

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 Zone the Subject Property to “PD” – Planned Development District, Generally for Single Family Residential and Commercial Uses, Located on the East Side of State Highway 5 (McDonald Street) and on the South Side of County Road 278

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 7, 2015 meeting.

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

1. The subject property shall develop in accordance with the “PD” – Planned Development District, and as amended, except as follows:
 - a. The subject property shall develop in accordance with the attached General Development Plan Exhibit and Site Plan Exhibit.
 - b. Tracts designated as “Retail” on the attached exhibits shall develop in accordance with Section 146-84 (“BN” – Neighborhood Business District) of the Zoning Ordinance, and as amended.
 - c. Single family residential uses shall develop in accordance with the attached Site Plan Exhibit and Single Family Residential Architectural Design Requirements Exhibit.
 - d. No more than 204 single family lots shall be permitted north of the future east/west arterial roadway and no more than 655 single family lots shall be permitted south of the future east/west arterial roadway, further depicted on the attached Site Plan Exhibit.

APPLICATION SUBMITTAL DATE: January 26, 2015 (Original Application)
February 10, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to zone approximately 306.59 acres of land, generally for single family detached residential, neighborhood commercial, school, park, and open space uses. More specifically, the retail portion of the subject property shall develop in accordance with “BN” – Neighborhood Business District, while the single family detached residential portion of the subject property shall develop according to the lot sizes and space limits outlined on the attached Site Plan exhibit with additional architectural requirements. Please note that all of the requested development standards are in strict conformance with an associated pre-annexation agreement (see attached) executed in April of 2013.

The request for zoning will be forwarded to City Council for final consideration at the April 7, 2015 meeting along with the 3rd and final public hearing for the associated annexation case (15-028A3).

On March 10, 2015, the Planning and Zoning Commission voted 7-0-0 to continue the public hearing and table this item to the March 24, 2015 Planning and Zoning Commission meeting due to public hearing notification signs not being posted on the subject property in the timeframe required by the Zoning Ordinance. One resident spoke in opposition to the zoning request, with concerns regarding increased traffic along State Highway 5 (McDonald Street) (see attached minutes).

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	Unzoned (City of McKinney ETJ)	Undeveloped Land
North	Unzoned (City of McKinney ETJ)	Undeveloped Land
South	Unzoned (City of McKinney ETJ)	Undeveloped Land
East	Unzoned (City of McKinney ETJ)	Undeveloped Land

West	Unzoned (City of McKinney ETJ)	Undeveloped Land
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PROPOSED ZONING: The applicant is requesting to zone the subject property generally for single family detached residential and neighborhood commercial uses, in strict conformance with the approved pre-annexation agreement executed in April of 2013.

The pre-annexation agreement outlines that the single family detached residential portion of the subject property shall develop as one of four lot sizes (“RS-72”, 50’x115’, 60’x115’, or 65’x115’) with associated space limits, all of which are outlined on the attached Site Plan exhibit. These lot sizes are limited in number and location, with the majority of single family residential lots being located south of the future east-west arterial shown on the exhibit. Additionally, the single family residential units shall conform to a set of architectural regulations, which include minimum masonry percentages per elevation and a selection of architectural features. The retail portion of the subject property shall develop in accordance with “BN” – Neighborhood Business District and will be generally located along State Highway 5 or along the future major east-west arterial as shown on the attached exhibits.

Though the Future Land Use Modules Diagram designates the property as Regional Employment and Transit Village, through the pre-annexation agreement process, the property was determined to be appropriate for the proposed uses.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) Modules Diagram designates the subject property as Regional Employment and Transit Village within a minimally developed area; however, the executed pre-annexation agreement designates the area for retail, single family detached residential, school, park and open space uses. The Comprehensive Plan lists factors to be considered when a zoning is being considered within an undeveloped area:

- Conformance with Desired Land Use Mix: The proposed uses shown on the attached zoning exhibit are not included within in the modules for the subject property; however, these uses were approved with the associated pre-annexation agreement.
- Impact on Infrastructure: The proposed zoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area since the area is not currently designated for low density residential uses the FLUP module diagram.
- Impact on Public Facilities/Services: The proposed zoning request may have an impact on public facilities and services since the area is not currently designated for low density residential uses on the FLUP module diagram.

- Compatibility with Existing and Potential Adjacent Land Uses: Staff believes the zoning request will be compatible with the existing and potential adjacent properties currently shown on the Future Land Use Plan.
- Timing of Zoning Request: The proposed zoning request will not hinder or negatively impact the ability of the modules to develop as intended.
- Fiscal Analysis: The attached fiscal analysis shows a negative cost benefit of \$621,618 using the full cost method.

The attached “Land Use and Tax Base Summary” shows that Module 29 is currently comprised of approximately 0% residential uses, 0.1% non-residential uses (institutional) and 99.9% within the extraterritorial jurisdiction (ETJ). The proposed rezoning request will have an impact on the anticipated land uses in this module, increasing both the residential and non-residential components. With the exception of one tax exempt property, Module 29 is located almost entirely within the ETJ; as such, the City is not currently receiving Ad Valorem Tax Revenue and Sales and Use Tax Revenue within this module at this time.

The attached “Land Use and Tax Base Summary” shows that Module 57 is entirely (100%) within the extraterritorial jurisdiction (ETJ). The proposed rezoning request will have an impact on the anticipated land uses in this module, increasing both the residential and non-residential components. Module 57 is located entirely within the ETJ and; as such, the City is not currently receiving Ad Valorem Tax Revenue and Sales and Use Tax Revenue within this module at this time.

OPPOSITION TO OR SUPPORT OF REQUEST: At the March 10, 2015 Planning and Zoning Commission meeting, one resident spoke in opposition to the zoning request, with concerns regarding increased traffic along State Highway 5 (McDonald Street) (see attached minutes). Staff has received no other comments or phone calls in support of or opposition to this request.

ATTACHMENTS:

- PZ Minutes 03.10.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Fiscal Analysis
- Land Use and Tax Base Summaries
- Module 29 Tracking Sheet
- Module 57 Tracking Sheet
- Existing Pre-Annexation Agreement
- Proposed Zoning Exhibit – General Development Plan
- Proposed Zoning Exhibit – Site Plan
- Proposed Zoning Exhibit – Architectural Design Requirements

- PowerPoint Presentation