

PLANNING & ZONING COMMISSION MEETING OF 11-12-13 AGENDA ITEM #13-190Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**FROM:** Brandon Opiela, Planning Manager

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Wynne Jackson, Inc., on Behalf of Coit and Plano Parkway, Ltd., William and Barbara Docekal, Ronald Alan Gibson, Erwin H. Gibson, Sr., Armon D. and Mary Ann Gibson, Wesley J and Evelyn E. Valek, for Approval of a Request to Zone Fewer than 127 Acres to "PD" – Planned Development District, Located on the North and South Sides of Wilmeth Road and on the East and West Sides of County Road 161 (Future Ridge Road)

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the December 3, 2013 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed zoning request with the following special ordinance provision:

1. Use and development of the subject property shall conform to the attached development regulations.

**APPLICATION SUBMITTAL DATE:** September 9, 2013 (Original Application)  
October 9, 2013 (Revised Submittal)  
October 14, 2013 (Revised Submittal)  
October 17, 2013 (Revised Submittal)  
October 18, 2013 (Revised Submittal)  
November 6, 2013 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to zone approximately 126.70 acres of land, located on the north and south sides of Wilmeth Road and on the east and west sides of County Road 161 (Future Ridge Road), generally for commercial (approximately 9.58 acres), office (approximately 3.94 acres), and single family residential (approximately 103.20 acres) uses. The applicant has proposed a maximum single family residential density of 3.2 dwelling units per acre (with the ability to achieve 3.4 dwelling units per acre if Design for Density criteria are met in accordance with the City's Comprehensive Plan) and a minimum mean and median lot size of 7,200 square feet.

This request for rezoning will be forwarded to City Council for final consideration at the December 3, 2013 meeting along with the 3<sup>rd</sup> and final public hearing for the associated annexation case (13-189A3) and associated development agreement.

**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: Unzoned (McKinney Extraterritorial Jurisdiction - ETJ)

North	PD Planned Development Ordinance No. 2003-03-025 (Single Family Residential Uses)	District (Single)	Robinson Subdivision	Ridge
			Undeveloped	
South	Unzoned (McKinney ETJ)			
East	PD Planned Development Ordinance No. 2003-03-025 (Single Family Residential Uses)	District (Single)	Robinson Subdivision	Ridge
	Unzoned (McKinney ETJ)		Single Residence Undeveloped	Family and
West	Unzoned (McKinney ETJ)		Triple Creek Academy, Single Residences, Undeveloped	Family and

**PROPOSED ZONING:** The applicant is requesting to zone approximately 126.70 acres of land to “PD” – Planned Development District generally for a mix of commercial (approximately 9.58 acres), office (approximately 3.94 acres), and single family residential (approximately 103.20 acres) uses as shown on the attached land use plan.

**Residential Use:** For tracts designated as single family residential, the applicant has proposed a maximum single family residential density of 3.2 dwelling units per acre (with the ability to achieve 3.4 dwelling units per acre if Design for Density criteria are met in accordance with the City’s Comprehensive Plan) and a minimum mean and median lot size of 7,200 square feet. The applicant has also requested a modified front yard setback to allow porches, patios, and swing garages to be closer to the front property line; a requirement to provide three canopy trees on each lot; a requirement for board on board privacy fences; and two additional land uses to be permitted (recreation area (private); agricultural and ranching uses). Staff is of the opinion that the special

ordinance provisions requested for landscaping and privacy fencing will make a positive contribution to the quality of the visual environment and neighborhood as a whole.

**Neighborhood Office and Commercial Use:** The tract designated as neighborhood office will follow the standards of the “O-1” – Neighborhood Office District, except that the applicant has requested that day-care be an additional permitted use on this tract. The two tracts designated for commercial uses at the northeast and southeast corners of the future Wilmeth Road and Ridge Road intersection will follow the standards of the “BG” – General Business District, which the applicant has requested several uses to be prohibited from these tracts, as shown on the attached development standards exhibit.

Staff is of the opinion that the requested zoning designations are in line with the vision set forth by the City of McKinney Comprehensive Plan, and as such is comfortable recommending approval of the request.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property as suburban mix within a minimally developed area and designated the northeast and southeast corners of the future Wilmeth Road and Ridge Road intersection for “potential commercial within the residential module”. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a significantly developed area:

- Conformance with Desired Land Use Mix: The land uses allowed by the proposed zoning event are consistent with the desired land use mix, as depicted on the attached module tracking worksheet.
- Locational Criteria: The proposed commercial, office, and single family residential uses are within the allowable limits as described within the FLUP Module for Suburban Mix as shown on the attached Module Tracking worksheet.
- Compliance with Community Form: The proposed uses as specified on the proposed land use exhibit should not have a negative impact on the community form and character of the built environment within the module.
- 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 since the area is designated for suburban mix uses on the FLUP module diagram.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public facilities and services since the area is designated for suburban mix uses on the FLUP module diagram.
- Compatibility with Existing and Potential Adjacent Land Uses: Staff believes the rezoning request will be compatible with the existing and potential adjacent

properties currently zoned for residential uses to the east or shown on the Future Land Use Plan as suburban mix.

- Timing of Zoning Request: The proposed rezoning request will not hinder or negatively impact the ability of the module to develop as intended.
- Fiscal Analysis: The attached fiscal analysis shows a negative net cost benefit of \$78,227 using the full cost method.

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

**ATTACHMENTS:**

- Location Map and Aerial Exhibit
- Letter of Intent
- Land Use Module Tracking Worksheet
- Fiscal Impact Analysis
- Proposed Zoning Exhibit - Development Standards
- Proposed Zoning Exhibit – Land Use Plan
- Proposed Zoning Exhibit – Metes and Bounds
- PowerPoint Presentation