

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 Sanchez & Associates. L.L.C., on Behalf of Prime Income Management, for Approval of a Request to Rezone Fewer than 70 Acres from "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District to "PD" – Planned Development District and "REC" – Regional Employment Center Overlay District, Generally to Modify the Development Standards, Tract 1 is Located on the Southwest Corner of McKinney Ranch Parkway and Ridge Road, Tract 2 is Located on the Northwest Corner of McKinney Ranch Parkway and Stacy Road, Tract 3 is Located on the Northeast Corner of McKinney Ranch Parkway and Stacy Road and Tract 4 is Located on the Southeast Corner of McKinney Ranch Parkway and Ridge Road

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the February 18, 2014 meeting.

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

1. The use and development of the subject property shall conform to the attached development regulations.

APPLICATION SUBMITTAL DATE: August 12, 2013 (Original Application)
September 23, 2013 (Revised Submittal)
December 27, 2013 (Revised Submittal)
December 30, 2013 (Revised Submittal)
January 6, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone 4 tracts of land totaling approximately 69.37 acres of land, generally to modify the development standards and allowed land uses. The existing zoning on the subject property currently allows for a mix of office, commercial, and multi-family residential uses and the applicant has requested to rezone the properties for commercial use with the potential for townhome uses on

specific tracts, while prohibiting uses such as multi-family residential and some of the more intensive commercial uses.

This item was tabled at January 14, 2014 Planning and Zoning Commission meeting due to public hearing notification signs not being posted on the subject property by the applicant in the timeframe required by the Zoning Ordinance.

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. 2002-03-019, “PD” – Planned Development District Ordinance No. 2007-08-072, “PD” – Planned Development District Ordinance No. 2012-11-059 and “REC” – Regional Employment Center Overlay District (Office, Commercial and Multiple Family Residential Uses)

North “PD” – Planned Development District Ordinance No. 1895, “PD” – Planned Development District Ordinance No. 2007-10-103, “PD” – Planned Development District Ordinance No. 2007-08-072, “PD” – Planned Development District Ordinance No. 2012-08-038 and “REC” – Regional Employment Center Overlay District (Commercial, General Residential, and Single Family Residential Uses) Undeveloped Land

South “PD” – Planned Development District Ordinance No. 2002-03-018, “PD” – Planned Development District Ordinance No. 2006-12-142, “PD” – Planned Development District Ordinance No. 2007-08-079, “PD” – Planned Development District Ordinance No. 2007-09-085, “PD” – Planned Development District Ordinance No. 2012-11-059 and “REC” – Regional Employment Center Overlay District (Office and Commercial Uses) Soho Parkway Apartments, Aspire McKinney Ranch Apartments, Saddle Club at McKinney Ranch Subdivision, and Undeveloped Land

East “PD” – Planned Development District Ordinance No. 2002-03-018, “PD” – Saddle Club at McKinney Ranch

	Planned Development District Ordinance No. 2002-05-038 and “REC” – Regional Employment Center Overlay District (Office, Single Family Residential, Mixed-Use, and Commercial Uses)	Subdivision and Undeveloped Land
West	“PD” – Planned Development District Ordinance No. 2007-08-079, “PD” – Planned Development District Ordinance No. 2012-08-038 and “REC” – Regional Employment Center Overlay District (Commercial, General Residential, and Single Family Residential Uses)	Undeveloped Land

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District to “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, generally for a mix of commercial and townhome uses that will develop in accordance with the attached Development Standards exhibit.

The existing governing zoning districts (“PD” – Planned Development District Ordinance Nos. 2002-03-019, 2007-08-072, and 2012-11-059) on the subject property currently allow for a wide variety of uses including office, multi-family residential, and commercial uses. The applicant has indicated that it is their intent to define the allowed uses more specifically, and remove the potential for the property to develop as a multi-family residential development. The applicant is requesting that commercial development on the subject property develop in accordance with the “BG” – General Business District and “REC” – Regional Employment Center Overlay District standards, while removing several uses (listed in the attached Development Regulations) that may not be appropriate in close proximity to residential uses, including but not limited to auto painting and body shop and auto repair uses. Townhomes developed on specific portions of the property (see attached Conceptual Site Layout and Development Standards exhibits) will follow the Neighborhood Zone requirements for townhomes in the “REC” – Regional Employment Center Overlay District.

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 to increase the caliper of all required canopy trees on the subject property from 4 inches to 5 inches. Staff feels that the larger trees will be a visual enhancement to the surrounding environment.

All four tracts of the subject property are located near the intersections of arterial roadways which make them ideal locations for commercial use with the potential for pockets of townhome uses in close proximity to and integrated with the adjacent commercial and/or residential uses. Furthering the mix of housing options in the area

with the urban character desired within the REC, Staff feels that the proposed rezoning request will remain compatible with existing and future adjacent uses, and as such, recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for Mixed-Use. The FLUP modules diagram designates the subject property as Regional Employment 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 “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced development pattern”, as well as 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 existing permitted uses on the property include residential and commercial uses.
- **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 existing permitted uses on the property include residential and commercial uses.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The properties located adjacent to the subject property are zoned for similar commercial and 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 commercial 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
- Proposed Zoning Exhibit – Metes and Bounds
- Proposed Zoning Exhibit – Conceptual Site Layout
- Proposed Zoning Exhibit – Boulevard Cross Section
- Proposed Zoning Exhibit – Development Standards
- PowerPoint Presentation