

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 Shupe Ventura Lindelow Olsen, on Behalf of Central & Fannin Wilson 155, L.L.L.P., for Approval of a Request to Zone Fewer than 154 Acres to "PD" – Planned Development District, Generally to Allow for Commercial Uses and to Modify the Development Standards, Generally Located on the Northeast Corner of F.M. 543 and U.S. Highway 75 (Central Expressway)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the July 16, 2013 meeting.

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

1. The subject property shall be zoned "PD" – Planned Development District and shall conform to the following special ordinance provisions:
 - a. Use and development of the subject property shall conform to the attached development regulations.

APPLICATION SUBMITTAL DATE: May 28, 2013 (Original Submittal)

ITEM SUMMARY: The applicant is requesting to zone an approximately 153.62 acre to "PD" - Planned Development District to generally allow for commercial (office and retail) uses and to modify the development standards.

Pursuant to Section 212.172 of the Texas Local Government Code, the governing body of a municipality may make a written contract with an owner of land that is located within the extra-territorial jurisdiction (ETJ) of the municipality to govern the land uses and development of the property. The proposed development regulations are consistent with the development regulations contained within the associated development agreement (ETJ) that is being considered concurrently by the Planning and Zoning Commission (13-120M).

This request for rezoning will be forwarded to City Council for final consideration at the July 16, 2013 meeting along with the 3rd and final public hearing for the associated annexation case (13-098A) and development agreement (13-120M).

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

North	Unzoned (McKinney ETJ)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 1642	Collin County Justice Center
	Unzoned (McKinney ETJ)	Single Family Residence and Farm
East	Unzoned (McKinney ETJ)	Single Family Residential
		Mobile Home Park
		Undeveloped Land
West	Unzone (McKinney ETJ)	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to zone approximately 153.62 acres to “PD” - Planned Development District, generally to allow for commercial (retail and office) uses and to modify the development standards. The development regulations are consistent with the regulations contained within the associated development agreement (ETJ). The terms of this agreement have generally been agreed upon by City Staff and the property owner but are subject to the City Council’s final approval.

The proposed development standards will allow for high intensity retail and office uses on a property that could be a viable location for future regional commercial uses. The development standards are specifically designed to allow the property owner to respond to market forces while ensuring that the property is reserved for those highest and best uses that will provide the highest possible benefit to the City of McKinney and its citizens.

The subject property is located within the limits of the Northwest Sector Study which will strategically analyze what land uses and development patterns are appropriate for this area. Staff is confident that the development that arises from this zoning and the

associated development agreement will fit in line with whatever vision is outlined by the study. As such, Staff is comfortable with the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) and FLUP module diagram both designate the subject property as office park within a minimally developed area. The Comprehensive Plan lists factors to be considered when a rezoning request is being considered within a minimally 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.
- Locational Criteria: The proposed commercial uses are within the allowable limits as described within the FLUP Module for Office Park. The area should not be negatively impacted by the proposed rezoning request.
- Compliance with Community Form: The proposed uses as specified within the 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 proposed uses are allowed within the Office Park Module as part of the Comprehensive Plan.
- 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 allowed within the Office Park Module as part of the Comprehensive Plan.
- 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 and commercial uses as the proposed uses are allowed within the Office Park Module as part of the Comprehensive Plan.
- 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 attached fiscal analysis shows a positive cost benefit of \$3,412,868 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 in support of or opposition to this request.

ATTACHMENTS:

- Maps
- Letter of Intent
- Zoning Exhibit - Metes and Bounds
- Zoning Exhibit - Survey
- Zoning Exhibit - Development Regulations
- Fiscal Impact Analysis
- Land Use Module Tracking Sheet
- PowerPoint Presentation