



CITY OF MCKINNEY, TEXAS

Agenda

Planning & Zoning Commission

Tuesday, November 28, 2017

6:00 PM

Council Chambers
222 N. Tennessee Street
McKinney, TX 75069

PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.002, A QUORUM OF THE CITY COUNCIL MAY BE PRESENT. NO CITY COUNCIL ACTION WILL BE TAKEN.

CALL TO ORDER

CONSENT ITEMS

This portion of the agenda consists of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Commission member making such request prior to a motion and vote on the Consent items.

17-1146 [Minutes of the Planning and Zoning Commission Regular Meeting of November 14, 2017](#)

Attachments: [Minutes](#)

END OF CONSENT AGENDA

REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

17-171MRP [Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 4R and 5, Block A, of Skyline / 380 Addition, Located on the West Side of Skyline Drive and on the North Side of U.S. Highway 380 \(University Drive\)](#)

Attachments: [Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Minor Replat](#)
[PowerPoint Presentation](#)

17-291MRP [Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 8 and 9, Block B, of Bray Central Two](#)

Addition, Located at the Northeast Corner of U.S Highway 75
(Central Expressway) and Bray Central Drive

Attachments: [Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Minor Replat](#)
[PowerPoint Presentation](#)

COMMISSION AND STAFF COMMENTS

Comments relating to items of public interest such as staff recognition, development trends, the status of special Planning Department projects, and other relevant information.

ADJOURN

Posted in accordance with the Texas Government Code, Chapter 551, on the 20th day of November, 2017 at or before 5:00 p.m.

Sandy Hart, TRMC, MMC
City Secretary

In accordance with the Americans with Disabilities Act, it is the policy of the City of McKinney to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at least 48 hours in advance of the event. Phone 972-547-2694 or email contact-ada.compliance@mckinneytexas.org. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. ADA grievances may also be directed to the ADA Coordinator or filed online at <http://www.mckinneytexas.org/ada>.



17-1146

TITLE: Minutes of the Planning and Zoning Commission Regular Meeting of
November 14, 2017

SUPPORTING MATERIALS:

[Minutes](#)

PLANNING AND ZONING COMMISSION

NOVEMBER 14, 2017

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building, 222 N. Tennessee Street, McKinney, Texas on Tuesday, November 14, 2017 at 6:00 p.m.

City Council Present: Mayor George C. Fuller

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

Commission Member Absent: Cam McCall

Staff Present: Director of Development Services Michael Quint, City Secretary Sandy Hart; Director of Planning Brian Lockley; Planning Managers Matt Robinson and Samantha Pickett; Planners Danielle Quintanilla, Melissa Spriegel, and David Soto; and Senior Planning Technician Rhys Wilson

There were approximately 25 guests present.

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

The Commission unanimously approved the motion by Alternate Commission Member McReynolds, seconded by Vice-Chairman Mantzey, to approve the following two Consent items, with a vote of 6-0-1. Commission Member Zepp abstained.

**17-1135 Minutes of the Planning and Zoning Commission
Regular Meeting of October 24, 2017**

**17-253CVP Consider/Discuss/Act on a Conveyance Plat for Lots 1
and 2, Block A of the Cross Timbers Addition, Located
at 1301 N. Custer Road**

END OF CONSENT

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

**16-289Z4 Conduct a Public Hearing to Consider/Discuss/Act on a
Request to Rezone the Subject Property from "ML" -
Light Manufacturing and "RG-18" - General Residence
District to "PD" - Planned Development District to allow
for Multi-Family, Live/Work and Retail Mixed Uses,
Generally Located on the Southwest Corner of U.S.**

Highway 380 (University Drive) and Throckmorton Street

Mr. Matt Robinson, Planning Manager for the City of McKinney, explained the proposed rezoning request. He also gave a brief background on this request. Mr. Robinson stated that the applicant was requesting to rezone approximately 12.75 acres of land from “ML” – Light Manufacturing and “RG-18” – General Residence District to “PD” – Planned Development District, generally to allow for a mix of multi-family apartments, live/work dwellings, and retail uses. He stated that the generic concept plan shows the property being broken up into two development tracts. Mr. Robinson stated that Tract 2 would consist solely of multi-family uses. He stated that Tract 1 is proposed to have a mixture of mixed use retail, live/work, office, with multi-family residential on the upper floors. Mr. Robinson stated that as part of the development regulations the applicant has proposed special ordinance provisions consisting of maximum building heights for multi-family structures being raised from two stories to three stories, no requirement for enclosed parking spaces, establish a vehicle parking guidelines at 1.7 parking spaces per residential unit as opposed to 1 parking space per unit and 0.5 space per bedroom, 50 percent of units in Tract 2 will have direct ground floor access, all buildings within Tract 2 will have 65 percent masonry up front the 50 percent masonry of the multi-family units, and proposed an internal trail system. He stated that Staff has concerns related to the request for the area along U.S. Highway 380 (University Drive). Mr. Robinson stated that the Future Land Use Plan (FLUP) shows this area to be “ML” – Light Manufacturing uses. He stated that Staff also have concerns about conformance with the multi-family policy, which states that if the request is in non-compliance with the Future Land Use Plan (FLUP) the proposed project should be recommended for denial. Mr. Robinson stated that in addition to those elements, Staff has additional concerns related to the proximity to the industrial uses along this corridor. He stated that Hisun Motors was located to the west of the subject property. Mr. Robinson stated that Watson & Chalin was located to the north of the subject property. He stated that Lattimore Materials Company was located further to the east of the subject property. Mr. Robinson stated that the nearby corridor was planned for industrial uses. He stated that Staff was recommending denial of the proposed rezoning request and offered to answer questions.

Commission Member Smith stated that the Commission was provided with a comparison of uses table for the “MF-3” - versus “RG-18” – General Residence District. She stated that the boarding house use was the only use in “MF-3” that is not part of the “RG-18” – General Residence District uses. Commission Member Smith asked if that was correct. Mr. Robinson stated that he believed that was correct. He stated that Tract 2 would solely follow the “MF-3” standards. Mr. Robinson stated that the uses highlighted in yellow on the comparison table would also be allowed on Tract 1.

Vice-Chairman Mantzey asked if both tracts would be developed concurrently or developed at separate times. Mr. Robinson stated that they could be developed at separate times. He stated that the two points of access the Fire Department requires could be an issue if the tracts were developed at different times. Mr. Robinson stated that the conceptual site plan shows an entrance off of U.S. Highway 380 (University Drive) and another one off of Throckmorton Street.

Commission Member Kuykendall stated that City Council and residents had really stressed the need for balancing the City’s tax base by bringing more jobs to the City. She asked about the economic impact of rezoning the property from light industrial to multi-family uses. Mr. Robinson stated that under the current zoning district the entire property would be developed for non-residential uses. He stated that with the proposed rezoning request the applicant was proposing a minimum of 12,000 square foot of retail/commercial type of uses and the remainder would be the live/work units. Mr. Robinson stated that there could be a significant decrease in the amount of non-residential taxable property for the site.

Commission Member Kuykendall asked if there had been issues filling with other similar developments filling the commercial spaces. Mr. Robinson stated that it depends on location and the market. He stated that Staff has concerns about the proposed commercial use surrounded by all of the industrial uses.

Commission Member Zepp asked how many units would be allowed for Tract 2 under the existing zoning. Mr. Robinson stated that it has a maximum density of 24 dwelling units per acre.

Commission Member Zepp asked what density the applicant was proposing. Mr. Robinson stated that they were proposing a maximum of 220 dwelling units for Tract 1 and Tract 2.

Commission Member Zepp asked if this type of zoning would not be desired in another part of the City. Mr. Robinson stated that it would depend. He stated that the subject property was surrounded by light manufacturing, heavy manufacturing, and a small amount of residential to the south. Mr. Robinson stated that entire corridor was zoned for industrial type uses. He stated that the light manufacturing zoning district is pretty permissive as it stands now.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard.; McKinney, TX; explained the rezoning request. He stated that the Staff Report was thorough in its description of the project. Mr. Roeder stated that this is an affordable housing project. He stated that it is designed to be in the sector of McKinney which it is located. Mr. Roeder stated that he did not feel that Staff objected to the proposed modifications for Tract 2. He stated that this is what we typically see in affordable housing developments. Mr. Roeder stated that he would like to focus his attention on Tract 1, which is adjacent to U.S. Highway 380 (University Drive). He stated that the western boundary of Tract 1 abuts a railroad trestle. Mr. Roeder stated that the railroad trestle is approximately 20 to 25 feet above the level of U.S. Highway 380 (University Drive); therefore, the northwestern corner of Tract 1 sits approximately 25 feet above the level of U.S. Highway 380 (University Drive). He stated that the property gradually tapers down to the elevation of U.S. Highway 380 (University Drive) about halfway through the property. Mr. Roeder stated that there is a drainage area on the south side of the property, which goes back into U.S. Highway 380 (University Drive) before it gets to Throckmorton Street. He stated that one of the issues for the property is getting the two points of access. Mr. Roeder stated that they were proposing to span the drainage way with a road going back to a multi-family project. He stated that there was no doubt that U.S. Highway 380 (University Drive) in this location was primarily designed or used for light manufacturing. Mr. Roeder stated that he felt the only commercial use that would go on this property would be self-storage. He stated that there was not good access to the property coming westbound on U.S. Highway 380 (University Drive). Mr.

Roeder stated that there was a median opening close to the intersection at Throckmorton Street that there was not much of a chance in getting a dedicated left turn lane to be able to stack vehicles to cross U.S. Highway 380 (University Drive) for access to this tract. He stated that there probably would be a straight entrance from the east. Mr. Roeder stated that the elevation to the west is not conducive to site lines or having any type of business that requires drive by visibility. He stated that the eastern edge of the property was conducive to that. Mr. Roeder stated that was why they were proposing a mixed use, retail/commercial ground floor building in that location. He stated that they were proposing live/work units in the western portion of the property where the grade is extreme. Mr. Roeder stated that they would require a separate office attached to the unit. He stated that it would require a ground floor commercial grade front with a separate entrance. Mr. Roeder stated that it could not include a kitchen area. He stated that a live/work unit would be new to McKinney. Mr. Roeder stated that it would allow someone with a personal service business that wants to consolidate their office and home life. He stated that it would get some economies of scale and expense. Mr. Roeder felt that this area would be very appreciative of that kind of opportunity. He stated that the retail building to the west would be a podium style building. Mr. Roeder stated that the second floor building would be a concrete podium style building that would be raised to the height that the Fire Department requires. He stated that a fire lane goes between and under that building. Mr. Roeder stated that the first floor would be retail with the exception on one single dwelling unit on the southwest corner due to a U.S. Department of Housing and Urban Development (HUD) requirement. He stated that the concept of the subject property ever being developed for a significant commercial use is probably negligible. Mr. Roeder stated that they could put a 1,000 square foot building there and conform to the Zoning Ordinance, which would not be much of a tax base. He stated that he was slightly jaded by some of the calculations that the City does for cost benefit and tax base analyses on these kinds of properties. Mr. Roeder stated that to assume that the whole property was going to develop for a commercial purpose was a questionable assumption. He stated that in Tract 2 one of the architectural features required in the development regulations that at least 50 percent of the buildings have ground floor entrances for all of the units. Mr. Roeder stated that those are three story buildings. He stated that if they

have a two-story studio above a first floor, then the two-story studio needs a ground floor entrance. Mr. Roeder stated that those have been designed to look and function like townhouses, where everyone has their own ground floor entrance. He stated that this would be a very well designed product based upon the development regulations. Mr. Roeder stated that it would be a tax credit project. He stated that the McKinney Housing Authority has agreed to participate in the project. Mr. Roeder asked for the Commission's favorable recommendation and offered to answer questions.

Alternate Commission Member McReynolds asked for the depth of the proposed live/work buildings. Mr. Roeder stated that there was a 24 foot fire lane on the north side in between the parking, so he thought that it was approximately 60 feet deep.

Alternate Commission Member McReynolds asked if the creek on the property as a typically dry creek. Mr. Roeder stated that it is a dry creek; however, it is very deep. Alternate Commission Member McReynolds asked if they were proposing a design feature for the creek where it would have water in it all the time. Mr. Roeder said no. He stated that he was unaware of them planning to have water in it, since it was a drainage area. Mr. Roeder stated that they were planning to install some trails along the side of it. He stated that this area was very heavily wood with some nice big trees. Mr. Roeder stated that it would be a very nice amenity for both sides of the drainage area.

Commission Member Zepp asked if Tract 2 was developed first if it would require two entrances. Mr. Roeder said yes.

Commission Member Zepp asked if there would be enough room to have two entrances off of Throckmorton Street to Tract 2 if it was the only one being developed. Mr. Roeder stated that the second entrance would probably have to come in off of Center Street. He stated that currently that street does not go anywhere due to undeveloped property.

Commission Member Zepp asked if effectively they would then be limited to one entrance. Mr. Roeder stated that was correct.

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

Alternate Commission Member McReynolds stated that when the zoning previously came before the Commission and was requested to be tabled that there had been several residents that attended the meeting in support of the request. He stated that he is in favor of the proposed rezoning request. Alternate Commission Member McReynolds stated that he knows that the City has plans in that area for an industrial corridor. He stated that the current industrial uses are not attractive. Alternate Commission Member McReynolds stated that he looks at how the major avenues that come into McKinney represent the City. He stated that something like this, where you have a live/work units that the people in McKinney can use those shops, you will have a higher probability of people in the area coming to shop there versus a more light industrial/warehouse type of feel. Alternate Commission Member McReynolds stated that it may service the community more. He stated that he was in favor on the proposed development.

Commission Member Zepp stated that Alternate Commission Member McReynolds made a good point of this being one of the entrances to the City. He stated that it may have looked good to have all of the industrial on U.S. Highway 380 (University Drive) when it was a small highway going nowhere. Commission Member Zepp stated that now it is one of the major entrances to the City. He stated that the proposed use in Tract 1 was very innovative. Commission Member Zepp stated that someone that comes up with a good idea for the property should be rewarded for it. He stated that he had concerns that if we do not allow the egress from Tract 1 to Tract 2 that it would be very hard to develop Tract 2. Commission Member Zepp stated that having affordable housing in McKinney was a worthwhile objective. He stated that he did see why this might be different than the other uses around it. Commission Member Zepp stated that he was in favor of the proposed rezoning request.

Vice-Chairman Mantzey stated that there was no doubt that the City of McKinney is in need of affordable housing. He stated that he had concerns that it all seemed to be located in far east McKinney. Vice-Chairman Mantzey stated that he knew there were challenges to getting affordable house to the west side of McKinney. He stated that he was unsure whether that it was closer to industrial uses or draws from it. Vice-Chairman Mantzey stated that there is always concerns about having residential near

manufacturing. He stated that he was in favor of the request since the McKinney Housing Authority has shown interest in the development, there is a need for affordable house, and the challenges for developing the tracts for anything else.

Chairman Cox stated that he also agrees with the applicant. He stated that as a City we are talking about creating jobs and growing our commercial tax base. Chairman Cox stated that what is not talked about is where the employees live. He questioned how far they have to drive to come to McKinney to work. Chairman Cox stated that the applicant is taking a chance. He stated that he applauds them for putting together this plan that is needed in this area. Chairman Cox stated that the area is slated for something different; however, given the fact that we have a shortage of places for employees to live he applauds the applicant. He stated that he was in favor of the proposed rezoning request.

Commission Member Kuykendall stated that she has heard comments that we need affordable housing in McKinney. She asked Staff how many affordable housing developments that have occurred over the past five years and if it was significant. Mr. Robinson stated that would be tough to say. He stated that he was unaware of all of the affordable housing developments. Mr. Robinson stated that Newsome Homes and Merritt Homes come to mind. He asked Mr. Michael Quint, Executive Director of Development Services, if he knew any others off the top of his head. Mr. Quint stated that Millennium One and Millennium Two, which is now called Post Oak. He stated that he did not have the numbers in front of him; however, he would guess that approximately 750 affordable housing units were located on the west side of McKinney.

Commission Member Kuykendall stated that she feels that McKinney does a good job of expressing the commitment to all types of housing. She stated that she shares Staff's concerns that is outlined extensively in the Staff Report. Commission Member Kuykendall stated that she was not in favor of the proposed rezoning request.

Commission Member Cobbel stated that she has stressed several times that she is a fan of the live/work/play concept. She stated that this was a great location for it. Commission Member Cobbel stated that this area is definitely in need of affordable housing. She stated that it gives easy access to and from industrial places to work. Commission Member Cobbel stated that transportation can be difficult around here. She

felt it would be very difficult to develop it in a way that says industrial is needed along U.S. Highway 380 (University Drive). Commission Member Cobbel concurred with Alternate Commission Member McReynolds comment about it being a main entrance into McKinney. She stated that it is a very innovative, modern, updated and welcoming design. Commission Member Cobbel stated that she was in favor of the proposed rezoning request.

On a motion by Alternate Commission Member McReynolds, seconded by Commission Member Zepp, the Commission voted to recommend approval of the proposed rezoning request as requested by the applicant, with a vote of 5-2-0. Commission Members Kuykendall and Smith 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 December 5, 2017.

17-281Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "DR" - Duplex Residential District, Located at the Northwest Corner of White Street and Tennessee Street

Mr. Brian Lockley, Director of Planning for the City of McKinney, explained the proposed rezoning request. He stated that the applicant was requesting to rezone 0.976 acres of land from "BN" – Neighborhood Business District to "DR" – Duplex Residential District, generally for single family attached residential uses. Mr. Lockley gave the general location of the property. He stated that the McKinney Housing Authority was generally to the east of the subject property. Mr. Lockley stated that this corridor was a mixture of business, retail, and some larger businesses. He stated that the request would allow the applicant to develop the property for single family attached units. Mr. Lockley stated that the current zoning on the subject property has a 25' front yard setback. He stated that the proposed zoning has a 20' front yard setback that would allow for large porches to be constructed. He stated that the existing zoning did not allow for encroachments; therefore, the proposed porches could not be developed under the current zoning. Mr. Lockley stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Ron Lustig, 733 Creek Valley Court, Allen, TX, briefly explained the proposed rezoning request. He stated that this project would provide a transition from the City's

housing project down to single family residential uses. Mr. Lustig stated that the proposed development would have a similar feel to the houses that they built in the 500 block of Tennessee Street. He stated that it would have siding, be new, colorful, and friendly. Mr. Lustig offered to answer questions.

Commission Member Smith asked about some of the other projects that they have completed in McKinney. Mr. Lustig stated that they had developed two houses on Chestnut Street. He stated that they would be completing the Tudor houses on Johnson Street that are located east of the Tudor houses in the 500 block of Tennessee Street.

Ms. Smith stated that she gets a lot of complements on the Tudor style houses in McKinney from her friends that live out of town. Mr. Lustig stated that the Tudor style houses are pleasant to look at. He stated that Mr. Jason Rose, Architect on the project, put a lot of work into designing them.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Commission Member Zepp, the Commission unanimously voted to close the public hearing and recommend approval of the proposed 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 December 5, 2017.

17-292Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, Generally for Commercial and Multi-Family Residential Uses, Located Approximately 1,960 Feet North of Laud Howell Parkway and on the West Side of Trinity Falls Parkway

Ms. Samantha Pickett, Planning Manager for the City of McKinney, explained the proposed rezoning request. She stated that the City was rezoning approximately 44 acres of land from "AG" – Agricultural District to "PD" – Planned Development District. Ms. Pickett stated that the proposed regulations allow a subject property the flexibility to develop in either an urban or suburban manner in response to market forces and provide a transition from U.S. Highway 75 (Central Expressway) towards the residential area of the northwest sector. She stated that the allowed uses on the property would include commercial, retail, and multi-family uses, which are in line with the Northwest Sector

Study and the draft 2040 Comprehensive Plan Update. Ms. Pickett stated that the proposed rezoning request aligns with the recently rezoned properties in the area, as well as the City's long range plans. She stated that Staff recommends approval of the proposed rezoning request with the special ordinance provision listed in the Staff report and offered to answer questions.

Mr. David Martin, 2728 N. Harwood Street, Dallas, TX, concurred with the Staff Report and offered to answer questions.

Chairman Cox opened the public hearing and called for comments.

Mr. James Alan Augspurger, 6465 Trinity Falls Parkway, McKinney, TX, stated that he was in opposition to the proposed rezoning request. He stated that the property was better suited for a commercial use. Mr. Augspurger stated that it was located near State Highway 121 and U.S. Highway 75 (Central Expressway). He stated that someone is building a new huge house and barn on an approximately ten acre tract of land in the area, which he felt was appropriate for the area. Mr. Augspurger stated that jets flying overhead on route to and from the Dallas/Fort Worth Airport (DFW) and the two highways create a lot of loud noises. He stated that this area was not appropriate for residential uses and only good for commercial uses. Mr. Augspurger stated that it could cause health issues with all of the noise. He stated that there were no trees currently on the property. Mr. Augspurger stated that it was a terrible idea to put residential uses at this location and it was a bad design.

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

Commission Member Smith asked if multi-family uses were needed at this location to accomplish the goals of the Comprehensive Plan for Economic Development Viability for a Sustainable and Affordable Community, balanced development pattern, Northwest Sector goals, et cetera. Ms. Pickett stated that it would certainly help when it comes to the draft 2040 Comprehensive Plan. She stated that this area is part of or adjacent to an entertainment district. Ms. Pickett stated that it calls for 24 hours per day, 7 days a week live/work/play opportunities. She stated that Staff definitely does not have a problem with it located here. Ms. Pickett stated that it is in conformance with the City's multi-family

policy, due to this sector not reaching its cap yet. She stated that the multi-family uses would help support the commercial uses proposed in this area.

Commission Member Smith asked if the 7.72 percent of multi-family in the Northwest Sector was already zoned for multi-family uses; however, not yet developed. Ms. Pickett stated that the 7.72 percent had already been zoned for multi-family uses. She could not think of any multi-family developments that were already built in this area.

Commission Member Cobbel stated that he felt it was positive that we finally got something like this on the subject property. She stated that it seemed that the request was more of commercial and multi-family uses and not residential use. Commission Member Cobbel stated that she was in favor of the proposed rezoning request. She stated that it was a worthwhile project.

Commission Member Kuykendall asked how staff calculated how much multi-family is in an area. She asked how to determine when it falls under provision #9 or #10 of the Multi-Family Policy: "Vertical mixed-use developments may be allowed even if multi-family housing in the sector exceeds 10% of the existing and zoned housing units, and shall not count towards the multi-family percentage. A vertical mixed-use area shall be defined as one with non-residential uses on the ground floor and in some cases lower floors, with residential uses on the upper floors. The City encourages the vertical mixing of rental units with other land uses." or "Urban multi-family developments may also be allowed even if multi-family housing in the sector exceeds 10% of the existing and zoned housing units. For the purposes of this section, urban multi-family development shall mean a multi-family residential development which incorporates, at a minimum, the following urban design elements: a. structured and/or tuck-under garage parking for no less than 80% of the total required parking for the development; b. ground floor units adjacent to a public right-of-way area designed and constructed to permit commercial uses with a minimum 12 feet clear ceiling height; c. meaningful, centrally located internal open spaces (parks, plaza, courtyards, and squares) offering public gathering areas; and d. 10 foot wide public sidewalks adjacent to all public roadways."

Ms. Pickett stated that for these provisions you are looking at whether it is zoned to require vertical mixed-use development, meets the components of urban multi-family developments, or built to either of those standards. She stated that this sector is easier

since we are not dealing with a lot of multi-family currently being built. Ms. Pickett stated that the Long Range Staff in the Planning Department is using that information in their formula to show how much land area is zoned for multi-family. She gave the example that if we know a multi-family development falls under provision #10, then they do not include it in their calculations. Ms. Pickett stated that when it could develop as either urban or suburban, like this one, it would get counted, since we do not know how it will eventually be built.

Commission Member Kuykendall asked if there was a way to get a true picture of how much multi-family was in an area with it being calculated so differently. Ms. Pickett stated that Staff could pull the zonings and what has been built. She stated that she did not know the flat rate.

Commission Member Kuykendall asked if the total multi-family for this area would still be under the 10 percent. Ms. Pickett said yes.

Commission Member Zepp asked if this would discuss the maximum number of multi-family units that could be developed on the subject property. Ms. Pickett stated that it would be a minimum density if it was developed under the urban or suburban standards. She stated that it would be 50 units to the acre for the urban and 30 units to the acre for the suburban.

Commission Member Cobbel asked if the statement that "it should be noted that the approval of this rezoning request is a condition of the settlement agreement, approved by the City Council on November 6, 2017, regarding the pending litigation of Arch Resorts, L.L.C. versus the City of McKinney, Texas and Rick Herzberger, Chief Building Official of the City of McKinney, Texas, versus Collin County, Texas, No. 219-01855-2015, 219th District Court of Collin County, Texas" listed in the Staff Report means that City Council understands what is before us and is at their request. Mr. Michael Quint, Director of Development Services for the City of McKinney, stated that this is a City-initiated rezoning of private property. He stated that City Council had approved these zoning terms. Mr. Quint stated that they were aware and very supportive of the request.

Commission Member Kuykendall asked Mr. Quint to give a snapshot of the agreement. Mr. Quint stated that the City agrees to pay a lump sum to the property owner to cease the use going forward. He stated that in exchange for that lump sum the property

owner would agree to remove the existing recreational vehicles (RV) spaces on the property at their cost and no cost to the City. Mr. Quint stated that there would also be a restrictive covenant that would restrict any future recreational vehicles (RV) uses on the property. He stated that they would then agree to settle the pending litigation.

Commission Member Kuykendall asked if the litigation had anything to do with the proposed rezoning request. Mr. Quint said yes, that this was part of the settlement for that litigation. He stated that if this request is not approved then the settlement would no longer be valid and the City goes back to court.

Commission Member Smith asked if Staff would say the proposed uses were much more desirable than the current use. Mr. Quint stated that was safe to say. He stated that it was more desirable and in line with the City's long range plan. Mr. Quint stated that Staff was very supportive of the proposed rezoning request.

Chairman Cox stated that he applauded Staff and all of the parties involved in the request to rezone. He stated that it was important that as a City and the County move on. Chairman Cox stated that this is an agreement that for a rezoning that works in the fastest growing area of McKinney. He stated that this is an agreement that the parties have come up with. Chairman Cox stated that he was in favor of the proposed rezoning request.

On a motion by Commission Member Cobbel, seconded by Commission Member Zepp, the Commission voted to close the public hearing and recommend approval of the proposed rezoning request, with a vote of 6-1-0. Commission Member Kuykendall voted against to the motion.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on December 5, 2017.

17-262Z 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, Located at the Southeast Corner of Spur 399 and Medical Center Drive

Mr. Brian Lockley, Director of Planning for the City of McKinney, explained the proposed rezoning request. He stated that the project was McKinney Urban Village and that a number of units were currently under construction. Mr. Lockley stated that the

applicant would like to continue the design and layout as it currently exists. He stated that this project was part of a much larger development. Mr. Lockley stated that the subject property was located near a hospital and medical offices. He stated that the multi-family development would be located along State Highway 5 (McDonald Street). Mr. Lockley stated that the area being considered for amendment were the areas to the south and to the north. He stated that the applicant has the benefit of having developed this property with an understanding of the standards and what is applicable to the site. Mr. Lockley stated that was why the applicant was requesting to amend the "PD" – Planning Development District. He stated that the proposed zoning would reflect how the property has currently been developed. Mr. Lockley briefly discussed the proposed development standards. He stated that parking for multi-family uses shall be one space for each bedroom in all dwelling units, plus three spaces per one thousand square feet for any common facility and management office. Mr. Lockley stated that multi-family development shall be limited to a minimum of 25 units per gross acre, and a minimum of three stories. He stated that parking may be provided through a combination of head-in parking on private streets built within an urban streetscape condition, "tuck under" spaces in ground level garages and interior parking courtyards. Mr. Lockley stated that no screening from public thoroughfares shall be required of any openings in interior parking courtyards or head-in parking along private streets. He stated that fibrous cement panels would be allowed as cladding on roof chimneys. Mr. Lockley stated that this would provide some consistency in the overall development. He stated that the property does meet the suburban mix with significantly developed area. Mr. Lockley stated that the Comprehensive Plan does list factors when rezoning requests should be considered. He stated that the applicant does meet that requirement and would continue to do so as the property is developed. Mr. Lockley stated that Staff received a letter in opposition that was submitted by an adjoining property owner. He stated that owner had concerns about some of the improvements that would be required. Mr. Lockley stated that property owner also wanted to develop their property on the other side of Stated Highway 5 (McDonald Street); however, there were some requirements initiated by the Engineering Department. He stated that he spoke with the Engineering Department to get a better understanding on what they thought would be required on the subject property and the issue with the

other property. Mr. Lockley stated that if there was a significant increase in traffic from the development then those requirements would be required. He stated that there were no additional units being proposed with the proposed rezoning request. Mr. Lockley stated that this was just to modify the development standards. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the Staff Report. Mr. Lockley offered to answer questions.

Commission Member Smith asked if Staff felt that the proposed development standards were lessening the current development standards on the property. Mr. Lockley stated that that he would not say that they were lessening the development pattern at McKinney Urban Village. He stated that it is already in existence. Mr. Lockley stated that this would allow consistency and continuity between developments.

Commission Member Smith asked if the applicant had to go through the same process when they developed their other properties. Mr. Lockley stated that the applicant initially received some meritorious exceptions for the design. He stated that the request stems from what they found during the course of developing the property.

Mr. Paris Rutherford, 7001 Preston Rd., Dallas, TX, gave a presentation on the proposed rezoning request and overall development. He gave a recap of the overall master plan and the current development at the site. Mr. Rutherford stated that it was a mixed use, urban land development. He stated that they have an entitlement of 500 units in the overall "PD" – Planned Development District; however, they were not requesting to increase the number of units. Mr. Rutherford stated that they were trying to clean up some of the previously approved meritorious exceptions on the property. He stated that they were trying to incorporate some lessons learned. Mr. Rutherford stated that the parking standards take away their opportunity to have more landscaping. He stated that they currently have extra spaces. Mr. Rutherford stated that they were trying to improve the nature of the urban street scape that is adjacent to the buildings. He stated that they were not looking to gate the development. Mr. Rutherford stated that they were trying to continue the architectural feel of the established residential portion of the project. He stated that the units would all face the street. Mr. Rutherford stated that there would be front patio areas and some stoops that would not have coverings over them. He stated that they like to have variety in the architecture in how the buildings meet the street. Mr.

Rutherford stated that they were looking at having 25 units per net acre, not gross acre. He stated that currently there were no minimum requirement. Mr. Rutherford stated that they would like to do that to be able to building more. He stated that they were not looking to increase any entitlements; however, just improve through lessons learned. Mr. Rutherford encouraged the Commission Members to come by to see the quality construction that they have done so far in the development. He offered to answer questions.

Commission Member Smith asked how many units were located in the current residential development where there was excessive parking. Mr. Rutherford stated that there were 245 units. He stated that the City's standards require more parking than what they feel is needed, which causes more paving. Mr. Rutherford stated that they could do it; however, he felt that they were requesting would make for a better looking project.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Alternate Commission Member McReynolds, the Commission unanimously voted to close the public hearing and recommend approval of the proposed 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 December 5, 2017.

17-273Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "LI" - Light Industrial District and "CC" - Corridor Commercial Overlay District, Located Approximately 400 Feet South of Bloomdale Road and on the West Side of McLarry Drive

Ms. Danielle Quintanilla, Planner for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was requesting to rezone approximately 3.42 acres of land from "C" – Planned Center District and "CC" – Corridor Commercial Overlay District to "LI" – Light Industrial District and "CC" – Corridor Commercial Overlay District, generally for industrial uses. Ms. Quintanilla stated that currently the Future Land Use Plan (FLUP) calls for this land to be commercial. She stated that the applicant is going to maintain the "C" – Planned Center District zoning designation on the adjacent western property to maintain the commercial frontage along US Highway 75 (Central

Expressway). Ms. Quintanilla stated that the subject property would then only have frontage along McLarry Drive. She stated that there had been several rezoning cases in this area, south of the subject property, which have rezoned to "LI" – Light Industrial District. Ms. Quintanilla stated that given the industrial designation of the properties to the east within the Future Land Use Plan (FLUP), Staff is of the professional opinion that the proposed rezoning request will serve as a transition to the current and future industrial uses to the east. She stated that Staff recommends approval of the proposed rezoning request and offered to answer questions.

Vice-Chairman Mantzey asked if Staff felt the remaining parcel of land was still commercially developable considering the depth of the commercial tract on the service road at US Highway 75 (Central Expressway) and the depth of the remaining property. Ms. Quintanilla said yes. She stated that Staff and the applicant had discussed placing a commercial use on the western property along US Highway 75 (Central Expressway) that would work with the depth.

Mr. Allan Ross, 14902 Preston Road, Dallas, TX, stated that he was representing Freedom Powersports. He stated that they were purchasing both parcels that Ms. Quintanilla referenced. Mr. Ross stated that they had already submitted a preliminary site plan to Staff to show the general configuration planned for the commercial tract. He stated that the commercial tract was approximately four acres. Mr. Ross stated that the subject property was approximately three acres.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Smith, seconded by Vice-Chairman Mantzey, the Commission unanimously voted to close the public hearing and recommend approval of the proposed 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 December 5, 2017.

17-007FR Consider/Discuss/Act on a Facade Plan Appeal for a Movie Theater (Cinemark at 380 Commons), Located Approximately 315 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Hardin Boulevard

Ms. Melissa Spiegel, Planner for the City of McKinney, explained the proposed facade plan appeal. She stated that the applicant was requesting a facade plan appeal

for a movie theater (Cinemark at 380 Commons) due to the proposed elevations not conforming to the requirements of the City's Architectural Standards for non-residential uses in non-industrial districts. Ms. Spiegel stated that the applicant is requesting to utilize architecturally finished concrete tilt wall, which is not an approved finishing material. She stated that typically facade plans can be approved by Staff; however, the applicant is requesting approval of a facade plan appeal, which must be considered by the Planning and Zoning Commission. Ms. Spiegel stated that the applicant is proposing between 9 and 29 percent architecturally finished concrete tilt wall on each elevation located in several areas. She stated that in the letter of intent the applicant indicates that the tilt wall will be finished with a coating that will give an appearance similar to exterior insulation finishing system (EIFS), which is an allowed finishing material. Ms. Spiegel stated that the applicant has used brick as the primary building material on all elevations. She stated that Staff ultimately has no objections to the request. Ms. Spiegel stated that Staff recommends approval of the proposed facade plan appeal and offered to answer questions. There were none.

Mr. Scott Somerville, 1807 Ross Avenue, Dallas, TX, concurred with the Staff Report. He stated that they felt the proposed tilt wall would be indistinguishable from the approved exterior insulation finishing system (EIFS) material. Mr. Somerville stated that they were using masonry as the primary material on the facade.

Commission Member Smith asked about the proposed seating in the theater. Mr. Somerville stated that the client was very particular about the experience inside the theater. He mentioned that it could have reclining seats.

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

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Mr. Lockley introduced Mr. Rhys Wilson, Senior Planning Technician, as a new employee attending the meeting.

Chairman Cox stated that the Commission appreciated Staff.

There being no further business, Chairman Cox declared the meeting adjourned at 7:28 p.m.

BILL COX
Chairman



17-171MRP

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 4R and 5, Block A, of Skyline / 380 Addition, Located on the West Side of Skyline Drive and on the North Side of U.S. Highway 380 (University Drive)

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: November 28, 2017

DEPARTMENT: Planning

CONTACT: Danielle Quintanilla, Planner I
Samantha Pickett, AICP, Planning Manager
Brian Lockley, AICP, CPM, Director of Planning

APPLICATION SUBMITTAL DATE: June 12, 2017 (Original Application)
October 2, 2017 (Revised Submittal)
October 16, 2017 (Revised Submittal)
October 24, 2017 (Revised Submittal)
November 13, 2017 (Revised Submittal)

STAFF RECOMMENDATION: Staff recommends approval of the proposed minor replat with the following conditions, which must be satisfied prior to filing the plat for record:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Minor Replat Approval Checklist, attached.
2. The applicant revise the plat to provide filing information for all off-site easements, including right-of-way dedication.
3. The applicant revise the plat to provide updated filing information for Skyline Drive.
4. The applicant revise the owner's signature block to include both entities of ownership.

ITEM SUMMARY: The applicant is proposing to subdivide one lot into two lots, proposed Lot 4R (approximately 1.17 acres) and proposed Lot 5 (approximately 11.58 acres).

PLATTING STATUS: The subject property is currently platted as Lot 4, Block A of the Skyline/380 Addition. Upon approval of this minor replat, this plat shall be the active plat for the property and all previously approved plats (14-274PFR and 15-061RP) for the subject property shall be inactive.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ordinance No. 2013-08-078 (Multi-Family Residential Uses), "PD" - Planned Development District Ordinance No. 2012-10-054 (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 1719 (Multi-Family Residential Uses)	Ashton Oaks Apartments
South	"PD" - Planned Development District Ordinance No. 2012-10-054 (Commercial Uses), "PD" - Planned Development District Ordinance No. 1281 (Office and Light Manufacturing Uses) and "CC" - Corridor Commercial Overlay District	Autozone, Raytheon and Undeveloped Land
East	"PD" - Planned Development District Ordinance No. 97-06-35 (Residential and Commercial Uses) and "CC" - Corridor Commercial Overlay District	Skyline Villas Apartments and Undeveloped Land
West	"C2" - Local Commercial District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Undeveloped Land

ACCESS/CIRCULATION:

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Right-of-Way
Major Regional Highway

Skyline Drive, 60' Right-of-Way, Collector

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance, and for submittal of a tree survey or tree preservation plan, as determined by the City Arborist. The applicant will be responsible

for applying for all necessary permits for any tree removal that is to occur on site.

PUBLIC IMPROVEMENTS:

Sidewalks:	Required along U.S. Highway 380 (University Drive) and Skyline Drive
Hike and Bike Trails:	Not Required
Road Improvements:	All road improvements necessary for this development, and as determined by the City Engineer
Utilities:	All utilities necessary for this development, and as determined by the City Engineer

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the accompanying plat, unless otherwise specified in an approved facilities agreement.

DRAINAGE: The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

FEES:

Roadway Impact Fees:	Applicable (Ordinance No. 2013-11-108)
Utility Impact Fees:	Applicable (Ordinance No. 2017-02-021)
Median Landscape Fees:	Not Applicable
Park Land Dedication Fees:	Not Applicable
Pro-Rata:	As determined by the City Engineer

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments either in opposition to or in support of the proposed minor replat.

SUPPORTING MATERIALS:

[Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Minor Replat](#)

PowerPoint Presentation

Standard Conditions for Minor Replat Approval Checklist
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The conditions listed below marked with a “☒” need to be satisfied by the applicant, prior to issuance of a development permit:

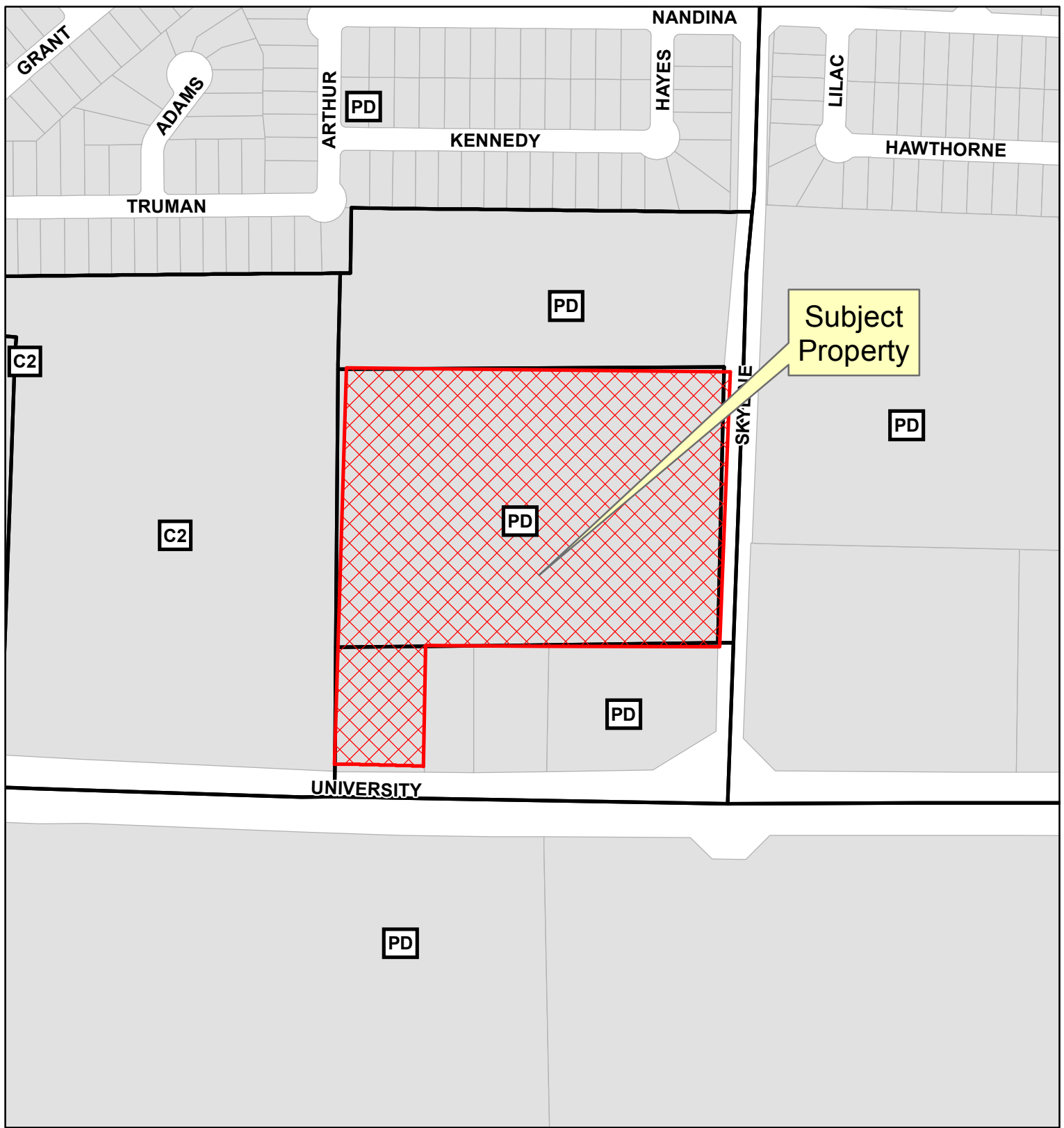
- ☒ Approval of construction plans including, but not limited to, location of any required sidewalks, Hike and Bike Trails, and fire hydrants, by the City Engineer.
- ☒ Approval of utility construction plans by the City Engineer.
- ☒ Approval of grading and drainage plans by the City Engineer.
- ☐ Approval of the proposed street names within this development by the City Engineer.
- ☒ The applicant comply with the requirements of the Tree Preservation Ordinance and obtain any necessary tree permits within the time frames specified within the Ordinance, subject to review and approval by the City Arborist.

The conditions listed below marked with a “☒” need to be satisfied by the applicant, prior to filing the plat for record:

- ☒ The applicant provide any additional easements as determined necessary by the City Engineer.
- ☐ Approval of annexation documentation, and filing thereof, incorporating the proposed development into the homeowners’ association for the proposed development, including the dedication of common areas, and its maintenance responsibilities, and be subject to review and approval by the City Attorney, and filed for record. *(In accordance with [Sec. 142-107 Common Areas & Homeowners Associations](#) of the City’s Subdivision Regulations.)*
- ☐ The applicant satisfy park land dedication obligations, in accordance with Article VI of the Subdivision Ordinance, subject to review and approval by the Director of Parks and Recreation.
- ☒ Payment of pro-rata fees, as determined by the City Engineer.
- ☐ Payment of median landscaping fees for medians within divided roadways, in lieu of the applicant landscaping and irrigating the medians, in the amount of \$25.50 per linear foot for the distance parallel to the subject property.

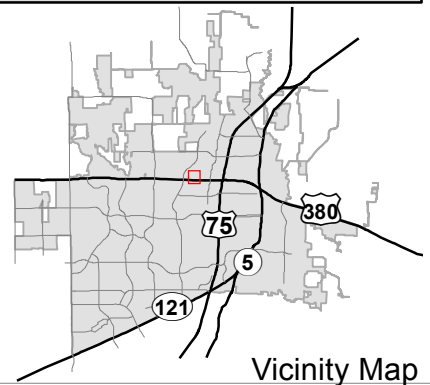
Prior to issuance of a building permit:

- ☒ Payment of impact fees in accordance with Ordinances 2017-02-021 (utilities) and 2013-11-108 (roadway), or as specified within an approved facilities agreement or development agreement.



Location Map

Case: 17-171MRP



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

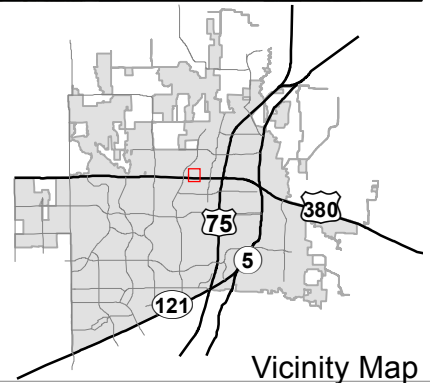


0 175 350
Feet



Location Map

Case: 17-171MRP



Vicinity Map

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.



Kevin Dingman
seven-d-four
8446 Winged Foot Drive
Frisco, Texas
75034
TEL 972-768-8283
kevin@7d4.net

Date: Sep. 29, 2017

To: Ms. Kathy Wright
City of McKinney
221 N. Tennessee Street
McKinney, TX 75069

Re: Minor Replat
Lots 4R & 5, Block A- Skyline/ 380 Addition
Northwest Corner of U.S. 380 @ Skyline Drive

Dear Ms. Wright,
The subject property is located 630 feet West of Skyline Drive on the North side of U.S. Hwy 380.
The total lot consists of 12.751 acres.
The current zoning is:
PD# 1719
PD# 2009-06-047
PD# 2012-10-054
PD # 13371

The request for a Minor Re-plat is to allow a portion of the overall site to be sold as an individual lot.

If you have any questions regarding the above items, or need any information, please contact myself at 972-768-8283.

Sincerely,

G. Kevin Dingman

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, Skyline/380 Commercial LLC & Skyline 380 Development LP, is the owner of a tract or tracts of land situated in the City of McKinney, County of Collin, State of Texas, being a part of the J. Dunbaugh Survey, Abstract No. 257 and the W. H. Hunt Survey, Abstract No. 450 and being all of Lot 4, Block A of the Minor Replat of Skyline/380 Addition on addition to the City of McKinney as shown by plat of record in Vol. 2009, Pg. 310, Plat Records, Collin County, Texas and being the same tract of land conveyed to Skyline 380 Development, LP by deed of record in Collin County Clerk File No. 20150205000126860, Official Public Records, Collin County, Texas, and being a part of a 2.907 acre tract of land conveyed to Skyline/380 Commercial, LLC by deed of record in Collin County Clerk File No. 20070129000119440, of said Official Public Records, and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2" steel rod found in the west line of Skyline Drive maintaining the northeast corner of said Lot 4, said rod also maintaining the southeast corner of Lot 1, Block 1 of Skyline Village Apartments on addition to the City of McKinney, Texas as shown by plat of record in Cabinet G, Page 240, of said Plat Records;

Thence South 02°12'13" West, along the west right-of-way line of said Skyline Drive, a distance of 601.39 feet to a found "X" cut in concrete maintaining the southeast corner of said Lot 4;

Thence along the south line of said Lot 4 the following calls and distances:

North 89°48'07" West, a distance of 372.51 feet to a 5/8" steel rod found;

North 89°43'51" West, a distance of 148.42 feet to a 1/2" steel rod set;

North 89°24'01" West, a distance of 12.45 feet to a 5/8" steel rod found;

North 89°24'01" West, a distance of 110.03 feet to a 1/2" steel rod found;

South 00°54'56" West, a distance of 275.04 feet to a 1/2" steel rod set in the north line of U.S. Highway No. 380, and being the southerly most southeast corner of said Lot 4;

Thence westerly along the north line of said highway with a curve to the right having a radius of 11389.20 feet, (chord bears North 88°35'56" West, with a chord length of 194.76 feet) an arc length of 194.77 feet to a 5/8" steel rod found maintaining the southeast corner of Lot 4, Block A of 380 Crossing at Headington Heights on addition to the City of McKinney, Texas as shown by plat of record in Volume 2017, Page 168, of said Plat Records, said rod maintaining the southwest corner of Lot 4 of said Skyline/380 Addition;

Thence North 01°44'40" East, along the east line of said 380 Crossing at Headington Heights, a distance of 876.58 feet to a 1/2" steel rod found maintaining the southwest corner of Lot 1 of said Skyline Village Apartments;

Thence South 89°26'12" East, along the south line of said Lot 1, a distance of 838.98 feet to the Point-of-Beginning and containing 12.799 acres of land.

SURVEYOR'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon were properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of McKinney, Texas.

Douglas W. Underwood Date
Registered Professional
Land Surveyor, No. 4709

LOT 4, BLOCK A
380 CROSSING
AT HEADINGTON HEIGHTS
VOL. 2017, PG. 168
P.R.C.C.T.
HEADINGTON REALTY
& CAPITAL, LLC
CCCF# 2017303010001060

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Douglas W. Underwood, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2017.

Notary Public in and for
the State of Texas
Commission Expires: _____

NOTES

ALL PROPOSED LOTS SITUATED IN WHOLE OR IN PART WITHIN THE CITY'S CORPORATE LIMITS COMPLY WITH THE MINIMUM SIZE REQUIREMENTS OF THE GOVERNING ZONING DISTRICT AND THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

COORDINATE NOTES

COORDINATES SHOWN HEREON ARE STATE PLANE COORDINATES, TEXAS NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83).

PURPOSE

THE PURPOSE OF THIS MINOR REPLAT IS TO SUBDIVIDE LOT 4 INTO TWO LOTS NOW BEING LOT 4R AND LOT 5.

GRAPHIC SCALE

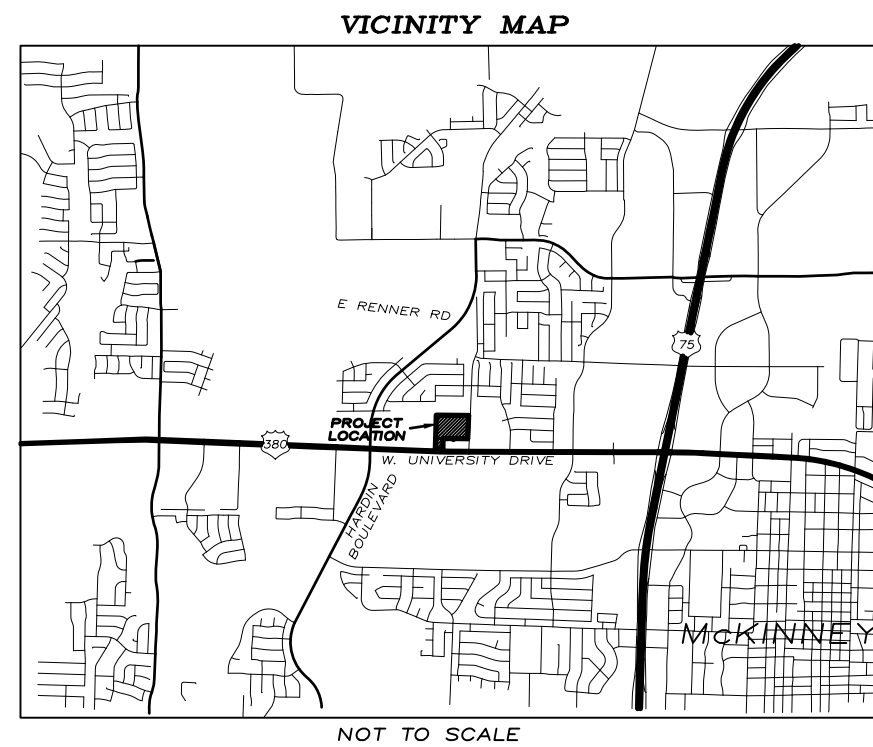


U.S. HIGHWAY NO. 380
(VARIABLE WIDTH RIGHT-OF-WAY)
D.F. HOUSTON TO STATE OF TEXAS
VOL. 313, PG. 272
D.R.C.C.T.

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

UNDERWOOD
DRAFTING & SURVEYING

3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151



OWNER'S CERTIFICATE OF DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT We, SKYLINE/380 COMMERCIAL LLC & SKYLINE/380 DEVELOPMENT, LP, being the owners of the hereinabove described property hereby adopt this Minor Replat designating said property as the Lots 4R & 5, Block A, SKYLINE/380 ADDITION, Being a replat of Lots 4, Block A of Skyline/380 Addition, according to the plat recorded in Volume 2009, Page 310, Plat Records Collin County, Texas, and does hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way may endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public or private utility shall, at all times, have the right of ingress and egress to, from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone.

This plat approved subject to all ordinances, rules, regulations and resolutions of the City of McKinney, Texas.

WITNESS MY HAND this ____ day of _____, 2017.

JULIAN HAWES JR., Vice President
Skyline/380 Commercial, LLC
by: PRA GP NO. 2 INC., Its Manager
AND
JULIAN HAWES JR., Vice President
Skyline/380 Commercial, LLC
by: PRA GP NO. 2 INC., Its Manager
(Owner Lot 4)

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared JULIAN HAWES JR., known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2017.

Notary Public in and for
the State of Texas

APPROVED AND ACCEPTED

PLANNING AND ZONING COMMISSION CHAIR
CITY OF MCKINNEY, TEXAS

DATE

MINOR REPLAT
LOTS 4R & 5, BLOCK A
SKYLINE/380 ADDITION
BEING A REPLAT OF LOT 4, BLOCK A
SKYLINE/380 ADDITION
VOL 2009, PG. 310, P.R.C.C.T.
BEING 12.799 ACRES IN THE

W.H HUNT SURVEY, ABSTRACT NO. 450 AND
JACOB DUNBAUGH SURVEY, ABSTRACT NO. 257
CITY OF MCKINNEY
COLLIN COUNTY, TEXAS

LINE	BEARING	DISTANCE
1	N 89°48'07" W	372.27'
2	N 89°43'51" E	148.42'
3	N 89°24'01" W	12.45'
4	N 89°24'01" W	110.03'
5	N 89°24'01" W	110.03'
6	N 89°24'01" W	110.03'
7	N 89°24'01" W	110.03'
8	N 89°24'01" W	110.03'
9	N 89°24'01" W	110.03'
10	N 89°24'01" W	110.03'

LINE	BEARING	DISTANCE
1	N 89°48'07" W	372.27'
2	N 89°43'51" E	148.42'
3	N 89°24'01" W	12.45'
4	N 89°24'01" W	110.03'
5	N 89°24'01" W	110.03'
6	N 89°24'01" W	110.03'
7	N 89°24'01" W	110.03'
8	N 89°24'01" W	110.03'
9	N 89°24'01" W	110.03'
10	N 89°24'01" W	110.03'

LEGEND

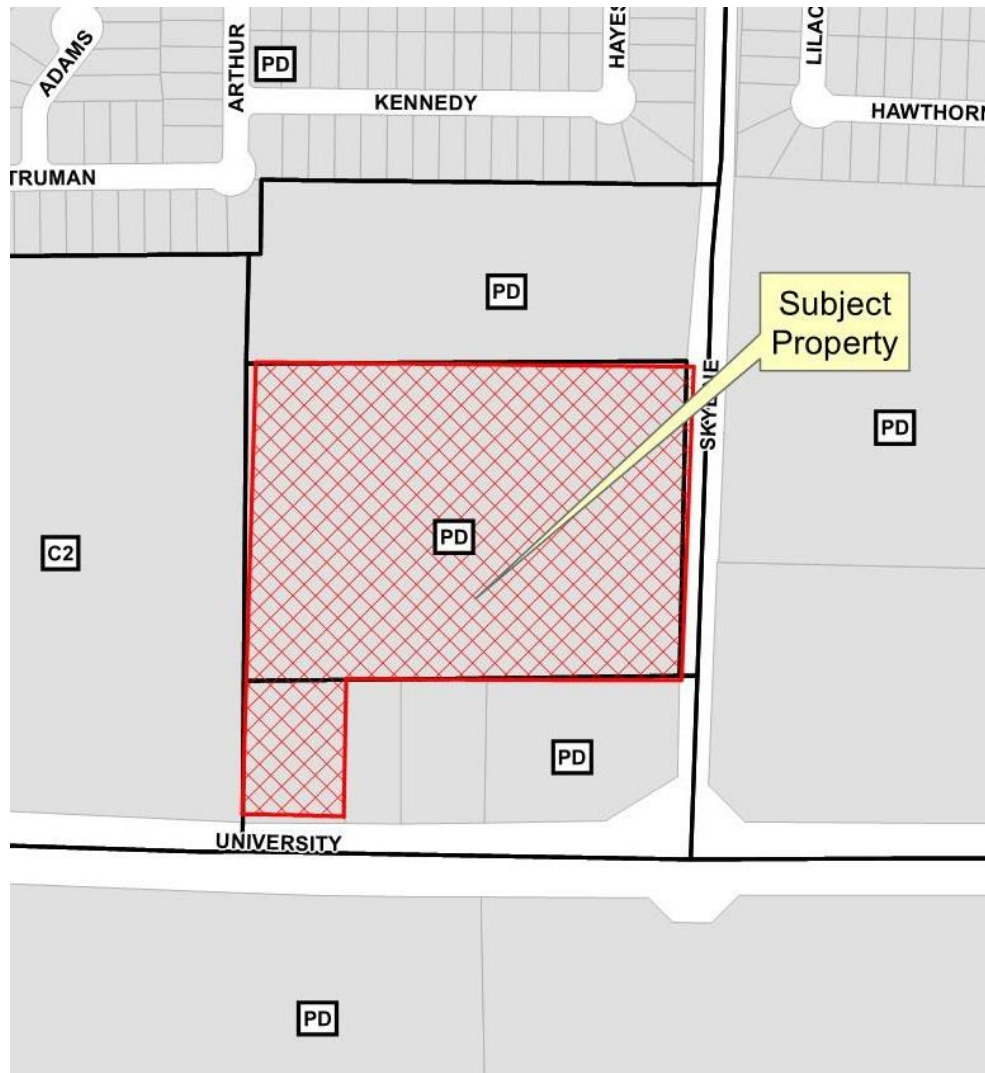
P.O.B. POINT OF BEGINNING
D.R.C.C.T. DEED RECORDS
VOL. VOLUME
PG. PAGE
ROW RIGHT-OF-WAY
BC-BK BACK CURB-BACK CURB
"X" CUT IN CONCRETE
1/2" STEEL ROD SET
1/2" STEEL ROD FOUND
FOUND P.R. NAL
CALCULATED CORNER

Skyline/380 Addition Minor Replat

17-171MRP



Location Map



Aerial Exhibit







17-291MRP

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Minor Replat for Lots 8 and 9, Block B, of Bray Central Two Addition, Located at the Northeast Corner of U.S Highway 75 (Central Expressway) and Bray Central Drive

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: November 28, 2017

DEPARTMENT: Planning

CONTACT: David Soto, Planner I
Samantha Pickett, AICP, Planning Manager

APPLICATION SUBMITTAL DATE: October 9, 2017 (Original Application)
November 8, 2017 (Revised Submittal)

STAFF RECOMMENDATION: Staff recommends approval of the proposed minor replat with the following condition, which must be satisfied prior to filing the plat for record:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Minor Replat Approval Checklist, attached.

ITEM SUMMARY: The applicant is proposing to subdivide one existing lot into two, proposed Lot 8 (approximately 0.55 acres) and proposed Lot 9 (approximately 1.92 acres). An existing hotel/motel (Days Inn) currently operates on proposed Lot 8, while the applicant has not indicated a proposed use for proposed Lot 9.

PLATTING STATUS: The subject property is currently platted as Lot 1, Block B, of the Bray Central Two Addition. Subsequent to the approval of the minor replat, said plat must be filed for recordation with the Collin County Clerk prior to issuance of a certificate of occupancy.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses) and "CC" - Corridor Commercial Overlay District	Days Inn
North	"PD" - Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses) and "CC" - Corridor Commercial Overlay District	Freedom Powersports
South	"PD" - Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses) and "CC" - Corridor Commercial Overlay District	Mercedes-Benz of McKinney
East	"PD" - Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses) and "CC" - Corridor Commercial Overlay District	El Dorado Collision Repair
West	"BG" - General Business District (Commercial Uses) and "CC" - Corridor Commercial Overlay District	Southwest International Trucks

ACCESS/CIRCULATION:

Adjacent Streets: U.S Highway 75 (Central Expressway), Variable Width Right-of-Way, Major Regional Highway Bray Central Drive, 80' Right-of-Way, Minor Arterial

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance, and for submittal of a tree survey or tree preservation plan, as determined by the City Arborist. The applicant will be responsible for applying for all necessary permits for any tree removal that is to occur on site.

PUBLIC IMPROVEMENTS:

Sidewalks: Required along U.S Highway 75 and Bray Central Drive
Hike and Bike Trails: Not Required
Road Improvements: All road improvements necessary for this development, and as determined by the City Engineer
Utilities: All utilities necessary for this development, and as determined by the City Engineer

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the accompanying plat, unless otherwise specified in an approved facilities agreement.

DRAINAGE: The applicant will be responsible for all drainage associated with the

subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

FEES:

Roadway Impact Fees:	Applicable (Ordinance No. 2013-11-108)
Utility Impact Fees:	Applicable (Ordinance No. 2017-02-021)
Median Landscape Fees:	Not Applicable
Park Land Dedication Fees:	Not Applicable
Pro-Rata:	As determined by the City Engineer

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments either in opposition to or in support of the proposed minor replat.

SUPPORTING MATERIALS:

[Standard Conditions Checklist](#)
[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[Proposed Minor Replat](#)
[PowerPoint Presentation](#)

Standard Conditions for Minor Replat Approval Checklist
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The conditions listed below marked with a “☒” need to be satisfied by the applicant, prior to issuance of a development permit:

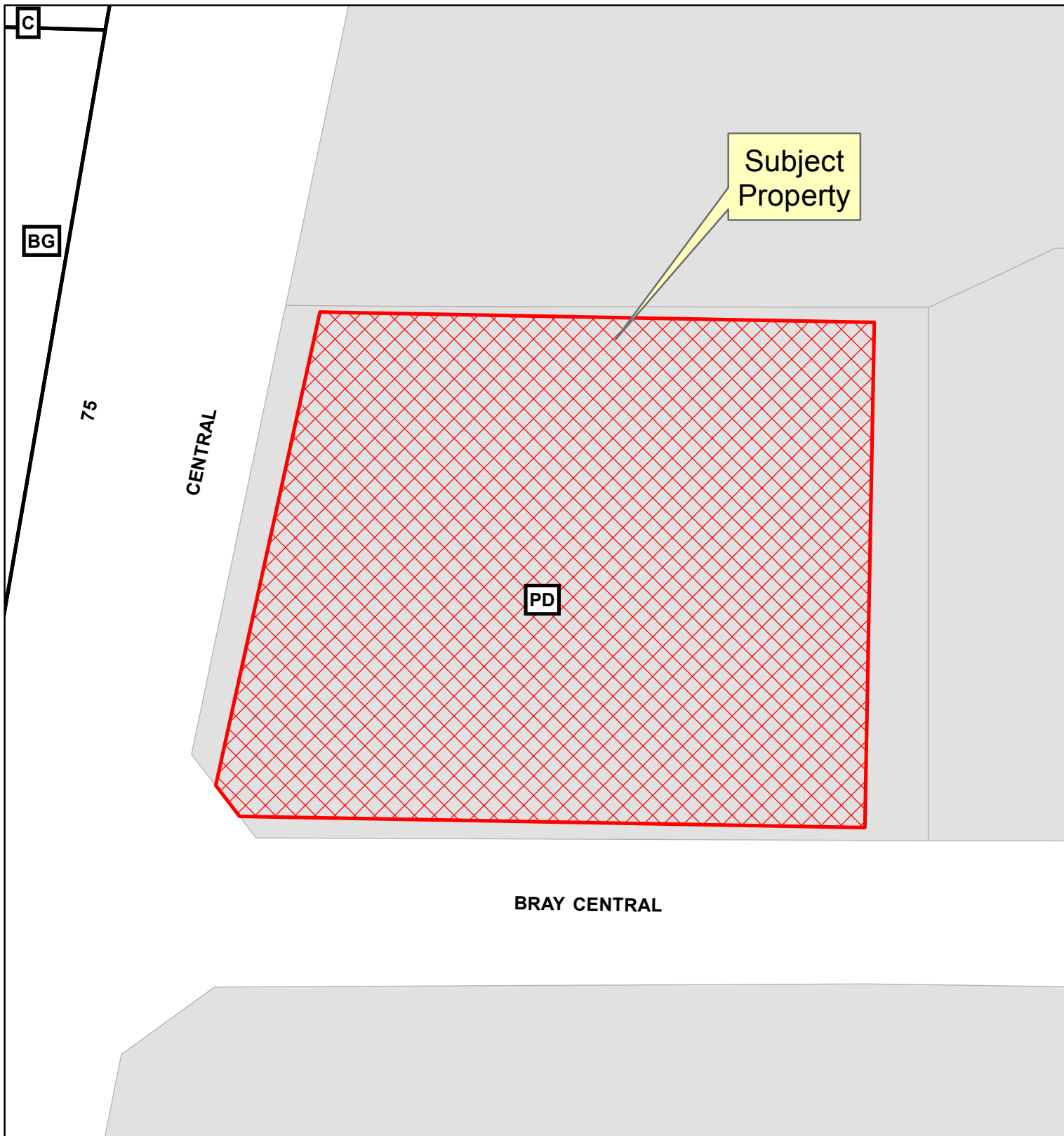
- ☒ Approval of construction plans including, but not limited to, location of any required sidewalks, Hike and Bike Trails, and fire hydrants, by the City Engineer.
- ☒ Approval of utility construction plans by the City Engineer.
- ☒ Approval of grading and drainage plans by the City Engineer.
- ☐ Approval of the proposed street names within this development by the City Engineer.
- ☒ The applicant comply with the requirements of the Tree Preservation Ordinance and obtain any necessary tree permits within the time frames specified within the Ordinance, subject to review and approval by the City Arborist.

The conditions listed below marked with a “☒” need to be satisfied by the applicant, prior to filing the plat for record:

- ☒ The applicant provide any additional easements as determined necessary by the City Engineer.
- ☐ Approval of annexation documentation, and filing thereof, incorporating the proposed development into the homeowners’ association for the proposed development, including the dedication of common areas, and its maintenance responsibilities, and be subject to review and approval by the City Attorney, and filed for record. *(In accordance with [Sec. 142-107 Common Areas & Homeowners Associations](#) of the City’s Subdivision Regulations.)*
- ☐ The applicant satisfy park land dedication obligations, in accordance with Article VI of the Subdivision Ordinance, subject to review and approval by the Director of Parks and Recreation.
- ☒ Payment of pro-rata fees, as determined by the City Engineer.
- ☐ Payment of median landscaping fees for medians within divided roadways, in lieu of the applicant landscaping and irrigating the medians, in the amount of \$25.50 per linear foot for the distance parallel to the subject property.

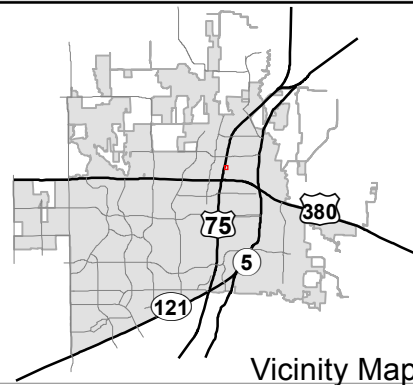
Prior to issuance of a building permit:

- ☒ Payment of impact fees in accordance with Ordinances 2017-02-021 (utilities) and 2013-11-108 (roadway), or as specified within an approved facilities agreement or development agreement.

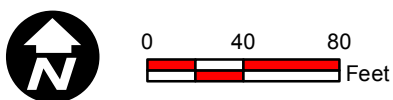


Location Map

Case: PLAT2017-00000291

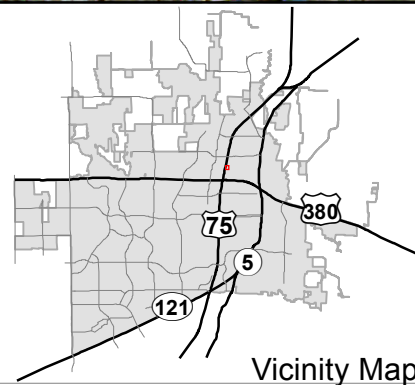


DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.



Location Map

Case: PLAT2017-00000291



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Nirbhay Hospitality LLC
400 Redhead Court
McKinney, Texas 75070

October 6, 2017

To whom it may concern:

RE: Minor Replat, Bray Central Two
Lots 8 & 9, Block B
City of McKinney

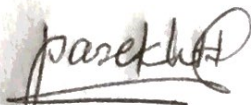
Hello:

The following is a "Letter of Intent" for the above stated project:

The acreage of subject property is 2.4688 acres. The subject property is located at 2104 North Central Expressway, at the northeast corner of the intersection of North Central Expressway and Bray Central Drive. This will be phase one of the development. The name of the plat is "BRAY CENTRAL TWO, LOT 8 & 9, BLOCK B". There will be two lots in this minor replat. The two lots in this minor replat are to be for commercial purposes.

If you have any questions, please call at 903-814-2337.

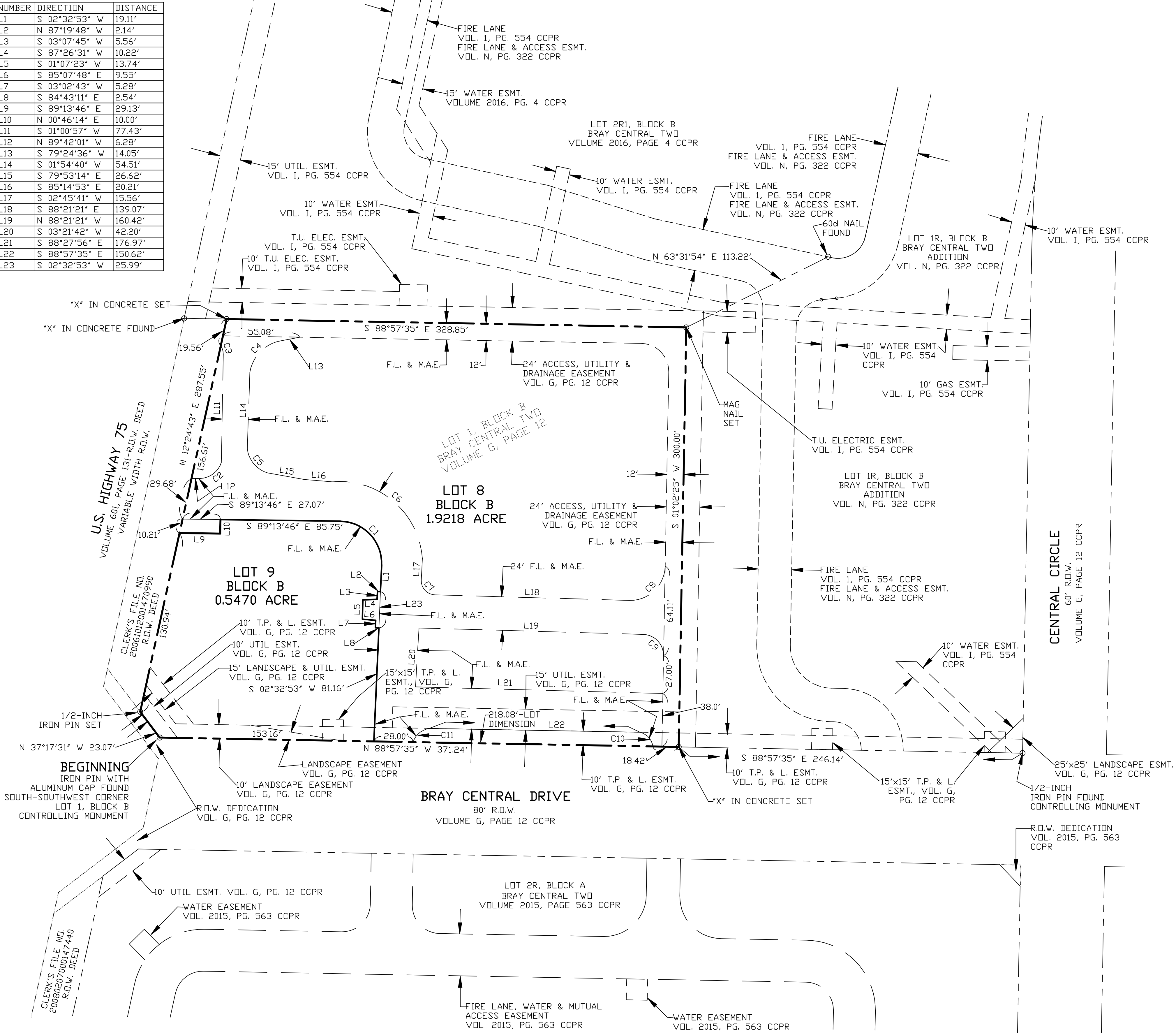
Thank you,

A handwritten signature in black ink, appearing to read 'parekhH', with a horizontal line drawn underneath it.

Hemant Parekh

Managing Partner Nirbhay Hospitality LLC

NUMBER	DIRECTION	DISTANCE
L1	S 02°32'53" W	19.11'
L2	N 87°19'48" W	2.14'
L3	S 03°07'45" W	5.56'
L4	S 87°26'31" W	10.22'
L5	S 01°07'23" W	13.74'
L6	S 85°07'48" E	9.55'
L7	S 03°02'43" W	5.28'
L8	S 84°43'11" E	2.54'
L9	S 89°13'46" E	29.13'
L10	N 00°46'14" E	10.00'
L11	S 01°00'57" W	77.43'
L12	N 89°42'01" W	6.28'
L13	S 79°24'36" W	14.05'
L14	S 01°54'40" W	54.51'
L15	S 79°53'14" E	26.62'
L16	S 85°14'53" E	20.21'
L17	S 02°45'41" W	15.56'
L18	S 88°21'21" E	139.07'
L19	N 88°21'21" W	160.42'
L20	S 03°21'42" W	42.20'
L21	S 88°27'56" E	176.97'
L22	S 88°57'35" E	150.62'
L23	S 02°32'53" W	25.99'



BEARING BASIS: SOUTH LINE OF BLOCK B, BRAY CENTRAL TWO, RECORDED IN VOLUME G, PAGE 12, COLLIN COUNTY PLAT RECORDS

CONTROLLING MONUMENTS: 1/2-INCH IRON PIN FOUND AT SOUTHEAST CORNER OF SAID BLOCK B AND IRON PIN FOUND WITH ALUMINUM CAP FOUND AT SOUTH-SOUTHWEST CORNER OF SAID BLOCK B OF BRAY CENTRAL TWO.

ACCORDING TO FEMA MAP NO. 48085C0260 K, DATED 6-7-2017, THE 2.4688 ACRE TRACT SHOWN HEREON IS NOT IN THE 100 YEAR FLOOD PLAIN.

NOTE: FROM SOUTHEAST CORNER OF LOT 1RR, BLOCK B SHOWN HEREON IT IS APPROXIMATELY S84°34'17"E, 1282' TO APPROXIMATE SOUTHEAST CORNER OF THE JOHN MANNING SURVEY, ABSTRACT NO. 637

F.L. & M.A.E. FIRE LANE AND MUTUAL ACCESS EASEMENT
CCPR COLLIN COUNTY PLAT RECORDS

THE PURPOSE FOR THIS MINOR REPLAT IS TO SUBDIVIDE ONE EXISTING LOT INTO TWO LOTS.

ALL PROPOSED LOTS SITUATED IN WHOLE OR IN PART WITHIN THE CITY'S CORPORATE LIMITS COMPLY WITH THE MINIMUM SIZE REQUIREMENTS OF THE GOVERNING ZONING DISTRICT AND THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	91°46'39"	S 43°20'27" E	30.00	48.05	43.08
C2	69°28'20"	N 52°32'20" E	16.64	20.18	18.96
C3	35°14'54"	N 17°03'14" W	10.28	6.32	6.23
C4	70°15'20"	S 44°16'56" W	27.39	33.59	31.52
C5	67°10'16"	S 39°53'38" E	20.52	24.06	22.71
C6	90°55'31"	S 49°34'00" E	59.26	94.03	84.47
C7	91°07'01"	S 42°47'50" E	10.00	15.90	14.28
C8	90°36'14"	N 46°20'32" E	25.00	39.53	35.54
C9	89°23'46"	N 43°39'28" W	15.00	23.40	21.10
C10	68°44'24"	N 42°19'33" W	12.18	14.62	13.76
C11	61°54'12"	S 50°16'22" W	14.89	16.09	15.31

OWNER: NIRBHAY HOSPITALITY LLC
400 REDHEAD COURT
MCKINNEY, TEXAS 75070

SURVEYOR: BRUCE GEER, R.P.L.S. NO. 4117
1101 W. UNIVERSITY DRIVE
MCKINNEY, TEXAS 75069
PHONE 972-562-3959
FAX 972-542-5751

STATE OF TEXAS:
COUNTY OF COLLIN:

OWNERS' CERTIFICATE

WHEREAS Nirbhay Hospitality LLC is the owner of a tract of land situated in the City of McKinney, Collin County, Texas, in the John Manning survey, abstract no. 637, being a survey of part of Lot 1, Block B of Bray Central Two addition, an addition to the City of McKinney according to the map thereof recorded in volume G, page 12 of the plat records of Collin County, Texas, being described by metes and bounds as follows:

Beginning at an iron pin found with aluminum cap at the south-southwest corner of said Lot 1; same being in the north right-of-way line of Bray Central Drive and in the east right-of-way line of U. S. Highway 75;

THENCE North 37°17'31" West, with the northeast right-of-way line of said U. S. Highway 75 and with the southwest line of said Lot 1, 23.07 feet to a 1/2-inch iron pin set in the east right-of-way line of said U. S. Highway 75;

THENCE North 12°24'43" East, with the east right-of-way line of said U. S. Highway 75, 287.55 feet to a "X" in concrete set in the north line of said Lot 1 and in the south line of Lot 2R1, Block B of Bray Central Two addition recorded in volume 2016, page 4 of the Collin County plat records;

THENCE South 88°57'35" East, with the north line of said Lot 1 and the south line of said Lot 2R1, 328.85 feet to a mag nail set at the northeast corner of said Lot 1 and the south-southeast corner of said Lot 2R1; same being the west-northwest corner of Lot 1R, Block B of Bray Central Two addition recorded in volume N, page 322 of the Collin County plat records;

THENCE South 01°02'25" West, with the east line of said Lot 1 and the west line of said Lot 1R, 300.00 feet to a "X" in concrete set at the southeast corner of said Lot 1 and the southwest corner of said Lot 1R; same being in the north right-of-way line of said Bray Central Drive;

THENCE North 88°57'35" West, with the south line of said Lot 1 and the north right-of-way line of said Bray Central Drive, 371.24 feet to the PLACE OF BEGINNING and containing 2.4688 acres.

COUNTY OF COLLIN)(
STATE OF TEXAS)(

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That Nirbhay Hospitality LLC does hereby adopt this Minor Replat designating the hereinabove described property as BRAY CENTRAL TWO, LOTS 8 & 9, BLOCK B, BEING A REPLAT OF LOT 1, BLOCK B, BRAY CENTRAL TWO, an addition to the City of McKinney, Collin County, Texas according to the plat recorded in Volume G, Page 12, Plat Records, Collin County, Texas, and does hereby dedicate to the public use forever, their streets, alleys and public use areas as shown hereon, the easements, as shown, for mutual use and accommodation of the City of McKinney and all public utilities desiring to use or using same. All and any public utility and the City of McKinney shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees or other improvements or growths, which in anyway, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of McKinney and all public utilities constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at anytime, of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of McKinney, Texas.

WITNESS MY HAND at _____, Texas, this _____ day of _____,

_____, 2017.

Hemant Parekh, Managing Partner Nirbhay Hospitality LLC

STATE OF TEXAS:)(

COUNTY OF COLLIN:)(

Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Hemant Parekh known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this the _____ day of _____, 2017.

Notary Public in and for the State of Texas

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Bruce Geer, do hereby certify that I prepared this plat from an actual survey on the ground and under my direct supervision. All the corner monuments shown hereon actually exist, and that their location, size and material are correctly shown.

PRELIMINARY-THIS DOCUMENT SHALL NOT TO BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Bruce Geer, Registered Professional Land Surveyor No. 4117

STATE OF TEXAS:)(

COUNTY OF COLLIN:)(

Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Bruce Geer known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this the _____ day of _____, 2017.

Notary Public in and for the State of Texas

Approved and Accepted

Planning and Zoning Commission Chairman

Date

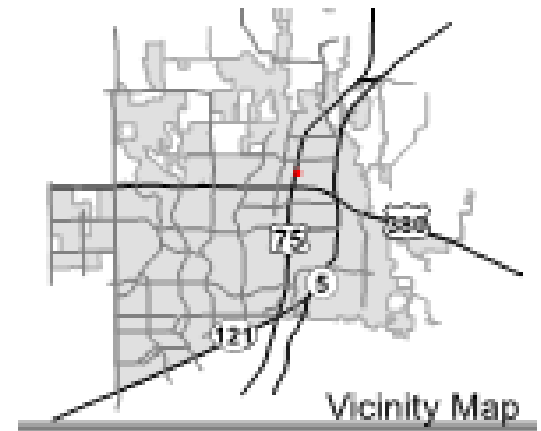
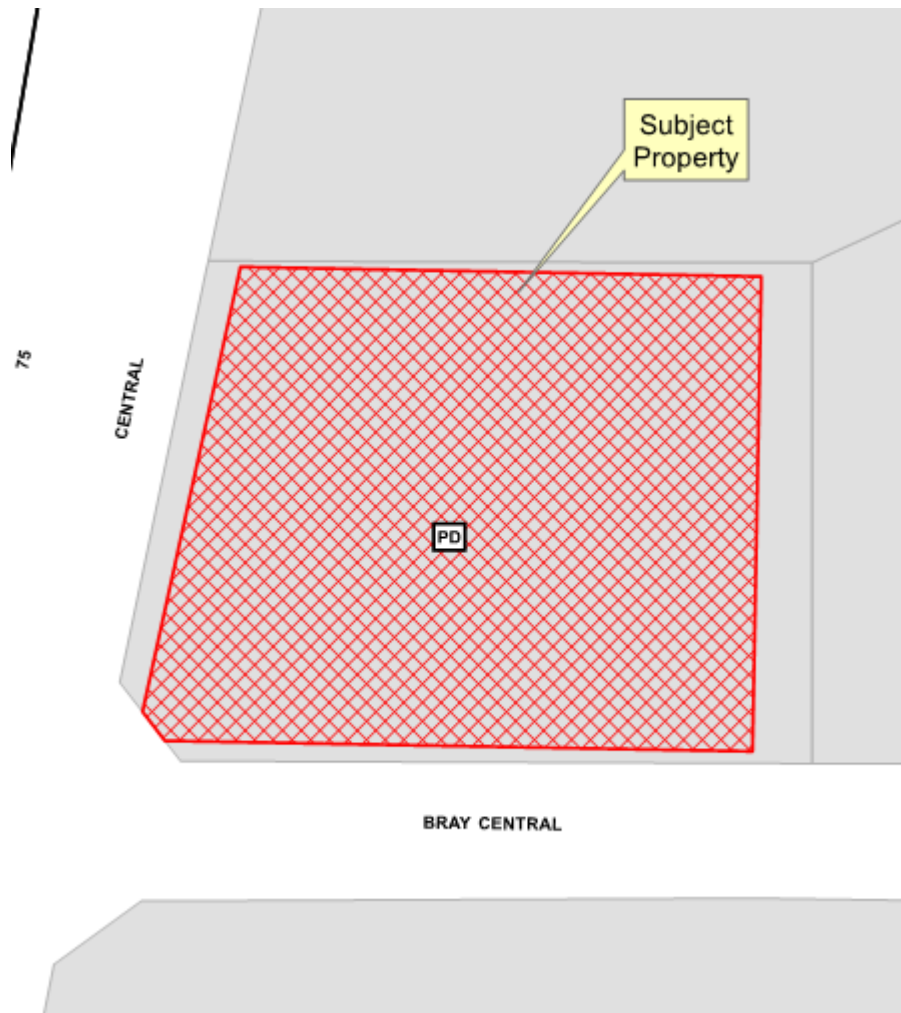
MINOR REPLAT
OF
BRAY CENTRAL TWO
LOTS 8 & 9,
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BEING A REPLAT OF LOT 1, BLOCK B
BRAY CENTRAL TWO
VOLUME G, PAGE 12
COLLIN COUNTY PLAT RECORDS
AN ADDITION TO THE
CITY OF MCKINNEY
BEING 2.4688 ACRES OF LAND LOCATED IN THE
JOHN MANNING SURVEY, ABSTRACT NO. 637,
COLLIN COUNTY, TEXAS

Bray Central Two Addition Minor Replat

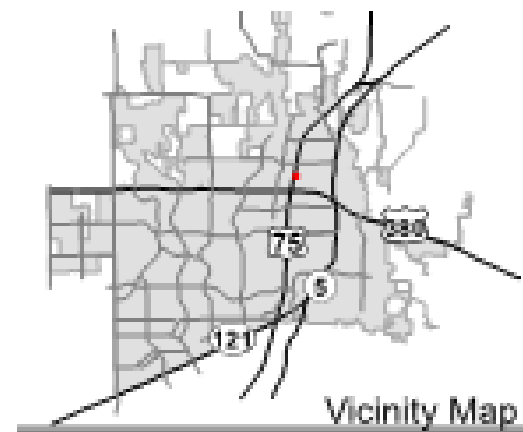
17-191MRP



Location Map



Aerial Exhibit



Proposed Minor Replat

