

**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 Southbrook Investments, Inc., on Behalf of Collin CR Wellness Communities, L.L.C., for Approval of a Request to Rezone Fewer than 26 Acres 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 Southeast Corner of Alma Road and Kickapoo Drive

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the July 15, 2014 meeting.

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

1. The use and development of the subject property shall develop in accordance with the “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, and as amended, except as follows:
  - a. The single family residential tract, as shown on the attached exhibit, shall develop in accordance with the *Area and bulk regulations* for Single family detached, standard lot or small lot of the REC Neighborhood Zone.
  - b. The maximum density for the single family residential tract shall be six (6.0) dwelling units per acre.
  - c. The commercial tract, as shown on the attached exhibit, shall develop in accordance with the *Area and bulk regulations* for Commercial uses and mixed-use buildings of the REC Neighborhood Zone.
  - d. All uses permitted within the REC Commercial District in the REC Schedule of Uses shall be allowed on the commercial tract.

- e. Open spaces along the north side of Hewitt Drive shall generally conform to the character of the Native Open Space Plan, attached.

Prior to the item being considered by City Council:

1. The applicant revise the Native Open Space Plan to show the entire limits of the open space.

**APPLICATION SUBMITTAL DATE:** January 13, 2014 (Original Application)  
 April 28, 2014 (Revised Submittal)  
 May 27, 2014 (Revised Submittal)  
 May 30, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 25.63 acres of land, located on the southeast corner of Alma Road and Kickapoo Drive 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. The applicant has indicated that it is their intent to develop approximately 20.82 acres of the property for single family detached residential uses, approximately 1.21 acres along Alma Road for commercial uses, and approximately 3.60 acres for open space.

**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. 2006-11-132 (Single and Multiple Family Residential Uses) and “REC” – Regional Employment Center Overlay District

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|-------|---|---|
| North | “AG” – Agricultural District (Agricultural Uses) and “REC” – Regional Employment Center Overlay District                                  | Undeveloped Land                                    |
| South | “PD” – Planned Development District Ordinance No. 2001-02-017 (Commercial Uses) and “REC” – Regional Employment Center Overlay District   | Cooper Life Fitness Center                          |
| East  | “PD” – Planned Development District Ordinance No. 2006-11-132 (Mixed Uses), “PD” – Planned Development District Ordinance No. 2006-11-132 | Texas Health Outpatient Center and Undeveloped Land |

(Commercial Uses) and “REC” – Regional Employment Center Overlay District

|      |  |                  |
|------|--|------------------|
| West | “AG” – Agricultural District (Agricultural Uses) “PD” – Planned Development District Ordinance No. 2001-02-017 (Single and Multiple Family Residential Uses) and “REC” – Regional Employment Center Overlay District | Undeveloped Land |
|------|--|------------------|

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, generally allowing single family detached, single family attached, duplex and multi-family residential uses to “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, generally for single family detached residential and commercial uses.

The current zoning allows for a variety of residential uses on the subject property, including multi-family residential uses along Alma Road. The applicant is requesting to eliminate the multi-family residential component and limit the variety of residential uses allowed on the property to permit only single family detached residential with a small portion of commercial along Alma Road. The applicant has requested to decrease the allowed density on the property from nine (9) dwelling units per acre to six (6) dwelling units per acre and that the single family lots will develop in accordance with the *Area and bulk regulations* for Single family detached, standard lot and small lot of the REC Neighborhood Zone. The applicant has also requested that the commercial tract shall develop in accordance with *Area and bulk regulations* for Commercial uses and mixed-use buildings, of the REC Neighborhood Zone.

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 to develop the open space portion of the property with a walking trail, native plants, and enhanced gateways at the entrances to the open space as shown on the attached Native Open Space Plan. Staff is of the opinion that the enhanced landscaping will make a positive contribution to the surrounding development.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for Low Density Residential uses. The FLUP modules diagram designates the subject property as Regional Employment Center and Transit Village 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. In particular, the proposed zoning change would help the community attain the goal of “Land Use Compatibility and Mix” by creating a “land use patterns that optimize and balance the tax base of the City”.
- 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.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for similar commercial and residential uses within a mixed-use area. The proposed rezoning request will not significantly alter the land use from what has been planned for the subject property.
- Fiscal Analysis: The attached fiscal analysis shows a positive cost benefit of \$254,756 using the full cost method.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of single family residential or commercial land uses in the area.

**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
- Existing PD Ordinance No. 2006-11-132
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Native Open Space Plan
- PowerPoint Presentation