

**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 McKinney Christian Academy, for Approval of a Request to Rezone Fewer than 60 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the South Side of Bois D’Arc Road and Approximately 800 Feet West of Jordan Road

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the March 4, 2014 meeting.

---

**STAFF RECOMMENDATION:** Staff recommends denial of the proposed rezoning request due to lack of conformance with Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance and the City of McKinney Comprehensive Plan.

**However, should the proposed rezoning request be approved, the following special ordinance provisions shall apply:**

1. Use and development of the subject property shall conform to “PD” – Planned Development District Ordinance No. 2011-01-002, and as amended, except as follows:
  - a. A maximum of 13 portable buildings be allowed on the subject property generally in the locations shown on the attached site layout.
  - b. Gates shall generally be placed in the locations shown on the attached fence exhibit.
  - c. Eight (8) Knock Out Rose shrubs and eight (8) Holly shrubs (2 feet at time of planting, placed 3 feet on center) will be planted along the south of the two proposed portable buildings.
  - d. Two (2) Crepe Myrtle trees (spaced 10 feet apart, 5 feet tall, 2 inches in caliper at time of planting) and 8 Knock Out Rose shrubs (2 feet at time of planting, placed 3 feet on center) will be planted along the west side of the proposed storage building, shown on the attached site layout.

**APPLICATION SUBMITTAL DATE:** January 13, 2014 (Original Application)  
January 28, 2014 (Revised Submittal)  
February 4, 2014 (Revised Submittal)  
February 5, 2014 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 59.96 acres of land, located on the south side of Bois D’Arc Road and approximately 800 feet west of Jordan Road from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the development standards. The site is currently home to the McKinney Christian Academy and has 11 portable buildings and 6 permanent buildings on site. The applicant is requesting to install 2 additional portables, increasing the total number of portable buildings to 13. It is the applicant’s intent that these portable buildings be allowed to remain indefinitely on the 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. 2011-01-002 (Single Family Residential Uses)

North	“RS 45” – Single Family Residence District and “RS 60” – Single Family Residence District (Single Family Residential Uses)	Glenwood Estates Subdivision
South	“AG” – Agricultural District (Agricultural Uses)	Undeveloped Land
East	“BG” – General Business District, “AG” – Agricultural District, and “RS 60” – Single Family Residence District (Commercial, Agricultural, and Single Family Residential Uses)	Undeveloped Land and Deer Creek Subdivision
West	“AG” – Agricultural District and “RS 120” – Single Family Residence District (Agricultural and Single Family Residential Uses)	Undeveloped Land and Bois D’Arc Bend Subdivision

**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. More specifically, the applicant is proposing an increase to the maximum number of portable buildings allowed on the subject property from 11 to 13.

In 2011, the subject property was rezoned to allow for a maximum of 11 portable buildings on the property, which could remain indefinitely on the site. While Staff understands that utilizing portables can assist in the transition of a growing school's enrollment and/or programs, Staff is not comfortable support the two additional portable buildings, exceeding the maximum number recently approved by the City Council. As portable buildings are typically used in a transitional capacity (for a period not to exceed 30 months), Staff has concerns with allowing additional portable buildings indefinitely that do not satisfy the architectural standards of the City's Zoning Ordinance.

Additionally, 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. In effort to meet this requirement, the applicant has proposed to add landscaping along the south side of the two proposed portable buildings (a row of 16 shrubs, 2' tall at the time of planting, placed 3' on center) as well as along the west side of the proposed storage building (two Crepe Myrtle trees, 5' tall, 2" in caliper at the time of planting and a row of 8 shrubs, 2' tall at the time of planting, placed 3' on center). While this landscaping is not required by the Zoning Ordinance, Staff is the opinion that the proposed landscaping in does not ensure a level of exceptional quality for the site as a whole.

Given these factors, Staff recommends denial of the proposed rezoning request.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for Low Density Residential 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 rezoning request would help the community attain the goal of "Economic Development Vitality for a Sustainable and Affordable Community" through the stated objective of the Comprehensive Plan, a "retention and expansion of existing businesses," however, the proposed rezoning request is also at odds with the goal of "Attractive Hometown that Promotes McKinney's Character" by failing to meet the objective of "homes and buildings complying with City standards and codes."
- **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.
- **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.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The properties located adjacent to the subject property are zoned for similar residential uses. The proposed

rezoning request will not alter the land use from what has been planned for the subject property.

- Fiscal Analysis: Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base zoning of the subject property.
- 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 one phone call in regard to the case, however the resident did not express any support or opposition.

**ATTACHMENTS:**

- Location Map and Aerial Exhibit
- Letter of Intent
- Existing “PD” – Planned Development District Ordinance No. 2011-01-002
- Proposed Zoning Exhibit – Metes and Bounds
- Proposed Zoning Exhibit – Site Layout
- Proposed Zoning Exhibit – Fencing
- PowerPoint Presentation