

11-010Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by Gurpal Singh, for Approval of a Request to Rezone Approximately 1.01 Acres from “AG” – Agriculture District to “BG” – General Business District, Located on the South Side of U.S. Highway 380 (University Drive) and Approximately 2,200 Feet West of Bridgefarmer Road.

Mr. Anthony Satarino, Planner for the City of McKinney, explained that the applicant is proposing to change the zoning of the subject property from Agricultural to General Business. He stated that the applicant has not indicated any proposed uses or development plans for the subject property and the property is currently unplatted. Mr. Satarino stated that the adjacent northern property is located within McKinney’s ETJ and is used for warehousing purposes. He stated that the adjacent southern property is vacant and has agricultural zoning. Mr. Satarino stated that the properties to the east and west of the subject property are used as single family residences. He stated that the existing Zoning Ordinance regulations should minimize the potential negative impacts of a future non-residential use on the properties east and west of the subject property. These regulations include screening devices, a landscape buffer of a least ten feet in width and trees planted along the common property line. Mr. Satarino stated that the Comprehensive Plan states that Staff should make assessments and recommendations based on the anticipated uses expected in the long term for tracts that are developing within areas of minimal development. He stated that commercial uses are appropriate for the subject property being located along US Highway 380. Mr. Satarino stated that the proposed rezoning request should be

considered within the context of the entire City and the Comprehensive Plan as a whole. He stated that given these criteria, Staff feels that the proposed development is compatible with the expected development in McKinney's eastern sector. Mr. Satarino stated that Staff recommends approval of the proposed rezoning request.

Mr. Gurpal Singh, 8013 Springfire Drive, Plano, TX 75025, explained the submittal. He stated that they are planning to develop the land per the McKinney's master plan.

Chairperson Clark opened the Public Hearing and called for comments.

Mr. David Bugno, 3664 E. University Drive, McKinney, TX 75069, spoke in opposition to the request citing concerns with developing this property into a commercial use. He stated that the property across the street has been rezoned from Agriculture to General Business and that there are huge amounts of vacant property there. Mr. Bugno stated that he felt there is plenty of opportunity across the highway for commercial use. He stated that they had lived there for about 17 years. Mr. Bugno stated that they were recently annexed into McKinney. He had some questions about City provided utilities to this newly annexed area. Mr. Michael Quint answered his questions. Mr. Bugno questioned how the rezoning would affect the surrounding property values. Mr. Quint stated that McKinney's Comprehensive Plan tasked Staff to look at the long term vision. He stated that the Comprehensive Plan ultimately calls for this area to be Industrial, Non-Residential use. Mr. Quint stated that once all of the properties become comparable that the property values would level out.

Mr. Brian Stehling, 3750 E. University Drive, McKinney, TX 75069, spoke in opposition to the request citing the same concerns as Mr. Bugno. Mr. Michael Quint addressed Mr. Stehling's concerns about City services.

Mr. Leon Green, 3712 E. University Drive, McKinney, TX 75069, spoke in opposition to the request citing the same concerns as Mr. Bugno.

On a motion by Commission Member Radke, seconded by Commission Member Thompson, the Commission voted 7-0 to close the public hearing.

Commission Member Bush stated that he saw the subject property and the surrounding residential properties. He stated that he felt the neighbors would have some concerns over the rezoning of this property. Commission Member Bush stated that he believes that over time all of these properties would be worth more money due to Commercial zoning.

Chairperson Clark asked Staff to discuss long term use of those properties and future plans for the properties along Highway 380. Mr. Michael Quint stated that this whole area is within a Module called Industrial Module which allows a wide variety of Retail, Office, Industrial, etc. uses. He stated that the Future Land Use Plan calls for this area to be Airport Industrial uses, which are high intensity uses. Mr. Quint stated that Staff feels the proposed use is within the Comprehensive Plan's long term vision. He stated that Mr. Satarino outlined what the Zoning Ordinance currently has in place to protect the adjacent residences from non-resident uses.

Commission Member Thompson asked the applicant what the commercial plans are to develop this property. Mr. Gurpal Singh stated that he has investors

that want to develop the property and that he is not clear on what they wish to build.

On a motion by Commission Member Eckenrode, seconded by Vice-Chairperson Tate, the Commission voted 5-2 to recommend approval of the proposed rezoning request as conditioned in the staff report. Commission Members Bush and Thompson dissented.

Chairperson Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on March 15, 2011.