



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

<b>File #:</b>	21-0062Z3	<b>Name:</b>	380 North MF and Commercial
<b>Type:</b>	Ordinance	<b>Status:</b>	Public Hearing
		<b>In control:</b>	City Council Regular Meeting
<b>On agenda:</b>	10/19/2021	<b>Final action:</b>	
<b>Title:</b>	Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District, "RG 18" - General Residence District, "PD" - Planned Development District, "BG" - General Business District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, to Allow Multi-Family and Commercial Uses and to Modify the Development Standards, Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 1,115 Feet West of Hardin Boulevard, and Accompanying Ordinance		
<b>Indexes:</b>			
<b>Attachments:</b>	1. PZ Minutes, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Comprehensive Plan Maps, 5. Medical District, 6. Placetype Definitions, 7. Fiscal Analysis, 8. Land Use Comparison Table, 9. Ex. PD Ordinance 1569, 10. Ex. PD Ordinance 1993-12-46, 11. Ex. PD Ordinance 1558, 12. Proposed Ordinance, 13. Proposed Exhibits A-D, 14. Presentation		

Date	Ver.	Action By	Action	Result
10/19/2021	1	City Council Regular Meeting	Close the public hearing	Pass
10/19/2021	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "C" - Planned Center District, "RG 18" - General Residence District, "PD" - Planned Development District, "BG" - General Business District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, to Allow Multi-Family and Commercial Uses and to Modify the Development Standards, Located on the North Side of U.S. Highway 380 (University Drive) and Approximately 1,115 Feet West of Hardin Boulevard, 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:** October 19, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Caitlyn Strickland, Planning Manager

**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 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:** April 26, 2021 (Original Application)  
July 19, 2021 (Revised Submittal)  
August 23, 2021 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 20.76 acres of land, generally for multi-family and commercial uses and to modify the development standards. More specifically, the proposed rezoning request modifies the building height, density, landscaping, screening and parking requirements for the multi-family residential uses.

**EXISTING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"C" - Planned Center District, "RG 18" - General Residence District, "PD" - Planned Development District, "BG" - General Business District and "CC" - Corridor Commercial Overlay District	Undeveloped Land
North	"PD" 2021-01-006 (Single Family Uses)	Painted Tree Development
South	"ML" - Manufacturing District, "BG" - General Business District, "PD" 2008-10-099 (Commercial Uses)	JBS Express Action Co
East	"PD" - Local Commercial District, "C3" - Regional Commercial District (Commercial Uses)	O'Reilly Auto Parts
West	"PD" - Planned Development District	Third Monday Trade Days

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property to "PD" - Planned Development District to allow for multi-family residential and commercial uses. The applicant has provided a zoning exhibit which divides the property into 3 tracts, Tract 1 (13.1056 acres) for multifamily residential uses; Tract 2 (2.4137 acres) for commercial uses; and Tract 3 (6.2156 acres) for commercial uses. The proposed zoning includes the following special requests:

Tract 1 (13.1056 acres)

- Multi-Family Residential Uses
  - Currently, this portion of the property is zoned "C" - Planned Center District, "RG 18" - General Residence District, and "PD" - Planned Development District, which allows for single family residential, multifamily residential, and commercial uses.

- The applicant proposes to rezone this tract to “MF-3” - Multiple Family Residential - Medium-High Density District.
- The proposed multifamily is not in strict conformance with the comprehensive plan. However, given that existing entitlements already allow for development of multifamily on this tract and the fact that the applicant is proposing to retain almost 9 acres of commercial development along the US 380 frontage, Staff has no objections to this request.
- Building Height
  - The current zoning on the property of “RG-18” - General Residence District limits the maximum building height to 50’. 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 3 stories or 45 feet.
  - Staff has no objections with the proposed height request.
- 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 21 units per gross acre.
  - The proposed increase in density is in line with other multifamily residential zoning requests that have been brought forward recently and approved. As such, Staff has no objections to the proposed density request.
- Landscaping and Screening
  - Typically, multifamily residential uses are required to provide a 20’ landscape buffer on all sides, with one canopy tree planted every 30 linear feet within the buffer at a planting caliper of 4’.
  - The applicant is proposing to not provide the required landscape buffers and trees for the portion of Tract 1 that has direct adjacency to Tracts 2 and 3 on both sides. However, the applicant has proposed to have 5 ft vehicular use buffers along Tracts 2 and 3, which will be planted with ornamental trees at a spacing of 1 tree every 30 feet.
  - Given that this portion of Tract 1 is serving as the entrance into the multifamily development and will be required to provide a landscaped median, and that the commercial tracts will be providing ornamental trees within the vehicular use buffers of the adjacent commercial tracts, Staff has no objections to this request.
- 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.

- 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.

#### Tracts 2 and 3 (8.6293 acres)

- Commercial Uses
  - Currently, these portions of the subject property are zoned “C” - Planned Center District, “PD” - Planned Development District, and “BG” - General Business District.
  - The applicant proposes to rezone this tract to “C2” - Local Commercial District.
  - Staff has no objections to this request.

#### Miscellaneous Provisions:

- Amenities: The applicant is proposing to increase the number of required amenities for multi-family residential uses by two additional amenities.
- Landscaping Enhancements: In addition to the requests above, the applicant is also proposing the following enhancements to required landscaping for the subject property:
  - All required trees shall be 6 inches in Caliper at the time of planting on all tracts;
  - On tract 2 and tract 3, required street trees shall be planted at a ratio of 1 tree every 30 feet instead of the typical requirement of 1 tree every 40 feet;
  - 15% of each tract 2 and tract 3 shall be dedicated to living landscaping;
  - 20% of tract 1 will be dedicated to living landscaping;
  - Pedestrian crossings and major intersections shall be distinguishable through the use of colored stamped concrete, brick pavers, or some other means.

With “PD” - Planned Development District requests, projects must provide a feature(s) to ensure exceptional quality or demonstrate innovation. Staff is of the opinion that the added provisions included in the proposed rezoning request should create a quality development that blends well with the surrounding properties.

Although the Comprehensive Plan designates this area as the Professional Center placetype, the predominate developments in this area have largely been commercial retail in nature. The subject property is just off the major US 380 and Hardin Boulevard intersection and is already largely zoned to allow for multifamily residential uses. Considering that the applicant is proposing to maintain almost 9 acres for commercial property along the US 380 frontage and that the requested multifamily is located on the rear of the property, Staff has no objections to the proposed rezoning and we are comfortable recommending approval of the 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 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”* and *“[...] new businesses and developments that support economic engines, broaden the tax base, and make the city’s economy more adaptable and resilient.”*

- Preferred Scenario and Land Use Diagram Characteristics:

Per the Preferred Scenario and Land Use Diagram, the subject property is located in the Medical District and is designated as the Professional Center placetype.

The Professional Center placetype generally provides for office uses and jobs that keep people in the city during normal working hours. A Professional Center is typically well landscaped and provides opportunities for small general offices, as well as larger employment uses such as corporate headquarters, institutional facilities and medical campuses. More intense professional uses are typically seen near major transportation corridors, while smaller developments are typically within residential areas and are supportive in nature.

- 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 applicant’s request for commercial uses **aligns** with the Professional Center placetype of the Medical District, is in conformance with the Land Use Diagram and should be compatible with the surrounding properties. However, the applicant’s request for proposed multifamily uses **does not align** with the Professional Center placetype of the Medical 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.

Given the factors discussed above, Staff feels that the proposed rezoning request substantially advances a majority of the decision-making criteria above to be considered compatible with the comprehensive plan.

- Fiscal Model Analysis: The attached fiscal analysis shows a positive fiscal benefit of \$474,917 for the 20.76 acre property and should contribute to achieving an overall fiscal balance in the city.

**BOARD OR COMMISSION RECOMMENDATION:** On September 28, 2021, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.