

**Draft Planning and Zoning Commission Meeting Minutes of November 8, 2022:**

**22-0112Z2** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District to "PD" - Planned Development District, to Allow for Age Restricted Residential Uses and to Modify the Development Standards, Located Approximately 510 Feet North of Virginia Parkway and Approximately 260 Feet West of Joplin Drive

Ms. Kaitlin Sheffield, Senior Planner for the City of McKinney, stated that the online comments received after the packet was created were shared with the Commission prior to the meeting and will be included in the City Council packet. She stated that Staff received an official written protest for this request totaling 49.93% of the total area within 200' of the subject property; therefore, a supermajority vote of City Council will be required for approval of the proposed rezoning request. Ms. Sheffield explained the proposed rezoning request. She discussed the Senior Multi-Family Dwelling and Independent Living Facility zoning definitions and differences. Ms. Sheffield discussed the proposed amenities, additional landscaping, and limiting the maximum density to 15 ½ units per acre (totaling approximately 205 units maximum). She discussed Staff concerns on the proposed request and that Staff was unable to support the request. Ms. Sheffield explained the differences between a typical multi-family development, senior multi-family development, and senior independent living. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, explained that the applicant wants to be called Independent Living; however, what they are providing would be considered Senior Multi-family in the City of McKinney's ordinance. She stated that they were proposing a "PD" – Planned Development District that is comingling definitions between Independent Living and Senior Multi-family. Ms. Arnold stated that the Zoning Ordinance has a clear distinction between the two uses. She

briefly discussed Staff's concerns. Mr. Casey Bump, 901 Mopac Expressway South, Austin, TX, explained the proposed request, brief history of the project, and community outreach efforts. He discussed issues with right-of-way and getting two access points to the subject property. Mr. Bump discussed how they addressed some of the concerns previously mentioned. Commission Member Taylor asked if the access issue was created by the church. Mr. Bump stated that the church purchased the land with plans to expand. He stated that access to Joplin Drive is no longer an option. Commission Member Lebo stated that it would be a lot of people coming through a small access. He stated that it would probably be a great project; however, this is the wrong location for it. Commission Member Woodruff questioned the importance of being considered "independent" for this project. Mr. Bump stated that they were proposing a community for independent living for people 55 years old and where they will come to be in a community. He stated he was trying to restrict the residents of the proposed development to 55 years old and older. Commission Member Woodruff asked if their other facilities were called independent and asked if they provided services at those locations. Mr. Bump stated that they were called independent and did not provide meals and transportation services. Chairman Cox opened the public hearing and called for comments. The following seven residents spoke in opposition to the request. They expressed concerns regarding increased traffic, decreased property values, lack of privacy, degrade quality of the adjacent neighborhood, inappropriate use surrounded by single-family residential properties, will look like typical apartments, lack of two access points, and no enforcement of age restrictions.

- Mr. Samuel Paul Lehman, 5805 N. Woodcreek Circle, McKinney, TX
- Mr. Vince Hrenak, 5802 N. Woodcreek Circle, McKinney, TX
- Ms. Katherine Brewer, 5804 N. Woodcreek Circle, McKinney, TX
- Mr. Michael Brown, 5800 Creekside Court, McKinney, TX
- Mr. Andrew Milo, 400 Windwood Court, McKinney, TX

- Mr. Bob Roeder, 1700 Redbud Boulevard, McKinney, TX representing Bob and Shelia Johnson
- Ms. Penny Hawkins, 5801 N. Woodcreek Circle, McKinney, TX

On a motion by Commission Member Woodruff, seconded by Commission Member Lebo, the Commission closed the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey asked Mr. Bump to address the concerns regarding the resident's age limit. Mr. Bump offered to add the age restriction of 55 years old or older to the Deed Restriction. He said he thought that it was also included in the proposed "PD" – Planned Development District. Commission Member Woodruff asked if Mr. Bump was willing to change the definition to the City's recommended definition. Mr. Bump stated that he was willing to accommodating whatever mechanism that fits into the right framework to make it 55 years old and older. Chairman Cox asked Staff what use they would be comfortable with instead of the proposed use. Ms. Sheffield stated that Staff could envision a low intensity office type development at this site. She stated that the Comprehensive Plan calls for suburban living or a style of residential development that mimics the brand that is already established in the area. Chairman Cox asked about the access issue. Ms. Sheffield stated that there are potential solutions with neighboring homeowners' associations (HOAs) allowing access into the site; however, they were currently objecting access to the proposed development. Ms. Jennifer Arnold, Director of Planning for the City of McKinney, stated that Staff was more comfortable with a previous cottage style that mimicked the surrounding single-family residential properties. She stated that Staff has concerns regarding the single two-story proposed use surrounded on three sides by single-family residential properties. Ms. Arnold stated that Staff would like to see something proposed that is more compatible with surrounding single-family residential properties. Commission Member Woodruff asked how tall of an office building could be built on the property under the current zoning. Ms. Arnold stated that the property is currently zoned "AG" – Agricultural District which would limit the building height to 35'. Vice-Chairman Mantzey asked how the parking ratio and density compare to other multi-

family developments. Ms. Sheffield stated that the independent living requirement and senior multifamily would both be one per unit. She stated that the density would be determined by the property's zoning district. Ms. Sheffield stated that the applicant is requesting 15.5 units per acre. She stated that was compatible with the "MF-2" - Multiple Family Residential - Medium-High Density District. Commission Member Taylor felt that the proposed use would not work at this location. Vice-Chairman Mantzey stated that the subject property does not have access to either neighborhood. He did not feel that the proposed development would negatively affect property values based upon similar comparisons. Vice-Chairman Mantzey stated that the City has noise and light ordinances to govern the property. He stated that he felt that adults 55 years old and older need a low maintenance residential option without having to pay for a cafeteria and healthcare when they do not need it. On a motion by Commission Member Lebo, seconded by Commission Member Taylor, the Commission voted to recommend denial of the property request as recommended by Staff, with a vote of 5-2-0. Chairman Cox and Vice-Chairman Mantzey voted against the motion. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the November 15, 2022 meeting.