

**11-097M     Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney, for Approval of the Request to Amend Chapter 146 - Zoning Regulations of the Code of Ordinances, to Modify the Definition of a Church or Rectory to Allow a Temporary Not-for-Profit Housing Shelter as an Accessory Use.**

Mr. Brandon Opiela, Senior Planner for the City of McKinney, gave the staff report and explained the request to amend Chapter 146 in the Zoning Regulations of the Code of Ordinances, to modify the definition of the Church or Rectory to allow a temporary not-for-profit housing shelter as an accessory use. He stated that in 2009 Staff had discussions with a not-for-profit organization that desired to have a network of churches that would allow temporary housing of homeless individuals from Collin County. Mr. Opiela stated that the proposed ordinance amendment would not be limited to just one not-for-profit organization. He stated that this would be open to any church or religious entity that would like to offer temporary housing to homeless individuals. Mr. Opiela explained that the proposed definition modification would allow for an on-site accessory overnight housing shelter, providing housing for no more than 14 guests per night, and limiting the accessory use to a maximum of 30 nights per calendar year. Mr. Opiela stated that Staff is recommending approval of the proposed amendments to the definition, as conditioned in the staff report.

Commissioner Jack Radke questioned who was going to monitor the 30 night requirement. Mr. Opiela stated that it would be difficult to monitor since the use would typically occur outside of normal business hours. Commissioner George Bush asked how Staff came up with the numbers being used in the definition. Mr. Opiela explained that these are the numbers that Family Promise

uses with their program and that these numbers match some of the surrounding cities' requirements. Commissioner Sean Lingenfelter asked if the 30 night requirement could be divided up into smaller increments as needed. Mr. Opiela stated that it could vary depending on the organization's program. He gave an example of Family Promise's program. Commissioner Ray Eckenrode asked how this amended definition would be addressed in a residential neighborhood if a residential house was being used for a church and they wished to house homeless individuals. Mr. Opiela stated that they would need to meet all of the requirements and building codes. Ms. Jennifer Cox, Director of Planning for the City of McKinney, stated that they would need to apply for a City of McKinney permit and then they would need to pass the required inspections by the City of McKinney Building/Inspections, Fire, and Code/Health departments. Mr. Garry Adams, Assistant Building Official, stated that there are requirements in the City's ordinances that only allow a certain number of individuals that are not blood-related to stay at a residence.

Mr. Bob Roeder, 1700 Redbud Blvd., McKinney, TX 75069, discussed the need and various controls for the Family Promise program. He stated that two churches have gone through the preliminary phases of the permitting process. Mr. Roeder was in support of the ordinance amendment.

Ms. Margret Van Allen, 1700 Redbud Blvd., McKinney, TX 75069, discussed the Family Process of Collin County program. She stated that the homeless individuals have background checks, drug tests, and must meet certain criteria. Ms. Van Allen was in support of the ordinance amendment.

Chairperson Clark opened the public hearing and called for comments.

Rev. Patrick McCoy, Trinity Presbyterian Church, 5811 W. Virginia Pkwy., McKinney, TX 75071, stated that his church is interested in participating in the Family Promise of Collin County program and supported the ordinance amendment.

Dr. Neill Grimes, First Christian Church, 1800 W. Hunt St., McKinney, TX 75069, stated that his church is interested in participating in the Family Promise of Collin County program and supported the ordinance amendment. He stated that the program has risks and additional costs that the church covers.

Ray Eckenrode stated that he has concerns over having the definition too broad where there could be some ramifications to residential neighborhoods and suggested that Staff look into the issue further, prior to the City Council meeting.

The Commission unanimously approved the motion by Commissioner Sean Lingenfelter, seconded by Commissioner Jack Radke, to close the public hearing and recommend approval of the proposed amendment to the Zoning Ordinance, as conditioned in the staff report.

Chairman Robert Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council at the August 16, 2011 meeting.