



CITY OF MCKINNEY, TEXAS

Legislation Details (With Text)

File #: 21-0139Z2 **Name:** Wilmeth and Community Rezoning Request
Type: Ordinance **Status:** Public Hearing
In control: City Council Regular Meeting
On agenda: 12/7/2021 **Final action:**
Title: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District to Allow for Multi-Family Residential Uses and to Modify the Development Standards, Located on the Southeast Corner of Wilmeth Road and Community Avenue, and Accompanying Ordinance (REQUEST TO BE TABLED)

Indexes:

Attachments: 1. Draft PZ Minutes 11.09.pdf, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Letter of Opposition, 5. Comprehensive Plan Maps, 6. Collin Crossing District, 7. Placetype Definitions, 8. Fiscal Analysis, 9. Land Use Comparison Table, 10. Ex. PD Ord. No. 1574, 11. Proposed Ordinance, 12. Proposed Exhibits A-D, 13. Presentation

Date	Ver.	Action By	Action	Result
12/7/2021	1	City Council Regular Meeting	Close the public hearing	Pass
12/7/2021	1	City Council Regular Meeting	Tabled Indefinitely	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District to Allow for Multi-Family Residential Uses and to Modify the Development Standards, Located on the Southeast Corner of Wilmeth Road and Community Avenue, and Accompanying Ordinance (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: December 7, 2021

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
 Caitlyn Strickland, Planning Manager
 Kaitlin Sheffield, 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.

However, the applicant has requested to close the public hearing and table the item indefinitely to evaluate the impact of the flood plain on the site.

APPLICATION SUBMITTAL DATE: September 21, 2021 (Original Application)
October 25, 2021 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 12.7 acres of land, generally for multi-family uses. Currently this site is zoned “PD” - Planned Development District with a base zoning of “RG-18” - General Residence District, which permits multi-family. The applicant has submitted this zoning request to modify the development standards for multi-family developments including parking and height and to allow uses similar to those permitted within the city’s “MF-1”; “MF-2”; and “MF-3” - Multiple Family Residential Zoning Districts. 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 1574 (Residential and Commercial Uses)	Undeveloped Land
North	“PD” Planned Development District 2021-06-063 (Multi-Family Residential Uses)	Undeveloped Land
South	“PD” Planned Development District 2004-08-082 (Governmental Complex Uses)	City of McKinney Public Safety Building
East	“PD” Planned Development District 1574 (Commercial Uses)	Undeveloped Land
West	“PD” Planned Development District 1907 (Single Family Residential Uses), “RS-60” Single Family Residence District (Single Family Residential Uses)	High Pointe Addition

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

- Residential Uses
 - Currently, the property is zoned “PD” - Planned Development District with a base zoning of “RG-18” - General Residence District, which allows a variety of uses including independent living facility, multiple family dwelling, multiple family dwelling senior, single family (attached and detached), two family dwelling (duplex), assisted living facility, nursing home, rest home, accessory buildings or uses, and parking incidental to the main use.
 - The applicant proposes to rezone the property to “PD” - Planned Development District with similar uses to those permitted within the “RG-18” - General Residence District and those permitted within the city’s “MF-1”; “MF-2”; and “MF-3” - Multiple Family Residential

Zoning Districts. The applicant has indicated a desire to develop multi-family uses on the site; however, a complete list of the allowed uses is attached to this staff report for your reference.

- Building Height
 - The zoning currently limits the maximum building height to 35 feet or two stories. The maximum building height permitted in the city's typical multi-family residential zoning districts is also 35 feet (2 stories).
 - The applicant is requesting a maximum building height of 3 stories not to exceed 45 feet.
- Density and Space Limits
 - The required setbacks for the subject property under the current zoning would follow the setbacks of the "MF-1" - Multiple Family Residential-Low Density District and an allowable density of 24 dwelling units per gross acre, if developed as multi-family.
 - The applicant is proposing similar space limit requirements to the current zoning and is requesting to increase the maximum density to 28 dwelling units per gross acre. The applicant is also requesting to decrease the required minimum lot area from 3,600 square feet per unit to 1,500 square feet per unit.
- Parking
 - While the current required parking ratio for multi-family uses 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 of one space per bedroom with an additional 0.2 parking spaces per unit. In looking at comparable developments that have used a similar ratio, Staff found that the reduced ratio did not create issues with parking for these developments.
 - In addition, the current requirement for multi-family uses also requires that no less than 50% of the units have an enclosed parking space. However, the applicant has requested a modified parking standard that no less than 30% of the units have an enclosed parking space and 20% of the units can be carport covered parking spaces. If a 20-foot driveway is not provided with the required enclosed parking, the applicant asks that the additional 0.5 parking space not be required. In looking at similar developments that have used carports instead of enclosed spaces, Staff found that the request still provides a covered parking space product and is not detrimental to the development.
 - As proposed, all covered surface parking (carports) may be constructed of steel frame with gabled standing seam roofs and steel columns clad in wood.
- Exceptional Quality
 - Per Section 146-139 (Architectural and Site Standards) of the City's Zoning Ordinance, a minimum number of amenities for multi-family developments are required based on the

number of units. The maximum density of the proposed zoning would permit up to 355 units, which would typically require a minimum of five amenities. As a provision of exceptional quality, the applicant is proposing a minimum of seven amenities.

- Per Section 146-135 (Landscape Requirements) of the City's Zoning Ordinance, at least 15 percent of the street yard in multi-family developments shall be a permanent landscape area. As a provision of exceptional quality, the applicant is proposing to increase the required percentage to 30 percent.

Although the subject property sits at the hard corner of two arterial roadways, the current zoning already allows for multi-family residential uses. The applicant's requests for modified development standards (i.e. building heights and parking) is consistent with those seen in other multi-family developments happening in today's market.

Given the stated goal of the City Council to preserve as much meaningful commercial opportunities as possible, Staff paid special attention to the commercial potential on this site. While the tract is situated at the hard corner of two arterial roadways, it also sits over 1,500 feet away from US 75, and the overall footprint of undeveloped tracts in the area is roughly 70 acres in size. Even with the extension of Wilmeth Road to the west and the potential commercial opportunity that it could bring, the potential for all 70 acres of this area to develop as commercial may be low. Where commercial development does occur, it will likely to be concentrated on tracts closer to the highway frontage and for which are already zoned commercial. As a point of reference, the commercial development along US 75 between US 380 and Taylor Burke Drive is roughly 65 acres in total size and generally only extends about 1,500 feet back from US 75.

As such, Staff feels comfortable that the request is reasonable and recommends approval.

CONFORMANCE TO THE ONE MCKINNEY 2040 COMPREHENSIVE PLAN: 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 Collin Crossing District and is designated as the Commercial Center placetype.

The Commercial Center placetype 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 established criteria (below) to be considered compatible with the Land Use Diagram. The proposed rezoning request **does not align** with the Commercial Center placetype of the Collin Crossing 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.

The proposed request for multi-family uses does not strictly align with the Commercial Center Placetype. However, the Collin Crossing District is intended to provide housing for McKinney's Creative Class people and companies. The proposed request supports this vision and goal. Furthermore, Staff feels comfortable the project's travel and infrastructure demands can be accommodated by the planned transportation and infrastructure network.

- Fiscal Model Analysis: The attached fiscal analysis shows a potential overall annual deficit of \$3,039 for the 12.7 acre property. Some key takeaways for this property include:
 - Although an annual operating deficit could be seen for the proposed residential development, these residential uses are already permitted on the subject property. As well, development of the tract for residential could help capture 22% of the residential market potential in the Collin Crossing District.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received one letter of opposition and no letters of support to the request.

BOARD OR COMMISSION RECOMMENDATION: On November 9, 2021, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.