



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 20-0141Z2 **Name:** Mill Stream Apartments  
**Type:** Agenda Item **Status:** Regular Agenda Item  
**In control:** Planning & Zoning Commission  
**On agenda:** 2/9/2021 **Final action:** 2/9/2021  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RG-25" - General Residence District and "C" - Planned Center District to "PD" - Planned Development District to Allow for Multi-Family Residential Uses and to Modify the Development Standards  
**Indexes:**  
**Attachments:** 1. Location Map and Aerial Exhibit, 2. Letter of Intent, 3. Letters of Opposition, 4. Comprehensive Plan Maps Package, 5. Collin Crossing District, 6. Placetype Definitions, 7. Fiscal Analysis, 8. Land Use Comparison Table, 9. Proposed Zoning Exhibit, 10. Proposed Development Regulations, 11. Presentation

Date	Ver.	Action By	Action	Result
2/9/2021	1	Planning & Zoning Commission	Tabled Indefinitely	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RG-25" - General Residence District and "C" - Planned Center District to "PD" - Planned Development District to Allow for Multi-Family Residential Uses and to Modify the Development Standards

**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:** February 9, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Joe Moss, 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 March 2, 2021 meeting.

**STAFF RECOMMENDATION:** 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:** December 7, 2020 (Original Application)  
January 11, 2021 (Revised Submittal)

**ITEM SUMMARY:** This item was tabled at the January 26, 2021 Planning and Zoning Commission meeting due to a noticing error.

The applicant is requesting to rezone approximately 12.29 acres of land, generally for multi-family uses. Approximately 10.29 acres of the site is currently zoned “RG-25” - General Residence District, which permits multi-family. However, the easternmost portion of the property (approximately 2 acres) is zoned “C” - Planned Center for commercial uses.

The applicant proposes to rezone the property to “PD” - Planned Development District to allow development following the “MF-3” - Multiple Family Residential - Medium High Density District, with modifications to the height, parking and amenity requirements. More information is detailed further below.

**EXISTING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“C” Planned Center District (Commercial Uses), and “RG-25” General Residence District (Multifamily Residential Uses)	Undeveloped Land
North	“PD” Planned Development District 1907 (Residential and Commercial Uses)	Scott Johnson Middle School
South	“PD” Planned Development District 1574 (Residential Uses)	Undeveloped Land
East	“C” Planned Center District (Commercial Uses)	Undeveloped Land
West	“RD-60” Single Family Residence District (Single Family Residential Uses)	McKinney North High School

**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.

- Multi-Family Residential Uses
  - Currently, the property is zoned “RG-25” - General Residence District and “C” - Planned Center District. The portion zoned “RG-25” currently permits multi-family uses, while the portion zoned “C” - Planned Center District does not.
  - The applicant proposes to rezone the property to “PD” - Planned Development District with a base zoning of “MF-3” - Multiple Family Residential - Medium-High Density District generally to allow for multi-family uses across the entire site.

- Building Height
  - The portion of the property currently zoned “RG-25” limits the maximum building height to 35 feet, while the portion of the property currently zoned “C” - Planned Center District limits the maximum building height to 45 feet. The maximum building height permitted in the “MF-3” Multiple Family Residential - Medium-High Density District is 35 feet (2 stories).
  - The applicant is requesting a maximum building height of 43 feet (3 stories).
- 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. 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.
- Amenities
  - 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 245 units, which would typically require a minimum of four amenities.
  - As a provision of exceptional quality, the applicant is proposing a minimum of six amenities.

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 request to expand those uses onto the easternmost portion of the site should allow for an improved development footprint overall compared to the current limits of the existing zoning. As well, the request 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 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.

Although not part of the rezoning request, the applicant has indicated a desire to coordinate with the City's Housing and Community Development Department to provide affordable housing options through this proposed development. This information was not included in Staff's evaluation or recommendation for 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 the 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 Diagram establish distinctive districts, each with a clear intent and market focus that are reinforced through character-defining placetypes.

Per the Preferred Scenario, the subject property is designated as the Commercial Center placetype and is within the Collin Crossing District. Other placetypes included in this district are Employment Mix, Suburban Living, Urban Living, Neighborhood Commercial and Professional Campus.

- Guiding Principles: The proposed rezoning request is generally in conformance with 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 proposed rezoning request does not strictly align with the Commercial Center placetype designation of the Collin Crossing District. However, projects not in strict conformance with the placetype or district may still be considered consistent with the Comprehensive Plan so long as a majority of decision making criteria are met. This rezoning request specifically meets the following criteria:
  - Helps McKinney achieve the Comprehensive Plan's Vision and Guiding Principles
  - Demonstrates compatibility with the District's identity and brand
  - Includes uses compatible with the Land Use Diagram
  - Demonstrates that the project's travel demand can be accommodated by the planned

transportation network

- Demonstrates that the project's demand on other public infrastructure can be accommodated by planned facilities, and

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 \$35,843 for the 12.29 acre property. Some key takeaways for this property include:
  - While the existing zoning shows a potential fiscal benefit to the city, it assumes that the existing 2 acres zoned for commercial uses will develop pursuant to the intense "C" - Planned Center District. As such, the projected revenues under the current zoning will likely be difficult to achieve.
  - Although an annual operating deficit could be seen for the proposed residential development, these residential uses are already permitted on a majority of the tract. As well, development of the tract for residential could help capture 15% of the residential market potential in the Collin Crossing District.

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