

PLANNING AND ZONING COMMISSION

NOVEMBER 8, 2022

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, November 8, 2022 at 6:00 p.m.

City Council Present: Patrick Cloutier and Rick Franklin

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Steve Lebo, Bry Taylor, Charles Wattley, Scott Woodruff, and Eric Hagstrom, Alternate

Commission Members Absent: Russell Buettner and Aaron Urias, Alternate

Staff Present: Director of Planning Jennifer Arnold, Planning Manager Caitlyn Strickland, Principal Planner Aaron Bloxham, Senior Planner Kaitlin Sheffield, Planners Jake Bennett and Lexie Schrader, and Administrative Assistant Terri Ramey

There were approximately 50 guests present.

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

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

Chairman Cox called for the consideration of the Consent Items. On a motion by Commission Member Woodruff, seconded by Commission Member Lebo, the Commission unanimously voted to approve the following Consent Item, with a vote of 7-0-0.

22-1037 Minutes of the Planning and Zoning Commission Regular Meeting of October 25, 2022.

END OF CONSENT AGENDA

Chairman Cox called for the Plat Consideration under Texas Local Government Code Chapter 212. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Wattley, the Commission voted to approve the following plat request per Staff's recommendation, with a vote of 7-0-0.

22-0215PF Consider/Discuss/Act on a Preliminary-Final Plat for BWB 168, Located

in the McKinney Extraterritorial Jurisdiction (ETJ), Located on the North Side of County Road 168 and Approximately 511 Feet West of County Road 167

END OF PLAT CONSIDERATION UNDER TEXAS LOCAL GOVERNMENT CODE
CHAPTER 212

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

21-0096SP Conduct a Public Hearing to Consider/Discuss/Act on Variances to a Site Plan (Burnside AC & Heating), Located at 545 Berry Avenue

Mr. Jake Bennett, Planner I for the City of McKinney, explained the proposed variances to a site plan. He stated that because of the screening proposed along the southern boundary, the masonry finishing materials proposed on the facades facing rights-of-way, and the fact that none of the adjacent businesses or residences face the subject property, Staff is recommending approval of the proposed variances. Mr. Bennett offer to answer questions. Vice-Chairman Mantzey asked about the proposed fence. Mr. Bennett stated that it would be an architectural metal fence with metal panels. He stated that it would not be a masonry fence. Vice-Chairman Mantzey had questions regarding premanufactured metal buildings in the city. Mr. Bennett stated that the subject property is on the border of the HSA – Historically Significant Area and all the adjacent properties face away from this property. He stated that on the southern boundary, that abuts adjacent single-family residential backyards, it is heavily screened with mature trees existing on the site, 8' screening wall, and canopy trees will be planted every 30 linear feet along the property line. Mr. Bennett stated that the other three sides of the building, facing rights-of-way, would have a masonry wrap on the exterior and would come close to the 50% requirement. He stated that the three rights-of-way were not heavily traveled. Vice-Chairman Mantzey raised concerns regarding the subject property being near the Historic District and downgrading our standards next to residential properties. Commission Member Woodruff asked if due to the subject property being located in the Downtown District was the only reason why the Commission could oversee the architectural elements of the proposed building. Mr. Bennett stated that was correct. Commission Member Woodruff asked about the

proposed loading zone shown on the site plan included in the Staff Report. Mr. Bennett stated that there would be an additional screening device in-between the two buildings on the southern property. He stated that this area was not covered. Mr. Donnie Burnside, Burnside AC & Heating, 209 W. University Drive (US Highway 380), McKinney, TX, explained the proposed request, stated that he spoke with the adjacent property owners about the proposed development, and offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. There were none. On a motion by Commission Member Woodruff, seconded by Commission Member Wattley, the Commission voted to close the public hearing and approve the request per Staff's recommendation, with a vote of 7-0-0.

22-0112Z2 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, to Allow for Age Restricted Residential Uses and to Modify the Development Standards, Located Approximately 510 Feet North of Virginia Parkway and Approximately 260 Feet West of Joplin Drive

Ms. Kaitlin Sheffield, Senior Planner for the City of McKinney, stated that the online comments received after the packet was created were shared with the Commission prior to the meeting and will be included in the City Council packet. She stated that Staff received an official written protest for this request totaling 49.93% of the total area within 200' of the subject property; therefore, a supermajority vote of City Council will be required for approval of the proposed rezoning request. Ms. Sheffield explained the proposed rezoning request. She discussed the Senior Multi-Family Dwelling and Independent Living Facility zoning definitions and differences. Ms. Sheffield discussed the proposed amenities, additional landscaping, and limiting the maximum density to 15 ½ units per acre (totaling approximately 205 units maximum). She discussed Staff concerns on the proposed request and that Staff was unable to support the request. Ms. Sheffield explained the differences between a typical multi-family development, senior multi-family development, and senior independent living. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, explained that the applicant wants to be called Independent Living; however, what they are providing

would be considered Senior Multi-family in the City of McKinney's ordinance. She stated that they were proposing a "PD" – Planned Development District that is comingling definitions between Independent Living and Senior Multi-family. Ms. Arnold stated that the Zoning Ordinance has a clear distinction between the two uses. She briefly discussed Staff's concerns. Mr. Casey Bump, 901 Mopac Expressway South, Austin, TX, explained the proposed request, brief history of the project, and community outreach efforts. He discussed issues with right-of-way and getting two access points to the subject property. Mr. Bump discussed how they addressed some of the concerns previously mentioned. Commission Member Taylor asked if the access issue was created by the church. Mr. Bump stated that the church purchased the land with plans to expand. He stated that access to Joplin Drive is no longer an option. Commission Member Lebo stated that it would be a lot of people coming through a small access. He stated that it would probably be a great project; however, this is the wrong location for it. Commission Member Woodruff questioned the importance of being considered "independent" for this project. Mr. Bump stated that they were proposing a community for independent living for people 55 years old and where they will come to be in a community. He stated he was trying to restrict the residents of the proposed development to 55 years old and older. Commission Member Woodruff asked if their other facilities were called independent and asked if they provided services at those locations. Mr. Bump stated that they were called independent and did not provide meals and transportation services. Chairman Cox opened the public hearing and called for comments. The following seven residents spoke in opposition to the request. They expressed concerns regarding increased traffic, decreased property values, lack of privacy, degrade quality of the adjacent neighborhood, inappropriate use surrounded by single-family residential properties, will look like typical apartments, lack of two access points, and no enforcement of age restrictions.

- Mr. Samuel Paul Lehman, 5805 N. Woodcreek Circle, McKinney, TX
- Mr. Vince Hrenak, 5802 N. Woodcreek Circle, McKinney, TX
- Ms. Katherine Brewer, 5804 N. Woodcreek Circle, McKinney, TX
- Mr. Michael Brown, 5800 Creekside Court, McKinney, TX

- Mr. Andrew Milo, 400 Windwood Court, McKinney, TX
- Mr. Bob Roeder, 1700 Redbud Boulevard, McKinney, TX representing Bob and Shelia Johnson
- Ms. Penny Hawkins, 5801 N. Woodcreek Circle, McKinney, TX

On a motion by Commission Member Woodruff, seconded by Commission Member Lebo, the Commission closed the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey asked Mr. Bump to address the concerns regarding the resident's age limit. Mr. Bump offered to add the age restriction of 55 years old or older to the Deed Restriction. He said he thought that it was also included in the proposed "PD" – Planned Development District. Commission Member Woodruff asked if Mr. Bump was willing to change the definition to the City's recommended definition. Mr. Bump stated that he was willing to accommodating whatever mechanism that fits into the right framework to make it 55 years old and older. Chairman Cox asked Staff what use they would be comfortable with instead of the proposed use. Ms. Sheffield stated that Staff could envision a low intensity office type development at this site. She stated that the Comprehensive Plan calls for suburban living or a style of residential development that mimics the brand that is already established in the area. Chairman Cox asked about the access issue. Ms. Sheffield stated that there are potential solutions with neighboring homeowners' associations (HOAs) allowing access into the site; however, they were currently objecting access to the proposed development. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that Staff was more comfortable with a previous cottage style that mimicked the surrounding single-family residential properties. She stated that Staff has concerns regarding the single two-story proposed use surrounded on three sides by single-family residential properties. Ms. Arnold stated that Staff would like to see something proposed that is more compatible with surrounding single-family residential properties. Commission Member Woodruff asked how tall of an office building could be built on the property under the current zoning. Ms. Arnold stated that the property is currently zoned "AG" – Agricultural District which would limit the building height to 35'. Vice-Chairman Mantzey asked how the parking ratio and density compare to other multi-family developments. Ms. Sheffield stated that the independent living requirement and senior multifamily would both be one

per unit. She stated that the density would be determined by the property's zoning district. Ms. Sheffield stated that the applicant is requesting 15.5 units per acre. She stated that was compatible with the "MF-2" - Multiple Family Residential - Medium-High Density District. Commission Member Taylor felt that the proposed use would not work at this location. Vice-Chairman Mantzey stated that the subject property does not have access to either neighborhood. He did not feel that the proposed development would negatively affect property values based upon similar comparisons. Vice-Chairman Mantzey stated that the City has noise and light ordinances to govern the property. He stated that he felt that adults 55 years old and older need a low maintenance residential option without having to pay for a cafeteria and healthcare when they do not need it. On a motion by Commission Member Lebo, seconded by Commission Member Taylor, the Commission voted to recommend denial of the property request as recommended by Staff, with a vote of 5-2-0. Chairman Cox and Vice-Chairman Mantzey voted against the motion. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the November 15, 2022 meeting.

22-0118Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located at 7150 Craig Ranch Parkway

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the property has easy access onto 121 and Sam Rayburn which is beneficial for commercial development. Ms. Schrader stated that due to its compatibility with surrounding developments in a primarily commercial corridor along 121, Staff recommends approval of the proposed rezoning request and offered to answer questions. Vice-Chairman Mantzey explained that the proposed rezoning request modernized the code; however, did not grant the service storage use that is being requested in the next agenda item. Ms. Schrader stated that was correct. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard;

McKinney, TX; explained the proposed rezoning request and requested a favorable recommendation. Chairman Cox opened the public hearing and called for comments. The following three residents spoke in opposition to the request. They expressed concerns regarding decreased property values, increased traffic and accidents, lack of privacy, blocking light to adjacent property, and safety.

- Ms. Mahereen Tazree, 8100 Pine Valley Drive, McKinney, TX
- Mr. Rosin Kusa, 8108 Pine Valley Drive, McKinney, TX
- Mr. Sheikh Tasfin, 8100 Pine Valley Drive, McKinney, TX

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Woodruff, voted unanimously to close the public, with a vote of 7-0-0. Vice-Chairman Mantzey stated that the public comments were addressing concerns with the proposed self-storage use being considered in the next agenda item. On a motion by Vice-Chairman Mantzey, seconded by Alternate Commission Member Hagstrom, the Commission unanimously voted to recommend approval of the request per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the December 6, 2022 meeting.

22- Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use
0018SUP Permit Request for a Self-Storage Facility (Craig Ranch Storage),
Located at 7150 Craig Ranch Parkway

Ms. Lexie Schrader, Planner I for the City of McKinney, explained the proposed specific user permit request to allow a mini-warehouse facility on the subject property. She stated that the applicant is proposing a building height of 50', which is comparable with other commercial development in the area. Ms. Schrader stated that there is a significant topography difference between the subject property, the Moviehouse to the west, and single family to the north. She stated that the subject property sits well below both the Moviehouse and existing residential neighborhood. Ms. Schrader stated that the impact of the existing residential and commercial uses should be negligible with the difference in topography taken into consideration. She stated that with the project being along a major highway and the proposed low intensity use, Staff recommends approval

of the proposed specific use permit request and offered to answer questions. Vice-Chairman Mantzey asked about placing a storage facility next to a residential development. Ms. Schrader stated that Staff looks at screening, buffering, and the increase in traffic when considering such requests. She stated that there is a significant buffer area to the north, plus the proposed parking area for the other development and the access easement. Ms. Schrader stated that the applicant is proposing to add landscaping and a fence to help screen the building. She stated that there should not be a big increase in traffic with the proposed use. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard; McKinney, TX; q explained the proposed specific use permit request. He stated that the subject property is part of Craig Ranch and subject to their covenants, conditions & restrictions (CC&Rs). Mr. Roeder stated that architectural approval would be required for exterior elevations of the building. He stated that the building would be approximately 38' tall instead of 50' tall with minimal openings. Mr. Roeder stated that it would be just like an office building with conditioned space. He stated that someone would need to go inside the building to access the various storage units. Mr. Roeder stated that there were no windows or openings facing the residents to the north of the subject property. He stated that due to the difference in elevations the building would appear to be two-stories. Mr. Roeder stated that the two access points already exist to the property. He stated that the building would be a minimum of 120' away for the adjacent residential properties and would not block out the sun. Mr. Roeder thought that the building would be shorter than the peak of the adjacent residential properties. He stated that the traffic for a storage facility is typically the lightest of any commercial endeavor. Mr. Roeder addressed concerns regarding increased crime, infestation, and vagrants for this proposed use. Mr. Paul Glover, Ladd Properties, 2727 Routh Street, Dallas, TX, explained the development plans, security at the site, and the operation for the proposed use. He stated that it is not a high traffic business. Chairman Cox opened the public hearing and called for comments. The following 11 residents spoke in opposition to the request. They expressed concerns regarding decreased property values; increase in traffic, accidents, cut-through traffic, noise, and crime; resident's safety; proposing a large box development that would be an eyesore to the community; hours of operation;

emergency access to the site; prefer a one level commercial development with uses that would benefit the community; and impact the zoning of the adjacent vacant property.

- Mr. Santhosh Jayaraman, 8305 Shoreacres Drive, McKinney, TX
- Ms. Yuxin Thomas, 8205 Cottage Drive, McKinney, TX
- Mr. Fabio De Paulo, 6609 Pinehurst Drive, McKinney, TX
- Mr. Shiju Chettiar, 8605 Barnbogle Dunes Drive, McKinney, TX
- Mr. Sumanth Kilaru, 8604 Barnbogle Dunes Drive, McKinney, TX
- Ms. Veena Ramesh, 8300 Cottage Drive, McKinney, TX
- Mr. Ramesh Krishnamoorthy, 8501 Bethpage Drive, McKinney, TX
- Mr. David Wright, 6708 Shinnecock Hills Dr, McKinney, TX
- Mr. Adriana De Paulo, 6609 Pinehurst Drive, McKinney, TX
- Mr. Sheikh Tasfin, 8100 Pine Valley Drive, McKinney, TX
- Mr. Marcel Bates, 8520 Sand Hills Drive, McKinney, TX

The following resident turned in a speaker's card in opposition to the request; however, did not wish to speak during the meeting.

- Mr. Prateek Luthra, 8109 Pine Valley Drive, McKinney, TX

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Lebo, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Wattley asked Staff what uses could be allowed by right under the proposed zoning for the property. Ms. Schrader stated that uses allowed under "C2" – Local Commercial District. She gave examples of offices, gyms, restaurants, drive-throughs, florist, grocery stores, and neighborhood service type uses. Commission Member Wattley stated that there would be more traffic with these types of uses. Commission Member Woodruff asked if the proposed use would be allowed under the New Code McKinney ordinance. Ms. Caitlyn Strickland, Planning Manager for the City of McKinney, stated that the New Code McKinney would require a specific use permit (SUP) for the proposed use. Vice-Chairman Mantzey inquired about a fire lane on the property. Ms. Schrader stated that the fire lane would be at least 24'. Commission Member Taylor spoke in favor of the request. He stated that the proposed use would be

quite with low traffic and low crime rate. Commission Member Wattley asked about the access to the proposed building. Mr. Roeder explained how he felt most renters would enter the property and drive around the building. He stated that fire lane would be larger than 24' due to the two covered entrance areas that protrude on the west side of the building. Alternate Commission Member Hagstrom asked about the hours of operations. Mr. Glover stated that it would be 6 AM – 10 PM. He stated that staff would be on site from 9 AM – 6 PM. Mr. Glover stated that the fire lane would be approximately 41', with 26' for the drive and 15' for the covered areas, on the backside of the building. Vice-Chairman Mantzey thanked the residents for attending the meeting and sharing their concerns. He spoke in favor of the proposed request. Commission Member Woodruff concurred with Vice-Chairman Mantzey's comments. He stated that there are big box commercial developments along the highway there. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Taylor, the Commission voted to recommend approval of the request per Staff's recommendation, with a vote of 6-1-0. Commission Member Lebo voted against the motion. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the December 6, 2022 meeting.

21-0107Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone a Portion of the Subject Property from "PD" - Planned Development District and to "C2" - Local Commercial District and Zone a Portion of the Subject Property to "C2" - Local Commercial District, Located on the Southeast Corner of Ridge Road and Wilmeth Road.

Ms. Kaitlin Sheffield, Senior Planner for the City of McKinney, explained the propose rezoning request. She stated that the associated voluntary annexation request (21-0009A) will be considered by City Council at the December 6, 2022 meeting. Ms. Sheffield stated that Staff recommends approve of the proposed request and offered to answer questions. There were none. Mr. Anthony Loeffel, Kimley-Horn, 260 E. Davis Street, McKinney, TX, explained the proposed request. Chairman Cox opened the public hearing and called for comments. There were none. On a motion by Commission Member Woodruff, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing and recommend approval of

the request per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the December 6, 2022 meeting.

Chairman Cox left the meeting after calling for the consideration of the following agenda item. Vice-Chairman Mantzey continued the meeting.

22-0008M Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Make Amendments to the ONE McKinney 2040 Comprehensive Plan, Including Minor Updates to the Master Thoroughfare Plan and Corresponding Updates to the Future Land Use Plan and Land Use Diagrams.

Mr. Aaron Bloxham, Principal Planner for the City of McKinney, explained the proposed amendments to the ONE McKinney 2040 Comprehensive Plan and offered to answer questions. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that the proposed amendments was for cleanup of errors and typographical errors. Vice-Chairman Mantzey asked if there will be changes made in the Spring after the announcement of US Highway 380 (University Drive) changes. Mr. Bloxham said yes. He stated that if the East Side Mobility gets approved then there would be additional amendments to the ONE McKinney 2040 Comprehensive Plan. Vice-Chairman Mantzey opened the public hearing and called for comments. There were none. On a motion by Commission Member Woodruff, seconded by Commission Member Wattley, the Commission unanimously voted to close the public hearing and recommend approval of the proposed amendments per Staff's recommendation, with a vote of 6-0-0. Chairman Cox was absent. The recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the December 6, 2022 meeting.

END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Vice-Chairman Mantzey called for Public Comments regarding matters not on the agenda. There were none.

Vice-Chairman Mantzey called for Commission or Staff comments. Commission Member Woodruff acknowledged the Leadership McKinney class members in the audience.

On a motion by Commission Member Lebo, seconded by Alternate Commission Member Hagstrom, the Commission unanimously voted to adjourn the meeting, with a vote of 6-0-0. Chairman Cox was absent. There being no further business, Vice-Chairman Mantzey declared the meeting adjourned at 8:45 p.m.

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

BRIAN MANTZEY
Vice-Chairman