

**Planning and Zoning Commission Meeting Minutes of January 8, 2013:**

**12-227Z Conduct a Public Hearing to Consider/Discuss/Act on the Request by George Town Custom Homes, on Behalf of VNRS INV, Inc., for Approval of a Request to Rezone Less than 2 Acres from "O" - Office District to "BN" - Neighborhood Business District, Located Approximately 500 Feet West of South Ballantrae Drive and on the South Side of Virginia Parkway**

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She noted that the staff report had been revised. Ms. Gleinser stated that Staff recommends approval of the proposed rezoning request as stated in the staff report.

Commission Member Bush had concerns with the proposed rezoning of this property and what that might mean for the future use of the property. He stated that he was not in support of this request and questioned if this was spot zoning. Commission Member Bush suggested that the applicant consider rezoning the property to a "PD" – Planned Development District with an allowable daycare use instead. Mr. Michael Quint, Director of Planning, stated the proposed rezoning request would not be considered spot zoning and explained why. He stated that the applicant is requesting to rezone the property to "BN" - Neighborhood Business District to allow for a daycare on the property.

Mr. Nick George, George Town Custom Homes, 717 W. Glade Rd., Hurst, TX, explained the proposed rezoning request.

Commission Member Thompson asked about the size of the proposed development on the property. Mr. George stated that it would be around 7,000 sq. ft.

Chairman Clark asked to clarify what options the applicant had to allow the daycare use on the property. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that it could be rezoned to a straight zoning classification that allowed this use or to a “PD” – Planned Development District. He explained the steps if the applicant decided to request a “PD” – Planned Development District zoning for the property instead of the proposed rezoning request. Mr. Quint stated that the Commission Members would need to act upon this proposed rezoning request, either by recommending it for approval, recommending it for denial, or tabling the item.

Chairman Clark opened the public hearing and called for comments.

The following three citizens spoke regarding the proposed rezoning request. These citizens had concerns about the possible future allowed uses on the property if the property is rezoned to “BN” – Neighborhood Business District. They all stated that they liked having the school located there and were not opposed to having the daycare on the property. They all preferred that the property be rezoned to a “PD” – Planned Development District that allowed a daycare use.

- Mr. Tom Klein, 8001 S. Ballantrae Drive, McKinney, TX
- Mr. Jim Garner, 109 Royal Aberdeen Way, McKinney, TX
- Mr. Bill Hendley, 105 Royal Aberdeen Way, McKinney, TX

Chairman Clark asked Staff for a timeline on when a revised request could come back before the Commission if the proposed rezoning request was tabled at this meeting. Mr. Brandon Opiela, Planning Manager for the City of McKinney, stated that it could come back before the Commission as early as the next scheduled Planning and Zoning Commission meeting.

Chairman Clark asked Mr. George how he felt about tabling the item at the meeting tonight and changing the application to request that the property be rezoned to "PD" – Planned Development District with an allowed daycare use. Mr. George stated that the owner was concerned about rebuilding the school not necessarily what the zoning was on the property.

The Commission unanimously approved the motion by Commission Member Thompson, seconded by Vice-Chairman Franklin, to close the public hearing and table the proposed rezoning request indefinitely.

Vice-Chairman Franklin stepped down during the consideration of the Consent Items, due to a possible conflict of interest.