

Samantha Gleinser

Subject: FW: Opposition of Rezone #13-241Z

From: Josh
Sent: Monday, December 09, 2013 11:25 PM
To: Brandon Opiela; Samantha Gleinser; Michael Quint
Subject: Opposition of Rezone #13-241Z

Planning Department,

We live in the neighborhood of the proposed rezoning request that Bob Tomes applied for #13-241Z. We do not agree with the zoning plans and believe it will decrease our property values. Furthermore, it will bring more crime and traffic to our family oriented neighborhood. There have been zones designated for these commercial and industrial businesses elsewhere in the community. Please deny the new rezoning request for the safety and valuation of our neighborhood.

Thank you for your consideration,

JoAnne CanadaHill & Joshua Hill
Local McKinney Residents

Samantha Gleinser

Subject: FW: landscape request

From: MARY STROTHER

Sent: Monday, December 09, 2013 7:11 PM

To: Samantha Gleinser

Subject: landscape request

Samantha

I am writing to oppose the request to reduce the 60 foot landscape buffer to 20 feet. In 1999 Bob Tomes agreed to the landscape buffer in an agreement to protect the surrounding homes from the auto painting and body shop use. Bob Tomes needs to think about what it would be like if his home were right across from the proposed change he is requesting. I think since he lives in a richer more affluent part of the city he is not concerned with the home value and respect for the homeowners of the North Brook Neighborhood. His wealth can afford to opportunity to hire attorneys to help advocate for his cause.

As a representative of the City of McKinney I appreciate you taking a stand for the homeowners and saying no to request of Bob Tomes.

The applicant is requesting to rezone the subject property generally to modify the landscape buffers set forth in the current planned development ordinance, as well as to modify the screening requirements for the storage of cars waiting to be repaired. Currently, the minimum required landscape buffer is 60 feet along Park View Avenue, and serves as a way to buffer the surrounding properties . The applicant is requesting to **reduce** the landscape buffer to **20 feet** where adjacent to Park View Avenue and the proposed car storage area, and construct a 6-foot tall masonry screening wall and associated landscaping within the buffer. **Staff is of the opinion that the existing required 60-foot**

landscape buffer was put in place to minimize negative impacts of this use on the surrounding adjacent land uses. Staff sees no reason why the required 60-foot landscape buffer would no longer be required, and as such, Staff recommends denial of the proposed rezoning request.

Thank you
Mary Carole Strother
2404 Rockhill
McKinney, TX

Samantha Gleinser

Subject: FW: Landscape Reduction from Bob Tomes

From: MARY STROTHER
Sent: Monday, December 09, 2013 6:17 PM
To: Samantha Gleinser
Subject: Landscape Reduction from Bob Tomes

Dear Samantha,

I am sending you this email to OPPOSE the landscaping reduction for Bob Tomes Ford. In 1999 he agreed to this in order to get your approval. Now in 2103 he is no longer willing to hold to his agreement. This reduction is not compatible with the adjacent land use. This is the entrance to my neighborhood and is also across from the Al Ruschhaupt Park which hosts many soccer and lacrosse tournaments. This will be the first opinion of the City of McKinney many people will see when they come to the park for tournaments.

I understand that Mr. Bob Tomes has a lot of money. He has done many good things for the McKinney community. However this does not allow him to continue to expect that the City of McKinney should grant him special favors in rezoning. He can afford many attorneys to try to push through his demands. I know that if this were the entrance to his neighborhood he would GREATLY oppose it also. I am also greatly concerned about his lack of concern for the homeowners around his business. He continues to think only of his business and does not think for a moment how that will impact the homeowner that does not have the kind of money he has to uphold the zoning ordinances.

I bought my property in good faith that the City of McKinney would always put it citizens first.

Please say no to Bob Tomes and YES to the neighborhood.

Thank you for honoring your staff recommendation and deny this request

- In their report, staff recommends **denial** of the proposed rezoning request due to lack of compatibility with the adjacent land uses. (See attached document from city website.)
- In rezone #99-198 of April 1999, City Council required a 60 ft landscape buffer upon approving Bob Tomes' request to amend the zoning at the corner of North Brook and Park View. (See attached document from city website.)
- You can view all city documents at <http://mckinney.legistar.com/LegislationDetail.aspx?ID=1529943&GUID=B85BD504-AD14-430B-964B-29620FDF23E6>

*Mary Carole Strother
2404 Rockhill Road
McKinney, TX 75070*

Samantha Gleinser

Subject: FW: I oppose Bob Tomes Collision Center Rezone # 13-241Z

From:

Sent: Monday, December 09, 2013 12:59 PM

To: Brandon Opiela; Samantha Gleinser; Michael Quint

Subject: I oppose Bob Tomes Collision Center Rezone # 13-241Z

My name is Leslie Vestal. I live at 2334 North Ridge Road.

I oppose the proposed rezoning at the corner of North Brook Drive and Park View Avenue; #13-241Z.

We drive Fords. I wish Bob Tomes Ford well in the growth of their business and appreciate their desire to expand to better serve their customers. I also recognize their support of our community. But reducing the landscaping buffer to 20 feet along Park View Avenue will be detrimental to my neighborhood.

As the staff reported, the surrounding areas of the proposed rezoning site are residential also this rezoning is not compatible with current land uses.

Residents bought in the area knowing that the subject land was required to maintain a 60 foot landscape buffer along Park View Avenue. There are over 400 homes in the neighborhood.

In addition, the entrance of the Al Ruschaupt Soccer Complex is directly across Park View from the subject property. This is an area frequented by families and their children due to the close proximity of the park, the hiking & biking trails and the Alex Clark Memorial Disc Golf Course.

In 1999, the City Council required a 60 feet landscaping buffer to uphold the integrity of the residential area when granting a zoning change to Mr Tomes. **I urge you to hold him to it now.**

The proposed rezoning would slowly erode the uniqueness of this residential area. The proposed rezoning does not move McKinney toward a positive future.

Please help keep our neighborhood unique. Deny this request.

Sincerely,

Leslie Vestal

Samantha Gleinser

Subject: FW: Bob Tomes Rezone #13-241Z

From: Helene Gilbert

Sent: Monday, December 09, 2013 5:33 PM

To: Brandon Opiela; Samantha Gleinser; Michael Quint; Don Day; Geralyn Kever; Travis Ussery; Randall Pogue; Brian Loughmiller; Ray Ricchi

Subject: Bob Tomes Rezone #13-241Z

Dear Planning and Zoning Commission,

Here we go again...

Bob Tomes did not get approval to rezone the corner property at Jordan and Rockhill, so here we go again with more tactics to get his auto parts warehouse built. Expanding the landscape boundary at the current service center is, in my humble opinion, preparation for building an addition to the service center so that Mr. Tomes can get his warehouse in this neighborhood. More political maneuvering. Politics is not governance.

The current proposal is to decrease the landscape boundary line from 60 feet to 20 feet. The same property rezoning issues apply. I do not support the proposed rezoning for many reasons:

- 1) As the P&Z committee reported, the proposed rezoning is not compatible with current adjacent land uses.
- 2) The service center location is an exception already since it is a business operating in a residential area. Why does Mr. Tomes believe he is entitled to these exceptions and rezoning?
- 3) This rezoning would have a negative impact on the nursing home across the street. Elderly people like quiet residences and a larger property boundary offers that.
- 4) It is directly across from Al Ruschhaupt Park and serves as an entrance to our neighborhood. Changing the landscape boundary to ultimately build the warehouse would effect the children and families that play in the soccer field across the street. It would cause noise, light, and environmental pollution that is unsafe and unhealthy for a residential community.
- 5) I suspect that Mr. Tomes wants to build his warehouse on that property but if that is not the case, our community has no guarantee of what will be built if zoning is amended.
- 6) In 1999, Bob Tomes agreed to the 60 ft landscaping buffer to get approval for a zoning change, but now he isn't sticking to the agreement.

This neighborhood has grown significantly over the past 14 years because of effective city management, maintained property values, a stable tax base, and the insistence that residential property be kept residential property.

As a neighborhood we have spoken loud and clear. We do not support rezoning of any kind. What is so hard to understand about that?

No need to rehash the reasons why citizens of the neighborhood do not want rezoning of property or landscape boundary lines.

There are over 400 residents who have spoken out either by email, petition, or attending the last city council meeting. We want to keep our neighborhood as it is. As a

neighborhood, not a potential business district with possible industrial applications that cause environmental dangers and hazards. Here we go again with more political maneuvering.

At the last city council meeting, regarding the rezoning of Rockhill and Jordan, one neighborhood resident spoke of this being personal. In this situation, one cannot separate what is "personal" from what is "business." This is a faulty perception, and faulty logic. The 2 perceptions are clearly intertwined as is clear in the following statement by city staff: "Given that (1) the surrounding adjacent properties are zoned for residential uses and the proposed land uses would not be compatible with those residential land uses and (2) the proposed land uses are generally not in conformance with the Comprehensive Plan's Future Land Use Plan, staff is unable to support the request for light manufacturing uses on the subject property." Additionally, Mr. Quint spoke in opposition to the rezoning and as Director of Planning, the city council has placed him in a position to make recommendations. He and his staff would know best what fits with the greater good and the "big picture" for McKinney. The P & Z staff are fully aware that there is commercial property available for purchase just .2 miles away from where Mr. Tomes wanted to build his warehouse. Again, why go through the time, effort and expense to rezone the landscape boundary of THIS property when there is already commercial property available less than a half mile away? Here we go again....we see more political maneuvering and tactics to try to get his warehouse built.

Mr. Tomes purchased the North Brook/Park View property in 1999 when this was a much smaller neighborhood. Given the growth of this community there is a greater inherent future expectation for the residents that the land will be used for its intended purpose upon purchase. Doesn't this apply to Tomes too? Explain the logic of purchasing land in a residential area expecting that his commercial interests can be attained by changing the zoning??

Mr. Tomes is a highly respected member of the community, and he has done great things, but that doesn't mean he has more entitlement than the rest of us. In this instance, Mr. Tomes should look for property elsewhere.

Thank you for your time and attention,
Helene Gilbert

Samantha Gleinser

Subject: FW: 13-241Z OPPOSITION

From: Rachel Roberts Constantinescu
Sent: Tuesday, December 10, 2013 2:45 PM
To: Brandon Opiela; Michael Quint; Samantha Gleinser
Subject: 13-241Z OPPOSITION

Mr. Opiela, Ms. Gleinser, and Mr. Quint,

Thank you for your opposition to Mr. Tomes original rezoning request. I understand that he has submitted a different request now to reduce the landscaping buffer. Please know that I do not support this request and ask that you continue to oppose this rezoning.

From my backyard, I can see his dealership and I have no problem with this. We bought our house fully knowing and understanding the zoning and that a view of his dealership would be a part of our backyard. However, I ask that you would continue to oppose the rezoning so that the entrance to our neighborhood and our neighborhood itself continues to be a neighborhood and that business does not encroach on our residential zoning. Mr. Tomes understood and agreed to the 60 ft landscape buffer in 1999 and needs to continue to honor this agreement. I wish him much success in his business but do not wish for his business to change any zoning that is already in place.

Thank you for your opposition to this rezoning. I hope you will continue to oppose it. Thank you for all you do to make McKinney an amazing place to live!

Rachel Constantinescu
103 Poppy Lane

Samantha Gleinser

Subject: FW: I oppose Bob Tomes Rezone #13-241Z

From: Ward Vestal

Sent: Tuesday, December 10, 2013 9:25 AM

To: Brandon Opiela; Samantha Gleinser; Michael Quint

Subject: I oppose Bob Tomes Rezone #13-241Z

I have lived in North Brook Estates for over 13 years. My wife and I chose this neighborhood because it was well established, central to the city of McKinney and because of its proximity to the Al Rushhaupt Park.

I was alarmed to hear about the proposed rezoning of the property at the corner of North Brook Drive and Parkview Avenue. When we purchased our house, we did so trusting that the integrity of our neighborhood would remain in tact. Reducing the landscaping buffer to 20 feet on the subject land would be detrimental to our community. In their report City Staff agreed, recommending denial of the request.

Allowing this change will fundamentally transform our neighborhood. It would change the unique residential feel of our quiet neighborhood where there is a great deal of pedestrian traffic to the nearby Al Rushhaupt Park with its hiking and biking trails and Al Clark Memorial Disc Golf Course. It will decrease our property values and hinder our ability to sell our house if we ever had that desire.

While I appreciate Bob Tomes Ford's desire to expand to better serve their customers and am a supporter of small business, reducing the required landscaping buffer is not appropriate.

Bob Tomes made a commitment to the City Council that required a 60 foot landscaping buffer to uphold the integrity of this residential area to get his zoning change in 1999. I urge you to hold him to his promise. Reject this request for the rezoning of the property located at Parkview Avenue and North Brook Drive.

Sincerely,
Ward Vestal
2334 North Ridge Rd
McKinney TX 75070

Samantha Gleinser

Subject: FW: Rezoning #13-241Z

From: Holly Baker
Sent: Tuesday, December 10, 2013 4:55 PM
To: Samantha Gleinser
Subject: Rezoning #13-241Z

Ms. Gleinser,

It has come to my attention that Bob Tomes has applied to have the zoning changed to reduce the landscaping buffer requirement on his property on Parkview Road. I hope that the Zoning And Planning committee will vote to not allow this. And if it goes before the city council I hope they will do the same.

Years ago when the zoning of this property was originally changed from Planned Development to allow for this commercial business so close to a neighborhood, they included the 60 feet buffer to help keep it separate from that neighborhood. Our neighborhood just came out in great numbers to let the city council know how important our neighborhood is to us and how we want to keep it a neighborhood that is safe and enjoyable for bike riding, dog walking, and jogging. Changing this buffer will aversely affect our neighborhood. When the land is developed, it will no longer be "buffered" from the neighborhood. It could make our neighborhood seem more like an commercial area. It could make the park less enjoyable. It could allow for a larger venture to be built in the space.

Please do not approve this request. Please keep this area a neighborhood. Continue to protect the neighborhood with the required buffer.

Thank you,
Holly J. Baker