

CITY COUNCIL SPECIAL MEETING & WORK SESSION

FEBRUARY 22, 2022

The City Council of the City of McKinney, Texas met in special session and work session in the City Hall Council Chambers, 222 N. Tennessee Street, McKinney, Texas, on Tuesday, February 22, 2022 at 3:00 p.m.

Council Present: Mayor George Fuller, Mayor Pro Tem Rainey Rogers, and Council Members Charlie Philips, Geré Feltus, Patrick Cloutier, Rick Franklin, and Justin Beller.

Council Member Philips joined the meeting at 3:02 p.m.

City of McKinney Staff Present: City Manager Paul Grimes, Assistant City Manager Kim Flom, Assistant City Manager Barry Shelton, Assistant City Manager Steve Tilton, City Attorney Mark Houser, Assistant City Attorney Alan Lathrom, Director of Strategic Services Trevor Minyard, City Secretary Empress Drane, Deputy City Secretary Joshua Stevenson, City Secretary Administrative Assistant Blenda Sims, City Secretary Records Specialist Juametta Terrell, Director of Housing & Community Development Janay Tieken, Affordable Housing Administrator Cristel Todd, IT Service Desk Manager Nicholas Martin, and Desktop Support Technician Suzanne Bolick.

There were two (2) members of the public present in the audience.

Mayor Fuller called the meeting to order at 3:00 p.m. upon determining a quorum of the Council was present.

Mayor Fuller called for Public Comments regarding Agenda items for non-Public Hearing items. There were none when called for.

Mayor Fuller called for the Special Agenda.

22-0180 Conduct a Public Hearing to Consider/Discuss/Act on a Resolution of the City Council of the City of McKinney, Texas, Regarding the Application of McKinney Virginia Parkway, Ltd., to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the Construction of Multi-Family Units Within the Development

Tom Huth (Applicant), 13455 Noel Rd., Dallas, TX 75240, spoke regarding this item.

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Feltus, to close the public hearing and approve a Resolution of Support and Five Hundred dollar (\$500.00) Voucher Regarding the Application of McKinney Virginia Parkway, Ltd., to the Texas Department of Housing and Community Affairs (TDHCA), for 9% Tax Credits for the Construction of Multi-Family Units Within the Development. Resolution caption reads as follows:

RESOLUTION NO. 2022-02-025 (R)

A RESOLUTION OF SUPPORT BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS OF THE APPLICATION BY MCKINNEY VIRGINIA PARKWAY, LTD. TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR THE COMPETITIVE 9% HOUSING TAX CREDITS PROGRAM FOR THE DEVELOPMENT OF MCKINNEY VIRGINIA PARKWAY APARTMENTS, A 120-UNIT MULTI-FAMILY RENTAL HOUSING DEVELOPMENT LOCATED AT THE NORTHEAST CORNER OF VIRGINIA PARKWAY AND CARLISLE STREET; MAKING FINDINGS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

The approved Resolution will be included in the appendix of these minutes as "Appendix A – 22-0180 Resolution"

Mayor Fuller called for the Work Session Agenda.

22-0181 McKinney Housing Strategy Update

Handout given to Council will be included in the appendix of these minutes as "Appendix B – Affordable Housing Best Practices Comparison".

Mayor Fuller called for Citizen Comments regarding matters not on the Agenda. There were none when called for.

Mayor Fuller called for Council and Manager Comments.

Council Member Philips spoke regarding his Father, and MISD Basketball.

Mayor Fuller called for Executive Session at 3:45 p.m., in accordance with Texas Government Code:

A. Section 551.071(2) Consultations with Attorney on any Work Session, Special Session, or Regular Session agenda item requiring confidential attorney/client advice necessitated by the deliberation or discussion of said items (as needed)

B. Section 551.071 (A) Pending or contemplated litigation

- Netflix/Hulu/Disney Litigation

C. Section 551.072. Deliberations about Real Property

D. Section 551.074. Personnel Matters

E. Section 551.087. Deliberation Regarding Economic Development Matters

- Project DLV

Mayor Fuller reconvened from Executive Session and reopened the Work Session at 4:36 p.m.

Council Members Feltus and Beller did not return from Executive Session.

Council unanimously approved the motion by Mayor Pro Tem Rogers, seconded by Council Member Cloutier, to adjourn the meeting at 4:38 p.m. in a vote of 5-0.

The video recording of the meeting is available online through the City of McKinney video archives.

These minutes were approved by the City Council on March 1, 2022.

SIGNED:

GEORGE C. FULLER, Mayor

ATTEST:

EMPRESS DRANE, City Secretary
JOSHUA STEVENSON, Deputy City Secretary

City of McKinney, Texas

Appendix A – Affordable Housing Best Practices Comparison

Affordable Housing Best Practices Comparison – McKinney, TX Current as of 11/18/21

TDHCA Best Practices for Land Use and Zoning	McKinney’s Current Zoning Ordinance Provisions	McKinney’s Anticipated Zoning Ordinance Provisions
<ul style="list-style-type: none"> • A definition of family that includes unrelated persons living together in residential settings 	<ul style="list-style-type: none"> • Definition of “family” currently allows up to 4 unrelated individuals 	<ul style="list-style-type: none"> • Definition of “family” to allows up to 6 unrelated individuals
<ul style="list-style-type: none"> • The inclusion of at least one zone district that allows for small lot single family dwellings 	<ul style="list-style-type: none"> • “SF5” District allows a minimum lot size of 5,000 sq ft but has a density cap of 3.4 du/ac and a median/mean lot size of 7,200 sq ft 	<ul style="list-style-type: none"> • “R6” District will allow a minimum lot size of 6,000 sq ft and has no density cap or median/mean lot size requirement • “R5” District will allow a minimum lot size of 5,000 sq ft and has no density cap or median/mean lot size requirement but will only be permitted in “urban” areas designated by the Comp Plan • Density caps and median/mean lot size requirements are being removed from all single family zoning districts 6,000 sq ft and larger
<ul style="list-style-type: none"> • Reasonable lot width and size requirements of residential dwellings 	<ul style="list-style-type: none"> • “SF5” districts has a min. lot width of 40’ (<50’ requires alleys) and a min. lot depth of 80’ 	<ul style="list-style-type: none"> • “R6” will have a min. lot width of 50’ and a min. lot depth of 90’ • “R5” will have a min. lot width of 40’ and a min. lot depth of 80’ but will only be permitted in “urban” areas designated by the Comp Plan
<ul style="list-style-type: none"> • The inclusion of zone districts or overlays that allow the construction of multifamily homes by right. Enough land should be included in such districts/overlays to allow diversity of housing stock through multifamily development 	<ul style="list-style-type: none"> • Multi-family uses are allowed by right within the “MF1”, “MF2” and “MF3” zoning districts • There is a lot of legacy multi-family zoning in existence, but current development regulations (height, densities) essentially require a rezone to PD to develop 	<ul style="list-style-type: none"> • Multi-family uses will be allowed by right in the “MF30” and “MF60” (still under development) zoning districts • Multi-family residential uses will be allowed with an SUP in the “FR” zoning district • The “MF30” and “MF60” zoning districts will have more permissive density and height caps making the development of MF uses more realistic without the need for rezoning
<ul style="list-style-type: none"> • Allowance of manufactured homes meeting HUD safety standards in at least one residential district 	<ul style="list-style-type: none"> • Mobile homes (“manufactured homes”) are currently allowed in the “MH” zoning district 	<ul style="list-style-type: none"> • Mobile homes (“manufactured homes”) will be allowed in the “RMH” zoning district
<ul style="list-style-type: none"> • Avoidance of minimum house or dwelling unit sizes 	<ul style="list-style-type: none"> • No minimum home or dwelling unit sizes exist 	<ul style="list-style-type: none"> • No minimum home or dwelling unit sizes will exist
<ul style="list-style-type: none"> • Clarification that group housing for protected classes is treated as residential uses and allowance of such homes in a broad range of zone districts 	<ul style="list-style-type: none"> • The zoning ordinance does not address the “protected status” of group homes • Group homes containing up to 6 people are permitted as a “home occupation” in all residential zoning districts 	<ul style="list-style-type: none"> • The zoning ordinance will not address the “protected status” of group homes • Small group homes containing up to 6 people will be permitted as a “home occupation” in all residential zoning districts
<ul style="list-style-type: none"> • Avoidance of regulations that cast group homes as commercial use and/or require special permits or public disclosure that the homes will serve persons with disabilities 	<ul style="list-style-type: none"> • Group homes containing up to 6 people are permitted as a “home occupation” in all residential zoning districts • Group homes with more than 6 people may be classified as a non-residential use 	<ul style="list-style-type: none"> • Small group homes containing up to 6 people will be permitted as a “home occupation” in all residential zoning districts • Large group homes may have more than 6 people but will only be allowed “by right” in non-residential zoning districts
<ul style="list-style-type: none"> • Incentives for diverse housing stock development such as density, reduced parking requirements, fee waivers or reductions, allowance for accessory dwelling units and public land donations or set asides for housing that accommodates low income and special needs populations 	<ul style="list-style-type: none"> • Parking for affordable housing single family uses is reduced from 2 covered or enclosed spaces to 1 covered or enclosed space • “NEZ” allows impact fee waivers for new multi-family dwelling units downtown (<i>not zoning ord. based</i>) • Single family affordable housing does not pay building permit fees (<i>not zoning ord. based</i>) 	<ul style="list-style-type: none"> • Parking for affordable housing single family uses will be reduced from 4 spaces including at least 2 covered or enclosed spaces to 2 spaces including at least 1 covered or enclosed spaces • “NEZ” allows impact fee waivers for new multi-family dwelling units downtown (<i>not zoning ord. based</i>) • Single family affordable housing does not pay building permit fees (<i>not zoning ord. based</i>)
<ul style="list-style-type: none"> • Other provisions... 	<ul style="list-style-type: none"> • “Missing middle” use types are permissible but mostly fall under the “multi-family” heading • Small lot or “tiny home” residential development may be permitted via a “PD” district 	<ul style="list-style-type: none"> • “Missing middle” use types are specifically called out (duplex, triplex, quadplex) and are allowed “by right” in townhome, flexible residential, and multi-family zoning districts • Small lot or “tiny home” residential development may be permitted via a “PD” district • “Accessory dwelling units” are being introduced and may not exceed 50% of the primary building square footage and must meet the primary building setbacks of the zoning district • Density caps and median/mean lot sizes are being removed from all residential zoning districts except “FR”, “MF30”, and “MF60” (still under development) • Removed minimum lot square footages per unit for MF land uses (ex: 2,500 sq ft per unit)