

Draft Planning and Zoning Commission Meeting Minutes of January 10, 2023:

- 22-** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for
0085SP2 McDonald Street Multifamily, Located at 3352 North McDonald Street

Mr. Jake Bennett, Planner I for the City of McKinney, explained the proposed site plan and screening variance. He stated that per the City Ordinance, a 6' tall masonry screening wall is required along all side and rear property lines. Mr. Bennett stated that the variance request for this project is to not provide the 6' tall masonry screening device along the eastern property line of the subject property. He stated that along the eastern property line there is a creek, floodplain, and heavily wooded area. Mr. Bennett stated that the property line is within the creek, it creates an irregular boundary that is substantially different compared to typical sites. He stated that the property on the other side of the creek is currently undeveloped and zoned for light industrial and office uses. Mr. Bennett explained that the eastern property line on the site is the only area not to be screened according to code and that all other required screening would be provided on-site. He stated that the request meets all four of Section 146-132's criteria to allow for the requested variance. Mr. Bennett stated that in the new Unified Development Code (UDC), the applicant would not be required to provide the masonry wall adjacent to the wooded area and the floodplain. He stated that it is Staff's opinion that the variance will have no adverse impact on adjacent properties due to the existing conditions of the site. Mr. Bennett stated that Staff recommends approval of the proposed variance. He stated that the multi-family use is allowed on the subject property, and the only reason for the public hearing is for the screening variance request along the eastern boundary. Vice-Chairman Mantzey wanted to clarify that there would be a 6' masonry screening wall between the proposed apartments and the adjacent residential properties. He asked if the only break would be the emergency access point to the north and would be gate controlled. Mr. Bennett stated that was correct. He stated that the

primary entrance to this site would be on the western side of the property. Vice-Chairman Mantzey asked if the applicant was building under the old Unified Development Code (UDC). Mr. Bennett stated that was correct. He stated that if they had submitted under the new Unified Development Code (UDC), then the variance request could have been approved at the Staff level. Vice-Chairman Mantzey stated that the property is already zoned for multi-family uses. He asked if there were any other variances requests for this site. Mr. Bennett said no. Mr. Jonathan Hake, Cross Engineering, 1720 W. Virginia Parkway, McKinney, TX, concurred with the Staff Report. He reiterated that the rear entry would be for emergency use only. Mr. Hake stated that all residential access would be from the front, off McDonald Street. He offered to answer questions. Vice-Chairman Mantzey asked if the 6' masonry fence would pick up on the other side of the fire access and continues. Mr. Hake stated that the fence would cover all improvements. He stated that the variance request was for the area just past this point. Commission Member Buettner asked about the proposed ornamental metal fencing. Mr. Hake stated that they were proposing a gated community, so there would be an ornament fence to secure the property along the eastern property line. Mr. Bennett pointed out that the location of the ornamental fence and stated that the remainder of the property would have the proposed masonry fencing. Chairman Cox opened the public hearing and called for comments. The following three residents spoke in opposition to the request. They expressed concerns regarding increased traffic; access to McDonald Street; increased foot traffic; access to the emergency access gate; loss of wildlife habitat; loss of native grasses and wildflowers; increased trash and runoff; light, noise, and waste pollution; property damage; and preferred that a park be built on the subject property.

1. Mr. Matthew Papillion, 408 Twin Knoll Drive, McKinney, TX
2. Ms. Katherine Potter, 620 Twin Knoll Drive, McKinney, TX
3. Kayla Meadows, 608 Twin Knoll Drive, McKinney, TX

The following residents filled out speaker cards in opposition to the request; however, did not wish to speak during the meeting.

1. Andrew & Ruth Ingram, 604 Twin Knoll Drive, McKinney, TX
2. Keir Peterson, 516 Crystal Falls, McKinney, TX

On a motion by Vice-Chairman Mantzey, seconded by Commission Member Taylor, the Commission unanimously voted to close the public hearing, with a vote of 7-0-0. Vice-Chairman Mantzey asked for clarification on the proposed emergency access to the subject property. Mr. Bennett stated that over half of the multi-family projects submitted to the City proposed similar emergency access areas. He stated that it is not a community access area. Mr. Bennett stated that it is strictly for emergency vehicles. He stated that the gate would be locked with a lock box and alarm on it. Mr. Bennett reiterated that emergency personnel would be the only people with access to the lock box and gate. Chairman Cox asked about the proposed entrance off McDonald Street. Mr. Bennett stated that they proposed a large entrance with a median between the entrance lanes and exit lanes of the property. Commission Member Lebo felt the applicant was being very conservative in the placement of ornamental fencing to preserve the green area. He stated that the applicant could enclose part of the green area if they wanted to inside a masonry fence. Mr. Bennett stated that the applicant does have the opportunity to install a masonry wall around the entire subject property, up to the creek. He stated that by doing this it would impact the trees, floodplain, and probably the water quality. Mr. Bennett stated that proposing an ornamental fence pulled back off the floodplain and preserving the trees by the creek is more beneficial substitute. He stated that there would not be a gate on the eastern property line. Chairman Cox asked who oversaw determining if a traffic light could be installed on McDonald Street (Highway 5). Mr. Bennett stated that would be Texas Department of Transportation (TxDOT). Vice-Chairman Mantzey stated that he understood the resident's concerns; however, felt that the residents did not want multi-family to be placed on the subject property. He stated that the subject property is already zoned for multi-family. Vice-Chairman

Mantzey stated that the question before the Commission tonight was regarding the variance request for eastern boundary of the property. He stated that the proposed wrought iron fence would be less impactful. Vice-Chairman Mantzey stated that under the new Unified Development Code (UDC) this would be a Staff approval item. He felt that it just makes sense overall. He was in favor of the proposed site plan with the variance request. On a motion by Vice-Chairman Mantzey, seconded by Commission Member Lebo, the Commission unanimously voted to recommend approval of the proposed request per Staff's recommendation, with a vote of 7-0-0. Chairman Cox stated that the recommendation of the Planning and Zoning Commission would be forwarded to City Council for consideration at the February 7, 2023 meeting.