

Planning and Zoning Commission Meeting Minutes of October 22, 2019:

19-0087Z Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Multi-Family Residential Uses, Located Approximately 650 Feet South of Craig Drive and on the West Side of Collin McKinney Parkway. Ms. Kaitlin Gibbon, Planner I for the City of McKinney, explained the proposed rezoning request. She stated that the applicant is requesting to rezone approximately 12 acres of land to multi-family residential uses and modify the development standards. Ms. Gibbon explained that the applicant proposed to modify the height, setbacks, parking requirements, and increase the landscaping and buffering for the site. Ms. Gibbon stated that Staff was of the opinion that the proposed standards will blend well with the surrounding properties and create a quality development. She stated that Staff recommends approval of the proposed rezoning request and offered to answer questions. Board Member Haeckler asked about the height of the three-story building compares to the property to the north and the elevation changes. Ms. Gibbon stated that the property to the north currently has three-stories, with a height of 36'. She stated that the multi-family development to the southwest was currently two-stories, with an approximate height of 26' – 27'. Ms. Gibbon stated that Staff has not started the preliminary engineering review to know more about the elevations in this area. She stated that Staff spoke with the applicant to push the proposed buildings

further into the property, along Collin McKinney Parkway, to create a larger buffer between the multi-family development and single family development. Commission Member Haeckler asked if the requested building height is 43 feet. Ms. Gibbon said yes. Mr. Bob Roeder; Abernathy, Roeder, Boyd & Hullett, P.C.; 1700 Redbud Boulevard; Suite 300; McKinney, TX; concurred with the Staff Report. He explained the proposed rezoning request and gave a presentation. Mr. Roeder gave a brief history of how City Council and the McKinney Housing and Finance Corporation sought developers with experience in tax credit financing to submit proposals to co-develop a workforce housing space. He stated that the NRP Group was selected as the developer of choice. Mr. Roeder stated that approximately 18 sites in west McKinney were evaluated by the NRP Group, City Staff, and the McKinney Housing and Finance Corporation for this workforce housing development. Mr. Roeder stated that the NRP Group and the McKinney Housing and Finance Corporation would be joint owners in the project. He state that the NRP Group would operate the project after it was constructed for approximately 15 – 20 years. Mr. Roeder stated that the NRP Group's interest in the project would be turned over to the McKinney Housing Corporation after that point, so that the McKinney Housing and Finance Corporation would then own 100% of the project. Mr. Roeder explained some of the qualifications that the workforce residents would need to be able to live there and gave examples of the service types of the people that might qualify. Mr. Roeder stated that a concept plan was prepared to test fit the site to verify the 150' setback from an adjacent residential structure. He stated that they have not specified the screening wall height; however, the City's requirements

would allow them to vary the wall height from a minimum of 6' and a maximum of 8'4". Mr. Roeder stated that the topography drops significantly. He stated that the wall height would be addressed during the site plan process. Mr. Roeder briefly discussed possible height and sight lines. He briefly discussed the proposed landscaping and buffering. Mr. Roeder showed some of NRP Group's other developments. Commission Member Kuykendall asked if the development on this site would be similar to these other developments. Mr. Roeder said yes. Commission Member McCall asked who would govern the qualifications for the tenants during the first 15 years. Mr. Roeder stated that while his client managed the property, then they would be responsible. He stated that once the property reverted back to the McKinney Housing and Finance Corporation and City Council, it would be their responsibility. Vice-Chairman Mantzey asked when the "RFQ" - Request for Qualifications was sent out and how long had the NRP Group had been working with them. Mr. Roeder stated that this was started in September 2017, the "RFQ" - Request for Qualifications was sent out in July 2018, and The NRP Group was selected in October 2018. He stated that the City's transparency website has the history of the project listed. Commission Member Kuykendall asked why this site was specifically selected. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that her understanding was that the NRP group conducted a site suitability analysis of sorts for a variety of possible locations. Ms. Arnold stated that Planning Staff helped provide initial thoughts on a number of potential sites before the NRP Group narrowed their list down to this site. Mr. Jason Arechiga, The NRP Group, 1903 Preakness Lane, San Antonio, TX, stated that they looked at a lot of sites

within the general area listed on the "RFQ" - Request for Qualifications. He stated that they worked with McKinney Housing and Finance Corporation and Planning Staff to narrow down the list to this site. Mr. Arechiga stated that this site was the clear winner after weighing about 20 different matrixes that included: City Council and McKinney Housing and Finance Corporation requests, state and federal guidelines, surrounding uses, and to provide an increased buffer to surrounding residential properties.. Chairman Cox opened the public hearing and called for comments. Ms. Sarah Spears, 2101 Camden, McKinney, TX, spoke in opposition. She stated that her property backs up to the closest building shown on the concept plan. Ms. Spears stated that she attended a meeting held by The NRP Group to discuss the proposed development. She stated that the applicant staked off 150' from the property line and that she had taken photographs showing that currently she could see into her backyard at ground level. Ms. Spears was very concerned about the lack of privacy and desirability. She stated that she received a notice about the request on October 15, 2019. Ms. Spears stated that she went door-to-door to speak with her neighbors about the proposed development and many did not know anything about it. Ms. Spears asked the Commission to not recommend approval of the proposed rezoning request to allow more time to see how it will affect the surrounding residential property owners. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Doak, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Commission Member Kuykendall asked for examples of similar developments. Ms. Janay Tieken, Housing and Community Development Manager for the City of McKinney, stated

that the Newsome Homes development at the corner of Eldorado Parkway (Industrial Parkway) and McDonald Street (State Highway 5) was funded with tax credits. She stated that these development were of the same or higher quality of market rate developments, due to the way that they were financed. Ms. Tieken stated that the investors receive a return on their investment over a 10 year period of time. She stated the Texas Department of Housing and Community Affairs provides the underwriting and oversees these projects, makes sure that the property was properly managed, makes sure that the developer follows the requirements for selecting the residents, and would do audits. Ms. Tieken stated that after 15 years, the McKinney Housing and Finance Corporation would have the first right of refusal on the property. Commission Member Doak asked how the El Largo Apartments three-story development impacts the adjacent single family residential development, which appear to be located closer to the boundary line. Ms. Gibbon stated that the northern portion of the subject property the topography was lower between the single family residential development and the proposed multi-family development. She stated that the topography rises towards the south of the property. Ms. Gibbon stated that she did not know what the actual grade changes were at this time. Commission Member Haeckler asked what the height of the trees were on the buffer. Mr. Roeder stated that they assumed a 12' tall with a 4" caliper tree in the analysis. He stated that The NRP Group was willing to work with Ms. Spears regarding her privacy concerns. He stated that was some of the things covered during the site plan process. Vice-Chairman Mantzey stated that the proposed product was a need within McKinney and other North Texas cities. He stated that with the partnership

with the McKinney Housing and Finance Corporation, vetting of the developer, proposed setback to the adjacent residential development, site analysis, existing surrounding development, and proposed landscape setback would make this a suitable product for the area. Vice-Chairman Mantzey stated that he was in favor of the proposed rezoning request. Commission Member Doak concurred with Vice-Chairman Mantzey's comments. He pointed out that there was already multi-family development surrounding the proposed property. Commission Member Doak stated that the subject property was an ideal property for the proposed use and was needed for the workers in McKinney. He stated that he was in favor of the project. Commission Member McCall concurred with Vice-Chairman Mantzey and Commission Member Doak's comments. He felt that the proposed development would be better than other developments that could be developed on the property. Commission Member McCall expressed concerns about the view from the three-story multi-family into the adjacent single family residential properties. He stated that the project would be back before the Commission during the site plan phase. Commission Member McCall stated that he was in favor of the proposed rezoning request. Commission Member Haeckler stated that he also was in favor of the proposed rezoning request and that it would match the property to the north. He stated that this would be a good opportunity for the City. Commission Member Taylor was in favor of the proposed rezoning request. Chairman Cox stated that there was a need for the wage level employees in McKinney that we want to attract for this price point. He appreciated the developer's willingness to work with Ms. Spears regarding her privacy concerns. Chairman Cox stated that he was in favor

of the proposed rezoning request. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Haeckler, the Commission unanimously voted to recommend approval of the proposed rezoning request as recommended by Staff, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission will be forwarded to City Council at the November 19, 2019 meeting.