

PLANNING & ZONING COMMISSION MEETING OF 06-10-14 AGENDA ITEM #14-118Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Pickett, Planner I

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Spiars Engineering, Inc., on Behalf of Ysis Partners, L.P., for Approval of a Request to Rezone Fewer than 17 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the South Side of Bloomdale Road and on the West Side of Lake Forest Drive

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the June 17, 2014 meeting.

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**STAFF RECOMMENDATION:** Staff recommends denial of the proposed rezoning request due to lack of conformance with the City of McKinney’s Comprehensive Plan.

**However, should the rezoning request be approved, the applicant is requesting the following special ordinance provision:**

1. The use and development of the subject property shall develop in accordance with the attached development regulations.

**APPLICATION SUBMITTAL DATE:** April 28, 2014 (Original Application)  
May 22, 2014 (Revised Submittal)  
May 27, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 16.07 acres of land, located on the south side of Bloomdale Road and the west side of F.M. 1461 (Future Lake Forest Drive) from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow for single family detached residential uses and to modify the associated development standards. The subject property is currently part of a larger tract (approximately 20-acres) designated for retail uses. The applicant has left the balance of land designated for retail uses (approximately 4 acres) at the southwest corner of Bloomdale Road and Lake Forest Drive.

In March of 2014, the applicant submitted a rezoning request for the subject property, also for single family residential uses. The Planning and Zoning Commission recommended denial of the request and, as such, the applicant chose to withdraw the request prior to City Council consideration. The request has since been revised to incorporate the Planning and Zoning Commission's comments regarding the mean and median lot size.

**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. 2004-02-014 (Retail Uses)

North	City of McKinney Extraterritorial Jurisdiction	Single Family Homes
South	"PD" – Planned Development District Ordinance No. 2004-02-014 (Single Family Residential Uses)	Heatherwood Subdivision
East	City of McKinney Extraterritorial Jurisdiction	Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 2004-02-014 (Single Family Residential Uses)	Heatherwood Subdivision

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "PD" – Planned Development District, currently designated for retail uses, to "PD" – Planned Development District, in order to develop the subject property for single family detached residential uses. Currently, the subject property is part of a larger, 20-acre commercial tract within the Heatherwood development. In 2004, City Council approved a zoning request for the development that capped the number of residential lots to 997 and required a mean and median lot size of 7,200 square feet for said lots. The applicant has requested to rezone 16 acres of the 20-acre retail tract for single family detached residential uses and leave the remaining 4 acres at the corner of Bloomdale Road and Lake Forest Drive for retail uses.

The applicant has requested the property be rezoned to follow the attached development regulations, which generally follows the regulations of "RS 60" – Single Family Residence District with modifications, including but not limited to a reduction in the front and rear yard setbacks from 25 feet to 20 feet with the ability for porches and patios to encroach up to 7 feet into the front yard setback. Staff has no objections to

these modifications as they are generally in conformance with the recently approved residential standards for lots of similar size. The requested zoning would permit up to 4.5 dwelling units per acre (exceeding the maximum 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 per the City's Comprehensive Plan), with a minimum mean and median lot size of 7,200 square feet.

It should also be noted that the City Council recently adopted new residential zoning districts that mandate a minimum mean and median of 7,200 with a maximum density of 3.2 dwelling units per acre. By doing so, the Council mandated that subsequent to July 1, 2014, no new (re)zoning requests for detached single family residential uses may deviate from the aforementioned standard. Given that all future rezoning requests will be required to meet the same standards for density, Staff feels as though supporting this requested increase in density would be contrary to the Council's goals and objectives.

Furthermore, the proposed rezoning request does not help to further a strong, balanced economy, which is a stated strategic goal of the City Council. 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 16 acres currently zoned for retail uses to single family residential uses will not help to balance the ad valorem tax base.

Lastly, 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, the applicant has proposed architectural standards for all single family homes on the subject property, consisting of minimum masonry requirements as well as the requirement that all homes have stained wood garage doors.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for Suburban Mix uses (with potential commercial within the residential module) and is currently zoned for retail uses. The Future Land Use Plan Modules Diagram designates the subject property as Suburban Mix within an area with minimal development. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within an undeveloped area as follows:

- Conformance with Desired Land Use Mix: The proposed rezoning request is within the allowable percentages for each land use in this module (Module 54). Since the proposed rezoning request does not propose to significantly alter the allowed land uses, there should not be a significant change of the land use mix should the rezoning request be approved. The attached Module Tracking Sheet shows the remaining acres of each land use allowed in this module.

- Locational Criteria: The single family residential use proposed by this zoning request is within the allowable locations as shown on the FLUP modules diagram of the Comprehensive Plan. Per the Comprehensive Plan, the Suburban Mix module establishes a list of locational criteria to be completed in the final design stages, listed below:

Suburban Mix Module:

- Commercial uses are to be located nearest the intersection of two major arterials.
  - Parks should be developed in areas to preserve existing trees, wetlands, or natural habitat. Parks should also work in conjunction with school sites and be accessible by pedestrians, bicycles, and public streets.
  - Open space should be used as an amenity for surrounding development. Many times the open space takes the form of a floodplain, wetlands, or stands of existing trees. This integration can occur in many ways—a common method is to have a road front the open space providing a public view, access, or “front-door” to the amenity.
  - Low density single family detached residential development be designed with streets that connect the homes to arterials and do not encourage “cut through” traffic patterns.
  - Sidewalks and Hike & Bike Trails should be provided to accommodate pedestrians and bicyclists on both sides of public streets.
- Compliance with Community Form: The proposed zoning request should allow the future development to have a positive impact on the community form and character of the built environment within the Suburban Mix module. The form of the built environment in a Suburban Mix module is centered on the suburban style home and standard traditional neighborhood unit. This traditional neighborhood unit may have commercial land uses located near neighborhoods at the intersections of arterials in order to provide convenient access to the most frequently needed retail uses.
  - 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 retail to residential uses. It should be noted; however, that infrastructure has been planned for based on the suburban mix designation of the FLUP which allows for both commercial and residential uses.
  - Impact on Public Facilities/Services: The proposed zoning request may have an impact on public facilities and services since the land use would change from retail to residential uses. It should be noted; however, that public

facilities/services have been have been planned for based on the suburban mix designation of the FLUP which allows for both commercial and residential uses.

- Compatibility with Existing and Potential Adjacent Land Uses: Staff believes the zoning request will be compatible with the existing and potential adjacent properties currently shown on the Future Land Use Plan as suburban mix.
- Timing of Zoning Request: The proposed zoning request will not hinder or negatively impact the ability of the modules to develop as intended.
- Fiscal Analysis: The attached fiscal analysis shows a negative cost benefit of \$402,097 using the full cost method.

**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**:

- Location Map and Aerial Exhibit
- Letter of Intent
- Fiscal Analysis
- Module Tracking Worksheet
- Existing "PD" – Planned Development District Ordinance No. 2004-02-014
- Proposed Zoning Exhibit – Development Regulations
- Proposed Zoning Exhibit – Boundary
- PowerPoint Presentation