

## **PLANNING AND ZONING COMMISSION**

**JULY 12, 2016**

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, July 12, 2016 at 6:00 p.m.

City Council Present: Chuck Branch

Commission Members Present: Chairman Bill Cox, Deanna Kuykendall, Cameron McCall, Brian Mantzey, and Pamela Smith

Commission Members Absent: Vice-Chairman Eric Zepp, Janet Cobbel, and Mark McReynolds – Alternate

Staff Present: Director of Parks and Recreation Rhoda Savage; Planning Manager Matt Robinson; Planners Eleana Galicia, Danielle Quintanilla, and Melissa Spriegel; and Administrative Assistant Terri Ramey

There were approximately 30 guests present.

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

Chairman Cox 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 Cox 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 stated that guests would need to limit their remarks to three minutes and speak only once. Chairman Cox 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 to yellow, and when the time is up the light will change to red. He asked that everyone treat others with respect, be concise in all comments, and avoid over talking the issues.

Chairman Cox continued the meeting with the Consent Items.

The Commission approved the motion by Commission Member Cobbel, seconded by Commission Member McCall, to approve the following four Consent items, with a vote of 5-0-0.

- 16-669 Minutes of the Planning and Zoning Commission Work Session of June 28, 2016**
- 16-670 Minutes of the Planning and Zoning Commission Regular Meeting of June 28, 2016**
- 16-126PF Consider/Discuss/Act on a Preliminary-Final Plat for 148 Single Family Residential Lots, 84 Single Family Attached Lots, 2 Commercial Lots and 12 Common Areas (Lake Forest Phase I & II), Located on the Southeast Corner of McKinney Ranch Parkway and Lake Forest Drive**
- 16-154PF Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1R2, 2R2, 3-15, Block B of the Wilson Creek Crossing Addition, Located on the Southwest Corner of U.S. Highway 380 (University Drive) and Lake Forest Drive**

**END OF CONSENT**

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

- 16-132PF2 Conduct a Public Hearing to Consider/Discuss/Act on a Preliminary-Final Replat for 45 Single Family Residential Lots, 1 Residential Lot and 4 Common Areas (Vintage Place), Located on the Northeast Corner of Graves Street and Yosemite Place**

Ms. Eleana Galicia, Planner for the City of McKinney, explained the proposed preliminary-final replat. She stated that this item was tabled at the June 28, 2016 Planning and Zoning Commission meeting due to some modifications to the layout. Ms. Galicia stated that the item was renoticed accordingly prior to this public hearing. She stated that since this item met all the requirements of the subdivision ordinance that it was a non-discretionary item. Ms. Galicia stated that Staff recommends approval of the proposed preliminary-final replat as conditioned in the Staff report and offered to answer questions. There were none.

Mr. Boone Nerren, 320 Beechwood Lane, Coppell, TX, stated that he was part of the general partnership for this development and was primarily responsible for the financing of the project. He stated that he and Gary Schell had worked with City Staff and the surrounding homeowner associations to address concerns on the proposed development. He concurred with the Staff report and offered to answer questions.

Mr. Jay Childs, Dietz Engineering, 205 S. Alma St., Allen, TX, stated that he was a consulting engineer on the project and offered to answer questions regarding the design of the proposed subdivision.

Chairman Cox opened the public hearing and called for comments.

Mr. Fred Fink, 904 Chapel Hill Lane, McKinney, TX, asked about the price point for the houses in the proposed development.

Mr. Joseph Glahn, 716 Chapel Hill Lane, McKinney, TX, expressed concerns regarding possible drainage and flooding issues for the site. He shared photographs showing standing water on the subject property after a heavy rain in May 2016. Mr. Glahn asked if the City Engineering Department Staff had reviewed the plans to address any drainage or retention issues.

Mr. Chris Curran, 1517 Lee Street, McKinney, TX, expressed concerns regarding additional traffic on Graves Street with the proposed subdivision. He asked if City Staff had taken any measures to address it.

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

Chairman Cox asked Mr. Matt Robinson, Planning Manager for the City of McKinney, to remind the Commission of what they were considering on this item. Mr. Robinson explained that this item was a preliminary-final replat for a new subdivision with 45 single-family residential lots and 4 common areas. He stated that this plat did match up with the "PD" – Planned Development District zoning on the property and met all the requirements of the subdivision ordinance; therefore, the plat must be approved.

Mr. Robinson suggested that the applicants discuss what was going to be built on the property and how they planned to address the additional traffic generated and drainage concerns mentioned. He stated that the proposed development would be required to meet certain City requirements.

Mr. Childs briefly discussed the proposed detention and stormwater runoff planned for the site. He briefly discussed the proposed improvements to Rockhill Road, Lee Street, and Graves Street in conjunction to the project. Mr. Childs stated that there were two entrances to the proposed subdivision. He stated that with 45 additional residential properties in the area that there would be an increase in traffic. Mr. Childs stated that the City's Engineering Staff were reviewing civil plans at this time.

Chairman Cox asked if the City required a traffic study for this project. Mr. Childs said no.

Commission Member Smith stated that the Chapel Hill residents had done an exceptional job on expressing their concerns about the proposed development, which she appreciated. She stated that those concerns had been integrated into the process. Commission Member Smith stated that the applicant had overcome many obstacles to get to this point.

Commission Member Mantzey asked Mr. Nerren what they expected to build in the subdivision and the price point. Mr. Nerren stated that they plan to build 45 residential properties. He stated that they believe that they will attract empty nesters and not large families to the community; however, there would not be any restrictions to that effect. Mr. Nerren stated that they expect it to be very similar to the Chapel Hill development. He stated that they originally expected the price point to be in the high \$300,000 – 500,000 range; however, that might have shifted about \$75,000. Mr. Nerren stated that they expect most of the homes to average in the \$500,000 range due to the additional features and amenities. He stated that they could go up as high as \$600,000. Mr. Nerren stated that the size of the homes and lots would not increase.

On a motion by Commission Member Smith, seconded by Commission Member McCall, the Commission voted unanimously to approve the proposed preliminary-final replat as conditioned in the Staff report, with a vote of 5-0-0.

Chairman Cox stated that the Planning and Zoning Commission was the final approval authority for the proposed preliminary-final replat.

**15-297SP    Conduct a Public Hearing to Consider/Discuss/Act a Site Plan for CRWC Type IV Landfill, Located Approximately 2,000 Feet East of Farm to Market 1827 and on the South Side of U.S. Highway 380 (University Drive)**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed site plan request. She stated that the applicant was planning to build the site in two phases and briefly explained what would be built during the two phases. Ms. Galicia stated that typically site plans are administratively approved by Staff; however, the development agreement requires that the site plan be approved by City Council. She stated that City Council previously approved a site plan for this development. Ms. Galicia stated that the site plan layout had changed and was required to come back

before City Council for approval. She stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report and offered to answer questions. There were none.

Mr. Levi Wild, Sanchez & Associates, 2000 N. McDonald St., McKinney, TX, concurred with the Staff report, requested a favorable recommendation, and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Mantzey, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and recommend approval of the proposed site plan as conditioned in the Staff report, with a vote of 5-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 1, 2016.

**16-092SP     Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Multi-Family Development (The Kinstead), Located on the Northeast Corner of McKinney Place Drive and State Highway 121 (Sam Rayburn Tollway)**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed site plan request. She stated that typically site plans could be administratively approved by Staff; however, the applicant was requesting approval to reduce the amount of enclosed parking from the required 50% of the units to 30% of the units, which must be considered by City Council for their discretionary approval after consideration by the Planning and Zoning Commission. Ms. Galicia briefly explained about the enhanced open spaces and amenities the applicant proposed, which helped offset the reduced number of enclosed parking spaces. She stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report and offered to answer questions.

Commission Member McCall asked if they would meet the parking requirements with the proposed changes. Ms. Galicia said yes.

Commission Member Smith asked about the covered parking requirement. Ms. Galicia stated that covered parking provided garages and carports instead of just having surface parking that was not covered. She stated that it was an additional amenity.

Mr. Levi Wild, Sanchez & Associates, 2000 N. McDonald St., McKinney, TX, concurred with the Staff report. He stated that he appreciated Staff's effort on this case

and they came to a solution that makes for a better community. Mr. Wild offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Mantzey, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and recommend approval of the proposed site plan as conditioned in the Staff report, with a vote of 5-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 1, 2016.

**16-175SP    Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for Additional Tennis Courts, Modifying the Center Court and Adding Parking (Gabe Nesbitt Community Park), Located Approximately 1,400 Feet South of Eldorado Parkway and on the East Side of Alma Road**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed site plan request for Gabe Nesbitt Park. She stated that all proposed site plans for city-owned property must be considered by the Planning and Zoning Commission and City Council. Ms. Galicia stated that Staff recommends approval of the proposed site plan as conditioned in the Staff report. She offered to answer questions. There were none.

Ms. Rhoda Savage, Director of Parks and Recreation for the City of McKinney, briefly explained the proposed site plan request. She concurred with the Staff report and offered to answer questions.

Chairman Cox asked about the growth of tennis in McKinney. Ms. Savage stated that we were blessed to have the courts at Gabe Nesbitt Park. She stated that it was a managed facility. Ms. Savage stated that the facility currently had 11 tennis courts and they proposed to add 12 additional tennis courts that would allow tournaments to be held at the site. She stated that they were also proposing to build a restroom near the skate park and maintenance facilities on site. Ms. Savage briefly discussed Gabe Nesbitt Park's other amenities. She stated that the proposed site plan should tie all of these amenities together. Ms. Savage stated that there was public input into the proposed design.

Commission Member McCall wanted to clarify that there were tennis courts onsite. Ms. Savage said that there were currently 11 tennis courts on the site and 12 new tennis courts added to the site.

Commission Member McCall asked if they would be adding additional parking. Ms. Savage said yes and that they would exceed the required amount of parking for the site. She stated that they were exceeding the landscaping requirement for the site as well.

Chairman Cox opened the public hearing and called for comments.

Mr. Paul Anderson, 7404 Los Padres Place, McKinney, TX, stated that he lived adjacent to Gabe Nesbitt Park. He expressed concerns about noise and light pollution from the expansion. Ms. Anderson stated that they currently have some of these issues from the softball park in the area.

Ms. Galicia stated that the City of McKinney has a lighting requirement that the applicant would need to comply with, however she would let Ms. Savage address the Mr. Anderson's concerns.

Ms. Savage felt that the level of noise being added by the additional tennis courts should be nominal due to the nature of the sport. She stated that the proposed landscaping should create a buffer between the site and the surrounding neighbors.

Commission Member McCall asked when the lights should be turned off on the site. Ms. Savage stated that the park closes at 11:00 p.m. She felt that the lights could be turned off by 10:00 p.m. Mr. Anderson stated that the lights at the softball fields had been on as late as 2:00 a.m. Ms. Savage stated that would be addressed.

On a motion by Commission Member Smith, seconded by Commission Member Kuykendall, the Commission voted unanimously to close the public hearing and recommend approval of the proposed site plan as conditioned in the Staff report, with a vote of 5-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 1, 2016.

**16-147SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit Request for a Private Club (Big Tony's Pizza Tavern), Located at 1705 West University Drive**

Ms. Eleana Galicia, Planner I for the City of McKinney, explained the proposed specific use permit request. She stated that the request was for an existing private club located at 175 W. University Drive and known as Big Tony's Pizza Tavern. Ms. Galicia stated that the applicant had placed the property under contract and was waiting approval of a new specific use permit to continue operating Big Tony's as a private club. She explained that a specific use permit for the subject property had previously been approved by City Council; however, specific use permits were non-transferrable. Ms. Galicia stated that Staff recommends approval of the proposed specific use permit for a private club.

Mr. Wes Hobbit, 900 Jackson Street, Dallas, TX, stated that the only change to Big Tony's Pizza Tavern was the ownership. He stated that they were applying for the same specific use permit that the previous owner had received.

Commission Member Mantzey asked if there were any plans to make changes to Big Tony's Pizza Tavern. Mr. Hobbit said no.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member McCall, the Commission voted unanimously to close the public hearing and recommend approval of the specific use permit as recommended by Staff, with a vote of 5-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on August 1, 2016.

**16-187M      Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Amend Section 146-41 Specific Use Permits of the Zoning Ordinance Pertaining to the Timeframe to Obtain a Building Permit**

Mr. Matt Robinson, Planning Manager for the City of McKinney, briefly discussed the proposed amendments to Section 146-41 Specific User Permits of the Zoning Ordinance pertaining to the timeframe to obtain a building permit. He explained that the amendment would extend the length of time required to apply for and secure a building permit from 6-months to 12-months from the time of granting the specific use permit. Mr. Robinson also explained that the expiration date of the specific use permit would change from 6-months to 12-months, if no building permit had been secured or it had lapsed. He stated that the impetus behind the change was Staff had recently processed



a number of extension requests and that the applicants had cited insufficient time to secure a building permit. He stated that Staff was recommending approval of the proposed amendments to the Zoning Ordinance and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member McCall, seconded by Commission Member Mantzey, the Commission unanimously voted to close the public hearing and recommend approval of the proposed amendments to Section 146-41 Specific Use Permits of Chapter 146 (Zoning Regulations) of the Code of Ordinances as listed in the Staff report, with a vote of 5-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on July 19, 2016.

#### **END OF THE REGULAR ITEMS AND PUBLIC HEARING ITEMS**

Commission Member Kuykendall stated that she appreciated hearing from McKinney residents on the various items during the Planning and Zoning Commission meetings. She stated that it showed that we were all engaged and in it together. Chairman Cox agreed that the community was engaged and we were blessed to have people who care. He stated that McKinney was a great place to be due to the citizens that live here. Commission Member Smith agreed. Chairman Cox thanked Council Member Branch for attending the meeting and stated that he appreciated his service to the Community. Chairman Cox also thanked Staff for their hard work.

There being no further business, Chairman Cox declared the meeting adjourned at 6:42 p.m.

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BILL COX  
Chairman