

AGENDA ITEM

TO: Planning and Zoning Commission

FROM: Brandon Opiela, Planning Manager

SUBJECT: Conduct a Public Hearing to Consider/Discuss/Act on the Request by Middleton & Associates, L.L.C., on Behalf of Heavy Ventures, L.L.C., Mike Shell, Timothy Thompson, and Stephen C. Matthews for Approval of a Request to Rezone Fewer than 2 Acres from "PD" – Planned Development District to "PD" – Planned Development District, Generally to Modify the Development Standards, Located on the West Side of Lloyd Stearman Drive and Approximately 450 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 18, 2013 meeting.

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

- 1) Use and development of the subject property shall conform to "PD" – Planned Development District Ordinance No. 2008-11-106, except as follows:
 - a) Townhome/hangar units shall be a maximum of 3 stories tall (35 feet).

APPLICATION SUBMITTAL DATE: May 28, 2013 (Original Application)

ITEM SUMMARY: The applicant is proposing to rezone approximately 1.51 acres, from "PD" – Planned Development District to "PD" – Planned Development District in order to modify the maximum number of stories allowed for a townhome/hangar unit while maintaining the maximum height currently allowed.

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. 2008-11-106 (Townhome/Hangar Uses)

North	“PD” – Planned Development District Ordinance No. 2008-11-106 (Townhome/Hangar Uses)	Undeveloped
South	“PD” – Planned Development District Ordinance No. 2008-11-106 (Townhome/Hangar Uses)	Aero Country Townhome/Hangar
East	“PD” – Planned Development District Ordinance No. 98-08-44 (Single Family Residential Uses)	Virginia Hills Subdivision
West	“PD” – Planned Development District Ordinance No. 2008-11-106 (Hangar Uses)	Aero Country Private Hangars

ACCESS/CIRCULATION:

Adjacent Streets: Lloyd Stearman Drive, 50’ Right-of-Way, Private Residential Street

Discussion: The subject property is accessed by Lloyd Stearman Drive, which is a gated, private street (09-059SUP), serving the existing and future townhome/hangar units within the Aero Country development.

PROPOSED ZONING: The applicant is requesting to rezone the subject property from “PD” – Planned Development District to “PD” – Planned Development District in order to modify the maximum number of stories allowed for a townhome/hangar unit. The applicant has also provided conceptual elevations and floor plans (attached) of the proposed townhome/hangar units for informational purposes only.

The governing planned development ordinance for the property (PD 2008-11-106) stipulates a base zoning designation of “RG 27” – General Residence Townhome District for townhome/hangar units, which permits a maximum height of 35 feet. Although the “RG 27” – General Residence Townhome District does not specify the maximum number of stories allowed, the governing PD ordinance has a site layout exhibit attached that limits townhome/hangar units to a maximum of 2 stories. Because the applicant has not requested to change the maximum height allowed for the units, Staff is comfortable supporting an increase to the allowed story height from 2 to 3 stories.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use Plan (FLUP) designates the subject property for low density residential uses; however, in 2008 the property was rezoned to allow for townhome/hangar uses. The FLUP 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 zoning change would help the community attain the goal of “Land Use Compatibility and Mix” by creating a “mix of land uses that provides for various lifestyle choices” and “consider real estate market forces.”
- 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 as the land use is not changing on the subject property.
- 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 as the land use is not changing on the subject property.
- Compatibility with Existing and Potential Adjacent Land Uses: The proposed rezoning request does not alter the existing land use designation nor does it increase the maximum height allowed for townhome/hangar units, and as such, remains compatible with existing and future development within the area.
- Fiscal Analysis: Staff did not perform a fiscal analysis for this case as the rezoning request does not alter the land use currently allowed on the subject property.
- Concentration of a Use: The proposed rezoning request does not create an over concentration of townhome/hangar units as this use is currently allowed on the subject property.

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. 2008-11-106
- Proposed Zoning Exhibit A – Location Map
- Proposed Zoning Exhibit B – Metes and Bounds
- Elevations (Informational Only)
- Floor Plans (Informational Only)
- PowerPoint Presentation