

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Samantha Gleinser, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by JBI Partners, Inc., on Behalf of D.R. Horton – Texas, Ltd., for Approval of a Request to Zone Fewer than 4 Acres to “PD” – Planned Development District, to Allow for Single Family Residential Uses, Located Approximately 2,200 Feet West of Independence Parkway and Approximately 2,300 Feet South of Virginia Parkway

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

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

1. The subject property shall develop in accordance with Ordinance No. 1270, and as amended, except as follows:
 - a. The mean and median lot size shall be 7,200 square feet.
 - b. The subject property shall conform to the attached development standards.
 - c. One hundred (100) percent of each elevation shall be finished with masonry materials, to include brick, stone, or synthetic stone. Walls provided in conjunction with an architectural element which is located above the roof line (example: walls for dormers or chimneys) may only be finished with brick, stone, synthetic stone, stucco, wood lap siding, vinyl siding, cast concrete modular siding (including cementitious fiber siding; i.e., Hardie Board or Hardiplank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited. The masonry percentage is to be calculated exclusive of doors and windows.

As a part of the above mentioned development standards, the applicant has requested an increase in the maximum allowed density, which Staff is recommending denial of.

APPLICATION SUBMITTAL DATE: February 11, 2013 (Original Application)
February 28, 2013 (Revised Submittal)
March 3, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to zone approximately 3.00 acres of land to “PD” – Planned Development District, generally to allow for low density single family residential (approximately 14 lots). The subject property is an out parcel that was a formerly a Texas Municipal Power Agency and Brazos Electric Power Cooperative tower site located within the developing area of the Reserve at Westridge Subdivision, with future phases currently underway on all sides of the property. The subject property is currently located in the Extraterritorial Jurisdiction (ETJ) of the City of McKinney.

The applicant has submitted this zoning request in conjunction with a petition for annexation for the subject property (13-031A). In accordance with the Texas Local Government Code, the petition for annexation only requires approval by the City Council, and therefore, the first two public hearings for the associated annexation were held at a special City Council meeting on March 18, 2013 and then at the regular City Council meeting on March 19, 2013. The third and final public hearing for the associated annexation will be held concurrently with the proposed zoning request and associated development agreement at the April 16, 2013 City Council meeting. Should the subject property not be annexed by the City Council, the applicant would not be required to obtain zoning and may be permitted to move forward with development plans for the subject property, in accordance with the Subdivision Ordinance of the City of McKinney.

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: City of McKinney ETJ – Not Zoned (Undeveloped Land)

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| North | “PD” – Planned Development District Ordinance No. 2006-04-044 (Single Family Residential Uses) | Future Phase of the Reserve at Westridge Subdivision |
| South | “PD” – Planned Development District Ordinance No. 2006-04-044 (Single Family Residential Uses) | Future Phase of the Reserve at Westridge Subdivision |
| East | “PD” – Planned Development District Ordinance No. 2006-04-044 (Single Family Residential Uses) | Future Phase of the Reserve at Westridge Subdivision |

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| West | “PD” – Planned Development District Ordinance No. 2006-04-044 (Single Family Residential Uses) | Future Phase of the Reserve at Westridge Subdivision |
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PROPOSED ZONING: The applicant has requested to zone the subject property to be consistent with the development regulations for the surrounding adjacent parcels within the existing Reserve at Westridge Subdivision (Parcels 11A10 and 1406). The requested zoning would allow the out parcel to develop as detached single family residential, following the attached proposed development standards. Staff understands the applicant’s desire to create continuity and consistency between the future surrounding adjacent neighborhoods and the subject property; however, Staff is unable to support a density (4.67 dwelling units per acre) that exceeds the maximum allowed (up to 3.4 dwelling units per acre) per the Comprehensive Plan. With exception to the requested density, Staff is supportive of the remainder of the applicant’s requested special ordinance provisions, which are listed below:

1. The subject property shall develop in accordance Ordinance No. 1270, and as amended, except as follows:
 - a. The mean and median lot size shall be 7,200 square feet.
 - Within the Suburban Mix module, the Comprehensive Plan states that single family residential uses should generally maintain a mean and median lot size of a minimum of 7,200 square feet.
 - b. The subject property shall conform to the attached development standards.
 - The proposed development standards are designed to be similar to the surrounding zoning on the adjacent parcels within the Reserve at Westridge Subdivision (Parcels 11A10 and 1406). Staff feels that the proposed standards are generally consistent with the surrounding properties and are not opposed to the standards with exception to the request for a density higher than what the Comprehensive Plan allows, which is discussed in further detail below.
 - c. One hundred (100) percent of each elevation shall be finished with masonry materials, to include brick, stone, or synthetic stone. Walls provided in conjunction with an architectural element which is located above the roof line (example: walls for dormers or chimneys) may only be finished with brick, stone, synthetic stone, stucco, wood lap siding, vinyl siding, cast concrete modular siding (including cementitious fiber siding; i.e., Hardie Board or Hardiplank), or EIFS. Sheet siding fabricated to look like wood

lap siding is prohibited. The masonry percentage is to be calculated exclusive of doors and windows.

- Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance that states that no proposed PD District may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. The Ordinance goes on to state that exceptional quality may come in many forms including increased architectural standards.
- The Zoning Ordinance does not currently have architectural standards for single family detached residences. In an effort to increase the quality of the homes to be constructed on the subject property, the applicant has proposed that 100 percent of the structure shall be masonry, which Staff feels satisfies the above referenced ordinance requirement.

As a part of the above mentioned development standards, the applicant has requested an increase in the maximum allowed density, which Staff is recommending denial of.

- The applicant has requested that the maximum allowed density be increased from 3.2 dwelling units per acre to 4.67 dwelling units per acre. Within the Suburban Mix module, the Comprehensive Plan states that single family residential uses shall generally be 3.2 units per acre, with the ability to increase up to a maximum of 3.4 dwelling units per acre when urban design elements of the Comprehensive Plan are incorporated into the development. As such, Staff recommends denial of the request to go to 4.67 dwelling units per acre.

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 a suburban mix within a significantly developed area. The Comprehensive Plan lists factors to be considered when a zoning request is being considered within a significantly developed area:

- **Comprehensive Plan Goals and Objectives:** The proposed zoning 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”. Another goal of the Comprehensive Plan is accomplished through “Land Use Compatibility and Mix” by creating a “mix of land uses that provides for various lifestyle choices”.

- Impact on Infrastructure: The Future Land Use Plan (FLUP) designates the subject property generally for residential within a significantly developed area. The water master plan, sewer master plan, and master thoroughfare plan are all based on the anticipated land uses as shown on the Future Land Use Plan. The proposed zoning of the subject property to residential uses conforms to the Future Land Use Plan, and should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area.
- Impact on Public Facilities/Services: Similar to infrastructure, public facilities and services are all planned for based on the anticipated land uses shown on the Future Land Use Plan. The Future Land Use Plan (FLUP) designates the subject property generally for residential. The proposed zoning request does not alter the projected land use and, thus, should have a minimal impact on public facilities and services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for similar residential uses. The proposed zoning request will not alter the land use from what has been planned for the subject property. Because the subject property and adjacent land uses are both planned for residential uses, Staff is of the opinion the requested provisions will be compatible with existing and future development within the area.
- Fiscal Analysis: The attached fiscal analysis shows a negative net cost benefit of \$8,415 using the full cost method for a total of 3.00 acres of single family residential use. This negative fiscal impact is based on the property going from an unzoned property to a single family residential zoning designation.

The full cost method of calculating public service cost is useful for citywide modeling and forecasting. This method takes the entire city budget into account, including those costs that cannot be attributed to any one project such as administrative costs and debt service on municipal bonds. Because the full cost method takes into account all costs, it is useful in tracking the city budget to determine if the citywide tax revenue is sufficient to pay for the operating costs of the city.

- Concentration of a Use: The proposed zoning request should not result in an over concentration of residential land uses in the area as the proposal is in conformance with the Future Land Use Plan and the surrounding adjacent properties are zoned and being developed for residential uses.

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.