

**REVISED**

**PLANNING & ZONING COMMISSION MEETING OF 9/28/10 AGENDA ITEM #10-071Z**

<b>AGENDA ITEM</b>
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**TO:** Planning and Zoning Commission

**FROM:** Michael Quint, Senior Planner

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Southern Land Company, on Behalf of SLC McKinney Partners, L.P., for Approval of a Request to Rezone Approximately 332.68 Acres, from "PD" – Planned Development District to "PD" – Planned Development District, Generally to Modify the Development Standards, Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 2,000 Feet East of Stonebridge Drive.

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the October 19, 2010 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. The subject property be rezoned to "PD" – Planned Development District and be developed according to the following standards:
  - a. The subject property shall develop in accordance with the attached Tucker Hill Pattern Book regulations.
  - b. A 10' wide sight visibility easement shall be required parallel to any corner clip right-of-way dedication where alleys intersect with streets to ensure proper site visibility at intersections, unless otherwise approved by the Director of Engineering.
  - c. The architectural concepts as detailed within the attached Tucker Hill Pattern Book regulations shall be achieved while also satisfying the requirements of the Architectural Standards (Section 146-139) of the Zoning Ordinance.

**APPLICATION SUBMITTAL DATE:** July 12, 2010 (Original Application)  
July 26, 2010 (Revised Submittal)  
August 10, 2010 (Revised Submittal)

August 24, 2010 (Revised Submittal)  
September 10, 2010 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to rezone approximately 332.68 acres of land, located on the north side of U.S. Highway 380 (University Drive) and approximately 2,000 feet east of Stonebridge Drive, from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the development standards. The subject property represents a fraction of the larger 900 acre development, Tucker Hill, which is located generally to the east of Future Stonebridge Drive and north of U.S. Highway 380 (University Drive). Tucker Hill will consist of detached and attached single family residential uses, non-residential uses, live/work uses and vertical mixed-uses.

**ZONING NOTIFICATION SIGNS:** The applicant has posted zoning notification signs on the subject property, as specified within Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance.

**SURROUNDING ZONING AND LAND USES:**

Subject Property: Subject Property: “PD” – Planned Development District  
Ordinance No. 2007-09-084 (mixed uses)

North	“PD” – Planned Development District 1770 and “ETJ” – Extraterritorial Jurisdiction	Undeveloped Land and Single Family Residences
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South	“ETJ” – Extraterritorial Jurisdiction; “PD” – Planned Development District Ordinance No. 2004-06-068, and as amended (mixed uses); “AG” – Agriculture District; and “PD” – Planned Development District Ordinance No. 1621, and as amended (mixed uses)	Undeveloped Land, Single Family Residences, City of McKinney Pump Station, and the Wren Creek subdivision
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East	“PD” – Planned Development District Ordinance No. 2004-06-068, and as amended (mixed uses) and “ETJ” – Extraterritorial Jurisdiction	Undeveloped Land and Single Family Residences
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West	“ETJ” – Extraterritorial Jurisdiction and “AG” – Agriculture District	Undeveloped Land, City of McKinney Pump Station, and the Walnut Grove subdivision
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Discussion: A previous version of the Tucker Hill Pattern Book was approved by City Council as part of Planned Development District Ordinance No. 2007-09-084. The

proposed pattern book reflects additional and slightly modified development standards/layouts than the governing pattern book. The proposed changes to the pattern book include, but are not limited to modified rear yard setback standards, allowed building heights, definitions of residential building components (Primary/Back/Out Buildings), provided an option for bungalow courts to face an attached green, slightly modified some landscaping standards provisions, established driveway/intersection offsets, and provided for a minimum 20 foot driveway for all garages. The proposed changes to the pattern book are highlighted in yellow. While slight modifications to the pattern book are being proposed, the intent of the pattern book and the character of the overall development will remain the same. As such, Staff is comfortable supporting the proposed rezoning request.

In addition to the adoption of the revised pattern book, Staff has proposed two additional special ordinance provisions. These special ordinance provisions are addressed in more detail below:

- b. A 10' wide sight visibility easement shall be required parallel to any corner clip right-of-way dedication where alleys intersect with streets to ensure proper site visibility at intersections, unless otherwise approved by the Director of Engineering.
  - Staff is proposing that a standard 10' wide sight visibility easement be provided parallel to the required corner clip right-of-way dedication where streets intersection with alleys within the development.
  - The required easement would prohibit the installation of trees, shrubs, fences, and other visual impediments to the sight lines that are necessary to maintain safety for pedestrian and vehicular traffic.
  - Staff understands that creative sight visibility solutions may be possible in some unforeseen situations and have provided the Director of Engineering with some flexibility to approve alternative sight visibility easement sizes and configurations.
- c. The architectural concepts as detailed within the attached Tucker Hill Pattern Book regulations shall be achieved while also satisfying the requirements of the Architectural Standards (Section 146-139) of the Zoning Ordinance.
  - This special ordinance provision currently exists in the governing Planned Development Ordinance number 2007-09-084.

- Staff is proposing to maintain the aforementioned special ordinance provision to eliminate any confusion regarding what architectural standards are applicable to the property.

**PROPOSED ZONING:** The applicant is proposing a mixed use development with a combination of attached and detached single family residential uses, live/work units, retail uses, office uses, civic buildings, and open space uses. Each of these uses will be located in close proximity, and often adjacent to one another. The proposed development incorporates numerous private green space areas throughout.

**PROPOSED PATTERN BOOK:** The base zoning districts of the Zoning Ordinance are not being proposed for the property. Instead, the applicant is proposing to use what is called a Transect system for zoning. The term “transect” is used to describe a cross-sectional system of classification of environments. All elements of the built environment are arranged in order from most rural to most urban.

This proposed development is classified into four transect zones, one of which is further subdivided: T3 or Neighborhood Edge, T4 or General Neighborhood, T5 or Urban Center, and a special Mixed-Use Center transect. The purpose of the transect system is to provide a carefully arranged alternative to conventional zoning and suburban sprawl by allowing a mix of uses arranged in close proximity. Each transect zone listed in the Pattern Book has specific requirements and provisions ranging from density, thoroughfares, lot dimensions, public spaces, architectural massing, building frontages, building types, parking, pedestrian networks, and landscape design.

A brief description of the three traditional transect zone is as follows:

Neighborhood Edge (T3) – This transect is similar to conventional low density suburban house areas and includes villas, non-alley and alley homes and duplexes. Planting is naturalistic with deep setbacks. Blocks may be large and the roads irregular to accommodate natural conditions.

General Neighborhood (T4) – This transect is a denser and primarily residential urban fabric. This transect has a wide range of building types, including alley and non-alley homes, cottages and duplexes. Setbacks and landscaping are variable. Streets typically define medium sized blocks.

Urban Center (T5) – This transect is the equivalent of a Main Street. It includes building types that accommodate retail, offices, residential and live/work units. It is usually a tight network of streets with wide sidewalks, steady street tree plantings, and buildings set close to frontages. It allows alley homes, cottages, duplexes, townhomes and mixed use live/work units, with generally a higher density than that of the T3 or T4 transect zones.

The Pattern Book that is attached is a document comprised of both text and graphics and is intended to guide the creation of the Southern Land community. It consists of five main sections:

1. Illustrative Regulating Plan – this is a map that shows the various transect based zoning categories and the form and location of public spaces and thoroughfares.
  - Staff is recommending that the subject property generally develop in accordance with this plan. Any major modifications (as determined by the Director of Planning) to this plan will require the submittal of a new rezoning request.
2. Urban Standards – these regulate the manner in which private buildings affect public spaces. The most comprehensive portion of this section is the Building Type Summary, which specifies which building types belong in which transect and also provides guidelines for the layout of the individual lots and building footprints.
  - This section details building types, building setbacks, building heights, lot sizes, and parking standards.
3. Thoroughfare Standards – this section categorizes pedestrian and vehicular means of passage based on capacity and urban character. These standards are illustrated in both plan and section and specify characteristics such as vehicular travel and parking lanes, curbs, planters, street trees, street lights and pedestrian sidewalks.
  - The applicant is proposing atypical and reduced street sections that differ from the City's Street Design Standards. I
  - Additionally, as each phase is platted, a variance from the Director of Engineering will be required in order to use a street section that differs from City standards. Even though the street layout is generally being approved as part of the general development plan and zoning, zoning cannot override a Subdivision Ordinance requirement. After review of the traffic implications, the Director of Engineering may approve such a variance.
  - The street sections are also subject to review and approval by the City Fire Marshal to ensure that public safety vehicles can adequately maneuver the streets and alleys.
4. Landscape Standards - these regulate the manner in which trees will be provided throughout the development. The landscape standards are divided into two sections; residential yard trees and street trees. The residential yard trees section details the requirement for trees on private lots and the street trees

section details the requirement for trees within the rights-of-way throughout the development.

- This section details the numbers, size, spacing, etc of required trees.
5. Architectural Standards – this section specifies the material and configurations deemed acceptable for the various building types in the Southern Land Community. They regulate criteria on multiple scales, from the façade, roof, and walls to the trim, finish and hardware. The purpose is to produce visual continuity and compatibility across the community and between different building types and to assure an appropriate architectural response to local climate and conditions. The importance of these standards is their ability to create and maintain architectural harmony, which directly affects urban quality.
- The pattern book specifies architectural guidelines for approved and prohibited building materials, approved and prohibited architectural styles and materials, and various other architectural details including, but not limited to, building massing, roof styles, doors and windows styles, and awnings.
  - The architectural standards contained within the proposed pattern book shall apply to all non-single family detached buildings. These architectural standards provide a clear architectural concept for the development but do not provide a method for achieving this concept (i.e. a point system similar to that of the Zoning Ordinance). All of the proposed buildings within Tucker Hill will also be subject to the requirements of Section 146-139 (Architectural Standards) of the Zoning Ordinance. If the architectural character specified within the Tucker Hill Pattern Book cannot be achieved through the standards specified within the Zoning Ordinance, a meritorious exception as specified within the Zoning Ordinance may be requested and approved by the Planning and Zoning Commission.
  - This section also contains specific sign regulations for the proposed development which allows both attached and detached signage in the form of awnings, band/board signs, hanging/blade signs, vertical corner signs, ground mounted post signs, window signs, and portable menu boards. It also prohibits certain types of signs such as billboards, internally lit signs, flashing signs, etc. Signage within Tucker Hill will be subject to the requirements of the pattern book as well as Chapter 134, the City of McKinney's Signage Ordinance.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for residential, office, industrial and suburban mix uses. The FLUP modules diagram designates the subject property as suburban

mix within a minimally developed area. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within a minimally developed area:

- Conformance with Desired Land Use Mix: The proposed uses as specified within the proposed pattern book are within the allowable percentages for each land use in this module. The proposed rezoning request is not an attempt to alter the allowed uses but rather an attempt to modify existing and add additional development standards. The land use mix of the area should not be negatively impacted by the proposed rezoning request.
- Locational Criteria: The proposed uses as specified within the proposed pattern book are within the allowable locations as shown on the FLUP modules diagram. The proposed rezoning request is not an attempt to alter the allowed uses but rather an attempt to modify existing and add additional development standards. The area should not be negatively impacted by the proposed rezoning request.
- Compliance with Community Form: The proposed uses as specified within the proposed pattern book should not have a negative impact on the community form and character of the built environment within the module. The proposed rezoning request is not an attempt to alter the allowed uses but rather an attempt to modify existing and add additional development standards. The community form should not be negatively impacted by the proposed rezoning request.
- Impact on Infrastructure: The water master plan, sewer master plan, and thoroughfare plan are all based on anticipated land uses as shown on the Future Land Use Plan. The proposed uses as specified within the proposed pattern book should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area. The proposed rezoning request is not an attempt to alter the allowed uses but rather an attempt to modify existing and add additional development standards. The infrastructure in the region should not be negatively impacted by the proposed rezoning request.
- Impact on Public Facilities/Services: Similar to infrastructure, the public facilities/services are all planned for based on the anticipated land uses as shown on the Future Land Use Plan. The proposed rezoning should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services. The proposed rezoning request is not an attempt to alter the allowed uses but rather an attempt to modify existing and add additional development standards. Public facilities/services should not be negatively impacted by the proposed rezoning request.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are generally zoned for mixed uses. The proposed rezoning request should not be detrimental to the adjacent existing and potential land uses.

- Timing of Zoning Request: The proposed rezoning request will not hinder or negatively impact the ability of the module to develop the primary land use.
- Fiscal Analysis: The proposed uses for the subject property are not changing; thus a fiscal analysis was not deemed necessary for this case.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received several phone calls requesting information regarding the rezoning request and has met with one of the Tucker Hill residents, Kathy Moore, to discuss some of the provisions of the proposed rezoning request. However, Staff has not received any specific comments in support of or opposition to the proposed rezoning request.

**ATTACHMENTS:**

- Location Map
- Aerial Exhibit
- Letter of Intent
- Notice of Public Hearing
- Property Owner Notification List
- Proposed Tucker Hill Pattern Book
- PowerPoint Presentation