

PLANNING & ZONING COMMISSION MEETING OF 1/8/13 AGENDA ITEM #12-216Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Alex Glushko, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by h/z studio P.L.L.C., on Behalf of Collin County Texas Property, for Approval of a Request to Rezone Less than 12 Acres from "PD" – Planned Development District to "PD" – Planned Development District, Generally to Modify the Development Standards, Located on the Southwest Corner of Waddill Street and U.S. Highway 380 (University Drive)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the February 5, 2013, meeting.

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

1. Use and development of the subject property shall conform to the "BG" – General Business District regulations of the Zoning Ordinance, and as amended, except as follows:
 - a. The subject property shall generally conform to the site layout, as shown on the attached Zoning Exhibit "B."
 - b. The subject property shall generally conform to the architectural elevations, as shown on the attached Zoning Exhibit "C."
 - c. An 8 foot masonry screening device shall be provided along the east and south sides of the subject property, as shown on the attached site layout exhibit (Zoning Exhibit "B").
 - d. A 12 foot minimum wing wall screening device shall be provided along the east side of the proposed compactor well, as shown on the attached site layout exhibit (Zoning Exhibit "B").

- e. A 65 foot minimum landscape setback with additional canopy trees shall be provided along the east side of the subject property, as shown on the attached site layout exhibit (Zoning Exhibit “B”).
- f. Crape myrtle trees (2” caliper and 8’ tall at the time of planting) shall be provided every 15 linear feet along Harroun Avenue and within the required 20’ landscape buffer, as shown on the attached site layout exhibit (Zoning Exhibit “B”).
- g. No driveway access point along Harroun Avenue shall be utilized as an entry/exit for semi-trailer trucks (with at least three axles that are designed to tow trailers), until such time that Harroun Avenue and Graves Street have been constructed to accommodate said trucks under the then-existing street construction standards, subject to review and approval of the City Engineer.

APPLICATION SUBMITTAL DATE: November 26, 2012 (Original Application)
 December 10, 2012 (Architectural Elevations)
 December 31, 2012 (Site Layout)

ITEM SUMMARY: The applicant is requesting to rezone approximately 11.82 acres of land, located on the southwest corner of Waddill Street and U.S. Highway 380 (University Drive) from “PD” – Planned Development District Ordinance to “PD” – Planned Development District, generally to modify the development standards. The subject property is currently owned by Collin County, who has requested a rezoning to allow for the private development of a discount grocery store and two future retail/restaurant pad sites. Currently, the subject property is zoned for commercial (“BG” – General Business District) and office (“O-1” – Neighborhood Office District) uses. The office zoning designation does not allow for the retail use proposed, thus the property must be rezoned to accommodate said use.

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. 2008-07-067 (Commercial and Office Uses)

North	“BG” – General Business District, “BN” – Neighborhood Business District, “C” – Planned Center District	Precision Auto Repair, Smith Café, Sicily’s Pizza and Grill, Plaza North Center, Various Commercial Uses
South	“BN” – Neighborhood Business District, “PD” – Planned	McKinney Medical Office, McCraw Law Office, Vitz Law

	Development District 2008-04-031 (Office Uses), "RS 60" – Single Family Residence District	Office, Single Family Residences, Quadplex Residences, and Multi-Family Residences
East	"RS 60" – Single Family Residence District	Single Family Residences (College Addition)
West	"BN" – Neighborhood Business District	Avery and Associates, Inc., Franklin's Flowers, Harroun Office Complex

PROPOSED ZONING: The applicant is requesting to rezone approximately 11.82 acres of land, located on the southwest corner of Waddill Street and U.S. Highway 380 (University Drive) from "PD" – Planned Development District Ordinance to "PD" – Planned Development District, generally to modify the development standards. The subject property is currently owned by Collin County, who has requested a rezoning to allow for the private development of a discount grocery store and two future retail/restaurant pad sites. Currently, the subject property is zoned for commercial ("BG" – General Business District) and office ("O-1" – Neighborhood Office District) uses.

In conjunction with the rezoning request, the applicant has provided both, a site layout exhibit and an architectural elevation zoning exhibit, which depict the proposed development. The site layout exhibit features an approximately 95,000 square foot retail anchor building, including approximately 440 parking spaces, and two approximately one acre future pad sites which are anticipated to be used for retail/restaurant uses. The site layout features a building orientation for the retail anchor facing west toward the proposed parking field, with the truck loading docks and trash compactors located in the rear of the building oriented towards U.S. Highway 380 (University Drive). The layout also shows an increased landscaped area along the south side of the property and clustered landscaping along the northeast side of the property. The pad sites are located at the northwest and north ends of the site, respectively, but the buildings are not being tied down with the attached zoning exhibit. The site layout also includes four points of access, including one entrance off of U.S. Highway 380 (University Drive) from the north, one entrance off of Graves Street from the west, and two entrances off of Harroun Avenue from the south. One of the two entrances off of Harroun Avenue will be for customers while the other is intended for future use as a service truck entrance.

The subject property was rezoned in 2008 (Ordinance No. 2008-07-067) to allow for "BG" – General Business District uses and associated development standards, with the exception of the southeastern 1.5 acres of the subject property, which allowed for "O-1" – Neighborhood Office District uses and development standards. In addition, the following development regulations were incorporated into "PD" Ordinance No. 2008-07-067:

- a. A 6' tall masonry wall shall be provided adjacent to Harroun Avenue and shall extend from the western edge of the 1.5 acre tract as shown on the Zoning Exhibit (Exhibit "B") to Graves Street.
- b. A 20' landscape buffer shall be required adjacent to Harroun Avenue.
- c. Canopy Trees (3" caliper and 7' tall at the time of planting) shall be provided every 40 linear feet along Harroun Avenue and within the required 20' landscape buffer.
- d. Crape myrtle trees (7' tall at the time of planting) shall be provided every 15 linear feet along Harroun Avenue and within the required 20' landscape buffer.

The "O-1" zoning designation and additional development standards were originally put in place to provide an adequate buffer and transition to the site from the adjacent residences located to the east and south of the subject property. With this rezoning request, the applicant is proposing to rezone the subject property entirely to "BG" in accordance with the site layout of the proposed zoning exhibit, and modify the development standards. Although the applicant is proposing to remove the "O-1" zoning designation and modify the development standards, they intend to retain the intent of the previously approved rezoning. Specifically, the applicant is proposing to provide a buffer from the proposed development to the adjacent residences by incorporating certain site design and landscape features. This includes increasing the minimum required height of the proposed screening devices adjacent to the residences; increasing the width of the landscape setback and locating the detention pond within said setback adjacent to the residences; and providing an increased amount of landscaping beyond the minimum requirement, specifically alongside the southern property line, in addition to clustering certain required trees to be located nearby the adjacent residences.

The applicant has stated in their Letter of Intent:

"The proposed zone change will not have significant adverse impacts on other property in the vicinity. WinCo strives to be a good neighbor at each of its locations. The site layout, landscape areas, and other project features are designed to meet or exceed City of McKinney standards. In order to provide additional buffering to mitigate potential noise and add aesthetic appeal for the residential properties to the east and southeast, the project will include enhanced landscape areas, including a 65-foot wide landscape area on the eastern property edge, and an eight-foot screen wall to limit sight lines into the loading dock area from Waddill and adjacent single family residences. At the compactor dock, we have also placed a twelve foot high screen wall to remove any visual impact for the residential located across Harroun at the southeast portion of the site."

The following special ordinance provisions are being requested for the subject property:

1. Use and development of the subject property shall conform to the “BG” – General Business District regulations of the Zoning Ordinance, and as amended, except as follows:
 - a. The subject property shall generally conform to the site layout, as shown on the attached Zoning Exhibit “B.”
 - By requiring general conformance to the proposed exhibit, the ultimate layout may be altered slightly once the development plans have been engineered and finalized. However, variations to site layout shall not include any reductions in the special ordinance provisions listed above such as a reduction in landscape buffer sizes, a reduction of screening device sizes, landscaping features, and/or the re-orientation of truck loading and/or trash compactors deemed to negatively impact any adjacent properties.
 - b. The subject property shall generally conform to the architectural elevations, as shown on the attached Zoning Exhibit “C.”
 - The applicant is proposing architectural elevations which include the use of a combination of brick, concrete masonry unit (CMU), EIFS or stucco, stone ornamentation, metal roof panel, and exposed concrete foundation. The applicant is proposing the use of over 50% brick along all four elevations, over 25% architectural CMU along all four elevations, and the remainder of all four elevations being a combination of smooth face CMU, EIFS or stucco, and exposed concrete foundation.
 - The architectural elevations do not meet the minimum point requirements of the architectural and site standards of non-residential structures in non-industrial zoning districts, as it only achieves 75 out of the 85 point minimum requirement. Therefore, in order to build the building with the materials and architectural design as proposed, the applicant must tie down the proposed architectural elevations to the rezoning request. Future development of the subject building must generally conform to the attached elevations. Significant changes to material type, material percentages, colors, massing, and design will require approval of a rezoning request that replaces the proposed elevations.
 - While there is nothing specifically innovative or exceptional about the architectural design as proposed by the applicant, it should not detract from the character of the built environment that currently exists in the area. Additionally, the applicant is proposing to install a large number

of trees on the subject property which will soften the appearance of the building and the related site elements from the adjacent rights-of-way and properties. As such, Staff has no objections to this proposed special ordinance provision.

- c. An 8 foot masonry screening device shall be provided along the east and south sides of the subject property, as shown on the attached site layout exhibit (Zoning Exhibit "B").
 - Section 146-132 (Fences, walls, and screening requirements) of the Zoning Ordinance states that "loading docks...shall be screened from adjacent non-industrial property," and requires a six foot screening device. Additionally, the Ordinance states that garbage, trash or refuse container screening is required to be seven feet. The applicant is proposing to screen the side of the loading dock and the refuse containers with an eight foot tall screening device, an increase in the minimum requirement.
 - Staff has no objections to this special ordinance provision and feels that the proposed screening wall will help to minimize the impacts of the proposed development on the adjacent properties.
- d. A 12 foot minimum wing wall screening device shall be provided along the east side of the proposed compactor well, as shown on the attached site layout exhibit (Zoning Exhibit "B").
 - Section 146-132 (Fences, walls, and screening requirements) of the Zoning Ordinance states that garbage, trash or refuse container screening shall be a minimum of seven feet and a maximum of eight feet, four inches. The applicant is proposing to screen the east side of the compactor well with a twelve foot tall wing wall screening device, an increase in the minimum and maximum requirement. Staff has no objection to this proposal and feels as though the additional screening with further minimize the impacts of the loading area on the adjacent properties.
- e. A 65 foot minimum landscape setback with additional canopy trees shall be provided along the east side of the subject property, as shown on the attached site layout exhibit (Zoning Exhibit "B").
 - 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." It also states that "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).”

- Section 146-135 (Landscape requirements) of the Zoning Ordinance states that along minor thoroughfares (e.g. Waddill Street) a minimum ten foot landscape buffer is required. To achieve the requirements of “PD” rezoning requests, the applicant has proposed an increase in the landscape setback width along Waddill Street from the required ten feet to a variable width setback ranging from approximately 65 to width at the narrowest point to approximately 180 feet at the widest point. The proposed site layout exhibit also reflects a significant amount of additional canopy trees that are planned to be installed along the eastern portion of the subject property. Staff feels as though the increased landscape buffer provided in conjunction with the additional canopy trees, generally as reflected on the site layout exhibit, satisfies the intent of the requirements of Section 146-94 of the Zoning Ordinance.
- f. Crape myrtle trees (2” caliper and 8’ tall at the time of planting) shall be provided every 15 linear feet along Harroun Avenue and within the required 20’ landscape buffer, as shown on the attached site layout exhibit (Zoning Exhibit “B”).
- 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.” It also states that “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).”
 - To achieve this, the applicant has proposed to provide crape myrtle trees (an approved ornamental tree) every 15 linear feet along Harroun Avenue and within the required 20’ landscape buffer. In all the applicant will be providing 49 additional trees beyond what is required by Section 146-135 (Landscape requirements) of the Zoning Ordinance. These additional trees will be provided along the south side of the subject property in conjunction with the required street trees (one canopy tree per 40 linear feet of street frontage). Staff feels as though providing this level of added landscaping, over and above what is required by ordinance, is indicative of exceptional quality. As such, Staff feels as though this meets the intent of the Ordinance.
- g. No driveway access point along Harroun Avenue shall be utilized as an entry/exit for semi-trailer trucks (with at least three axles that are designed to tow trailers), until such time that Harroun Avenue and Graves Street

have been constructed to accommodate said trucks under the then-existing street construction standards, subject to review and approval of the City Engineer.

- Harroun Avenue and Graves Street adjacent to the proposed development are currently not truck routes. The existing pavement sections of Graves Street and Harroun Avenue are not designed to accommodate significant truck traffic as would be generated by the proposed development. The proposed traffic will greatly exceed the loadings of previous vehicles entering and exiting the site. The southeastern-most access point along Harroun Avenue shall not be used as a truck entry/exit until such time that Graves Street and Harroun Avenue are reconstructed to accommodate the anticipated truck traffic and turning movements, subject to review and approval of the Director of Engineering.
- Waddill Street adjacent to the proposed development is not a truck route, therefore Waddill Street shall not be used for any truck traffic destined to service the proposed development.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for high density residential 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 is being considered within a significantly developed area:

- Comprehensive Plan Goals and Objectives: The proposed zoning change 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” through the stated objective of the Comprehensive Plan, “land use patterns that optimize and balance the tax base of the City.”
- Specific Area Plan or Studies: The subject property is located within the limits of the Town Center Study. This study and its subsequent specific area plan focus on the healthy revitalization and future redevelopment of McKinney’s Town Center. The preferred concepts for the study area specific to this rezoning request are the encouragement of more neighborhood retail/service opportunities and the protection of residential neighborhoods south of the State Highway 380 corridor. As proposed the rezoning request provides for more retail/service opportunities and provides a site layout which protects the adjacent residential neighborhoods. The proposed rezoning request is in conformance with the vision of the Town Center Study.
- Impact on Infrastructure: The Future Land Use Plan (FLUP) designates the subject property generally for high density residential; however, the subject

property has been utilized for a hospital in the past and was most recently used as governmental offices and has been previously rezoned to allow for both commercial and office uses. The water master plan, sewer master plan, and master thoroughfare plan are all based on the anticipated land uses as shown on the Future Land Use Plan. The proposed rezoning request should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area due to the fact that the land uses on the subject property are not being significantly modified. The FLUP identifies the subject property as high density residential in a significantly developed area due to the fact that the subject property carried with it a multi-family residential zoning classification (RG 18) at the time the FLUP was adopted in 2004. However, the subject property has historically never been used for high density residential uses, rather it has been used for hospital and office uses. Therefore, the proposed use of the subject property is not being significantly modified, and as such Staff does not feel that there will be a significant impact on infrastructure.

- Impact on Public Facilities/Services: The Future Land Use Plan designates the subject property generally for high density residential uses; however, the subject property has been utilized for a hospital in the past and was most recently used as governmental offices and has been previously rezoned to allow for both commercial and office uses. Similar to infrastructure, public facilities and services are planned for based on the anticipated land use designated in the Future Land Use Plan. The proposed rezoning request should have a minimal impact on public facilities and services such as schools, fire and police, libraries, parks and sanitation services area due to the fact that the land uses on the subject property are not being significantly modified. The FLUP identifies the subject property as high density residential in a significantly developed area due to the fact that the subject property carried with it a multi-family residential zoning classification (RG 18) at the time the FLUP was adopted in 2004. However, the subject property has historically never been used for high density residential uses, rather it has been used for hospital and office uses. Therefore, the proposed use of the subject property is not being significantly modified, and as such Staff does not feel that there will be a negative impact on public facilities and services.
- Compatibility with Existing and Potential Adjacent Land Uses: The subject property is adjacent to commercial, office, and single family residential zoning districts. The rezoning of the subject property from commercial and office uses ("BG" and "O-1") to commercial uses ("BG"), with the increased screening, buffering, and landscaping provided, should serve to ensure that the subject property is developed in a manner that is adequately compatible to the adjacent residential and non-residential uses.
- Fiscal Analysis: The attached fiscal analysis shows a positive net cost benefit of \$33,915 using the full cost method. The full cost method of calculating public service cost is useful for citywide modeling and forecasting. This method takes the entire city budget into account, including those costs that cannot be attributed

to any one project such as administrative costs and debt service on municipal bonds. Because the full cost method takes into account all costs, it is useful in tracking the city budget to determine if the citywide tax revenue is sufficient to pay for the operating costs to the city.

- Concentration of a Use: The subject property is adjacent to commercial, office and single family residential zoning districts. Given the mixture of land uses and zoning designations in the area, the proposed rezoning request should not result in an over concentration of uses.

CONFORMANCE TO THE MASTER PARK PLAN (MPP): The proposed rezoning does not conflict with the Master Park Plan.

CONFORMANCE TO THE MASTER THOROUGHFARE PLAN (MTP): The proposed rezoning 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 request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Fiscal Impact Analysis
- Existing PD District Ordinance No. 2008-07-067
- Proposed Site Layout
- Proposed Architectural Elevations
- PowerPoint Presentation