

**Planning and Zoning Commission Meeting Minutes of September 24, 2013:**

**13-017Z      Conduct a Public Hearing to Consider/Discuss/Act on the Request by Abernathy, Roeder, Boyd & Joplin, on Behalf of CCC Partnership, L.P., for Approval of a Request to Rezone Fewer than 42 Acres from "C" - Planned Center District and "CC" - Corridor Commercial Overlay District to "PD" - Planned Development District and "CC" - Corridor Commercial Overlay District, Generally to Modify the Development Standards, Located on the Southwest Corner of Bloomdale Road and U.S. Highway 75 (Central Expressway)**

Mr. Brandon Opiela, Planning Manager for the City of McKinney, explained the proposed rezoning request. He stated that Staff recommends denial of the proposed rezoning request due to a lack of conformance with the City's Multi-Family Policy and the City's newly revised standards governing multi-family residential development.

Commission Member Kochalka asked how this development would impact the current infrastructure. Mr. Quint, Director of Planning for the City of McKinney, stated that Staff had not run the numbers. He stated that this development would increase the demand on the various utilities, parks, schools, libraries, et cetera.

Commission Member Kochalka asked if the City would be required to upgrade utilities if the current systems were not adequate to handle the additional use for this development. Mr. Quint said no. He stated that the developer would be required to construct adequately sized utilities with the development of the property.

Commission Member Bush asked if Staff did not run the fiscal analysis since the use was currently allowed on the property. Mr. Quint stated that the model used by Staff to calculate the numbers only looks at acreage of a particular use and not the density.

Mr. Robert Roeder; Abernathy, Roeder, Boyd & Joplin, P.C.; 1700 Redbud, Suite # 300; McKinney, TX; explained the proposed rezoning request. He discussed the surrounding businesses and why he felt this development was needed at this location.

Chairman Clark asked Mr. Roeder to explain the proposed single-family residential development section in more detail. Mr. Roeder stated that the single-family residential units would be located on the west side of the development, near James Pitts Drive. He stated that most of the proposed residential units were currently shown as attached townhome units with a base zoning designation of “RG-27” – General Residence Townhome District. Mr. Roeder stated that the detached single-family residential units built in this development would follow the a base designation of “RS-60” – Single Family Residence District (6,000 square feet per lot).

Commission Member Kochalka stated that he liked the proposed layout of the development. He asked if the proposed rezoning request was approved, if the developer could build multi-family residential for the entire 42 acres. Mr. Roeder stated that there was not anything in the development regulations to stop the developer from only building residential units on the property; however, he felt that the current market would prevent that from happening.

Commission Member Kochalka asked if future sites plans for this development would be Staff approvals if they followed the approved concept plan. Mr. Roeder initially stated that was correct; however, later stated that there could be occasions where a site plan would not meet the approved requirements and would need approval from the Planning and Zoning Commission.

Commission Member Thompson asked to clarify if the developer decided to build a structure that was more than three stories, if they would need to come back before the Planning and Zoning Commission for approval. Mr. Quint stated that if the developer builds the first floor to commercial standards, they could build up to five stories without having to come back before the Planning and Zoning Commission for approval. Mr. Roeder stated that the developer would need to come back before the Planning and Zoning Commission for site plans for multi-family with densities higher than 40 dwelling units per acre. Mr. Opiela agreed and stated that any site plans for multi-family residential on the property would need to come back before the Planning and Zoning Commission to verify that an urban, high quality development is being proposed to achieve additional density up to 60 units per acre.

Commission Member Bush asked if the developer built anything more than 40 units per acre if it would need to be approved by the Planning and Zoning Commission. Mr. Opiela said yes.

Commission Member Hilton asked Mr. Roeder if the development would be built in phases. Mr. Paris Rutherford, Catalyst Urban Development, 25 Highland Park Village, Suite 100-280, Dallas, TX, stated that he wants to develop the section on Bloomdale Road and the core buildings shown in yellow on the Master Concept Plan first. He stated that the market would determine some of the phases.

Commission Member Hilton expressed concerns about a similar development from a few years ago to the south that did not develop as it was initially intended. He expressed concerns about building multi-level developments that the current market might not support.

Chairperson Clark opened the public hearing and called for comments. There being none, on a motion by Commission Member Kochalka, seconded by Commission Member Thompson, the Commission voted unanimously to close the public hearing, with a vote of 6-0-0.

The Commission voted unanimously on a motion made by Commission Member, Kochalka, seconded by Commission Member Bush, to recommend approval of the proposed rezoning request per the applicant's request with the special ordinance provision listed in the staff report, with a vote of 6-0-0.

Chairman Clark stated that the recommendation of the Planning and Zoning Commission will be forwarded to the City Council meeting on October 15, 2013.