



## PLANNING

**To: Mayor and Town Council**

**From: David Hoover, AICP, Director of Development Services**

**Through: Mario Canizares, Town Manager  
Chuck Ewings, Assistant Town Manager**

**Re: Planned Development for The School House**

**Town Council Meeting – November 26, 2024**

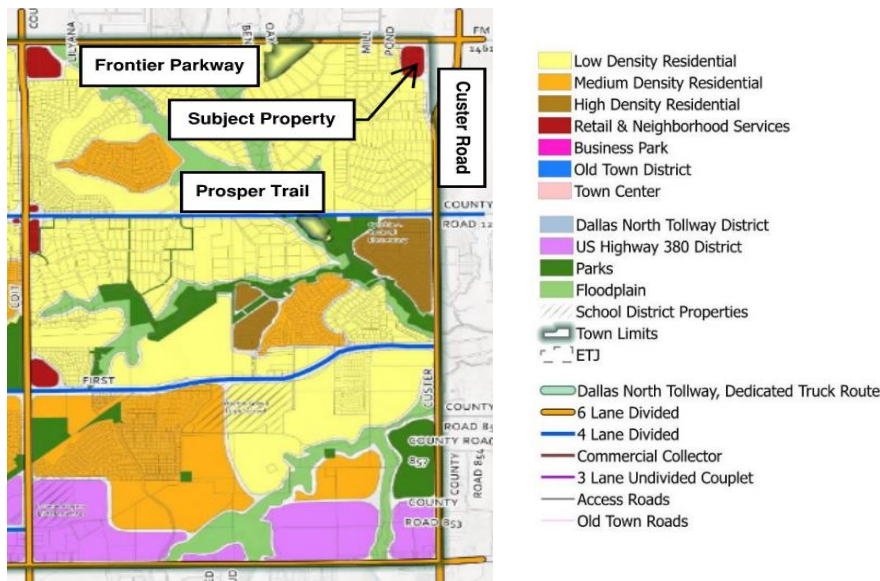
**Strategic Visioning Priority: 3. Commercial Corridors are ready for Development**

**Agenda Item:**

Conduct a Public Hearing and consider and act upon a request to rezone 5.7± acres on George Horn Survey, Abstract 412, Tract 2 from Agricultural to Planned Development–Retail, located on the west side of Custer Road and 470± feet south of Frontier Drive. (ZONE-24-0017)

**Future Land Use Plan:**

The Future Land Use Plan recommends Retail & Neighborhood Services. The proposed zoning request conforms to the Future Land Use Plan.



**Zoning:**

The property is zoned Agricultural.

**Thoroughfare Plan:**

This property has direct access to Custer Road.

**Parks Master Plan:**

The Parks Master Plan does not indicate a park is needed on the subject property.

**Budget Impact:**

There is no budgetary impact affiliated with this item.

**Legal Obligations and Review:**

Notification was provided as required by the Zoning Ordinance and state law. Staff has received two responses in opposition to the proposed zoning request to date. If a written protest against a zoning change has been filed with the Planning Department by the owners of 20 percent of the land within 200 feet of the property, the zoning change shall not become effective except by the affirmative vote of three quarters of all members of the Town Council.

**Attached Documents:**

1. Aerial & Zoning Maps
2. Future Land Use Exhibit
3. Exhibit A-1 – Written Metes and Bounds
4. Exhibit A-2 – Boundary Exhibit
5. Exhibit B – Letter of Intent
6. Exhibit C – Development Standards
7. Exhibit D – Conceptual Plan
8. Exhibit E – Development Schedule
9. Exhibit F – Elevations
10. Exhibit G – Landscape Plan
11. Exhibit H – Floor Plan
12. Traffic Management Plan
13. Draft Development Agreement
14. Opposition Map
15. Letter of Opposition (Thompson, B.)
16. Letter of Opposition (Hanson, D.)

**Description of Agenda Item:**

The purpose of this request is to rezone the property from Agricultural to a Planned Development with a base zoning of Retail. The intent of the request is to construct a retail building on the northern tract (Tract 1) and a private school on the southern tract (Tract 2). The private school, The School House, will be developed first while the retail building will be developed later. The southern tract is approximately two acres and will have a private school with a barn, green house, music room, and playground. The school is planning for a maximum enrollment of 64 students with ten staff members. Earlier this year, the applicants requested a Specific Use Permit for this use in the downtown area. The project has been relocated to address previous concerns regarding the location of the initial request.

**Compatibility:**

This zoning change would not be seen as out of character with the existing area due to compatibility with the surrounding properties. There is commercial development to the north of this property and the site to the south has similar uses to the ones proposed on the southern tract.

The zoning and land use of the surrounding properties are as follows:

	<b>Zoning</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>
<b>Subject Property</b>	Agricultural	Vacant	Retail & Neighborhood Services
<b>North</b>	Agricultural	Self-Storage Facility	Retail & Neighborhood Services
<b>East</b>	City of McKinney	Vacant	N/A
<b>South</b>	Agricultural	House of Worship	Low Density Residential
<b>West</b>	Single Family-Estate	Residential	Low Density Residential

**District Regulations:**

The district regulations for this Planned Development are the same as the standards of the Retail District in the Town's Zoning Ordinance. The regulations are shown below.

	<b>Proposed District Regulations (Development Standards)</b>
<b>Size of Yards</b>	<b>Front:</b> 30'  <b>Side:</b> 15' 30' (One-Story Adj. to Residential) 60' (Two-Story Adj. to Residential)  <b>Rear:</b> 15' 30' (One-Story Adj. to Residential) 60' (Two-Story Adj. to Residential)
<b>Size of Lots</b>	<b>Minimum Area:</b> 10,000 SF  <b>Minimum Lot Width:</b> 100'  <b>Minimum Lot Depth:</b> 100'
<b>Maximum Height</b>	<b>Stories:</b> Two Stories or 40'
<b>Maximum Lot Coverage</b>	<b>Lot Coverage:</b> 40 Percent

**Uses:**

The list of permitted uses within this Planned Development is shown below.

- By Right:
  - Childcare Center, Licensed
  - Farm/Ranch/Stable/Garden or Orchard
  - Feed Store
  - House of Worship
  - Nursery, Minor
  - Pet Day Care
  - Private or Parochial School (Tract 2 Only)
  - Professional Office (No Medical)

**Landscaping:**

The landscaping standards for this Planned Development in comparison to the landscaping standards for commercial development in the Town’s Zoning Ordinance are shown below.

**TRACT 1 (NORTHERN TRACT)**

In Tract 1, the only deviation from the commercial landscaping standards is an increased landscape buffer on the western boundary adjacent to residential development.

	<b>Required Landscaping (Commercial Requirements)</b>	<b>Proposed Landscaping (Development Standards)</b>
<b>Northern Boundary</b>	<b>Buffer:</b> 5’ Landscape Area  <b>Plantings:</b> One ornamental tree and shrub, five-gallon minimum, every 15 linear feet.	<b>Buffer:</b> 5’ Landscape Area  <b>Plantings:</b> One ornamental tree and shrub, five-gallon minimum, every 15 linear feet.
<b>Eastern Boundary</b>	<b>Buffer:</b> 15’ Landscape Area  <b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.  Fifteen (15) shrubs, five-gallon minimum, every 30 linear feet.	<b>Buffer:</b> 15’ Landscape Area  <b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.  Fifteen (15) shrubs, five-gallon minimum, every 30 linear feet.
<b>Southern Boundary</b>	<b>Buffer:</b> 5’ Landscape Area  <b>Plantings:</b> One ornamental tree and shrub, five-gallon minimum, every 15 linear feet.	<b>Buffer:</b> 5’ Landscape Area  <b>Plantings:</b> One ornamental tree and shrub, five-gallon minimum, every 15 linear feet.
<b>Western Boundary</b>	<b>Buffer:</b> 15’ Landscape Area  <b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.	<b>Buffer:</b> 20’ Landscape Area  <b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.

## TRACT 2 (SOUTHERN TRACT)

In Tract 2, the only deviations from the commercial landscaping standards are living screens on the southern and western boundaries adjacent to residential zoning and an increased landscape buffer on the western boundary adjacent to residential development.

	<b>Required Landscaping (Zoning Ordinance)</b>	<b>Proposed Landscaping (Development Standards)</b>
<b>Northern Boundary</b>	<p><b>Buffer:</b> 5' Landscape Area</p> <p><b>Plantings:</b> One ornamental tree and shrub, five-gallon minimum, every 15 linear feet.</p>	<p><b>Buffer:</b> 5' Landscape Area</p> <p><b>Plantings:</b> One ornamental tree and shrub, five-gallon minimum, every 15 linear feet.</p>
<b>Eastern Boundary</b>	<p><b>Buffer:</b> 15' Landscape Area</p> <p><b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.</p> <p>Fifteen (15) shrubs, five-gallon minimum, every 30 linear feet.</p>	<p><b>Buffer:</b> 15' Landscape Area</p> <p><b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.</p> <p>Fifteen (15) shrubs, five-gallon minimum, every 30 linear feet.</p>
<b>Southern Boundary</b>	<p><b>Buffer:</b> 15' Landscape Area</p> <p><b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.</p>	<p><b>Buffer:</b> 15' Landscape Area</p> <p><b>Plantings:</b> Double row of evergreen trees, six-foot minimum, with offsetting centers.</p>
<b>Western Boundary</b>	<p><b>Buffer:</b> 15' Landscape Area</p> <p><b>Plantings:</b> One large tree, three-inch caliper minimum, every 30 linear feet.</p>	<p><b>Buffer:</b> 20' Landscape Area</p> <p><b>Plantings:</b> Double row of evergreen trees, six-foot minimum, with offsetting centers.</p>

### Screening:

The screening standards for this Planned Development in comparison to the screening standards for commercial development in the Town's Zoning Ordinance are shown below.

## TRACT 1 (NORTHERN TRACT)

In Tract 1, there is no deviation from the commercial screening standards.

	<b>Proposed Screening (Development Standards)</b>
<b>Northern Boundary</b>	None
<b>Eastern Boundary</b>	None
<b>Southern Boundary</b>	None
<b>Western Boundary</b>	6' Masonry Wall

## TRACT 2 (SOUTHERN TRACT)

In Tract 2, the only deviations from the commercial screening standards are living screens on the southern and western boundaries adjacent to residential zoning instead of six-foot masonry walls. Town Staff have worked with the applicant to create screens that are compatible with the existing natural pond and vegetation.

	<b>Required Screening (Zoning Ordinance)</b>	<b>Proposed Screening (Development Standards)</b>
<b>Northern Boundary</b>	None	None
<b>Eastern Boundary</b>	None	None
<b>Southern Boundary</b>	6' Masonry Wall	Living Screen
<b>Western Boundary</b>	6' Masonry Wall	Living Screen

### **Architectural Standards:**

The architectural standards within this Planned Development are shown below.

- Building Materials:
  - Tract 1 (Northern Tract)
    - Clay Fired Brick
    - Granite
    - Marble
    - Stone (Natural, Precast, or Manufactured)
    - Other Materials as approved by the Director of Development Services
  - Tract 2 (Southern Tract)
    - Hardi Board Siding w/ Batten and Trim (See Exhibit F)

### **Drainage:**

The drainage standards within this Planned Development require retention, serving both tracts, to be located on the northern tract if drainage and detention easements cannot be acquired from adjacent property owners.

### **Traffic Management:**

The traffic management standards within this Planned Development require adherence to the traffic management plan (see attachment) that has been reviewed and approved by the Town's Engineering Department.

### **Town Staff Recommendation:**

Town Staff recommends approval of the request to rezone 5.7± acres on George Horn Survey, Abstract 412, Tract 2 from Agricultural to Planned Development–Retail, located on the west side of Custer Road and 470± feet south of Frontier Drive.

**Planning & Zoning Recommendation:**

The Planning & Zoning Commission recommended approval of this item by a vote of 6-1 at their meeting on November 5, 2024. Commissioner Hamilton voted in opposition to this item due to the motion including the requirement of a living screen on the western property line. Commissioner Hamilton noted for the record that he was in favor of the proposal but was not in favor of requiring additional landscaping to the existing tree line. Additionally, Commissioner Blanscet noted for the record that he was also in favor of not requiring a living screen on the western property line. Further, Chair Daniel recommended that the living screen on the western property line be further evaluated.

**Three-Fourths Vote:**

Due to the opposition from surrounding properties within 200 feet, exceeding 20 percent of the land area, this item requires an affirmative vote of three quarters of all members of the Town Council to be approved.

**Proposed Motion:**

I move to approve/deny the request to rezone 5.7± acres on George Horn Survey, Abstract 412, Tract 2 from Agricultural to Planned Development–Retail, located on the west side of Custer Road and 470± feet south of Frontier Drive.