



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 19-0072Z2, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District and "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Commercial, Office, and Multi-family Uses, Located on the East Side of Custer Road and 545 Feet South of Stonebridge Drive

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: November 12, 2019

DEPARTMENT: Development Services - Planning Department

CONTACT: David Soto, Planner I
Jennifer Arnold, AICP, Director of Planning

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the December 3, 2019 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with the Comprehensive Plan.

However, if the applicant's request is approved, the following special ordinance provisions shall apply:

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: July 18, 2019 (Original Application)
September 16, 2019 (Revised Submittal)
October 7, 2019 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 38.859 acres of land, generally to allow for commercial, office, and multi-family residential uses.

On October 22, 2019 the Planning and Zoning Commission voted 7-0-0 to close the public hearing

and table indefinitely.

EXISTING ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" - Agricultural District and "PD" - Planned Development District Ordinance No. 2010-10-040 (Mixed Uses)	Storybook Ranch and Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 2003-02-015 (Mixed Uses) and "SO" - Suburban Office District (Offices Uses)	First Guaranty Bank and Medical Offices
South	"PD" - Planned Development District Ordinance No. 2010-10-040 (Mixed Uses)	Undeveloped Land
East	PD" - Planned Development District Ordinance No. 2004-07-075 (Single Family Residential Uses)	Craig Ranch North Phase II
West	City of Frisco	City of Frisco

PROPOSED ZONING: The applicant is requesting to rezone the subject property to "PD" - Planned Development District to allow commercial, office, and multi-family residential uses. The applicant has provided a zoning exhibit which divides the property into three districts, Tract A ("C2" - Local Commercial District), Tract B ("SO" - Suburban Office District), and Tract C ("MF-3" - Medium-High Density District). Tract C, while generally following "MF-3", would also include the following modifications:

Space Limits for Tract C

- **Height:** Currently, the maximum height allowed in "MF-3" - Medium- High Multiple Family Residential District is two stories and shall not exceed 35' in height; however, the applicant has requested an increased height to four stories and shall not exceed 55' in height. The applicant has also provided that within 250 feet of the rear property line, the height shall be limited to two stories and not exceed 35' in height. Staff has no objections to the request.
- **Density:** The applicant has requested that the overall density of Tract C shall not exceed 20 units per gross acre. Staff has no objections to the request.
- **Screening Requirements:** Typically, multi-family residential developments are required to maintain a six-foot masonry wall along all side and rear property lines; however, the applicant has requested an alternative screening device only along the south and east sides of Tract C. The wrought iron fence should not be a hindrance, especially given that the adjacent property to the south is an existing multi-family residential development and that the fence will be located within a floodplain. Staff has no objections to the request.

- **Parking:** While the current ratio 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 that provides 1 space per bedroom with an additional 0.20 parking space per unit. In looking at similar developments that have used a similar or even lesser ratio, Staff found that the reduced ratio did not create issues with parking for the developments. Staff has no objections to this request.

The applicant has also proposed general improvements to the City Hike and Bike Trail in order to enhance the proposal. These improvements include wayfinding signage, bike racks, benches, pet stations, and pedestrian lighting.

While Staff appreciates the applicant's proposal and enhancements for the site, there are remaining concerns about the request. In particular, the multi-family use does not align with the placetype of Professional Campus as designated by the Comprehensive Plan, which calls for office and employment uses that keep residents within the City. While uses not in strict conformance with the Comprehensive Plan may be appropriate in some locations, Staff has concerns about the applicant's proposal to introduce multi-family uses on a property designated for non-residential development. In the stretch of Custer Road from just north of SH 121 (Sam Rayburn Tollway) to Stonebridge Drive, there are already numerous multi-family residential developments located either directly along the principal arterial or within 300 feet of the roadway. With this in mind, introducing multi-family on the subject property would lessen the city's opportunity to achieve non-residential development along Custer Road and would add to the already-growing base of multi-family residential developments.

Staff also has concerns with the office component of the request. With the office tract being over 1,000 feet from Stonebridge Drive and Custer Road, the development would lack unique access and visibility, which Staff believes would severely limit the viability of an office development in this location. Given these factors, 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 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 Diagrams establish distinctive districts, each with a clear intent, market focus, and development patterns that are reinforced through character-defining placetypes. Per the Preferred Scenario, the subject property is located in the Established Community District and is designated as professional campus and suburban living placetypes. General placetypes included in this district are Suburban Living, Professional Campus, Employment Mix, Commercial Center, Mixed-Use Center, Manufacturing and Warehousing, and Aviation.

- Guiding Principles: The proposed rezoning request is generally in conformance with the 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 subject property features two placetypes, the majority of the property falling into Professional Campus, and a small portion of the eastern side falling to Suburban Living.

The proposed rezoning request does not align with the Professional Campus placetype designation of the Established Community District. The intent of the Professional Campus placetype is to generally provide office jobs and keep people in the city during normal work hours; by replacing this with residential uses, the proposed request is not compatible with the placetype.

The intent of the Suburban Living Placetype is to provide rooftops necessary to support the commercial and professional office uses within the area. Suburban Living does allow for neighborhood-scale non-residential uses; however, the proposed uses should be compatible with the surrounding neighborhood and align with the location criteria outlined in the Comprehensive Plan. While the scale and compatibility of the office use is generally aligned with the Suburban Living placetype, the access and location are in contrast to the locational criteria calling for these types of uses to be location along or at the intersection of a roadway.

- Fiscal Model Analysis: Although, the attached fiscal analysis shows a positive fiscal benefit for the 38.9 acre property. Due to the lack of conformance with the propose placetypes, the propose zoning will not contribute to meeting the fiscal balance projected for this district. Some key takeaways for this property include:
 1. The proposed zoning would generate \$306,090 amount in revenue. The 2040 plan placetype projected to generate \$1,045,180 in revenue.
 2. The propose zoning would have an impact of the number of employments and reduce the number from 2,623 which is based on the proposed placetype to 630 which is based on the proposed zoning.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no letters of oppositions regarding this request; however as of Wednesday, October 16th, Staff has received a written protest from adjacent property owners. The submitted protest covers 15.68% of the total area adjacent to the subject property and therefore does not currently meet the minimum requirement for a supermajority (6 of 7) vote by City Council.