

AGENDA ITEM

TO: Planning and Zoning Commission

THROUGH: Michael Quint, Senior Planner

FROM: Abra R. Nusser, Planner

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Dowdey, Anderson & Associates, Inc., on Behalf of Reins Investment, Ltd., for Approval of a Request to Rezone Approximately 129.23 Acres from “PD” – Planned Development District to “PD” – Planned Development District, Generally to Modify the Development Standards, Located on the East and West Sides of Ridge Road and Approximately 1,600 Feet North of Virginia Parkway.

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the June 7, 2011 meeting.

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

1. Use and development of the subject property (129.23 acres), more fully depicted on the proposed zoning exhibit, shall conform to the following regulations:
 - a. Tract A, which is more fully depicted in the attached Zoning Exhibit, shall develop according to the “RS-72” – Single Family Residence District of the Zoning Ordinance, and as amended, except as follows:
 - i. The maximum building height shall be 2 stories which may not exceed 40’ in height.
 - ii. The minimum front yard shall be 25’.
 - iii. The minimum rear yard shall be 20’.
 - iv. The minimum side yard setback shall be 5’.
 - v. The maximum lot coverage shall be 50%.
 - vi. The tract’s maximum density shall be 3.2 dwelling units per acre.

- b. Tract B, which is more fully depicted in the attached Zoning Exhibit, shall develop according to the “RS-84” – Single Family Residence District of the Zoning Ordinance, and as amended, except as follows:
 - i. The maximum building height shall be 2 stories which may not exceed 40’ in height.
 - ii. The minimum side yard setback shall be 7’.
 - iii. The maximum lot coverage shall be 50%.
 - iv. There shall be no maximum floor area ratio.
 - v. The tract’s maximum density shall be 3.0 dwelling units per acre.
- c. Tract C, which is more fully depicted in the attached Zoning Exhibit, shall develop according to the “RS-120” – Single Family Residence District of the Zoning Ordinance, and as amended, except as follows:
 - i. The maximum building height shall be 2 stories which may not exceed 40’ in height.
 - ii. The minimum front yard shall be 25’.
 - iii. The minimum side yard shall be 7’.
 - iv. The maximum lot coverage shall be 50%
 - v. There shall be no maximum floor area ratio.
 - vi. The tract’s maximum density shall be 3.0 dwelling units per acre.
- d. A 30’ wide platted common area, to be maintained by the governing homeowner’s association, shall be required along the entire western boundary line of Tract A.
- e. At least two 20’ wide platted common areas, to be maintained by the governing homeowner’s association, shall be provided within Tract A in order to provide access for maintenance purposes to the required 30’ wide common area from the adjacent local residential street. One common area shall be located in the northwest portion of the proposed development and the other shall be located in the southwest portion of the proposed development.

- f. All land which is identified as being within an Erosion Hazard Setback Easement shall be platted as a common area, to be maintained by the governing homeowner's association.
- g. A wrought iron fence shall be required along the property line where a proposed single family residential lot abuts a natural area or open space, except when a single family residential lot abuts the 50' high pressure gas easement.
- h. Where single family residential lots back or side to Habersham Way (a 60' residential collector roadway) and/or its adjacent open spaces or landscape buffers, a board-on-board wooden fence with masonry columns spaced every 30' on center shall be provided.
- i. A maximum of 360 detached single family residential lots shall be permitted on the subject property.
- j. The subject property shall generally conform to the attached Zoning Exhibit.

APPLICATION SUBMITTAL DATES: April 11, 2011 (Original Application)
 April 26, 2011 (Revised Submittal)
 May 3, 2011 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 129.23 acres of land, located on the east and west sides of Ridge Road and approximately 1,600 feet north of Virginia Parkway from "PD" – Planned Development District to "PD" – Planned Development District, generally to replace the existing zoning exhibit.

PLATTING STATUS: The subject property is currently unplatted. A preliminary-final plat with a subsequent record plat or plats, subject to review and approval by the Director of Planning, must be approved 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 No. 2007-08-078
 (Single Family Residential Uses)

North	"AG" – Agricultural District	Single Family Residential Homes
	"PD" – Planned Development District Ordinance No. 1763 (Commercial Uses)	Single Family Residential Home

	“PD” – Planned Development District Ordinance No. 2003-02-009 (Residential Uses)	Ridge Crest Residential Subdivision
South	“PD” – Planned Development District Ordinance No. 2007-05-053 (SF-1 – Single Family Residential Uses)	Future Saddlehorn Creek Residential Subdivision and Undeveloped Land
East	“SUP” – Specific Use Permit Ordinance No. 94-10-43 (Private Street Development) and “PD” – Planned Development District Ordinance No. 1621 (SF-1 Single Family Residential Uses), and as amended	Estates of Stonebridge Ranch Private Residential Subdivision
	“PD” – Planned Development District Ordinance No. 2000-03-022 (Single Family Residential Uses)	Cambridge Residential Subdivision
West	“PD” – Planned Development District Ordinance No. 2000-11-092 (Single Family Residential Uses)	Mayberry Park and Saddlehorn Ridge Residential Subdivisions

PROPOSED ZONING: The applicant is requesting to rezone approximately 129.23 acres of land, located on the east and west sides of Ridge Road and approximately 1,600 feet north of Virginia Parkway from “PD” – Planned Development District to “PD” – Planned Development District, generally to replace the existing zoning exhibit with a new zoning exhibit. In 2007, the subject property was rezoned from “AG” – Agricultural District to “PD” – Planned Development District, generally for single family residential uses and to modify the development standards (Ordinance No. 2007-08-078). A zoning exhibit reflecting a conceptual layout with streets, lots, and three tracts was attached to the governing planned development district. The governing planned development district contains development standards for each of the three tracts, generally under the RS 72, RS 84, and RS 120 – Single Family Residence District regulations.

The applicant is proposing to keep all of the existing development standards from the governing planned development district but replace the zoning exhibit to reflect a revised land plan for the subject property. Staff feels that the existing planned development district is of high quality, and the proposed conceptual layout is an improvement in both lot pattern and street network. The applicant has worked with Staff to provide adequate access to the lots and a generally well-designed street network. As such, Staff recommends approval of the proposed rezoning request.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for several uses: low density residential, medium density residential, high density residential, and floodplain. The Future Land Use Plan Modules Diagram designates the subject property as suburban mix 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 rezoning request 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.” Another goal of the Comprehensive Plan is accomplished through “Attractive Hometown that Promotes McKinney’s Character” by creating “Attractive and Distinctive Neighborhoods.”
- **Impact on Infrastructure:** The Future Land Use Plan designates the subject property generally for low density residential, medium density residential, high density residential, and floodplain uses. The water master plan, sewer master plan, and master thoroughfare plan are all based on the anticipated land uses as shown on the Future Land Use Plan. The proposed rezoning request does not propose to alter the base residential zoning of the subject property or number of proposed lots and should have a minimal impact on the existing and planned water, sewer and thoroughfare plans in the area.
- **Impact on Public Facilities/Services:** The Future Land Use Plan designates the subject property generally for low density residential, medium density residential, high density residential, and floodplain uses. Similar to infrastructure, public facilities and services are all planned for based on the anticipated land uses shown on the Future Land Use Plan. The proposed rezoning request does not propose to alter the base residential zoning of the subject property and should have a minimal impact on public facilities and services.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The properties located adjacent to the subject property are similarly zoned for residential uses. The proposed rezoning request does not propose to alter the base residential zoning of the subject property, and it is compatible with existing and potential adjacent land uses in layout and lot size.
- **Fiscal Analysis:** Staff did not perform a fiscal analysis for this case because the proposed rezoning request does not propose to alter the base residential zoning of the subject property.
- **Concentration of a Use:** The proposed rezoning request should not result in an over concentration of residential land uses in the area. The surrounding

properties are zoned generally for residential uses as intended in the Future Land Use Plan with commercial uses transitioning closer to Virginia Parkway to the south.

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
- Aerial Exhibit
- Letter of Intent
- Property Owner Notice
- Property Owner Notification List
- Existing “PD” – Planned Development District Ordinance No. 2007-08-078
- Proposed Zoning Exhibit
- Planning and Zoning Commission PowerPoint Presentation