

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, Inc., on Behalf of R.D. Offutt Company, for Approval of a Request to Rezone Fewer than 11 Acres from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of U.S. Highway 75 (Central Expressway) and Wilmeth Road

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 18, 2014 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with Section 146-130 (Vehicle Parking), Section 146-135 (Landscape Requirements), and Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance.

However, the applicant is requesting approval of the following special ordinance provisions:

1. The development of the subject property shall generally conform to the attached site layout.
2. The subject property shall conform to the attached architectural elevations.
3. The use of gravel for tracked equipment, in conjunction with heavy machinery sales and service, shall be allowed as a paving material in the overnight vehicle storage area, without paved and striped spaces, in conjunction with the associated screening devices, as shown on the attached site layout.
4. The landscape buffers shall conform to the attached site layout.

5. The following special ordinance provisions from “PD” – Planned Development District Ordinance No. 2013-03-022 shall also apply:
 - a. Use and development of the subject property shall conform to the regulations of the “C” - Planned Center District, and “CC” – Corridor Commercial Overlay District, and as amended, except as follows:
 - i. Heavy machinery sales and service shall be a permitted use.
 - b. The orientation of overhead bay doors shall be allowed toward street frontage (Wilmeth Road), in conjunction with the associated screening devices, as shown on the attached site layout.
 - c. For heavy machinery sales and service use, the overnight vehicle storage area shall be screened as shown on the attached site layout.
 - d. The construction of the proposed building on the subject property shall achieve a Leadership in Energy and Environmental Design (LEED) certification.

APPLICATION SUBMITTAL DATE: January 31, 2014 (Original Application)
February 10, 2014 (Revised Submittal)
February 13, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 10.79 acres of land, located on the southeast corner of U.S. Highway 75 (Central Expressway) and Wilmeth Road, from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District, generally to modify the development standards.

The subject property was rezoned in March of 2013 generally to allow for heavy machinery sales and service uses. The applicant is requesting to rezone the property to modify some of the existing special ordinance provisions that govern the subject property. More specifically, the applicant is requesting to modify the existing approved site layout (expanding the building by 7,200 square feet and the site by approximately 3 acres), modify the architectural elevations, reduce a portion of the landscape buffer along Redbud Boulevard, and increase the size of the gravel overnight vehicle storage area.

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. 2013-02-022 and “CC” – Corridor Commercial Overlay District (Commercial Uses)

North	“C” – Planned Center District and “CC” – Corridor Commercial Overlay District (Commercial Uses)	QuikTrip Convenience Store and Gas Station
South	“PD” – Planned Development District Ordinance No. 1563 and “CC” – Corridor Commercial Overlay District (Office and Light Manufacturing Uses)	Eldorado Chevrolet
East	“PD” – Planned Development District Ordinance No. 1563 (Office and Light Manufacturing Uses)	Undeveloped Land
West	“C” – Planned Center District and “CC” – Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally to modify the development standards for the existing heavy machinery sales and service use. In March of 2013, the applicant received approval of a rezoning request for the subject property in order to allow for heavy machinery sales and service. In addition to the allowed use, the applicant also received approval of a site layout exhibit (including a gravel overnight storage area), architectural elevations, and modified screening including utilization of the existing tree line to the south as a screening device for the overhead bay doors. While the original request encompassed approximately 7 acres of a 10-acre tract, the applicant is now requesting to revise the site layout, elevations and overnight storage area to reflect a building and overnight storage area expansion that encompasses the entire 10 acres. Additionally, the applicant still intends to achieve Leadership in Energy and Environmental Design (LEED) certification in order to satisfy the provision of exceptional or innovative quality as stated in the original rezoning request. With this rezoning request, the applicant has requested modifications to three of the existing special ordinance provisions and are detailed further below.

The applicant has requested approval of modified architectural elevations. Staff feels that the modified elevations generally conform to the existing approved elevations (with the building expansion complementing the previously approved elevations); however, the applicant has slightly modified the western elevation with a decrease in masonry finishing materials (51% to 46% for the elevation) and an increase in metal finishing materials (10% to 16%). Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance states that architectural metal finishing materials may be used on up

to 10% of an exterior wall and, as such, Staff is unable to support the increase in metal finishing materials shown on the attached elevations.

Section 146-130 (Vehicle Parking) of the City of McKinney's Zoning Ordinance states that, "all required off-street parking, maneuvering, and loading areas shall be paved with concrete or asphaltic material in accordance with parking lot requirements in the city's design standards, except where another surface is approved through the site plan process for special loading/unloading operations such as storage or use of tracked equipment." The applicant has requested to increase the size of the overnight storage area from approximately 1.5 acres to approximately 3 acres, and that gravel shall be an allowed paving material for the entire area. While the previously approved overnight storage area may not have had adequate space for separate maneuvering areas and storage spaces, Staff feels that the increased in size of the overnight storage area to 3 acres provides the room necessary for a separate gravel area to accommodate the loading and unloading of tracked equipment, in conjunction with paved (concrete or asphalt) areas for the storage of the tracked equipment, and as such, Staff is not in support of the entire overnight storage area being covered with gravel material.

Additionally, Section 146-135 (Landscape Requirements) of the Zoning Ordinance requires that all non-residential parcels must have a minimum 20-foot landscape buffer where adjacent to a public right-of-way 60 feet wide or greater. The applicant is requesting to reduce the landscape buffer to approximately 10 feet along Redbud Boulevard (100' right-of-way) where adjacent to the existing detention pond, shown on the site layout. As detention areas are typically allowed within the landscape buffer, Staff feels that the required buffer could be provided if the fencing went around the north and west sides of the detention pond, rather than in front of it. As such, Staff is not in support of the reduction in landscape buffer.

It is important to note that the proposed building expansion and existing special ordinance provisions carried over from "PD" – Planned Development District Ordinance No. 2013-03-022 were not factors in Staff's recommendation of denial.

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 Commercial 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, particularly "Economic Vitality for a Sustainable and Affordable Community" through the stated objective of "Balanced commercial development along major highway corridors."

- 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 uses. The proposed rezoning request should not have negative impact on the surrounding adjacent properties.
- 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 commercial 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:

- Location Map and Aerial Exhibit
- Letter of Intent
- Existing “PD” – Planned Development District Ordinance No. 2013-03-022
- Proposed Zoning Exhibit – Metes and Bounds
- Proposed Zoning Exhibit – Site Layout
- Proposed Zoning Exhibit – Elevations
- PowerPoint Presentation