

## **PLANNING AND ZONING COMMISSION**

**AUGUST 26, 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, August 27, 2014 at 6:00 p.m.

Commission Members Present: Chairman Rick Franklin, Matt Hilton, Jim Gilmore, Mark McReynolds, and Dick Stevens

Absent: Vice-Chairman George Bush and Commission Member Larry Thompson

Staff Present: Director of Planning Michael Quint, Planning Manager Brandon Opiela, Planner II Samantha Pickett, and Administrative Assistant Terri Ramey

There were approximately twenty 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 unanimously approved the motion by Commission Member Hilton, seconded by Commission Member Gilmore, to approve the following two Consent items, with a vote of 5-0-0.

**14-847      Minutes of the Planning and Zoning Commission  
Regular Meeting of August 12, 2014**

**14-191CVP Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of VCIM Partners, L.P., for Approval of a Conveyance Plat for Lots 1 - 4, Block A, of the Collin McKinney Commercial Addition, Common Area A-1, and Piper Glen Road Right-of-Way Dedication, Being Fewer than 21 Acres, Located on the South Side of Collin McKinney Parkway and on the East Side of Custer Road**

**END OF CONSENT**

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

**13-195Z4 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Skorburg Company, on Behalf of Amegy Bank, for Approval of a Request to Rezone Fewer than 13 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Allow Townhome Uses and Modify the Development Standards, Located Approximately 600 Feet South of Virginia Parkway and on the East Side of Hardin Boulevard**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed rezoning request and Staff's concerns. She distributed a revised Staff report updating the ownership information prior to the meeting. Ms. Pickett stated that Staff recommends denial of the proposed rezoning request due to lack of conformance with the City Council's goal of preserving and developing the non-residential tax base.

Mr. Adam Buczek, Skorburg Company, 8214 Westchester, Suite # 170, Dallas, TX, discussed the proposed rezoning request and showed a PowerPoint presentation.

Commission Member Gilmore asked if the property was located in the 100-year floodplain. Mr. Buczek said yes.

Commission Member Gilmore asked if part of the property was located in the dam breach area. Mr. Buczek said yes.

Commission Member Gilmore asked Mr. Buczek if he knew how much flood insurance would cost the townhome owners. Mr. Buczek felt the property owners would not need flood insurance based upon the flood study that he just received. He stated that Federal Emergency Management Agency (FEMA) would be relocating the floodplain lines on the map due to the improvements on the property to address the flood concerns.

Commission Member Gilmore asked Mr. Buczek about available parking for when the townhome owner invites friends over and it was more than the garage and

driveway could hold. Mr. Buczek stated that some extra cars could park in the cul-de-sac areas. He stated that the townhome owners would not have available parking spaces to hold huge parties.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Gilmore, seconded by Commission Member Stevens, the Commission voted unanimously to close the public hearing, with a vote of 5-0-0.

Commission Member Hilton expressed concerns regarding the townhomes not providing alley access. Commission Member Stevens agreed with him. Mr. Buczek distributed an alternative layout that would provide alley access, with exception to the lots on the south side of the property. He discussed the differences between the proposed request and the alternate layout that he distributed to the Commission and Staff during the meeting.

Commission Member McReynolds asked if the alternate layout had shorter lots. Mr. Buczek said no, that they were the same size lots.

Commission Member McReynolds expressed concerns about the backyard size for the lots. Mr. Buczek stated that the lot length would be 108'. He stated that there would be a 10' rear yard setback. Commission Member McReynolds expressed concerns that vehicles could stick out into the alley.

Commission Member Hilton and Chairman Franklin felt that Staff needed to review the alternate layout before the Commission voted on it. A motion by Commission Member Hilton to table the proposed rezoning request failed due to lack of a second.

Commission Member McReynolds expressed concerns over whether there would be a backyard for the townhomes with rear alley entrances. He stated that he preferred the front entry for the townhomes.

Chairman Franklin asked if the townhomes would move closer to the street if there was a rear alley entrance. Mr. Buczek said yes.

Commission Member Stevens explained that he was not in favor of the rezoning request for this property.

On a motion by Commission Member Stevens, seconded by Commission Member Hilton, the Commission voted to close the public hearing and recommend denial of the rezoning request as recommended by Staff, with a vote of 3-2-0. Chairman Franklin and Commission Member McReynolds 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 September 16, 2014.

**14-145Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Shaddock Developers, Ltd., on Behalf of Frances Melton and Clyde and Lucretia Geer, for Approval of a Request to Zone Fewer than 30 Acres to "PD" - Planned Development District, Located Approximately 1,900 Feet North of Eldorado Parkway and on the East Side of Custer Road**

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed zoning request and expressed Staff's concerns. She distributed a revised Staff report prior to the meeting with the revisions highlighted in yellow. Ms. Pickett stated that Staff recommends denial of the proposed zoning request due to non-conformance with the City of McKinney's Comprehensive Plan.

Commission Member Stevens had questions regarding the lot sizes of the surrounding neighborhoods. Mr. Brandon Opiela, Planning Manager for the City of McKinney, discussed the Surrounding Zoning Information attachment in the Staff report that showed the surrounding lot sizes. Mr. Michael Quint, Director of Planning for the City of McKinney, explained that some of the surrounding properties were zoned prior to when the Comprehensive Plan was adopted.

Chairman Franklin asked what was shown on the Comprehensive Plan for this property. Mr. Opiela stated that the Comprehensive Plan's Future Land Use Plan Modules Diagram has this property as a Suburban Mix and the Future Land Use Plan has low density and mid density residential uses for this property.

Mr. William Shaddock, Shaddock Developers, Ltd., 2400 Dallas Pkwy., Plano, TX, explained the proposed zoning request and showed a PowerPoint presentation. He stated that American Legend Homes and Shaddock Homes were currently under contract to build residential units on the property. Mr. Shaddock stated that they were seeking to be annexed into Stonebridge Ranch.

Commission Member Hilton asked how they calculated the lot sales price. Mr. Shaddock stated that it was the price that they were selling the lots to the builders.

Commission Member Stevens asked if the development would have front- or rear-entry garages. Mr. Shaddock stated that they would be front-entry garages.

Chairman Franklin opened the public hearing and called for comments.

Mr. Joel Krause, 2413 Trinity Ln., McKinney, TX, had concerns about the trees on the north side of the property. Mr. Shaddock briefly discussed the City of McKinney Tree Preservation Ordinance. Mr. Quint stated that the applicant was requesting to have the property annexed into the City of McKinney. He stated that if the property was not annexed into the City of McKinney then they would not be required to follow the City of McKinney Tree Preservation Ordinance. Mr. Quint also stated that currently the applicant could build the proposed layout in the Extraterritorial Jurisdiction (ETJ). He briefly discussed the benefits of annexing the property into the City of McKinney. Mr. Quint stated that the City Council had already held two public hearings for the annexation proceedings of this property.

Commission Member Gilmore had questions regarding the density of the property. Mr. Shaddock explained that the development would not work with a 3.2 dwelling units per acre density with the surrounding developments.

Mr. Clyde Geer, 2417 S. Custer Rd., McKinney, TX, gave a brief history of the ownership of the property. He stated that the north side of the property had mostly Hackberry trees that were not worth saving. Mr. Geer was impressed with the quality products that Mr. Shaddock had been associated with in other developments.

On a motion by Commission Member Stevens, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing, with a vote of 5-0-0.

Commission Members Gilmore, McReynolds, and Stevens were in favor of the proposed development for the property.

Commission Member Hilton expressed concerns with the lot price and density for the development. Mr. Shaddock felt that if they were able to purchase the land from Mr. Geer at a lower amount that it would not make a big difference in the final lot price due to current development costs.

Commission Member Gilmore questioned the Stonebridge Ranch Community Association, Inc. letter of support included in the Staff report. He stated that we was not aware of the Stonebridge Ranch Homeowners Association (HOA) approving the annexation of this property into their development. Mr. Shaddock stated that he met with Mr. Jon Dell'Antonia and Mr. Mike Lesku to discuss the development and being annexed into the Stonebridge Ranch development. He stated that Mr. Dell'Antonia and Mr. Lesku agreed that this property should be included in the Stonebridge Ranch Development and submitted the letter of support. Mr. Shaddock stated that the official HOA meeting would take place on Thursday, August 28<sup>th</sup> to vote on including this property in their development.

Chairman Franklin asked if the density of the property was based off of gross acreage or net acreage. Mr. Shaddock stated that it was based off of the gross acreage of the property.

On a motion by Commission Member Gilmore, seconded by Commission Member McReynolds, the Commission voted to recommend approval of the zoning request as recommended by Staff, with a vote of 4-1-0. Commission Member Hilton 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 September 16, 2014.

**14-215Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by SLC McKinney Partners, L.P., for Approval of a Request to Rezone Fewer than 14 Acres from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of Fleetwood Street and State Boulevard**

Mr. Brandon Opiela, Planning Manager 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.

Mr. Trevor Cross, Southern Land Company, 1550 W. McEwen Dr., Franklin, TN, concurred with the Staff report.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Hilton, seconded by Commission

Member McReynolds, the Commission voted unanimously to close the public hearing and recommend approval of the rezoning request as recommended by Staff, with a vote of 5-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on September 16, 2014.

**END OF REGULAR AGENDA ITEMS AND PUBLIC HEARINGS**

Mr. Michael Quint, Director of Planning for the City of McKinney, stated that Commission Members Gilmore and Stevens had been reappointed to the Commission for another term. He also stated that two new members and an alternate were appointed by City Council to begin their term in October 2014.

There being no further business, Chairman Franklin declared the meeting adjourned at 7:14 p.m.

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RICK FRANKLIN  
Chairman