



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 21-0072Z3, **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 Modify the Development Standards and to Allow for Single Family Residential and Commercial Uses, Located on the Northwest Corner of McKinney Ranch Parkway and Silverado Trail, 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: August 16, 2022

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Caitlyn Strickland, Planning Manager
Kaitlin Sheffield, CNU-a, 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: May 11, 2021 (Original Application)
July 13, 2021 (Revised Submittal)
January 31, 2022 (Revised Submittal)
June 10, 2022 (Revised Submittal)
July 12, 2022 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 9.6 acres of land, generally for attached single family residential and commercial uses. The applicant has submitted this zoning request to modify the development standards for required landscaping and space limit requirements. More information is detailed further below.

EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ordinance No. 2014-11-087 (Office Uses)	Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 2001-02-017 (Mixed Uses)	Fountain Park
South	"PD" - Planned Development District Ordinance No. 2015-07-067 (Multi-family Residential and Commercial Uses)	Parkside at Craig Ranch
East	"PD" - Planned Development District Ordinance No. 2018-08-060 (Commercial Uses), "PD" - Planned Development District Ordinance No. 2008-06-054 (Mixed Uses)	Craig Ranch Medical Pavilion, Undeveloped Land
West	"PD" - Planned Development District Ordinance No. 2014-11-087 (Open Space and Civic Uses)	McKinney Fire Station 11, Fountain Park

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally for attached single family residential and commercial uses and to modify the development standards, as further described below.

Uses

- Currently, the property is zoned "PD" - Planned Development District and follows the retail uses in the "REC" - Regional Employment Center Overlay District as primary uses. The current zoning also allows for attached residential units in the form of live-work units as secondary uses.
- The applicant proposes to rezone this tract to "PD" - Planned Development District to allow for attached single family uses pursuant to the "TH" - Townhome Residential District and to allow for commercial uses pursuant to the "C2" - Local Commercial District.
- It should be noted that after the August 16, 2022 City Council meeting, the applicant has revised the proposed development regulations to prohibit development of certain more intense uses on the subject property. This list includes uses like a restaurant with a drive through, convenience stores with or without fuel sales, and a smoke, tobacco or vape shop. A complete list of uses that have been prohibited are attached.
- Staff has no objection to the request for the following reasons:
 - the current zoning on the property already allows some level of residential uses;
 - the proposed rezoning will introduce a compatible housing type to the immediate area; and
 - the configuration of the lot may be challenging for development of commercial uses.

Development Standards

- For the proposed residential uses, the “TH” - Townhome Residential District requires a minimum lot area of 2,700 square feet, a minimum lot width of 25 feet, and a minimum front yard of 20 feet. However, the applicant is requesting a minimum lot area of 1,800 square feet, a minimum lot width of 22 feet, and a minimum front yard of 10 feet for attached single family uses.
- Staff has found that the applicant’s request is similar to existing townhome development within the area. Given the unique configuration of the lot and the fact that the proposed space limits are comparable to other townhome developments in the area, Staff has no objections to the applicant’s request.
- For the proposed commercial uses, the “C2” - Local Commercial District requires a minimum lot width and depth of 50 feet and allows for a maximum building height of 45 feet. The applicant is requesting to reduce the minimum lot width to 30 feet and is also proposing to reduce the maximum building height to 35 feet.
- It should be noted that after the August 16, 2022 City Council meeting, the applicant has revised the proposed development regulations to add the following provision regarding the access concerns from the St. Andrew’s Episcopal Church property to the existing median opening on McKinney Ranch Parkway:
 - A mutual access easement or public right of way shall be provided on the subject property in a manner that allows for a complete vehicular connection of a minimum width of 24’ at its most narrow point from the existing median opening of McKinney Ranch Parkway and the dedicated “24’ fire lane, mutual access and water easement” on Lot 1, Block A of the Episcopal Diocese of Dallas Addition tract, as approved by the Director of Engineering.
- Staff has no objections to the applicant’s proposals. The subject property has a unique shape, and the proposed height will be consistent with the existing and proposed single family residents.

Landscape Requirements

- Typically, all single family lots are required to have two canopy trees. The applicant is requesting to plant one canopy tree and one ornamental tree for every unit. One of the trees is required to be planted within the front yard of the lot and the additional tree may be planted within an open space within the development.
- Staff has no objections to the applicant’s requests as the proposed landscape requirement is consistent with other townhome developments within the city and the initiatives of the New Code McKinney (Code Overhaul).

The unique shape of the subject property is a result of the realignment of former FM 720 (McKinney Ranch Parkway) that previously ran east to west and now curves south on the east side of the subject property. Staff has worked with the applicant on the proposed rezoning request and attached informational concept plan to be able to successfully develop the site.

Although the conceptual plan provided is for informational purposes only, Staff has received letters of concern from the St. Andrew's Episcopal Church, which is located just north of the subject property. Based on the letters received, it appears the church is concerned that potential development of the subject property may limit their desire to have a direct access point to McKinney Ranch Parkway via a dedicated fire lane access easement they have stubbed on the southern border of the church property.

Following the August 16, 2022 City Council meeting, the applicant has revised the proposed development standards to require a complete vehicular connection via a mutual access easement or public right-of-way from the St. Andrew's Episcopal Church property to the existing median opening on McKinney Ranch Parkway and has prohibited specific uses from being development on the subject property.

Staff is supportive of the proposed rezoning request to allow for attached single family residential and commercial uses on the subject property. Staff also feels that the proposed uses will integrate and blend in with the surrounding developments.

As such, Staff is recommending 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 desired development patterns in the city and to inform decisions related to the timing and phasing of future infrastructure investments. To assist in guiding these decisions, the plan includes a set of Guiding Principles that provide overall guidance and a Preferred Scenario and Land Use Diagram that illustrates the desired development patterns in the city. The Preferred Scenario and Land Use Diagram are built upon a series of distinctive districts, each with a specific purpose, focus and market. Each district consists of a mix of placetypes that identify the predominate land uses and desired pattern of development for the district.

- 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 "[...]housing options and neighborhood choices that are accessible, attainable and appealing to people at all stages of their lives."
- Preferred Scenario and Land Use Diagram Characteristics:
Per the Preferred Scenario and Land Use Diagram, the subject property is located in the Established Community District and is designated as the Commercial Center placetype.

Commercial Center is characterized by big box stores or multi-tenant commercial uses. They are typically located at high volume intersections and along both sides of a highway or arterial. Commercial Centers are accessible primarily by one mode of travel, the automobile; though

walkable pedestrian access should be encouraged wherever possible. Buildings are typically set back from the road behind large surface parking lots that may be prime locations for infill development.

Land Use Diagram Compatibility: When considering land use decisions, the City should determine that a project aligns with the Land Use Diagram and/or meets a majority of the plan's established criteria to be considered compatible with the Land Use Diagram. The proposed rezoning request **does not align** with the Commercial Center placetype of the Established Community District. In order to be considered compatible with the comprehensive plan, the project should meet a majority of the established criteria below:

1. Help McKinney achieve the Comprehensive Plan's Vision and Guiding Principles;
2. Advance the District's intent;
3. Demonstrate compatibility with the District's identity and brand;
4. Include uses compatible with the Land Use Diagram;
5. Leverage and protect natural and built amenities and infrastructure;
6. Strengthen or create connections to activity centers within and beyond the District;
7. Create a positive fiscal impact for the City through the timeframe of the Plan (2040);
8. Demonstrate that the project's travel demand estimates can be accommodated by the planned transportation network;
9. Demonstrate that the project's demand on other public infrastructure can be accommodated by planned facilities; and
10. Demonstrate that the life-cycle costs to the public of constructing, maintaining and operating infrastructure included in the project is consistent with this plan's [Comprehensive Plan] fiscal responsibility policies.

While the proposed request for residential uses does not strictly align with the Commercial Center Placetype in the Established Community District, Staff feels that it meets a majority of the established criteria above to be considered compatible with the Comprehensive Plan. Furthermore, the site constraints that result from the unique shape of the lot will make development of large-scale commercial uses extremely difficult to realize.

- Fiscal Model Analysis: The attached fiscal analysis shows a potential overall net surplus of approximately \$163,000 for the 9.6 acre property.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no letters of support to this request and no letters of opposition. Staff has received two letters of concern, attached for your reference. This does not include emails or letters that may have been sent directly to members of the Council. Staff has not received any citizen comments through the online citizen portal.

BOARD OR COMMISSION RECOMMENDATION: On July 26, 2022, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.

On August 16, 2022, the City Council voted 7-0-0 to table the item to the September 6, 2022 City Council meeting to allow for the applicant to address concerns regarding the proposed uses and access from the St. Andrew's Episcopal Church's property to the existing median opening on McKinney Ranch Parkway.