



CITY OF MCKINNEY, TEXAS

Legislation Details (With Text)

File #: 19-0077Z4 **Name:** Hardin Lake Estates
Type: Ordinance **Status:** Approved
In control: City Council Regular Meeting
On agenda: 2/4/2020 **Final action:** 2/4/2020
Title: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-84" - Single Family Residence District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located Approximately 180 Feet North of Albany Drive on the East Side of Sorrell Road, and Accompanying Ordinance

Indexes:

Attachments: 1. PZ Minutes 9.10.pdf, 2. PZ Minutes 12.10.pdf, 3. CC Minutes 01.07.pdf, 4. Location Map and Aerial Exhibit, 5. Letters of Intent, 6. Letter of Support, 7. Letters of Opposition, 8. Written Protest, 9. Written Protest Withdrawal, 10. Zoning Protest Map, 11. Comprehensive Plan Maps, 12. Established Community District, 13. Placetype Definitions, 14. Fiscal Analysis, 15. Land Use Comparison Table, 16. Layout- Information Only, 17. Proposed Ordinance, 18. Exhibits A-D, 19. Presentation

Date	Ver.	Action By	Action	Result
2/4/2020	1	City Council Regular Meeting	Close the public hearing	Pass
2/4/2020	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "RS-84" - Single Family Residence District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located Approximately 180 Feet North of Albany Drive on the East Side of Sorrell Road, 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: February 4, 2020

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Joe Moss, Planner I

RECOMMENDED CITY COUNCIL ACTION: Staff recommends approval of the proposed rezoning request with the following special ordinance provisions:

1. The subject property shall be zoned "PD" - Planned Development District and shall be subject to the following special ordinance provision:
 - a. The subject property shall develop in accordance with the attached development

regulations.

APPLICATION SUBMITTAL DATE:	August 7, 2019	(Original Application)
	August 26, 2019	(Revised Submittal)
	September 11, 2019	(Revised Submittal)
	October 29, 2019	(Revised Submittal)
	November 20, 2019	(Revised Submittal)
	December 13, 2019	(Revised Submittal)
	January 17, 2020	(Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 41.86 acres of land to “PD” - Planned Development District, generally to modify the development standards for single family residential uses. More specifically, the proposed rezoning request modifies the density, lot sizes and space limits. In addition, the applicant is proposing to provide 18 acres of open space, a gazebo, an enhanced tree buffer in certain areas, and walking paths.

EXISTING ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"RS-84" - Single Family Residence District (Single Family Residential Uses)	Ragsdale, Single Family Residential and Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 2007-12-118 (Single Family Residential Uses) and "PD" - Planned Development District Ordinance No. 2005-05-049 (Single Family Residential Uses) and "RS-84" - Single Family Residence (Single Family Residential Uses)	Sorrellwood Park and Bonnie Wenk Park, Undeveloped Land
South	"PD" - Planned Development District Ordinance No. 2012-08-039 (Single Family Residential Uses) and "RS-84" - Single Family Residence (Single Family Residential Uses)	Hardin Lake, Stonegate 2
East	"RS-120" - Single Family Residence (Single Family Residential Uses) and "RS-84" - Single Family Residence (Single Family Residential Uses)	Eldorado Lakes, Provine Farms Estates, Undeveloped Land

West	"RS-84" - Single Family Residence (Single Family Residential Uses) and "AG" - Agricultural District (Residential Uses) "PD" - Planned Development District Ordinance No. 2007-12-118 (Single Family Residential Uses) and "PD" - Planned Development District Ordinance No. 2005-05-049 (Single Family Residential Uses)	Sorrellwood Park, Ragsdale, Single Family Residential
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PROPOSED ZONING: The applicant is requesting to rezone the subject property from "RS-84" - Single Family Residence District to "PD"- Planned Development, generally to modify the development standards for single family residential uses, as discussed further below.

- Density and Lot Sizes
 - Currently, the property is zoned "RS-84", which has a minimum lot size of 8,400 square feet and maximum density of 5.0 units per acre. The applicant is seeking to rezone the property to a "PD" - Planned Development District that uses "SF-5" Single Family Residence District as a base zoning. With this, the maximum density would decrease to 3.2 units per acre. As proposed, the mean and median lot size of the development shall be a minimum of 7,200 square feet.
 - Following the December 10, 2019 Planning and Zoning Commission meeting, the applicant is also proposing additional provisions to the density and lot sizes in order to address feedback received from nearby residents. While the "SF-5" district permits minimum lot sizes as small as 5,000 square feet, the applicant is proposing a minimum lot size of 6,000 square feet. The applicant is also proposing to limit the number of dwelling units to not exceed 94 units. Staff is of the opinion that the proposed changes in lot sizes will allow for a variety of lot types, and the proposed unit cap will ensure that the development blends with the surrounding neighborhoods. The surrounding neighborhoods range in lot sizes from 4,500 to 12,000 square feet and densities of 3.2 dwelling units per acre to 6 dwelling units per acre.
- Space Limits
 - The proposed "PD" seeks to modify the typical space limits found in the "SF-5" Zoning District in two ways. The first would increase the minimum lot size from 40' to 50' as measured from the building setback. The second would modify the required side yard setback for interior lots to a minimum of 5' instead of 0' on one side and 10' on the other. As proposed, the increase in minimum lot width and side yard requirements would result in a more restrictive standard than is typically required in the "SF-5" Zoning District. That said, Staff is of the opinion that the proposed changes in space limits will provide a feature that is above and beyond the city's minimum standards and will blend with the surrounding neighborhoods.

With "PD" - Planned Development District requests, projects must provide a feature(s) to ensure exceptional quality or demonstrate innovation. In addition to the applicant's request to include increased standards to those typically required in the "SF-5" Zoning District, the applicant is also proposing to provide 18 acres of open space and a 400 square foot gazebo on a common area near

the lake. The proposal also includes 0.5 miles of walking paths. Previous proposals had included additional walking paths between Sorrellwood Park and the proposed development, but this provision has been removed from the current request in order to address neighbor concerns. This proposal does retain a 30' landscape buffer along the property line with the Sorrellwood Park Subdivision in order to preserve as many of the existing trees as possible.

It is the opinion of Staff that the uses, space limits, and exceptional qualities of the proposed "PD" Planned Development District are appropriate and compatible to the surrounding development. As such, staff recommends approval of the 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 Diagrams establish distinctive districts, each with a clear intent, market focus, and development pattern that are reinforced through character-defining placetypes. Per the Preferred Scenario, the subject property is located in the Established Neighborhood District and is designated as the Urban Living placetype. Other general placetypes included in this district are Aviation, Neighborhood Commercial, Employment Mix, Commercial Center, Manufacturing & Warehousing, Suburban Living, Urban Living, Mixed-Use Center and Professional Campus.

- 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 "private development, public investments, and community engagement support the people of McKinney by making available housing options and neighborhood choices that are accessible, attainable and appealing to people at all stages of their lives."
- Land Use Diagram Compatibility: In evaluating development requests, the City should determine that a project meets the majority of the criteria established within the Comprehensive Plan to be considered compatible with the Land Use Diagram. The proposed rezoning generally aligns with the Urban Living placetype of the Established Community District. Furthermore, the proposed request should be compatible with surrounding neighborhoods and placetypes, including the Suburban Living Placetype.

The subject property is surrounded on all sides by a variety residential developments that range from 4,500 square foot lots to estate-size (12,000 square-foot) lots. The proposed single family residential development on this property will provide an appropriate transition between smaller lot, higher density developments and the more traditional residential neighborhoods nearby.

- Fiscal Model Analysis: The attached fiscal analysis shows a positive fiscal benefit for the 41.86 acre property. The proposed rezoning should contribute to achieving an overall fiscal balance in the city.

OPPOSITION TO OR SUPPORT OF REQUEST: As of the publishing of this Agenda on Friday, January 31, 2020, Staff has received 44 letters of opposition to this request and a written protest, which includes signatures from property owners representing 17.4816% of the area of the lots or land

immediately adjoining the subject property and extending 200 feet. Because the written protest does not include signatures from owners representing at least 20% of the area of the lots or land immediately adjoining the subject property and extending 200 feet, a supermajority (6 of 7) vote of the City Council is not required for approval.

This item was originally heard at the January 7, 2020 City Council meeting but was tabled. At the time of the January 7th meeting, the written protest included signatures from owners representing 25.420% of the area of the lots or land immediately adjoining the subject property; however, a number of residents have since withdrawn from the written protest and it now falls under the 20% requirement for a supermajority vote.

At the December 10, 2019 Planning and Zoning Commission meeting, 24 residents spoke in opposition to the request, additionally, 35 residents stated opposition to the request, but did not wish to speak.

At the September 10, 2019 Planning and Zoning Commission meeting, 18 residents stated opposition to the request, but did not wish to speak. Four residents spoke in opposition to the request.

BOARD OR COMMISSION RECOMMENDATION: On January 7, 2020, City Council voted 7-0-0 to table the item to the February 4, 2020 meeting.

On December 10, 2019, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.

This Item was previously presented to the Planning and Zoning Commission on September 10, 2019, where it was tabled in order to allow more time to revise the request.