

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Brandon Opiela, Planning Manager

FROM: Leo Bethge, Planner I

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Geer Surveying & Engineering, on Behalf of Bonnie Phennel, for Approval of a Request to Rezone Fewer than 11 Acres from “AG” – Agricultural District to “ML” – Light Manufacturing District, Located Approximately 4,200 Feet East of FM 1827 (New Hope Road) and on the South Side of U.S. Highway 380 (University Drive)

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for consideration at the July 16, 2013 meeting.

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

1. The subject property develop in accordance with Section 146-90 “ML” – Light Manufacturing District of the Zoning Ordinance, and as amended.

APPLICATION SUBMITTAL DATE: May 13, 2013 (Original Application)

ITEM SUMMARY: The applicant is requesting to rezone approximately 10.00 acres from “AG” – Agricultural District to “ML” – Light Manufacturing District. The applicant has not indicated any proposed uses or development plans for the subject property. The western portion of the subject property was formerly utilized by Larry Cycles and Parts (motorcycle repair).

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: “AG” – Agricultural District

North	Unzoned – “ETJ” – Extraterritorial Jurisdiction	One Single Family Residence, CDL Connection Truck Driving School, Apostolic Church of Jesus Christ
South	“PD” – Planned Development District No. 02-05-046 (Landfill Uses)	Undeveloped
East	“AG” – Agricultural District	Hardy Johnson Rentals and Borg Construction
West	“AG” – Agricultural District	Undeveloped

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “AG” – Agricultural District to “ML” – Light Manufacturing District. The rezoning request is in conformance with the Future Land Use Plan and Staff recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for industrial uses. The FLUP modules diagram designates the subject property as industrial within a minimally developed area. The Comprehensive Plan lists factors to be considered when a rezoning is being considered within a minimal development area:

- **Conformance with Desired Land Use Mix:** The Industrial Module allows 50% (with an unlimited flexibility factor) of land uses within the module to develop as light industrial. The proposed zoning shown on the zoning exhibit is the second parcel to be rezoned within the designated module. Staff continuously tracks these modules to ensure all future zoning requests are within the allowable percentages for each land use in this module (see attached Module Tracking Spreadsheet).
- **Locational Criteria:** The uses proposed by this rezoning request are within the appropriate locations as shown on the FLUP modules diagram. Per the Comprehensive Plan, the Industrial Module establishes the following guidelines:
 1. The impact of potential industrial uses on adjacent existing residential uses and environmentally sensitive areas should be considered when determining the appropriate intensity of uses for particular areas;
 2. Buffers and screens are important components in industrial development patterns. They are used to minimize the adverse impacts of light, noise and views of truck traffic. They should be used in the planning for industrial development as needed;

3. Transportation networks should be well planned to ensure adequate/appropriate levels of service;
4. Public facilities can be planned as an amenity for this module. These areas can be the focus for planning and site organization. This planning will allow pedestrian linkages to and from public facilities and the adjacent development; and
5. Open space should be used as an amenity for surrounding development. Many times the open space takes the form of a floodplain, wetlands, or stands of existing trees. This integration can occur in many ways; a common method is to have a road from the open space providing a public view, access or “front-door” to the amenity.

The subject property is adjacent to an approximately 147 acre site to the south zoned in 2002 for a Type IV Landfill (zoned similarly “ML” – Light Manufacturing). To the east are two parcels containing industrial-related uses. The Comprehensive Plan states that Staff should make assessments and recommendations based on the anticipated uses expected in the long term for tracts that are developing within areas of minimal development, such as the subject property.

The requested zoning designation follows the Comprehensive Plan for industrial uses and will be subject to Zoning Ordinance regulations that should minimize potential negative impacts of an industrial use on an adjacent property, which may include screening, buffering and landscaping.

Furthermore, this site takes its access from a Major Regional Highway, as defined by the Master Thoroughfare Plan. This roadway will provide an appropriate level of service to the subject property and therefore meets the locational criteria dealing with transportation networks of the Industrial Module.

- Compliance with Community Form: Within the Industrial Module, the typical form includes large buildings with a single floor and higher than average ceiling heights. The subject property will be subject to Section 146-139 (Architectural and Site Standards) for industrial buildings in industrial districts ensuring compliance with community form.
- Impact on Infrastructure: The proposed rezoning request should have a minimal impact on the overall existing and planned infrastructure in the area as the Future Land Use Plan designates the subject property for industrial uses.
- Impact on Public Facilities/Services: The proposed rezoning request should have a minimal impact on public facilities and services, such as schools, fire and

police, libraries, parks and sanitation services as the Future Land Use Plan designates the subject property for industrial uses.

- Compatibility with Existing and Potential Adjacent Land Uses: Adjacent and surrounding properties are currently used for agricultural, commercial, and industrial purposes. The Comprehensive Plan states that Staff should make assessments and recommendations based on the anticipated uses expected in the long term for tracts that are developing within areas of minimal development, such as the subject property. In addition, the proposed rezoning request should be considered within the context of the entire City and the Comprehensive Plan as a whole. Given these criteria, Staff feels that the proposed development is compatible with the expected development in McKinney's eastern sector. With that said, the Zoning Ordinance contains specific screening, buffering and landscaping provisions that are intended to reduce the impact that non-residential uses have on adjacent uses. These provisions will be applicable to this property. As such, Staff feels the proposed rezoning request will be compatible with existing and potential adjacent land uses.
- Timing of Zoning Request: The proposed rezoning request does not appear to hinder or negatively impact the ability of the module to develop the primary land use, industrial uses.
- Fiscal Analysis: The full cost method shows a positive net cost benefit of \$61,863.

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
- Land Use Module Tracking Sheet
- Fiscal Impact Analysis
- Proposed Zoning Exhibit
- PowerPoint Presentation