



17-200Z

TITLE: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from “AG” - Agricultural District and “CC” - Corridor Commercial Overlay District to “C2” - Local Commercial District and “CC” - Corridor Commercial Overlay District Located on the North Side of U.S. Highway 380 (University Drive) and on the East and West Sides of Walnut Grove Road; and Accompanying Ordinance

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: September 19, 2017

DEPARTMENT: Planning

CONTACT: Brian Lockley, Director of Planning, AICP, CPM
Samantha Pickett, Planning Manager, AICP
Melissa Spriegel, Planner I

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

ITEM SUMMARY: The applicant is requesting to rezone approximately 7.78 acres of land, generally for commercial uses. More specifically, the proposed request is to rezone four lots, each approximately 1.9 acres, from “AG” - Agricultural District and “CC” - Corridor Commercial Overlay District to “C2” - Local Commercial District and “CC” - Corridor Commercial Overlay District.

APPLICATION SUBMITTAL DATE: July 12, 2017 (Original Application)
July 31, 2017 (Revised Submittal)

ZONING:

| Location | Zoning District (Permitted Land Uses) | Existing Land Use |
|------------------|--|--|
| Subject Property | “AG” - Agricultural District and “CC” - Corridor Commercial Overlay District (Agricultural Uses) | Single Family Residence and Undeveloped Land |

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|-------|---|--------------------------|
| North | "AG" - Agricultural District; "CC" - Corridor Commercial Overlay District (Agricultural Uses), and City of McKinney Extraterritorial Jurisdiction (ETJ) | Walnut Grove Subdivision |
| South | "PD" - Planned Development District Ordinance No. 2003-02-015 and "CC" - Corridor Commercial Overlay District (Retail Uses) | Undeveloped Land |
| East | "AG" - Agricultural District and "CC" - Corridor Commercial Overlay District (Agricultural Uses) | Undeveloped Land |
| West | "C" - Planned Center District and "CC" - Corridor Commercial Overlay District (Commercial Uses) | Single Family Residence |

PROPOSED ZONING: The applicant is requesting to rezone the subject property generally for commercial uses. More specifically, the applicant is requesting to rezone to "C2" - Local Commercial District, generally for medium intensity uses along a major thoroughfare. The governing zoning district allows for primarily agricultural uses; however, the applicant has indicated the potential for the property to develop for commercial uses.

Currently, the Future Land Use Plan (FLUP) designates the property for residential uses; however, this designation on the subject property reflects the existing development rather than the potential uses for the location. While the properties to the north and west are currently being utilized for single family residential uses, the properties to the west and south are zoned for commercial uses (the property to the east is vacant), which is appropriate given the adjacency to a major regional highway (U.S. Highway 380). Additionally, the Northwest Sector Study specifically notes that depths of 750 to 1,000 feet should be preserved for non-residential development along U.S. Highway 380, and also serves as a buffer between the residential developments and the right-of-way. Given the growing development along the major regional highway and increase of non-residential uses in the area, it is Staff's professional opinion the rezoning request is appropriate for the subject property and will help to develop this portion of the highway for regional commercial 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 residential uses. The FLUP modules diagram designates the subject property as Suburban 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 “Economic Development Vitality for a Sustainable and Affordable Community” through the stated objective of the Comprehensive Plan, a “balanced development pattern”.

- 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 an 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 should be compatible with the existing surrounding development.
- Land Use and Tax Base Summary: Module 51 is currently comprised of approximately 54% residential uses, 5.6% non-residential uses (including mixed-use, institutional and agricultural uses), and 40.4% within the City of McKinney Extraterritorial Jurisdiction. The proposed rezoning request will impact on the anticipated land uses in this module by changing from residential to non-residential uses. Estimated tax revenues in Module 51 are comprised of approximately 95% from residential uses and 5% from non-residential uses (including mixed uses). Estimated tax revenues by type in Module 51 are comprised of approximately 91.7% ad valorem taxes and 8.3% 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 one letter in opposition to this request. Staff also received a written protest; however, the property in protest was not more than 20% of the adjacent properties within 200 feet of the subject property. As such, a supermajority vote by City Council is not required.

BOARD OR COMMISSION RECOMMENDATION: On August 22, 2017 the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request.

SUPPORTING MATERIALS:

[PZ Minutes 08.22.pdf](#)

[Location Map and Aerial Exhibit](#)

[Letter of Intent](#)

[Letter of Opposition](#)

[Written Protest](#)

[Written Protest Maps](#)

[Comprehensive Plan Maps](#)

[Land Use and Tax Base Summary](#)

[Land Use Comparison Table](#)

[Proposed Ordinance](#)

[Proposed Exhibits A-C](#)

[PowerPoint Presentation](#)