



CITY OF MCKINNEY, TEXAS

Legislation Details (With Text)

File #: 22-0083Z **Name:** Underdog Kennels
Type: Agenda Item **Status:** Regular Agenda Item
In control: Planning & Zoning Commission
On agenda: 9/13/2022 **Final action:**
Title: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Commercial Uses and a Pet Store, Kennel, Animal Boarding (Outdoor Runs) Use, Located at 9446 Virginia Parkway, and Accompanying Ordinance
Indexes:
Attachments: 1. Location Map and Aerial Exhibit, 2. Letter of Intent, 3. Comprehensive Plan Maps, 4. Established Community District, 5. Placetype Definitions, 6. Fiscal Analysis, 7. Land Use Comparison Table, 8. Ex. PD Ord. No. 2008-11-106, 9. Proposed Zoning Exhibit, 10. Proposed Development Regulations, 11. Concept Plan (Informational Only), 12. Presentation

Date	Ver.	Action By	Action	Result
9/13/2022	1	Planning & Zoning Commission	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District to "PD" - Planned Development District, Generally to Modify the Development Standards and to Allow Commercial Uses and a Pet Store, Kennel, Animal Boarding (Outdoor Runs) Use, Located at 9446 Virginia Parkway, 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: October 3, 2022

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Caitlyn Strickland, Planning Manager
Lexie Schrader, 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: June 27, 2022 (Original Application)
 August 1, 2022 (Revised Submittal)
 August 25, 2022 (Revised Submittal)

ITEM SUMMARY: The applicant is requesting to rezone approximately 2.48 acres of land, generally for commercial uses, including a pet store, kennel, and animal boarding with outdoor runs.

EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"PD" - Planned Development District Ord. No. 2008-11-106 (Airport hangar, townhome and commercial uses)	Undeveloped Land
North	"PD" - Planned Development District Ord. No. 2008-11-106 and 2009-07-051 (Airport hangar, townhome and commercial uses)	Aero Country East, Townhome/hangars
South	"PD" - Planned Development District Ord. No. 2001-02-024 (Single family, multi-family, office and retail uses)	Single family
East	"PD" - Planned Development District Ord. No. 2008-11-106 (Airport hangar, townhome and commercial uses), "PD" - Planned Development District Ord. No. 1998-08-44 (Agricultural, single family and commercial uses)	Single family
West	City of McKinney ETJ	Airport

PROPOSED ZONING: The applicant requests to rezone the subject property generally for commercial uses and to allow a pet store, kennel, and animal boarding with outdoor runs, as further described below.

Tract A

- Commercial Uses
 - The current zoning on Tract A allows for commercial uses pursuant to the BN" - Neighborhood Business zoning district, which does not allow pet stores, kennels, animal boardings with outside runs.
 - The applicant proposes the following animal-care uses on tract A:
 - Pet store, kennel, animal boarding with outdoor area/runs
 - Pet store, kennel, animal boarding (no outside runs)
 - Veterinarian with outdoor areas/runs
 - Veterinarian (no outside runs)
 - Accessory building or use
 - Parking incidental to main use

Tract B

- Commercial Uses
 - The current zoning on Tract A allows for commercial uses pursuant to the BN" - Neighborhood Business zoning district, which does not allow pet stores, kennels, animal boardings with outside runs.
 - The applicant proposes to allow commercial uses similar to those found in the "C2" - Local Commercial District; including allowance for pet stores, kennels, animal boardings and veterinarian offices with outside runs. A full list of proposes uses is attached for your reference.

Landscaping Requirements

- The applicant proposes to dedicate 15% of the site area to living landscape compared to the city's typical requirement of 10% living landscape. The proposed increase will provide a greater permanent landscape area on site.
- The applicant also proposes to provide 1 canopy tree for every 30 linear feet along Virginia Parkway, which is an increase to the city's typical requirement of 1 canopy tree for every 40 linear feet.

Staff is supportive of the proposed rezoning request to allow animal-related uses with outdoor components and neighborhood-service commercial uses on the subject property. The proposed commercial uses, including the animal-related uses with outdoor components, are appropriate for this location and should be compatible with the existing developments in the area. Additionally, the close proximity to the Aero Country Airport and the proposed increase to both the setback and landscape requirements will provide sound and visual buffers to protect nearby residents from potential noise. The proposed outdoor play area for the animal-related use on Tract A is located adjacent to the hangars to the north, and will be separated from the existing single-family residential to the east by the proposed commercial development on Tract B and 50 feet of existing Right-of-Way (Lloyd Steaman Drive). The proposed development will be subject to the quiet zone requirements of the City due to the residential proximity, but staff feels that the adjacency to the Aero Country Airport, enhanced landscaping, and location of the outdoor play area as noted on the concept plan will mitigate sound concerns. As such, Staff recommends approval of the proposed rezoning request.

CONFORMANCE TO THE ONE MCKINNEY 2040 COMPREHENSIVE PLAN: A key aspect of the ONE McKinney 2040 Comprehensive Plan is to provide direction related to desired development patterns in the city and to inform decisions related to the timing and phasing of future infrastructure investments. To assist in guiding these decisions, the plan includes a set of Guiding Principles that provide overall guidance and a Preferred Scenario and Land Use Diagram that illustrates the desired development patterns in the city. The Preferred Scenario and Land Use Diagram are built upon a series of distinctive districts, each with a specific purpose, focus and market. Each district consists of a mix of placetypes that identify the predominate land uses and desired pattern of development for the district.

- Guiding Principles:
The proposed rezoning request is generally in conformance with the Guiding Principle of

“Diversity (Supporting our Economy and People)” established by the Comprehensive Plan. In particular, the proposed request has the potential to provide “[...] new businesses and developments that support economic engines, broaden the tax base, and make the city’s economy more adaptable and resilient.”

- Preferred Scenario and Land Use Diagram Characteristics:

Per the Preferred Scenario and Land Use Diagram, the subject property is located in the Established Community District and is designated as the Aviation placetype.

Aviation emphasizes employment types and uses that are related to aviation. Proximity to airports is essential for the purpose of transportation needs and logistics. Aviation uses can range in scale and intensity and provide a variety of employment types. Large low-profile buildings and hangars may be seen in Aviation areas, but also small shops and aviation office services.

- Land Use Diagram Compatibility:

When considering land use decisions, the City should determine that a project aligns with the Land Use Diagram and/or meets a majority of the established criteria (below) to be considered compatible with the Land Use Diagram. The proposed rezoning request **does not align** with the Aviation placetype of the Established Community District. In order to be considered compatible with the comprehensive plan, the project should meet a majority of the established criteria below:

1. Help McKinney achieve the Comprehensive Plan’s Vision and Guiding Principles;
2. Advance the District’s intent;
3. Demonstrate compatibility with the District’s identity and brand;
4. Include uses compatible with the Land Use Diagram;
5. Leverage and protect natural and built amenities and infrastructure;
6. Strengthen or create connections to activity centers within and beyond the District;
7. Create a positive fiscal impact for the City through the timeframe of the Plan (2040);
8. Demonstrate that the project’s travel demand estimates can be accommodated by the planned transportation network;
9. Demonstrate that the project’s demand on other public infrastructure can be accommodated by planned facilities; and
10. Demonstrate that the life-cycle costs to the public of constructing, maintaining and operating infrastructure included in the project is consistent with this plan’s [Comprehensive Plan] fiscal responsibility policies.

The subject property is situated in an area that is developed largely for residential uses, but fronts directly to a major arterial roadway (Virginia Parkway). With the direct adjacency to Virginia Parkway and the small size of the subject property, Staff finds that the proposed commercial development to serve nearby neighborhoods is an appropriate use for the site. Staff feels that the proposed rezoning request substantially advances a majority of the decision making criteria above to be considered compatible with the comprehensive plan.

- Fiscal Model Analysis: The attached fiscal analysis shows a positive fiscal benefit of \$106,433 for the 2.48 acre property, which should contribute to achieving an overall fiscal balance in the city.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no letters of support or letters of opposition to this request. This does not include emails or letters that may have been sent directly to members of the Council. As part of the Planning and Zoning Commission Public Hearing, Staff has not received any citizen comments through the online citizen portal.

BOARD OR COMMISSION RECOMMENDATION: On September 13, 2022, the Planning and Zoning Commission voted 6-0-0 to recommend approval of the proposed rezoning request.