

## PLANNING AND ZONING COMMISSION

MARCH 10, 2015

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, March 10, 2015 at 6:00 p.m.

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

Staff Present: Planning Manager Matt Robinson, Planner II Samantha Pickett, Planners Eleana Galicia and Aaron Bloxham, and Administrative Assistant Terri Ramey

There were approximately 20 guests present.

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

Chairperson Franklin explained the format and procedures of the meeting, as well as the role of the Commission. He announced that some of the items considered by the Commission on this date would be only heard by the Planning and Zoning Commission and others would be forwarded on to City Council. Chairperson Franklin stated that he would advise the audience if the case will go on to City Council or be heard only by the Planning and Zoning Commission. He stated that guests would need to limit their remarks to three minutes and speak only once. Chairperson Franklin explained that there is a timer located on the podium, and when one minute of the speaker's time is remaining, the light will switch from yellow to red and a buzzer will sound. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking the issues.

Chairman Franklin continued the meeting with the Consent items.

The Commission unanimously approved the motion by Vice-Chairman Hilton, seconded by Commission Member Gilmore, to approve the following two Consent items with a vote of 7-0-0.

**15-226 Minutes of the Planning and Zoning Commission Regular Meeting of February 24, 2015**

**15-038PF Consider/Discuss/Act on the Request for a Preliminary-Final Plat for Lot 1, Block A, of the Southern Hills at Craig Ranch Addition, Located on the North Side of**

**State Highway 121 (Sam Rayburn Tollway) and  
Approximately 400 Feet West of Future Craig Ranch  
Parkway.**

**END OF CONSENT**

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

**14-190Z Conduct a Public Hearing to Consider/Discuss/Act on the Request to Zone a Portion of the Subject Property to "SF5" - Single Family Residential District; and Rezone a Portion of the Subject Property from "AG" - Agricultural District and "CC" Corridor Commercial Overlay District to "SF5" - Single Family Residential District, "C2" - Local Commercial District and "CC" Corridor Commercial Overlay District, Located Approximately 1,110 Feet East of Future Ridge Road and on the North Side of U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the March 24, 2015 Planning and Zoning Commission meeting due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance.

Chairman Franklin opened the public hearing and called for comments.

Mr. George Sutton, 2520 Sunnyside Drive, McKinney, TX, had questions regarding the zoning/rezoning of this property and whether or not his property was located in this subject area being annexed into the City of McKinney. Ms. Pickett briefly explained the proposed zoning/rezoning for the property. She stated that his property was not located within this subject property.

On a motion by Commission Member Gilmore, seconded by Commission Member Zepp, the Commission voted unanimously to continue the public hearing and table the proposed zoning/rezoning request to the March 24, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**15-029Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Zone the Subject Property to "PD" - Planned Development District, Generally for Single Family Residential and Commercial Uses, Located on the East Side of State Highway 5 (McDonald Street) and on the South Side of Country Road 278 (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled to the March 24, 2015 Planning and Zoning Commission meeting due to the correct number of public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance.

Commission Member Gilmore asked why so many of the public hearing notification signs had not been posted by the applicants. Ms. Pickett stated that this applicant did not post the proper number of signs on the property to be considered properly noticed. She stated that the other applicants had not posted their public hearing notification signs on their properties by the deadline.

Chairman Franklin opened the public hearing and called for comments.

Ms. Sharon Mackenzie, 2610 Clublake Trail, McKinney, TX, expressed concerns regarding traffic issues if this property was zoned to single family residential uses. Ms. Pickett stated that some consideration had been given to the future of these roads, including adding additional roads throughout the proposed property. She stated that there was a pre-annexation agreement with this property that addressed these issues.

Ms. Mackenzie asked if the subject property had already been annexed into the City of McKinney. Ms. Pickett explained that the annexation case (#15-028A3) would be forwarded to City Council for final consideration at the April 7, 2015 meeting.

Ms. Mackenzie stated that she owns property near the subject property and her property was annexed into the City of Melissa. She pointed out where her property was located on the map displayed on the overhead screen.

Chairman Franklin mentioned that this request was being tabled tonight and suggested that Ms. Mackenzie contact Ms. Pickett to discuss the plans for the subject property. He stated that this request should be coming back before the Planning and Zoning Commission at the next meeting on March 24, 2015. Chairman Franklin stated that Ms. Mackenzie could come to that meeting to discuss her concerns, if they were not addressed by speaking with Ms. Pickett.

Mr. Gilbert Padron, 5467 N. McDonald Street, Melissa, TX, expressed concerns regarding traffic issues on Highway 5 (McDonald Street) and Telephone Road by the zoning of this property to single family residential uses. Chairman Franklin also

suggested that Mr. Gilbert discuss the request with Ms. Pickett to get more clarification on what was being proposed on the subject property.

Ms. Pickett stated that the applicant should be present at the Planning and Zoning Commission Meeting being held on March 24, 2015 to make a presentation and address concerns.

On a motion by Commission Member Kuykendall, seconded by Vice-Chairman Hilton, the Commission voted unanimously to continue the public hearing and table the proposed zoning request to the March 24, 2015 Planning and Zoning Commission meeting as recommended by Staff, with a vote of 7-0-0.

**15-042Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 450 Feet West of Hardin Boulevard and on the North Side of U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled indefinitely due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance. She stated that Staff would re-notice prior to the March 24, 2015 Planning and Zoning Commission meeting.

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

**15-025ME2 Conduct a Public Hearing to Consider/Discuss/Act on a Meritorious Exception for Holiday Inn Express, Located Approximately 1,865 Feet East of Alma Road and on the South Side of Henneman Way**

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed meritorious exception and Staff's concerns. She stated that the applicant was requesting a meritorious exception since the proposed elevations did not meet the current minimum 50% masonry per wall requirement. Ms. Galicia stated that Staff was of the opinion that the same or similar aesthetic could be achieved by using a higher percentage of masonry materials. She stated that Staff recommended denial of the

proposed meritorious exception. Ms. Galicia stated that the applicant had provided the architectural renderings for informational purposes only.

Commission Member Stevens wanted to clarify that the percentage of masonry on the exterior of the building was locked in if this request was approved as submitted. Ms. Galicia said yes. Mr. Matt Robinson, Planning Manager for the City of McKinney, stated that the Commission could include the masonry percentages per elevation in their motion as well.

Commission Member Zepp asked about the masonry requirements in the current ordinance. Ms. Galicia stated that a minimum of 50% masonry per wall was required in the current ordinance. She stated that the proposed Architectural Standards were going to City Council for consideration on March 17, 2015 and had not been approved yet. Ms. Galicia stated that the proposed Architectural Standards would require at least 25% masonry materials on each elevation for buildings that were three stories or taller. She stated that the proposed Holiday Inn Express did not meet the current requirements.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Blvd.; McKinney, TX; explained the proposed meritorious exception. He stated that his client went back to the franchisor to seek approval to increase the masonry percentages on the elevations of the proposed Holiday Inn Express. Mr. Roeder stated that the look of the structure was a part of their branding and that the franchisor preferred a contemporary look. He stated that this building would be four stories tall. Mr. Roeder felt that they would have met the 25% masonry requirement per elevation on the proposed Architectural Standards. He explained that the architectural renderings included in the Staff report had a lot of landscaping shown to make the drawing look pretty; however, that was not the landscape plan being proposed for the site.

Commission Member Zepp wanted to clarify whether or not the proposed masonry percentages would be approved under the proposed Architectural Standards. Ms. Galicia stated that the proposed Architectural Standards also had additional requirements that must be met besides the 25% masonry percentages per elevation requirement. She stated that if this request was reviewed under the proposed Architectural Standards then it would not comply with the building massing, fenestration, or roof treatment requirements.

Chairman Franklin opened the public hearing and called for comments.

Mr. David Craig, Craig International, 6850 TPC Drive, McKinney, TX, was in support of this meritorious exception. He felt the site was a perfect location for this use. Mr. Craig stated that he would not want to lose the commercial tax base or the Hotel Occupancy tax for the City if this hotel was not built at this location. He felt the applicant had gone far beyond what they originally felt could be accomplished with the brand. Mr. Craig requested approval of the request and felt it would be a great addition to the City and Craig Ranch.

On a motion by Commission Member Stevens, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Commission Member Stevens felt better about the increase in the masonry percentages with this request; however, stated that he would have liked to have seen the masonry percentages closer to 50% though.

Commission Member Gilmore stated that he felt the applicant had done a good job with increasing the masonry percentages with this request. He stated that the proposed Holiday Inn Express would be facing The Ballfields at Craig Ranch and not Sam Rayburn Tollway.

Vice-Chairman Hilton thanked the applicant for going back to the franchisor to receive approval to add more masonry materials to the elevations than what was previously presented. He felt the Holiday Inn Express would be a great asset to that area. Vice-Chairman Hilton stated that he would not want to lose the tax base generated by the proposed Holiday Inn Express.

Commission Member Stevens felt that a hotel was needed in this area; otherwise, we would be losing customers to other surrounding cities.

Commission Member Zepp expressed his concerns about this request not meeting the current or proposed Architectural Standards requirements.

On a motion by Commission Member Stevens, seconded by Commission Member Gilmore, the Commission voted to approve the meritorious exception request as requested by the applicant, with a vote of 6-1-0. Commission Member Zepp voted against the motion.

**15-043MRP Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lot 19R, Block A and Common Area CA1, Windsor Park Addition, Located at the Southwest Corner of Wallace Street and Holburn Drive**

Mr. Aaron Bloxham, Planner for the City of McKinney, explained the proposed minor replat. He stated that a letter of opposition was distributed to the Planning and Zoning Commission Members prior to the meeting. Mr. Bloxham stated that Staff recommends approval of the proposed minor replat as conditioned in the Staff report.

Commission Member Stevens asked for clarification on the location of this property. Mr. Bloxham stated that the subject property was located south of McKinney Ranch Parkway and east of Lake Forest.

Commission Member Gilmore asked if this lot was being converted to a common area for the development. Mr. Bloxham said no.

Chairman Franklin asked what the purpose was for the 10-foot common area. Mr. Martin Sanchez, Sanchez and Associates, 402 N. Tennessee Street, McKinney, TX, gave a brief history of the development process for the subject property and how the setback issue occurred. He stated that there will be a deed restriction stating that the owner of the subject property was responsible for taking care of this 10-foot common area.

Chairman Franklin opened the public hearing and called for comments.

Mr. Darren Berube, 4212 Holburn Drive, McKinney, TX, asked for clarification on who would be responsible for taking care of the common area being created. Mr. Sanchez stated that the homeowner would be responsible and it would be included in the deed restrictions on the property.

Chairman Franklin asked if a sidewalk would be in the easement on this common area. Mr. Sanchez said yes and that the sidewalk had always been planned on the property.

Mr. Berube stated that some of the documents submitted to the City stated that this common area would be maintained by the Homeowner's Association (HOA). He asked that be corrected to state that the homeowner would be responsible for maintaining this common area. Mr. Sanchez stated that would be corrected.

On a motion by Commission Member Stevens, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing and approve the minor replat as conditioned in the Staff report with the requirement that the property owner of the subject property (Lot 19R, Block A in the Windsor Park Addition) be listed as being responsible for taking care of the common area (Lot CA1, Block A in the Windsor Park Addition) in the deed restrictions for the property and on the approved plat, with a vote of 7-0-0.

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

Mr. Matt Robinson, Planning Manager for the City of McKinney, reminded the Commission Members of the Joint meeting with City Council being held on March 16, 2015 at 5:30 p.m.

There being no further business, Chairman Franklin declared the meeting adjourned at 6:45 p.m.

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RICK FRANKLIN  
Chairman