

## PLANNING AND ZONING COMMISSION

JULY 13, 2021

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, July 13, 2021 at 6:00 p.m.

Commission Members Present: Chairman Bill Cox, Hamilton Doak, Christopher Haeckler, Cam McCall, Bry Taylor, and Alternate Charles Wattley

Commission Members absent: Vice-Chairman Brian Mantzey, Deanna Kuykendall, and Alternate Scott Woodruff

Staff Present: Director of Planning Jennifer Arnold; Planning Manager Caitlyn Strickland; Planner II Kaitlin Gibbon; Planners Joseph Moss, Jack Bennett, and Sofia Sierra; and Administrative Assistant Terri Ramey

There were ten guests present.

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

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

Chairman Cox called for Information Sharing Items. No discussion was held.

### **21-0599** Director's Report

Commission Member Taylor stepped down on the following two Plat Considerations due to a possible conflict of interest on item # 21-0092CVP.

Chairman Cox called for the Plat Consideration under Texas Local Government Code Chapter 212.

**21-0086PF** Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1 and 2, Block A, TCI McKinney Ranch Addition, Located at the Northwest Corner of Stacy Road and Ridge Road. Mr. Joe Moss, Planner I for the City of McKinney, briefly explained the proposed preliminary-final plat, with conditions stated in the Staff Report. He stated that Staff recommended approval with conditions of the proposed preliminary-final plat. The Commission approved the motion by Commission Member Haeckler,

seconded by Commission Member Doak, to approve the proposed preliminary-final plat with conditions as recommended by Staff, with a vote of 5-0-1. Commission Member Taylor abstained.

**21-0092CVP** Consider/Discuss/Act on a Conveyance Plat for Lot 1, Block A of the McKinney Horizons South Addition, Located on the Northwest Corner of S. Airport Drive and Wattley Way. Mr. Jack Bennett, Planner I for the City of McKinney, briefly explained the proposed conveyance plat. He stated that Staff recommended approval of the proposed conveyance plat, with conditions stated in the Staff Report. The Commission approved the motion by Commission Member Haeckler, seconded by Commission Member Doak, to approve the proposed conveyance plat with conditions as recommended by Staff, with a vote of 5-0-1. Commission Member Taylor abstained.

END OF PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER 212.

Commission Member Taylor returned to the meeting.

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

**21-0006M** Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Chapter 146 (Zoning Regulations), Appendix G-1 (MTC - McKinney Town Center Regulating Plan) of the Code of Ordinances (REQUEST TO BE TABLED). Mr. Joe Moss, Planner I for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely as an amendment to Chapter 146 (Zoning Regulations), Appendix G-1 (MTC – McKinney Town Center Regulating Plan) of the Code of Ordinances was no longer necessary. He offered to answer questions. Chairman Cox asked Staff to explained why this was no longer needed. Mr. Moss stated that the City's legal team raised some concerns with amending the McKinney Town Center boundary, along with the ability to regulate and enforce

building materials within that boundary. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Doak, seconded by Commission Member Haeckler, the Commission unanimously voted to close the public hearing and table the item indefinitely per Staff's recommendation, with a vote of 6-0-0.

**21-0080Z** Conduct a Public Hearing to Consider / Discuss / Act on a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" - Traditional McKinney Neighborhood Overlay District to "MTC" - McKinney Town Center District and "TMN" - Traditional McKinney Neighborhood Overlay District, Located at 511 Green Street and 701 Anthony Street (REQUEST TO BE TABLED). Mr. Joe Moss, Planner I for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely as a proposed rezoning request to the "MTC" – McKinney Town Center District was no longer necessary due to the same reasons as item # 21-0006M. 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 McCall, seconded by Alternate Commission Member Wattley, the Commission unanimously voted to close the public hearing and table the item indefinitely per Staff's recommendation, with a vote of 6-0-0.

**21-0005SUP** Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for an Outdoor Amusement Facility (The Flour Mill), Located at 501 East Louisiana Street. Mr. Joe Moss, Planner I for the City of McKinney, explained the proposed specific use permit to allow for an outdoor amusement facility. He stated that Staff has evaluated the request and felt that the site was appropriate for the proposed use and was compatible with existing land uses of the adjacent properties. Mr. Moss stated that Staff recommended approval of the proposed specific

use permit and offered to answer questions. Chairman Cox asked if the proposed stage would face southwest. Mr. Moss stated that was a raised pergola. He believed the intent was to hold wedding ceremonies there. Mr. Moss stated that the concrete pad on the southwest corner was intended for music. Mr. James Bresnahan, Haddington Fund, LP, 407 E. Louisiana Street, McKinney, TX, offered to answer questions. Chairman Cox asked if there was a proposed stage on the property where sound would go towards the southwest. Mr. Bresnahan stated that was correct. Chairman Cox asked if the vacant property to the northeast would be affected by the proposed request. Mr. Bresnahan said no. Commission Member Doak asked if the sound would be projected towards the building. Mr. Bresnahan stated that it was a small pocket area located in between the buildings to the east and west and the sound would travel toward them. Commission Member Doak asked about the retaining wall, its height, and if it is existing. Mr. Bresnahan stated that there was an "ADA" – Americans with Disabilities walkway there that slowly slopes down. He stated that they plan to install a retaining wall to the edge of this walkway. Mr. Bresnahan stated that at the highest point the retaining wall would be 3' and it would taper down to ground level. Commission Member Haeckler asked about the height of the proposed living screen. Mr. Bresnahan stated that it would be between 2' – 4' in height. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Doak, seconded by Commission Member Haeckler, the Commission unanimously voted to close the public hearing and recommend the proposed specific use permit 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 August 3, 2021.

**21-0035Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District and "TMN" - Traditional McKinney Neighborhood Overlay District to "PD" - Planned Development District and "TMN" - Traditional McKinney Neighborhood Overlay District, Generally to Modify the Uses and Development Standards, Located at 800 South Chestnut Street. Mr. Joe Moss, Planner I for the City of McKinney, explained the proposed rezoning request and surrounding uses. He stated that the proposed rezoning the subject property to a "PD" – Planned Development District with a base zoning of "SF-5" – Single Family Residence District. Mr. Moss stated that the development regulations would allow for the added use of a wedding / event venue with indoor and outdoor uses. He stated that the parking and outdoor events would only be allowed in spaces shown on the layout tied down to this request. Mr. Moss stated that there would be a modified parking ratio. He stated that the current ratio being 1 parking space per 100 square feet of floor area, and the requested ratio being 1 parking space per 200 square feet. Mr. Moss stated that given the scale of the proposed use and history of a similar use on the subject property, Staff is of the opinion that the proposed rezoning request was appropriate. He stated that Staff recommends approval and offered to answer questions. There were none. Mr. Viggo Ulrich, V/GO, Inc., 2006 Oak Trail Drive, Rowlett, TX, explained the proposed request and offered to answer questions. Commission Member Doak expressed concerns for the possible noise coming from events on the site due to it being surrounded by residential. He asked about outside noise restrictions. Mr. Ulrich stated that the site would primarily be a wedding and events center. He stated similar uses have taken place on the site for a number of years. Mr. Ulrich stated that there would be an outdoor pergola where wedding could take place. He stated that there is an existing banquet hall on the property for indoor events to take place.

Commission Member Doak asked if there would ever be music outside or a lot of people celebrating outside late at night on the property. Mr. Ulrich stated that to his understanding that has never taken place in the past. He stated that it was not a big site. Mr. Ulrich stated that the average attendance was 40 – 100 people. Chairman Cox stated that the Staff Report stated that the applicant proposed to specifically prohibit the use of radios, music, and similar devices between the hours of 9:00 p.m. and 8:00 a.m. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Haeckler, 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 August 3, 2021.

**21-0046Z** 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 "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Uses and Development Standards, Located on the South Side of U.S. Highway 380 (University Drive) and approximately 500 Feet East of Custer Road (REQUEST TO BE TABLED). Mr. Joe Moss, Planner I for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request. He offered to answer questions. The applicant was not present to make a presentation. Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Doak, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing

and table the item indefinitely per Staff's recommendation, with a vote of 6-0-0.

**21-0074Z** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone a Portion of the Subject Property from "AG" - Agricultural District and "CC" - Commercial Corridor Overlay District to "C2" - Local Commercial District and "CC" - Commercial Corridor Overlay District, and Zone a Portion of the Subject Property to "C2" - Local Commercial District, Located on the Northwest Corner of University Drive (U.S. Highway 380) and County Road 856. Ms. Kaitlin Sheffield, Planner II for the City of McKinney, explained the proposed zoning and rezoning request. She stated that a portion of the subject property is currently located in the city limits, while the remainder is currently located in McKinney's Extraterritorial Jurisdiction (ETJ). Ms. Sheffield stated that an associated voluntary annexation request (21-0007A) for the 1.92 acres of land will be considered by City Council at the August 3, 2021 meeting. She stated that the request for commercial zoning of the subject property aligns with the Commercial Center placetype designated in the Comprehensive Plan. Ms. Sheffield stated that this request should be compatible with the surrounding uses. She stated that Staff recommends approval of the proposed zoning and rezoning request. Ms. Sheffield offered to answer questions. Commission Member Haeckler expressed concerns regarding the depth of the proposed "C2" – Local Commercial District due to the surrounding residential uses. Ms. Sheffield stated that the northern properties were located within McKinney's Extraterritorial Jurisdiction (ETJ). She stated that they would be required to install a minimum 6' masonry or wrought iron screening wall with evergreen shrubs along the adjacent property lines. Ms. Sheffield stated that a buffer with canopy trees would also be required on the property. Mr. Drew Donosky, Claymoore Engineering, 1903 Central Drive, Bedford, TX, stated that the northern most corner of

the subject property was a stock pond, which they plan to use for drainage and detention. He offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Ms. Linda Pritchard, 202 Forest Meadow, Gunter, TX, stated that they own 2099 County Road 856, McKinney, TX. She stated that they are interested in having their property annexed into the City of McKinney and zoned, so they can sell it. Ms. Pritchard stated that they previously lived at the property; however, had to move due to the noise of the nearby US Highway 380 (University Drive). On a motion by Commission Member Haeckler, seconded by Alternate Commission Member Wattley, the Commission unanimously voted to close the public hearing and recommend approval of the proposed request as recommend 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 August 3, 2021.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

On a motion by Commission Member Doak, seconded by Commission Member Haeckler, the Commission unanimously voted to adjourn the meeting, with a vote of 6-0-0. There being no further business, Chairman Cox declared the meeting adjourned at 6:33 p.m.

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BILL COX  
Chairman