

## **PLANNING AND ZONING COMMISSION**

**SEPTEMBER 22, 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, September 22, 2015 at 6:00 p.m.

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

Commission Member Absent: Mark McReynolds

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

There were approximately seventy-five guests present.

Chairman Franklin called the regular 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 three Consent items, with a vote of 7-0-0.

**15-902 Minutes of the Planning and Zoning Commission  
Regular Meeting of September 8, 2015**

**15-196CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1, 2  
and 3, Block A, of the McKinney Seven 17 Addition,  
Located on the Southwest Corner of Stacy Road and  
Alma Road**

**15-242CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1R  
and 3, Block A, of the MovieHouse Addition, Located  
Approximately 220 Feet West of Future Craig Ranch  
Parkway and on the North Side of State Highway 121  
(Sam Rayburn Tollway)**

**END OF CONSENT**

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

**15-233Z Conduct a Public Hearing to Consider/Discuss/Act on a  
Request to Rezone the Subject Property from "PD" -  
Planned Development District to "C1" - Neighborhood  
Commercial District, Located on the Southwest Corner  
of Virginia Parkway and Crutcher Crossing**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed rezoning request. She stated that two additional letters of opposition had been distributed to the Planning and Zoning Commission prior to the meeting. Ms. Pickett stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Dave Kochalka, Kimley-Horn and Associates, Inc., 5750 Genesis Court, Frisco, TX, explained the proposed rezoning request. He stated that they worked with Staff on this rezoning request to be able to develop an assisted living facility on the property. He stated that once the zoning was approved for the property that they would work on the design of the facility. He asked for a favorable recommendation and offered to answer questions.

Commission Member Gilmore asked how many parking spaces were proposed to be built in this development. Mr. Kochalka stated that the Code of Ordinances required that they build about 90 parking spaces. He felt that was more than the facility would need.

Chairman Franklin opened the Public Hearing and called for comments.

The following people spoke in opposition of the proposed rezoning request. They expressed concerns regarding increased traffic issues, ingress and egress of the

proposed development, need for a light at the intersection of Virginia Parkway. and Crutcher Crossing, safety of the children, increased noise from emergency vehicles, decrease in property values, setting a precedent on how this development might affect the surrounding undeveloped properties in the future, how the surrounding neighbors could be involved in the development discussions of the property, preserving the green space, too many assisted living facilities in the area, and possible increase in elderly drivers. They asked for further information regarding the proposed rezoning and what could be developed on the property if the proposed use was not built. They also had questions about the meeting notification and approval process.

- Ms. Denise Henry, 501 Crutcher Crossing, McKinney, TX
- Mr. Danny Badough, 5316 Stoney Trail, McKinney, TX
- Mr. Eugene Isotti, 5501 Crystal Gant, McKinney, TX
- Ms. Marsha Coburn, 5549 Amber Way, McKinney, TX
- Ms. Lauren Corcoran, 5513 Amber Way, McKinney, TX
- Mr. John McIntosh, 5501 Amber Way, McKinney, TX
- Mr. Michael Griggs, 5513 Turtle Way, McKinney, TX
- Mr. Pat Jackson, 5120 Sandy Court, McKinney, TX
- Mr. Shane Hadlock, 5312 Sandstone Lane, McKinney, TX
- Mr. Brandon Shangraw, 5316 Sandstone Lane, McKinney, TX
- Mr. Sam Henry, 501 Crutcher Crossing, McKinney, TX
- Ms. Susannah McIntosh, 5501 Amber Way, McKinney, TX
- Ms. Laurie Nichter, 5201 Stoney Trial, McKinney, TX
- Mr. Perry Powell, 5428 Broken Bend Drive, McKinney, TX
- Mr. Tomas Hernandez, 5210 Hawks Nest, McKinney, TX
- Ms. April Schnable, 5532 Amber Way, McKinney, TX
- Ms. Theresa Weishaar, 204 S. Village Drive, McKinney, TX
- Mr. Phillip Crespin, 520 Crutcher Crossing, McKinney, TX
- Ms. Paula Taylor, 220 S. Village Drive, McKinney, TX
- Ms. JoAnne Isotti, 5501 Crystal Court, McKinney, TX
- Ms. Denise Adamson, 520 Rack Ridge Way, McKinney, TX

- Ms. Angie Clark, 312 S. Village Drive, McKinney, TX
- Mr. Bill McAlister, 5608 Turtle Way, McKinney, TX
- Ms. Helanda Crespín, 520 Crutcher Crossing, McKinney, TX

The following people turned in speaker cards in opposition to this request; however, did not wish to speak during the meeting.

- Mr. Christian Adams, 5413 Turtle Way, McKinney, TX
- Mr. Isaac Barkel, 5525 Broken Bend Drive, McKinney, TX
- Ms. Kathleen Barry, 5405 Crystal Court, McKinney, TX
- Mr. Carlton Buesing, 309 Blue Spring Drive, McKinney, TX
- Ms. Jan Buesing, 309 Blue Spring Drive, McKinney, TX
- Ms. Sherry Jackson, 5120 Sandy Court, McKinney, TX
- Ms. Barbara Kurlan, 5529 Amber Way, McKinney, TX
- Mr. Henry Nieves, 5320 Stone Brooke Crossing, McKinney, TX
- Mr. Dan Nissen, 308 Turtle Court, McKinney, TX
- Ms. Allyson Nissen, 308 Turtle Court, McKinney, TX
- Ms. Camille Primerano, 5513 Crystal Court, McKinney, TX
- Mr. Philip Primerano, 5513 Crystal Court, McKinney, TX
- Ms. Nancy Sallow, 5206 Hawks Nest, McKinney, TX
- Mr. Kyle Schnable, 5532 Amber Way, McKinney, TX
- Mr. Fernando Vazquez, 5324 Stone Brooke Crossing, McKinney, TX

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

Chairman Franklin explained that the Planning and Zoning Commission would be making a recommendation to City Council regarding the rezoning request. He stated that there would be a separate public hearing held by City Council to consider the rezoning request where the surrounding residents could also voice their opinions. Mr. Matt Robinson, Planning Manager for the City of McKinney, explained that this meeting was only considering the rezoning of the property. He explained that a site plan had not been submitted for consideration as of yet.

Ms. Samantha Pickett, Planner II for the City of McKinney, explained that a property owner's notice postcard was mailed 10 days prior to the meeting to property owners that live within 200 feet of the subject property. She stated that zoning signs were posted on the property at least a week prior to the meeting and Staff verified that they were posted on the property. Ms. Pickett stated that the meeting agenda was posted online and outside of City Hall at least three days prior to the meeting. She stated that a notice would also be placed in the McKinney Courier-Gazette prior to the rezoning request going before City Council.

Ms. Pickett briefly discussed the current zoning on the property and the uses that could currently be built on the property. She stated that a lot of the uses would stay the same under the proposed rezoning request and mentioned the additional uses.

Commission Member Gilmore asked about the height limit set by the proposed rezoning request. Ms. Pickett stated that the current and proposed height limit would be 35 feet. She stated that would limit it to a maximum of two stories.

Vice-Chairman Hilton asked about the proposed parking requirements. Ms. Pickett stated that one space per six beds was required for an assisted living facility. She also stated that one space per 400 square feet of office space would be required for general office uses.

Commission Member Gilmore asked about entrances to the proposed development. Ms. Pickett stated that the developer would request certain entrances when they submit their site plan. She stated that it would be reviewed by Staff from the Engineering and Fire Departments to verify that it met the City's requirements.

Chairman Franklin asked if it would be possible to have two access points off of Virginia Parkway for this proposed development. Mr. Matt Sneed, Traffic Engineer for the City of McKinney, stated that it might be possible; however, it would need to be researched further.

Commission Member Gilmore asked if the City would have a traffic study done on Crutcher Crossing prior to allowing an entrance to that street. Mr. Sneed stated that they typically do traffic studies to assess what impacts a development would have to an area. He stated that Virginia Parkway would be widened from four lanes to six lanes next year. Mr. Sneed stated that a traffic signal would be installed at the Virginia

Parkway and Crutcher Crossing intersection at that time. He believed that the traffic signal should go in prior to any development on the property.

Chairman Franklin asked what the zoning was for the property on the other side of Crutcher Crossing. Ms. Pickett stated that it would fall under the same existing zoning category as the subject property.

Mr. Pickett stated that if the small creek that runs through this area was in the floodplain then only up to 30% of the quality trees could be removed from that area. She stated that there would still be a large swath of trees that would create a significant buffer between the proposed property and the residential development to the south.

Commission Member Zepp asked for additional uses that would be allowed in the proposed "C1" – Neighborhood Commercial District. Mr. Pickett stated that the following uses that would be allowed by right if the rezoning request was approved: assistant living facility, fitness club, bakery, florist, retail store, and veterinary clinic with no outside runs.

Commission Member Gilmore had questions regarding the widening of Virginia Parkway and the new traffic signal. Mr. Sneed stated that the new traffic signal was proposed to be on a two-minute cycle, which should greatly help the residents. He stated that the rough numbers of an assisted living facility show a low impact with an increase of about 15 cars during the peak periods of the day.

Commission Member Kuykendall had questions regarding the impact of emergency vehicles from an assisted living facility. Mr. Dave Kochalka, Kimley-Horn, stated that the facility might have 90 beds. He stated that there would be some emergency vehicles to the facility. Mr. Kochalka stated that the assisted living facility staff would be the majority of the people coming and going from the facility on a day-to-day basis. He felt it would be a quiet use on the property. Mr. Kochalka stated that they would work with City Staff to try to come up with the best solution for the ingress and egress to the property. He stated that there was already an issue at that intersection that had nothing to do with the proposed development on the property. Mr. Kochalka stated that he preferred to keep an entrance on Crutcher Crossing and explained why.

Commission Member Stevens asked if not having an entrance on Crutcher Crossing could be a condition of approving the rezoning request. Mr. Matt Robinson,

Planning Manager for the City of McKinney, explained that the item could be tabled and then request to rezone the property as a “PD” – Planned Development District to address some concerns.

Chairman Franklin felt that tabling the request would be the best option with all of the surrounding neighbors’ concerns. He stated that this would allow the developer to meet with the surrounding neighbors.

Mr. Kochalka stated that the proposed assisted living facility would be a far less intrusive use than what was currently allowed to go on the property. He stated that the problems with that intersection had nothing to do with the proposed rezoning request. Mr. Kochalka stated that he would like to work with the City’s Engineering Department Staff to see what the best solution would be for the ingress and egress of the property.

Mr. Randall Johnson, 8415 East 21<sup>st</sup> Street, Suite 100, Wichita, Kansas stated that they had met with the Stone Brooke Crossing Homeowner’s Association (HOA) about a month ago. He stated that the assisted living and memory care facility would be a low impact use. Mr. Johnson stated they might have 50 employees at the facility spread out over a 24-hour period of time. He stated that the Crutcher Crossing entrance would be for visitors and that these facilities usually did not have many visitors. Mr. Johnson stated that generally no one living in these facilities drove anymore. He stated that he would prefer to see the request go on to City Council to make a decision on the rezoning request.

Commission Member Kuykendall stated that tabling the request would allow additional time for the developer to get more information out to the community and to address some of their concerns.

Chairman Franklin stated that he did not believe that tabling the request for two weeks would make a big difference for the developer. He stated that it would allow time to meet with the surrounding residents. Mr. Johnson stated that they had met with the Stone Brooke Crossing Homeowner’s Association (HOA) in hopes to address any concerns that they had prior to this meeting. He stated that they had a good product and ran a good operation. Mr. Johnson stated that they were open to tabling the request if it had to do with open communication.

Commission Member Stevens stated that the surrounding homeowners might be sorry if a more intense use, currently allowed by right, goes in on the property. He stated that he supported the concerns regarding an entrance at Crutcher Crossing.

Commission Member Gilmore agreed with Commission Member Stevens' comments. He felt this was the best possible fit for this property with little traffic and that they are usually very well maintained. Commission Member Gilmore stated that some allowed uses on the property could generate a lot more traffic and would not need to come before the Commission seeking approval.

Commission Member Zepp agreed with Commission Members Stevens and Gilmore's comments. He stated that this use could have the lowest traffic count of most things currently allowed on this property.

On a motion by Vice-Chairman Hilton, seconded by Commission Member Stevens, the Commission unanimously voted to table the rezoning request to the October 13, 2015 Planning and Zoning Commission meeting, with a vote of 7-0-0.

**15-215SP2 Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Luxury Seniors at Craig Ranch Apartments, Located Approximately 370 Feet East of Custer Road and on the North Side of Collin McKinney Parkway**

Mr. Aaron Bloxham, Planner I for the City of McKinney, explained the proposed site plan request and associated variances. He stated that site plans could typically be approved by Staff; however, the applicant was requesting approval to reduce amount of enclosed parking from the required 50% of the units to 30% of the units, which must be considered by City Council for their discretionary approval after consideration by the Planning and Zoning Commission. Mr. Bloxham stated that in lieu of providing the 50% of the units with an enclosed parking space, the applicant was proposing to create an innovative and quality development through building and site design. He stated that the applicant proposed to provide a number of amenities that significantly exceed the minimum three required. Mr. Bloxham stated that a "W" shaped building that was oriented towards Collin McKinney Parkway to help minimize the amount of building massing oriented towards the single family uses to the north, and the requested reduction in number of enclosed spaces also helped create some unique outdoor spaces for the future residents. He stated that Staff felt the additional amenities and



outdoor open spaces in conjunction with the building design should enhance the proposed development. Mr. Bloxham stated that Staff had no objections to the reduction in the total number of enclosed parking spaces. He offered to answer questions. There were none.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Blvd.; McKinney, TX; explained the proposed site plan and associated variances. He stated that they could build the required enclosed parking spaces for 50% of the units; however, that would be a less desirable product for the development than what was proposed. Mr. Roeder stated that the developer and property owner had visited with the surrounding neighbors to discuss the proposed development for this property. He requested a favorable approval of this request and offered to answer questions.

Commission Member Gilmore asked if transportation would be provided to the residents. Mr. Jervon Harris, 4801 Woodway Dr., Houston, TX, stated that there would be transportation provided as a convenient service to the residents. He stated that it would be scheduled around special events and gave some examples.

Chairman Franklin opened the public hearing and called for comments.

Mr. Gary McGinnis, 6101 River Highlands, McKinney, TX, stated that he was speaking on behalf of the Homeowners Association (HOA) Advisory Committee for Craig Ranch. He stated that the developer met with the Advisory Committee to hear their concerns and discuss the plans for the property. Mr. McGinnis stated that the developer also met with the residents of The Villas and The Estates at Craig Ranch.

The following people turned in speaker cards in support of the request; however, did not wish to speak during the meeting.

- Mr. Thomas Pond, 8617 Wakefield Dr., McKinney, TX
- Mr. George Scott, 5901 Heron Bay Ln., McKinney, TX

On a motion by Commission Member Stevens, seconded by Alternate Commission Member McCall, the Commission unanimously voted to close the public hearing and recommend approval of the proposed site plan request and associated variances as conditioned in the Staff report, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 6, 2015.

**14-141FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan for a Multi-Family Residential Development (Post Oak Apartments), Located on the Southeast Corner of McKinney Ranch Parkway and Future Collin McKinney Parkway**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed facade plan appeal. She stated that a letter of opposition was distributed to the Planning and Zoning Commission prior to the meeting. Ms. Pickett briefly discussed the proposed architectural elevations for the project. Material samples were distributed to the Commission Members to inspect. Ms. Pickett stated that Staff had no opposition to the proposed design and elevations proposed by the applicant. She offered to answer questions. There were none.

Mr. Levi Wild, Sanchez and Associates, 402 N. Tennessee St., McKinney, TX, explained the proposed facade plan appeal, gave a brief history of the zoning for the property, and showed a Power Point presentation. He discussed the proposed elevations and exterior materials for the property. Mr. Wild requested approval of the request and offered to answer questions. There were none.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Gilmore, seconded by Alternate Commission Member McCall, the Commission voted to close the public hearing and approve the proposed facade plans, with a vote of 6-1-0. Vice-Chairman Hilton voted against the motion. He did not give any reasons for voting against the motion.

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

There being no further business, Chairman Franklin declared the meeting adjourned at 7:22 p.m.

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RICK FRANKLIN  
Chairman