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| AGENDA ITEM |
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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 Abernathy, Roeder, Boyd and Joplin, on Behalf of VCIM Partners, L.P., for Approval of a Request to Rezone Fewer than 4 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, Located on the Southwest Corner of Van Tuyl Parkway and TPC Drive

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the November 5, 2013 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to lack of conformance with the character and vision prescribed by Appendix B-2 (Regional Employment Center – Overlay Urban Design Standards) and Section 146-139 (Architectural and Site Standards) of the Zoning Ordinance.

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

1. The use and development of the subject property shall conform to the requirements of "PD" – Planned Development District Ordinance No. 2001-02-017, except as follows:
 - a. Wedding chapel/reception hall shall be an allowed use on the subject property.
 - b. Development of a wedding chapel/reception hall on the subject property shall generally conform to the attached concept plan.
 - c. Development of a wedding chapel/reception hall on the subject property shall generally conform to the attached elevations.

- d. The minimum parking requirements for a wedding chapel/reception hall on the property shall conform to the attached concept plan.

APPLICATION SUBMITTAL DATE: September 9, 2013 (Original Application)
September 23, 2013 (Revised Submittal)

ITEM SUMMARY: The applicant is proposing to rezone approximately 3.75 acres of land, located on the southwest corner of Van Tuyl Parkway and TPC Drive, 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. The applicant is proposing to construct a wedding chapel/reception hall on the subject property, as can be seen on the proposed concept plan.

The applicant is proposing to maintain the existing zoning on the property while also developing in accordance with the Commercial Employment Zone of the “REC” – Regional Employment Center Overlay District. The applicant is requesting to add a wedding chapel/reception hall use, modify to the required build-to lines, and modify the architectural standards with regard to masonry finishing material requirements.

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. 2001-02-017 and “REC” – Regional Employment Center Overlay District (Commercial Uses)

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| North | “PD” – Planned Development District Ordinance No. 2007-04-039 and “REC” – Regional Employment Center Overlay District (Commercial Uses) | Undeveloped Land |
| South | “PD” – Planned Development District Ordinance No. 2001-02-017 and “REC” – Regional Employment Center Overlay District (Commercial Uses) | TPC at Craig Ranch Golf Course |
| East | “PD” – Planned Development District Ordinance No. 2001-02-017 and “REC” – Regional Employment Center Overlay District (Office Uses) | Undeveloped Land |
| West | “PD” – Planned Development District | TPC at Craig Ranch |

Ordinance No. 2001-02-017 and "REC"
– Regional Employment Center Overlay
District (Commercial Uses)

Golf Course

PROPOSED ZONING: The applicant is requesting to rezone the subject 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. The proposed modifications include the addition of wedding chapel/reception hall use (this use is not currently listed in the Schedule of Uses), increased setbacks from TPC Drive and Van Tuyl Parkway, which result in the erosion of the pedestrian room prescribed by the REC Overlay District, a lack of a pedestrian-oriented streetscape which erodes the urban character prescribed by the REC Overlay District, and the limited use of masonry materials (brick, stone or synthetic stone) on the building. The proposed building elevations provide between approximately 14% and 48% stone for each elevation instead of the minimum requirement of 50% masonry on each wall of the building. The balance of finishing materials is comprised of stucco and EIFS, with decorative wrought iron accents and a clay tile roof.

Section 146-94 ("PD" – Planned Development District) of the Zoning Ordinance also states that no proposed PD District Ordinance may be approved without ensuring a level of exceptional quality or innovation for the design or development. The applicant has indicated to Staff that an exceptional level of quality has been achieved through the architectural style, shown on the attached elevations. Although the style could be considered innovative, Staff is of the opinion that the elevations should provide a greater percentage of masonry finishing materials to ensure exceptional quality within the development.

Because the requested modifications to the development standards conflict with the pedestrian-oriented character that is mandated by the "REC" – Regional Employment Center Overlay District and the proposed building elevations do not meet the required masonry finishing material percentages, Staff is unable to support this 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 in conformance with the goals and objectives of the Comprehensive Plan; specifically the goal of "Financially Sound City Government" through the objective of "Diverse commercial tax base" and is at odds with the goals and objectives of the Comprehensive Plan; specifically the goal of "Attractive Hometown that Promotes McKinney's Character" through 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 commercial uses. The proposed rezoning request will not alter the base commercial zoning designation on the subject property.
- Fiscal Analysis: 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 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
- Existing “PD” – Planned Development District Ordinance No. 2001-02-017
- Proposed Zoning Exhibit - Boundary
- Proposed Zoning Exhibit - Concept Plan
- Proposed Zoning Exhibit - Elevations
- PowerPoint Presentation