

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 the Subject Property from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the Southeast Corner of Rockhill Road and Wilson Creek Parkway

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the May 5, 2015 meeting.

STAFF RECOMMENDATION: Staff recommends approval of the proposed rezoning request with 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 development regulations.
 - b. The subject property shall generally develop in accordance with the attached concept plan.

APPLICATION SUBMITTAL DATE: December 15, 2014 (Original Application)
December 29, 2014 (Revised Submittal)
February 23, 2015 (Revised Submittal)
March 5, 2015 (Revised Submittal)
March 10, 2015 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 16.47 acres of land, from “PD” – Planned Development District, generally for multi-family residential uses, to “PD” – Planned Development District, generally to establish the standards necessary to allow for the development of a single-story, detached, multi-family residential development. More specifically, the applicant’s request includes, but is not limited to, modifying the setback, height, landscaping, architectural and screening requirements.

On January 13, 2015, the Planning and Zoning Commission voted 6-0-0 to table the item indefinitely per the applicant's request.

On March 24, 2015, the Planning and Zoning Commission voted 5-0-0 to table the item to the April 14, 2015 Planning and Zoning Commission meeting.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" – Planned Development District Ordinance No. 1498 and "PD" – Planned Development District Ordinance No. 1354 (Multiple Family Residential Uses)	Undeveloped Land
North	"PD" – Planned Development District Ordinance No. 1354 (Multiple Family Residential Uses), "RS-60" – Single Family Residence District (Single Family Residential Uses) and "PD" – Planned Development District Ordinance No. 2000-08-058 (Single Family Residential Uses)	Tuscany at Wilson Creek Apartments, Single Family Residences, and First Baptist Church
South	"PD" – Planned Development District Ordinance No. 1354 (General Residential Uses), "PD" – Planned Development District Ordinance No. 1705 (Assisted Living Uses) and "PD" – Planned Development District Ordinance No. 1498 (Multiple Family Residential Uses)	Trey more in McKinney Apartments, McKinney Retirement Housing Foundation, and Cedar Creek Village Apartments
East	"PD" – Planned Development District Ordinance No. 1498 (Duplex Residential Uses) and "PD" – Planned Development District Ordinance No. 1660 (Office Uses)	McKinney Bible Church and Undeveloped Land
West	"PD" – Planned Development District Ordinance No. 94-10-41 and "CC" – Corridor Commercial Overlay District (Commercial Uses)	Honda Cars of McKinney

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 development standards to allow for the development of approximately

161, single-story, detached, multi-family dwelling units. The applicant is requesting modified space limits, landscape requirements, screening devices, and architectural requirements. These regulations are detailed in the attached development regulations and concept plan.

The existing zonings on the property ("PD" Planned Development District Ordinance Nos. 1354 and 1498) allow multi-family residential uses with a density between 25 and 29 dwelling units per acre, and a maximum density of 20 dwelling units per acre, respectively. The applicant is proposing to unify the two zonings and reduce the density to a maximum of 12 dwelling units per acre.

In addition to the reduced density, the applicant is requesting to reduce the front yard setback along Wilson Creek Parkway from 35 feet to 25 feet; increase the landscape buffer along street frontages from 20 feet to 25 feet; reduce the interior landscape buffer from 20 feet to 10 feet; reduce the rear yard setback from 25 feet to 20 feet; and provide a 6' tall board-on-board fence with masonry columns along the interior property lines in place of a 6' tall solid masonry wall.

Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance states that no proposed PD District may be approved without ensuring a level of exceptional quality or innovation for the associated design or development. The applicant has proposed that all buildings on the subject property be 75% masonry (brick, stone, synthetic stone) per elevation, additional amenities are provided beyond those required by the Ordinance, an increase in the caliper size of all street trees from 4" to 5", and additional trail features along the City's hike and bike trail including signage, fitness stations, and a bench. Staff feels these additional features will enhance the property and help mitigate any impact of the setback and landscaping reductions.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for commercial and high density residential uses; however, the property has been zoned for multi-family residential uses since 1983. The FLUP modules diagram designates the subject property as Town 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 mix of land uses that provides for various lifestyle choices".
- **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 allowed land use is not being modified.

- 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 allowed land use is not being modified.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for multi-family residential, institutional and commercial uses and, as such, should remain compatible.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base multi-family residential zoning of the subject property.

The attached “Land Use and Tax Base Summary” shows that Module 27 is currently comprised of approximately 14.1% residential uses and 85.9% non-residential uses (including institutional uses). The proposed rezoning request will not have an impact on the anticipated land uses in this module. Estimated tax revenues in Module 27 are comprised of approximately 6.6% from residential uses and 93.4% from non-residential uses. Estimated tax revenues by type in Module 27 are comprised of approximately 39.5% ad valorem taxes and 60.5% sales and use taxes.

The attached “Land Use and Tax Base Summary” shows that Module 55 is currently comprised of approximately 51.9% residential uses and 47.9% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will not have an impact on the anticipated land uses in this module. Estimated tax revenues in Module 55 are comprised of approximately 44.7% from residential uses and 55.2% from non-residential uses. Estimated tax revenues by type in Module 55 are comprised of approximately 59% ad valorem taxes and 41% sales and use taxes.

- Concentration of a Use: The proposed rezoning request should not result in an over concentration of multi-family residential land uses in the area.

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 03.24.15
- PZ Minutes 01.13.15
- Location Map and Aerial Exhibit
- Letter of Intent
- Comprehensive Plan Maps
- Land Use and Tax Base Summaries
- Existing “PD” – Planned Development District Ordinance No. 1354

- Existing “PD” – Planned Development District Ordinance No. 1498
- Proposed Zoning Exhibit – Development Regulations
- Proposed Zoning Exhibit – Concept Plan
- Architectural Concepts – Informational Only
- PowerPoint Presentation