

**Planning and Zoning Commission Meeting Minutes of February 23, 2016:**

**16-018Z      Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District, "PD" - Planned Development District, "AG" - Agricultural District, and "CC" - Corridor Commercial Overlay District to "GC" - Governmental Complex District and "CC" - Corridor Commercial Overlay District, Located on the Southeast corner of Hardin Boulevard and McKinney Ranch Parkway**

Mr. Aaron Bloxham, Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommended approval of the proposed rezoning request and offered to answer questions. There were none.

Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Blvd.; McKinney, TX; explained the proposed rezoning request. He stated that the McKinney Independent School District (MISD) owned the subject property; therefore, it was no longer on the tax rolls. Mr. Roeder stated that signs had been posted on the property that it could be the future home to a McKinney Independent School District's football stadium. He stated that the ultimately use of the property would be decided by the McKinney Independent School District, which is a sovereign governmental entity that is allowed to make those decisions. Mr. Roeder requested a favorable recommendation and offered to answer questions. There were none.

Chairman Cox opened the public hearing and called for comments.

The following three residents spoke in favor of the proposed rezoning request.

Mr. Jim Healer, 912 Hidden Springs Ct., McKinney, TX, stated that McKinney was the 17<sup>th</sup> largest city in the State of Texas, growing at a pace of 20% per year. He stated that McKinney is ranked 157<sup>th</sup> in the United States, which is ahead of municipal

populations for half of the state capitals and the metropolitan populations of 11 of those stated capitals. Mr. Healer gave examples of some of these well-known metropolitan cities where McKinney was larger than them. He stated that McKinney was not a small town anymore. Mr. Healer felt that the success of our students contributed to McKinney's growth. He stated that a new stadium would play a critical role in helping some students excel. Mr. Healer stated that the proposed site would help elevate some of the issues with safety, security, traffic congestion, parking capacity, ingress, and egress. He stated that a new stadium would open up new opportunities and gave the example of regional events. Mr. Healer stated that it was the most convenient location for visitors to McKinney. He stated that a new stadium would increase revenue for the school system and McKinney. Mr. Healer stated that the current stadium was landlocked and we had outgrown it. He stated that the proposed site was already owned by the McKinney Independent School District and was located near the gateway to McKinney. Mr. Healer felt the proposed location was an ideal location for a new football stadium.

Mr. Jeff Markiewicz, 7012 Tilbury Ct., McKinney, TX, briefly discussed the surrounding development around the proposed property and that he would like to see this trend change. He stated that building a stadium and athletic facility at this location would spur highly desired development in the area and add to the amenities in McKinney. Mr. Markiewicz stated that he was part of a committee that had evaluated the needs of the school district and looked into an investment in McKinney children. He stated that they had selected 20 projects that will be presented to the school board, along with a two cent reduction in the property tax rate. Mr. Markiewicz stated that

McKinney voters will then ultimately decide whether or not to approve the bond on Election Day on May 7, 2016. He stated that this hearing to consider the rezoning of the property was not part of the bond process. Mr. Markiewicz stated that this was a project that we should support. He stated that surrounding cities had already built new stadiums and gave examples.

Ms. Cindy Evans, 8517 Beech Ln., McKinney, TX, stated that she was very excited about the possibility of a stadium at this location. She stated that it would be the second pillar to the gateway to McKinney. Ms. Evans reiterated that this public hearing was about the rezoning of the property and not about the bond election for a stadium. She felt it would be a great economic development for McKinney. Ms. Evans stated that this was the best possible location for traffic flow. She mentioned various activities that could be held at this location if a new stadium was built. Ms. Evans stated that a new stadium would address issues with parking and safety. She stated that it was time McKinney did something new and spectacular for the School District. Ms. Evans stated that she had heard comments about why a new stadium was not being proposed in northern McKinney where the land was less expensive and the area was not as populated. She stated that area would eventually be populated.

The following five residents spoke in opposition to the proposed rezoning request.

Mr. Ken Sipiora, 1801 Pembroke Ln., McKinney, TX, stated that the proposed use was inconsistent with the highest and best use for the subject property. He stated that it represents some adverse financial consequences to our citizens. Mr. Sipiora stated that a \$60 million football stadium owned by the McKinney Independent School

District does not generate tax revenue for the City of McKinney; however, a taxable use could generate approximate \$1.56 million in tax revenues. He stated that there would also be 20 years of bond debt service of approximately \$3.5 million a year. Mr. Sipiora stated that it would make the cost of the project a little over \$5 million per year or over a \$100 million over a 20 year period. He stated that he was a sports fan and had three children that went to McKinney High School. Mr. Sipiora requested that the request be denied due to the numbers alone.

Mr. Kyle Whaley, 4205 Timberview, McKinney, TX, stated that the proposed property currently does not have direct access to US Highway 75 or State Highway 121. He stated that two of the three high schools would need to drive through town to get to the stadium instead of driving down US Highway 75. Mr. Whaley stated that building this type of stadium at this location did not fit into the City's moto of being Unique by Nature. He stated that it was just copying other Cities. Mr. Whaley stated that it was not the best use of the land and felt that were better alternatives available. He stated that he had not seen traffic control patterns for the proposed site. Mr. Whaley felt there would be backflow issues through the surrounding streets due to traffic issues. He stated that the Future Land Use Plan (FLUP) discussed a height limitation that had not been addressed yet. Mr. Whaley stated that press boxes and light poles at stadiums were very tall. He expressed concerns regarding lighting and noise issues for the surrounding area. Mr. Whaley stated that he did not expect a stadium at this location to generate much money for McKinney. He stated most people would eat and shop at the nearby restaurants and stores in Fairview and Allen, that would be closer than some

located in McKinney. He requested denial of the proposed rezoning request to allow the McKinney Independent School District to consider another location for a stadium.

Ms. Laura Lutek, 2901 Cedar Ridge Dr., McKinney, TX, expressed concerns regarding the impact to the surrounding neighborhoods. She stated that she spoke with a School Board member who told her that he would not want a stadium located in his backyard. Ms. Lutek stated that none of the School Board members live near the proposed property and that a stadium at this location would not affect them. She expressed concerns regarding decreasing the surrounding property values, additional traffic, noise levels, and nuisance to the surround neighbors. Ms. Lutek felt that there could be blighted neighborhoods surrounding the stadium after a period of time. She also requested denial of the proposed rezoning request.

Mr. Mike Giles, 3213 Gillespie Rd., McKinney, TX, stated that signage had been installed on the property off of Gray Branch Rd. where lighted fields were proposed that let people know what was planned at that location so people could decide if they wanted to purchase land next that site. He stated that the proposed property already has surrounding property owners living near it that were not given advanced warning that a Stadium could be going in on the property. Mr. Giles stated that a stadium next to their properties would deteriorate their property values. He stated that the proposed location was very close to the edge of McKinney and about a half mile from Allen, which was not centrally located in McKinney. Mr. Giles stated that there would be houses located very close to a stadium at this location. He expressed concerns regarding lighting, noise, and traffic issues. Mr. Giles stated that stadiums typically had various activities going on throughout the week, so the surrounding neighbors would be affected multiple days

a week. He stated that it was his understanding that the McKinney Independent School District (MISD) owned approximately 34 acres of land near the McKinney North High School that was originally purchased to build a football stadium. Mr. Giles stated that it would have better access off of US Highway 75. He felt this location was a better alternative. He requested denial of the proposed rezoning request.

Mr. David O'Connor, 2500 Brinlee Branch Ln., McKinney, TX, stated that he lived in McKinney since 1999. He stated that he recalled a sign in front of the Bus Barn that stated the property off of Gray Branch Rd. was the future site for a stadium. Mr. O'Connor stated that this other site would have easy access to US Highway 75. He stated that there is already a baseball/softball stadium near there. Mr. O'Connor stated that there is additional parking located at Scott Johnson Middle School, McKinney North High School, and Bus Barn Facility. He expressed concerns about building a stadium so close to the City of Allen. Mr. O'Connor stated that it would waste a lot of gas with everybody driving there, when there were closer alternatives. He stated that the center of McKinney would be further north once the city is built out and that should be taken into consideration. Mr. O'Connor asked if McKinney Independent School District had looked into renovating the Ron Poe Stadium. He expressed concerns over losing huge amounts of tax revenue at the proposed site by rezoning it for lesser use on such a value piece of real estate. Mr. O'Connor stated that we need businesses in McKinney. He felt that building a new stadium would be more appropriate in northern McKinney, where there were two schools already built and available vacant land. Mr. O'Connor asked that the Commission do the right thing for tax payers and homeowners and recommend denial of the proposed rezoning request.

The following five residents turned in speakers cards in favor of the proposed rezoning request; however, did not wish to speak during the meeting:

- Ms. Angela Bado, 7002 Old York, McKinney, TX
- Mr. Matthew Bado, 913 Boyd Creek Rd., McKinney, TX
- Ms. LynDella Healer, 7112 Bryce Canyon Dr., McKinney, TX
- Mr. Carl Macero, 1204 Canyon Wren Dr., McKinney, TX
- Mr. Rod Rodriguez, 709 Moss Cliff Cir., McKinney, TX

The following three residents turned in speakers cards in opposition of the proposed rezoning request; however, did not wish to speak during the meeting:

- Mr. Rick Wise, 4427 Durango Ln., McKinney, TX
- Ms. Alice McCaulley, 2706 Summerwood Ct., McKinney, TX
- Mr. Paul Gage, 4403 Shadywood, McKinney, TX

On a motion by Vice-Chairman Zepp, seconded by Commission Member Smith, the Commission voted unanimously to close the public hearing, 6-0-0.

Vice-Chairman Zepp stated that the Commission was being asked to vote of the rezoning of the property for an unknown purpose. He stated that a bond election would be needed to approve building a stadium. Vice-Chairman Zepp stated that this property could be used for any number of purposes or even rezoned and sold at a later time. He stated that the Commission needed to focus on the issue at hand.

Commission Member McCall asked why the McKinney Independent School District (MISD) was requesting the proposed rezoning of the property. Mr. Bloxham stated that they were requesting three properties be rezoned to the same zoning

regulations. He stated that “GC” – Governmental Complex District does have restrictions that they must follow.

Vice-Chairman Zepp asked how far the subject property was located to State Highway 121. Mr. Bloxham stated that it was approximately 500’ from the southern property line.

Vice-Chairman Zepp asked if there would still be room for commercial development in front. Mr. Bloxham said yes.

Commission Member Mantzey asked if the property had been removed from the tax rolls because it is owned by the McKinney Independent School District (MISD). Mr. Bloxham said yes.

Vice-Chairman Zepp asked if the property directly to the east was an Onconr substation. Mr. Bloxham said yes.

Vice-Chairman Zepp stated that one of the speakers had mention that McKinney Independent School District (MISD) would be paying for infrastructure improvements if a stadium was built at this location. He asked what improvement that might entail. Mr. Bloxham stated that he had not heard any specifics at this time and suggested that the applicant might be better at answer the question. Mr. Roeder stated that the property currently does not have a sanitary sewer infrastructure; therefore, whatever is developed on the land would need that brought to the site. He stated the property would also need adequate road systems. Mr. Roeder stated that all of that would be determined during the site plan and platting processes.

Vice-Chairman Zepp asked if the McKinney Independent School District (MISD) was exempt from impact fees or doing improvements that a regular developer would be



required to do to development the property. Mr. Roeder stated that they were asking for straight zoning with no variances. He stated that they plan to abide with the regulations in the existing Zoning ordinance.

Commission Member Smith stated that she appreciated all of the citizens attending the meeting and voicing their opinions. She stated that the Commission was not considering approving a stadium on the subject property during this meeting. Commission Member Smith reiterated that the Commission was addressing a rezoning request made by the McKinney Independent School District (MISD). She stated that the school districts were uniquely challenged when they review their buildout plan, facility needs, and acquiring various sites.

Chairman Cox agreed with Commission Member Smith's comments. He stated that the McKinney Independent School District (MISD) abides by the City's Development Guidelines. Chairman Cox felt the use was appropriate for the subject property. He stated that he appreciated everyone attending the meeting and also the McKinney Independent School District (MISD) keeping up with the growth of McKinney. Chairman Cox stated that he was supportive of the rezoning request.

Vice-Chairman Zepp stated that he did not feel this was an appropriate location for a stadium in McKinney; however, he did not see a reason to deny the rezoning request. He stated that the subject property was already off of the tax rolls, since the McKinney Independent School District (MISD) already owns it.

Commission Member Mantzey stated that he was supportive of the rezoning request. He stated that the consideration of a stadium on the subject property would be decided during a bond election at a later time.

On a motion by Commission Member Smith, seconded by Commission Member Cobbel, the Commission voted unanimously to recommend approval of the rezoning request as recommended by Staff, with a vote of 6-0-0.

Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on March 15, 2016.