

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Brandon Opiela, Planning Manager

**FROM:** Samantha Pickett, Planner II

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, P.C., on Behalf of VCIM Partners, L.P., for Approval of a Request to Rezone Fewer than 6 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 Approximately 355 Feet East of Custer Road and on the South Side of Collin McKinney Parkway

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the August 19, 2014 meeting.

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

1. The use and development of the subject property shall follow the rules and regulations of Section 146-109 (“SO” – Suburban Office District) of the Zoning Ordinance.
2. The use and development of the subject property shall not be subject to Appendix B-2 (Regional Employment Center – Overlay Urban Design Standards) of the Zoning Ordinance.
3. The development of the subject property shall generally conform to the character of the attached building elevations.

**APPLICATION SUBMITTAL DATE:** June 23, 2014 (Original Application)  
July 7, 2014 (Revised Submittal)  
July 17, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 5.45 acres of land, located approximately 355 feet east of Custer Road and on the south side of Collin McKinney Parkway, 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 to allow for a suburban office development.

**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. 2003-05-050 (Commercial Uses), “PD” – Planned Development District Ordinance No. 2005-06-066 (Mixed Uses), “PD” – Planned Development District Ordinance No. 2006-02-018 (Commercial Uses), and “REC” – Regional Employment Center Overlay District

North	“PD” – Planned Development District Ordinance No. 2003-05-050 and “REC” – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
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South	“PD” – Planned Development District Ordinance No. 2014-01-002 and “REC” – Regional Employment Center Overlay District (Multi-Family Residential and Single Family Residential Uses)	Undeveloped Land
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East	“PD” – Planned Development District Ordinance No. 2003-05-050 (Commercial Uses), “PD” – Planned Development District Ordinance No. 2005-06-066 (Mixed Uses) and “REC” – Regional Employment Center Overlay District	Undeveloped Land
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West	“PD” – Planned Development District Ordinance No. 2003-05-050, “PD” – Planned Development District Ordinance No. 2006-02-018 and “REC” – Regional Employment Center Overlay District (Commercial Uses)	Undeveloped Land
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**PROPOSED ZONING:** The applicant is requesting to rezone the subject property, “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, generally for commercial uses, to “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, generally for office uses. In an

effort to clarify the multiple zoning designations on the property, the applicant is requesting that the property develop according to the rules and regulations of Section 146—109 “SO” – Suburban Office District.

On May 20, 2014, the City Council adopted changes to the “REC” – Regional Employment Center Overlay District to allow properties within the overlay to develop either in an urban (as prescribed by the REC) or suburban manner. The applicant intends to construct the office development in a more traditional or suburban manner and, as such, has requested to remove the REC requirements for the subject property (including a minimum two-story height requirement along Collin McKinney Parkway). Being that the subject property is located on the periphery of the REC, and is located just north of a proposed single family and multi-family residential development; Staff is not opposed to a single-story office development in this location.

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, the applicant has provided general character elevations for the subject property to which buildings on the subject property must conform. Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance requires a minimum of 50% masonry materials per wall; however, the proposed character elevations show 100% masonry materials on the building. As the proposed character elevations exceed the minimum requirements of the Zoning Ordinance, Staff feels that the PD requirement to ensuring exceptional quality for the development has been satisfied.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for commercial and mixed 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 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” through the objective “Land use patterns that optimize and balance the tax base of the City”.
- **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 to the north, east and west of the subject property are zoned for similar non-residential uses. The proposed rezoning request will not alter the land use from what has been planned for the subject property, and as such will remain compatible with the surrounding properties.
- Fiscal Analysis: The attached fiscal analysis shows a negative cost benefit of \$123,224 using the full cost method. It should be noted; however, that the proposed office use is currently allowed within the existing zoning.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of office 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
- Fiscal Analysis
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Elevations
- PowerPoint Presentation