



CITY OF MCKINNEY, TEXAS

Legislation Details (With Text)

File #: 23-0022Z2 **Name:** 1719 W Louisiana St Rezone
Type: Ordinance **Status:** Public Hearing
In control: City Council Regular Meeting
On agenda: 6/6/2023 **Final action:**
Title: Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at 1719 West Louisiana Street, and Accompanying Ordinance
Indexes:
Attachments: 1. PZ Minutes 05.09.2023, 2. Location Map and Aerial Exhibit, 3. Letter of Intent, 4. Comprehensive Plan Maps, 5. Town Center District, 6. Placetype Definitions, 7. Fiscal Analysis, 8. Land Use Comparison Table, 9. Proposed Ordinance, 10. Proposed Exhibits A-D, 11. Presentation

Date	Ver.	Action By	Action	Result
6/6/2023	1	City Council Regular Meeting		

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "BN" - Neighborhood Business District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located at 1719 West Louisiana Street, 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: June 6, 2023

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Caitlyn Strickland, Planning Manager
Jake Bennett, 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: January 27, 2023 (Original Application)
March 31, 2023 (Revised Submittal)
April 20, 2023 (Revised Submittal)

May 19, 2023 (Revised Submittal)

ITEM SUMMARY: The applicant requests to rezone approximately 0.5 acres of land, generally for commercial uses. More specifically, the proposed rezoning request modifies the development regulations to allow a 10' landscape buffer along the northern and western property lines, as opposed to a 20' landscape buffer. The proposed commercial uses are similar to those found in the "C1" - Neighborhood Commercial Zoning District, but also prohibits certain specific uses such as laundromat.

At the May 9 Planning and Zoning Commission meeting, the applicant was agreeable to including additional prohibited uses as part of the zoning, as requested by the Commission. These additional uses included: adult entertainment stores, lingerie or undergarment stores, sexually oriented businesses, smoke, tobacco, or vape shops, smoke, tobacco, or vape paraphernalia shops, tattoo parlor or studio, and carwash.

EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"BN" - Neighborhood Business District (Commercial Uses)	Shammy-Man Car Wash
North	"PD" - Planned Development District (Neighborhood Business and Office Uses)	McKinney Dentist office
South	"PD" - Planned Development District (Commercial and Multifamily Uses)	Hill Creek apartments
East	"BN" - Neighborhood Business District (Commercial Uses)	Kwik Kar Oil and Lube
West	"BN" - Neighborhood Business District (Commercial Uses)	Developing Solutions office

PROPOSED ZONING: The applicant requests to rezone the subject property generally for commercial uses.

The proposed zoning allows many of the same uses currently permitted within the "BN" - Neighborhood Business District on the subject property. Some uses have even been removed as part of the rezoning request, due to concerns from the Planning and Zoning Commission and the City Council. The main change being proposed with this rezoning is the reduction of the required landscape buffer along the northern and western property lines from 20' to 10'.

Though the landscape buffer is proposed to be reduced, the applicant has added the stricter requirement of one canopy tree per 30 linear feet of the frontage of West Louisiana Street and Wilson Creek Boulevard, as opposed to 40 linear feet.

Due to the limited size of the subject property, the opportunity to redevelop an underutilized infill site, and the addition of a stricter street frontage tree requirement, 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 Town Center District and is designated as the Neighborhood Commercial placetype.

Neighborhood Commercial is typically characterized as small, freestanding buildings containing one or more businesses. Unlike larger shopping centers that may attract regional commercial sites these primarily provide services for the surrounding neighborhoods. These developments may be accessed by a variety of transportation means. Business types may include restaurants, local retail, medical offices, banks, general offices, and other 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 plan’s established criteria to be considered compatible with the Land Use Diagram. The proposed rezoning request **aligns** with the Neighborhood Commercial placetype of the Town Center District, is in conformance with the Land Use Diagram and should be compatible with the surrounding properties.
- Fiscal Model Analysis: The attached fiscal analysis shows a positive fiscal benefit of \$21,522 for the 0.5-acre property and should contribute to achieving an overall fiscal balance in the city.

OPPOSITION TO OR SUPPORT OF REQUEST: Staff has received no letters of support to this request and no letters of opposition. 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 May 9, 2023, the Planning and Zoning Commission voted 7-0-0 to recommend approval of the proposed rezoning request, with the addition of the following prohibited uses: laundromat, adult entertainment stores, lingerie or undergarment stores, sexually oriented businesses, smoke, tobacco, or vape shops, smoke, tobacco, or vape paraphernalia shops, tattoo parlor or studio, and carwash.

