



17-281Z

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “BN” - Neighborhood Business District to “DR” - Duplex Residential District, Located at the Northwest Corner of White Street and Tennessee Street, and Accompanying Ordinance

**COUNCIL GOAL:** Direction for Strategic and Economic Growth

**MEETING DATE:** December 5, 2017

**DEPARTMENT:** Planning

**CONTACT:** Brian Lockley, AICP, CPM, Director of Planning  
Matt Robinson, AICP, Planning Manager

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

**APPLICATION SUBMITTAL DATE:** September 27, 2017 (Original Application)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 0.976 acres of land from “BN” - Neighborhood Business District to “DR” - Duplex Residential District, generally for single family attached residential uses. The applicant has indicated that the front setback within the existing zoning precludes the development of extended front porches on the residential units.

**ZONING:**

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“BN” - Neighborhood Business District (Residential Uses)	Undeveloped Land
North	“BG” - General Business District (Retail Business)	English Color and Supply Auto Paint
South	“BN” - Neighborhood Business District (Retail Uses)	Retail Uses Mattress Sales, Beauty Salon

East	"PD" - Planned Development District (Residential Uses) Ordinance No. 2017-07-078	McKinney Housing Authority
West	"BN" - Neighborhood Business District (Residential Uses)	Single Family Residence

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "BN" - Neighborhood Business District to "DR" - Duplex Residential District, generally for single family attached residential uses. Specifically, the applicant proposes extended front porches on the residential units that will reach into the required 25-foot front setback. By rezoning to DR, the applicant can construct the extended front porches that will not extend into the required 20-foot front setback. Within the existing zoning front porches may not encroach into the front setback.

The Future Land Use Plan (FLUP) designates the property for high density residential uses. The adjacent properties to the east and west are currently used or zoned for single family and multi-family residential uses. The adjacent properties to the north and south although zoned for Neighborhood Business, may be developed with residential uses. Given the proposed use of the subject property it is Staff's professional opinion the rezoning request is appropriate for the subject property and will remain compatible with the existing and future land uses. 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 low density residential uses. The FLUP modules diagram designates the subject property as Town Center 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".
- 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.
- 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.
- Compatibility with Existing and Potential Adjacent Land Uses: The properties located adjacent to the subject property are zoned for similar commercial and residential uses. The proposed rezoning request will remain compatible with the

surrounding properties.

- Land Use and Tax Base Summary: Module 55 is currently comprised of approximately 51.8% residential uses and 48.2% non-residential uses (including institutional and agricultural uses). The proposed rezoning request modifies the anticipated land uses in this module by changing from neighborhood business to duplex residential. Estimated tax revenues in Module 55 are comprised of approximately 47.5% from residential uses and 52.5% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 55 are comprised of approximately 62.2% ad valorem taxes and 37.8% sales and use taxes.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of single family residential land uses in the area.

**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 October 24, 2017, the Planning and Zoning Commission voted 7-0-0 to close the public hearing and table the item to the November 14, 2017 Planning and Zoning Commission Meeting due to notification signs not being posted on the subject property in the timeframe required by the Zoning Ordinance.

On November 14, 2017 the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.

**SUPPORTING MATERIALS:**

[PZ Minutes 11.14.pdf](#)

[PZ Minutes 10.24.pdf](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Comprehensive Plan Maps](#)

[Land Use and Tax Base Summary](#)

[Land Use Comparison Table](#)

[Proposed Rezoning Ordinance](#)

[Proposed Exhibit A - B](#)

[PowerPoint Presentation](#)