

Planning and Zoning Commission Meeting Minutes of April 14, 2015:

15-008Z2 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 Allow for Single Family Attached Residential Uses, Located Approximately 300 Feet South of Eldorado Parkway and on the East Side of Ridge Road

Ms. Samantha Pickett, Planner II for the City of McKinney, explained the proposed rezoning request. She stated that the applicant was requesting to rezone the property to generally follow the "TH" – Townhome Residential District, with reductions to the lot area, lot width, front yard setback, and side yard at corner setback. Ms. Pickett stated that Staff does not have a concern with the proposed use of townhome; however, Staff feels that supporting the modifications would be contrary to Council's goals, given that they recently adopted new districts, including "TH" – Townhome Residential District, with space limits they felt were appropriate. She stated that the applicant had requested to provide only one canopy tree per lot, instead of the typical two trees. Ms. Pickett stated that Staff felt this would lessen the overall aesthetics, and as such, could not support the reduction. She stated that the applicant had also provided additional architectural standards to ensure exceptional quality, mandating 100 percent masonry on each elevation; however, this does not include HVAC (Heating, Ventilating, and Air Conditioning) equipment, which would be roof-mounted. Ms. Pickett stated that given these factors, Staff recommends denial of the proposed rezoning request.

Chairman Franklin asked where the HVAC equipment would be mounted on the roof. Staff displayed an exhibit showing the proposed location of the HVAC equipment on the back roof of the townhome structures.

Chairman Franklin asked if the HVAC units would only be visible to the residential area behind the townhomes. Ms. Pickett stated typically that would be correct; however, it would depend on which direction the back of the townhome units faced.

Commission Member Gilmore asked about the depth the driveways. Ms. Pickett stated that they would be 20 feet long.

Mr. Robert Roeder; Abernathy, Roeder, Boyd & Joplin, P.C.; 1700 Redbud, McKinney, TX, explained the proposed rezoning request. He gave a brief history on the City's townhome ordinance changes, beginning with the ordinance from 1982 up to the current ordinance. Mr. Roeder felt that Council's focus was on density with these ordinance changes. He felt that the size of the lot had little bearing on the value of the product that was built. Mr. Roeder stated that a townhome environment consists of multiple dwelling units. He stated that they were proposing four to six dwelling units per building. Mr. Roeder stated that whether the building unit was 22 feet wide or 25 feet wide had very little bearing on the matter at hand. He stated that they were proposing a minimum 2,200 square foot lot that would be 22 feet wide. Mr. Roeder stated that CB Jeni Homes had been developing this 22 foot wide product in several area of the Metroplex and mentioned some of these developments. He stated that they proposed to build a nice rear-entry townhome product located on an infill lot that would be similar in price point to the surrounding residential homes. Mr. Roeder stated that traditionally townhomes do not have backyards; therefore, there was no place to locate the second tree on the lot. He stated that the current zoning allows the use of wood around the roof-mounted HVAC equipment Mr. Roeder stated that they would agree to use

HardieBoard, HardiePlank, or architectural metal depending upon the amount of circulation needed around the HVAC equipment. He stated that the property owners' association would be responsible for the exterior maintenance on the units and not the individual townhome owners. Mr. Roeder stated that his client had agreed to limit the height of the entry feature to 15 feet. He stated that they propose to have 6 foot wide sidewalks on each side of the street, which currently was not a requirement. Mr. Roeder stated that they proposed to build 82 units on about 10 acres. He stated that their density would be about 10 units per acre. Mr. Roeder requested a favorable approval.

Commission Member Zepp wanted to clarify Mr. Roeder's earlier comment that the ordinance allowed up to 14 units per acre. Mr. Roeder stated that was correct.

Commission Member Zepp asked if the minimum lot size requirement was 2,700 square feet. Mr. Roeder stated that was correct.

Commission Member Gilmore asked if there would be additional parking for guests. Mr. Roeder stated that would be addressed during the site plan phase of the process. Mr. Michael Quint, Director of Planning for the City of McKinney, stated that site plans were not required for townhome developments, so the Planning and Zoning Commission would not see this information if the City Council approves this rezoning request. Mr. Roeder stated that he stood corrected and apologized. He stated that a plat would be required.

Commission Member McReynolds asked if a study had been completed to see what the difference would be in the number of units that could be built on a 25 foot wide lot versus the proposed 22 foot wide lot. Mr. Roeder was not aware of a study on this

being completed. He stated that the builder had an existing product for the 22 foot wide lots that they wanted to build on the property. Mr. Roeder stated that the end units would be on lots that were wider than 22 feet.

Commission Member McReynolds asked why there were significant decreases in the setbacks. Mr. Roeder stated that when you have a narrower lot that you have to have a longer building pad.

Vice-Chairman Hilton asked Mr. Roeder for the thought process on why they were requesting to rezone the property when townhomes were an allowed use under the current zoning on the property. Mr. Roeder stated that they were not changing the allowed use on the property. He stated that it would be difficult to build townhomes on the property given the special development standards. Mr. Roeder stated that the Market Street development was to the north of this property and the northwest and southwest corners had developed commercially, so it would be difficult to develop this property as a retail center. He stated that they plan to develop the frontage along Eldorado Parkway for restaurants with drive-through windows. Mr. Roeder felt that the surrounding residential development would not want a large commercial development on this infill lot. He felt that the proposed townhomes would fit in with the neighborhood.

Chairman Franklin opened the public hearing and called for comments.

Mr. Mike Henke, President of the Pine Ridge Estates Homeowners Association (HOA), 6104 Pine Ridge Boulevard, McKinney, TX, spoke in favor of the proposed rezoning request. He stated that they informed the Pine Ridge Estates property owners about this project using Facebook updates, Nextdoor updates, a newsletter, a mailing to the 610 homes in the subdivision, and he personally spoke with some of the residents.

Mr. Henke stated that Pine Ridge Estates was generally in favor of the project; however, a few residents had concerns regarding increased traffic in the area and safety for the children. He commended Staff on this Staff report, citing that Staff pointed out some very important issues like the HVAC equipment screening issue that the Pine Ridge Estates Homeowners' Association initially overlooked. Mr. Henke stated that they were happy that the applicant had agreed to use a low maintenance material to screen the HVAC equipment. He reiterated that they were in support of the project.

Commission Member Kuykendall asked if the Pine Ridge Estates Homeowners' Association (HOA) took a formal position on this request. Mr. Henke stated that the HOA Board agreed upon supporting the project. He stated that there were other Pine Ridge Estates Homeowners' Association Board Members present tonight at this meeting.

Mr. Bill Campbell, 2316 Killarney Drive, McKinney, TX, spoke in opposition to the request. He felt that McKinney had a fairly high residential ratio to commercial uses. Mr. Campbell stated that a commercial use would be allowed under the current zoning for the property and should be considered. He felt that a commercial use would have a favorable benefit from a tax use standpoint.

Chairperson Franklin read the following names and addresses for residents that turned in a speaker's card but did not wish to speak during the meeting:

- Mr. David Boatman, 5512 Dark Forest Drive, McKinney, TX, was in support of this request.
- Mr. Randy Forest, 5505 Dark Forest Drive, McKinney, TX was in support of this request.

On a motion by Commission Member Gilmore, seconded by Commission Member McReynolds, the Commission voted unanimously to close the public hearing, with a vote of 7-0-0.

Commission Member McReynolds thought that there might be about eight to nine lots lost if the lots were 25 feet wide. He felt that they were almost there and could not see why 25 foot wide lots could not be achieved. Commission Member McReynolds agreed with having one tree per lot. He felt that too many trees would not allow sun to shine through and would have just bare earth underneath. Commission Member McReynolds felt that the townhomes, shown on the Elevations – Informational Only that were included in the packet, looked very nice.

Commission Member Gilmore asked if the developer could be required to provide a playground on the property where the kids could play. Mr. Quint stated that zoning was fully discretionary, so the Planning and Zoning Commission could make any recommendation that they saw fit.

Commission Member Gilmore felt that a high quality townhome product was being proposed to be built on the property; therefore he did not have an objection to the proposed 22 foot wide lots. Commission Member Gilmore stated that he would like to see some type of play space included in the development. Mr. Roeder stated that it was a good suggestion; however, he felt that there were very few children that would be living in the townhomes. Mr. Roeder stated that a dog park might be possible instead of a playground.

Mr. Roeder stated that the 22 foot wide lot was an existing townhome product. He stated that they would have to completely redesign the project if they had to change it to 25 foot wide lots.

Commission Member Zepp did not feel that developing three out of the four corners at that intersection for commercial uses was feasible. He stated that there would be commercial development along Eldorado Parkway in this area.

Commission Member Zepp stated that there was a discrepancy in the ordinance if it was dictating 2,700 square foot minimum lot sizes and they were allowed a maximum density of 14 units per acre. Mr. Quint explained that the ordinance allowed a maximum density was up to 14 units per acre and had a requirement of 2,700 square foot minimum lot sizes. He stated that with the 2,700 square foot minimum lot size requirement, they might not be able to get 14 units per acre. Commission Member Zepp stated that was impractical.

Commission Member Stevens asked how many lots were below 24 feet wide. Mr. Quint stated that the layout provided in the packet was for informational purposes only and would not necessary be built to these specifications. Mr. Roeder stated that the number listed on the document was incorrect and that it should have said 22 foot wide lots.

Chairman Franklin stated that he did not feel the size of the lot dictated the price or quality of the townhomes. He stated that you could still build a really nice product on a smaller lot. Chairman Franklin stated that he initially had concerns regarding the screening for the HVAC equipment; however, the applicant had since come to an agreement with the Pine Ridge Estates Homeowners' Association (HOA) regarding

another material that would be used to screen the equipment. He stated that he was in favor of the townhome project.

On a motion by Commission Member Gilmore, seconded by Commission Member Zepp, the Commission voted unanimously to recommend approval of the rezoning request as presented by the applicant, with a vote of 7-0-0.

Chairman Franklin stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on May 5, 2015.