

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Samantha Gleinser, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of McKinney Seven 50, L.P., for Approval of a Request to Rezone Fewer than 25 Acres from “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District to “PD” – Planned Development District and “REC” - Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the East Side of Custer Road and Approximately 300 Feet North of Collin McKinney Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the August 5, 2013 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with Appendix B-2 (Regional Employment Center - Overlay Urban Design Standards) of the Zoning Ordinance.

However, should the rezoning request be approved, the following special ordinance provisions shall apply:

1. The use and development of the subject property shall conform to the requirements of “PD” – Planned Development District Ordinance No. 2006-02-018, and as amended, except as follows:
 - a) The subject property shall develop in accordance with either the Single Family Detached, Standard Lot with Front Access or the Single Family Detached, Small Lot requirements of the Neighborhood Zone as specified in the “REC” – Regional Employment Center Overlay District, and as amended, except as follows:
 - i. Front porches on residential buildings shall not be required.
 - ii. Finished floor elevations of at least two (2) feet above finished surface grade of the lot at the front door shall not be required.

- iii. The front face of an attached garage shall be set back no less than five (5) feet from the front façade of the house.
- iv. Side yard at corner setbacks shall be no closer to the street than the front build-to-line.
- v. The minimum side yard setbacks for all Single Family Detached, Small Lots shall be five (5) feet. A zero foot side yard on one side of the lot may also be permitted as long as a minimum of ten (10) feet of side yard has been provided on the opposite side. A minimum of ten (10) feet of separation shall be provided between buildings.
- vi. There shall be no lot coverage maximum on the subject property.

APPLICATION SUBMITTAL DATE: May 27, 2013 (Original Application)
 June 11, 2013 (Revised Submittal)
 June 28, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to rezone approximately 24.07 acres of land currently allowing single family residential uses, in order to remove the front porch requirement, reduce the finished floor elevations, reduce the required offset between the building façade and garage façade, reduce the side yard and side yard at corner setbacks, and remove the maximum lot coverage requirement.

This item was tabled at the June 25, 2013 Planning and Zoning Commission meeting per the applicant’s request to have additional time to modify the request.

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. 2006-02-018 and “REC” – Regional Employment Center Overlay District (Retail and Residential Uses)

North	“PD” – Planned Development District Ordinance No. 2006-02-018 and “REC” – Regional Employment Center Overlay District (Retail Uses)	Undeveloped Land
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South	“PD” – Planned Development District Ordinance No. 2003-05-050 and “REC” – Regional Employment Center Overlay	Undeveloped Land
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District (Retail Uses)

East	“PD” – Planned Development District Ordinance No. 2009-12-086 and “REC” – Regional Employment Center Overlay District (Single Family Residential Uses)	Estates at Craig Ranch
West	City of Frisco	Undeveloped Land

PROPOSED ZONING: The applicant is proposing to rezone the subject property generally to modify the development standards for currently allowed single family detached residential uses. The proposed modifications include reducing the offset between the front building and garage façades, removing the front porch requirement, reducing the finished floor elevation, modifying the side yard and side yard at corner setbacks, and removing the maximum lot coverage restriction.

Specifically, Staff is unable to support the modifications being requested for front porches, finished floor elevations, and building/garage façade offset. The “REC” neighborhood design standards are in place to ensure the development of fully integrated pedestrian-oriented neighborhoods as well as to create an aesthetically pleasing product. By removing the front porches, reducing the offset between the garage and front façade of the house (from 20 feet to 5 feet), and reducing the finished floor elevation, Staff feels that architectural interest and meaningful public/private open spaces that typically provide opportunity for pedestrian interaction within the front yard, will be compromised. The removal of the lot coverage requirement and the modifications to the side yard and side yard at corner setbacks was not a determining factor in Staff’s recommendation of denial.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for office uses; however, the property was rezoned in 2003 for retail and residential uses. The FLUP modules diagram designates the subject property as REC – Regional Employment Center 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 by not meeting the goal of “Attractive Hometown that Promotes McKinney’s Character”, specifically through the objective of “homes and buildings complying with City standards and codes”.
- **Impact on Infrastructure:** The proposed rezoning request should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area.

- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The proposed rezoning request will not alter the land use from what has been planned for the subject property and thus remains compatible with existing and potential adjacent land uses.
- Fiscal Analysis: Staff feels that there will not be a significant change in the economic impact associated with the proposed rezoning request since it does not alter the land use.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of single family residential uses as the property is currently zoned to allow for such uses.

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 rezoning request does not conflict with the Master Thoroughfare Plan.

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

ATTACHMENTS:

- Planning and Zoning Commission Meeting Minutes – June 25, 2013
- Location Map and Aerial Exhibit
- Letter of Intent
- Existing Ordinance No. 2001-02-017
- Existing Ordinance No. 2006-02-018
- Proposed Zoning Exhibit - Boundary
- PowerPoint Presentation