

## PLANNING AND ZONING COMMISSION

**JANUARY 22, 2019**

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, January 22, 2019 at 6:00 p.m.

City Council Present: Charlie Philips

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Hamilton Doak, Rick Franklin, Christopher Haeckler, and Cam McCall

Commission Members Absent: Deanna Kuykendall,

Staff Present: Director of Planning Jennifer Arnold; Planning Manager Samantha Pickett; Planners David Soto, Derrick Rhys Wilson, Kaitlin Gibbon, and Mitchell Corona; and Administrative Assistant Terri Ramey

There were approximately 15 guests present.

Chairman Cox called the meeting to order at 6:05 p.m. after determining a quorum was present.

The Commission unanimously approved the motion by Commission Member Franklin, seconded by Commission Member Haeckler, to approve the following two Consent items.

**19-0048** Minutes of the Planning and Zoning Commission Regular Meeting of January 8, 2019.

**18-0289CVP** Consider/Discuss/Act on a Conveyance Plat for Lots 1 and 2, Block A, of McKinney Crossing II Addition, Located Approximately 200 Feet East of State Highway 5 (McDonald Street) and on the North Side of U.S. Highway 380 (East University Drive).

END OF CONSENT

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

**18-0285PFR2** Conduct a Public Hearing to Consider/Discuss/Act on a Preliminary-Final Replat for Southern Hills at Craig Ranch Phase 3, Located Approximately 830 Feet North of State Highway 121 (Sam Rayburn Tollway) and on the

South Side of Craig Ranch Parkway. Ms. Kaitlin Gibbon, Planner I for the City of McKinney, explained the proposed preliminary-final replat. She stated that the applicant is proposing to subdivide one lot and one common area into 130 lots and 5 common areas for single family residential uses. Ms. Gibbon stated that the plat has met all of the requirements of the Subdivision Ordinance. She stated that Staff recommends approval of the proposed preliminary-final replat and offered to answer questions. Commission Member Haeckler asked for clarification on the VCIM Development Agreement noted in the Staff Report stating that they did not have to pay roadway impact fees. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that the agreement was part of the Craig Ranch master plan and not specifically tied to this particular development. She stated that the agreement was executed in the early 2000's for the overall master plan for the whole area. Mr. Josh Luke, JBI Partners, Inc., 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 Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and approve the preliminary-final replat as recommended by Staff, with a vote of 6-0-0.

- 18-0152Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS 84" - Single Family Residence District to "SO" Suburban Office District, Located Approximately 160 Feet East of Redbud Boulevard and on the South Side of Hunt Street (REQUEST TO BE TABLED). Ms. Kaitlin Gibbon, Planner I for the City of McKinney, stated that Staff recommends that the public hearing be continued and the item tabled to the February 12, 2019 Planning and Zoning Commission meeting due to notifications signs not being posted on the subject property in the timeframe required by the Zoning

Ordinance. She offered to answer questions. There were none. The applicant was not present to give a presentation. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to continue the public hearing and table the item to the February 12, 2019 Planning and Zoning Commission meeting as recommend by Staff, with a vote of 6-0-0.

**18-0154Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "C1" - Neighborhood Commercial District, Located Approximately 850 Feet West of the Terminus of Laud Howell Parkway and Approximately 6,260 Feet South of FM 543. Mr. David Soto, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that the applicant is requesting to rezone the subject property from "AG" – Agricultural District to "C1" – Neighborhood Commercial District, generally for commercial uses. He stated that the proposed construction and design of Laud Howell Parkway in proximity the potential to provide service and commercial uses to an area that is currently undeveloped for such uses. Mr. Soto stated that due to the subject property not fronting directly onto future Laud Howell Parkway, Staff is of the opinion that the proposed rezoning of "C1" – Neighborhood Commercial District will be able to act as a transition from the more intense arterial frontage to the less intensive uses to the west. He stated that the proposed rezoning request should be compatible with existing commercial uses and are in conformance with the Comprehensive Plan. Mr. Soto stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. Commission Member Franklin asked if any screening would be required. Ms. Samantha Pickett, Planning Manager for the City of McKinney,

stated that would be determined during the site plan phase. Mr. Seth Sampson, Oncor Electric Delivery Company, 115 W. 7<sup>th</sup> Street, Ft. Worth, TX, concurred with the Staff Report and offered to answer questions. Commission Member Haeckler asked if they plan to have a substation on the subject property. Mr. Sampson said yes. Commission Member Haeckler asked for clarification on the odd shape of the subject property. Mr. Sampson stated that it was his understanding that to request the proposed rezoning and future Specific Use Permit (SUP), they are required to have a minimum of 10 acres. Commission Member Haeckler stated that the powerline goes north and south. He asked if the substation is needed to provide service that area. Mr. Sampson said yes. Mr. Soto clarified that we cannot subdivide into lots less than 10 acres in "AG" – Agricultural District (the current zoning district). Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Haeckler, seconded by Commission Member Doak, 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 6-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 19, 2019.

Commission Member Franklin stepped down from the following item due to a possible conflict of interest.

**18-0158Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "C2" - Local Commercial District, Located at the Southwest Corner of Virginia Parkway and Hardin Boulevard. Mr. Derrick Rhys Wilson, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that the applicant is requesting to rezone the subject property from "AG" – Agricultural District to "C2" – Local Commercial District,

generally for commercial uses. Mr. Wilson stated that the proposed rezoning request meets the intentions of the Established Community District and the newly adopted Comprehensive Plan by providing development patterns that complement the existing residential areas and are consistent with the current commercial uses. He stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none. Mr. Casey Gregory, Sanchez and Associates, 2000 N. McDonald Street, McKinney, TX, concurred with the Staff Report and offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Ms. Brenda Fager, 201 Pintail Drive, McKinney, TX, stated that the property located to the south of the subject property was required to have a 35-foot buffer to keep the tree line. She asked if it was possible to have the same requirement for the subject property. Ms. Fager asked what is being proposed to be developed on the subject property. Ms. Patricia Wilson, 3900 Eider Drive, McKinney, TX, stated that she was also concerned about the tree line, possible decrease in her property value, and what might be developed on the subject property. On a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission voted to close the public hearing, with a vote of 5-0-1. Commission Member Franklin abstained. Vice-Chairman Mantzey asked for clarification on the 35-foot buffer on the property to the south of the subject property. Mr. Wilson stated that the adjacent property was rezoned in early 2018 for an assisted living and independent living uses. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that quality trees that are 3" or greater in diameter within 15 feet of the property line cannot be altered and no activity that could disturb the root zone of those trees within 35 feet. She stated that they could be some trees removed on the subject property. Ms. Pickett stated that typically when a property is adjacent to an

existing residential subdivision there will be a 15-foot tree preservation zone for quality trees near the property line and a 10-foot buffer with any additional trees that need to be planted. She stated that with the dense amount of trees currently located there that she was unsure if any additional trees would be required to be planted. Ms. Pickett stated that there was a provision to the "PD" - Planned Development for the property to the south. Vice-Chairman Mantzey asked if the provision of the adjacent property was beyond the typical standards required by the City and above the standards of a "C1" – Neighborhood Commercial District. Ms. Pickett said yes. Vice-Chairman Mantzey asked why they would not carry the same provision for the tree line for this rezoning request due to the same residential subdivision be adjacent to it. Ms. Pickett stated that a larger number of those trees would be protected anyway. She stated that there are built in provisions in the ordinance for when non-residential development abuts single family. Commission Member Haeckler asked if there was current any additional screening required for the subject property to block the view to the adjacent residential property owners. Ms. Pickett stated that a screening wall would be required during the site plan phase. Chairman Cox asked to clarify that the same provision might be able to be added to the subject property to match the property to the south's provision. Ms. Pickett stated that it could; however, it would be creating a "PD" – Planned Development at that point. Chairman Cox asked if Mr. Gregory knew what the proposed uses were for the subject property and if he know anything about the tree line between the subject property and Mallard Lakes subdivision. Mr. Gregory stated that they had not submitted any site plans at this time. He was unaware of any definite uses for the property. Mr. Gregory stated that they had discussed having retail type uses along Virginia Parkway and Hardin Boulevard. He stated that had discussed having office type uses along the back of the property, near

the adjacent residential properties. Mr. Gregory stated that there is an existing cell tower at the southwest corner of the subject property and he was unaware of any plans to remove it. He stated that they would be happy to follow all of the City's tree preservation regulations. Mr. Gregory stated that they just applied for the straight rezoning and no special thought given to the trees. Vice-Chairman Mantzey stated that he was in support of the proposed rezoning request. He stated that the Planning and Zoning Commission was not here to create a "PD" – Planned Development District during the meetings. Vice-Chairman Mantzey stated that City Council could give direction to Staff to provide the Mallard Lakes subdivision the same provision as the property to the south regarding preserving the trees. Commission Members Doak, Haeckler, and McCall concurred with Vice-Chairman Mantzey's comments. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Doak, the Commission voted to recommend approval of the proposed rezoning request as recommended by Staff, with a vote of 5-0-1. Commission Member Franklin abstained. Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 19, 2019.

Commission Member Franklin returned to the meeting.

- 18-0159Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "AP" - Airport District to "LI" - Light Industrial District, Located Approximately 915 Feet East of Country Lane and on the North Side of FM 546 (Harry McKillop Boulevard). Mr. Mitchell Corona, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that the subject property is owned by the City of McKinney. Mr. Corona stated that the City of McKinney is requesting to rezone the subject property from "PD" – Planned Development District and "AP" – Airport District to "LI" – Light

Industrial District, generally for industrial uses. He stated that this request would better equip the site to develop in the future. Mr. Corona stated that the subject property's proximity to the McKinney National Airport makes it a prime candidate for future industrial development. He stated that the surrounding uses, including the airport to the east and Simpson Strong Tie to the west, are conducive to the "LI" – Light Industrial District. Mr. Corona stated that the proposed rezoning request should be compatible with the surrounding properties and place types, including Manufacturing & Warehousing, Employment Mix, and Professional Campus. He stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Franklin, seconded by Commission Member McCall, 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 6-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 19, 2019.

- 18-0121SP** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for an Amenity Center (Meridian at Southgate Amenity Center), Located Approximately 1,210 Feet West of State Highway 5 (McDonald Street) and on the South Side of Steward Road. Mr. David Soto, Planner I for the City of McKinney, explained the proposed site plan. He stated that the applicant is proposing to construct a 1,500 square foot amenity center (Meridian at Southgate Amenity Center). Mr. Soto stated that applicant is seeking approval to waive the required screening adjacent to the single family residential properties to the southeast. He stated that the applicant indicated that the Meridian at Southgate Amenity Center desires to not provide screening in order to create open views for the community, and feels solid screening would be a barrier to the view. Mr. Soto stated that



given that there are multiple easements (sanitary sewer, gas, and a waterline), the location of the amenity center, and the distance (75 feet) from the future adjacent residential properties, it is Staff's professional opinion that waiving the screening device will not have a negative impact on the adjacent single family residential uses. He stated that Staff recommends approval of the proposed site plan and offered to answer questions. Vice-Chairman Mantzey wanted to clarify that the proposed amenity center would be for those residents. Mr. Soto said yes. Ms. Jennifer Rabon, Wilbow-Meridian, LLC, 4131 N. Central Expressway, Dallas, 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 Vice-Chairman Mantzey, seconded by Commission Member Doak, the Commission unanimously voted to close the public hearing and approve the site plan as recommended by Staff, with a vote of 6-0-0.

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

Chairman Cox thanked Staff for their hard work and Councilman Philips for attending the meeting.

There being no further business, Chairman Cox declared the meeting adjourned at 6:37 p.m.

---

BILL COX  
Chairman