

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Michael Quint, Senior Planner

FROM: Abra R. Nusser, Planner

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Rockbrook Development, L.L.C., for Approval of a Request to Rezone Approximately 0.16 Acres from “BN” – Neighborhood Business District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the Northeast Corner of Tennessee Street and Walnut Street.

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the December 6, 2011 meeting.

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

1. Use and development of the subject property (0.16 acres), which is more fully depicted on Exhibit A, shall be zoned “PD” – Planned Development District and shall conform to the following special ordinance provisions:
 - a. The subject property shall conform to the attached site layout (Exhibit B).
 - b. The subject property shall generally conform to the attached elevations exhibit (Exhibit C).
 - c. One non-illuminated sign shall be allowed per townhome unit; attached below the second story windows, above the front door, on the west side of each townhome unit. The sign must comply with one of the following:
 - One projecting (blade) sign with a maximum size sign face of four square feet (24” x 24”) displayed with a wrought iron hanging element. Maximum projection of signs shall be three feet from the face of the building. The sign shall be similar to the signs depicted in Exhibit D – Projecting Sign Examples. OR
 - One attached wall sign with a maximum size sign face of four square feet (24” x 24”), flat against the face of the building, with a maximum projection of six inches.

APPLICATION SUBMITTAL DATE: September 12, 2011 (Original Application)
October 10, 2011 (Revised Submittal)
October 24, 2011 (Revised Submittal)
November 3, 2011 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 0.16 acres of land, located on the northeast corner of Tennessee Street and Walnut Street from “BN” – Neighborhood Business District to “PD” – Planned Development District, generally to modify the development standards. The proposed planned development district reflects the applicant’s intent to construct a townhome building with four townhome units. The proposed single family residential attached use is allowed by right per the governing zoning district, but the applicant is rezoning to modify the development standards as discussed herein.

PLATTING STATUS: The subject property is currently platted as Lot 2D, Block 20 of the Shorts Addition. The applicant has submitted an associated preliminary-final replat (11-141PFR) reflecting the proposed lot configuration which is currently under review by Staff. A record plat or plats, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a building permit.

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: “BN” – Neighborhood Business District

North	“BN” – Neighborhood Business District	Single Family Residential Home
South	“BN” – Neighborhood Business District	Single Family Residential Home
East	“BN” – Neighborhood Business District	Single Family Residential Home
West	“BN” – Neighborhood Business District	Single Family Residential Homes

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “BN” – Neighborhood Business District to “PD” – Planned Development District, generally to modify the development standards. As stated above, the proposed single family residential attached use is allowed by right per the governing zoning district, but the applicant is rezoning to modify the development standards. The applicant intends to construct a building containing four, three-story townhome units (Kathryn Commons) in

a neighborhood with existing single family homes within the Town Center Study area should the proposed rezoning request be approved.

A main goal of the Comprehensive Plan is to provide a “Well Planned Future” through the stated objective of “Detailed Area Studies to Support the Comprehensive Plan.” City Council approved the Town Center Study (TCS) Phase One Report in March 2008, and Phase Two of the Initiative is currently underway. The Town Center Study is an extension of McKinney’s 2004 Comprehensive Plan. It serves as a means by which potential policies and ordinances can be evaluated, recommended, and implemented in order to realize the goals and objectives expressed in the Comprehensive Plan and as outlined in the Town Center Study Initiative. The subject property is located within the Town Center Study area and, more specifically, outside of the Historic Preservation Overlay District but within the Kentucky and Tennessee Street Corridor of the Town Center Study Initiative. The Phase One Report provides a community-based vision to strategically redevelop and sustain the older sections of McKinney.

Section 4 of the Town Center Study Phase One Report reflects a key concept of the vision, “Tennessee/Kentucky Streets: Encourage Transitional Redevelopment,” which discusses the mix of older and historic homes and eclectic commercial uses as they relate to infill growth and could be applied to the proposed townhome project (Kathryn Commons):

“To specifically address the narrow block condition between Kentucky and Tennessee Street, a prototype townhome development has been conceived. This concept could be backed up internally, providing good frontage on both Kentucky and Tennessee Streets. The building type on Tennessee Street could also be designed as a live-work unit to take advantage of the more commercial environment along that street. Parking would be provided internally at the back of the buildings with access at the ends of the blocks on the perpendicular streets.”

Kathryn Commons reflects this vision from the TCS Initiative since it is a townhome development utilizing the frontage on Tennessee Street within the TCS area with small, tasteful signage available to home occupations should they be desired by the residents (i.e. live-work). Home occupations would allow each townhome unit’s residents to have a business out of their home as described in Section 146-133 (Accessory Buildings and Uses) of the Zoning Ordinance. Examples of uses that would be allowed as home occupations would be an office of an accountant, an author, or a tailor. Prohibited uses in a home occupation would be things like an animal hospital, a welding shop, or a dentist’s office.

Per the Zoning Ordinance, home occupations are not allowed to have signage, and per the Signage Ordinance they are only allowed a two square-foot nameplate with certain requirements applicable. The Signage Ordinance allows comprehensive sign packages to be approved through the planned development district rezoning process. The applicant is requesting to allow one non-illuminated sign on each townhome unit, with a maximum size of sign face of four square feet (24” x 24”) attached below the second story windows, above the front door, on the west side of each townhome unit as

specified above. Staff is comfortable with the proposed home occupation and signage regulations due to the live-work nature of the project that is consistent with the vision outlined in the TCS Initiative Phase One Report.

The proposed zoning exhibits reflect reduced lot widths, setbacks, and parking requirements. Whereas two covered or enclosed parking spaces are typically required for each single family attached dwelling, the proposed townhomes will have a one and one half car garage on the first floor. Staff feels that with the garage and the on-street parking available on Tennessee and Walnut Streets that the intent of the parking requirement within the Town Center Study area will be satisfied. The reduced lot widths and setbacks should not adversely affect the surrounding properties or area, and Staff is comfortable with the proposed modifications. The proposed project also reflects an increase in allowed height by two feet, four inches (2'4"). Staff is comfortable with this modification as well and feels that it should not adversely affect the surrounding properties or area.

Staff feels that this project is directly in keeping with the Town Center Study Initiative and recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for neighborhood business uses. The Future Land Use Plan 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 Comprehensive Plan Goals and Objectives. A main goal of the Comprehensive Plan is to provide “Land Use Compatibility and Mix” through the stated objectives of “Land Use Patterns that Complement One Another” and “Land Use Patterns that Address Appropriate Transition and Mix of Uses.” The Goals and Objectives also discuss the “Preservation of Historic McKinney” and providing a “Well Planned Future.” Staff feels that all of these goals and objectives can be accomplished by the proposed rezoning request.
- **Specific Area Plan or Studies:** The subject property is located within the Town Center Study area and, more specifically, outside of the Historic Preservation Overlay District but within the Kentucky and Tennessee Street Corridor. Staff feels that the proposed rezoning request is consistent with the Town Center Study Initiative and is an important project for the redevelopment of the Town Center Study area as detailed above. With the continued growth and renewal of the general downtown area, Staff will continue to look at the relationship between current citywide development standards and redevelopment standards in the more established areas of the City.
- **Impact on Infrastructure:** The Future Land Use Plan designates the subject property generally for neighborhood business uses. 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. Since the proposed single family residential use is currently allowed in the Neighborhood Business District, the proposed rezoning request should have a minimal impact on infrastructure.

- Impact on Public Facilities/Services: Similar to infrastructure, public facilities and services such as schools, fire and police, libraries, parks and sanitation services are all planned for based on the anticipated land uses shown on the Future Land Use Plan. The Future Land Use Plan designates the subject property generally for neighborhood business uses. The proposed rezoning request does not propose to alter the allowed uses on the subject property and should not have any 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 single family residential uses. The proposed rezoning request does not propose to alter the allowed uses on the subject property, and it should be compatible with existing and potential adjacent land uses.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the proposed rezoning request does not propose to alter the allowed uses on the subject property.
- Concentration of a Use: The subject property is currently undeveloped land within a residential neighborhood near McKinney's downtown. The proposed rezoning request does not propose to alter the allowed uses on the subject property and should not result in an overconcentration of 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 one letter in support of the proposed rezoning request, and it is attached for reference. Staff has received no comments in opposition to the request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Letter of Support
- Proposed Zoning Exhibit – Site Layout
- Proposed Zoning Exhibit – Elevations
- Proposed Zoning Exhibit – Projecting Sign Examples
- PowerPoint Presentation