



# CITY OF MCKINNEY, TEXAS

## Legislation Text

File #: 17-0021Z, Version: 2

Conduct a Public Hearing to Consider/ Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District to "C1" - Neighborhood Commercial District, Located Approximately 595 Feet West of Village Park Drive and on the North Side of Collin McKinney Parkway, and Accompanying Ordinance

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

**MEETING DATE:** March 20, 2018

**DEPARTMENT:** Planning

**CONTACT:** Samantha Pickett, AICP, Planning Manager  
Brian Lockley, AICP, CPM, Director of Planning  
David Soto, Planner I

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

**APPLICATION SUBMITTAL DATE:** December 27, 2017 (Original Application)  
January 22, 2018 (Revised Submittal)  
January 30, 2018 (Revised Submittal)  
February 2, 2018 (Revised Submittal)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 0.95 acres of land from "PD" - Planned Development District and "REC" - Regional Employment Center Overlay District, generally for single family residential uses, to "C1" - Neighborhood Commercial District, generally for commercial uses.

### ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ordinance No. 2013-03-028 and "REC" - Regional Employment Center Overlay District (Single Family Residential Uses)	Undeveloped Land
North	"PD" - Planned Development District Ordinance No. 2002-05-038 and "REC" - Regional Employment Center Overlay District (Single Family Residential Uses)	Village Park Subdivision

South	"PD" - Planned Development District Ordinance No. 2015-05-042, "REC" - Regional Employment Center Overlay District and "CC" - Corridor Commercial Overlay District (Single Family Residential Uses)	Vineyards Subdivision
East	"C1" - Neighborhood Commercial District (Commercial Uses)	Undeveloped Land
West	"PD" - Planned Development District Ordinance No. 2013-03-028 (Single Family Residential Uses) and "REC" - Regional Employment Center Overlay District	Village at Stacy Subdivision

**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 for single family residential uses in accordance with the Neighborhood Zone of the REC Overlay District; however, the adjacent street network and neighborhood layout have rendered the subject property undevelopable as a single family residential lot(s). As such, the applicant has indicated their intent to develop the property for non-residential uses, specifically under "C1" - Neighborhood Commercial District in order to be consistent with the property directly to the east.

Currently, the Future Land Use Plan (FLUP) designates the property for low density residential uses; however, this designation on the subject property reflects the existing zoning rather than the potential uses for the location. The request for the subject property is consistent with several other recent rezoning requests in the immediate area, and the current request will complement the adjacent properties. It is Staff's professional opinion, given the location and access of the property, that the rezoning request will be compatible with the adjacent land uses and 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 Urban 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 providing "land use patterns that optimize and balance the tax base of the City".
- Impact on Infrastructure: The proposed rezoning request may have an impact on the existing and planned water, sewer and thoroughfare plans in the area.
- Impact on Public Facilities/Services: The proposed rezoning request may 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 property to the east is zoned for similar commercial uses, and the proposed request should be compatible and complement the surrounding properties.
- Land Use and Tax Base Summary: Module 13 is currently comprised of approximately 53.9% residential uses and 46.1% non-residential uses (including institutional and agricultural uses). The proposed rezoning request will have an impact on the anticipated land uses in this module, as the property will be changing from residential to non-residential uses. Estimated tax revenues in Module 13 are comprised of approximately 80.5% from residential uses and 19.5% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 13 are comprised of approximately 87.6% ad valorem taxes and 12.4% sales and use taxes.
- Concentration of a Use: The proposed rezoning request should not result in an over concentration of commercial 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; however, the applicant did host a neighborhood meeting with the residents of Village Park on February 16, 2018 to inform them of the upcoming request.

**BOARD OR COMMISSION RECOMMENDATION:** On February 27, 2018, the Planning and Zoning Commission voted 6-0-0 to recommend approval of the proposed rezoning request.