

**AGENDA ITEM**

**TO:** Planning and Zoning Commission

**THROUGH:** Jennifer Cox, AICP, Director of Planning

**FROM:** Brandon Opiela, Senior Planner

**SUBJECT:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Kimley-Horn And Associates, Inc., on Behalf of the City of McKinney and McKinney Economic Development Corporation, for Approval of a Request to Rezone Approximately 12.16 Acres from "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District to "PD" – Planned Development District and "CC" – Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of Marketplace Drive and U.S. Highway 75 (Central Expressway).

**APPROVAL PROCESS:** The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the April 3, 2012 meeting.

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

1. The subject property shall develop in accordance with the "BG" – General Business District requirements, and as amended, except as follows:
  - a) Warehouse/Distribution shall be an allowed use.
2. The proposed building shall develop as depicted on the attached architectural elevations and shall not be required to meet the minimum point score as specified in Section 146-139 Architectural and Site Standards of the Zoning Ordinance.
3. The screening devices and associated landscaping for the sanitation container, mechanical equipment and loading areas shall be provided as shown on the attached exhibit.
4. The subject property shall develop generally in accordance with the attached zoning exhibit.

**APPLICATION SUBMITTAL DATE:** February 13, 2012 (Original Application)  
March 6, 2012 (Revised Submittal)  
March 7, 2012 (Revised Submittal)  
March 8, 2012 (Revised Submittal)  
March 9, 2012 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 12.16 acres, located on the southeast corner of Marketplace Drive and U.S. Highway 75 (Central Expressway) from “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District to “PD” – Planned Development District and “CC” – Corridor Commercial Overlay District in order to modify the development standards.

The proposed site layout exhibit provides a general depiction of the corporate headquarters and research facility for Emerson Regulator Technologies and proposes approximately 128,000 square feet of office, research/laboratory, warehouse, distribution, and training uses. The layout exhibit provides a general representation of proposed building usage, parking and loading area locations, screening and buffering, and site circulation. Architectural elevation exhibits have also been provided as a part of the request to modify the permitted exterior finishing material types and respective percentages of each material used on the building.

Emerson Regulator Technologies combines cutting edge technology, engineering and craftsmanship to produce pressure regulators and relief valves. Headquartered in McKinney since 1992, Emerson Regulator Technologies has a global presence, with facilities and technical experts in over 200 locations around the world. The applicant has indicated that the design of the new headquarters draws on this history – the design of the building represents a technologically driven, modern company. Modern materials – composite metal panels, glass curtain wall and metal sunshades are combined with the craftsmanship of Texas limestone, brick veneer and scored, stained concrete. Sustainable design features include a highly efficient envelope, solar shading and energy efficient systems. The overall design is simple, sustainable and technologically sophisticated.

**BACKGROUND INFORMATION:** The subject property was part of larger rezoning request (encompassing 91.24 acres) approved in December of 2007, which included modifications to the development standards such as building heights, signage, lighting, screening, architectural standards, and landscaping. The governing Planned Development District Ordinance No. 2007-12-135 (see attached) included a general development plan that had a specific layout for the subject property. With this rezoning request, a new development plan will regulate the how the property will develop.

**PLATTING STATUS:** The subject property is currently unplatted. A record plat or plats, 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: "PD" – Planned Development District Ordinance 2007-12-135 (Commercial Uses)

North	"PD" – Planned Development District Ordinance 99-07-52, and as amended (Commercial)	Kohl's / Albertson's Shopping Center
	Ordinance No. 04-02-19, and as amended (SUP for a Private Club)	Texas Roadhouse
South	"PD" – Planned Development District 2007-12-135 (Commercial Uses)	Undeveloped (future Gateway Development)
East	"PD" – Planned Development District 2007-12-135 (Commercial Uses)	Undeveloped (future Gateway Development)
West	N/A	U.S. Highway 75

Discussion: All of the proposed uses on the subject property, with exception to the warehouse/distribution component, are currently allowed under the "BG" – General Business District regulations. A special ordinance provision to allow the warehouse/distribution use is being requested.

**ACCESS/CIRCULATION:**

Adjacent Streets: U.S. Highway 75 (Central Expressway), Variable Width Right-of-Way, Major Regional Highway

Marketplace Drive, 60' Right-of-Way, 4 Lane Collector

Discussion: The subject property is shown to take access from a single point along the U.S. Highway 75 frontage road as well as off of a shared access drive along Marketplace Drive. The proposed site has a number of access drives that will eventually tie into a network of access drives for the overall Gateway Development.

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from “PD” – Planned Development District Ordinance No. 2007-12-135 generally for commercial uses to “PD” – Planned Development District, generally to allow the additional use of warehouse/distribution and to make modifications to the site layout, required screening and associated landscaping, and architectural requirements for the property.

The following special ordinance provisions are being recommended for the subject property:

1. The subject property shall develop in accordance with the “BG” – General Business District requirements, and as amended, except as follows:
  - a) Warehouse/Distribution shall be an allowed use.
2. The proposed building shall develop as depicted on the attached architectural elevations and shall not be required to meet the minimum point score as specified in Section 146-139 Architectural and Site Standards of the Zoning Ordinance.
  - The applicant has provided elevations for the proposed project that incorporates a mixture of exterior finishing materials, including limestone, brick, scored stained concrete, glass curtain wall, translucent wall panels, and metal panels.
3. The screening devices and associated landscaping for the sanitation container, mechanical equipment and loading areas shall be provided as shown on the attached exhibit.
  - The applicant has proposed a 6’ tall black tubular steel fence to enclose the service area at the northwest corner of the site. The applicant has also provided multiple berms ranging from 3’ to 5’ in height, 12’ tall Live Oak and Lacebark Elm trees, and 8’ tall Eastern Red Cedar trees planted every 12’ to screen the service area from the adjacent public rights-of-way and non-residential properties.
4. The subject property shall develop generally in accordance with the attached zoning exhibit.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Future Land Use Plan (FLUP) designates the subject property for commercial uses. The FLUP Modules Diagram designates the subject property as regional commercial within a significantly developed area. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within a significantly developed area:

- Comprehensive Plan Goals and Objectives: The proposed rezoning is in conformance with the goals and objectives of the Comprehensive Plan. Development of the subject property supports the stated goals of providing leisure and recreation opportunities, economic development vitality, financially sound government, attractive urban design elements, and land use compatibility and mix.
- Impact on Infrastructure: The Future Land Use Plan designates the subject property as commercial use. The water master plan, sewer master plan, and thoroughfare plan are all based on the anticipated land uses as shown on the Future Land Use Plan. The requested zoning change does not significantly alter the projected land use, and should have a minimal impact on the existing and planned infrastructure in the area.
- Impact on Public Facilities/Services: The Future Land Use Plan designates the subject property as commercial. 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. The requested zoning change does not significantly alter the projected land use and thus 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 commercial uses. The requested zoning change does not alter the projected land use and Staff is of the opinion the request will be compatible with all existing and future adjacent development.
- Fiscal Analysis: Staff feels that there will not be a significant change in the economic impact associated with the proposed rezoning request since it does not alter the base zoning district designation on the property. Staff did not perform a fiscal analysis for this case because the rezoning request does not alter the base commercial zoning of the subject property.
- Concentration of a Use: The FLUP Modules Diagram designates the subject property as Regional Commercial, which encourages higher intensity commercial. The proposed rezoning request will not create an over concentration of commercial uses in the area, considering the subject property is located near the intersection of two major regional highways, where the proposed uses are both logical and expected.

**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:**

- Maps
- Letter of Intent
- Existing “PD” – Planned Development District Ordinance No. 2007-12-135
- Pictures of Scored, Stained Concrete Finishing Material
- Proposed Zoning Exhibit – Site Layout
- Proposed Zoning Exhibit – Elevations
- Proposed Zoning Exhibit – Metes and Bounds
- PowerPoint Presentation

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**Action:**