

PLANNING & ZONING COMMISSION MEETING OF 10-11-16 AGENDA ITEM #16-270SP

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Samantha Pickett, Planning Manager

**FROM:** Aaron Bloxham, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Site Plan for a Multi-Family Development (The Kinstead), Located on the Northeast Corner of McKinney Place Drive and State Highway 121 (Sam Rayburn Tollway)

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission for the proposed site plan will be forwarded to the City Council meeting on November 1, 2016.

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**STAFF RECOMMENDATION:** Staff recommends denial of the proposed site plan due to life safety concerns and the site plan not meeting the requirements of the Zoning Ordinance.

**APPLICATION SUBMITTAL DATE:** August 29, 2016 (Original Application)  
September 12, 2016 (Revised Submittal)  
September 26, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to construct a 338,881 square foot multi-family development (The Kinstead) on 12.60 acres at the Northeast corner of McKinney Place Drive and State Highway 121 (Sam Rayburn Tollway).

Typically site plans are Staff approval; however, the applicant is requesting approval to reduce the amount of enclosed parking from the required 50% of the units to 30% of the units, which must be considered by City Council for their discretionary approval after consideration by the Planning and Zoning Commission. Additionally, Staff cannot approve a site plan that does not meet the requirements of the Zoning Ordinance or a plan that has life safety concerns. The requested site plan variance and concerns are detailed further below.

Furthermore, the applicant needs to receive approval of a request for variances from the Fire Marshal's Office, subject to review and approval of the Fire Marshal. These variances include allowing planting within portions of the fire lane located within the open space, and reducing the turn radii for the fire lane along the slip road.

**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:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	"PD" – Planned Development District Ordinance No. 2007-01-005 and "REC" – Regional Employment Center Overlay District (Mixed Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 2008-07-070 and "REC" – Regional Employment Center Overlay District (Multi-Family Residential Uses)	The Heights at Lake Forest
South	The City of Allen	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2007-01-005 and "REC" – Regional Employment Center Overlay District (Mixed Uses)	Valliance Bank and RaceTrac
West	"PD" – Planned Development District Ordinance No. 2007-01-005, "PD" – Planned Development District Ordinance No. 2005-10-099, "PD" – Planned Development District Ordinance No. 2006-02-010 and "REC" – Regional Employment Center Overlay District (Mixed and Multi-Family Uses)	Avana McKinney Ranch Apartments and Undeveloped Land

**ACCESS/CIRCULATION:**

Adjacent Streets: State Highway 121 (Sam Rayburn Tollway), 350' Right-of-Way, Major Regional Highway

McKinney Place Drive, 60' Right-of-Way, Collector Street

Valliance Drive, 62' Right-of-Way, Collector Street

**PARKING:** The applicant is requesting to reduce the required amount of enclosed parking spaces from 50% of the units to 30% of the units (reducing the enclosed parking requirement for 386 units from 193 enclosed spaces to 116 enclosed spaces). Per Section 146-130 (Vehicle Parking) of the Zoning Ordinance, it states that the enclosed parking space requirement for multi-family residential and senior multi-family residential uses may be reduced from no less than 50 percent of the units having an enclosed parking space to no less than 30 percent of the units having an enclosed parking space as part of the site plan approval process. The request for a reduction is subject to the City Council's discretionary approval after consideration by the Planning and Zoning Commission and may be approved if the proposed project satisfies the following:

- The project represents an innovative or exceptional quality design; and
- The project represents a significant contribution to the existing and future built environment in the area.
- Reductions in the enclosed parking requirement may not be granted for pecuniary reasons or to serve as a convenience for the development.

In lieu of providing 50% of the units with an enclosed parking space, the applicant is proposing to create an innovative and quality development through building and site design. The applicant has proposed an enhanced plaza and building frontage that is consistent with the existing built environment established by Valliance Bank. The applicant has provided a rendering to show the design of the buildings and is proposing to increase the minimum masonry requirement from 50% to 75% along all elevations that face the public right-of-way. The applicant is proposing to plant an additional 55 Crepe Myrtle trees at various access points and along the site at points of interest to provide additional visual interest. The applicant is required to provide a minimum of 5,401 square feet of public open space; however, the applicant is proposing 53,231 square feet of public open space in the form of an enhanced plaza with two pedestrian pathways. The public open spaces and amenities are connected through a system of pedestrian-friendly paths, and the overall design and integration of the amenities can offer a high quality development for the future residents.

Staff feels that the site design, architectural enhancements, and outdoor public spaces should enhance the proposed development bringing a level of exceptional quality and contributing to the existing and future built environment. However, the applicant has not submitted a façade plan (elevations) detailing how the architectural enhancement of 75% masonry will be achieved. As such, Staff has no objections to the reduction in the total number of enclosed parking spaces from 50% to 30% as long as a façade plan submitted achieves the architectural enhancement proposed.

**LOADING SPACES:** The applicant has satisfied the minimum loading space requirements as specified within Section 146-131 (Off-Street Loading) of the Zoning Ordinance.

**SOLID WASTE CONTAINERS:** The sanitation container screening walls will be brick, stone masonry or other architectural masonry finish, including a metal gate, primed and painted, and the sanitation container screening walls, gate, and pad site will be constructed in accordance with the City of McKinney Design Specifications. The applicant has provided the required notation on the proposed site plan.

**LANDSCAPING REQUIREMENTS:** Currently the site does **not** satisfy the landscape requirements as specified in Section 146-135 (Landscape Requirements) of the Zoning Ordinance due to the proposed spacing of the trees inhibiting the potential health and growth of the trees. Additionally, Staff has life safety concerns with the current plan due to the fact that the proposed street trees may inhibit the Fire Department's ability to perform their responsibilities as needed in the event of an emergency due to the species of street trees shown featuring a large canopy that may hinder the ability for emergency vehicles to access the buildings fronting on McKinney Place Drive and Valliance Drive.

**However, if the applicant revises the landscape plan to meet the following conditions, Staff would be comfortable recommending approval of the proposed site and landscape plans:**

- **Change the spacing and location of the street trees for emergency access, subject to review and approval of the Fire Marshal;**
- **Change the type of trees planted along the buildings that front directly on the street to Cathedral Live Oaks (4" cal. and 12' ht. at the time of planting) so as to provide adequate space for emergency vehicle access;**
- **Change the size of the Crape Myrtle at the time of planting to be 2" cal. and 8' ht.; and**
- **Provide a separate exhibit with drawings and details that show the layout, size and width of the required open space and seating per the requirements of the "REC" - Regional Employment Center District Overlay.**

**SCREENING REQUIREMENTS:** The applicant has provided the required notation stating that all mechanical, heating, and air conditioning equipment shall be screened from the public right-of-way and from adjacent residential properties. The applicant has properly screened the sanitation container and has satisfied the minimum requirements as specified in Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.

**LIGHTING AND GLARE REGULATIONS:** The applicant will be responsible for complying with Chapter 58 (Lighting and Glare Regulations) of the City of McKinney Code of Ordinances. The applicant has provided the required notation stating that the lighting will be in conformance to the requirements of the City of McKinney Code of Ordinances on the site plan.

**ARCHITECTURAL STANDARDS:** The applicant will be responsible for meeting the requirements of Section 146-139 (Architectural and Site Standards) of the City of McKinney Zoning Ordinance. Architectural building elevations are subject to review and approval by the Chief Building Official, prior to issuance of a building permit.

**TREE PRESERVATION ORDINANCE:** The applicant will be responsible for complying with the Tree Preservation Ordinance. The applicant has submitted a tree survey, subject to review and approval of the City's Landscape Architect.

**PUBLIC IMPROVEMENTS:**

Sidewalks:	Required along State Highway 121, McKinney Place, and Valliance Drive
Hike and Bike Trails:	Not applicable
Road Improvements:	All road improvements necessary for this development, and as determined by the City Engineer
Utilities:	All utilities necessary for this development, and as determined by the City Engineer

Discussion: Under the requirements of the Subdivision Ordinance, the applicant will be required to construct all necessary public improvements prior to filing the accompanying plat, unless otherwise specified in an approved facilities agreement.

**DRAINAGE:** The applicant will be responsible for all drainage associated with the subject property, and for compliance with the Storm Water Ordinance, which may require on-site detention. Grading and drainage plans are subject to review and approval by the City Engineer, prior to issuance of a building permit.

**FEES:**

Roadway Impact Fees:	Applicable (Ordinance No. 2013-11-108)
Utility Impact Fees:	Applicable (Ordinance No. 2013-11-109 and Ordinance No. 2013-12-118)
Median Landscape Fees:	Not Applicable
Park Land Dedication Fees:	Applicable
Pro-Rata:	As determined by the City Engineer

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

**ATTACHMENTS:**

- Standard Conditions for Site Plan Approval Checklist
- Location Map and Aerial Exhibit
- Letter of Intent
- Proposed Site Plan
- Proposed Landscape Plan
- Rendering – Informational Only
- PowerPoint Presentation