

**Planning and Zoning Commission Meeting Minutes of March 25, 2014:**

**13-195Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Skorburg Company, on Behalf of Willow Park Development, for Approval of a Request to Rezone Fewer than 13 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located Approximately 600 Feet South of Virginia Parkway and on the East Side of Hardin Boulevard**

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that an updated concept plan, updated development regulations, and letters of opposition were distributed to the Planning and Zoning Commission prior to the meeting. Ms. Gleinser stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with the City of McKinney's Comprehensive Plan and Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance.

Chairman Franklin asked about the architectural requirements for the development. Ms. Gleinser stated that the applicant proposed a 65% minimum masonry requirement on all façades of the residential structures; however, they included brick, stone, synthetic stone, and stucco as products they intended to use. She stated that Staff does not recognize stucco as an approved masonry material. Ms. Gleinser stated that the calculation does not include windows, doors, stoops, chimneys, dormers, and porches smaller than 4 feet deep by 6 feet wide.

Commission Member Thompson asked about the density for the property. Ms. Gleinser stated that it would be 4.4 dwelling units per acre, which excluded the floodplain area.

Mr. Adam Buczek, Skorburg Company, 8214 Westchester, Suite # 710, Dallas, TX, explained the proposed rezoning request and showed a presentation. He gave a brief history of the Skorburg Company and Windsor Homes. Mr. Buczek discussed some of their developments. He discussed the architectural controls planned for the development. Mr. Buczek briefly discussed the meeting they held on March 24, 2014, with the surrounding residential neighbors.

Commission Member Thompson asked if they had 15-foot front yard setbacks at their development in Allen, Texas. Mr. Buczek stated that development had 20-foot front yard setbacks. He stated that they were only requesting four lots to have a reduced setback of 15 feet with this development due to the floodplain on the property.

Commission Member Hilton asked about the price points for the development. Mr. Buczek stated that they expect the residential properties to sell from \$290,000 to \$370,000 each.

Chairman Franklin asked if they planned to have 40-foot lot sizes in this development. Mr. Buczek showed some examples of residential units built on 40-foot lots. He stated that it would be a minimum lot size for this development. Vice-Chairman Bush expressed concerns about a 40-foot lot size. Mr. Buczek stated that Winsor Homes was in the process of developing new products for this size lot. He believed that they could sell residential units on 40-foot lots.

Chairman Franklin opened the public hearing and called for comments.

Mr. Evan Haynes, 404 Preston Creek Drive, McKinney, TX, stated that they just met with the developer the day before this meeting and requested that a decision be delayed so they could learn more about what was planned.

Mr. Ronald Haugen, 400 Preston Creek Drive, McKinney, TX, expressed concerns about the future of the common area that is located between the two residential developments. He also expressed concerns about the smaller lot sizes in the proposed rezoning request.

Mr. Niels Enevoldsen, 308 Preston Creek Drive, McKinney, TX, expressed concerns about the future of the common area. He asked if there would be any environmental studies done to help preserve the common area between the two residential developments. Mr. Enevoldsen expressed concerns about the common area possibly flooding after large rains due to runoff from the new development next door.

Ms. Debbie Vanicek, 312 Preston Creek Drive, McKinney, TX, expressed concerns that their subdivision had just met with the developer the night before to discuss the proposed development. She felt they needed more time to gather information about what was planned on the adjacent property before they could say if they were in favor or not of the development. Ms. Vanicek expressed concerns about the small proposed home and lot sizes and whether this could decrease their home values. She also has concerns about the maintenance and decisions made on the common area between the two subdivisions.

On a motion by Commission Member Gilmore, seconded by Commission Member Thompson, the Commission unanimously voted to close the public hearing, with a vote of 6-1-0. Commission Member Stevens voted against the motion.

Commission Member Thompson asked if there was only one entrance to the proposed development. Ms. Gleinser said yes.

Commission Member Thompson asked if the common area was in a floodplain. Ms. Gleinser said yes.

Commission Member Thompson asked if the removal of trees within the common area would need to follow the City's requirements. Ms. Gleinser said yes.

Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that the seven acres of common area would be owned by the applicant of the proposed rezoning request and they would have control of it.

Mr. Michael Quint, Director of Planning for the City of McKinney, stated that the City of McKinney does not have any requirements mandating environmental studies; however, there are mandates on all construction projects from other government organizations. He stated that the new development would cause additional runoff; however, they will have to address the creek so that it can accommodate this increase in runoff. Mr. Quint stated that the City does not have a say on the minimum size or the sale price of residential properties. Mr. Quint briefly discussed the Tree Preservation Ordinance's requirements in a floodplain area.

Chairman Franklin, Vice-Chairman Bush, Commission Member Gilmore, and Commission Member Thompson expressed concerns about not having two points of access to the proposed development and the proposed lots being too small.

Chairman Franklin asked the applicant if he would be willing to table the request to allow more time to address some of the surround neighbor's concerns. Mr. Buczek stated that they had the property under contract at this time and that they had not officially purchased it yet. He stated that they did not have the option to purchase land to the north for another point of access to the development. Mr. Buczek stated that they

plan to build a wider entrance to address access issues. He stated that he was okay with tabling the request until the next meeting to address some of the surrounding neighbors' concerns.

On a motion by Vice-Chairman Bush, seconded by Commission Member Hilton, the Commission voted unanimously to table the proposed rezoning request until the April 8, 2014 Planning and Zoning Commission meeting, with a vote of 7-0-0.

Mr. Quint requested that the public hearing be reopened due to noticing issues. The Planning and Zoning Commission Members agreed to repeal the previous motion and vote.

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

On a motion by Commission Member Gilmore, seconded by Commission Member Thompson, the Commission voted unanimously to continue the public hearing and table the proposed rezoning request until the April 8, 2014 Planning and Zoning Commission meeting, with a vote of 7-0-0.