



CITY OF MCKINNEY, TEXAS

Legislation Details (With Text)

File #: 21-0083Z2 **Name:** Bois D'Arc Multi-Family Rezone
Type: Ordinance **Status:** Approved
In control: City Council Regular Meeting
On agenda: 9/7/2021 **Final action:** 9/7/2021
Title: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, to Allow Multi-Family Uses and to Modify the Development Standards, Located on the West Side of Bois D'Arc Road and Approximately 540 Feet South of U.S. Highway 380 (University Drive), and Accompanying Ordinance

Indexes:

Attachments: 1. 08.10.2021 PZ Minutes, 2. Location Map and Aerial Exhibit, 3. Letters of Opposition, 4. Protest Map, 5. Comprehensive Plan Maps, 6. Collin Crossing District, 7. Placetype Definitions, 8. Fiscal Analysis, 9. Land Use Comparison Table, 10. Proposed Ordinance, 11. Proposed Exhibit A-D, 12. Presentation

Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council Regular Meeting	Close the public hearing	Pass
9/7/2021	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "AG" - Agricultural District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, to Allow Multi-Family Uses and to Modify the Development Standards, Located on the West Side of Bois D'Arc Road and Approximately 540 Feet South of U.S. Highway 380 (University Drive), 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: September 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 subject to the following special ordinance provisions:

1. The property shall be zoned "PD" - Planned Development District and be subject to the attached development regulations.

APPLICATION SUBMITTAL DATE: June 8, 2021 (Original Application)

July 7, 2021 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 14.99 acres of land, generally for multi-family uses and to modify the development standards. More specifically, the proposed rezoning request modifies the 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	"AG" - Agricultural District (Agricultural Uses)	Undeveloped Land
North	"AG" - Agricultural District (Agricultural Uses), "ML" - Light Manufacturing (Industrial Uses), "PD" - Planned Development District Ordinance No. 2008-10-099 (Commercial Uses), and "BG" - General Business District (Commercial Uses)	JBS Express Inc., Texas Farm Bureau Insurance Company, Clear Cube Ice, Single Family Residences
South	"AG" - Agricultural District (Agricultural Uses)	Single Residence
East	"C2" - Local Commercial District (Commercial Uses)	Cinemark, 24 Hour Fitness
West	"AG" - Agricultural District (Agricultural Uses)	Agricultural Uses

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 "AG" - Agricultural District for agricultural uses. 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.
 - Staff does not have any concerns with rezoning this property to allow the use of multi-family. The subject property is designated as the Urban Living placetype in the comprehensive plan and the use of multi-family should provide a buffer for lower intense development to the south and the commercial corridor along U.S. Highway 380 and Hardin Boulevard.
- Building Height
 - The current zoning on the property of "AG" - Agricultural District and limits the maximum building height to 35'. The maximum building height permitted in the "MF-3" Multiple Family Residential - Medium-High Density District is two stories (35 feet). The

applicant requests an increased height to three stories or 45 feet.

- It should be noted that the applicant was originally requesting a maximum building height of 4-stories (58'); however, they have since modified the request to include a maximum height of 3 stories. Staff does not have any concerns with the applicant's proposed building height of three stories (45 feet) for the multi-family development.
- Density and Lot Area
 - The "MF-3" - Multiple Family Residential - High Density District currently allows 20 units per gross acre. The applicant has requested to increase the density to 28 units per gross acre.
 - The applicant has also requested that the minimum lot area per unit be reduced to 1,500 square feet instead of the 2,100 square feet that is typically required in the "MF-3" - Multiple Family Residential - High Density District.
 - Staff has no objections to the proposed density and lot area.
- 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 spaces per unit.
 - In looking at similar developments that have used a similar or even lesser ratio, Staff found that the reduced ratio did not create issues with parking for these developments.
- Enclosed Parking
 - Currently, no less than 50% of the units shall 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.

With "PD" - Planned Development District requests, projects must provide a feature(s) to ensure exceptional quality or demonstrate innovation. The applicant is proposing to increase the required amenities by two additional amenities.

Staff is supportive of the proposed rezoning request to allow for a multi-family residential development as this proposal aligns with Urban Living placetype designated in the Comprehensive

Plan. She stated that the use of multi-family should provide a buffer for lower intense development to the south and the commercial corridor along U.S. Highway 380 (University Drive) and Hardin Boulevard.

As such, Staff is recommending approval 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 Collin Crossing 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 Collin Crossing District, is in conformance with the Land Use Diagram and should be compatible with the surrounding properties.
- Fiscal Model Analysis: The attached fiscal analysis projects that the proposed multi-family zoning would result in a fiscal deficit of \$61,200 per year in annual operating expenses. Some key takeaways for this property include:
 - The proposed rezoning request is projected to capture a significant portion of the

residential market share for the Collin Crossing District.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received three letters of opposition and no letters in support to this request. As well, on August 10, 2021, Staff also received an official written protest. At this time, the submitted protest includes validated signatures from property owners representing 3% of the total area within 200' of the subject property. As such, the submitted protest does not meet the 20% requirement for a supermajority vote (6 of 7) by City Council for approval of this rezoning request.

BOARD OR COMMISSION RECOMMENDATION: On August 10, 2021, the Planning and Zoning Commission voted 6-1-0 to recommend approval of the proposed multi-family development with the reduced maximum height to 3 stories or 45 feet.