

**Planning and Zoning Commission Meeting Minutes of February 28, 2017:**

**17-006Z2     Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, to Allow for Single Family Residential Uses, Located on the Southeast Corner of Crutcher Crossing and Virginia Parkway**

Ms. Melissa Spriegel, Planner I for the City of McKinney, explained the proposed rezoning request and stated that eight letters of support were distributed to the Commission prior to the meeting. She stated that the applicant was requesting to rezone the subject property from "PD" – Planned Development District to "PD" – Planned Development District, generally to amend the existing ordinance to allow for single family residential uses on the subject property. Ms. Spriegel stated that if the subject property was developed, it would develop in accordance with the "SF5" – Single Family Residential District. She stated that although the proposed rezoning request would amend the governing planned development district ordinance to allow single family residential uses in addition to the existing non-residential uses allowed, Staff has concerns as this could potentially erode the non-residential tax base in this area. Ms. Spriegel stated that the development of single family residential uses was not in conformance with the City of McKinney's Comprehensive Plan, which shows the area developing for office uses. She stated that Staff recommends denial of the proposed rezoning request given the property's location along Virginia Parkway and the development of the adjacent properties to the east and west for office and commercial uses. Ms. Spriegel offered to answer questions. There were none.

Mr. Jimmy Tanghongs, 5301 Collin McKinney Parkway, McKinney, TX, stated that they intend to build eleven luxury, high-end homes on the subject property. He stated that the prices would probably start around \$600,000 and go up to \$800,000. Mr. Tanghongs stated that they expected the average home price to be between \$700,000 – \$750,000.

Mr. Warren Hilla, Dynamic Engineering, 9600 Zaharias Drive, McKinney, TX, stated that they plan to use approximately two-thirds of the property. He stated that there was a creek that runs down the southern border of the property. Mr. Hilla stated that they plan to preserve the natural creek and everything in the fully-developed floodplain. He stated that the site has an approximately 30' drop from the corner of Crutcher Crossing and Virginia Parkway down to the creek. Mr. Hilla stated that he feels that the site would be very challenging to develop for commercial uses with the large slope. He stated that they could fit residential uses on the property and create something interesting to make them work with the terrain. Mr. Hilla stated that the frontage of the property along Virginia Parkway was below the street; therefore, they would have to build up the property for commercial development on the site. He stated that they met with the surrounding property owners and nearby residents. Mr. Hilla stated that everyone that they met with was in support of the application. He stated that they were proposing to build sustainable houses that use less energy and water. Mr. Hilla felt that this would be unique for the area. He stated that they were proposing approximately 0.20 - 0.34 acre lot sizes, which was a little larger than the surrounding residential lots. Mr. Hilla offered to answer questions.

Commission Member Smith asked how they reached out to the nearby residents to meet with them. Mr. Jimmy Tanghongs stated that they reached out to the surrounding homeowners association (HOA) members, business owners, and set up a tent in front of the pool to meet with the surrounding residents. He stated that they had received some letters of support.

Chairman Cox asked how much of the 5 ½ acres would be undevelopable due to being located in the floodplain. Mr. Hilla stated that 1.44 acres were located in the floodplain.

Chairman Cox asked how many residential houses they plan to build on the remaining 4 acres. Mr. Jimmy Tanghongs stated that they intent to build 11 homes.

Chairman Cox opened the public hearing and called for comments.

Mr. Charles McKissick, 3001 Partridge Lane, McKinney, TX, stated that he represents the landowner for this property. He stated that they felt the surrounding homeowners association (HOA) would be happy with the proposed plans for the property; however, they worried about the City's thoughts regarding the tax base. Mr. McKissick stated that he also attended the various meetings the applicant set up with the surrounding property owners and homeowners association (HOA). He felt the proposed plans for the property would be a win-win for everyone. Mr. McKissick requested that the Commission recommend approval of the request.

On a motion by Commission Member Mantzey, seconded by Commission Member Kuykendall, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0.

Commission Member Mantzey stated that he could understand why the surrounding residents would be in support of the proposed rezoning request. He stated that this was a major thoroughfare with limited development. Commission Member Mantzey stated that the directive from City Council was to diversify the tax base. He stated that while it would be a nice development and compatible with some of the area's development, it will be on a six-lane road that would be highly attractive for commercial development. Commission Member Mantzey stated that considering all of this he could not support the proposed rezoning request.

Commission Member Kuykendall stated that she agreed. She stated that she had serious concerns after looking at the cost benefit analysis that was included in the packet. Commission Member Kuykendall stated that she could not support the proposed rezoning request.

Commission Member Cobbel questioned how much the tax base would change between the proposed \$7,500,000 residential development versus a possible commercial development.

Commission Member Smith stated that given the minimal difference in cost benefit and the neighborhood response that she would be willing to support the proposed rezoning request.

Chairman Cox concurred with Commission Member Smith's comments. He stated that this was a different zoning case than the last one we had in the area.

Commission Member Cobbel asked if the applicant might be willing to table the item. Mr. Jimmy Tanghongs stated that they would be willing to table the item.

Mr. George Tanghongs, 9708 Indian Canyon Drive, Plano, TX, stated that when they tried to develop an adjacent property for commercial use that had the same zoning on it as this property that a large number of the surrounding residential property owners showed up in opposition to that request. He stated that they were able to work out the issues on that case. Mr. George Tanghongs stated that if they were proposing retail or commercial uses on the subject property then he felt the surrounding residents would show up in strong opposition to it.

Mr. McKissick stated that the subject property had been for sale for over 20 years under the current zoning. He stated that the surrounding property owners had concerns about the number of vehicles that might be using Crutcher Crossing if a commercial use went in there. Mr. McKissick stated that he felt that the proposed rezoning request would solve that concern. He stated that you usually do not hear from people when they are happy; however, you do hear from them when they are mad. Mr. McKissick stated that everyone that they spoke with was in favor of this proposed rezoning request. He felt that the tax base would be positive with the proposed home prices for these lots.

Commission Member Smith stated that she understands and respects Staff's recommendation for denial. She stated that this was one of those cases where the precursor of the neighborhood response was a bearing factor. Commission Member Smith stated that she did not feel the proposed rezoning request would have an adverse effect on the tax base.

Commission Member Mantzey stated that he thought approving this request would open it up to allow other tracts becoming non-commercial. He stated that he could see the feasibility and he understood the numbers. Commission Member Mantzey stated that

he understood the concerns of the citizens that were here for the previous rezoning case. He stated that it was going to be a six-lane road with a light. Commission Member Mantzey stated that the subject property was a commercial tract that would continue to be appealing. He stated that City Council had given a directive to follow, so he understood Staff's recommendation.

Commission Member Kuykendall concurred with Commission Member Mantzey's comments. She stated that she was not sure if the eight letters of support were a true reflection of everyone in the surrounding neighborhood. Commission Member Kuykendall stated that she knew the direction that had been given by City Council and she had heard a lot of public opinion on how they want to see the City grow and develop which addressed not rezoning non-residential properties.

Commission Member McCall stated that the request had the support of the surrounding property owners and was surrounded by residential properties. He stated that his only concern was the tax base. Commission Member McCall restated that the adjacent property owners were in support of this request, which he felt was very important.

Chairman Cox stated that there was a request by the applicant to table the item.

On a motion by Commission Member Cobbel, seconded by Commission Member Smith, the Commission voted to table the proposed rezoning request to the March 14, 2017 Planning and Zoning Commission Meeting, with a vote of 6-1-0. Commission Member Kuykendall voted against the motion.