

Planning and Zoning Commission Meeting Minutes of June 23, 2015:

15-136Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "AG" - Agricultural District, and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally for Commercial and Single Family Attached and Detached Residential Uses, Located Approximately 600 Feet West of Custer Road and on the South Side of U.S. Highway 380 (University Drive)

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed rezoning request. She stated that a letter of opposition had been distributed to the Commission prior to the meeting. Ms. Pickett stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the Staff report and offered to answer questions.

Alternate Commission Member McCall asked about the southern section of the property where no residential structures would be allowed to be built. Ms. Pickett stated that area was approximately two and a half acres and was located adjacent to the airport runway.

Alternate Commission Member McCall asked if the applicant was in agreement with not constructing residential buildings in this area. Ms. Pickett said yes.

Commission Member Stevens asked about a comment from a nearby property owner that had concerns about becoming landlocked. Ms. Pickett stated that the City received a letter of support from the Aero Country Property Owners Association; however, there were some property owners that were not in agreement with this support. She felt that the property in question was regarding one of the letters of opposition

received from an Aero Country property owner. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that he was unaware of any properties becoming landlocked due to this request.

Mr. Steve Bell, 470 Adriatic Pkwy., McKinney, TX, concurred with the Staff report. He stated that they had met with the Aero Country Property Owners Association to discuss the proposed development of the property. Mr. Bell stated that the Aero Country Property Owners Association voted unanimously to support this project. He stated that on Saturday the Aero Country membership met and 87% of the members voted to support their proposal. Mr. Bell stated that City Council had raised some concerns that this request addresses.

Chairman Franklin opened the public hearing and called for comments.

Mr. Carl Best, 2604 Winterstone Dr., Plano, TX, stated that he was the Vice President of the Aero Country Property Owners Association. He spoke in favor of this proposed rezoning request. Mr. Best stated that they had been working with Mr. John Loftus, who had been receptive of their concerns. He stated that 71% of the Aero Country Property Owners Association members were in attendance at the meeting. Mr. Best stated that 60% voted for supporting the request and 11% voted in opposition. He stated that they were still working on a legal document to finalize their agreement. Mr. Best offered to answer questions. There were none.

Mr. Jack Wybenga, 10015 Taylor Craft, McKinney, TX, stated that he owned the 130' of property between the airport and proposed property. He stated that he had not received a notice about this request; therefore, did not have an adequate amount of time to prepare for this meeting. Mr. Wybenga requested that this request be tabled to

give him more time to prepare. He stated that the drainage off the airport is to the east of what he considered a floodplain on the subject property. Mr. Wybenga stated that if a masonry wall was built on the western edge of the subject property, then it could have a negative effect on his property. He requested that an environmental impact study be completed prior to any construction on the property. Mr. Wybenga stated that between the airport and the applicant that there was an attempt to landlock his property.

Chairman Franklin asked Mr. Wybenga to show where his property was located on the Aerial Exhibit shown on the overhead. Mr. Wybenga showed where his property was located along the runway. Chairman Franklin asked for the width of his property. Mr. Wybenga stated that it was 130' wide. Chairman Franklin asked for the length of the property. Mr. Wybenga stated that it was approximately 1,100' long.

Chairman Franklin asked Mr. Wybenga if he had any plans for his property. Mr. Wybenga said not at the present time. He stated that the airport had a lease which allowed them to mow that property.

Chairman Franklin asked Mr. Wybenga where the access to the property currently was located. Mr. Wybenga stated that it came from across the runway.

Commission Member Gilmore asked where the masonry wall was planned. Mr. Wybenga stated that it was planned to the east of his property, butting right up to it. He stated that it would be like a dam keeping water on his property. Mr. Wybenga stated that he thought a road was planned to the east of this masonry wall to provide access to the proposed mini-warehouses.

Chairman Franklin asked Mr. Wybenga if he had access to his property from the south. Mr. Wybenga said no.

Commission Member Zepp asked if Mr. Wybenga's property ran the whole length of the runway. Mr. Wybenga said it ran the whole length of the grass runway.

Mr. Eric Morgan, 1701 W. Northwest Hwy., Grapevine, TX, stated that the area to the east of Mr. Wybenga's property was meant to be a buffer zone and not a road.

Commission Member Zepp asked Mr. Morgan if he could address Mr. Wybenga's flooding concerns. Mr. Morgan stated that he was not aware of that corner of their property being in the floodplain. He stated that he could not speak towards Mr. Wybenga's property. Mr. Morgan stated that the subject property drained into the lake and out towards Highway 380 (University Drive). He was not aware of the proposed masonry wall posing any flood hazard or drainage issues. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that all development on the subject property would be required to meet the City's stormwater detention and retention ordinances.

Mr. Morgan stated that the proposed masonry wall was to address some of City Council's safety concerns.

On a motion by Commission Member Stevens, seconded by Alternate Commission Member McCall, the Commission unanimously voted to close the public hearing, with a vote of 6-0-0.

Chairman Franklin asked for clarification on Mr. Wybenga's comment about his property becoming landlocked. Mr. Quint felt that his property was already landlocked. He was not able to locate any access easements to that property on Collin Central Appraisal District's website; however, he had not done a title or deed search. Mr. Quint stated that Mr. Wybenga's property was currently unplatted and located in the ETJ

(Extraterritorial Jurisdiction). He was not sure how the property got into this configuration.

Commission Member Zepp expressed concerns about this subject property not having cross access from the east. He stated that they need to think about the impact of site plan and zoning requests on the surrounding properties.

Commission Member Stevens stated that this requests shows that when two parties get together and make compromises that they could come up with a significantly better plan.

On a motion by Commission Member Stevens, seconded by Commission Member Zepp, the Commission unanimously voted to recommend approval of the proposed zoning request as presented by Staff, with a vote of 6-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on July 21, 2015.