



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 22-0016Z, **Version:** 1

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Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RG18" - General Residence District to "PD" - Planned Development District, to Allow Multi-Family and Commercial Uses and to Modify the Development Standards, Located Approximately 950 Feet East of Hardin Boulevard and on the North Side of McKinney Ranch Parkway

**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 28, 2022

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Kaitlin Sheffield, CNU-a, Planner II  
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 July 19, 2022 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:** February 21, 2022 (Original Application)  
April 21, 2022 (Revised Submittal)  
May 26, 2022 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 12.4 acres of land, generally for multi-family and commercial uses and to modify the development standards. More specifically, the proposed rezoning request modifies the space limits and parking requirements for multi-family residential uses.

**EXISTING ZONING AND LAND USES:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"RG18" - General Residence District (Residential Uses)	Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 95-10-51 (Residential Uses)	Eldorado Pointe Addition
South	"GC" - Governmental Complex District (Governmental Uses)	MISD Stadium
East	"PD" - Planned Development District Ordinance No. 2000-09-065 (Single Family Residential Uses)	Single Family Residence
West	"C" - Planned Center District (Commercial Uses)	Simply Self Storage, Undeveloped Land

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

- Commercial and Multi-Family Residential Uses
  - Currently, the property is zoned "RG18" - General Residence District and allows for a variety of uses including multi-family residential. The applicant proposes to rezone the property to "PD" - Planned Development District generally to allow for multi-family residential and commercial uses. A full list of the proposed uses can be found in the proposed development regulations, attached.
  - The applicant is proposing that a minimum of 5,000 square feet of non-residential uses will be developed along the frontage of McKinney Ranch Parkway. The proposed rezoning request will introduce commercial uses on the subject property to support the surrounding residents and provide needed neighborhood services to the area.
  - Staff is supportive of introducing commercial uses on the subject property to provide neighborhood services to the surrounding residents.
- Space Limits
  - The city's typical multi-family zoning districts require a 45-foot rear and side yard setback when adjacent to a single family use or zone. The maximum height of multi-family buildings is typically 35 feet or 2 stories.
  - The applicant requests to reduce the side yard setback to 20 feet and the rear yard setback to 25 feet. As a part of the existing single family development to the north, there is a 15-foot alley in between the subject property and the single family lots. While the applicant is proposing a 25-foot setback from the northern property line with this rezoning request, the combined distance from any proposed multi-family building and

the existing single family lots will be a minimum of 40 feet.

- The applicant is also requesting to maintain a maximum building height of 35 feet within 100 feet of the northern property line and raise the maximum building height for the remainder of the property to 3 stories, not to exceed 40 feet. In addition to limiting the building height within 100 feet of the northern property line, the applicant is prohibiting any northern facing patios or balconies on the second story.
- Staff is not opposed to the applicant's proposed setbacks and proposed maximum building heights. Staff feels that the proposed development regulations will provide a transition in height from McKinney Ranch Parkway and the existing single family residents to the north, similar to the existing storage facilities to the west. For reference, the existing 3-story (45-foot) storage building to the west is located approximately 100 feet from the northern property line.

- Density

- For properties that are zoned "RG18" - General Residence District and developed with multi-family residential uses, the maximum density is 24 dwelling units per gross acre and would allow for 298 dwelling units on the subject property. The applicant is requesting to increase the density to 25 dwelling units per gross acre, allowing for an additional 13 units within the proposed development. This level of density is in line with similar multi-family residential products that are seen in other developments happening in today's market.
- Staff is not opposed to the proposed increase in density and does not feel that the additional units will negatively impact the surrounding developments.

- 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 1.5 spaces per unit.
- 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 shall have an enclosed parking space and 20% of units shall either have an enclosed space or a covered space (carports).
- In looking at similar developments that have used similar modified parking requirements, Staff found that the request still provides an enclosed or covered parking space product and is not detrimental to the development.

- Exceptional Quality

- With "PD" - Planned Development District requests, projects must provide a feature(s)

to ensure exceptional quality or demonstrate innovation. To that end, the applicant is proposing to increase the required landscape buffer on the northern property line from 20 feet to 25 feet. With the proposed density of 25 units to the acre, five amenities would typically be required for the development. In addition to providing the required amenities, the applicant is proposing to provide an internal open space on the subject property with a minimum of 3,000 square feet.

Upon review of the proposed rezoning, staff is comfortable with supporting the applicant's proposed rezoning request for the following reasons:

- The current zoning on the subject property allows for the development of multi-family uses. The proposed request will modernize the development standards on the tract and is consistent with those seen in other multi-family developments happening in today's market as well as the initiatives of the New Code McKinney (Code Overhaul).
- The applicant is proposing that a minimum of 5,000 square feet of non-residential uses will be preserved along the frontage of McKinney Ranch Parkway.
- Within 100 feet of the existing single family to the north, the applicant is proposing to maintain a maximum height to 2 stories and is providing a transition in height and intensity, similar to the existing storage facility to the west. The applicant is also prohibiting northern facing balconies or patios on the second story within 100 feet of the existing single family to the north.
- The applicant is proposing to enhance the site and provide an internal open space for the future residents in addition to the typical amenity requirement. The applicant is also proposing to increase the typical 20-foot landscape buffer along the northern property line to 25 feet.
- The subject property is nestled in the corner of two major regional highways (US Highway 75 and Highway 121). With this property being midblock between Hardin Boulevard and Collin McKinney Parkway, the hard corner is preserved for future commercial uses. With this rezoning request, the proposed multi-family residential and commercial uses will provide a transition of uses along McKinney Ranch Parkway.

With these things in mind, Staff recommends 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 Established Community District and is designated as the Suburban Living placetype.

Suburban Living is found in close proximity to neighborhood commercial and commercial centers. Suburban Living provides the population necessary to support the nearby commercial and professional office uses within the surrounding corridors. These neighborhoods generally feature a subdivision layout. Residential uses are typically self-contained with a buffer from non-residential developments through transitional uses and landscaped areas. Lot sizes in Suburban Living areas are consistently less than ½ acre.

- 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 Suburban Living placetype of the Established Community 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.

While the proposed request for multi-family residential uses does not strictly align with the Suburban Living Placetype in the Established Community District, Staff feels that it meets a majority of the established criteria above to be considered compatible with the Comprehensive Plan and should provide a transition of uses from the MISD Stadium and McKinney Ranch Parkway to the single family residential uses to the north.

- Fiscal Model Analysis: The attached fiscal analysis projects that the proposed zoning request would result in a net surplus of approximately \$17,000 per year in annual operating summary while the existing zoning would result in a deficit of approximately \$2,500 per year.

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