



18-0142Z4

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "PD" - Planned Development District, Generally to Allow for Single Family Residential, Multi-Family Residential and Commercial Uses, Located at the Northwest Corner of Collin McKinney Parkway and Alma Road, 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: February 4, 2020

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to the overall reduction of commercial development opportunity on the Subject Property.

APPLICATION SUBMITTAL DATE: November 5, 2018 (Original Application)
February 5, 2019 (Revised Submittal)
February 26, 2019 (Revised Submittal)
April 17, 2019 (Revised Submittal)
April 26, 2019 (Revised Submittal)
May 6, 2019 (Revised Submittal)
August 27, 2019 (Revised Submittal)
September 10, 2019 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 18.75 acres of land, generally for single family residential, multi-family residential and commercial uses.

The original request for rezoning was heard by the Planning and Zoning Commission

on May 14, 2019 and received a favorable recommendation from staff. However, the Planning and Zoning Commission voted to close the public hearing and table the request indefinitely in order to allow the applicant time to work with the neighboring residents. During the meeting, a number of residents spoke in opposition to the request citing concerns over the multi-family residential uses, density, traffic, and potential road closures. Additionally, many residents felt that they had not had adequate time to consider the request and had not been contacted or informed about the request by the applicant.

Since that time, the applicant has had several meetings with various resident and HOA groups from the surrounding neighborhoods and subsequently revised the request. Most significantly, the updated request has reduced the footprint of the commercial area while increasing its intensity, has relocated the multi-family residential uses, and has added townhome uses along the northern portion of the property. Additionally, modifications have been made to remove references to building design and material requirements as they are no longer enforceable by the City due to changes in State Law as a result of HB 2439 (Building Materials and Methods).

On September 24, 2019, the Planning and Zoning Commission voted 5-1 to recommend approval of the proposed rezoning request with some recommended modifications, which are outlined in more detail below.

In a companion item on tonight’s agenda, the applicant is also seeking Council consideration for the abandonment of various rights-of-way surrounding the subject property. The applicant has indicated to Staff that these right-of-way closures are needed in order to realize the development plan associated with the requested rezoning. While action on the zoning does not vest or entitle any right-of-way abandonment, it is important to note the direct relationship between these two requests.

EXISTING ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“PD” - Planned Development District Ord. No. 2006-11-132 (Mixed Uses), “PD” - Planned Development District Ord. No. 2015-02-007 (Multi-Family Residential Uses), “PD” - Planned Development District Ord. No. 2001-02-017 (Mixed Uses), and “REC” - Regional Employment Center Overlay District	Undeveloped Land

North	“PD” - Planned Development District Ord. No. 2017-07-080 (Single Family Attached Residential Uses), “PD” - Planned Development District Ord. No. 2014-07-049 (Single Family Residential and Commercial Uses), and “REC” - Regional Employment Center Overlay District	Trails at Craig Ranch Subdivision, Cooper Living at Craig Ranch Common Area, and Undeveloped Land
South	“PD” - Planned Development District Ord. No. 2014-11-087 (Single Family Residential and Open Space Uses), “PD” - Planned Development District Ord. No. 2001-02-017 (Mixed Uses), and “REC” - Regional Employment Center Overlay District	Spicewood at Craig Ranch Subdivision, Millie Cooper Park, and Undeveloped Land
East	“PD” - Planned Development District Ord. No. 2008-06-054 (Mixed Uses), and “REC” - Regional Employment Center Overlay District	Undeveloped Land
West	“PD” - Planned Development District Ord. No. 2001-02-017 (Mixed Uses), and “REC” - Regional Employment Center Overlay District	Texas Health Outpatient Center

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally for single family residential, multi-family residential and commercial uses. The existing zoning, known as Cooper Life, was intended to create a mixed use development as well; however, the applicant has proposed updated standards and regulations that allow for more flexibility than the current zoning. The applicant has provided a zoning exhibit which divides the property into four districts and associated development regulations that stipulate the permitted uses and developments that each must follow.

Single Family, Multi-Family, and Commercial Uses:

As part of the original rezoning request, the applicant proposed single family-detached and multi-family residential uses on the subject property integrated with commercial uses at the corner of Collin McKinney Parkway and Alma Road. However, as part of the revised request, the applicant has introduced single family-attached (townhome) uses between Uplands, Wessex Drive and Alma Road and has expanded the multi-family uses onto the corner of Collin McKinney Parkway and Alma Road. Staff is supportive of the applicant’s request for single family-detached residential uses on the western portion of the subject property and for the introduction of townhomes on the northern portion. The introduction of these residential uses allows for a natural progression that blends with the existing residential developments and street network.

However, with the introduction of singular residential uses on these tracts as opposed to the vertical mix of residential and commercial uses required under the current zoning, it is Staff's professional opinion that importance should be placed on preserving and harnessing as much commercial opportunities as possible near the corner of Collin McKinney Parkway and Alma Road. As such, Staff has concerns about the applicant's revised proposal to introduce multi-family uses onto the corner of Collin McKinney Parkway and Alma Road (east of existing Meyer Way). In doing so, this would reduce the commercial district from the originally proposed 5 acres to approximately 3 acres. This reduction could significantly lessen the viability of realizing meaningful, active commercial development on this tract. As originally proposed, the multi-family uses were limited to the tracts west of existing Meyer Way and were to be interconnected with the commercial district through urban character and required open space, connecting paths, and structured parking. In particular, the commercial district requires that the site develop with an urban form and character that incorporates at least 10% of the site as active open space featuring elements including, but not limited to, seating, additional landscaping, shade structures, water features, decorative lighting or public art. While these requirements are still proposed in the revised request, the reduction in commercial footprint will likely diminish the ability to achieve this vision on these tracts. More specifically, the reduction in the commercial footprint will result in a reduction in the amount of associated open space provided for the subject property.

During the September 24, 2019 Planning and Zoning Commission meeting, the Commission cited concerns about potentially auto-centric uses being permitted on the commercial tract. With agreement from the applicant, the motion by the Planning and Zoning Commission to recommend approval of the request conditioned that auto-centric uses be prohibited. As such, the current request specifically excludes these uses from the proposed zoning.

Parking:

Per the existing zoning and original rezoning request, on-street, parallel parking located within 200' of a building can/could be used to satisfy that building's minimum parking requirement. However, nearby residents have expressed concerns about vehicular traffic and parking. In response to those concerns, the applicant's modified request stipulates that only on-street parking located north of Collin McKinney Parkway and south of Wessex Drive can be utilized to satisfy that building's off-street minimum parking requirements. Although Staff is not supportive of the overall rezoning request, we are supportive of the applicant's changes to the on-street parking discussed above.

The modified rezoning request also proposed a maximum height of six stories for parking garages associated with multi-family structures. During the September 24, 2019 Planning and Zoning Commission meeting, Staff cited concerns that the increase in height was not compatible with the surrounding area. With agreement from the applicant, the motion by the Planning and Zoning Commission to recommend approval of the request conditioned that parking garages associated with multi-family uses be compatible with the associated multi-family building. As such, the current request now limits the height of these parking structures to be no more than 5' taller than the

associated multi-family structure. Although Staff is not supportive of the overall rezoning request, we are supportive of the applicant's modification to the parking garage height.

Architectural and Site Standards:

Following recent changes in state law, the City of McKinney is no longer able to enforce architectural standards, thus limiting our ability to ensure certain urban design features in the building design. However, urban site standards to help guide the overall development towards a more urban aesthetic are still included in the proposed request. This includes enhanced landscaping along street frontages, wide sidewalks, and lighting, all of which help to encourage interactivity between the buildings and pedestrians.

During the September 24, 2019 Planning and Zoning Commission meeting, Staff cited concerns regarding the modified request due to potential conflicts between the proposed site standards (build-to lines, heights, sidewalks) and design elements (open space, lighting). However, since that time, Staff has been able to work with the applicant to address these concerns. Although Staff is not supportive of the overall rezoning request due to the introduction of multi-family uses on the commercial corner at Collin McKinney Parkway and Alma Road, we have no objections to the proposed changes to the site standards and design elements included in the current 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. In conjunction with the Preferred Scenario, there will be a series of district diagrams which outline the desired development patterns for each unique area of McKinney. Per the Preferred Scenario, the subject property is located in the Collin McKinney Commercial District. General placetypes included in this district are Entertainment Center, Mixed-Use Center, Urban Living, and Professional Campus.

- 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."

However, Staff has concerns that the proposed rezoning request does not support the Guiding Principle of "Diversity (Supporting our Economy and People)" established by the Comprehensive Plan. The introduction of multi-family

uses east of Wessex Drive would reduce the overall commercial footprint on a tract that has long-been designated for commercial and/or mixed uses. It also has the potential to reduce the likelihood of achieving the meaningful commercial or mixed uses currently envisioned due to the relatively small size of the proposed commercial tract. As such, the proposed request does not support the city's desire to create "diverse economic engines... broaden the tax base, and make the City's economy more adaptable and resilient".

- 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 does align with the Urban Living placetype of the Collin McKinney Commercial District. Furthermore, the proposed request of "PD" - Planned Development District for single family residential, multi-family residential and commercial uses should be compatible with the surrounding properties and placetypes, including the Urban Living and Mixed-Use Center placetypes.
- Fiscal Analysis: The attached fiscal analysis shows a positive fiscal benefit of \$381,891 for the 18.75 acre property. Some key takeaways from the fiscal analysis include:
 1. The proposed zoning is estimated to generate approximately \$3.14 million in residential development value per acre and \$752,717 in non-residential development value per acre compared to the existing zoning which is estimated to generate approximately \$3.43M in residential development value per acre and \$3.17 million in non-residential development value per acre.

OPPOSITION TO OR SUPPORT OF REQUEST: As of the date of the May 14, 2019 Planning and Zoning Commission meeting, Staff received approximately 67 letters and several phone calls in opposition to the original request. As of the date of the September 24, 2019 Planning and Zoning Commission meeting, Staff has received approximately 10 letters of support for the revised rezoning request.

BOARD OR COMMISSION RECOMMENDATION: On September 24, 2019, the Planning and Zoning Commission voted 5-1-0 to recommend approval of the proposed rezoning request with the condition that the development regulations be modified to exclude auto-oriented and auto-centric uses in the Commercial Mixed Use District and to limit the height of parking structures to ensure that they are consistent with the height of the associated multi-family structures.

SUPPORTING MATERIALS:

[Location Map and Aerial Exhibit](#)
[Letter of Intent](#)
[PZ Minutes 05-14-19](#)
[PZ Minutes 09-24-19](#)
[CC Minutes 10-15-19](#)
[Ex. PD Zoning - 2015-02-007 \(Whole Life\)](#)
[Ex. PD Zoning - 2006-11-132 \(Cooper Life\)](#)
[Ex. PD Zoning - 2001-02-017](#)
[Fiscal Analysis](#)
[Comprehensive Plan Maps](#)
[Collin McKinney Commercial District](#)
[Placetype Definitions](#)
[Letters of Opposition \(original proposal\)](#)
[Letters of Support \(revised proposal\)](#)
[Zoning Exhibit](#)
[Proposed Dev Regulations \(May 2019 original\)](#)
[Proposed Dev Regulations \(Sept 2019 revised\)](#)
[Proposed Dev Regulations \(final\)](#)
[Proposed Ordinance](#)
[Exhibits A-D](#)
[Presentation](#)