

Planning and Zoning Commission Meeting Minutes of June 25, 2019:

19-0044Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "C2" - Local Commercial District, Located on the Southeast Corner of Hardin Boulevard and Virginia Parkway. Mr. Joe Moss, Planner I for the City of McKinney, explained the proposed rezoning request. He stated that the applicant is proposing to rezone the subject property to "C2" – Local Commercial District. He stated that the subject property is located on the hard corner of Hardin Boulevard and Virginia Parkway. Mr. Moss stated that there is a Neighborhood Wal-Mart Market to the north and undeveloped land to the west that is currently zoned "C2" – Local Commercial District. He stated that the proposed zoning aligns with the Urban Living placetype called for in the Comprehensive Plan. Mr. Moss stated that given the location on the hard corner, Staff feels that the "C2" – Local Commercial District is appropriate for this location. He stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. Commission Member McCall asked how much usable land is available due to the floodplain on the subject property. Mr. Moss stated that the current floodplain area is contained on the east portion of the property. He estimated that the floodplain currently covers half of the subject property. Mr. Moss stated that there is still a sizable portion of property available to be developed. Commission Member McCall questioned if the applicant would seek a change in the current floodplain area on the property. Mr. Moss stated that there is a possibility that the applicant could do a

floodplain reclamation. He stated that might be considered during the site plan phase of the project and would need additional studies completed. Mr. Michael Doggett, Kimley-Horn and Associates, 260 E. Davis Street, McKinney, TX, stated that the line separating the property in roughly half on the Proposed Zoning Exhibit shows the current 100-year "FEMA" - Federal Emergency Management Agency floodplain area on the east side of the subject property. He stated that they are planning to have studies completed to see if they could reclaim property that would allow them to line up an access to the property with the Wal-Mart access across the street. Mr. Doggett stated that they currently do not have any users in mind for the property. He stated the reason for the rezone was for marketing purposes. He stated that he would be happy to share those details as they come up with the nearby "HOA" – homeowners association. Mr. Doggett stated that they fully intent on meeting the City's screening requirements. He offered to answer questions. There were none. Chairman Cox opened the public hearing and called for comments. Ms. Annyoli Olivera, 300 Carnaby Court, McKinney, TX, stated that McKinney is known by being unique by nature. She stated that in 2014, McKinney was considered one of the best cities to live in. Ms. Olivera stated that she and her husband were extremely happy to be part of a community that was going to take care of nature. She stated that their builder had promised them that the subject property was a conservation area with trees and various animals, which is why they chose this location. Ms. Olivera stated that the proposed request would harm them and the community. She stated that they would lose the nature views that they currently have if a screening wall is built. Ms. Michelle Woodard, 333 Tottenham Court, McKinney, TX, stated that

she moved into the community approximately 17 months ago. She stated that there is another large development to the east of their residential development. Ms. Woodard expressed concerns that foot traffic would cut through their neighborhood to get to the other development. She stated that the property on the southeast corner of Virginia Parkway and Hardin Boulevard will eventually be developed. Ms. Woodard stated that there is a pond and a flood plain area of the subject property. She asked if there would be an environmental impact study would be completed on the subject property. Ms. Woodard stated that she was not against development. She stated that a screening wall with landscape would be important to them and requested that trees be left behind the screening wall. Ms. Linda Frye, 309 Tottenham Court, McKinney, TX, stated that they have lived here for approximately one year. She stated that one of the reasons for purchasing the townhome was the nearby tree line with privacy back there. Ms. Frye stated that they own another townhouse in McKinney that is screened by a brick wall from the adjacent commercial uses. She stated that those businesses were there prior to that adjacent residential development. Ms. Frye stated that in this case the townhouses are already located adjacent to the subject property. She expressed concerns about property values being impacted and noise issues. Ms. Frye stated that she understands that there will always be progress and changes. She requested that the applicant keep the tree line as part of the screening by the adjacent residential development. Mr. Enrique Alejandro Maldonado, 305 Tottenham Court, McKinney, TX, explained that he did not speak the English language very well and asked that Ms. Annyoli Olivera translate from Spanish to English for him. He stated that they

purchased the property due to the small community and that McKinney is known for being Unique by Nature. Mr. Maldonado stated that they enjoy the park across the street from their house very much. He stated that they were surrounded by many trees. Mr. Maldonado stated that the subject property has a small pond and a lot of wildlife. He asked what would happen to the wildlife if all of the trees on the subject property were destroyed. Mr. Maldonado asked if the wildlife could be moved to another location. He also asked what would happen to the pond if the property is developed. Mr. Maldonado asked how they would not lose the greenbelt that they currently have on the property. He stated that the nearby Wal-Mart has a separation with a dog park and another park to the adjacent residential uses. Mr. Maldonado stated that he is not opposed to the project. He requested to know what the impact would be on the greenbelt and wildlife on the property. Mr. Maldonado stated that he would also like to know what is planned to be developed on the property. On a motion by Commission Member McCall, seconded by Commission Member Haeckler, the Commission unanimously voted to close the public hearing, with a vote of 6-0-0. Commission Member Haeckler asked if there had been an environmental assessment completed on the property. Mr. Doggett stated that "FEMA" – Federal Emergency Management Agency would require various studies when they try to reclaim some of the floodplain area. He stated that these studies had not been completed at this time. Mr. Doggett stated that the City of McKinney does not allow developers to remove more than 30% of protected trees within a floodplain area. He stated that there are a lot of preservation rules that they would need to meet. Mr. Doggett stated that there is an elevation difference

between the adjacent residential property and the subject property that lends to protecting trees along the common property line. He stated that they were sensitive to buffers. Mr. Doggett reiterated that they currently do not have a potential user for the property. Commission Member Doak asked if the pond was under the jurisdiction of the US Army Corps of Engineerings. Mr. Doggett stated that would be determined during the wetlands study. He stated that the pond was located in the floodplain area. Commission Member McCall wanted to clarify that the applicant did not have any immediate development plans for this corner. Mr. Doggett said no. He stated that they were just trying to remove the "AG" – Agricultural District and add commercial zoning to make the subject property marketable for a future tenant. Commission Member Doak asked about the tract of land between the Sorrellwood housing development and the townhouse development. Ms. Moss stated that was a separately owned tract of land and not part of the current rezoning request. Ms. Samantha Pickett, Planning Manager for the City of McKinney, thought that tract was platted as a common area for the residential neighborhood. She stated that this tract of land was located in the floodplain area. On a motion by Commission Member Doak, seconded by Commission Member McCall, the Commission unanimously voted to recommend approval of the proposed rezoning request per Staff's recommendation, with a vote of 6-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to the July 16, 2019 City Council meeting.