

## **PLANNING AND ZONING COMMISSION**

**AUGUST 23, 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, August 23, 2011 at 6:30 p.m.

Commissioners present: Chairman Robbie Clark, Vice-Chairman Darrell Tate, George Bush, Ray Eckenrode, Sean Lingenfelter, Jack Radke, and Larry Thompson.

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 ten guests present.

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

Chairperson 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 further considered by City Council at its regularly scheduled meeting of September 20, 2011, unless otherwise indicated, and that all required revisions should be submitted to the Planning Department for its review by August 25, 2011. 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. Chairperson 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 Commissioner Sean Lingenfelter, seconded by Commissioner Jack Radke, to approve the following Consent Items:

**11-007PZ      Minutes of the Planning and Zoning Commission  
Regular Meeting of August 9, 2011.**

**08-324PF      Consider/Discuss/Act on the Request by Sanchez and  
Associates, L.L.C., on Behalf of Behringer Harvard  
McKinney Land, L.P., for Approval of a Preliminary-Final  
Plat for Lots 1 and 2, Block A of the Discovery at Rowlett  
Creek Addition, Approximately 45.16 Acres, Located on  
the Northeast Corner of Custer Road and Future  
Silverado Trail.**

**END OF CONSENT**

**11-115ME      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Carlos Fernandez Architects, on Behalf of Courtesy Dealership Property, for Approval of a Meritorious Exception for McKinney Buick GMC, Approximately 18.26 Acres, Located on the Southwest Corner of Collin McKinney Parkway and Test Drive, and West of U.S. Highway 75 (Central Expressway). (REQUEST TO BE TABLED)**

Mr. Anthony Satarino, Planner for the City of McKinney, explained that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request. Staff will re-notify for the next public hearing. Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Sean Lingenfelter, seconded by Commission Member George Bush, the Commission voted unanimously to close the public hearing and table indefinitely the proposed meritorious exception request as recommended by Staff.

**11-116Z      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 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). (REQUEST TO BE TABLED)**

Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained that Staff recommends that the public hearing be continued and the item be tabled until the September 13, 2011 Planning and Zoning Commission meeting per the applicant's request. Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Vice-Chairman Darrell Tate, seconded by Commission Member Larry Thompson, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request until the September 13, 2011 Planning and Zoning Commission meeting.

**11-119Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn and Associates, on Behalf of LevCal Custer, L.L.C., for Approval of a Request to Rezone Approximately 1.17 Acres, from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "BG" - General Business District and "CC" - Corridor Commercial Overlay District, Located on the East Side of Custer Road and Approximately 260 Feet South of U.S. Highway 380 (University Drive).**

Ms. Abra Nusser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the proposed rezoning request.

Commission Member George Bush asked why the applicant is requesting to rezone to "BG" – General Business District instead of modifying the planned development district. Mr. Michael Quint, Senior Planner for the City of McKinney, explained that Staff recommends rezoning the property to a straight zoning district if possible because it is easier for citizens to determine the zoning for the subject property and easier for Staff to track and administer.

Mr. David Kochalka, P.E., Kimley-Horn and Associates, Inc., 5750 Genesis Court, Suite 200, Frisco, TX, concurred with Staff's comments. He stated that the applicant intends to build a car wash on the property.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Jack Radke, seconded by Commission Member Ray Eckenrode, the Commission voted unanimously 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 September 20, 2011.

**11-120MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Geer Surveying & Engineering, on Behalf of Lyle Wise and Nena Wise, for Approval of Minor Replat of Lot 1 and Lot 2, Block A of the Wise Addition, Approximately 0.03 Acres, Located on the West Side of Tennessee Street and Approximately 85 Feet South of Louisiana Street.**

Mr. Anthony Satarino, Planner for the City of McKinney, stated that the subject property is currently platted as Lot 40D, Block 5 of the Original Donation Addition and is being replatted to become Lot 1 and Lot 2, Block A of the Wise Addition. He stated that the applicant is proposing to subdivide the property into two lots. Mr. Satarino stated that there is an existing building on the subject property that spans both proposed lots. He stated that the building is internally divided by an existing brick wall. Mr. Satarino stated that the proposed lot line between Lot 1 and Lot 2 follows along the dividing wall.

He stated that at the June 22, 2011 Board of Adjustment meeting, the applicant received approval of a variance to allow an increase to the maximum lot coverage permitted under the governing district regulations. Mr. Satarino stated that with the approved variance, the proposed minor replat is in conformance with the governing zoning district. He stated that Staff recommends approval of the minor replat as outlined in the staff report.

Mr. Bruce Geer, Geer Surveying & Engineering, 1514 N. McDonald St., McKinney, TX, concurred with Staff's comments.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Jack Radke, seconded by Commission Member Ray Eckenrode, the Commission voted unanimously to close the public hearing and approve the proposed minor replat as conditioned on the staff report.

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

Chairman Robert Clark expressed the Commission's and Staff's appreciation to Seal Lingenfelter and Ray Eckenrode for their service on the Planning and Zoning Commission.

Chairman Robert Clark adjourned the meeting at 6:43 p.m.

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ROBERT S. CLARK  
Chairman