

**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 “AG” – Agricultural District, “RS 60” – Single Family Residence District, and “PD” – Planned Development District to “PD” – Planned Development District, Generally for Single Family Residential Uses, Located Approximately 250 Feet East of Graves Street and on the South Side of Rockhill Road

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the February 16, 2016 meeting.

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

1. The subject property shall develop in conformance with the attached development regulations.

**APPLICATION SUBMITTAL DATE:** April 27, 2015 (Original Application)  
May 18, 2015 (Revised Submittal)  
June 1, 2015 (Revised Submittal)  
June 9, 2015 (Revised Submittal)  
June 30, 2015 (Revised Submittal)  
September 29, 2015 (Revised Submittal)  
October 19, 2015 (Revised Submittal)  
October 26, 2015 (Revised Submittal)  
November 17, 2015 (Revised Submittal)  
November 23, 2015 (Revised Submittal)  
January 6, 2016 (Revised Submittal)  
January 11, 2016 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 12.05 acres of land from “AG” – Agricultural District, “RS 60” – Single Family Residence District, and “PD” – Planned Development District to “PD” – Planned Development District, generally for single family residential uses. More specifically, the proposed rezoning request

modifies the density and front yard setback, and provides architectural standards, discussed in further detail below.

On June 23, 2015, the Planning and Zoning Commission voted 6-0-0 to close the public hearing and table the item indefinitely per the applicant’s request.

On December 8, 2016, several residents spoke on behalf of a large number of the audience in opposition to the request, citing drainage issues, traffic problems, grading discrepancies, lack of a layout, submittal and document issues with City, density, invasion of privacy, declining property values, and more (see PZ Minutes, attached). The Planning and Zoning Commission voted 6-0-0 to close the public hearing, and voiced concerns about the density, and expressed a desire to see a preliminary layout. The Commission voted 5-1-0 to table the item to the January 26, 2016 meeting to give the applicant time to address these issues.

**ZONING:**

<b>Location</b>	<b>Zoning District (Permitted Land Uses)</b>	<b>Existing Land Use</b>
Subject Property	“AG” – Agricultural District (Agricultural Uses), “RS 60” – Single Family Residence District (Single Family Residential Uses), and “PD” – Planned Development District Ordinance No. 1498 (Residential Uses)	Single Family Homes and Undeveloped Land
North	“PD” – Planned Development District Ordinance No. 2000-08-058 (Single Family Residential Uses)	First Baptist Church of McKinney
South	“PD” – Planned Development District Ordinance No. 1498 (Residential Uses)	Hillcrest Christian Church and Community Life Church of Collin County
East	“RS 60” – Single Family Residence District and “PD” – Planned Development District Ordinance No. 2004-08-087 (Single Family Residential Uses)	Chapel Hill Subdivision and Single Family Homes
West	“PD” – Planned Development District Ordinance No. 1498 (Residential Uses) and “O” – Office District (Office Uses)	McKinney Bible Church and Undeveloped Land

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property to “PD” – Planned Development District generally for single family residential uses. The proposed development standards would generally follow “SF5” – Single Family Residential District, with modifications to the density and front yard setback.

	“SF5” District	Previous Request	Current Request
Minimum lot size	5,000 SF	5,500 SF	5,000 SF
Minimum mean lot area	7,200 SF	6,509 SF	7,200 SF
Minimum median lot area	7,200 SF	6,995 SF	7,200 SF
Maximum height	35’	38’	35’
Minimum front yard setback*	20’	15’	15’
Maximum density	3.2 du/ac	4.9 du/ac	4.48 du/ac
Encroachment zone**	10’	3’	3’

\*Garages shall be set back a minimum of 20’ from the property line

\*\*Area between the front yard setback line and property line into which building features may extend

The applicant has indicated in their intentions to develop a neighborhood that will blend with the surrounding newer neighborhood to the east as well as the older, Town Center neighborhoods to the north. Accordingly, the applicant has proposed that in order to satisfy the PD provision ensuring exceptional quality or innovation, each home built on the subject property shall follow one of four architectural styles (Victorian, Cottage, Colonial, or Craftsman), which will be dispersed throughout the development. Additionally, the City’s Historic Preservation Officer will review each elevation to ensure that all homes feature at least three (3) key elements of the chosen style.

Given that the Future Land Use Plan (FLUP) designates the property for medium density residential uses, and the surrounding and adjacent properties are designated or zoned for similar residential uses, Staff feels that the proposed rezoning request will be compatible with existing and future adjacent and surrounding uses, and as such, recommends approval of the proposed rezoning request.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for medium density residential and low density residential uses. The FLUP modules diagram designates the subject property as Town 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 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 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 similar residential uses and as such should remain compatible.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base residential zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 55 is currently comprised of approximately 51.9% residential uses and 48.1% non-residential uses (including commercial, mixed-use, institutional and agricultural uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 55 are comprised of approximately 44.7% from residential uses and 55.3% from non-residential uses (including commercial, mixed-use, institutional and agricultural uses). Estimated tax revenues by type in Module 55 are comprised of approximately 59% ad valorem taxes and 41% 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 two letters and a petition in opposition to this request, and three letters of support.

**ATTACHMENTS:**

- PZ Minutes 12.08.16
- PZ Minutes 06.23.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Letters of Support
- Letters of Opposition
- Petition of Opposition
- Citizen Response to PZ Minutes 12.08.16
- Comprehensive Plan Maps
- Land Use and Tax Base Summary
- Existing “PD” – Planned Development District Ordinance No. 1498
- Proposed Renderings – Informational Only

- Proposed Zoning Exhibit – Development Regulations
- PowerPoint Presentation