

## **PLANNING AND ZONING COMMISSION**

**JANUARY 23, 2018**

The Planning and Zoning Commission of the City of McKinney, Texas met in regular session in the Council Chambers, 222 N. Tennessee Street, McKinney, Texas, Tuesday, January 23, 2018 at 6:00 p.m.

City Council Present: Charlie Philips

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Janet Cobbel, Cam McCall, Pamela Smith, Eric Zepp, and Mark McReynolds - Alternate

Commission Members Absent: Deanna Kuykendall

Staff Present: City Secretary Sandy Hart, Director of Planning Brian Lockley, Planning Manager Samantha Pickett, Parks Planning Manager Jill Yount, Planners Danielle Quintanilla and Melissa Spriegel, and Administrative Assistant Terri Ramey

There were seven guests present.

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

Chairman Cox stated that item # 17-0020SP would be pulled down from the Consent Agenda to be considered separately during the Regular Agenda items.

The Commission unanimously approved the motion by Commission Member McCall, seconded by Commission Member Smith, to approve the following two Consent items, with a vote of 7-0-0.

**18-062 Minutes of the Planning and Zoning Commission  
Regular Meeting of January 9, 2018**

**17-0004PF Consider/Discuss/Act on a Preliminary-Final Plat for 97  
Townhome Lots, 124 Single Family Detached  
Residential Lots, 3 Commercial Lots, and 4 Common  
Areas (Hidden Lakes), Located Approximately 1,044  
Feet West of Custer Road and on the South Side of U.S.  
Highway 380 (University Drive)**

### **END OF CONSENT**

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

**17-0020SP Consider/Discuss/Act on a Site Plan for a  
Neighborhood Park (George Webb Park), Located  
North of Millbend Drive and East of Eden Drive**

Ms. Melissa Spiegel, Planner I for the City of McKinney, explained the proposed site plan. She stated that the City of McKinney Parks Department was proposing to construct an 11.38 acre park (George Webb Park) with facilities including, but not limited to a basketball court, outdoor musical equipment, playground, and picnic area located north of Millbend Drive and east of Eden Drive. Ms. Spiegel stated that typically site plans could be approved by Staff; however, as this site plan is a city park, it was being brought before the Planning and Zoning Commission and City Council for consideration. She stated that Staff was recommending approval of the proposed site plan as conditioned in the Staff Report and offered to answer questions.

Chairman Cox asked to clarify the size of the park. Ms. Spiegel stated that it was 11.38 acres.

Chairman Cox asked when construction was scheduled to begin and what special features would be included at the park. Ms. Jill Yount, Parks Planning Manager for the City of McKinney, stated that the subject property was acquired from Parkland Dedication. She stated that Staff held a lot of input meetings with the surrounding residents and the school district. Ms. Yount stated that they did not want a splash pad at the site, since there was already one near this location. She stated that this park would be unique as it would include a dry river bed with hand pumps for water, a large pavilion, play structures with some shade provided, a basketball court, and a circular trail around the property. Ms. Yount stated that the construction documents were approximately 90% completed. She stated that Staff expects construction to start in April or May. Ms. Yount stated that they hope to have it completed by the end of this year.

Alternate Commission Member McReynolds asked for the location of the proposed park. Ms. Yount stated that it would be located west of Custer Road in the Westridge Subdivision area.

Commission Member McCall wanted to clarify that the surrounding property owners wanted a water feature. Ms. Yount stated that they did want some kind of water feature to cool the kids. She stated that the school district wanted an educational activity as well. Ms. Yount stated that Staff is proposing an interactive activity where the children could pump the water into a dry river bed in which they could get in and play. She stated that there would be an interactive garden with planting material that have medicinal

properties and signage to teach the children about the plants as well. Ms. Yount stated that the park was being named after George Webb, a local pharmacist.

On a motion by Alternate Commission Member McReynolds, seconded by Commission Member McCall, the Commission unanimously voted to recommend approval of the proposed site plan as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 20, 2018.

**17-206Z      Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-60" - Single Family Residence District to "DR" - Duplex Residential District, Located Approximately 250 Feet North of Elm Street and on the West Side of Lindsey Street**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was rezoning the subject property generally to allow for duplex residential uses. Ms. Spriegel stated that the property is currently zoned for single family residential uses; however, the applicant has indicated their desire to construct a duplex on the property. She stated that currently the subject property is located within an area that is both zoned and developed as "RS-60" – Single Family Residence District, which allows for a single family home on a lot at least 6,000 square feet. Ms. Spriegel stated that while a few lots do remain undeveloped in the area, it is still considered a well-established neighborhood for single family homes. She stated that although the proposed zoning for "DR" – Duplex Residential District is still a residential use, the proposed zoning is neither compatible with the Future Land Use Plan (FLUP) which designates the area for low density residential uses nor is it consistent with the existing land use pattern in the area. Ms. Spriegel stated that Staff recommends denial of the proposed rezoning request and offered to answer questions. There were none.

Mr. Israel Valle, 1208 Lindsey Lane, McKinney, TX, explained the proposed rezoning request. He stated that he would like to build a nice duplex on the subject property. Mr. Valle felt a new duplex on the property would be good for the neighborhood. He stated that there was a commercial use approximately 200' from the subject property. Mr. Valle stated that there were no houses on either side of the subject property. He

requested approval of the proposed rezoning request. Mr. Valle stated that if a duplex development was not approved, then he would build a single family residential unit on the property.

Commission Member Cobbel asked details on the proposed duplex. Mr. Valle stated that it would be two-stories and approximately 2,800 square feet. He stated that each unit would have three bedrooms and 2 ½ baths. Mr. Valle stated that there would be a single garage for both units. He stated that the exterior would be approximately 90% brick.

Commission Member McCall asked for clarification on Mr. Valle's comment that he was willing to build a single family residential unit on the property if the request to rezone for a duplex was denied. Mr. Valle said yes, that was correct.

Vice-Chairman Mantzey asked Mr. Valle if he had any discussions on what he plans to develop on the property with the neighbors across the street. Mr. Valle stated that he spoke with one of the neighbors about his plans on the day that he posted the zoning sign. He stated that the neighbor did not say anything regarding the rezoning request.

Commission Member Cobbel asked if the zoning sign was located on the property. Mr. Valle said yes.

Mr. Valle stated that the property has been vacant for years. He stated that he purchased the subject property approximately 2 ½ - 3 years ago. Mr. Valle stated that he has to go by almost every week to pick up trash on the property. He stated that there was a lot of littering there.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Cobbel, seconded by Alternate Commission Member McReynolds, the Commission unanimously voted to close the public hearing with a vote of 7-0-0.

Commission Member McCall asked Staff when the last new construction was in this area. Ms. Samantha Pickett, Planning Manager for the City of McKinney, was unsure and stated that Staff would need to pull permit records to know for sure.

Commission Member Cobbel stated that any time there is new construction in this area it is great. She stated that McKinney needs affordable housing. Commission

Member Cobbel stated that she did not see any issues with a brand new duplex across the street from light manufacturing zoned property. She stated that there were no other properties around it. Commission Member Cobbel stated that she did not mind the use at all.

Vice-Chairman Mantzey stated that there is redevelopment in the area. He stated that some of the homes in the area are very recent. Vice-Chairman Mantzey stated that the applicant stated that he would proceed with a single family home that would be more fitting to the neighborhood if the duplex was not approved. He stated that he would support Staff's recommendation on the proposed rezoning request.

Alternate Commission Member McReynolds concurred with Vice-Chairman Mantzey's comments. He stated that single family residential units are in the area at this point. Alternate Commission Member McReynolds stated that the applicant mentioned an interest in building a single family residential unit on the property if the duplex is not allowed. He stated that new construction is great in all areas of McKinney. Alternate Commission Member McReynolds stated that he was in favor of Staff's recommendation for the proposed rezoning request.

Commission Member Smith stated that she would support Staff's recommendation for this proposed rezoning request. She stated that she concurred with Vice-Chairman Mantzey's and Alternate Commission Member McReynolds' comments.

Chairman Cox stated that the City promotes creating new jobs and industries. He stated that there is a shortage of places for employees to live. Chairman Cox stated that this was an opportunity to work with someone who is willing to develop in a part of town that needs development. He stated that he applauds the applicant for his efforts. Chairman Cox stated that he would support the applicant's request to rezone the property.

Commission Member Zepp stated that he felt ambivalent about it. He stated that this area needs some redevelopment. Commission Member Zepp stated that putting a duplex there with that many surrounding empty lots would create a cascading duplex development in the area. He stated that the existing, nearby property owners were all single family. Commission Member Zepp stated that they probably have expectations that the properties around them would develop as single family as well.

On a motion by Commission Member Cobbel, seconded by Chairman Cox, the Commission voted to recommend approval of the proposed rezoning request as requested by the applicant, with a vote of 3-4-0. Vice-Chairman Mantzey, Commission Member Smith, Commission Member Zepp, and Alternate Commission Member McReynolds voted against the motion. The motion failed.

On a motion by Commission Member Smith, seconded by Alternate Commission Member McReynolds, the Commission voted to recommend denial of the proposed rezoning request as recommended by Staff, with a vote of 4-3-0. Chairman Cox, Commission Member Cobbel, and Commission Member McCall voted against the motion. The motion past.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 20, 2018.

**17-276Z      Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District, "C3" - Regional Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Northwest Corner of Hardin Boulevard and U.S. Highway 380 (University Drive)**

Ms. Danielle Quintanilla, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was rezoning approximately 11 acres of land from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "C2" – Local Commercial District, "C3" – Regional Commercial District, and "CC" – Corridor Commercial Overlay District, generally for commercial uses. Ms. Quintanilla stated that the subject property was currently zoned for office and retail uses; however, there is a special provision within the existing ordinance governing the property that stated that no less than 60% of the property may be developed with permitted uses in the Office District. She stated that the applicant has indicated their intent to develop the entire subject property for commercial uses. Ms. Quintanilla stated that the applicant has indicated there intent to rezone the back portion of the property facing Taft Lane to the "C2" - Local Commercial District. She stated that the applicant also indicated there intent to rezone the property that is at the northwest intersection of Hardin Boulevard and U.S. Highway 380 (University Drive) to the "C3" – Regional Commercial District for more

intense commercial uses. Ms. Quintanilla stated that the properties to the east and south of the subject property have currently been rezoned for similar commercial districts and are developing for a variety of commercial uses, including big box retail, pad site retail, anchor stores, and restaurants. She stated that given the location at the intersection of Hardin Boulevard and U.S. Highway 380 (University Drive), two major thoroughfares, and nearby, ongoing commercial development, Staff is of the professional opinion that the proposed rezoning request is appropriate for the subject property. Ms. Quintanilla stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. David Hardesty, Hardesty Realty Group, 14228 Midway Road, Dallas, TX, stated that he had been working on the marketing of the subject property. He stated that they had been in communication with Mr. Eric Seitz, nearby developer that plans to bring Costco, Cinemark, and several other big retail boxes out to this intersection. Mr. Hardesty stated that the rezoning of the subject property was very complimentary in nature to the current development in the area. He offered to answer questions.

Commission Member McCall asked what might be going in on the subject property. Mr. Hardesty stated that they had been waiting for Mr. Seitz to get everything that he wants for his development. He stated that this will probably be the last quadrant to develop. Mr. Hardesty stated that there were some restrictions on what could go in on the property due to other nearby development. He stated that there are some retail uses that Mr. Seitz does not have room for on his property that have approached them about going in on the subject property. Mr. Hardesty stated that the area fronting Hardin Boulevard or U.S. Highway 380 (University Drive) would be for commercial pad sites for restaurants or commercial type uses. He stated that the tenant in the back would need about five acres of the approximately 11 acres property. Mr. Hardesty stated that it would be complementary to what is already being developed in the area.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Smith, seconded by Commission Member Cobbel, the Commission unanimously voted to recommend approval of the proposed rezoning request as recommended by Staff, with a vote of 7-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 20, 2018.

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

Mr. Arnuflo Alvarado, 805 Elm Street, McKinney, TX, stated that he lived near the intersection of Elm Street and Rockwall Street. He apologized for not knowing when to speak on item # 17-206Z. Mr. Alvarado stated that he was in favor of the rezoning request and wished the Commission had recommended approval of it. He thanked the Commission for their service to the community. Mr. Alvarado stated that he wished to see more Hispanic representation on the City's boards and commissions, especially on the Planning and Zoning Commission. He questioned if anybody on the Planning and Zoning Commission members were from District 1. Commission Member Smith stated that she lived in District 1. Mr. Alvarado stated that he had seen some issues lately, especially in east McKinney; however, did not elaborate on the issues.

Chairman Cox and Commission Member McCall thanked Staff and stated they appreciated them.

There being no further business, Chairman Cox declared the meeting adjourned at 6:37 p.m.

---

BILL COX  
Chairman