

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Pickett, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property 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 South Side of Stacy Road and at the Terminus of McKinney Ranch Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the July 21, 2015 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed rezoning request with the following conditions:

1. The use and development of the subject property shall develop in accordance with Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance, and as amended, except as follows:
  - a. The subject property shall development in accordance with the attached development regulations.
  - b. The subject property shall generally conform to the attached site layout exhibit.

**APPLICATION SUBMITTAL DATE:** January 12, 2015 (Original Application)  
January 26, 2015 (Revised Submittal)  
May 1, 2015 (Revised Submittal)  
May 26, 2015 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 54.58 acres of land, located on the south side of Stacy Road and at the terminus of McKinney Ranch Parkway from office and supporting commercial uses to single family detached and commercial uses. The applicant has indicated their intent to develop the single family residential portion of the property in conformance with REC Neighborhood Zone, Small

Lot area and bulk regulations, with modifications including architectural standards, while the commercial portion shall follow “C1” – Neighborhood Commercial District.

In July of 2014, the City Council denied a request to rezone (14-129Z) the subject property to “PD” – Planned Development District, generally for single family attached, single family detached (approximately 45 acres) and multi-family residential (approximately 10 acres) uses. The applicant revised the request to rezone the property to single family detached residential (approximately 35 acres) and multi-family residential uses (approximately 20 acres).

On February 10, 2015, the Planning and Zoning Commission voted 7-0-0 to table the request indefinitely in order to give the applicant time to consider the Commission’s comments regarding the addition of commercial zoning. The applicant has since revised the request to rezone the property to single family detached residential (approximately 50 acres) and commercial (approximately 4.5 acres) uses.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“PD” – Planned Development District Ordinance No. 2002-03-019 and “REC” – Regional Employment Center Overlay District (Office and Commercial Uses)	Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2014-02-012 and “REC” – Regional Employment Center Overlay District (Commercial and Single Family Residential Uses)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2002-03-019 and “REC” – Regional Employment Center Overlay District (Office and Commercial Uses)	The Crepe Myrtle Trails of McKinney and Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2002-03-019 and “REC” – Regional Employment Center Overlay District (Office and Commercial Uses)	Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2002-03-019 and “REC” – Regional Employment Center Overlay District (Commercial, Single Family Attached Residential and Multiple Family Residential Uses)	Undeveloped Land

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property to modify the allowed land uses and the associated development standards. More specifically, the applicant is requesting to rezone the property from office and commercial uses to allow for single family detached residential and commercial uses. While the single family residential uses will generally follow the area and bulk regulations of the REC Neighborhood Zone (with modifications discussed below), the commercial portion of the property shall follow “C1” – Neighborhood Commercial District, and shall not be subject to the REC Overlay requirements.

The applicant has requested that the single family residential uses generally follow the area and bulk regulations for *Single family detached, small lot* of the REC Neighborhood Zone, with modifications including an increased minimum lot size (from 3,000 square feet to 4,000 square feet); no maximum lot width; front entry garages on lots 50 feet wide or greater; and architectural standards for all residential structures. Since the February 10, 2015 Planning and Zoning Commission meeting, changes to the Regional Employment Center Overlay District, Future Land Use Plan (FLUP), and Future Land Use Module Diagram have been reviewed and adopted by City Council. As the revised proposal is in generally in conformance with the FLUP (residential and commercial uses), Staff recommends approval of the proposed rezoning request.

Furthermore, Section 146-94 (“PD” – Planned Development District) 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. In effort to meet this requirement, and as stated above, the applicant has proposed architectural standards for all single family detached homes, including minimum masonry material percentages on each elevation and additional architectural element requirements. As there are currently no architectural standards in place for single family residential uses, the additional requirements exceed the current standard, and Staff has no objections to the proposed standards.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for Low Density Residential and Commercial uses. The FLUP modules diagram designates the subject property as Urban 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 in conformance with the goals and objectives of the Comprehensive Plan, particularly “Land Use Compatibility and Mix”, specifically through the objective of “land uses patterns that address appropriate transition and mix of uses”.

Although the property is currently zoned for office uses with supporting retail uses, Staff acknowledges that developing approximately 55 acres entirely for office uses at this particular location may be aggressive. The subject property’s distance from State Highway 121/Sam Rayburn Tollway (approximately 3,500

feet) coupled with the creation of the McKinney Corporate Center at Craig Ranch nearby, lends itself to reducing the amount of office uses at this location. Furthermore, the FLUP was recently updated (May 2015) and designates the subject property for single family residential and commercial uses, with which the rezoning request is consistent.

- Impact on Infrastructure: The proposed zoning 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. Staff cannot determine the exact difference in the impact on infrastructure as the non-residential uses currently allowed could impact the infrastructure more or less than the impact of the proposed development.
- Impact on Public Facilities/Services: The proposed zoning 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 uses 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 for single family residential, multi-family residential, commercial, and office uses, and while the proposed zoning will alter the land uses from what is currently allowed on the subject property, Staff is of the opinion the requested use will be compatible with existing and future development within the immediate area.
- Fiscal Analysis: The fiscal analysis shows a negative cost benefit of \$19,036 using the full cost method.

The attached "Land Use and Tax Base Summary" shows that Module 13 is currently comprised of approximately 49.6% residential uses and approximately 50.4% non-residential uses (including mixed-use, institutional and agricultural uses). The proposed rezoning requested will impact both the anticipated land uses and tax base in this module. Estimated tax revenues in Module 13 are comprised of approximately 76.9% from residential uses and approximately 23.1% from non-residential uses (including mixed-use and agricultural uses). Estimated tax revenues by type in Module 13 are comprised of approximately 83.5% ad valorem taxes and approximately 16.5% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an overconcentration of residential or commercial 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 02.10.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Fiscal Analysis
- Tax Base and Land Use Summary
- Existing "PD" – Planned Development District Ordinance No. 2002-03-019
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Development Regulations
- Proposed Layout – Informational Only
- PowerPoint Presentation