



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 19-0066Z2      **Name:** Diamond Nail Rezoning  
**Type:** Ordinance      **Status:** Approved  
**In control:** City Council Regular Meeting  
**On agenda:** 9/17/2019      **Final action:** 9/17/2019  
**Title:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District, Located Approximately 250 Feet East of Custer Road and on the South Side of Virginia Parkway and Accompanying Ordinance  
**Indexes:**  
**Attachments:** 1. PZ Minutes PLACEHOLDER, 2. Location Map and Aerial Exhibit, 3. Letter Of Intent, 4. Comprehensive Plan Maps, 5. Established Community District, 6. Placetype Definitions, 7. Land Use and Tax Base Summary, 8. Land Use Comparison Table, 9. Ex. PD Ord No. 2004-09-099, 10. Proposed Ordinance, 11. Proposed Exhibits A-C, 12. Presentation

Date	Ver.	Action By	Action	Result
9/17/2019	1	City Council Regular Meeting	Close the public hearing	Pass
9/17/2019	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "C1" - Neighborhood Commercial District, Located Approximately 250 Feet East of Custer Road and on the South Side of Virginia Parkway and Accompanying Ordinance

**COUNCIL GOAL:** Direction for Strategic and Economic Growth  
 (1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential and open space)

**MEETING DATE:** September 17, 2019

**DEPARTMENT:** Planning

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
 Samantha Pickett, AICP, Planning Manager  
 David Soto, Planner I

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed rezoning request.

**APPLICATION SUBMITTAL DATE:** July 9, 2019 (Original Application)  
 August 2, 2019 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 0.928 acre of land, generally for commercial uses.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ordinance No. 2004-09-099 (Commercial/Office Uses)	Diamond Nail Saloon
North	"PD" - Planned Development District Ordinance No. 2009-07-050 (Retail Uses)	Home Depot
South	"PD" - Planned Development District Ordinance No. 1997-06-36 (Mixed Uses)	Falcon Creek Phase II Subdivision
East	"PD" - Planned Development District Ordinance No. 2004-09-099 (Commercial/Office Uses)	Hadavand Orthodontics, Farmers State insurance, Donuts, Cowboys Nail, Dominos, and Family Serenity Dentistry
West	"PD" - Planned Development District Ordinance No. 2008-02-008 (Commercial Uses)	CVS Pharmacy

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property to "C1" - Neighborhood Commercial District, generally for low intensity commercial uses. The property is currently zoned "PD" - Planned Development for commercial uses; however, it also requires that any proposed development conform to the layout tied down as part of the PD.

The subject property currently operates as a nail salon and is proposing to continue to do so; however, the applicant is requesting to modify the existing building and layout, thus triggering the need to rezone the property. In order to allow for the building modification and remove the layout, the applicant has requested "C1" - Neighborhood Commercial District. It is Staff professional opinion that the proposed rezoning request for commercial uses will be compatible with the surrounding uses and is in conformance with the Comprehensive Plan, and as such, Staff recommends approval of the proposed rezoning request.

**CONFORMANCE TO ONE MCKINNEY 2040:** A key aspect of the ONE McKinney 2040 Comprehensive Plan is to provide direction related to the desired development patterns and to inform decisions related to the timing and phasing for future infrastructure investments in the City. To assist in guiding these decisions, the Preferred Scenario and Land Use Diagram establishes distinctive districts, each with a clear intent and market focus that are reinforced through character-defining placetypes. In conjunction with the Preferred Scenario, there will be a series of district diagrams which outline the desired development patterns for each unique area of McKinney. Per the Preferred Scenario, the subject property is located in the Established Community District. General placetypes included in this district are Suburban Living, Commercial Center, Professional Campus, Neighborhood Commercial, and Mixed Use.

- Guiding Principles: The proposed rezoning request is generally in conformance with Guiding Principle of "Diversity (Supporting our Economy and People)" established by the Comprehensive Plan. In particular, the proposed request has the potential to provide "diverse economic engines... broaden the tax base, and make the City's economy more adaptable and

resilient”.

- Land Use Diagram Compatibility: In evaluating development requests, the City should determine that a project meets the majority of the established criteria to be considered compatible with the Land Use Diagram. The proposed rezoning request aligns with the Neighborhood Commercial placetype of the Established Community District. Furthermore, the proposed request of “C1” - Neighborhood Commercial District should be compatible with the surrounding properties and placetypes, including Commercial Center and Suburban Living placetypes.
- Land Use and Tax Base Summary: Module 53 is currently comprised of approximately 88% residential uses, 12% non-residential uses (including institutional uses). The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 53 are comprised of approximately 80% from residential uses and 20% from non-residential uses. Estimated tax revenues by type in Module 53 are comprised of approximately 84.8% ad valorem taxes and 15.2% sales and use taxes.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received no comments or phone calls in support of or opposition to this request.

**BOARD OR COMMISSION RECOMMENDATION:** On August 27, 2019 the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed zoning request.