

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Michael Quint, Senior Planner

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Rick Jones Company, L.L.C., on Behalf of VCIM Partners, L.P., for Approval of a Request to Rezone Approximately 1.08 Acres from "PD" – Planned Development District, "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District, "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District, to Allow for a Canine Boarding Facility with Outside Runs, Located on the North Side of State Highway 121 (Sam Rayburn Tollway) and Approximately 1,960 Feet East of Alma Road.

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the June 5, 2012 meeting.

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

1. Use and development of the subject property shall conform to the regulations of "PD" – Planned Development District Ordinance No. 2004-12-123, except as follows:
 - a. An animal boarding facility with outside animal runs shall be an allowed use.
 - b. The design of the proposed building(s) on the subject property shall generally conform to architectural character reflected in the attached building elevations and shall satisfy the overarching architectural requirements of the REC Overlay District as well as Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance, and as amended.
 - c. A minimum of 75% stone masonry shall be required on each building elevation.

- d. A 6' tall pre-cast concrete screening wall designed to match the architecture of the building shall be required along the southern limits of any outside animal runs.

APPLICATION SUBMITTAL DATE: April 9, 2012 (Original Application)
April 27, 2012 (Revised Submittal)
April 30, 2012 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to rezone approximately 1.08 acres of land, located on the north side of State Highway 121 (Sam Rayburn Tollway) and approximately 1,960 feet east of Alma Road from "PD" – Planned Development District, "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District, "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District, to allow for a canine boarding facility with outside runs.

The applicant is proposing to develop dog boarding facility with a series of outside animal runs that will be located on the western portion of the subject property, adjacent to the approximately 110' wide drainage channel. To the east of these runs, the applicant is proposing to construct an approximately 5,000 square foot building. The applicant is also proposing to enclose the proposed outside runs with a series of screening walls. An associated site plan (12-089SP) has been submitted and is currently under review by Staff.

PLATTING STATUS: The subject property is currently platted as Lot 7, Block A of the Advantage-La Quinta Highway 121 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. 2004-12-123 (commercial uses), "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District

North	"PD" – Planned Development District Ordinance No. 2007-12-117 (commercial uses), "REC" – Regional Employment Center Overlay District, and "CC" – Corridor Commercial Overlay District	Advantage Self-Storage
South	City of Allen, TX	Undeveloped Land
East	"PD" – Planned Development District Ordinance No. 2004-12-123 (commercial uses), "REC" –	Undeveloped Land

Regional Employment Center Overlay District,
and “CC” – Corridor Commercial Overlay District

West	“PD” – Planned Development District Ordinance No. 2004-12-123 (commercial uses), “REC” – Regional Employment Center Overlay District, and “CC” – Corridor Commercial Overlay District	Drainage Channel
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PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District, and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District, “REC” – Regional Employment Center Overlay District, and “CC” – Corridor Commercial Overlay District, to allow for a canine boarding facility with outside runs.

The following special ordinance provisions are being proposed:

1. Use and development of the subject property shall conform to the regulations of “PD” – Planned Development District Ordinance No. 2004-12-123, except as follows:
 - a. An animal boarding facility with outside animal runs shall be an allowed use.
 - Currently, the Zoning Ordinance’s Schedule of Uses only allows animal boarding facilities with outside animal runs in the “AG” – Agricultural, “BC” – Commercial Business, “ML” – Light Manufacturing, and “MH” – Heavy Manufacturing Districts. The primary reason for locating outside runs on industrial tracts or large agricultural tracts is so that no other adjacent businesses or residents would be negatively impacted by the sound of animals.
 - That being said, the subject property is currently surrounded by a mini-warehouse facility, an approximately 110’ wide drainage channel, undeveloped commercial land, and State Highway 121. None of these uses should be negatively impacted by the proposed outside dog runs. Moreover, the main concern surrounding outside animal runs is the sound of animals, which in this case would likely be no more impactful on adjacent businesses than the sounds associated with a major regional highway (State Highway 121).
 - As such, Staff has no objection to the applicant’s request to allow an animal boarding facility with outside animal runs on the subject property.

- b. The design of the proposed building(s) on the subject property shall generally conform to architectural character reflected in the attached building elevations and shall satisfy the overarching architectural requirements of the REC Overlay District as well as Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance, and as amended.
- c. A minimum of 75% stone masonry shall be required on each building elevation.
- d. A 6' tall pre-cast concrete screening wall designed to match the architecture of the building shall be required along the southern limits of any outside animal runs.
 - Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance states that no proposed PD District Ordinance may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. The Zoning Ordinance goes on to state that 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 element(s).
 - In order to satisfy this requirement, the applicant has proposed special ordinance provisions b, c, and d. These proposed ordinance provisions should result in an appealing architectural aesthetic which adds to the quality of the built environment in the area. As such, Staff is comfortable supporting the proposed special ordinance provisions.

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 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 stated objective of the Comprehensive Plan, a "consider real estate market forces."
- **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 as the base zoning district is not being modified. The Future Land Use Plan

(FLUP) designates the subject property generally for commercial uses within a significantly developed 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 as the base zoning district is not being modified. Similar to infrastructure, public facilities and services are all planned for based on the anticipated land uses shown on the Future Land Use Plan.
- Compatibility with Existing and Potential Adjacent Land Uses: The subject property is currently surrounded by a mini-warehouse facility, an approximately 110' wide drainage channel, undeveloped commercial land, and State Highway 121. When the currently undeveloped commercial land is developed in the future, that property owner will be able to design their site so as to minimize any remaining possible impacts from the outside runs that have not already been eliminated by the applicant's development of the animal runs including the construction of a building and screening walls.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not modify the base zoning district on the subject property.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of 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 one email in support of this request. Staff has received no other comments or phone calls in support of or opposition to this request.

ATTACHMENTS:

- Location Map and Aerial Exhibit
- Letter of Intent
- Citizen Feedback
- Proposed Building Elevations
- PowerPoint Presentation