

PLANNING & ZONING COMMISSION MEETING OF 08-13-13 AGENDA ITEM #13-148Z

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Brandon Opiela, Planning Manager

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by 4th Avenue Investments, on Behalf of Irma Leigh Goleman, for Approval of a Request to Rezone Less than 1 Acre from "AG" – Agricultural District to "PD" – Planned Development District, Generally to Allow for Single Family Detached Residences and to Modify the Development Standards, Located Approximately 280 Feet North of Country Club Road and on the East Side of Nature Place

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the August 20, 2013 meeting.

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

1. The subject property develop in accordance with Section 146-71 "RS 84" – Single Family Residence District the Zoning Ordinance, and as amended, except as follows:
 - a. Setbacks on the subject property shall conform to the attached zoning exhibit.
 - b. Density of the subject property shall be a maximum of 2.4 dwelling units per acre.
2. Three 4" caliper canopy trees (providing at least two of the trees in the front yard) or two 6" caliper trees (providing at least one of the trees in the front yard) shall be provided for each residential lot.
3. The development of the subject property shall generally conform to the attached zoning exhibit.

APPLICATION SUBMITTAL DATE: July 18, 2013 (Original Submittal)

ITEM SUMMARY: The applicant is requesting to rezone the subject property (approximately 0.81 acres) from “AG” – Agricultural District to “PD” - Planned Development District to allow single family residential and to modify the development standards.

A previous zoning and rezoning request (12-199Z) was approved by City Council at the June 18, 2013 meeting for the property adjacent to the eastern and southern boundaries of the subject property. The subject property was intended to be a part of the above zoning and rezoning request (“PD” - Planned Development Ordinance No. 2013-06-057 - attached); however, due to a discrepancy in the zoning boundary attached to the ordinance, the subject property was not included.

This rezoning request will resolve the boundary issue and will allow the subject property to develop with the identical regulations governing the property to the east and south as originally intended for the future subdivision. The applicant is also utilizing the same lot layout exhibit used in the previous zoning and rezoning request.

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

North	“AG” – Agricultural District	The Heard Museum
South	“PD” – Planned Development District Ordinance No. 2013-06-057 (Single Family Residential Uses)	Undeveloped
East	“PD” – Planned Development District Ordinance No. 2013-06-057 (Single Family Residential Uses)	Undeveloped
West	“PD” – Planned Development District Ordinance No. 2006-07-089 (Single Family Residential Uses)	Serenity Subdivision

PROPOSED ZONING: The applicant is requesting to rezone approximately 0.81 acres from “AG” – Agricultural District to “PD” - Planned Development District generally to allow for single family residential uses and to modify the development standards. The applicant has requested the following special ordinance provisions:

1. The subject property develop in accordance with Section 146-71 “RS 84” – Single Family Residence District the Zoning Ordinance, and as amended, except as follows:

- a. Setbacks on the subject property shall conform to the attached zoning exhibit.
 - b. Density of the subject property shall be a maximum of 2.4 dwelling units per acre.
 - The applicant has attached a general layout of the proposed subdivision (which was also included in the previous zoning and rezoning request) and will follow the setbacks shown on the exhibit, which show a proposed front yard setback of 20 feet, and a rear yard setback of 15 feet.
 - The Comprehensive Plan states that the maximum allowed density for single family residence districts shall be 3.2 units an acre, and the applicant is proposing to reduce the maximum allowed density to 2.4 dwellings units per acre. As such, Staff is supportive of the proposed density.
 - The Comprehensive Plan also states that single family residential uses within the Suburban Mix module shall maintain a mean and median lot size of a minimum of 7,200 square feet. Per the attached Zoning Exhibit B, the applicant has proposed lot sizes ranging from approximately 13,633 square feet to 18,930 square feet.
2. Three 4" caliper canopy trees (providing at least two of the trees in the front yard) or two 6" caliper trees (providing at least one of the trees in the front yard) shall be provided for each residential lot.
 - Section 146-94 (PD - Planned Development District) of the City of McKinney's Zoning Ordinance states, "no proposed PD District ordinance may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. Exceptional quality or innovation could come in many forms including, but not limited to, enhanced landscaping, creative site or architectural designs, or some other innovative elements(s).
 - Section 146-135 (Landscape Requirements) of the Zoning Ordinance requires two 4" caliper canopy trees per residential lot (providing at least one of the trees in the front yard). The applicant is requesting to modify this requirement as a way to enhance the landscaping on each of the lots, thus satisfying the above mentioned requirement.
 3. The development of the subject property shall generally conform to the attached zoning exhibit.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) module 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 “Land Use Compatibility and Mix” through the stated objective of the Comprehensive Plan, “Land use patterns that complement one another”.
- 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 since the area is designated for suburban mix uses on the FLUP module diagram.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public facilities and services since the area is designated for suburban mix uses on the FLUP module diagram.
- Compatibility with Existing and Potential Adjacent Land Uses: The rezoning request proposes similar uses to the surrounding zoning and existing uses and thus should remain compatible with the existing or potential adjacent land uses.
- Fiscal Analysis: The attached fiscal analysis shows a negative net cost benefit of \$2,272 using the full cost method.

Concentration of a Use: The proposed rezoning request should not result in an over concentration of residential uses as it in conformance with the FLUP module diagram.

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 in support of or opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Fiscal Impact Analysis
- Planned Development Ordinance No. 2013-06-057
- Proposed Zoning Exhibit – Layout
- Proposed Zoning Exhibit – Boundary
- PowerPoint Presentation