

PLANNING AND ZONING COMMISSION

OCTOBER 25, 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 Tuesday, October 25, 2011 at 6:30 p.m.

Commission Members present: Chairman Robert S. Clark, George Bush, Rick Franklin, Matt Hilton, David Kochalka, and Larry Thompson.

Commission Member absent: Vice-Chairman Lance Lindsay

Staff Present: Director of Planning Jennifer Cox; Senior Planners Brandon Opiela and Michael Quint; Planners Abra Nusser and Anthony Satarino; and Administrative Assistant Terri Ramey.

There were approximately twenty-two guests present.

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

Chairman Robert S. 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 S. 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 S. 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.

Chairman Robert S. Clark continued the meeting with the Consent Items.

The Commission unanimously approved the motion by Commissioner George Bush, seconded by Commissioner David Kochalka, to approve the following Consent Items:

- 11-148PF Consider/Discuss/Act on the Request by Sanchez and Associates, L.L.C., on Behalf of Beazer Homes and Behringer Harvard McKinney Land L.P., for Approval of a Preliminary-Final Plat for 53 Single Family Residential Lots and 5 Common Areas (Fairway Meadows Addition), Approximately 12.82 Acres, Located on the North Side of Silverado Trail and Approximately 150 Feet West of La Tierra Linda Trail.**

END OF CONSENT

Chairman Robert S. Clark continued the meeting with the Regular Items.

- 11-133Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by J. Volk Consulting, Inc., on Behalf of the City of McKinney, T. L. Wheeler, Jr., and Standard Pacific of Texas, for Approval of a Request to Rezone Approximately 128.95 Acres from "PD" - Planned Development District, "AG" - Agricultural District, and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the East Side of Alma Road and on the North Side of Silverado Trail. (REQUEST TO BE TABLED)**

Mrs. Abra Nusser, Planner for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled until the November 8, 2011 Planning and Zoning Commission meeting per the applicant's request.

Chairperson Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commissioner Larry Thompson, seconded by Commissioner Rick Franklin, to continue the public hearing and table the proposed rezoning request until the November 8, 2011 Planning and Zoning Commission meeting.

- 11-135Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Dunhill Homes, on Behalf of Graham Mortgage Corporation, for Approval of a Request to Rezone Approximately 13.07 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Rear Yard Setback, Located on the West Side of Hardin Boulevard and Approximately 1,050 Feet North of State Highway 380 (University Drive). (REQUEST TO BE TABLED)**

Mr. Anthony Satarino, Planner for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled until the November 8, 2011 Planning and Zoning Commission meeting due to an error in

property owner noticing. He stated that Staff will renote prior to the November 8, 2011 meeting.

Chairperson Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commissioner George Bush, seconded by Commissioner Matt Hilton, to continue the public hearing and table the proposed rezoning request until the November 8, 2011 Planning and Zoning Commission meeting.

11-149Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by IBG Adriatica Holdings, Inc., for Approval of a Request to Rezone Approximately 4.32 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Location on the Southeast Corner of Adriatic Parkway and Mediterranean Drive.

Mr. Michael Quint, Senior Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the Staff Report.

Commission Member George Bush asked why the proposed point standard for proposed building elevations was different than what the letter of intent reflected. Mr. Quint stated that Staff discussed this change with the applicant and they were in agreement with the proposed modifications to the Architectural Standard requirements detailed in the Staff Report.

Commission Member Dave Kochalka asked if Staff would be able to approve site plans and landscape plans at Staff level if the zoning was approved. Mr. Quint stated yes.

Commission Member George Bush asked about the requirement that a specific amount of commercial development be constructed prior to any residential development being built. Mr. Quint explained that the proposed rezoning request will not have any impact on the existing construction timing regulations in the existing planned development district ordinances that are applicable to the subject property.

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 Commissioner David Kochalka, seconded by Commissioner George Bush, to close the public hearing.

The Commission unanimously approved the motion by Commissioner Larry Thompson, seconded by Commissioner Rick Franklin, to recommend approval of the rezoning request as recommended by Staff.

Chairman Robert S. Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on November 1, 2011.

11-137SU2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of LINFER Properties, L.L.C., for Approval of a Site Plan and Specific Use Permit for a Restaurant with Drive Through Window and an Additional Retail/Restaurant Building, Approximately 1.19 Acres, Located on the Southeast Corner of McDonald Street and Anthony Street.

Mr. Anthony Satarino, Planner for the City of McKinney, explained the site plan and specific use permit request. He stated that Staff recommends approval of the requested specific use permit with special ordinance provisions listed in the staff report. Mr. Satarino stated that if the specific use permit is approved, then Staff also recommends approval of the site plan as condition in the staff report.

Mr. Dwayne Zinn, Cross Engineering Consultants, Inc., 131 S. Tennessee Street, McKinney, TX 75069, concurred with the staff report.

Commission Member Dave Kochalka asked about the landscape setbacks and the 30' corner clip setbacks. Mr. Zinn stated that they would have to apply for a rezoning request to change the corner clip setbacks.

Commission Member Larry Thompson asked what type of restaurant is being proposed. Mr. Zinn stated that it is a chicken restaurant.

Chairman Robert Clark opened the public hearing and called for comments. There were none, the Commission unanimously approved the motion by Commissioner George Bush, seconded by Commissioner David Kochalka, to close the public hearing and recommend approval of the site plan and specific use permit 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 November 15, 2011.

11-142MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Wier & Associates, Inc., on Behalf of Columbia Medical Center of McKinney Subsidiary, L.P., for Approval of a Minor Replat for Lot 7R, Block I and Lot 1, Block A, of the Columbia Medical Campus of McKinney Addition, Approximately 19.11 Acres, Located on the Northeast Corner of Spur 399 and Frisco Road.

Mrs. Abra Nusser, Planner for the City of McKinney, explained the proposed minor replat request. She stated that Staff recommends approval of the proposed minor replat request as conditioned 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 Commissioner Rick Franklin, seconded by Commissioner Matt Hilton, to close the public hearing and approve the proposed minor replat as conditioned in the staff report.

Chairman Robert Clark stated that the Planning and Zoning Commission is the final approval authority for the proposed minor replat.

11-144MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pogue Engineering & Development Company, Inc., on Behalf of Encore Wire Corporation, for Approval of a Minor Replat for Lot 1R3, Block A, of the Encore Wire, LTD. Two Addition, Approximately 79.86 Acres, Located on the Southeast Corner of Millwood Street and Elm Street.

Mr. Anthony Satarino, Planner for the City of McKinney, explained the proposed minor replat request. He stated that Staff recommends approval of the proposed minor replat request as conditioned in the Staff Report.

Mr. Randall Pogue, P.E., Pogue Engineering & Development Company, Inc., 1512 Bray Central Drive, Suite # 100, McKinney, TX 75069, explained that they are requesting a variance to the screening requirements, deferment of installing the sidewalk, and a variance to the screening of the mechanical units on the property.

Commission Member Dave Kochalka asked the applicant if they are replatting to a single lot. Mr. Pogue stated yes. Commission Member Dave Kochalka asked about the sidewalks the applicant is requesting be deferred. Mr. Pogue explained that they intend to continue farming the undeveloped land. Commission Member Dave Kochalka asked for more clarification on the requested variance on the screening. Mr. Pogue explained the locations.

Commission Member Larry Thompson asked if they own the property across Airport Drive. Mr. Pogue stated no; however, Airport is 1,000' from this location on the property. Commission Member Larry Thompson asked to clarify that it is 350' from the small dock on the property to the property line. Mr. Pogue stated yes, and that Encore Wire owns the 40 acres across the street. Commission Member Larry Thompson also asked to clarify that the request for a variance on the screening of the mechanical units. Mr. Pogue stated that all units facing any public right-of-way would be required to be screened. He stated that most of the mechanical units on surrounding properties are not screened.

Mrs. Jennifer Cox, Director of Planning for the City of McKinney, asked that the questions and comments be limited to the present minor replat request.

Chairman Robert S. Clark asked Staff to discuss the sidewalk deferment. Mr. Brandon Opiela, Senior Planner for the City of McKinney, stated that Staff was unaware that the applicant wished to defer the sidewalk until the time of construction adjacent to the sidewalk areas; however, since this is a standard practice for construction, it would not be an issue.

Chairperson Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commissioner Rick Franklin, seconded by Commissioner David Kochalka, to close the public hearing and recommend approval of the proposed minor replat as conditioned in the staff report and to defer the sidewalk until the portion of the property adjacent to the future sidewalk develops.

Chairman Robert Clark stated that the Planning and Zoning Commission is the final approval authority for the proposed minor replat.

11-146SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pogue Engineering Development Company, Inc., on Behalf of Encore Wire Corporation, for Approval of a Site Plan for Encore Wire - Plant 6, Approximately 11.86 Acres, Located on the Southeast Corner of Millwood Street and Elm Street.

Mr. Anthony Satarino, Planner for the City of McKinney, explained the proposed site plan. He stated that Staff recommends approval of the proposed site plan as conditioned in the staff report.

Commission Member Larry Thompson asked about the height of the living screen requirement. Mr. Satarino stated that the screening materials would be shrubs with a minimum height of three feet at the time of planting.

Commission Member George Bush questioned if the mechanical units would even be seen on top of the large building.

Commission Member Larry Thompson asked if the applicant intends to hire more employees after the building is built. Mr. Pogue stated yes. Chairman Robert S. Clark asked how many people Encore Wire would employ at that point. The owner spoke up from the audience and stated it would be 900 – 1,000 employees.

Chairperson Clark opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commissioner Larry Thompson, seconded by Commissioner George Bush, to close the public hearing and approve the site plan as recommended by Staff and grant the requested variances to the screening requirements as requested by the applicant.

Chairman Robert Clark adjourned the meeting at 7:06 p.m.

ROBERT S. CLARK
Chairman