



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 18-524      **Name:** Merritt Homes Roadway Impact Fees  
**Type:** Agenda Item      **Status:** Approved  
**In control:** City Council Regular Meeting  
**On agenda:** 6/19/2018      **Final action:** 6/19/2018  
**Title:** Consider/Discuss/Act on a Request by Roslyn Miller, for McKinney Housing Authority, for the Waiver of Roadway Impact Fees in Accordance with the Neighborhood Empowerment Zone Impact Fee Waiver Program for the Proposed Multi-family Project (Merritt Homes) Located at 1200 N. Tennessee Street

**Indexes:**

**Attachments:** 1. Application, 2. Letter of Intent, 3. Location & Aerial Map, 4. Approved Site Plan, 5. Approved Facade Elevations, 6. NEZ Design Guidelines

Date	Ver.	Action By	Action	Result
6/19/2018	1	City Council Regular Meeting	Approved	Pass

Consider/Discuss/Act on a Request by Roslyn Miller, for McKinney Housing Authority, for the Waiver of Roadway Impact Fees in Accordance with the Neighborhood Empowerment Zone Impact Fee Waiver Program for the Proposed Multi-family Project (Merritt Homes) Located at 1200 N. Tennessee Street

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
 (1C: Provide a Strong City Economy by Facilitating a Balance between Industrial, Commercial, Residential and Open Space)

**MEETING DATE:** June 19, 2018

**DEPARTMENT:** Planning

**CONTACT:** Matt Robinson, AICP, Planning Manager  
 Brian Lockley, AICP, CPM, Director of Planning  
 Guy Giersch, Historic Preservation Officer

**RECOMMENDED CITY COUNCIL ACTION:**  
 Staff recommends approval of the Impact Fee Waiver request through the NEZ Program.

**ITEM SUMMARY:**

- In accordance with Ordinance No. 2013-11-110, Section 98-84-8 Neighborhood Empowerment Zone (NEZ), the applicants are requesting roadway impact fee waivers for the multi-family project (Merritt Homes), consisting of 136 multi-family units located at 1200 N. Tennessee Street.
- Approval of the impact fee waivers will result in the City forgoing \$194,439 in roadway impact fee revenues.

- The property is owned by the McKinney Housing Authority and the current assessed ad valorem value of the property by CCAD is \$3,870,117.
- Impact fees are paid up front by the developer and reimbursed upon completion and inspection of the project for compliancy.

#### **CRITERIA FOR ELIGIBILITY:**

- In order for the project to be eligible to receive roadway impact fee waivers the design and completion of the new construction should be general compatible with the massing, size, scale, and architectural features of the surrounding neighborhood. The guidelines require that new, multi-family property within the NEZ to meet three criteria as outlined in the Ordinance. The project qualifies based on the following:
  - **Massing** - Massing is derived from the comparison of the totality of the building to the parts of the building. The entire building is a composition of masses. Dormers, temple-front motifs, and other facade projections such as bays and porches that serve as masses that contribute to the overall massing of the building. These elements articulate the overall mass, thus shaping the effect and character of the building to the street and the surrounding area. The dormers, lanterns, and cross-gabled roofs reduce the massing of the upper roof by increasing the massing of the lower portion of the buildings.
  - **Scale** - Scale is the relative or apparent size of a building in relation to its neighbors or some common object such as an automobile or person. Scale is also the relative or apparent size of building elements, such as windows, doors, cornices and other features to each other and to the building. The human scale is achieved by keeping the windows, doors, cornices and other elements within the size and scale of a human. Thus, the scale of these buildings respects the prevailing scale of the neighborhood.
  - **Proportion** - Proportion is the relationship of the dimensions of building elements, such as windows and doors to each other and to the elevations. The design of the proposed buildings respects the existing proportions of neighboring buildings by using elements that are comparable in size.
  - **Height** - The proposed project is located in an area that is predominately one story masonry, brick veneer, or metal clad buildings. The proposed buildings are one, two, and three stories high but, their height is reduced by using a roof lines that are broken up with low sloped roofs. This reduces both the sense of the height of the building as well as the massing of the larger units which visually effects the height
  - **Rhythm** - In architecture, rhythm is created by an ordered recurrent alternation of voids to solids or generated by the spacing between the windows and doors. The repetitive nature of the facades and the placement of front doors and windows of the proposed construction create a rhythm that is complementary to the buildings located in the surrounding area.

#### **BACKGROUND:**

- The Neighborhood Empowerment Zone Program (NEZ) was expanded in 2013 to provide a

complimentary tool to address infill projects within the Town Center.

- Roadway impact fees and utility impact fees are imposed by the City on all "New Development" in order to generate revenue for funding or recouping the capital costs of roadway and utility system improvements for each service area, which are necessitated by the new development in that service area for a period not to exceed 10 years.
- New Development is defined as any project "involving the subdivision of land and/or the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure, or any use or extension of the use of land which has the effect of increasing the requirements for capital improvements, measured by an increase in the number of service units to be generated by such activity, and which requires either the approval and filing with Collin County of a plat pursuant to the City's subdivision ordinance or the issuance of a building permit (or connection to the City's water or wastewater system)."
- Per Ordinance 2013-11-110, roadway impact fee waivers may be granted under Sec. 98-84 (8). *The Neighborhood empowerment zone (NEZ) is created wherein development projects in the defined geographic area may receive impact fee waivers based on specified criteria.*

*Multi-family:* Within the NEZ, new multi-family construction, being three or more dwelling units on a single lot and commencing on a lot of record, is eligible to receive roadway impact fee waivers only, provided that the design and completion of the new construction is generally compatible with the massing, size, scale, and architectural features of the surrounding neighborhood. Prior to construction, an application shall be made to the HPO, who will present an eligibility determination for roadway impact fee waivers to the city council for approval or denial based on the proposed construction. The city council shall determine eligibility for impact fee waivers based, in part, on the "Guidelines for New Construction in the NEZ". All impact fees shall be collected at the time of building permit issuance and remitted to the owner upon completion and final inspection of compliant construction.

#### **FINANCIAL SUMMARY:**

- The NEZ program began in 2009. As part of the program to date; fifty-eight (58) properties have been awarded \$249,815.33 in impact fee waivers. The following information shows how the monies have been dispersed.
  - SF-Duplex: \$143,174.93
  - Multi-family: \$8,548.78
  - Non-Residential/Mixed-Use: \$98,091.62

#### **BOARD AND COMMISSION RECOMMENDATION: N/A**