

Draft Planning and Zoning Commission Meeting Minutes of May 26, 2020:

20-0003SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automobile Sales, Repair, or Storage (Brandon Tomes Subaru), Located Approximately 870 Feet East of Hardin Boulevard and on the North Side of State Highway 121 (Sam Rayburn Tollway). Ms. Danielle Mathews, Planner II for the City of McKinney, explained the proposed specific use permit. She discussed the surrounding zoning and developments. Ms. Mathews stated that the applicant was requesting a specific use permit to allow for automobile sales, repair, or storage (Brandon Tomes Subaru) because the current zoning for the subject property required that a specific use permit be granted for a car dealership at this site. Ms. Mathews stated that the applicant has submitted an exhibit, detailing building location, parking areas, and ingress/egress points. She stated that Staff must consider not only the specific use permit criteria in the Ordinance, but the Comprehensive Plan, which identified the preferred scenario as the Collin McKinney Commercial District and designated the placetype as Entertainment Center. Ms. Mathews stated that Staff felt the site should be preserved in an effort towards diversifying entertainment mix in the City, as well as to provide cultural and community amenities. Ms. Mathews stated that, amongst other reasons, in 2018 City Council approved a resolution that required specific use permits for auto related uses, in an effort to preserve U.S. Highway 75 (Central Expressway) and State Highway 121 (Sam Rayburn Tollway) for uses that enhanced McKinney's presence along these major corridors. She stated

that Staff had not received any letters of support or opposition to the request, and that Staff recommended denial of the proposed specific use permit. She added that if the Commission decided to recommend approval of the request that the special ordinance provisions listed in the Staff Report shall apply. Ms. Mathews offered to answer questions. There were none. Mr. Bob Roeder; Abernathy, Roeder, Boyd, & Hullett, P.C.; 1700 Redbud Blvd.; McKinney, TX; explained the proposed specific use permit. He stated that the proposed use would be compatible with the surrounding uses, and that there should be appropriate access at this location. He stated that, while the Comprehensive Land Use Plan designates the area from Highway 75 (Central Expressway) to Custer Road as Entertainment Center, it was highly unlikely the subject property would ever develop for Entertainment Center type uses. He stated that an automotive use would be the highest and best use at this location. Mr. Roeder then explained that we are in a unique situation with the COVID-19 lockdown, and life might not be the same afterwards. He stated that this project would put \$12 million ad valorem tax value on the ground, would almost double the number of employees compared to the current location, and that these jobs have an average annual salary of \$68,000 plus benefits. Mr. Roeder stated that the Tomes family has been a vital and important citizen of McKinney for a number of years, and that this would be a first-class development. Mr. Roeder 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 Mantzey, seconded by Commission Member Haeckler, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey

stated that the Tomes family has been a good citizen of McKinney, business owners for a long time, and do quality projects. He stated that automobile dealerships provided valuable jobs to the community and people will continue to purchase vehicles. Vice-Chairman Mantzey stated that he felt this request deserved to be recommended for approval and let City Council make the final decision. Chairman Cox concurred with Mr. Roeder's comments regarding having a business ready to develop on the property now. He stated that it was important the City continue to grow, so that the citizens could afford to do the things they liked to do. Chairman Cox stated that adding \$12 million to the tax rolls was a big deal, and that the subject property was suited for the proposed development. Chairman Cox stated he would support the proposed specific use permit. Alternate Commission Member Woodruff asked if the \$12 million would include the difference in what the current site is worth or not. Mr. Roeder explained that the construction costs for this site was approximately \$12 million. Alternate Commission Member Woodruff stated that he was in favor of trying to preserve the property along Highway 121 (Sam Rayburn Tollway) for corporate campuses and getting large companies to come to McKinney in the future. He stated that on the flip side, this property is located in between an automotive dealership and an Oncor station. Chairman Cox stated that was a valid point. Chairman Cox stated that this site has some unique features that might make it difficult to develop an office building. He felt there were other sites further west more appropriate for office uses. Commission Member Kuykendall stated that limitations sometimes spark some of the best innovations, and that after all of this is over development might come back even stronger than before. Commission Member

Kuykendall stated that she tended to lean towards Staff's recommendation for denial due to City Council's stance on the issue. Alternate Commission Member Woodruff asked if the City collected tax on the available automobile inventory for sale. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that she believed the City collected tax on the available inventory based off what was still available at the end of the year. Mr. Roeder explained that dealerships pay an inventory sales tax based upon the previous year's sales for new vehicle sales and sales tax on all of the parts they sell and automotive work performed. Commission Member McCall stated that he might agree with the City's recommendation at another location in the City, but that he liked this location due to the surrounding uses. Commission Member Haeckler stated that a lot of thought went into the ONE McKinney 2040 Comprehensive Plan and the vision for this area of McKinney, and that the City Council decisions were fairly recent. He stated that he agreed with Staff's recommendation of denial. On a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission voted to recommend approval of the proposed specific use permit with the special ordinance provisions listed in the Staff report, with a vote of 5-2-0. Commission Members Haeckler and Kuykendall voted against the motion. Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 16, 2020.