

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Samantha Pickett, Planning Manager

FROM: Melissa Spriegel, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District to “PD” – Planned Development District, to Allow for Single Family Residential Uses, Located on the Southeast Corner of Crutcher Crossing and Virginia Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 4, 2017 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with the City of McKinney’s Comprehensive Plan and City Council’s goal of preserving and developing the non-residential tax base.

However, the applicant is requesting approval of the following special ordinance provisions:

1. “PD” – Planned Development District Ordinance No. 97-05-34 is amended to allow single family residential uses on the subject property, which, if developed, shall develop in accordance with Section 146-106 (“SF5” – Single Family Residential District) of the Zoning Ordinance, and as amended.

APPLICATION SUBMITTAL DATE: January 17, 2017 (Original Application)
January 30, 2017 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 5.57 acres of land from “PD” – Planned Development District to “PD” – Planned Development District, generally to add the ability for the property to develop for single family residential uses.

On February 14, 2017, the Planning and Zoning Commission voted 6-0-0 to continue the public hearing and table the item to the February 28, 2017 Planning and Zoning Commission Meeting, per the applicant’s request.

On February 28, 2017, the Planning and Zoning Commission voted 6-0-0 to close the public hearing and table the item to the March 14, 2017 Planning and Zoning Commission Meeting, per the applicant's request.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ordinance No. 97-05-34 (Office Uses)	Undeveloped Land
North	"PD"- Planned Development District Ordinance No. 2000-03-022 (Residential Uses)	Brookview #1 Subdivision
South	"PD"- Planned Development Ordinance No. 96-11-47 (Residential Uses)	Stone Brooke Crossing Subdivision
East	"PD"- Planned Development District Ordinance No. 97-05-34 (Office Uses)	Virginia Village Offices
West	"C1"- Neighborhood Commercial District (Commercial Uses)	Single Family Residence; Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone approximately 5.57 acres of land from "PD" – Planned Development District to "PD" – Planned Development District, generally to modify the existing zoning ordinance to allow for single family residential uses, developed in accordance with Sec. 146-106 ("SF5" – Single Family Residential District) of the Zoning Ordinance.

Although the proposed rezoning request would amend the governing planned development zoning ordinance to allow single family residential uses in addition to the existing non-residential uses allowed, Staff has concerns as this could potential erode the non-residential tax base in this area. Additionally, the development of single family residential uses is not in conformance with the City of McKinney's Comprehensive Plan, which shows the area developing for office uses. The adjacent properties to the north and south have been developed for single family residential uses (separated by a major arterial and a creek, respectively), while the property to the west is zoned for commercial uses, and the property to east is developed as offices. Furthermore, the constraints of the

property, including current access and environmental features may cause issues for residential uses at the time of development.

Given the property's location along Virginia Parkway, as well as the development of the adjacent properties to the east and west for office and commercial uses, Staff recommends denial of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for office uses. The FLUP modules diagram designates the subject property as Suburban Mix within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed rezoning request is generally not in conformance with the goals and objectives of the Comprehensive Plan, particularly "Land Use Compatibility and Mix," specifically through the objective of "land use patterns that optimize and balance the tax base of the City."

The proposed rezoning request does not help to further a strong, balanced economy. As this is a stated strategic goal of the City Council, Staff is unable to support the request. Nearly three quarters of the City's ad valorem tax base comes from its residential housing stock. In order to balance this tax base, more non-residential uses are needed. Rezoning approximately 5.57 acres designated for office uses to single family detached residential uses will not help balance the ad valorem tax base nor will it help to increase the amount of revenue that is generated through sales taxes.

- **Impact on Infrastructure:** The proposed rezoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area since the land use would change from office to residential uses.
- **Impact on Public Facilities/Services:** The proposed rezoning request should have an impact on public facilities and service, such as schools, fire and police, libraries, parks and sanitation services, as the land use will change from office to residential uses requiring additional public services.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The properties located adjacent to the subject property are zoned and/or used for office, commercial and residential uses. The proposed rezoning request should be compatible with the existing surrounding development.
- **Fiscal Analysis:** Staff performed a fiscal analysis for this case as the rezoning request would allow the potential to develop the subject property for single family residential uses. The attached fiscal analysis shows a negative cost benefit of \$13,433 using the full cost method if the property were to develop for single family residential uses.

The attached “Land Use and Tax Base Summary” shows that Module 37 is currently comprised of approximately 59.3% residential uses and 40.7% non-residential uses (including institutional uses). The proposed rezoning request will have an impact on the anticipated land uses in this module. Estimated tax revenues in Module 37 are comprised of approximately 88% from residential uses and 12% from non-residential uses. Estimated tax revenues by type in Module 37 are comprised of approximately 94.2% ad valorem taxes and 5.8% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of residential land uses in the area.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no comments or phone calls in support of or opposition to this request.

ATTACHMENTS:

- PZ Minutes 02.28.17
- PZ Minutes 02.14.17
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Fiscal Analysis
- Land Use and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 97-05-34
- Proposed Zoning Exhibit
- PowerPoint Presentation