

wood or other exterior material approved by the City staff; and six (6) foot high masonry screening wall shall not be required along the side and rear property lines. Caption reads as follows:

ORDINANCE NO. 2012-12-062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING ORDINANCE NO. 1452 OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 5.50 ACRE PROPERTY, LOCATED ON THE EAST SIDE OF COLLEGE STREET AND APPROXIMATELY 875 FEET NORTH OF ELDORADO PARKWAY, IS REZONED FROM "PD" – PLANNED DEVELOPMENT DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

- 12-175Z2** Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request by North Collin County Habitat for Humanity, for Approval of a Request to Rezone Approximately 0.46 Acres from "RS 60" - Single Family Residence District to "PD" - Planned Development District, Generally to Modify the Development Standards, Located on the Northwest Corner of Lively Hill and Monterey Street, and Accompanying Ordinance. Director of Planning Michael Quint stated that the applicant is proposing to rezone approximately 0.46 acres of land, located on the northwest corner of Lively Hill and Monterey Street from "RS 60" - Single Family Residence District to "PD" - Planned Development District, generally to modify the development standards, allowing for the reorientation of three existing single family residential lots. He stated that the applicant is requesting approval of the "PD" – Planned Development District with the base zoning district of "RS – 60" Single Family Residence District with one deviation that the minimum lot width reduced from 46 feet instead of 50 feet. Mr. Quint stated that there has been discussion at the Planning and Zoning Commission as to what is going to happen with the alleys and unimproved rights-of-way adjacent to this

property and reiterated that this is just a zoning request and not a platting event. Mr. Quint stated that the gravel road and the unimproved alleys will remain. Applicant, Mr. Wayne Pound, 2060 Couch Drive, McKinney, stated that they are proposing to have the proposed home facing the same way as other homes they have built in that area and he hoped that by the end of the year Habitat for Humanity would have built their 89th house in McKinney. Council member Day suggested the Mr. Pound speak with the neighbors because they are unhappy with their fence being removed and not replaced by Habitat for Humanity. Mr. Pound stated that fence that Mr. Day is talking about is from a home that was built this year and the fence that was removed was 2 feet onto Habitat for Humanity's property and stated that was an issue that was pointed out while obtaining the permits. Mayor Loughmiller called for public comment.

Ms. Gilda Garza 1208 Garcia Street, McKinney, spoke in opposition of the proposed rezoning request. Mayor Loughmiller asked if there is a mechanism in approving this rezoning request where the Council could require right-of-way or alley abandonment that the applicant would have to do in order to develop the property. Mr. Quint stated that the only right-of-way dedication they could require is about a 7½ foot portion north of Monterey Street. Mr. Quint stated that if the rezoning request is denied tonight, the applicant could still come in with an amending plat and shift the lines. The applicant could still come through the Board of Adjustment and request approval of three lots versus two. Council unanimously approved the motion by Council member Day, seconded by Council member Harris, to continue the public hearing and table this item until the January 15, 2013 meeting to allow time for the applicant to meet with the neighbors to see if they can reach an agreement.

12-188Z3 Mayor Loughmiller called for a Public Hearing to Consider/Discuss/Act on the Request by Dallas Design Build, on Behalf of V.F.B. Family, Ltd.