

PLANNING AND ZONING COMMISSION

FEBRUARY 28, 2017

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on Tuesday, February 28, 2017 at 6:00 p.m.

Commission Members Present: Chairman Bill Cox, Janet Cobbel, Deanna Kuykendall, Cam McCall, Brian Mantzey, Pamela Smith, and Mark McReynolds – Alternate

Commission Member Absent: Vice-Chairman Eric Zepp

Staff Present: Director of Development Services Michael Quint, Director of Planning Brian Lockley, Planning Manager Samantha Pickett, Facilities Construction Manager Patricia Jackson, Planners Danielle Quintanilla and Melissa Spiegel, and Administrative Assistant Terri Ramey

There were approximately 40 guests present.

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

Chairman Cox continued the meeting with the Consent Items.

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

17-246 Minutes of the Planning and Zoning Commission Work Session of February 14, 2017

17-247 Minutes of the Planning and Zoning Commission Regular Meeting of February 14, 2017

END OF CONSENT

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

17-006Z2 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, to Allow for Single Family Residential Uses, Located on the Southeast Corner of Crutcher Crossing and Virginia Parkway

Ms. Melissa Spiegel, Planner I for the City of McKinney, explained the proposed rezoning request and stated that eight letters of support were distributed to the Commission prior to the meeting. She stated that the applicant was requesting to rezone the subject property from “PD” – Planned Development District to “PD” – Planned Development District, generally to amend the existing ordinance to allow for single family residential uses on the subject property. Ms. Spiegel stated that if the subject property was developed, it would develop in accordance with the “SF5” – Single Family Residential District. She stated that although the proposed rezoning request would amend the governing planned development district ordinance to allow single family residential uses in addition to the existing non-residential uses allowed, Staff has concerns as this could potentially erode the non-residential tax base in this area. Ms. Spiegel stated that the development of single family residential uses was not in conformance with the City of McKinney’s Comprehensive Plan, which shows the area developing for office uses. She stated that Staff recommends denial of the proposed rezoning request given the property’s location along Virginia Parkway and the development of the adjacent properties to the east and west for office and commercial uses. Ms. Spiegel offered to answer questions. There were none.

Mr. Jimmy Tanghongs, 5301 Collin McKinney Parkway, McKinney, TX, stated that they intend to build eleven luxury, high-end homes on the subject property. He stated that the prices would probably start around \$600,000 and go up to \$800,000. Mr. Tanghongs stated that they expected the average home price to be between \$700,000 – \$750,000.

Mr. Warren Hilla, Dynamic Engineering, 9600 Zaharias Drive, McKinney, TX, stated that they plan to use approximately two-thirds of the property. He stated that there was a creek that runs down the southern border of the property. Mr. Hilla stated that they plan to preserve the natural creek and everything in the fully-developed floodplain. He stated that the site has an approximately 30’ drop from the corner of Crutcher Crossing and Virginia Parkway down to the creek. Mr. Hilla stated that he feels that the site would be very challenging to develop for commercial uses with the large slope. He stated that they could fit residential uses on the property and create something interesting to make them work with the terrain. Mr. Hilla stated that the frontage of the property along Virginia

Parkway was below the street; therefore, they would have to build up the property for commercial development on the site. He stated that they met with the surrounding property owners and nearby residents. Mr. Hilla stated that everyone that they met with was in support of the application. He stated that they were proposing to build sustainable houses that use less energy and water. Mr. Hilla felt that this would be unique for the area. He stated that they were proposing approximately 0.20 - 0.34 acre lot sizes, which was a little larger than the surrounding residential lots. Mr. Hilla offered to answer questions.

Commission Member Smith asked how they reached out to the nearby residents to meet with them. Mr. Jimmy Tanghongs stated that they reached out to the surrounding homeowners association (HOA) members, business owners, and set up a tent in front of the pool to meet with the surrounding residents. He stated that they had received some letters of support.

Chairman Cox asked how much of the 5 ½ acres would be undevelopable due to being located in the floodplain. Mr. Hilla stated that 1.44 acres were located in the floodplain.

Chairman Cox asked how many residential houses they plan to build on the remaining 4 acres. Mr. Jimmy Tanghongs stated that they intent to build 11 homes.

Chairman Cox opened the public hearing and called for comments.

Mr. Charles McKissick, 3001 Partridge Lane, McKinney, TX, stated that he represents the landowner for this property. He stated that they felt the surrounding homeowners association (HOA) would be happy with the proposed plans for the property; however, they worried about the City's thoughts regarding the tax base. Mr. McKissick stated that he also attended the various meetings the applicant set up with the surrounding property owners and homeowners association (HOA). He felt the proposed plans for the property would be a win-win for everyone. Mr. McKissick requested that the Commission recommend approval of the request.

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

Commission Member Mantzey stated that he could understand why the surrounding residents would be in support of the proposed rezoning request. He stated that this was a major thoroughfare with limited development. Commission Member Mantzey stated that the directive from City Council was to diversify the tax base. He stated that while it would be a nice development and compatible with some of the area's development, it will be on a six-lane road that would be highly attractive for commercial development. Commission Member Mantzey stated that considering all of this he could not support the proposed rezoning request.

Commission Member Kuykendall stated that she agreed. She stated that she had serious concerns after looking at the cost benefit analysis that was included in the packet. Commission Member Kuykendall stated that she could not support the proposed rezoning request.

Commission Member Cobbel questioned how much the tax base would change between the proposed \$7,500,000 residential development versus a possible commercial development.

Commission Member Smith stated that given the minimal difference in cost benefit and the neighborhood response that she would be willing to support the proposed rezoning request.

Chairman Cox concurred with Commission Member Smith's comments. He stated that this was a different zoning case than the last one we had in the area.

Commission Member Cobbel asked if the applicant might be willing to table the item. Mr. Jimmy Tanghongs stated that they would be willing to table the item.

Mr. George Tanghongs, 9708 Indian Canyon Drive, Plano, TX, stated that when they tried to develop an adjacent property for commercial use that had the same zoning on it as this property that a large number of the surrounding residential property owners showed up in opposition to that request. He stated that they were able to work out the issues on that case. Mr. George Tanghongs stated that if they were proposing retail or commercial uses on the subject property then he felt the surrounding residents would show up in strong opposition to it.

Mr. McKissick stated that the subject property had been for sale for over 20 years under the current zoning. He stated that the surrounding property owners had concerns

about the number of vehicles that might be using Crutcher Crossing if a commercial use went in there. Mr. McKissick stated that he felt that the proposed rezoning request would solve that concern. He stated that you usually do not hear from people when they are happy; however, you do hear from them when they are mad. Mr. McKissick stated that everyone that they spoke with was in favor of this proposed rezoning request. He felt that the tax base would be positive with the proposed home prices for these lots.

Commission Member Smith stated that she understands and respects Staff's recommendation for denial. She stated that this was one of those cases where the precursor of the neighborhood response was a bearing factor. Commission Member Smith stated that she did not feel the proposed rezoning request would have an adverse effect on the tax base.

Commission Member Mantzey stated that he thought approving this request would open it up to allow other tracts becoming non-commercial. He stated that he could see the feasibility and he understood the numbers. Commission Member Mantzey stated that he understood the concerns of the citizens that were here for the previous rezoning case. He stated that it was going to be a six-lane road with a light. Commission Member Mantzey stated that the subject property was a commercial tract that would continue to be appealing. He stated that City Council had given a directive to follow, so he understood Staff's recommendation.

Commission Member Kuykendall concurred with Commission Member Mantzey's comments. She stated that she was not sure if the eight letters of support were a true reflection of everyone in the surrounding neighborhood. Commission Member Kuykendall stated that she knew the direction that had been given by City Council and she had heard a lot of public opinion on how they want to see the City grow and develop which addressed not rezoning non-residential properties.

Commission Member McCall stated that the request had the support of the surrounding property owners and was surrounded by residential properties. He stated that his only concern was the tax base. Commission Member McCall restated that the adjacent property owners were in support of this request, which he felt was very important.

Chairman Cox stated that there was a request by the applicant to table the item.

On a motion by Commission Member Cobbel, seconded by Commission Member Smith, the Commission voted to table the proposed rezoning request to the March 14, 2017 Planning and Zoning Commission Meeting, with a vote of 6-1-0. Commission Member Kuykendall voted against the motion.

17-030Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C2" - Local Commercial District and "TH" - Townhome Residential District, Located Approximately 1,200 Feet East of Custer Road and on the South Side of Eldorado Parkway

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was requesting to rezone from "PD" – Planned Development District to "C2" – Local Commercial District and "TH" – Townhome District. Ms. Spriegel stated that Tract 1, approximately 5.02 acres, would be zoned for commercial uses, and Tract 2, approximately 13.80 acres, would be zoned for townhome uses. Ms. Spriegel stated that while Staff recognizes that approximately 19 acres of office uses may be challenging to develop in the near future, the proposed rezoning request does not help to further a strong, balanced economy, which is a stated strategic goal of the City Council. She stated that the development of residential uses on a tract completely surrounded by office and non-residential uses does not promote an appropriate transition of uses between residential and non-residential uses. Ms. Spriegel stated that Staff recommends denial of the proposed rezoning request and offered to answer questions.

Alternate Commission Member McReynolds asked what was located to the southwest of the subject property. Ms. Spriegel stated that Experian Data Center, Torchmark, an assisted living center, and property zoned for retail/office uses surrounded the property.

Commission Member Smith asked Ms. Spriegel to repeat what she said about the transition of uses in her presentation. Ms. Spriegel stated that since the subject property was completely surrounded by non-residential uses, Staff feels that there would not be an appropriate transition between those non-residential uses and the proposed townhome uses.

Commission Member Cobbel asked if office uses surrounding the adjacent assisted living facility was appropriate. Ms. Spiegel said yes and that the assisted living facility was considered a non-residential use.

Commission Member McCall asked if Tract 1 was proposed to have townhomes on it. Ms. Spiegel said no, that the townhomes were proposed for Tract 2. She stated that they were requesting "C2" – Local Commercial District on Tract 1.

Commission Member Cobbel asked what was directly across the street. Ms. Spiegel stated that property was currently undeveloped. She stated that it was zoned for retail uses. Commission Member Cobbel asked if potentially restaurants, a grocery store, or similar stores could possibly go on the property. Ms. Spiegel said yes.

Commission Member McCall asked if the main concern was the townhomes proposed on Tract 2. Ms. Spiegel said yes and that it was the change to residential zoning on Tract 2.

Mr. Jerry Sylo, JBI Partners, 16301 Quorum Drive, Addison, TX, gave a presentation regarding the proposed rezoning request. He stated that the subject property was located at two major planned roads and was at the southern tip of the Stonebridge community. Mr. Sylo stated that the site was 3 ½ miles north of State Highway 121 (Sam Rayburn Tollway). He stated that the site was surrounding by single family development. Mr. Sylo stated that as the area developed there had been a focus on residential uses. He stated that they were requesting that five acres, off of Eldorado Parkway, have commercial uses. Mr. Sylo gave some examples of what could be built under the current zoning on the property. He stated that they felt the frontage along Eldorado Parkway that close to Custer Road was more valuable than just office uses. Mr. Sylo stated that the remaining 14 acres, where they want to develop townhomes, was where the issue came in on this rezoning request. He stated that Experian Data Center currently owns the property and has had issues trying to sell it. Mr. Sylo stated that people had been interested in the front portion of the property; however, not the back portion. He described how the surrounding properties developed over time. Mr. Sylo stated that the nearby insurance company was built around 1995. He stated that the Experian Data Center was built around 1998. Mr. Sylo stated that there was a gap in time when the area did not develop. He stated that when develop did start taking place, between 2005 and

2010, uses transition from more office/corporate uses to more service-related and retail uses. Mr. Sylo gave examples of the hospital, assisted living facility on the north side, two retail centers on the Frisco side of Custer Road, insurance company expansion, daycare center, and eye doctor's office. He stated that an assisted living facility and office/condominiums had developed nearby since 2010. Mr. Sylo briefly discussed possible traffic counts for the area depending on what could be built on the property compared to what was being proposed to be developed. He stated that they do not have a specific concept plan yet, since they were still talking with a number of different homebuilders. Mr. Sylo stated that they have some substantial drainage issues that will need to be addressed. He stated that the office impact on Tract 1 would be minimal. Mr. Sylo felt that the impact of an adjacent office use next to a townhome use on this property would be very minimal. He expressed concerns regarding Staff's fiscal analysis that was included in the meeting packet. Mr. Sylo stated that the fiscal analysis assumed that the subject property would completely develop as corporate offices. He stated that the property owner had tried to sell the property for corporate office uses; however, they could not find a buyer for it. Mr. Sylo questioned how you could get people to drive 3 ½ miles north of State Highway 121 (Sam Rayburn Tollway) through all of the traffic, when you have a lot of vacant land directly on State Highway 121 (Sam Rayburn Tollway) and U.S. Highway 75 (Central Expressway). He stated that there are so many better office uses locations available. Mr. Sylo felt that the \$16,500,000 property value generated from townhome community shown in the report was a very reasonable expectation. He stated the bigger concern is that you may have a property owner that decides to sell the property in portions, since the frontage property would probably sell faster. Mr. Sylo stated that the backend of the property might stay vacant for the next 20 years if that happened. He stated that they feel their rezoning request was a good request based on the changed conditions over the past 20-25 years in this area. Mr. Sylo stated that they felt their proposal would be minimally impacted by the office developments. He stated that they felt their proposal was much more compatible to the developed area between Eldorado Parkway and State Highway 121 (Sam Rayburn Tollway) with all of the single family residential developments. Mr. Sylo felt that their proposal was a viable solution. He offered to answer questions. There were none.

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

Alternate Commission Member McReynolds stated that it seemed like the Commission had recently looked at another deep property, located on Community Avenue between White Avenue and U.S. Highway 380 (University Drive), where Staff recommended approval of the rezoning request. He stated that this was also a deep piece of property. Alternate Commission Member McReynolds stated that there would probably be commercial uses on the front of it where the City could get some tax base. He stated that with the residential uses there would be people there all the time and they could be spending money in the area. Alternate Commission Member McReynolds stated that he was in favor of the proposed rezoning request. He stated that the property was unique enough that it warranted a solution such as this.

Commission Member Mantzey stated that it seemed like there were other residential uses abutting the property that Alternate Commission Member McReynolds referenced. He stated that between the Eldorado Parkway and Stonebridge Drive intersection and the Custer Road and Stonebridge Drive had been a very attractive area for development over the past five years and continues that way. Commission Member Mantzey felt this area lends itself to commercial development. He stated that he did not favor sticking residential uses in the middle of commercial uses. Commission Member Mantzey stated that the argument about traffic counts being high in the area could lead to all of the rest of development along U.S. Highway 380 (University Drive) being residential. He stated that it was about having job opportunities in McKinney and a commercial base.

Alternate Commission Member McReynolds stated that the difference here is that you have both. He felt there were commercial and residential properties nearby the subject property. Alternate Commission Member McReynolds stated that he was still in favor of the request, since they were asking for both uses. He stated that if they were asking for all residential on the property then that would be different.

Commission Member Cobbel stated that she agreed. She stated that it looked like a good area to live, work, and shop. Commission Member Cobbel stated that she sees townhouses there. She stated that it could help the area in general, especially with the amount of people that work in the vicinity and live somewhere else.

Commission Member Kuykendall stated that she agreed with the Staff report. She stated that she was about bringing jobs to McKinney. Commission Member Kuykendall stated that so many residents of McKinney have to leave to go to work. She stated that she would not be in favor of the request.

Commission Member Cobbel stated that she would agree to a point; however, they also need somewhere to live.

Commission Member Smith stated that if the townhomes were being used to buffer directly adjacent single family detached residential uses then she would view this differently; however, in this configuration she agreed with Staff's recommendation. She stated that she was not in favor of the proposed zoning request.

Commission Member McCall concurred with Commission Member Smith's comments. He stated that the subject property was surrounded by commercial uses. Commission Member McCall stated that this whole area could be commercial given time.

Chairman Cox asked the applicant if they had considered enlarging Tract 1. Mr. Sylo stated that would create a deeper property that would be harder to develop as retail uses. He stated that the townhome product would become even smaller, which become more problematic. Mr. Sylo stated that office is the lowest intensive use for most cities. He stated that the only transitional use between office and residential would be multi-family. Mr. Sylo stated that they did not feel that multi-family was an appropriate use from the City's prospective on this property; therefore, they proposed townhomes. He stated that they view the townhomes as the transition area between the office uses and the single family residential properties in the area. Mr. Sylo stated that there were two-story offices with basically parking lots adjacent to it.

On a motion by Commission Member Kuykendall, seconded by Commission Member Mantzey, the Commission voted to recommend denial of the proposed rezoning request as recommended by Staff, with a vote of 5-2-0. Commission Member Cobbel and Alternate Commission Member McReynolds 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 March 21, 2017.

16-193Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 520 Feet East of Community Avenue and on the South Side of U.S. Highway 380 (University Drive)

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the property located north of the subject property was currently being utilized for institutional uses (Collin College), and the property located to the west was being utilized for commercial uses. Ms. Spriegel stated that the properties located to the south and east were currently being utilized for single family residential uses. She stated that the subject property was surrounded by a creek and dense vegetation that serves as a buffer between the subject property and surrounding properties. Ms. Spriegel stated that given the primary frontage along U.S. Highway 380 (University Drive), the width of the existing creek and vegetation, and uses on the properties to the north and west, it was Staff's opinion that the rezoning request was compatible and would complement the existing and surrounding uses. She stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. S.I. Abed, DDC, Inc. 503 Wade Court, Euless, TX, stated that the site has two creeks and was surrounding by heavy green areas with large trees. He stated that their goal was to keep the green areas as they are now and not to cut the large trees. Mr. Abed stated that they plan to use the middle area, which was approximately 25% of the property, for commercial use. He stated that others had unsuccessfully tried to develop this property, as it was a difficult property to develop due to various issues. Mr. Abed stated that they were creating a buffer on the south side by not cutting the trees, adding a fence, and satisfying all of the City's screening requirements.

Chairman Cox opened the public hearing and called for comments.

Mr. Tony Strouth, 2304 Marshbrook Drive, McKinney, TX, stated that he was representing four of the homeowners on Marshbrook Drive. He stated that there was a

lot of light pollution coming from another business located nearby. Mr. Strouth stated that property owner leaves on their lights 24 hours per day, seven days per week. He stated that looking at his bedroom windows at night it appears that it is daylight outside due to the light coming from this property. Mr. Strouth expressed concerns about possibly losing some of the green space that acts as a buffer on the subject property.

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

Commission Member Mantzey asked Staff to address the lighting concerns Mr. Strouth mention during the public hearing. Ms. Spiegel stated that this request was specifically for the zoning and land uses allowed on the property. She stated that any lighting or development issues should be addressed during the site planning process. Ms. Spiegel stated that there was a specific use permit for the use on the property which was also being considered at this meeting. She stated that if a resident has any issues that they could contact the City of McKinney Code Enforcement Department for them to research into it.

Commission Member Mantzey asked if the City had codes regarding light coming from a commercial use to a residential use. Ms. Spiegel said yes and that the City's Ordinances address it.

Commission Member Mantzey wanted to clarify that if the neighbor has concerns that they could contact the City of McKinney Code Enforcement Department. Ms. Spiegel said yes.

Chairman Cox stated that during the approval process of the building that there were standards that a developer was required to follow and one of those requirements would be lighting. Ms. Spiegel stated that there was a lighting section in the Code of Ordinances that they must meet.

Chairman Cox asked for the uses that would be allowed under the current zoning on the property. Ms. Spiegel stated that the current zoning on the property would mostly be limited to office uses.

Chairman Cox asked if there would be a height limitation to the office uses currently allowed on the property. Ms. Spiegel stated that under the "O" – Office District if an office

use was within 300' of residential property the office would be limited to 50' in height. Chairman Cox asked how many stories that would be. Ms. Spiegel thought that generally stories were approximately 11' in height. Chairman Cox stated that would mean that there could be up to a four-story building built on the subject property. Ms. Spiegel stated that was correct.

Commission Member Smith stated that the resident that spoke apparently did not have a natural buffer between his property and the other property that he addressing. She wanted to clarify that the subject property would have a heavily vegetated buffer. Ms. Spiegel stated that within the existing ordinance on the property it specifies a 40' greenbelt. She stated that with the proposed rezoning and specific use permit requests the applicant would be maintaining the 40' of vegetation, which splits the property line. Ms. Spiegel pointed out the proposed retaining wall and where the vegetation would remain on the property.

Chairman Cox asked if there was another property located between the single family homes on Marshbrook Drive and the subject property. Ms. Spiegel said yes.

Chairman Cox asked Mr. Abed to discuss the lighting, egress, ingress, how much of the site will be developed, and the distance between the subject property and the residential properties to the southwest. Mr. Abed stated that there would be a 40' natural buffer along the creek. He stated that all of the large trees in this area would not be cut. Mr. Abed stated that to mitigate those trees would cost too much. He stated that they were proposing to develop approximately 25% of the property. Mr. Abed stated that the retaining wall was needed to address erosion issues that could be caused by the creek and was not proposed to increase any area of the property. He stated that they were proposing to develop a one-story building that would be facing U.S. Highway 380 (University Drive). Mr. Abed stated that the nearby residential properties were to the back and they did not intent to have any activity on the back of their property. He stated that unless it was a City requirement, he did not think that they would need to put in lighting on the backside, since all of the doors would be facing U.S. Highway 380 (University Drive). Mr. Abed stated that they would be maintaining a fence with the trees, which would be an additional buffer. He stated that they could have requested to cut the vegetation on the property to gain a larger developable space; however, they were not

interested in pursuing that option. Mr. Abed stated that that others have tried and failed to develop the land in various configurations in the past.

Alternate Commission Member McReynolds asked for clarification on the landscaping requirement and what size and type of specimens would need to be planted in the rear of the proposed building. Mr. Spriegel stated that when you are adjacent to residential properties there was a 10' landscape buffer with 4" caliper, 12' tall canopy trees.

Alternate Commission Member McReynolds asked if it was a 6' tall fence. Ms. Spriegel said yes.

On a motion by Commission Member Mantzey, seconded by Alternate Commission Member McReynolds, the Commission unanimously voted to 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 March 21, 2017.

16-192SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for an Automotive Care Center, Located Approximately 520 Feet East of Community Avenue and on the South Side of U.S. Highway 380 (University Drive)

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed specific use permit request for an automotive care center. She stated that the proposed zoning of the property requires that a specific use permit be granted in order to allow for an automotive care center on the subject property. Ms. Spriegel stated that as part of the specific use permit request the applicant has submitted a site layout exhibit detailing the building location, overhead door locations, screening devices, and parking areas. She stated that the applicant had provided a 6' tall screening wall around the property, the required landscape buffer, and a 40' wide greenbelt generally split over the property line around three sides of the property. Ms. Spriegel stated that the proposed layout and natural buffer reduces noise and visibility of the automotive care center from nearby residential uses located to the south of the subject property. She stated that Staff recommends approval of the proposed specific use permit request as conditioned in the Staff report. Ms. Spriegel offered to answer questions.

Chairman Cox asked for clarification on the location of the proposed overhead doors on the structure. Ms. Spiegel pointed out the location of the overhead doors on the projected display and stated that they would be oriented to the northeast.

Mr. S.I. Abed, DDC, Inc. 503 Wade Court, Euless, TX, stated that they were proposing a smaller building to allow them to keep the greenbelt buffer on the subject property, which limits the available space. He pointed out the proposed entrances, parking, screening wall, and office on the overhead display. Mr. Abed stated that they were proposing four bays on the building. He talked about preserving trees on the subject property for a natural buffer.

Chairman Cox opened the public hearing and called for comments.

Mr. Tony Strouth, 2304 Marshbrook Dr., McKinney, TX, expressed concerns regarding lighting on the proposed parking lot. He requested additional information regarding the City's lighting ordinance and how the City enforces the ordinance. Mr. Strouth stated that there are already lighting issues from another nearby automotive center that leaves lights on at night for the vehicles located in their parking lot. He asked if there could be additional trees added to the subject property for extra screening to address possible lighting issues. Mr. Strouth asked if Staff would verify that the trees are on the subject property and would actually be an adequate buffer.

Chairman Cox stated that Staff could contact him after the meeting to discuss the City's lighting ordinance and how it is enforced.

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

Commission Member Mantzey stated that he appreciated the neighbor's concerns regarding the development; however, he could not victimize the applicant based on the other business owner not being neighborly. Commission Member Mantzey encouraged Mr. Strouth to reach out to the Code Enforcement Staff regarding his lighting concerns with the other property. He stated that he was in favor of the proposed specific use permit request for an automotive care center on the subject property. Commission Member Smith concurred with Commission Member Mantzey's comments.

On a motion by Commission Member Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to recommend approval of the proposed specific use permit 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 March 21, 2017.

16-318Z 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 for Single Family Residential Detached and Attached Uses, Located Approximately 900 Feet West of McDonald Street and on the South Side of Stewart Road

Mr. Brian Lockley, Director of Planning for the City of McKinney, explained the proposed rezoning request to generally allow for single family residential detached and attached uses. He stated that the applicant had provided a concept plan that generally provided for the general location of open space and the proposed uses in the development. Mr. Lockley stated that the subject property was currently a developed golf course and was being proposed to be redeveloped for residential uses. He stated that the concept plan had established a mix of detached residential lot sizes that transition into alley-served townhomes. Mr. Lockley stated that there would be space limits, building heights, built-to lines, and setback requirements in the proposed regulations. He stated that the applicant had also included architectural standards that govern the design of all products within this development. Mr. Lockley stated that it was Staff's professional opinion that this rezoning request would remain compatible and complement the adjacent residential uses. He stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Blvd.; McKinney, TX; explained the rezoning request. He stated that he was excited about the proposed redevelopment of the subject property, is currently part of The Greens of McKinney Golf Course. Mr. Roeder stated that there was a significant amount of open space along the creek and in some other areas on the property. He stated that his client had brought a lot of imagination to the table on this project. Mr. Roeder stated that his client had worked with Staff for approximately one year with a number of different proposals. He stated that there would be a set of regulations that deal with the

architectural standards for the residential development, lot sizes, et cetera. Mr. Roeder stated that this development would be a mix of single family detached and alley-served townhome products. He stated that there was an existing clubhouse on the property that they plan to use as a community center for the residential development. Mr. Roeder stated that Stewart Road would be one of the main roads that serve this development. He stated that they would also have access on State Highway 5 (McDonald Street). Mr. Roeder stated that these two roads could handle the development. He requested a recommendation of approval and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

Ms. Jill Alcantara, 2837 Dog Leg Trail, McKinney, TX, stated that she was representing about 36 of her neighbors. She stated that the developer had met with them to discuss their plans for the subject property. Ms. Alcantara stated that they felt the proposed homes would be very compatible with the surrounding homes. She stated that it was good to stabilize the property and protect their property values. Ms. Alcantara briefly discussed some concerns regarding Stewart Road. She stated that this development looked like it was protecting most of the native trees in the floodplain. Ms. Alcantara stated that this was a chance for a do-over. She stated that there were 599 homes in the three surrounding neighborhoods; however, they did not provide a playground or parkland for these residents. Ms. Alcantara stated that the associated parkland donation was their chance to create the needed open space for the residents. She stated that with the new development the total number of homes would increase to 786 homes. Ms. Alcantara stated that they ask for a recommendation for approval for this rezoning request.

Ms. Brenda Giglio, 2924 Berry Hill, McKinney, TX, asked about the location of the proposed entrances to the development off of Stewart Road.

Mr. Oscar Jeanes, 1515 Stewart Road, McKinney, TX, asked about the street layout in the proposed development. He asked how many single family residential units and townhomes that the applicant was proposing on the subject property. Mr. Jeanes expressed concerns regarding the water runoff down to the creek and towards his property. He stated that he had not had any flood concerns since he moved there in 1973; however, his neighbor had a close call. Mr. Jeanes expressed concerns over

keeping the culvert at Stewart Road and State Highway 5 (McDonald Street) open to allow water flow at this location. He stated that the water flow over the golf course had been minimal; however, he expressed concerns that might change with more streets on the property with the proposed development.

Ms. Joanne Acevedo, 2912 Berry Hill, McKinney, TX, expressed concerns regarding additional traffic on Stewart Road, accessing State Highway 5 (McDonald Street) off of Stewart Road, safety of the children in the area due to additional traffic, and the possible overload to the McKinney schools if there are a dramatic number of townhomes proposed on the site.

Mr. Michael Acevedo, 2912 Berry Hill, McKinney, TX, stated that he had seen some flooding when it almost touched the nearby bridge on State Highway 5 (McDonald Street). He stated that the proposed development was a great idea and it was about time that the property was redeveloped. Mr. Acevedo stated that there was not enough sidewalks on Stewart Road and State Highway 5 (McDonald Street).

The following seven residents turned in speakers cards in support of the proposed rezoning request; however, did not wish to speak during the meeting:

- Mr. Kevin Lumberson, 2829 Dog Leg Trail, McKinney, TX
- Ms. Donna Lumberson, 2829 Dog Leg Trail, McKinney, TX
- Ms. Ronda Steffey, 2833 Dog Leg Trail, McKinney, TX
- Mr. Bob Marion, 801 Hardwood Drive, McKinney, TX
- Mr. Al Alcantara, 2837 Dog Leg Trail, McKinney, TX
- Mr. Ted Wilson, 704 Ferrule Drive, McKinney, TX
- Mr. Lee Wilson, 704 Ferrule Drive, McKinney, TX

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

Alternate Commission Member McReynolds asked Mr. Roeder if he was aware of any proposed improvements to Stewart Road with this proposed development. Mr. Roeder stated that before anything could be built, an applicant would need to go through the subdivision process, platting process, engineering process, have to look at traffic

impacts, et cetera that usually follow a zoning case. He stated that his client did a flood study on the subject property to understand where to locate the dwellings. Mr. Roeder stated that the deep creek along State Highway 5 (McDonald Street) would not be disturbed at all. He stated that there would be a maximum combined number of 200 units, single family detached and townhomes, on the property and there would be 4.25 units per acre. Mr. Roeder did not believe that 200 units would have a major impact on the school system. He stated that the Proposed Concept Plan included in the meeting packet for this item showed the proposed access points. Mr. Roeder acknowledged that there would be additional traffic on Steward Road; however, felt that the City would require that Steward Road be improved later in the process. He stated that the flood study showed that the runoff from the 200 structures would be more than mitigated through the existing creeks and waterways.

Chairman Cox asked Mr. Lockley to weigh in on some of the questions asked during the public hearing. Mr. Lockley stated that the McKinney Independent School District (MISD) and several other agencies receive copies of the rezoning applications and attachments to review, so that they were aware of possible developments. He stated that any drainage improvements that need to be made would occur during the development phase of the process. Mr. Lockley stated that the limitation on the number of lots would be based on the amount of land that is recoverable and developable. He stated that the applicant could not exceed 200 units on the subject property. Mr. Lockley stated that if right-of-way was needed for the development, then it would happen later in the development phase of the process.

Chairman Cox stated that the proposed entrances to the subject property would be east of Berry Hill.

On a motion by Alternate Commission Member McReynolds, seconded by Commission Member McCall, the Commission unanimously voted to recommend approval of the proposed rezoning request as recommended by Staff, with a vote of 7-0-0.

Commission Member Mantzey stated that he appreciated the citizens for attending the meeting, the developer for meeting with the surrounding neighbors to discuss the concerns of the local residents, and the work that Staff put in on this project.

Commission Member Smith stated that she also appreciated the adjoining neighbors attending the meeting and their comments on how they feel the proposed uses are compatible with the surrounding area. She stated that it was a win-win for everyone. Commission Member Smith stated that the open space would be a much desired benefit for the area. She stated that she was in favor of the development due to the development standards, architectural standards, and the transition use of the townhomes.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on March 21, 2017.

16-220SP Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Parking Lot (McKinney Parking Lot Number 1), Located on the Northeast Corner of Hunt Street and Tennessee Street

Mr. Brian Lockley, Director of Planning for the City of McKinney, explained the proposed site plan request. He stated that the City of McKinney was proposing to add a parking lot with additional parking spaces to the north side of City Hall. Mr. Lockley stated that the site was approximately 1.83 acres. He stated that typically site plans could be approved by Staff; however, since the applicant was requesting a design exception to the required street screening devices along Tennessee Street and Lamar Street, the site plan must be approved by the Planning and Zoning Commission. Mr. Lockley stated that the subject property was located within the "MTC" - McKinney Town Center Zoning District, which requires street screening devices along any frontage of Pedestrian Priority "A" and "B" streets that are not defined by a building or a driveway. He stated that Tennessee Street and Lamar Street were both classified as Pedestrian Priority "B" streets. Mr. Lockley stated that the design exception was being requesting on the basis that the parking was an expansion of an existing parking lot and the lot was intended to be temporary as it is located on the property that has been chosen as the likely home of a future City Hall. He stated that Staff recommends approval of the requested design exception and proposed site plan as conditioned in the Staff report and offered to answer questions.

Commission Member McCall asked about the adjacent properties to the proposed parking lot. Mr. Lockley stated that the subject property was surrounded by City Hall to the south, Development Services Building to the southwest, Roy and Helen Hall Memorial

Public Library to the west, an automotive shop to the west, and office uses to the north. He thought that there had also been some nearby residential uses that were converted to office uses.

Commission Member McCall asked about the lighting for the proposed parking lot. Ms. Patricia Jackson, Facilities Construction Manager for the City of McKinney, stated that there would be parking lot lights for this project as requested by the Downtown Parking Committee as an improvement for Downtown parking. She stated that they were looking to add approximately 70 parking spaces at this site.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Mantzey, seconded by Commission Member Smith, the Commission unanimously voted to close the public hearing and approve the proposed site plan as conditioned in the Staff report, with a vote of 7-0-0.

16-252FR Conduct a Public Hearing to Consider/Discuss/Act on a Facade Plan Appeal for Simpson Strong Tie, Located at 2221 Country Lane

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed facade plan appeal for Simpson Strong Tie Phase III Expansion. She stated that the applicant was requesting to waive the requirement for screening for the roof-mounted HVAC (Heating, ventilation, and air conditioning) equipment. Ms. Quintanilla stated that per the City's ordinance all HVAC equipment must be screened from view of the public right-of-way with screening that is at least 1' taller than the height of the equipment. She stated that the original facade was built in 2004 and at that time screening was not required for HVAC equipment. Ms. Quintanilla stated that the applicant is requesting that the HVAC equipment screening requirement be waived in an effort to ensure consistent architectural design with the existing facility. She stated that it was Staff's professional opinion that the equipment is unlikely to be seen from public view given that the building is 42' tall and approximately 227' away from the nearest right-of-way. Ms. Quintanilla stated that Staff recommended approval of the proposed facade plan appeal and offered to answer questions. There were none.

Mr. Neil Underwood, Simpson Strong Tie, 2221 Country Lane, McKinney, TX, stated that Simpson Strong Tie was expanding. He stated that they were proposing to add 61,000 square feet to the warehouse; 12,000 square feet to the manufacturing facility;

and add a 25,000 square foot two-story training center/office building. Mr. Underwood stated that they would like to continue on with the existing architectural facade and not screen the additional HVAC equipment. He stated that the HVAC equipment should not be visible from the public right-of-way due to the height of the building and distance from the street.

Chairman Cox stated that Simpson Strong Tie recently won the Encore Wire Award for Business Retention and Expansion at the 2017 Annual McKinney Chamber of Commerce's Community Awards Celebration.

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

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

There being no further business, Chairman Cox declared the meeting adjourned at 7:50 p.m.

BILL COX
Chairman