



# CITY OF MCKINNEY, TEXAS

## Legislation Text

---

**File #:** 18-0142Z3, **Version:** 1

---

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 (REQUEST TO BE TABLED)

**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:** October 15, 2019

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning

**STAFF RECOMMENDATION:** Staff recommends that the public hearing be closed and the item tabled per the applicant's request in order to continue refining the development standards per the Planning and Zoning Commission's recommendation and so that the applicant can continue working on an associated traffic study. The item will be re-noticed prior to an upcoming hearing.

**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 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 and associated 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 increased the height of any associated parking structure(s), 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).

Unfortunately, Planning Staff is unable to support the revised proposal as further outlined below.

### 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.

Staff is supportive of the applicant's request for single family detached residential uses on the western portion of the subject property and for 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 east of existing Meyer Way. In doing so, this would reduce the commercial district from approximately 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 Meyer Way and were to be interconnected with the commercial district through urban character and required open space, connecting paths, and structured parking. More specifically, the commercial district would require 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 greatly reduce 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.

As part of the original request, many nearby residents shared concerns about vehicular traffic and parking. The applicant has modified the plan to limit the on-street parking to only those areas north of Collin McKinney Parkway and south Wessex Drive. However, the revised request also seeks to increase the height in parking garages associated with multi-family to a maximum of 6 stories. Given the surrounding area, Staff has concerns that this height is not compatible. Similar multi-family developments in Craig Ranch, such as Central Park, Times Square and Parkside, feature wrapped parking garages; however, their height is limited to that of the associated building, typically at 4 stories. As the garage can potentially be a large portion of the overall development footprint, allowing this increased height will not be harmonious or transitional with the surrounding developments.

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.

While the proposed request incorporates both site standards (build-to lines, heights, sidewalks) and design elements (open space, lighting) that are in line with a pedestrian- and urban-oriented development, some of the proposed standards are in conflict with one another. For example, trees

are required to be planted on the subject property every 30 feet along any street within the multi-family district; however, the required build-to-line has been set at 0', meaning the building must be pulled up to the property line. This issue is two-fold: first, with the building directly on the property line, there is no room for the planting of trees; and second, with a build-to-line of 0' the entire building must be pulled up to the street with no relief for recesses or offsets needed to facilitate design of the building. Given these issues, Staff has concerns that this misalignment in standards may lead to future conflicts and would strongly suggest these be addressed prior to moving forward.

During the rezoning process, the applicant has indicated a desire to pursue abandonment of Esplanade Street and Wessex Way. However, it should be noted that the proposed rezoning does not include the right-of-way abandonment. Consideration for the abandonment of rights-of-way is processed separately through the City's Engineering Department. At this point in time, the applicant has not formally submitted a request for the abandonment of these rights-of-way and engineering staff has not had an opportunity to fully evaluate the potential impacts of the request. While street closures are important considerations to account for in the rezoning process, action on the zoning does not vest or entitle any right-of-way abandonment.

Unfortunately, given the changes discussed above in the applicant's revised proposal, Staff is unable to support the 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: 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 Way 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. 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.

- Land Use and Tax Base Summary: Module 12 is currently comprised of approximately 14.9% residential uses, 85.1% non-residential uses (including mixed-use, institutional and agricultural uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 10 are comprised of approximately 23.1% from residential uses and 76.9% from non-residential uses (including mixed-use and agricultural uses). Estimated tax revenues by type in Module 10 are comprised of approximately 60.8% ad valorem taxes and 39.2% sales and use taxes.

**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 opposition to this 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 (as attached to this report) 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.