



CITY OF MCKINNEY, TEXAS

Legislation Text

File #: 19-0068Z, **Version:** 1

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "LI" - Light Industrial District to "PD" - Planned Development District, Generally to Modify the Use and Development Standards, Located on the South Side of University Drive (U.S. Highway 380) and Approximately 8,800 Feet East of Airport Drive

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: October 8, 2019

DEPARTMENT: Development Services, Planning Department

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

APPROVAL PROCESS: The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action at the November 5, 2019 meeting.

STAFF RECOMMENDATION: Staff recommends denial of the proposed rezoning request due to the intensity of the land uses which would be allowed by right on the subject property. Staff recommends that land uses including, but not limited to lime slurry and concrete batch plant only be allowed with the approval of a Specific Use Permit (SUP) so some City Council discretion can be exercised in how the site develops to ensure compatibility with surrounding development.

However, if the applicant's request is approved, the following special ordinance provisions shall apply:

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 be developed in accordance with the attached development regulations and exhibit.

Provide a strong city economy by facilitating a balance between industrial, commercial, residential and open space: **Staff's professional opinion is that the proposed rezoning would not facilitate a balance between industrial, commercial, residential and open space. As such, Staff recommends denial.**

APPLICATION SUBMITTAL DATE: July 15, 2019 (Original Application)
August 14, 2019 (Revised Submittal)
August 27, 2019 (Revised Submittal)
September 09, 2019 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 15.023 acres of land, generally for industrial uses. The rezoning request would increase the intensity of uses by rezoning the property from “LI”- Light Industrial District to a “PD”- Planned Development District, utilizing the “HI”- Heavy Industrial District as a base zoning. The proposed development standards remove many of the “HI” uses, however it does retain some higher intensity uses. The Comprehensive Plan calls for the Employment Mix placetype in this location. Typically these are light industrial and office uses. This may include some limited heavy industrial activity, however it is vital that these heavy uses be evaluated carefully to ensure the quality and compatibility of future development in the area. Since the proposed zoning permits heavy development outright, the city would not have the chance to carry out such an evaluation via the Specific Use Permit (SUP) process. As such, Staff recommends denial of the proposed rezoning request.

ZONING:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	“LI”- Light Industrial District (Industrial Uses)	Undeveloped Land
North	City of McKinney Extraterritorial Jurisdiction (ETJ)	Auto Sales and Repair Related Uses
South	“PD” - Planned Development District Ord. No. 2002-05-46 (Industrial Uses)	Landfill
East	“AG”- Agricultural District (Agricultural Uses)	Undeveloped Land
West	“PD” - Planned Development District Ord. No. 2002-05-46 (Industrial Uses)	Landfill

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally for Industrial uses. Currently the property is “LI”- Light Industrial District and the proposed zoning would be “PD”- Planned Development District with a base zoning of “HI”- Heavy Industrial District. While most of the “HI” uses have been removed per the development standards, the applicant’s proposed PD development regulations do permit by right a Lime Slurry, Concrete and Asphalt Batch Plants, as well as Industrial uses directly related to the production and or manufacture of lime, concrete, or asphalt. In addition to those uses, a Sanitary Landfill would be permitted with a specific use permit (SUP.) The proposed zoning would utilize the “LI” space limits with the exception of equipment height would be limited to 95’. Currently there is no height limit on equipment. The proposed zoning would satisfy the requirement of any PD to have innovative design or exceptional quality by increasing landscaping standards from 1 canopy tree per 40’ in the landscape buffer to 1 canopy tree per 30’. In addition, the landscape buffer would be increased from 20’ to 25’.

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 East Fork District, and is specified as the Employment Mix placetype. Other general placetypes included in this district are Commercial Center, Neighborhood Commercial, Urban Living, Suburban Living, and Estate Residential.

- Guiding Principles: The proposed rezoning request is not generally in conformance with Guiding Principle of “Diversity (Supporting our Economy and People)” established by the Comprehensive Plan. Staff feels that the proposed request may negatively impact the development and economic diversity of the surrounding area in the future. In particular, the proposed request does not “broaden the tax base, and make the city’s economy more adaptable and resilient.” The proposed zoning may actually hamper the ability to create a resilient employment mix placetype in the surrounding area due to the intense nature of the proposed uses, as things like dust and noise may be factors in deterring high quality development in the area.
- 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 does not align with the Employment Mix placetype of the East Fork District. Employment Mix is defined as “Employment Mix includes professional and service uses typically on smaller sized parcels with lower intensities than business campuses. This type of development may support a variety of occupations including offices, research and development facilities, medical clinics, and business incubators. These uses are typically located with access to arterial thoroughfares, and street frontage of the businesses are appealing and have an increased level of aesthetics and landscaping.” Staff feels the proposed zoning would allow uses and intensities that are not compatible with the intent of this district, and would make the area less desirable for potential development that does align with the placetype.
- Land Use and Tax Base Summary: Module 15 is currently comprised of approximately 2% residential uses, 21% non-residential uses (including institutional and agricultural uses), and 77% within the City of McKinney Extraterritorial Jurisdiction. The proposed rezoning request will have no impact on the anticipated land uses in this module. Estimated tax revenues in Module 15 are comprised of approximately 15% from residential uses and 85% from non-residential uses (including agricultural uses). Estimated tax revenues by type in Module 15 are comprised of approximately 100% ad valorem taxes and 0% sales and use taxes.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received one letter of support, but no other comments or phone calls in support of or opposition to this request.