

**Planning and Zoning Commission Meeting Minutes of August 14, 2012:**

**12-133Z     Conduct a Public Hearing to Consider/Discuss/Act on the Request by American Legend Homes, on Behalf of McKinney Village Park North, L.P., for Approval of a Request to Rezone Approximately 40.63 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 Northeast Corner of Colt Lane and Berkley Drive.**

Mr. Brandon Opiela, Senior Planner for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends approval of the proposed rezoning request with the special ordinance provisions as listed in the staff report.

Commission Member Kochalka asked if the planting height around the courtyard would have to be five feet tall. Mr. Opiela stated that the proposed requirement is that the plantings must be a minimum of five feet tall to give the space a feeling of enclosure.

Commission Member Kochalka asked how they would determine which options would be used on each house in the development. Mr. Opiela stated that the City would see what option that they had chosen when they brought in the building plans. He stated that each property could have some variety; however, would still need to meet the minimum requirements.

Commission Member Kochalka asked if courtyard modifications could be approved at a staff level. Mr. Opiela stated that the Director of Planning could approve changes as described in the proposed special ordinance provisions.

Commission Member Bush asked to clarify that the setback would be 10' on the courtyard option. Mr. Opiela stated yes. Commission Member Bush stated that he thought the intent of the "REC" Regional Employment Center development was to promote activity in the front yards. Mr. Opiela stated that the offset in the structure offers a lot of visual interest compared to a flat surface. He also stated that front porches encourage pedestrian interaction, in the front yards, as would the proposed courtyards. Mr. Michael Quint, Director of Planning for the City of McKinney, explained that there is a difference between the "REC" Regional Employment Center developments and other residential developments within the City. He felt that a 10' setback in the front yard was typical for the "REC" Regional Employment Center developments.

Chairman Clark commented on some people preferring a larger back yard verses a front yard. Mr. Opiela stated that the City prefers pedestrian friendly neighborhoods within the "REC" Regional Employment Center, which requires homes to be pulled closer to the streets. Commission Member Franklin felt that families with young children typically prefer to have larger back yard to play in that would be more protected. He stated that empty nesters or older property owners might prefer amenities in the front yard where they could interact with their neighbors.

The applicant did not wish to make any comments.

Chairman Clark opened the public hearing and called for comments.

Ms. Lucy Yowg, 5404 Bentrose Drive, McKinney, TX 75070, asked if the price range of the houses would change with this option. She also asked who would be responsible for taking care of the creek after the property is developed.

The Commission unanimously approved the motion by Vice-Chairman Lindsay, seconded by Commission Member Thompson, to close the public hearing.

Mr. Kevin Egan, American Legion Homes, 2540 King Arthur, Lewisville, TX 75056, stated that the courtyard would cost approximately \$5,000. He also stated that they have not finalized the prices of the houses; however, he thought the houses in this development would be in the range of \$300,000 to \$350,000.

Mr. Opiela stated that the creek would be included in a common area. He stated that the developer would make any necessary improvements to the creek area during development of the subdivision. Mr. Opiela stated that after development, the creek area would then be the responsibility of the Home Owner's Association to maintain.

The Commission unanimously approved the motion by Vice-Chairman Lindsay, seconded by Commission Member Thompson, to recommend approval of the rezoning request as recommended by Staff.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on September 4, 2012.