

PLANNING AND ZONING COMMISSION

MARCH 25, 2014

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, March 25, 2014 at 6:00 p.m.

Commission Members Present: Chairman Rick Franklin, Vice-Chairman George Bush, Jim Gilmore, Matt Hilton, Michael Osuna, Dick Stevens, and Larry Thompson

Staff Present: Assistant Director of Development Services Rick Leisner, Director of Planning Michael Quint, Planning Managers Brandon Opiela and Matt Robinson, Planners Samantha Gleinser and Steven Duong, and Administrative Assistant Terri Ramey

There were approximately 25 guests present.

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

Chairman Franklin 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 would be forwarded on to City Council. Chairman Franklin 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 Franklin 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 the issues.

Chairman Franklin continued the meeting with the Consent Items.

The Commission approved the motion by Commission Member Hilton, seconded by Commission Member Gilmore, to approve the following two Consent Items with a vote of 6-0-1. Commission Member Stevens abstained.

14-045PF Consider/Discuss/Act on the Request by Twenty Rule Inc., on Behalf of Joplin Partners Ltd., for Approval of a Preliminary-Final Plat for Lots 1 and 2, Block A of the Twenty Rule Addition, Being Fewer Than 8 Acres, Located at the Southwest Corner of Forest Ridge Lane and University Drive (U.S. Highway 380)

END OF CONSENT

Chairman Franklin continued the meeting with the Regular Agenda Items and Public Hearings on the agenda.

13-195Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Skoburg Company, on Behalf of Willow Park Development, for Approval of a Request to Rezone Fewer than 13 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located Approximately 600 Feet South of Virginia Parkway and on the East Side of Hardin Boulevard

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that an updated concept plan, updated development regulations, and letters of opposition were distributed to the Planning and Zoning Commission prior to the meeting. Ms. Gleinser stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with the City of McKinney's Comprehensive Plan and Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance.

Chairman Franklin asked about the architectural requirements for the development. Ms. Gleinser stated that the applicant proposed a 65% minimum masonry requirement on all façades of the residential structures; however, they included brick, stone, synthetic stone, and stucco as products they intended to use. She stated that Staff does not recognize stucco as an approved masonry material. Ms. Gleinser stated that the calculation does not include windows, doors, stoops, chimneys, dormers, and porches smaller than 4 feet deep by 6 feet wide.

Commission Member Thompson asked about the density for the property. Ms. Gleinser stated that it would be 4.4 dwelling units per acre, which excluded the floodplain area.

Mr. Adam Buczek, Skoburg Company, 8214 Westchester, Suite # 710, Dallas, TX, explained the proposed rezoning request and showed a presentation. He gave a brief history of the Skoburg Company and Windsor Homes. Mr. Buczek discussed

some of their developments. He discussed the architectural controls planned for the development. Mr. Buczek briefly discussed the meeting they held on March 24, 2014, with the surrounding residential neighbors.

Commission Member Thompson asked if they had 15-foot front yard setbacks at their development in Allen, TX. Mr. Buczek stated that development had 20-foot front yard setbacks. He stated that they were only requesting four lots to have a reduced setback of 15 feet with this development due to the floodplain on the property.

Commission Member Hilton asked about the price points for the development. Mr. Buczek stated that they expect the residential properties to sell from \$290,000 to \$370,000 each.

Chairman Franklin asked if they planned to have 40-foot lot sizes in this development. Mr. Buczek showed some examples of residential units built on 40-foot lots. He stated that it would be a minimum lot size for this development. Vice-Chairman Bush expressed concerns about a 40-foot lot size. Mr. Buczek stated that Windsor Homes was in the process of developing new products for this size lot. He believed that they could sell residential units on 40-foot lots.

Chairman Franklin opened the public hearing and called for comments.

Mr. Evan Haynes, 404 Preston Creek Drive, McKinney, TX, stated that they just met with the developer the day before this meeting and requested that a decision be delayed so they could learn more about what was planned.

Mr. Ronald Haugen, 400 Preston Creek Drive, McKinney, TX, expressed concerns about the future of the common area that is located between the two residential developments. He also expressed concerns about the smaller lot sizes in the proposed rezoning request.

Mr. Niels Enevoldsen, 308 Preston Creek Drive, McKinney, TX, expressed concerns about the future of the common area. He asked if there would be any environmental studies done to help preserve the common area between the two residential developments. Mr. Enevoldsen expressed concerns about the common area possibly flooding after large rains due to runoff from the new development next door.

Ms. Debbie Vanicek, 312 Preston Creek Drive, McKinney, TX, expressed concerns that their subdivision had just met with the developer the night before to

discuss the proposed development. She felt they needed more time to gather information about what was planned on the adjacent property before they could say if they were in favor or not of the development. Ms. Vanicek expressed concerns about the small proposed home and lot sizes and whether this could decrease their home values. She also has concerns about the maintenance and decisions made on the common area between the two subdivisions.

On a motion by Commission Member Gilmore, seconded by Commission Member Thompson, the Commission unanimously voted to close the public hearing, with a vote of 6-1-0. Commission Member Stevens voted against the motion.

Commission Member Thompson asked if there was only one entrance to the proposed development. Ms. Gleinser said yes.

Commission Member Thompson asked if the common area was in a floodplain. Ms. Gleinser said yes.

Commission Member Thompson asked if the removal of trees within the common area would need to follow the City's requirements. Ms. Gleinser said yes.

Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that the seven acres of common area would be owned by the applicant of the proposed rezoning request and they would have control of it.

Mr. Michael Quint, Director of Planning for the City of McKinney, stated that the City of McKinney does not have any requirements mandating environmental studies; however, there are mandates on all construction projects from other government organizations. He stated that the new development would cause additional runoff; however, they will have to address the creek so that it can accommodate this increase in runoff. Mr. Quint stated that the City does not have a say on the minimum size or the sale price of residential properties. Mr. Quint briefly discussed the Tree Preservation Ordinance's requirements in a floodplain area.

Chairman Franklin, Vice-Chairman Bush, Commission Member Gilmore, and Commission Member Thompson expressed concerns about not having two points of access to the proposed development and the proposed lots being too small.

Chairman Franklin asked the applicant if he would be willing to table the request to allow more time to address some of the surround neighbor's concerns. Mr. Buczek

stated that they had the property under contract at this time and that they had not officially purchased it yet. He stated that they did not have the option to purchase land to the north for another point of access to the development. Mr. Buczek stated that they plan to build a wider entrance to address access issues. He stated that he was okay with tabling the request until the next meeting to address some of the surrounding neighbors' concerns.

On a motion by Vice-Chairman Bush, seconded by Commission Member Hilton, the Commission voted unanimously to table the proposed rezoning request until the April 8, 2014 Planning and Zoning Commission meeting, with a vote of 7-0-0.

Mr. Quint requested that the public hearing be reopened due to noticing issues. The Planning and Zoning Commission Members agreed to repeal the previous motion and vote.

On a motion by Commission Member Gilmore, seconded by Commission Member Hilton, the Commission voted unanimously to reopen the public hearing, with a vote of 7-0-0.

On a motion by Commission Member Gilmore, seconded by Commission Member Thompson, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request until the April 8, 2014 Planning and Zoning Commission meeting, with a vote of 7-0-0.

14-054Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Spiars Engineering, Inc., on Behalf of Ysis Partners, L.P., for Approval of a Request to Rezone Fewer Than 17 Acres from "PD" - Planned Development District to "RS 60" - Single Family Residence District, Generally to Modify the Development Standards, Located on the South Side of Bloomdale Road and on the West Side of F.M. 1461 (Future Lake Forest Drive)

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff distributed a letter of support for this request to the Planning and Zoning Commission Members prior to the meeting. Ms. Gleinser stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with the City of McKinney's Comprehensive Plan.

Chairman Franklin asked about the current zoning on the property. Ms. Gleinser stated that it was currently zoned for retail uses.

Mr. Steve Lenart, 520 Central Parkway East, Suite # 104, Plano, TX, explained the proposed rezoning request. He stated that the surrounding residential properties to the west of this property have a "PD" – Planned Development District zoning with "RS 60" – Single Family Residence District minimum lot sizes. Mr. Lenart stated that the proposed residential development would be similar to the Heatherwood development in price and from a product standpoint. He stated that a preliminary-final plat had already been submitted to the City of McKinney. Mr. Lenart requested the approval of the proposed zoning request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Thompson, seconded by Vice-Chairman Bush, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Vice-Chairman Bush asked about the proposed and surrounding residential modules. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that the Comprehensive Plan called for all Suburban Mix modules to have at least a 65% residential component.

Commission Member Thompson had questions regarding the requested zoning on the property and the new zoning districts options. Mr. Quint stated that the new zoning districts were available now and the applicant could request that the property be rezoned to them. He stated that on July 1, 2014, some of the zoning districts would no longer be available to rezone properties to them and gave the example of "RS 60" – Single Family Residence District being one of the zoning districts that will no longer be available after this date. Mr. Quint stated that the "RS 60" – Single Family Residence District does not mandate a minimum median and mean lot size of 7,200 square feet. He stated that the adjacent western and southern properties have a "PD" – Planned Development District zoning with a special ordinance provision that requires a median and mean lot size of 7,200 square feet. Mr. Quint stated that the median and mean lot size of 7,200 square feet will become mandated on July 1, 2014 and had been in the Comprehensive Plan since 2004.

Commission Member Osuna asked if the property could be rezoned to "RS 72" – Single Family Residence District. Mr. Quint said yes and that they had the option to

rezone to one of the new zoning districts or a “PD” – Planned Development District that mandates a 7,200-square foot median and mean lot size. He stated that a “PD” - Planned Development District requires a special ordinance provision that mandates a design of innovative or exceptional quality.

Commission Member Osuna asked Staff if the Commission could recommend approval of “RS 72” - Single Family Residence District zoning for the property. Mr. Quint stated that the proposed rezoning request had been noticed for a request to rezone to “RS 60” - Single Family Residence District.

Commission Member Hilton asked the applicant if he was open to rezoning the property to “RS 72” - Single Family Residence District. Mr. Lenart said no and that he did not think they could make the development financially feasible with a 7,200-square foot mean and median lot size requirement. He stated that they would prefer to switch to a “PD” – Planned Development District with a 50-foot lot size and a special ordinance provision that mandates an innovative or exceptional quality design on the property.

On a motion by Commission Member Hilton, seconded by Commission Member Thompson, the Commission unanimously voted to recommend denial of the rezoning request as recommended in the staff report, with a vote of 6-1-0. Chairman Franklin voted against the motion.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 15, 2014.

14-044Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by American Auto Spa, on Behalf of Lett Lane Group L.L.C., for Approval of a Request to Rezone Less than 1 Acre from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northwest Corner of Custer Road and Westridge Boulevard

Mr. Steven Duong, Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed zoning request with the special ordinance provisions # 1 - 3 listed in the staff report. Mr. Duong stated that Staff recommends denial of the two additional special ordinance provisions # 4 and 5 requested by the applicant that request for a reduction in the landscape buffer

from twenty (20) feet to ten (10) feet along Custer Road and allowing the bays or bay doors of the proposed car wash be oriented towards Custer Road.

Chairman Franklin asked Staff if there were other car washes in the area that have bays or bay doors oriented towards the street. Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that there were some and explained that these car washes typically had additional screening to block the view of the bays or bay doors from the street view.

Chairman Franklin asked if additional landscaping could be required on the project. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that Staff felt it would be difficult to install additional landscape screening on the property if the applicant's special ordinance provision request to reduce the landscaping buffer from twenty (20) feet down to ten (10) feet was granted.

Vice-Chairman Bush asked for the dimension of the lot. Mr. Opiela stated that it was about 136 feet along Custer Road and about 185 feet along Westridge Boulevard. He stated that the property was approximately 0.62 acres. Mr. Opiela stated that a Westridge monument sign was taking up a portion of the property as well.

Commission Member Thompson asked what was located behind this property. Mr. Opiela said a daycare facility. He also stated that a retail center was located to the north and a veterinary clinic was located to the south of this property.

Commission Member Thompson stated that the car wash bays or bay doors could still be facing a street if the applicant changed the layout of the car wash since the property was on a corner. Mr. Opiela stated that was correct.

Mr. Benny Robinson, 9839 Planters Row, Frisco, TX, explained the rezoning requests and the special ordinance provision requests. He explained that the Westridge monument sign took up a 60 feet x 65 feet portion of the property on the southwest corner. Mr. Robinson stated that the area around the monument sign was heavily landscaped. He explained that most car wash bays and bay doors were oriented towards the street and gave examples of car washes in the area.

Vice-Chairman Bush asked if the applicant would be willing to move the proposed equipment room 10 feet to the west on the property, so they would not need to reduce the landscaping buffer on the east side of the property. Mr. Robinson was

willing to make that change, so that there would be a twenty (20) foot landscape buffer on the east side of the property.

Commission Member Stevens stated that he would like to see an increased landscaping buffer to help block the view from the street of the bays or bay doors of the car wash. Mr. Robinson stated that he plans to install additional landscaping on the property. Mr. Opiela stated that the proposed landscaping would not fully screen the view from the street of the bays or bay doors. Mr. Robinson felt that the proposed architectural designs for the building would help improve the view of the proposed car wash from the street. Chairman Franklin stated that the conceptual plan of the car wash looked like it would be one of the best looking car washes in McKinney. Chairman Franklin asked if the exterior of the car wash would be completely brick. Mr. Robinson said yes and that it would have a clay tile roof.

Commission Member Gilmore asked about the entrance to the property. Mr. Robinson stated that there was an entrance on Westridge Boulevard and also a location where you could turn in from Custer Road. Commission Member Gilmore expressed concerns about possibly having a backup of cars waiting for a car wash in the fire lane near Westridge Boulevard. Mr. Robinson stated that the car wash equipment could be adjusted to handle up to 80 - 90 cars per hour; however, he expected it to handle up to 40 - 50 cars per hour on most days.

Commission Member Gilmore asked Staff if they were okay with the traffic patterns. Mr. Quint stated that this was a conceptual drawing and could change by the time the applicant submits a site plan; therefore, Staff was not able to answer his question.

Vice-Chairman Bush asked about the stacking requirements for a car wash. Mr. Opiela stated that a full-service car wash required seven stacking spaces and they would start at the kiosk's pay stations. Chairman Franklin asked if it was seven stacking spaces per lane. Mr. Opiela said yes.

Mr. Ralph Nasca, 1702 S. Highway 121, Suite # 406, Lewisville, TX, explained the proposed rezoning request. He stated that they are proposing an express car wash where there would be two kiosks that allow the customer to pick which car wash option

they want to purchase and make their payment. He stated that each kiosk could handle up to 60 cars per hour.

Vice-Chairman Bush asked if the seven car requirement would require 140 feet and would not allow the cars to back up onto a fire lane. Mr. Opiela stated that was correct. Mr. Robinson stated that there would be two lanes for the kiosks; however, only one lane for the car wash. He felt that they only needed to provide stacking for seven cars on the site and that there should be enough room provided in the two kiosk lanes to meet the requirement.

Chairman Franklin opened the public hearing and called for comments.

Dr. Paul Hamilton, Lett Lane Group, L.L.C., 7707 San Jacinto Place, Suite # 300, Plano, TX, stated that he was the current owner of the proposed property. He stated that he also owned the property where the fire lane was proposed and that Kids R Kids had an access easement on it. Dr. Hamilton suggested that photinias be planted as part of the landscape screening for the bays or bay doors.

On a motion by Commission Member Thompson, seconded by Commission Member Gilmore, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0.

On a motion by Commission Member Osuna, seconded by Vice-Chairman Bush, the Commission unanimously voted to recommend approval of the rezoning request as recommended by the applicant with the special ordinance provisions # 1, 2, 3, and 5 listed in the staff report and a recommendation of denial on the special ordinance provision # 4, removing the provision to reduce the required landscaping buffer for a single lane, fully automated car wash use along Custer Road from twenty (20) feet to ten (10) feet, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 15, 2014.

There being no further business, Chairman Franklin declared the meeting adjourned at 7:25 p.m.

RICK FRANKLIN
Chairman