

**Planning and Zoning Commission Meeting Minutes of November 12, 2013:**

**13-223Z     Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, on Behalf of McKinney Growth III, for Approval of a Request to Rezone Fewer than 16 Acres from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at the Southeast Corner of Lake Forest Drive and Highlands Drive**

Ms. Samantha Gleinser, Planner for the City of McKinney, explained the proposed rezoning request. She stated that Staff distributed letters of opposition to the Commission prior to the meeting. Ms. Gleinser stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions listed in the staff report.

Vice-Chairman Bush asked if a Specific Use Permit (SUP) would be required for a mini-warehouse facility on Tract 4 if this rezoning request was approved. Ms. Gleinser stated that if the rezoning request was approved that the mini-warehouse facility would be an allowed use on the property and a Specific Use Permit (SUP) would not be required.

Chairman Franklin asked Staff if the elevation shown would be locked in with the approval of this rezoning request. Ms. Gleinser said yes. Chairman Franklin asked if the applicant decided to change the elevation if they would need to come back before the Commission. Ms. Gleinser said yes.

Mr. Jon David Cross, Cross Engineering Consultants, 131 S. Tennessee St., McKinney, TX, concurred with the staff report and offered to answer questions.

Chairman Franklin asked if there was any landscaping planned for the back side of the proposed mini-warehouse facility property. Mr. Cross said yes.

Commission Member Gilmore asked if there would be 24-hour access to the mini-warehouse facility. Mr. Bry Taylor, 2600 Eldorado Pkwy., McKinney, TX, stated that the mini-warehouse's office would be open six days a week from 9:00 a.m. to 6:00 p.m. He stated that the gate would be accessible seven days a week from 6:00 a.m. to 9:00 p.m.

Commission Member Osuna asked if they intend to build mini-warehouses on all of the tracts of land. Mr. Taylor said no, just on approximately 3.6 acres.

Commission Member Gilmore asked if there would be a manager residing on the property to watch over it. Mr. Taylor said no.

Chairman Franklin opened the public hearing and called for comments.

The following people spoke in opposition of the proposed rezoning request. These citizens had concerns regarding the safety of the children that play there and walk to a nearby school, increase in crime, drainage and erosion issues, decreasing surrounding property values that could also decrease tax revenue, hours of operation, increase in traffic, noise level, disturbing the wildlife's habitat, environmental issues, loss of green space, landscaping, three-story building blocking their view of the park, creating an eyesore at the entrance to their subdivision, rezoning the property for a new use that they felt was improper for the area, they thought the property was open parkland and not going to be developed, loss of access to the property for the kids to play on and hold soccer practices, and questioned whether they could stop the development

on the property. They requested that an environmental impact study done on the property.

- Ms. Carolyn Biggio, 3006 Palmtree Dr., McKinney, TX
- Ms. Beth Owens, 3812 Columbus Dr., McKinney, TX
- Ms. Tabatha Sullivan, 4824 Spanishmoss Dr., McKinney, TX
- Mr. Leon Lusk, 5516 Periwinkle Ln., McKinney, TX
- Ms. Sharon Ahsam, 4925 Monte Vista Ln., McKinney, TX
- Mr. Regis Zurchin, 4209 English Ivy Dr., McKinney, TX
- Ms. Jennifer Johansen, 4912 Redwood Dr., McKinney, TX
- Ms. Rachel Freeland, 4920 Spanishmoss Dr., McKinney, TX
- Mr. Charles Doughtry, 4921 Monte Vista Ln., McKinney, TX
- Ms. Heather Hardin, 4817 Spanishmoss Dr., McKinney, TX
- Ms. Teresa Lusk, 5516 Periwinkle Ln., McKinney, TX
- Mr. Jason Switzer, 3107 Cactus Dr., McKinney, TX

Commission Member Gilmore asked what could be built under the current zoning of the property. Mr. Quint, Director of Planning for the City of McKinney, gave some examples of possible uses that could currently go on the property.

Mr. Quint stated that hours of operation were not regulated by the City, because it was difficult to enforce.

Mr. Quint briefly discussed the landscaping requirements in the Zoning Ordinance.

Mr. Quint stated that the Texas Commission of Environmental Quality has environmental quality requirements that must be met by all development in

Texas. Mr. Taylor stated that he was willing to look into an environmental impact study; however, was not willing to commit to doing one at this time.

The Commission unanimously approved the motion by Commission Member Hilton, seconded by Vice-Chairman Bush, to close the public hearing, with a vote of 5-0-0.

Chairman Franklin stated that the current zoning on the property allowed for various uses.

Vice-Chairman Bush stated that he would like the rezoning request if it did not include the mini-warehouse facility.

Chairman Franklin asked the applicant if he would be willing to have the item tabled to another meeting to give the applicant and surrounding neighbors a chance to discuss the project in more detail. Mr. Taylor was okay with tabling the request.

Commission Member Hilton stated that the real estate agents that sold the houses to the surrounding neighbors should have discussed the zoning on the proposed property prior to selling them their houses. He also stated that it was good to ask what the zoning was on surrounding property prior to making a purchase and not just assume that it would not change over time.

The Commission unanimously approved the motion by Vice-Chairman Bush, seconded by Commission Member Gilmore, to table the rezoning request until the December 10, 2013 Planning and Zoning Commission meeting, with a vote of 5-0-0.

