

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**FROM:** Michael Quint, Senior Planner

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Lenity Group, L.L.C., on Behalf of Linkside Drive Investment Group, L.L.C., for Approval of a Request to Rezone Approximately 5.24 Acres, from "PD" – Planned Development District to "PD" – Planned Development District, Generally to Allow for a Nursing Home Use, Located on the Northwest Corner of Stonebridge Drive and Linkside Point Drive.

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 6, 2012 meeting.

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

1. Use and development of the subject property (Stonebridge Parcel No. 615B) shall conform to the "O-1" – Office District regulations of "PD" – Planned Development District Ordinance No. 2000-11-092, except as follows:
  - a. Rest home or nursing home uses shall be permitted on the subject property.
  - b. One canopy tree shall be required for every 30 linear feet of street frontage.

**APPLICATION SUBMITTAL DATE:** November 14, 2011 (Original Application)  
January 30, 2012 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 5.24 acres of land, located on the northwest corner of Stonebridge Drive and Linkside Point Drive from "PD" – Planned Development District to "PD" – Planned Development District, generally to allow for nursing home uses. The subject property is located within the Stonebridge Ranch Master Planned Community.

**PLATTING STATUS:** The subject property is currently platted as Lot 1, Block A of the Linkside Point Addition.

**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. 2000-11-092 (“O-1” – Office Uses)

North	“PD” – Planned Development District Ordinance No. 1621, and as amended (“GC” – Golf Course Uses)	Stonebridge Country Club Golf Course
South	“PD” – Planned Development District Ordinance No. 1621, and as amended (“R-1” – Retail Uses)	Linkside Park Commercial Development
East	“PD” – Planned Development District Ordinance No. 1621, and as amended (“OS” – Open Space Uses)	Open Space/Common Area
West	“PD” – Planned Development District Ordinance No. 1621, and as amended (“O-1” – Office Uses)	Linkside Park Commercial Development

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property to allow for the construction and development of a nursing home. The subject property’s governing zoning district currently only allows for the development of offices, banks, clinics, research labs, and institutional buildings. Currently, the Zoning Ordinance only allows nursing home uses in retail and multi-family zoning districts.

The applicant’s request to allow nursing home uses in an office district is not unusual. In fact, the City Council adopted a similar rezoning request for a parcel (No. 812) within the Stonebridge Ranch Master Planned Community located just west of the northwest corner of Stonebridge Drive and Eldorado Parkway in September of 2004.

Nursing home uses are unique in the fact that they are not typically intense enough to make complete sense in a retail zoning districts but don’t fit ideally into residential zoning districts either as the use is not a true residential use. In many specific instances, nursing homes are best located in office zoning districts as is case in this situation. The surrounding uses are such that the construction of a nursing home on the subject property serves as a good transition between the golf course use located to the north of the subject property and the commercial uses located to the south of the property. As such, Staff is comfortable supporting the applicant’s rezoning request.

In addition to requesting that nursing homes be added as an allowed use on the subject property, the applicant has proposed a special ordinance provision mandating additional landscaping in order to satisfy the requirements of Section 146-94 (“PD” – Planned Development District) of the Zoning Ordinance. Section 146-94(b) 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 Ordinance goes on to state that exceptional quality may come in many forms including enhanced landscaping. Currently, the Zoning Ordinance requires that one canopy tree be provided for every 40 linear foot of street frontage. The applicant is proposing a special ordinance provision that will increase this requirement to 1 canopy tree for every 30 linear feet of street frontage. Staff is comfortable with this proposed special ordinance provision and feels that it satisfies the intent of the Zoning Ordinance’s requirement.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for 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 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 Future Land Use Plan (FLUP) designates the subject property generally for office uses. The water master plan, sewer master plan, and master thoroughfare plan are all based on the anticipated land uses as shown on the Future Land Use Plan. The proposed rezoning request should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area as only one use is being added to the list of allowed uses on the subject property.
- **Impact on Public Facilities/Services:** The Future Land Use Plan (FLUP) designates the subject property generally for office uses. Similar to infrastructure, public facilities and services are all planned for based on the anticipated land uses shown on the Future Land Use Plan. The proposed rezoning request should have minimal impact on projected and planned public facilities/services, such as schools, fire and police, libraries, parks and sanitation services as only one use is being added to the list of allowed uses on the subject property.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The properties located adjacent to the subject property are zoned for commercial, golf course,

and open space uses. Staff is of the opinion the requested provisions will be compatible with existing and future development within the area.

- Fiscal Analysis: Staff feels that there will not be a significant change in the economic impact associated with the proposed rezoning request since it is not substantially modifying the allowed land uses on the subject property. As such, a fiscal impact analysis was not generated.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of land uses in the area. Currently, the surrounding properties are zoned generally for commercial, golf course, and open space uses.

**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. 2000-11-092
- PowerPoint Presentation