



**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 Zone Fewer than 4 Acres 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:** April 16, 2013

**DEPARTMENT:** Planning

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

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the proposed zoning request with the following special ordinance provisions:
  1. The subject property shall develop in accordance with Ordinance No. 1270, and as amended, except as follows:
    - a. The mean and median lot size shall be 7,200 square feet.
    - b. The subject property shall conform to the attached development standards.
    - c. One hundred (100) percent of each elevation shall be finished with masonry materials, to include brick, stone, or synthetic stone. Walls provided in conjunction with an architectural element which is located above the roof line (example: walls for dormers or chimneys) may only be finished with brick, stone, synthetic stone, stucco, wood lap siding, vinyl siding, cast concrete modular siding (including cementitious fiber siding; i.e., Hardie Board or Hardiplank), or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited. The masonry percentage is to be calculated exclusive of doors and windows.
- **As a part of the above mentioned development standards, the applicant has requested an increase in the maximum allowed density, which Staff is recommending denial of.**

**ITEM SUMMARY:**

- The applicant is proposing to zone approximately 3.00 acres of land to “PD” – Planned Development District, generally to allow for low density single family residential (approximately 14 lots). The subject property is an out parcel that was a formerly a Texas Municipal Power Agency and Brazos Electric Power Cooperative tower site located within the developing area of the Reserve at Westridge Subdivision, with future phases currently underway on all sides of the property. The subject property is currently located in the Extraterritorial Jurisdiction (ETJ) of the City of McKinney.
- The applicant has submitted this zoning request in conjunction with a petition for annexation for the subject property (13-031A). In accordance with the Texas Local Government Code, the petition for annexation only requires approval by the City Council, and therefore, the first two public hearings for the associated annexation were held at a special City Council meeting on March 18, 2013 and then at the regular City Council meeting on March 19, 2013. The third and final public hearing for the associated annexation will be held concurrently with the proposed zoning request and associated development agreement at the April 16, 2013 City Council meeting. Should the subject property not be annexed by the City Council, the applicant would not be required to obtain zoning and may be permitted to move forward with development plans for the subject property, in accordance with the Subdivision Ordinance of the City of McKinney.

**BACKGROUND INFORMATION:**

- See attached Planning and Zoning Commission Report

**FINANCIAL SUMMARY:**

- See attached Planning and Zoning Commission Report

**BOARD OR COMMISSION RECOMMENDATION:**

- On April 9, 2013 the Planning and Zoning Commission voted 5-0 to recommend approval of the proposed zoning request with the increased density as proposed by the applicant.