

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, 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 “AG” – Agricultural District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District and “CC” – Corridor Commercial Overlay District, Generally to Allow for Single Family Residential Uses, Located Approximately 325 Feet East of Stacy Road and on the South Side of Future Collin McKinney Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the May 19, 2015 meeting.

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

1. The subject property shall develop in accordance with the Single Family Detached, Standard Lot requirements of the REC Neighborhood Zone as specified in the “REC” – Regional Employment Center Overlay District, and as amended, except as follows:
  - a. All dwelling units shall features garage doors with a carriage-style design, typically featuring vertical slats, high windows, antiqued hardware, and additional detailing to give the appearance of swinging or sliding doors.
  - b. There shall be no maximum lot width.
  - c. In addition to the requirement of one canopy tree per 50 linear feet within the common area adjacent to future Collin McKinney Parkway as detailed in Section 142-106 (Screening and buffering of certain residential lots adjacent to streets) of the Subdivision Ordinance, an additional canopy tree shall be planted for every 50 linear feet within the common area along future Collin McKinney Parkway.

- d. The subject property shall generally develop in accordance with the attached Land Plan Exhibit.

**APPLICATION SUBMITTAL DATE:** December 15, 2014 (Original Application)  
 March 9, 2015 (Revised Submittal)  
 March 27, 2015 (Revised Submittal)  
 March 30, 2015 (Revised Submittal)  
 April 2, 2015 (Revised Submittal)  
 April 13, 2015 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 33.26 acres of land, located approximately 325 feet east of Stacy Road and on the south side of future Collin McKinney Parkway, from agricultural uses to single family detached residential uses. Additionally, the applicant is requesting approval of modified development regulations regarding maximum lot widths, garage door enhancements, and additional perimeter landscaping, which is discussed in further detail below.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" – Agricultural District, "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District (Agricultural Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 2013-03-028 and "REC" – Regional Employment Center Overlay District (Single Family Residential and Commercial Uses)	Undeveloped Land
South	"PD" – Planned Development District Ordinance No. 1726 (Commercial Uses), "PD" – Planned Development District Ordinance No. 1728 (Commercial Uses), "PD" – Planned Development District Ordinance No. 2005-10-099 (Office, Commercial, and Mixed Uses), "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2008-08-084, "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial	Undeveloped Land

	Overlay District (Multi-Family Residential Uses)	
West	“AG” – Agricultural District, “REC” – Regional Employment Center Overlay District, and “CC” – Corridor Commercial Overlay District (Agricultural Uses)	Undeveloped Land

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property generally for single family residential uses.

The applicant has requested the property generally follow the area and bulk regulations for the Single Family Detached, Standard Lot of the REC Neighborhood Zone, with one modification to allow for no maximum lot width. The applicant has also provided a Land Plan exhibit to which the development will generally conform. Staff feels the proposed rezoning request is generally in conformance with the current provisions and intent outlined with the “REC” – Regional Employment Center Overlay District, and has no objections to the requested modification to the proposed lot widths.

Furthermore, Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance states that a PD Ordinance may not be approved without ensuring a level of exceptional quality or innovation for the design or development. To satisfy this requirement, the applicant has proposed additional canopy trees within the common area along future Collin McKinney Parkway, spaced one tree every 50 linear feet (in addition to the 1:50 requirement within the Subdivision Ordinance) and carriage-style garage doors. Staff feels these two special ordinance provisions will enhance the subject property, and as such, have no objections.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for high density residential and commercial uses. The FLUP modules diagram designates the subject property as Regional Employment Center 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 “mix of land uses that provides for various lifestyle choices”.
- **Impact on Infrastructure:** The proposed rezoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area.

- Impact on Public Facilities/Services: The proposed rezoning request may have an 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 residential and commercial uses, and should remain compatible.
- Fiscal Analysis: The attached fiscal analysis shows a negative cost benefit of \$93,305 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 30 is currently comprised of approximately 36.7% residential uses and 63.2% 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, increasing the residential component. Estimated tax revenues in Module 30 are comprised of approximately 55.6% from residential uses and 44.4% from non-residential uses (including mixed-use, institutional and agricultural uses). Estimated tax revenues by type in Module 30 are comprised of approximately 72% ad valorem taxes and 28% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of 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 Analysis
- Proposed Zoning Exhibit – Land Plan
- PowerPoint Presentation