

PLANNING AND ZONING COMMISSION

SEPTEMBER 27, 2011

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers of the Municipal Building on September 27, 2011 at 6:30 p.m.

Commission Members present: Chairman Robert Clark, Vice-Chairman Darrell Tate, George Bush, David Kochalka, Lance Lindsay, Jack Radke, and Larry Thompson.

Staff Present: Assistant Chief of Police Randy Roland, Senior Planners Brandon Opiela and Michael Quint, Planner Abra Nusser, Plans Examiner Jeff Harris, and Administrative Assistant Terri Ramey.

There were approximately 18 guests present.

Chairman Robert Clark called the meeting to order at 6:30 p.m. after determining a quorum was present.

Chairman Robert Clark explained the format and procedures of the meeting, as well as the role of the Commission. He announced that some of the items considered by the Commission on this date would be only heard by the Planning and Zoning Commission and others could be forwarded on to City Council. Chairman Robert Clark stated that he would advise the audience if the case will go on to City Council or be heard only by the Planning and Zoning Commission. He requested that applicants and Staff limit their remarks to ten minutes each and that guests limit their remarks to five minutes and speak only once. Chairman Robert Clark explained that there is a timer located on the podium, and when one minute of the speaker's time is remaining, the light will switch from yellow to red and a buzzer will sound. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking issues.

The Commission unanimously approved the motion by Commission Member Lance Lindsay, seconded by Commission Member David Kochalka, to approve the following Consent Item:

**11-456 Minutes of the Planning and Zoning Commission
Regular Meeting of September 13, 2011**

END OF CONSENT

11-131M Conduct a Public Hearing to Consider/Discuss/Act on the Request by Baylor Healthcare Systems, for Approval of a Comprehensive Sign Package for Baylor Hospital, Approximately 57.75 Acres, Located on the Northwest Corner of Lake Forest Drive and U.S. Highway 380 (University Drive).

Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained the comprehensive sign package request for Baylor Hospital. He stated that Staff recommends approval of the comprehensive sign package.

The applicant did not have any comments.

Chairperson Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Larry Thompson, seconded by Commission Member George Bush, to close the public hearing and recommend approval of the comprehensive sign package request as recommended by Staff.

Chairman Robert Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 18, 2011.

11-124Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pogue Engineering and Development Company, Inc., on Behalf of Covenant Church for Approval of a Request to Rezone Approximately 3.07 Acres, from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C" - Planned Center District and "CC" - Corridor Commercial Overlay District, Located on the East Side of United States Highway 75 and Approximately 800 Feet North of Park View Avenue.

Mrs. Abra Nusser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions as listed in the Staff Report.

The applicant did not have any comments.

Chairperson Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Jack Radke, seconded by Vice-Chairman Darrell Tate, to close the public hearing and recommend approval of the rezoning request as recommended by Staff.

Chairman Robert Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 18, 2011.

11-116Z3 Conduct a Public Hearing to Consider/Discuss/Act on the Request by QuikTrip Corporation, on Behalf of Oakwood Village Apartments, for Approval of a Request to Rezone Approximately 7.48 Acres from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Allow the Additional Use of a Truck Stop and Modify the Development Standards, Located on the Northeast Corner of Wilmeth Road and U.S. Highway 75 (Central Expressway).

Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends denial due to a lack of conformance with the City of McKinney's Comprehensive Plan.

Commission Member Lance Lindsay asked why the proposed QuikTrip signage was not being considered by the Planning and Zoning Commission. Mr. Opiela explained that the Sign Ordinance was not a part of the Zoning Ordinance, and the request could not be approved through the zoning process. Commission Member Lance Lindsay asked if the approval of the signage was critical to whether or not the truck stop was built. Mr. Opiela stated that the applicant would need to answer that question.

Chairman Robert Clark asked about the development to the east of this property. Commission Member Larry Thompson asked about the development to the west of this property. Mr. Opiela described the current development around the subject property.

Mr. Don Paschal, 904 Parkwood Court, McKinney, TX, discussed the proposed rezoning request. He gave examples of successful developments in McKinney where the Comprehensive Plan was not followed. Mr. Paschal stated that QuikTrip is privately owned and has high quality facilities. He stated that they worked with Staff to address the site plan and traffic issues, and he believed that all of the issues related to such had been resolved. Mr. Paschal briefly discussed the future bridge planned on U.S. Highway 75 near the subject property. He discussed the future expansion of Wilmeth Road. Mr. Paschal stated that the proposed landscape plan exceeded the City of McKinney landscaping requirements. He stated that they had submitted the elevations that they intended to build. Mr. Paschal stated that the elevations met the City of McKinney Architectural Standards. He discussed the amount of staffing, sales, and

sales tax revenues from similar QuikTrip stores. Mr. Paschal discussed the differences between the proposed QuikTrip Travel Center and other traditional truck stops. He stated that they do not plan to have the negative attributes that other truck stops have. Mr. Paschal stated that he believes this is the best location for this facility to address the industrial fueling needs of McKinney. He stated that several developments around the subject property have industrial uses on them. Mr. Paschal discussed the crime reports at surrounding QuikTrips, and felt it was a low number.

Assistant Chief Randy Roland, Assistant Chief of Police for the City of McKinney, stated that Staff had asked him to look into crime trends for QuikTrip Travel Centers. He discussed the crime statistics that he found in his research. Assistant Chief Randy Roland stated that there are certain types of crimes that follow the trucking industry. He stated that the two QuikTrip Travel Centers in Texas are located in Hutchins, Texas and Fort Worth, Texas. Assistant Chief Randy Roland discussed the letter from the Hutchins Police Department. He stated that they have multiple truck stops there and had fewer issues with the QuikTrip Travel Center there. Vice-Chairman Darrell Tate asked if Assistant Chief Randy Roland felt the self monitoring of parking limits by QuikTrip would be effective. Assistant Chief Randy Roland felt that QuikTrip had their own incentives to police it. He stated that if QuikTrip chose not to enforce it then there would not be anything that the Police Department could do about it since it is a private property. Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained that if a provision prohibiting overnight parking was approved, it would be challenging for the Code Enforcement Department to enforce. Mr. Michael Quint, Senior Planner for the City of McKinney, discussed further how it would be hard for Staff to monitor. Vice-Chairman Darrell Tate had more questions about the parking time limit at the proposed property. Assistant Chief Randy Roland stated that QuikTrip had mentioned having a 6 ½ hour time limit for parking on the property. He discussed what QuikTrip had told him on how they handle a truck that has been parked over the time limit permitted or did not follow their rules. Assistant Chief Randy Roland stated that there would be a lot of trucks on site and it would be difficult for Staff to monitor how long each one has been parked there. Mr. Opiela stated that Staff had visited the Fort Worth QuikTrip Travel

Center and discussed what Staff observed. Mr. Paschal stated that the proposed McKinney location would have fewer parking spots than the Hutchins or Fort Worth locations.

Mr. J. D. Dudley, Real Estate Project Manager for QuikTrip, 1120 N. Industrial Blvd., Euless, TX, explained the manager's process of checking how long the trucks have been parked. He stated that typically the parking time limit is six hours. Mr. Dudley stated that if the truck does not comply with their policy; then QuikTrip will contact a heavy-duty wrecker to have the truck removed from their property. He stated that the parking on the facility would be only for business transaction customers and that they have to fill out a form for them. Mr. Dudley stated that if a vehicle is left unattended for 30 minutes then it would also be towed.

Chairperson Clark opened the public hearing and called for comments. The following three citizens spoke in opposition to the proposed rezoning request.

Mr. Doug Parker, 1611 Wilmeth Rd., McKinney, TX, expressed his opposition to the proposed QuikTrip Travel Center that would be located near his business. He expressed concerns over crimes that are around truck stops and the safety of his employees. Mr. Parker did not feel it would be something the citizens of McKinney would want along the U.S. Highway 75 corridor. Mr. Parker stated that it is only eight miles north on U.S. Highway 75 to the next truck stop. He did not feel there was a dire need in McKinney for a truck stop.

Ms. Susi Mitchell, 315 N. Waddill St., McKinney, TX, expressed her opposition to the proposed QuikTrip Travel Center. She stated that the truck stop would hurt McKinney's image and property values. Ms. Mitchell stated that Mr. Paschal did not say anything earlier that convinced her that this project is going to be good for the citizens of McKinney.

Ms. Nancy James, Chief Operations Officer for the McKinney Independent School District, One Duvall Street, McKinney, TX, stated that the McKinney Independent School District stands behind their letter of opposition. She stated that their main concern is the traffic that a truck stop would generate. Ms. James discussed the bus traffic and the amount of students that ride the buses in that area. She stated

that there are no plans to move the transportation center at this time. Ms. James stated that they are adding more buses all the time to keep up with demand.

The Commission unanimously approved the motion by Commission Member George Bush, seconded by Commission Member David Kochalka, to close the public hearing.

Commission Member David Kochalka stated that the truck stop use is not currently a permitted use in McKinney. He did not feel it would be a compatible use for the "C" - Planned Center District. Commission Member David Kochalka stated that it would not fit the vision for the corridor and the future goals that McKinney has spent years trying to create. He also had traffic concerns at that location. Commission Member David Kochalka stated that he supported the Staff Report.

Commission Member Lance Lindsay stated that he had concerns over the six hour parking that would be allowed on the proposed property. He felt that amount of time would be like an overnight facility.

Chairman Robert Clark stated that it would be hard to pass up an \$8,000,000 project; however, the Staff Report is compelling.

Mr. Don Paschal stated that QuikTrip would be willing to reduce the parking time frame if that is an issue. He stated that he felt that they had addressed all concerns other than the land use issue. Mr. Paschal stated that they did not believe there would be any traffic issues with a QuikTrip Travel Center at this location.

Chairman Robert Clark expressed his concerns over enforcing the parking time limit. Mr. Paschal felt that there are ordinances and provisions in McKinney that are not enforceable; however, they are there as a precaution in case you ever have to enforce them.

Vice-Chairman Darrell Tate stated that he had concerns about the school district being located so close to this proposed QuikTrip Travel Center site and the traffic issues that a truck stop would add to that area. He briefly discussed the tax revenues the QuikTrip Travel Center would generate and stated that they are hard to pass up.

The Commission approved the motion by Vice-Chairman Darrell Tate, seconded by Commission Member David Kochalka, to recommend denial of the proposed rezoning request with a vote of 6 – 1, with Larry Thompson voting against the motion.

Chairman Robert Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 18, 2011.

END OF REGULAR ITEMS

Mr. Michael Quint, Senior Planner for the City of McKinney, thanked Vice-Chairman Darrell Tate and Commission Member Jack Radke for their service on the Planning and Zoning Commission.

Chairman Robert Clark adjourned the meeting at 7:40 p.m.

ROBERT S. CLARK
Chairman