



**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by JBI Partners, Inc., on Behalf of D.R. Horton – Texas, Ltd., for Approval of a Request to Rezone Fewer than 4 Acres from “PD” – Planned Development District to “PD” – Planned Development District, to Allow for Single Family Residential Uses, Located Approximately 2,200 Feet West of Independence Parkway and Approximately 2,300 Feet South of Virginia Parkway, and Accompanying Ordinance

**MEETING DATE:** May 21, 2013

**DEPARTMENT:** Planning

**CONTACT:** Michael Quint, Director of Planning  
Brandon Opiela, Planning Manager  
Samantha Gleinser, Planner I

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends denial of the proposed rezoning request due to lack of conformance with the density requirements of the Comprehensive Plan.

**However, should the rezoning request be approved, Staff recommends the following special ordinance provisions be included:**

1. The subject property shall develop in accordance with “PD” – Planned Development District Ordinance No. 2013-04-042, except as follows:
  - a. The maximum density shall be 4.67 dwelling units per acre.
  - b. The development of the subject property shall generally conform to the attached concept plan.

**ITEM SUMMARY:**

- The applicant is requesting to rezone approximately 3.00 acres of land from “PD” – Planned Development District to “PD” – Planned Development District, generally to modify the development standards. The subject property was formerly an outparcel, completely surrounded by future phases of the Reserve at Westridge Subdivision. It is the intent of the applicant to develop the subject

property within the neighborhood with similar standards to the surrounding properties.

- At the April 9, 2013 Planning and Zoning Commission meeting, the applicant presented the request to zone the subject property to “PD” – Planned Development District, with several special ordinance provisions, including a mean and median lot size of 7,200 square feet, a requirement of 100 percent masonry on all elevations of each home, and a request for a density of 4.67 dwelling units per acre. While Staff supported the first two provisions, Staff was unable to support a density that exceeded the Comprehensive Plan’s maximum density of 3.2 dwelling units per acre (up to 3.4 dwelling units per acre if Design for Density elements of the Comprehensive Plan have been provided). Ultimately the Commission voted to recommend approval of the applicant’s request, which included a maximum density of 4.67 dwelling units per acre.
- On April 16, 2013, City Council voted to annex this parcel into the City and zone the property following Staff’s recommendation, with a maximum density of up to 3.4 dwelling units per acre. At this meeting, the applicant’s presentation and layout were inadvertently left out of the attachments provided to the Council, thus the applicant felt that City Council did not get a complete perspective of the request to develop 14 lots in a manner consistent with the surrounding single family residential properties. With that said, the applicant has submitted this rezoning request in order to clarify their proposal and request a density that does exceed the Comprehensive Plan’s requirements (4.67 dwelling units per acre), but is lower than the density of the immediately adjacent properties (allowing a maximum density of 5.2 dwelling units per acre).
- Although Staff is unable to support a density that exceeds the Comprehensive Plan’s requirements, Staff feels that the request will allow for a consistent development pattern within the larger Reserve at Westridge Subdivision and the minor increase in density should not negatively affect the surrounding properties.

**BACKGROUND INFORMATION:**

- See attached Planning and Zoning Commission Staff Report.

**FINANCIAL SUMMARY:**

- N/A

**BOARD OR COMMISSION RECOMMENDATION:**

- On May 14, 2013 the Planning and Zoning Commission voted 5-0 to recommend approval of the applicant’s request.

