



# CITY OF MCKINNEY, TEXAS

## Legislation Text

File #: 21-0005Z5, Version: 1

Conduct a Public Hearing to Consider/Discuss/Act on a Request to Rezone the Subject Property from "PD" - Planned Development District, "AG" - Agricultural District, and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, Located on the Southeast Corner of U.S. Highway 380 (University Drive) and Meadow Ranch Road, and Accompanying Ordinance (REQUEST TO BE TABLED)

**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:** April 6, 2021

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Caitlyn Strickland, Planning Manager  
Joe Moss, Planner I

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

**APPLICATION SUBMITTAL DATE:** January 11, 2021 (Original Application)

**ITEM SUMMARY:** The applicant is requesting to rezone approximately 4.00 acres of land, generally for commercial uses.

### EXISTING ZONING AND LAND USES:

Location	Zoning District (Permitted Land Uses)	Existing Land Use
Subject Property	"AG" - Agricultural District (Agricultural Uses), "PD" - Planned Development District Ordinance No. 1998-11-63 (Office Uses), and "CC" - Corridor Commercial Overlay District	Single Family Residence and Cornerstone Offices

North	"PD" - Planned Development District Ordinance No. 2012-08-037 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	Undeveloped Land
South	"AG" - Agricultural District and "CC" - Corridor Commercial Overlay District (Agricultural Uses)	Meadow Ranch Subdivision
East	"PD" - Planned Development District Ordinance No. 1992-02-01 and "CC" - Corridor Commercial Overlay District (Light Manufacturing Uses)	Single Family Residence
West	"PD" - Planned Development District Ordinance No. 2002-05-050 and "CC" - Corridor Commercial Overlay District (Commercial Uses)	380 West Animal Hospital

**PROPOSED ZONING:** The applicant is requesting to rezone the subject property from "AG" - Agricultural District, "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District to "C2" - Local Commercial District and "CC" - Corridor Commercial Overlay District, generally for commercial uses. Under the existing zoning on the property, the northern portion of the tract (approximately 2 acres) allows for development of office uses, while the southern portion of the tract is currently for agricultural uses.

The applicant requests that both lots be rezoned to the "C2" - Local Commercial District to allow for commercial uses. Given that the property is fronting onto US Highway 380, which is a major regional highway, that adjacent properties also along US 380 are expected to develop for non-residential uses, Staff is of the professional opinion that the rezoning request is appropriate and will be compatible with the surrounding uses. As such, Staff recommends approval of the proposed rezoning request.

**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.

Per the Preferred Scenario, the subject property is designated as the professional center placetype and is within the Medical District. Other placetypes included in this district are Urban Living, Suburban Living and Neighborhood Commercial.

- Guiding Principles: The proposed rezoning request is generally in conformance with Guiding Principle of "Diversity (Supporting our Economy and People)" established by the Comprehensive Plan. In particular, the proposed request has the potential to provide "diverse economic engines... broaden the tax base, and make the City's economy more adaptable and resilient".

- 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. While the proposed rezoning request does not strictly align with the Professional Center placetype, projects not in strict conformance may still be considered consistent with the Comprehensive Plan so long as a majority of decision-making criteria are met. This rezoning request specifically meets the following criteria:
  - Helps McKinney achieve the Comprehensive Plan's Vision and Guiding Principles
  - Demonstrates compatibility with the District's identity and brand
  - Includes uses compatible with the Land Use Diagram
  - Demonstrates that the project's travel demand can be accommodated by the planned transportation network
  - Demonstrates that the project's demand on other public infrastructure can be accommodated by planned facilities, and

While the proposed zoning district of "C2" - Location Commercial District predominately allows for retail commercial uses, it also allows for office uses, which is generally supportive of the vision and goals of the Medical District and the Professional Center placetype. As such, Staff feels comfortable that the proposed request is keeping in line with the land use diagram of the Comprehensive Plan.

- Fiscal Model Analysis: The attached fiscal analysis shows a positive fiscal benefit of \$238,411 for the 4-acre property and should contribute to achieving an overall fiscal balance in the city. Some key takeaways for this property include:
  - The proposed zoning is expected to provide nearly double the potential development value than the current zoning.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has received 43 letters of opposition and 4 letters of support for this request. At the February 9, 2021 Planning and Zoning Commission meeting, 8 residents spoke in opposition to the request and one in favor. At the March 9, 2021 Planning and Zoning Commission Meeting 10 residents spoke in opposition.

On March 31, 2021 Staff also received an official written protest. At this time, the submitted protest includes validated signatures from property owners representing 26.5% of the total area within 200' of the subject property. As such, the submitted protest meets the 20% requirement for a supermajority (6 of 7) by City Council for approval of this rezoning request.

**BOARD OR COMMISSION RECOMMENDATION:** On February 9, 2021, the Planning and Zoning Commission tabled the item and continued the public hearing to the February 23, 2021 meeting by a vote of 6-0-1, Vice-Chairman Mantzey abstained.

On February 23, 2021, the Planning and Zoning Commission tabled the item and continued the public hearing to the March 9, 2021 meeting per the applicant's request by a vote of 7-0-0.

On March 9, 2021, the Planning and Zoning Commission voted to approve the item by a vote of 7-0-0.