

PLANNING & ZONING COMMISSION MEETING OF 11-10-15 AGENDA ITEM #15-280Z

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Matt Robinson, AICP, Planning Manager

**FROM:** Samantha Pickett, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “PD” – Planned Development District to “SF5” – Single Family Residential District and “TH” – Townhome Residential District, Located on the East Side of Lake Forest Drive and Approximately 840 Feet South of McKinney Ranch Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the December 1, 2015 meeting.

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**STAFF RECOMMENDATION:** Staff recommends approval of the proposed rezoning request.

**APPLICATION SUBMITTAL DATE:** October 12, 2015 (Original Application)  
October 24, 2015 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 64.21 acres of land from “PD” – Planned Development District, generally for commercial uses, to “SF5” – Single Family Residential District and “TH” – Townhome Residential District, generally for single family detached and attached residential uses.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“PD” – Planned Development District Ordinance No. 2000-09-066 (Commercial Uses)	Undeveloped Land

North	“PD” – Planned Development District Ordinance No. 2000-09-066 (Commercial Uses)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2000-09-066 (Commercial Uses)	Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2000-09-066 (Single Family Residential Uses)	Future Windsor Park Subdivision
West	“PD” – Planned Development District Ordinance No. 2003-01-007 (Commercial Uses), “PD” – Planned Development District Ordinance No. 2012-09-044 (Single Family Residential Uses), “PD” – Planned Development District Ordinance No. 2002-05-038 (Single Family Residential Uses), and “REC” – Regional Employment Center Overlay District	Wal-Mart, Undeveloped Land, and Village Park Subdivision

**PROPOSED ZONING:** The applicant is requesting to rezone approximately 64.21 acres for single family detached and attached residential uses. Of the 64.21 acres, approximately 12.20 acres will be zoned for single family attached (townhome) residential uses, while the remaining 52.01 acres will be zoned for single family detached residential uses.

While the subject property is currently zoned for commercial uses, developing the subject property for non-residential uses may be hindered by the property’s mid-block location, the lack of access to multiple roadway frontages, and the challenges faced by developing non-residential uses around the existing floodplain/floodway bisecting the property. Staff feels that the preservation of two hard corners of commercial uses (approximately 20 acres at the southeast corner McKinney Ranch Parkway and Lake Forest Drive; and approximately 15 acres at the northeast corner of Future Collin McKinney Parkway and Lake Forest Drive), in combination with the existing commercial development to the west of the subject property, makes the request for single family residential zoning appropriate at the proposed mid-block location. As such, Staff recommends approval of the proposed rezoning request.

**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 Urban Mix 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 “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced development pattern”.

Staff would like to note that while this request is not in conformance with the Future Land Use Plan (FLUP), Staff understands the applicant’s intent to use medium density residential (townhome) tracts as a buffer between the detached single family residential and commercial uses, and sees the proposed townhome use as less intense when compared to the current zoning for commercial 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 commercial to residential uses. Staff is unable at this point in time to determine the exact difference in the impact on infrastructure as the wide range of non-residential uses currently allowed could impact the infrastructure more or less than the impact of the proposed development.
- Impact on Public Facilities/Services: The proposed zoning request should have an impact on public facilities and service, such as schools, fire and police, libraries, parks and sanitation services, as the land use will change from commercial to residential uses requiring additional public services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for commercial and residential uses. Staff feels the proposed rezoning request will remain compatible with the surrounding and adjacent properties.
- Fiscal Analysis: The fiscal analysis shows a negative cost benefit of \$1,715,752 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 13 is currently comprised of approximately 49.7% residential uses and 50.3% non-residential uses (including mixed-use, institutional and agricultural uses). The proposed rezoning request will have an impact on the anticipated land uses in this module by increasing the residential component. Estimated tax revenues in Module 13 are comprised of approximately 76.9% from residential uses and 23.1% from non-residential uses (including mixed-use and agricultural uses). Estimated tax revenues by type in Module 13 are comprised of approximately 83.5% ad valorem taxes and 16.5% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of single family residential land uses in the area.

**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
- Comprehensive Plan Maps
- Fiscal Analysis
- Land Use and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 2000-09-066
- Proposed Zoning Exhibit – Boundary
- PowerPoint Presentation