

REVISED 11/13/2012

PLANNING & ZONING COMMISSION MEETING OF 11/13/12 AGENDA ITEM #12-188Z2

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Alex Glushko, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Dallas Design Build, on Behalf of V.F.B. Family, Ltd. Partnership for Approval of a Request to Rezone Approximately 0.80 Acres from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located Approximately 1,100 Feet West of Bois D'Arc Road and on the South Side of U.S. Highway 380 (University Drive)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to City Council at the December 4, 2012 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. The subject property shall develop in accordance with Section 146-86 "C" – Planned Center District and Section 146-101 "CC" – Corridor Commercial Overlay District, and as amended, except as follows:
 - (a) Office/Retail/Warehouse Flex Space shall be an allowed use and shall be defined as a commercial building that features a small retail or office use in combination with a larger warehouse use. The warehouse use of this building shall be no more than five times larger than the office or retail use that it is associated with or a maximum of 10,000 square feet, whichever is smaller. This building type shall be subject to the "non-residential uses in non-industrial districts" architectural design requirements of Section 146-139 of the Zoning Ordinance.

(b) One canopy tree shall be required for every 30 linear feet of street frontage.

APPLICATION SUBMITTAL DATE: September 24, 2012 (Original Application)
October 10, 2012 (Revised Submittal)

November 2, 2012 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to rezone approximately 0.80 acres from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to allow for the additional use of office/retail/warehouse flex space, located approximately 1,100 Feet West of Bois D’Arc Road and on the south side of U.S. Highway 380 (University Drive).

PLATTING STATUS: The subject property is currently unplatted. A record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a building permit.

ZONING NOTIFICATION SIGNS: The applicant has posted zoning notification signs on the subject property, as specified within Section 146-164 (Changes and Amendments) of the City of McKinney Zoning Ordinance.

SURROUNDING ZONING AND LAND USES:

Subject Property: “PD” – Planned Development District Ordinance No. 2006-10-120 and “CC” – Corridor Commercial Overlay District (light manufacturing uses)

North	“PD” – Planned Development District Ordinance No. 93-12-46 and “CC” – Corridor Commercial Overlay District (commercial uses)	McKinney Trade Days
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South	“AG” – Agricultural District and “CC” – Corridor Commercial Overlay District	Undeveloped land
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East	“PD” – Planned Development District Ordinance No. 2006-10-120 and “CC” – Corridor Commercial Overlay District (light manufacturing uses)	Eagle Transmission
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West	“AG” – Agricultural District and “CC” – Corridor Commercial Overlay District	Undeveloped land
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Discussion: The applicant is requesting a base zoning designation of “C” – Planned Center District with the additional use of office/retail/warehouse flex space to be permitted. The “C” – Planned Center District does not currently allow this use by right; however, the addition of this use to the “C” – Planned Center District is consistent with the proposed amendments to the Schedule of Uses considered by the City Council and Planning and Zoning Commission on November 5, 2012.

ACCESS/CIRCULATION:

Adjacent Streets: U.S. Highway 380 (University Drive), Variable Width Right-of-Way, Major Regional Highway

Discussion: The proposed site will have one point of access off of U.S. Highway 380 (University Drive) and will provide cross access to the adjacent properties at the time the property is platted.

PROPOSED ZONING: The applicant is proposing to rezone approximately 0.80 acres from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to allow for the additional use of office/retail/warehouse flex space.

The existing zoning, which includes the subject property and the eastern adjacent property (Eagle Transmission), is “PD” – Planned Development District Ordinance No. 2006-10-120 and “CC” – Corridor Commercial Overlay District, allowing for development according to the “ML” – Light Manufacturing District, and providing for modified development standards. The governing ordinance also specifies that the development shall generally be in accordance with an attached site layout exhibit. The attached exhibit to the governing PD ordinance shows a layout with only one building. Per the requirements of the governing planned development ordinance, the subject property must generally conform to the attached exhibit.

The applicant has requested to eliminate the attached site layout exhibit, to allow for the added use of office/retail/warehouse flex space, and has requested the property develop in accordance with the following special ordinance provisions:

1. The subject property shall develop in accordance with Section 146-86 “C” – Planned Center District and Section 146-101 “CC” – Corridor Commercial Overlay District, and as amended, except as follows:
 - (a) Office/Retail/Warehouse Flex Space shall be an allowed use and shall be defined as a commercial building that features a small retail or office use in combination with a larger warehouse use. The warehouse use of this building shall be no more than five times larger than the office or retail use that it is associated with or a maximum of 10,000 square feet, whichever is smaller. This building type shall be subject to the “non-residential uses in non-industrial districts” architectural design requirements of Section 146-139 of the Zoning Ordinance.

(b) One canopy tree shall be required for every 30 linear feet of street frontage.

In addition to requesting that office/retail/warehouse flex space be added as an allowed use on the subject property, the applicant has proposed a special ordinance provision mandating additional landscaping in order to satisfy the requirements of Section 146-94

(“PD” – Planned Development District) of the Zoning Ordinance. Section 146-94(b) of the Zoning Ordinance states that no proposed PD District may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. The Ordinance goes on to state that exceptional quality may come in many forms including enhanced landscaping. Currently, the Zoning Ordinance requires that one canopy tree be provided for every 40 linear foot of street frontage. The applicant is proposing a special ordinance provision that will increase this requirement to 1 canopy tree for every 30 linear feet of street frontage. Staff is comfortable with this proposed special ordinance provision and feels that it satisfies the intent of the Zoning Ordinance’s requirement.

If approved, the subject property will develop under the “C” – Planned Center District regulations of the Zoning Ordinance. Since the base zoning designation is changing from “ML” – Light Manufacturing District to “C” – Planned Center District, the architectural standards for the site will be increased and will follow the regulations for a non-residential use in a non-industrial district per the requirements of Section 146-139 Architectural and Site Standards of the Zoning Ordinance. With that said, Staff is comfortable supporting this request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for office uses; however, the current base zoning designation on the property is for light manufacturing uses. The FLUP modules diagram designates the subject property as office park within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed rezoning request is generally in conformance with the goals and objectives of the Comprehensive Plan. In particular, the proposed zoning change would help the community attain the goal of “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced commercial development along major highway corridors”. Another goal of the Comprehensive Plan is accomplished through “Land Use Compatibility and Mix” by creating a “land use patterns that optimize and balance the tax base of the City”.
- **Impact on Infrastructure:** The water master plan, sewer master plan, and master thoroughfare plan are all based on the anticipated land uses as shown on the Future Land Use Plan. The proposed rezoning request should have a minimal impact on the existing and planned water, sewer, and thoroughfare plans in the area since the proposed use is currently allowed on the subject property.
- **Impact on Public Facilities/Services:** The Future Land Use Plan designates the subject property generally for office uses. Public facilities and services such as schools, fire and police, libraries, parks and sanitation services are all planned for based on the anticipate land uses shown on the Future Land Use Plan. The

proposed rezoning request should have a minimal impact on Public facilities and services such as schools, fire and police, libraries, parks and sanitation services since the proposed use is currently allowed on the subject property.

- Compatibility with Existing and Potential Adjacent Land Uses: The subject property is currently zoned for light manufacturing uses. Since the proposed use is currently allowed in industrial districts, Staff believes this rezoning request has compatibility with existing and potential adjacent land uses.
- Fiscal Analysis: The attached fiscal analysis shows a positive net cost benefit of \$13,889 using the full cost method. The full cost method of calculating public service cost is useful for citywide modeling and forecasting. This method takes the entire city budget into account, including those costs that cannot be attributed to any one project such as administrative costs and debt service on municipal bonds. Because the full cost method takes into account all costs, it is useful in tracking the city budget to determine if the citywide tax revenue is sufficient to pay for the operating costs to the city.
- Concentration of a Use: Currently, the surrounding properties are zoned generally for agricultural, commercial, and light manufacturing uses. Since the proposed use is currently allowed in an industrial district and the adjacent properties are not developed for office/retail/warehouse flex space, Staff does not feel that the proposed change would bring about an over concentration of this use.

CONFORMANCE TO THE MASTER PARK PLAN (MPP): The proposed rezoning request does not conflict with the Master Park Plan.

CONFORMANCE TO THE MASTER THOROUGHFARE PLAN (MTP): The proposed request does not conflict with the Master Thoroughfare Plan.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has not received any comments either in support of or opposition to the proposed request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Fiscal Analysis
- Proposed Zoning Exhibit
- PowerPoint Presentation