

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH** Brandon Opiela, Planning Manager

**FROM:** Anthony Satarino, Planner

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Southern Land Company, L.L.C., on Behalf of SLC McKinney Partners, L.P., for a Request to Rezone Fewer than 29 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the East Side of Future Stonebridge Drive and Approximately 1,300 Feet North of U.S. Highway 380 (University Drive)

**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.

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

1. The subject property be rezoned to “PD” – Planned Development District and be developed according to the following standards:
  - a. The subject property shall develop in accordance with the attached Tucker Hill Pattern Book Phase 3 regulations.

Prior to this item being heard at City Council, Staff recommends that the applicant revise the pattern book to remove blank pages and correct the page numbers within the document.

**APPLICATION SUBMITTAL DATE:** May 13, 2013 (Original Application)  
May 28, 2013 (Revised Submittal)  
June 6, 2013 (Revised Submittal)  
June 20, 2013 (Revised Submittal)  
June 28, 2013 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to rezone approximately 27.29 acres of land from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the development standards. The applicant has proposed a new

pattern book, only pertaining to future Phase 3, that maintains most of the development regulations of the previous pattern books. The applicant is requesting slight modifications the lot layout, reducing the number of differing lot types required for single family residential development, modifying the minimum and maximum square footages of a dwelling unit, and modifying the side yard setbacks and distance requirement between buildings.

The Tucker Hill development as a whole allows for a mixed use development with a combination of attached and detached single family residential uses, live/work units, retail uses, office uses, civic buildings, and open space uses.

The item was previously tabled at the June 11, 2013 Planning and Zoning Commission meeting in order to give the applicant additional time to revise 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: Subject Property: "PD" – Planned Development District Ordinance No. 2010-10-042 (Mixed Uses)

North	"PD" – Planned Development District Ordinance No. 2010-10-042 (Single Family Residential Uses)	Undeveloped Land
South	"PD" – Planned Development District Ordinance No. 2006-02-016 (Retail and Multi Family Uses)	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2010-10-042 (Single Family Residential Uses)  "AG" – Agricultural District"	Single Family Residential  City of McKinney Pump Station
West	"PD" – Planned Development District Ordinance No. 2010-10-042 (Single Family Residential Uses)	Undeveloped Land

**PROPOSED ZONING:** The subject property is currently governed by the Tucker Hill Pattern Book approved by City Council in 2010 ("PD" – Planned Development District Ordinance No. 2010-10-042). The applicant is requesting to maintain the majority of the regulations of previous pattern books while slightly modifying the lot layout, reducing the number of differing lot types required for single family residential development,

modifying the minimum and maximum square footages of a dwelling unit, and modifying the side yard setbacks and distance requirement between buildings.

The existing pattern book governing the subject property provides for a mix of single family detached residential units, high density single family detached/attached units and a mixed-use center. The proposed layout maintains the single family detached residential units; however, removes the denser single family dwelling units and the small mixed-use center in the southwest corner of the property. The access to the lots remains largely the same with a mixture of alley loaded and non-alley loaded lots. Further discussion of each change has been discussed in the next section.

While slight modifications to the pattern book for Phase 3 are being proposed, the intent of the pattern book and the character prescribed for the overall development in the pattern book will remain. As such, Staff is comfortable supporting the proposed rezoning request.

**PROPOSED PATTERN BOOK:** The base zoning districts of the Zoning Ordinance are not being proposed for the property. Instead, the applicant is proposing to use what is called a Transect system for zoning. The term “transect” is used to describe a cross-sectional system of classification of environments. All elements of the built environment are arranged in order from most rural to most urban.

This proposed pattern book classifies the two permitted lot types into the T4 transect zone, or General Neighborhood. The purpose of the transect system is to provide a carefully arranged alternative to conventional zoning and suburban sprawl by allowing a mix of uses arranged in close proximity. Each transect zone listed in the proposed and existing Pattern Books have specific requirements and provisions ranging from density, thoroughfares, lot dimensions, public spaces, architectural massing, building frontages, building types, parking, pedestrian networks, and landscape design.

General Neighborhood (T4) – This transect is a denser and primarily residential urban fabric. This transect has a wide range of building types, including alley and non-alley homes, cottages and duplexes. Setbacks and landscaping are variable. Streets typically define medium sized blocks.

- Per the pattern book adopted in 2010, the subject property (future Phase 3) was proposed to have a mixture of T3, T4, T5 Mixed-Use Center and T5 Residential Center uses. The applicant is now proposing Phase 3 to follow only the T4 transect (with two distinct lot types) and that the previous lotting pattern be replaced with the new layout shown in the proposed pattern book. The allowed uses within different transects are very similar, with single family detached dwellings allowed within all three of the existing transects for the property. As such, Staff is not opposed to the proposed lot mix and layout changes.

The Pattern Book that is attached is a document comprised of both text and graphics and is intended to guide the creation of the Southern Land community. It consists of five main sections:

1. Illustrative Regulating Plan – this is a map that shows the various transect based zoning categories and the form and location of public spaces and thoroughfares.
  - Staff is recommending that the subject property generally develop in accordance with this plan. Any major modifications (as determined by the Director of Planning) to this plan will require the submittal of a new rezoning request.
2. Building and Streetscape Standards – these regulate the manner in which private buildings affect public spaces. The most comprehensive portion of this section is the Building Type Summary, which specifies which building types belong in which transect and also provides guidelines for the layout of the individual lots and building footprints.
  - The remaining changes to the Tucker Hill Phase 3 Pattern Book occur within this section. The first change in the section is to the side yard setback and the minimum distance between buildings. The applicant is proposing a 5' side yard setback with a minimum 10' separation between buildings for both non-alley and alley houses within Phase 3. Per the 2010 Tucker Hill Pattern Book, a minimum 6' side yard with a minimum 12' separation between buildings was required. Additionally, the applicant has requested that the minimum square footage of conditioned space be reduced to 1,800 square feet and that the maximum square footage of conditioned space is increased to 6,000 square feet for both the non-alley and alley houses. Currently, per the 2010 Tucker Hill Pattern Book, the minimum conditioned square footage is 2,000 square feet and the maximum conditioned square footage is 6,000 square feet. Staff is not opposed to these modifications.
3. Thoroughfare Standards – this section categorizes pedestrian and vehicular means of passage based on capacity and urban character. These standards are illustrated in both plan and section and specify characteristics such as vehicular travel and parking lanes, curbs, planters, street trees, street lights and pedestrian sidewalks.
4. Landscape Standards - these regulate the manner in which trees will be provided throughout the development. The landscape standards are divided into two sections; residential yard trees and street trees. The residential yard trees section details the requirement for trees on private lots and the street trees section details the requirement for trees within the rights-of-way throughout the development.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for office uses; however, the property was rezoned in 2007 and 2010 to allow for a mix of commercial and residential uses. The FLUP modules diagram designates the subject property as suburban mix within a minimally developed area. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within a minimally developed area:

- Conformance with Desired Land Use Mix: The land use mix of the area should not be negatively impacted by the proposed rezoning request.
- Locational Criteria: The proposed residential uses as specified within the proposed pattern book are within the allowable locations as shown on the FLUP modules diagram. The area should not be negatively impacted by the proposed rezoning request.
- Compliance with Community Form: The proposed uses as specified within the proposed pattern book should not have a negative impact on the community form and character of the built environment within the module as the proposed pattern book maintains most of the same characteristics as the original pattern book as it concerns building type, lot configuration, thoroughfare and landscape standards.
- 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 proposed uses are currently allowed on the subject property.
- Impact on Public Facilities/Services: 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 uses are currently allowed on the subject property.
- Compatibility with Existing and Potential Adjacent Land Uses: Staff believes the rezoning request will be compatible with the surrounding properties zoned for similar single family residential within the Tucker Hill development as the proposed uses are currently allowed on the subject property.
- Timing of Zoning Request: The proposed rezoning request will not hinder or negatively impact the ability of the module to develop the primary land use.
- Fiscal Analysis: The proposed uses for the subject property are not changing; thus, a fiscal analysis was not deemed necessary for this case.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments in support or opposition to the proposed rezoning request.

**ATTACHMENTS:**

- Maps
- Letter of Intent

- Existing “PD” – Planned Development District Ordinance No. 2010-10-042
- Proposed Tucker Hill Pattern Book for Phase 3
- PowerPoint Presentation