



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 20-0109Z2      **Name:** Painted Tree Rezone  
**Type:** Ordinance      **Status:** Public Hearing  
**On agenda:** 1/5/2021      **In control:** City Council Regular Meeting  
**Final action:**

**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "AG" - Agricultural District, and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards and to Allow for Single Family Residential, Multi-Family Residential, and Commercial Uses, Located on the South Side of County Road 943 (Future Wilmeth Road) and the East and West Sides of Hardin Boulevard, and Accompanying Ordinance

**Indexes:**

**Attachments:** 1. PZ Draft Minutes, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Letters of Opposition, 5. Comprehensive Plan Maps, 6. Collin Crossing District, 7. Medical District, 8. Placetype Definitions, 9. Fiscal Analysis, 10. Land Use Comparison Table, 11. Ex. PD Ord. 1478, 12. Proposed Ordinance, 13. Proposed Exhibits A-D, 14. Presentation, 15. Applicant Presentation

Date	Ver.	Action By	Action	Result
1/5/2021	1	City Council Regular Meeting	Close the public hearing	Pass
1/5/2021	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "AG" - Agricultural District, and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards and to Allow for Single Family Residential, Multi-Family Residential, and Commercial Uses, Located on the South Side of County Road 943 (Future Wilmeth Road) and the East and West Sides of Hardin Boulevard, and Accompanying Ordinance

**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:** January 5, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
 Kaitlin Gibbon, Planner II

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed rezoning request with 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 property shall develop in accordance with the attached development regulations.

**APPLICATION SUBMITTAL DATE:** October 6, 2020 (Original Application)  
 November 6, 2020 (Revised Submittal)  
 November 23, 2020 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 627.972 acres of land, generally for single family residential, multi-family residential, and commercial uses.

**EXISTING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” - Planned Development District, Ordinance No. 1478 (Mixed Uses) “AG” - Agricultural District (Agricultural Uses)	Undeveloped Land
North	“PD” - Planned Development District Ordinance No. 2005-11-120 (Mixed Uses)	Erwin Farm Addition
South	“AG” - Agricultural District (Agricultural Uses), “PD” - Planned Development District Ordinance No. 1993-12-46 (Commercial Uses), “RG 18” - General Residence District (Residential Uses), “PD” - Planned Development District Ordinance No. 2006-11-131 (Single Family Uses), “PD” - Planned Development District Ordinance No. 1687 (Single Family Uses)	Single Family Residences, Heritage Bend Addition, Presidents Point Addition, Undeveloped Land
East	“PD” - Planned Development District Ordinance No. 200-10-088 (Single Family Uses), “PD” - Planned Development District Ordinance No. 1448 (Single Family Uses), “PD” - Planned Development District Ordinance No. 2006-11-131 (Single Family Uses)	Highpointe Addition, Heritage Bend Addition
West	“PD” - Planned Development District Ordinance No. 2003-06-060 (Mixed Uses), “GC” - Governmental Complex District (Governmental Uses), “PD” - Planned Development District Ordinance No. 1478 (Mixed Uses)	Summit View Lake Addition, McKinney Fire Station 9, Single Family Residences

**PROPOSED ZONING:** The applicant requests to rezone the subject property to “PD” - Planned

Development District, generally for single family residential, multi-family residential, and commercial uses. The applicant has provided a zoning exhibit which divides the property into six tracts (Tracts 1 - 6), with associated development regulations that stipulate the permitted uses and development standards that each must follow. More information regarding the proposed use and development standards are further discussed below:

Tract 1:

Tract 1 is located at the southeast corner of Lake Forest Drive and Future Wilmeth Road and is approximately 30 acres in size.

- Multi-Family Residential Uses
  - Currently, the property is zoned for single family and agricultural uses. The applicant's request is to develop this tract in accordance with "MF-3" - Multiple Family Residential - Medium-High Density District to allow for multi-family residential uses. However, if the tract develops as attached or detached single family uses, the development standards for Tracts 2-4 shall apply.
  - It is Staff's professional opinion that the proposed multi-family residential development should provide an appropriate transition between the hard corner of two major arterial roadways and the proposed single family residential uses. Given the size, scale and scope of the overall rezoning request, which includes a variety of residential development, Staff is supportive of the multi-family uses proposed on Tract 1.
- Setbacks and Lot Standards
  - The maximum density for "MF-3" - Multiple Family Residential - Medium-High Density District is 20 dwelling units per acre and requires a minimum lot area per unit of 2,100 square feet. With the request, the applicant proposes to reduce the density to 18 units per acre, with a minimum lot area per unit of 1,200 square feet.
  - The applicant also proposes to modify the front yard setback from 35 feet to 25 feet; and to establish a modified setback requirement from adjacent lot lines of 20 feet with a 10 foot minimum distance between buildings. 5
  - The applicant's intent is to develop Tract 1 with a multi-family development that looks and feels more like single family and duplex style units, similar to a more traditional single family neighborhood or cluster neighborhood. Staff is of the opinion that the proposed modified setbacks would blend in with the proposed adjacent single family residences and integrate as part of the overall development. As such, we do not have any objections to this request.
- Parking
  - While the current required parking ratio for multi-family uses is one parking space for each dwelling unit plus half of a space for each bedroom in all dwelling units, the applicant has requested a modified parking ratio of one space per bedroom and that any three bedroom unit would only be required to provide two spaces.

- In looking at comparable developments that have used a similar or even lesser ratio, Staff found that the reduced ratio did not create issues with parking for these developments. As such, we do not have any objections to this request.
- Open Space
  - Within Tract 1, the applicant is proposing that all residential dwelling units be located within 500 feet of an open space area.
  - Typically, open space for multi-family developments is not required. The minimum lot square footage and the maximum lot coverage typically enforce some level of pervious area within the development. This added provision will ensure that each unit has access to an open area.

Tracts 2-4:

Tracts 2-4 are generally located through the center of the subject property, east of Tract 1 and extended generally to Hardin Boulevard. In total, Tracts 2-4 comprise approximately 571 acres.

- Single Family Residential Uses and Standards
  - Currently, the property is zoned “AG” - Agricultural District, with a small western portion zoned “PD” - Planned Development District for single family residential uses. The applicant’s request is to develop in accordance with the “SF-5” - Single Family Residential District to allow for single family residential uses.
  - The minimum lot area for “SF-5” - Single Family Residential District is 5,000 square feet with a 7,200 square feet mean and median lot area requirement throughout a subdivision.
  - In order to allow for a greater mix of product and lot types, the applicant is proposing to develop Tracts 2-4 with the setback requirements as shown in the below chart.

<b>DEVELOPMENT STANDARDS - TRACTS 2, 3, AND 4</b>	<b>SF DETACHED LOTS MIN. 60' WIDE</b>	<b>SF DETACHED LOTS MIN. 50' WIDE</b>	<b>SF DETACHED LOTS LESS THAN 50' WIDE</b>	<b>SINGLE FAMILY ATTACHED</b>
MINIMUM LOT AREA	6,600 SF	5,500 SF	2,700 SF	2,160 SF
MINIMUM LOT WIDTH	60'	50'	30'	24'
MINIMUM LOT DEPTH	110'	110'	90'	90'
MINIMUM FRONT YARD BUILDING SETBACKS				

1. PRIMARY FAÇADE OF THE HOUSE	20'	20'	10'	10'
2. GARAGE DOOR	20'	20'	NA	NA
3. UNENCLOSED FRONT PORCH, PATIO, OR SIMILAR STRUCTURE	10'	10'	10'	10'
MINIMUM REAR YARD SETBACKS				
1. PRIMARY FAÇADE OF THE HOUSE	15'	15'	10'	10'
2. GARAGE DOOR ACCESSED FROM AN ALLEY	20'	20'	20'	20'
MINIMUM SIDE YARD SETBACKS				
1. INTERIOR SIDE YARD	5'	5'	5'	10' BETWEEN BUILDINGS
2. INTERIOR SIDE YARD-ZERO LOT LINE COMBINATION *	1'-9' *	1'-9' *	1'-9' *	1'-9' *
3. SIDE YARD ADJACENT TO STREET	15'	15'	15'	10'
4. GARAGE DOOR ACCESSED FROM A STREET	20'	20'	N/A	N/A
MAXIMUM HEIGHT OF STRUCTURE	35'	35'	35'	35'
MAXIMUM NUMBER OF DWELLING UNITS BY TYPE IN TRACTS 2, 3, & 4	N/A	N/A	600	400
MAXIMUM NUMBER OF TOTAL DWELLING UNITS IN TRACTS 2, 3, & 4	1,800			

- At full buildout, the mean and median lot size for detached lots shall be a minimum of 6,200 square feet in Tract 2; 6,800 square feet in Tract 3; and 5,000 square feet in Tract 4.
- The proposed uses and modified setbacks align with similar developments in the City of McKinney. As proposed, the single family lots would blend in with the adjacent single family residences and integrate as part of the larger development. As such, Staff does not have any objections to these requests.

Tract 5:

Tract 5 is located at the southwest corner of Wilmeth Road and Hardin Boulevard and is

approximately 3.8 acres in size.

- Commercial Uses
  - Currently, the property is zoned “AG” - Agricultural District. The applicant’s request is to develop this tract in accordance with “C-2” - Local Commercial District to allow for commercial uses.
  - Given the location of this tract being on the southwest corner of Hardin Boulevard and future Wilmeth Road, Staff feels that the proposed use is compatible with the existing and proposed single family residential uses and will be able to provide those neighborhood services to those residents.

Tract 6:

Tract 6 is located east of Hardin Boulevard and south of Wilmeth Road and is approximately 22.5 acres in size.

- Flex Uses
  - Currently, the property is zoned “AG” - Agricultural District. The applicant is requesting the ability to develop this tract in accordance with the permitted uses in Tracts 1-5. The applicant is also proposing that a minimum of 6 acres of this flex tract will develop in accordance with the “C-2” - Local Commercial District to allow for commercial uses.
  - Staff is comfortable with the flex use concept that would allow the property to develop with the market. This proposal would ensure that at least 6 acres will be devoted to commercial and provide neighborhood services to the surrounding residents.

With the applicant’s proposed development regulations along with their vision and goals for the subject property, the proposed development should create a cohesive and integrated community. The lake within the single family tract provides an opportunity for a centralized amenity and open space opportunities for the future residents. The existing and proposed thoroughfares surrounding and integrated through the proposed development will provide connectivity for the surrounding and future residents in this area.

Given the size and scale of the subject properties, the development as a whole should make a significant positive impact to achieving different housing products and commercial developments as well as infrastructure development and connections for the city. When looking at the surrounding area and the applicant’s proposal for the different tracts, Staff is of the opinion that the proposed rezoning request should create a quality development that will blend well with the surrounding single family residences and commercial developments. As such, Staff recommends approval of the proposed rezoning request.

**CONFORMANCE TO ONE MCKINNEY 2040:** A key aspect of the ONE McKinney 2040 Comprehensive Plan is to provide direction related to the desired development patterns and to inform decisions related to the timing and phasing for future infrastructure investments in the City. To assist in guiding these decisions, the Preferred Scenario and Land Use Diagram establish distinctive districts, each with a clear intent and market focus that are reinforced through character-defining placetypes.

Per the Preferred Scenario, the subject property is located in the Medical District and the Collin Crossing District, includes several different placetypes, including 'Suburban Living,' 'Urban Living,' 'Professional Campus,' and 'Neighborhood Commercial'. Other general placetypes included in the Collin Crossing District and Medical District are Commercial Center and Employment Mix.

- Guiding Principles: The proposed rezoning request is generally in conformance with Guiding Principle of "Diversity (Supporting our Economy and People)" established by the Comprehensive Plan. In particular, the proposed request has the potential to provide "private development, public investments, and community engagement support the people of McKinney by making available housing options and neighborhood choices that are accessible, attainable and appealing to people at all stages of their lives."
- Land Use Diagram Compatibility: In evaluating development requests, the City should determine that a project meets the majority of the established criteria to be considered compatible with the Land Use Diagram. The proposed rezoning request aligns with the 'Suburban Living,' 'Urban Living,' and the 'Neighborhood Commercial' placetype of the Medical District and the Collin Crossing District. Furthermore, the proposed request of "PD" - Planned Development District with the proposed general development standards should be compatible with the surrounding properties and placetypes.
- Fiscal Model Analysis: The attached fiscal analysis shows a positive fiscal benefit of \$3.2 million for the 627.972 acre property and should contribute to achieving an overall fiscal balance in the city.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received four letters of opposition to this request.

**BOARD OR COMMISSION RECOMMENDATION:** On December 8, 2020, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.