

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Brandon Opiela, Planning Manager

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Multi-Family Development (McKinney Point), Located on the South Side of McKinney Ranch Parkway and Approximately 550 Feet East of Future Collin McKinney Parkway

APPROVAL PROCESS: The Planning and Zoning Commission is the final approval authority for the proposed site plan.

STAFF RECOMMENDATION: Staff recommends denial of the proposed site plan due to a lack of conformance with the governing planned development ordinances.

Should the proposed site plan be approved, the following conditions will be required prior to the issuance of a building permit:

1. The applicant satisfy the conditions as shown on the Standard Conditions for Site Plan Approval Checklist, attached.
2. The applicant revise the site plan to show median openings in conformance with the spacing required by the City's Street Design Manual, subject to review and approval of the City Engineer.

APPLICATION SUBMITTAL DATE: September 15, 2014 (Original Application)
October 14, 2014 (Revised Submittal)
October 21, 2014 (Revised Submittal)
October 22, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 198 unit multi-family residential development (McKinney Point) on approximately 8.95 acres, located on the south side of McKinney Ranch Parkway and approximately 550 east of future Collin McKinney Parkway and Lake Forest Drive.

Conforming site plans can be approved by Staff under the McKinney Code; however, the applicant has proposed multi-family residential uses on both the northern portion of the property (approximately 2.50 acres) which is currently designated and zoned for multi-family residential uses and on the southern portion of the property (approximately 6.45 acres) which is currently designated and zoned for commercial, retail and office uses. Since the proposed site plan depicts multi-family residential uses where only

commercial, retail, and offices uses are allowed, Staff is unable to approve the site plan administratively.

Additionally, Section 146-45 (Site plan approval)(a)(2)(a.) of the Zoning Ordinance states that, *“The director of planning shall not have the authority to disapprove a site plan application and shall forward any application which the director of planning cannot approve to the planning and zoning commission for action. The actions of the planning and zoning commission may be appealed to the council. The city council shall be the final approval authority for site plans.”* As the application proposes multi-family residential uses in an area designated and zoned for commercial, retail, and office uses on the governing general development plan, Staff recommends that the Planning and Zoning Commission deny the site plan application, due to nonconformance with the governing planned development zoning ordinances.

PLATTING STATUS: The subject property is currently unplatted. An associated preliminary-final plat (14-235PF) has been submitted which includes the subject property; however, the lot lines do not correspond with the proposed lot lines. Prior to the submittal of a record plat, the applicant will be required to revise the preliminary-final plat to correspond with the proposed site plan. A record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a certificate of occupancy.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2013-03-025 (incorporating Ordinance No. 2003-04-033) (Commercial, Retail, Office, and Multi-Family Residential Uses); and “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District

North	“PD” – Planned Development District Ordinance No. 97-02-08 (Commercial Uses); “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District	Undeveloped
South	City of Allen	Undeveloped
East	“PD” – Planned Development District Ordinance No. 2013-03-025 (Commercial, Retail and Office Uses); and “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District	Undeveloped
West	“PD” – Planned Development District Ordinance No. 2013-03-025	Future Millennium 2 Multi-family Residential

(Commercial, Retail, Office, and Multi-Family Residential Uses); and “REC” – Regional Employment Center Overlay District; and “CC” – Corridor Commercial Overlay District

Development

Discussion: The governing zoning ordinances on the property (“PD” – Planned Development District Ordinance Nos. 2013-03-025 and 2003-04-033, attached) refer to an attached general development plan which depicts how the property was intended to develop. This general development plan reflects the potential locations for buildings, parking, and circulation patterns, and also depicts general building sizes and heights. The northwestern portion of the general development plan (approximately 10.95 acres, further depicted on the attached Exhibit A) illustrates the area designated and zoned for multi-family residential use on the parent tract. The remainder of the acreage shown on the attached exhibit (approximately 23.61 acres), designates and zones the land for commercial, retail, and office uses. Ordinance No. 2003-04-033 requires that the property be developed **according to** the general development plan.

When the property was originally rezoned (02-287Z) in 2003 for a mix of multi-family residential, commercial, retail and office uses, the Staff report submitted to the Planning and Zoning Commission included the following language: “*The general development plan, which will be included as a part of the zoning ordinance, shows the anticipated mix of uses and lotting patterns. Although flexibility is allowed, this is generally the pattern that must be developed. The concept of the general development plan being part of the zoning differs from a standard general development plan which is more conceptual in nature and used to determine infrastructure needs of the development area. A zoning exhibit explicitly defines how the property will be developed.*”

The proposed site plan reflects multi-family residential uses on the northern portion of the property (approximately 2.50 acres), which generally conforms with the governing general development plan; however, the site plan also proposes multi-family residential uses on the southern portion of the property (approximately 6.45 acres) which has been designated and zoned on the general development plan for commercial, retail and office uses only. As such, multi-family residential uses on the southern portion of the site (further depicted on the attached Exhibits B & C) are not in conformance with the governing general development plan.

It should also be noted that a site plan for the property immediately to the west of the subject property was recently approved for multi-family residential use (Millennium 2; 14-141SP) and is located within a portion of the area designated for multi-family residential uses in accordance with the general development plan governing the parent tract.

ACCESS/CIRCULATION:

Adjacent Streets: McKinney Ranch Parkway, 100' Right-of-Way, Major Arterial

State Highway 121 (Sam Rayburn Tollway), Variable Width
Right-of-Way, Tollway

Discussion: The proposed site plan shows direct access to both McKinney Ranch Parkway and State Highway 121. A network of internal access drives will provide circulation through the site.

The site plan being proposed by the applicant reflects a median opening within McKinney Ranch Parkway which the City of McKinney's Engineering Department will not authorize. The proposed median opening hinders vehicular access to adjacent properties and negatively impacts the overall vehicular circulation patterns in the area. Approval of the proposed site plan does not constitute approval of the median designs reflected thereon nor does it vest any rights pertaining to street design or median spacing. It is important to note that street design and median spacing is not within the Planning and Zoning Commission's approval authority.

PARKING:

Proposed Use: Multi-family Residential (198 units including 302 bedrooms)

Required Number of Spaces: 1 Parking Space for Each Dwelling Unit; Plus 0.5 Space for Each Bedroom; Including 1 Enclosed Space for 30% of the Units (60 Garages) with a 20' Long Driveway in Front of the Garage Door (60 Tandem Spaces)

Total Required: 349 Parking Spaces (Including 60 Enclosed Parking Spaces)

Total Provided: 358 Parking Spaces (Including 68 Enclosed Parking Spaces; 68 Tandem Spaces; and 20 Handicapped Spaces)

Discussion: The applicant has satisfied the minimum parking requirements as specified within Section 146-130 (Vehicle Parking) of the Zoning Ordinance.

LOADING SPACES: No loading spaces are necessary for the proposed development per the minimum loading space requirements as specified within Section 146-131 (Off-Street Loading) of the Zoning Ordinance.

SOLID WASTE CONTAINERS: The sanitation container screening walls will be brick, stone masonry or other architectural masonry finish, including a metal gate, primed and painted, and the sanitation container screening walls, gate, and pad site will be constructed in accordance with the City of McKinney Design Specifications. The applicant has provided the required notation on the proposed site plan.

LANDSCAPING REQUIREMENTS: The applicant has satisfied all landscaping requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance.

SCREENING REQUIREMENTS: The applicant has provided the required notation stating that all mechanical, heating, and air conditioning equipment shall be screened from the public right-of-way and from adjacent residential properties. The applicant has properly screened the sanitation container and has satisfied the minimum requirements as specified in Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

LIGHTING AND GLARE REGULATIONS: The applicant will be responsible for complying with Chapter 58 (Lighting and Glare Regulations) of the City of McKinney Code of Ordinances. The applicant has provided the required notation stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances on the site plan.

ARCHITECTURAL STANDARDS: The applicant will be responsible for meeting the requirements of Section 146-139 (Architectural and Site Standards) of the City of McKinney Zoning Ordinance and the requirements of the governing planned development district ordinance's standards and elevations. Architectural building elevations are subject to review and approval by the Chief Building Official, prior to issuance of a building permit.

TREE PRESERVATION ORDINANCE: The applicant will be responsible for complying with the Tree Preservation Ordinance.

PUBLIC IMPROVEMENTS:

Sidewalks:	Required along McKinney Ranch Parkway and State Highway 121
Hike and Bike Trails:	Not Required
Road Improvements:	All road improvements necessary for this development, and as determined by the City Engineer
Utilities:	All utilities necessary for this development, and as determined by the City Engineer

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the accompanying plat, unless otherwise specified in an approved facilities agreement.

DRAINAGE: The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

FEES:

Roadway Impact Fees:	Applicable (Ordinance No. 2013-11-108)
Utility Impact Fees:	Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118)
Median Landscape Fees:	Applicable for McKinney Ranch Parkway at \$25.50 per linear foot of frontage
Park Land Dedication Fees:	Cash in lieu of land will be required at one acre for every 50 residential units (198 units requires 3.96 acres and is currently estimated at \$689,990)
Pro-Rata:	As determined by the City Engineer

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments in support of or in opposition to this request.

ATTACHMENTS:

- Standard Conditions for Site Plan Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- General Development Plan - Exhibit A (Information Only)
- General Development Plan - Exhibit B (Information Only)
- General Development Plan - Exhibit C (Information Only)
- Existing "PD" – Planned Development Ordinance No. 2013-03-025
- Existing "PD" – Planned Development Ordinance No. 2003-04-033
- Proposed Site Plan
- Proposed Landscape Plan
- PowerPoint Presentation