



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 23-0040Z, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “RG 18” - General Residence District and “TMN” - Traditional McKinney Neighborhood Overlay District to “PD” - Planned Development District and “TMN” - Traditional McKinney Neighborhood Overlay District, Generally to Allow for Multi-Family Residential Uses and to Modify the Development Standards, Located on the Northwest Corner of Drexel Street and Throckmorton Street and on the Southwest Corner of Drexel Street and Throckmorton Place

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: June 13, 2023

DEPARTMENT: Development Services - Planning Department

CONTACT: Kaitlin Sheffield, CNU-A, Senior Planner
Caitlyn Strickland, Planning Manager
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 June 20, 2023 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to concerns regarding the height and setbacks of the multi-family use on the subject property.

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: May 8, 2023 (Original Application)
May 22, 2023 (Revised Submittal)

ITEM SUMMARY: The applicant requests to rezone approximately 2.49 acres of land, generally to allow for multi-family residential uses. More specifically, the proposed rezoning request modifies the

setbacks, height, density, and parking requirements for multi-family residential uses.

EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“RG-18” - General Residence District (Residential Uses)	Multi-Family Residential
North	“RG-18” - General Residence District (Residential Uses), “PD” - Planned Development District Ordinance No. 2022-07-079 (Multi-Family Residential Uses)	Single Family Residential, Multi-Family Residential
South	“RG-18” - General Residence District (Residential Uses)	Unique Deliverance Tabernacle, Undeveloped Land, Single Family Residential
East	“RG-18” - General Residence District (Residential Uses)	Unique Deliverance Tabernacle, Undeveloped Land, Single Family Residential
West	“RG-18” - General Residence District (Residential Uses)	Single Family Residential

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

Tract 1 (1.96 acres)

- Multi-Family Residential Uses
 - Currently, this tract is zoned “RG-18” - General Residence District and is developed with multi-family residential uses owned by the McKinney Housing Authority.
 - The applicant proposes to rezone this tract to primarily allow for multi-family residential uses. A complete list of the allowed uses is attached to this staff report for your reference.
 - Staff has no objection to the request given the existing development on the subject property is multi-family residential uses, the existing zoning allows for multi-family uses, and the request aligns with the Urban Living placetype in the ONE McKinney 2040 Comprehensive Plan for this property.

- Density
 - Currently, this tract is developed with 22 multi-family residential units. The city’s “RG-18” - General Residence District allows a maximum density of 24 units per acre for traditional multi-family developments.

- The applicant proposes a maximum of 50 dwelling units on Tract 1, which is approximately 25.5 units per acre. Staff has no objections to this request as the modest increase in density only allows for an additional 3 units on the property, which should not negatively impact the adjacent developments.
- Height
 - Currently, this tract is developed with 1-2 story multi-family residential buildings. The city's "RG-18" - General Residence District has a maximum height of 35 feet for traditional multi-family developments.
 - The applicant proposes a maximum height of 3 stories, not to exceed 45 feet.
 - Staff does not have any objections to this request as this tract is not directly adjacent to single family residences and is surrounded by rights-of-ways on the east, south, and west. Additionally, the Sphinx 380 Villas development to the north of this tract is under construction for multi-family buildings that are 2 to 3 stories.
- Setbacks
 - Currently, this tract is zoned "RG-18" - General Residence District, which requires a 35-foot front yard, a 25-foot rear yard, and a 20-foot side yard setback for traditional multi-family uses and requires a residential adjacency setback of 45 feet if adjacent to a single family use or zone.
 - The applicant proposes to reduce the typically required setbacks for a 15-foot setback on Throckmorton Street to the east, a 10-foot setback from Drexel Street to the south, a 10-foot setback from Throckmorton Place to the west, and a 15-foot setback from the northern tract boundary. A complete list of the space limits is attached to this staff report for your reference.
 - Staff has no objection to these requests for the following reasons:
 - Tract 1 is surrounded by rights-of-ways on the east, south, and west;
 - the development directly to the north of Tract 1 is under construction for the Sphinx 380 Villas multi-family development; and
 - the setbacks proposed will provide sufficient space for the required plantings along the rights-of-ways and adjacent property lines.
- Parking
 - Typically, multi-family developments are required to provide 2 parking spaces per unit with enclosed parking provided for a minimum of 30 percent of the units.

- The applicant is proposing to provide 2 parking spaces per unit and is requesting to waive the required enclosed parking space requirement.
- Staff does not have any objections to this request given that the existing McKinney Housing Authority development on the subject property does not include any enclosed or covered parking spaces.

Tract 2 (0.53 acres)

- Multi-Family Residential Uses
 - Currently, this tract is zoned “RG-18” - General Residence District and is developed with multi-family residential uses owned by the McKinney Housing Authority.
 - The applicant proposes to rezone this tract to primarily allow for multi-family residential uses. A complete list of the allowed uses is attached to this staff report for your reference.
 - Staff has no objection to the request given the existing development on the subject property is multi-family residential uses, the existing zoning allows for multi-family uses, and the request aligns with the Urban Living placetype in the ONE McKinney 2040 Comprehensive Plan for this property.
- Density
 - Currently, this tract is developed with 4 multi-family residential units. The city’s “RG-18” - General Residence District has a maximum density of 24 units per acre for traditional multi-family developments.
 - The applicant is proposing a maximum of 18 dwelling units on Tract 2, which is approximately 34 units per acre. Staff has concerns with the proposed number of units on Tract 2 given the impacts it has on development factors such as building heights and setbacks, as discussed in more detail below.
- Height
 - Currently, this tract is developed with 1-2 story multi-family residential buildings. The city’s “RG-18” - General Residence District has a maximum height of 35 feet for traditional multi-family developments.
 - The applicant is proposing a maximum height of 3 stories, not to exceed 45 feet.
 - While Staff does not have any objections to the proposed 3-story building height on Tract 1, we are concerned that 3-stories on Tract 2 will be incompatible with adjacent properties, given the reduced setbacks that are also being proposed.
- Setbacks

- Currently, this tract is zoned “RG-18” - General Residence District, which requires a 35-foot front yard, a 25-foot rear yard, and a 20-foot side yard setback for traditional multi-family uses. Multi-family residential uses also require a residential adjacency setback of 45 feet when adjacent to a single family use or zone.
 - The applicant proposes to reduce these setbacks to include a 10-foot setback from Drexel Street to the north, a 10-foot setback from Throckmorton Street to the east, a 10-foot setback from Broad Street to the south, and a 10-foot setback from the western tract boundary. A complete list of the space limits is attached to this staff report for your reference.
 - Staff has no objection to the proposed setbacks along Drexel Street, Throckmorton Place, and Broad Street. We do, however, have concerns with the proposed 10-foot setback from the western boundary given that it would allow for the development of a 45-foot multi-family structure within 10 feet of one-story, single family residences.
 - The existing buildings on this tract are currently between 39.5 feet and 47 feet away from the western property boundary. The proposed 10-foot setback significantly reduces this existing condition as well as the 45-foot residential adjacency setback requirement in the recently adopted Unified Development Code. This residential adjacency setback exists to help ensure that appropriate separation and protection is provided between single family uses and non-residential and higher density residential developments.
 - As an urban, infill redevelopment site, we understand that flexibility from the typical standards may be necessary to unlock development opportunities. However, it is Staff’s professional opinion that the 10-foot setback paired with the proposed 3-story building height is not appropriate and will create a situation where the multi-family structure will tower the existing residents in a manner inconsistent with good planning and development principles.
- Parking
 - Multi-family developments are required to provide 2 parking spaces per unit with enclosed parking provided for a minimum of 30 percent of the units.
 - The applicant is proposing to provide 2 parking spaces per unit and is requesting to waive the required enclosed parking space requirement.
 - Staff does not have any objections to this request given that the existing McKinney Housing Authority development on the subject property does not include any enclosed or covered parking spaces.

While Staff is supportive of the redevelopment efforts of the McKinney Housing Authority properties, we do have concerns with the proposed development regulations on Tract 2. We are concerned that the proposed building height and setbacks on Tract 2 will be incompatible with the adjacent single family residences. Additionally, the removal of the meaningful residential adjacency buffer against the

single family is not in line with the existing fabric of the neighborhood as well as our newly adopted Unified Development Code. While the multi-family uses are currently present on the site, the new building setback will change from an existing 40 feet to 10 feet. The neighboring residences will likely feel the impact of these reduced building setbacks if the property develops with the 10-foot buffer. Based on the proposed elevations submitted, the 3-story building would include windows along the western facade overlooking into the single family residences.

As such, Staff recommends denial of the proposed rezoning request.

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 Mill District and is designated as the Urban Living placetype.

Urban Living supports a mix of housing options in a walkable development pattern. Urban neighborhoods are relatively compact and easy to get around by car, bike, or walking. They may contain one or more of the following housing types: small lot, single-family detached, townhomes, duplexes, condominiums, or apartments. The design and scale of the development in an urban neighborhood encourages active living, with a complete and comprehensive network of walkable streets. Although minimal, urban residential neighborhoods provide a small amount of local retail and services that serves the smaller and low intensity neighborhoods.

- 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 **aligns** with the Urban Living placetype of the Mill District, is in conformance with the Land Use Diagram and should be compatible with the surrounding properties.
- Fiscal Model Analysis: The attached fiscal analysis shows that the rezoning request on the

2.49 acre property would capture approximately 8% of the districtwide market share for residential uses.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no letters of support to this request and no letters of opposition. This does not include emails or letters that may have been sent directly to members of the Council. As part of the Planning and Zoning Commission Public Hearing, Staff has not received any comments through the online comment portal.