

PLANNING AND ZONING COMMISSION

DECEMBER 10, 2013

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, December 10, 2013 at 6:00 p.m.

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

Staff Present: Director of Planning Michael Quint; Planning Managers Brandon Opiela and Jennifer Arnold; Planners Samantha Gleinser, Steven Duong, and Neil Rose; and Administrative Assistant Terri Ramey

There were approximately 30 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 Kochalka, seconded by Commission Member Hilton, to approve the following three Consent Items with a vote of 7-0-0.

**13-1252 Minutes of the Planning and Zoning Commission
Regular Meeting of November 12, 2013**

13-1253 Minutes of the City Council and Planning and Zoning Commission Joint Meeting of December 2, 2013

13-234PF Consider/Discuss/Act on the Request by Dowdey, Anderson & Associates, Inc., on Behalf of McKinney Seven Stacy, L.P., for Approval of a Preliminary-Final Plat for 142 Single Family Residential Lots, 2 Common Areas, and 1 Commercial Lot (Creekside at Silverado), Being Fewer than 40 Acres, Located on the Southeast Corner of Future Silverado Trail and Custer Road

END OF CONSENT

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

Chairman Franklin stepped down during the consideration of item # 13-115SP, due to a possible conflict of interest.

13-115SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pogue Engineering & Development, Inc., on Behalf of LF Development Partners, L.P., for Approval of a Site Plan for Pinnacle Eye Associates Clinic, Being Fewer than 2 Acres, Located on the East Side of Lake Forest Drive and Approximately 1,300 Feet South of U.S. Highway 380 (University Drive) (REQUEST TO BE TABLED)

Mr. Steven Duong, Planner for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely per the applicant's request. He stated that Staff would re-notice for an upcoming public hearing.

Vice-Chairman Bush opened the public hearing and called for comments. There being none, on a motion by Commission Member Thompson, seconded by Commission Member Gilmore, the Commission voted to close the public hearing and table the proposed site plan request indefinitely as recommended by staff, with a vote of 6-0-1. Chairman Franklin abstained.

Chairman Franklin returned to the meeting.

13-223Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of McKinney Growth III, for Approval of a Request to Rezone Fewer than 16 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at the Southeast Corner of Lake Forest Drive and Highlands Drive

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends approval of the proposed rezoning request with the special ordinance provision listed in the staff report.

Commission Member Hilton asked if the multi-family use was being removed in this rezoning request. Ms. Gleinser said yes.

Mr. Bry Taylor, Bryson Messer Properties, 2600 Eldorado Pkwy., McKinney, TX, explained the rezoning request. He felt that if the current request was not approved then an apartment complex would likely be built on the property. Mr. Taylor stated that he carefully went through the letters of opposition and felt their main concerns were crime, safety, traffic, being an eye sore, and preferred the property to remain undeveloped. He stated that he contacted the McKinney Police Department to obtain a 2013 crime report on the closest self-storage and apartment complexes. Mr. Taylor stated that there were no crime reports, year-to-date, for the closest self-storage facility; however, there were 12 various incidents at the nearest apartment complex. He stated that a 260-unit apartment complex generates 1,700 cars per day; a 40,000 sq. ft. shopping center generates 3,743 cars per day; and a 500-unit self-storage facility generates 36 cars per day. Mr. Taylor felt a self-storage facility would be a quiet and safe use for the property. He felt that there had been a misconception that the property was part of the surrounding park property. Mr. Taylor felt that the property would not remain undeveloped. He stated that he met with the surrounding property owners and felt that the majority of them were now in favor of this request.

Vice-Chairman Bush asked if the self-storage units would be visible from Lake Forest. Mr. Taylor said no.

Commission Member Gilmore asked how many apartment units could be built on the property. Mr. Taylor stated that 276-units could be built on the property.

Chairman Franklin asked if there would be security cameras at the proposed self-storage facility. Mr. Taylor said yes.

Commission Member Kochalka asked about the hours of operation for the proposed self-storage facility. Mr. Taylor stated that the gate would be open from 6:00 a.m. to 9:00 p.m. and the office would be open from 9:00 a.m. to 6:00 p.m.

Commission Member Kochalka complemented the concept plan and asked how many self-storage buildings they plan to build on the site. Mr. Taylor stated that they plan to build four single-story buildings and one three-story air-conditioned building. He also stated that they are reducing the height from 50' to 35'.

Commission Member Gilmore asked if there would be signage facing the residents. Mr. Taylor said no.

Commission Member Kochalka asked about the landscaping for the east side of the development to break up the wall. Mr. Taylor discussed the proposed landscaping on the property and explained that they propose to install more landscaping that what was required. Ms. Gleinser stated that the landscape plan would be submitted with the site plan request and that it would generally not come before the Planning and Zoning Commission. Mr. Brandon Opiela, Planning Manager for the City of McKinney, briefly discussed the landscaping requirements.

Chairman Franklin asked about the pond located on the north end of the property. Mr. Taylor stated that it would not be touched.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Hilton, seconded by Commission Member Thompson, the Commission voted unanimously to close the public hearing and recommend approval of the proposed rezoning request as recommended by staff, 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 January 7, 2014.

13-241Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Bob Tomes Ford, on Behalf of McKinney Lone Star Enterprises, L.P., for Approval of a Request to Rezone Fewer than 6 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Park View Avenue and North Brook Drive

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that applicant was requesting to rezone the property to reduce the existing landscape buffer along Park View Ave. from 60' to 20' in width and to modify the screening requirements for the storage of vehicles on the

property. Ms. Gleinser stated that Staff recommends denial of the proposed rezoning request due to lack of compatibility with the adjacent land uses.

Chairman Franklin asked about the minutes for when this property was previously rezoned in 1999. Ms. Gleinser explained the previous minutes and the staff report for case # 99-018Z were include as attachments in this staff report. Mr. Brandon Opiela, Planning Manager for the City of McKinney, briefly discussed what the minutes stated regarding the provisions that were put in place when the property was rezoned in 1999.

Commission Member Gilmore asked about the proposed location of the fence. Ms. Gleinser explained that the fence along Park View Ave. currently has a 60' setback; however, the applicant was requesting that it be reduced to a 20' setback. She stated that the wall would be required for screening the storage of vehicles.

Mr. Bob Tomes, Bob Tomes Ford, 950 S. Central Expwy., McKinney, TX, explained the rezoning request. He stated that they are requesting a 20' setback with appropriate landscaping. Mr. Tomes stated that they plan to store new vehicles in the proposed enclosure on the property. He stated that they would not have a warehouse facility or being doing any repair work on this property.

Commission Member Kochalka asked Mr. Tomes if he was the applicant for case # 99-018Z. Mr. Tomes said yes. Commission Member Kochalka asked if the intent of the 60' setback was to create an open space between the development and the residential neighborhood. Mr. Tomes said yes. He felt that they had been very good corporate citizens of McKinney and had zero complaints or concerns on their collision repair center from surrounding neighbors or residents using the surround park. Mr. Tomes stated that they are in the process of expanding their Ford service facilities; therefore, they were need additional storage space for the new vehicles. He felt that most thoroughfares in McKinney had a 20' setback.

Commission Member Thompson asked how many vehicles they plan to store at this site. Mr. Tomes stated that it would be between 200 – 230 Ford and Subaru vehicles.

Commission Member Gilmore asked if the 60' buffer would remain for the current collision repair facility. Mr. Tomes said yes.

Chairman Franklin asked if the nearby park and assisted living facility were located there in 1999. Commission Member Thompson said yes.

Chairman Franklin opened the public hearing and called for comments.

The following people spoke in opposition of the proposed rezoning request. These citizens had concerns about reducing the buffer from 60' to 20', reducing the integrity of the residential neighborhood, installing a 6' masonry screening wall along Park View Ave., reduction in property values, and loss of green space.

- Ms. Leslie Vestal, 2334 N. Ridge Rd., McKinney, TX
- Ms. Jeannie Graham, 2329 N. Ridge Rd., McKinney, TX

The following people spoke in favor of the proposed rezoning request. These citizens felt that reducing the buffer from 60' to 20' was appropriate, parking vehicles on the property would be a low impact use, increasing the parking spaces would allow them to temporarily store an additional 60 new vehicles, did not feel that this development would increase traffic, and noted that a wall could currently be built at the 60' buffer.

- Mr. Bob Roeder, 1700 Redbud # 300, McKinney, TX
- Mr. Brandon Tomes, 950 S. Central Expwy., McKinney, TX

Commission Member Thompson asked if a screening wall was required to build a facility to store the vehicles on the property. Ms. Gleinser said yes.

Commission Member Thompson asked Mr. Bob Tomes if they plan to build the facility whether or not they were able to reduce the buffer from 60' to 20'. Mr. Tomes said yes.

Vice-Chairman Bush asked Staff if there was about 10' of parkway within the right-of-way between the street and the property line that would increase the distance from the street to where the wall could be built. Ms. Gleinser said yes. Vice-Chairman Bush asked to clarify that if this request to reduce the buffer to 20' was approved that the actual location of the wall would be about 30' from the street. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that was correct.

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

Commission Member Kochalka stated that a 60' setback was large for any thoroughfare; however, it would create a nice open space. He felt that the current 60' setback, across from the park, would be more appropriate.

Commission Member Thompson reminded the Commission that there would be an additional 10' added to the distance where the wall could be built on the property from the street curb.

On a motion by Vice-Chairman Bush, seconded by Commission Member Gilmore, the Commission voted to recommend approval of the rezoning request as recommended by staff, with a vote of 5-2-0. Commission Members Kochalka and Osuna 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 January 7, 2014.

13-245Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd and Joplin, on Behalf of VCIM Partners, L.P., Tournament Players Club at Craig Ranch, L.P., and McKinney Seven 185, L.P., for Approval of a Request to Rezone Fewer than 143 Acres from "PD" - Planned Development 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 Approximately 200 Feet South of Collin McKinney Parkway and Approximately 230 Feet East of Custer Road

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff recommends denial of the proposed rezoning request due to lack of conformance with Appendix B-2 (Regional Employment Center – Overlay Urban Design Standards) of the Zoning Ordinance.

Commission Member Thompson asked if this was the same setback issue as seen previously for this district. Ms. Gleinser said yes.

Mr. Bob Roeder; Abernathy, Roeder, Boyd and Joplin, P.C.; 1700 Redbud # 300; McKinney, TX; discussed the rezoning request. He felt that the new urban lifestyle had run its course in McKinney. Mr. Roeder stated that the current market prefers a large backyard instead of a front porch. He stated that they would like to include some cul-de-sacs in the development.

Chairman Franklin asked how many multi-family units were proposed for this development. Mr. Roeder stated that they could build up to 40-units per acre on Tract 1; however, they might build closer to 22 to 24-units per acre. He stated that there was a good chance that some of the multi-family units would be townhomes, which was an allowed use on the property.

Commission Member Gilmore asked Mr. Roeder if he was okay with Staff's recommendations listed in the staff report. Mr. Roeder stated that he was not okay with the recommendation of denial; however, he was okay with the alternative recommendations if the request was approved as listed in the staff report.

Commission Member Kochalka asked about the proposed trail exhibit attachment included in the staff report. Mr. Roeder stated that the trail system was not a part of the "PD" – Planned Development District. He stated that the trail system was the initial attempt to add value to satisfy the "PD" – Planned Development District requirement for a unique feature that added value to the development; however, they ended up increasing the open space to satisfy the requirement. Mr. Roeder stated that they are still looking into adding a trail system along future Craig Ranch Parkway.

Commission Member Osuna asked about the challenges of the front porch requirement within the "REC" – Regional Employment Center Overlay District. Mr. Roeder stated that every house in this district was required to have a front porch. He felt that the current market preferred saving the expense of the front porch and using the money elsewhere in the residence that would be more useful. Mr. Roeder stated that he had seen a lot of front porches used for storage, which was not what was initially intended in a new urban lifestyle development.

Chairman Franklin felt that there could be some security issues for children playing on the front porch and/or front yard instead of a fenced in backyard.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Thompson, seconded by Commission Member Kochalka, the Commission voted unanimously to close the public hearing and recommend approval of the proposed rezoning request as requested by the applicant, 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 January 7, 2014.

13-255Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Hendrick Automotive Group, on Behalf of Carleton Group II, Inc., for Approval of a Request to Rezone Fewer than 6 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Rockhill Road and Wilson Creek Boulevard

Mr. Steven Duong, Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends denial of the proposed rezoning request due to the incompatibility of the proposed auto painting and body shop use with adjacent residential uses.

Commission Member Gilmore asked about the zoning of the property to the east of this proposed rezoning request. Mr. Duong stated that property was currently zoned for residential uses.

Chairman Clark asked if Wilson Creek was typically the dividing line between residential and commercial uses. Mr. Duong said yes.

Mr. Gene Cocchi, Hendrick Automotive Group, 6000 Monroe Rd., Charlotte, NC, discussed the rezoning request. He felt that there was a precedent and gave the example of the collision center on North Brook Dr. with residential uses near it. Mr. Cocchi stated that he was willing to install appropriate buffers between this development and the nearby residential development.

Commission Member Thompson asked how many people that they intend to employ. Mr. Cocchi stated that they could employ as many as 60 people.

Commission Member Gilmore asked about the size of the proposed building. Mr. Cocchi stated that it would be approximately 2,500 sq. ft.

Commission Member Kochalka asked about the height of the proposed building. Mr. Cocchi stated that it would probably be between 15' to 18' tall.

Commission Member Thompson asked about the vehicles that would be kept on the property. Mr. Cocchi stated that vehicles there for repair would be kept in the back of the facility behind fencing.

Commission Member Thompson asked about the screening requirements for this use. Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that a 6' tall screening wall would be required on views of any storage of vehicles from the right-of-way and adjacent residential properties.

Commission Member Osuna asked about the required buffers for the property for this proposed use. Mr. Opiela stated that a 10' landscape buffer would be required adjacent to the property line to the east. He stated that a 20' landscape buffer would be required adjacent to a 60' right-of-way (ROW), which he thought Wilson Creek Boulevard might require. Mr. Opiela stated that a 10' landscape buffer would be required if adjacent to a 50' right-of-way (ROW), which he thought Rock Hill Road might require.

Commission Member Osuna asked Mr. Cocchi if they were willing to increase the landscape buffer. Mr. Cocchi stated that they were willing to increase the landscape buffer, if mutually agreed upon.

Commission Member Osuna asked Staff if they had a recommendation to increase the landscape buffer. Mr. Opiela stated that Staff's recommendation had more to do with the requested use of the property. He stated that the proposed use was a higher intensity commercial use adjacent to residential properties. Mr. Opiela stated that auto painting and body shop use is allowed in "BG" – General Business District, "ML" – Light Manufacturing District, and "MH" – Heavy Manufacturing District; however, on recent "BG" – General Business District rezoning cases, this use had been excluded. He stated that Staff had not seen a site layout of the proposed development to know what to recommend for increasing the required buffer. Mr. Opiela stated that Staff is recommending denial of this use on the property. Mr. Quint, Director of Planning for the City of McKinney, felt it would be inconsistent for Staff to make a recommendation to approve the request with an increased buffer. He stated that Staff's recommendation was denial of the request due to the proposed use on the property and did not feel that the buffer issue should be a factor at this point.

Commission Member Kochalka expressed concerns with having this use near residential properties.

Commission Member Thompson asked about the business located on the west side of Wilson Creek. Mr. Duong stated that it was Honda Cars of McKinney.

Commission Member Thompson asked to clarify that the Honda dealership was across the street from the proposed rezoning request. Mr. Duong said yes.

Chairman Franklin opened the public hearing and called for comments.

Ms. Claudia Powers, Carleton Group II, Inc., 5485 Belt Line # 300, Dallas, TX, spoke in favor of the rezoning request. She stated that they own the apartments located adjacent to this property. Ms. Powers stated that the property was currently vacant, not maintained, and didn't add anything to community. She felt the proposed use would be a better fit for that location and would be maintained.

Mr. Keith Abney, Honda Cars of McKinney, 601 S. Central Expwy., McKinney, TX, spoke in favor of the rezoning request. He stated that the property of the proposed zoning request was an eyesore and had been vacant for many years. Mr. Abney felt it was an appropriate use for the property. He stated that the three residential homes, located down the hill and to the northeast of this property, would still have views of the creek and woods. Mr. Abney stated that the body shop would look like an extension of the Honda dealership. He stated that they had not received any complaints on how Honda Cars of McKinney looks or how they conduct their business. Mr. Abney felt it would be the same for the body shop.

Vice-Chairman Bush wanted to clarify that this request only dealt with the allowed uses on the property and was not setting the setback or landscape requirements. Mr. Opiela explained that the request was only dealing with the allow uses on the property and that walls of all buildings constructed on the subject property shall be finished with 100% masonry.

Vice-Chairman Bush and Chairman Franklin felt this request was different from the earlier request made by Mr. Bob Tomes in that his property already allowed the use and was only dealing with the setbacks.

Commission Member Kochalka expressed concerns with the request due to being too vague on the proposed screening on Rockhill Road.

Commission Member Thompson asked if the Commission could make a request for specific screening requirements on the property. Mr. Quint stated that the Commission could make recommendations to City Council.

Commission Member Gilmore had concerns about the property owners to the east of the subject property. Mr. Opiela briefly discussed the screening requirements.

Chairman Franklin stated that he received a call of opposition from a residential property owner along Rockhill Road.

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

Commission Member Gilmore expressed concerns regarding not knowing what the setbacks for buildings would be on the subject property.

Commission Member Thompson stated that the Commission could make a recommendation for specific setbacks, similar to the 60' setback on the Tomes Ford body shop that was located next to a residential development. He also reminded the Commission that they plan to employ 60 people. Commission Member Thompson expressed concerns about whether the property would be developed in the near future if this request was not approved. Vice-Chairman Bush and Chairman Franklin took exception to the comments that the property might not be developed in the near future.

Chairman Franklin stated that everything to the east of Wilson Creek was typically residential. He was not comfortable with the requested use on the subject property.

On a motion by Commission Member Kochalka, seconded by Vice-Chairman Bush, the Commission voted to recommend denial of the rezoning request, with a vote of 6-1-0. Commission Member Thompson 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 January 7, 2014.

Chairman Franklin stepped down during the consideration of item # 13-124SP, due to a possible conflict of interest.

13-124SP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of LF Development Partners, L.P., for Approval of a Site Plan for a Medical Office Building, Being Fewer than 3 Acres, Located Approximately 950 Feet South of U.S. Highway 380 (University Drive) and on the East Side of Lake Forest Drive

Mr. Steven Duong, 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.

Mr. Jonathan Hake, Cross Engineering Consultants, 131 S. Tennessee St., McKinney, TX, explained the proposed site plan request.

Mr. David Craig, Craig International, Inc., 6850 TPC Dr., McKinney, TX, explained the proposed site plan request.

Vice-Chairman Bush asked if the surrounding residents were in support of the proposed site plan request. Mr. Craig stated that letters of support from the surrounding property owners had been distributed to the Commission prior to the meeting.

Vice-Chairman Bush opened the public hearing and called for comments. There being none, on a motion by Commission Member Kochalka, seconded by Commission Member Gilmore, the Commission voted to close the public hearing and approve the proposed site plan as conditioned in the staff report, with a vote of 6-0-1. Chairman Franklin abstained.

Vice-Chairman Bush stated that the Planning and Zoning Commission was the final approval authority for the proposed site plan.

Chairman Franklin returned to the meeting.

Vice-Chairman Bush stepped down during the consideration of item # 13-239MRP, due to a possible conflict of interest.

13-239MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by Roome Land Surveying, on Behalf of RJ & G Investments, Inc., for Approval of a Minor Replat for Lots 4R4A & 4R4B, Block E, of the Eldorado Park Addition, Being Fewer than 2 Acres, Located on the North Side of Bush Drive and Approximately 100 Feet East of El Lago Drive

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

Mr. Bill Cox, Carey Cox Company, 321 N. Central Expwy., McKinney, TX, explained the proposed request.

Chairman Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Gilmore, seconded by Commission Member Hilton, the Commission approved the motion to close the public hearing and approve the proposed minor replat as conditioned in the staff report, with a vote of 6-0-1. Vice-Chairman Bush abstained.

Chairperson Franklin stated that the Planning and Zoning Commission is the final approval authority for the proposed minor replat.

Vice-Chairman Bush returned to the meeting.

13-237PFR Conduct a Public Hearing to Consider/Discuss/Act on the Request by Pogue Engineering & Development Company, Inc., on Behalf of McKinney Economic Development Corporation, for Approval of a Preliminary-Final Replat for Lots 1R, 2 and 3, Block B, of the University Business Park Addition, Being Fewer than 32 Acres, Located on the Southeast Corner of Bray Central Drive and Commerce Drive

Ms. Samantha Gleinser, Planner for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely due to an error in the item heading.

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

Commission Member Kochalka stepped down during the consideration of item # 13-251MRP, due to a possible conflict of interest.

13-251MRP Conduct a Public Hearing to Consider/Discuss/Act on the Request by CEI Engineering Associates, Inc., on Behalf of Greenway-Custer Partners, L.P., for Approval of a Minor Replat for Lots 2R-1, 2R-2, and 2R-3 Block A, of the CVS Stacy Custer Addition, Being Fewer than 11 Acres, Located on the Southeast Corner of Custer Road and Stacy Road

Mr. Steven Duong, Planner for the City of McKinney, explained the proposed minor replat request. He stated that Staff recommends approval of the proposed minor replat as conditioned in the staff report.

Mr. Andrew Yew, CEI Engineering Associates, Inc., 3230 Castle Rock Ln., Garland, TX, concurred with the staff report.

Chairperson Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Thompson, seconded by Commission Member Osuna, the Commission voted to close the public hearing and approve the proposed minor replat as conditioned in the staff report, with a vote of 6-0-1. Commission Member Kochalka abstained.

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

Commission Member Kochalka returned to the meeting.

13-230Z2 Conduct a Public Hearing to Consider/Discuss/Act on the Request by City of McKinney, McKinney Economic Development Corporation and McKinney Community Development Corporation, for Approval of a Request to Rezone Fewer than 83 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 and Allowed Land Uses, Located on the Southeast Corner of Marketplace Drive and U.S. Highway 75 (Central Expressway) (REQUEST TO BE TABLED)

Mr. Michael Quint, Director of Planning for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item be tabled indefinitely to allow City of McKinney, McKinney Economic Development Corporation, and McKinney Community Development Corporation to finalize the development standards. He stated that Staff would re-notify for an upcoming public hearing.

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

13-263M Conduct a Public Hearing to Consider/Discuss/Act on the Semiannual Report with Respect to the Progress of the Capital Improvements Plan for Roadway and Utility Impact Fees

Mr. Neil Rose, Planner for the City of McKinney, explained the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees as required by Chapter 395 of the Texas Local Government Code.

He stated that Staff recommends filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees.

Commission Member Thompson asked about the approximate \$1.8 million Roadway Impact Fee funds that were transferred. Mr. Rose stated that those funds were used for various Capital Improvement Projects (CIP).

Chairperson Franklin opened the public hearing and called for comments. There being none, the Commission unanimously approved the motion by Commission Member Thompson, seconded by Commission Member Gilmore to close the public hearing and recommend filing of the Semiannual Report with respect to the progress of the Capital Improvements Plan for Roadway and Utility Impact Fees, 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 of January 7, 2014.

Mr. Michael Quint reminded the Commission Members that this was the last Planning and Zoning Commission meeting for 2013.

Chairman Franklin declared the meeting adjourned at 7:31 p.m.

RICK FRANKLIN
Chairman