

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 Keever; 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

Samantha Gleinser

Subject: FW: Citizen opposed to re-zoning - New Bob Tomes Rezone #13-241Z, corner of North Brook and Parkview.

From: Jenny Burnside

Sent: Sunday, January 05, 2014 1:22 PM

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

Cc: Jenny Burnside

Subject: Citizen opposed to re-zoning - New Bob Tomes Rezone #13-241Z, corner of North Brook and Parkview.

Re: [New Bob Tomes Rezone #13-241Z, corner of North Brook and Parkview.](#)

City Council Members and Planning Personnel:

We would like to file a formal protest against the rezoning proposed by Bob Tomes at the corner of North Brook and Parkview. Over the years we have tried to fight the City Council on various activities that were proposed on the edge of our neighborhood. Some were passed, while others were not. While we understand the need the Tomes' must feel for the dealership(s) expansion – Bob Tomes and Brandon Tomes – they should not be allowed to annex additional portions of the neighborhood and park space near their property lines.

When Bob Tomes built the original car dealership, he destroyed some natural habitats. There used to be a pond – where many animals lived and nourished in the waters. That pond was filled in and trees cut down to support the concrete jungle of cars. As it is, the spillway behind the dealerships and the green space to the north and south still shelter some animals and provides access to their feeding and watering grounds. When Bob Tomes won the fight against the citizens back in the early 1990's for the development of his car lot, he agreed to maintain a greens pace surrounding the dealership. We asked for many additional contingencies - which the then City Council did not consider. The green space was the only amenity given to the citizens and homeowners in the immediate neighborhood. This new proposal (Rezone #13-241Z) cuts down on the green space, further endangering the natural animal habitat, as well as cuts down on our green space that separates a family friendly neighborhood and park system from these dealerships. I personally do not want any additional "Tomes" activity near my own property. Their dealership test drives proceed straight down our street and through the neighborhood – neither of which are appreciated by the homeowners in this neighborhood.

We may not be a large neighborhood filled with the higher tax paying citizens such as El Dorado to the north, but we love our little neighborhood and the seclusion that it has along with our green space. We encourage you to decline this expansion and let us keep the small bit of green space that Bob Tomes agreed to in the past.

Reasons to oppose this:

- **As staff reported, it is not compatible with the adjacent land uses. This is a residential area with nearby park. Reducing the landscape buffer will detract from the uniqueness of this area of McKinney.**
- **It is directly across from Al Ruschhaupt Park and serves as an entrance to our neighborhood. This "green space" area of McKinney is enhanced by the 60 foot landscape buffer requirement.**
- **The proposed construction is for a large parking area to store cars, although we have no guarantee of what will be built if zoning is amended.**
- **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 hasn't changed since the**

requirement was made. Why should it be reduced just because Bob Tomes wants to build in a larger area?

Thank you for your consideration.

Jenny Burnside
709 Park View Avenue
McKinney, Texas 75070

Samantha Gleinser

Subject: FW: Citizens Against Bob Tomes Collision Center Rezone #13-241Z

From: Ward Vestal

Sent: Sunday, January 05, 2014 10:04 PM

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

Subject: Citizens Against Bob Tomes Collision Center 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, especially considering the recent rezoning proposal #13-194Z that was withdrawn in late November. I'm sure it is no surprise to you that homeowners in this area are committed to protecting their neighborhood.

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 due to incapability of land uses. I urge you to keep this and your own City Council goal to maintain unique neighborhoods when considering this issue.

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: I Am Against The Bob Tomes Collision Center Rezone #13-241Z

From: Michael King

Sent: Saturday, January 04, 2014 11:38 AM

To: Roger Harris

Subject: I Am Against The Bob Tomes Collision Center Rezone #13-241Z

I live very close to Bob Tomes Ford in Northbrook Estates. As it is, there is already a lot of noise and traffic that comes from Bob Tomes Ford. Especially from the car haulers that show up at all hours and the Bob Tomes mechanics, staff, and customers that race through our streets Monday through Saturday.

Adding additional parking behind the Bob Tomes Collision Center would only exacerbate this existing nuisance to my neighborhood. In addition, constructing a 6' tall fence would not help to keep our neighborhood looking good and maintain our property values because it would remove the green belt area along Park View Drive and we will still be able to see most of the vehicles parked there above the fence line. Due to the steep incline of the grounds, most of the vehicles would still be easily seen from the road and adjoining park.

The Colonial Lodge Assisted Living community is very close to the property being considered for rezoning. They describe themselves as "A serene senior living community, Colonial Lodge McKinney provides comfortable assisted living in a caring and calm environment.". I am concerned that their serene, caring, and calm environment will be highly affected by such a rezoning. I am a disabled citizen myself and I may someday not have a choice but to live in such a senior living community and definitely would not appreciate my tranquility being disturbed in such manner.

Finally, I have noticed that for some time now the Bob Tomes dealership has already been parking vehicles in this area. If I can't park my own car on the grass of my own front lawn, then why is Bob Tomes being allowed to park their vehicles in an undeveloped green belt lot?

Sincerely,
Michael S. King
2302 Park Row
McKinney, TX 75070-3842

Samantha Gleinser

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

From: Ralph Graham
To: Brian Loughmiller
Sent: Tuesday, January 7, 2014 1:20 PM
Subject: Rezone #13-241Z

Monday, January 6, 2014

Mr. Mayor, Mayor Pro Tem, and Council Members

My name is Jeannie Graham. I live at 2329 North Ridge Road in the North Brook subdivision of McKinney.

I wish to express my opposition to the rezoning request item #13-241Z at the SE corner of North Brook and Park View Avenue by Bob Tomes Ford.

In 1999 with Ordinance No. 99-04-38, the City Council agreed to amend the Subject Land zoning to allow Mr. Tomas to build his Collision Center with specific 6 sub sections to lessen the impact of a commercial enterprise in our residential and park land neighborhood.

We support Mr. Tomes in his business endeavors, but would he show that he is indeed the good neighbor that he claims to be, by reducing the size of his proposed parking area to keep this 60 ft. area along the entrance to our neighborhood a bit more green.

In 2014 the surrounding neighborhood and parklands have not changed and still need the protection of the original zoning that was agreed to in 1999. Keeping the 60ft buffer will work toward keeping the "sense of arrival" in this entrance of our neighborhood.

The City Staff recommends denial of the proposed rezoning request due to lack of compatibility with the adjacent land uses. Allowing the placement of a 6 foot wall instead of the 60 ft. green area along the east side of Park View, will not be welcoming to people traveling to homes and parklands here. In addition with the recent change in school boundaries, we will have more of our students traveling this entrance to go to McKinney High School.

Our neighborhood is Unique by Nature and we trust that the City Council members will keep the McKinney promise of a city that advertises itself to be Unique by Nature.

Thank You, Jeannie Graham

Samantha Gleinser

Subject: FW: Citizen opposed to re-zoning

From: Bill Stewart

Sent: Tuesday, January 07, 2014 12:46 PM

To: Brian Loughmiller; Don Day; GERALYN KEVER; Ray Ricchi; Roger Harris; Randall Pogue; Travis Ussery

Subject: Citizen opposed to re-zoning

No we dont want Bob toomes changing the 60 foot buffer he agreed to in 99. vote no

BILL

Samantha Gleinser

Subject: FW: Citizen opposed to re-zoning

From: Tom Jacobe

Sent: Tuesday, December 31, 2013 5:27 PM

To: Brian Loughmiller; Don Day; Geralyn Keever; Ray Ricchi; Roger Harris; Randall Pogue; Travis Ussery

Subject: Citizen opposed to re-zoning

Mayor and Council,

Here we go again with this "Big" money supporter. After driving by the proposed rezoning property today, Bob Tomes Ford is already using this land for vehicle storage. A makeshift entrance to the land is now known by the large ruts in the cities right away. Does anyone in City Government care about the aesthetics of this small area of homes. Would you want a neighbor who does not take care of his existing area. Old motors are out by his gates and visible from the street. Photos were taken in November and again today. Also photos taken of the back gate of his property look the same as the circulation photos taken today. Same junk and in the same position. He must not drive by his own property.

We collectively pay taxes, but maybe we just don't give to the "right" group/s. It seems as if "regular" citizens don't have a voice like the "Big" money supporters in "OUR" city.

Elections will be coming soon. Time will tell of how well the city officials have catered. Is this McKinney or Dallas?

Tom Jacobe

2508 Pepper Tree Circle

McKinney, Texas 75070

Samantha Gleinser

Subject: FW: Re-zoning of easement at North Brook and Park View

From:

Sent: Wednesday, January 01, 2014 3:59 PM

To: Contact-City Council

Subject: Re: Re-zoning of easement at North Brook and Park View

This request should not be granted since Bob Tomes agreed in 1999 to the easement so that he could build his collision center. Now he wants to re-zone because he wants to enlarge storage for his automobile agency. McKinney has been very vocal about additional green space throughout the city and it is self-serving to remove this green space from this residential neighborhood.

There are many acres available on the north end of 75 and the automobile agency could expand with all the buildings it could possibly need for now and any future expansion. I feel that the council should deny this request. Why should people with *influence* in the city be allowed to reclaim rights that they agreed to surrender in an earlier request. Give the property owners who live in the shadow of this business a "deny" vote on this issue.

Sincerely,

Shirley Presson
5924 La Cumbre Drive
McKinney, TX 75070

Samantha Gleinser

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

From: Helene Gilbert

Sent: Thursday, December 26, 2013 7:34 AM

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 City Council and Planning and Zoning Commission,

Here we go again...What is it about Mr. Tomes' business practices that makes him consistently attempt to change the zoning requirements of our neighborhood?

This is obviously not about changing a landscape buffer. This is yet another attempt to allow Bob Tomes to build his auto parts warehouse in a less expensive location than having to purchase commercial property designed for this purpose.

Mr. 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. Isn't Mr. Tomes bound by the same restrictions as other business people in McKinney?

Now, the P&Z committee has approved the rezoning. It is up to the city council to defeat this attempt to change the face of our neighborhood.

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.

We are all aware that this rezoning would not be in conformance with the Comprehensive Plan's Future Land Use Plan. There is commercial property available less than a half mile away where Mr. Tomes can build his warehouse. 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?? Don't you see a pattern in Mr. Tomes' persistent attempts to rezone our neighborhood? To what end? To what gain? The only logical conclusion is to build that infernal warehouse.

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: I oppose Rezone #13-241Z

From:

Sent: Friday, January 03, 2014 11:46 AM

Subject: I oppose Rezone #13-241Z

My name is Leslie Vestal. I live at 2334 North Ridge Road. I have lived at this address with my family for the last 13 years since we bought our home. I have been very happy in McKinney.

I oppose the proposed rezoning at the corner of North Brook Drive and Park View Avenue, #13-241Z. Reducing the landscaping buffer to 20 feet along Park View Avenue will be detrimental to my neighborhood of over 400 homes and the adjacent city park area.

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. To quote the current city planning report: "The subject property was previously rezoned in 1999 in order to allow an auto paint and body shop on the property. The existing 60 foot landscape buffer along Park View Avenue was put in place as part of "PD" – Planned Development District Ordinance No. 99-04-038 specifically to mitigate any land use conflicts with surrounding properties (including single family residential and park uses) that were created by adding the auto painting and body shop use to the subject property." **I urge you to hold him to it now.**

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. Please protect McKinney by respecting the need for this landscaping buffer.

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. Keep your focus on the stated City Council goal to maintain unique and sustainable neighborhoods. Deny this request.

Sincerely,

Leslie Vestal

Samantha Gleinser

Subject: FW: Opposed to rezoning #13-241Z.

From: Helene Gilbert

Sent: Saturday, January 04, 2014 7:22 AM

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

Subject: Opposed to rezoning #13-241Z.

City Council Members,

Let's start with the good things that Mr. Tomes has done for the neighborhood. He has a relatively clean, quiet business in this area. As a resident of the neighborhood, I don't mind that type of business going in because completely resisting development and growth is futile. However, ...(and you knew this was coming, right?.....) What is it about Mr. Tomes' relationship with the city that makes him think he can change zoning at his whim? This seems to be a pattern. Is he not a citizen bound by the same rules as everyone else?

Is this the proverbial "they paved paradise and put up a parking lot?"

Mr. Tomes already parks many vehicles on the grass buffer at times. Why create a paved parking lot? It already IS a parking lot. Isn't it working fine now? If it ain't broke, don't fix it." As a side note - it seems that the cars parked there are dealership vehicles, not cars that are awaiting collision service. Either way, the cars are already there sometimes, and there was no request to rezone. Parking lots must be gated, lighted, monitored and videoed. It is an eyesore for the area and will negatively affect the park and the nursing home. Additionally, it increases carbon emissions and changes our healthy green space. Do you want that kind of intrusion in your neighborhood?

The city of McKinney currently makes a concerted effort to keep green space balanced with residences, businesses and ecosystems. It's a complicated mix and so far they have done a relatively good job. We enjoy our green space. The city made a concession back in 1999 to allow the business to be established, and required a 60 foot buffer. Seems reasonable to me. Again, why fix it if it ain't broke?

Al Rupschaupt Park is across the street. It's a family area. There are people there playing soccer, la crosse, walking, playing disc golf, volleyball, pee wee football, etc. Do the math. If a parking lot (or warehouse) is built, statistically, this means that there will be more traffic. An increased number of cars directly correlates to an increased number of dangerous situations and consequently, accidents. Is this what the city wants?

There are senior citizens across the street. Just surmising here, but most seniors I know don't like noise, lots of activity and cityscapes. They enjoy a mix of green and activity. Much like the rest of us.

Mr. Tomes seems to be targeting this area. In my humble opinion, this area is built-up enough. We have a nice mixture of green space, residences, recreational areas, businesses, and commercial properties. We have enough business here. We have enough "development." There is no need to develop all the green space until there's none left. We've already lost green space with the new design of Central Expwy/75. There is already the collision center, the nursing home, the storage facility, a huge cell tower, and a "canal" running next to that property. We have development. That canal is a source of water for critters and it's also a place where skateboarders and bicycles play. Once again, increased traffic = an increase in the statistical probability that accidents will happen. Leave it be.

McKinney prides itself on the “nature/natural” part of our unique character. McKinney is unique in many ways, and one of those ways is the efforts over the years to maintain the preservation of our green space, the native plants, trees, ecosystems, wildlife. Continue to be mindful stewards of the citizenry and environment.

Aesthetics should be considered – parking lots (and incidentally, warehouses) are ugly. No one wants to see that out a window, or driving home from work, or taking the kids to soccer practice. And we certainly don’t want it added to the current ingress/egress to the neighborhood. We have enough development, enough safety concerns, enough concern about pollution and carbon emissions, and enough concern about Mr. Tomes’ attempts to change the face of this neighborhood.

The green space is essential for healthy citizens and I encourage the city council members to vote no and leave well enough alone.

Helene Gilbert, Resident

Samantha Gleinser

Subject: FW: Oppose Bob Tomes rezone.

From: Claus, Santa

Sent: Saturday, January 04, 2014 3:32 PM

To: Brian Loughmiller

Cc: Don Day; Geralyn Keever; Ray Ricchi; Roger Harris; Randall Pogue; Travis Ussery; Brandon Opiela; Samantha Gleinser; Michael Quint

Subject: Oppose Bob Tomes rezone.

Gentlemen,

I am opposed to giving a zoning variance to Bob Tomes Ford. Their physical plant is large enough at this time and if they are allowed to expand any more, it will just take away green space for our neighborhood.

Please do not allow this property to be re-zoned. Keep it the way it is now.

Thank you.

Santa Claus

Operations Co-ordinator

AFL

Samantha Gleinser

Subject: FW: Citizen opposed to re-zoning #13-241Z

From: Curt

Sent: Sunday, January 05, 2014 12:07 AM

To: Brandon Opiela; Samantha Gleinser; Michael Quint

Subject: Citizen opposed to re-zoning #13-241Z

I want to express my concern and disapproval on the Bob Tomes Rezone #13-241Z. The current 60 feet set back is needed as landscape buffer from this business and our North Brook neighborhood.

This was obviously realized and agreed to in establishing the current zoning requiring the 60 foot restriction. The only thing that has changed is the Bob Tomes desire to extend his business at the expensive and disregard for our North Brook neighborhood community interest.

I ask that you consider our North Brook neighborhood and the impact of the rezoning #13-241Z. Park View Av. is the main entrance into our neighborhood and the rezoning would reduce the landscape buffer and distract from the appearance would appear as industrial area.

Respectfully

George Laffin

2308 Brookview Dr.

McKinney, TX 75070

Samantha Gleinser

Subject: FW: Neighborhood Meeting about the Bob Tomes Collision Center

From: Helene Gilbert

Sent: Thursday, January 09, 2014 11:56 AM

To:

Cc: Brian Loughmiller; Ray Ricchi; Geralyn Kever; Travis Ussery; Randall Pogue; Don Day

Subject: Re: Neighborhood Meeting about the Bob Tomes Collision Center

Hello,

Helene Gilbert here. I am unable to attend the meeting tonite, so I'd like to share a couple thoughts if I may.

I am all for resolution, compromise, mediation, arbitration and coming to a meeting of the minds as Mayor Loughmiller intimated at Tuesday's meeting. However, it seems that the neighborhood residents are having to make all the sacrifices and concessions.

We will have to deal with the additional loss of green space. (Not to mention the decrease we have already experienced by the expansion of 75, the canal, the cell tower the commercialization already surrounding us.) We will have to make concessions for the change in aesthetics of our neighborhood, increased traffic, safety threats to children, increase in environmental damage caused by the paint fumes, increase in carbon emissions, the loss of wildlife and ecosystems, potential flood damage, increase in a loss of privacy due to an increase in industrialization of our neighborhood. Not to mention the potential loss of property values to the homes we have purchased and maintained over the years..

I would like to ask Mayor Loughmiller what concessions Mr. Tomes is having to make by attending this meeting and attempting to come to some type of compromise? How is the neighborhood community having to concede to so many intrusions, changes, and dangers a compromise? Could Mr. Tomes build elsewhere? Could Mr Tomes make the space he has now work for his expansion needs? Could Mr Tomes add onto the Suzuki dealership? Could Mr Tomes consider building near the airport so that the industrialization already fits with the zoning and community plan? I am not as knowledgeable as y'all about all of the issues to consider regarding this rezoning and would welcome negotiation and resolution, so please enlighten me on how this is achievable in this situation.

Respectfully,

Helene Gilbert

From:

To:

Sent: Thursday, January 9, 2014 1:08 AM

Subject: Neighborhood Meeting about the Bob Tomes Collision Center

Please attend the

Neighborhood Meeting

with Mayor Brian Loughmiller and Mayor Pro Tem Travis Ussery

TODAY

Thursday, January 9th

6-8pm

Dulaney Room, Roy and Helen Hall Memorial Library

101 E Hunt St, McKinney 75069

Together, we can keep our neighborhood unique, safe and residential!

<http://this-is-our-neighborhood.com/>

Samantha Gleinser

Subject: FW: Neighborhood Meeting

From: David Baker
Sent: Thursday, January 09, 2014 3:40 PM
To: Brian Loughmiller; Geralyn Keever; Travis Ussery
Subject: Neighborhood Meeting

Dear Mayor Loughmiller, and Council Members Ussery and Keever,

Thank you for organizing the neighborhood meeting regarding the Bob Tomas Collision Center. I am a resident of the neighborhood (612 Dogwood Trail), but unfortunately I am traveling and cannot attend tonight's meeting.

My concern for the proposed expansion is that it negates the previous agreement to protect green spaces in McKinney. I must admit that I was surprised when the Collision Center was built on the plot of land -- it seemed contrary to the City's greenbelt vision. I was then pleased to learn that a buffer was put in place to prevent the commercial building from encroaching on the soccer field complex. Without knowing the details, I assumed this was a result of a compromise between the City and the Tomas group.

Now the Tomas group wants to change this deal. I understand that their business is growing and they feel the need to expand. I'm glad their business is successful, and I do believe that Bob Tomas has been a good friend to McKinney. But I do not support this proposed change, for the same reason that I opposed the proposed parts building on Jordan a few months ago: if approved, this decision will set a precedent for commercial property adjacent to a greenbelt and residential neighborhood that will be impossible to undo. Once commercial property is developed or allowed to expand, it is almost impossible to go back.

Just the fact that Bob Tomas is asking for this change proves this point. A policy was set in 1999 that allowed commercial growth adjacent to a residential neighborhood and greenbelt, and now Bob Tomas is asking for additional expansion. And after that? Five years from now, what will other commercial properties adjacent to a greenbelt ask for? Ten years from now, what will Bob Tomas ask for?

A balance between business growth and green spaces must be achieved, and must be maintained. It seems to me that balance was achieved in 1999. (I would venture to say that perhaps commercial property got the better end of the deal in 1999.) Please don't let our current balance between business and open spaces be upset even more. It is sometimes a challenging issue, but one that I believe the City has made a priority. Please allow our city's motto "Unique by Nature" to ring true.

I'm sorry I can't be there tonight. Thanks again for your interest. Please feel free to contact me if you have any questions or concerns.

Sincerely,
David Baker

Dr. David Baker
Chair and Professor of Physics
Director, Adams Observatory

Samantha Gleinser

Subject: FW: Bob Tomes Warehouse/rezoning #13-241Z

From: Suzanne Audette
Sent: Thursday, January 09, 2014 9:32 AM
To: Brian Loughmiller; Travis Ussery
Subject: Bob Tomes Warehouse/rezoning #13-241Z

Good morning,

I would like to take a moment to express my opposition to the proposed rezoning to accommodate the Bob Tomes warehouse. Unfortunately I have a volunteer commitment this evening and will not be able to attend tonight's neighborhood meeting.

To keep this succinct, I just want to echo every logical, reasonable and worthy reason for not constructing a warehouse in the middle of this wonderful neighborhood and across from the amazing adjacent park area.

This is not just a neighborhood. This is our community. This is our *home*.

Please respect one of our most fundamental sources of comfort and security. I walk my dogs through this area, I jog through this area, my son and his friends walk through this area to visit each other. Please don't ruin our quality of community life by allowing this land to be rezoned. Allowing a big business to barge into a residential/park area does not help maintain McKinney's "best places to live" status. I certainly understand the need to generate revenue and jobs, and to help create a prosperous and sustainable city, however, given what's at stake and the availability of alternatives, I don't feel that Bob Tomes' rezoning request should be granted. Bob Tomes has the resources to construct and utilize a warehouse in an appropriately zoned location. Please do right by the citizens of this community and deny the rezoning request.

Thank you for your service, your time and your consideration.

Respectfully,

Suzanne Audette

Samantha Gleinser

Subject: FW: rezoning

From: Thomas Osburn

Date: January 15, 2014 at 10:15:39 AM CST

To: <mquint@mckinneytexas.org>

Subject: rezoning

Dear Council Member Quint,

My family and I have lived at 2322 North Ridge Road near Virginia and 75 for 8 years.

I would like to express my **opposition** to the rezoning of the Bob Tomes land across from Al Ruschhaupt Park.

The current zoning status is appropriate.

Thomas Osburn