

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Michael Quint, Senior Planner

FROM: Anthony Satarino, Planner

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Gurpal Singh, for Approval of a Request to Rezone Approximately 1.01 Acres from "AG" – Agriculture District to "BG" – General Business District, Located on the South Side of U.S. Highway 380 (University Drive) and Approximately 2,200 Feet West of Bridgefarmer Road.

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the March 15, 2011 meeting.

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

1. The subject property develop in accordance with Section 146-83 "BG" – General Business District of the Zoning Ordinance.

APPLICATION SUBMITTAL DATE: January 24, 2011 (Original Application)

ITEM SUMMARY: The applicant is requesting to rezone approximately 1.01 acres of land, located on the South Side of U.S. Highway 380 (University Drive) and approximately 2,200 feet west of Bridgefarmer Road from "AG" – Agricultural District to "BG" – General Business. The applicant has not indicated any proposed uses or development plans for the subject property.

PLATTING STATUS: The subject property is currently unplatted. A record plat, subject to review and approval by the Director of Planning, must be filed for recordation with the Collin County Clerk, prior to issuance of a building permit.

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: “AG” – Agricultural District

North	ETJ	Warehouse uses
South	“AG” – Agricultural District	Undeveloped land
East	“AG” – Agricultural District	Single family residential use
West	“AG” – Agricultural District	Single family residential use

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “AG” – Agricultural District to “BG” – General Business district. Staff recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for airport industrial uses. The FLUP modules diagram designates the subject property as industrial within a minimally developed area. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within a minimal development area:

- **Conformance with Desired Land Use Mix:** The industrial module allows 20% (+/- 10%) of the module to develop as office space and 10% (+/- 5%) of the module to develop as retail space; both allowed uses under the proposed zoning request. The proposed zoning shown on the zoning exhibit is the first parcel to be rezoned within the designated module. Staff will begin tracking this new module to ensure all future zoning requests are within the allowable percentages for each land use in this module (see attached Module Tracking Spreadsheet).
- **Locational Criteria:** The uses proposed by this rezoning request are within the appropriate locations as shown on the FLUP modules diagram. Per the Comprehensive Plan, the industrial module establishes the following guidelines:
 1. The impact of potential industrial uses on adjacent existing residential uses and environmentally sensitive areas should be considered when determining the appropriate intensity of uses for particular areas;
 2. Buffers and screens are important components in industrial development patterns. They are used to minimize the adverse impacts of light, noise and views of truck traffic. They should be used in the planning for industrial development as needed;

3. Transportation networks should be well planned to ensure adequate/appropriate levels of service;
4. Public facilities can be planned as an amenity for this module. These areas can be the focus for planning and site organization. This planning will allow pedestrian linkages to and from public facilities and the adjacent development; and
5. Open space should be used as an amenity for surrounding development. Many times the open space takes the form of a floodplain, wetlands, or stands of existing trees. This integration can occur in many ways; a common method is to have a road from the open space providing a public view, access or “front-door” to the amenity.

Staff is comfortable recommending approval of this rezoning request since the intensity of the proposed zoning district (“BG” – General Business District) is less than that of an industrial zoning district and therefore follows the Comprehensive Plan as it relates to the intensity of uses near adjacent existing residential uses within the industrial module.

Furthermore, existing Zoning Ordinance regulations should minimize the potential negative impacts of a future non-residential use on the subject property will have on the existing residential uses to the east and west of the subject property. These regulations include, but are not limited to: screening devices installed by the more intensive use along any property line between any single family detached use and non-residential use and a landscaped area of a least ten (10) feet in width along the common property line planted with one canopy tree for each forty (40) linear feet or portion thereof of adjacent exposure is required.

Also, this site takes its sole point of access from a Major Regional Highway, as defined by the Master Thoroughfare Plan. This roadway will provide an appropriate level of service to the subject property and therefore meets the locational criteria dealing with transportation networks of the industrial module.

- Compliance with Community Form: Within the industrial module, the typical form includes large buildings with a single floor and higher than average ceiling heights. The proposed zoning district, consisting of mostly retail and office uses, should have a positive impact on the community form and character of the built environment within the module. Retail and offices uses require a higher standard of architectural design features per the Architectural and Site Design section of the Zoning Ordinance.
- Impact on Infrastructure: The Future Land Use Plan designates the subject property as a potential location for industrial uses. The water master plan, sewer

master plan, and thoroughfare plan are all based on the anticipated land uses shown on the Future Land Use Plan. The proposed rezoning request will result in an increased demand on the existing and planned infrastructure in the immediate area. However, the proposed rezoning request is within the parameters of the land use mixes of this industrial module. Thus, the proposed rezoning request should have a minimal impact on the overall existing and planned infrastructure in the module.

- Impact on Public Facilities/Services: The Future Land Use Plan designates the subject property as a potential location of industrial uses. Similar to infrastructure, the public facilities/services are all planned for based on the anticipated land uses as shown on the Future Land Use Plan. Generally speaking, the uses allowed within the “BG” – General Business District should not result in an increased demand on public facilities/services over that of an industrial zoning district. The proposed rezoning request should have a minimal impact on public facilities and services, such as schools, fire and police, libraries, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties to the east and west of the subject property are used as single family residences. The adjacent northern property is located within McKinney’s ETJ – Extraterritorial Jurisdiction and has not been incorporated into the city limits, but is used for warehousing purposes. The adjacent southern property is vacant and has “AG” – Agricultural zoning.

The Comprehensive Plan states that Staff should make assessments and recommendations based on the anticipated uses expected in the long term for tracts that are developing within areas of minimal development, such as the subject property. In addition, the proposed rezoning request should be considered within the context of the entire City and the Comprehensive Plan as a whole. Given these criteria, Staff feels that the proposed development is compatible with the expected development in McKinney’s eastern sector. With that said, the Zoning Ordinance contains specific screening, buffering and landscaping provisions that are intended to reduce the impact that non-residential uses have on adjacent uses. These provisions will be applicable to this property

- Timing of Zoning Request: The proposed rezoning request does not appear to hinder or negatively impact the ability of the module to develop the primary land use, industrial uses.
- Fiscal Analysis: The attached fiscal analysis shows a positive net cost benefit using the expansion method of \$23,199. The expansion method of calculating public service cost is used for project specific cost of service. This method is used to determine the cost to provide city services to a specific development

project. It takes into account only those costs directly attributable to that project and, therefore, is a good measure of the impact of a single zoning decision.

The full cost method also shows a positive net cost benefit of \$21,445. The full cost method of calculating public service cost is useful for citywide modeling and forecasting. This method takes the entire city budget into account, including those costs that cannot be attributed to any one project such as administrative costs and debt service on municipal bonds. Because the full cost method takes into account all costs, it is useful in tracking the city budget to determine if the citywide tax revenue is sufficient to pay for the operating costs to the city

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 Map
- Letter of Intent
- Property Owner Notice
- Property Owner Notification List
- Land Use Module Tracking Sheet
- Fiscal Impact Analysis
- Proposed Zoning Exhibit
- PowerPoint Presentation