



**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of McKinney Seven Stacy, L.P., for Approval of a Request to Rezone Fewer than 85 Acres from “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District to “PD” – Planned Development District and “REC” – Regional Employment Center Overlay District, Generally to Modify the Development Standards, Located on the Southeast Corner of Custer Road and Future Silverado Trail, and Accompanying Ordinance

**MEETING DATE:** July 16, 2013

**DEPARTMENT:** Planning

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

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends denial of the proposed rezoning request due to lack of conformance with Appendix B-2 (Regional Employment Center - Overlay Urban Design Standards) of the Zoning Ordinance.
- **However, should the rezoning request be approved, the following special ordinance provisions shall apply:**
  - The use and development of the subject property shall conform to the “REC” – Regional Employment Center Overlay District, and as amended, except as follows:
    - The tract labeled “SF Detached Standard Lot” on the attached Land Use Plan shall develop in accordance with the Single Family Detached, Standard Lot with Front Access requirements of the Neighborhood Zone as specified in the “REC” – Regional Employment Center Overlay District, and as amended, except as follows:
      - Front porches on residential buildings shall not be required.
      - Finished floor elevations of at least two (2) feet above finished surface grade of the lot at the front door shall not be required.

- The front face of an attached garage shall be set back no less than five (5) feet from the façade of the house.
  - Side at corner setback shall be a minimum of ten (10) feet.
  - There shall be no lot coverage maximum on the subject property.
- The tract labeled “Apartment” on the attached Land Use Plan shall develop in accordance with the Apartment Dwelling requirements of the Neighborhood Zone as specified within the “REC” – Regional Employment Center Overlay District, and as amended, except as follows:
  - Maximum building height shall be four (4) stories (buildings within 125 feet of a single family zoning district shall be limited two (2) stories).
  - The maximum density shall be twenty-four (24) dwelling units per acre.
  - No less than fifty (50) percent of the units shall have an enclosed parking space.
- The tracts labeled “Commercial” on the attached Land Use Plan shall develop in accordance with Section 146-86 “C” – Planned Center District and “REC” – Regional Employment Center Overlay District of the Zoning Ordinance, and as amended.

**ITEM SUMMARY:**

- The applicant is proposing to rezone approximately 84.84 acres of land generally to modify the development standards and modify the land uses from commercial, office, and multiple family residential uses to commercial and residential uses (both multiple family and single family residential). More specifically, the applicant is proposing to replace the previously designated areas for office use with single family and multiple family residential uses and to shift the location of existing areas designated for multiple family residential on the property.
- The applicant has requested several modifications to the proposed single family residential use which includes, removing the front porch requirement, reducing the finished floor area, reducing the required offset between the building and garage façades, reducing the finished floor elevation, reducing the side at corner setback, and removing the maximum lot coverage requirement.

- The applicant has also requested several modifications to the proposed multiple family residential use which includes, increasing the maximum building height in conjunction with larger setbacks and maintaining the maximum density currently allowed on the property.

**BACKGROUND INFORMATION:**

- Please see attached Planning and Zoning Commission Staff Report.

**FINANCIAL SUMMARY:**

- Please see attached Planning and Zoning Commission Staff Report.

**BOARD OR COMMISSION RECOMMENDATION:**

- The Planning and Zoning Commission voted 7-0 to approve the applicant's request.