

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Steven Duong, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of George, Gupta, & Joshi, L.L.C., for Approval of a Request to Rezone Fewer than 3 Acres from "PD" – Planned Development District to "PD" – Planned Development District, Generally to Modify the Development Standards, Located Approximately 740 Feet South of Eldorado Parkway and on the West Side of Hudson Crossing

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the August 4, 2014 meeting.

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

1. The use and development of the subject property shall develop in accordance with the "PD" – Planned Development District Ordinance No. 98-11-59, except as follows:
 - a. For a daycare center use, there shall be no maximum number of children that can be served.

APPLICATION SUBMITTAL DATE: June 9, 2014 (Original Application)

ITEM SUMMARY: The applicant is requesting to rezone approximately 2.00 acres of land, located approximately 740 feet south of Eldorado Parkway and on the west side of Hudson Crossing from "PD" – Planned Development District to "PD" – Planned Development District, in order to remove the maximum limit of children that can be served at the existing daycare center (Wonderland Montessori Academy). Per the governing ordinance (PD #98-11-59), a maximum of one hundred (100) children can be served. The applicant is now requesting to remove this limitation for expansion of the facility.

On July 8, 2014, the Planning and Zoning Commission tabled the item until the July 22, 2014 meeting due to a noticing error.

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. 98-11-59 (Office Uses)

North	"PD" – Planned Development District Ordinance No. 98-11-59 (Office Uses)	Future Hudson Crossing Office Condos Phase 2 (13-059SP)
South	"PD" – Planned Development District Ordinance No. 98-11-59 (Multi Family Residential Uses)	Eldorado Villas Apartments
East	"PD" – Planned Development District Ordinance No. 99-05-44 (Single Family Residential Uses) and "PD" – Planned Development District Ordinance No. 2003-05-041 (Retail and Office Uses)	Boardwalk Subdivision and Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 98-11-59 (Multi Family Residential Uses)	Eldorado Villas Apartments

PROPOSED ZONING: The applicant is requesting to rezone the subject property from "PD" – Planned Development District to "PD" – Planned Development District, in order to remove the maximum limit of children that can be served at the existing daycare center.

The current zoning on the subject property ("PD" – Planned Development District Ordinance No. 98-11-59) sets up development regulations generally for office uses and also allows a daycare use with a specific provision that limits the number of children served by a daycare center to one hundred (100) when located adjacent to a collector street (Hudson Crossing). This provision was originally established to minimize the potential for traffic and congestion on smaller roadway sections.

The applicant is requesting that this limitation be removed and has provided Staff with a supporting Traffic Impact Analysis (TIA) report (see attached) which concludes, "...with the proposed expansion of the daycare, Hudson Crossing is not expected to drop the city's acceptable LOS "D" and the traffic volumes in proposed conditions are expected to be within the city's acceptable traffic volumes range."

After evaluating the TIA, the City's Engineering Department has indicated that the removal of the child limitation along Hudson Crossing is acceptable, and they do not foresee any capacity issues with parking, drop-off lanes, and general traffic during peak hours for the existing daycare facility. As such, Staff has no concerns over the request and recommends approval to remove the limitation on the number of children served at the existing daycare center.

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 suburban 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 “A Managed Traffic Flow and Thoroughfare System” through the stated objective of the Comprehensive Plan, “Chose levels of service for public thoroughfare systems”.
- **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 should have a minimal 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 office, commercial, and residential uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property and will remain compatible with the existing and future adjacent land uses.
- **Fiscal Analysis:** Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base zoning designation of the subject property.
- **Concentration of a Use:** The proposed rezoning request should not result in an over concentration of daycare uses in the area.

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:

- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Existing “PD” – Planned Development District Ordinance No. 98-11-59
- Proposed Zoning Exhibit – Boundary Exhibit
- Applicant’s Traffic Impact Analysis - Informational Only
- PowerPoint Presentation