

**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 a Request to Rezone Fewer than 26 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the South Side of Westridge Boulevard and Approximately 320 Feet West of Independence Parkway; and on the South Side of Westridge Boulevard and on the East Side of Coit Road

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the October 21, 2014 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 shall develop in accordance with “PD” – Planned Development District Ordinance No. 2001-08-087, except as follows:
  - a. The front yard setback for single family residential uses shall be twenty (20) feet.
  - b. The rear yard setback for single family residential uses shall be twenty (20) feet.
  - c. The single family residential uses on subject property shall develop in conformance with the attached Architectural and Site Standards.

**APPLICATION SUBMITTAL DATE:** August 11, 2014 (Original Application)  
August 28, 2014 (Revised Submittal)  
September 8, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone two tracts, totaling approximately 25.81 acres of land, the first tract is located on the south side of Westridge Boulevard and approximately 320 feet west of Independence Parkway; and the second tract is located on the south side of Westridge Boulevard and on the east

side of Coit Road, from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the front and rear setbacks.

On September 23, 2014, the Planning and Zoning Commission voted to continue the public hearing and table the item to the October 14, 2014 Planning and Zoning Commission meeting due to the zoning notification signs not being posted on the subject property within the required timeframe.

**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. 2001-08-087 (Commercial Uses)

North	“PD” – Planned Development District Ordinance No. 2001-02-024 (Commercial Uses) and City of Frisco	Construction Trailer and Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2001-08-087 (Multi-Family Residential Uses)	Heights at Westridge Phase I and Undeveloped Land
East	“PD” – Planned Development District Ordinance No. 2001-08-087 (Commercial and Single Family Residential Uses)	Eagles Nest at Westridge Phase 1B and Heights at Westridge Phase III
West	“PD” – Planned Development District Ordinance No. 2001-08-087 (Single Family Residential Uses) and City of Frisco	Heights at Westridge Phase I and Undeveloped Land

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the front and rear yard setbacks for single family residential uses within the Heights at Westridge development.

The property is currently zoned “PD” – Planned Development District for commercial uses with a base zoning of “C” – Planned Center District; however, the property allows for the development of single family residential uses. When developing single family residential uses within this district, the property shall follow the “RS 60” – Single Family Residence District setbacks and regulations, which has a front yard setback of 25 feet and rear yard setback of 25 feet. The adjacent properties to the south and west of the

first tract, and the south and east of the second tract are part of the same zoning (PD 2001-08-087) and neighborhood (The Heights at Westridge) as the subject property, and these adjacent lots utilize a 20-foot front yard and 20-foot rear yard setback. In an effort to develop in a manner more consistent with the adjacent residential properties, the applicant is requesting to reduce the front and rear yard setbacks to 20 feet. As the lot configuration, lot sizes, and street configuration will remain the same, Staff has no objections to the proposed rezoning request which allows for a slightly larger building footprint.

Additionally, Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance states that a PD Ordinance may not be approved without ensuring a level of exceptional quality or innovation for the design or development. To satisfy this requirement, the applicant has proposed architectural standards, mandating a minimum masonry (brick, stone, synthetic stone or stucco) percentage as well as additional required architectural features. Staff feels the proposed standards can have a positive impact on the quality of construction.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for commercial 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 “Land Use Compatibility and Mix” through the objective “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.
- **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 similar 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 existing and potential adjacent land uses.
- **Fiscal Analysis:** Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base commercial zoning of the subject property.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of single family residential land 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:**

- PZ Minutes 09.23.14
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Existing “PD” – Planned Development District Ordinance No. 2001-08-087
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Architectural and Site Standards
- PowerPoint Presentation