

**Planning and Zoning Commission Meeting Minutes of February 12, 2013:**

**12-191Z3 Conduct a Public Hearing to Consider/Discuss/Act on the Request by J Rose Architecture, on Behalf of Bungalow Builders, for Approval of a Request to Rezone Less than 1 Acre from "RS 60" - Single Family Residence District and "H" - Historic Preservation Overlay District to "PD" - Planned Development District and "H" - Historic Preservation Overlay District, Generally to Allow for a Two Family Dwelling (Duplex), Located on the Northwest Corner of Barnes Street and Griffin Street**

Mr. Alex Glushko, Planner II for the City of McKinney, explained the proposed rezoning request and gave a brief history of the request. He stated that Staff recommends denial of the proposed rezoning request due to the incompatibility of the proposed zoning and use with the existing surrounding zoning and uses, and due to nonconformance to the City of McKinney's Comprehensive Plan.

Commission Member Bush asked if the City's definition of a duplex required a common wall between the two living units. Mr. Glushko stated that the proposed common wall would be shared by a common wall of the two garage units. He stated that the applicant also proposed to build similar types of duplexes on Tennessee Street.

Commission Member Thompson asked what the owner could build on this property if this request was not approved. Mr. Glushko stated that a single family detached residence could be built on the property. Commission Member Thompson asked if the direction of the single family residence on the lot would

be inhibited. Mr. Glushko did not feel the orientation of a single family residence on the lot would be inhibited.

Commission Member Kochalka asked if there were other duplexes in the area. Mr. Glushko stated that there were none in the vicinity. He stated that there was a tract of land a few blocks south zoned for duplex use; however, it currently has a single family residence on it.

Mr. Jason Rose, J Rose Architecture, 2120 Cosmos Way, Argyle, TX, explained the proposed rezoning request and gave a brief history on the request.

Chairman Clark asked for the square footage of each unit. Mr. Rose stated that each unit would have approximately 2,400 sq. ft. of living area, not including the garage space.

Commission Member Gilmore asked about the listing price for each unit. Mr. Rose stated that they would be priced around \$300,000 per unit.

Commission Member Kochalka asked how the ownership would work with two units on one lot. Mr. Rose stated that the title company would handle it with a party wall agreement and that an attorney would need to address certain aspects of a situation involving two party ownership on one lot.

Chairman Clark opened the public hearing and called for comments.

The following four citizens spoke in opposition of the proposed rezoning request. These citizens had concerns about having two houses on one lot, the possibility that the lot might be subdivided at a later time with these two structures on it, increased traffic, set-backs, and setting precedence for future duplexes in McKinney's Historic District. They did not consider the proposed

structures a duplex by the definitions that they found on-line and preferred larger lots in their neighborhood. Most stated that they liked the proposed architectural design.

- Ms. Wendy Long, 608 Parker Street, McKinney, TX
- Mr. A. M. Scott, 1201 Howell Street, McKinney, TX
- Mr. Richard Moreno, 606 Barnes St., McKinney, TX
- Mr. David Pope, 700 Barnes Street, McKinney, TX

The Commission unanimously approved the motion by Commission Member Kochalka, seconded by Commission Member Thompson, to close the public hearing.

Commission Member Gilmore questioned what the difference would be if it was two smaller houses versus one large house on the lot. Commission Member Thompson questioned if a 4,800 sq. ft. house on the lot priced around \$600,000 in this neighborhood would be feasible in the current financial market. Mr. Ron Lustig, Bungalow Builders, 733 Creek Valley, Allen, TX, stated that two smaller houses are currently more marketable; however, they could possibly sell a larger single family residence on the lot in the near future. He stated that the lot was clipped by the City in the 1950's when the City reconstructed the surrounding streets; otherwise, the lot would have been wide enough to subdivide into two lots. Mr. Lustig stated they are currently just a few feet short of being able to subdivide the lot by right.

Commission Member Gilmore asked if the applicant would be required to develop the property as presented if this request were to be approved by City

Council. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that if City Council approved the zoning request, as requested by the applicant, then the builder would be required to build according to the submitted plan and the general character of the proposed elevations.

Chairman Clark had concerns about setting a precedent with having duplex zoning in the middle of single family residences, if this request were to be approved. He commented that the building elevations were beautiful.

Commission Member Thompson questioned if the proposed plan was actually a duplex.

Commission Member Kochalka expressed his concerns over the proposed development plan for this property. He did not feel this request fit the intent of the neighborhood. Commission Member Kochalka preferred keeping the large, corner lot and not subdividing it.

On a motion by Commission Member Kochalka, seconded by Vice-Chairman Franklin, the Commission voted unanimously to recommend denial of the rezoning request as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on March 5, 2013.