PLANNING & ZONING COMMISSION MEETING OF 04-22-14 AGENDA ITEM #14-009Z2

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Steven Duong, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by NEXmetro Community Development, L.L.C., on Behalf of Hunter 38042, L.P., for Approval of a Request to Rezone Fewer than 11 Acres from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Northeast Corner of U.S. Highway 380 (University Drive) and Grassmere Lane

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the May 20, 2014 meeting.

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

1. The use and development of the subject property shall develop in accordance with the attached development regulations.

However, the applicant has proposed an alternate parking ratio in the attached development regulations with which Staff is recommending denial of.

APPLICATION SUBMITTAL DATE: January 13, 2014 (Original Application)
March 11, 2014 (Revised Submittal)
March 20, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 10.25 acres of land, located on the northeast corner of U.S. 380 (University Drive) and Grassmere Lane from "PD" – Planned Development District, generally for mixed use and neighborhood business uses, to "PD" – Planned Development District, generally to allow for the development of single story, detached, multifamily dwelling units, and to establish the standards necessary for the development of the product.

At the April 8, 2014 Planning and Zoning Commission meeting, the Commission tabled the rezoning request due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance.

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. 2004-06-068 and "CC" – Corridor Commercial Overlay District (Mixed Uses)	
North	"PD" – Planned Development District Ordinance No. 2004-06-068 and "CC" – Corridor Commercial Overlay District (Mixed Uses)	Undeveloped Land
South	"PD" – Planned Development District Ordinance No. 2002-03-025 (Neighborhood Business Uses)	Retreat at Stonebridge Ranch Apartments
East	"PD" – Planned Development District Ordinance No. 2004-06-068, "PD" – Planned Development District Ordinance No. 2006-02-016, and "CC" – Corridor Commercial Overlay District (Mixed Uses)	Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 2010-10-042 and "CC" – Corridor Commercial Overlay District (Mixed Uses)	Tucker Hill Residential Subdivision

PROPOSED ZONING: The applicant is requesting to rezone the subject property from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the development standards to allow for the development of 122, single story, detached, multi-family dwelling units. The applicant is requesting modified space limits, landscape requirements, parking ratios, screening devices, and architectural standards. Those modifications are detailed in the attached development regulations, architectural concepts, and courtyard and site layout exhibits,

The existing zoning on the property allows for "BN" – Neighborhood Business uses, which include multi-family residential uses with a minimum density of 20 units per gross acre and a maximum density of 40 units per gross acre. The applicant is proposing to reduce the density to 12 units per gross acre.

Staff is comfortable with the majority of the proposed development regulations (regarding permitted uses, space limits, amenities, minimum landscaping, screening and buffering, and architectural standards); however, the applicant is requesting a reduced parking standard for the development. Section 146-130 (Vehicle Parking) of the Zoning Ordinance states that multiple family dwellings be parked at 1 space per unit plus 0.5 spaces for each bedroom within all dwelling units. In addition, no less than 50 percent of units shall have an enclosed parking space. If a garage door is associated with the enclosed parking space, a 20' long driveway in front of the garage door shall be provided or an additional 0.5 parking space per enclosed space shall be provided elsewhere on the site. The applicant has requested a parking ratio of 1.85 spaces per unit, which includes both surface parking spaces and garage spaces. The applicant has also requested that surface parking include a minimum of one covered parking space per unit. Per the Zoning Ordinance's requirement for multi-family dwellings, the subject property would be required a total 289 parking spaces, 61 of which must be enclosed. Per the applicant's requested parking ratio, a total of 226 parking spaces would be provided, including 122 covered spaces and 37 garage spaces (approximately 30% of the units having an enclosed parking space instead of the required 50%). The applicant has provided a parking demand study (attached) based on similar projects they have constructed in Arizona supporting the requested parking reduction. Staff is of the opinion that the existing multi-family parking regulations are appropriate for the proposed development, and as such, recommends denial of the reduction in parking spaces.

The applicant is proposing three distinct architectural elevations or "courtyard themes" (attached), which are proposed to be alternated throughout the site where possible in order to create a diverse neighborhood with a single family detached residential feel. The attached Architectural Concepts do not fully conform to the Zoning Ordinance's standards for multi-family buildings with regard to masonry materials and percentages (minimum of 85% masonry on sides visible from adjacent rights-of-way or residential properties and 50% masonry for walls located within interior courtyards and/or walls not visible from adjacent rights-of-way or properties zoned or used for residential purposes); however, the applicant has indicated that the proposed elevations were reviewed and redesigned based on meetings with the Tucker Hill residents and developer, Southern Land Company, in effort to provide architectural concepts that complement the adjacent residential subdivision to the west, Tucker Hill, and have a single family residential feel. As such, Staff is not opposed to the proposed architectural concepts.

Lastly, Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance states that no proposed PD District may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. The applicant has proposed to plant one canopy tree every 30' linear foot (instead of the typical requirement of one canopy tree per 40' linear feet) around the entire perimeter of the property and provide a 40' wide landscape buffer along the western property line to satisfy this requirement.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for light manufacturing uses. However, the property was rezoned in 2004 for mixed use and neighborhood business uses and the FLUP was based on the zoning designation approved in 1988 for "ML" – Light Manufacturing District. The FLUP modules diagram designates the subject property as Suburban Mix 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 "Attractive Hometown that Promotes McKinney's Character" through the stated objective of the Comprehensive Plan, "Attractive and Distinctive Neighborhoods".

- 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.

- 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.

- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for similar mixed use and multi-family uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property.

- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base mixed use and commercial zoning of the subject property.

Concentration of a Use: The proposed rezoning request should not result in an over concentration of residential land uses in the area.

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

ATTACHMENTS:
- Location Map and Aerial Exhibit
- Letter of Intent
- Existing "PD" – Planned Development District Ordinance No. 2004-06-068
- Proposed Zoning Exhibit – Site Layout
- Proposed Zoning Exhibit – Courtyard Layout
- Proposed Zoning Exhibit – Architectural Concepts

- Proposed Zoning Exhibit – Development Regulations
- Parking Study - Informational
- PowerPoint Presentation