



## Zoning Committee Recommendation

Rezoning Petition 2022-205

August 1, 2023

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### REQUEST

Current Zoning: N1-A and R-8MF(CD)  
Proposed Zoning: R-8MF(CD) and R-8MF(CD) SPA

### LOCATION

Approximately 21.12 acres located along the southeast side of Mallard Creek Road, west of Penninger Circle, and north of Morris Estate Drive.  
(Council District 2 - Graham)

### PETITIONER

DR Horton

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### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

#### To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* recommendation for the Neighborhood 2 Place Type for the majority of the site, but **inconsistent** with the recommendation for the Neighborhood 1 Place Type for a portion of the site based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* (2022) recommends the Neighborhood 1 and Neighborhood 2 place types for this site.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The petition proposes to contribute to the variety of housing options in the area.
- This petition is consistent with the growing Neighborhood 2 development along Mallard Creek Road and would be well served by the activity centers to the southwest along Derita Ave and to the northeast along W. T. Harris Blvd.
- The petition commits to improvements on Penninger Circle, including include improving curb and gutter, sidewalks, and street trees.
- The petition proposes to contribute to connectivity with stub street connections from the public right of way Hyrule Drive to the adjacent sites.
- The landscaped buffers along existing single-family

uses provide appropriate protection of the adjoining neighborhoods.

- This location is well served by bus transit along Mallard Creek Road.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities
  - 7: Integrated Natural & Built Environments.

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood 2 for a portion of the site.

Motion/Second: Whilden / Neeley

Yeas: Lansdell, Neeley, Russell, Sealey, Welton,  
Whilden, Winiker

Nays: None

Absent: None

Recused: None

#### **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map* recommendation for the Neighborhood 2 Place Type for the majority of the site, but inconsistent with the recommendation for the Neighborhood 1 Place Type for a portion of the site with the *2040 Policy Map*.

Commissioner Russell asked why a secondary road which could have been another outlet did not connect to Mallard Creek Road. CDOT stated that they did not have an access point in that location.

There was no further discussion of this petition.

#### **PLANNER**

Michael Russell (704) 353-0225