

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Senior Planner

FROM: Abra R. Nusser, Planner

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Cross Engineering Consultants, Inc., on Behalf of McKinney North Central Business Park, L.P., for a Request to Rezone Approximately 1.89 Acres from "PD" – Planned Development District to "PD" – Planned Development District, Generally to Allow for Open Storage, Located Approximately 400 Feet East of Graves Street and Approximately 500 Feet South of Corporate Drive.

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the February 1, 2011 meeting.

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 conform to "PD" – Planned Development District Ordinance No. 1563, except as follows:
 - a. Open storage shall be an allowed use on the subject property.
 - b. Portable storage containers shall be allowed to be stored on the subject property, not to exceed eight (8) feet in height, and shall be screened with a living plant screen of Nellie R. Stevens shrubs, spaced five (5) feet on center and a minimum of three (3) feet in height at the time of planting.
 - c. The screening of all other open storage items shall require a continuous and solid living screen with a minimum height of seven (7) feet or the screening device shall comply with Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, and as amended. All other open storage shall also be stacked no higher than one foot below the top of the screening wall or visual barrier.
 - d. The subject property generally develop according to the proposed zoning exhibit.

APPLICATION SUBMITTAL DATE: December 13, 2010 (Original Application)
December 27, 2010 (Revised Submittal)
January 3, 2011 (Revised Submittal)
January 5, 2011 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to rezone approximately 1.89 acres of land, located approximately 400 feet east of Graves Street and approximately 500 feet south of Corporate Drive from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow for open storage. The subject property is a portion of a site which has a large office/warehouse building with several loading bays on its north side. The open storage area is proposed on the north side of the building near the loading bays. The applicant has indicated that the initial materials stored in the area will be portable storage containers.

PLATTING STATUS: The subject property is currently platted as Lot 5R, Block E of the Bray Central Two Addition.

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. 1563 (Office and Light Manufacturing Uses)

North	“PD” – Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses)	Atmos Energy Service Center
	“PD” – Planned Development District Ordinance No. 2007-04-038	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses)	McKinney North Central Business Park (Several Office/Light Manufacturing Tenants)
East	“PD” – Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses)	McKinney North Central Business Park (Several Office/Light Manufacturing Tenants)
West	“PD” – Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses)	McKinney North Central Business Park (Several Office/Light Manufacturing Tenants)

PROPOSED ZONING: The applicant is proposing to rezone approximately 1.89 acres of land, located approximately 400 feet east of Graves Street and approximately 500 feet south of Corporate Drive from “PD” – Planned Development District to “PD” – Planned Development District, generally to allow for open storage. Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. The use and development of the subject property shall conform to “PD” – Planned Development District Ordinance No. 1563, except as follows:
 - a. Open storage shall be an allowed use on the subject property.
 - The governing planned development district prohibits open storage uses.
 - The applicant is proposing to utilize a portion of the McKinney North Central Business Park for open storage uses for future office/warehouse tenants in the existing building. The proposed open storage area is located on the north side of the building and adjacent to other properties zoned similarly for office/industrial uses. It is important to note that the north side of the property contains required parking areas and loading spaces for the site, as well as a fire lane and required landscape areas that cannot be utilized for the open storage area, and thus are shown on the proposed zoning exhibit in light gray. The applicant is requesting the ability to utilize the light gray areas for open storage in the future if a revised site plan for McKinney North Central Business Park is submitted and approved reflecting the removal of excess parking and/or loading spaces for the existing structure based on the uses in the building at that time.
 - Staff is comfortable with allowing open storage on the subject property as proposed and feels that it will have no adverse impact on current or future development or on surrounding land uses.
 - b. Portable storage containers shall be allowed to be stored on the subject property, not to exceed eight (8) feet in height, and shall be screened with a living plant screen of Nellie R. Stevens shrubs, spaced five (5) feet on center and a minimum of three (3) feet in height at the time of planting.
 - Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance requires all open storage of materials, equipment, or commodities to be screened from view from all streets. It also stipulates that materials, equipment, or commodities shall be stacked no higher than one foot below the top of the screening wall or visual barrier.

- In order to openly store portable storage containers (no greater than 8 feet in height), the applicant has requested to provide a living plant screen consisting of Nellie R. Stevens Holly evergreen shrubs, minimum three feet tall at the time of planting, spaced no more than five feet on center. As shown on the attached exhibit, the proposed living plant screen would extend along the northern property line from the eastern boundary to the existing seven-foot tall masonry wall on the adjacent property to the north (approximately 600 feet). Nellie R. Stevens Hollies can grow up to 18 feet in height and up to 10 feet in width, providing a continuous and solid, evergreen screening device.
 - Staff is comfortable with the proposed living screen for the portable storage containers and feels that it will not only make a positive contribution to the aesthetics of the site by providing a substantial amount of landscaping, but it will provide adequate screening of the storage area as well as the existing loading and service areas which are currently visible from Corporate Drive.
- c. The screening of all other open storage items shall require a continuous and solid living screen with a minimum height of seven (7) feet or the screening device shall comply with Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, and as amended. All other open storage shall also be stacked no higher than one foot below the top of the screening wall or visual barrier.
- If the living plant screen has not yet reached a minimum height of 7 feet and/or has not yet grown into a continuous and solid screen, a tenant storing any commodity other than portable storage containers will be required to provide an acceptable screening device adjacent to said storage as required in Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance.
 - The applicant has proposed that all other items to be openly stored be stacked no higher than one foot below the top of the screening wall or visual barrier as required by Section 146-132 (Fences, Walls, and Screening Requirements) of the Zoning Ordinance, and as amended.
 - Given the appearance of the portable storage containers Staff is comfortable with screening the portable storage containers with a living screen that will mature in time; however, Staff has concerns that other potential materials, equipment, or commodities which may be stored on the site in the future would require a solid screening device consisting of either a masonry wall, wrought iron fence with living screen, or living screen that has reached maturity.

This provision will ensure that any item other than portable storage containers will be adequately screened at the time they are installed.

- d. The subject property generally develop according to the proposed zoning exhibit.
 - The proposed zoning exhibit shows current site features, proposed areas of open storage, and the proposed living screen.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for office uses. The FLUP Modules Diagram designates the subject property as Industrial. The Comprehensive Plan lists factors to be considered when a rezoning 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 rezoning request 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 “Retention and Expansion of Existing Businesses.” Another goal of the Comprehensive Plan is accomplished through “Land Use Compatibility and Mix” by providing “Land Use Patterns that Complement One Another.”
- **Specific Area Plans or Studies:** There are no specific area plans or studies on the subject property.
- **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 Future Land Use Plan Modules Diagram designates the subject property as Industrial in a significantly developed area. The proposed rezoning request does not significantly alter the land use and 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 should have a minimal impact on public services, such as schools, fire and police, libraries, parks and sanitation services. The Future Land Use Plan Modules Diagram designates the subject property as Industrial in a significantly developed area. Similar to infrastructure, the public facilities and services are all planned for based on the anticipated land uses as shown on the Future Land Use Plan. The requested zoning change would allow what is essentially an accessory use to those allowed within the module and the current Planned Development District. Therefore, the proposed rezoning should have a minimal impact on public services, such as schools, fire and police, libraries, and sanitation services.

- Compatibility with Existing and Potential Adjacent Land Uses: The proposed land use would be compatible as an accessory use to the light manufacturing, warehouse, and office uses which characterize the area. The location of the proposed storage area is away from public streets and is not in close proximity to any residential uses. In addition, since the applicant is proposing screening for the open storage as required by the Zoning Ordinance, these factors should mitigate any potential negative impacts of the proposed rezoning request.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the proposed rezoning request does not alter the base light manufacturing zoning district or primary use of the subject property.
- Concentration of a Use: The proposed additional land use would be slightly less than two acres in size. Since open storage is not allowed by right in the governing planned development district, the subject property would be one of the few properties within the 290-acre area to have the use allowed. A similar open storage rezoning request was approved in 2007 for approximately one acre, adjacent to a portion of the subject property on its north side; that land remains undeveloped. The resulting concentration of open storage uses would be minimal.

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](#)
- [Aerial Exhibit](#)
- [Letter of Intent](#)
- [Property Owner Notice](#)
- [Property Owner Notification List](#)
- [Existing "PD" – Planned Development District Ordinance No. 1563](#)
- [Proposed Zoning Exhibit](#)
- [Planning and Zoning Commission PowerPoint Presentation](#)

Action: