginia to make it a six lane thoroughfare. He stated that it could be the highest traffic thoroughfare running east to west in McKinney. Mr. Paschal discussed some other automotive care facilities on the west side of McKinney. He stated that there was similar development around those facilities and requested to have the same opportunity with this development. Mr. Paschal briefly discussed the perspective elevation for the Honest-1 facility. He stated that they would generate some jobs, 10 initially and up to 15 as the business grows, at this site. Mr.

Paschal discussed his concerns regarding wording in the Staff report and Future Land Use Map (FLUP) that he disagreed with. He offered to answer questions.

Vice-Chairman Zepp asked Mr. Paschal about the four lots to the south that had been sold. Mr. Paschal briefly discussed who owned the surrounding properties. Vice-Chairman Zepp asked which lots were unsold in this development. Mr. Paschal stated that would be the subject property and the lot next to it.

Chairman Cox asked what direction the overhead doors would face on the property. Mr. Paschal stated that the overhead doors face to the east and west. He stated that they did not face the road to the north or to the south where other uses were located. Mr. Paschal stated that they propose to have 6' landscape screening to block the view of the overhead doors.

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

Commission Member Mantzey asked Staff why this project was not being recommended when there were similar projects on Eldorado. Ms. Galicia stated that she could not speak to the other cases that Mr. Paschal gave as similar examples to earlier; however, she felt the subject property had a higher concentration of office uses surround it.

Commission Member Mantzey asked Staff if the previous rezoning of the property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District changed any of the uses allowed on this property. Ms. Galicia stated that the "PD" - Planned Development District had allowed for some automotive related uses. She stated that when it was rezoned to "C1" - Neighborhood Commercial District the automotive related uses were eliminated.

Commission Member Mantzey asked Staff if the rezoning was the applicant's request or the City's request. Ms. Galicia stated that the applicant submitted a rezoning request to the City. Mr. Paschal stated that it was due to a request by the Director of Planning at that time. Ms. Galicia stated that she could not speak to that. Mr. Brian

Lockley, Director of Planning, stated that he was unaware of the timeframe as to when the previous rezoning occurred and could not speak to it either.

Vice-Chairman Zepp stated that there was a number of these types of establishments on Eldorado that back up to or are across the street from residential developments. He stated that he did not see the proposed use as incapable in this area.

Chairman Cox agreed with Vice-Chairman Zepp's comments. He stated that these automotive type uses were changing for the better and you now see them in rooftop areas. Chairman Cox felt the applicant had done a good job laying out the site from what he saw in the Staff report.

Vice-Chairman Zepp stated that he could see why Staff recommended denial on the request; however, this was not the traditional automotive repair shop.

Chairman Cox reiterated that Mr. Paschal stated that all work should be completed the same day and there would not be any vehicles staying overnight on the outside of the property.

On a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission voted to recommend approval of the request based up on the applicant's request, with a vote of 6-1-0. Commission Member Kuykendall voted against the motion.

Commission Member Smith stated that she understood Staff's recommendation on this request. She stated that we need to strive to raise the bar instead of lowering the bar. Commission Member Smith stated that some items could be addressed with the next request on the agenda for this property.

Commission Member Kuykendall stated that she agrees with the Staff report.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 4, 2016.

**16-234SU2 Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for an Automotive Service and Repair Facility (Honest Auto Service), Located Approximately 425 Feet East of Jordan Road and on the South Side of Virginia Parkway**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed specific use permit request, surrounding property uses, and Staff's concerns regarding the proposed use for the subject property. She stated that Staff recommended denial of

the proposed specific use permit due to the lack of compatibility with the surrounding land uses. Ms. Galicia offered to answer questions. There were none.

Mr. Don Paschal, 904 Parkwood Ct., McKinney, TX, explained the proposed specific use permit request. He believed that the use fit the area and that there was a need for it. Mr. Paschal offered to answer questions.

Commission Member Smith had questions regarding the proposed landscaping on the subject property. Mr. Paschal explained that the plant material would be chosen from the City's approved list and they would meet or exceed the City's landscaping requirements.

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

Commission Member Mantzey asked if all bay doors had to be screened even if they do not face a right-of-way. Ms. Galicia stated that the City required that overhead doors be screened from view of residential uses and from view of public right-of-way. She discussed the proposed screening of the overhead doors on the subject property. Ms. Galicia stated that the applicant was also required to receive approval of a site plan and landscape plan.

Commission Member Mantzey asked if the applicant meets all of the City's requirements on the site plan and landscape plan that it would be approved at the Staff level. Ms. Galicia said yes.

On a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission voted to recommend approval of the specific use permit as requested by the applicant with the special ordinance provisions listed in the Staff report, with a vote of 6-1-0. Commission Member Kuykendall voted against the motion. She stated that she agreed with Staff's concerns listed in the Staff report.

Mr. Paschal stated that he had heard others say that Development Services could be difficult to work with; however, that was not his experience on this project. He stated that he knew Staff was likely to recommend denial on this request; however, Staff worked with him on the site plan and architectural input as if they were proposing the project. Mr.

Paschal stated that Staff was very easy to work with, even in the face of potential conflict. He reiterated that Staff does very well no matter what the project.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 4, 2016.

**16-165SU2 Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Self-Storage Facility (Simply Storage), Located approximately 350 Feet North of McKinney Ranch Parkway and on the East Side of Hardin Boulevard**

Ms. Eleana Galicia, Planner I for the City of McKinney, stated that Staff distributed copies of four letters of support and two letters of opposition regarding this request to the Planning and Zoning Commission. She explained the proposed specific use permit request to allow a self-storage facility (Simply Storage) to be built on the subject property. Ms. Galicia briefly discussed the proposed elevations that were included in the Staff report for informational purposes only. She briefly discussed the proposed landscaping for the subject property and the self-storage density map included in the Staff report. Ms. Galicia stated that it was Staff's professional opinion that the request could result in the overconcentration of self-storage facilities in the area. She stated that the proposed use may impede the overall development pattern from attracting meaningful commercial development. Ms. Galicia stated that the subject property services as an opportunity to create a transition to regional commercial uses proposed in the Tollway Commercial Module in the Future Land Use Module Diagram. She stated that Staff recognizes the support of the surrounding neighborhood for the request; however, was not able to support this use in the proposed location. Ms. Galicia stated that Staff had additional concerns that the approval of this request could encourage similar services or non-retail type uses in the vicinity, further reducing the potential of retail commercial development. She stated that Staff recommends denial of the proposed specific use permit as it was Staff's professional opinion that other retail commercial uses maybe more appropriate for the subject property. Ms. Galicia offered to answer questions.

Vice-Chairman Zepp asked if apartments were planned to be built to the south and east of the subject property. Ms. Galicia stated that the new McKinney High School stadium was proposed to be built to the south of this property.

Mr. Dallas Cothrum, 900 Jackson, Dallas, TX, explained the proposed specific use permit request, why he felt the proposed development was better than having a retail use at this location, and gave a presentation. Mr. Cothrum stated that most of the surrounding neighbors were in favor of the proposed development and explained why. He stated that storage was now a neighborhood use. Mr. Cothrum stated that before his client takes on a project they evaluate the various factors to determine if a location would be appropriate for their product. He explained that not all storage facilities in McKinney were compatible to what they plan to build. Mr. Cothrum stated that it was not uncommon for similar businesses to congregate and he gave examples. He did not feel that they could get a big anchor to use the whole site due to the area not having enough traffic to the area. Mr. Cothrum stated that they were planning to have retail on the property near the street. He stated that the proposed storage development would be located in the back of the property. Mr. Cothrum stated that the project would providing \$10,000,000 of taxable ad valorem for the community. He stated that the project hardly uses any City utilities and does not make a lot of trips. Mr. Cothrum stated that storage buildings were more expensive to build than retail buildings of the same height. He stated that they believe that they are right sizing the project and was not impeding the development. Mr. Cothrum stated that some of the surrounding cities were pruning their retail uses. He offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

Mr. David Zoller, 5951 Bonnard Dr., Dallas, TX, stated that he had represented the owner for over two years marketing the property. He discussed some of the uses that people had approached the owner about for the property in the past. Mr. Zoller stated that the owner of the property did not want to chop up the property, so that he became a developer of the property. He stated that they felt the proposed development was the nicest that was presented to them and would serve as a buffer to the future development along the front portion of the property. Mr. Zoller stated that the owner was very mindful of not putting not so nice retail on the property. He offered to answer questions. There were none.

Mr. John Haggarty, 2809 Vail Dr., McKinney, TX, stated that he supported the request. He stated that he lives directly behind the proposed development. Mr. Haggarty



stated that he had shared the plans for this development with the surrounding neighbors in Eldorado Pointe. He stated that he was concerned about the noise and light pollution that the future stadium might create. Mr. Haggarty stated that the proposed development should act as a buffer. He felt that there would be a large demand for storage, especially with all of the apartments being built nearby. Mr. Haggarty stated that most of the surrounding neighbors were in favor of the request and asked that the Commission take that into consideration.

On a motion by Commission Member Mantzey, seconded by Commission Member Cobbel, the Commission unanimously approved the motion to close the public hearing, with a vote of 7-0-0.

Commission Member Kuykendall asked if the Eldorado Pointe Home Owners Association (HOA), on behalf of the residents, took a formal position in support of the request. Mr. Haggarty said no. He stated that he took the position. Mr. Haggarty stated that he provided information about the project using Facebook and e-mail. He stated that most people were not interested enough to answer or look at the materials he provided. Mr. Haggarty stated that some of the residents had originally wanted the property to stay undeveloped as a field. He stated that none of the residents in his subdivision came to him saying that they did not want the project.

Commission Member Smith asked Staff to show the proximity to the future stadium and nearby elementary school. Ms. Galicia pointed those locations out on a map shown on the overhead projector.

Commission Member Mantzey asked if Staff was aware of any safety issues posed by this storage facility being located near an elementary school. Ms. Galicia stated that she was not aware of any safety issues.

Commission Member Mantzey asked if there would be increased traffic over other commercial developments. Mr. Galicia stated that self-storage facilities tends to be less intensive in terms of creating trips. She stated that the Engineering Department generally evaluated the traffic that might be generated.

Commission Member Mantzey asked Ms. Galicia if she had received any calls regarding why a self-storage facility should not be located near an elementary school. Ms. Galicia said no and that she only received the two letters of opposition on the request.

Chairman Cox read the names and letters of opposition and support that were distributed to the Commission prior to the meeting.

- Mr. Nathan Boyd was in opposition
- Ms. Jennifer Williams, 2710 Woodstream Ln., McKinney, TX, was in opposition
- Mr. William Milligan, 3429 Denver Dr., McKinney, TX, was in support
- Mr. Seth Vansell, 3421 Steamboat Dr., McKinney, TX, was in support
- Mr. Charles Huitt; 3405, 3409, and 3417 Denver Dr., McKinney, TX, was in support
- Ms. Mary Holley, 3408 Denver Dr., McKinney, TX, was in support

Commission Member McCall asked if these property owners lived nearby the subject property. He mentioned that all but one of the letters showed the property addresses. Staff had not generated a map showing these locations compared to the subject property.

Commission Member Cobbel stated that Mr. Charles Huitt listed that he owned three nearby properties.

Commission Member McCall spoke in favor of the request.

Vice-Chairman Zepp stated that typically you see a use like this at the end of the development as an in-fill property instead of at the beginning of a development.

Commission Member Mantzey stated that the proposed project provides a nice buffer to the possible retail on the front of the property and the stadium to the south. He stated that he did not feel that it would pose any risk to the elementary students with the reduced trips in the area. Commission Member Mantzey stated that he respected Staff's opinion trying to keep as much commercial as possible. He stated that this seemed like a viable project to him and explained why.

Commission Member Kuykendall stated that she agreed with Staff's recommendation since this was a highly visible area. She asked Staff to briefly explain why Staff was recommending denial of the request. Ms. Galicia stated that unlike other specific use permit requests for self-storage facilities there were two hard corners adjacent to the subject property that were undeveloped that could be developed in the

future for commercial uses. She stated that there were also large tracks of land north of State Highway 121 that were undeveloped and zoned for commercial uses. Ms. Galicia stated that the proposed development would set the tone for the type of commercial uses that developed in the surrounding area.

Commission Member Kuykendall stated that since this would be near the stadium, she felt it would be very visible to the residents and anybody visiting McKinney. Ms. Galicia stated that it would establish what kind of development pattern we would see in that area, not just this corner, but as a whole.

Commission Member McCall stated that the stadium would be the focal point of that area. Commission Member Kuykendall agreed; however, stated that folks coming to McKinney would also see what was located near the stadium. She stated that a self-storage facility would set the tone of what was being developed nearby.

Commission Member Cobbel stated that after the self-storage facility was built that there would be plenty of area remaining at the major corners. She felt that it was designed properly and would be covered up by future development of pads sites on the property. Commission Member Cobbel stated that they were trying to do it right from the beginning and not an infill project. She stated that this still leaves the frontage of Hardin Blvd. and McKinney Ranch Pkwy.

Chairman Cox stated that this was not one of the areas that we were currently focusing on bringing retail into McKinney. He stated that this was a good use for this portion of the property. Chairman Cox stated that there were still areas remaining to develop retail. He stated that he was in favor of the request.

Commission Member Smith stated that she agreed with Staff's recommendation. She stated that she did not see this as a positive contribution to this retail commercial corner. Commission Member Smith stated that development here could set the tone for future development in the area. She stated that she preferred to see a higher use that adds more value. Commission Member Smith stated that she did not see anything that was aesthetically appealing.

Vice-Chairman Zepp stated that if we were not looking at this now, then we would be in another four years, and that it would be almost exactly the same. He stated that he did not see a big box user going into an interior area like this. Vice-Chairman Zepp stated

that there would be development there; however, it would not be that deep. He stated that there was flood-plain to the southwest of this property.

Commission Member Smith stated that she considered property that surrounded a mega high school stadium to be prime property for a higher use.

Commission Member Kuykendall stated that she agreed with Commission Member Smith. She reiterated that this was going to set the tone for the area right out of the gate. Commission Member Kuykendall suggested that we revisit it later on.

On a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission voted to recommend approval of the specific use permit as request by the applicant, with a vote of 5-2-0. Commission Members Kuykendall and Smith voted against the motion.

Council Member Branch and Alternate Commission Member McReynolds left the meeting.

**14-068FR2 Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for a Multi-Family Residential Development (McKinney Urban Village), Located Approximately 850 Feet North of Frisco Road and on the West Side of State Highway 5 (McDonald Street)**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed facade plan appeal and gave a brief history of the previous requests on this development. She stated that the applicant was requesting approval of a facade plan appeal for the covered parking structures for McKinney Urban Village. Ms. Galicia stated that a meritorious exception (14-269ME) was approved on October 14, 2014 by the Planning and zoning Commission to modify the exterior finishing materials and to allow for the construction of covered parking structures designed to have the appearance of wood trellises, but would be constructed of fiber glass. She stated that the facade plan appeal was being requested because the proposed elevations for the covered parking structure featured exposed steel columns. Ms. Galicia stated that the architectural standards requires that all covered parking structures for multi-family residential uses be covered in similar materials of the main building. She stated that the standards specifically excludes exposed steel or timber supporting columns for covered parking structures. Ms. Galicia stated that Staff was of the opinion that a similar design could be accomplished with the use of masonry columns, since the use of steel columns does not meet the

requirements of the Architectural Standards. She stated that Staff was recommending denial of the proposed facade plan appeal due to the proposed elevations for the covered parking structure columns not meeting the requirements of the City's Architectural Standards. Ms. Galicia offered to answer questions. There were none.

Mr. Paris Rutherford, 7001 Preston Rd., Dallas, TX, stated that he was a developer and one of the owners of McKinney Urban Village at the Medical District. He explained the proposed facade plan appeal and gave a brief history of the previous requests on this development. Mr. Rutherford gave a preservation. He felt this was the nicest project in our Community for this type of use. Mr. Rutherford stated that it would be a very pretty facility and the rents would reflect it. He stated that every unit would have a nice view. Mr. Rutherford stated that carports made out of fiber glass was ridiculous. He stated that they originally proposed to build carports that looked like wood trellises; however, now they do not like the look of the flat angle on the tops of those units. Mr. Rutherford stated that they feel it would look better with a pitched roof and would create a softer view when viewed from above. He stated that the proposed covered parking structures made out of steel columns and metal roofing would be better and more expensive than what was currently allowed to be built. Mr. Rutherford stated that 25 of the 44 apartment complexes that they looked at in McKinney had painted steel columns. He stated that they were proposing to develop a community at this site that would hold its value over time.

Commission Member Smith asked for clarification that the trellis design for the covered parking structures was off the table. Mr. Rutherford stated that he did not feel it was the right thing to build.

Commission Member Smith asked Mr. Rutherford why he was asking for an appeal of the existing standards. Mr. Rutherford stated that he was trying to have a design within the interior courts that could not be seen from street to be congruent with the architecture around them. He stated that he was not trying to say the City's standards were bad standards.

Commission Member Smith asked why the structures would not have enough space around the columns for masonry. Mr. Rutherford stated that they were willing to

clad the steel columns in a wood cladding. He stated that they were very proud of the project.

Commission Member Cobbel wanted to clarify that the carports could only be seen from the interior to the development and not the right-of-way. Mr. Rutherford stated that was correct. He pointed out where they proposed to build the covered parking structures.

Commission Member Mantzey wanted to clarify that they wanted to build covered parking structures with a pitched roof and did not want to have brick or stone around the steel columns. Mr. Rutherford stated that there was a dimensional issue due to the tight parking space available. He stated that they would lose parking spaces if they clad the columns in a masonry product. Mr. Rutherford stated that they could not afford to lose parking spaces and still meet the City's parking requirements.

Commission Member Mantzey asked why the original structures had a wide trellis base and now there would not be enough room for steel columns to be clad in masonry product. Mr. Rutherford stated that they would lose parking spaces due to the additional space required for the columns to be surrounded in brick.

Commission Member Kuykendall stated that the Staff report listed five factors that when considering a facade plan appeal the Planning and Zoning Commission needed to consider. She suggested that the Commission look at the factors outlined in the Staff report when making a decision on this request.

Commission Member Mantzey asked if Staff had an issue with the proposed pitched roof. Ms. Galicia said no. Mr. Rutherford stated that it does not appear to be an issue with the proposed pitched roof; however, what product is used for the columns.

Commission Member Kuykendall briefly discussed what she recalled on the consideration of the meritorious exception (14-269ME) from the October 14, 2014 Planning and Zoning Commission meeting. Mr. Rutherford offered to paint the proposed steel columns white or by applying painted wood plank, possibly cedar, on the front of the steel columns. He stated that by doing this they would not lose any parking spaces. Mr. Rutherford stated that the proposed steel columns and metal roofing structures costs more than what is currently approved to be built on the property.

Commission Member Smith how many parking spaces they would lose if they had to brick the posts. Mr. Rutherford stated that they could lose between two – four parking spaces.

Commission Member McCall asked if they would still meet the City's parking requirements if they lost these spaces. Mr. Rutherford stated that they had already lost spaces along the way with adding additional landscape and some other things. He stated that they could not lose any more parking spaces and the project would be less marketable with less spaces. Mr. Rutherford stated that they were not planning to build anything ugly.

Commission Member Smith asked Staff if the photographs that Mr. Rutherford showed of other multi-family parking structures in McKinney might have been built prior to the current standards were adopted. Ms. Galicia stated that the first set of architectural standards were adopted in 2000 and then revised in 2014. She stated that provision had already been in the architectural standards. Ms. Galicia stated that she could not speak on when all of the multi-family developments were built in McKinney; however, she would assume that the examples Mr. Rutherford showed were built prior to 2000. She stated that these architectural standards were in place the first time the applicant came in to develop the McKinney Urban Village. Ms. Galicia stated that was why they requested the meritorious exception in 2014.

Commission Member Smith asked how the applicant could meet the City's parking requirement if they have to brick the columns. Ms. Galicia stated that 392 parking spaces were required for the project. She stated that they were currently proposing to provide 394 parking spaces, which leaves two extra parking spaces. Ms. Galicia stated that she could not speak to how many parking spaces that they would lose if they installed brick around the columns. She felt that the supporting columns could be strategically placed to accommodate those spaces. Ms. Galicia stated that the City usually required a 9' width for parking spaces. She stated Staff would be willing to work with the applicant to allow some of the parking spaces to be a couple of inches less than 9' in width to offset the difference.

Commission Member Smith wanted to clarify that the cedar material surrounding the columns that the applicant had earlier discussed in the meeting was not an allowable

use. Ms. Galicia stated that was correct. She stated that having cedar around the columns had not come back up prior to this meeting.

Mr. Rutherford stated that he had a discussion with Mr. Brian Lockley, Director of Planning for the City of McKinney, regarding the possibility of having cedar slats on the steel columns. He stated that the other multi-family residential facilities that he gave as examples of having steel columns earlier were all built after 2000. Mr. Rutherford stated that when he asked Staff about how they were able to get approved, he was told they received a meritorious exception. He stated that they were proposing covered parking structures with multiple columns and cited about four per structure. Mr. Rutherford stated that when you add the width of the masonry on the steel columns that it adds up to about 1 ½ - 2 feet. He stated that he appreciated Staff's willingness to reduce the width of the parking spaces; however, he did not feel comfortable with compact spaces. Mr. Rutherford stated that they had a commitment to quality and wanted to build something aesthetically pleasing for this \$34,000,000 investment. He reiterated that building the covered parking structure out of fiberglass did not make sense to him.

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

Vice-Chairman Zepp asked if the masonry columns were load bearing. Ms. Galicia stated that she would not be available to ask his question. Chairman Cox stated that most likely the columns would have a metal column inside the masonry supporting the structure.

Commission Member Cobbel stated that she liked the general look of the entire project. She stated that the proposed carports were on the interior of the project and not visible from any right-of-way and went along with the project's architectural aspect. Commission Member Cobbel stated that she did not have an issue with the applicant's request.

Commission Member Mantzey stated that it was a complete change from the original proposal and at the very end of construction, which placed the Commission and



Staff in a bind. Vice-Chairman Zepp pointed out that the columns would be made out of fiberglass.

Commission Member Kuykendall stated that she appreciated the applicant's and Staff's willingness to work together on this project. She stated that she appreciated that the applicant brought another option forward.

Commission Member McCall stated that he was more concerned with the project having enough parking spaces available to meet the need. Commission Member Kuykendall stated that she agreed with Commission Member McCall; however, Staff stated that the project has two additional parking spaces available. Commission Member McCall stated that there would always be more parking spaces available at multi-family facilities.

Mr. Lockley stated that when the applicant contacted him he was requesting to have steel columns wrapped in wood. He stated that the minutes for the October 14, 2014 Planning and Zoning Commission meeting specifically call for the structure to be made out of fiberglass material instead of wood. Mr. Lockley stated that since wood was specifically called out, he requested the applicant to come back before the Commission for the appeal process. He suggested that the steel columns be wrapped in some type of wood material so that it would not take up too much space around the columns that it would not decrease the number of parking spaces. Mr. Rutherford stated that wrapping the steel columns in a painted wood so that it was light would be acceptable to him. He apologized for not catching what was approved at the October 14, 2014 meeting.

Mr. Lockley asked if Staff had any issues with the new design versus the previous trellis design. Ms. Galicia stated that Staff did not have any issues with the new pitched roof design, since the architectural standards has no regulations in terms of the roof type. She did not feel that the new pitched roof would need to be a part of facade plan appeal approval.

Commission Member Mantzey wanted to clarify that it would be surrounded with wood or a simulated wood material that would be painted. Mr. Lockley stated that was what he was recommending.

Commission Member McCall wanted to clarify that it would have steel posts wrapped in the wood material. Mr. Lockley said yes.

Vice-Chairman Zepp asked if they needed to say something in the motion about revoking the fiberglass material that was previous approved. Mr. Lockley said no and that this motion would supersede it.

The Commission Members and Staff and discussed how best to make the motion. Mr. Matt Robinson, Planning Manager for the City of McKinney, Pointed out that wood and steel posts were prohibited in the City's ordinance.

Commission Member Smith stated that the applicant was going for a visual effect when they applied for the meritorious exception than it being tied down to a specific material.

Mr. Robinson spoke with the applicant and stated that the applicant was okay with either the exposed steel columns or steel columns wrapped in wood cladding.

On a motion by Commission Member Cobbel, seconded by Commission Member Smith, the Commission unanimously voted on the motion to approve the facade plan appeal with the requirement that the covered parking structures be approved using metal posts, gabled roof with a 4x12 pitch, two posts at every two spaces, decorative light at the underside of the gables, and the metal posts be completed with a wood material facade, with a vote of 7-0-0.

**16-183SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit and Site Plan Request to allow for a Wholesale Retail and Tire Service Center with a Motor Vehicle Fuel Sales Facility (Costco), Located on the Northeast Corner of U.S. Highway 380 (University Drive) and Hardin Boulevard (REQUEST TO BE TABLED)**

Ms. Eleana Galicia, Planner I 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. She stated that Staff would re-notice prior to an upcoming Planning and Zoning Commission meeting.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member McCall, seconded by Commission Member Cobbel, the Commission voted unanimously to close the public hearing and table the proposed site plan request indefinitely as recommended by Staff, with a vote of 7-0-0.

**16-183FR Conduct a Public Hearing to Consider/Discuss/Act on a Façade Plan Appeal for a Wholesale Retail and Tire Service Center with a Motor Vehicle Fuel Sales Facility**

**(Costco), Located on the Northeast Corner of U.S. Highway 380 (University Drive) and Hardin Boulevard (REQUEST TO BE TABLED)**

Ms. Eleana Galicia, Planner I 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. She stated that Staff would re-notice prior to an upcoming Planning and Zoning Commission meeting.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Smith, seconded by Vice-Chairman Zepp, the Commission voted unanimously to close the public hearing and table the proposed site plan request indefinitely as recommended by Staff, with a vote of 7-0-0.

**16-172PFR Conduct a Public Hearing to Consider/Discuss/Act on a Preliminary-Final Replat for Lots 1-6, Block A, of the White Avenue Addition, Located on the Northeast Corner of White Avenue and North Kentucky Street**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed preliminary-final replat. She stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff report and offered to answer questions. There were none.

Mr. Ron Lustig, 733 Creek Valley, Allen, TX, offered to answer questions.

Chairman Cox stated that the product sounded interesting and asked where the Commission might see something similar to the proposed development. Mr. Lustig stated that they submitted some architectural renderings and elevations with this request. Ms. Galicia explained that elevations were submitted; however, they were not considered during the platting process and were not included in the Staff report for this preliminary-final replat request.

Mr. Lustig mentioned some of the other developments they had completed in McKinney and briefly discussed the proposed development on the subject property.

Commission Member Smith asked if all of the Tudor style homes that they built on Tennessee Street had been sold. Mr. Lustig stated that they have sold six of the ten Tudor style homes on Tennessee Street. Commission Member Smith felt these homes were lovely.

Mr. Lustig stated that they propose to build attractive homes on the subject property, which had sat vacant for in excess of 50 years. He gave a brief history of the

property. Commission Member Smith stated that she was excited to see this development on the property. She stated that it would be an exceptional upgrade and esthetic value to the area.

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

Chairman Cox stated that the Planning and Zoning Commission was the final authority on this preliminary-final replat request.

Chairman Cox called for a brief five minute break in the meeting.

**16-231MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lot 1, Block 1, of the Mitchell Clinic Addition, Located on the Northwest Corner of White Avenue and U.S. Highway 75 (Central Expressway)**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed minor replat. She stated that the applicant was proposing to combine two lots into one lot. Ms. Spriegel stated that the applicant had indicated that this lot would be used for a CarMax with automobile sales, repair, and carwash. She stated that Staff recommends approval of the proposed minor replat as conditioned in the Staff report and offered to answer questions. There were none.

Mr. Randall Siemon, Dunaway and Associates, 170 N. Preston, Prosper, TX, offered to answer questions. Chairman Cox asked Mr. Siemon if he read the Staff report and agreed with all four conditions listed in the Staff report. Mr. Siemon said yes.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and approve the proposed minor replat as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for the proposed minor replat.

**16-196SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Street Subdivision (Emerald Heights), Located Approximately 140 Feet South of Gray Branch Road and on the East Side of Ridge Road**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed specific use permit request. She stated that the request was for a private street subdivision (Emerald Heights) that would develop in accordance with the Concept Plan and Entrance exhibits located in the Staff report. Ms. Galicia stated that the development would include 43 single-family residential lots and 4 common areas. She stated that Staff recommends approval of the proposed specific use permit for a private street subdivision and offered to answer questions.

Chairman Cox asked if the subdivision was platted and if the only issue being considered was the entrance to the subdivision. Ms. Galicia stated that this request was to allow for a gated community. She stated that the applicant had submitted as associated preliminary-final plat for this development.

Ms. Traci Shannon Kilmer; Dowdey, Anderson & Associates, Inc.; 5225 Village Creek Dr.; Plano, TX; briefly explained the proposed specific use permit request and concurred with the Staff report. She offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Zepp, seconded by Commission Member Cobbel, the Commission voted unanimously to close the public hearing and recommend approval of the specific use permit as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 4, 2016.

**16-250Z      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 "SO" - Suburban Office District, Located Approximately 1,085 Feet East of Custer Road and on the South Side of Collin-McKinney Parkway**

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed rezoning request. She stated that the current zoning on the subject property required that all buildings consist of a minimum of two stories and a maximum of three stories in height. Ms. Galicia stated that the applicant was requesting the property be rezoning to allow for some development of single-story office uses on the subject property. She stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Blvd.; McKinney, TX; stated that he concurred with the Staff report and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Smith, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 4, 2016.

**16-257M      Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146, Appendix F-4 (Schedule of Uses) and Appendix G (MTC - McKinney Town Center Zoning District) of the Zoning Regulations**

Mr. Matt Robinson, Planning Manager for the City of McKinney, discussed the proposed amendments to Section 146, Appendix F-4 (Schedule of Uses) and Appendix G (MTC – McKinney Town Center Zoning District) of the Zoning Regulations pertaining to adding a use category for utility substation or regulation station and to require a SUP in all zoning and character districts. He stated that recently the City was approached by a utility substation provider about the possibility of having a power substation along one of McKinney's prime commercial development corridors. Mr. Robinson stated that since the utility substations were currently permitted in every zoning district within the City, the City had little say in the site selection process. He stated that the proposed changes would allow the City to give some feedback on future substation locations. Mr. Robinson offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Zepp, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and recommend approval of the proposed amendments to Section 146, Appendix F-4 (Schedule of Uses) and Appendix G (MTC – McKinney Town Center Zoning District) of the Zoning Regulations pertaining to adding a use category for utility substation or regulation station and to require a SUP in all zoning and character districts, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on September 20, 2016.

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

Chairman Cox declared the meeting adjourned at 9:10 p.m.

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BILL COX  
Chairman