

**Planning and Zoning Commission Meeting Minutes of March 22, 2016:**

Chairman Cox stepped down during the consideration of item # 16-044Z.

Vice-Chairman Zepp continued the meeting.

**16-044Z      Conduct a Public Hearing to Consider/Discuss/Act on a Request by the City of McKinney to Zone Approximately 400 Acres of Land to "AG", Generally Located in an Area East of the McKinney National Airport and Along the Eastern North-South Section of Enloe Road from an Area Situated Approximately 2,900 Feet South of U.S. Highway 380 and Approximately 3,900 Feet East of Airport Road and Extending in a Southerly Direction to an Area Situated South Along Either and/or Both Sides of the East-West Section of C.R. 722 and in an Area East of the McKinney National Airport and Along the Southern East-West Section of F.M 546 from an Area Situated Approximately 3,900 Feet East of Airport Road and Extending in a Southerly Direction to an Area Situated South Along Either and/or Both Sides of the North-South Section of C.R. 317**

Mr. Neil Rose, GIS Planner for the City of McKinney, explained the proposed zoning request and briefly discussed the current annexation proceedings for the subject property. He stated that this zoning request was not associated with any impending development. Mr. Rose stated that Staff recommended approval of the proposed zoning request and offered to answer questions. There were none.

Vice-Chairman Zepp opened the public hearing and called for comments.

Ms. Monica Robinson, 4852 County Road 317, McKinney, TX, stated that she was not directly affected by the zoning request; however, her property was within 200 feet of the subject property. She expressed concerns about the future location of the Old Mill Road extension. Ms. Robinson stated that her property has acreage and horses on it. Ms. Robinson stated that she liked the fact that there was not a six lane highway in front

of her house. She felt if Old Mill Road ended up being located in front of her property that it could affect the value and enjoyment of her property. Vice-Chairman Zepp suggested that she speak with Staff about the future location of Old Mill Road in that area.

Ms. Meg Bryson, 2695 Briar Trail, McKinney, TX, stated that she did not live within 200 feet of the subject property. She asked why the property was being zoned “AG” – Agricultural District. Ms. Bryson stated that she had called the City multiple times requesting to be annexed into the City of McKinney. She questioned why this property was being annexed into the City and not her property. Ms. Bryson stated that they have a road that needs repair and would like to receive City services. She expressed concerns about the property being annexed into the City and then some of being taken by eminent domain for a future highway or road.

Ms. Lauren Pelizza, 3108 Almeta Lane, McKinney, TX, stated that she received a notice in the mail about the zoning request. She wanted to know why the property was being zoned to “AG” - Agricultural District since they were already using the property for that purpose. Ms. Pelizza asked if the annexation and zoning would cause taxes to increase on the properties. She asked if there would be additional animal restrictions on the properties. Ms. Pelizza asked if City services would be provided to the properties affected by the annexation and zoning. She stated that their road was in need of repair.

Mr. Mark Pelizza, 3217 Breton Drive, Plano, TX, stated that he was not able to tell if his daughter’s property was going to be affected by the zoning request by looking at the map included in the Staff report. He stated that a better educational process was needed to address the questions and concerns of the property owners in or near the property

being affected. Mr. Pelizza stated that until his questions had been answered, that they would not know if they were for or against the proposed changes.

Mr. Jon McKee, 2500 Farmer Market 546, McKinney, TX, stated that he called the City about a year ago about the possible annexation and was told that the City was not going to annex anything north of the Jehovah Witness church. He stated that it now appears that that the City plans to annex property east of the church, so he felt that he was lied to a year ago when he called. Mr. McKee stated that he called and spoke with Mr. Rose this past week about whether or not his property was included in the zoning and annexation process and was told that his property was not included. He stated that he received a notice in the mail, so he felt that he had been lied to again about whether or not his property was part of the property being zoned and annexed into the City.

On a motion by Commission Member Mantzey, seconded by Commission Member Kuykendall, the Commission voted to close the public hearing, with a vote of 6-0-1. Chairman Cox abstained from voting.

Vice-Chairman Zepp asked Staff to address the questions and concerns raised during the public hearing. Mr. Rose stated that he had received calls for the past two weeks regarding the zoning signs being posted and the notices being mailed to all of the properties within 200 feet of the subject property. He stated that this project had been going on for quite a while. Mr. Rose stated that the reason to move forward with the annexation and zoning was for land use protections for the future expansion of the airport to the southeast and east. Mr. Rose explained that "AG" - Agricultural District does not force any specific development of the land. He stated that a property owner could go through a rezoning process if they wanted a different zoning district for their property. He

stated that annexation hearings were held on March 14 and 15, 2016. Mr. Rose stated that any property that was part of the annexation process received an intent to annex letter. He stated that the proposed annexation area was originally approximately 1,600 acres; however, now only approximately 400 acres are being considered for annexation and zoning into the City. Mr. Rose stated that any public right-of-way annexed into the City would fall under the maintenance purview of the City. He stated that private roads would have to be brought up to City code prior to maintenance being taken over by the City. Mr. Rose stated that any property being brought into the City by annexation and zoning would receive McKinney Emergency Medical Service (EMS), Fire, Police, and Waste Services. He stated that a Service Plan is going to City Council on April 19, 2016, which outlines how the City will respond to providing utilities to the properties being brought into the city limits. Mr. Rose gave some examples of the timeline. He stated that the subject property was currently covered by Milligan Water Supply. Mr. Rose stated that the City has been in negotiations with the Milligan Water Supply to develop a Dual Certificate of Convenience and Necessity.

Vice-Chairman Zepp asked to clarify that the Service Plan would be discussed at the City Council meeting in April. Mr. Rose stated that the Public Hearing for the Service Plan was held on March 14 and 15, 2016. He stated that Service Plan was scheduled to be read and adopted at the City Council meeting on April 19, 2016.

Vice-Chairman Zepp asked if the property owners in the subject area should read the Service Plan. Mr. Rose said yes. He stated that it had been available on the City's website since the public hearings in March 2016.

Ms. Jennifer Arnold, Planning Manager for the City of McKinney, stated that the properties shown in blue hatching on Exhibit A of the Staff report are the properties that would eventually be annexed into the City limits and zoned. She stated that any property within the City limits must be zoned. Ms. Arnold stated that the “AG” - Agricultural District was the most conducive to what the properties are currently being used for. She explained that the uses on the properties would be considered legally non-conforming, so long as they stay as they are today.

Commission Member Mantzey wanted to clarify that the zoning of the property was the only thing being considered today. Mr. Rose stated that was correct.

Vice-Chairman Zepp asked to clarify that the blue hatched area was the properties being annexed and zoned. He asked if the blue dotted area just outside the subject property showed the properties within 200 feet of the subject property that received notices about the zoning request. Mr. Rose stated that was correct. Vice-Chairman Zepp stated that some of the property owners within 200 feet of the subject property that received notices might be confused thinking that they were part of the subject property being annexed into the City and zoned.

Vice-Chairman Zepp asked why some properties were being annexed into the City and others were not. Mr. Rose stated that any property currently classified as being used for agricultural, wildlife or timber by the Collin Central Appraisal District (Collin CAD) was offered a Development Agreement. He stated that such Development Agreements allow property owners to remain in the City’s “ETJ” – Extraterritorial Jurisdiction for up to 10 years as long as they do not develop or move towards any type of development process.

He stated that the original annexation area was all connected; however, through execution of Development Agreements, the area now looks different.

Vice-Chairman Zepp suggested that anybody that still had questions or concerns regarding the zoning request and annexation process should contact Staff.

On a motion by Commission Member Mantzey, seconded by Commission Member Smith, the Commission voted to recommend approval of the zoning request as recommended by Staff, with a vote of 6-0-1. Chairman Cox abstained from voting.

Vice-Chairman Zepp stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on April 19, 2016.

Chairman Cox returned to the meeting.