

Planning and Zoning Commission Meeting Minutes of January 13, 2015:

14-302Z2 Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of Meyer Way and Collin McKinney Parkway

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed rezoning request. Ms. Pickett stated that the applicant is requesting to rezone approximately 8.57 acres of land, generally for mixed uses. Ms. Pickett stated that staff recommends denial of the proposed rezoning request due to the proposed development standards' inability to mandate or achieve a high quality development, as the attached exhibits and standards have not been fully vetted and are not, in Staff's opinion, ready to move forward.

Mr. Don Paschal, 904 Parkwood Circle, McKinney, Texas, explained the proposed rezoning request, and handed out a list of issues and potential solutions to the Commission. He stated that some of the issues are due to a lack of exhibits. Mr. Paschal stated the he was working with Staff to resolve the issues. He stated that there were a few items that Staff and his client did not agree on; however, the property has been sitting dormant for a long time and needs to be developed to help increase the tax base. Mr. Paschal stated the he feels that they will blend in with the other developments in the adjacent areas, and that the one development in the commercial area is about 15 percent occupied and not a viable use at this time. He stated that his client's proposal would be a good fit for the area. Mr. Paschal stated that they proposed

to maintain mid- to high-density multi-family and mixed-use development with the commercial uses fronting on Collin McKinney Parkway with apartment living above. He stated that they are proposing tuck-under parking on the first floor with 384 enclosed parking spaces and only 0.3 percent of the parking would be located in surface lots or on-street. Mr. Paschal explained the proposed landscaping plan in detail and stated that the any landscaping issues will be resolved. He stated that funding is also an issue with this development, and all approvals must be complete no later than March 1, 2015. Mr. Paschal stated that they are asking for the opportunity to craft an ordinance with the City that would work for everyone and asked that the Commission recommend this item go to the next City Council meeting.

Mr. John Lowry, 1150 North Central Expressway, Dallas, Texas explained the proposed rezoning request and stated that he has been working with this particular project for several years and explained the proposed rezoning request. He stated that he understands that the funding for this development is not a concern of the Commission but it is a major importance to him and this development. Mr. Lowry explained the funding and bonding process to the Commission as well as the limited timeframe.

Commission Member Stevens asked what the different was between the exhibits titled "Site Plan A" and "Site Plan B". Mr. Paschal stated that the difference was the amount of on-street parking preserved. Commission Member Stevens asked if there was a site plan for the Commercial-Mixed Use District. Mr. Paschal stated that there is a concept plan depicting both. Commission Member Stevens asked what the property to the north was zoned. Mr. Paschal stated that this is a park. Mr. Michael Quint,

Director of Planning for the City of McKinney, clarified that this is not a park, but open space in which the adjacent Homeowners' Association maintains, and to the north of that is a single family residential development.

Commission Member Stevens asked if the project had enough parking for residents and guests, and if the "REC" – Regional Employment Center Overlay District allows on-street parking to count towards this project. Mr. Paschal stated that the project is overparked. Mr. Brandon Opiela, Planning Manager for the City of McKinney, responded that the "REC" - Regional Employment Center Overlay District does typically allow on-street parking within 200 feet to count. Ms. Pickett further detailed that parking ratio proposed within the development regulations exceeded the City's parking requirements.

Chairperson Franklin asked what is just north of the buildings. Mr. Paschal stated that there is open space to be maintained by the neighborhood to the north. Chairperson Franklin stated that he has concerns about residential adjacency and is somewhat relieved by placement of open space.

Chairperson Franklin opened the public hearing and called for comments. There being none, on a motion by Commission Member Zepp, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing with a vote of 6-0-0.

Commission Member Zepp stated that he knows what tuck-under parking means and asked for clarification from Staff regarding structured parking. Mr. Quint explained that the applicant is proposing that the entire first floor would be a garage, and that there would be columns holding up the upper floors. Tuck-under parking could refer to a

number of things, the entire ground floor being a garage, the back end of a multi-family building with enclosed space to pull into, or a prototypical tuck-under garage where the cars go down into a driveway below the garage, thus tuck under. He stated that structured parking can be a very broad term, and a multi-story parking facility, as the applicant is proposing, is technically structured because there are columns holding up the upper floors.

Commission Member Stevens asked Staff if they send this to the February 3, 2015 City Council meeting with a favorable recommendation, how will it be ensured that everything that was discussed and promised will be delivered and is there a way to tie it only to this user. Mr. Opiela stated that the zoning would be set on the property if it's passed even if the applicant does not build.

Commission Member Stevens inquired about the notes passed out to the Commission and if Staff was in agreement. Mr. Opiela stated that the ordinance is not ready to be acted upon and cannot guarantee that it will be ready for the next City Council meeting. Mr. Paschal stated that it is their intent to have the issues resolved and agreed upon before the next City Council meeting.

Chairperson Franklin stated that he liked the product and this development would be an asset to this area. Chairperson Franklin stated that his opinion was to forward the item on to City Council.

In response to Mr. Stevens earlier question, Mr. Lowry stated that with the bond issue, 100 percent of the funding get deposited in the bank on the day of closing, and there is no way that this product will not get funded.

Chairperson Franklin stated that he would like to see the issues addressed before going to City Council and would like to tie down Mr. Paschal's handout. Mr. Paschal stated that he would work with Staff to resolve the issues. Mr. Opiela stated that Staff had only received Mr. Paschal's handout that afternoon, and had not yet had a chance to review it. Mr. Quint clarified that when using the verbiage "attaching it," "it" does not ensure quality or clarify what the applicant is saying. Commission Member Stevens asked that if the Commission passed this on to City Council, could it be ensured that City Council will be able to vote it down or up. Mr. Quint stated yes. Commission Member Zepp stated that he wished there were more time to resolve the issues, as he does not really see any major issues with this development.

On a motion by Commissioner Member Gilmore, seconded by Chairperson Franklin, the Commission voted unanimously to recommend approval the rezoning request per the applicant's request, with a vote of 6-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on February 3, 2015.