

PLANNING AND ZONING COMMISSION

MAY 14, 2019

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, on Tuesday, May 14, 2019 at 6:00 p.m.

City Council Present: Charlie Philips

Commission Members Present: Chairman Bill Cox, Vice-Chairman Brian Mantzey, Hamilton Doak, Christopher Haeckler, Deanna Kuykendall, Cam McCall, and Bry Taylor

Staff Present: Director of Planning Jennifer Arnold; Planning Manager Samantha Pickett; Development Engineering Manager Matt Richardson; Planners David Soto, Kaitlin Gibbon, Derrick Rhys Wilson, and Joseph Moss; and Administrative Assistant Terri Ramey

There were approximately 70 guests present.

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

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

19-0404 Minutes of the Planning and Zoning Commission Regular Meeting of April 23, 2019.

18-0208PF Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1, 2 and 3, Block A, of Mayer Tract, Located 1,020 Feet North of Silverado Trail and on the East Side of Custer Road.

19-0034PF Consider/Discuss/Act on a Preliminary-Final Plat for Lot 3R, Block A, of 380 Town Centre Addition, Located on the Southeast Corner of U.S. Highway 380 (East University Drive) and Hardin Boulevard.

19-0036PF Consider/Discuss/Act on a Preliminary-Final Plat for Lots 1R, 4R, & 5R, Block A, of 380 Town Centre Addition, Located on the South Side of U.S. Highway 380 (East University Drive) and on the East Side Hardin Boulevard.

END OF CONSENT

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

19-0023Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "C1" - Neighborhood Commercial District, Located Approximately 670 Feet North of Stacy Road and on the East Side of Ridge Road. (REQUEST TO BE TABLED) Mr. Joe Moss, Planner I for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item tabled indefinitely per the applicant's request. He stated that Staff would renote prior to an upcoming meeting. Mr. Moss offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Mr. David Geise, 4800 Lasso Lane, McKinney, TX, turned in a speaker card in opposition to the request; however, he did not speak during the meeting. On a motion by Commission Member Kuykendall, seconded by Commission Member Doak, the Commission unanimously voted to close the public hearing and table the item indefinitely per the applicant's request, with a vote of 7-0-0.

18-0146SP Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for an Automotive Sales Facility (Crest Corner Auto), Located on the Northeast Corner of U.S. Highway 380 (University Drive) and College Street. (REQUEST TO BE TABLED) Mr. David Soto, Planner I for the City of McKinney, stated that Staff recommends that the public hearing be closed and the item tabled indefinitely, as Staff was able to approve the site plan without the variance request. He 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 Kuykendall, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing and table the item indefinitely per the applicant's request, with a vote of 7-0-0.

18-0142Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Allow for Single Family Residential, Multi-Family Residential and Commercial Uses, Located at the Northwest Corner of Collin McKinney Parkway and Alma Road. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that prior to tonight's meeting, Staff distributed approximately 50 letters of opposition to the Commission regarding this rezoning request. She explained the proposed rezoning request. Ms. Pickett stated that the applicant is requesting to rezone in order to modify the allowed uses and development standards on the subject property. She stated that currently the property has three zonings which allow for multi-family residential, mixed-use (residential uses above commercial uses), and commercial uses. Ms. Pickett stated that the height ranged from two to twelve stories across the properties. She stated that the allowed residential density ranged from 6 ½ dwelling units per acre on a mixed-use portion to 80 dwelling units per acre on the multi-family portion along Alma Road. Ms. Pickett stated that a large portion of the property currently has layouts tied down. She stated that the proposed layouts show multi-family, hotels, and mixed-use buildings. Ms. Pickett stated that the buildings along Alma Road include multi-story, mixed-use, or multi-family. She stated that at the corner the current zoning calls for a hotel. Ms. Pickett stated that currently along Collin McKinney Parkway the zoning shows multi-family in the rear with an exhibit tied down that includes the elevations. She stated that the request eliminates the current layouts and establishes standards in line with the development standards for today. Ms. Pickett stated that the proposed "PD" – Planned Development District establishes an urban single family detached district that includes architectural enhancements to provide a unique aspect for the development. Ms. Pickett stated that multi-family is being scaled back to the two areas on the subject property

and limited the height to a maximum of four stories. She stated that these building will be clad in 85% stone to complement the Craig Ranch aesthetic. Lastly, Ms. Pickett stated that the commercial piece will follow the “C1” – Neighborhood Commercial District standards and provide retail and service uses for the property. She stated that the proposed “PD” – Planned Development District has also placed a strong emphasis on creating usable urban open space and that it will be at least 10% of the commercial lot and feature elements to incorporate pedestrian activity. She stated that overall the proposed rezoning request is in line with the Urban Living placetype outlined for the area, while integrating the uses and development standards that will help it better blend with the existing neighborhoods. Ms. Pickett stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. Commission Member Haeckler asked what the City’s process is for closing a road. Mr. Matt Richardson, Development Engineering Manager for the City of McKinney, stated that there is a separate application process to close a street and abandon right-of-way. He stated that these are reviewed by the City’s Engineering Department and then forwarded to City Council with a recommendation of approval or denial. Mr. Richardson stated that Staff has not received an application to abandon the right-of-way for this project. Ms. Pickett stated that a layout has not been tied down for the subject property with this request. She stated that they have only set out blocks where these uses could be developed. Ms. Pickett stated that City Staff feels that close of Esplanade Way would be feasible. She stated that City Council would still need to approve it. Ms. Pickett stated that if City Council did not approve the closing of Esplanade Way that it could still be possible for the proposed development to work. Commission Member Haeckler wanted to clarify that this request is strictly for the rezoning of the property and does not have anything to do with the closing of a road. Mr. Casey Gregory, Sanchez & Associates, 2000 N. McDonald Street, McKinney, TX, explained the proposed rezoning request. He

stated that they were not requesting a more intense zoning district. Mr. Gregory stated that the existing zoning allows multi-family uses on pretty much all of the subject property. He stated that the apartment complexes could be five stories on most of the property and eight to twelve stories on the rest of the property under the existing zoning. Mr. Gregory stated that this request is for multi-family on eight acres and limits the height to four stories. He stated that the rest would be commercial and single family residential uses. Mr. Gregory offered to answer questions. Vice-Chairman Mantzey asked Mr. Gregory if they reached out to the surrounding property owners to discuss their plans. Mr. Gregory stated that their intent was to match the single family characteristics to the south. He stated that they have spoken to several of the adjacent property owners in the past week or so. Mr. Gregory stated that they are aware of some of their concerns and were eager to work with them to alleviate these concerns. Commission Member Kuykendall asked what conversations they had with the neighbors. Mr. Gregory stated that they mainly voiced their concerns. He stated that there seems to be a lot of confusion regarding what would be allowed under the existing zoning. Mr. Gregory stated that many neighbors thought the property was zoned for all townhomes or single family residential uses. He stated that was not the case from the existing zoning. Commission Member Kuykendall asked if they had conversations with the neighbors or mostly heard feedback. Mr. Gregory stated that they have mostly heard feedback. Chairman Cox asked Staff what the applicant has the right to develop on the subject property by right under the current zoning. Ms. Pickett stated that they could build up a mix of uses along Alma Road up to twelve stories, which could be multi-family uses. She stated that they were also allowed to build a hotel. Ms. Pickett stated that they could build five-story multi-family with the layout tied down along Hewitt Drive. She stated that along Collin McKinney Parkway they could build mixed-use with the first floor being retail and the upper stories being multi-family residential. Ms.

Pickett stated that the westernmost lot is the only lot included that does not have a layout already tied to it. She stated that it allows for commercial and residential uses; however, the residential cannot front onto Collin McKinney Parkway. Vice-Chairman Mantzey stated that some of Craig Ranch in the past has required that mixed-use development have retail uses on the first floor with residential uses allowed on the upper stories. He asked if the proposed multi-use development would also require retail on the first floor. Ms. Pickett stated that along Collin McKinney Parkway the first floor is required to be non-residential. She stated all floors could be residential along the other streets. Vice-Chairman Mantzey asked for clarification on what would change with this rezoning request. Ms. Pickett stated that they are dropping from five – twelve stories down to four stories. She stated that along the western half they are going from multi-family and mixed-use down to single-family residential uses. Ms. Pickett stated that the corner piece is two – five stories and could be retail, sit down restaurants, service uses, and at least 10% of that lot has to be usable open space. Vice-Chairman Mantzey asked how many units could fit into the middle section with the tied down elevations. Ms. Pickett stated that she thought the Whole Life development could be 176 units. Commission Member Haeckler stated that with any of these layouts there would be minimum parking spaces and enhancements within the development that would be required. Ms. Pickett stated that was correct. She stated that the multi-family would still be required to meet the parking requirements and they have tied down that 75% of the parking would be enclosed, so they will likely have some sort of structured parking. Ms. Pickett stated that the standard is 50% enclosed parking. Chairman Cox opened the public hearing and called for comments. Mr. Dick Stevens, 5705 Dr. Ken Cooper Drive, McKinney, TX, stated that he did not know about this request until last Thursday. He stated that it was his understanding that the zoning signs were put up last Tuesday. Mr. Stevens stated that only left the surrounding property owners a week to

discuss it and that was why there were a lot of misconceptions. He stated that they feel there are enough apartments in this area of McKinney. Mr. Stevens stated that they feel there are better uses of the subject property than apartments. He questioned if the City could rezone property zoned for commercial uses down to residential uses and still keep the property taxes high. Mr. Stevens stated that the two parcels facing Alma Road would be better served by low density commercial buildings. He stated that The Trails Community would prefer to have office development instead of apartments. Mr. Stevens questioned how City Council would feel over losing the valuable commercial zoning with high tax benefits to multi-family residential uses fronting high profile and high traffic on Alma Road. He stated that Alma Road has been one of the primary welcoming entrances into the city. Mr. Stevens questioned if the City forefathers would want more apartments greeting the city's families and visitors. He stated that the closing of Esplanade Way would cause serious traffic congestions concerning egress and ingress of their neighborhood. Mr. Stevens stated that if the developer is allowed to close and incorporate Esplanade Way into their development it would limit the access to turn north out of their neighborhood. He stated that proposed multi-family and townhouse development surrounds their neighborhood on two sides. Mr. Stevens stated that the other two sides are cut off from good accessibility by The Cooper Fitness Center and Kenneth Cooper Park. He stated that Esplanade Way's closure also would exacerbate traffic issues created if a new Frisco elementary school opens at Alma Road and Kickapoo Drive. Mr. Stevens stated that Esplanade Way would run directly into the front door of the elementary school that they believe could be built in the future. He stated that more importantly the additional traffic created by the new Frisco elementary school combined with the closure of Esplanade Way would adversely affect the safety of their neighborhood's children. Mr. Stevens stated that less streets means more traffic on their remaining streets. He stated that because of urban street design in The Trails

subdivision, parking is very limited in their neighborhood. Mr. Stevens stated that the additions of multi-family residences adjacent to their neighborhood would compound their neighborhood parking problems. He gave an example of Times Square's parking being complete full while some of the commercial spaces are vacant. Mr. Stevens stated that during school hours parking will be even worse. He stated that there are currently an excessively high number of existing apartments in the immediate area near The Trails Community and Craig Ranch. Mr. Stevens stated that there are two very large apartment complexes under construction at The Hub development and The Ballfields property. He stated that in addition there are existing undeveloped multi-family zoned tracts of land within blocks of their neighborhood that allow two additional four-story apartment complexes which are adjacent to the existing Time Square apartments and Central Park apartments. Mr. Stevens stated that multi-family residential development has a history of increasing the crime rate in nearby communities. He stated that multi-family residential development will increase the number of students in the nearby schools which are already overcrowded. Mr. Stevens stated that multi-family residential development often lowers the property value of neighboring single family residences. He stated that their neighborhood park and gazebo are surrounded on two sides by the proposed development. Mr. Stevens stated that The Trails' homeowners own and care for this park. He stated that The Trails' homeowners pay out of pocket for the property taxes and maintenance of the park. Mr. Stevens stated that the dwellers of the proposed development would have unlimited use of their park. He stated that one would expect there could be significant degradation of the park by the people and pets living in this multi-family development. Mr. Stevens stated that there are most likely other unfavorable consequences for this type of development in their neighborhood that they or the City have not foreseen. He stated that there are way too many unknowns. Mr. Stevens stated that they none of the people who represent the applicant

have reached out to the residents of The Trails Community or Spicewood neighborhoods. He requested that the request be tabled to allow the developer and the surrounding property owners more time to work out some of the issues. Mr. Roger Paskow, 5921 Dr. Kenneth Cooper Drive, McKinney, TX, concurred with Mr. Dick Stevens' comments. He stated that he was very concerned over how additional apartments and townhomes in their area will affect their property values, traffic, and the future Frisco school at Kickapoo Drive and Dr. Kenneth Cooper Drive. Mr. Paskow stated that he had seen a decline in property value over the past two years. He stated that they have a lot of very narrow one-way streets. Mr. Paskow stated that he was concerned over the impact of the increased flow of traffic from the multi-family development driving through their neighborhood. He stated that Kickapoo Drive was a main egress for their subdivision to Alma Drive. Mr. Paskow questioned what the impact would be on the school from the increased population caused by the proposed multi-family development. Mr. Robert Hunter, 5904 The Esplanade, McKinney, TX, stated that his biggest concern was the proposed closing of Esplanade Drive. He stated that closing this street would make it much harder for them to get in and out of their neighborhood. Mr. Hunter stated that the developer did not reach out to them. He stated that it sounds like they can build apartments on the subject property one way or another. Mr. Hunter stated that it was his experience that visitors of multi-family complexes typically park in the streets and not in the provided parking spaces at the units. He stated that they do not have a lot of extra street parking spaces in the area. Mr. Hunter stated that if Esplanade Drive was not closed that it would allow them some additional parking spaces. He stated that he is opposed to the proposed request due to the proposed closure of Esplanade Drive. Mr. Terry Boles, 5900 Rutland Road, McKinney, TX, stated that the surrounding property owners attending the meeting were learning a lot of new things about the proposed development that they did not know beforehand. He stated that they had

different perceptions on what the current zoning allowed on the subject property. Mr. Boles stated that it was difficult for them to draw opinions since learning this information. He stated that he felt the community was better suited to have some type of single-family housing. Mr. Boles stated that he concurred with the concerns over Esplanade Drive being closed and the park being used by the proposed multi-family development. He stated that he did not know about this request until Thursday. Mr. Boles stated that he was not aware of anybody in The Trails that knew what was planned before the zoning signs were installed on the site. He stated that he was not aware of the developer speaking with any of the surrounding property owners. Mr. Boles requested that the request be tabled to allow the surrounding property owners time to discuss the proposed project and voice their concerns with the developer. Ms. Kathy Blank, 7605 Avondale Drive, McKinney, TX, stated that she sent an e-mail earlier today regarding the request. She stated that after hearing some additional information during the meeting, she has changed her position on the request somewhat. Ms. Blank stated that she moved to McKinney last year after living in Plano for 22 years. She stated that she loves living in McKinney and has the distinct honor of working for the McKinney Chamber of Commerce. Ms. Blank stated that she has learned more about the exciting planned development happening in our community and the bright future we have as an emerging city. She stated that she moved to Craig Ranch to enjoy a patio style neighborhood with walkable neighborhoods and various amenities. Ms. Blank stated that her house fronts the greenbelt next to Hewitt. She stated that she received one of the zoning notices in the mail. Ms. Blank stated that the current zoning is complex and the surrounding property owners do not really understand the uses currently allowed on the subject property and what changes are being proposed. She requested that the proposed request be tabled to allow the surrounding property owners to learn more about what is being proposed and accurately weight in on the project. Ms. Blank asked what

type of impact closing Esplanade Drive would have on the scope of the project, traffic patterns, and parking. She also asked about how the proposed development would affect the school district. Mr. Brandon Peck, 6005 The Esplanade, McKinney, TX, stated that the public notices were sent on May 3rd and the zoning signs were posted on May 7th. He felt that the proposed request was being pushed through quickly from the applicant's side. Mr. Peck questioned why the developer had not spoken with the surrounding property owners. He questioned the minimum building requirement from the proposed development to his residential property being approximately 48 feet. Mr. Peck asked if current and future traffic studies were completed regarding the closing of Esplanade Drive. He stated that visitor parking for multi-family development is usually the adjacent streets. Mr. Peck stated that the fire lanes would be inaccessible for overflow parking. He expressed concerns regarding increased crime in their neighborhood due to the proposed multi-family development. Mr. Peck requested that the proposed request be tabled. Mr. Richard Baikie, 7404 San Saba Drive, McKinney, TX, stated that he saw a man doing survey work on the subject property while he was walking his dog was the first time he knew something was planned for the subject property. He stated that the man asked if he was in trouble. Mr. Baikie stated that he told him no and then asked if the man was going to clean up the paint on the curbs. He stated that the man told him no, he was not cleaning up the paint on the curbs. Mr. Baikie questioned the accessibility of fire truck on Hewett Drive and Avondale Drive. He expressed concerns regarding closing Esplanade Drive and the Fire Department not being able to get to a house in the area in time to save it. Mr. Baikie stated that parking is a huge issue in their community. He expressed concerns regarding increased traffic. Mr. Baikie stated that what is being proposed might be better than what is currently allowed; however, he does not know that due to the developer not speaking with the surrounding property owners about what is planned. He stated that he would like to have seen a rendering of

what is being proposed. Mr. Baikie stated that their houses were built with a certain exterior to tie them all together. He questioned if the proposed development would have a similar facade to match the surrounding area. Mr. Baikie expressed concerns about how the proposed development might affect their property values. Mr. John Aselton, 7705 Avondale Drive, McKinney, TX, explained that he has worked on other projects in Craig Ranch and had seen the overall master plan for the community. He stated that he saw the proposed zoning as an improvement, since it would reduce the density. Mr. Aselton stated that the proposed mixed-use zoning could bring in a lot of cool stuff. He stated that the contentious piece was the proposed multi-family development. Mr. Aselton asked what the parking structure would be like and if it would be a wrap style or a separate parking structure. He stated that he had faith that Mr. David Craig would make sure that this was something that would work for the surrounding property owners. Mr. Aselton reiterated that the proposed development was an improvement over what could currently be built on the subject property. He stated that the short notice period was a big deal for everyone. Mr. Aselton stated that if they could receive more clarity on what the multi-family stack would look like, parking, and an area for the dogs. He stated that he was okay with having townhomes across from his property. Mr. Aselton stated that all of the proposed multi-family in the area seemed too much to him. He stated that it was his understanding that Mr. Patel was a land speculator and not the developer. Mr. Aselton stated that the timeline was not immediate for all of the proposed development. Mr. Devarup Rastogi, 7417 Kickapoo Drive, McKinney, TX, expressed concerns about the closing of Esplanade Drive. He stated that Frisco Independent School District builds neighborhood schools. Mr. Rastogi thought the school district had owned the property near him for approximately 10 years and was waiting for the neighborhood to fill up prior to building a school there. He stated that looking at their website it appears that approximately 500 – 760 students

attend their schools. Mr. Rastogi questioned how that number of students would be able to get to this neighborhood school location using Alma Drive, Kickapoo Drive, Uplands Drive, and The Esplanade. He stated that Dr. Kenneth Cooper Drive does not really work, since it is a narrow one-way street and would be hard for residents to use. Mr. Rastogi questioned what will happen to the traffic if The Esplanade was closed. He stated that they can talk about widening Uplands Drive; however, that only goes from Collin McKinney Parkway up to Wessex Court. Mr. Rastogi stated that after that there would be proposed townhouses, residents, and a narrow street. He thought that the school entrance would be located on Kickapoo Drive, since he did not think that they would want to backup traffic onto Alma Drive. Mr. Rastogi had traffic concerns if there were up to 700 students being dropped off and picked up in the neighborhood. He questioned if the developer considered how getting rid of The Esplanade was going to impact the rest of the community. Mr. Rastogi requested that the proposed rezoning request be denied until the applicant explains how closing The Esplanade will impact the rest of the surrounding community. He questioned why the surrounding property owners were having to arguing against the request. Mr. Rastogi stated that the applicant should be the one arguing why it should happen. He questioned why the applicant wants to get rid of the street. Mr. Rastogi stated that he was upset over the whole process. He stated that what was really annoying was there is a 200-foot notice area that includes the park; however, he felt that this development would impact more than just this area. Mr. Rastogi stated that they pay \$400 to keep up the park. He stated that there would be issues regarding the park if the new residents of the proposed development get to use the park without paying to keep it up. Mr. Rastogi felt that would be unfair. Mr. Matthew Fosheim, 7309 Avondale Drive, McKinney, TX, stated that he was a retired teacher and had worked for the McKinney Independent School District for nine years and Allen Independent School District for one year. He stated that he was

about to attend law school. Mr. Fosheim stated that the Craig family had done a fantastic job of developing Craig Ranch. He stated that the plans were antiquated at best. Mr. Fosheim briefly discussed that development had been scaled back and gave an example of some of the issues with Times Square. He stated that he lived in the community for over ten years and that he used to own Texas Ford Aquatics. Mr. Fosheim discussed how the residents of The Trails and Spicewood had made their neighborhoods thrive. He stated that the proposed development is less than what it could be, which is great. Mr. Fosheim stated that HUB 121 will take many years; however, should be successful. He stated that what is currently allowed on the subject property would not work. Mr. Fosheim felt that Mr. Craig and Mr. Patel would make good money with single family homes or at least smaller townhomes on the subject property. He stated that he lives across the street from the subject property and that nobody talked him regarding what was planned for the development. He requested that the request be tabled to look at what it was supposed to be, what it could be, and what it really should be. Ms. Cathy Williamson, 7117 Collin McKinney Parkway, McKinney, TX, stated that she concurred with all of the previous comments of opposition for this request. She stated that her biggest concern was that there was no communication regarding the proposed development. Ms. Williamson asked what is proposed to be built across from her property. She stated that she had been previously told that houses similar to the ones in her neighborhood would be built there and be like a continuation of their neighborhood. Ms. Williamson stated that it is difficult to live on Collin McKinney Parkway due to speeding traffic and automotive wrecks. She stated that she could not imagine what having a multi-family development would do to the traffic there and was very concerned about increased traffic. Ms. Williamson stated that getting to Alma Road from her property was already difficult. She felt that closing a street would make it worse. Ms. Williamson requested that the request be tabled to give the surrounding property

owners a chance to discuss and give input on the proposed development with the developers. She stated that she had not been there even a year and had seen the property value go down. Ms. Williamson reiterated that she has concerns regarding increased traffic and a decrease in property values. Ms. Patricia (Pat) Rawling, 7413 Collin McKinney Parkway, McKinney, TX, stated that she concurred with previous comments regarding Spicewood, what brought them to this area, and what they like about the neighborhood. She asked if the rezoning request would go before City Council for consideration. Chairman Cox stated that the request goes before the Planning and Zoning Commission for a recommendation and then on to City Council for final action. Ms. Rawling asked if City Council approves the rezoning request per the applicant's request, how soon they would start construction. She stated that she finds it interesting that the subject property was not developed during the same time that Darling Homes, David Weekly, and Normandy Homes were developing the surrounding residential developments. Ms. Rawling stated that would have influenced a lot of people's decisions on where to live. She stated that she lives in the Spicewood community and there was a lot that appealed to her about the neighborhood when she purchased the property two years ago. Ms. Rawling stated that if she knew that there would be a hotel and apartments nearby that would have changed her mind about purchasing the property. She questioned if there was influence by Darling Homes, David Weekly, and Normandy Homes to delay the building of the hotel, commercial properties, and apartment buildings, so that they could sell their single family houses. Ms. Williamson stated that she would like to have the opportunity to express concerns with what is being proposed on the subject property. Mr. Eric L. Renninger, 7413 Kickapoo Drive, McKinney, TX, stated that he shared a lot of the same sentiments as his neighbors. He expressed concerns regarding a short notice and zero contact from the applicant. Mr. Renninger requested that the request be tabled to allow them additional

time to talk with the developer. He stated that most of them have a considerable amount of their money tied up in their houses and they want to protect their property values. Mr. Renninger stated that one of his biggest concerns was the closure of the street. He had concerns with eliminating of egress or ingress out of this neighborhood, especially when increasing traffic volume with the proposed development. Mr. Renninger stated that possibly having 500 – 700 students during the week twice a day at the Frisco school property would impact his neighborhood. He stated that Kickapoo Drive was already a busy and there is no parking along that street. Mr. Renninger questioned what the fire and emergency response times would be when Kickapoo Drive could be blocked by traffic to a potential school in the area and limited access into and out of the neighborhood. He requested that the request be tabled to give them time to have discussions with the developer regarding closing of The Esplanade. Ms. Donna Pace, 6213 Exeter Avenue, McKinney, TX, stated that she lives in the lovely community of Spicewood with zero lot line houses ranging from \$400,000 and up. She stated that she moved from Plano and loved what she thought the Craig Ranch community was perceived to be. Ms. Pace expressed concerns over the short notice that they received. She stated that the community was not able to get together to compile a response. Ms. Pace stated that their community was already surrounded by apartment complexes and that there are more planned in the area. She stated that was not the expectations were when they moved to the community. Ms. Pace stated that it was her understanding when she moved in that townhomes or single family homes would be built. She stated that she was not aware of an apartment complex could be built in this area. Ms. Pace felt that the property values would be reduced if another apartment complex was built there. Ms. Cynthia Anselmo, 6308 Exeter Avenue, McKinney, TX, stated that she concurred with the previous comments. She stated that she loved Craig Ranch, the patio homes, and purchased a larger lot for more money. Ms. Anselmo stated

that having a lot of apartments around would lower the property value. She stated that her builder told her that similar houses would be built in the area and just one apartment complex. Ms. Anselmo stated that if she knew that was not the case then she would have rethought her plan to purchase the property. She expressed concerns about not knowing about the proposed development until recently. Ms. Anselmo stated that she opposes the request and hopes the Commission would recommend denial of the request. Mr. Devin McCoy, 5801 Dr. Kenneth Cooper Drive, McKinney, TX, stated that he was told about this meeting last night and was alarmed. He stated that he wrote a letter of opposition that echoes some of the comments mentioned during the meeting. Mr. McCoy stated that Ms. Pickett sent him a list of the current allowable uses for the property compared to what is being requested. He stated that they were requesting a lower density development. Mr. McCoy stated that he became calm after reviewing this information. He stated that it seems to be a good deal. Mr. McCoy stated that the applicant is proposing less density for the proposed apartments than what is currently allowed. He stated that he sees this as an opportunity. Mr. McCoy stated that he would like to be part of the process. He expressed the importance of sharing information. Mr. McCoy stated that he was as concerned as anybody else present about his investment in his property. He stated that he now feels that the proposed development is a good deal. Mr. Dan Wicker, 6017 Grand Ranch Parkway, McKinney, TX, stated that what attracted them to his neighborhood originally was that it was not a typical neighborhood and there was going to be other development. He stated that he was more concerned about the proposed multi-family development. Mr. Wicker briefly discussed other multi-family developments in the area and calculated that there were going to be almost 5,300 apartment units surrounding his neighborhood. He stated that seems like overkill to him and was not what he expected when he purchased his property. Mr. Wicker stated that they did a lot of research and spoke with Craig Ranch

a lot prior to purchasing the property. He stated that was not what they were told would be developed in this area. Ms. Kelly Miller, 7029 Collin McKinney Parkway, McKinney, TX, stated that they were under the same understanding that townhomes would be built on the property. She stated that the zoning is somewhat antiquated and they could not build what it is currently zoned in the current market. Ms. Miller stated that she has been in the apartment business for 30 years. She stated that she did not feel that it made sense to build more apartment at this location. Ms. Miller stated that she appreciates the scaled back nature of what is being proposed. She reiterated that she did not believe that the developer could build what is currently allowed on the property now. Ms. Miller questioned if it should be scaled back even more. She stated that when they purchased the property they thought there would be similar houses built across the street. Ms. Miller stated that approximately 4,000 apartments were being built clustered around their neighborhood. She stated that it was very obvious that part is being overbuilt. Ms. Miller requested that the request be tabled until more input could be given. The following six residents turned in speaker cards in opposition; however, did not wish to speak during the meeting: Ms. Tammy Dillon, 7308 San Saba Drive, McKinney, TX, wrote that too many apartment already exist – please no more apartments; Ms. Lita Hodges, 7605 Kickapoo Drive, McKinney, TX; Mr. Rick Hodges, 7605 Kickapoo Drive, McKinney, TX; Youwon Kahng, 7201 Avondale Drive, McKinney, TX; Mr. Quang Nguyen, 5805 The Esplanade, McKinney, TX; and Ms. Lori Stevens, 5705 Dr. Kenneth Cooper Drive, McKinney, TX. The following residents left speaker cards on the table in opposition and they did not speak during the meeting: Mr. Lan N. Ha, 5909 Dr. Kenneth Cooper Drive, McKinney, TX; Mr. Syung Hong, 5709 Dr. Kenneth Cooper Drive, McKinney, TX; Ms. Kena Earhart McKee, 5913 Dr. Kenneth Cooper Drive, McKinney, TX; Ms. Kathy Nguyen, 5909 Dr. Kenneth Cooper Drive, McKinney, TX; Mr. Byoung Kyu Shin, 5909 Dr. Kenneth Cooper Drive, McKinney, TX; and Mr. Ji Young

Shin, 5709 Dr. Kenneth Cooper Drive, McKinney, TX. Chairman Cox called for additional comments. There being none, on a motion by Vice-Chairman Mantzey, seconded by Commission Member McCall, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Kuykendall asked how many units could currently be built as opposed to what is being proposed. Ms. Pickett stated that it is hard to calculate, since they were discussing density. She stated that the blue area allowed up to 80 dwelling units per acre. Ms. Pickett stated that the orange area is a minimum of 25 units per acre and what they are carrying over to the proposed rezoning. She stated that there is also a height limit to consider, which will limit the number of units. Ms. Pickett stated that there are parking requirements to consider. She stated that the applicant is proposing to scale back the entire property where multi-family could be built to approximately eight acres with a minimum density of 25 units per acre. Ms. Pickett stated that would be a minimum of approximately 200 units. She stated that parking and the four-story height limit will control how much can develop. Commission Member Kuykendall asked if the proposed zoning was potentially less dense than what could currently be built on the property. Ms. Pickett said yes. Vice-Chairman Mantzey asked if the lighter orange area is the Whole Life with elevations and requirements for balconies. Ms. Pickett stated that was correct. Vice-Chairman Mantzey asked how many units were proposed for Whole Life. Ms. Pickett stated that they were moving forward with a site plan and showed 176 units. Vice-Chairman Mantzey wanted to clarify that the blue area was 80 units per acre. Ms. Pickett stated that was correct. Commission Member Haeckler asked Staff to discuss the notification process. Ms. Pickett stated that this submittal was made in November 2018 and that Staff had been working with the applicant for approximately six months. She stated that Staff did a ten-day property owner notice as required by the City's ordinance once they were at a point where there were no further Staff comments. Ms. Pickett stated that signs

were posted on the property seven days prior to the Planning and Zoning Commission meeting. She stated that Staff verified that the signs were posted on the property last Tuesday. Vice-Chairman Mantzey stated that there were a lot of concerns mentioned during the meeting by surrounding property owners that asked for more time to evaluate the request so that they may have less objection and a better understanding of what is being proposed. Mr. Patel agreed. Vice-Chairman Mantzey asked if Mr. Patel's applicant already owns the property and that there was no contract pending that is pushing the timeline. Mr. Patel stated that his applicant does own the property. Vice-Chairman Mantzey asked if they would be willing to table the request. Mr. Patel said yes. Commission Member Kuykendall stated that one of the big concerns mentioned was the traffic coming through the neighborhood and safety vehicles being able to make it through if there was a street closure. She asked Staff to discuss the process of what takes place when a development goes in. Ms. Pickett stated that as development comes in it is evaluated on its own. She stated that there had been a lot of talk about an elementary school. Ms. Pickett stated that it is her understanding that Frisco Independent School District owns the property; however, they have not submitted plans to build a school there at this time. She stated that the City's Engineering, Planning, and the Fire Departments have not seen anything to review from them or met with them to discuss building a school at this location. Ms. Pickett stated that Staff would need to review plans to make sure that it works with what is already on the ground before that can happen. Mr. Matt Richardson, Development Engineering Manager for the City of McKinney, stated that the City's standard requirement for a street bordering a school in any neighborhood in McKinney is to have a minimum of 36-foot wide street. He stated that Kickapoo Drive matches that width now. Mr. Richardson stated that the standard residential street width anywhere else in McKinney is a 26-foot wide street. He stated that includes 8 feet for parking on both sides and 10 feet in the middle for traffic to get past. Mr.

Richardson stated that does mean that something vehicles would be required to pull to the side to allow another vehicle to pass. He stated that the streets going through The Trails are 20 feet wide with a separate parking area. Mr. Richardson stated that those streets are wider than the standard residential streets in McKinney right now, since they have the parking lane separated from the actual driving lanes. He stated that Staff has not seen a detailed site plan, received an official application to close the street, or done a detailed study on it yet. Mr. Richardson stated that on such a small scale such as this that he was not sure how effective a traffic modeling would be to determine what the impacts would be. He stated that traffic models work best on a large macro scale. Mr. Richardson stated that some residents might have to drive a little further around the area if the street is closed. He stated that based on the overall number of units serving this and that the Craig Ranch community has a much denser street network than almost any other neighborhood in McKinney, and that lends to a lot more options than most other neighborhoods. Mr. Richardson stated that typically in a standard neighborhood with approximately 1,000 feet of frontage along Alma Road, the neighborhood would have one access point on Alma Road. He stated that this neighborhood has four options, two are left and right turns and two are right turns. Mr. Richardson stated that based upon the denser network in Craig Ranch that provides some options that other neighborhoods might not have. Commission Member Haeckler wanted to clarify that the street closure was not being considered with this request. He asked if they could apply for the street closure with the Engineering Department and it would never appear before the Planning and Zoning Commission for consideration. Ms. Pickett stated that was correct. Mr. Richardson stated that a street closure request would go directly to City Council for consideration. Commission Member Haeckler if public comment would be allowed during the City Council meeting on a street closure request. Mr. Richardson said yes, there would be a public hearing

before City Council. He stated that a property owners notice sent out within 200 feet of the closure. Mr. Richardson stated that there is not a sign requirement for a street closure. Commission Member Haeckler asked if this was part of the Craig Ranch development; however, not part of the homeowners association (HOA). He asked if there was a variance request for screening the adjacent neighborhood. Ms. Pickett stated that since there is a street separating the developments there would not be any screening required. Vice-Chairman Mantzey asked Mr. Gregory if he was still okay with tabling the request and talking with the surrounding property owners. Mr. Gregory said yes, he would be fine with tabling the request. He made some clarifications to where certain development was being proposed on the property. Mr. Gregory stated that the street abandonment is a separate process and would not be done with the rezoning request. He stated that there is not a specific site plan tied to this request. Vice-Chairman Mantzey stated that he appreciate the applicant being willing to go back to discuss all of the plans with the surrounding property owners. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Haeckler, the Commission unanimously voted to table the proposed rezoning request indefinitely, with a vote of 7-0-0. Ms. Pickett stated that Staff would renote prior to the next meeting.

A five minute break was held to allow the room to clear.

19-0032Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located Approximately 215 Feet West of Walnut Grove Road and on the North Side of U.S. Highway 380 (University Drive). Ms. Kaitlin Gibbon, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant is requesting to rezone the subject property generally for commercial uses. Ms. Gibbon stated that while the

properties to the north are currently being utilized for single family residential uses in the Extraterritorial Jurisdiction (ETJ). She stated that the properties to the east, south, and west are zoned for commercial uses. Ms. Gibbon stated that the proposed rezoning request aligns with the adjacent "C2" – Local Commercial District to the east that will provide cohesive zoning and development. She stated that given the growing development along U.S. Highway 380 (University Drive) and the increase of non-residential uses in the area, it is Staff's professional opinion that the rezoning request provides a transition and buffer that is appropriate for the subject property. Ms. Gibbon stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none. Mr. Ryan McIntosh, 4047 Fawnhollow Drive, Dallas, TX, concurred with the Staff Report. He briefly explained the rezoning request. Mr. McIntosh stated that they have an approximately 12 acre project that has six lots. He stated that three of these lots are located on the west side of C.R. 852 and the other three lots are on the east side of C.R. 852. Mr. McIntosh stated that there were four lots in their initial acquisition two years ago. He stated that they rezoned those lots from "AG" – Agricultural District to "C2" – Local Commercial District. Mr. McIntosh stated that they are requesting to rezone the last two lots to match the zoning for the rest of the project. Vice-Chairman Mantzey stated that on the previous lots the developer worked with the Walnut Grove residents to have a two-foot berm with a six-foot masonry fence and landscaping. He asked if that would continue across these two lots. Mr. McIntosh stated that they are still in their civil design phase. He stated that they would have a masonry wall; however, he did not currently know about the berm. Mr. McIntosh stated that there are civil engineering concerns, like drainage, to consider. He stated that they were just not at that phase of the project yet. Mr. McIntosh stated that these lots were not part of the other deed restrictions. He stated that they will do their best to stay consistent with what they build.

Chairman Cox opened the public hearing and called for comments. There being none, on a motion by Commission Member Kuykendall, seconded by Commission Member Doak, the Commission unanimously voted 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 Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 4, 2019.

18-0096Z 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 and "CC" - Corridor Commercial Overlay District, Located Approximately 415 Feet West of Walnut Grove Road and on the North Side of U.S. Highway 380 (University Drive). Mr. Derrick Rhys Wilson, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that this request relates to the previous rezoning request, as well as, the specific use permit request that follows. Mr. Wilson stated that the applicant is requesting to rezone the subject property to "C2" – Local Commercial District, generally for commercial uses. He stated that while the properties to the north are currently being utilized for single family residential uses in the Extraterritorial Jurisdiction (ETJ), the properties to the east and south are zoned for commercial uses. Mr. Wilson stated that given the increased development along U.S. Highway 380 (University Drive) and the increase of non-residential uses in the area, it is Staff's professional opinion that the proposed rezoning request will provide a transition and buffer that is appropriate for the subject property. He stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. There were none. Mr. Ryan McIntosh, 4047 Fawnhollow Drive, Dallas, TX, concurred with the Staff Report 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 Haeckler, seconded by Commission Member McCall, the Commission unanimously voted 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 Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on June 4, 2019.

18-0020SUP Conduct a Public Hearing to Consider/Discuss/Act on a Specific Use Permit to Allow for Automotive Repair and Service Uses (Valvoline), Located Approximately 415 Feet West of Walnut Grove Road and on the North Side of U.S. Highway 380 (University Drive). Chairman Cox stated that a revised Staff Report was distributed to the Commission Members prior to the meeting. Mr. Derrick Rhys Wilson, Planner I for the City of McKinney, explained the proposed specific use permit request. He stated that this specific use permit request is related to the previous rezoning case. Mr. Wilson stated that the applicant is requesting a specific use permit to allow for automotive repair and service uses as required by the proposed "C2" – Local Commercial District rezoning request. He stated that the proposed specific use permit should mesh well with the surrounding properties considering that the subject property is approximately 700 feet off of the intersection of U.S. Highway 380 (University Drive) and Custer Road with frontage along U.S. Highway 380 (University Drive). Mr. Wilson stated that such a location allows for a commercial corner to remain intact for future development. He stated that Staff believes that the applicant's request ultimately allows for an improved opportunity for other retail, commercial, and service uses to develop in a more cohesive development pattern east of the subject property, given that the properties to the east were recently rezoned to "C2" – Local Commercial District. Mr. Wilson stated that the applicant is also seeking a variance to waive the screening requirements for overhead bay doors oriented towards public right-of-way. He stated that

the applicant is proposing to plant canopy trees at a denser ratio of one canopy tree for every 20-feet to 25-feet with 6-foot tall evergreen shrubs and wide-crowned ornamental trees to act as an alternate screening device along U.S. Highway 380 (University Drive). Mr. Wilson stated that the proposed landscaping arrangement will provide an adequate screening effect by screening the property from multiple viewpoints and different heights. He stated that the use of landscaping for screening along the street frontage has the additional benefit of blending in with the existing site design rather than creating an odd and disconnected feel with a section of wall being located at the street. Mr. Wilson stated that the applicant is also seeking to screen bay doors from adjacent residential property by utilizing the existing tree line as an alternate screening device. He stated that with such a dense and mature existing tree line, Staff is confident that adequate screening will be provided. Mr. Wilson stated that Staff believes that the site is appropriate for the proposed use and is compatible with existing land uses of the adjacent properties. He stated that Staff recommends approval of the specific use permit with the variance requests and offered to answer questions. Commission Member Haeckler stated that it appears that the property line is moving and was not set yet. Mr. Wilson stated that was correct. He stated that the project was currently in a preliminary-final platting phase. Mr. Ryan McIntosh, 4047 Fawnhollow Drive, Dallas, TX, stated that this is part of a larger development. He stated that the majority of Phase 1 was already spoken for. Mr. McIntosh stated that adjacent to this property there is a free standing Jason's Deli with drive-thru. He stated that adjacent to it would be a small retail building and next to it will be another small retail building. Mr. McIntosh stated that this site will have quite a bit of landscaping on it as part of the agreement that made with the Walnut Grove neighborhood and in addition to meeting the City's standards. He stated that they felt that a living screen could provide the same effect as a masonry screening wall and felt that a living screen

would look better facing U.S. Highway 380 (University Drive) and to the surrounding development. Chairman Cox opened the public hearing and called for comments. Mr. Richard Gallegos, Valvoline, 1000 W. Yellowjacket Ln., Rockwall, TX, briefly explained the proposed development on the subject property. He stated that their customers stay in the vehicles during the oil change and usually only get out during a state inspection. Mr. Gallegos stated that they recycle 95% of their materials. He stated that they are pumped in and out, so there are less chances of spillage. Mr. Gallegos stated that they are an environmental friendly company. He stated that rotating the building on the subject property would not be possible. Mr. Gallegos stated that the proposed living screening would be more visual appealing than a large masonry wall. He requested approval of the two proposed variances. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Doak, the Commission unanimously voted to close the public hearing and recommend approval of the specific use permit with the two variance requests 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 June 4, 2019.

18-0156SP Conduct a Public Hearing to Consider/Discuss/Act on a Variance to a Site Plan for McKinney Office Park, Approximately 730 Feet West of McKinney Ranch Parkway and on the South Side of Stacy Road. Ms. Kaitlin Gibbon, Planner I for the City of McKinney, explained the proposed variance to the site plan. She stated that the applicant is seeking a variance to allow living screening along a portion of the east and west property lines adjacent to single family and to waive the screening requirement for the remainder of the property. Ms. Gibbon stated that the applicant is requesting a living screen, which would extend south from Stacy Road for approximately 230 feet along the eastern property line and is composed of canopy trees every 30 feet, as well as, a continuous row of evergreen shrubs adjacent to the single

family development. She stated that at the request of the remaining property owners along the eastern property line, the applicant has not provided screening in order to maintain an unobstructed view of the creek for the residents. Ms. Gibbon stated that along the western property line, the applicant is proposing to utilize existing trees within the buffer to satisfy the screening requirement in addition to planting supplemental trees to further block the view. She stated that the proposed trees and evergreen shrubs provide a softer screening effect and complement the existing residential fences. Ms. Gibbon stated that Staff is of the opinion that the proposed density of trees and evergreen shrubs will adequately screen the proposed development from the adjacent single family residences. She stated that Staff recommends approval of the variance and offered to answer questions. There were none. Mr. Kevin Patel, Triangle Engineering, 1784 W. McDermott Drive, Allen, TX, explained the two requested variances to the site plan. He stated that there is an existing creek with approximately 100 or more trees, which is naturally blocking the view from the commercial property to the adjacent residential properties. Mr. Patel stated that on the east side of the property there is an existing three to four-foot retaining wall with a six to eight-foot wooden fence on top of it. He stated that they were proposing approximately six-foot tall shrubs along with the 15 Live Oak trees along the eastern property line. Mr. Patel stated that they were basically requesting to eliminate the wrought iron fence requirement in this section. He did not feel that having two fences located near one another would not serve a good purpose. Mr. Patel stated that requested approval of the two variances and offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Mr. Johnny Quinn, 5308 Busham Lane, McKinney, TX, stated that he had been a McKinney resident since 1990. He stated that his property is located approximately one mile from State Highway 121 (Sam Rayburn Tollway). He stated that they have a beautiful nature

scene located behind their property. Mr. Quinn stated that they paid a premium for the lot. He stated that they want to protect their property value and enjoy the nature located behind their property. Mr. Quinn stated that he was impressed with the clear communication that Mr. Patel had with him regarding what was proposed for the subject property and what could currently be built on the property. He stated that Mr. Patel responded timely to e-mails and meet on the weekends at his office to go over the plans. Mr. Quinn stated that he sincerely appreciated Mr. Patel's willingness to take their concerns, requests, and considerations into account. He stated that he was strongly in favor of the proposed two variance requests. Mr. Venu Allipuram, 5204 Basham Lane, McKinney, TX, stated that he lives adjacent to the subject property. He stated that he has a wrought iron fence in his backyard facing the creek. Mr. Allipuram stated that he paid hefty premiums to the builder to get that view. He stated that the adjacent residential property owners worked with Mr. Patel to come up with a plan to be able to keep their view. Mr. Allipuram stated that he strongly supports the two variance requests to the site plan. He stated that if a masonry wall was built there it would lower their property values. Mr. Raj Mamidi, 5300 Basham Lane, McKinney, TX, stated that he strongly supports the two variances to the site plan. He stated that he has a wrought iron fence with a clear view of creek. Mr. Mamidi stated that he paid a premium for this lot with a beautiful view. He stated that he did not want to see an extra screening wall built behind his property that would block his view. Ms. Karla Miller, 5304 Basham Lane, McKinney, TX, stated that she was in support of the proposed variances to the site plan. Mr. Deepak Sathe, 5104 Basham Lane, McKinney, TX, stated that he was strongly in favor of the proposed variances to the site plan and concurred with the previous comments. Mr. Sridhar Suryadevara, 5004 Basham Lane, McKinney, TX, stated that he was in opposition to the two variance requests. He stated that a medical office building is proposed 10 feet from his property line behind

his house. Mr. Suryadevara stated that he is strongly opposed to eliminating the screening wall. He stated that he has safety and privacy concerns. Mr. Suryadevara stated that he has a wooden fence around his backyard; however, there are gaps within it. He stated that someone could easily see through the fence. Mr. Suryadevara requested that the applicant build a masonry screening wall the same height as his wooden fence. He requested that there be a 40-foot setback from his property line and the proposed medical office building. Mr. Suryadevara stated that he has concerns regarding the medical waste and chemicals from the medical office building. He requested that the proposed dumpster be moved to the other side of the property to help address odors coming from the dumpster. Mr. Rangaraju Nadimpalli, 5008 Basham Lane, McKinney, TX, stated that he opposes the two variance requests. He stated that the dumpster is proposed near his property. Mr. Nadimpalli expressed concerns about the medical waste in the dumpster being located near where their children play in the backyard. He requested that the dumpster be moved to the other side of the property. Mr. Nadimpalli stated that the applicant original agreed to move the dumpster; however, now they show that it is not being moved. He stated that they would like a masonry screening wall building behind the two proposed office buildings and dumpster area. Mr. Nadimpalli stated that he is fine with the other portion of the property having a living screen that are not located near the proposed office buildings and dumpster to that they can keep their nature view. He stated that the two variance requests do not protect the residents that will live closest to the development. Mr. Nadimpalli stated that they would really be impacted by the proposed development of the two office buildings and dumpster. He requested that the request be tabled or denied to allow them to work with the developer to address their concerns. Mr. Dinesh Jain, 5200 Basham Lane, McKinney, TX, stated that he strongly supports the two variance requests. He stated that he does not want a masonry screening

wall. Mr. Sanjay Metpally, 5208 Basham Lane, McKinney, TX, turned in a speaker card in support of the request; however, did not wish to speak during the meeting. On a motion by Commission Member Kuykendall, seconded by Commission Member Haeckler, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Kuykendall stated that she agrees with all of the adjacent property owners. She stated that if she lived behind the commercial development that she would want the hard buffer there. Commission Member Kuykendall stated that if she lived on the other side of the subject property that has the open green space then she would not want that view blocked. She asked if they could negotiate the screening wall during the meeting with the applicant. Ms. Gibbon said yes; however, she was not sure of the applicant's stance on the subject. She stated that if they require the masonry screening wall then it would basically be a double wall in that area. Commission Member Kuykendall wanted to clarify that there is already a wall dividing the properties. Ms. Gibbon said yes. She stated that there is a retaining wall with a wood fence on top of it. Commission Member Kuykendall stated that the residents stated that you can actually see through the wood fence. Ms. Gibbon stated that the required screening device is 6 feet. She stated that the applicant is proposing evergreen shrubs 3 feet high at the time of planting that are required to be at least 6 feet tall at maturity and canopy trees every 30 feet. Ms. Samantha Pickett, Planning Manager for the City of McKinney, stated that a masonry wall would only cover so much. She stated that Staff was confident that a living screen would provide better cover at a variety of heights. Commission Member Haeckler asked Staff for clarification on the dumpster requirements. Ms. Gibbon stated that the proposed dumpster location and size requirements meets the City's requirements. She stated that it would be up to the applicant to move the dumpster to the other side of the property. Commission Member Haeckler asked if the development was constraint

on the front of the subject property due to a sanitary sewer easement. He wanted to clarify that the proposed setback meets the minimum setback requirements. Ms. Gibbon said yes. She stated that under the current "SO" – Suburban Office District zoning the building setback is zero. Ms. Gibbon stated that there is a required 10-foot landscape buffer that the applicant is meeting. Commission Member Kuykendall asked what type of precautions are taken if there is a health care facility located on the subject property that is that close to adjacent residential properties. Ms. Gibbon stated that she does not know what type of medical use will go in on the subject property. She stated that medical waste should be disposed of separately from the normal trash and should not be in the dumpster. Commission Member Doak asked if the dumpster setback is the same as the proposed building. Ms. Gibbon said yes. She stated that the proposed dumpster is located outside of the required landscape buffer. Commission Member Taylor asked if the applicant could move the dumpster to the other side of the cul-de-sac. He stated that he understood that this location would be good for the tenants of the building; however, it is located next to someone's backyard. Ms. Pickett stated that the accessibility for the City trash truck to maneuver in the cul-de-sac would be much more difficult. Commission Members Doak and Taylor stated that the proposed location of the dumpster seems very close to the adjacent residential properties. Commission Member Kuykendall stated that she would want the best screening options for the residents living adjacent to the office buildings and dumpster to give them the most privacy. Commission Member Kuykendall stated that Staff feels that a living screen would be a better option than a masonry wall. Ms. Pickett stated that the applicant could have provided a six-foot masonry wall, which might not have covered all of the retaining wall with the wood fence on top in some places. She stated that the living screen should cover a lot more with a broader coverage. Ms. Pickett stated that Staff can discuss a better

location for the dumpster with the applicant. She reminded the Commission that the only variance being considered tonight was regarding the screening wall. Commission Member Doak asked Mr. Patel if he would be willing to move the dumpster location. Mr. Patel stated that the proposed location would allow the trash truck to pick up the dumpster and back out of the property easily. Commission Member Doak stated that he understands that; however, it is located 10 feet off of the adjacent property owner's fence line. He stated that during the summer the residents would be able to smell it. Mr. Patel stated that he was more than happy to move the dumpster; however, he worried about the trash truck having issues backing out of the cul-de-sac at another location. Commission Member Doak reiterated his concerns about the smell of the dumpster being located near the residential properties. He stated that he gets there perhaps could be a transportation issue; however, every day and night when the office building empties the adjacent children are in the backyards and will smell the dumpster. Mr. Patel stated that they currently do not have a tenant on the subject property. He stated that they proposed a general office building and a medical office building. Mr. Patel stated that are complying with the parking requirements for a medical office use. He stated that the tenant could be a dentist or chiropractor. Mr. Patel stated that they would never have a surgery center located here. Commission Member Doak stated that medical waste cannot go in the dumpster. He stated that there would still be office trash, food and drinks, bathroom trash, and various things of that nature that get placed in trash cans. Commission Member Doak stated that there will be an associated smell to the dumpster that the adjacent property owners will have to live with. He stated that with the nearby greenspace there will also be animals that could be getting into the trash. Commission Member Doak stated that he foresees a huge issue for the adjacent property owners. Mr. Patel stated that he was fine with moving the dumpster and that it did not make a big difference to him.

He stated that as long as Staff will approve the new location. Mr. Patel stated that the dumpster door cannot open towards the street. Commission Member Doak stated that we need to be considerate of the adjacent property owners. Commission Member Haeckler asked if Staff would have any concerns if a parking space was eliminated to be able to relocate the dumpster. Ms. Pickett stated that if we start messing with the dumpster location then we will need to take this request back for review with the City's Engineering, Fire, and Sanitation Departments. She reminded the Commission that this request is only acting on the screening wall. Ms. Pickett stated that the dumpster has met the City's requirements. She stated that while it may not be ideal, Staff could ask that the applicant work and find a better location. Ms. Pickett stated that Staff could not require the applicant move the dumpster. Commission Member Doak stated that he is asking that out of the goodness of the residents that live directly behind the proposed development the applicant be considerate and move the dumpster. Mr. Patel stated that they made a good faith attempt to move the dumpster. He stated that after the property was rezoned that he met with the numerous property owners at his office over a weekend to address their concerns. Mr. Patel stated that the property owners had concerns about the office windows overlooking their backyards, so they lowered the building height and added more landscaping towards the back of the property. He stated that as they addressed one request, then they would have another request. Mr. Patel stated that at some point they had to draw a line and go forward with the request. He stated that they do a lot of business in McKinney and try to work with the residential property owners. Mr. Patel stated that he was willing to relocate the dumpster with Staff's approval. Chairman Cox stated that the question in front of the Commission tonight is the screening wall. He asked Mr. Patel and Staff if they were willing to have an open discussion about moving the dumpster. Chairman Cox stated that the Commission could not require the dumpster be moved.

Mr. Patel stated that he is requesting the proposed living screen for the site. Vice-Chairman Mantzey stated that the proposed living screen associates better with the area and gives more greenery to it. He stated that the dumpster is a separate issue and not being considered by the Commission at this time. Commission Member Doak stated that he was fine with the proposed variance; however, he certainly hopes that there will be some discussion between the developer and property owners regarding the dumpster. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Taylor, the Commission unanimously voted to approve the variance to the site plan as recommended by Staff, with a vote of 7-0-0.

END OF THE REGULAR AGENDA ITEMS AND PUBLIC HEARINGS

Commission Member Kuykendall stated that she appreciates when the community attends the Planning and Zoning Commission meetings to speak on the items being considered.

Chairman Cox thanked Councilman Charley Philips for attending the meeting and Staff for their hard work.

The Commission unanimously approved the motion by Vice-Chairman Mantzey, seconded by Commission Member Kuykendall, to adjourn the meeting, with a vote of 7-0-0. There being no further business, Chairman Cox declared the meeting adjourned at 8:32 p.m.

BILL COX
Chairman