PLANNING & ZONING COMMISSION MEETING OF 06-24-14 AGENDA ITEM #14-129Z2

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 Abernathy, Roeder, Boyd and Joplin, P.C., on Behalf of Frisco Independent School District and LCGRCRI, L.P., for Approval of a Request to Rezone Fewer than 55 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 South Side of Stacy Road and at the Terminus 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 July 15, 2014 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with the Comprehensive Plan.

However, should the rezoning request be approved, the applicant is requesting the following special ordinance provision:

1. The use and development of the subject property shall develop in accordance with the attached development regulations.

APPLICATION SUBMITTAL DATE: May 12, 2014 (Original Application)
May 27, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 54.58 acres of land, located on the south side of Stacy Road and at the terminus of McKinney Ranch Parkway from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally for office and supporting commercial uses, to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, generally for single family detached and attached residential and multi-family residential uses. The applicant has indicated their intent to develop the property in conformance with REC Neighborhood Zone area and bulk regulations with

modifications to the architectural standards for single family detached residential and development standards for multi-family residential.

At the June 10, 2014 Planning and Zoning Commission meeting, the rezoning request was tabled due to notification signs not being posted on the property within the timeframe specified within the Zoning Ordinance.

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. 2002-03-019 and "REC" – Regional Employment Center Overlay District (Office and Commercial Uses)	
North	"PD" – Planned Development District Ordinance No. 2014-02-012 and "REC" – Regional Employment Center Overlay District (Commercial and Single Family Residential Uses)	Undeveloped Land
South	"PD" – Planned Development District Ordinance No. 2002-03-019 and "REC" – Regional Employment Center Overlay District (Office and Commercial Uses)	The Crepe Myrtle Trails of McKinney and Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2002-03-019 and "REC" – Regional Employment Center Overlay District (Office and Commercial Uses)	Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 2002-03-019 and "REC" – Regional Employment Center Overlay District (Commercial, Single Family Attached Residential and Multiple Family Residential Uses)	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property to modify the allowed land uses and the associated development standards. More specifically, the applicant is requesting to rezone the property from office and commercial uses to allow for single family detached residential, single family attached residential (townhome), and multi-family residential uses. While all of these uses will generally follow the area and bulk regulations of the REC Neighborhood Zone, the

applicant has also provided architectural standards for the single family detached residential and has requested to modify two of the multi-family residential development standards. These include removing the limitation of eight dwelling units in a row along a block face, as well as the requirement that a minimum of 35% of the surface area be windows, doors or other opening on the first floor of a façade.

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 and as stated above, the applicant has proposed architectural standards for all single family detached homes on Tract 1, including minimum masonry on each elevation and architectural element requirements. Staff feels the standards will ensure a level of quality above and beyond the existing requirements and is not opposed to the proposed architectural standards.

Staff has no opposition to the modified standards for each respective use and, as such, was not a determining factor in the recommendation for denial. However, as the proposed rezoning request does not help to further a strong, balanced economy, which is a stated strategic goal of the City Council, Staff is unable to support the request. Nearly three quarters of the City's ad valorem tax base comes from its residential housing stock. In order to balance this tax base, more non-residential uses are needed. Rezoning approximately 55 acres designated by the Comprehensive Plan for office and commercial uses to residential uses will not help to balance the ad valorem tax base.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for Office 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 not in conformance with the goals and objectives of the Comprehensive Plan, particularly "Land Use Compatibility and Mix", specifically through the objective of "land uses patterns that optimize and balance the tax base of the City".

- 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 office to residential uses. Staff cannot 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 office 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 single family residential, multi-family residential, commercial, and office uses, and while the proposed zoning will alter the land uses from what is currently allowed on the subject property, Staff is of the opinion the requested use will be compatible with existing and future development within the immediate area.

- Fiscal Analysis: As proposed, Tract 1 can develop as either single family detached residential or single family attached residential (townhome) uses. Because of the ability for the property to develop as either type of use, Staff has provided two estimates. With Tract 1 developing for single family detached residential uses, the fiscal analysis shows a negative cost benefit of $270,603. With Tract 1 developing for single family attached residential (townhome) uses, the fiscal analysis shows a negative cost benefit of $669,316. In both instances, Tract 2 has been calculated as developing for multi-family residential uses.

- Concentration of a Use: Although density is encouraged within the REC, there are a number of vacant undeveloped properties in the surrounding areas that are can be developed for varying residential uses. The subject property is part of a larger planned development district (approximately 500 acres) which designated specific areas for both residential and non-residential. The requested rezoning removes non-residential uses from the property, further concentrating residential uses in the immediate vicinity.

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:
- PZ Minutes (June 10, 2014)
- Location Map and Aerial Exhibit
- Letter of Intent
- Fiscal Analysis – Single Family Detached
- Fiscal Analysis – Single Family Attached
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Development Regulations
- PowerPoint Presentation