



TITLE: Conduct a Public Hearing to Consider/Discuss/Act on the Request by the City of McKinney, to Amend Section 146-46 (Definitions), Section 146-130 (Vehicle Parking), Section 146-139 (Architectural and Site Standards), and Appendix F, Section F-4 (Schedule of Uses) of the Zoning Ordinance as these Sections Pertain to Multi-Family Residential Uses, Senior Multi-Family Residential Uses, Independent Uses, and Assisted Living Uses, and Accompanying Ordinance

MEETING DATE: February 25, 2013

DEPARTMENT: Planning

CONTACT: Michael Quint, Director of Planning

RECOMMENDED PLANNING AND ZONING COMMISSION AND CITY COUNCIL ACTION:

- Staff recommends the Planning and Zoning Commission and City Council consider, discuss, and act on the proposed amendments to Section 146-46 (Definitions), Section 146-130 (Vehicle Parking), Section 146-139 (Architectural and Site Standards), and Appendix F, Section F-4 (Schedule of Uses) of the Zoning Ordinance as these sections pertain to multi-family residential uses, senior multi-family residential uses, independent uses, and assisted living uses.

ITEM SUMMARY:

- In August of 2009, Council Member Day and members of the City Council directed Staff to draft recommendations regarding how to ensure that the future multi-family residential developments were developed to a higher quality and were appropriately buffered from adjacent single family residential uses.
- Subsequent to this discussion, Staff researched, drafted, and discussed a number of options and possible amendments with the City Council over a span of several months. These meetings and discussions culminated with the adoption of Ordinance number 2010-05-011, which created a series of regulations that were intended to ensure that high quality multi-family residential developments were constructed in the future. These regulations that were adopted in May of 2010 are still currently in place.

- On May 15, 2012, Council Member Day and Mayor Pro-Tem Ussery indicated that they would like Staff to revisit these previously approved multi-family regulations. Specifically, Staff was directed to craft a series of ordinance amendment options that would address the overly burdensome parking standards that were adopted in May of 2010 while preserving standards that would result in the construction of high-quality multi-family residential developments.
- On June 5, 2012, Staff presented two ordinance amendment options that would address the stated concerns. At that time, the City Council directed Staff to draft some specific ordinance verbiage which could be considered and discussed by the City Council.
- On November 26, 2012, Staff presented amendments to Sections 146-46 (Definitions), 146-130 (Vehicle Parking), 146-139 (Architectural and Site Standards), and Appendix F, Section F-4 (Schedule of Uses) of the Zoning Ordinance pertaining to multi-family residential uses, senior multi-family residential uses, independent uses, and assisted living uses. The Planning and Zoning Commission and City Council provided broad feedback regarding the proposed amendments but the feedback was specific as it pertained to:
 - Reductions in the enclosed parking space requirements (to 30%) with Council's approval of building elevations should be allowed;
 - Senior multi-family residential building heights should not be limited to 2 stories; and
 - More amenity options that might be suitable for senior multi-family developments were needed.
- Subsequent to this joint meeting, Staff has modified the proposed ordinance amendments per the Commission's and Council's feedback. The proposed ordinance amendments address several specific issues:
 1. They provide a clear distinction between multi-family residential, senior multi-family residential, independent living, and assisted living uses;
 2. They provide for a modified parking standard for multi-family residential, senior multi-family residential, independent living, and assisted living uses;
 3. They provide for modified architectural design standards for multi-family residential and senior multi-family residential uses;
 4. They provide an updated Schedule of Use chart which clearly indicates which zoning district each use will be allowed within; and

5. They provide an updated listing of definitions which clearly indicates what multi-family residential, senior multi-family residential independent living, and assisted living uses are.
- There are an infinite number of variations to these four land uses and to narrow them all down to four distinct land uses was not an easy task. That being said, Staff feels as though the proposed land uses and the amendments pertaining to them should address the Council's desire for quality development but still allow the Development Community to respond to the market's demand for a number of different multi-family residential/assisted living land uses.

BACKGROUND INFORMATION:

- See the attached staff report.

SPECIAL CONSIDERATIONS:

- Because the Town Center Code is being considered and acted upon at the same meeting as these proposed amendments and modifies some of the same sections, the amendments, specifically the ordinances that will be adopted, must be coordinated. More specifically, because the adoption of the Town Center Code will occur before the proposed amendments are adopted, various Town Center Code references will be present in the proposed ordinance amendments and will appear as being already adopted. If the Town Center Code and its ordinance references are not adopted or are modified by the City Council, Staff will modify the proposed ordinance amendments accordingly.
- These proposed amendments will be applied retroactively to all properties within the City of McKinney's corporate limits at the time of adoption. Additionally, any property governed by a planned development district ordinance which does not specifically contradict the proposed amendments or otherwise exempt the property out of being subject to these proposed amendments will be subject to these proposed amendments.

FINANCIAL SUMMARY:

- None.

BOARD OR COMMISSION RECOMMENDATION:

- On January 22, 2013, the Planning and Zoning Commission considered the proposed ordinance amendments and held a public hearing. No action was taken. However, Commission Member Franklin indicated that he would like to see Staff's proposed parking requirement for multi-family residential and senior multi-family residential uses be modified to read as indicated below. Staff has drafted a full version of Commission Member Franklin's recommendation and it is

attached to this report for reference purposes (Proposed 146-130 Changes_Per RF).

- 1 parking space shall be provided for each unit and an additional 0.5 space be provided for each bedroom. No less than 30% of the units shall have an enclosed parking space. No less than 20% of the units shall have a covered parking space. Enclosed parking spaces shall not be counted as covered parking spaces for the purposes of this requirement.