

PLANNING & ZONING COMMISSION MEETING OF 11-11-14 AGENDA ITEM #14-294Z

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Samantha Pickett, Planner II

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone from "AG" – Agricultural District to "PD" – Planned Development District, Generally for Single Family Residential Detached Uses, Located Approximately 1,400 Feet South of U.S. Highway 380 (University Drive) and on the West Side of Bois D'Arc Road

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the December 2, 2014 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request.

Additionally, the proposed request conflicts with the City Council's stated goal of preserving and expanding the non-residential tax base and the City of McKinney's Comprehensive Plan.

However, the applicant is requesting approval of the following provisions:

1. The use and development of the subject property shall develop in accordance with Section 146-106 ("SF5" – Single Family Residential District) of the Zoning Ordinance, and as amended, except as follows:
 - a. The maximum density shall be 3.88 dwelling units per acre.
2. The subject property shall develop in accordance with the attached Architectural and Site Standards.

APPLICATION SUBMITTAL DATE: October 13, 2014 (Original Application)
October 28, 2014 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 19.86 acres of land, located approximately 1,400 feet south of U.S. Highway 380 (University Drive) and

on the west side of Bois D’Arc Road, from “AG” – Agricultural District to “PD” – Planned Development District, generally for single family residential detached uses.

In October of 2014, the City Council denied a request to rezone the subject property to “PD” – Planned Development District, generally for single family residential detached uses, establishing a minimum mean and median lot size, maximum density, and architectural standards.

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.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“AG” – Agricultural District (Agricultural Uses)	Undeveloped
North	“AG” – Agricultural District (Agricultural Uses)	Single Family Residence and Undeveloped Land
South	“AG” – Agricultural District (Agricultural Uses)	Dr. Jack Cockrill Middle School and City of McKinney Open Space
East	“PD” – Planned Development District Ordinance No. 1883 (Office and Light Manufacturing Uses)	Undeveloped Land
West	“AG” – Agricultural District (Agricultural Uses)	City of McKinney Open Space

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “AG” – Agricultural District to “PD” – Planned Development District, generally for single family detached residential uses.

The applicant has requested the property be rezoned to follow the “SF5” – Single Family Residential District regulations, with modifications to the maximum density and architectural standards for the development. The “SF5” district permits a density of up to

3.2 dwelling units per acre (with the ability to achieve 3.4 dwelling units per acre if Design for Density criteria are met) and a minimum mean and median lot size of 7,200 square feet in accordance with the City's Comprehensive Plan. While the applicant has proposed to meet the minimum mean and median lot sizes, the proposed maximum density for the development is 3.88 dwelling units per acre. The proposed density allows for a maximum of 77 lots, whereas a maximum density of 3.2 units per acre allows for 63 lots (67 lots if Design for Density criteria are met). While Staff is supportive of the subject property being zoned for residential uses, Staff sees no reason why the proposed development cannot meet the required density, and as such recommends denial of the request.

Additionally, 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 architectural standards, mandating a minimum masonry (brick, stone, synthetic stone or stucco) percentage as well as additional required architectural features. Staff has no objections to the proposed architectural standards.

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 Office Park within a significantly developed area. As such, the proposed rezoning request is not in conformance with the FLUP and FLUP modules diagram. 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 through the goal of "Economic Development Vitality for a Sustainable and Affordable Community," specifically through the objective of "balanced development pattern." Additionally, the request is at odds with the goal of "Financially Sound Government" through the objective of a "balanced tax base."

Furthermore, Staff cannot support the request as it 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 20 acres currently planned for office uses to single family residential uses will not help to balance the ad valorem tax base.

- **Impact on Infrastructure:** The proposed zoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area since the land use would change from office to residential uses. It should be noted; however, that infrastructure has been planned for based on the office park designation of the FLUP.

- Impact on Public Facilities/Services: The proposed rezoning request will create the need for additional public services, such as schools, fire and police, libraries, parks and/or sanitation services as the subject property is currently planned for office uses.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for agricultural, school, office and light manufacturing uses. The proposed rezoning request for single family residential uses should be compatible with the existing and potential adjacent land uses.
- Fiscal Analysis: The attached fiscal analysis shows a negative cost benefit of \$55,714 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.

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
- Comprehensive Plan Maps
- Fiscal Analysis
- Proposed Zoning Exhibit – Boundary
- Proposed Zoning Exhibit – Architectural and Site Standards
- Concept Plan – Informational Only
- PowerPoint Presentation