

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 label all fire lane radii.
3. The applicant submit a sewer study to determine the extent and routing of the proposed force mains and gravity lines which may affect the easements shown, subject to the 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)
November 18, 2014 (Revised Submittal)
December 26, 2014 (Revised Submittal)
January 7, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to construct a 198 unit multi-family residential development (McKinney Point) on approximately 8 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 approximately 3.94 acres,

which is currently designated and zoned for commercial, retail and office uses. The applicant is also proposing multi-family residential uses on approximately 4.32 acres of the subject property, which is currently designated and zoned for multi-family residential uses. Since the proposed site plan depicts approximately 3.94 acres of 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.

At the October 28, 2014 Planning and Zoning Commission meeting, the item was tabled by the Planning and Zoning Commission to give the applicant additional time to work with Staff on a revised site plan. The Planning and Zoning Commission stated concerns regarding access to the property as well as providing more commercial uses along the frontage road. The applicant's revised site plan shifts the location of the multi-family residential uses north of State Highway 121 frontage; however, continues to propose multi-family residential uses in an approximately 3.94 acre area designated by the governing planned development zoning ordinances for commercial, retail, and office uses.

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.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
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	Undeveloped Land
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 Land
South	City of Allen	Undeveloped Land
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 Land
West	"PD" – Planned Development District Ordinance No. 2013-03-025 (Commercial, Retail, Office, and Multi-Family Residential Uses); and "REC" – Regional Employment Center Overlay District; and "CC" – Corridor Commercial Overlay District	Future Millennium 2 Multi-family Residential 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 zoning exhibit, labeled "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 zoning exhibit (approximately 10.95 acres, further depicted on the attached Land Use Designation Exhibit A) illustrates the area designated and zoned for multi-family residential uses on the parent tract. The remainder of the acreage shown on the attached exhibit

(approximately 23.61 acres), is designated and zoned 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 approximately 3.94 acres (47% of the subject property’s total acreage), which is currently designated and zoned for commercial, retail and office uses. The applicant is also proposing multi-family residential uses on approximately 4.32 acres of the subject property, which is currently designated and zoned for multi-family residential uses. As such, multi-family residential uses on the southeastern portion of the site (as depicted on the attached Land Use Designation Exhibits B & C) are not in conformance with the governing planned development zoning ordinances.

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

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: 365 Parking Spaces (Including 60 Enclosed Parking Spaces)

Total Provided: 371 Parking Spaces (Including 68 Enclosed Parking Spaces and 36 Tandem 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
- 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 received no comments in support of or in opposition to this request; however, a letter from the North Texas Tollway Authority (NTTA) is attached regarding noise abatement adjacent to NTTA roadways.

ATTACHMENTS:

- Minutes from the October 28, 2014 Planning and Zoning Commission Meeting
- Standard Conditions for Site Plan Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Existing “PD” – Planned Development Ordinance No. 2013-03-025
- Existing “PD” – Planned Development Ordinance No. 2003-04-033
- Land Use Designation Exhibit A (Informational Only)
- Land Use Designation Exhibit B (Informational Only)
- Land Use Designation Exhibit C (Informational Only)
- Proposed Site Plan
- Proposed Landscape Plan
- Letter from the NTTA
- PowerPoint Presentation