

## Joseph Moss

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**Subject:** FW: 190077z Hardin Lakes Estates

From:  
Sent: Wednesday, September 11, 2019 8:16 AM  
To: Joseph Moss  
Subject: 190077z Hardin Lakes Estates

Dear Mr. Moss,

I am writing to express my concerns about the proposed Hardin Lakes Estates development. My concern is the density, which is too high for the small area that would only have Sorrell Road for its residents to enter in and exit from. This would log jam all Sorrellwood Park residents of which I am one. I live at 301 Turtle Creek Drive.

Please work to lower the number of houses that can be built on the property. I also do not want a bike or walking path behind my house. Criminals could easily come through the park and gain access to my and my neighbors homes undetected. I was also promised a green belt lot when I purchased my home so removing trees to make a path is not acceptable in my opinion.

Thank you for your consideration in this matter. Please keep me posted on this issue. I never received the postcard that some of my neighbors received.

Sincerely,

Lori Breece

## Joseph Moss

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**Subject:** FW: Rezoning request for proposed Hardin Lake Estates

**From:** Frank Bures

**Sent:** Tuesday, September 10, 2019 11:09 AM

**To:** Scott Elliott

**Cc:** Joseph Moss

**Subject:** Rezoning request for proposed Hardin Lake Estates

Scott,

I oppose the Rezoning request for proposed Hardin Lake Estates for the following reasons:

1. The proposed zoning for smaller lots and homes will devalue my property in Hardin Lake.
2. Having an additional ninety (90) plus homes built on Sorrell road with the only exit being via Sorrell road will cause a traffic backup at Sorrell road and Hardin road. There is some back up now during peak times with traffic exiting the Sorrelwood and Hardin lake subdivisions. What will happen when the traffic back up happens with the proposed addition homes is the traffic will cut through the Hardin Lake neighborhood via Albany Dr. to Snyder to Piersall to the traffic light that is being installed now at Hardin road. I do not want cut through traffic coming through my street. I purchased my property feeling secure that it would not have any additional traffic other than neighborhood traffic.

In my opinion the proposed Hardin Lake Estates zoning change request from RS-84 to SF-5 allows for too much traffic for the two lane Sorrell road to properly accommodate.

Please contact me if you have question or would like any additional information.

Your full consideration in this matter is expected and would be appreciated.

Thank you,

Frank Bures  
809 Snyder Dr  
McKinney, TX 75072

## Joseph Moss

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**Subject:** Pending rezoning application for 30 acres of the Ragsdale Farm property just to the north and west of Hardin Lake

**From:** Tin Chan

**Sent:** Monday, September 9, 2019 3:52 PM

**To:** Joseph Moss

**Subject:** Pending rezoning application for 30 acres of the Ragsdale Farm property just to the north and west of Hardin Lake

The developer of this property is asking that the property which is currently zoned as RS-84, which requires minimum single family home lots to be 70'w X 110'd, to be rezoned to allow SF-5, which would allow for minimum size lots of 40' X 80'd, and SF-7.2, which would allow for minimum size lots of 50'w X 90'd. **This rezoning is unfair to all the homeowners of the Hardin Lake community**, who purchased their homes 5 years ago with no forewarned knowledge whatsoever that houses with lot sizes allowed under SF-5 would be built just north and west of Hardin Lake on the topographical high of this area of McKinney. If this this rezoning is allowed, it will definitely reduce the property values of homes in the Hardin Lake Community. If the developer is successful in this rezoning application, it might yet be embolden to further apply for rezoning to build houses on even smaller lots! I am sure McKinney's honorable city councillors will not allow a greedy developer to profit on the back of the Hardin Lake homeowners!

Sincerely,

Melissa Chan and Tin Chan  
Owners, 2705 Albany Dr McKinney TX

## Joseph Moss

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**To:** John Davis  
**Subject:** RE: Zone Case 2019-0077

From: John Davis  
Sent: Thursday, September 5, 2019 10:41 AM  
To: Joseph Moss <jmoss@mckinneytexas.org>  
Subject: Zone Case 2019-0077

We have just purchased a house in Sorrell Lake Park and were surprised at the plan to rezone the property adjacent to our development. I can honestly say we would not have purchased the property had we known that we were going to be encircled by 5,000 SF lots. Our lot is 7500 SF and it is as close to the zero lot line as you would ever want to get. This will surely diminish the desirability of our neighborhood thus impacting the values.

We back up to Sorrell Circle. There are two one million dollar homes and as I understand it the plan is to rezone the lots between them into 5000 SF. That makes no sense. It destroys the continuity of the entire neighborhood.

I am opposed to the rezoning plan. It would be my preference that the zoning remain the same as it is today. I plan on attending the meeting on the 10th.

Thank you for your consideration.

## Joseph Moss

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**Subject:** FW: Ragsdale/Brown Re-Zoning Request

**From:** Bob Given

**Sent:** Sunday, September 8, 2019 10:47 AM

**To:** Joseph Moss

**Subject:** Ragsdale/Brown Re-Zoning Request

As a five year homeowner in Hardin Lake subdivision, I was pleased to learn about the original plan to subdivide Dr. Ragsdale's property into large lots having large homes. It would fit nicely into the Sorellwood and Hardin Lake subdivisions.

But now, we are all enraged by the recent request to re-zone into much smaller lots having much smaller homes. I suspect that a HUD grant has been made available to the developers which would allow for a way to maximize their gain at the expense of us local homeowners.

This is not a neighborhood that wants to see a subsidized housing development placed right in the middle of two very nice subdivisions. We have all seen this happen before and it has always caused existing home property values to drop significantly. No one wants to buy a home near subsidized government housing.

We will do everything we can to vigorously oppose any approval for this re-zoning request.

Bob & Judy Given  
2837 Piersall Drive

## Joseph Moss

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**Subject:** Rezoning near Hardin Lake

From: Scott Jones  
Sent: Monday, September 9, 2019 8:22 PM  
To: Joseph Moss  
Cc: Patti Jones  
Subject: Rezoning near Hardin Lake

Although we are not within 200 ft of the proposed rezoning of the Ragsdale property on Hardin Blvd, we oppose this rezoning. The reduction of lot sizes will reduce the property values in the area, which will have a detrimental effect on the property values in the Hardin Lake community. This change is not consistent with the surrounding area, which includes several communities with higher priced homes.

Again, just so we are crystal clear, we are vigorously opposed to this rezoning and ask you to disapprove it.

Winston S & Patricia M Jones  
2708 Piersall Dr.  
McKinney, TX 75072

## Jennifer Arnold

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**From:** Scott Jones  
**Sent:** Thursday, December 5, 2019 11:38 AM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** #19-0077Z

Dear Mr. Moss:

We object to the proposed zoning change #19-0077Z. This change would dramatically alter the nature of our neighborhood.

Winston S and Patricia M Jones

2708 Piersall Dr.  
McKinney, TX 75072

## Joseph Moss

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**Subject:** FW: Ragsdale Rezoning Request

**From:** Ellen Landrum

**Sent:** Tuesday, September 10, 2019 8:41 AM

**To:** Joseph Moss ; Scott Elliott

**Cc:** Molly McLeay

**Subject:** Ragsdale Rezoning Request

To All,

I live on Piersall Drive, Hardin Lake subdivision. It has come to my attention that there is a proposal for zoning change on Ragsdale's property. The rezoning proposal would allow much smaller lots/homes to be constructed. This will have a negative impact on existing home values in the surrounding area. My house is not within 200 feet of the Ragsdale property but my house value will undoubtedly negatively impacted also as I am located in the same Hardin Lake subdivision, Comp..

The subdivisions along Hardin Blvd. and Sorrell Road all have large lots with large homes. The city should **Not** approve this zoning change request considering the negative financial impact it will have. Please leave the current zoning as is. Making the requested change is unacceptable.

Regards,  
Ellen Landrum  
2820 Piersall Drive  
Hardin Lake



## Jennifer Arnold

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**From:** Michael Lestage  
**Sent:** Wednesday, December 4, 2019 2:10 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Zoning Case 19-0077Z

My name is Michael Lestage. I live at \_\_\_\_\_ in the Hardin Lake Subdivision. My property backs up to the Ragsdale property within 200 feet. This communication is to notify you that I am in opposition of the rezoning of the Ragsdale property that is scheduled to be presented to the Planing and Zoning meeting on December 10, 2019.

## Joseph Moss

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**Subject:** Rezoning Request

**From:** Molly McLeay

**Sent:** Monday, September 9, 2019 2:15 PM

**To:** Joseph Moss

**Subject:** Rezoning Request

Hello Joe - I am a homeowner of the Hardin Lake community and directly backing up to the land parcel. I am within 200 feet and will be signing the protest documents regarding the rezoning to SF-5. I am also President of the Hardin Lake HOA and heard many many complaints about this rezoning.

Personally I was very annoyed with the short notice. I travel a fair amount for my job and was recently attending to the nightmare of my 87 and 89 year old parents readjusting to assisted living. It felt like this notice (delivered last Thursday) was trying to take advantage of us without any significant notice. Annual meetings require 30 day notice to homeowners for our HOA and this significant change should not be less. Apparently it is. From the notice delivery to the meeting is less than a week. This has angered many homeowners and made them suspect from the start..

Previously we had been approached and comfortable with the current zoning RS 84. . The SF-5 high density does tend to lower surrounding property values (which we really don't like since we have all invested a tremendous amounts in our homes) but more importantly, this design should consider endangering (a higher count of) future owners or tenants due to access. It makes no sense to put this kind of density in this particular land parcel. Land (with better access) is abundant in McKinney and would be prudently, conservatively located there. Access to this particular piece of land is challenging without ANY direct thoroughfares like Hardin-Virginia or University 380. First responders would be slowed winding through several streets and neighborhoods and could be delayed in reaching citizens. Homeowners should be advised but tenants might not be saavy enough to consider this. The city should protect this.

The SF-5 density change is totally unacceptable Very happy to see this land developed but it needs to well thought out and be on significantly larger tracts of land.

Molly McLeay  
817 Lockhart Drive  
McKinney TX

2804 Albany Drive  
McKinney, TX 75072  
September 18, 2019

City of McKinney Planning & Zoning Commission  
c/o Mr. Joseph Moss, Planner  
222 N. Tennessee Street  
McKinney, TX 75069

Re: Rezoning Case #19-0077Z

Dear Commission Members & Planning Staff:

As residents of the City of McKinney and as adjoining property owners with a clear view at the rear of our home of and to the property which is the subject of this rezoning case, we are writing to express our very strong objection to this requested property rezoning from "RS-84" to "SF 5."

First, it is helpful to remember the purposes for even having a zoning regime in the City of McKinney. It is manifestly NOT to ensure that a property owner maximizes just the property's sale or development values. It also is manifestly NOT to bail out a property owner that has previously "spun off" parts of its property over the years for economic benefit, but resulting in a residual property occupied for years as a bucolic estate but which, by the owner's own actions, has now been "painted into a corner" with only a narrow driveway remaining to connect it to the public roadway system.

As succinctly stated in Sec. 146-2 of the McKinney Code of Ordinances:

"It is the purpose of [these regulations] to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, all in accordance with the comprehensive urban plan for the city." [emphasis supplied]

It is impossible to see how this drastic rezoning of existing single-family residential property from RS-84 to SF 5 will truly serve these purposes as set forth in McKinney ordinances.

Below you will see a basic table to contrast just "as of right" features of the two zoning classifications, as set forth in city regulations, which includes a row showing dramatic reduction of lot size attributes should the requested rezoning be granted.

In making such a comparison, it is important to also remember that this case does NOT present a green field zoning matter involving semi-rural property where the "neighbors" consist mostly of cows, birds, snakes and bugs. The fact is that this specific property is situated in a core, established residential area of McKinney, and is already surrounded by SIX other residential subdivisions (Provine Farms Estates, Stonegate Phase #2, Eldorado Lakes, Sorrellwood Park, Sorrell Estates and Hardin Lake), (FIVE of which require minimum lot sizes of 7,200 s.f.).

Zoning	Individual Minimum Lot Area	Individual Minimum Lot Width	Individual Minimum Lot Depth	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback (Interior Lots)	Minimum Side Yard Setback (Corner Lots)
<i>RS-84 (existing)</i>	<i>8,400 sq. ft.</i>	<i>70'</i>	<i>110'</i>	<i>25'</i>	<i>25'</i>	<i>10'</i>	<i>15'</i>
<i>SF-5 (requested)</i>	<i>5,000 sq. ft. (1)</i>	<i>40' (2)</i>	<i>80'</i>	<i>20' (3)</i>	<i>15' (4)</i>	<i>0' (5)</i>	<i>15' (4)</i>
<b>Reduction %</b>	<b>-40%</b>	<b>-43%</b>	<b>-27%</b>	<b>-20%</b>	<b>-40%</b>	<b>-100%</b>	<b>n/a</b>

**COMPARISON OF AS OF RIGHT ZONING CHARACTERISTICS – CASE #19-0077Z**

NOTES

- (1) The mean & median lot size for the neighborhood shall be a minimum of 7,200 square feet.
- (2) Garages that are accessed from the front of a lot with a width of less than 50 feet shall not be permitted. Garages for these lots (< 50' wide) shall be accessed via alleys adjacent to the rear of the lot. A driveway with a minimum depth of 20' shall be provided in front of the rear entry garage door.
- (3) A 10' encroachment zone shall be permitted between the building setback and the property line within which porches, patios, and similar structures may be constructed. For these purposes, porches and patios shall mean covered, open air recreation spaces which may or may not feature railing and/or low walls (~ 30" to 40" in height) to create a sense of enclosure. Covered, open air spaces that feature floor to ceiling walls with or without windows or other openings (e.g. sun rooms, sun porch, solarium, greenhouse) shall not constitute a porch or patio.
- (4) Rear or corner side-entry garages shall adhere to a 20' building setback in order to accommodate a 20' driveway between the garage door and the alley or street.
- (5) A minimum building separation of 10' shall be maintained between dwelling units. If a zero-lot line product is to be constructed, the desired zero lot line side of each lot indented to accommodate such a residential product shall be indicated on an approved records plat, minor plat, minor replat, or amending plat which shall be filed for record.

These are some specific objections (in no particular order of priority) to the proposed rezoning, offered in the context of the City's own statement of purposes of zoning itself:

- Rezoning to SF 5 could add, as a matter of right, substantially more than 100 new homes on a property that is today already zoned to accommodate 40% fewer single-family detached homes on minimum 70' (frontage) by 110' lots (depth) with a minimum overall lot area of 8,400 sq. ft.
  - How would this rezoning "lessen congestion in the streets" of today's existing residential neighborhood?
  - How would this rezoning help "to secure safety from fire, panic and other dangers"?
  - How would this rezoning help "to provide adequate light and air"?
  - How would this rezoning "prevent overcrowding of land"?
  - How would this rezoning "avoid undue concentration of population"?
  - How would this rezoning "facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements"?
- Rezoning of lots already zoned RS-84 and previously sold by an affiliate of this owner to private individuals but now controlled by the owner or an affiliate apparently just to make SF 5 possible by converting a simple narrow driveway to a public street and converting two cul-de-sac single-family lots to a public street is an inappropriate use of City zoning power.
  - Specifically, 629 Sorrell (Ragsdale Addition, Block A, Lot 6), which is located facing Sorrell Road and, like the rest of Ragsdale Addition is already zoned RS-84, in no way should be included in any SF 5 rezoning since doing so would only work to provide the owner with the legal means to turn a driveway into a city street carrying hundreds of cars, trucks, construction vehicles, garbage trucks, recycling trucks and other traffic each day.
  - Similarly, the cul-de-sac lots located on Sorrell Circle (also Ragsdale Addition and zoned RS-84) should not be rezoned only to provide the owner a legal means to establish an ingress / egress roadway to a new SF 5 subdivision.
- Moreover, rezoning of the remaining open area in Ragsdale Addition to SF 5 would introduce a real risk of incompatible use by right of the property to construct a residential product on 40' wide lots, perhaps some with zero lot lines. This risk is amplified by the new state law (H.B. 2439, effective as of September 1, 2019) which prohibits local governments (such as the City) from establishing and/or enforcing residential or commercial architectural standards.
  - In effect, the outcome of the SF 5 zoning change combined with H.B.2439, could result in construction of quite small single-family homes on very small lots, perhaps including zero lot line structures, with outside architectural details and materials unlike all surrounding, existing residential neighborhoods.
- Needless to say, rezoning all or parts of Ragsdale Addition RS-84 lots facing Sorrell Road or Sorrell Circle to SF 5 would drastically affect those lots with substantial homes already built and valued on the City and Collin County tax rolls up to \$1.4 million.
- Similarly, the homeowners like me, along Albany Drive and Lockhart Drive, would be adjacent to such homes, if rezoned to SF 5 and built to minimum rights.
  - This would actually create street crowding on Sorrell Road, Albany Drive and Snyder Drive, cause much higher levels of noise, light pollution, vehicle pollution and destroy the bucolic nature of the area as well as further burden established public facilities such as public parks, fire and police coverage, water and other public services for the area.

All in all, a vote by the Planning & Zoning Commission to recommend City Council approval of this SF 5 rezoning request would hardly be a vote for consistency in zoning, evenly applied, consistent with the stated purposes by the City in establishing a zoning regime in the first place, and unworthy of the City of McKinney's public face – *"Unique by nature."*

We respectfully request that the City of McKinney Planning & Zoning Commission refuse to recommend this rezoning from RS-84 to SF 5 to City Council.

Sincerely yours,

A handwritten signature in blue ink that reads "G. Russell Mortenson". The signature is written in a cursive style with a large initial "G".

G. Russell Mortenson

A handwritten signature in blue ink that reads "Beth A. Mortenson". The signature is written in a cursive style with a large initial "B".

Beth A. Mortenson

## Jennifer Arnold

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**From:** diana owens  
**Sent:** Wednesday, December 4, 2019 2:04 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Notice2-1202 Ragsdale Farm.

Good afternoon I would like to provide notice of our opposition to the proposed development and plan as proposed.

Thank you.  
Joel & Diana Owens

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## Joseph Moss

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**Subject:** FW: Reference Case 19-0077Z - Hardin Lakes Estates

From: Erik Simonsen  
Sent: Tuesday, September 10, 2019 5:07 PM  
To: Joseph Moss  
Subject: Reference Case 19-0077Z - Hardin Lakes Estates

Sir,

Unfortunately neither my wife or I am available for the meeting tonight regarding the Hardin Lakes Estates re-zoning request. I would like to pass along my concerns from what I have been able to review.

1. Adequacy of the roads/planned roads for so much additional traffic. Sorrell Road does not seem to be designed for so much additional traffic, since it seems to be the only route for the new traffic to get on and off Hardin Blvd. Additionally there are already times where the traffic and parking can create congestion on Sorrell Road, and with some limited visibility over the rise I wonder if Sorrell can handle that congestion safely. Also the turn onto Hardin from Sorrell seems to be an awkward angle, where I have already observed some close passes between traffic. It seems with this additional traffic the number of hazardous events will increase at this intersection. Overall it seems like another route of travel is required from this neighborhood in order to handle the additional traffic safely.

2. Value of our property. This land appears to be shoehorned back between two neighborhoods and depending on design my property value could be reduced. If the developer does not integrate their' building in an attractive, integrated way with the other neighborhoods then our neighborhoods will look less attractive to future buyers. If privacy is reduced making my neighbors houses less appealing we will not be able to recover the lost value.

Overall I realize they will develop this land, however, I worry about traffic safety and congestion. Along with that I don't believe the developer is necessarily concerned about maintaining my homes value as part of their plan, so I want to ensure they integrate their development in an attractive and commensurate way. I appreciate your consideration.

Very Respectfully,  
Erik and Julee Simonsen  
300 Bachman Creek Dr.  
McKinney, Texas 75072



## Joseph Moss

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**Subject:** FW: REQUEST FOR DELAY on Hardin Lake Estates approval for pending EIAs

**From:**

**Sent:** Wednesday, September 4, 2019 1:01 PM

**To:** Joseph Moss <jmoss@mckinneytexas.org>

**Subject:** Re: REQUEST FOR DELAY on Hardin Lake Estates approval for pending EIAs

Thank you for your response.

You may notice that Richard Ragsdale's previous bifurcations would now be categorized in the SF12, SF10, SF8 zoning code.

"Existing neighborhoods should be continued and promoted."

"Any infill development that occurs within this District should be consistent and/or compatible with the existing built conditions."

-- quotes from the Strategic Direction page of One McKinney 2040 masterplan.

The existing "neighborhood" of bifurcated premium lots Richard Ragsdale designed himself have anywhere from 300' to over 360' contiguous property boundaries to the proposed development. SF5 would unreasonably permit 7-8 homes to back up to a (currently valued) \$2M home with an almost 300' boundary. On our property, that shares 360' boundary, it would have the unacceptable view of 9-10 homes on SF5's 40' allowable width lots.

You can be assured none of the bifurcated lot owners were ever told there was going to be tract homes squeezed onto the Ragsdale Farm when we made our purchase and build decisions. We bought premium lots on the front of an estate.

Protect our neighborhood by rezoning to SF12, SF10, and SF8 lots.

Protect our wildlife habitats by saving the forested area as open space.

Either protect our property values or provide life of dwelling property tax abatements for the bifurcated lot owners.

Protect our air quality. Minimize noise and traffic. We are not anti-development. We are pro Neighborhood Integrity for the entire Ragsdale Addition/Farm/Hardin Lake Estates.

Respectfully,

Paul and Karen Sowards

625 Sorrell Rd, McKinney, TX 75072

## Jennifer Arnold

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**From:** Kathy Wright  
**Sent:** Monday, December 2, 2019 7:55 AM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** FW: Zoning case # 19-0077Z

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FYI

*Katherine Wright*  
*City of McKinney*  
*Planning Department*  
221 N. Tennessee Street  
McKinney, TX 75069  
972-547-7409  
<https://www.surveymonkey.com/r/mckinneyplanningfeedback>

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**From:** Paul Sowards  
**Sent:** Saturday, November 30, 2019 12:56 PM  
**To:** Contact-Planning <Contact-Planning@mckinneytexas.org>  
**Subject:** Zoning case # 19-0077Z

I am writing to express my opposition to the proposed rezoning request listed above. I own the property just north of the proposed zoning change. When we purchased the property we were required to accept and abide by covenants governing our property and the surrounding properties as part of an HOA. Those covenants included the property (lot 6) located just north of us. The covenants and zoning were intended to protect the investment homeowners made in their residential properties. The proposed zoning change significantly modifies the nature of future development and violates the covenants that were in place when we purchased the property (lot 5) and other surrounding properties.

I request the developer be required to abide by the covenants and restrictions that have been in place for several years regarding lot 6.

The proposed zoning changes also raises significant questions for future traffic and access.

Paul A. Sowards



## Joseph Moss

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**Subject:** RE: 701 Sorrell Rd.

**From:** Catherine Stanford

**Sent:** Wednesday, September 4, 2019 2:00 PM

**To:** Joseph Moss <jmoss@mckinneytexas.org>

**Subject:** Re: 701 Sorrell Rd.

Thank you Joseph for your response. I realize that they are only applying for rezoning at this time and that there are no "formal" plans filed with the city, but we are also aware of some informal plans floating around. We disagree with the need to rezone at all given the minimum requirements for RS-84 UNLESS someone is looking to divide the property into smaller lots which we oppose. I am aware of other zoning options, SF12, SF10, and SF8, that are the more in line with the current zoning and would be more in line with adjacent properties.

Catherine Stanford  
2904 Sorrell Circle  
McKinney, TX 75072

## Joseph Moss

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**Sent:** Thursday, December 5, 2019 8:09 AM  
**To:** Joseph Moss  
**Subject:** Hardin Lakes Estates

Mr. Moss,

We live at 301 Turtle Creek Drive. We want to express our opposition to the proposed development on Ragsdales's property. The density is way to high and will make getting out of our neighborhood on Sorrell Road almost impossible. That small road cannot handle that much traffic. I also firmly believe that the project will lower Sorrellwood Park's property values, which is not fair to us.

Please do not approve the plan.

Thank you,

Mike and Lori Breece

## Joseph Moss

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**From:** Kim Cabeza  
**Sent:** Friday, December 6, 2019 8:39 AM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Letter of Opposition to Zoning Case # 19-0077Z

Please accept this email as my opposition to Zoning Case # 19-0077Z. The current RS-84 zoning is acceptable and should be maintained because it is compatible with that of the connected neighborhoods.

I respectfully request that the City of McKinney Planning and Zoning Commission maintain the current zoning as RS-84.

Kim Cabeza

## Joseph Moss

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**From:** Rene Cabeza <renecabeza@yahoo.com>  
**Sent:** Friday, December 6, 2019 8:09 AM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Letter of Opposition to Zoning Case # 19-0077Z

Please accept this email as my opposition to Zoning Case # 19-0077Z. The current RS-84 zoning is acceptable and should be maintained because it is compatible with the contiguous, connected neighborhoods of Provine Farms Estates, Stonegate Phase #2, Eldorado Lakes, Sorrellwood Park, Sorrell Estates and Hardin Lake. Please note that five of these neighborhoods require minimum lot sizes of 7,200 square feet and many homeowners in these neighborhoods paid premiums for view and privacy lots. Proposed rezoning would invite disproportionate home values relative to the existing homes and would result in depreciation of existing home values.

I respectfully request that the City of McKinney Planning and Zoning Commission maintain the current zoning as RS-84.

Rene Cabeza

## Joseph Moss

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**From:** Javier Campos  
**Sent:** Saturday, December 7, 2019 8:51 AM  
**To:** Joseph Moss  
**Subject:** Fwd: Zoning Case #19-0077Z

Sent from my iPhone

Begin forwarded message:

**From:** Javier Campos  
**Date:** December 7, 2019 at 8:40:33 AM CST  
**To:** Daddy Computer MacBook  
**Subject:** Fwd: **Zoning Case #19-0077Z**

Sent from my iPhone

Begin forwarded message:

**From:** Javier Campos  
**Date:** December 1, 2019 at 5:58:08 PM CST  
**To:** [planning@mckinneytexas.org](mailto:planning@mckinneytexas.org)  
**Subject:** **Zoning Case #19-0077Z**

I am the owner and a resident of 309 Gentle Creek Dr, McKinney, TX.

I am in complete opposition of the proposed development and the builder has done nothing to modify his submitted plans which go counter to the current community standards and the lack of infrastructure support for increased traffic, incompatible density, over crowded schools, among other things.

Javier Campos  
309 Gentle Creek D  
McKinney, TX 75072

Sent from my iPhone



## Joseph Moss

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**From:** Cardelino, Jacqueline  
**Sent:** Monday, December 9, 2019 11:11 AM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Reference Case 190077z2 - Hardin Lake Estates

I am writing to you all in regards to the proposed rezoning case 190077z2. My home is on Lockhart and backs directly to the property in question. I oppose the current request to rezone the property from SF-84 to SF-5.

I am on the HOA board for Hardin Lake, and residents have been very vocal in their disapproval for the proposed rezoning from SF-84 to SF-5, even with the minimum lot sizes included in the proposal, specific verbiage attached below.

Development of the Property will conform to the revised Development Regulations submitted along with this letter which modify the space limits contained in Appendix F, Section F-1 as the same relate to SF5 in the following particulars:

- a. Minimum lot width shall be 50'; and
- b. Minimum side yard shall be 5'.

The intended effect of these modifications to the SF5 base zoning district is to prohibit lots configured with a zero side yard lot lines and to increase the minimum lot width to 50'.

When considering the property and surrounding areas, the current zoning is not only adequate but is appropriate to maintain balance and control density in the area. The property in question is the last parcel of a personal homestead, and it appears to be shoehorned in between other property parcels this owner has sold over time. It was my understanding that when talking with these owners, this land was not in scope for development; that is why there were no accommodations made to ensure adequate roads were available for ingress and egress. Landlocked properties do not come with automatic access easement over neighboring properties. They should have planned as it was communicated with the owner numerous times from the City of McKinney that a road would be required to develop the land.

There is not a need for a zoning change on this property, the fact that the applicant wants to develop a specific piece of property is not enough to justify a zoning change, especially when you take into consideration the rezoning will increase traffic on insufficient road structures. The roads and intersections that would be used by the proposed development are narrow and not equipped to safely handle the increase in traffic. The proposed development will also have impacts on the surrounding neighborhoods and will hurt the neighboring home values.

I think it is essential to note that the neighbors most impacted by the project are opposed to the rezoning; almost every neighbor who lives within 200 feet of the property have expressed their concerns.

While the property owner and developer claim to have held meetings at which they gathered feedback from the community, in reality, these meetings served as a platform to inform the neighborhood of the plans, not to engage in dialogue or consider neighbors' concerns. Also, many "promises" have been thrown out in an attempt to support their case for rezoning. Misinformation and different versions of stories have also eroded trust in the owner and developer of this land, and another reason I am adamantly opposed to the rezoning.

Thank you,  
Jacqueline Cardelino

Jacqueline Cardelino |Business Planning|T-Mobile |

## Joseph Moss

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**From:** John Davis  
**Sent:** Sunday, December 8, 2019 12:45 PM  
**To:** Joseph Moss  
**Subject:** 0077 Application for Rezoning

I have been keeping up with the status of the above captioned application. I understand that this subject will be evaluated by the committee this next week. Unfortunately, I will be out of town but I wanted to provide you with a brief statement as to my position in this matter.

I am firmly in opposition of rezoning as currently proposed for the following reasons:

- If the land in question must be developed I am in favor of retaining the current RS84 status as that is compatible with four out of five of the contiguous neighborhoods. Unless there was a serious error made in the initial zoning of these neighborhoods why is there a plan to change it?
- The traffic, both public and private, will increase substantially. This will impact both the safety and desirability of our neighborhoods.
- If smaller lots result in more density and smaller houses our property values will be negatively impacted. If "McKinney Unique by Nature" is anything other than an empty slogan why would the zoning committee vote to punish existing homeowners who made a good faith decision to purchase in these developments because of their desirability and investment potential???

Homeowner in Sorrell Wood

2800 Albany Drive  
McKinney, TX 75072  
December 6, 2019

City of McKinney Planning & Zoning Commission  
c/o Mr. Joseph Moss, Planner  
222 N. Tennessee Street  
McKinney, TX 75069

Re: Rezoning Case #19-0077Z

Dear Commission Members & Planning Staff:

As resident of the City of McKinney and as adjoining property owner with a clear view at the rear of my home of and to the property which is the subject of this rezoning case, I am writing to express my very strong objection to the rezoning from "RS-84" to "SF 5", for this property.

After recent divorce in 2017 from which I resided for 17 years in The Preserve at Mallard Lakes, I researched housing close to area that would still afford the lifestyle and property value in close proximity and found that Hardin Lake meet my requirements. The adjoining property of "Ragsdale Estates" was to be fill-in estate homes, adding to value of area. Now it appears to be a "quick sale" for a developer to maximize density size for the extreme economic benefit. Why SF-5? Why are we discussing the fullest extreme measure for "Rezoning" of this area? Could we not consider SF-7.2 or SF-8? Both of which would benefit the supporting neighborhoods, reduce the destruction of wildlife and reduce the traffic issue proposed in the SF-5 extreme density scenario currently offered.

Today, there is only one narrow access point proposed to this newly, high density development plan to Sorrell Drive in which street traffic congestion is imminent by all surrounding residents in adjoining neighborhoods; possibly restricting Emergency or exit access to traverse to and from our homes. The obstructed view exiting Sorrell Road is already safety issue as it joins Hardin with hidden view due to hill to the North. It is via impossible to see how a drastic SF-5 rezoning from RS-84 will truly serve the purposes set forth in McKinney Zoning Ordinances.

As succinctly stated in Sec. 146-2 of the McKinney Code of Ordinances:

"it is the purpose of [these regulations] to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, all in accordance with the comprehensive urban plan for the city."

The developer may shows on glossy charts or posters with the layout for SF-5 plan; but the reality is once the P&A zoning approves, the developer has every right to sell the land package with new zoning in place and maximize profits for the land. The "writ" essence of SF-5 legalities: zero lot lines, back alleys, 5' between houses, 5,000 sq. lot sizes, etc., is counterintuitive to the current surrounding

neighborhoods and my property value will decline as result. This is not what I was lead to believe would be developed behind my \$400K home when I purchased my Hardin Lake property.

- Regrading of Ragsdale property to drain correctly to the SE will mean replacing walls along Albany and Lockhart Drive. Resulting in reduced privacy and quality of life in back yard living.
- Substantial new daily traffic patterns that may result in car lines thru Hardin lakes along Snyder Drive to get to traffic light at Piersall/Hardin.
- Loss of the trees and nature to the lake.

There are many reasons to argue against the dramatic rezoning to SF-5, and I hope I've shared my concern to you for consideration. Again, as home owner on Albany Drive, I know that the Ragsdale property will be developed; I just feel SF-5 versus SF7.2 or SF-8 should be weighed in the consideration for developing the "in-fill" community to our City of McKinney standards and codes, not just allow a quick sell out by the developer for lowest zoning level SF-5. I've lived in McKinney since 2001 and hope to end here as well. I've been a part of the city development for over 18 years to see this community grow with integrity, purpose and love for community. The changes purposed are not in the consistency of development I've been a part of for 18 years and ask you to deny the SF-5 rezoning. Let's work together to build SF-7.2 or SF-8 development to be worthy of this community of McKinney.

I respectfully request that the City of McKinney Planning & Zoning Commission refuse to recommend this rezoning for RS-84 to SF-5 to City Council. Please ask for developer to devise SF-7.2 or SF-8 possible plan.

Sincerely yours,



12/6/19

Molly A. Disney

## Jennifer Arnold

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**From:** Michael Harrison <mikeharrison75@gmail.com>  
**Sent:** Tuesday, December 10, 2019 2:03 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Rezoning of property near Sorrellwood Park

Good afternoon Mr Moss and Mrs Arnold, my name is Michael Harrison, and I live at 317 Turtle Creek Dr, McKinney, TX 75072. My property directly touches the property that is requesting a zoning change from its current RS84 status. I am also the Vice-President of Sorrellwood Park.

I am extremely disappointed that this decision was approved without any input from the residences that surround the property. We feel that this is and has been rushed through without any consideration to the residences that it will effect for years to come.

Therefore, I am very much against the decision to change, and request that it stay in the RS84 zone that it is current in. This will work with 4/5 of the surrounding properties, in which 88% of the residences are against the change (which is 100% of whom we talked to).

I will be attending the city council meeting tonight and will state my opinion to the council in hopes that they override the poor decision, and hope to meet you both to discuss further.

If you have any questions, please feel free to respond or call at the number below.

Thank you.

**Michael Harrison**

## Joseph Moss

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**From:** Karen James  
**Sent:** Friday, December 6, 2019 2:16 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Rezoning Case 19-0077Z Letter of opposition

Dear Joe and Jennifer,

I am writing this letter in opposition to the rezoning of the property at 701 Sorrell Rd. I am a resident of Sorrellwood Park and have some concerns about the density of the proposed zoning request. I know the current zoning is RS-84 which seems to be sufficient for the property and in accordance with the surrounding areas. According to the McKinney 2040 Plan, infill developments should be consistent with surrounding neighborhoods and PD/SF5 is only consistent with one of six surrounding neighborhoods. It is my opinion that the zoning should remain as is.

I was opposed to this the last time it was on the agenda, and as far as I can tell there has not been any substantial change to the proposal. Additionally, it was my understanding that this was tabled in September to give the developer the opportunity to work with the surrounding neighborhoods to find an amicable solution. To my knowledge, no one has reached out to my neighborhood of Sorrellwood Park to discuss their concerns about the proposal.

For these reasons, I would like to make it known that I am still opposed to this rezoning proposal.

Sincerely,

Karen James

## Joseph Moss

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**From:** Scott Jones  
**Sent:** Thursday, December 5, 2019 11:38 AM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** #19-0077Z

Dear Mr. Moss:

We object to the proposed zoning change #19-0077Z. This change would dramatically alter the nature of our neighborhood.

Winston S and Patricia M Jones

2708 Piersall Dr.  
McKinney, TX 75072

## Joseph Moss

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**From:** Michael Lestage  
**Sent:** Wednesday, December 4, 2019 2:10 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Zoning Case 19-0077Z

My name is Michael Lestage. I live at 2728 Albany Dr. in the Hardin Lake Subdivision. My property backs up to the Ragsdale property within 200 feet. This communication is to notify you that I am in opposition of the rezoning of the Ragsdale property that is scheduled to be presented to the Planing and Zoning meeting on December 10, 2019.



## Joseph Moss

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**From:** Molly McLeay  
**Sent:** Monday, December 9, 2019 2:10 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Rezoning Ragsdale property

Joe and Jennifer - I am a homeowner within 200 feet of this property and strongly object to increasing the density per the rezoning proposal. I have personally spoken with Mr. Brown and advised him to hold meetings with the surrounding HOA in order to reach agreeable solutions and he has declined this approach.

The SF5 size is not in keeping with the surrounding communities, is a economic detriment to the existing homeowners, and does not offer "higher or exceptional" amenities to be qualified as a Plannied Development (from my point of view).

I urge you to recommend NO APPROVAL to this request.

Molly McLeay  
817 Lockhart Drive  
McKinney, Texas

## Joseph Moss

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**From:** Isha mittal  
**Sent:** Saturday, December 7, 2019 3:41 PM  
**To:** Joseph Moss  
**Subject:** Letter of opposition for rezoning at Sorrell Circle

I write this email to state our opposition to the rezoning of the land next to Sorrellwood Park into a high density zone. This directly affects us because this new construction will share our property border.

KEEP existing RS 84 Zoning --- STOP High Density PD/SF5

Zoning Lot Min SqFt Width, Depth, Front, Rear, Side setbacks RS 84 8400 sf 70' 110' 25', 25', 10'  
PD SF5 5000 sf 50' 80' 20', 15', 5'

\*\*Current Zoning, RS 84, is compatible with most of the contiguous, connected, neighboring neighborhoods

\*\* According to OneMcKinney2040 plan: "All infill development must be compatible with existing neighborhoods." ==  
KEEP RS84 zoning

\*\* STOP High Density 97+ homes = 200-250 cars/trucks every morning, afternoon, & night coming in & out onto single-laned Sorrell Rd, dumping onto Hardin. Add to residential traffic: Service vehicles for Waste & Garbage trucks, plumbers, installers, postmen, Delivery services vehicles, School buses in and out, etc onto a single entrance onto an already busy Hardin.

\*\* Existing homes paid Premiums for View and Privacy lots. Written and Oral statements that land would be remain undeveloped were conditions we relied on when choosing to buy/build here.

\*\* Home values will greatly depreciate with SF5 homes next to RS120, RS84, RS72 homes.

McKinney Unique by Nature must be maintained.

\*\* HOA CCRs cannot be broken by 1 homeowner while the others must obey the CCRs.

Same covenants, ALL Keep.

Thanks

Isha

## Joseph Moss

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**From:** Jeannie Morrison  
**Sent:** Thursday, December 5, 2019 7:11 PM  
**To:** Joseph Moss  
**Subject:** Rezoning

Hi Mr. Moss-

I am a resident of Sorrellwood Park and am deeply concerned over the proposed building of homes off Sorrel Rd. I feel We need to KEEP RS 84 Zoning and STOP High Density PD/SF5. Our homes will depreciate in value and many of my neighbors paid extra money for their lots due to Unique by Nature McKinney promise. Those homes paid Premiums for View and Privacy lots. Written and Oral statements that land would remain undeveloped were conditions they relied on when choosing to buy/build here.

Keep our neighborhoods cohesive and compliment each other.

I am also extremely concerned about the traffic that will be coming and going in and out of there. Sorrell Rd cannot handle that kind of traffic. I cannot imagine trying to get out onto Hardin in the morning for work along with 100-250 others on that one road...and we know good and well there wouldn't be a light put there since there is one 30 yards away. my children love being able to play outside in the street/yards without a ton of traffic coming in and out of our neighborhoods.

Please keep with the RS 84 the zoning within our area...this is one of the reasons we all moved here and love it here. Do not become another Plano or Frisco. We are unique from them because we listen to the community!

Jeannie Morrison  
2905 Mountain Creek Dr.  
McKinney

Sent from my iPhone

2804 Albany Drive  
McKinney, TX 75072  
September 18, 2019

City of McKinney Planning & Zoning Commission  
c/o Mr. Joseph Moss, Planner  
222 N. Tennessee Street  
McKinney, TX 75069

Re: Rezoning Case #19-0077Z

Dear Commission Members & Planning Staff:

As residents of the City of McKinney and as adjoining property owners with a clear view at the rear of our home of and to the property which is the subject of this rezoning case, we are writing to express our very strong objection to this requested property rezoning from "RS-84" to "SF 5."

First, it is helpful to remember the purposes for even having a zoning regime in the City of McKinney. It is manifestly NOT to ensure that a property owner maximizes just the property's sale or development values. It also is manifestly NOT to bail out a property owner that has previously "spun off" parts of its property over the years for economic benefit, but resulting in a residual property occupied for years as a bucolic estate but which, by the owner's own actions, has now been "painted into a corner" with only a narrow driveway remaining to connect it to the public roadway system.

As succinctly stated in Sec. 146-2 of the McKinney Code of Ordinances:

"It is the purpose of [these regulations] to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, all in accordance with the comprehensive urban plan for the city." [emphasis supplied]

It is impossible to see how this drastic rezoning of existing single-family residential property from RS-84 to SF 5 will truly serve these purposes as set forth in McKinney ordinances.

Below you will see a basic table to contrast just "as of right" features of the two zoning classifications, as set forth in city regulations, which includes a row showing dramatic reduction of lot size attributes should the requested rezoning be granted.

In making such a comparison, it is important to also remember that this case does NOT present a green field zoning matter involving semi-rural property where the "neighbors" consist mostly of cows, birds, snakes and bugs. The fact is that this specific property is situated in a core, established residential area of McKinney, and is already surrounded by SIX other residential subdivisions (Provine Farms Estates, Stonegate Phase #2, Eldorado Lakes, Sorrellwood Park, Sorrell Estates and Hardin Lake), (FIVE of which require minimum lot sizes of 7,200 s.f.).

Zoning	Individual Minimum Lot Area	Individual Minimum Lot Width	Individual Minimum Lot Depth	Minimum Front Yard Setback	Minimum Rear Yard Setback	Minimum Side Yard Setback (Interior Lots)	Minimum Side Yard Setback (Corner Lots)
<i>RS-84 (existing)</i>	<i>8,400 sq. ft.</i>	<i>70'</i>	<i>110'</i>	<i>25'</i>	<i>25'</i>	<i>10'</i>	<i>15'</i>
<i>SF-5 (requested)</i>	<i>5,000 sq. ft. (1)</i>	<i>40' (2)</i>	<i>80'</i>	<i>20' (3)</i>	<i>15' (4)</i>	<i>0' (5)</i>	<i>15' (4)</i>
<b>Reduction %</b>	<b>-40%</b>	<b>-43%</b>	<b>-27%</b>	<b>-20%</b>	<b>-40%</b>	<b>-100%</b>	<b>n/a</b>

**COMPARISON OF AS OF RIGHT ZONING CHARACTERISTICS – CASE #19-0077Z**

NOTES

- (1) The mean & median lot size for the neighborhood shall be a minimum of 7,200 square feet.
- (2) Garages that are accessed from the front of a lot with a width of less than 50 feet shall not be permitted. Garages for these lots (< 50' wide) shall be accessed via alleys adjacent to the rear of the lot. A driveway with a minimum depth of 20' shall be provided in front of the rear entry garage door.
- (3) A 10' encroachment zone shall be permitted between the building setback and the property line within which porches, patios, and similar structures may be constructed. For these purposes, porches and patios shall mean covered, open air recreation spaces which may or may not feature railing and/or low walls (~ 30" to 40" in height) to create a sense of enclosure. Covered, open air spaces that feature floor to ceiling walls with or without windows or other openings (e.g. sun rooms, sun porch, solarium, greenhouse) shall not constitute a porch or patio.
- (4) Rear or corner side-entry garages shall adhere to a 20' building setback in order to accommodate a 20' driveway between the garage door and the alley or street.
- (5) A minimum building separation of 10' shall be maintained between dwelling units. If a zero-lot line product is to be constructed, the desired zero lot line side of each lot indented to accommodate such a residential product shall be indicated on an approved records plat, minor plat, minor replat, or amending plat which shall be filed for record.

These are some specific objections (in no particular order of priority) to the proposed rezoning, offered in the context of the City's own statement of purposes of zoning itself:

- Rezoning to SF 5 could add, as a matter of right, substantially more than 100 new homes on a property that is today already zoned to accommodate 40% fewer single-family detached homes on minimum 70' (frontage) by 110' lots (depth) with a minimum overall lot area of 8,400 sq. ft.
  - How would this rezoning "lessen congestion in the streets" of today's existing residential neighborhood?
  - How would this rezoning help "to secure safety from fire, panic and other dangers"?
  - How would this rezoning help "to provide adequate light and air"?
  - How would this rezoning "prevent overcrowding of land"?
  - How would this rezoning "avoid undue concentration of population"?
  - How would this rezoning "facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements"?
- Rezoning of lots already zoned RS-84 and previously sold by an affiliate of this owner to private individuals but now controlled by the owner or an affiliate apparently just to make SF 5 possible by converting a simple narrow driveway to a public street and converting two cul-de-sac single-family lots to a public street is an inappropriate use of City zoning power.
  - Specifically, 629 Sorrell (Ragsdale Addition, Block A, Lot 6), which is located facing Sorrell Road and, like the rest of Ragsdale Addition is already zoned RS-84, in no way should be included in any SF 5 rezoning since doing so would only work to provide the owner with the legal means to turn a driveway into a city street carrying hundreds of cars, trucks, construction vehicles, garbage trucks, recycling trucks and other traffic each day.
  - Similarly, the cul-de-sac lots located on Sorrell Circle (also Ragsdale Addition and zoned RS-84) should not be rezoned only to provide the owner a legal means to establish an ingress / egress roadway to a new SF 5 subdivision.
- Moreover, rezoning of the remaining open area in Ragsdale Addition to SF 5 would introduce a real risk of incompatible use by right of the property to construct a residential product on 40' wide lots, perhaps some with zero lot lines. This risk is amplified by the new state law (H.B. 2439, effective as of September 1, 2019) which prohibits local governments (such as the City) from establishing and/or enforcing residential or commercial architectural standards.
  - In effect, the outcome of the SF 5 zoning change combined with H.B.2439, could result in construction of quite small single-family homes on very small lots, perhaps including zero lot line structures, with outside architectural details and materials unlike all surrounding, existing residential neighborhoods.
- Needless to say, rezoning all or parts of Ragsdale Addition RS-84 lots facing Sorrell Road or Sorrell Circle to SF 5 would drastically affect those lots with substantial homes already built and valued on the City and Collin County tax rolls up to \$1.4 million.
- Similarly, the homeowners like me, along Albany Drive and Lockhart Drive, would be adjacent to such homes, if rezoned to SF 5 and built to minimum rights.
  - This would actually create street crowding on Sorrell Road, Albany Drive and Snyder Drive, cause much higher levels of noise, light pollution, vehicle pollution and destroy the bucolic nature of the area as well as further burden established public facilities such as public parks, fire and police coverage, water and other public services for the area.

All in all, a vote by the Planning & Zoning Commission to recommend City Council approval of this SF 5 rezoning request would hardly be a vote for consistency in zoning, evenly applied, consistent with the stated purposes by the City in establishing a zoning regime in the first place, and unworthy of the City of McKinney's public face – *"Unique by nature."*

We respectfully request that the City of McKinney Planning & Zoning Commission refuse to recommend this rezoning from RS-84 to SF 5 to City Council.

Sincerely yours,



G. Russell Mortenson



Beth A. Mortenson

# *PUBLIC COMMENT*

Rezoning Case  
#19-0077Z

G R Mortenson  
2804 Albany Dr





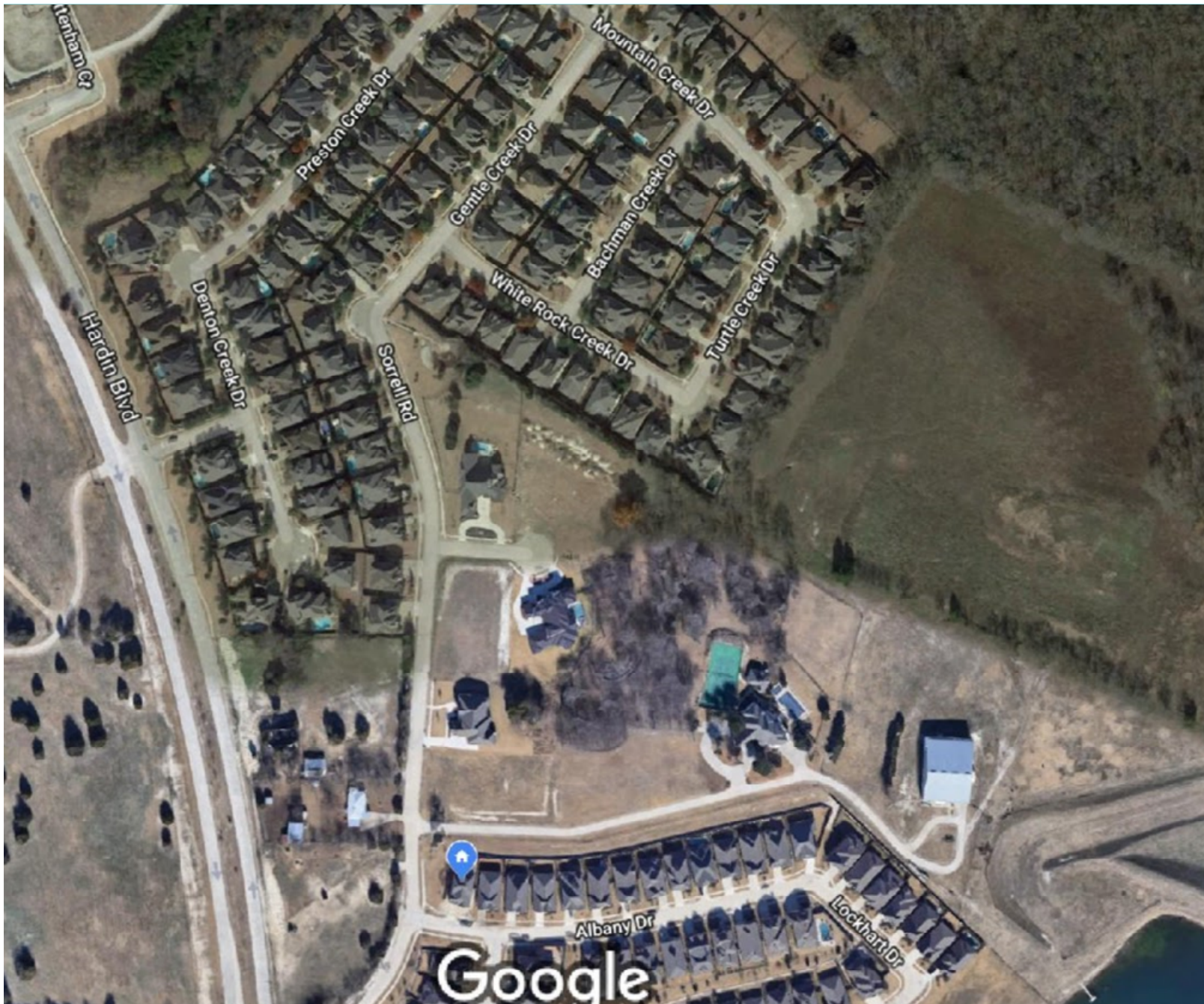
Planning Staff  
Presentation Photo of  
Subject Property –

*Not the “real picture,”  
however*

## Surrounding Area



Looking East from Sorrell Road



# REALITY coupled with Inevitable Consequences

- Narrow driveway that closely parallels back yards of single family residences on Albany & Lockhart Drives is SOLE connection to public roadway system
- Driveway will become major ingress / egress public street with heavy daily traffic and attendant noise, air pollution, lights and visual blight
- Forested area will be destroyed



Current actual view  
to north from balcony  
2804 Albany Drive



Current actual view  
to northeast from balcony  
2804 Albany Drive

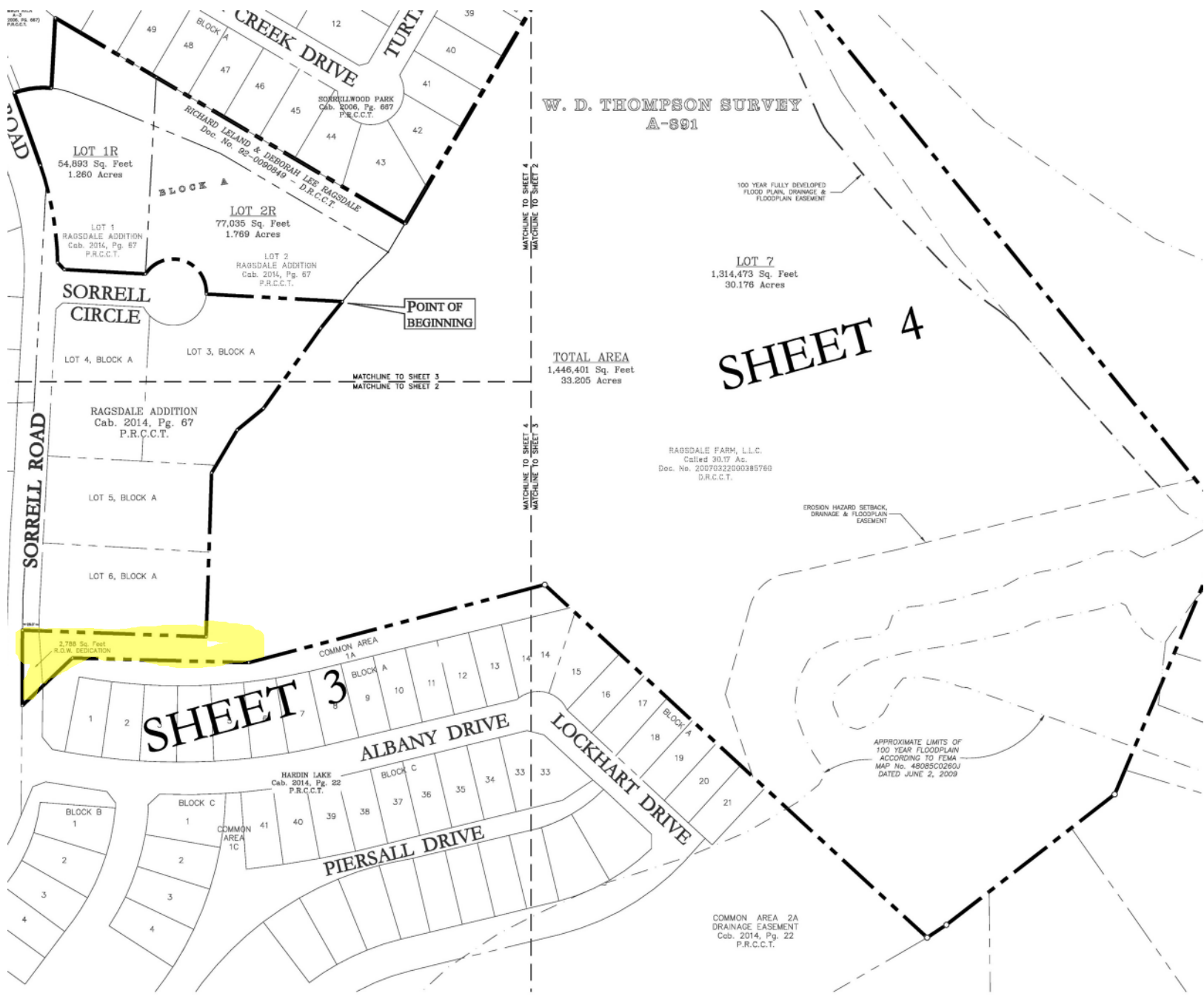
## THE REALITY on the ground

- Reliance on EXISTING SF-84 zoning to help maintain quiet residential character of neighborhood
- Reliance on EXISTING SF-84 zoning to provide continuing property value support to area
- *Reliance on EXISTING SF-84 zoning SPECIFICALLY on Lot 6 to prevent construction of a future major public street directly behind my house!*



# REALITY of Consequences of Rezoning Approval

- One proposed development plan from Applicant's developer
- *Note destruction of currently heavily forested land and related effects on wildlife and open space!*
- *Note overall density of new homes!*
- *Note 4 new houses proposed to be built on the proposed rezoned Lot 6, directly behind my house, where there was to be just 1 house!*



Creation of current SF-84 zoning & of the Narrow Driveway to Sorrell Drive was Applicant's OWN DOING

- Map from McKinney P&Z Case #15-140MR2
  - *Revalidated both zoning and plat barely 4 years ago*

# SUMMARY

- PLEASE RECOMMEND TO COUNCIL TO DENY ZONING CHANGE REQUEST FROM SF-84
  - Residents in the area OVERWHELMINGLY OPPOSE this rezoning application
    - Oppose destruction of existing, quiet, bucolic character of area
    - Oppose destruction of forested land and open space
    - Oppose the attendant negative effect on wildlife
    - Oppose the massively increased noise, traffic, and air & light pollution
  - Consider decreased property values for all and DRAMATIC value & marketability decreases for many neighboring individual homeowners
  - Consider our reliance on stability of existing SF-84 zoning when investing in our own properties
  - Consider that Staff's own financial analysis shows NO ZONING CHANGE from RS-84 will result in about \$9 million MORE development value than the PROPOSED SF-5 zoning
  - Rezoned area will NOT meet McKinney's Placetype definition for "Urban Living"
  - Already enough signatures of property owners within 200' on zoning protest petition to City Council to force Council super-majority vote



**MCKINNEY<sup>®</sup>**

**T E X A S**

Unique by nature.



## Joseph Moss

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**From:** Mizan Rahman  
**Sent:** Friday, December 6, 2019 5:57 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** KEEP RS 84 Zoning --- STOP High Density PD/SF5

Hi,

Zoning	Lot Min	SqFt	Width,	Depth,	Front,	Rear,	Side setbacks
RS 84		8400 sf	70'	110'	25',	25',	10'
PD SF5		5000 sf	50'	80'	20',	15',	5'

\*\*Current Zoning, RS 84, is compatible with most of the contiguous, connected, neighboring neighborhoods  
\*\* According to OneMcKinney2040 plan: "All infill development must be compatible with existing neighborhoods." == KEEP RS84 zoning  
\*\* STOP High Density 97+ homes = 200-250 cars/trucks every morning, afternoon, & night coming in & out onto single-laned Sorrell Rd, dumping onto Hardin. Add to residential traffic: Service vehicles for Waste & Garbage trucks, plumbers, installers, postmen, Delivery services vehicles, School buses in and out, etc onto a single entrance onto an already busy Hardin.  
\*\* Existing homes paid Premiums for View and Privacy lots. Written and Oral statements that land would be remain undeveloped were conditions we relied on when choosing to buy/build here.  
\*\* Home values will greatly depreciate with SF5 homes next to RS120, RS84, RS72 homes.  
McKinney Unique by Nature must be maintained.  
\*\* HOA CCRs cannot be broken by 1 homeowner while the others must obey the CCRs.  
Same covenants, ALL Keep.

Thanks,  
Mizan Rahman  
616 Sorrell Rd,  
McKinney, TX



## Joseph Moss

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**From:** Deborah Sass  
**Sent:** Tuesday, December 10, 2019 9:58 AM  
**To:** Joseph Moss  
**Subject:** Reference Case 1900772Z

Joe and Staff

I am writing to you to address and oppose rezoning of the Ragsdale Ranch.

My husband and I currently reside at 805 Snyder Dr. McKinney Texas in the Hardin Lake development. Our current plat size is 65.38' at the curb.

The current zoning for the property in question (Ragsdale Ranch which is sandwiched between Hardin Lakes and Sorrellwood Estates is SF 84 single family minimum width 70' depth 110' lot area 8400 sq ft.

Altering the current zoning as stated to 50' as proposed is not appropriate in order to maintain balance and control of the surrounding area. It will not only disrupt continuity jeopardizing our home values, but will increase traffic in our neighborhood deteriorating the area.

We are proposing that the Ragsdale Ranch remain with current zoning or zoning congruent with the surrounding area of Hardin Lakes and Sorrellwood Estates.

Consideration would be greatly appreciated Will and Deborah Sass

Sent from my iPhone

## Joseph Moss

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**From:** Ernesto Sobrevilla  
**Sent:** Saturday, December 7, 2019 2:44 PM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** ZONING CASE # 19-0077Z

This communication is to formally voice my concern a total opposition to the plan to change the existing RS84 zoning in our neighborhood to a conflictive SF5 zoning.  
I am a home owner at the Hardin Lake community (2720 Piersall Drive), and will be directly impacted by this change, due to the substantial increase in motor vehicles traffic, both private and commercial, and the subsequent deterioration in quality of life.

I will appreciate your attention to this matter and your support to block this request,

Respectfully

Ernesto Sobrevilla

## Joseph Moss

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**From:** I Am Just One Mom  
**Sent:** Friday, December 6, 2019 4:42 PM  
**To:** Jennifer Arnold; Joseph Moss  
**Subject:** Opposition to P&Z Case# 19-0077Z

The current zoning of RS84 is sufficient for compatible infill development on Ragsdale Addition Lot 7.

OneMcKinney2040 plan, page 53, states "Any infill development that occurs within this District should be consistent and/or compatible with the existing built conditions..."

Contiguous Subdivisions:

Provine Farms RS120

Eldorado Lakes RS84

Hardin Lake PD modified SF5

Sorrellwood Park PD modified SF72

Sorrell Estates RS84

Ragsdale Addition RS84

Stonegate #1 RS84

Stonegate #2 RS84

Rezoning is not necessary to be consistent infill.

One man's poor planning cannot be adequate justification to violate CCRs, verbal, and written agreements with 100's of property owners.

I have in my possession a City of McKinney Engineer Dept plat from Dec 2013 showing a gravel/concrete road HAD EXISTED between the Sorrellwood Park homes on White Rock Creek and Lots 1 & 2 of Sorrell Estates. Multiple city departments cautioned R Ragsdale that he would be 'boxing himself in' if he covered that road from Lot 7 to Sorrell Rd. He persisted and now he rues his failure to plan ahead. That is not our problem.

We executed due diligence in searching the zoning of surrounding land before purchasing our home. We talked with ALL the property owners of Ragsdale Addition. We relied upon title documents, CCRs, Collin Co, and City of McKinney land documents having integrity.

Do not change the zoning from RS84, it is consistent infill.

Karen Sowards, 625 Sorrell Rd, McKinney, TX 75702

## Joseph Moss

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**From:** Empress Drane  
**Sent:** Wednesday, January 1, 2020 8:09 PM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** FW: For Mr Charlie Philips

**From:** I Am Just One Mom  
**Sent:** Wednesday, January 1, 2020 8:06 PM  
**To:** Contact-City Council <Contact-CityCouncil@mckinneytexas.org>  
**Subject:** For Mr Charlie Philips

Mr Philips,

I would like to ask for your help in defeating rezoning case 19-007722, for the Ragsdale Addition estate.

The developer is cloaking a high density SF5 development as a PD because he has added 18 acres of undevelopable, unbuildable active floodplain as 'open space'. It will be a mud pit 9-10 months out of the year. Do not fall for this subterfuge.

My father was a custom home builder so I know the excitement and asset a nice development can bring to a neighborhood, as long as it is COMPATIBLE with the majority of contiguous neighborhoods.

If you would like to meet with the HOAs and taxpayers from the adjoining neighborhoods this Thurs, Fri, Sat or Sun, I would organize a gathering at our home for you.

In addition, this rezoning request does not meet the "compatible with existing neighborhoods" as per the One McKinney 2040 Plan requires. The neighborhoods surrounding this infill property are

RS120 Provine Farms

RS84 Eldorado Lakes

RS84 Stonegate 2

RS84 Sorrell Estates & Ragsdale Addition

RS7.2 Sorrellwood Park

PDSF4.5/5 Hardin Lake

I thought the petitions of 90+% of the contiguous property owners would impact the P&Z Commission. But they did not listen to the Council Chamber packed with opposition. That rezoning request by their good friend was going to pass no matter what.

Our petition signatures require a Super Majority on the City Council. (Every property owner asked signed in opposition, there were 4 owners out of state/country so they kept us from reaching 100%.) That means a Super Majority of City Councilors will need to ignore the will of the people, taxpayer outcry for the request to be approved.

I am asking you to be a vote AGAINST this ill planned request. Our HOAs are not opposed to development of the property, but ask that it remain RS84, what we relied on when we bought our homes. Keep it RS84 (with the 3.2 homes/acre as is their current plan).

Please contact me with any questions or times for the gathering,

Karen Sowards  
625 Sorrell Rd  
McKinney, TX 75052

## Joseph Moss

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**From:** Empress Drane  
**Sent:** Wednesday, January 1, 2020 8:09 PM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** FW: Do NOT approve P&Z case 19-0077Z2

**From:** I Am Just One Mom  
**Sent:** Wednesday, January 1, 2020 4:49 PM  
**To:** Contact-City Council <Contact-CityCouncil@mckinneytexas.org>  
**Subject:** Do NOT approve P&Z case 19-0077Z2

### **Please do NOT approve P&Z case 19-0077Z2**

I have 3 points to justify defeating this conflagulation (aka: parties joining together in a destructive manner.)

- 1) Lot 5 & 6 Fraudulent Inducement**
- 2) P&Z Obfuscation and Active Deception**
- 3) Not Compatible (as req'd by 2040 Plan) with 5/6 contiguous subdivisions**

#### **1) My husband & I own a home on Lot 5 in Sorrell Estates, S10505.**

We exercised ALL DUE DILIGENCE prior to purchase, we studied:

- plat maps of area
- zoning of area = RS84, Lots 1-7 Ragsdale Addition
- talked with owner = "we will never develop, bury me here"
- talked with owner's wife = "we will never build on Lot 6 because:
  - a) it is right out our front window, and b) along our driveway"
- owners repeatedly made representations of 6 lots on estate front
- read CCRs for Sorrell Estates HOA, Lots 1-6
  - = One Home, One Lot
  - = Architectural design approval by owners of \$1M+ homes
  - = all the earmarks of protected exclusive estate
- upon careful legal reliance on City & County documents, zoning, CCRs, estate plans, we moved forward with builder on Lot 5
- we offered to buy Lot 6 three times = "we will never sell it" which begs the question of "Why did they create Lot 6?"

The hindsight answer = For Fraudulent Inducement to sell Lot 5!!

We NEVER would have purchased an exclusive lot if they had disclosed their mal-intent on Lot 6 & estate.

We have legal protections for our near \$1M investment based on such reliance.

We had no warning of the Fraudulent Inducement being perpetrated on Lot 5 & 6.

Now they want to build 4 small homes on Lot 6, a 3/4 acre parcel and 90 more on 27.3 acres of Ragsdale Addition (please do not count the additional unusable, unbuildable 18 acres of running floodplain they are cleverly calling Open Space).

**2) 21 ORRs (Open Record Requests) were req'd by our HOA and attorney to try and get info from P&Z dept. We never did get the whole truth.**

- NO voluntary communication from P&Z dept staff
- Predetermined approval regardless of near 100% contiguous property owner opposition (4 taxpayers are out of state/country)
- no discussion; fiat government by unelected officials
- *If 90+% opposition is not enough to stop application, what is??*
- A non property tax payer is making property value decisions for our city. He actively failed to disclose pertinent information to taxpayers and HOAs.

**3) "Infill must be COMPATIBLE with existing neighborhoods"**

- this application is NOT compatible
  - 5/6 contiguous subdivisions are RS120, RS84, RS84, RS84, PD7.2
- If zoning is so fluid in McKinney so as to be meaningless when making economic investment decisions, why not call them what they really are:
- = WE WhatEver
  - = WTFW WhatTheFriendsWant
  - = GBG GolfingBuddiesGift

- KEEP = RS84 with their current 3.2 homes per acre
- = Lot 6 remains One Home, One Lot
  - = Architectural Materials Standards as per prior to July 2019
  - = Stop the Fraudulent Inducement, keep infill zoning for taxpayers are buying into.

integrity and legal reliance on what

STAND with Existing Taxpayers. STOP this rezoning.

Thank you,

Karen Sowards  
625 Sorrell Rd  
McKinney, TX 75072

## Joseph Moss

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**From:** Empress Drane  
**Sent:** Wednesday, January 1, 2020 8:08 PM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** FW: Zoning case #19-0077Z

**From:** Paul Sowards  
**Sent:** Wednesday, January 1, 2020 12:09 PM  
**To:** Contact-City Council <Contact-CityCouncil@mckinneytexas.org>  
**Subject:** Zoning case #19-0077Z

I am writing to express my opposition to the proposed rezoning request listed above. My property is Lot 5 of Sorrell Estates, 625 Sorrell Rd. It adjoins the subject property on the north and the west.

We purchased our newly built home in 2017. Prior to finalizing our purchase, we carefully investigated surrounding property for zoning and HOA covenant restrictions. Sorrell Estates subdivision consists of RS 84, One Home, One Lot HOA governed lots. The adjacent property to the east was a large lot (Lot 6), part of a very large estate. This lot was subject to the same zoning and covenant restrictions as other Sorrell Estates property.

In addition, the estate lot owner gave verbal assurances to us and other subdivision lot owners of his intention to never develop the estate property. His assurances were supported by zoning and HOA covenant restrictions. RS 84 zoning restricted property development with minimum lot sizes. If such restrictions were not in place, we would not have purchased the property.

We were induced by these factors to make a significant investment in our property. We relied on existing covenant and zoning restrictions. A change in the zoning will significantly increase the number of homes to be built in the surrounding neighborhood. We feel that the proposed zoning change will negatively impact existing lot/home owners' values. Future problems may also include traffic and flood issues.

The vast majority of homeowners oppose the proposed zoning change. The developer has not been willing to work with existing property owners to address issues. I strongly urge the City Council to decline the request.

Paul A. Sowards  
625 Sorrell Road  
McKinney, Texas 75072

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# Opposition to Rezoning 19-0077Z2

**Gary Stanford – 2904 Sorrell Cir, McKinney, 75072**

I am opposed to the rezoning proposed in case 19-0077Z2. To be clear, I am not opposed to development of this parcel of land in general, I am opposed to this particular development and developer. Reasons for my opposition are outlined below:

## **Opposition to Development:**

- The density of the development is not consistent with surrounding neighborhoods. This is an in-fill development and the majority of surrounding neighborhoods have larger lots, ranging from 8400 square feet to 1.75 acres.
- The One McKinney 2040 Comprehensive Plan for Established Community District, page 146 indicates “Any undeveloped land that remains will continue to develop in a manner that supports, promotes and enhances the existing neighborhoods.” This development detracts from and destroys the value of existing neighborhoods, particularly in the manner in which the developer intends to provide access, more on that below.
- Per the City of McKinney Code of Ordinances, “Planned Development zoning district is designed to provide for the unified and coordinated development of parcels or tracts of land.” (*sec 146-94-a*) The proposed development is not unified nor coordinated, it is an in-fill development of a small remnant of land surrounded by previous developments.
- Planned development zoning requires “... a level of exceptional quality or innovation for the associated design or development” (*sec 146-94-b*). Nothing about this development is exceptional. The developer is seeking the highest density possible and designating flood plain which can never be used for anything anyway as a “feature”.
- Per the City of McKinney Code of Ordinances *sec 146-94-e-4*, Planned development zoning requests require “A general development plan reflecting the broad details of a development proposal including, but not limited to, sub-zoning areas, densities, building placement, vehicle and pedestrian circulation and access, coordination and integration of all of the land included within the request, and any other pertinent details.” The developer has apparently not provided any of these details to city staff or surrounding neighbors. We have submitted numerous open record requests to glean information about this development, but responses only include broad zoning maps. I believe this non-compliance with zoning requirements renders this request invalid.
- One would expect some level of detail planning for a Planned Development, but none has been provided. We can only assume the developer intends to build the lowest quality possible allowed by the zoning.
- Guiding Principle #8 of the One McKinney 2040 Comprehensive Plan stipulates “Today’s neighborhoods remain vibrant and desirable places that meet the needs of existing residents and appeal to future residents.” This development will destroy value of existing neighborhoods and make them less attractive to residents.

# Opposition to Rezoning 19-0077Z2

- Virtually 100% of available residents in affected areas are opposed to this development. All have signed petitions and many have written personal letters of opposition.

## **Opposition to Developer:**

- The developer has not acted in good faith. Prior to the September P&Z meeting he led current residents to believe the proposed development was already approved to reduce opposition at P&Z meetings. Swift action by other neighbors was taken to inform everyone of the truth.
- The developer is playing dirty. He is attempting to destroy Sorrell Estates to gain access to the new development and gain additional land to include. This violates Sorrell Estates CCRs and breaks promises and representations made to buyers in Sorrell Estates by the very same developer.
- This rezoning request was tabled at the P&Z meeting on September 10<sup>th</sup> to give the developer time to work with surrounding neighborhoods to satisfy concerns and gain support. The developer has not done this! In fact, some further details of the developer's plans have come to light which cause even more concern and opposition.
- As noted by the fire dept on the zoning proposal, a second access is required for which the developer has not demonstrated any viable solution.
  - The developer acquired an empty lot on Sorrell Cir and intended run a road through it to the new development. This would destroy the Sorrell Cir. cul-de-sac and is in direct violation of the CCRs on this property. If necessary, the Sorrell Estates HOA will sue to stop this.
  - Another option considered was connecting to Piersall in the Hardin Lakes subdivision but the developer would need to acquire land from the Hardin Lakes HOA which they are opposed to since it would significantly increase traffic in their neighborhood.
  - Other options the developer has dismissed are to build roads to the east across the flood plain to N. Brook Dr. or north to Virginia. These are viable options but the developer is opposed due to expense.
- In lieu of 2<sup>nd</sup> access, the fire marshal indicated that homes could be built with automatic fire sprinklers. We don't believe the developer has considered this option although it would be the least disruptive to surrounding neighborhoods and add unique features and value to the new homes.
- The developer retracted 629 Sorrell Road from the Sorrell Estates subdivision so he could subdivide it and include more homes as part of the proposed development. This significantly detracts from the value of other properties in Sorrell Estates and will likely lead to litigation. This was a dirty move to simply drive more potential profit with no concern for the impact on existing residents.
- The developer, Richard Ragsdale, previously owned large tracts of land surrounding this proposed development. Over time, he sold off various parcels for previous developments but failed to plan for the future and boxed in his homestead with only a single access point. Now that he wants to develop the homestead property, he is in a bind without second access and is attempting to rectify HIS mistake at the expense of buyers/residents in his prior developments. WE should not be adversely affected by

# Opposition to Rezoning 19-0077Z2

HIS mistake! He should either spend the money to provide proper access without destroying other neighborhoods or use the property for another purpose.

Although our home at 2904 Sorrell Cir. is just outside the protest area, it is directly adjacent to the empty lot acquired by the developer which he intends to subdivide and build a road through connecting to the new development. This would destroy our cul-de-sac and the home(s) built on the subdivided lot will be directly against our property, destroying the privacy intended with acre+ lots. As such, we are very much concerned and our opposition should be noted.

## Joseph Moss

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**From:** Catherine Stanford  
**Sent:** Friday, December 6, 2019 4:25 PM  
**To:** Joseph Moss; Jennifer Arnold  
**Subject:** Letter of Opposition case 19-0077Z

Dear Mr. Moss and Ms. Arnold,

I wanted to send in a letter formally informing you know that I am opposing the rezoning with case number 19-0077Z. The current zoning for this property is RS-84 which is more in line with all the surrounding neighborhoods. According to the McKinney 2040 Plan, infill development should be consistent with surrounding neighborhoods and 4 of the 6 neighborhoods that surround said property are zoned RS-84. There is one that is zoned for even larger lots and only one zoned for PD/SF5. Changing the zoning to match the smallest zoning option does not seem to be in the spirit of that development plan. That being said, keeping the zoning RS-84 seems perfectly reasonable.

I originally opposed the request back in September when it was recommended to be tabled by the staff to give the developer the opportunity to try to work with the surrounding neighborhoods. It is my belief that this has not been thoroughly accomplished. The proposal has not substantially changed, therefore I am still opposed.

Thank you for your time,

Catherine Stanford  
2904 Sorrell Circle

# Opposition to Rezoning 19-007722

**Gary Stanford – 2904 Sorrell Cir, McKinney, 75072**

I want to start by stating that I am not opposed to development of this parcel of land in general but I am opposed to development which I believe will negatively affect the value of my home and create traffic and access problems for existing residents.

- The proposed development is an infill, surrounded by existing neighborhoods with larger lots and higher value homes. The proposed zoning is high density and not compatible.
- Discussion at the P&Z meeting focused on comparison of the max density allowed for SF5 vs RS84. The developer made the claim that SF5 has a lower maximum lots per acre requirement and therefore this development will be lower density than it would with RS84. This is ridiculous. In simple terms, if you take an SF5 development with average 5000sf lots and substitute lots that are minimum 8400sf per RS84, there will be fewer lots. Smaller lots equals higher density.
- Although RS84 technically has a maximum of 5 lots per acre, this is not possible in practice. Accounting for open space, roads, and other infrastructure significantly reduces the actual number of lots per acre. To prove this, I looked at existing neighborhoods with RS84 zoning and the ACTUAL average lots per acre is only 2.26. The proposed development with SF5 will have 3.2 lots per acre which is significantly more dense.
- Although the developer has not spoken with us, we have heard from others that they are not pursuing a second access point and instead opting for automatic fire sprinkler systems in the homes. This further argues for lower density since a single access point with a high density development will create a bottleneck and traffic nightmare for homeowners attempting to get in and out of their neighborhood.
- Further, Sorrell Road cannot handle the additional traffic. It is old and narrow and does not have controlled access to Hardin. It is doubtful a traffic light will ever be added since a new light was added just a couple hundred yards south at Piersall.
- Finally, I have little faith the developer will keep any promises or stay true to representations made to homeowners, P&Z, or the city council. They have not acted in good faith so far but instead pursued various aggressive tactics and failed to engage existing residents to address concerns as evidenced by 100% opposition. My neighbors and I in Sorrell Estates were forced to spend considerable sums for legal representation to block one particularly egregious attempt by the developer to acquire a lot on our cul-de-sac and plow a road through it as a second access point. There are still other legal issues outstanding related to one of the lots included in the rezoning request. A developer acting this way does not reflect well on the City and should not be tolerated.

## Joseph Moss

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**From:** Empress Drane  
**Sent:** Wednesday, January 1, 2020 9:19 PM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** FW: rezoning item #19-0077Z  
**Attachments:** Dear McKinney City Council Members (1).docx

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**From:** James Stokes  
**Sent:** Wednesday, January 1, 2020 9:16 PM  
**To:** Contact-City Council <Contact-CityCouncil@mckinneytexas.org>  
**Subject:** rezoning item #19-0077Z

Dear McKinney City Council Members:

I write to you as a citizen of McKinney for a matter that will appear on the Jan 7 City Council agenda that directly affects me (rezoning item #19-0077Z) and as to which I, as an adjacent property owner within the 200' "line" am strongly in opposition. I respectfully request you consider the facts and matters contained in this email plus what you will hear during the Jan 7 public hearing and, in the end, vote "no" as to Council approval of this proposed rezoning from RS-84 to PD/SF5.

Below are some matters for your consideration. Also, for further details and issues, please see the attached PDF copy of a letter I wrote to the McKinney P&Z on September 18, 2019, and the PDF copy of presentation slides I showed to the P&Z at its December 10, 2019, meeting.

### **IF ALL POLITICS ARE LOCAL, THEN ALL ZONING IS HYPER LOCAL**

Over 80% (including me) of adjoining property owners within 200' of the perimeter and not controlled by Applicant vehemently oppose this rezoning application and have signed a written protest to Council that requires Council to vote in favor of any change by a super-majority of ALL Council members

At least SIX of SEVEN Council members must vote in favor of this change for it to be adopted

*We emphasize that we do not believe Council has such an overwhelming set of good reasons to approve this rezoning in the face of citizen written protests requiring Council to approve by a super-majority vote, and as well based on a reasonable evaluation of the facts of the matter*

**WE RELIED ON THE STABILITY OF THE ESTABLISHED SINGLE FAMILY RS-84 ZONING CLASSIFICATION OF THE PROPERTY WHEN MAKING LONGER-TERM DECISIONS ON ISSUES SUCH AS PROPERTY INVESTMENT, LOCATION & LIFESTYLE AND SEE VIRTUALLY ZERO NET BENEFITS FROM THIS PROPOSED ZONING CHANGE TO THE NEIGHBORHOOD, OVERALL PROPERTY VALUES, THE CITY SERVICES BURDEN, TRAFFIC, THE ENVIRONMENT, THE TAXPAYERS, OR OTHER CITIZENS**

When making their own longer-term decisions about very substantial individual investment in homes, family lifestyles, locations, etc. citizens have a right to expect (and demand) multi-year stability in current zoning of property and should expect either no zoning changes or only those like or of closely similar character, size & value (here, being our reliance on the existing RS-84)

This rezoning request involves infield rezoning of property already zoned single family RS-84, which was granted originally to this SAME Applicant and re-validated as such by this same Applicant in a subsequent platting application only about 4 years ago, approved by P&Z in 4Q-2015)

Five of the six subdivisions surrounding the Applicant's property require bigger, wider and deeper lot sizes than that proposed by Applicant

Some adjacent homes relying on the RS-84 zoning are already built and currently valued on the tax rolls at \$1+ million

The rezoning proposal includes even changing zoning on Lot 6, Block A (which Applicant itself platted as RS-84 but later has refused to sell) to now allow for a narrow driveway to be re-purposed as the new subdivision's main entry/exit and to build 4 houses where there would have been one house. I specifically relied on the existing RS-84 zoning there in making the choice to buy my own lot {overlooking Lot 6) and build a home at 2804 Albany Dr.

**COUNCIL SHOULD NOT APPROVE INCREASED HOUSING DENSITY IN THIS AREA AND SHOULD INSTEAD CHOOSE TO AMPLIFY THE IMPORTANT & EXPRESS OBJECTIVES OF THE ORDINANCE-BASED ZONING REGIME IN MCKINNEY AND THE CITY MOTTO, "UNIQUE BY NATURE"**

Between the dates of the initial P&Z public hearing on September 10, 2019 and the second P&Z public hearing 3 months later on December 10, 2019, the Applicant INCREASED the rezoning request from about 28 acres to some 42 acres, an increase of about 50%

But, the majority of the added property is to the SE corner – which abuts Hardin Lake (a surface drainage storm water control facility of the Collin County Soil & Water Conservation District #535) and is already either part of drainage easements already granted OR is flood-plain property that could not be built upon anyway

It is this sort of “sleight-of-hand” that allows the Applicant to

Represent to the City that the rezoned property would feature “a minimum of 18 acres of open space” that as a practical matter would have to remain “open” anyway, even if completely out of the sight of virtually any and all future residents, and

Pretend that the proposed rezoned lot minimums of 5,000 sf (as against the existing RS-84 lot minimum of 8,400 sf) would actually be less dense than the existing SF-84 zoning

For build-able land, the proposed rezoned SF-5 PD would mean approximately 100 new homes on 5000 sf lots. Assuming these would carry average taxable valuations of \$350,000 each, that would mean the addition to the taxable real property base in the City of some \$35 million.

But, what if the property were developed as already presently zoned (SF-84) on 8400 sf lots? That would mean perhaps half as many new homes (~50) worth maybe an average of \$1 million each, or \$50 million in added taxable base to the City, or estimated additional tax revenues to the various relevant Collin County taxing entities over a 10-year span to be about \$340,000 more than if the Applicant's rezoning request were approved by Council

The SF-84 effective lower housing density not only would add substantially MORE to the City tax base than the rezoning proposal (confirmed by the City's own Financial Analysis presented to P&Z), it would provide more open space, less new impermeable surfaces, less destruction of green forests, & less negative impact on wildlife, etc.

**A NUMBER OF LARGE PROJECTS APPROVED FOR ZONING CHANGES ARE EITHER JUST NOW TO START CONSTRUCTION OR ARE JUST NOW COMPLETING CONSTRUCTION, AND THEIR IMPACT ON THE IMMEDIATE AREA MUST BE CONSIDERED CUMULATIVELY BY COUNCIL INSTEAD OF APPROVING YET ANOTHER SIGNIFICANT REZONING**

Council has already approved significant new projects along Hardin Blvd & south of Virginia in the past couple years, and the local impact of these already-approved zoning changes on area traffic loads, demands for City services & infrastructure, storm drainage issues, etc. must be considered CUMULATIVELY with this proposed additional rezoning

One example would be the approved rezoning of some 70 acres along the west side of Hardin, south of Virginia & extending S to Sorrell, for a 55+ senior living project called Touchmark at Emerald Lake, which in phase 1 (to start construction in 2020) alone will include construction beginning later this year of 150 senior apartments, 32 memory care residences, 20 casitas, 12 lake homes, a lakeside pavilion, an outdoor pool, a health & fitness club, restaurants, etc. (some even multistory & some of which would be open to the general public)

Another example is the rezoning of some 15 acres on the SW corner of Hardin & Virginia for shopping center and office commercial uses (to start construction in 2020)

o Yet a third example is the rezoning of about 13 acres on the east side of Hardin south of Virginia for construction of 40 zero lot line single family residential town homes (under construction now)

**PLEASE VOTE 'NO' FOR THIS PROPOSED ZONING CHANGE. IT IS UNSUPPORTED BY THE FACTS AND BROADLY OPPOSED BY THE CITIZENS OF MCKINNEY MOST LIKELY TO BE IMPACTED.**

James Stokes  
2732 Albany Dr  
McKinney, TX 75072



## Joseph Moss

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**From:** Empress Drane  
**Sent:** Wednesday, January 1, 2020 6:24 PM  
**To:** Joseph Moss  
**Cc:** Jennifer Arnold  
**Subject:** FW: Rezoning Harden Lake

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**From:** Linda Stokes  
**Sent:** Tuesday, December 31, 2019 3:34 PM  
**To:** Contact-City Council <Contact-CityCouncil@mckinneytexas.org>  
**Subject:** Rezoning Harden Lake

Dear McKinney City Council Members:

I write to you as a citizen of McKinney for a matter that will appear on the Jan 7 City Council agenda that directly affects me (rezoning item #19-0077Z) and as to which I, as an adjacent property owner within the 200' "line" am strongly in opposition. I respectfully request you consider the facts and matters contained in this email plus what you will hear during the Jan 7 public hearing and, in the end, vote "no" as to Council approval of this proposed rezoning from RS-84 to PD/SF5.

Below are some matters for your consideration. Also, for further details and issues, please see the attached PDF copy of a letter I wrote to the McKinney P&Z on September 18, 2019, and the PDF copy of presentation slides I showed to the P&Z at its December 10, 2019, meeting.

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At least SIX of SEVEN Council members must vote in favor of this change for it to be adopted

*We emphasize that we do not believe Council has such an overwhelming set of good reasons to approve this rezoning in the face of citizen written protests requiring Council to approve by a super-majority vote, and as well based on a reasonable evaluation of the facts of the matter*

**WE RELIED ON THE STABILITY OF THE ESTABLISHED SINGLE FAMILY RS-84 ZONING CLASSIFICATION OF THE PROPERTY WHEN MAKING LONGER-TERM DECISIONS ON ISSUES SUCH AS PROPERTY INVESTMENT, LOCATION & LIFESTYLE AND SEE VIRTUALLY ZERO NET BENEFITS FROM THIS PROPOSED ZONING CHANGE TO THE NEIGHBORHOOD, OVERALL PROPERTY VALUES, THE CITY SERVICES BURDEN, TRAFFIC, THE ENVIRONMENT, THE TAXPAYERS, OR OTHER CITIZENS**

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But, the majority of the added property is to the SE corner – which abuts Hardin Lake (a surface drainage storm water control facility of the Collin County Soil & Water Conservation District #535) and is already either part of drainage easements already granted OR is flood-plain property that could not be built upon anyway

It is this sort of "sleight-of-hand" that allows the Applicant to Represent to the City that the rezoned property would feature "a minimum of 18 acres of open space" that as a practical matter would have to remain "open" anyway, even if completely out of the sight of virtually any and all future residents, and

Pretend that the proposed rezoned lot minimums of 5,000 sf (as against the existing RS-84 lot minimum of 8,400 sf) would actually be less dense than the existing SF-84 zoning

For build-able land, the proposed rezoned SF-5 PD would mean approximately 100 new homes on 5000 sf lots. Assuming these would carry average taxable valuations of \$350,000 each, that would mean the addition to the taxable real property base in the City of some \$35 million.

But, what if the property were developed as already presently zoned (SF-84) on 8400 sf lots? That would mean perhaps half as many new homes (~50) worth maybe an average of \$1 million each, or \$50 million in added taxable base to the City, or estimated additional tax revenues to the various relevant Collin County taxing entities over a 10-year span to be about \$340,000 more than if the Applicant's rezoning request were approved by Council

The SF-84 effective lower housing density not only would add substantially MORE to the City tax base than the rezoning proposal (confirmed by the City's own Financial Analysis presented to P&Z), it would provide more open space, less new impermeable surfaces, less destruction of green forests, & less negative impact on wildlife, etc.

**A NUMBER OF LARGE PROJECTS APPROVED FOR ZONING CHANGES ARE EITHER JUST NOW TO START CONSTRUCTION OR ARE JUST NOW COMPLETING CONSTRUCTION, AND THEIR IMPACT ON THE IMMEDIATE AREA MUST BE CONSIDERED CUMULATIVELY BY COUNCIL INSTEAD OF APPROVING YET ANOTHER SIGNIFICANT REZONING**

Council has already approved significant new projects along Hardin Blvd & south of Virginia in the past couple years, and the local impact of these already-approved zoning changes on area traffic loads, demands for City services & infrastructure, storm drainage issues, etc. must be considered CUMULATIVELY with this proposed additional rezoning

One example would be the approved rezoning of some 70 acres along the west side of Hardin, south of Virginia & extending S to Sorrell, for a 55+ senior living project called Touchmark at Emerald Lake, which in phase 1 (to start construction in 2020) alone will include construction beginning later this year of 150 senior apartments, 32 memory care residences, 20 casitas, 12 lake homes, a lakeside pavilion, an outdoor pool, a health & fitness club, restaurants, etc. (some even multistory & some of which would be open to the general public)

Another example is the rezoning of some 15 acres on the SW corner of Hardin & Virginia for shopping center and office commercial uses (to start construction in 2020)

o Yet a third example is the rezoning of about 13 acres on the east side of Hardin south of Virginia for construction of 40 zero lot line single family residential town homes (under construction now)

**PLEASE VOTE 'NO' FOR THIS PROPOSED ZONING CHANGE. IT IS UNSUPPORTED BY THE FACTS AND BROADLY OPPOSED BY THE CITIZENS OF MCKINNEY MOST LIKELY TO BE IMPACTED.**