

PZ Report - September 26, 2017

..Title

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Allow Commercial, Single Family Attached Residential and Multi-Family Residential Uses, Located on the Southwest Corner of Eldorado Parkway and Stonebridge Drive

..Summary

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: September 26, 2017

DEPARTMENT: Planning

CONTACT: Melissa Spriegel, Planner I
Samantha Pickett, Planning Manager, AICP
Brian Lockley, Director of Planning, AICP, CPM

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the October 3, 2017 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to the proposed development standards' inability to mandate or achieve a high quality development, as the attached exhibits and standards are not, in Staff's opinion, ready to move forward.

However, the applicant is requesting approval of the following special ordinance provisions:

1. The subject property shall be zoned “PD” – Planned Development District and shall be subject to the following special ordinance provision:
 - a. The subject shall be developed in accordance with the attached development regulations and exhibit.

APPLICATION SUBMITTAL DATE: August 15, 2017 (Original Application)
August 31, 2017 (Revised Submittal)
September 11, 2017 (Revised Submittal)
September 15, 2017 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 37.36 acres of land from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow commercial, single family attached residential, and multi-family residential uses. More specifically, the proposed rezoning request adds additional uses

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to the proposed base zoning district of “C2” – Local Commercial District and modifies the development standards, including, but not limited to, lot area, width, and depth, maximum height, density, and setbacks, as detailed in the attached development regulations.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” – Planned Development District Ordinance No. 2005-10-110 (Commercial Uses) and “PD” – Planned Development District Ordinance No. 2003-02-015 (Office Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2008-08-076 (Office Uses), “PD” – Planned Development District Ordinance No. 2004-09-101 (Office Uses), “PD” – Planned Development District Ordinance No. 2014-03-017 (Commercial Uses)	Baybrooke Village, Methodist McKinney Hospital, Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2005-10-110 (Commercial Uses) and “PD” – Planned Development District Ordinance No. 2003-02-015 (Office Uses)	Experian Data Center, Stonebridge Assisted Living
East	“PD” – Planned Development District Ordinance No. 2005-11-114 (Commercial Uses), “PD” – Planned Development District Ordinance No. 2007-05-046 (Office Uses)	Xplor Daycare, Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2003-02-015 (Office and Industrial Uses)	Torchmark Corporation

PROPOSED ZONING: The applicant is requesting to rezone approximately 37.36 acres of land from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow commercial, single family attached residential, and multi-family residential uses.

Staff has significant concerns with the proposed rezoning request moving forward as the proposed development regulations have multiple issues, listed below and discussed in further detail in the attached development regulations. While Staff feels the majority of

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the issues could be resolved with time, the applicant has indicated they are on an extremely aggressive timeline, and as such, has chosen to continue moving forward despite Staff's outstanding concerns.

The following provisions are difficult for Staff to enforce due to their lack of detail or specificity, or are generally unclear:

- *Commercial Development Standards*
 - *“Prior to, or contemporaneous with, the submittal of the first site plan for the subject property, detailed drawings illustrating the aforementioned enhancements will be provided for city review and approval.”*
 - *“Complementary stone accents consistent with the monumentation will be incorporated into the building design of each structure to unify the overall development.”*
- *Single Family Attached Lot Development Standards*
 - *“No single family attached lots shall be permitted within 225’ of the Eldorado Parkway Right-of-Way.”*
- *Multi-Family Residential Development Standards*
 - *“No single family attached lots shall be permitted within 225’ of the Eldorado Parkway Right-of-Way.”*
 - *“Front build-to zone: 25’ back from the build-to line within which the balance of the façade must occur”*

The following provisions are not needed within the development regulations, as they are already stipulated in and/or required by the Zoning Ordinance:

- *Commercial Development Standards*
 - *“The Development will incorporate stone monumentation at entry and other strategic points along the Eldorado Parkway frontage in order to identify the development.”*

The following provisions are those that Staff cannot support:

- *Multi-family Development Standards*
 - *“Maximum side yard: 5 feet”*
 - *“Maximum rear yard: 5 feet”*

Furthermore, 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 indicated to Staff that this will be achieved by providing stone monumentation and complementary stone on the buildings. However, stone monumentation and masonry finishing materials on the buildings are required per the

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Zoning Ordinance and not unique to the proposed development. More specific standards should be provided with regards to unifying the overall development in order to meet the requirements of the PD provision.

The applicant also indicated that the stated enhancements will be detailed in the site plan review process, but they would be difficult to enforce at the zoning level given the broad nature of the provisions. The lack of specificity may cause interpretation issues during the site plan process. It is Staff's opinion that these provisions do not add an exceptional quality that would enhance the project in a manner that could visually enhance the City.

Lastly, the exhibit provided by the applicant does not include metes and bounds descriptions of the two tracts separating the commercial-only portion of the development from the interior of the property that allows for residential uses. The proposed exhibit conflicts with the proposed development regulations regarding a depth of 225' from Eldorado Parkway, as the exhibit shows additional depth provided at the intersection of Eldorado and Stonebridge. As such, Staff is of the opinion that the lack of conformance between the proposed development regulations and the proposed exhibit will lead to issues of interpretation during the development process.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for Office uses. 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 "Land Use Compatibility and Mix" by creating a "mix of land uses that provides for various lifestyle choices".
- Impact on Infrastructure: The proposed rezoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area.
- Impact on Public Facilities/Services: The proposed rezoning request may have an 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 commercial and office uses. The proposed rezoning request should be compatible with the existing surrounding development.
- Land Use and Tax Base Summary: Module 36 is currently comprised of approximately 52.8% residential uses and 47.2% non-residential uses (including

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institutional uses). The proposed rezoning request will have an impact on the anticipated land uses in this module. Estimated tax revenues in Module 36 are comprised of approximately 86% from residential uses and 14% from non-residential uses. Estimated tax revenues by type in Module 36 are comprised of approximately 94.5% ad valorem taxes and 5.5% sales and use taxes.

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

CONFORMANCE TO THE MULTI-FAMILY POLICY: The current multi-family policy was adopted by City Council in May of 2015. In reviewing requests to rezone property for multi-family uses, Staff evaluates the request for conformance to the policy criteria listed in the Comprehensive Plan.

Multi-family developments serve an important function in McKinney. Multi-family developments function as housing for young professionals who are not ready to own homes, as well as housing for citizens who are relocated on a regular basis by their employer. Multi-family also provides housing for retirees who seek low maintenance living and, in some cases, they serve as affordable housing for those who cannot meet the expense of home ownership. While the City of McKinney recognizes the importance of multi-family land use, attention should be given to how it is developed. For this reason, the following are the design and location parameters that apply to multi-family developments in McKinney.

1. Multi-family developments shall be subject to architectural standards as provided for in Section 146-139 of the Zoning Ordinance.
2. Multi-family uses should not be located in large, high-density concentrations and clusters, but rather dispersed in small groupings around the city in a balanced manner that provides a mix of uses and densities.
3. Multi-family developments should generally be no greater in size than either 20 acres or 400 units.
4. Multi-family developments shall be located at major thoroughfare intersections rather than between intersections (i.e., not mid-block).
5. Multi-family uses shall be located on only one corner of a major intersection, unless they are constructed as part of a mixed-use vertical development.
6. New multi-family zoning shall not be located within 1,320 feet (one-quarter mile) of any other multi-family zoning district.
7. In each of the six planning sectors, the number of multi-family units generally should not exceed 10% of the total number of existing or estimated future residential housing units.

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8. If the total estimated number of future residential multi-family units in a planning sector exceeds 10%, a new location should be proposed for rezoning. Staff will evaluate any new locations to determine whether a recommendation for an amendment to the future land use plan should be made.
9. Vertical mixed-use developments may be allowed even if multi-family housing in the sector exceeds 10% of the existing and zoned housing units, and shall not count towards the multi-family percentage. A vertical mixed-use area shall be defined as one with non-residential uses on the ground floor and in some cases lower floors, with residential uses on the upper floors. The City encourages the vertical mixing of rental units with other land uses.
10. Urban multi-family developments may also be allowed even if multi-family housing in the sector exceeds 10% of the existing and zoned housing units. For the purposes of this section, urban multi-family development shall mean a multi-family residential development which incorporates, at a minimum, the following urban design elements:
 - a. structured and/or tuck-under garage parking for no less than 80% of the total required parking for the development;
 - b. ground floor units adjacent to a public right-of-way are designed and constructed to permit commercial uses with a minimum 12 feet clear ceiling height;
 - c. meaningful, centrally located internal open spaces (parks, plazas, courtyards, and squares) offering public gathering areas; and
 - d. 10 foot wide public sidewalks adjacent to all public roadways.

At the time the Multi-Family Policy was adopted in 2015, all of the sectors of the City were above the allotted 10% and the applicant's request to allow new multi-family zoning will only make these percentages increase. The Multi-Family Policy also states that if the Future Land Use Plan does not designate the property for multi-family, then the request will be recommended for denial. As such, the proposed rezoning request is not in conformance with the Multi-Family Policy and Staff recommends denial of the proposed rezoning request.

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

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EXHIBIT B

Development Regulations

The subject property shall develop in accordance with the Zoning Ordinance, as amended from time to time, except as set forth below:

~~I. Commercial Development Standards~~

~~I. Tract 1 of the subject property shall develop in accordance with "C2" – Local Commercial District of the Zoning Ordinance, and as amended, except as follows:~~

~~a. Tract 1 The Development will incorporate stone monumentation at entry and other strategic points along the Eldorado Parkway frontage in order to identify the development. Complementary stone accents consistent with the monumentation will be incorporated into the building design of each structure to unify the overall development. Prior to, or contemporaneous with, the submittal of the first site plan for the subject property, detailed drawings illustrating the aforementioned enhancements will be provided for city review and approval.~~

~~b. The subject property shall develop in accordance with "C2" Local Commercial District of the Zoning Ordinance, and as amended, except as otherwise described in these Development Regulations.~~

~~II. Tract 2 of the subject property shall develop in accordance with "C2" – Local Commercial District of the Zoning Ordinance, and as amended, except as follows:~~

~~a. Single Family Attached Lot Development Standards and Multi-Family Residential Uses shall be permitted uses.~~

~~b. Single Family Attached Residential shall develop according to the standards below:~~

~~-i. No single family attached lots shall be permitted within 225' of the Eldorado Parkway Right-of-Way.~~

~~-ii. Maximum allowed density: 14 units per acre~~

~~-iii. Minimum lot area: 1,540 square feet~~

~~-iv. Minimum lot width: 24'~~

~~-v. Minimum lot depth: 70'~~

~~-vi. Minimum front yard setback: 10', with a 5' encroachment for unenclosed front porch or patio, measured from front property lot line~~

~~-vii. Minimum rear yard setback: 10'~~

~~-viii. Garage access: If the lot is less than 50' wide, garages shall be accessed via alleys adjacent to the rear of the lot. A driveway with a minimum depth of 20' shall be provided in front of the garage door.~~

~~- Minimum interior side yard setback:~~

~~i. ix. Interior side yard: 10' between buildings~~

~~ii. x. Minimum S side yard at corner: 10'~~

Commented [A1]: Letter of intent mentions architectural standards however, none are included here.

Commented [A2]: Monument signs are required, per City Standards, to be wrapped in masonry (brick or stone to match the building) along the base and sides of the sign. Please define what will be the unique features of the proposed design.

Commented [A3]: Please define where these points will be located on the Zoning Exhibit

Commented [A4]: Please note masonry is already required per the Zoning Ordinance to be on 50% of each elevation. Consider revising this provision to "each building will feature similar or the same stone materials and accents to create and unified design"

Commented [A5]: Staff does not feel this is an enforceable provision. Specific enhancements must be defined within the Zoning Ordinance to be enforced on the site plan and to avoid misunderstandings or issues of interpretation at the site plan level.

Commented [A6]: What is the distance allowed for residential development along Stonebridge Drive? This requirement conflicts with the line shown on the zoning exhibit. Please also define a depth from Stonebridge Drive.

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- xi. Maximum height of structure: 40'
- xii. Maximum lot coverage: Not Applicable

-c. Multi-Family Residential Uses shall develop according to the standards below: Development Standards

- i. No multi-family structure shall be permitted within 225' of the Eldorado Parkway Right-of-Way.
- ii. Minimum allowed density: 35 units per acre
- iii. Maximum allowed density: 60 units per acre
- iv. Minimum lot width: None
- v. Minimum lot depth: None
- vi. Minimum lot area: None
- vii. Front build-to line: 5' – 10'. A minimum of 50% of a building's front façade must be pulled up to the build-to line
- viii. Front build-to zone: 25' back from the build-to line within which the balance of the façade must occur in which all building projections and recesses shall occur
- ix. Maximum side yard: 5'
- x. Maximum rear yard: 5'
- xi. Minimum Building Separation: 10'
- xii. Building height: 4 stories, with a maximum height of 60'
- xiii. Maximum lot coverage: Not Applicable
- xiv. Parking: Minimum of 80% of required parking spaces shall be provided within a structured parking facility; on street parking within 200 feet of the building shall be permitted to count as required surface parking provided it is marked as such and located outside the required driving lanes and/or fire lanes.

Commented [A7]: What is the distance allowed for residential development along Stonebridge Drive? This requirement conflicts with the line shown on the zoning exhibit. Please also define a depth from Stonebridge Drive.

Commented [A8]: Please define what the balance of the façade is in relation to the 50% of the building required to be on the build-to line.

Commented [A9]: Typical standards define a minimum setback on the side and rear yards. These need to be minimums in order to maintain Building/Fire code building separations.

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EXHIBIT B

Development Regulations

The subject property shall develop in accordance with the Zoning Ordinance, as amended from time to time, except as set forth below:

I. Commercial Development Standards

- a. Development within Tract 1 will conform to the uses and standards set forth in “C2” – Local Commercial District of the Zoning Ordinance, as amended, with the following architectural and site enhancements:
 - i. All elevations of buildings will be finished with 60% stone (Leuders Limestone) and brick, with the remainder including one or more of the acceptable exterior finishing materials set forth for *Other non-residential uses in non-industrial districts* in Section 146-139(f)(8);
 - ii. Roofs will consist of profile composition shingles with standing seam dormers and shading elements;
 - iii. Unified lighting standards will be used throughout with decorative low level fixtures and poles at each street entrance and intersection;
 - iv. Textured paving accents will be installed at each street entrance and intersection;
 - v. ~~All free-standing signage will include brick and stone bases.~~
- b. Commercial development in Tract 2 will conform to the uses and standards set forth in “C2”-Local Commercial District of the Zoning Ordinance, and as amended.

II. Single Family Attached Lot Development Standards

- a. Single family attached lots shall be permitted within Tract 2 that lies 225’ south of the Eldorado Parkway Right-of-Way and 225’ west of the Stonebridge Drive Right-of-Way as shown on the Zoning Exhibit, but shall not be permitted within Tract 1.
- b. Maximum allowed density: 14 units per acre
- c. Minimum lot area: 1,540 square feet
- d. Minimum lot width: 24’
- e. Minimum lot depth: 70’
- f. Minimum front yard setback: 10’, with a 5’ encroachment for unenclosed front porch or patio, measured from front property lot line
- g. Minimum rear yard setback: 10’
- h. Garage access: If the lot is less than 50’ wide, garages shall be accessed via alleys adjacent to the rear of the lot. A driveway with a minimum depth of 20’ shall be provided in front of the garage door.
- i. Minimum side yard setback:
 - i. Interior side yard: 10’ between buildings
 - ii. Side yard at corner: 10’

Commented [A1]: Please specify if this will be standing seam metal dormers. Is there a specific number of dormers required per length of building?

Commented [A2]: Specify types of elements, this requirement is too broad to be enforceable. Is this meant to provide for protected entries and covered windows or architectural features? Consider making this a separate, more specific requirement.

Commented [A3]: Please note all lighting must meet the requirements of Chapter 58 of the Zoning Ordinance.

Commented [A4]: Please clarify that lighting will be provided as required per design standards, not just at entrances and intersections
Lighting poles cannot vary along streets

Commented [A5]: Specify type. Pavers are not permitted, Is this to be stamped concrete? The City enforces specific design criteria for stamped concrete, please see below: The standard detail for stamped concrete is a 90 degree herringbone pattern, colored antique red.

Commented [A6]: Please note this is already required per the Zoning Ordinance.

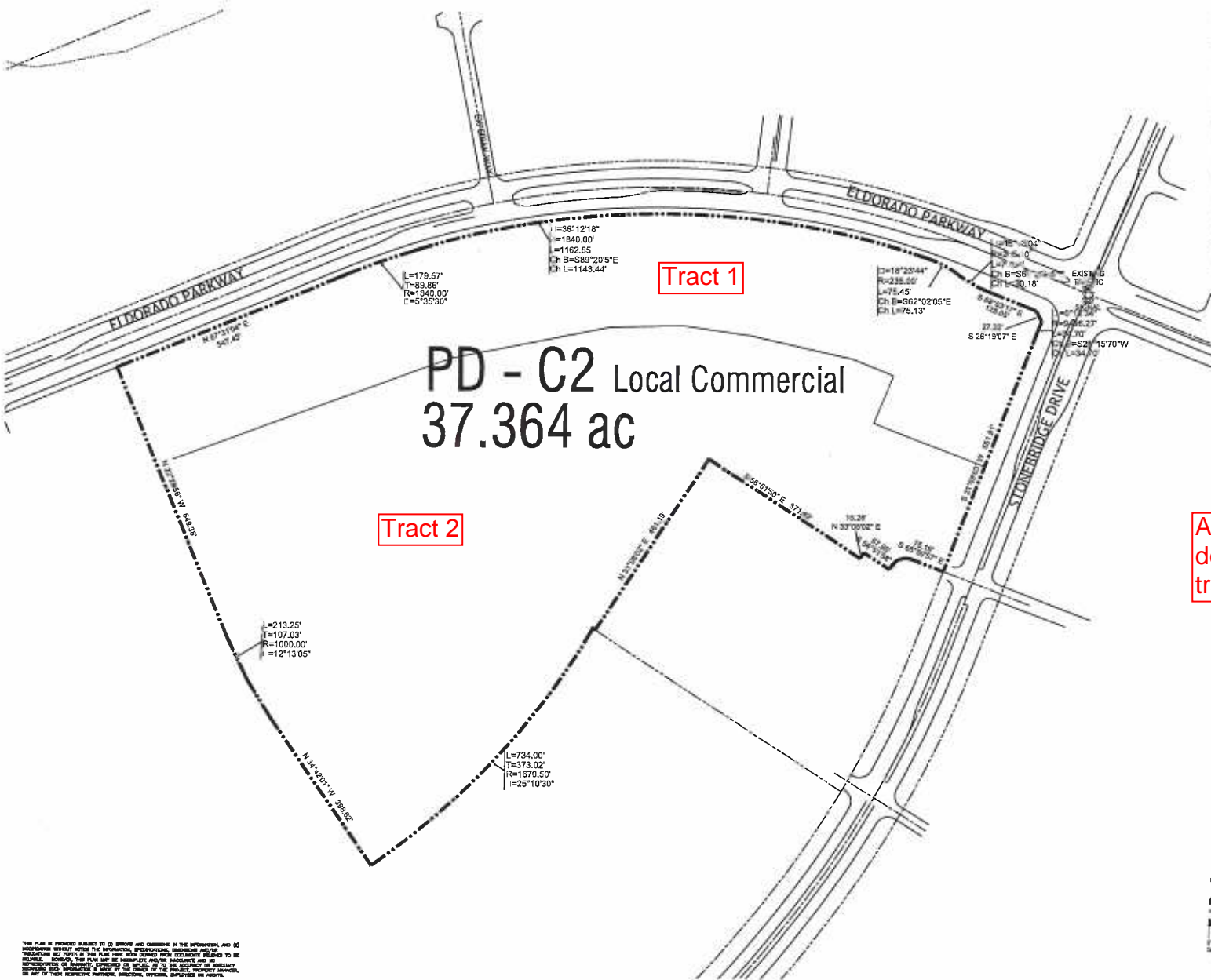
Commented [A7]: The enhancements proposed for Tract 1 should be applied to Tract 2. It is Staff’s opinion that consistently applying the standards to commercial development on both tracts will create a more unified development.

Commented [A8]: This is not consistent with the zoning exhibit as Tract 1 does not extend length of Stonebridge Drive. Please see comment on exhibit.

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- j. Maximum height of structure: 40'
- k. Maximum lot coverage: Not Applicable
- III. Multi-family Development Standards
 - a. Multi-family structures shall be permitted within Tract 2 that lies 225' south of the Eldorado Parkway Right-of-Way and 225' west of the Stonebridge Drive Right-of-Way as shown on the Zoning Exhibit, but ~~shall be permitted~~shall ~~NOT be permitted~~ within Tract 1.
 - b. Minimum allowed density: 35 units per acre
 - c. Maximum allowed density: 60 units per acre
 - d. Minimum lot width: None
 - e. Minimum lot depth: None
 - f. Minimum lot area: None
 - g. Front build-to line: 5' – 10'. A minimum of 50% of a building's front façade must be pulled up to the build-to line
 - h. Front build-to zone: Recesses shall be no further than 25' back from the build-to line
 - i. ~~Maximum~~Minimum side yard: 5'
 - j. ~~Maximum~~Minimum rear yard: 5'
 - k. Minimum Building Separation: 10'
 - l. Building height: 4 stories, with a maximum height of 60'
 - m. Maximum lot coverage: Not Applicable
 - n. Parking: Minimum of 80% of required parking spaces shall be provided within a structured parking facility; on street parking within 200 feet of building shall be permitted to count as required surface parking provided it is marked as such and located outside the required driving lanes and/or fire lanes.

Commented [A9]: See comment under Single Family Attached Development Standards.



Tract 1

Tract 2

PD - C2 Local Commercial
37.364 ac

A meets and Bounds description for each tract is needed.

ZONING EXHIBIT



THIS PLAN IS PROVIDED SUBJECT TO (1) SURVEY AND CORRECTIONS BY THE SURVEYOR, AND (2) REVISIONS NECESSARY TO THE INFORMATION, SPECIFICATIONS, CONDITIONS AND OTHER REQUIREMENTS OF THE CITY AND STATE OF TEXAS. THE SURVEYOR'S RESPONSIBILITY IS TO BE LIMITED TO THE ACCURACY OF THE SURVEY DATA PROVIDED TO HIM BY THE CLIENT. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION OR DATA PROVIDED TO HIM BY THE CLIENT. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY DATA PROVIDED TO HIM BY THE CLIENT. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY DATA PROVIDED TO HIM BY THE CLIENT.

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