

## PLANNING AND ZONING COMMISSION

DECEMBER 12, 2023

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, December 12, 2023, at 6:00 p.m.

City Council Present: Patrick Cloutier and Rick Franklin

Commission Members Present: Chairman Bill Cox, Vice-Chairman Steve Lebo, Deidre Woodard, and Bry Taylor

Alternate Commission Members Present and Participated in the meeting: Jesserand Conrad and Aaron Urias

Commission Members Absent: Russell Buettner, Eric Hagstrom, and Charles Wattley

Staff Present: Director of Engineering Gary Graham; Director of Planning Jennifer Arnold; Planning Managers Hayley Angel and Caitlyn Strickland; Senior Planner Kaitlin Sheffield; Planner IIs Jake Bennett and Roderick Palmer; Planner I Araceli Botello; and Administrative Assistant Terri Ramey

There were six guests present.

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

Chairman Cox called for public comments on non-public hearing agenda items. There were none.

Chairman Cox called for the consideration of the Consent Items. On a motion by Commission Member Woodard, seconded by Vice-Chairman Lebo, the Commission unanimously voted to approve the following three Consent Items with minor changes to the members listed in attendance for items # 23-1017 and 23-1018, with a vote of 6-0-0.

**23-1016** Minutes of the Planning and Zoning Commission Regular Meeting of October 24, 2023.

**23-1017** Minutes of the Planning and Zoning Commission Regular Meeting of November 14, 2023.

**23-1018** Minutes of the Planning and Zoning Commission Work Session of November 14, 2023.

END OF CONSENT AGENDA

Chairman Cox called for consideration of the Regular Agenda Items and Public Hearings.

**23-0008M** Conduct a Public Hearing to Consider/Discuss/Act Amendments to the ONE McKinney 2040 Comprehensive Plan, Including Minor Updates to the Master Thoroughfare Plan.

Hayley Angel, Planning Manager for the City of McKinney, explained the proposed amendments to the ONE McKinney 2040 Comprehensive Plan. Gary Graham, Director of Engineering for the City of McKinney, answered Chairman Cox's questions. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Lebo, seconded by Alternate Commission Member Conrad, the Commission unanimously voted to close the public hearing and recommended approval of the proposed amendments as recommended by Staff, with a vote of 6-0-0.

**20-0010SP3** Conduct a Public Hearing to Consider/Discuss/Act on an Appeal of Staff's Decision for Alternate Compliance on a Site Plan (McDonald Business Park), Located at 3255 North McDonald Street.

Jake Bennett, Planner II for the City of McKinney, explained the applicant's request to appeal the decision of Staff for alternate compliance on the site plan proposed for 3255 N. McDonald Street (McDonald Business Park). He explained what the applicant was proposing to do on the property and the City's action that the applicant was appealing. Jake Bennett stated that Staff was unable to approve the proposal due to it not meeting the criteria established for alternate compliance. James Bullington, McDonald Business Park, LLC, 6612 Adobe Circle, The Colony, TX, explained that he was requesting to relocating four canopy trees and the removal of grass and installing decomposed granite in all of the terminus islands of the property. He felt that the City was trampling his constitutional rights of his private enjoyment of his private property. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Lebo, seconded by Commission Member Woodard, the Commission unanimously voted to close the public hearing and approval of the request per Staff's

recommendations, with a vote of 6-0-0. On a motion by Commission Member Woodard, seconded by Commission Member Taylor, the Commission unanimously voted to close the public hearing, with a vote of 6-0-0. Chairman Cox asked if the applicant was aware of the development standards within McKinney. Jake Bennett said yes. He stated that these are the minimum landscaping requirements that every non-residential and multi-family developer must follow within McKinney's city limits. On a motion by Commission Member Taylor, seconded by Vice-Chairman Lebo, the Commission voted to deny the request, with a vote of 5-1-0. Chairman Cox voted against the motion. He asked Jake Bennett to speak with the applicant regarding the next step in the process.

**22-0069SP** Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for a Retail Store (Sprouts), Located at 2201 Virginia Parkway.

Jake Bennett, Planner II for the City of McKinney, explained the proposed variance to the site plan request. He explained that the applicant submitted some changes to the proposed site plan since the meeting packet was posted and he discussed those changes. Jake Bennett stated that typically site plans can be approved at a staff level; however, the applicant has requested a variance which requires consideration by the Planning and Zoning Commission for approval. He stated that Staff recommends approval of the request. The applicant was not present to make a presentation. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Lebo, seconded by Commission Member Woodard, the Commission unanimously voted to close the public hearing and approval of the request per Staff's recommendations, with a vote of 6-0-0.

**22-0118SP2** Conduct a Public Hearing to Consider/Discuss/Act on Variances to a Site Plan for Auto Repair Garage (Tovi Motors), Located at 1004 South McDonald Street.

Jake Bennett, Planner II for the City of McKinney, explained the proposed seven variances to the site plan request. He stated that Staff recommends approval of the request. John Sharker, P.O. Box 1149, Leonard, TX, concurred with the Staff Report and offered to answer questions. He stated that it is a challenging site. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Taylor, seconded by Alternate Commission Member Urias, the

Commission unanimously voted to close the public hearing and approval of the request per Staff's recommendations, with a vote of 6-0-0.

**23-0081Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow for Single-Family Attached Uses (Westridge Townhomes), Located Generally on the North Side of Virginia Parkway and Approximately 420 Feet West of North Independence Parkway.

Araceli Botello, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the request. Araceli Botello answered Vice-Chairman Lebo's zoning questions. She stated that a letter of opposition from Nicholle Bechtel and copies were distributed to the Commission Members prior to the start of the meeting. Jerry Sylo, JBI Partners, 2121 Midway Road, Carrollton, TX, 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 Woodard, seconded by Alternate Commission Member Conrad, the Commission unanimously voted to close the public hearing, with a vote of 6-0-0. On a motion by Vice-Chairman Lebo, seconded by Alternate Commission Member Conrad, the commission unanimously voted to close the public hearing, with a vote of 6-0-0. Araceli Botello answered Vice-Chairman Lebo's questions regarding the proposed reduction in the minimum front yard. Jerry Sylo answered Commission Member Woodard's question on the price point of the proposed townhomes. He answered Vice-Chairman Lebo's access from the retail site question. On a motion by Alternate Commission Member Conrad, second by Vice-Chairman Lebo, the commission unanimously voted to recommend approval of the request as recommended by Staff, with a vote of 5-1-0. Commission Member Woodard voted against the motion.

**23-0103Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Zone a Portion of the Subject Property to "AG" - Agricultural District, and Zone a Portion of the Subject Property to "R5" - Residential District, Located

on the Southeast Corner of FM 543 and County Road 202 and Located on the North Side of FM 543 and Approximately 160 Feet East of Lantana Drive.

Kaitlin Sheffield, Senior Planner for the City of McKinney, explained the proposed zoning request. She stated that Staff is recommending that the 84-acre portion of the property on the southeast corner of FM 543 and County Road 202 be zoned "R5" – Residential District, generally for single family residential uses. Kaitlin Sheffield stated that the proposed zoning aligns with the Urban Living placetype designated in the Comprehensive Plan, as well as the existing Annexation and Development Agreement on the subject property, which was approved in December 2021. She stated that Staff is recommending that the 38-acre portion of the property on the north side of FM 543 be zoned "AG" – Agricultural District, generally for agricultural uses. Kaitlin Sheffield stated that Staff feels that the proposed zonings for these properties aligns with the adjacent land uses and development within the area. She stated that Staff recommends approval of the proposed zoning request. Kaitlin Sheffield stated that there is also a city-initiated annexation request (23-0004A) that will be heard at the January 2, 2024 City Council meeting. Kaitlin Sheffield stated that the anticipated adoption and action for the annexation request and this zoning request will be heard at the January 16, 2024 City Council meeting. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Lebo, seconded by Commission Member Woodard, the Commission unanimously voted to close the public hearing, recommend approval of the request as recommended by Staff, with a vote of 6-0-0.

**23-0108Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "C3" - Regional Commercial District, Located on the Southeast Corner of State Highway 5 (McDonald Street) and Harry McKillop Boulevard.

Kaitlin Sheffield, Senior Planner for the City of McKinney, explained the proposed rezoning request. She stated that recommends approval of the request. Kaitlin Sheffield answered Vice-Chairman Lebo's screening questions. Scott McMahon, North Texas Natural Select Materials, 1110 E. University Drive, Prosper, TX, explained the request

and answered the Commission Member's questions. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Woodard, seconded by Alternate Commission Member Conrad, the Commission unanimously voted to close the public hearing, with a vote of 6-0-0. On a motion by Commission Member Woodard, seconded by Commission Member Taylor, the commission unanimously voted to recommend approval of the request as recommended by Staff, with a vote of 6-0-0.

END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Chairman Cox called for Public Comments regarding matters not on the agenda. There were none.

Chairman Cox called for Commission and Staff Comments. Chairman Cox thanked Staff for their hard work.

On a motion by Vice-Chairman Lebo, seconded by Commission Member Woodard, the Commission unanimously voted to adjourn the meeting, with a vote of 6-0-0. There being no further business, Chairman Cox declared the meeting adjourned at 7:09 p.m.

The video recording of the meeting is available online through the City of McKinney video archives.

SIGNED:

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BILL COX, Commission Chair

ATTEST:

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TERRI RAMEY, Meeting Clerk

City of McKinney, Texas