

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Kevin Spath, AICP, Assistant Director of Planning

**FROM:** Alex Glushko, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Roland Foerster Civil Engineer, on Behalf of First United Methodist Church of McKinney, for Approval of a Request to Rezone Approximately 0.90 Acres from "BG" - General Business District and "H" - Historic Preservation Overlay District to "PD" - Planned Development District and "H" - Historic Preservation Overlay District, Generally to Modify the Development Standards, Located on the Northwest Corner of Kentucky Street and Lamar Street.

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the April 17, 2012 meeting.

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

- 1) The subject property shall be rezoned "PD" – Planned Development District and "H" -- Historic Preservation Overlay District and the subject property shall develop in accordance with the "BG" – General Business District, as set forth in Section 146-85 of the Zoning Ordinance, and as amended.
- 2) The subject property shall develop in accordance with Section 146-135 Landscaping Requirements of the City of McKinney Zoning Ordinance, except as follows:
  - a) The subject property shall not be required to satisfy the requirement to provide a 30-foot landscape buffer parallel to the corner clip right-of-way dedication at the intersection of two dedicated public streets.
  - b) The subject property shall not be required to satisfy the requirement to provide a landscape buffer adjacent to any public street.
- 3) The subject property shall develop in accordance with Section 146-139 Architectural and Site Standards of the City of McKinney Zoning Ordinance, except as follows:

- a) The subject property shall not be required to satisfy the requirement to provide a minimum of 85 points for the scoring calculation for *other non-residential uses in non-industrial districts*.
  - b) The subject property shall not be required to satisfy the requirement to provide masonry finishing material that covers at least 50 percent of each wall.
  - c) The subject property shall not be limited to a maximum of 10 percent of approved architectural metal finishing materials.
- 4) The subject property shall generally develop in accordance with the attached site layout exhibit and the attached architectural elevation exhibits.

**APPLICATION SUBMITTAL DATE:** February 13, 2012 (Original Application)  
March 12, 2012 (Revised Submittal)

**ITEM SUMMARY:** Currently on the subject property, there is a vacant building (2-story, 23,000 square feet, former post office built in 1958) that was approved for demolition on June 1, 2010 by City Council. The owner of the subject property, First United Methodist Church, has immediate plans to demolish the vacant building and construct a new youth ministry building (2-story, 21,000 square feet) and open air pavilion.

As such, the applicant is proposing to rezone the subject property from “BG” – General Business District and “H” - Historic Preservation Overlay District to “PD” – Planned Development District and “H” - Historic Preservation Overlay District. As proposed, the “PD” district will retain “BG” as the base zoning district but will modify landscaping and architectural standards for the purpose of constructing the new youth ministry building and open air pavilion.

Any development proposal that does not strictly conform to the requirements of the Zoning Ordinance may request approval of a “PD” – Planned Development District; however, no proposed “PD” district may be approved without ensuring a level of exceptional quality or innovation for the associated development. Exceptional quality or innovation could come in many forms including, but not limited to, enhanced landscaping, creative site or architectural designs, or some other innovative element(s).

Per the applicant, the development proposal demonstrates “creative site design” because it: (1) accounts for a substantial change in grade elevation (11 feet) from the southwest corner to the northeast corner, (2) preserves 3 existing quality trees (18”, 26”, and 36” caliper Live Oaks), (3) accounts for the fact that the site is surrounded on all sides by public streets, and (4) orients the proposed building close to the primary streets (Lamar Street and Kentucky Street) in order to be consistent with the urban form and character of the existing context as well as with the community’s long-range vision.

Additionally, the development proposal demonstrates “creative architectural design” because it: (1) maintains a strong visual connection with the other First United

Methodist Church buildings located nearby through the use of matching exterior materials (red brick/mortar, cast stone, and stucco), (2) introduces a more contemporary style to reflect and appeal to the building's intended users (youth ministry participants), and (3) uses various architectural elements to convey a sense of religious significance while still maintaining compatibility with the massing, size, and scale of the surrounding historic neighborhood.

The applicant has provided a site layout exhibit which provides a graphical depiction of the orientation of the proposed youth ministry building and open air pavilion. The applicant has also provided elevation exhibits which illustrate the massing, size, scale, and architectural details of the proposed building.

**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: "BG" – General Business District and "H" -- Historic Preservation Overlay District (vacant 2-story, 23,000 square foot building)

North	"BG" – General Business District; "BN" – Neighborhood Business District and "H" – Historic Preservation Overlay District	Commercial building (1-story, 8,000 square feet) and a single-family residence
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South	"BG" – General Business District and "H" – Historic Preservation Overlay District	Church parking lot
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East	"BG" – General Business District	Commercial building (1-story, 24,000 square feet)
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West	"BG" – General Business District and "H" – Historic Preservation Overlay District	Church parking lot
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**SITE ACCESS:**

Adjacent Streets: Kentucky Street, 60' Right-of-Way, 36' Concrete Pavement, Collector Street

Lamar Street, 40' Right-of-Way, 26' Asphalt Pavement, Residential Street

Wood Street, 30' Right-of-Way, 20' Concrete Pavement, Residential Street

Walker Street, 20' Right-of-Way, 15' Asphalt Pavement, Residential Street

**PROPOSED REZONING:** The applicant is proposing to rezone the subject property from “BG” – General Business District and “H” - Historic Preservation Overlay District to “PD” – Planned Development District and “H” - Historic Preservation Overlay District generally to modify landscaping and architectural development standards.

**Landscaping Standards:** According to the Landscaping Requirements (Section 146-135) of the Zoning Ordinance, a 30-foot landscape buffer parallel to the corner clip is required at the intersection of Kentucky Street and Lamar Street. Additionally, a minimum 20-foot landscape buffer along the Kentucky Street frontage and a minimum 10-foot landscape buffer along the Lamar Street frontage are required. Because of the reasons described in the Item Summary of this report, the applicant is proposing to position the youth ministry building to within approximately 10 feet of Kentucky Street and 4 feet of Lamar Street, thereby encroaching on both of the aforementioned landscape buffer requirements. In Staff’s professional judgment, the applicant’s request to deviate from the buffer requirements is acceptable. Note: the applicant will be required to comply with all other Landscaping Requirements of the Zoning Ordinance and has already provided Staff a preliminary landscape plan which appears to meet those requirements.

**Architectural and Site Standards:** According to the Architectural and Site Standards (Section 146-139) of the Zoning Ordinance, the proposed development is classified as an “other non-residential use in non-industrial districts” which means:

- (1) the development must achieve a minimum score of 85 points according to the scoring criteria listed in Section 146-139(m),
- (2) at least 50 percent of each building side must be covered with approved masonry finishing materials, and
- (3) the balance of exterior finishing materials shall not exceed 10 percent of architectural metal finishing materials.

The applicant has provided Staff a scoring calculation sheet, architectural elevations with call-outs of percentages of exterior finishing materials, and a sample board of proposed exterior finishing materials. The calculation sheet shows that the proposed building achieves 61 points out of the minimum 85 points. The architectural elevations show that the proposed building does not meet the minimum 50 percent coverage of approved masonry finishing materials on 3 sides (Lamar, Wood, and Walker Streets), and exceeds the maximum 10 percent of architectural metal finishing materials on 2 sides (Walker Street and Lamar Street).

Staff is in agreement with the applicant's justification for the "PD" rezoning request and acknowledges that a level of exceptional quality and innovation has been achieved with the proposal, both in terms of creative site design and creative architectural design. In Staff's professional judgment, the applicant has creatively accounted for the existing urban setting of the site as well as the substantial grade elevation change. The reverse triangulated wall covered with architectural metal panels positioned against the grade change, along with the building orientation located close to the street, both add to a scale, massing, and architectural detailing that works well to create a contextually appropriate religious building. Additionally, through the use of matching exterior materials (specifically, red brick/mortar, cast stone, and stucco), the applicant has also achieved a creative architectural design that maintains a strong visual connection between the proposed building and the existing First United Methodist Church buildings located nearby while also introducing a more contemporary style to reflect and appeal to the building's intended users (youth ministry participants).

It should be noted, however, that Staff has some slight concern about the façade composition as it specifically relates to the "worship" portion of the building (i.e. the portion of the building located adjacent to Wood Street that is proposed to be constructed with stained concrete tilt-wall panels). In order to improve the rhythm of solids-to-voids (particularly on the Lamar Street and Wood Street elevations) and to provide better horizontal expression, Staff had recommended to the applicant that the worship portion of the building should have windows (opaque glass or stained glass), or at least the "mimicking" of windows. The applicant addressed Staff's recommendation by providing a more pronounced horizontal scoring effect on the concrete wall panels.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for commercial uses. The FLUP modules diagram designates the subject property as Town 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:** One of the goals of the Comprehensive Plan is "Economic Development Vitality for a Sustainable and Affordable Community" through the stated objectives of "Retention and expansion of existing businesses." Another one of the goals of the Comprehensive Plan is "Land Use Compatibility and Mix" through the stated objective of "Land use patterns that complement one another."
- **Specific Area Plans or Studies:** The Town Center Study Initiative is a sector study of the oldest part of McKinney, called for as part of the 2004 Comprehensive Plan. McKinney's Town Center contains residential neighborhoods and commercial districts that are well established, eclectic and historic. These places collectively form the heart of the community and comprise a physical pattern of development that generally pre-dates the automobile.

During Phase 1 of the Initiative (2006 -- 2008), City staff, a consultant team, and more than 300 stakeholders, residents and property owners worked together to establish a bold, community-based vision for strategic and sustainable revitalization of McKinney's Town Center over the long-term (5 to 30+ years).

In March 2008, the *Town Center Study Phase 1 Report, Shared Vision, and Illustrative Master Plan* were approved and adopted by reference into the *Comprehensive Plan* and serve as a meaningful policy guide for City officials, Staff, property owners, and private developers when considering decisions in the Town Center. Together, they serve as an illustrative road map for the future by outlining preferred concepts to insure that future choices are consistent with the vision.

The vision includes a number of preferred concepts such as encouraging mixed-use and urban residential growth, expanding the physical form and character of the downtown, fostering more evening/weekend activity, improving pedestrian walkability/connectivity, creating compatible physical scales and transitions, and facilitating long-term economic development through the concept of place-making. The vision acknowledges that market forces will play a critical role in shaping the Town Center's future and allows for a certain level of flexibility to accommodate this vision.

To facilitate a compatible transition between downtown and the well-established residential neighborhoods to the west and north, the vision specifically identifies the concept of a Use and Scale Transition Zone with lower intensity commercial uses within buildings limited to 2 - 3 stories. The subject property in this case is located within the Use and Scale Transition Zone depicted on the *Illustrative Master Plan*. In Staff's professional judgment, the applicant's rezoning request is in keeping with the Use and Scale Transition Zone concept.

The Town Center Study Initiative is currently in Phase 2. The purpose of Phase 2 is to analyze, select, relate and phase the appropriate implementation components (e.g. policies, ordinances, fiscal tools) into a comprehensive action package that will enable the vision and revitalization of the Town Center to be achieved and sustained over time.

Over the past two years, after thorough evaluation of the current zoning regulations in the Town Center core area, it has been determined that many of the current zoning regulations are inconsistent with the Town Center vision and are also ineffective at addressing the unique challenges of preserving and redeveloping the Town Center core area.

As such, to proactively improve development regulations (i.e. zoning) and remove regulatory impediments in order to help encourage reinvestment and redevelopment, Staff has been drafting a set of new form-based zoning standards to replace the current zoning in the Town Center core area. The

new form-based zoning standards are still in the final stages of drafting and refinement. In Staff's professional judgment, the applicant's rezoning request in this particular case is consistent with the draft form-based zoning standards.

- Impact on Infrastructure: The water master plan, sewer master plan, and master thoroughfare plan are all based on the anticipated land uses as indicated by the future land use system of the Comprehensive Plan. Because the proposed rezoning does not alter the projected land use, it should have a minimal impact on the existing and planned water, sewer and thoroughfare infrastructure.
- Impact on Public Facilities/Services: Similar to infrastructure, public facilities and services are planned for based on the anticipated land uses as indicated by the future land use system of the Comprehensive Plan. Because the proposed rezoning does not alter the projected land use, it should have a minimal impact on public facilities/services, such as schools, fire and police, libraries, parks and sanitation services.
- Fiscal Analysis: Because the proposed rezoning does not alter the projected land use, Staff did not perform a fiscal analysis for this case.

**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.

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

**ATTACHMENTS:**

- Location Map
- Letter of Intent
- Site Layout Exhibit
- Architectural Elevation Exhibits
- Bird's Eye View from South
- PowerPoint Presentation