

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Alex Glushko, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Sanchez and Associates, on Behalf of TCI McKinney Ranch, Inc., for Approval of a Request to Rezone Fewer than 35 Acres from “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of State Highway 121 (Sam Rayburn Tollway) and U.S. Highway 75 (Central Expressway)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 5, 2013 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. Use and development of the subject property shall conform to “PD” – Planned Development District Ordinance No. 2003-04-033, “CC” – Corridor Commercial Overlay District, and “REC” – Regional Employment Center Overlay District, except as follows:
 - a. The subject property shall be subject to the attached development regulations (Exhibit “B”).
 - b. The character of any multi-family residential development shall generally conform to the attached architectural rendering and shall also be subject to the Architectural and Site Standards section of the Zoning Ordinance, except as amended herein (Exhibit “C”).
 - c. Landscape buffers along property lines of multi-family development, as required by Section 146-135 of the Zoning Ordinance, shall be reduced for

buildings located closer than 20 feet from a property line, as specified in the attached development regulations.

APPLICATION SUBMITTAL DATE: September 24, 2012 (Original Application)
December 7, 2012 (Revised Submittal)
January 28, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 34.56 acres, located on the northwest corner of State Highway 121 (Sam Rayburn Tollway) and U.S. Highway 75 (Central Expressway), from “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District, generally to modify the development standards for multi-family residential development on the site. Multi-family residential land uses are currently allowed by right on the subject property per the governing zoning district.

Rezoning requests which were almost identical to this proposed request were recently approved by the City Council (August and November of 2012) for a property located at the southwest corner of McKinney Ranch Parkway and Silverado Trail (Barcelona Apartments) and a property located on the east side of McKinney Ranch Parkway and at the terminus of Silverado Trail (Millennium Apartments).

PLATTING STATUS: The subject property is currently unplatted. 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 NOTIFICATION SIGNS: The applicant has posted zoning notification signs on the subject property, as specified within Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2003-04-033 (Mixed Use), “REC” – Regional Employment Center Overlay District, and “CC” – Corridor Commercial Overlay District

North	“PD” – Planned Development District Ordinance No. 1997-02-08 (Commercial Use), Ordinance No. 1606 (Commercial Use), “PD” – Planned Development District Ordinance No. 1480 (Commercial Use), and “CC” – Corridor Commercial Overlay District	Courtesy Nissan and Lone Star Buick Car Dealership, Bark Hotel Pet Boarding, Undeveloped Land
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South	Outside McKinney City Limit – Not	City of Allen
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	Zoned	
East	Outside McKinney City Limit – Not Zoned	City of Allen
West	“PD” – Planned Development District Ordinance No. 2008-05-046 (Agricultural Uses), “REC” – Regional Employment Center Overlay District, and “CC” – Corridor Commercial Overlay District	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property in order to modify the development standards for multi-family residential development on the property. The applicant is looking to modify the development standards for a few specific topics. These topics are discussed in more depth herein.

Parking Requirements: The Zoning Ordinance currently requires 1 enclosed parking space to be provided for each multi-family residential dwelling unit plus an additional ½ parking space per bedroom. The applicant is proposing an ordinance provision that would require 1 parking space for every multi-family residential dwelling unit (30% of which must be enclosed) plus an additional ½ parking space per bedroom. A comparison of these two parking requirements under a hypothetical example is provided below:

Existing Parking Requirements vs. Proposed Parking Requirements
(based on a 600 unit, 1,500 bedroom multi-family residential development)

Existing Parking Requirements:

Enclosed Spaces Required	600
Uncovered Spaced Required	750
Percentage of Parking Spaces that are Enclosed	44%
Total Parking Spaces Required	1,350

Proposed Parking Requirements:

Enclosed Spaces Required	180
Uncovered Spaces Required	1,170
Percentage of Parking Spaces that are Enclosed	13%
Total Parking Spaces Required	1,350

The table above illustrates a reduction in the enclosed parking that is to be provided on-site under the proposed standard which may be perceived as a reduction in the quality of the development. The applicant is proposing to offset this reduction in perceived quality by proposing a series of increased architectural design standards.

Window Orientation Requirements: The Zoning Ordinance currently requires multi-family residential structures within 150 feet of an adjacent single family residential use or zone to be situated so that no exterior facing window is oriented towards said adjacent single family residential use or zone. Although the subject property is not currently located within 150 feet of an adjacent single family use or zone, the applicant has requested this provision in order to develop the multi-family portion of the property in a manner consistent with the urban character prescribed by the REC's regulations, which may in the future include a multitude of uses such as commercial, office, and single family residential located in close proximity to the development. The removal of this requirement could help to establish the desired design, density, and mixture of uses envisioned for the area. If multi-family residential buildings' windows within the REC are not permitted to be oriented toward single family residential zones or uses, larger buffers could be necessitated and the desired urban character may begin to erode.

Setback Requirements: For multi-family residential buildings located in the "REC" – Regional Employment Overlay District the side yard setback is required to be a minimum of ten feet or a minimum of 15 feet for the side facing a street on a corner lot, and the minimum rear yard is required to be 55 feet. The applicant has requested that the minimum side yard setback (both corner and interior) be 10 feet and the minimum rear yard setback be 5 feet. The intent of the REC, and specifically the Collin-McKinney Parkway corridor zone, is to promote an orderly, visually pleasing and active street and parkway environment for workers, residents and visitors, by promoting development in which buildings front on public streets.

However, Section 146-135 of the Zoning Ordinance requires 20 foot landscape buffers along property lines of multi-family development, therefore in order to develop the subject property as is proposed it is necessary to reduce the landscape buffer for those buildings which will be located closer than 20 feet from a property line. With these special ordinance provisions the applicant is proposing a development pattern which is in harmony with the intent of the REC.

Architectural Design Requirements: The Architectural and Site Standards section (146-139) of the Zoning Ordinance currently includes several provisions regulating the percentage of masonry that is to be provided on each multi-family residential building's façade, allowable colors, roof pitches/designs, and other random requirements for building heights, parking lot screening, and window orientation. The applicant is proposing a more in-depth list of architectural design requirements that will address the items that the Zoning Ordinance currently addresses as well as building massing, window placement within a façade, and additional architectural and design elements including, but not limited to resident amenities, and additional architectural design elements (varied roof plane heights, protruding and recessed balconies and awnings, and varied window types). The applicant has also submitted a conceptual architectural rendering to illustrate the character of the proposed development. The proposed architectural standards are intended to increase the quality of any multi-family residential architectural and site designs beyond what is mandated by the zoning regulations currently applicable to the subject property in exchange for approval in a

reduction in the required number of enclosed parking spaces. The increase in architectural design requirements also addresses Section 146-94 (PD – Planned Development District) of the Zoning Ordinance’s requirement that provisions mandating some level of innovation or exceptional quality for the associated design or development be included in the proposed PD Ordinance. Staff feels that the proposed architectural and site standards represent an increase in architectural quality beyond what is currently mandated by the Zoning Ordinance.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for mixed uses. The FLUP modules diagram designates the subject property as regional employment center within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed rezoning request is generally in conformance with the goals and objectives of the Comprehensive Plan. In particular, the proposed zoning change would help the community attain the goal of “Land Use Compatibility and Mix” through the stated objective of the Comprehensive Plan, “a mix of land uses that provides for various lifestyle choices”.
- **Impact on Infrastructure:** The proposed rezoning request should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area as the proposed land uses are not being modified. The Future Land Use Plan (FLUP) designates the subject property generally for mixed uses within a significantly developed area.
- **Impact on Public Facilities/Services:** The proposed rezoning request should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services as the proposed land uses are not being modified. Similar to infrastructure, public facilities and services are all planned for based on the anticipated land uses shown on the Future Land Use Plan.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The properties located adjacent to the subject property are zoned for commercial and agricultural uses. The proposed rezoning request will not alter the land uses that are currently allowed on the subject property. The proposed rezoning request should have a minimal impact on the existing and potential adjacent land uses.
- **Fiscal Analysis:** Staff did not perform a fiscal analysis for this case because the rezoning request does not modify the allowed land uses on the subject property.
- **Concentration of a Use:** The proposed rezoning request is not modifying the allowed land uses, therefore the proposed rezoning request should have no impact on the concentration of use.

CONFORMANCE TO THE MASTER PARK PLAN (MPP): The proposed rezoning request does not conflict with the Master Park Plan.

CONFORMANCE TO THE MASTER THOROUGHFARE PLAN (MTP): The proposed rezoning request does not conflict with the Master Thoroughfare Plan.

CONFORMANCE TO THE MULTI-FAMILY POLICY: The proposed development is exempt from the multi-family policy due to its location within the REC. The REC Overlay District is expected to have a higher percentage and densities of multi-family units than other areas of the City of McKinney.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments or phone calls in support of or opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Metes and Bounds Description
- Zoning Exhibit – Development Standards
- Zoning Exhibit – Architectural Rendering
- PowerPoint Presentation