

PLANNING & ZONING COMMISSION MEETING OF 2-26-2013 AGENDA ITEM #13-014Z2

**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 Cross Engineering Consultants, on Behalf of Heritage Christian Church, for Approval of a Request to Rezone Less than 1 Acre, from "AG" – Agricultural District to "O-1" – Neighborhood Office District, Located on the Northwest Corner of Greenville Road and Airport Boulevard

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 5, 2013 meeting.

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

1. The subject property be used and developed in accordance with Section 146-87 (O-1 – Neighborhood Office District) of the Zoning Ordinance, and as amended.

**APPLICATION SUBMITTAL DATE:** January 14, 2013 (Original Application)  
January 25, 2013 (Revised Submittal)

**ITEM SUMMARY:** The applicant is proposing to rezone approximately 0.80 acres of land, located on the northwest corner of Greenville Road and Airport Boulevard from "AG" - Agricultural District to "O-1" – Neighborhood Office District.

The applicant is proposing to construct a church on the subject property, as indicated in the letter of intent. Church uses are allowed by right within the "AG" – Agricultural District but the subject property does not meet the minimum lot size requirement (10 acres) to be platted for development within this district. The applicant is requesting to rezone to "O-1" – Neighborhood Office District in order to meet the minimum lot size requirement allowing for the construction of a church.

This item was tabled at the February 12, 2013 Planning and Zoning Commission meeting due to a noticing error.

**PLATTING STATUS:** The subject property is currently unplatted. 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 certificate of occupancy.

**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: "AG" – Agricultural District (Vacant Land)

North	"AG" – Agricultural District (Agricultural Uses)	Undeveloped Land
South	"AG" – Agricultural District (Single Family Residences) and "RS 60" – Single Family Residence (Single Family Residences)	Single Family Residences
East	"GC" – Governmental Complex (Government Uses)	Wastewater Lift Station at Robert Johnson Park
West	"AG" – Agricultural District (Single Family Residences)	Single Family Residences

Discussion: A church use is currently allowed within the "AG" – Agricultural District; however, due to the limited size of the lot and the minimum required lot area within this district, the rezoning request is necessary to develop the property for a church use.

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "AG" – Agricultural District to "O-1" – Neighborhood Office District. The applicant is requesting a rezone due to the fact that the property does not meet the minimum lot size requirement (10 acres) in order to plat the property for development within the "AG" – Agricultural District. The applicant has requested the property be rezoned to "O-1" – Neighborhood Office in order to meet the minimum lot size requirement and allow for the construction of a church on the property. As such, Staff recommends approval of the proposed zoning request.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for park/ open space uses because of the "AG" – Agricultural District zoning designation in place on the property when the Comprehensive Plan was amended in 2004. The FLUP modules diagram designates the subject property as open space 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 “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 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 rezoning request should have some impact on the existing and planned water, sewer and thoroughfare plans in the area. The Future Land Use Plan (FLUP) designates the subject property generally parks and open space, so any development on the property will create an increased impact on infrastructure.
- Impact on Public Facilities/Services: The Future Land Use Plan (FLUP) designates the subject property generally for parks and open space. Similar to infrastructure, the proposed rezoning request should have some impact on public services, such as schools, fire and police, libraries, parks and sanitation services. Public facilities and services are all planned for based on the anticipated land uses shown on the Future Land Use Plan; however a church should only create a minimal increase in the need for public facilities or services such as fire, police, and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for agricultural and residential uses. The proposed rezoning request alters the land use to a neighborhood office district. The applicant has indicated that the property will be developed as a church; however, zoning could also allow neighborhood office uses if a church is not developed on the property. Staff is of the opinion that a church use or other potential uses allowed by the requested district will be compatible with existing and future development within the area.
- Fiscal Analysis: The attached fiscal analysis shows a negative net cost benefit of \$315 using the full cost method. The negative fiscal impact is based on the property going from an agricultural zoning designation to an office zoning designation. As this calculation is based on a general office designation, if the property is used for a church use as proposed, the true cost benefit may differ.

The full cost method of calculation 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 to the city.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of office or church uses in the area. Currently, the surrounding properties are zoned for agricultural and residential uses within 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:**

- PZ Minutes 2.12.13
- Location Map and Aerial Exhibit
- Letter of Intent
- Fiscal Analysis
- Proposed Zoning Exhibit
- Powerpoint Presentation

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**Action:**