

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 Skorburg Company, on Behalf of Willow Park Development, for Approval of a Request to Rezone Fewer than 13 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located Approximately 600 Feet South of Virginia Parkway and on the East Side of Hardin Boulevard

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 15, 2014 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with the City of McKinney’s Comprehensive Plan and Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance.

However, should the rezoning request be approved, the applicant is requesting approval of the following special ordinance provisions:

1. The use and development of the subject property shall develop in accordance with the attached development regulations.
2. The development of the subject property shall generally conform to the attached site layout.
3. The attached site layout may not be constructed until all Fire Prevention and Engineering regulations have been satisfied, subject to review and approval by the Fire Marshal and/or Director of Engineering.

APPLICATION SUBMITTAL DATE: September 9, 2013 (Original Application)
October 18, 2013 (Revised Submittal)
March 11, 2014 (Revised Submittal)
March 13, 2014 (Revised Submittal)
March 17, 2014 (Revised Submittal)
March 18, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 12.72 acres of land, located approximately 600 feet south of Virginia Parkway and on the east side of Hardin Boulevard, generally to modify the development standards. More specifically, the applicant is requesting to rezone the subject property from neighborhood office uses to single family detached residential uses. The applicant is requesting approval of modified development regulations with a site layout that will govern the development of the subject property.

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. 2007-03-021 (Office Uses)

North	“AG” – Agricultural District (Agricultural Uses)	Undeveloped Land
South	“PD” – Planned Development District Ordinance No. 2007-12-118 and “PD” – Planned Development District Ordinance No. 2005-05-049 (Single Family Residential Uses)	Sorrellwood Park
East	“PD” – Planned Development District Ordinance No. 2005-05-049 (Single Family Residential Uses)	Sorrellwood Park and Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2008-05-045 and “BG” – General Business District (Commercial Uses)	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District to “PD” – Planned Development District, from neighborhood office uses to single family detached residential uses. The applicant has proposed that the subject property will develop in accordance with the attached development regulations and site layout.

Specifically, the attached development regulations define the space limits for the proposed zoning district, including but not limited to, a minimum lot size of 4,000 square feet, minimum lot width of 40 feet, and a minimum lot depth of 100 feet. Additionally, the applicant has requested that all lots have front-entry garages and that each home is subject to exterior finishing material requirements.

The City's Comprehensive Plan states that in general, the mean and median lot size of single-family residential uses shall be 7,200 square feet and the density shall be generally 3.2 dwelling units per acre (and may be increased to 3.4 dwelling units per acre if Design for Density requirements are incorporated from the Comprehensive Plan), which the proposed lot layout is not in conformance with. Staff has additional concerns with the proposed minimum lot width of 40 feet, in conjunction with a 5-foot side yard, allowing for a 30-foot wide home with a front-entry garage door comprising approximately two-thirds of the front façade width. Staff is of the opinion that narrow lots with front-entry garages will have an overwhelmingly negative impact on the aesthetics of the front elevation and will likely provide little architectural interest or variation between each of the homes, reducing the overall quality of the development.

Additionally, the Director of Engineering and the Fire Marshal have concerns regarding the rezoning request, as the construction of the attached site layout may not meet all applicable Fire Prevention and Engineering regulations, due to the fact that the site layout:

- Does not indicate the location of the erosion hazard setback easement;
- Does not indicate the location of the dam breach area;
- Does not indicate the location of the possible detention area;
- Does not meet Street Design Standards for median opening locations;
- Does not meet Street Design Standards for residential driveway locations/access on a collector street; and
- Does not provide two points of access.

Upon completion of the necessary engineering, the development may have critical elements which would require significant design changes and may make some of the portions of the property unusable and potentially cause a reduction to the number of lots. The applicant has yet to provide information validating the usability of the entire subject property as shown on the attached site layout.

Lastly, Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance states that a PD Ordinance may not be approved without ensuring a level of exceptional quality or innovation for the design or development. To satisfy this requirement, the applicant has proposed residential architectural standards which Staff does not feel will ensure an exceptional level of quality for the development. As such, Staff recommends denial of the request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for high density residential and floodplain uses however it is currently zoned for neighborhood office uses. The FLUP modules diagram designates the subject property as Suburban Mix 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 not in conformance with the goals and objectives of the Comprehensive Plan, particularly the goal of “Land Use Compatibility and Mix”, specifically through the objective of “land uses patterns that optimize and balance the tax base of the City”.

Additionally, the proposed rezoning request does not help to further a strong, balanced economy, which is a stated strategic goal of the City Council. Nearly three quarters of the City’s ad valorem tax base comes from its residential housing stock. In order to balance this tax base, more non-residential uses are needed. Rezoning approximately 13 acres designated for office uses to residential uses will not help to balance the ad valorem tax base.

- 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 subject property was planned for high density residential uses and single family residential uses typically have a lower demand on infrastructure.
- 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 subject property was planned for high density residential uses.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the east and south of the subject property are zoned for similar single family residential uses and would be compatible.
- Fiscal Analysis: The attached fiscal analysis shows a negative cost benefit of \$30,678 using the full cost method.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of single family residential 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
- Fiscal Analysis

- Proposed Zoning Exhibit – Metes and Bounds
- Proposed Zoning Exhibit – Site Layout
- Proposed Zoning Exhibit – Development Regulations
- PowerPoint Presentation