

PLANNING AND ZONING COMMISSION

SEPTEMBER 13, 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 13, 2011 at 6:30 p.m.

Commissioners present: Chairman Robert Clark, Vice-Chairman Darrell Tate, George Bush, David Kochalka, Lance Lindsay, 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 seven guests present.

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

Chairperson 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. Chairperson 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. Chairperson 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 Vice-Chairman Darrell Tate, seconded by Commission Member Jack Radke, to approve the following Consent Items:

**11-008PZ Minutes of the Planning and Zoning Commission
Regular Meeting of August 23, 2011**

**11-128CVP Consider/Discuss/Act on the Request by Joe Reeves, on
Behalf of MJC Interests, L.P., for Approval of a
Conveyance Plat for Lot 9, Block A, of the Henneman-
Stacy Addition, Approximately 8.03 Acres, Located on
the Southwest Corner of Collin McKinney Parkway and
Stacy Road.**

END OF CONSENT

- 11-116Z2 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). (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 27, 2011 Planning and Zoning Commission meeting due to the public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Ordinance.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Larry Thompson, seconded by Commission Member George Bush, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request until the September 27, 2011 Planning and Zoning Commission meeting.

- 11-124Z 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 U.S. Highway 75 and Approximately 800 Feet North of Park View Avenue. (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 September 27, 2011 Planning and Zoning Commission meeting due to the public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Ordinance.

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 Lance Lindsay, the Commission voted unanimously to continue

the public hearing and table the proposed rezoning request until the September 27, 2011 Planning and Zoning Commission meeting.

11-123MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering, on Behalf of McKinney Dentist Property Mgt., LLC, for Approval of a Minor Replat of the Virginia Center Addition, Lot 2R and 4, Block A, Approximately 1.16 Acres, Located on the Southeast Corner of Wilson Creek Boulevard and Hunt 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. Bill Perman, Cross Engineering Consultants, Inc., 131 S. Tennessee Street, McKinney, TX 75069, concurred with the Staff Report.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Jack Radke, seconded by Vice-Chairman Darrell Tate, the Commission unanimously approved the motion 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.

09-162MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Suncrest Homes, for Approval of a Minor Replat for Lots 1 and 2, Block A of the Hill Street Addition, Approximately 0.58 Acres, Located on the South Side of Hill Street and Approximately 200 Feet West of Byrne Street.

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 as conditioned in the staff report.

The applicant initially did not have any comments.

Chairperson Clark opened the public hearing and called for comments.

Mr. Kevin Magavern, 409 Byrne Street, McKinney, Texas 75069, asked for more information about the gap mentioned on the eastern property line. Mrs. Nusser explained that there are sometimes gaps when surveys are taken in the older sections of McKinney due to benchmarks or controlling monuments being slightly off. She stated that a quit claim deed is then executed to determine the owners of these gaps between the property lines. Mrs. Nusser stated that the width of the gap is about four feet at its

widest point. She stated that one of the conditions listed in the staff report is for the quit claim deed to be executed for this gap. Mrs. Nusser stated that should the property owners not sign off on the quit claim deed, then the proposed minor replat could not be filed.

Mr. Gary Chenoweth, Suncrest Homes, 4100 W. Eldorado Parkway, McKinney, Texas 75070, briefly discussed the quit claim deed. Chairperson Clark stated that he would have to work with the adjacent property owners to execute the deed. He stated that the quit claim deed for the gap would need to be executed prior to the proposed minor replat being filed.

The Commission unanimously approved the motion by Commission Member Lance Lindsay, seconded by Commission Member Larry Thompson, 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.

END OF REGULAR ITEMS

Mrs. Jennifer Cox, Director of Planning for the City of McKinney, welcomed the two new commission members to the meeting. She stated that two more new commission members would be starting at the first meeting in October. Mrs. Cox stated that elections for the Chairperson and Vice-Chairperson would take place at the first meeting in October as well.

Chairman Robert Clark adjourned the meeting at 6:45 p.m.

ROBERT S. CLARK
Chairman