



CITY COUNCIL

**1520 K Avenue, Plano TX 75074 and via
videoconference**

DATE: February 12, 2024

TIME: 7:00 PM

This City Council Meeting will be held in person in the Senator Florence Shapiro Council Chambers and via videoconference. A quorum of the City Council, including the presiding officer, will participate in person. The facility will be open to members of the public.

For those wanting to watch the meeting but not address the Council, the meeting will be live-streamed on Plano's website at www.planotv.org and [Facebook.com/cityofplanotx](https://www.facebook.com/cityofplanotx).

To pre-register to speak at the City Council meeting, please visit https://forms.plano.gov/Forms/Sign_Up_Citizen. Online registration opens at 5:00 p.m. on the Wednesday prior to the meeting and closes at 4:00 p.m. on the day of the meeting. Onsite registration is available on the day of the meeting until 15 minutes prior to the start of the meeting.

Emails regarding agenda items may be submitted to: councilcomments@plano.gov.

CALL TO ORDER

INVOCATION: Pastor Julian McMillian - Grace Church Plano

PLEDGE OF ALLEGIANCE / TEXAS PLEDGE: BSA Troop 380 - St. Andrew Methodist Church

OUR VISION - PLANO IS A GLOBAL ECONOMIC LEADER BONDED BY A SHARED SENSE OF COMMUNITY WHERE RESIDENTS EXPERIENCE UNPARALLELED QUALITY OF LIFE.

The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.

PROCLAMATIONS AND SPECIAL RECOGNITIONS

Presentation: The Salvation Army of North Texas is presenting the results of the 2023 Mayors Red Kettle Challenge. **Presented**

Proclamation: February is Black History Month. **Presented**

CONSENT AGENDA

The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Presiding Officer will establish time limits based upon the number of speaker requests.

Approval of Minutes

- (a) January 22, 2024
February 1, 2024 (Joint PISD)
Approved

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

- (b) RFQ No. 2023-0513-B for a contract for a Cultural Arts Plan for the Special Projects Department to The Cultural Planning Group, LLC in the estimated amount of \$297,520; and authorizing the City Manager to execute all necessary documents. **Approved**
- (c) RFB No. 2024-0143-B for Arterial Concrete Repair Park Boulevard - West City Limits to Preston Road, Project No. PW-S-00025, for the Public Works Department to XIT Paving and Construction, Inc. in the amount of \$2,066,495; and authorizing the City Manager to execute all necessary documents. **Approved**
- (d) RFB No. 2024-0026-B for Arterial Concrete Repair Legacy Drive – Coit Road to Custer Road, Project No. PW-S-00026, for the Public Works Department to XIT Paving and Construction Inc. in the amount of \$3,994,650; and authorizing the City Manager to execute all necessary documents. **Approved**
- (e) RFB No. 2023-0690-B for Bluebonnet Trail Drainage Improvements, Project No. 7598, for the Parks and Recreation Department to West Texas Rebar Placers Inc. in the amount of \$203,781; and authorizing the City Manager to execute all necessary documents. **Approved**
- (f) RFB No. 2023-0592-B for Intersection Improvements - 2022 Traffic Signal Construction - Various Locations, Project No. 7391, for the Engineering Department to EAR Telecommunications, LLC DBA EARTC, in the amount of \$3,194,502; and authorizing the City Manager to execute all necessary documents. **Approved**

Purchase from an Existing Contract

- (g) To approve the purchase of fifteen (15) SCOTT SCBA's (Self Contained Breathing Apparatus) and sixty (60) 45 minute air cylinders for Plano Fire-Rescue in the amount of \$195,585 from Metro Fire Apparatus Specialists, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 698-23) **Approved**

- (h) To approve the purchase of office furniture for the Public Works Department through the Engineering - Facilities Division in the estimated amount of \$172,240 from Texas Furniture Source, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (Omnia Contract No. R191804 and BuyBoard Contract No. 667-22) **Approved**
- (i) To approve the purchase of ninety-five (95) Cisco network switches and accessories for Technology Solutions Department in the estimated amount of \$948,713 from Netsync Network Solutions, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-TSO-4167 and DIR Contract No. DIR-CPO-4430) **Approved**

Approval of Change Order

- (j) To approve a decrease to the current awarded contract amount of \$5,930,325 by \$1,530,656, for a total contract amount of \$4,399,669, for Arterial Pavement Repair Parker Road - West City Limit to Preston Road from HQS Construction, LLC for Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0443-B; Change Order No. 1) **Approved**

Approval of Expenditure

- (k) To approve an expenditure for engineering professional services for Parker Road Elevated Storage Tank Rehabilitation, Project No. PW-W-00005, in the amount of \$324,250 from Kimley-Horn and Associates, Inc. for the Public Works Department; and authorizing the City Manager to execute all necessary documents. **Approved**
- (l) To approve an expenditure for engineering professional services for Ridgeview Pump Station Assessment, Project No. PW-W-00013, in the amount of \$431,600 from Freese and Nichols, Inc. for the Public Works Department; and authorizing the City Manager to execute all necessary documents. **Approved**
- (m) To approve an expenditure for professional Lead and Copper Field Inspections in the estimated amount of \$2,800,000 from Ameresco, Inc. for Public Works; and authorizing the City Manager to execute all necessary documents. **Approved**

Approval of Contract / Agreement

- (n) To approve an Economic Development Incentive Agreement between the City of Plano, Texas, and Sysgration America Corporation, a Texas corporation ("Company"), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. **Approved**
- (o) To approve the terms and conditions of an Interlocal Agreement between the City of Plano and the Regional Transportation Council (RTC) concerning the roles and responsibilities of each party with respect to Transportation Development Credits (TDCs) awarded for the project summarized in Attachment 1; and authorizing the City Manager to execute all necessary documents. **Approved**

Adoption of Resolutions

- (p) To approve the addition of the Retail Revitalization Program policy statement to the City of Plano Economic Development Policy for Economic Development Incentives; and providing an effective date. **Adopted Resolution No. 2024-2-1(R)**

ITEMS FOR INDIVIDUAL CONSIDERATION:

Public Hearing Items:

Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The Presiding Officer may amend these times as deemed necessary.

Non-Public Hearing Items:

The Presiding Officer will permit public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order requests are received until the cumulative time is exhausted.

- (1) Public Hearing and consideration of an Ordinance as requested in Zoning Case 2023-005 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, rezoning 89.1 acres of land located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-Regional Commercial and repealing Ordinances No. 2023-10-4, 2001-2-31, 2001-5-13, and 2001-6-27 for the purpose of rescinding Specific Use Permits No. 56, 434, 444, and 448 for Private Club; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: Centennial Waterfall Willow Bend, LLC, The Neiman Marcus Group, LLC, Macy's Retail Holdings, LLC, and Dillard's, Inc. **Conducted and adopted Ordinance No. 2024-2-2 with amendments.**

COMMENTS OF PUBLIC INTEREST

This portion of the meeting is to allow up to three (3) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.

The City of Plano encourages participation from all citizens. The Plano Municipal Center has accessible restroom facilities, drinking fountains, and power assist entrance doors. The facility is easily accessed from public sidewalks and parking areas. Designated accessible parking is available on the north and south sides of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. If you require additional assistance or reasonable accommodations under the Americans with Disabilities Act for this meeting or facility, including ASL interpreters, you should submit an ADA Reasonable Accommodation Request Form to the ADA Coordinator at least 48 hours in advance. Complete or download the ADA Reasonable Accommodation Request Form at <https://www.plano.gov/395/Accessibility-Accommodations>

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: City Secretary

DIRECTOR: Lisa Henderson, City Secretary

This City Council Meeting will be held in person in the Senator Florence Shapiro Council Chambers and via videoconference. A quorum of the City Council, including the presiding officer, will participate in person. The facility will be open to members of the public.

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AGENDA ITEM: To pre-register to speak at the City Council meeting, please visit https://forms.plano.gov/Forms/Sign_Up_Citizen. Online registration opens at 5:00 p.m. on the Wednesday prior to the meeting and closes at 4:00 p.m. on the day of the meeting. Onsite registration is available on the day of the meeting until 15 minutes prior to the start of the meeting.

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RECOMMENDED ACTION: Location Link



CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Proclamations
DIRECTOR: Andrew Fortune, Director of Policy & Government Relations
AGENDA ITEM: Presentation: The Salvation Army of North Texas is presenting the results of the 2023 Mayors Red Kettle Challenge.
RECOMMENDED ACTION: Proclamations and Special Recognition

ITEM SUMMARY

Presentation: The Salvation Army of North Texas is presenting the results of the 2023 Mayors Red Kettle Challenge. **Presented**



CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Proclamations
DIRECTOR: Andrew Fortune, Director of Policy & Government Relations
AGENDA ITEM: Proclamation: February is Black History Month
RECOMMENDED ACTION: Proclamations and Special Recognition

ITEM SUMMARY

Proclamation: February is Black History Month. **Presented**



CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: City Secretary
DIRECTOR: Lisa Henderson, City Secretary
AGENDA ITEM: Approval of Minutes
RECOMMENDED ACTION: Approval of Minutes

ITEM SUMMARY

January 22, 2024

February 1, 2024 (Joint PISD)

Approved

ATTACHMENTS:

Description	Upload Date	Type
Preliminary Open Meeting Minutes	1/30/2024	Minutes
Regular Meeting Minutes	1/30/2024	Minutes
CC/PISD Joint Session	2/5/2024	Minutes

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
January 22, 2024**

COUNCIL MEMBERS PRESENT

John B. Muns, Mayor
Kayci Prince, Mayor Pro Tem – arrived at 6:04 p.m.
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Horne
Shelby Williams
Julie Holmer
Rick Smith – via Zoom

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor Muns called the meeting to order at 5:00 p.m., Monday, January 22, 2024, in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present. Mayor Muns then stated the Council would retire into Executive Session, in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney to receive Legal Advice and discuss Litigation, Section 551.071 for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required. The Council convened into Executive Session at 5:11 p.m.

Mayor Muns reconvened the meeting back into the Preliminary Open Meeting at 6:08 p.m.

- **Consideration and action resulting from Executive Session discussion**
- **Discuss and direction re: draft Retail Revitalization Program**
- **Short-Term Rental Update**
- **Quarterly Investment Report**
- **Consent and Regular Agendas**
Councilmember Ricciardelli requested Consent Item "I" be pulled for individual consideration.
- **Council items for discussion/action on future agendas**
Councilmember Williams requested clarification regarding the future agenda item process. City Manager Israelson will provide information.

With no further discussion, the Preliminary Open Meeting adjourned at 6:48 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
January 22, 2024**

COUNCIL MEMBERS PRESENT

John B. Muns, Mayor
Kayci Prince, Mayor Pro Tem
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Horne
Shelby Williams
Julie Holmer
Rick Smith - via Zoom

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor Muns convened the Council into the Regular Session on Monday, January 22, 2024, at 7:00 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present.

Invocation and Pledge

Pastor Ashish Mathew with Commission Church led the invocation and Girl Scout Troop 4583 with Shepard Elementary and Wilson Middle Schools led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Presentation: BEST Neighborhoods Platinum designation signs were given to four Plano Neighborhoods.

Consent Agenda

MOTION: Upon a motion made by Councilmember Ricciardelli and seconded by Mayor Pro Tem Prince, the Council voted 8-0 to approve all items on the Consent Agenda, except Item “I” as follows:

Approval of Minutes

January 8, 2024
(Consent Agenda Item “A”)

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

RFB No. 2023-0645-ER for the initial term of \$1,698,320 or two (2) years, whichever occurs first, with two (2) City optional renewals for Requirements Residential - 2024, Project No. PW-S-00035, for the Public Works Department to ICOS Management, LLC in the amount of \$1,698,320 for each term; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFB No. 2024-0108-B for Municipal Center Chiller Replacement, Project No. FAC-F-00014, for the Engineering Department to Kahn Air Conditioning & Heating Company dba Kahn Mechanical Contractors in the amount of \$298,638; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

RFB No. 2023-0664-B for Water Rehab - Steeplechase Estates, Project No. 7465, for the Engineering Department to KIK Underground, LLC in the amount of \$3,005,275; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

Purchase from an Existing Contract

To approve the purchase of a three-year agreement for Rubrik Enterprise Edition Licensing in an estimated annual amount of \$102,619 resulting in a total agreement amount of \$307,857, and a one-year subscription of Rubrik Cloud Vault service in the estimated amount of \$109,440, for an estimated total amount for all items of \$417,297 from Freeit Data Solutions, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-CPO-4696) (Consent Agenda Item “E”)

Approval of Contract: (Purchase of products/services exempt from State of Texas Competitive Bid Laws)

To approve an Interlocal Agreement by and between the City of Plano, Texas and Texas A&M Engineering Extension Service (TEEX) in the amount of \$19,000 for providing confined space entry training classes for City of Plano staff for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

Approval of Change Order

To approve a decrease to the current awarded contract amount of \$1,974,550 by \$772,559, for a total contract amount of \$1,201,991, for Arterial Concrete Pavement Maintenance Requirements Contract - 2021, from Alvand Construction, Inc., dba Advance Contracting Group, for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2021-0559-ER; Change Order No. 1) (Consent Agenda Item “G”)

Approval of Expenditure

To approve an expenditure for construction materials testing professional services agreement for Material Testing Arterial - 2024, Project No. PW-S-00036, in the amount of \$200,000 from Braun Intertec Corporation for the Public Works Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

Adoption of Resolutions

Resolution No. 2024-1-9(R): To approve the Investment Portfolio Summary for the quarter ended September 30, 2023 and providing an effective date. (Consent Agenda Item “J”)

Resolution No. 2024-1-10(R): To accept the findings and opinions of the Annual Audit; authorizing the City Manager, or in his absence the Director of Finance, to publish the results thereof; and providing an effective date. (Consent Agenda Item “K”)

Adoption of Ordinances

Ordinance No. 2024-1-11: To adopt and enact Supplement Number 146 to the Code of Ordinances for the City of Plano; providing for amendment to certain sections of the Code; and providing an effective date. (Consent Agenda Item “L”)

End of Consent

To approve an Economic Development Incentive Agreement between the City of Plano, Texas, and ASSA ABLOY Global Solutions, Inc., a Texas corporation (“Company”), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “T”)

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Deputy Mayor Pro Tem Tu, the Council voted 7-1, with Councilmember Ricciardelli in opposition, to approve an Economic Development Incentive Agreement between the City of Plano, Texas, and ASSA ABLOY Global Solutions, Inc., a Texas corporation (“Company”), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents

Public Hearing and adoption of Resolution No. 2024-1-12(R) to authorize a Substantial Amendment to the 2022-2023 HOME-American Rescue Program Allocation Plan for the use of U.S. Department of Housing and Urban Development HOME Investment Partnerships American Rescue Plan Program funds; and providing an effective date. (Regular Item “1”)

Mayor Muns opened the public hearing. Richard Grady spoke in support of the item. Mayor Muns closed the public hearing.

Public Hearing and adoption of Resolution No. 2024-1-12(R) (Cont'd.)

MOTION: Upon a motion made by Councilmember Ricciardelli and seconded by Deputy Mayor Pro Tem Tu, the Council voted 8-0 to authorize a Substantial Amendment to the 2022-2023 HOME-American Rescue Program Allocation Plan for the use of U.S. Department of Housing and Urban Development HOME Investment Partnerships American Rescue Plan Program funds; and further to adopt Resolution No. 2024-1-12(R).

Comments of Public Interest

Sana Abusaad requested Council support a resolution for a ceasefire in Gaza.
Tabassum Mahzabeen requested Council support a resolution for a ceasefire in Gaza.
Ahmad Elsafadi requested Council support a resolution for a ceasefire in Gaza.
Tara Rice spoke to a police matter regarding her son.
Yara Ismail requested Council support a resolution for a ceasefire in Gaza.
Jana Ismail requested Council support a resolution for a ceasefire in Gaza.
Anissa Chilmeran requested Council support a resolution for a ceasefire in Gaza.
Ayaan Ahmed spoke to justice for Palestine.
Khalid Ishaq spoke for a call for peace.
Lina Ashwas requested Council support a resolution for a ceasefire in Gaza.
Dulce Flores requested Council support a resolution for a ceasefire in Gaza.

With no further discussion, the Regular City Council Meeting adjourned at 7:56 p.m.

John B. Muns, Mayor

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL and
PLANO INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES
JOINT MEETING
February 1, 2024**

COUNCIL MEMBERS PRESENT

John B. Muns, Mayor
Kayci Prince, Mayor Pro Tem – arrived 6:56 pm
Maria Tu, Deputy Mayor Pro Tem
Anthony Ricciardelli
Rick Horne
Shelby Williams
Julie Holmer

COUNCIL MEMBERS ABSENT

Rick Smith

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
Sam Greif, Deputy City Manager
LaShon Ross, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary
Ron Smith, Director of Parks and Recreation
Caleb Thornhill, Director of Engineering
Dan Prendergast, Director of Public Works
Doug McDonald, Director of Economic Development
Peter Braster, Director of Special Projects

**PISD BOARD OF TRUSTEES
MEMBERS PRESENT**

Nancy Humphrey, Board President
Dr. Lauren Tyra, Board Vice President
Jeri Chambers, Board Secretary
Angela Powell
Michael Cook
Tarrah Lantz
Katherine Goodwin

PISD STAFF PRESENT

Dr. Theresa Williams, Superintendent of Schools
Danny Stockton, Chief of Staff
Johnny Hill, Deputy Superintendent for Business and Employee Services
Tony Pearson, Director of Planning and New Construction
Dr. Courtney Gober, Assistant Superintendent for Student, Family, and Community Services
Dr. Patrick Tanner, Assistant Superintendent for Technology Services
Lesley Range-Stanton, Chief Communications Officer
Sharon Nowak, Executive Assistant to the Superintendent and Board of Trustees

The Joint Meeting convened on February 1, 2024, at 6:30 p.m. at the Plano ISD Sockwell Center, 6301 Chapel Hill Boulevard, Plano, Texas. Quorums of the City Council and PISD Board of Trustees were present.

Call to Order

Public Comment Session (limited to items on agenda)

No one requested to speak.

Reports

- 3.1 Plano ISD Long Range Facility Planning Overview
- 3.2 Plano ISD Bond Projects Update
- 3.3 City of Plano Capital Projects Update
- 3.4 City of Plano Economic Development Update

Adjourn

Nothing further was discussed. The meeting was adjourned at 8:17 p.m.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Special Projects
DIRECTOR: Peter Braster, Director of Special Projects
AGENDA ITEM: Award RFQ for Cultural Arts Plan
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFQ No. 2023-0513-B for a contract for a Cultural Arts Plan for the Special Projects Department to The Cultural Planning Group, LLC in the estimated amount of \$297,520; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

On November 22, 2022, a subgroup of the Collaborative Arts of Plano presented to Council a request for a Cultural Arts Plan to be developed to advance our City's arts and cultural resources. After the November 22, 2022, Council meeting, the City Manager vowed to meet with the subgroup every six weeks to update the subgroup regarding the process and scope of work for the consultant regarding the Cultural Arts Plan. Staff also researched other cities' plans to ensure Plano's plan would be unique to Plano and all-encompassing.

In the City of Plano's Comprehensive Plan, the Arts & Culture Policies AC1- AC8 were deemed as priorities under the Social Environment and Sense of Community. Working with the Consultant and our diverse community, the Cultural Arts Plan will create the building blocks and roadmap to accomplish all eight of the actions in the Comprehensive Plan by:

- Conducting a market study of Plano's residents to determine audience.
- Programming preferences, ensuring that the sample of any statistical research is reflective of the community's demographics.
- An extensive and critical review of the current state of the arts and culture in Plano, including analysis of the City's comprehensive plan and other relevant documents to understand the policy environment for arts and culture in Plano.
- Community input opportunities will be robust, and inclusive and offer diverse ways to gather input and to review and confirm analysis.
- Forecasting future needs, opportunities and trends.
- Analyzing public art and identifying gaps.
- Analyzing our Cultural Art Grants programming and making recommendations based on our future goals.
- Assigning goals and responsibilities with a recommended schedule of completion for the first 5 years.

The Special Projects Department collaborated with the Procurement Division of the Finance Department, the Cultural Arts Committee Liaison in the Budget Department, and the Arts & Events Supervisor in the Parks and Recreation Department to develop a Request for Qualifications (RFQ) for consultant services. The City received seven (7) responsive proposals that were evaluated by a four (4) staff member evaluation committee. The evaluation committee then interviewed the highest-ranked proposer.

After the interview and follow-up meetings regarding the scope of work, the evaluation committee deliberated. The evaluation committee recommends an award to The Cultural Planning Group, LLC, in the estimated amount of \$297,520.

Failure to award this contract will delay the creation of the Cultural Arts Plan until the next fiscal year.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the Community & Cultural Events Budget as well as the Public Art CIP. The contract for consulting services to develop a Cultural Arts Plan has a total expenditure amount of \$297,520 (\$198,347 in FY 2023-24 and \$99,173 in FY 2024-25) and will begin February 2024 with an expected completion date of December 2024. All future year expenditures will be made within the annually approved budget appropriations.

Approval of this item supports the City's Strategic Plan Critical Success Factors of Welcoming and Engaged Community and Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
RFQ Recap	1/9/2024	Bid Recap

City of Plano
RFQ No. 2023-0513-B
Cultural Arts Plan
RFQ Recap

<u>Opening Date/Time:</u>	August 23, 2023 at 1:00 PM
<u>Number of Vendors Notified:</u>	1,134
<u>Vendors Submitting "No Bids":</u>	2
<u>Number of Responsive Submissions:</u>	7

The following Evaluation Criteria was used in determining the best value award recommendation.

CRITERIA	WEIGHT
Company Profile	20% (1 point)
Personnel Experience and Qualifications	30% (1.5 points)
Past Performance	50% (2.5 points)
Total	100% (5 point max)

Vendor	Score - Max of 5	Rank
The Cultural Planning Group, LLC	4.29	1
Arts Consulting Group	3.75	2
Keen Independent Research	3.73	3
MIG, Inc.	3.56	4
Stilwell Cultural Consulting	3.28	5
DVDL, Inc.	2.88	6
Delgado Design	1.00	7

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Public Works

DIRECTOR: Dan Prendergast, P.E. Director of Public Works

AGENDA ITEM: Award of bid in the amount of \$2,066,495 for Arterial Concrete Repair Park Boulevard - West City Limits to Preston Road, Project No. PW-S-00025.

RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2024-0143-B for Arterial Concrete Repair Park Boulevard - West City Limits to Preston Road, Project No. PW-S-00025, for the Public Works Department to XIT Paving and Construction, Inc. in the amount of \$2,066,495; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

Public Works recommends the bid for the Arterial Concrete Repair Park Boulevard – West City Limits to Preston Road project, be awarded to XIT Paving and Construction, Inc., in the amount of \$2,066,495; to be accepted as the lowest responsive and responsible bid for the project, conditioned upon timely execution of all necessary documents. A total of 1,925 vendors were notified of the bid, nine (9) submitted a “No Bid” and eight (8) bids were submitted.

This project involves the repair of 8,500 square yards of arterial concrete street, 14,400 square feet of sidewalk and 68 barrier free ramps along a 2.8-mile stretch of Park Boulevard between West City Limits and Preston Road.

Public Works employs three options for different types of pavement repair needs. City staff typically handle smaller isolated repairs of significantly damaged street, sidewalk and alley paving. Utilizing city crews for these areas is more cost-effective than a third party due to costs of mobilization and economy of scale. Next, the Department utilizes Requirements Projects that are location based work orders to address moderate sized areas of disrepair. Staff creates work orders for these areas with higher quantities of concrete repair and traffic control than city crews are able to address. Staff also inspects the third party construction activities to ensure the work is performed to city specifications. Finally, larger areas of repair such as this project, are bid as separate arterial rehabilitation projects and neighborhood zone rehabilitation projects that cover several miles of infrastructure. Once concrete repairs are complete, a future thin overlay is planned for this roadway.

Public Works staff continually evaluate both the effectiveness of our street projects and feasibility to do more work with Public Works staff. At this time, sufficient yard/storage space, staff space, and equipment is not available for city staff to perform larger pavement rehabilitation projects, such as this arterial concrete rehabilitation project, and still address isolated areas for repair that cost the city more for private contractors to complete.

If this project is not awarded at Council, the arterial street and sidewalk repairs needed on Park Boulevard, between West City Limits and Preston Road, will not be repaired. This will result in elevated maintenance

and replacement costs in the future. In addition, existing ADA compliance issues will not be repaired, leaving pedestrian facilities in an unsafe condition.

Engineer's estimate for this project is \$2,800,000.

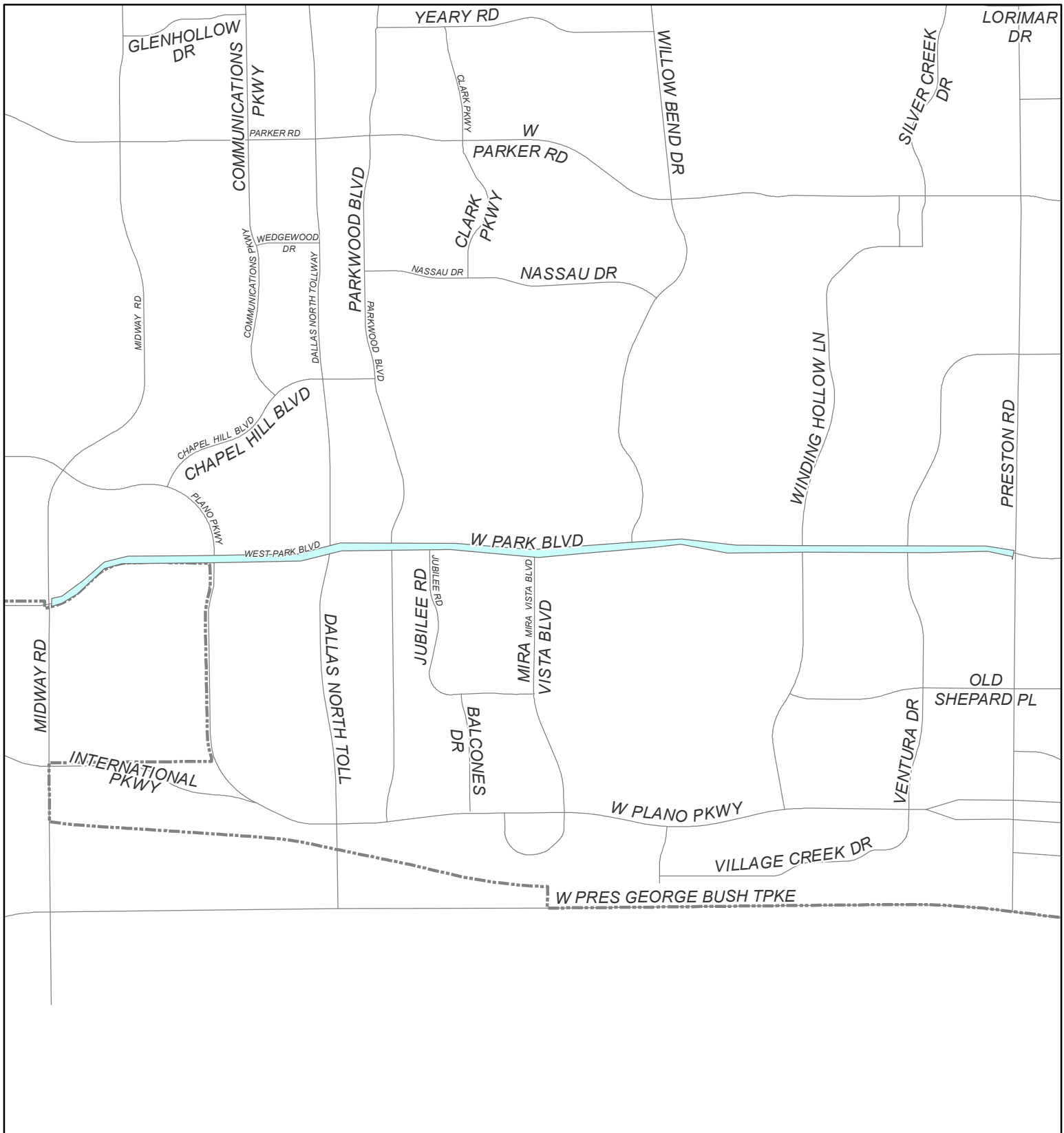
FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Street Improvements CIP and is planned for future years, as well. Construction services for the Arterial Concrete Repair Park Boulevard - West City Limits to Preston Road project, in the total amount of \$2,066,495, will leave a current year balance of \$9,782 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factors of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Location Map	1/29/2024	Map
Bid Recap	1/29/2024	Bid Recap



0 900 1,800
Feet



City of Plano BI-GIS Division
January 2024

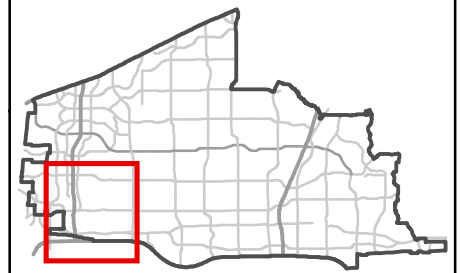
Arterial Concrete Repair Park Boulevard -

West City Limits to Preston Road

Project No. PW-S-00025

Page 23

Project Location



CITY OF PLANO

RFB CIP

Bid No. 2024-0143-B

**Arterial Concrete Repair Park Boulevard - West City Limits to
Preston Road**

Project No. PW-S-00025

Bid Recap

<u>Bid Opening Date/Time:</u>	Tuesday, January 9, 2024 @ 2:00PM
<u>Number of Vendors Notified:</u>	1,925
<u>Vendors Submitting "No Bids":</u>	9
<u>Number of Non-Responsive Bids Submitted:</u>	0
<u>Number of Responsive Bids Submitted:</u>	8

<u>Vendor:</u>	<u>Total Bid:</u>
XIT Paving and Construction, Inc.	\$ 2,066,495.00
ICOS Management LLC	\$ 2,234,270.00
Garret Shields Infrastructure	\$ 2,333,150.00
Cam-Crete Contracting, Inc.	\$ 2,408,150.00
Urban Infraconstruction LLC	\$ 2,463,200.00
KenDo Contracting	\$ 2,613,300.00
A & B Construction LLC	\$ 2,887,287.50
HQS Construction, LLC	\$ 3,024,750.00

Recommended Vendor:

XIT Paving and Construction, Inc.	\$ 2,066,495.00
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Stephanie Shaffer

Stephanie Shaffer, Contract Administrator

1/16/2024

Date

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Public Works

DIRECTOR: Dan Prendergast, P.E. Director of Public Works

AGENDA ITEM: Award of a bid in the amount of \$3,994,650 for Arterial Concrete Repair Legacy Drive – Coit Road to Custer Road, Project No. PW-S-00026.

RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2024-0026-B for Arterial Concrete Repair Legacy Drive – Coit Road to Custer Road, Project No. PW-S-00026, for the Public Works Department to XIT Paving and Construction Inc. in the amount of \$3,994,650; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

Public Works recommends the bid for the Arterial Concrete Repair Legacy Drive – Coit Road to Custer Road project, be awarded to XIT Paving and Construction Inc. in the amount of \$3,994,650, to be accepted as the lowest responsive and responsible bid for the project, conditioned upon timely execution of all necessary documents. A total of 864 vendors were notified of the bid, four (4) submitted a “No Bid” and five (5) bids were submitted.

This project involves the repair of 22,000 square yards of arterial concrete street, 50,000 square feet of sidewalk and 102 barrier free ramps along a 2-mile stretch of Legacy Drive, Coit Road and Custer Road.

Public Works employs three options for different types of pavement repair needs. City staff typically handle smaller isolated repairs of significantly damaged street, sidewalk and alley paving. Utilizing city crews for these areas is more cost-effective than a third party due to costs of mobilization and economy of scale. Next, the Department utilizes Requirements Projects that are location based work orders to address moderate sized areas of disrepair. Staff creates work orders for these areas with higher quantities of concrete repair and traffic control than city crews are able to address. Staff also inspects the third party construction activities to ensure the work is performed to city specifications. Finally, larger areas of repair such as this project, are bid as separate arterial rehabilitation projects and neighborhood zone rehabilitation projects that cover several miles of infrastructure. Once concrete repairs are complete, a future thin overlay is planned for this roadway.

Public Works staff continually evaluate both the effectiveness of our street projects and feasibility to do more work with Public Works staff. At this time, sufficient yard/storage space, staff space, and equipment is not available for city staff to perform.

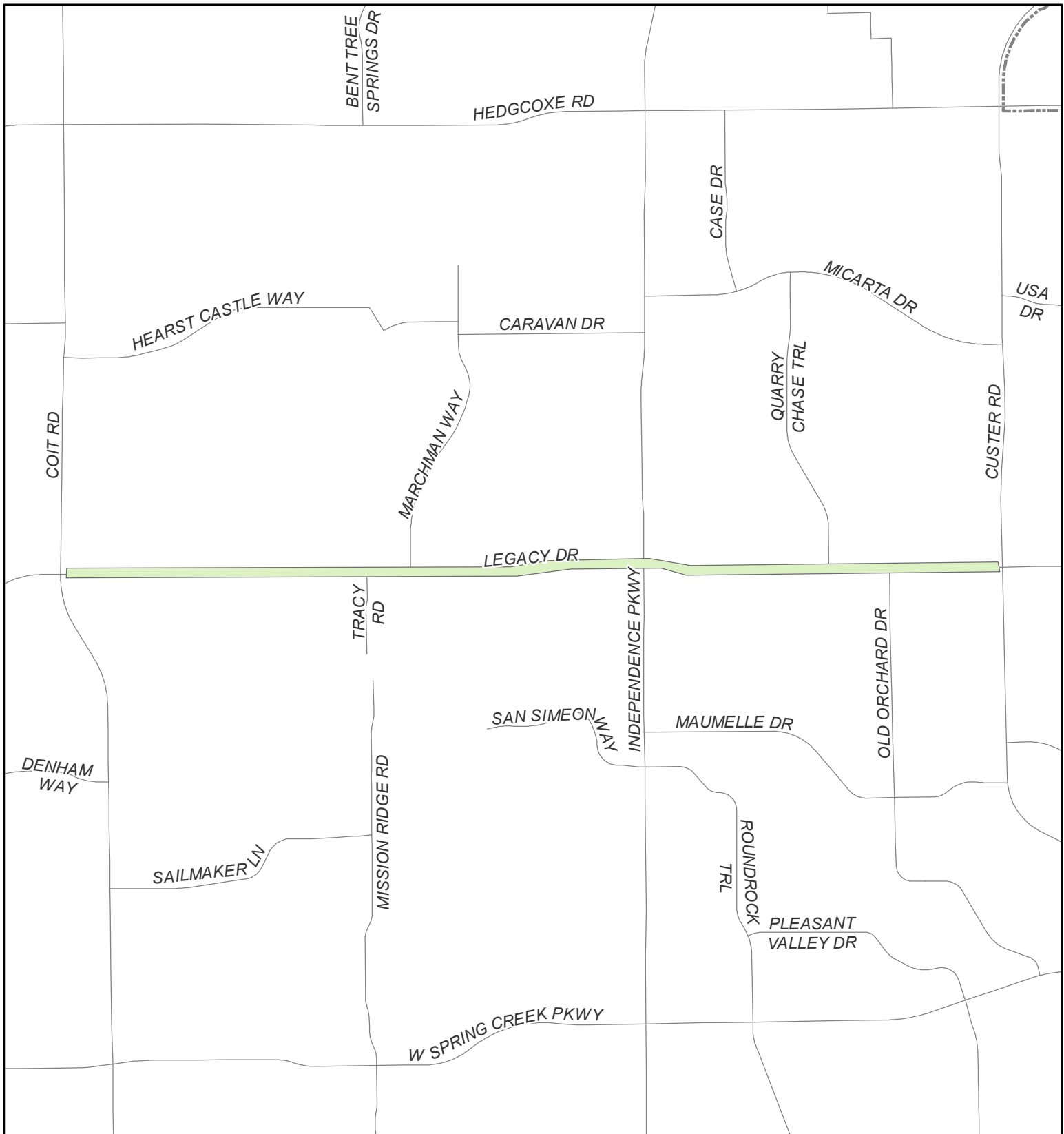
FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Street Improvements CIP and is planned for future years, as well. Awarding construction services for the Arterial Concrete Repair Legacy Drive - Coit Road to Custer Road project, in the total amount of \$3,994,650, will leave a current year balance of \$599,400 for future project expenditures.

Approval of this item supports the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Location Map	1/5/2024	Map
Bid Recap	1/30/2024	Bid Recap



0 650 1,300
Feet



City of Plano BI-GIS Division
January 2024

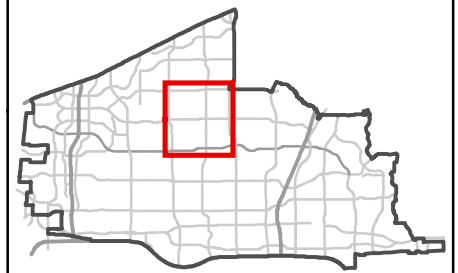
Arterial Concrete Repair Legacy Drive -

Coit Road to Custer Road

Project No. PW-S-00026

Page 27

Project Location



CITY OF PLANO

RFB CIP

Bid No. 2024-0026-B

Arterial Concrete Repair Legacy Drive - Coit Road to Custer Road

Project No. PW-S-00026

Bid Recap

<u>Bid Opening Date/Time:</u>	Thursday, November 2, 2023, 2:00 PM
<u>Number of Vendors Notified:</u>	864
<u>Vendors Submitting "No Bids":</u>	4
<u>Number of Non-Responsive Bids Submitted:</u>	0
<u>Number of Responsive Bids Submitted:</u>	5

<u>Vendor:</u>	<u>Total Bid:</u>
XIT Paving and Construction Inc.	\$3,994,650.00
Garret Shields Infrastructure	\$4,273,100.00
Urban Infraconstruction LLC	\$4,618,650.00
Cam-Crete Contracting, Inc.	\$4,703,500.00
HQS Construction, LLC	\$4,951,000.00

<u>Recommended Vendor:</u>	
XIT Paving and Construction Inc.	\$ 3,994,650.00

Nancy Corwin

Nancy Corwin, Contract Administrator

11/2/2023

Date

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: Award of a bid in the amount of \$203,781 for Bluebonnet Trail Drainage Improvements, Project No. 7598.
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0690-B for Bluebonnet Trail Drainage Improvements, Project No. 7598, for the Parks and Recreation Department to West Texas Rebar Placers Inc. in the amount of \$203,781; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

The Parks and Recreation Department opened bids on November 16, 2023 for Bluebonnet Trail Drainage Improvements, Project No. 7598. The project is the rehabilitation of a section of Bluebonnet Trail east of Coit Road, to address swale and berm deterioration adjacent to the trail. This section of trail was created in 2004 and is prone to flooding. The renovation will alleviate standing water and flooding risk.

The lowest responsive and responsible bid was submitted by West Texas Rebar Placers Inc. in the amount of \$203,781. There was a total of 865 vendors notified of this project. Seven complete bids were received for the project as shown in the attached bid recap.

The benefit of this project is the improved swale and berm structure and improved drainage of the site.

Failure to approve this item could result in continued drainage issues and mosquito breeding.

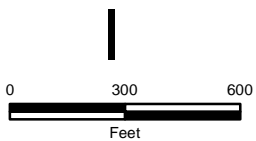
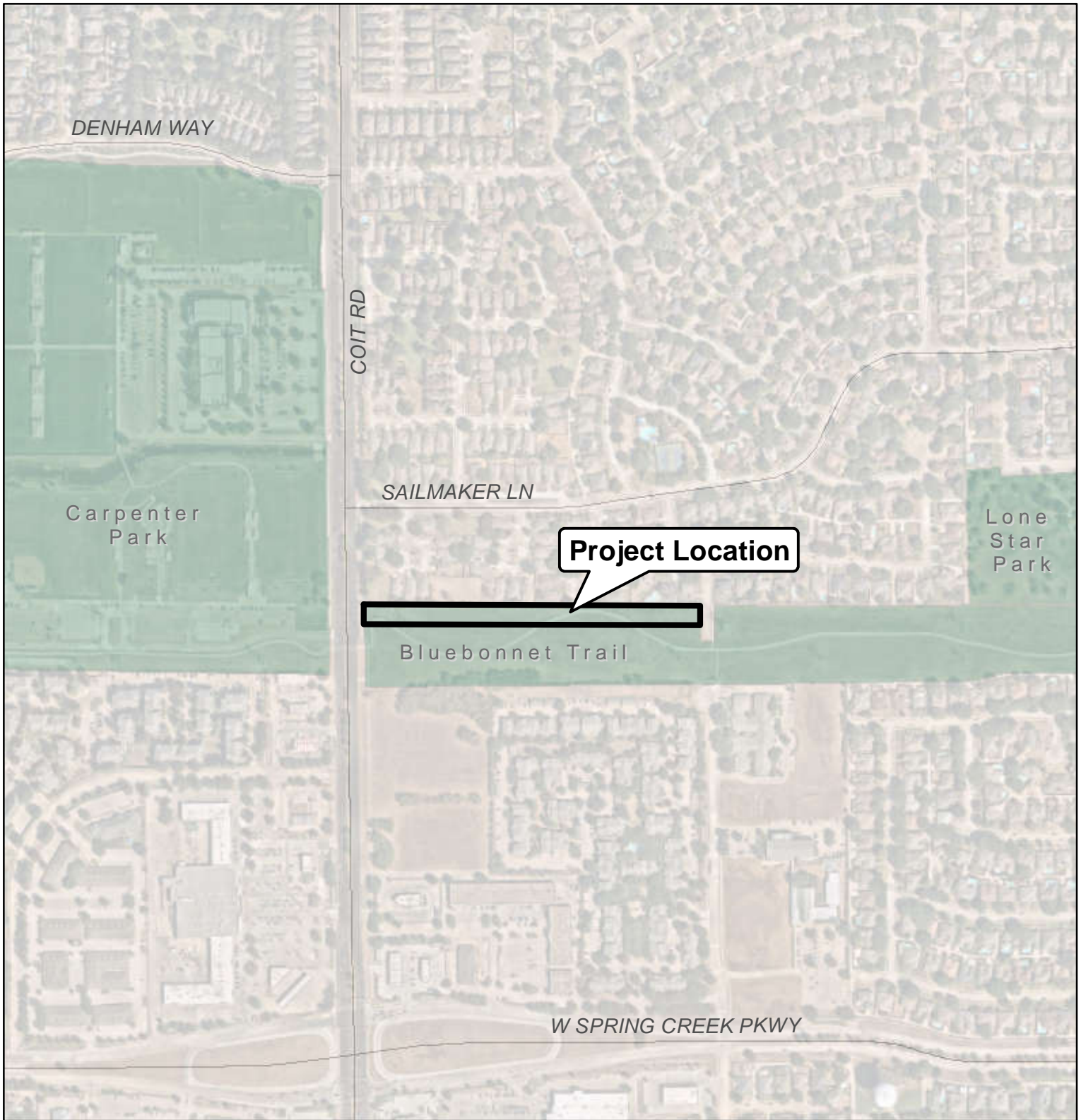
FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Capital Maintenance Fund. Construction services for the Bluebonnet Trail Drainage Improvements project, in the total amount of \$203,781, will leave a balance of \$219 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Location Map	2/1/2024	Map
Bid Recap	2/1/2024	Bid Recap



City of Plano Park Planning Division
12/4/2023

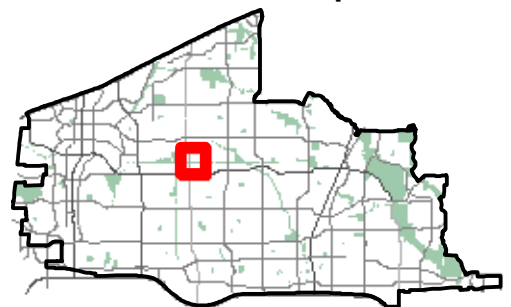
Location Map

Bluebonnet Trail Drainage Improvements

Project #7598

Page 30

Location Map



CITY OF PLANO

RFB CIP

Bid No. 2023-0690-B

Bluebonnet Trail Drainage Improvements

Project No. 7598

Bid Recap

<u>Bid Opening Date/Time:</u>	Thursday, November 16, 2023, 2:00 PM
<u>Number of Vendors Notified:</u>	865
<u>Vendors Submitting "No Bids":</u>	4
<u>Number of Non-Responsive Bids Submitted:</u>	1
<u>Number of Responsive Bids Submitted:</u>	7

<u>Vendor:</u>	<u>Total Bid:</u>
West Texas Rebar Placers Inc.	\$203,781.30
JR West Texas Concrete LLC	\$211,890.00
TREG Erosion Control Specialists, LLC	\$277,445.00
North Rock Construction	\$279,760.07
A T Construction, LLC	\$318,035.00
Cole Construction Inc.	\$385,959.00
Atkins Bros. Equip. Co., Inc.	\$1,338,250.00

<u>Recommended Vendor:</u>	
West Texas Rebar Placers Inc.	\$ 203,781.30

Nancy Corwin

11/16/2023

Nancy Corwin, Contract Administrator

Date

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Engineering-Transportation

DIRECTOR: B. Caleb Thornhill, P.E., Director of Engineering

AGENDA ITEM: Award of bid in the amount of \$3,194,502 for Intersection Improvements - 2022 Traffic Signal Construction - Various Locations Project No. 7391

RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

RFB No. 2023-0592-B for Intersection Improvements - 2022 Traffic Signal Construction - Various Locations, Project No. 7391, for the Engineering Department to EAR Telecommunications, LLC DBA EARTC, in the amount of \$3,194,502; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

The Engineering Department opened bids on December 14, 2023 for the Intersection Improvements - 2022 Traffic Signal Construction - Various Locations Project No. 7391. The project includes the construction of eight (8) traffic signals at the following intersections:

- Los Rios Boulevard at Merriman Drive
- Park Boulevard at San Gabriel Drive
- Alma Drive at Janwood Drive
- Parker Road at Plano Fire Station No. 9
- Parkwood Boulevard at Democracy Drive
- Tennyson Parkway at Democracy Drive
- Preston Road (SH 289) at Towne Square Drive
- Plano Parkway at International Parkway

The lowest responsive and responsible bid was submitted by EAR Telecommunications, LLC DBA EARTC, in the amount of \$3,194,502. There were a total of 1,144 vendors notified of this project. Three complete bids were received for the project as shown in the attached bid recap.

If this project is not awarded, it will result in continued safety issues and/or coordination issues at these eight intersections which were selected based on crash history and removing the last all-way stops from our City arterials.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Street Improvements CIP and is planned for future years, as well. Construction services for the Intersection Improvements - 2022 Traffic Signal Construction - Various Locations Project No. 7391, in the total amount of \$3,194,502, will leave a balance of \$67,056 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factors of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Location Map	1/19/2024	Map
Bid Recap	1/12/2024	Bid Recap



**Intersection Improvements -
2022 Traffic Signal
Construction - Various
Locations Project No. 7391**

Signalized Intersections

Box Diamond Interchange

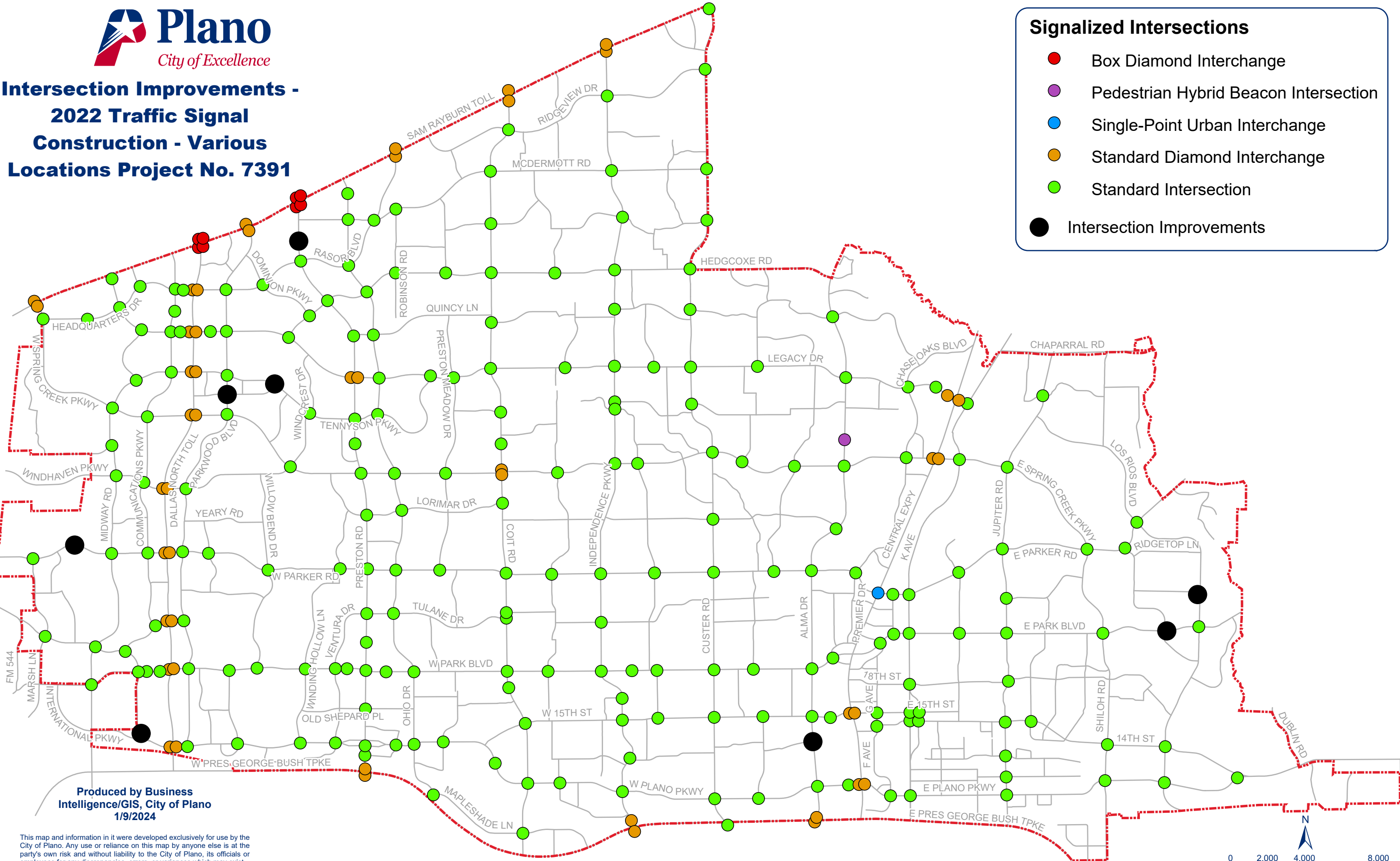
Pedestrian Hybrid Beacon Intersection

Single-Point Urban Interchange

Standard Diamond Interchange

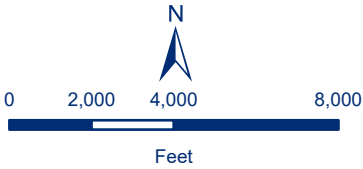
Standard Intersection

Intersection Improvements



Produced by Business
Intelligence/GIS, City of Plano
1/9/2024

This map and information in it were developed exclusively for use by the City of Plano. Any use or reliance on this map by anyone else is at the party's own risk and without liability to the City of Plano, its officials or employees for any discrepancies, errors, or variances which may exist.



CITY OF PLANO
RFB CIP
SOLICITATION NO. 2023-0592-B
INTERSECTION IMPROVEMENTS - 2022 TRAFFIC
SIGNAL CONSTRUCTION - VARIOUS LOCATIONS
PROJECT NO. 7391
BID RECAP

Bid Opening Date/Time: December 14, 2023 @ 2 p.m.

Number of Vendors Notified: 1,144

Number of Vendors Submitting "No Bids": 4

Number of Non-Responsive Bids Submitted: 0

Number of Responsive Bids Submitted: 3

<u>Vendor:</u>	<u>Total Bid:</u>
EAR Telecommunications, LLC DBA EARTC	\$3,194,502.44
Durable Specialties, Inc.	\$3,354,703.00
Bean Electrical, Inc.	\$3,575,625.00

<u>Recommended Vendor:</u>	
EAR Telecommunications, LLC DBA EARTC	\$3,194,502.44

Lincoln Thompson
Lincoln Thompson
Contract Administrator

December 15, 2023
Date

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Fire

DIRECTOR: Chris Biggerstaff, Fire Chief

AGENDA ITEM: Award the purchase of fifteen (15) SCOTT SCBA's (Self Contained Breathing Apparatus) and sixty (60) 45 minute air cylinders

RECOMMENDED ACTION: Purchase from Existing Contract

ITEM SUMMARY

To approve the purchase of fifteen (15) SCOTT SCBA's (Self Contained Breathing Apparatus) and sixty (60) 45 minute air cylinders for Plano Fire-Rescue in the amount of \$195,585 from Metro Fire Apparatus Specialists, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 698-23) **Approved**

BACKGROUND

Plano Fire-Rescue uses the SCOTT SCBA (Self Contained Breathing Apparatus) exclusively on all fire apparatus. Plano Fire-Rescue also uses the SCOTT 45 minute air cylinder on all front line apparatus. Plano Fire-Rescue is requesting the 15 SCBA's and 30 air cylinders for our Training Center. The remaining 30 air cylinders will be stored on Support 12, our back up Air Truck.

Funding for these SCBA's and Air Cylinders comes from a 2023/2024 budget supplement.

The SCBA's will be purchased from Metro Fire under BuyBoard Contract #698-23. The total cost for this purchase is \$195,585.

Failure to award the purchase will hinder live fire training scenarios at the training center. It will also lower our stock of available SCBA Air Bottles.

The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 271 Subchapter F of the Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (BuyBoard Contract No. 698-23 and the City of Plano Contract No. 2024-0216-O)

FINANCIAL SUMMARY/STRATEGIC GOALS

Funds are available in the 2023-24 Fire Department Budget for the purchase of fifteen (15) Self-Contained Breathing Apparatus (SCBA) units and sixty (60) Air Cylinders. The estimated purchase price is \$195,585 and the total budgeted amount for these items is \$192,000. The additional funds needed for this purchase, in the amount of \$3,585, are available from savings within the department.

Approval of this item will support the City's Strategic Plan Critical Success Factors of being an Excellent, Innovative, and Accountable City Government with Safe, Vibrant Neighborhoods.

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Engineering-Facilities
DIRECTOR: B. Caleb Thornhill, P.E., Director of Engineering
AGENDA ITEM: Purchase of furniture for the Public Works Department
RECOMMENDED ACTION: Purchase from Existing Contract

ITEM SUMMARY

To approve the purchase of office furniture for the Public Works Department through the Engineering - Facilities Division in the estimated amount of \$172,240 from Texas Furniture Source, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (Omnia Contract No. R191804 and BuyBoard Contract No. 667-22) **Approved**

BACKGROUND

The Purchasing Department accepted bids on January 18, 2024 for the Public Works Furniture Project to furnish and install new furniture for newly acquired lease space, 625 Digital Drive.

The lowest responsive and responsible bid was submitted by Texas Furniture Source, Inc, in the amount of \$172,240. There were a total 6 vendors notified of this project. Four (4) bidder's bids were received for the project as shown in the attached bid recap.

The new furniture is required for the new lease space for the expanding Public Works department personnel to utilize the space to perform their normal duties. If not approved, Public Works will not have sufficient work space to perform their normal job requirements.

The City is authorized to purchase from a cooperative purchasing program with another local government or a local cooperative organization pursuant to Chapter 271 Subchapter F of the Local Government Code; and by doing so, satisfies any State Law requiring local governments to seek competitive bids for items. (Omnia - R191804 and BuyBoard 667-22).

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Capital Maintenance Fund. The purchase and installation of furniture for the lease space at 625 Digital Drive, in the total estimated amount of \$172,240, will leave a balance of \$196,770 for future expenditures.

Approval of this item supports the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Recap	2/2/2024	Cooperative Quote Recap

CITY OF PLANO

Bid No. 2024-0105-O Furniture for Public Works Cooperative Quote Recap

Bid opening Date/Time: January 18, 2024 at 2:00 p.m.

Number of Vendors Notified: 6

Vendors Submitting “No Bids”: 0

Number of Bids Submitted: 4

<u>Vendor Name:</u>	<u>Amount</u>
GL Seaman Company (quoted 1 out of 2 Line Items)	\$19,196.60
Texas Furniture Source, Inc. (quoted 2 out of 2 Line Items)	\$172,239.55
Plano Office Supply Co. (quoted 2 out of 2 Line Items)	\$174,603.92
Business Interiors (quoted 2 out of 2 Line Items)	\$206,943.06

Recommended Vendor(s):

Texas Furniture Source, Inc. (via Omnia - R191804 and BuyBoard 667-22)	\$172,239.55
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CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Technology Solutions
DIRECTOR: Roger Wright, Chief Information Officer
AGENDA ITEM: To approve the purchase of Cisco Network Switches and Accessories for the FY23-24 Network Refresh Phase 3
RECOMMENDED ACTION: Purchase from Existing Contract

ITEM SUMMARY

To approve the purchase of ninety-five (95) Cisco network switches and accessories for Technology Solutions Department in the estimated amount of \$948,713 from Netsync Network Solutions, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR Contract No. DIR-TSO-4167 and DIR Contract No. DIR-CPO-4430) **Approved**

PREVIOUS ACTION/PRESENTATION

On August 22, 2022, City Council approved the purchase of sixty-nine (69) switches in the estimated amount of \$600,204, for the FY21-22 Network Refresh - Phase 1.

On February 13, 2023, City Council approved the purchase of eighty-four (84) switches in the estimated amount of \$822,384, for FY 22-23 Network Refresh - Phase 2.

BACKGROUND

The Technology Solutions Department recommends the purchase of ninety-five (95) Cisco network switches and accessories in the estimated amount of \$948,713 from Netsync Network Solutions, for the FY 23-24 Network Refresh - Phase 3.

These network switches provide data and voice connectivity to computers, phones, and wireless access points throughout city facilities.

Technology Solutions is working to put these orders in as early as we can in order to ensure that we receive hardware with enough time to implement before the end of support date from the manufacturer.

This purchase, if approved, will be the final phase of our three phased approach to replace our aging switching infrastructure before it becomes unsupported by the manufacturer.

If the City of Plano does not approve this purchase, the City will be at risk of using outdated and soon to be unsupported network switches. Technology Solutions would not be able to ensure reliable and secure communications across its voice and data networks.

The City is authorized to purchase from the State Contract list pursuant to Chapter 271 Subchapter D of the Texas Local Government Code and by doing so satisfies any State Law requiring local governments to seek competitive bids for items. (DIR-TSO-4167 for Cisco Devices and DIR-CPO-4430 for ENET Optics, and City of Plano Internal Contract No. 2024-0242-O)

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Technology Replacement Fund. This request is to approve the purchase of Cisco network switches and accessories from Netsync Network Solutions, Inc., in the estimated amount of \$948,713, which will leave a remaining balance of \$2,474,320 for additional expenditures in the 2023-24 Technology Replacement Fund.

Approval of this item supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Cooperative Quote Recap	2/5/2024	Cooperative Quote Recap

**CITY OF PLANO
SOLICITATION NO. 2024-0242-O
PURCHASE OF CISCO NETWORK SWITCHES AND ACCESSORIES
COOPERATIVE QUOTE RECAP**

Quote Due Date/Time: January 29, 2024 @ 3:00 p.m. (CT)

Number of Vendors Contacted: 4

Number of "No Bids": 1

Number of Quotes Received: 1

Netsync Network Solutions, Inc. via Cisco Systems DIR-TSO-4167 and Netsync DIR-CPO-4430	\$948,712.68
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<u>Recommended Vendor:</u> Netsync Network Solutions, Inc. via Cisco Systems DIR-TSO-4167 and Netsync DIR-CPO-4430	\$948,712.68
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CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Public Works

DIRECTOR: Dan Prendergast, P.E. Director of Public Works

AGENDA ITEM: Approve a decrease in the amount of \$1,530,656 for Arterial Pavement Repair Parker Road - West City Limit to Preston Road, Project No. 7417

RECOMMENDED ACTION: Approval of Change Order

ITEM SUMMARY

To approve a decrease to the current awarded contract amount of \$5,930,325 by \$1,530,656, for a total contract amount of \$4,399,669, for Arterial Pavement Repair Parker Road - West City Limit to Preston Road from HQS Construction, LLC for Public Works Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2022-0443-B; Change Order No. 1) **Approved**

PREVIOUS ACTION/PRESENTATION

On June 6, 2022, City Council awarded a bid in the amount of \$5,930,325 for Arterial Pavement Repair Parker Road - West City Limit to Preston Road, Project 7417 to HQS Construction, LLC.

BACKGROUND

This change order is for reduction in quantities of contract items that were not needed to complete the Arterial Rehabilitation Project, as well as for a price increase on 3 bid items, allowed for under section 104.2.1 of the North Central Texas Council of Governments Standard Specifications for Public Works Construction. The project was designed in the Fall of 2021. Public Works staff utilizes street scores to estimate the amount of pavement removal needed on a street or neighborhood repair project. In this case, the estimate was 27% higher than actual concrete repair that was needed. The remaining funds will be used on future street projects.

If this change order is not approved at Council, the City will not be able to utilize the remaining funds on a future project.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item approves the first change order in the contract with HQS Construction, LLC for construction services for the Arterial Pavement Repair Parker Road - West City Limit to Preston Road project. The first change order, reducing the current contract by \$1,530,656, will leave a project balance of \$248,505, for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factors of being an Excellent, Innovative, and Accountable City Government.

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Utilities Operations

DIRECTOR: Dan Prendergast, P.E. Director of Public Works

AGENDA ITEM: Award an expenditure in the amount of \$324,250 for engineering professional services for Parker Road Elevated Storage Tank Rehabilitation, Project No. PW-W-00005.

RECOMMENDED ACTION: Approval of Expenditure

ITEM SUMMARY

To approve an expenditure for engineering professional services for Parker Road Elevated Storage Tank Rehabilitation, Project No. PW-W-00005, in the amount of \$324,250 from Kimley-Horn and Associates, Inc. for the Public Works Department; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

The Parker Road Elevated Storage Tank is located at 830 Lexington Drive. The tank was constructed in 1970 and was last rehabilitated in 2008. The City is developing an elevated storage tank masterplan to create a schedule for the proactive coating maintenance of all 10 elevated storage tanks in the city. The first phase of the masterplan included inspections of all elevated storage tanks which identified the Parker Road Elevated Storage Tank as a priority for maintenance.

Public Works staff propose to retain Kimley-Horn and Associates, Inc. for the design of the Parker Road Elevated Storage Tank Rehabilitation project. Kimley-Horn and Associates, Inc. was deemed most qualified based on their Statement of Qualifications submission for RFQ No. 2021-0379-XR due to their extensive experience in elevated storage tank design and coating maintenance. The design will include new interior and exterior protective coatings for the tank, repairs to the tank structure, valve replacement, and site access and security improvements.

If this contract is not awarded by City Council, the design and rehabilitation of the Parker Road Elevated Storage Tank will be delayed, leading to increased future construction costs.

The funding for this expenditure is coming from the Water Fund (36).

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Water CIP. Professional design services for the Parker Road Elevated Storage Tank Rehabilitation project, in the total amount of \$324,250, will leave a balance of \$225,750 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
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Parker tower

2/5/2024

Other



CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024

DEPARTMENT: Utilities Operations

DIRECTOR: Dan Prendergast, P.E. Director of Public Works

AGENDA ITEM: Approve an expenditure in the amount of \$431,600 for engineering professional services for Ridgeview Pump Station Assessment, Project No. PW-W-00013

RECOMMENDED ACTION: Approval of Expenditure

ITEM SUMMARY

To approve an expenditure for engineering professional services for Ridgeview Pump Station Assessment, Project No. PW-W-00013, in the amount of \$431,600 from Freese and Nichols, Inc. for the Public Works Department; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

The Ridgeview Pump Station is the largest and most critical pump station in the City by supplying over 70 percent of total water demand for customers each day. The City constructed the pump station in 1989 and made major capacity improvements in 1998 and 2001 as the City developed.

The building and original equipment have not been evaluated or replaced since installation. The pump station needs a comprehensive infrastructure and equipment assessment to develop a proactive rehabilitation and replacement schedule to ensure resilience of the City's water system.

Public Works staff propose to retain Freese and Nichols, Inc. to conduct an assessment of the Ridgeview Pump Station. Freese and Nichols, Inc. was deemed most qualified based on their Statement of Qualifications submission for RFQ No. 2021-0379-XR. The contract will include on-site physical testing and condition assessments of the pumps, valves, building structure, and electrical and HVAC systems. The consultant will also propose improvements to winterize the pump station and increase SCADA reliability. The pumps and electrical system will be analyzed to determine the maximum pumping capacity and potential improvements needed to ensure adequate delivery of water as redevelopment occurs west of Custer Road. The final report from the project will include a detailed equipment and project list with costs and a schedule to be incorporated into the City's Water CIP.

If this contract is not awarded by City Council, the condition of critical infrastructure at Ridgeview Pump Station will remain unknown and could lead to equipment and infrastructure failure that may have been avoided if evaluation and planning had been completed. These failures could impact the City's ability to deliver safe, reliable water to the community and lead to expensive emergency repairs. As growth and redevelopment continue throughout the City, it's important to know if enhancements to Ridgeview's infrastructure can be implemented to meet increased demands.

The funding for this expenditure is coming from the Water Fund (36).

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Water CIP. Award of the contract to conduct an

assessment of the Ridgeview Pump Station, in the total amount of \$431,600, will leave a balance of \$118,400 for future expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

ATTACHMENTS:

Description	Upload Date	Type
Ridgeview Pump Station	2/5/2024	Other

RIDGEVIEW PUMP STATION

2501
RIDGEVIEW

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Utilities Operations
DIRECTOR: Dan Prendergast, P.E. Director of Public Works
AGENDA ITEM: Approval for Expenditure for Lead and Copper Field Inspections
RECOMMENDED ACTION: Approval of Expenditure

ITEM SUMMARY

To approve an expenditure for professional Lead and Copper Field Inspections in the estimated amount of \$2,800,000 from Ameresco, Inc. for Public Works; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

In 1991, the Environmental Protection Agency (EPA) established the Lead and Copper Rule (LCR) to control the presence of lead and copper in drinking water. In 2021, the EPA released an addendum to the LCR called the Lead and Copper Rule Revisions (LCRR), establishing new requirements for protecting people from lead and copper contamination in drinking water.

There are a variety of requirements outlined in the LCRR that water systems must be compliant with by October 16, 2024. One of these requirements is for water systems to develop and submit a Lead Service Line Inventory for both the public-owned utility water service lines and the private-owned customer water service lines. Water systems must identify and label each public and private water service line as lead, galvanized requiring replacement, lead status unknown, or non-lead. Water systems are required to inform any customers with service lines identified as lead, galvanized requiring replacement, or lead status unknown annually of the service line status until it's replaced.

The Public Works department maintains approximately 82,000 service lines in the City's water system. In 2021, Public Works began identifying service line and yard line material based on existing records. Per TCEQ/EPA guidance, any water service lines with an install date after July 1, 1988 are assumed non-lead. Anything built before this date required further investigation of service line material by reviewing as-built documentation, building inspection historical data, and historical service line replacement tasks in Cartegraph and Cassworks work order systems. Currently, the material for water service lines is 92% verified for the public-side (from the water main to the water meter) and 50% verified for the private-side (from the water meter to the customer home/building).

Since March 2022, Public Works staff have only been able to field verify material for 11,000 service lines using "in-house" staff. The inspections are completed during routine repairs on water meters and service lines. The Public Works Department would like to verify the material of all service lines ahead of the October 16, 2024 inventory deadline so that no service lines are listed as "unknown", which would require notification for the potential of lead to each resident or business served by an "unknown" material location. Performing the field investigation now for the service lines with unknown material is the most cost effective and prudent approach to meet the LCRR requirements of inventorying all public and private water service lines. Public Works staff is seeking to establish a Professional Services Agreement with Ameresco, Inc. for field verification of the remaining sites to identify the material of all service lines in the water system

before the Lead Service Line inventory deadline. Ameresco, Inc. has completed similar work for the City of Mesquite, City of Conroe, and the City of the Woodlands.

Public Works staff is requesting to contract with Ameresco, Inc. for field-verification of service line material on each side of the water meter to meet compliance with the LCRR. The contract is for the field investigation of approximately 42,000 service lines with an anticipated timeframe of 6 – 8 months. The estimated expenditure for the City is \$2,800,000 for FY 2023-24 with anticipated contract completion in September 2024.

If this contract is not awarded by City Council, the City will not complete field verification of all water service lines by the LCRR deadline. This will result in a public facing map indicating that lead could be present in over 50% of private-side water service lines and will require city staff to annually notify these customers that they could be served by lead service lines.

The funding for this expenditure is coming from the Water Fund (36).

The City is exempt from the competitive bid process for this purchase as allowed by Texas Local Government Code Chapter 252 Subchapter B Section 252.022(a)(4). (City of Plano Internal Contract No. 2024-0147-X)

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Water CIP. Approval of the contract for field verification of service line material to develop a Lead Service Line Inventory has a total estimated amount of \$2,800,000.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government.

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Eco Dev
DIRECTOR: Doug McDonald, Director of Economic Development
AGENDA ITEM: Economic Development Incentive Agreement for Sysgration America Corporation
RECOMMENDED ACTION: Approval of Contract / Agreement

ITEM SUMMARY

To approve an Economic Development Incentive Agreement between the City of Plano, Texas, and Sysgration America Corporation, a Texas corporation ("Company"), providing an economic development grant to the Company; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

This agenda item represents a request to approve an Economic Development Incentive Agreement for Sysgration America Corporation, a Texas corporation, pursuant to Chapter 380 of the Texas Local Government Code and conditioned on the terms as set forth in the attached agreement. Sysgration America Corporation agrees to occupy 98,000 square feet of office space at 3724 E. Plano Parkway, Plano, Texas 75074 and transfer, retain or create up to 152 Full-Time Job Equivalents by December 31, 2029.

Property Location

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2023-24 Economic Development Fund. This item, in the amount of \$2,403,975, will leave an unencumbered balance of \$52,016,723 available for future project consideration.

Approval of this Agreement supports the City's Strategic Plan Critical Success Factor of Residential and Commercial Economic Vitality.

ATTACHMENTS:

Description	Upload Date	Type
Sysgration Chapter 380 Agreement	2/1/2024	Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement (“Agreement”) is made by and between the City of Plano, Texas (“City”), and Sysgration America Corporation, a Texas corporation (“Company”), acting by and through their respective authorized officers and representatives.

WITNESSETH:

WHEREAS, Company is engaged in the business of manufacturing electronic and motor vehicle parts and agrees to purchase a building located at 3724 East Plano Parkway, Plano, TX 75074 (“Real Property”) and Occupy a minimum of 98,000 square feet of office space at the Real Property; and

WHEREAS, Company agrees to transfer or create and maintain up to 152 Full-Time Job Equivalents whose assigned work location is at the Real Property within Company’s human resource system(s) of record(s) and who are residents of the MSA Area, as defined below, for the term of this Agreement; and

WHEREAS, Company agrees to construct or cause to be constructed real property improvements that have a minimum value of \$16,000,000.00 on the Real Property; and

WHEREAS, Company has advised the City that a contributing factor that would induce the Company to relocate and expand its business and commercial activities in the City, thereby generating additional local sales tax revenues and increasing ad valorem tax values for the City, would be an agreement by the City to provide an economic development grant to the Company; and

WHEREAS, City Council finds that the purchase and Occupancy of a minimum 98,000 square feet of office space at the Real Property, the creation or transfer and maintenance of up to 152 Full-Time Job Equivalents, and the investment of at least \$16,000,000.00 of real property improvements will promote economic development, stimulate commercial activity, and enhance the tax base and economic vitality of the City; and

WHEREAS, the City has adopted programs for promoting economic development; and

WHEREAS, the City is authorized by TEX. LOC. GOV’T CODE §380.001 *et seq.* to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City has determined that making an economic development grant to the Company in accordance with the terms and conditions set forth in this Agreement will further the objectives of the City, will benefit the City and its citizens, and will promote local economic development and stimulate business and commercial activity in the City.

NOW THEREFORE, in consideration of the foregoing and the premises, mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt

and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, hereby covenant and agree as follows:

Article I Definitions

For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

“Commencement Date” shall mean December 31, 2025.

“Company” shall mean Sysgration America Corporation, a Texas corporation.

“Event of Force Majeure” shall mean any contingency or cause beyond the reasonable control of a party including, without limitation, acts of God or the public enemy, war, riot, civil commotion, insurrection, government or de facto governmental action (unless caused by the intentionally wrongful acts or omissions of the party), fires, explosions or floods, strikes, slowdowns or work stoppages any of which event(s) directly and significantly impact the Company’s operations in the City. An economic downturn shall not constitute an Event of Force Majeure.

“Full-Time Job Equivalent(s)” shall mean one or more Company employees, whether individual or combined with other employees, whose assigned work location is at the Real Property within Company’s human resource system(s) of record(s), is a resident of the MSA Area, is paid a total 2,080 hours annually and issued an Internal Revenue Service W-2 form by the Company. Company shall retain a copy of the W-2 forms, or other similar documents, for each such person representing such person’s residence that is reported in the Company’s annual certification(s).

“MSA Area” is a fourteen-county area which includes the eleven counties in the Dallas-Fort Worth-Arlington Metropolitan Statistical Area (as shown on the map of Metropolitan and Micropolitan Statistical Areas of the United States and Puerto Rico published by the U.S. Census Bureau as of March 2020), Cooke County, Fannin County, and Grayson County.

“Occupancy” or “Occupy” shall mean the Company has received a certificate of occupancy for the occupancy of the Real Property and the Company is regularly open and operating their business at the Real Property.

“Real Property” or “Property” shall mean 3724 East Plano Parkway, Plano, TX 75074.

Article II Term

The term of this Agreement shall begin on the Commencement Date and continue for ten (10) years thereafter, unless sooner terminated as provided herein (“Term”).

Article III Obligations of Company

In consideration of the grant of public funds as set forth in Section 4.01 below, the Company agrees to perform the following:

(a) By the Commencement Date, purchase the building located at the Real Property and Occupy a minimum of 98,000 square feet of office space on the Real Property and maintain Occupancy throughout the term of the Agreement; and

(b) By December 31, 2027, create or transfer at least 124 Full-Time Job Equivalents and maintain the Full-Time Job Equivalents for a minimum of 180 days prior to grant payment and continue to maintain the Full-Time Job Equivalents at the Real Property throughout the term of the Agreement; and

(c) Subject to Company maintaining its obligation described in Article III(a) and (b), Company may create or transfer up to an additional 28 Full-Time Job Equivalents and maintain those Full-Time Job Equivalents at the Real Property throughout the term of the Agreement by December 31, 2029; and

(d) By the Commencement Date, construct or cause to be constructed real property improvements that have a minimum value of \$16,000,000.00 on the Real Property; and

(e) Use reasonable efforts to use facilities, including hotels and motels, located in the City of Plano, Texas for any Company-related or sponsored business activities throughout the term of the Agreement; and

(f) Use reasonable efforts to use the words “Plano, Texas” or “Plano, TX” when referencing the address for the Company on printed or electronic materials.

Article IV Economic Development Grant

4.01 **Grant.** The City agrees to provide the Company a cash grant of up to Two Million Four Hundred Three Thousand Nine Hundred Seventy-Five Dollars (\$2,403,975.00) (“Grant”) as long as Company meets each of the obligations set out in Article III above and complies with the certification schedule and requirements set out in Section 4.02 below.

4.02 **Grant Payment Requirements and Schedule.** Except as otherwise indicated, the Company shall be entitled to Grant in accordance with the following requirements and schedule:

(a) **Finish-Out Grant.** Company shall be entitled to a grant payment of \$2,000,000.00 to offset costs to complete the construction of real property improvements (“Finish-Out Grant”) if:

1. Company complies with the obligations set forth in Article III(a) and (d); and
2. Company submits a certification that the Company has added a minimum of \$16,000,000.00 in real property improvements on the Property.

(b) **Fee Reimbursement Grant.** Company shall be entitled to a grant payment of up to \$115,175.00 for reimbursement of City of Plano fees, including, but not limited to permit, building inspections, engineering, and planning fees, paid in relation to the construction and Occupancy of the Real Property (“Reimbursement Grant”) if:

1. Company complies with the obligation set forth in Article III(a); and
2. Company submits an itemized schedule and any receipts of the fees paid by or caused to be paid by the Company to the City of Plano, Texas as it relates to the construction and Occupancy of the Real Property.

(c) **Job Creation Grant #1.** Company shall be entitled to a grant payment of \$235,600.00 (“Job Creation Grant #1”) if Company complies with the obligations set forth in Article III(a) and (b). The Job Creation Grant #1 shall not be pro-rated.

(d) **Job Creation Grant #2.** Company may be entitled to a grant payment of up to \$53,200.00 (“Job Creation Grant #2”) if:

1. Company complies with the obligations set forth in Article III(a) and (b); and
2. After satisfying the initial job creation requirement set forth in Article III(b), Company may add up to 28 Full-Time Job Equivalents as set forth in Article III(c). For each additional Full-Time Job Equivalent created or transferred to the Real Property by December 31, 2029, Company may be entitled to a grant payment of \$1,900.00 per additional Full-Time Job Equivalent added. The maximum amount Company may be entitled to for the Job Creation Grant #2 is \$53,200.00.

(e) **Initial Grant Request.** Company shall submit one cumulative request for payment under the Finish-Out Grant and the Fee Reimbursement Grant (the “Initial Grant Request”) to the City. Such Initial Grant Request shall include any documentation required by each grant, as described in Section 4.02. With the Initial Grant Request, Company shall submit an executed Certificate of Compliance form, attached hereto as **Exhibit “A.”** Company shall submit its Initial Grant Request to the City between June 30, 2026 and December 31, 2026. City’s

obligation to pay or reimburse Company under the Finish-Out Grant and Fee Reimbursement Grant shall terminate after December 31, 2026.

1. City will make the Grant payment within thirty (30) days of receipt of the Initial Grant Request. City may, in its sole discretion, withhold Grant payment if additional documents or information is needed from the Company.
2. For the Fee Reimbursement Grant, City shall only reimburse Company for fees, costs, and expenses actually incurred or paid by the Company.

(f) **Job Creation Grants Payment Request.**

1. For the Job Creation Grant #1 payment request, Company must submit an executed Certification of Compliance form, attached hereto as **Exhibit "A."** Company's request for payment under the Job Creation Grant #1 must be submitted to the City between June 30, 2028 and December 31, 2028. A failure to submit the Certification of Compliance form by December 31, 2028 to the City shall result in forfeiture of the Job Creation Grant #1 by the Company. City shall have no further obligation to pay Company Job Creation Grant #1 after December 31, 2028.
2. For the Job Creation Grant #2 payment request, Company must submit an executed Certification of Compliance form, attached hereto as **Exhibit "A."** Company's request for payment under the Job Creation Grant #2 must be submitted by January 31, 2030. A failure to submit the Certification of Compliance form by January 31, 2030 to the City shall result in forfeiture of the Job Creation Grant #2 by the Company. City shall have no further obligation to pay Company Job Creation Grant #2 after January 31, 2030.

(g) The obligations of each grant shall be treated separate and apart. Company's failure to comply with an obligation under a specific grant does not disqualify the Company from receiving payment under a different grant outlined in this Article. For example, if Company fails to comply with the obligations of the Finish-Out Grant, Company may still be eligible to receive payment under the Job Creation Grants, or Fee Reimbursement Grant, so long as Company meets the specific obligations and requirements under those grants.

(h) Beginning January 31, 2026, Company must submit an annual certification on the form, attached hereto as **Exhibit "B"** not later than January 31st of each year for the duration of this Agreement. **A failure to file the annual certification by the January 31st deadline during the remaining years of the Agreement shall be an event of default and, if not cured, results in the City's right to a full refund, including damages as set out in Section 4.03 below.**

(i) All certifications required under this Agreement must be executed by the Company's chief executive or financial officer.

4.03 **Refund/Repayment/Default.**

(a) The following events shall constitute an event of default ("Event of Default") during the Term of this Agreement, if Company:

1. Fails to Occupy or maintain Occupancy at the Real Property;
2. Fails to refund any payments as required by the City;
3. Fails to timely submit any certifications to the City as required by Section 4.02;
4. Fails to fulfill any of the obligations set forth in this Agreement;
5. Fails to maintain the required number of Full-Time Job Equivalents for which it has received payment, at the time Company submits its annual certification to the City or;
6. Is convicted of a violation under 8 U.S.C. Section 1324a(f) regarding the unlawful employment of undocumented workers.

(b) If any Event of Default occurs prior to any Grant funds being paid to the Company by the City, then Company shall forfeit the entire Grant and the City's obligations under this Agreement shall terminate.

(c) If any Event of Default, excluding an Event of Default under Section 4.03(a)(5) and (a)(6), occurs after Grant funds have been paid to the Company by the City, then Company shall repay to the City all Grant funds paid to it within thirty (30) days of written notice of default from the City. City may use any efforts to collect such sums owed and Company agrees to pay any and all interest, and expenses, including attorney fees and costs incurred by City. This obligation shall survive termination of this Agreement.

(d) If a default occurs under Section 4.03(a)(5), Company shall have until January 1st of the following year to cure. If the Company fails to cure the default by January 1st of the following year, then company shall refund to the City an amount equal to One Thousand Nine Hundred Dollars (\$1,900.00) for each lost Full-Time Job Equivalent. For the purposes of determining whether the City is due a refund under this Subsection, the Company shall certify to the City as set out in Section 4.02 the actual number of Full-Time Job Equivalents at the Real Property for the compliance period using the form attached as Exhibit "B". A failure to make the refund payment prior to or at the time of filing certification shall constitute an event of default. If a refund has been paid for one or more Full-Time Job Equivalent(s), Company is not entitled to any future payment for that lost Full-Time Job Equivalent(s) notwithstanding that it subsequently complies with the Full-Time Job Equivalent requirements of this Agreement at a later date.

(e) If a default occurs under Section 4.03(a)(6), then Company shall repay to the City all Grant funds paid pursuant to this Agreement together with interest charged from the date of payment of the funds at the statutory rate for delinquent taxes as determined by V.T.C.A., Tax Code § 33.01, but without the addition of penalty. Repayment of grant funds and interest shall be due not later than 120 days after the date the Company is convicted of the offense.

Article V Termination

5.01 **Events of Termination.** This Agreement terminates upon any one or more of the following:

(a) By expiration of the term and where no defaults have occurred; or

(b) If a party defaults or breaches any of the terms or conditions of this Agreement and such default or breach is not cured within thirty (30) days after written notice thereof by the non-defaulting party unless a longer period is provided. Any default under this provision and right to recover any claims, refunds, damages and/or expenses shall survive the termination of the Agreement.

The City Manager is authorized on behalf of the City to send notice of default and to terminate this Agreement for any default that is not cured.

5.02 **Effect of Termination/Survival of Obligations.** The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the applicable effective date of termination of this Agreement, except for any obligations or default(s) that existed prior to such termination or as otherwise provided herein and those liabilities and obligations shall survive the termination of this Agreement, including the refund provision, maintenance of records, and access thereto.

Article VI Retention and Accessibility of Records

6.01 Company shall maintain the fiscal records and supporting documentation for expenditures of funds associated with this Agreement. Company shall retain such records, and any supporting documentation for the greater of:

(a) Five (5) years from the end of the Agreement period; or

(b) The period required by other applicable laws and regulations.

6.02 Company gives City, its designee, or any of their duly authorized representatives, access to and the right to examine relevant books, accounts, records, audit reports, reports, files, documents, written or photographic material, videotape and other papers, things, or personal and Real Property belonging to or in use by Company pertaining to the Economic Development

Program Grant (the “Records”) upon receipt of ten (10) business days written notice from the City. The City’s access to Company’s books and records will be limited to information needed to verify that Company is and has been complying with the terms of this Agreement. Any information that is not required by law to be made public shall be kept confidential by City. In no event shall City’s access to Company’s Records include any access to any personal and/or medical data of any employees of Company except to confirm payroll information compliance for Full-Time Job Equivalents. Company shall not be required to disclose to the City any information that by law Company is required to keep confidential. Should any good faith dispute or question arise as to the validity of the data provided, the City reserves the right to require Company to obtain an independent firm to verify the information. This certified statement by an independent firm shall be provided at the sole cost of Company. The rights to access the Records shall terminate five (5) years after the termination or expiration of this Agreement. Failure to provide reasonable access to the Records to authorized City representatives shall give the City the right to suspend or terminate this Agreement as provided for in Section 5.01 above, or any portion thereof, for reason of default. All Records shall be retained by Company for a period of five (5) years after all performance requirements are achieved for audit purposes until such audits or other administrative, civil or criminal matters including, but not limited to, investigations, lawsuits, administrative inquiries and open record requests are completed. Company agrees to maintain the Records in an accessible location.

Article VII Assignment

This Agreement may not be assigned without the express written consent of the non-assigning party, except that the Company may assign this Agreement without obtaining the City’s consent (a) to one of its wholly owned affiliates, or (b) to any person or entity that directly or indirectly acquires, through merger, sale of stock, purchase or otherwise, all or more than ninety (90) percent of the assets of the Company as long as the Company gives sixty (60) days prior written notice to the City and the assignee executes an agreement with the City to be bound to all the terms and conditions of this Agreement and be responsible for any default(s) that occurred prior to or after the assignment.

For any assignment not covered by (a) or (b) in the preceding paragraph, the Company must obtain the prior approval of the City through its City Manager and the assignee must agree to be bound to all the terms and conditions of this Agreement and to accept all liability for any default that occurred prior to and/or after the assignment.

Any assignment agreement must be furnished in a form acceptable to the City and be provided at least thirty (30) days prior to the effective assignment date. City agrees to notify the potential assignee of any known default, but such notification shall not excuse defaults that are not yet known to the City.

Article VIII Miscellaneous

8.01 **No Joint Venture.** It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership or joint venture among the parties. Neither party shall have any authority to act on behalf of the other party under any circumstances by virtue of this Agreement.

8.02 **Notice of Bankruptcy.** In the event Company files for bankruptcy, whether involuntarily or voluntary, Company shall provide written notice to the City within three (3) business days of such event.

8.03 **Authorization.** Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

8.04 **Notice.** Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If intended for the City:
City of Plano, Texas
Attention: Mr. Mark D. Israelson
City Manager
1520 Avenue K
P.O. Box 860358
Plano, TX 75086-0358

If intended for the Company before Occupancy:
Sysgration America Corporation
Attention: Mr. Mark Lee
Chairman
6Fl., No.1, Sec. 1, Tiding Blvd., Nei-hu District
Taipei City, Taiwan

With a copy to:
City of Plano, Texas
Attention: Ms. Paige Mims
City Attorney
1520 Avenue K
P.O. Box 860358
Plano, TX 75086-0358

If intended for the Company after Occupancy:
Sysgration America Corporation
Attention: Mr. Mark Lee
Chairman
3724 East Plano Parkway
Plano, TX 75074

8.05 **Compliance with Equal Rights Ordinance.** Company agrees to comply with Section 2-11(F) of the City Code of Ordinances, which reads as follows:

“It shall be unlawful for an employer to discriminate against any person on the basis of race, color, sex, religion, age, national origin, genetic information, sexual orientation, gender identity, disability status or United States military/veteran status by the following actions or inactions:

- (a) for an employer to fail or refuse to hire, or to discharge, any person;

(b) for an employer to discriminate against any person with respect to compensation, terms, conditions or privileges, of employment;

(c) for an employer to limit, segregate or classify employees or applicants for employment in any way that would deprive or tend to deprive a person of employment or employment opportunities, or that would otherwise adversely affect a person's status as an employee;

(d) for an employment agency to fail or refuse to refer for employment, or to otherwise discriminate against, any person because of a protected employment characteristic;

(e) for an employment agency to classify or refer for employment any person, on the basis of a protected employment characteristic;

(f) for a labor organization to exclude or expel from its membership, or to otherwise discriminate against, any person because of a protected employment characteristic;

(g) for a labor organization to fail or refuse to refer for employment any person because of a protected employment characteristic;

(h) for a labor organization to limit, segregate or classify its members or applicants for membership, in any way that would deprive or tend to deprive a person of employment or employment opportunities, or that would otherwise adversely affect a person's status as an employee or as an applicant for employment;

(i) for a labor organization to cause or attempt to cause an employer to discriminate against a person in violation of this subsection;

(j) for an employer, a labor organization or a joint labor-management committee, to discriminate against any person because of a protected employment characteristic in the admission to, or employment in, any program established to provide apprenticeship or other training;

(k) for an employer to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by the employer that indicates any preference, limitation, specification or discrimination, based on a protected employment characteristic;

(l) for an employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to membership in or any classification or referral for employment by the employment agency that indicates any preference, limitation, specification or discrimination, based on a protected employment characteristic; or

(m) for a joint labor-management committee to print or publish, or cause to be printed or published, any notice or advertisement relating to admission to, or employment in, any program established to provide apprenticeship or other training by the joint labor-management committee

that indicates any preference, limitation, specification or discrimination, based on a protected employment characteristic.”

Company also understands that it is entitled to apply to the City Manager for a waiver from the Equal Rights Ordinance’s application to its business if applying it would conflict with state or federal law. During the review of the waiver request, the contract will be placed on hold.

8.06 **Entire Agreement.** This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

8.07 **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning this Agreement, the transactions contemplated hereby or the liabilities or obligations imposed hereunder shall be in the State District Court of Collin County, Texas.

8.08 **Amendment.** This Agreement may only be amended by the mutual written agreement of the parties.

8.09 **Severability.** In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

8.10 **Recitals.** The recitals to this Agreement are incorporated herein.

8.11 **Authorized to Bind.** The persons who execute their signatures to this Agreement represent and agree that they are authorized to sign and bind their respective parties to all of the terms and conditions contained herein.

8.12 **Counterparts.** This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

[INTENTIONALLY LEFT BLANK. SIGNATURES TO FOLLOW]

This Agreement shall be effective upon the last date on which all parties have executed this Agreement.

ATTEST:

CITY OF PLANO, TEXAS, a home-rule
municipal corporation

Lisa C. Henderson, CITY SECRETARY

Mark D. Israelson, CITY MANAGER
Date: _____

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ATTEST:

SYSGRATION AMERICA
CORPORATION., a Texas corporation

Name: _____
Title: _____

By: _____
Name: _____
Title: _____
Date: _____

**EXHIBIT “A”
CERTIFICATE OF COMPLIANCE**

Step One:

Please select one of the options below:

_____ a. I hereby certify that Sysgration America Corporation has Occupied the Real Property on or before December 31, 2025, and is in compliance with all terms of the Agreement.

_____ b. I hereby certify that Sysgration America Corporation has failed to Occupy the Real Property on or before December 31, 2025, is not in compliance with all terms of the Agreement, and is not entitled to receive payment in accordance with Article IV of the Agreement.

Step Two (Due between June 30, 2026 and December 31, 2026):

Please select one of the options below under each grant, as applicable:

Finish-Out Grant

_____ a. I hereby certify that Sysgration America Corporation has added a minimum of \$16,000,000.00 in real property improvements to the office space located at the Real Property on or before December 31, 2025, and is in compliance with all terms of the Agreement and is entitled to receive payment in accordance with Section 4.02(a) of that Agreement.

_____ b. I hereby certify that Sysgration America Corporation has failed to add a minimum of \$16,000,000.00 in real property improvements to the office space located at the Real Property on or before December 31, 2025 and is not entitled to receive payment in accordance with Section 4.02(a) of that Agreement.

Fee Reimbursement Grant

_____ a. I hereby certify that Sysgration America Corporation has submitted for approval itemized costs paid by Sysgration America Corporation to the City of Plano for permit, building inspections, engineering and planning fees for the construction of the Real Property in Plano, Texas for reimbursement up to \$115,175.00, attached hereto as Exhibit “1”, and is in compliance with all terms of the Agreement and is requesting payment in accordance with Section 4.02(b) of that Agreement in the amount of _____ Dollars.

_____ b. I hereby certify that Sysgration America Corporation has failed to submit itemized costs paid by Sysgration America Corporation to the City of Plano for permit, building inspections, engineering and planning fees for the construction of the Real Property in Plano, Texas for reimbursement up to \$115,175.00 and is not entitled to receive payment in accordance with Section 4.02(b) of that Agreement.

Step Three (Due between June 30, 2028 and December 31, 2028):

Please select one of the options below:

Job Creation Grant #1

_____ a. I hereby certify that Sysgration America Corporation has transferred or created at least 124 Full-Time Job Equivalent positions at the Real Property on or before December 31, 2027, and is in compliance with all terms of the Agreement and is entitled to receive payment in accordance with Section 4.02(c) of that Agreement. The actual number of Full-Time Job Equivalents is _____.

_____ b. I hereby certify that Sysgration America Corporation has failed to transfer or create at least 124 Full-Time Job Equivalent positions at the Real Property on or before December 31, 2027 and is not entitled to receive payment in accordance with Section 4.02(c) of that Agreement. The actual number of Full-Time Job Equivalents is _____.

Step Four (Due by January 31, 2030):

Please select one of the options below:

Job Creation Grant #2

_____ a. I hereby certify that Sysgration America Corporation has transferred or created additional Full-Time Job Equivalent positions at the Real Property on or before December 31, 2029, and is in compliance with all terms of the Agreement and is entitled to receive payment in accordance with Section 4.02(d) of that Agreement. The actual number of additional Full-Time Job Equivalents added is _____.

_____ b. I hereby certify that Sysgration America Corporation has failed to transfer or create any additional Full-Time Job Equivalent positions at the Real Property on or before December 31, 2029 and is not entitled to receive payment in accordance with Section 4.02(d) of that Agreement.

ATTEST:

SYSGRATION AMERICA CORPORATION, a
Texas corporation

Name:

Title: _____

By: _____

Name: _____

Chief Financial Officer

Date

For the Finish-Out Grant and Fee Reimbursement Grant, this certification shall be submitted between June 30, 2026 and December 31, 2026. For the Job Creation Grant #1, this certification shall be submitted between June 30, 2028 and December 31, 2028. For the Job Creation Grant #2, this certification shall be submitted by January 31, 2030.

This Certificate of Compliance should be mailed to:

City of Plano
Finance Department
P.O. Box 860358
Plano, TX 75086-0358

EXHIBIT “B”

ANNUAL CERTIFICATE OF COMPLIANCE

Please select one of the options for annual certification in 2026, 2027, and 2028:

_____ a. I hereby certify that Sysgration America Corporation is in compliance with each applicable term as set forth in the Agreement.

_____ b. I hereby certify that Sysgration America Corporation is not in compliance with each applicable term as set forth in the Agreement.

Please select one of the options for annual certification after 2029:

_____ a. I hereby certify that Sysgration America Corporation is in compliance with each applicable term as set forth in the Agreement and the transferred or created number of Full-Time Job Equivalents has not fallen below the number for which Sysgration America Corporation has received a grant payment in accordance with the terms and conditions set out in Article IV. I further certify that as of December 31 of the prior year, the number of Full-Time Job Equivalents was _____.

_____ b. I hereby certify that Sysgration America Corporation is not in compliance with each applicable term as set forth in the Agreement and the transferred or added number of Full-Time Job Equivalents has fallen below the number for which Sysgration America Corporation has received a grant payment. I further certify that as of December 31 of the prior year, the number of Full-Time Job Equivalents was _____ and that the City of Plano will be refunded the appropriate amount as required by Article IV, Section 4.03 of the Agreement.

ATTEST:

SYSGRATION AMERICA
CORPORATION., a Texas corporation

Name: _____

Title: _____

By: _____

Name: _____

Chief Financial Officer

Date

NOTE: This form is due by January 31 of each year beginning on January 31, 2026, and as long as this Agreement is in effect.

This Certificate of Compliance should be mailed to:

City of Plano
Finance Department
P.O. Box 860358
Plano, TX 75086-0358

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Engineering-Transportation
DIRECTOR: B. Caleb Thornhill, P.E., Director of Engineering
AGENDA ITEM: Agreement between NCTCOG and City of Plano for use of Transportation Development Credits
RECOMMENDED ACTION: Approval of Contract / Agreement

ITEM SUMMARY

To approve the terms and conditions of an Interlocal Agreement between the City of Plano and the Regional Transportation Council (RTC) concerning the roles and responsibilities of each party with respect to Transportation Development Credits (TDCs) awarded for the project summarized in Attachment 1; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

During FY 2022 and 2023 Engineering staff a) identified a number of transportation safety and capacity improvements at 62 signalized intersections operating along US 75, Dallas Parkway, SH 121, SH 190, SH 289 (Preston Road), and Spring Creek Parkway; b) sought safety improvement funding from the North Central Texas Council of Governments (NCTCOG); and received \$5,175,000 in safety funding from NCTCOG. This funding request was recently adopted by the RTC and placed in the 2023-2026 Transportation Improvement Program (TIP).

In a separate approval, the Regional Transportation Council awarded a total of 1,035,000 TDCs to the City of Plano for use on the project listed in Attachment 1. The City of Plano desires to use the TDCs awarded to it in lieu of the required local cash match for this federally funded transportation safety project.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item approves an Agreement for Award of Transportation Development Credits (TDCs) between the City of Plano and the Regional Transportation Council (RTC). The City has agreed to use the total awarded credits, in the amount of \$1,035,000, toward the federally funded transportation project described in Attachment 1 of the agreement. The awarded TDCs will be used in lieu of the required local cash match.

Approval of this item supports the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government and providing Multi-Modal Transportation and Mobility Solutions.

ATTACHMENTS:

Description	Upload Date	Type
Agreement	2/1/2024	Agreement
Map	2/1/2024	Map

**FY2023 AGREEMENT FOR AWARD OF TRANSPORTATION DEVELOPMENT CREDITS
BETWEEN
THE REGIONAL TRANSPORTATION COUNCIL
AND
CITY OF PLANO**

This Agreement is entered into by and between the Regional Transportation Council (RTC), acting in its capacity as policy body for the Metropolitan Planning Organization (MPO), and the City of Plano. The purpose of this Agreement is to outline the roles and responsibilities of each party with respect to Transportation Development Credits (TDCs) awarded for the projects outlined in Attachment 1.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the MPO for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the RTC, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and,

WHEREAS, 23 U.S.C. §120 permits a state to use certain toll revenue expenditures, TDCs, formerly called toll credits, as a credit toward the non-Federal share of all programs authorized by Title 23, with the exception of emergency relief programs, and for transit programs authorized by Title 49, Chapter 53; and,

WHEREAS, 43 Tex. Admin. Code §5.106 authorizes an MPO to award TDCs allocated to it by the State and 43 Tex. Admin. Code §5.110 requires an agreement be entered into between the MPO and entity awarded TDCs prior to and in order for those credits to be used; and,

WHEREAS, the RTC awarded a total of 1,035,000 TDCs to the City of Plano for the project listed in Attachment 1; and,

WHEREAS, the City of Plano desires to use the TDCs awarded to it in lieu of the required local cash match for the federally funded transportation project described in Attachment 1; and,

NOW, THEREFORE, in consideration of these premises and of the mutual covenants contained herein, NCTCOG and the City of Plano agree as follows:

AGREEMENT

1. The RTC has awarded 1,035,000 TDCs to the City of Plano for use as described herein.
2. The City of Plano agrees to utilize the TDCs for the projects identified and described herein as match to certain federal grant funds totaling approximately \$5,175,000.
3. Any unused TDCs shall be reallocated to other projects as solely determined by the RTC.
4. The City of Plano will be required to execute a separate funding agreement with a party other than the RTC and/or NCTCOG for the federal grant funds referenced above.
5. Neither Party may assign this Agreement in whole or in part, without first obtaining the written consent of the other Party.

6. In the event any one or more of the provisions contained in this Agreement shall be for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision(s) hereof, and this Agreement shall be revised so as to cure such invalid, illegal, or unenforceable provision(s) to carry out as near as possible the original intent of the Parties.
7. The Parties shall negotiate in good faith toward resolving any disputes that arise under this Agreement, which shall be construed and enforced in accordance with the laws of the State of Texas. Venue for any action under this Agreement shall lie exclusively in Tarrant County, Texas.
8. This Agreement constitutes the entire agreement of the Parties with respect to the matters contemplated herein and supersedes all prior understandings and agreements regarding such subject matter. This Agreement may be modified or amended only in writing, signed by all Parties hereto.
9. The effective date of this Agreement is the date of last signature by the parties hereto.

Signed and Duly Executed by the Parties Below:

Mark D. Israelson Date
City Manager
City of Plano

Michael Morris, P.E. Date
Staff Director
Regional Transportation Council

**TRANSPORTATION DEVELOPMENT CREDIT (TDC) FY2023 AGREEMENT
PROJECT LIST
CITY OF PLANO**

ATTACHMENT 1

TIP CODE	CSJ	PROJECT DESCRIPTION	FEDERAL FUNDING AMOUNT	TDC AMOUNT	AWARD DATE
25109	0918-24-301	ON SH 121 FR FROM SPRING CREEK TO CUSTER, US 75 FR FROM PLANO PKWY TO LEGACY DR, COIT ROAD AT SPRING CREEK PKWY, PGBT FR FROM PRESTON RD TO ALMA DR, DALLAS PKWY FROM PLANO PKWY TO HEADQUARTERS DR, AND PRESTON ROAD AT LEGACY DR; CONSTRUCT INTERSECTION IMPROVEMENTS, INCLUDING RIGHT AND LEFT TURN LANES, TRAFFIC SIGNAL IMPROVEMENTS, SIDEWALKS, ADA RAMPS, CROSSWALKS, PEDESTRIAN SIGNALS, PAVEMENT MARKINGS, AND SIGNAGE IMPROVEMENTS AT DIAMOND INTERSECTIONS TO ENHANCE SAFETY	\$5,175,000	1,035,000	JULY 13, 2023
		TOTAL AWARDED	\$5,175,000	1,035,000	



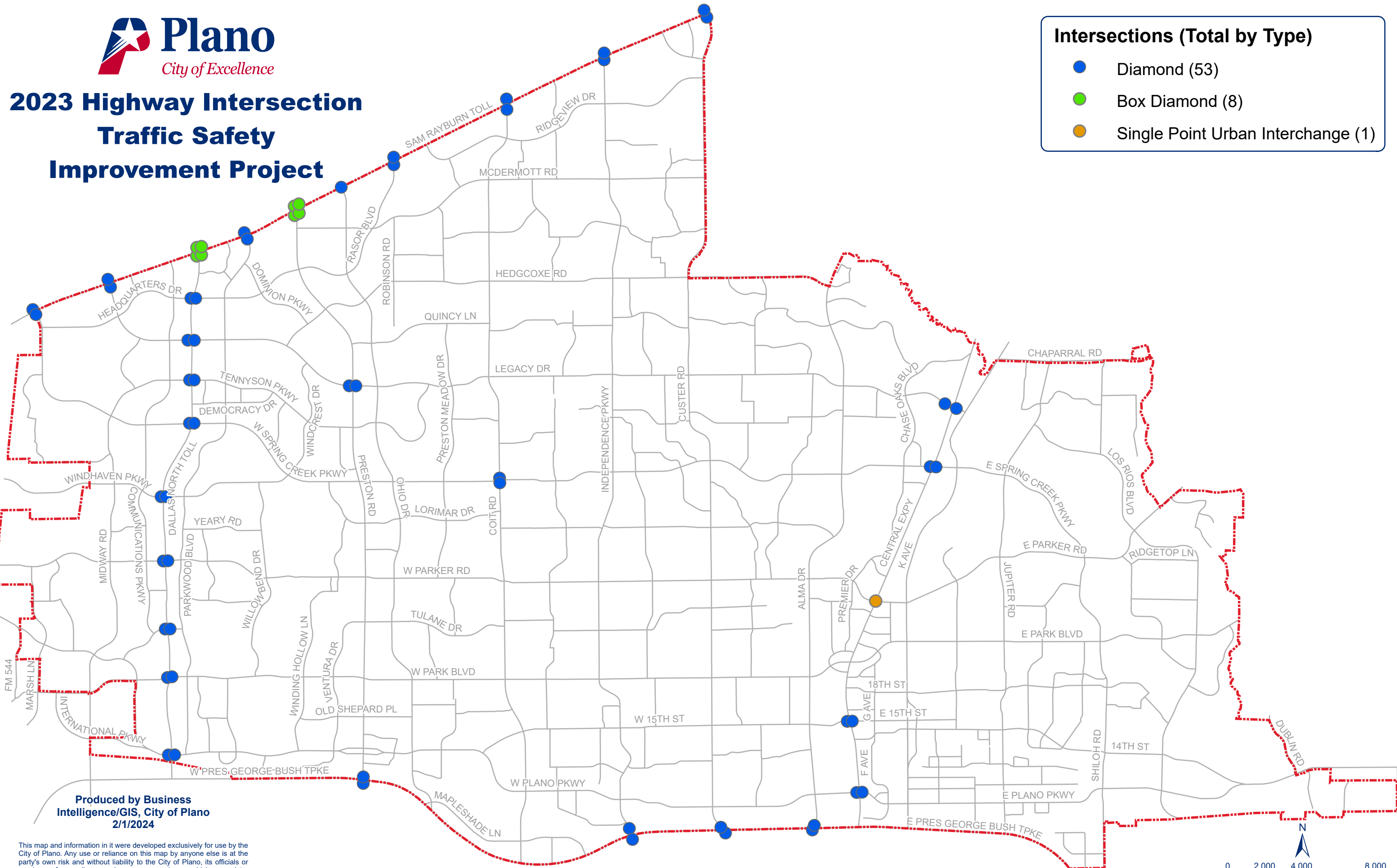
2023 Highway Intersection Traffic Safety Improvement Project

Intersections (Total by Type)

Diamond (53)

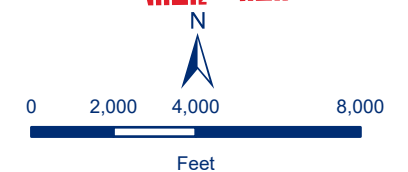
Box Diamond (8)

Single Point Urban Interchange (1)



Produced by Business Intelligence/GIS, City of Plano
2/1/2024

This map and information in it were developed exclusively for use by the City of Plano. Any use or reliance on this map by anyone else is at the party's own risk and without liability to the City of Plano, its officials or employees for any discrepancies, errors, or variances which may exist.



CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Special Projects
DIRECTOR: Peter Braster, Director of Special Projects
AGENDA ITEM: Adopting a Retail Revitalization Program.
RECOMMENDED ACTION: Adoption of Resolutions

ITEM SUMMARY

To approve the addition of the Retail Revitalization Program policy statement to the City of Plano Economic Development Policy for Economic Development Incentives; and providing an effective date. **Adopted Resolution No. 2024-2-1(R)**

PREVIOUS ACTION/PRESENTATION

On October 23, 2023, staff presented Council with draft parameters for a retail revitalization grant program. On January 22, 2024, staff discussed the draft policy statement for Retail Revitalization Program with Council.

BACKGROUND

The attached Policy Statement for the Retail Revitalization Program augments the City's Policy Statement for Economic Development Incentives Program. It is intended to establish a set of tools that can be shaped into a grant that will achieve the City's strategic goal of keeping residential and commercial areas economically viable. Moreover, it completes one vital portion of the Council's initiatives on continuing improvements and innovation throughout the City by formalizing the City's role in revitalizing four-corner retail.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item's impact on the Economic Development Incentive Fund is indeterminable at this time and will depend on the number and types of grants awarded. Each individual grant award recommendation is subject to separate Council action and approval.

Approval of this item supports the City's Strategic Plan Critical Success Factors of Safe, Vibrant neighborhoods and Residential and Commercial Economic Vitality.

ATTACHMENTS:

Description	Upload Date	Type
Resolution	2/6/2024	Resolution
Exhibit A	2/5/2024	Exhibit

A Resolution of the City of Plano, Texas, approving the addition of the Retail Revitalization Program policy statement to the City of Plano Economic Development Policy for Economic Development Incentives; and providing an effective date.

WHEREAS, the City of Plano ("City") considers providing incentives in the form of loans, grants of public money, and providing of personnel and services to stimulate economic development in Plano; and

WHEREAS, the City is authorized by Chapter 380 of the Texas Local Government Code to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, on August 28, 2023, the City Council approved the revised Economic Development Policy for Economic Development Incentives ("Economic Development Policy"); and

WHEREAS, the City wishes to revise the Economic Development Policy to add the Retail Revitalization Program policy statement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The City Council hereby approves the addition of the policy statement for the Retail Revitalization Program to the City of Plano Economic Development Policy for Economic Development Incentives, attached hereto as Exhibit "A".

Section II. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on the 12th day of February, 2024.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

CITY OF PLANO

POLICY STATEMENT FOR THE
RETAIL REVITALIZATION PROGRAM
Effective 02-__-2024

I. Purpose

The City of Plano, Texas is committed to the promotion and retention of high-quality developments throughout the City and to an ongoing improvement in the quality of life for all Plano residents and businesses. The City of Plano will, on a case-by-case basis, consider providing financial grants, loans, and lending of personnel and services to promote economic development and stimulate business and commercial activity in Plano.

The purpose of this Policy Statement is to define the program goals, project eligibility, and guiding principles for the City of Plano's Retail Revitalization Program. This Policy Statement also establishes criteria for persons or entities interested in receiving economic development program grants and other support from the City. Nothing herein shall imply or suggest the City of Plano is under any obligation to provide any incentive to any applicant.

This Policy Statement aligns with the City's Policy Statement for Economic Development Incentives Program.

II. Overview

Due to the abundance of retail zoning in Plano's development history and changes in retail consumer trends, these areas are increasingly susceptible to decline. Continued maintenance, renovation, and revitalization are strongly encouraged to sustain the vitality and attractiveness of retail centers.

The Revitalization of Retail Shopping Centers Policy in the Comprehensive Plan states that Plano will encourage reinvestment, revitalization, and redevelopment of underperforming retail centers to accommodate a viable combination of local commercial, retail, and entertainment uses. Where appropriate transitions can be maintained, redevelopment may present opportunities to introduce residential uses and improve access.

The Retail Revitalization Program is designed to promote the redevelopment and revitalization of underperforming retail centers so they can contribute positively to surrounding residential neighborhoods and increase the City's tax base.

III. **Goals**

A successful economic development approach responds to the needs of the community, illustrates resiliency during dynamic market conditions, utilizes a proactive intervention strategy, and is guided by shared community values. The following are goals of the Retail Revitalization Program:

1. Improve the economic viability and attractiveness of existing retail and commercial real estate.
2. Stimulate private investment.
3. Partner with commercial property owners to develop creative design solutions which are compatible and complement existing adjacent neighborhoods.
4. Decrease and 'right-size' the city's inventory of retail square footage to respond to current market conditions.
5. Improve walkability and the public realm.
6. Upgrade primary roadway corridor streetscapes, signage, and landscaping.
7. Increase the tax base of older commercial retail centers and underutilized commercial properties.
8. Align existing retail centers with the City's Comprehensive Plan, including but not limited to the following Action Statements:

- RSSC1. Working with neighborhoods and property owners, identify retail corners that are prime candidates for redevelopment and reinvestment.
- RSSC2. Develop a reinvestment toolkit for neighborhood retail corners which could include rezoning, fee waivers, or other incentives and planning assistance. When evaluating use of the toolkit for specific redevelopments, additional weight should be given to proposals that enhance surrounding neighborhoods, improve community aesthetics, and maximize the return to taxpayers.
- RSSC3. Modify regulations to promote retail center redevelopment inclusive of creative design solutions, active open space, adequate green space, sustainable retail, and walkable streetscapes to create desirable destinations.
- RSSC4. Establish design guidelines that provide safe connections for residents to conveniently access commercial businesses, open space, and other amenities in retail centers. Implementation should be limited to locations where connections are desired by the adjoining neighborhood.

IV. Eligibility

Any person, organization, or corporation seeking an economic development incentive must comply with the following criteria. Nothing within these criteria shall imply or suggest that Plano is under any obligation to provide any incentive to an applicant. Prior to applying, the applicant should meet with the Plano Special Projects Department to determine project eligibility and review application requirements.

Subject parcel(s) shall demonstrate resultant positive impacts on adjacent residential neighborhoods, where applicable. Positive impacts shall include improved landscaping, sound mitigation, updated building façades and signage, creation of open space, reduced parking lot areas, reduced light pollution, and improved vehicular and pedestrian circulation.

Site Eligibility

- Parcels shall include multi-tenant or single building retail centers.
- Subject parcels shall be a minimum of seven acres, or 60,000 square feet of total commercial building area, whichever is less. On a case-by-base basis, the City Manager or designee may consider sites which do not meet the minimum acreage or square feet if there is the likelihood of ancillary development in areas identified for redevelopment in the City's Comprehensive Plan.

V. Eligible Site Improvements

Both public and private site improvements may be eligible:

Public Improvements

- Improvements to the public right-of-way or infrastructure
- Additional public utility capacity to support development
- New public streets, signalization, and associated utility relocations
- Streetscape and landscape improvements including lighting, signage and sidewalks
- Civic art commissions and installations
- District wayfinding and branding signage
- Installation of underground electrical and cable lines
- Acquisition of additional right-of-way and easements
- Development of parkland and open space
- Installation of landscaped medians in public roadways
- Other building or site modernization improvements as determined by the City Manager

Private Improvements

- Demolition of building(s) or site features
- Construction of new site amenities (outdoor seating areas, programmable open space)
- Façade improvements
- Conversion of surface parking lot(s) to parking structure(s)
- Streetscape and landscape improvements including lighting, signage, and sidewalks
- Civic art commissions and installations
- Other building or site modernization improvements as determined by the City Manager

Public and Private Improvements will prioritize and align with Community Design Plan standards, as adopted by City Council, where available.

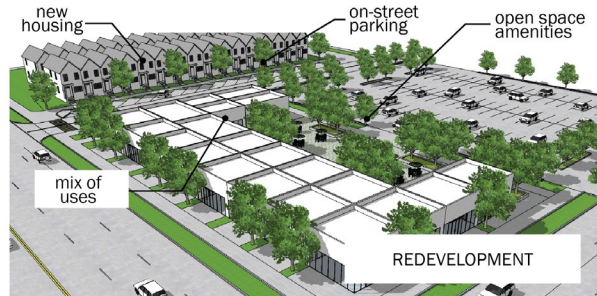
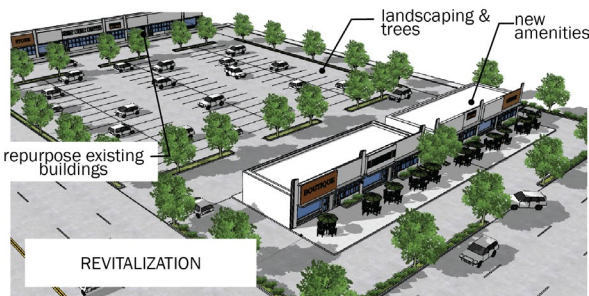
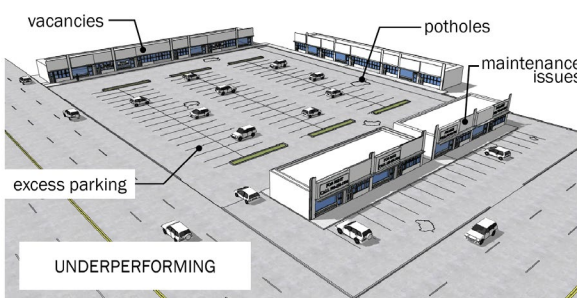
VI. Preferred Development Outcomes

All applicants will be considered on a case-by-case basis. Although the City will consider all applications for incentives that meet the eligibility requirements set forth in this Policy, the City is especially interested in supporting projects that are expected to produce a meaningful impact on the City, its economy, and meet or exceed one or more of the following preferred development outcomes:

- **Building Facades:** developments should demonstrate intent and financial ability to improve 100 percent of existing center façades, lighting, signage, and storefronts, or to raze and redevelop the existing buildings, as appropriate.
- **Open Space:** developments should incorporate outdoor seating areas, plazas, squares, parks and open space. These spaces can be either public or private. Developments which have plans to program and activate open spaces are encouraged.
- **Parking Lots:** developments should address underperforming surface parking lots with resurfacing. The addition of parking lot landscaping to limit the visual impact of parking and replacement of excess surface parking for open space amenities is encouraged.
- **Excess Retail:** developments should consider reducing excess retail square footage, where appropriate.
- **Walkability:** developments should improve walkability throughout the development with new sidewalks, trails, and plazas to connect land uses and parking areas. All streets should include sidewalks.

- Integration of Uses: developments should integrate new uses beyond retail. The introduction of residential uses is encouraged where buffered from adjacent neighborhoods and are provided in a context-sensitive manner. Residential uses should meet the City's Comprehensive Plan.
- Impacts on Adjacent Neighborhoods - adequate and improved buffering, walls and landscaping should be considered between the development and adjacent land uses. The development should provide pedestrian or vehicular linkages to surrounding land uses.

Illustrations of how a underperforming retail center can phase improvements are provided below. These illustrations are also included in the City's Comprehensive Plan for the Community Corners Future Land Use Map designation.



VII. Comprehensive Plan & Infrastructure Alignment

Prior to submitting any application for incentive, the applicant should review the City's Comprehensive Plan along with existing water, sewer, and roadway plans to determine if the use is supported and if additional infrastructure capacity is warranted for the new development.

VIII. Summary of Retail Revitalization Incentive Programs

Retail Revitalization Projects may qualify for all or some of the following grants. Grant award types and grant award amounts are at the discretion of City Council.

1. **Location Grant:** A grant direct to the tenant to help locate the business to Plano. This grant shall be limited to those tenants of such caliber and type that the retail center's vibrancy would exponentially rise for the better.
2. **Lease Buy-Downs:** A grant to aid a landlord to buy-down and/or terminate a tenant's lease. This will only be granted if the tenant is inhibiting the revitalization of the retail center. Proof of its negative impact will be required as part of grant application requesting this program.
3. **Façade Improvements:** A grant that updates the retail center's exterior aesthetics. The use of this grant should include the entire retail center. Branding the center to match tenants marketing package will not be eligible.
4. **Demolition:** A grant to demolish a portion and/ or the entire retail center.
5. **Landscaping:** A grant to improve the landscaping across the retail center. Scope may include areas along the public right of way; parking lot islands; foundation plantings; and screening. The grant should be for landscaping above the minimum standards required by the City.
6. **Lighting:** A grant to improve general lighting for the retail center (parking areas, facades, security).
7. **Signage:** A grant to create and implement a unified sign package across a retail center. Shopping center pylon signs that are improved to match the new facades; and, unique creative signs which will define the place will also be considered for grants.
8. **Paving/ Utilities:** A grant to improve access drives; medians; parking areas; interior circulation in the retail center; and the undergrounding of overhead utilities. Grants are not intended to assist with active property standard violations.
9. **Neighborhood Pedestrian Connections:** A grant to improve pedestrian access to and across the retail center. This grant will be dependent on active neighborhood involvement by the owner on where, or if, connections can be made.

A summary of general incentive programs is described in the City's Policy Statement for Economic Development Incentives Program.

IX. General Application Requirements and Procedures

Application Process

To begin the process, an application must be completed and submitted to the Plano Special Projects Department, along with a construction budget, preliminary drawings, scope of work, and the Company's most recent annual audit. Changes to the site or land use(s) which require zoning or site plan approval by the City of Plano's Planning Department must be approved prior to incentive application approval.

- A. All information in the application will be reviewed for completeness and accuracy. The Company's most recent annual audit and company financials may also be reviewed by City. Additional information may be requested, as needed. The City Manager may use City personnel and third parties to assist in the application review process.
- B. The City will invite the applicant to attend a staff meeting on incentives where members of the City will review the application and receive a briefing from the company about the proposed project.
- C. Upon review, the City Manager will determine whether it is in the best interests of the City to recommend an incentive be offered to the applicant. If an incentive is recommended, it will be presented to the City Council in Executive Session. The proposed incentive recommendation by the City Manager does not bind the City Council to provide any incentive. It is subject to the City Council's final approval.
- D. Upon receipt of the proposal, the applicant will have 90 days to accept, decline, or request an extension of the proposal. All responses and requests must be made in writing to the City Manager. In certain circumstances, the City Manager may alter the time frame.
- E. Upon written agreement by the applicant to the proposal, the applicant shall produce architectural plans and renderings, site plans, final cost projections, and phasing timetables for proposed building and site improvements. These materials will be forwarded to the City Council.
- F. The City Council will consider approving the terms and conditions of an agreement between the City and the applicant for an economic incentive(s). In general, economic development grant agreements will include the following provisions:
 - 1) Recapture of all incentive value provided in the event of default by the party to the agreement.
 - 2) No assignment of the agreement in whole or part by the applicant without prior approval of the City.

- 3) Certification of the entity receiving the incentive that it has complied with the terms and conditions of the incentive agreement.
- 4) Right of inspection to records must be provided to ensure compliance with the agreement.

X. Economic Impact Report

An economic impact report will be developed by the City for applicable economic development incentive requests based on information provided in the application. This report will summarize the employment, fiscal and community impact of the project, value of incentive, city-associated costs, net financial benefits, and the rate of return/payback period.

XI. Administrative Authority

The City Manager or designee has been authorized by the Plano City Council to administer and approve specific items related to economic development grant agreements. This authority is described in the City's Policy Statement for Economic Development Incentives Program.

XII. Program Restrictions

The following are restrictions for the Retail Revitalization Policy:

1. **Pad Sites:** Pad sites are not eligible under this policy unless the pad site is to be absorbed by the larger centers.
2. **New Retail:** Retail spaces that are not part of a redevelopment project are not eligible under this policy.

CITY COUNCIL AGENDA MEMO

MEETING DATE: 2/12/2024
DEPARTMENT: Zoning
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2023-005.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2023-005 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, rezoning 89.1 acres of land located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-Regional Commercial and repealing Ordinances No. 2023-10-4, 2001-2-31, 2001-5-13, and 2001-6-27 for the purpose of rescinding Specific Use Permits No. 56, 434, 444, and 448 for Private Club; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Petitioner: Centennial Waterfall Willow Bend, LLC, The Neiman Marcus Group, LLC, Macy's Retail Holdings, LLC, and Dillard's, Inc. **Conducted and adopted Ordinance No. 2024-2-2 with amendments.**

BACKGROUND

The Planning & Zoning Commission recommended approval of this zoning case with a vote of 8-0 per their Final Report in the attached Supporting Documents.

FINANCIAL SUMMARY/STRATEGIC GOALS

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the Staff Preliminary Report in the attached Supporting Documents.

ATTACHMENTS:

Description	Upload Date	Type
Ordinance	2/7/2024	Ordinance
ZC2023-005 Supporting Documents	2/7/2024	Informational

Zoning Case 2023-005

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, rezoning 89.1 acres of land out of the Robert Luddington Survey, Abstract No. 548, located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-Regional Commercial and repealing Ordinances No. 2023-10-4, 2001-2-31, 2001-5-13, and 2001-6-27 for the purpose of rescinding Specific Use Permits No. 56, 434, 444, and 448 for Private Club; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 12th day of February 2024, for the purpose of considering rezoning 89.1 acres of land out of the Robert Luddington Survey, Abstract No. 548, located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard in the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-Regional Commercial and rescinding Specific Use Permits No. 56, 434, 444, and 448 for Private Club; and

WHEREAS, the City Secretary of said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 12th day of February 2024; and

WHEREAS, the City Council is of the opinion and finds that such rezoning, as amended by the stipulations agreed upon during the public hearing, would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally; and

WHEREAS, the City Council authorized this Ordinance to be executed without further consideration, consistent with the stipulated restrictions presented at the hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 89.1 acres of land out of the Robert Luddington Survey, Abstract No. 548, located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard in

the City of Plano, Collin County, Texas, from Regional Commercial to Planned Development-Regional Commercial, said property being described in the legal description on Exhibit A attached hereto.

Section II. The change in Section I is granted subject to the following restrictions, which were stipulated by the petitioner:

The permitted uses and standards shall be in accordance with the RC, Regional Commercial zoning district, unless otherwise specified herein:

1. Uses:

a) Additional Permitted Uses:

- i. Independent Living Facility
- ii. Mid-rise Residential
- iii. Multifamily Residence
- iv. Private Club: Receipts must be maintained to ensure compliance with city requirements for 35% minimum food sales.

b) Additional Prohibited Uses:

- i. Engine repair shop (small)
- ii. Funeral Parlor/Mortuary
- iii. Manufacturing (Light-intensity)
- iv. Mausoleum/Cemetery
- v. Vehicle Repair (Minor/Fueling Station)

2. Front Yard Setbacks:

- a) Lots fronting public right-of-way: 50 feet; 40 feet for Lot 13, Block 1; 30 feet for Lot 17, Block 1.
- b) Lots fronting quasi-public streets: 75% of the building face must be within 15 feet of the outside edge of quasi-public street easements or fire lanes designed to Type G street standards. If easements are present or public open space, patio dining, plaza, or other public amenity is provided. In that case, 75% of the building face must be built to the easement line, open space, or public amenity.

3. Mid-rise Residential, Multifamily, and Independent Living Facility Development Standards:

- a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Total Maximum Number of Residential Units (<i>total combination of Mid-rise Residential, Independent Living, and Multifamily Residence Units</i>)	965
Maximum number of Mid-rise Residential and Independent Living Units	957
Maximum number of Multifamily Residence Units	40
Minimum Side Yard	None
Maximum Lot Coverage	70%
Maximum Floor Area Ratio	2.7:1

b) Miscellaneous Area, Yard, and Bulk Requirements

- i. No residential uses are permitted within the EHA-1 line, as shown on the open space plan.
- ii. Mid-rise residential development is exempt from the supplemental regulations of Section 15.800 (Multifamily Residence) of the Zoning Ordinance.
- iii. Side yard setbacks are exempt from the provisions of 13.500.3K. (Side Yard Regulations) of the Zoning Ordinance.
- iv. Rear yard setbacks are exempt from the provisions of 13.500.4A. (Rear Yard Regulations) of the Zoning Ordinance.

c) Stoops, Patios, and Balconies

- i. A minimum of 40% of mid-rise residential units must have a balcony with a minimum depth of 5 feet and a minimum width of 7 feet.
- ii. Except when non-residential uses are provided on the ground floor, each building must include a porch, stoop, or patio at the front façade.
- iii. Canopies, balconies, stoops, bay windows, and awnings may extend up to 5 feet into the front yard setbacks.

d) Multifamily Residence units:

- i. Each ground-floor unit must include a porch or stoop at the front façade.
- ii. Buildings must be three or four stories in height and oriented to directly front to open space on Lot 14 as shown on the adopted open space plan.

e) Phasing – Refer to Section 11 (Open Space and Phasing) for phasing requirements.

4. Hotel Development Standards:

a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Maximum Floor Area Ratio	5.4:1

5. Office Development Standards:

a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Maximum Lot Coverage	70%
Maximum Floor Area Ratio	5:1

6. Retail development standards: Regulations of Section 15.1100 (Regional Shopping Malls) will apply regardless of the total square footage in this development.

7. Lot Frontage and Access: For purposes of this development, internal lots are not required to have frontage to a public street but are required to have access to a public street through a dedicated easement.

8. Parking: Minimum parking for Retail and Restaurant uses: one space per 300 square feet.

9. Building Design: Building Design Requirements for structures constructed after February 12, 2024:

a) No primary façade (a façade directly facing a public right-of-way or quasi-public street) may exceed a length of 150 feet without articulations. The primary façade must have at least two required articulations separated by no more than 50 feet. Each articulation must have a minimum depth of 1 foot for a minimum length of 5 feet. Articulations may include:

- i. Architectural details such as raised bands and cornices;
- ii. Architecturally prominent entrance;
- iii. Attached tower or turret;
- iv. Awnings and trellis;
- v. Balconies;
- vi. Columns;
- vii. Notched setbacks;
- viii. Variation in fenestration technique; or
- ix. Other techniques approved by the Director of Planning.

b) Exterior insulating finish systems (EIFS) are prohibited on the ground floor primary facade and may comprise no more than 10% of the upper-level primary facade.

c) Window, Doors, and Ceiling Height:

- i. With the exception of parking garages, podium garages, and loading and service areas, 60% of the first floor of nonresidential buildings and live/work/flex space units must consist of windows and doors.
- ii. Live/work/flex space units must have an exterior entrance.
- iii. Nonresidential space must have a minimum floor-to-ceiling height of 12 feet; however, live/work/flex space must have a minimum floor-to-ceiling height of ten feet.

d) Glazing Requirement:

- i. Upper-level primary facades that contain non-residential uses must maintain a minimum 50% glazing.
- ii. Residential and non-primary facades for non-residential buildings must maintain a minimum of 30% glazing.

10. Parking Structures: For parking garages constructed after February 12, 2024, the following parking garage structure requirements apply:

- a) Except as otherwise provided, parking structures shall be wrapped by the principal building which the structure serves. The parking structure must be screened for portions that are not wrapped so that architectural and landscape components articulate the facade. Structure parking must be designed to minimize the ground-level view of automobiles below their hoodlines and light fixtures. Screening may be achieved through the use of louvered, solid, or opaque vertical screening elements.
- b) When parking structures are located at the intersections of public rights-of-way and/or quasi-public streets, corner architectural elements must be incorporated, such as but not limited to corner pedestrian entrances, glazing, and signage.
- c) Parking structure ramps must be internal to the structure and must not be clearly visible from any adjacent right-of-way except for entrances to parking garage ramps.

11. Open Space and Phasing:

- a) The open space plan is adopted as part of this ordinance.
- b) A minimum of 10 acres of usable (active) open space must be provided in accordance with the open space plan, of which a minimum of 7 acres must be available to the public. The Interior Public Open Space (both ground floor and second floor), as shown on the open space plan, may count towards public usable open space.

- c) No residential units within Public Open Space Zone B may be issued a Certificate of Occupancy until area B-1 is provided within Zone B in accordance with the open space plan. No more than 360 residential units within Zone B may be issued a Certificate of Occupancy until all open space areas are provided in Zone B in accordance with the open space plan.
- d) No residential units within Public Open Space Zone C may be issued a Certificate of Occupancy until area C-1 is provided within Zone C in accordance with the open space plan.
- e) Private active open spaces shall be provided per the open space plan before issuing a Certificate of Occupancy for adjacent buildings.
- f) At least 2 acres of the total usable open space must be contiguous.
- g) The district must have no usable open space dimension of less than 15 feet.
- h) Usable open space must not include rooftops; accessory buildings, except those portions of any building designed specifically for recreational purposes; parking areas; or rights-of-way or easements for streets or alleys, floodway facilities, or electrical transmission lines.
- i) Usable open space must not have a slope exceeding 10%.
- j) Above-ground utilities may not be located within any public usable (active) open space as shown on the open space plan.

12. Street Design:

- a) The internal drives must be constructed as quasi-public streets and designed in accordance with Type G (Mixed-use) Streets as described in the City of Plano Street Design Standards, except that the design of quasi-public streets connecting to Chapel Hill Boulevard and Dallas Parkway may be modified as shown in the open space plan.
- b) A quasi-public street easement must be dedicated for all quasi-public streets, and a fire lane must be located within all quasi-public street easements.
- c) Lots may derive required access and street frontage from quasi-public streets and may be platted to the center line of quasi-public streets.
- d) Quasi-public streets are required where shown on the open space plan with adjacent development. The quasi-public street connection to Dallas Parkway is required with the development of Lot 15.

13. Screening Requirements:

- a) Screening requirements for loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and vehicle or truck service bays located along the Dallas North Tollway/Dallas Parkway frontage may be modified where screening and circulation is deemed acceptable through the site plan approval process.
- b) Roof-mounted mechanical units must be screened in accordance with Section 20.300 (Mechanical Screening Requirements) of the Zoning Ordinance. Ground-mounted mechanical units must be screened from view by walls constructed of the same materials and finishes as the building or by a solid landscape screen. These screens must be a minimum of 6 feet in height. Plants must be placed so as to create a minimum 6-foot-tall solid screen at the time of installation. All landscaping must be irrigated and must be replaced if damaged.

14. Site Amenities: An enhanced crosswalk must be provided across Chapel Hill Road in accordance with the following standards or alternate standards approved by the Director of Engineering:

- a) Differentiated paving material consisting of pavers or stamped concrete;
- b) Standard Manual of Uniform Traffic Control Devices Traffic Signage and Striping; and
- c) A Rectangular Rapid-Flashing Beacon at each end of the crossing.

15. Building Height: Buildings located equal to or more than 725 feet from the Dallas North Tollway frontage road must be no more than five stories, 80 feet in height.

16. Multiuse Growth Management: No more than 50% of the total square footage within the district is permitted to be residential uses at any time.

17. Governance Association: Building permits for development within the planned development district will not be accepted or approved until a property owner's governance association is established. The association will be responsible for maintaining all common property, improvements, and amenities within the district. It shall have power sufficient to assess and collect dues and charges as required to perform its responsibilities.

Section III. The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended to rescind Specific Use Permit No. 56 for Private Club for the property as described in Ordinance No. 2023-10-4, and Ordinance No. 2023-10-4 is hereby repealed.

Section IV. The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended to rescind Specific Use Permit No. 434 for Private Club for the property as described in Ordinance No. 2001-2-31, and Ordinance No. 2001-2-31 is hereby repealed.

Section V. The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended to rescind Specific Use Permit No. 444 for Private Club for the property as described in Ordinance No. 2001-5-13, and Ordinance No. 2001-5-13 is hereby repealed.

Section VI. The Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended to rescind Specific Use Permit No. 448 for Private Club for the property as described in Ordinance No. 2001-6-27, and Ordinance No. 2001-6-27 is hereby repealed.

Section VII. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section VIII. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IX. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section X. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section XI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section XII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED on the 12th day of February, 2024.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

#ZC2023-005
Legal Description

BEING a tract of land situated in the Robert Luddington Survey, Abstract number 548, City of Plano, Collin County, Texas and being all of Lot 1R, Block 1 of The Shops at Willow Bend, an Addition to the City of Plano Texas according to the plat thereof recorded in Instrument No. 2018-112, Plat Records of Collin County, Texas, (P.R.C.C.T.), and being described in the Limited Warranty Deed to Dillards Higbee Operating Limited Partnership recorded in Instrument No. 20030211000264980, Official Public Records of Collin County, Texas, (O.P.R.C.C.T.); all of Lot 6R, Block 1 of The Shops at Willow Bend, an Addition to the City of Plano, Texas according to the plat thereof recorded in Instrument No. 2019-189, P.R.C.C.T. and all of Lot 3, Block 1 of The Shops at Willow Bend, an Addition to the City of Plano, Texas according to the plat thereof recorded in Cabinet N, Page 44, P.R.C.C.T., both lots described in the Special Warranty Deed to Centennial Waterfall Willow Bend, LLC recorded in Instrument Number 2022000070854, O.P.R.C.C.T., and being all of Lot 5, Block 1 of said The Shops at Willow Bend being recorded in Cabinet N, Page 44, P.R.C.C.T., and being described Deed Without Warranty to Macy's TX I, I.P. recorded in Instrument No. 20060208000169570, O.P.R.C.C.T., and being a portion of Park Boulevard (a variable width public right-of-way), Plano Parkway (a called 110-foot public right-of-way, Cabinet F, Page 331, P.R.C.C.T.), Chapel Hill Boulevard (a called 110-foot public right-of-way, Cabinet M, Page 425, P.R.C.C.T.) and Dallas Parkway/ Dallas North Tollway, (a called 300-foot public right-of-way, Volume 3818, Page 204, Deed Records of Collin County, Texas, D.R.D.C.T.); and being more particularly described as follows;

BEGINNING at the most southerly southeast corner of Lot 12, Block 1 of The Shops at Willow Bend, an addition to the city of Plano, Texas according to the plat thereof recorded in Cabinet Q, Page 104, same being most southerly southwest corner of said Lot 6R, Block 1 and being in the northerly right-of-way line of said Park Boulevard;

THENCE departing said right-of-way line, with the common line of said Lots 12 and 6R, the following calls:

North 45°00'00" East, a distance of 35.35 feet;

North 00°00'00" East, a distance of 205.57 feet to the beginning of a tangent curve to the left with a radius of 29.50 feet, a central angle of 90°00'00", and a chord bearing and distance of North 45°00'00" West, 41.72 feet;

In a Northwesterly direction, with said tangent curve to the left, an arc distance of 46.34 feet;

North 90°00'00" West, a distance of 90.23 feet to the beginning of a tangent curve to the right with a radius of 295.50 feet, a central angle of 69°47'30", and a chord bearing and distance of North 55°06'15" West, 338.10 feet;

In a northwesterly direction, with said tangent curve to the right, passing at an arc distance of 54.44 feet the Northwest corner of said Lot 12, Block 1, same being the Northeast corner of Lot 9R, Block 1 of The Shops at Willow Bend an addition to the City of Plano according to the plat thereof recorded in Cabinet Q, Page 104, P.R.C.C.T., continuing along the common line of said Lot 6R, Block 1 and Lot 9R, Block 1, for a total arc distance of 359.95 feet;

THENCE South 69°47'30" West, continuing with the common line of said Lot 6R and Lot 9R, passing at a distance of 31.66 feet the Northwest corner of said Lot 9R, and the easterly right-of-way line of said Plano Parkway, continuing over and across said Plano Parkway right-of-way for a total distance of 86.66 feet to the centerline of said Plano Parkway and the beginning of a non-tangent curve to the left with a radius of 1,009.84 feet, a central angle of 48°12'04", and a chord bearing and distance of North 44°18'31" West, 824.71 feet;

THENCE with the centerline of said Plano Parkway, the following calls:

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 849.54 feet;

North 23°30'56" West, a distance of 94.98 feet to the centerline of said Chapel Hill Boulevard, same being the beginning of a non-tangent curve to the right with a radius of 850.00 feet, a central angle of 52°03'28", and a chord bearing and distance of North 46°42'16" East, 746.00 feet;

THENCE with the centerline of said Chapel Hill Boulevard, the following calls:

In a northeasterly direction, with said non-tangent curve to the right, an arc distance of 772.29 feet;

North 72°44'00" East, a distance of 420.26 feet to the beginning of a tangent curve to the left with a radius of 850.00 feet, a central angle of 43°31'21", and a chord bearing and distance of North 50°58'20" East, 630.26 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 645.67 feet;

North 29°12'39" East, a distance of 105.75 feet to the beginning of a tangent curve to the right with a radius of 850.00 feet, a central angle of 60°44'45", and a chord bearing and distance of North 59°35'01" East, 859.56 feet;

In a northeasterly direction, with said tangent curve to the right, an arc distance of 901.18 feet;

North 89°57'23" East, a distance of 138.50 feet to the centerline of said Dallas North Tollway;

THENCE with the centerline of said Dallas North Tollway, the following calls:

South 05°35'52" East, a distance of 605.09 feet to the beginning of a non-tangent curve to the right with a radius of 6,071.02 feet, a central angle of 06°55'18", and a chord bearing and distance of South 03°05'31" East, 732.97 feet;

In a southerly direction, with said non-tangent curve to the right, an arc distance of 733.42 feet;

South 00°27'54" West, a distance of 882.30 feet;

THENCE North 89°32'06" West, over and across said Dallas North Tollway and said Dallas Parkway passing at a distance of 150 feet the southeast corner of said Lot 6R, Block 1 in the westerly right-of-way line of said Dallas Parkway, continuing along the south line of said Lot 6R for a total distance of 161.99 feet to the northeast corner of Lot 7, Block 1 of The Shops at Willow Bend, an addition to the City of Plano according to the plat thereof recorded in Cabinet O, Page 248, P.R.C.C.T.;

THENCE along the common line of said Lot 6R and Lots 7 and 11, Block 1 of said Shops at Willow Bend, the following calls:

North 44°36'34" West, a distance of 35.27 feet to the beginning of a non-tangent curve to the right with a radius of 200.00 feet, a central angle of 40°17'54", and a chord bearing and distance of North 66°08'37" West, 137.79 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 140.67 feet to the beginning of a reverse curve to the left with a radius of 29.50 feet, a central angle of 93°51'03", and a chord bearing and distance of South 87°04'49" West, 43.10 feet;

In a westerly direction, with said reverse curve to the left, an arc distance of 48.32 feet;

South 38°20'53" West, a distance of 28.60 feet;

South 36°32'29" West, a distance of 100.35 feet to the beginning of a tangent curve to the right with a radius of 400.50 feet, a central angle of 28°11'38", and a chord bearing and distance of South 50°38'18" West, 195.09 feet;

In a southwesterly direction, with said tangent curve to the right, an arc distance of 197.08 feet to the beginning of a reverse curve to the left with a radius of 29.50 feet, a central angle of 73°02'16", and a chord bearing and distance of South 28°12'58" West, 35.11 feet;

In a southerly direction, with said reverse curve to the left, an arc distance of 37.61 feet to the beginning of a reverse curve to the right with a radius of 705.50 feet, a central angle of 07°25'25", and a chord bearing and distance of South 04°35'27" East, 91.34 feet;

In a southerly direction, with said reverse curve to the right, an arc distance of 91.41 feet to the beginning of a reverse curve to the left with a radius of 149.50 feet, a central angle of 07°17'33", and a chord bearing and distance of South 04°31'31" East, 19.02 feet;

In a southerly direction, with said reverse curve to the left, an arc distance of 19.03 feet;

South 08°10'18" East, a distance of 35.56 feet to the beginning of a tangent curve to the right with a radius of 150.50 feet, a central angle of 08°10'18", and a chord bearing and distance of South 04°05'09" East, 21.45 feet;

In a southerly direction, with said tangent curve to the right, an arc distance of 21.46 feet;

South 00°00'00" East, a distance of 70.33 feet;

South 47°05'00" East, a distance of 36.62 feet to the northerly right-of-way line of said Park Boulevard;

THENCE South 02°55'47" East, over and across said Park Boulevard, a distance of 66.84 feet to the centerline of said Park Boulevard and the beginning of a non-tangent curve to the right with a radius of 830.58 feet, a central angle of 04°09'01", and a chord bearing and distance of South 87°40'25" West, 60.15 feet;

THENCE with the centerline of said Park Boulevard, the following calls:

In a westerly direction, with said non-tangent curve to the right, an arc distance of 60.17 feet;

South 89°44'55" West, a distance of 74.01 feet;

THENCE North 00°00'42" West, over and across said Park Boulevard, a distance of 67.01 feet to the most southerly southeast corner of Lot 8, Block 1 of The Shops at Willow Bend, an addition to the City of Plano according to the plat thereof recorded in Cabinet O, Page 400, P.R.C.C.T., and being in the northerly right-of-way line of said Park Boulevard;

THENCE with the common line of said Lot 6R, Block 1, and Lots 8 and 10, Block 1 of said Shops at Willow Bend, the following calls:

North 44°52'28" East, a distance of 35.28 feet;

North 00°00'00" East, a distance of 137.50 feet to the beginning of a tangent curve to the left with a radius of 634.50 feet, a central angle of 06°32'00", and a chord bearing and distance of North 03°16'00" West, 72.31 feet;

In a northerly direction, with said tangent curve to the left, an arc distance of 72.35 feet to the beginning of a compound curve to the left with a radius of 29.50 feet, a central angle of 91°07'28", and a chord bearing and distance of north 52°05'44" West, 42.13 feet;

In a northwesterly direction, with said compound curve to the left, an arc distance of 46.92 feet to the beginning of a reverse curve to the right with a radius of 400.50 feet, a central angle of 07°39'28", and a chord bearing and distance of south 86°10'16" West, 53.49 feet;

In a westerly direction, with said reverse curve to the right, an arc distance of 53.53 feet;

North 90°00'00" West, a distance of 508.74 feet to the beginning of a tangent curve to the left with a radius of 29.50 feet, a central angle of 90°00'00", and a chord bearing and distance of South 45°00'00" West, 41.72 feet;

In a southwesterly direction, with said tangent curve to the left, an arc distance of 46.34 feet;

South 00°00'00" East, a distance of 59.98 feet to the beginning of a tangent curve to the left with a radius of 149.50 feet, a central angle of 08°43'45", and a chord bearing and distance of South 04°21'52" East, 22.75 feet;

In a southerly direction, with said tangent curve to the left, an arc distance of 22.78 feet;

South 08°43'45" East, a distance of 29.82 feet to the beginning of a tangent curve to the right with a radius of 150.50 feet, a central angle of 08°43'45", and a chord bearing and distance of South 04°21'52" East, 22.91 feet;

In a southerly direction, with said tangent curve to the right, an arc distance of 22.93 feet to a point for corner;

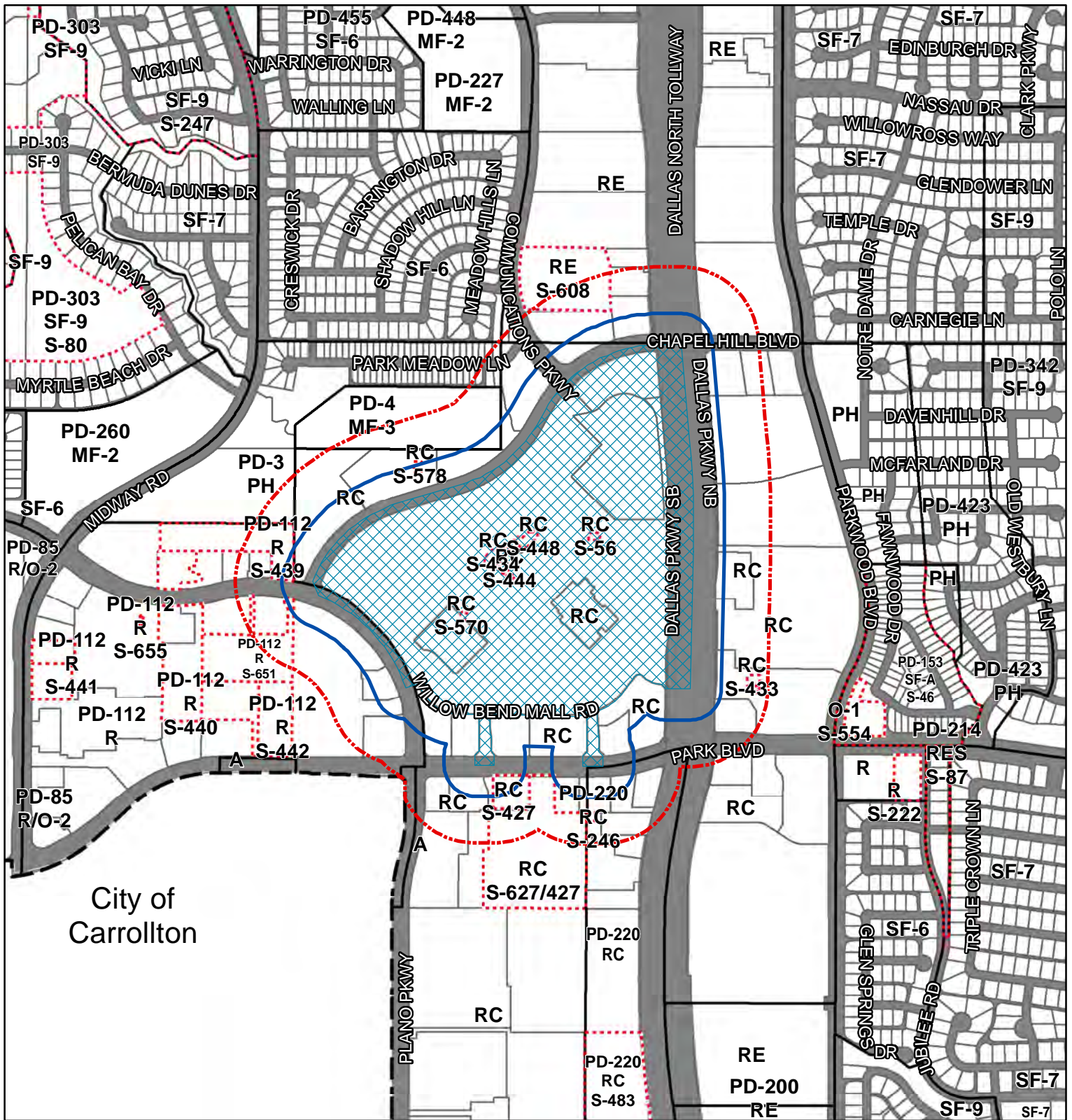
South 00°00'00" East, a distance of 70.02 feet;

South 45°07'32" East, a distance of 35.43 feet to the northerly right-of-way line of said Park Boulevard;

THENCE south 00°00'42" East, over and across said Park Boulevard, a distance of 68.04 feet to the centerline of said Park Boulevard;

THENCE South 89°44'55" West, with the centerline of said Park Boulevard, a distance of 129.11 feet;

Thence North 00°00'42" West, over and across said Park Boulevard, a distance of 68.04 feet to the **POINT OF BEGINNING** and **CONTAINING** a computed area of 3,880,348 square feet or 89.081 acres of land, more or less.

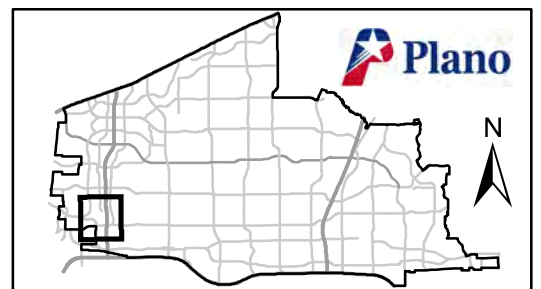


Zoning Case: 2023-005

Existing Zoning: Regional Commercial with Specific Use Permits No. 56, 434, 444, and 448 for Private Club and No. 570 for Automobile Leasing/Renting and located within the Dallas North Tollway

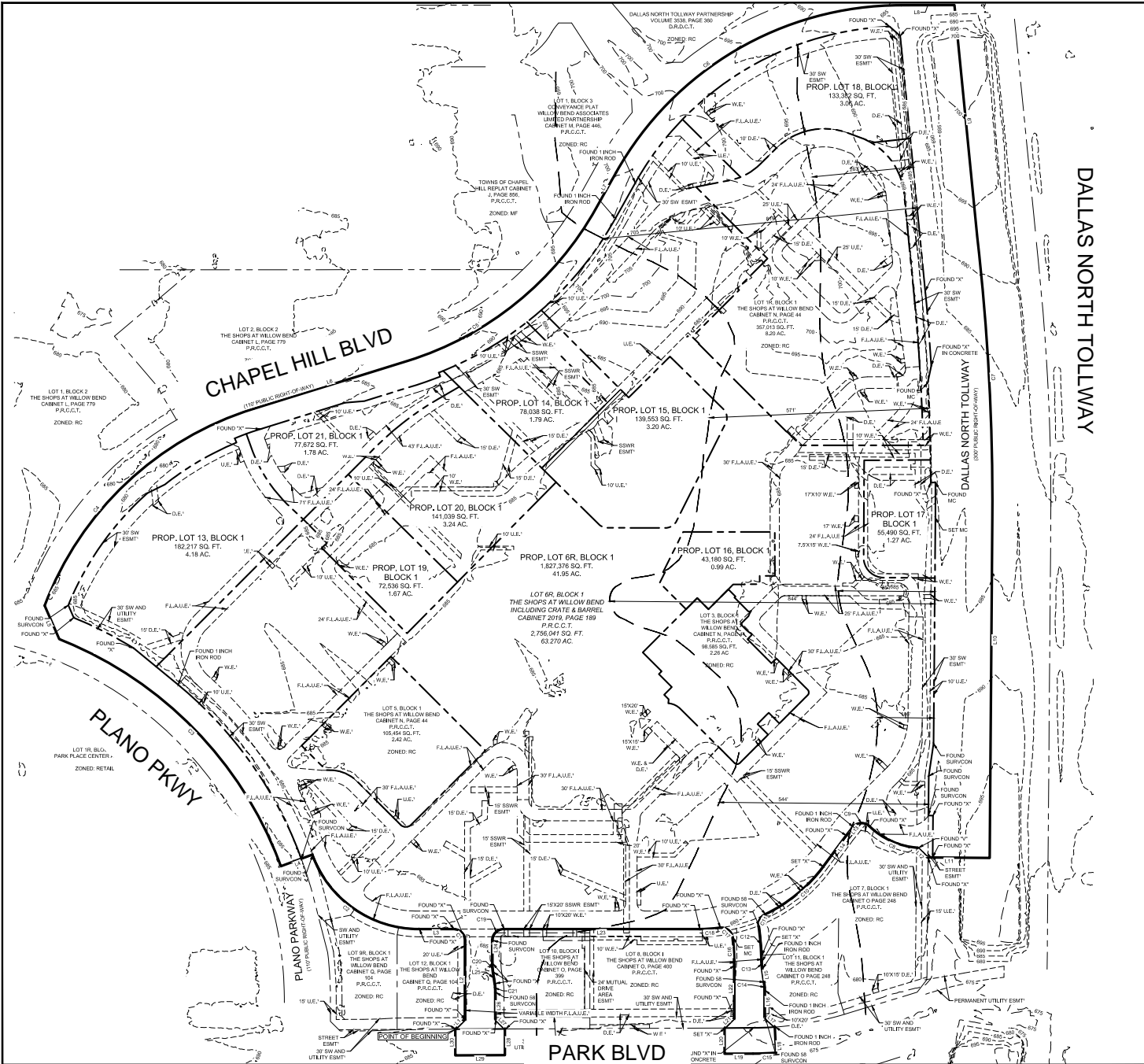
Proposed Zoning: Planned Development-Regional Commercial and with Specific Use Permit No. 570 for Automobile Leasing/Renting

- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Streets
- Municipal Boundaries
- Zoning Boundary
- Specific Use Permit
- Zoning Boundary Change/SUP



0 650 1,300 2,600
Feet

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LEGEND

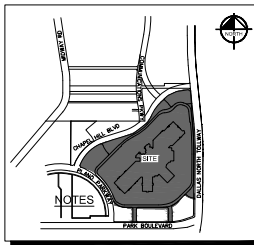
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- ZONING BOUNDARY LINE
- EHA SETBACK LINE
- EXISTING EASEMENT
- EHA
- EXISTING CONTOURS

GRAPHIC SCALE IN FEET

0 60 120 240

SCALE: 1"=120' ON 24"X36"

NORTH



- NOTES**
1. ALL EASEMENTS SHOWN ARE EXISTING AND ARE RECORDED IN CABINET N, SLIDE 44, P.S.C.C.T. UNLESS OTHERWISE NOTED.
 2. APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT BE AN APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INTENTION OF THE DEVELOPMENT PROCESS, PLANNING & ZONING COMMISSION, AND/OR CITY COUNCIL, ACTION ON STUDIES, PLANS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

LEGEND

- W.E. WATER EASEMENT
- D.E. DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT
- F.L.A. FIRE LINE, ACCESS & UTILITY EASEMENT

CITY PROJECT #ZC2023-005

ZONING EXHIBIT

OR
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1

89.081 AC

SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: DECEMBER 15, 2023

OWNER/DEVELOPER:
THE NEIMAN MARCUS GROUP LLC
10101 Main Street
Dallas, Texas 75201
Tel. No.: 214-245-0333
Contact: Michael D. Litwin

GENERAL WATERFALL:
WILLOW BEND, LLC
8700 Central Expressway, Suite 1740
Dallas, Texas 75201
Tel. No.: 214-245-0333
Contact: Michael D. Litwin

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Rock Road
Two-Gate Office Tower, Suite 700
Dallas, Texas 75251
Tel. No.: 972-734-1300
Contact: Sarah Scott, P.E.

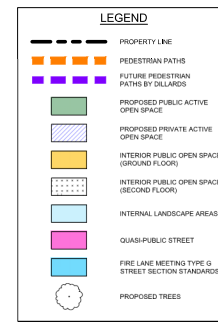
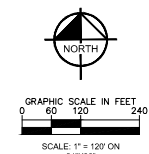
DELLARD HORSE OPERATING LTD:
PS & MERSCO REALTY CO INC
4501 N Beach Street
Ft Worth, Texas 76117
Tel. No.: 817-338-1100
Contact: Charles P. D'Amico

PROJECT No. 004475601		DATE: DEC 2023	SCALE: AS SHOWN	DESIGNED BY: KHA	DRAWN BY: KHA	CHECKED BY: KHA
THE SHOPS AT WILLOW BEND PLANO, TX						
ZONING EXHIBIT						
SHEET NUMBER 1 OF 2						

Kimley»Horn

13455 ROCK ROAD, TWO GATE OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75251
PHONE: 972-734-1300 FAX: 972-734-2820
TEXAS REGISTERED ENGINEERING FIRM #208

DATE: 12/15/23
BY: KHA



OPEN SPACE SUMMARY		
OVERALL DISTRICT AREA	76.15 ACRES	3,317,094 SQ. FT.
PUBLIC OPEN SPACE	613 ACRES	266,979 SQ. FT.
INTERIOR PUBLIC OPEN SPACE	2.39 ACRES	104,317 SQ. FT.
PRIVATE OPEN SPACE	1.68 ACRES	73,198 SQ. FT.
TOTAL	30.20 ACRES	444,495 SQ. FT.

LANDSCAPE SUMMARY		
INTERNAL LANDSCAPE AREA REQUIRED	0.23 ACRES	9,848 SQ. FT.
INTERNAL LANDSCAPE AREA PROVIDED	3.58 ACRES	156,075 SQ. FT.
LANDSCAPE EDGE	4.97 ACRES	216,383 SQ. FT.
TOTAL	8.55 ACRES	372,458 SQ. FT.

CITY PROJECT #OSP2023-002

OPEN SPACE PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC

SITUATED IN ROBERT LUDDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS

DATE: JANUARY 11, 2024

OWNER/DEVELOPER		CM/ENGINEER
THE NEUMAN MARCUS GROUP LLC 1016 Main Street Dallas, Texas 75201 Tel. No.: Contact: Michael D. Libwin	CENTENAL WATERFALL WILLOW BEND, LLC 8700 N. Centennial Expressway, Suite 1740 Dallas, Texas 75221 Tel. No.: 312-462-3303 Contact: Michael Padgett	KIMLEY-HORN AND ASSOCIATES, INC. 13455 North Loop Two Collins Office Tower, Suite 700 Dallas, Texas 75220 Tel. No.: 972-770-1300 Contact: Sarah Scott, P.E.
MACY'S RETAIL HOLDINGS LLC 145 Progress Pk Springdale, Ohio 45248 Tel. No.: Contact: Charles P. DiGiovanna	DILLARD HOBBS OPERATING LTD P.S. & MERCERO REALTY CO, INC. 4501 N. Beach Street Fort Worth, Texas 76137 Tel. No.: Contact: Chris B. Johnson	

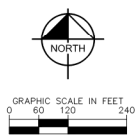
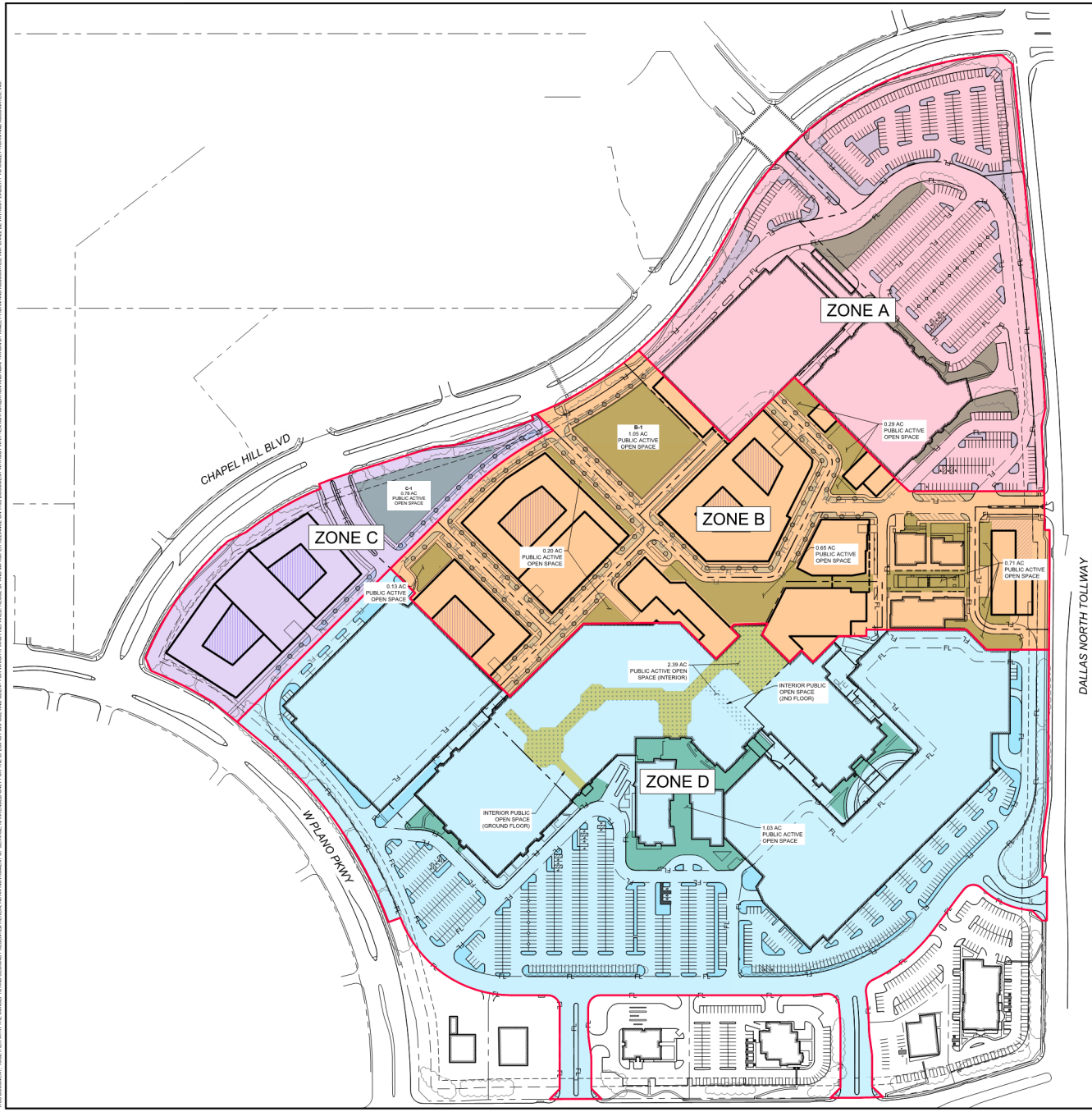
Kimley»»Horn

**THE SHOPS AT
WILLOW BEND**
PLANO, TX

OPEN SPACE PLAN

SHEET NUMBER
1 OF 1

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LEGEND	
	PROPERTY LINE
	PUBLIC OPEN SPACE ZONE A
	PUBLIC OPEN SPACE ZONE B
	PUBLIC OPEN SPACE ZONE C
	PUBLIC OPEN SPACE ZONE D

OPEN SPACE SUMMARY	
OVERALL DISTRICT AREA	76.15 ACRES 3,317,094 SQ. FT.
PUBLIC OPEN SPACE	6.13 ACRES 266,979 SQ. FT.
INTERIOR PUBLIC OPEN SPACE	2.39 ACRES 104,317 SQ. FT.
PRIVATE OPEN SPACE	3.68 ACRES 161,988 SQ. FT.
TOTAL	10.20 ACRES 444,495 SQ. FT.

LANDSCAPE SUMMARY	
INTERNAL LANDSCAPE AREA REQUIRED	0.23 ACRES 9,848 SQ. FT.
INTERNAL LANDSCAPE AREA PROVIDED	3.58 ACRES 156,075 SQ. FT.
LANDSCAPE EDGE	4.97 ACRES 216,383 SQ. FT.
TOTAL	8.55 ACRES 372,458 SQ. FT.

CITY PROJECT #OSP2023-002

OPEN SPACE PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC

SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 549
CITY OF PLANO, COLLIN COUNTY, TEXAS

DATE: JANUARY 11, 2024

OWNER/DEVELOPER: THE NEIMAN MARCUS GROUP LLC 1616 Main Street Dallas, Texas 75201 Tel. No. 214-760-3303 Contact: Michael D. Litwin	CENTENNIAL WATERFALL WILLOW BEND, LLC 8706 N. Central Expressway, Suite 1740 Dallas, Texas 75231 Tel. No. 214-623-3303 Contact: Michael Platt	CIVIL ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13455 Noel Road Two Galleria Office Tower, Suite 700 Dallas, Texas 75251 Tel. No. 972-779-1300 Contact: Sarah Scott, P.E.
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MALCOLM RETAIL HOLDINGS LLC 11000 Progress Pkwy Springdale, Ohio 45246 Tel. No. - Contact: Charles P. D'Alvino	DILLARD HIGBEE OPERATING LTD P.O. BOX 10000 4801 N. Branch Street Fort Worth, Texas 76137 Tel. No. - Contact: Chris B. Johnson
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PROJECT No. 08475601	DATE: JAN 2024	SCALE: AS SHOWN	DESIGNED BY: BAM	DRAWN BY: BAM	CHECKED BY: SES
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Kimley»Horn
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75251
PHONE: 972.779.1300 FAX: 972.238.3830
TEXAS REGISTERED ENGINEERING FIRM #208

THE SHOPS AT WILLOW BEND
PLANO, TX

OPEN SPACE PLAN

SHEET NUMBER 1 OF 1

DATE: January 17, 2024

TO: Honorable Mayor & City Council

FROM: Planning & Zoning Commission

VIA: Mike Bell, AICP, Development Review Manager acting as Secretary of the Planning & Zoning Commission *MB*
Christina D. Day, AICP, Director of Planning *CDD*

SUBJECT: Results of Planning & Zoning Commission Meeting of January 16, 2024

AGENDA ITEM NO. 8A - ZONING CASE 2023-005

PETITIONER: CENTENNIAL WATERFALL WILLOW BEND, LLC, THE NEIMAN MARCUS GROUP, LLC, MACY'S RETAIL HOLDINGS, LLC, AND DILLARD'S, INC.

Request to rezone from Regional Commercial to Planned Development-Regional Commercial and to rescind Specific Use Permits No. 56, 434, 444, 448 for Private Club on 89.1 acres located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard. Zoned Regional Commercial with Specific Use Permits No. 56, 434, 444, and 448 for Private Club and No. 570 for Automobile Leasing/Renting and located within the Dallas North Tollway Overlay District. Tabled on November 20, 2023. Project #ZC2023-005.

APPROVED: 8-0

Speaker Card(s) Received:	Support:	<u>16</u>	Oppose:	<u>5</u>	Neutral:	<u>0</u>
Letters Received Within 200' Notice Area:	Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Petition Signatures Received:	Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Other Responses:	Support:	<u>16</u>	Oppose:	<u>46</u>	Neutral:	<u>1</u>

RESULTS:

The Commission recommended the item for approval subject to the following stipulations:

The permitted uses and standards shall be in accordance with the RC, Regional Commercial zoning district, unless otherwise specified herein:

1. Uses:

a) Additional Permitted Uses:

- i. Independent Living Facility
- ii. Mid-rise Residential
- iii. Multifamily Residence

- iv. Private Club: Receipts must be maintained to ensure compliance with city requirements for 35% minimum food sales

b) Additional Prohibited Uses:

- i. Engine repair shop (small)
- ii. Funeral Parlor/Mortuary
- iii. Manufacturing (Light-intensity)
- iv. Mausoleum/Cemetery
- v. Vehicle Repair (Minor/Fueling Station)

2. Front Yard Setbacks:

- a) Lots fronting public right-of-way: 50 feet; 40 feet for Lot 13, Block 1; 30 feet for Lot 17, Block 1.
- b) Lots fronting quasi-public streets: 75% of the building face must be within 15 feet of the outside edge of quasi-public street easements or fire lanes designed to Type G street standards. If easements are present or public open space, patio dining, plaza, or other public amenity is provided. In that case, 75% of the building face must be built to the easement line, open space, or public amenity.

3. Mid-rise Residential, Multifamily, and Independent Living Facility Development Standards:

a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Total Maximum Number of Residential Units (<i>total combination of Mid-rise Residential, Independent Living, and Multifamily Residence Units</i>)	965
Maximum number of Mid-rise Residential and Independent Living Units	957
Maximum number of Multifamily Residence Units	40
Minimum Side Yard	None
Maximum Lot Coverage	70%
Maximum Floor Area Ratio	2.7:1

b) Miscellaneous Area, Yard, and Bulk Requirements

- i. No residential uses are permitted within the EHA-1 line, as shown on the open space plan.
- ii. Mid-rise residential development is exempt from the supplemental regulations of Section 15.800 (Multifamily Residence) of the Zoning Ordinance.
- iii. Side yard setbacks are exempt from the provisions of 13.500.3K. (Side Yard Regulations) of the Zoning Ordinance.
- iv. Rear yard setbacks are exempt from the provisions of 13.500.4A. (Rear Yard Regulations) of the Zoning Ordinance.

c) Stoops, Patios, and Balconies

- i. A minimum of 40% of mid-rise residential units must have a balcony with a minimum depth of 5 feet and a minimum width of 7 feet.
 - ii. Except when non-residential uses are provided on the ground floor, each building must include a porch, stoop, or patio at the front façade.
 - iii. Canopies, balconies, stoops, bay windows, and awnings may extend up to 5 feet into the front yard setbacks.
- d) Multifamily Residence units:
- i. Each ground-floor unit must include a porch or stoop at the front façade.
 - ii. Buildings must be three or four stories in height and oriented to directly front to open space on Lot 14 as shown on the adopted open space plan.
- e) Phasing – Refer to Section 11 (Open Space and Phasing) for phasing requirements.

4. Hotel Development Standards:

- a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Maximum Floor Area Ratio	5.4:1

5. Office Development Standards:

- a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Maximum Lot Coverage	70%
Maximum Floor Area Ratio	5:1

6. **Retail Development Standards:** Regulations of Section 15.1100 (Regional Shopping Malls) will apply regardless of the total square footage in this development.

7. **Lot Frontage and Access:** For purposes of this development, internal lots are not required to have frontage to a public street but are required to have access to a public street through a dedicated easement.

8. **Parking:** Minimum parking for Retail and Restaurant uses: one space per 300 square feet.

9. **Building Design:** Building design requirements for structures constructed after [*effective date of this Ordinance*]:

- a) No primary façade (a façade directly facing a public right-of-way or quasi-public street) may exceed a length of 150 feet without articulations. The primary façade must have at least two required articulations separated by no more than 50 feet. Each articulation must have a minimum depth of 1 foot for a minimum length of 5 feet. Articulations may include:
 - i. Architectural details such as raised bands and cornices;
 - ii. Architecturally prominent entrance;
 - iii. Attached tower or turret;

- iv. Awnings and trellis;
 - v. Balconies;
 - vi. Columns;
 - vii. Notched setbacks;
 - viii. Variation in fenestration technique; or
 - ix. Other techniques approved by the Director of Planning.
- b) Exterior insulating finish systems (EIFS) are prohibited on the ground floor primary facade and may comprise no more than 10% of the upper-level primary facade.
- c) Window, Doors, and Ceiling Height:
- i. With the exception of parking garages, podium garages, and loading and service areas, 60% of the first floor of nonresidential buildings and live/work/flex space units must consist of windows and doors.
 - ii. Live/work/flex space units must have an exterior entrance.
 - iii. Nonresidential space must have a minimum floor-to-ceiling height of 12 feet; however, live/work/flex space must have a minimum floor-to-ceiling height of ten feet.
- d) Glazing Requirement:
- i. Upper-level primary facades that contain non-residential uses must maintain a minimum 50% glazing.
 - ii. Residential and non-primary facades for non-residential buildings must maintain a minimum of 30% glazing.

10. Parking Structures: For parking garages constructed after [*effective date of this Ordinance*], the following parking garage structure requirements apply:

- a) Except as otherwise provided, parking structures shall be wrapped by the principal building which the structure serves. The parking structure must be screened for portions that are not wrapped so that architectural and landscape components articulate the facade. Structure parking must be designed to minimize the ground-level view of automobiles below their hoodlines and light fixtures. Screening may be achieved through the use of louvered, solid, or opaque vertical screening elements.
- b) When parking structures are located at the intersections of public rights-of-way and/or quasi-public streets, corner architectural elements must be incorporated, such as but not limited to corner pedestrian entrances, glazing, and signage.
- c) Parking structure ramps must be internal to the structure and must not be clearly visible from any adjacent right-of-way except for entrances to parking garage ramps.

11. Open Space and Phasing:

- a) The open space plan is adopted as part of this ordinance.
- b) A minimum of 10 acres of usable (active) open space must be provided in accordance with the open space plan, of which a minimum of 7 acres must be available to the public. The Interior

Public Open Space (both ground floor and second floor), as shown on the open space plan, may count towards public usable open space.

- c) No residential units within Public Open Space Zone B may be issued a Certificate of Occupancy until area B-1 is provided within Zone B in accordance with the open space plan. No more than 360 residential units within Zone B may be issued a Certificate of Occupancy until all open space areas are provided in Zone B in accordance with the open space plan.
- d) No residential units within Public Open Space Zone C may be issued a Certificate of Occupancy until area C-1 is provided within Zone C in accordance with the open space plan.
- e) Private active open spaces shall be provided per the open space plan before issuing a Certificate of Occupancy for adjacent buildings.
- f) At least 2 acres of the total usable open space must be contiguous.
- g) The district must have no usable open space dimension of less than 15 feet.
- h) Usable open space must not include rooftops; accessory buildings, except those portions of any building designed specifically for recreational purposes; parking areas; or rights-of-way or easements for streets or alleys, floodway facilities, or electrical transmission lines.
- i) Usable open space must not have a slope exceeding 10%.
- j) Above-ground utilities may not be located within any public usable (active) open space as shown on the open space plan.

12. Street Design:

- a) The internal drives must be constructed as quasi-public streets and designed in accordance with Type G (Mixed-use) Streets as described in the City of Plano Street Design Standards, except that the design of quasi-public streets connecting to Chapel Hill Boulevard and Dallas Parkway may be modified as shown in the open space plan.
- b) A quasi-public street easement must be dedicated for all quasi-public streets, and a fire lane must be located within all quasi-public street easements.
- c) Lots may derive required access and street frontage from quasi-public streets and may be platted to the center line of quasi-public streets.
- d) Quasi-public streets are required where shown on the open space plan with adjacent development. The quasi-public street connection to Dallas Parkway is required with the development of Lot 15.

13. Screening Requirements:

- a) Screening requirements for loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and vehicle or truck service bays located along the Dallas North Tollway/Dallas Parkway frontage may be modified where screening and circulation is deemed acceptable through the site plan approval process.
- b) Roof-mounted mechanical units must be screened in accordance with Section 20.300 (Mechanical Screening Requirements) of the Zoning Ordinance. Ground-mounted mechanical units must be screened from view by walls constructed of the same materials and finishes as

the building or by a solid landscape screen. These screens must be a minimum of 6 feet in height. Plants must be placed so as to create a minimum 6-foot tall solid screen at the time of installation. All landscaping must be irrigated and must be replaced if damaged.

14. Site Amenities: An enhanced crosswalk must be provided across Chapel Hill Road in accordance with the following standards or alternate standards approved by the Director of Engineering:

- a) Differentiated paving material consisting of pavers or stamped concrete;
- b) Standard Manual of Uniform Traffic Control Devices Traffic Signage and Striping; and
- c) A Rectangular Rapid-Flashing Beacon at each end of the crossing.

15. Building Height: Buildings located equal to or more than 725 feet from the Dallas North Tollway frontage road must be no more than five stories, 80 feet in height.

16. Multiuse Growth Management: No more than 50% of the total square footage within the district is permitted to be residential uses at any time.

17. Governance Association: Building permits for development within the planned development district will not be accepted or approved until a property owner's governance association is established. The association will be responsible for maintaining all common property, improvements, and amenities within the district. It shall have power sufficient to assess and collect dues and charges as required to perform its responsibilities.

To view the hearing, please click on the provided link:

<https://planotx.new.swagit.com/videos/294991?ts=2100>

RP/kob

cc: Eric Hill, Assistant Director of Planning
Christina Sebastian, Land Records Planning Manager
Melissa Kleineck, Lead Planner
Justin Cozart, Sr. GIS Technician
Jeanna Scott, Building Inspections Manager
Dorothy Alatorre, Sr. Administrative Assistant - Neighborhood Services

[Google Link](#)

MEETING DATE

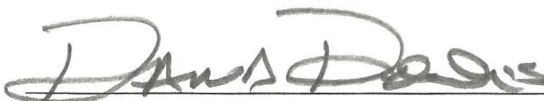
Tuesday, January 16, 2024

RESULTS

I, Chair/Commissioner David Downs, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: THE PLAN FOCUSES ON REVITALIZATION OF AN ASSET and IMPORTANT TO THE CITIZENS OF PLANO
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: NO GOOD ALTERNATIVE IS and LIKELY TO PRESENT ITSELF WITHIN A TIME FRAME TO PREVENT SERIOUS DEGRADATION OF THE PROPERTY
3. The request is consistent with other policies, actions, maps:
 - ☐ Future Land Use Map and Dashboards – Description & Priorities
 - ☐ Future Land Use Map and Dashboards – Character Defining Elements
 - ☐ Thoroughfare Plan Map & Cross Sections
 - ☐ Bicycle Transportation Plan Map
 - ☐ Parks Master Plan Map
 - ☐ Expressway Corridor Environmental Health Map
 - ☒ Redevelopment of Regional Transportation Corridors Policy
 - ☒ Redevelopment & Growth Management Policy – Action 5A (RGM5A)
 - ☒ Redevelopment & Growth Management Policy – Action 5B (RGM5B)
 - ☐ Redevelopment & Growth Management Policy – Action 5C (RGM5C)
 - ☐ Redevelopment & Growth Management Policy – Action 8 (RGM8)
 - ☐ Other: _____
4. Comments on any of the above which further explain my position: _____

Overall, I believe the applicant's request should be supported; and the reasons I have indicated above outweigh the project's incompatibility with the mix of uses, density, or building heights favored by the Future Land Use Map Dashboard of the Comprehensive Plan.


Signature

01/16/24
Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for Bennett Ratliff

I, **Bennett Ratliff**, 2nd Vice Chair, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

- (1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

Plan accommodates innovation and is a cohesively planned mixed use development in a location appropriate for the proposed density

and

- (2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

Redevelopment of a key area to replace a failing mall and embraces the needs of the community and businesses to 2050 and beyond.

and

- (3) The request is consistent with other policies, actions, maps:

- ☒ Bicycle Transportation Plan Map
- ☒ Expressway Corridor Environmental Health Map & Guidelines
- ☐ Future Land Use Map & Dashboards - Character Defining Elements
- ☒ Future Land Use Map and Dashboards - Description & Priorities
- ☒ Parks Master Plan Map
- ☒ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
- ☒ Redevelopment & Growth Management Policy - Action 5B (RGM5B)
- ☒ Redevelopment & Growth Management Policy - Action 5C (RGM5C)
- ☒ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☒ Redevelopment of Regional Transportation Corridors Policy
- ☒ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

- (4) Comments on any of the above which further explain my position:

Similar to the Collin Creek project, it will revitalize the area to benefit the neighborhood and community as a whole



Signature

January 16, 2024 @ 10:04:35 PM

Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for Bill Lisle

I, **Bill Lisle**, Commissioner, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

- (1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

Yes

and

- (2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

It takes a dead mall and give it a chance at being a relevant contributing vibrant destination in the City of Plano for years to come.

and

- (3) The request is consistent with other policies, actions, maps:

- ☒ Bicycle Transportation Plan Map
- ☒ Expressway Corridor Environmental Health Map & Guidelines
- ☐ Future Land Use Map & Dashboards - Character Defining Elements
- ☐ Future Land Use Map and Dashboards - Description & Priorities
- ☐ Parks Master Plan Map
- ☒ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
- ☒ Redevelopment & Growth Management Policy - Action 5B (RGM5B)
- ☒ Redevelopment & Growth Management Policy - Action 5C (RGM5C)
- ☒ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☒ Redevelopment of Regional Transportation Corridors Policy
- ☒ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

- (4) Comments on any of the above which further explain my position:

The comp plan needs to be adjusted to align with current and future projects and leave its romantic view of the past in the past!

Bill Lisle

Signature

January 16, 2024 @ 10:04:34 PM

Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for Gary Cary

I, **Gary Cary**, 1st Vice Chair, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

- (1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

It will provide benefit to the entire community, redevelops property in dire need of this and will create housing stock that is needed.

and

- (2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

Yes this is accurate

and

- (3) The request is consistent with other policies, actions, maps:

- ☐ Bicycle Transportation Plan Map
- ☐ Expressway Corridor Environmental Health Map & Guidelines
- ☐ Future Land Use Map & Dashboards - Character Defining Elements
- ☐ Future Land Use Map and Dashboards - Description & Priorities
- ☐ Parks Master Plan Map
- ☐ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
- ☐ Redevelopment & Growth Management Policy - Action 5B (RGM5B)
- ☐ Redevelopment & Growth Management Policy - Action 5C (RGM5C)
- ☐ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☐ Redevelopment of Regional Transportation Corridors Policy
- ☐ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

- (4) Comments on any of the above which further explain my position:

This is a critical project for Plano. If it does not move ahead, this valuable resource is at risk.

Gary Cary

Signature

January 16, 2024 @ 10:06:08 PM

Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for J. Michael Brounoff

I, **J. Michael Brounoff**, Commissioner, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

- (1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

The project revitalizes the property and sustains the viability of the neighborhood now and in the future. It supports the economic health and attractiveness of the city for present and future residents and visitors.

and

- (2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

It reverses decline in an underperforming large development and revitalizes the property and the neighborhood.

and

- (3) The request is consistent with other policies, actions, maps:

- ☐ Bicycle Transportation Plan Map
- ☐ Expressway Corridor Environmental Health Map & Guidelines
- ☒ Future Land Use Map & Dashboards - Character Defining Elements
- ☒ Future Land Use Map and Dashboards - Description & Priorities
- ☐ Parks Master Plan Map
- ☒ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
- ☒ Redevelopment & Growth Management Policy - Action 5B (RGM5B)
- ☐ Redevelopment & Growth Management Policy - Action 5C (RGM5C)
- ☐ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☐ Redevelopment of Regional Transportation Corridors Policy
- ☐ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

- (4) Comments on any of the above which further explain my position:

Inconsistencies with the comprehensive plan are well compensated.

J. Michael Brounoff

Signature

January 16, 2024 @ 10:07:11 PM

Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for Michael Bronsky

I, **Michael Bronsky**, Commissioner, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

(1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

I strongly believe that the development of this property is a key to ensuring that Plano today and Plano tomorrow is safe will be greatly enhanced with this development. I believe that we will be able to more fully realize the desires of Plano Today, Plano 2050 and Plano Together by understanding the potential of this site and maintaining the possibilities of this mall and all Centennial will provide.

and

(2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

By not acting we are not acknowledging the current and future development of properties like this mall.

and

(3) The request is consistent with other policies, actions, maps:

- ☐ Bicycle Transportation Plan Map
- ☐ Expressway Corridor Environmental Health Map & Guidelines
- ☐ Future Land Use Map & Dashboards - Character Defining Elements
- ☐ Future Land Use Map and Dashboards - Description & Priorities
- ☐ Parks Master Plan Map
- ☐ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
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- ☐ Redevelopment & Growth Management Policy - Action 5C (RGM5C)
- ☐ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☐ Redevelopment of Regional Transportation Corridors Policy
- ☐ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

(4) Comments on any of the above which further explain my position:

I do have a concern about the multi family but I believe that the possibility of greater apartments in the future if we do not work to maintain the mall rather than meeting the density and housing mix in the Comp Plan.



PLANNING & ZONING COMMISSION
FINDINGS RELATED TO ZONING CASE



MEETING DATE

TIME

MEETING ID

ZONING CASE

Signature

Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for Tianle Tong

I, **Tianle Tong**, Commissioner, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

- (1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

It revitalizes the area and is consistent with the use of the land.

and

- (2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

It brings more business to area and helps surrounding businesses to survive and thrive.

and

- (3) The request is consistent with other policies, actions, maps:

- ☐ Bicycle Transportation Plan Map
- ☐ Expressway Corridor Environmental Health Map & Guidelines
- ☒ Future Land Use Map & Dashboards - Character Defining Elements
- ☒ Future Land Use Map and Dashboards - Description & Priorities
- ☐ Parks Master Plan Map
- ☒ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
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- ☒ Redevelopment & Growth Management Policy - Action 5C (RGM5C)
- ☒ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☐ Redevelopment of Regional Transportation Corridors Policy
- ☐ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

- (4) Comments on any of the above which further explain my position:

Tianle Tong

Signature

January 16, 2024 @ 10:04:32 PM

Date

MEETING DATE	TIME	MEETING ID	ZONING CASE
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January 16, 2024	6:00 PM	PZ 01.16.24	ZC2023-005
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RESULTS for Tosan Olley

I, **Tosan Olley**, Commissioner, after review of the written information and listening to the hearing participants, voted in **SUPPORT** to this case, finding the following:

- (1) The request is consistent with the overall Guiding Principles of the Comprehensive Plan because:

Consistent with the spirit and goal of Plano Today & Plano 2050

and

- (2) The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because:

Resurrects a dying asset that is detrimental to the surrounding area. Worked with the community through outreach to incorporate community feedback and retain key cultural communitiy amenities in the area

and

- (3) The request is consistent with other policies, actions, maps:

- ☐ Bicycle Transportation Plan Map
- ☐ Expressway Corridor Environmental Health Map & Guidelines
- ☐ Future Land Use Map & Dashboards - Character Defining Elements
- ☒ Future Land Use Map and Dashboards - Description & Priorities
- ☐ Parks Master Plan Map
- ☒ Redevelopment & Growth Management Policy - Action 5A (RGM5A)
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- ☐ Redevelopment & Growth Management Policy - Action 8 (RGM8)
- ☐ Redevelopment of Regional Transportation Corridors Policy
- ☐ Thoroughfare Plan Map & Cross-Sections
- ☐ Other

- (4) Comments on any of the above which further explain my position:



Signature

January 16, 2024 @ 10:06:41 PM

Date

AGENDA ITEM NO. 8A

PUBLIC HEARING: Zoning Case 2023-005

PETITIONERS: Centennial Waterfall Willow Bend, LLC, The Neiman Marcus Group, LLC, Macy's Retail Holdings, LLC, and Dillard's, Inc.

CASE PLANNER: Raha Poladi, Lead Planner

DESCRIPTION: Request to rezone **from** Regional Commercial **to** Planned Development-Regional Commercial and to rescind Specific Use Permit Nos. 56, 434, 444, and 448 for Private Club on 89.1 acres located on the west side of the Dallas North Tollway, 305 feet north of Park Boulevard. Zoned Regional Commercial with Specific Use Permit Nos. 56, 434, 444, and 448 for Private Club and No. 570 for Automobile Leasing/Renting and located within the Dallas North Tollway Overlay District. Tabled on November 20, 2023.

EXECUTIVE SUMMARY:

The applicant is requesting to rezone from Regional Commercial (RC) to Planned Development-Regional Commercial (PD-RC) to allow for partial redevelopment of The Shops at Willow Bend regional shopping mall. As shown in the associated concept plan, redevelopment plans include partial demolition of the mall building while maintaining the existing anchor store buildings (currently occupied by Dillard's, Macy's, and Neiman Marcus), the "District" restaurant area, and the three large parking structures. New uses proposed include hotel, office, retail, mid-rise residential, independent living facility, and multifamily. A new, quasi-public street network will be constructed in the development's interior, creating a walkable, urban streetscape central to the site. Major topics of consideration for this request include:

- **Conformance to the Comprehensive Plan** – The subject property is located within the Suburban Activity Center (SA) designation of the Future Land Use Map. The purpose for SA areas is to encourage the transition of traditional commercial centers to destination shopping and entertainment areas with an integrated mix of uses and a highly walkable form and design. This request is aligned with the purpose of the SA designation. The request partially conforms to the desirable character-defining elements of the SA designation, and the applicant also includes stipulations to support phasing and growth management policies. However, the request lacks conformance with the recommendations for mix of uses, density, and open space, and therefore, findings are required to approve the request.
- **Residential Uses** – The request would allow up to 965 total housing units (of which, no more than 957 may be mid-rise residential or independent living units, and 40 may be multifamily residence units) to be constructed outside of areas subject to the Expressway Corridor Environmental Health Map.

- **Building Height** – The existing RC district allows a maximum of 20 stories of building height, with limitations in proximity to residential zoning districts. Proposed PD stipulations would restrict building height to five stories in areas located greater than 725 feet from the Dallas Parkway right-of-way.
- **Design Standards** – Proposed PD stipulations would introduce some urban design concepts to complement a pedestrian-friendly environment, including maximum setback lines, higher lot coverage and floor area ratios, and architectural design standards.
- **Streets and Streetscape** – Internal quasi-public streets will be provided internally to the development and will be designed in accordance with the mixed-use cross-sections of the recently adopted Street Design Standards. These streets foster a walkable, urban streetscape serving the new residential and retail areas.
- **Open Space & Amenities** – Proposed PD stipulations would require a minimum of ten acres of usable open space, seven of which must be available to the public. Additional open space must be provided with each phase of residential development.
- **Phasing** – Certificates of Occupancy for residential uses will be contingent upon providing open space in three phases, with the location and acreages of each phase prescribed in the Open Space Plan.
- **Rescinding Private Club SUPs** – The proposed PD stipulations include permitting private clubs by right, nullifying the need for existing SUPs on this site. Approval of the request includes repealing the existing SUPs for private clubs within the subject property.

Redevelopment of the mall is needed. The applicant's concept plan includes many design features and amenities that support this goal; however, the requested mix of residential uses are inconsistent with the recommendations of the Comprehensive Plan.

An open space plan is included as part of this item, which, if approved, is to be adopted as part of the Ordinance. The associated concept plan is included as Agenda Item No. 8B.



Zoning Case 2023-005



Area of Request



STAFF PRELIMINARY REPORT - INTRODUCTORY REMARKS

The applicant is requesting to rezone the subject property from Regional Commercial (RC) to Planned Development-Regional Commercial (PD-RC) to allow additional residential uses and modify development standards.

Zoning – Per Section 10.1100 of the Zoning Ordinance, the purpose of the RC district is as follows:

The RC district is a cultural district intended for use in conjunction with a Residential Employment (RE) district in high-visibility locations, which are of regional cultural importance to the community due to its significance for generating economic investment. It provides for retail and service uses at appropriate nodes within the corridor of specified tollways and expressways serving Plano and surrounding communities, in addition to office and limited manufacturing uses. The district's standards are designed to ensure compatibility between various uses within a corridor and surrounding residential neighborhoods.

Planned Developments – A Planned Development (PD) district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and onsite conditions. Section 12.100 (Purpose) of Article 12 (Planned Development District) of the Zoning Ordinance guides the establishment of planned development districts. This section states that planned developments are intended for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the city.
2. To guide the future development of the city in accordance with the Comprehensive Plan.
3. To accommodate innovation by modifying regulations to better accomplish the city's development goals.
4. To mitigate developmental impacts, especially those related to the environment, traffic, public services and facilities, and adjacent and area land uses.
5. To protect and enhance the aesthetic and visual quality of development.

Proposed Planned Development Stipulations

The proposed planned development language is as follows:

The permitted uses and standards shall be in accordance with the RC, Regional Commercial zoning district, unless otherwise specified herein:

1. Uses:

- a) Additional Permitted Uses:
 - i. Independent Living Facility
 - ii. Mid-rise Residential
 - iii. Multifamily Residence

- iv. Private Club: Receipts must be maintained to ensure compliance with city requirements for 35% minimum food sales

b) Additional Prohibited Uses:

- i. Engine repair shop (small)
- ii. Funeral Parlor/Mortuary
- iii. Manufacturing (Light-intensity)
- iv. Mausoleum/Cemetery
- v. Vehicle Repair (Minor/Fueling Station)

2. Front yard setbacks:

- a) Lots fronting public right-of-way: 50 feet; 40 feet for Lot 13, Block 1; 30 feet for Lot 17, Block 1.
- b) Lots fronting quasi-public streets: 75% of the building face must be within 15 feet of the outside edge of quasi-public street easements or fire lanes designed to Type G street standards. If easements are present or public open space, patio dining, plaza, or other public amenity is provided. In that case, 75% of the building face must be built to the easement line, open space, or public amenity.

3. Mid-rise Residential, Multifamily, and Independent Living Facility Development Standards:

a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Total Maximum Number of Residential Units (<i>total combination of Mid-rise Residential, Independent Living, and Multifamily Residence Units</i>)	965
Maximum number of Mid-rise Residential and Independent Living Units	957
Maximum number of Multifamily Residence Units	40
Minimum Side Yard	None
Maximum Lot Coverage	70%
Maximum Floor Area Ratio	2.7:1

b) Miscellaneous Area, Yard, and Bulk Requirements

- i. No residential uses are permitted within the EHA-1 line, as shown on the open space plan.
- ii. Mid-rise residential development is exempt from the supplemental regulations of Section 15.800 (Multifamily Residence) of the Zoning Ordinance.
- iii. Side yard setbacks are exempt from the provisions of 13.500.3K. (Side Yard Regulations) of the Zoning Ordinance.

- iv. Rear yard setbacks are exempt from the provisions of 13.500.4A. (Rear Yard Regulations) of the Zoning Ordinance.

c) Stoops, Patios, and Balconies

- i. A minimum of 40% of mid-rise residential units must have a balcony with a minimum depth of 5 feet and a minimum width of 7 feet.
- ii. Except when non-residential uses are provided on the ground floor, each building must include a porch, stoop, or patio at the front façade.
- iii. Canopies, balconies, stoops, bay windows, and awnings may extend up to 5 feet into the front yard setbacks.

d) Multifamily Residence units:

- i. Each ground-floor unit must include a porch or stoop at the front façade.
- ii. Buildings must be three or four stories in height and oriented to directly front to open space on Lot 14 as shown on the adopted open space plan.

- e) Phasing – Refer to Section 11 (Open Space and Phasing) for phasing requirements.

4. Hotel development standards:

a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Maximum Floor Area Ratio	5.4:1

5. Office development standards:

a) Area, Yard, and Bulk Requirements

Description	Standard Requirement
Maximum Lot Coverage	70%
Maximum Floor Area Ratio	5:1

- 6. Retail development standards:** Regulations of Section 15.1100 (Regional Shopping Malls) will apply regardless of the total square footage in this development.

- 7. Lot Frontage and Access:** For purposes of this development, internal lots are not required to have frontage to a public street but are required to have access to a public street through a dedicated easement.

- 8. Parking:** Minimum parking for Retail and Restaurant uses: one space per 300 square feet.

- 9. Building Design:** Building Design Requirements for structures constructed after [*effective date of this Ordinance*]:

- a) No primary façade (a façade directly facing a public right-of-way or quasi-public street) may exceed a length of 150 feet without articulations. The primary façade must have at least two required articulations separated by no more than 50 feet. Each articulation must have a minimum depth of 1 foot for a minimum length of 5 feet. Articulations may include:
 - i. Architectural details such as raised bands and cornices;
 - ii. Architecturally prominent entrance;
 - iii. Attached tower or turret;
 - iv. Awnings and trellis;
 - v. Balconies;
 - vi. Columns;
 - vii. Notched setbacks;
 - viii. Variation in fenestration technique; or
 - ix. Other techniques approved by the Director of Planning.
- b) Exterior insulating finish systems (EIFS) are prohibited on the ground floor primary façade and may comprise no more than 10% of the upper-level primary facade.
- c) Window, Doors, and Ceiling Height:
 - i. With the exception of parking garages, podium garages, and loading and service areas, 60% of the first floor of nonresidential buildings and live/work/flex space units must consist of windows and doors.
 - ii. Live/work/flex space units must have an exterior entrance.
 - iii. Nonresidential space must have a minimum floor-to-ceiling height of 12 feet; however, live/work/flex space must have a minimum floor-to-ceiling height of ten feet.
- d) Glazing requirement:
 - i. Upper-level primary facades that contain non-residential uses must maintain a minimum 50% glazing.
 - ii. Residential and non-primary facades for non-residential buildings must maintain a minimum of 30% glazing.

10. Parking Structures: For parking garages constructed after *[effective date of this Ordinance]*, the following parking garage structure requirements apply:

- a) Except as otherwise provided, parking structures shall be wrapped by the principal building which the structure serves. The parking structure must be screened for portions that are not wrapped so that architectural and landscape components articulate the facade. Structure parking must be designed to minimize the ground-level view of automobiles below their hoodlines and light fixtures. Screening may be achieved through the use of louvered, solid, or opaque vertical screening elements.

- b) When parking structures are located at the intersections of public rights-of-way and/or quasi-public streets, corner architectural elements must be incorporated, such as but not limited to corner pedestrian entrances, glazing, and signage.
- c) Parking structure ramps must be internal to the structure and must not be clearly visible from any adjacent right-of-way except for entrances to parking garage ramps.

11. Open Space and Phasing:

- a) The open space plan is adopted as part of this ordinance.
- b) A minimum of 10 acres of usable (active) open space must be provided in accordance with the open space plan, of which a minimum of 7 acres must be available to the public. The Interior Public Open Space (both ground floor and second floor), as shown on the open space plan, may count towards public usable open space.
- c) No residential units within Public Open Space Zone B may be issued a Certificate of Occupancy until area B-1 is provided within Zone B in accordance with the open space plan. No more than 360 residential units within Zone B may be issued a Certificate of Occupancy until all open space areas are provided in Zone B in accordance with the open space plan.
- d) No residential units within Public Open Space Zone C may be issued a Certificate of Occupancy until area C-1 is provided within Zone C in accordance with the open space plan.
- e) Private active open spaces shall be provided per the open space plan before issuing a Certificate of Occupancy for adjacent buildings.
- f) At least 2 acres of the total usable open space must be contiguous.
- g) The district must have no usable open space dimension of less than 15 feet.
- h) Usable open space must not include rooftops; accessory buildings, except those portions of any building designed specifically for recreational purposes; parking areas; or rights-of-way or easements for streets or alleys, floodway facilities, or electrical transmission lines.
- i) Usable open space must not have a slope exceeding 10%.
- j) Above-ground utilities may not be located within any public usable (active) open space as shown on the open space plan.

12. Street Design:

- a) The internal drives must be constructed as quasi-public streets and designed in accordance with Type G (Mixed-use) Streets as described in the City of Plano Street Design Standards, except that the design of quasi-public streets connecting to Chapel Hill Boulevard and Dallas Parkway may be modified as shown in the open space plan.
- b) A quasi-public street easement must be dedicated for all quasi-public streets, and a fire lane must be located within all quasi-public street easements.

- c) Lots may derive required access and street frontage from quasi-public streets and may be platted to the center line of quasi-public streets.
- d) Quasi-public streets are required where shown on the open space plan with adjacent development. The quasi-public street connection to Dallas Parkway is required with the development of Lot 15.

13. Screening Requirements:

- a) Screening requirements for loading docks or spaces, trash collection facilities (dumpsters, compactors, and related devices), and vehicle or truck service bays located along the Dallas North Tollway/Dallas Parkway frontage may be modified where screening and circulation is deemed acceptable through the site plan approval process.
- b) Roof-mounted mechanical units must be screened in accordance with Section 20.300 (Mechanical Screening Requirements) of the Zoning Ordinance. Ground-mounted mechanical units must be screened from view by walls constructed of the same materials and finishes as the building or by a solid landscape screen. These screens must be a minimum of 6 feet in height. Plants must be placed so as to create a minimum 6-foot tall solid screen at the time of installation. All landscaping must be irrigated and must be replaced if damaged.

14. Site Amenities: An enhanced crosswalk must be provided across Chapel Hill Road in accordance with the following standards or alternate standards approved by the Director of Engineering:

- a) Differentiated paving material consisting of pavers or stamped concrete;
- b) Standard Manual of Uniform Traffic Control Devices Traffic Signage and Striping; and
- c) A Rectangular Rapid-Flashing Beacon at each end of the crossing.

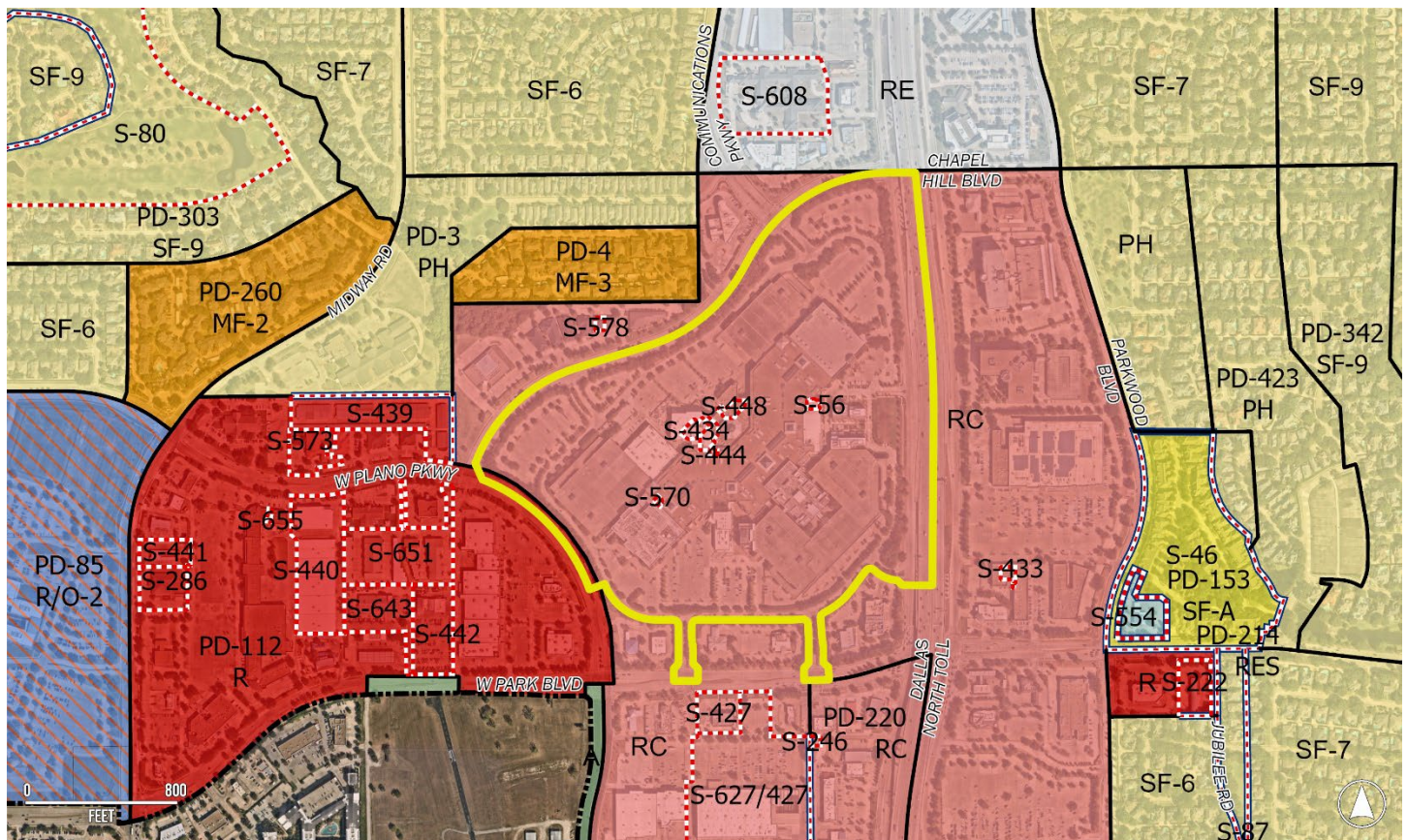
15. Building Height: Buildings located equal to or more than 725 feet from the Dallas North Tollway frontage road must be no more than five stories, 80 feet in height.

16. Multiuse Growth Management: No more than 50% of the total square footage within the district is permitted to be residential uses at any time.

17. Governance Association: Building permits for development within the planned development district will not be accepted or approved until a property owner's governance association is established. The association will be responsible for maintaining all common property, improvements, and amenities within the district. It shall have power sufficient to assess and collect dues and charges as required to perform its responsibilities.

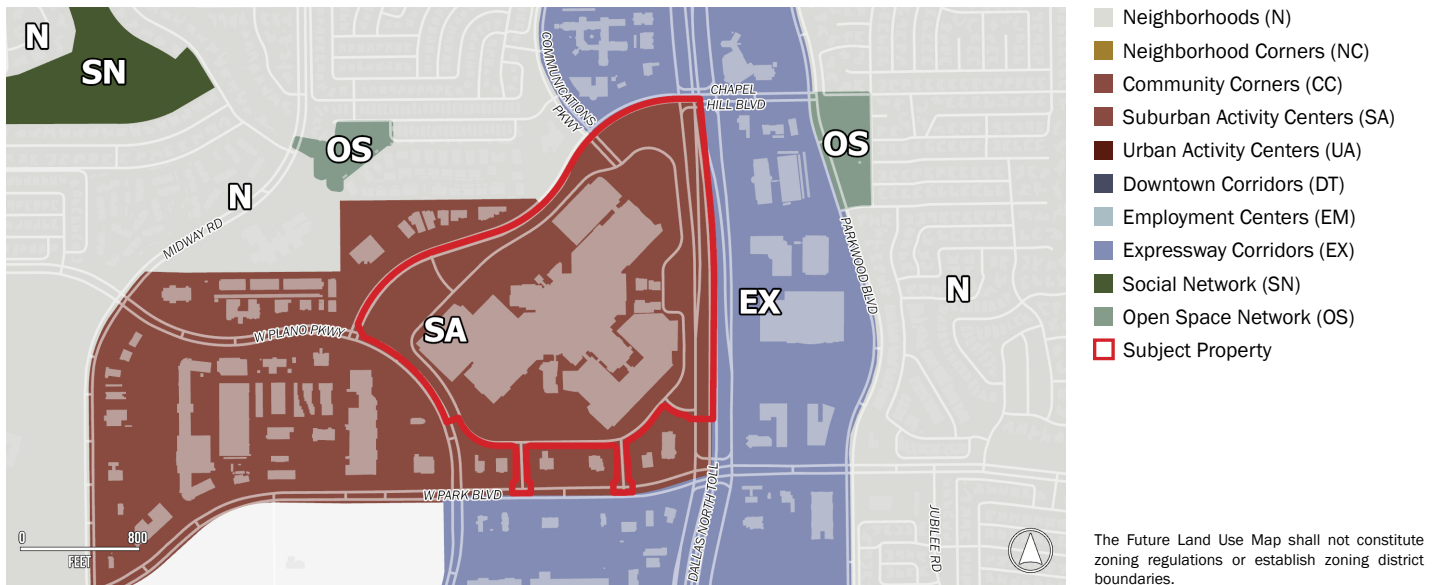
Surrounding Land Use and Zoning

North	The properties across Chapel Hill Boulevard are zoned Regional Commercial (RC), Planned-Development-4-Multifamily Residence-3 (PD-4-MF-3), and Regional Employment (RE). These properties are developed with a government facility, medical offices, general/administrative offices, multifamily residences, a personal service shop, a day care center, and a bank.
East	The properties across the Dallas North Tollway are zoned RC, including one property with Specific Use Permit No. 433 (S-433) for Private Club. These properties are developed with banks, medical offices, professional/general administrative offices, a health/fitness center, restaurants, and retail stores.
South	<p>The properties immediately adjacent to the south are zoned RC and developed with a retail, store, restaurants, and banks.</p> <p>The properties further to the south across Park Boulevard are zoned RC and PD-220-RC, with Specific Use Permits, including S-427 for Building Material Sales, S-627 for Truck/Bus Leasing, and S-246 for Commercial Antenna Support Structure. These properties are developed with banks, restaurants, a medical office, a health/fitness center, minor vehicle repair, and retail stores.</p>
West	The property across Plano Parkway is zoned Planned Development-112-Retail (PD-112-R) and is developed with retail stores, a personal service shop, and a restaurant.



VISION: "Plano is a global leader, excelling in exceptional education, abounding with world class businesses and vibrant neighborhoods"
GUIDING PRINCIPLES: Plano Today. Plano 2050. Plano Together.

1 | Future Land Use Map



Suburban Activity Centers (SA)

PRIORITIES

The Suburban Activity Centers future land use category applies to areas with large commercial and mixed-use developments that serve the specialty shopping, dining, service, and entertainment needs at the intersections of high traffic corridors. These areas are typically 50-100 acres in size and anchored by major retailers, superstores, large grocers, or theaters. Hotels, office, and institutional uses are supportive uses in these centers. When provided, residential uses should be incorporated within cohesively planned, mixed-use developments of moderate density and intensity.

Development Pattern - Suburban Activity Centers transition traditional commercial centers to destination shopping and entertainment areas with an integrated mix of uses and a highly walkable form and design. Pad or strip retail sites line major streets while large retailers, hotels, or offices anchor the interior. Low-to-mid rise residential uses located on minor street frontages support the shopping center. These centers are based on concepts of urban design with pedestrian-friendly amenities such as street trees, on-street parking, and active open-spaces.

Residential Adjacency - As Suburban Activity Centers are often adjacent to established neighborhoods, development in these areas will provide a compatible transition in building height, scale, and intensity.

Park & Preston - The Suburban Activity Center at Park Boulevard and Preston Road is unique from other SA areas in that it is not in the vicinity of an expressway and is surrounded by Neighborhoods. For this reason, the maximum density for this Center should be limited to 22 DUA within 400 feet of single-family zoning districts and 35 DUA elsewhere.

1. Creating destination shopping and entertainment centers
2. Activated open space, quality building materials, and walkable streetscapes internal to the development
3. Thoughtfully and cohesively planned mix of uses

2 | Mix of Uses



Click here for
"How to Read
The Dashboards"

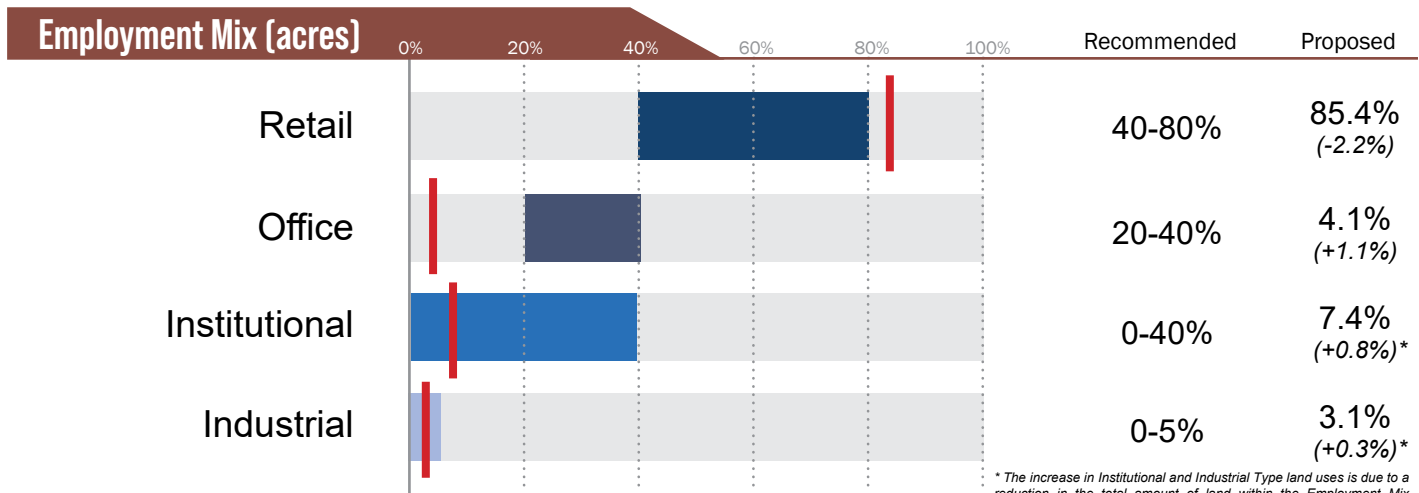
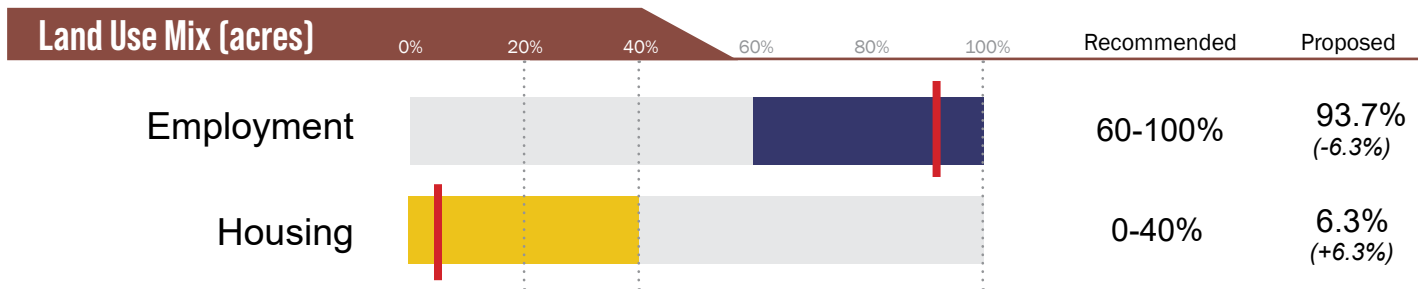
If approved, the request would result in the following Mix of Uses:



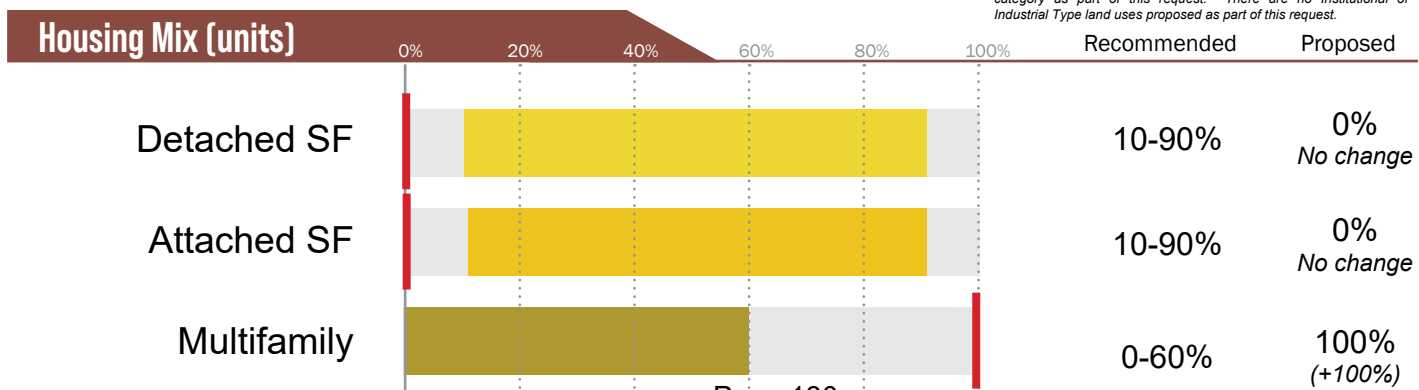
Land Use & Housing Inventory (LUHI)

- Employment, Retail Types
- Employment, Office Types
- Employment, Institutional Types
- Employment, Industrial Types
- Housing, Detached SF Types
- Housing, Attached SF Types
- Housing, Multifamily Types
- Housing, Open Space
- Employment, Undeveloped
- Housing, Undeveloped
- General Open Space
- Subject Property

LUHI Snapshot Date: 1/1/2023
Measurement Area: All properties within the EX
Category along US 75



* The increase in Institutional and Industrial Type land uses is due to a reduction in the total amount of land within the Employment Mix category as part of this request. There are no Institutional or Industrial Type land uses proposed as part of this request.



3 | Desirable Character Defining Elements

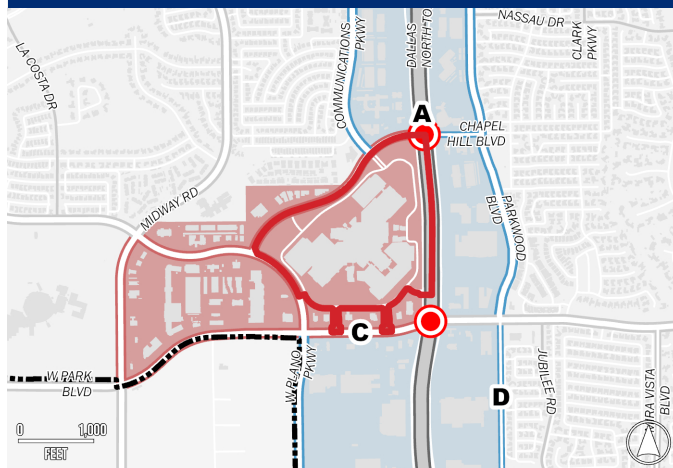


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"How to Read
The Dashboards"

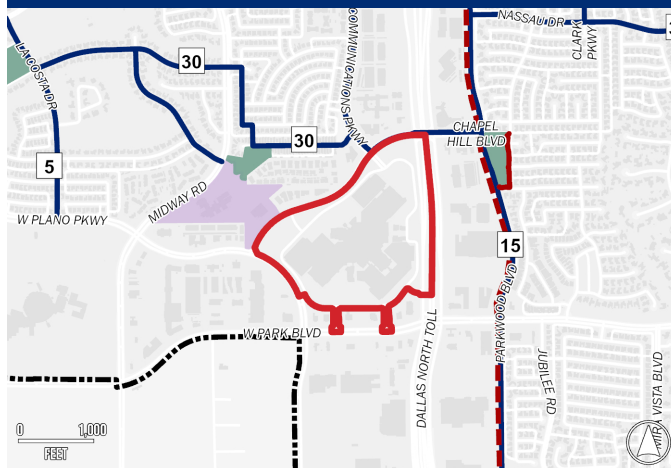
DESIRABLE CHARACTER DEFINING ELEMENT	RECOMMENDED BY COMPREHENSIVE PLAN	APPLICANT PROPOSAL
Building Heights	1 to 5 stories	
Density	SF: 4 to 22 DUA MF: 10 to 50 DUA	
Intensity	Moderate (50 to 75% Lot Coverage)	
Open Space	15% to 20% Active Open Space	
Parking Orientation	Res: structured, on- street Non-res: mix of struc- tured, on-street, surface lots, valet	
Block Pattern & Streetscape	Short to medium block grid Urban and Traditional Streets	
Multimodal Access		
1. Automobiles	MEDIUM: May require short walk to destination	
2. Transit	MEDIUM: Served by bus	
3. Micromobility	MEDIUM: Connected to trails and bike routes	
4. Pedestrians	MEDIUM: High walkability inter- nal to the site	

4 | Other Comprehensive Plan Maps

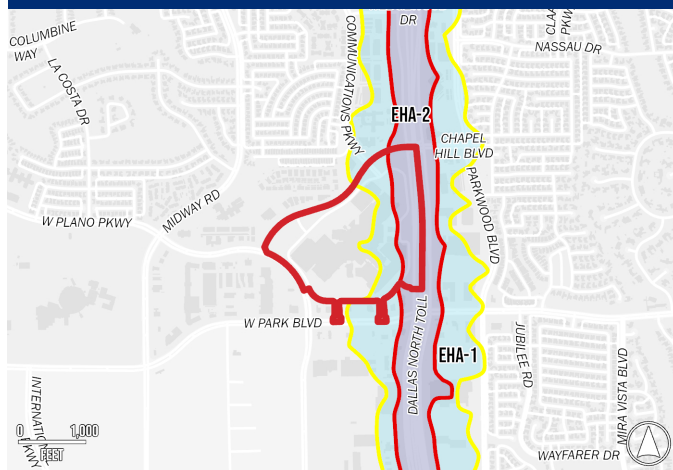
Thoroughfare Plan Map



Bicycle Transportation Plan Map



Expressway Corridor Environmental Health Map

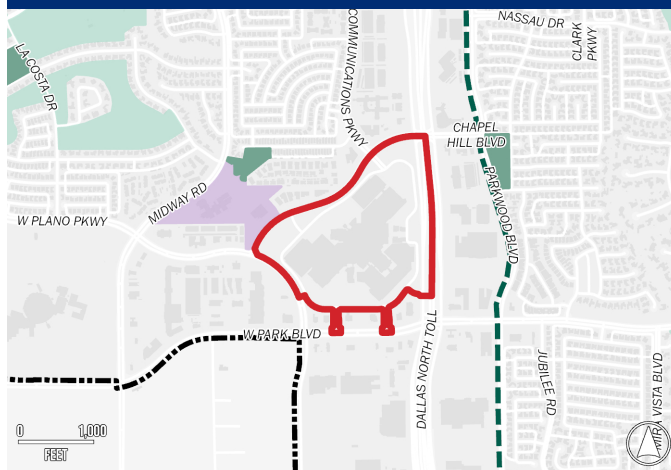


EHA-1

EHA-2

Not Applicable

Parks Master Plan Map



5 | Comprehensive Plan Policies & Actions

CORE POLICIES: The following policies are applicable to all zoning cases. No specific analysis of these policies are provided in the staff report as these serve as the fundamental basis for all staff recommendations.



Land Use: Plano will support a system of organized land use to provide housing and employment choices aligned with the market, where new and redevelopment areas respect the viability and quality of life for existing neighborhoods, businesses, and institutions.



Redevelopment & Growth Management: Plano will protect and preserve the well-established built environment of Plano and prevent overcrowding by requiring new growth and redevelopment to respect the unique development patterns, suburban character, housing needs, infrastructure capacity considerations, and fiscal constraints of our community.

LAND USE-RELATED POLICIES: The following policies are applicable on a case-by-case basis depending upon the type, location, and general nature of the request. Refer to the staff report for analysis of these policies with the respect to the proposed zoning change, where applicable.



Redevelopment of Regional Transportation Corridors: Plano will encourage reinvestment and redevelopment of identified regional transportation corridors to create cohesive developments that incorporate well-designed commercial, retail, and housing opportunities, where those uses are appropriate according to the Future Land Use Map and other related Comprehensive Plan standards.

Applicable
Not Applicable



Revitalization of Retail Shopping Centers: Plano will encourage reinvestment, revitalization, and redevelopment of underperforming neighborhood retail corners to accommodate a viable combination of local commercial, retail, and entertainment uses. Where appropriate transitions can be maintained, redevelopment may present opportunities to introduce residential uses and improve access.

Applicable
Not Applicable



Special Housing Needs: Plano will support the special housing needs of residents including seniors, people with disabilities, and low- to moderate-income households through inclusive regulations and programs and actions furthering the goals stated in the Consolidated Plan. Proposed locations for special housing needs should be afforded the same health and safety considerations as other housing.

Applicable
Not Applicable



Transit-Oriented Development: Plano will proactively encourage development within walking distance of existing and planned transit stations to create an integrated mix of uses including residential, employment, retail, and civic spaces.

Applicable
Not Applicable



Undeveloped Land: Plano will reserve its remaining undeveloped land for high quality development with distinctive character, prioritizing businesses offering skilled employment. New housing in these areas will only be considered appropriate where it is consistent with the Future Land Use Map and other related Comprehensive Plan standards.

Applicable
Not Applicable

OTHER POLICIES/DOCUMENTS: Additional policies may apply where applicable:

Envision Oak Point (2018)
Downtown Vision & Strategy Update (2019)
Spring Creekwalk Master Plan (1990)
Preservation Plano 150 (2018)

FOR RESIDENTIAL AND MIXED-USE DEVELOPMENTS ONLY: The following actions from the Redevelopment & Growth Management (RGM) Policy are applicable to requests for mixed-use developments:

RGM5: Ensure that any rezoning requests for multiuse development include:	Applicable
A) No more than 50% square footage for residential uses. Requests should also conform with other identifying elements (density, building heights, etc.) in the applicable Dashboard descriptions.	Not Applicable
B) Phasing requirements that prevent the disproportionate completion of residential uses prior to nonresidential uses within the development. Nonresidential square footage must constitute a minimum of 33% of all square footage approved for occupancy during development (e.g., every 2 square feet of residential development requires at least 1 square foot of nonresidential development; and	
C) Key design features provided prior to, or concurrent with, the construction of any residential uses. These include elements of the development supporting the long-term value to the overall community, and specifically any new residents, such as open/green space, amenities, street enhancements, and trails.	
RGM8: Limit new residential development to areas that are appropriate based on individual site considerations and consistency with the Future Land Use Map and Dashboards. Multifamily developments should also meet a housing diversification or economic development need of the city, including transit-oriented development, special housing needs (as defined by the city's Consolidated Plan), or be constructed as part of a high-rise 10 stories or greater.	Applicable Not Applicable

6 | Findings Policy

RGM1: Mix of Uses, Density, & Building Height

In accordance with the Redevelopment and Growth Management (RGM) Policy Action 1, zoning change requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are **disfavored**. Requests that do not conform to these criteria may be occasionally allowed when found:

- ▶ Consistent with the Guiding Principles of the Comprehensive Plan; and
- ▶ Substantially beneficial to the immediate neighbors, surrounding community, and general public interest.

RGM5: Mixed-Use Developments

In addition, the Redevelopment and Growth Management (RGM) Policy Action 2 requires findings when approving a mixed-use development that exceeds 50% square footage for residential uses and/or does not conform to other identifying elements (density, height, etc.) in the applicable Dashboard.

Are Findings Required?	
Yes, because the request does not comply with the Mix of Uses of the associated Dashboard.	
Yes, because the request does not comply with the Building Heights of the associated Dashboard.	
Yes, because the request does not comply with the Maximum Density of the associated Dashboard.	
Yes, because the request is inconsistent with Action RGM5 (for mixed-use developments).	
No, findings are not required.	

STAFF PRELIMINARY REPORT - CONFORMANCE TO THE COMPREHENSIVE PLAN

The proposed request has been reviewed for conformance with the Comprehensive Plan. Major factors included in the analysis are provided below, but the Comprehensive Plan Fact Sheet has more specific details about the request based on the request and associated concept plan.

Guiding Principles – This set of Guiding Principles to the Comprehensive Plan establishes overarching themes that apply to all policies and actions and express values for Plano Today, Plano 2050, and Plano Together. Since the principles do not stand alone but are used in concert with one another and carry across the Plan as a whole, each principle must be judged through a lens that incorporates all other principles to be fully and accurately understood. As such, the Commission is encouraged to review the full list of Guiding Principles and judge zoning requests through the lens of all principles.

Future Land Use Map Category & Dashboard

Future Land Use Category – The subject property is located in the [Suburban Activity Centers \(SA\)](#) category of the Future Land Use Map (FLUM). With this request, the applicant is proposing to reduce the size of the existing regional mall in an effort to transition the subject property to a destination shopping and entertainment center with an integrated mix of residential and nonresidential uses. The applicant is proposing quasi-public shared streets through portions of the site, structured and surface parking, and usable open space located both indoors and outdoors.

As mentioned further in this report, the applicant is proposing some elements that are consistent with the SA description. However, the proposal could not achieve the mix of residential uses aligned with this land use category or commit to activated open space. There are challenges with retrofitting an existing site, especially a portion of an existing development. The stipulations proposed move substantially to support the creation of a destination shopping center with a more walkable environment and mix of uses. With these items in mind, the request is generally consistent with the SA land use description.

FLUM - SA Description and Priorities		
Priorities	Creating destination shopping and entertainment centers	Meets
	Activated open space, quality building materials, and walkable streetscapes internal to the development	Meets
	Thoughtfully and cohesively planned mix of uses	Meets

Mix of Uses – The approximately 76-acre site is currently classified as *Retail Types* in the Land Use & Housing Inventory (LUHI) tool. As proposed in the associated concept plan, the request would diversify the mix of uses on the site from *Retail Types* into a mix of *Multifamily*, *Office*, and *Retail Types*, as defined by the Comprehensive Plan.

The request does not conflict with the Land Use or Employment Mix recommendations of the SA Dashboard. However, it would exceed the recommended 0-60% threshold for *Multifamily Types* in the Housing Mix. The proposed 965 units would increase the percentage of *Multifamily Types* from 0% to 100%. The SA Dashboard supports up to 60% multifamily uses, but not without additional housing

types to create an appropriate balance of residential choices. For this reason, this proposed rezoning does not meet the recommended housing mix, and findings will be required to approve the request.

FLUM – SA Mix of Uses	
Land Use Mix	Meets
Employment Mix	Meets
Housing Mix	Does Not Meet

Desirable Character Defining Elements – The request partially complies with the Character Defining Elements of the SA Dashboard, as outlined in the table below. Still, there are four notable variations from the recommendations of the Comprehensive Plan:

- **Density** – The proposed density inclusive of all phases of residential development is 95 dwelling units per acre (DUA) which exceeds the SA Dashboard recommendation of 0-50 DUA. As a result, findings will be required to approve this request.
- **Intensity** – With this request, the lot coverage would be 23.9%. Although this is less than the recommended lot coverage of 50-75%, the request increases lot coverage, bringing the overall percentage closer to the recommended range.
- **Open Space** – As proposed on the open space plan, the applicant is committing to 9.2% active open space, which is less than the 15-20% active open space recommended by the SA Dashboard. However, redevelopment is focused on a limited area of the site; the percentage of open space relative to the redevelopment area would be substantially higher.
- **Block Pattern & Streetscape** – The plan recommends a short to medium block grid, which is difficult to achieve for the site due to the remaining mall development form. The new development pattern achieves this standard; however, the existing mall does not.

FLUM – SA Desirable Character Defining Elements			
Building Height	Meets	Multimodal Access • Automobiles • Transit • Micromobility • Pedestrians	Meets Meets Meets Meets
Maximum Density	Does Not Meet		
Intensity	Does Not Meet		
Open Space	Does Not Meet		
Parking Orientation	Meets		
Block Pattern & Streetscape	Partially Meets		

Other Comprehensive Plan Maps

Thoroughfare Plan, **Bicycle Transportation Plan**, and **Parks Master Plan Map** – The proposed planned development stipulations and associated concept plan show quasi-public streets and pedestrian infrastructure, which are required to be designed in accordance with Type G (Mixed-Use) Streets as described in the City of Plano Street Design Standards. This request shows the street, bicycle, and pedestrian infrastructure consistent with the Street Design Standards. The request is in conformance with the recommendations of these maps.

Expressway Corridor Environmental Health Map – Portions of the subject site are located within Environmental Health Area One (EHA-1) and Environmental Health Area Two (EHA-2). However, the applicant is including a planned development stipulation that would require residential uses to be placed

outside of the EHA-1 and EHA-2 boundaries. Therefore, an Environmental Health Area (EHA) Site Analysis and mitigation are not required.

Other Comprehensive Plan Maps	
Thoroughfare Plan Map	Meets
Bicycle Transportation Plan Map	Meets
Parks Master Plan Map	Meets
Expressway Corridor Environmental Health Map	Meets

Policies & Actions of the Comprehensive Plan and Other Studies

Redevelopment and Growth Management Policy: Action 1 (RGM1) – This action recommends that zoning requests conform to the recommended mix of uses, density, and building heights described in the EM dashboard. According to the associated concept plan, the request does not conform to the SA Dashboard housing mix and density recommendations. Thus, the request is inconsistent with RGM1, and findings will be required to approve the request.

Redevelopment of Regional Transportation Corridors (RRTC) Policy – The policy promotes reinvestment and redevelopment in Plano's regional transportation corridors through well-planned, cohesive developments that are consistent with the Comprehensive Plan. This request furthers the goal of reinvestment in regional transportation corridors by incorporating well-designed commercial, retail, and housing opportunities and bringing new life to a retail-abundant site. This request is consistent with this policy.

Redevelopment and Growth Management Policy: Action 5A (RGM5A) – This action recommends that mixed-use projects include no more than 50% total square footage for residential uses. The applicant proposes a phasing stipulation requiring the subject property to maintain conformance with RGM5A.

Redevelopment and Growth Management Policy: Action 5B (RGM5B) – This action recommends that mixed-use development be phased so that the square footage of residential uses approved for occupancy never exceeds nonresidential uses approved for occupancy by a ratio of more than 2 to 1 (i.e., every 2 square feet of residential development requires at least 1 square foot of nonresidential development). With this request, the applicant proposes to remove nonresidential square footage and replace it with residential uses; however, the requested residential square footage will still allow for the 2 to 1 balance recommended by this policy. This request is consistent with RGM5B.

Redevelopment and Growth Management Policy: Action 5C (RGM5C) – This action recommends key design features be provided prior to or concurrent with any residential uses. These include elements of the development supporting the long-term value to the overall community, specifically any new residents, such as open/green space, amenities, street enhancements, and trails. The planned development stipulations divide the amenities into three phases, requiring open space and pedestrian-oriented streets to be provided with the corresponding phase of residential development. Some key design features, including some commercial redevelopment, are not required or may be part of the final phase of residential development. For this reason, the request may be found partly consistent with RGM5C.

Redevelopment and Growth Management Policy: Action 8 (RGM8) – This action recommends residential uses be limited to areas appropriate based on individual site considerations and the FLUM Dashboards. It also recommends multifamily uses should further the city's housing diversity or

economic development goals. Although the residential proposed is inconsistent with the SA Dashboard housing mix recommendation, it would contribute to housing diversity in the city, of which mid-rise multifamily comprises approximately 2% of the city’s existing housing stock. Additionally, the request would inject new life into a regional mall with an overabundance of dedicated retail space. With these issues in mind, staff finds that the proposal partially meets RGM8.

Findings Policy – The City Council adopted a Findings Policy requiring justification for approval of zoning cases that exceed the recommended mix of uses, maximum densities, or building heights, as recommended in the [Future Land Use Dashboards](#). This policy is intended to provide greater transparency for the public as to why approval is thought to be beneficial to immediate neighbors, the surrounding community, and the general public interest.

As mentioned previously, findings are required to approve this item due to inconsistency with the Mix of Uses, proposed density, and RGM1.

Comprehensive Plan Policy Summary Table

Policy or Study	Analysis
Future Land Use Map and Dashboards: <ul style="list-style-type: none"> • Description & Priorities • Mix of Uses • Character Defining Elements 	Meets Does Not Meet Partially Meets
Thoroughfare Plan Map Bicycle Transportation Plan Map Parks Master Plan Map Expressway Corridor Environmental Health Map	Meets Meets Meets Meets
Redevelopment of Regional Transportation Corridors Policy	Meets
Redevelopment & Growth Management Policy: <ul style="list-style-type: none"> • RGM – Action 1 • RGM – Action 5A • RGM – Action 5B • RGM – Action 5C • RGM – Action 8 	Does Not Meet Meets Meets Partially Meets Partially Meets

Adequacy of Public Facilities

Wastewater Demand Summary: Analyzing the city’s existing gravity wastewater mains, the increase in sewer demand with the proposed land uses indicates substantial additional offsite wastewater improvements are required to meet the demand flows for the property.

Water Demand Summary: It has been determined, through analysis of the city’s existing water distribution system, that the proposed development can be supported during the existing maximum daily demand conditions and during fire flow demands.

Traffic Impact Analysis (TIA) – A TIA was provided with the request that estimates the redevelopment will generate approximately 1,900 new weekday AM peak hour trips and 1,797 new weekday PM peak hour trips at buildout. Based on the TIA results, the following improvements to the surrounding roadway network will be required:

- Construction of an eastbound right-turn lane from Chapel Hill Boulevard to serve Mall Road C.
- Construction of an eastbound right-turn lane from Chapel Hill Boulevard to serve the North Drive.
- Construction of a westbound left-turn lane from Chapel Hill Boulevard to serve the North Drive.

Additionally, timing adjustments for the intersection of Chapel Hill Boulevard and Dallas Parkway based on recommendations of the TIA will also be considered by the City of Plano at a future date. The TIA concluded the redevelopment could be successfully incorporated into the surrounding roadway networks.

School Capacity – Plano Independent School District has provided a letter regarding school capacity, which staff has included.

Public Safety Response Time – Based on existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site. Residential units in this area will increase EMS and fire calls for service, and may impact future staffing levels and the type of equipment assigned to area fire stations.

Access to and Availability of Amenities and Services

Parks: The subject property is located within Park Fee Service Area 13. Private open space will be provided to serve residents within the subject property per the planned development standards and open space plan.

Libraries: The subject property is within the Parr Library's service area, and service to future residents would be possible with the current library resources.



P L A N O
Independent School District

November 1, 2023

Raha Pouladi
Lead Planner
1520 K Avenue, 2nd Floor
Suite 250, Plano, Texas 75074

RE: Property located along the west side of the Dallas North Tollway and Park Blvd, Plano

Dear Raha,

You have inquired as to the capacities and enrollment projections for the schools impacted by a potential development property located on the west side of the Dallas North Tollway and Park Blvd, Plano

The following table provides both enrollment and capacity figures.


School	2022/23 Enrollment	2023/24 Enrollment (Projected)	2024/25 Enrollment (Projected)	2025/26 Enrollment (Projected)	2026/27 Enrollment (Projected)	Functional Capacity	Program Capacity
Brinker ES	595	580	554	548	525	653	768
Renner MS	1,1215	1,207	1,176	1,121	1,130	1,162	1,367
Shepton HS	1,400	1,362	1,364	1,340	1,335	1,765	2,077
Plano West Senior HS	2,627	2,508	2,458	2,437	2,455	2,632	3,097

The enrollment figures are derived from our most recent demographer's report. The 2022/2023 column represents actual enrollment as of October 2022. All other enrollment figures are projected and are based on City zoning as it existed in the Fall of 2022. The impact of any zoning changes since that time (including this requested rezoning) are not yet factored into the projections. Our Demographer will be updating the 2023-2024 enrollment figures and projections by December 2023.

Program capacity figures are based on current building floor plans, and the application of the District's maximum class size to every standard classroom. 22 students max for Kindergarten and Grades 1 through 4, 26 max for Grade 5, and 28 max at the Secondary level.

Functional capacity figures recognize there will always be inherent/uncontrollable inefficiencies in classroom utilization. For instance, as mentioned above, the District limits class sizes in kindergarten through grade 4 to a maximum of 22 students. If a building has three first grade classrooms, it can accommodate up to 66 students (Program Capacity). However, if only 54 students are enrolled in first grade, each class will actually only serve 18 students. The additional capacity of 12 students (66-54) is not utilized as it is not available to other grades or other campuses. In recognition of this variable, the functional capacity is calculated at 85% of the program capacity.

Sincerely,


Johnny W. Hill, CPA
Deputy Superintendent of Business & Employee Services
Plano ISD

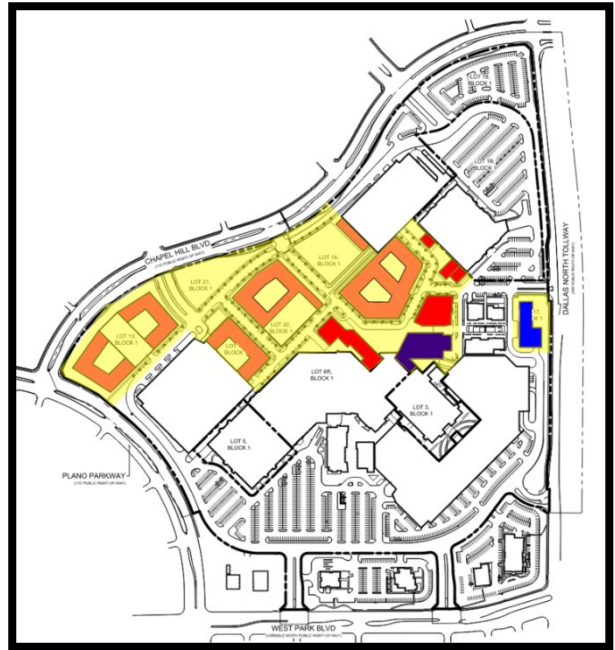
2700 W. 15th Street
Plano, Texas 75075
469-752-811

STAFF PRELIMINARY REPORT - ANALYSIS & RECOMMENDATION

The associated concept plan shows that the applicant intends to demolish 530,000 square feet of the existing shopping mall, including the food court and much of the northern wing. The remaining 400,000 square feet of the mall will be maintained, in addition to three large department store buildings (currently occupied by Macy's, Dillard's, and Neiman Marcus), two smaller retail buildings (currently occupied by Crate & Barrel and Equinox), the restaurant area currently branded as "The District," and the three large parking structures.

The scope of new development (shown in yellow to the right) will include:

- An 18-story hotel (blue)
- A 7-story building with six floors of office above ground floor retail (purple)
- Four 1- to 2-story retail buildings (red)
- Four 5-story mid-rise residential buildings and one 3-story multifamily building (orange)
- A new, quasi-public street system
- 10.2 acres of usable open space



Uses – Permitted uses will include those within the base RC district, with the addition of independent living facilities, mid-rise residential, and multifamily, and the prohibition of Small Engine Repair Shop, Funeral Parlor/Mortuary, Light-intensity Manufacturing, Mausoleum/Cemetery, and Vehicle Repair (Minor/Fueling Station). Additionally, Private Clubs would be permitted by right, with a restriction to maintain receipts, rather than with approval of a Specific Use Permit.

Additional Permitted Uses	<ul style="list-style-type: none"> • Independent Living Facility • Mid-rise Residential • Multifamily Residence • Private Club
Additional Prohibited Uses	<ul style="list-style-type: none"> • Small Engine Repair Shop • Funeral Parlor/Mortuary • Light-intensity Manufacturing • Mausoleum/Cemetery • Minor Vehicle Repair

Housing Units – Proposed PD stipulations would allow up to 957 mid-rise residential or independent living facility units and 40 multifamily residence units, but limited to a combined total of no more than 965 housing units. As shown in the associated concept plan, these would be distributed among four 5-story buildings and one 3-story building. PD stipulations also include phasing requirements that limit issuing Certificates of Occupancy until specified amounts of open space are provided, including a provision that all new usable open space be provided before final phases of residential are completed.

While housing is necessary to support a mixed-use redevelopment, staff recommended the applicant also consider providing single-family homes in their proposed housing mix to provide a more balanced variety of housing options aligned with comprehensive plan recommendations. The applicant could not make this work effectively but has instead proposed adding the 40 multifamily units in a 3-story building that will resemble townhomes from the street. Each unit will include a porch or stoop and be oriented to the front on usable open space (Lot 14, as proposed in the concept plan).

Open Space and Phasing – PD stipulations require a minimum of 10 acres of usable (active) open space, of which 7 acres should be accessible to the public. Of the 10.2 acres shown on the concept plan, approximately 4.8 acres are new open space, and 5.4 acres are existing. Of note, existing open space includes 2.4 acres of indoor space that will be maintained in the mall’s central walkways (both ground and second floor) that mall customers often use for health and recreational purposes. An open space plan subdividing the property into four distinct zones will be adopted as part of the ordinance to establish the required open space areas and acreages.

Zone	Units	Open Space
A	n/a	0.9 ac
B	661	4.2 ac
C	304	1.3 ac
D	n/a	3.8 ac
Total	965	10.2 ac

The zones on the open space plan will also be utilized for phasing purposes, with PD stipulations restricting the occupation of residential buildings in three distinct phases:

- Phase 1 (Zone C): According to the applicant, the first residential phase will include 304 mid-rise residential units on Lot 13 of the concept plan. These units shall not be issued a Certificate of Occupancy until the 0.78-acre public open space area denoted as C-1 and the 0.51 acres of private open space on the open space plan are constructed.
- Phase 2 (Zone B): The second phase of residential units will include either the 357 units in Lots 19 and 20 or the 304 units on Lot 15. PD stipulations have been designed to allow either option, with up to 360 units dependent upon the construction of the 1.05-acre open space area shown as B-1 on the open space plan. Depending on the option selected, 0.57 acres or 0.42 acres of private open space will also be required.
- Phase 3 (Zone B): The final residential phase, likely between 304 and 357 units, depending on Phase 2, will be contingent upon constructing the remaining open space in Zone B of the open space plan. The maximum amount of remaining open space required per the plan would be 1.98 acres of public open space and 0.57 acres of private open space; however, some of this may be constructed in prior phases as a matter of practicality.

These stipulations will ensure that all new open space areas shown on the open space plan will be provided prior to the completion of residential development. The open space plan provided equates to approximately 385 square feet of public open space per dwelling unit. Staff supports this request, as that ratio is higher than the average for mixed-use districts in Plano.

Building Height – The existing RC zoning allows up to 20 stories or 325 feet in height, with additional limitations in proximity to residential zoning districts. At the request of staff, the applicant agreed to reduce permitted height allowances to five stories in excess of 725 feet from Dallas Parkway. The existing 20-story height would remain up to this limit. This restriction is intended to help meet the height recommendations of the comprehensive plan while still allowing the 18-story hotel and 7-story office/retail building proposed in the concept plan.

Setbacks – The RC district requires a 50-foot front yard setback. Proposed PD stipulations would maintain this setback from all public streets, with the following exceptions:

Setbacks	Lot	Land Use	Location/Frontage
40 feet	Lot 13	Mid-rise Residential	NE Corner of Chapel Hill Blvd. and Plano Pkwy.
30 feet	Lot 17	Hotel	Dallas Parkway

Setbacks from quasi-public streets will be similar to the Urban Mixed-Use (UMU) District, requiring 75% of the building to be within 15 feet of the outside edge of the quasi-public street easement.

At approximately 90 acres in size, there is adequate space to meet existing setbacks along major perimeter roadways. Staff encouraged the applicant to comply with the existing setbacks along Chapel Hill and Plano Parkway for consistent character with adjacent properties. The applicant agreed to this request, with the exception of Lot 13. The applicant originally proposed a 30-foot setback for this lot but agreed to increase the setback to 40 feet to preserve existing mature trees along the street frontage. Staff finds the proposed setbacks acceptable for meeting the applicant's vision for greater intensity and walkability internal to the development while maintaining adequate transitions to adjacent properties.

EHA Setback – The subject property includes portions within the EHA-1 and EHA-2 boundaries of the Expressway Corridor Environmental Health Map. Proposed PD stipulations require any residential uses to be located outside the limits of the EHA zones, therefore, no noise study or mitigation measures were required for this site.

Streets/Streetscapes – A private, internal ring road system currently serves the site. Much of this system will be maintained around the eastern and southern sides of the property; however, the applicant proposes constructing new quasi-public streets internal to the development. These streets will be designed in accordance with the mixed-use cross-sections of the recently adopted Street Design Standards, including on-street parking, seven-foot sidewalks, and street trees. These streets foster a walkable, urban streetscape serving the new residential and retail areas.

Design Standards – PD stipulations, including building and parking structure design, that are intended to promote architectural interest. These include requirements for articulation, stoops and patios, windows and glazing, balconies, and screening. Of particular interest is that the applicant agreed to provide full-size balconies on at least 40% of the residential units.

Enhanced Crosswalk on Chapel Hill Boulevard – The applicant is proposing to provide an enhanced crosswalk on Chapel Hill, with the final design to be approved by the Director of Engineering.

Private Clubs – Private Clubs are currently permitted within the RC district with approval of a Specific Use Permit (SUP). Three private club SUPs exist on this property, including S-434, S-444, S-448, and S-56. Approval of the request would permit private clubs by right and rescind the three remaining SUPs. PD stipulations include a requirement that private clubs maintain receipts for compliance with food-to-beverage ratios of the City Code of Ordinances, as was recently stipulated on S-56 in 2023.

FAA Boundary – The subject property is located within the Federal Aviation Administration's (FAA) 10,000 buffer surrounding Air Park-Dallas, located in Carrollton. The Air Park-Dallas runway is approximately 1,000 feet southwest of the nearest part of this request. Notification to the Air Park-Dallas airport and an issuance of favorable determination from the FAA will be required prior to site plan approval in accordance with Article 15.600 of the Zoning Ordinance.

SUMMARY:

The applicant is requesting to rezone from Regional Commercial (RC) to Planned Development-Regional Commercial (PD-RC) to allow for partial redevelopment of The Shops at Willow Bend regional shopping mall. As shown in the associated concept plan, redevelopment plans include partial demolition of the mall building and construction of new uses, including hotel, office, retail, mid-rise residential, independent living facility, and multifamily. PD stipulations would create an internal quasi-public street network, modify development standards to encourage walkable pedestrian streetscapes, and require new open space to be provided with residential development.

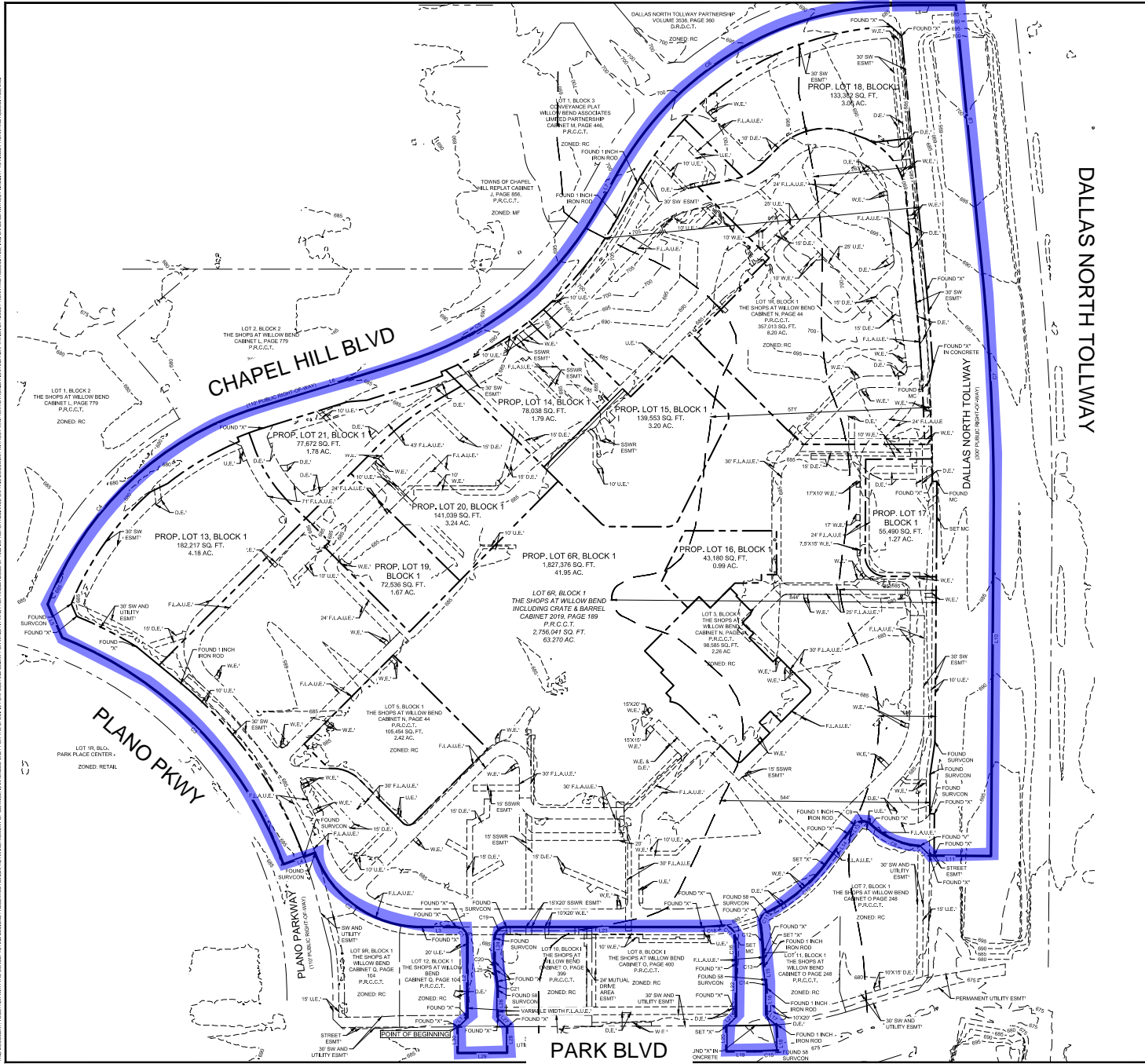
The subject property is located within a Suburban Activity Center of the Comprehensive Plan, intended to encourage the transition of traditional commercial centers to destination shopping and entertainment areas with an integrated mix of uses and a highly walkable form and design. This request is aligned with the purpose of the SA designation and partially conforms to the description and desirable character-defining elements of the SA Dashboard. However, the request lacks conformance with the recommendations for mix of uses, density, and open space.

Redevelopment of the mall is needed. The applicant's concept plan includes many design features and amenities that support this goal; however, the requested mix of residential uses are inconsistent with the recommendations of the Comprehensive Plan. Findings are required to approve the request.

RECOMMENDATION:

This request is disfavored under the Comprehensive Plan. The Planning & Zoning Commission may occasionally allow proposals that do not strictly conform to the plan's standards if the request is found consistent with the Guiding Principles of the Comprehensive Plan and substantially beneficial to the immediate neighbors, surrounding community, and general public interest.

THIS DOCUMENT IS THE PROPERTY OF KIMLEY-HORN AND ASSOCIATES, INC. (KHA) AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KHA. KHA SHALL BE WITHOUT LIABILITY TO KHA FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREIN. KHA SHALL BE WITHOUT LIABILITY TO KHA FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREIN.



LEGEND

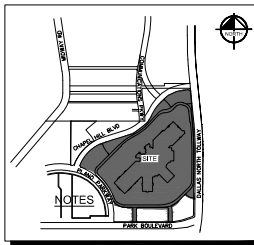
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- ZONING BOUNDARY LINE
- EHA SETBACK LINE
- EXISTING EASEMENT
- EBM --- EXISTING CONTOURS

GRAPHIC SCALE IN FEET

0 60 120 240

SCALE: 1"=120' ON 24"X36"

NORTH



- NOTES**
1. ALL EASEMENTS SHOWN ARE EXISTING AND ARE RECORDED IN CABINET N, SLIDE 44, P.S.C.C.T. UNLESS OTHERWISE NOTED.
 2. APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT BE A PRECONDITION FOR THE APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS, PLANNING & ZONING COMMISSION, AND/OR CITY COUNCIL ACTION ON STUDIES, PLANS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

LEGEND

- W.E. WATER EASEMENT
- D.E. DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT
- F.L.A.U.E. FIRE LINE, ACCESS & UTILITY EASEMENT

CITY PROJECT #ZC2023-005

ZONING EXHIBIT

OR
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1

89.081 AC

SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: DECEMBER 15, 2023

OWNER/DEVELOPER:
THE NEIMAN MARCUS GROUP LLC
10101 Main Street
Dallas, Texas 75201
Tel. No. 214-245-0333
Contact: Michael D. Litwin

GENERAL WATERFALL:
WILLOW BEND, LLC
8700 Central Expressway, Suite 1740
Dallas, Texas 75201
Tel. No. 214-245-0333
Contact: Michael Plat

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13555 Rock Road
Two-Gate Office Tower, Suite 700
Dallas, Texas 75221
Tel. No. 972-734-1300
Contact: Sarah Scott, P.E.

DELLARD HORSE OPERATING LTD:
PS & MERSCO REALTY CO INC
4501 N Beach Street
Ft. Worth, Texas 76137
Tel. No. -
Contact: Charles P. Dizon

PROJECT No. 084475601		DATE: DEC 2023	SCALE: AS SHOWN	DESIGNED BY: KHA	DRAWN BY: KHA	CHECKED BY: SES
THE SHOPS AT WILLOW BEND PLANO, TX						
ZONING EXHIBIT						
SHEET NUMBER 1 OF 2						

Kimley»Horn

13555 ROCK ROAD, TWO GATE OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75221
PHONE: 972.734.1300 FAX: 972.235.3820
TEXAS REGISTERED ENGINEERING FIRM #208

DATE: 12/15/23

1. THESE PLANS HAVE BEEN PREPARED BY THE ENGINEER AND ASSOCIATES, INC. FOR THE PROJECT AND THE ENGINEER AND ASSOCIATES, INC. DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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10. THESE PLANS HAVE BEEN PREPARED BY THE ENGINEER AND ASSOCIATES, INC. FOR THE PROJECT AND THE ENGINEER AND ASSOCIATES, INC. DOES NOT WARRANT THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

BEING A TRACT OF LAND SITUATED IN THE ROBERT LUDINGTON SURVEY, ABSTRACT NUMBER 946, CITY OF PLANO, COLLIN COUNTY, TEXAS, AND BEING ALL OF LOT 1R, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE CITY OF PLANO TEXAS RECORDS IN INSTRUMENT NO. 2014-112, PLAT RECORDS OF COLLIN COUNTY, TEXAS, (P.A.C.C.T.), AND BEING DESCRIBED IN THE LIMITED WARRANTY DEED TO DELAROS HORSE OPERATING LIMITED PARTNERSHIP RECORDED IN INSTRUMENT NO. 2008011000486, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, (O.P.R.C.C.T.), ALL OF LOT 6R, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE CITY OF PLANO TEXAS RECORDS IN INSTRUMENT NO. 2014-189, P.A.C.C.T., AND ALL OF LOT 3, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE CITY OF PLANO TEXAS RECORDS IN CABINET N, PAGE 4, P.A.C.C.T., BOTH LOTS DESCRIBED IN THE SPECIAL WARRANTY DEED TO CENTRAL WATERFALL WILLOW BEND, LLC RECORDED IN INSTRUMENT NUMBER 20200007084, O.P.R.C.C.T., AND BEING ALL OF LOT 8, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE CITY OF PLANO TEXAS RECORDS IN CABINET N, PAGE 438, P.A.C.C.T., AND BEING A PORTION OF PARK BOULEVARD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY), PLANO PARKWAY (A CALLED TRAIL) AND BEING A PORTION OF PARK BOULEVARD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY), VOLUME 3816, PAGE 264, DEED RECORDS OF COLLIN COUNTY, TEXAS, (D.A.C.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY SOUTHEAST CORNER OF LOT 12, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET Q, PAGE 104, SAME BEING MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 6R, BLOCK 1 AND BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PARK BOULEVARD;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE, WITH THE COMMON LINE OF SAID LOTS 12 AND 6R, THE FOLLOWING CALLS:

NORTH 45°00'00" EAST, A DISTANCE OF 35.35 FEET;

NORTH 80°00'00" EAST, A DISTANCE OF 255.27 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 26.50 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD BEARING AND DISTANCE OF NORTH 40°00'00" WEST, 41.22 FEET;

IN A NORTHEASTERLY DIRECTION, WITH SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 46.34 FEET;

NORTH 90°00'00" WEST, A DISTANCE OF 60.23 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 265.50 FEET, A CENTRAL ANGLE OF 89°43'00", AND A CHORD BEARING AND DISTANCE OF NORTH 05°05'00" WEST, 338.10 FEET;

IN A NORTHWESTERLY DIRECTION, WITH SAID TANGENT CURVE TO THE RIGHT, PASSING AT AN ARC DISTANCE OF 54.64 FEET THE NORTHWEST CORNER OF SAID LOT 32, BLOCK 1, SAME BEING THE NORTHEAST CORNER OF LOT 8R, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET Q, PAGE 104, P.A.C.C.T., CONTINUING ALONG THE COMMON LINE OF SAID LOT 6R, BLOCK 1 AND LOT 8R, BLOCK 1, FOR A TOTAL ARC DISTANCE OF 358.66 FEET;

THENCE SOUTH 68°47'30" WEST, CONTINUING WITH THE COMMON LINE OF SAID LOT 6R AND LOT 8R, PASSING AT A DISTANCE OF 31.68 FEET THE NORTHWEST CORNER OF SAID LOT 8R, AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID PLANO PARKWAY, CONTINUING OVER AND ACROSS SAID PLANO PARKWAY RIGHT-OF-WAY FOR A TOTAL DISTANCE OF 88.66 FEET TO THE CENTERLINE OF SAID PLANO PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1,059.84 FEET, A CENTRAL ANGLE OF 48°02'00", AND A CHORD BEARING AND DISTANCE OF NORTH 44°18'51" WEST, 824.71 FEET;

THENCE WITH THE CENTERLINE OF SAID PLANO PARKWAY, THE FOLLOWING CALLS:

IN A NORTHWESTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 845.54 FEET;

NORTH 23°30'56" WEST, A DISTANCE OF 54.88 FEET TO THE CENTERLINE OF SAID CHAPEL HILL BOULEVARD, SAME BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 850.00 FEET, A CENTRAL ANGLE OF 92°02'00", AND A CHORD BEARING AND DISTANCE OF NORTH 48°12'48" EAST, 748.00 FEET;

THENCE WITH THE CENTERLINE OF SAID CHAPEL HILL BOULEVARD, THE FOLLOWING CALLS:

IN A NORTHWESTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 772.29 FEET;

NORTH 72°44'00" EAST, A DISTANCE OF 439.26 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 850.00 FEET, A CENTRAL ANGLE OF 43°02'00", AND A CHORD BEARING AND DISTANCE OF NORTH 59°58'50" EAST, 636.10 FEET;

IN A NORTHEASTERLY DIRECTION, WITH SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 545.67 FEET;

NORTH 29°22'59" EAST, A DISTANCE OF 16.25 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 850.00 FEET, A CENTRAL ANGLE OF 89°43'00", AND A CHORD BEARING AND DISTANCE OF NORTH 05°05'00" WEST, 850.00 FEET;

IN A NORTHEASTERLY DIRECTION, WITH SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 801.18 FEET;

NORTH 89°57'23" EAST, A DISTANCE OF 138.50 FEET TO THE CENTERLINE OF SAID DALLAS NORTH TOLLWAY;

THENCE WITH THE CENTERLINE OF SAID DALLAS NORTH TOLLWAY, THE FOLLOWING CALLS:

SOUTH 02°35'52" WEST, A DISTANCE OF 605.08 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 6,071.02 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD BEARING AND DISTANCE OF SOUTH 03°00'00" EAST, 753.37 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 733.42 FEET;

SOUTH 00°27'54" WEST, A DISTANCE OF 862.30 FEET;

THENCE NORTH 89°32'00" WEST, OVER AND ACROSS SAID DALLAS NORTH TOLLWAY AND SAID DALLAS PARKWAY PASSING AT A DISTANCE OF 150 FEET THE SOUTHEAST CORNER OF SAID LOT 6R, BLOCK 1 IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID DALLAS PARKWAY, CONTINUING ALONG THE SOUTH LINE OF SAID LOT 6R FOR A TOTAL DISTANCE OF 191.29 FEET TO THE NORTHEAST CORNER OF LOT 7, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET Q, PAGE 248, P.A.C.C.T.,

THENCE ALONG THE COMMON LINE OF SAID LOT 6R AND LOTS 7 AND 11, BLOCK 1 OF SAID SHOPS AT WILLOW BEND, THE FOLLOWING CALLS:

NORTH 44°36'34" WEST, A DISTANCE OF 36.17 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 40°17'54", AND A CHORD BEARING AND DISTANCE OF NORTH 69°08'30" WEST, 137.79 FEET;

IN A NORTHWESTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 140.67 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 25.50 FEET, A CENTRAL ANGLE OF 85°51'50", AND A CHORD BEARING AND DISTANCE OF SOUTH 89°04'46" WEST, 45.10 FEET;

IN A WESTERLY DIRECTION, WITH SAID REVERSE CURVE TO THE LEFT, AN ARC DISTANCE OF 48.32 FEET;

SOUTH 38°20'55" WEST, A DISTANCE OF 36.60 FEET;

SOUTH 36°32'29" WEST, A DISTANCE OF 100.35 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 400.50 FEET, A CENTRAL ANGLE OF 28°13'30", AND A CHORD BEARING AND DISTANCE OF SOUTH 03°38'18" WEST, 195.09 FEET;

IN A SOUTHWESTERLY DIRECTION, WITH SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 187.08 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF 73°02'46", AND A CHORD BEARING AND DISTANCE OF SOUTH 00°12'58" WEST, 35.11 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID REVERSE CURVE TO THE LEFT, AN ARC DISTANCE OF 27.61 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 705.50 FEET, A CENTRAL ANGLE OF 07°23'27", AND A CHORD BEARING AND DISTANCE OF SOUTH 04°33'27" EAST, 91.34 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID REVERSE CURVE TO THE RIGHT, AN ARC DISTANCE OF 91.41 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 18.50 FEET, A CENTRAL ANGLE OF 07°12'57", AND A CHORD BEARING AND DISTANCE OF SOUTH 04°13'11" EAST, 18.02 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID REVERSE CURVE TO THE LEFT, AN ARC DISTANCE OF 19.03 FEET;

SOUTH 08°10'18" EAST, A DISTANCE OF 15.56 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 185.50 FEET, A CENTRAL ANGLE OF 98°10'18", AND A CHORD BEARING AND DISTANCE OF SOUTH 04°09'59" EAST, 21.46 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 21.46 FEET;

SOUTH 09°00'00" EAST, A DISTANCE OF 76.33 FEET;

SOUTH 47°09'00" EAST, A DISTANCE OF 36.42 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PARK BOULEVARD;

THENCE SOUTH 02°58'47" EAST, OVER AND ACROSS SAID PARK BOULEVARD, A DISTANCE OF 66.84 FEET TO THE CENTERLINE OF SAID PARK BOULEVARD AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 838.58 FEET, A CENTRAL ANGLE OF 94°09'01", AND A CHORD BEARING AND DISTANCE OF SOUTH 87°40'25" WEST, 85.57 FEET;

THENCE WITH THE CENTERLINE OF SAID PARK BOULEVARD, THE FOLLOWING CALLS:

IN A WESTERLY DIRECTION, WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 60.11 FEET;

SOUTH 89°44'55" WEST, A DISTANCE OF 74.31 FEET;

THENCE NORTH 09°02'42" WEST, OVER AND ACROSS SAID PARK BOULEVARD, A DISTANCE OF 67.21 FEET TO THE MOST SOUTHERLY SOUTHEAST CORNER OF LOT 8, BLOCK 1 OF THE SHOPS AT WILLOW BEND, AN ADDITION TO THE CITY OF PLANO, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET Q, PAGE 400, P.A.C.C.T., AND BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PARK BOULEVARD;

THENCE WITH THE COMMON LINE OF SAID LOT 8R, BLOCK 1, AND LOTS 8 AND 10, BLOCK 1 OF SAID SHOPS AT WILLOW BEND, THE FOLLOWING CALLS:

NORTH 44°02'28" EAST, A DISTANCE OF 35.28 FEET;

NORTH 03°00'00" EAST, A DISTANCE OF 137.65 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 634.50 FEET, A CENTRAL ANGLE OF 90°23'00", AND A CHORD BEARING AND DISTANCE OF NORTH 03°16'00" WEST, 723.31 FEET;

IN A NORTHERLY DIRECTION, WITH SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 72.35 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT WITH A RADIUS OF 26.50 FEET, A CENTRAL ANGLE OF 91°07'28", AND A CHORD BEARING AND DISTANCE OF NORTH 02°04'44" WEST, 42.31 FEET;

IN A NORTHWESTERLY DIRECTION, WITH SAID COMPOUND CURVE TO THE LEFT, AN ARC DISTANCE OF 48.92 FEET TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 40.50 FEET, A CENTRAL ANGLE OF 07°06'00", AND A CHORD BEARING AND DISTANCE OF SOUTH 89°17'16" WEST, 53.49 FEET;

IN A WESTERLY DIRECTION, WITH SAID REVERSE CURVE TO THE RIGHT, AN ARC DISTANCE OF 53.53 FEET;

NORTH 80°00'00" WEST, A DISTANCE OF 50.14 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 26.50 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD BEARING AND DISTANCE OF SOUTH 40°00'00" WEST, 41.22 FEET;

SOUTH 00°00'00" EAST, A DISTANCE OF 54.88 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 145.50 FEET, A CENTRAL ANGLE OF 90°43'45", AND A CHORD BEARING AND DISTANCE OF SOUTH 04°07'59" EAST, 22.75 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 22.75 FEET;

SOUTH 88°43'45" EAST, A DISTANCE OF 39.82 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 150.50 FEET, A CENTRAL ANGLE OF 88°43'45", AND A CHORD BEARING AND DISTANCE OF SOUTH 04°12'52" EAST, 22.81 FEET;

IN A SOUTHERLY DIRECTION, WITH SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 22.81 FEET TO A POINT FOR CORNER;

IN A SOUTHERLY DIRECTION, WITH SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 22.81 FEET TO A POINT FOR CORNER;

SOUTH 00°00'00" EAST, A DISTANCE OF 70.02 FEET;

SOUTH 45°07'32" EAST, A DISTANCE OF 35.43 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PARK BOULEVARD;

THENCE SOUTH 00°00'42" EAST, OVER AND ACROSS SAID PARK BOULEVARD, A DISTANCE OF 68.04 FEET TO THE CENTERLINE OF SAID PARK BOULEVARD;

THENCE SOUTH 89°44'55" WEST, WITH THE CENTERLINE OF SAID PARK BOULEVARD, A DISTANCE OF 125.11 FEET;

THENCE NORTH 09°02'42" WEST, OVER AND ACROSS SAID PARK BOULEVARD, A DISTANCE OF 68.04 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A COMPUTED AREA OF 3,880.348 SQUARE FEET OR 88.081 ACRES OF LAND, MORE OR LESS.

NOTES:

BEARINGS BASED ON THE FINAL RE-PLAT OF THE SHOPS AT WILLOW BEND AS RECORDED IN VOLUME 2011, PAGE 41, P.A.C.C.T.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §136.36, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFORMATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

LINE TABLE

NO.	BEARING	LENGTH
L1	N44°00'00"E	35.35
L2	N00°00'00"E	186.79
L3	N60°00'00"W	60.23
L4	S89°47'30"W	86.66
L5	N23°30'56"W	54.88
L6	N72°44'00"E	439.26
L7	N09°58'50"E	636.10
L8	N69°57'23"E	138.50
L9	S02°35'52"W	805.09
L10	S02°22'59"W	862.30
L11	N89°32'00"W	161.99
L12	N44°36'34"W	36.17
L13	S38°20'55"W	28.60
L14	S38°32'29"W	100.35
L15	S08°10'18"W	35.97
L16	S09°00'00"W	76.33
L17	S47°09'00"E	36.42
L18	S02°58'47"W	66.84
L19	S89°44'55"W	74.31
L20	N00°00'42"E	87.01
L21	N44°52'08"E	35.39
L22	N60°00'00"E	137.65
L23	N60°00'00"W	508.74
L24	S00°00'00"E	56.87
L25	S08°40'25"E	85.57
L26	S09°00'00"E	10.02
L27	S40°07'52"E	35.43
L28	S00°00'42"E	68.04
L29	S89°44'55"W	125.11
L30	N00°00'42"W	68.04

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	90°00'00"	26.50	46.34	N40°00'00"W	41.72
C2	89°47'30"	265.50	336.60	N05°00'15"W	338.10
C3	48°12'04"	1059.84	845.54	N44°18'51"W	824.71
C4	32°07'28"	850.00	772.29	N48°42'16"E	748.00
C5	43°31'21"	850.00	645.67	N59°20'20"E	636.28
C6	60°44'45"	850.00	901.18	N69°35'01"E	868.56
C7	9°58'18"	4071.02	733.42	S03°00'51"E	732.97
C8	40°17'54"	250.00	140.67	N68°00'15"W	137.79
C9	50°01'03"	26.50	45.32	S00°04'48"W	43.10
C10	28°11'38"	400.50	197.08	S03°38'18"W	195.09
C11	73°02'46"	29.50	37.61	S04°12'58"W	35.11
C12	7°23'27"	705.00	91.41	S04°33'27"E	91.34
C13	7°17'57"	145.50	19.03	S04°13'11"E	19.02
C14	8°10'18"	155.50	21.46	S04°09'09"E	21.45
C15	4°09'01"	635.58	60.17	S87°40'25"W	60.15
C16	8°32'00"	634.50	72.35	N03°00'00"W	72.31
C17	9°10'28"	29.50	46.87	N02°04'44"W	42.19
C18	7°32'28"	400.50	53.53	S89°10'18"W	53.49
C19	90°00'00"	26.50	46.34	S40°00'00"W	41.72
C20	8°43'45"	148.50	22.78	S04°12'52"E	22.75
C21	8°43'45"	150.50	22.83	S04°12'52"E	22.81

CITY PROJECT #ZC2023-005

ZONING EXHIBIT

or
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1

89.081 AC

SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: DECEMBER 15, 2023

OWNER/DEVELOPER: THE NEIMAN MARCUS GROUP LLC 1010 Main Street Dallas, Texas 75201 Tel. No. 214-642-3333 Contact: Michael P. Lavin	CIVIL ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13455 Noel Road Two-Edwards Office Tower, Suite 700 Dallas, Texas 75251 Tel. No. 972-754-1300 Contact: Sarah Scott, P.E.
MAJOR RETAIL: HOLCOMB LLC 145 Progress Pk Springfield, Ohio 45346 Tel. No. - Contact: Charles P. D'Onofrio	DELLARD HORSE OPERATING LTD P.O. BOX 100 4501 N Beach Street Fort Worth, Texas 76137 Tel. No. - Contact: Chris B. Johnson

SHEET NUMBER
2 OF 2

ZONING EXHIBIT

THE SHOPS AT WILLOW BEND
PLANO, TX

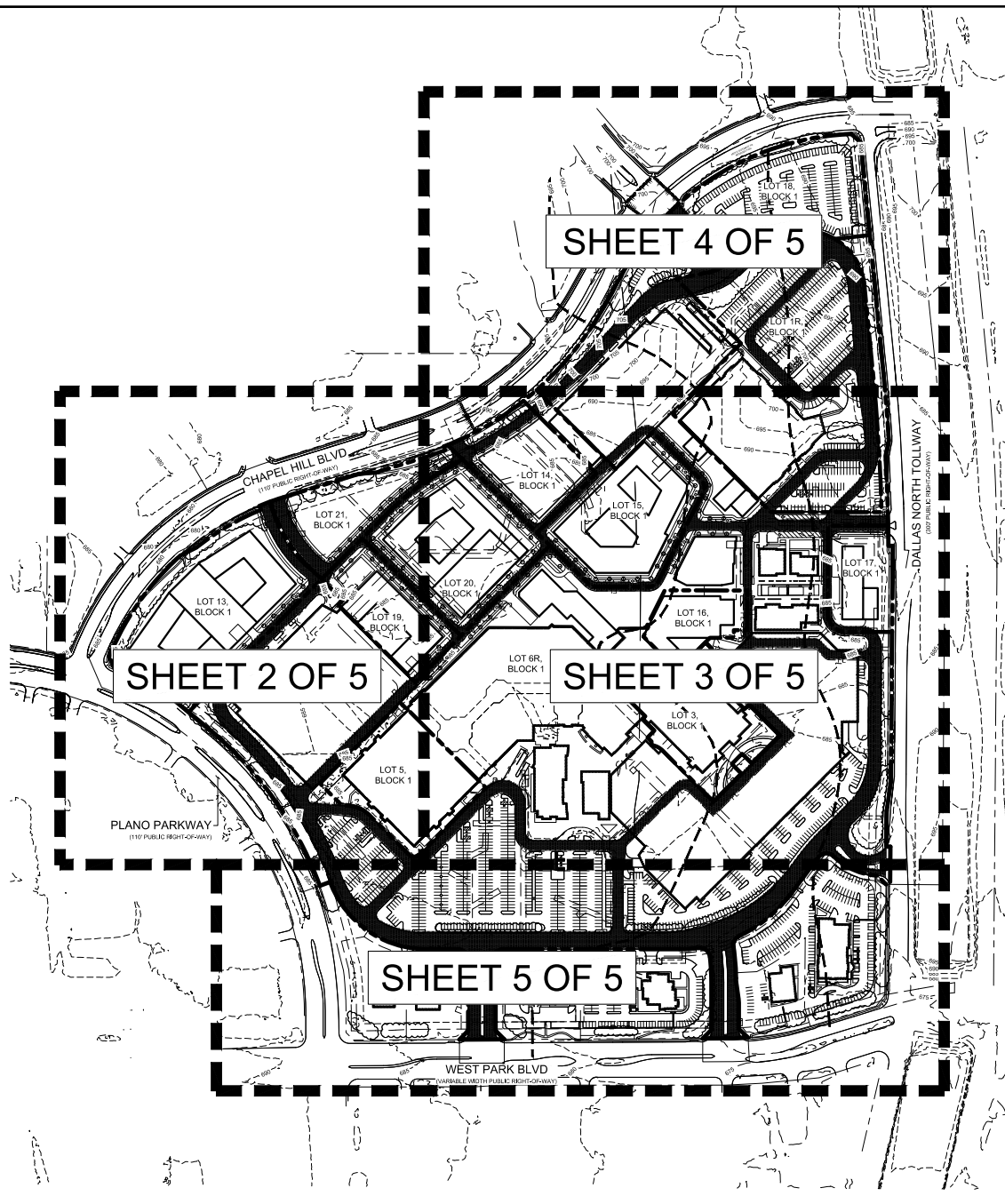
PROJECT NO.
084475601
DATE:
DEC 2023
SCALE:
AS SHOWN
DESIGNED BY:
MMH
DRAWN BY:
MMH
CHECKED BY:
SES

Kimley»Horn

13455 NOEL ROAD, TWO EDWARDS OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75251
PHONE: 972-754-1300 FAX: 972-754-3303
TEXAS REGISTERED ENGINEERING FIRM #208

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THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF KIMLEY-HORN AND ASSOCIATES, INC. AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF KIMLEY-HORN AND ASSOCIATES, INC. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

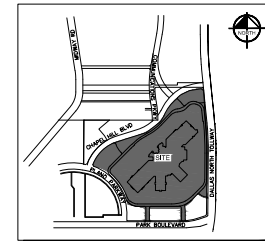


LEGEND

- PROPERTY LINE
- EVA SETBACK LINE
- RESIDENTIAL HEIGHT
- SUTTER LINE



GRAPHIC SCALE IN FEET
0 75 150 300
SCALE: 1" = 150' ON 24"X36"



VICINITY MAP
N.T.S.

- NOTE:**
- ALL EASEMENTS SHOWN ARE RECORDED IN CABINET N. SLIDE 44, P.2, C.C.T., UNLESS OTHERWISE NOTED.
 - REFERENCE SHEET 8 OF 9 FOR SITE DATA TABLE INFORMATION.
 - THE PURPOSE OF THE CONCEPT PLAN IS TO SHOW THE PROPOSED REDEVELOPMENT OF PORTIONS OF THE SITE FOR A NEW MIXED-USE DEVELOPMENT WITH ACTIVE OPEN SPACE.
 - ALL PAVEMENT LINES ARE 24' WIDE WITH 20' INNER RADIUS UNLESS OTHERWISE LABELED.

CITY PROJECT #CP2023-002

CONCEPT PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC.
SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: JANUARY 11, 2024

OWNER/DEVELOPER:
THE NEUMAN MARQUIS GROUP LLC
1010 Main Street
Dallas, Texas 75201
Tel. No. 214-645-0333
Contact: Michael D. Litwin

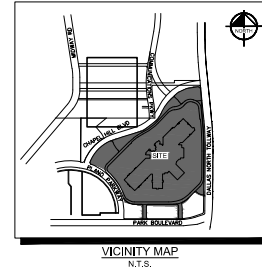
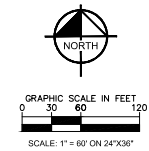
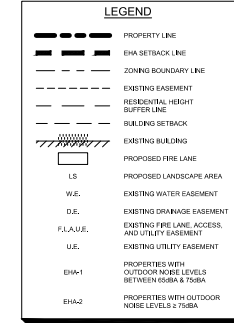
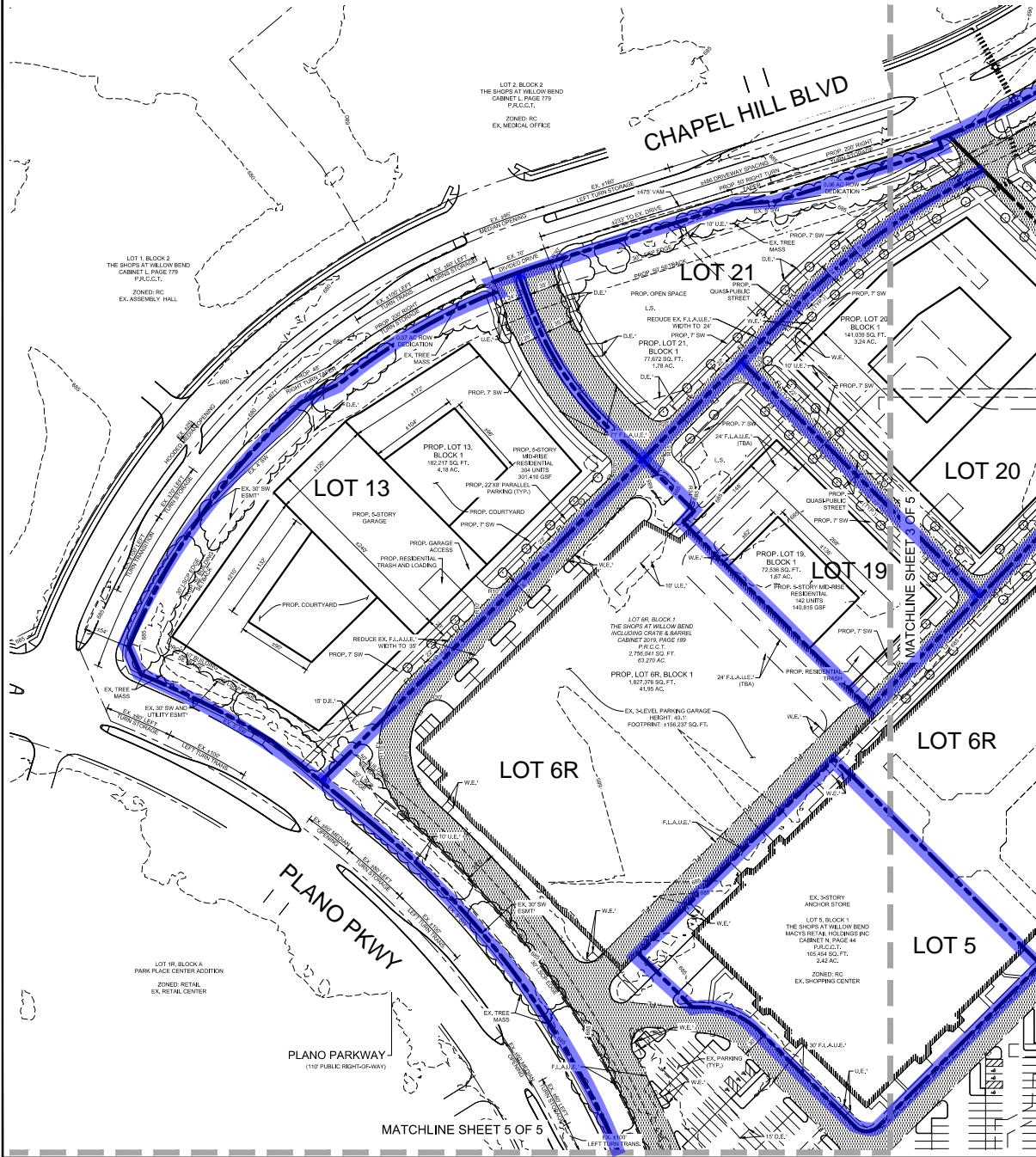
CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road
Two-Eden Office Tower, Suite 700
Dallas, Texas 75251
Tel. No. 972-734-1300
Contact: Sarah Scott, P.E.

DESIGNER:
MAYOR RETAIL HOLDINGS LLC
145 Progress Pl
Springfield, Ohio 45506
Tel. No. 937-393-1000
Contact: Charles P. D'Giovanna

OWNER/DEVELOPER:
CENTENNIAL WATERFALL
WILLOW BEND, LLC
8700 N. Central Expressway, Suite 1740
Dallas, Texas 75201
Tel. No. 214-645-0333
Contact: Michael Platt

DESIGNER:
DELLARD HORSE OPERATING LTD
P.O. BOX 1000
4501 N. Beach Street
Fort Worth, Texas 76117
Tel. No. 817-333-1000
Contact: Chris B. Johnson

PROJECT No. 004475601		DATE JUN 2024		SCALE AS SHOWN		DESIGNED BY BNH		DRAWN BY BNH		CHECKED BY SES		SHEET NUMBER 1 OF 6		CONCEPT PLAN		THE SHOPS AT WILLOW BEND PLANO, TX		Kimley»Horn		1345 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700 DALLAS, TEXAS 75251 PHONE: 972.734.1300 FAX: 972.262.3200 TEXAS REGISTERED ENGINEERING FIRM #208		No.		REVISIONS		DATE		BY	
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- NOTE:**
- ALL EASEMENTS SHOWN ARE RECORDED IN CABINET N. SLIDE 44 P.F.C.C.T. UNLESS OTHERWISE NOTED.
 - REFERENCE SHEET 6 OF 6 FOR SITE DATA TABLE INFORMATION.
 - THE PURPOSE OF THIS CONCEPT PLAN IS TO SHOW THE PROPOSED REDEVELOPMENT OF PORTIONS OF THE SITE FOR A NEW MID-RISE DEVELOPMENT WITH ACTIVE OPEN SPACE.
 - ALL FIRE LANES ARE 24' WIDE WITH 20' INNER RADIUS UNLESS OTHERWISE LABELED.

CITY PROJECT #CP2023-002

CONCEPT PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC.

SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: JANUARY 11, 2024

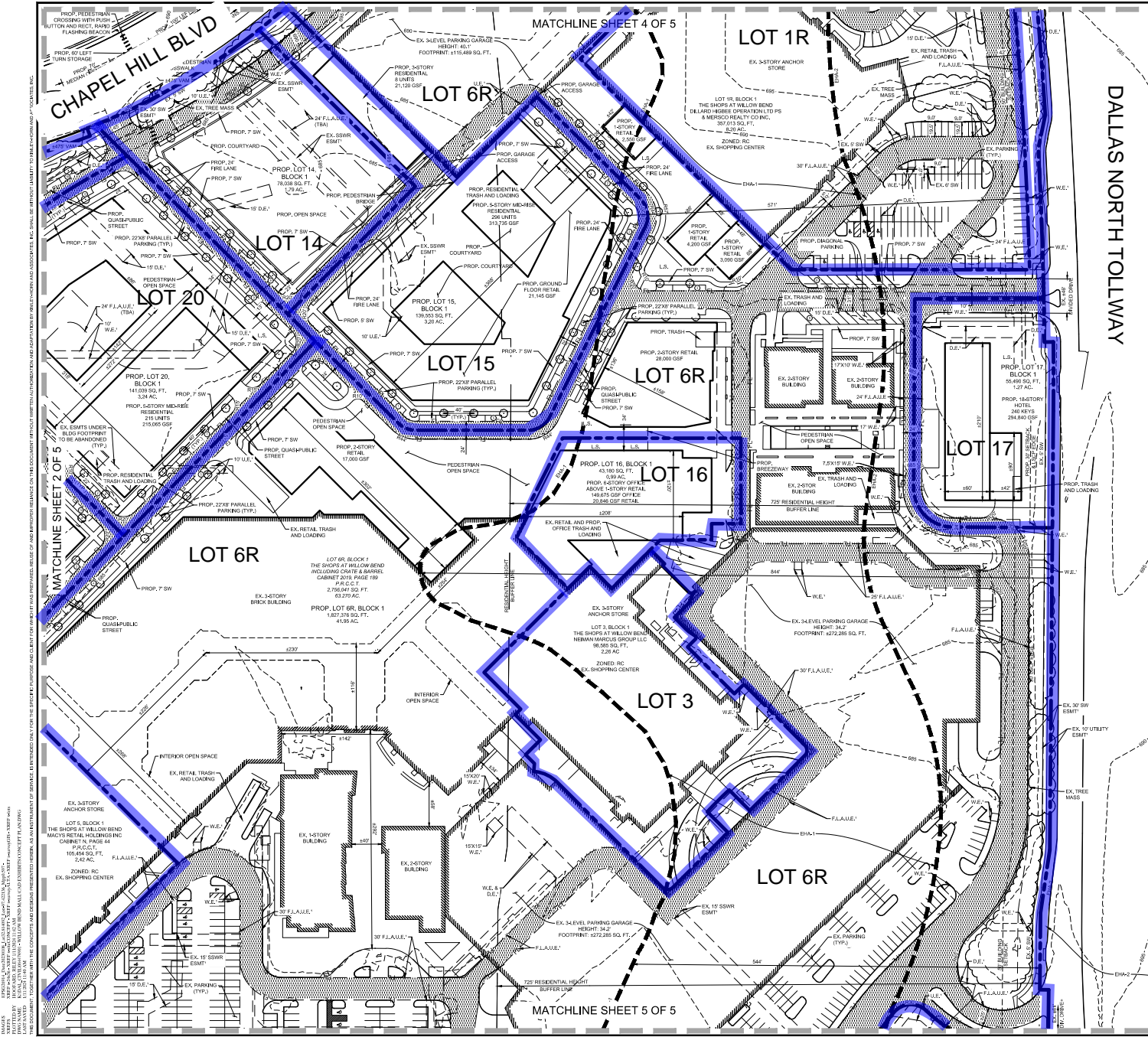
OWNER/DEVELOPER:
THE NEUMAN MARQUIS GROUP LLC
1010 Main Street
Dallas, Texas 75201
Tel. No. 214-645-0333
Contact: Michael D. Litwin

GENERAL CONTRACTOR:
CENTRAL WATERFALL, LLC
13455 Wood Road
8700 N. Central Expressway, Suite 1740
Dallas, Texas 75241
Tel. No. 214-645-0333
Contact: Michael Platt

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Wood Road
Two-Gibson Office Tower, Suite 700
Dallas, Texas 75241
Tel. No. 214-645-0333
Contact: Sarah Scott, P.E.

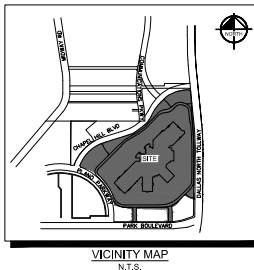
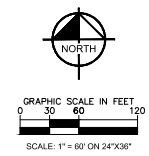
DEVELOPER:
MAYOR'S RETAIL HOLDINGS LLC
145 Progress Pl
Springfield, Ohio 45506
Tel. No. 937-733-7137
Contact: Charles P. Dickinson

SHEET NUMBER										No.										REVISING										DATE										BY																																																																															
2 OF 6																																																																																																																							
CONCEPT PLAN										THE SHOPS AT WILLOW BEND PLANO, TX										Kimley»»Horn										13465 MOEL ROAD, TWIN FALLS, IDAHO 83421 TOWER, SUITE 700 DALLAS, TEXAS 75245 PHONE: 817-772-7700 FAX: 972-238-3820 TEXAS REGISTERED ENGINEERING FIRM #4528																																																																																									
PROJECT NO.										04475601										DATE:										JAN 2024										SCALE:										AS SHOWN										DESIGNED BY:										RMI										DRAWN BY:										RMI										CHECKED BY:										SES									



LEGEND

- PROPERTY LINE
- EVA SETBACK LINE
- ZONING BOUNDARY LINE
- EXISTING EASEMENT
- RESIDENTIAL HEIGHT BUFFER LINE
- BUILDING SETBACK
- EXISTING BUILDING
- PROPOSED FIRE LANE
- PROPOSED LANDSCAPE AREA
- EXISTING WATER EASEMENT
- EXISTING DRAINAGE EASEMENT
- EXISTING FIRE LANE, ACCESS, AND UTILITY EASEMENT
- EXISTING UTILITY EASEMENT
- PROPERTIES WITH OUTDOOR NOISE LEVELS BETWEEN 65B&A & 75B&A
- PROPERTIES WITH OUTDOOR NOISE LEVELS > 75B&A



- NOTE:**
1. ALL EASEMENTS SHOWN ARE RECORDED IN CABINET N, SLIDE 4L, P.C.C.T. 1, UNLESS OTHERWISE NOTED.
 2. REFERENCE SHEET 6 OF 6 FOR SITE DATA TABLE INFORMATION.
 3. THE PURPOSE OF THIS CONCEPT PLAN IS TO SHOW THE PROPOSED REDEVELOPMENT OF PORTIONS OF THE SITE FOR A NEW MID-SCALE DEVELOPMENT WITH ACTIVE OPEN SPACE.
 4. ALL FIRE LANES ARE 24' WIDE WITH 20' INNER RADIUS UNLESS OTHERWISE LABELED.

CITY PROJECT #CP2023-002

CONCEPT PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 12-13, BLOCK 1
76.15 AC.
SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: JANUARY 11, 2024

OWNER/DEVELOPER:
THE NEIMAN MARCUS GROUP LLC
1918 Main Street
Dallas, Texas 75201
Tel. No. - 214-465-4333
Contact: Michael D. Litwin

GENERAL WATERFALL:
WILLOW BEND, LLC
6701 N. Central Expressway, Suite 1740
Dallas, Texas 75201
Tel. No. 214-465-4333
Contact: Michael Platt

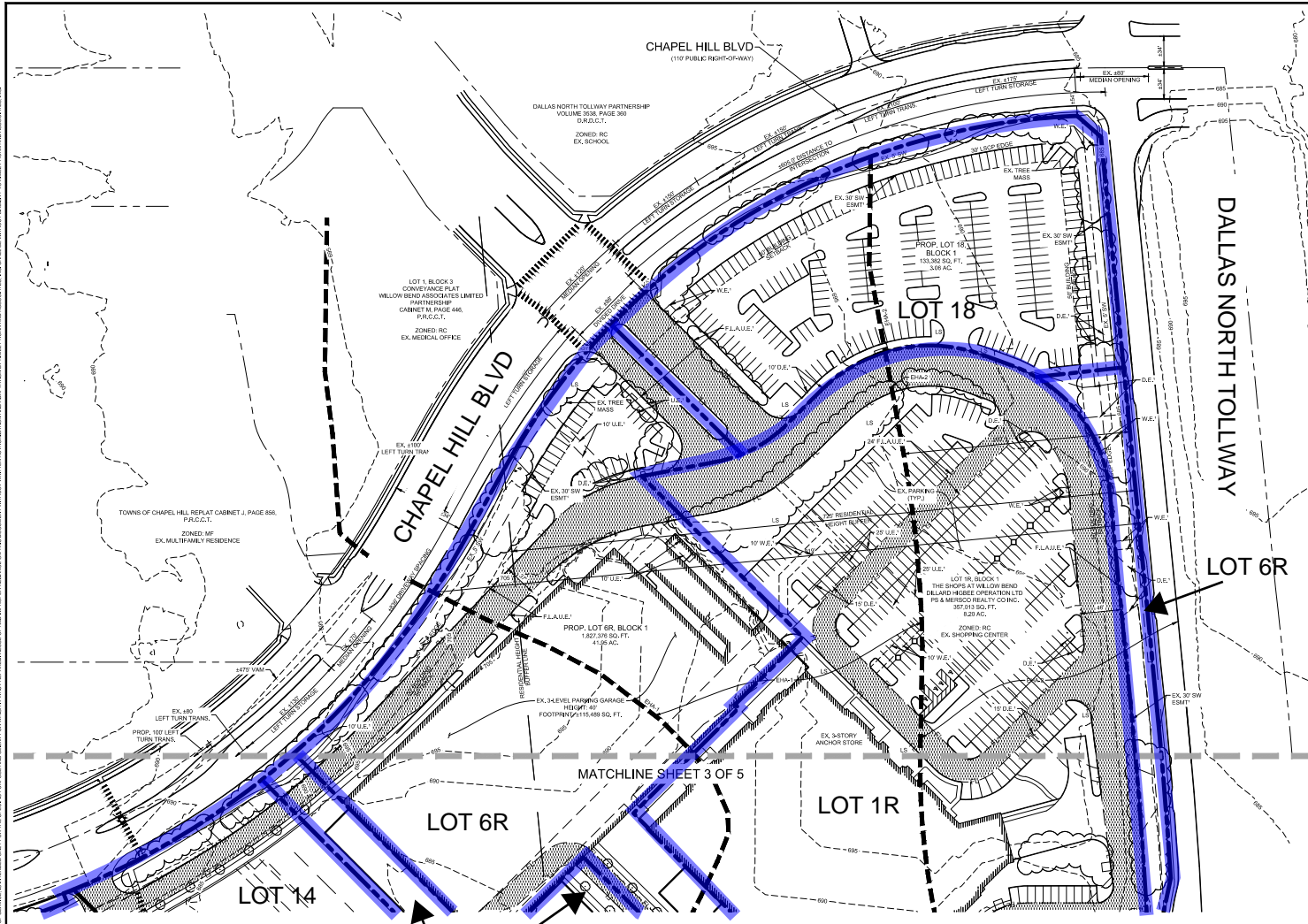
CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Rock Road
Two Green Office Tower, Suite 700
Dallas, Texas 75251
Tel. No. 972-754-1300
Contact: Sarah Scott, P.E.

MACY'S RETAIL HOLDINGS LLC
145 Progress Pl
Springtown, Texas 76082
Tel. No. - 817-496-4246
Contact: Charles P. Dickinson

DELLARD HORSE OPERATING LTD
PS & MERSCO REALTY CO INC.
4501 N. Beach Street
Fort Worth, Texas 76117
Tel. No. - 817-337-7272
Contact: Chris B. Johnson

Kimley»Horn 13455 ROCK ROAD, TWO GREEN OFFICE TOWER, SUITE 700 DALLAS, TEXAS 75251 PHONE: 972-754-1300 FAX: 972-238-3820 TEXAS REGISTERED ENGINEERING PROFESSIONAL NO. 4268		BY	DATE
		REVISED	DATE
THE SHOPS AT WILLOW BEND PLANO, TX		PROJECT NO. 004475601	
		DATE: JAN 2024	
CONCEPT PLAN		SCALE: AS SHOWN	
		DESIGNED BY: BMH	
		DRAWN BY: BMH	
		CHECKED BY: SES	
SHEET NUMBER		3 OF 6	

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LEGEND

- PROPERTY LINE
- EHA SETBACK LINE
- ZONING BOUNDARY LINE
- EXISTING EASEMENT
- RESIDENTIAL HEIGHT BUFFER LINE
- BUILDING SETBACK
- EXISTING BUILDING
- PROPOSED FIRE LANE
- LS PROPOSED LANDSCAPE AREA
- W.E. EXISTING WATER EASEMENT
- D.E. EXISTING DRAINAGE EASEMENT
- F.L.A.U.E. EXISTING FIRE LANE, ACCESS, AND UTILITY EASEMENT
- U.E. EXISTING UTILITY EASEMENT
- EHA-1 PROPERTIES WITH OUTDOOR NOISE LEVELS BETWEEN 65BBA & 75BBA
- EHA-2 PROPERTIES WITH OUTDOOR NOISE LEVELS ≥ 75BBA

GRAPHIC SCALE IN FEET

0 30 60 120

SCALE: 1" = 60' ON 24"X36"

VICINITY MAP

N.T.S.

NOTE:

- ALL EASEMENTS SHOWN ARE RECORDED IN CABINET N, SLIDE 44, P.1, C.1, T.1, UNLESS OTHERWISE NOTED.
- REFERENCE SHEET 6 OF 8 FOR SITE DATA TABLE INFORMATION.
- THE PURPOSE OF THIS CONCEPT PLAN IS TO SHOW THE PROPOSED REDEVELOPMENT OF PORTIONS OF THE SITE FOR A NEW MID-SCALE DEVELOPMENT WITH ACTIVE OPEN SPACE.
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CITY PROJECT #CP2023-002

CONCEPT PLAN

OR

SHOPS AT WILLOW BEND

LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1

76.15 AC.

SITUATED IN ROBERT LUDINGTON SURVEY ABSTRACT, NO. 548

CITY OF PLANO, COLLIN COUNTY, TEXAS

DATE: JANUARY 11, 2024

OWNER/DEVELOPER:

THE NEUMAN MARQUIS GROUP LLC
WILLOW BEND, LLC
10710 Main Street
Dallas, Texas 75201
Tel. No. 214-645-0333
Contact: Michael D. Litwin

CIVIL ENGINEER:

KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road
Two Galleria Office Towers, Suite 700
Dallas, Texas 75251
Tel. No. 972-734-1300
Contact: Sarah Scott, P.E.

MACY'S RETAIL HOLDINGS LLC
145 Progress Pk
Springdale, Texas 75157
Tel. No. 972-734-1300
Contact: Charles P. D'Giovanna

DELLARD HORSE OPERATING LTD
PS & MERSCO REALTY CO INC.
4501 N Beach Street
Fort Worth, Texas 76117
Tel. No. 817-333-3333
Contact: Chris B. Johnson

Kimley»Horn

13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700
PHOENIX, ARIZONA 85044
TELEPHONE: 602.496.1000 FAX: 602.496.1001
WWW.KIMLEY-HORN.COM

THE SHOPS AT WILLOW BEND

PLANO, TX

CONCEPT PLAN

SHEET NUMBER

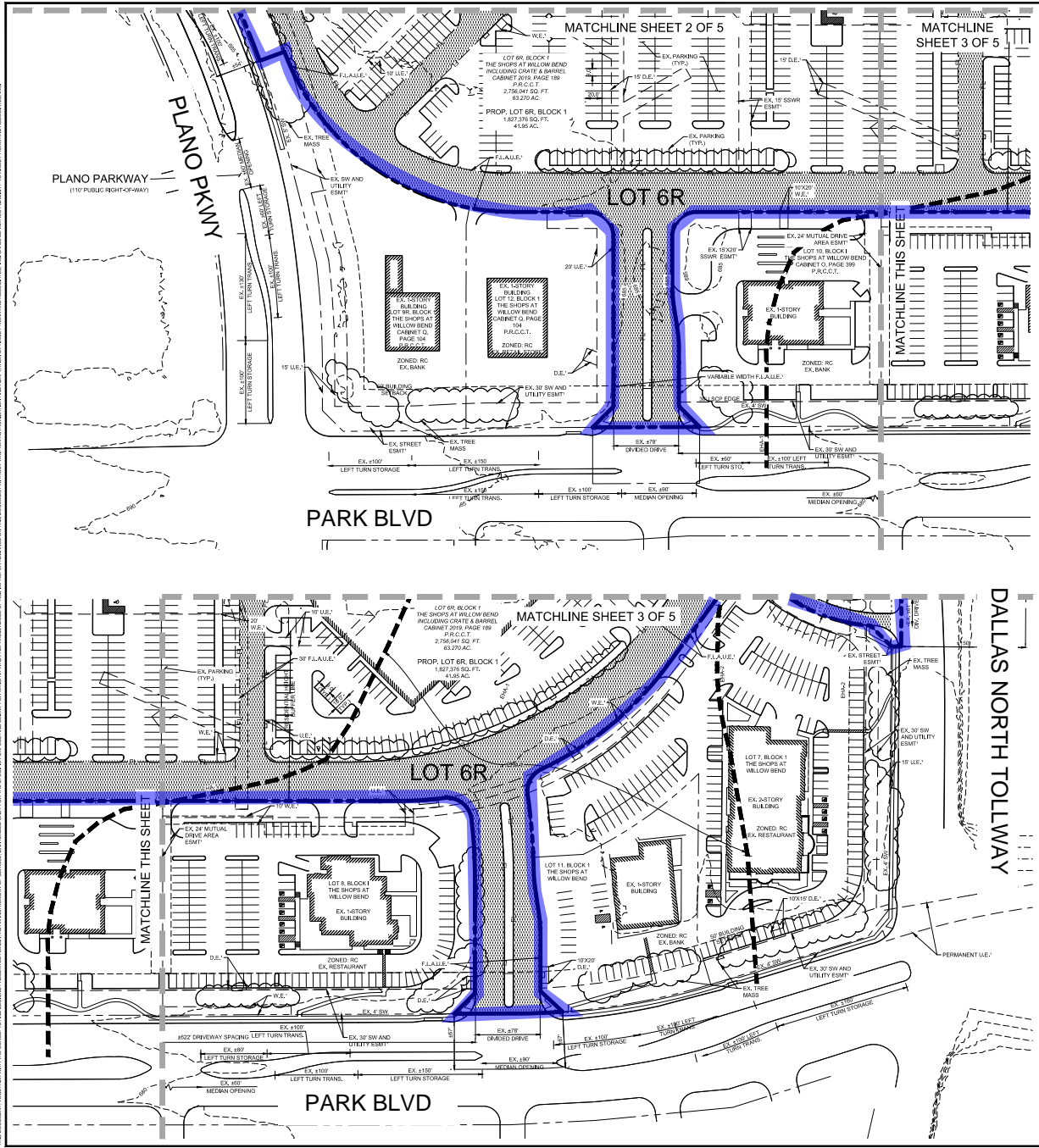
4 OF 6

DATE

REVISED

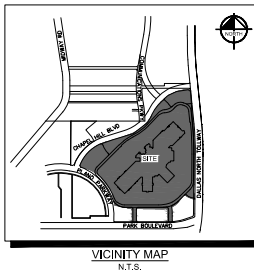
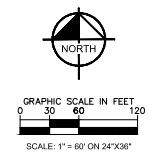
BY

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LEGEND

- PROPERTY LINE
- EVA SETBACK LINE
- ZONING BOUNDARY LINE
- EXISTING EASEMENT
- RESIDENTIAL HEIGHT BUFFER LINE
- BUILDING SETBACK
- EXISTING BUILDING
- PROPOSED FIRE LANE
- LS PROPOSED LANDSCAPE AREA
- W.E. EXISTING WATER EASEMENT
- D.E. EXISTING DRAINAGE EASEMENT
- F.L.A.U.E. EXISTING FIRE LANE, ACCESS, AND UTILITY EASEMENT
- U.E. EXISTING UTILITY EASEMENT
- EWA-1 PROPERTIES WITH OUTDOOR NOISE LEVELS BETWEEN 65B&A & 75B&A
- EWA-2 PROPERTIES WITH OUTDOOR NOISE LEVELS ≥ 75B&A



- NOTE:**
- ALL EASEMENTS SHOWN ARE RECORDED IN CABINET N, SLIDE 4L P.R.C.C.T. UNLESS OTHERWISE NOTED.
 - REFERENCE SHEET 6 OF 8 FOR SITE DATA TABLE INFORMATION.
 - THE PURPOSE OF THIS CONCEPT PLAN IS TO SHOW THE PROPOSED REDEVELOPMENT OF PORTIONS OF THE SITE FOR A NEW MID-SCALE DEVELOPMENT WITH ACTIVE OPEN SPACE.
 - ALL FIRE LANES ARE 24' WIDE WITH 20' INNER RADIUS UNLESS OTHERWISE LABELED.

CITY PROJECT #CP2023-002

CONCEPT PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC.

SITUATED IN ROBERT LUDDDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS

DATE: JANUARY 11, 2024

OWNER/DEVELOPER:
THE NEUMAN MARQUIS GROUP LLC
1010 Main Street
Dallas, Texas 75201
Tel. No. 214-645-1100
Contact: Michael D. Litwin

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road
Two-Eden Office Tower, Suite 700
Dallas, Texas 75251
Tel. No. 972-734-1300
Contact: Sarah Scott, P.E.

OWNER/DEVELOPER:
MAYOR'S RETAIL HOLDINGS LLC
145 Progress Pl
Springfield, Ohio 45506
Tel. No. 937-233-2000
Contact: Charles P. D'Amico

OWNER/DEVELOPER:
DELLARD HORSE OPERATING LTD
PS & MERSCO REALTY CO INC.
4501 N Beach Street
Fort Worth, Texas 76137
Tel. No. 817-338-1100
Contact: Chris B. Johnson

SHEET NUMBER		CONCEPT PLAN		THE SHOPS AT WILLOW BEND PLANO, TX		PROJECT NO. 004475801		13485 KCEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700 PHOENIX, AZ 85027-4500 FAX: 602-736-2820 *****REGISTERED ENGINEERING FIRM 4-2008		No.		DATE		DATE		BY	
5 OF 6								Kimley»Horn									

Kimley»Horn

13455 NOEL ROAD, TWO EDEN OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75251
PHONE: 972.734.1300 FAX: 972.734.3820
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM #268

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GENERAL SITE DATA														
EXISTING ZONING (FROM ZONING MAP)														
PROPOSED ZONING														
RC & DALLAS NORTH TOLLWAY OVERLAY DISTRICT PD-RC														
LAND USE	RETAIL STORE	RETAIL STORE	RETAIL STORE	REGIONAL MALL	MID-RISE RESIDENTIAL	OPEN SPACE	MULTIFAMILY RESIDENCE, MID-RISE RESIDENTIAL W/ GROUND FLOOR RETAIL	PROFESSIONAL/GENERAL ADMINISTRATIVE OFFICE	HOTEL	PARKING	MID-RISE RESIDENTIAL	MID-RISE RESIDENTIAL	OPEN SPACE	TOTAL
LOT AREA (SQ. FT.)	357,033 SQ. FT.	98,485 SQ. FT.	105,454 SQ. FT.	1,827,376 SQ. FT.	382,212 SQ. FT.	76,038 SQ. FT.	130,553 SQ. FT.	43,180 SQ. FT.	55,490 SQ. FT.	133,382 SQ. FT.	72,536 SQ. FT.	141,039 SQ. FT.	77,672 SQ. FT.	3,311,535 SQ. FT.
LOT AREA (AC.)	8.26 AC.	2.26 AC.	2.42 AC.	41.95 AC.	8.78 AC.	1.78 AC.	3.00 AC.	0.99 AC.	1.27 AC.	3.06 AC.	1.67 AC.	3.24 AC.	1.78 AC.	76.022 AC.
BUILDING FOOTPRINT AREA (SQ. FT.)	86,767 SQ. FT.	63,645 SQ. FT.	80,138 SQ. FT.	249,664 SQ. FT.	107,126 SQ. FT.	N/A	60,466 SQ. FT.	29,217 SQ. FT.	16,380 SQ. FT.	N/A	28,163 SQ. FT.	43,013 SQ. FT.	N/A	794,540 SQ. FT.
GARAGE FOOTPRINT AREA (SQ. FT.)	N/A	N/A	N/A	515,017 SQ. FT.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	515,017 AC.	N/A
LEASEABLE FOOTPRINT AREA (SQ. FT.)*	250,000 SQ. FT.	150,000 SQ. FT.	240,000 SQ. FT.	302,874 SQ. FT.	N/A	N/A	31,345 SQ. FT.	170,821 SQ. FT.	N/A	N/A	N/A	N/A	N/A	1,119,040 AC.
TOTAL BUILDING AREA (SQ. FT.)	250,000 SQ. FT.	150,000 SQ. FT.	240,000 SQ. FT.	168,081 SQ. FT.	301,410 SQ. FT.	N/A	224,855 SQ. FT.	170,821 SQ. FT.	284,840 SQ. FT.	N/A	140,815 SQ. FT.	215,065 SQ. FT.	N/A	3,665,587 AC.
BUILDING HEIGHT (IN STORIES)	3-STORY	3-STORY	3-STORY	1-STORY, 2-STORY, 3-STORY	5-STORY	N/A	3-STORY, 5-STORY	7-STORY	18-STORY	5-STORY	5-STORY	5-STORY	N/A	-
BUILDING HEIGHT (FEET - DISTANCE TO TALLEST BUILDING ELEMENT)	63'-0"	63'-0"	63'-0"	63'-0"	70'-0"	N/A	70'-0"	110'-0"	220'-0"	55'-0"	55'-0"	55'-0"	N/A	-
LOT COVERAGE (PERCENT, X.XX%)	24.3%	64.6%	75.0%	12.7%	58.8%	N/A	64.8%	67.7%	29.5%	N/A	38.8%	30.5%	N/A	23.99%
FLOOR AREA RATIO (RATIO X.XX:1)	0.70:1	1.52:1	2.28:1	0.26:1	1.45:1	N/A	2.40:1	3.95:1	5.31:1	N/A	1.94:1	1.52:1	N/A	0.77:1
EXISTING OPEN STORAGE (SQ. FT.)	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	N/A	N/A	N/A	N/A	0 SQ. FT.
PROPOSED OPEN STORAGE (SQ. FT.)	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	N/A	N/A	N/A	N/A	0 SQ. FT.
PROPOSED OPEN SPACE (SQ. FT.)	****	****	****	****	****	45,000 SQ. FT.	****	****	****	N/A	****	33,800 SQ. FT.	444,495 SQ. FT.	****
PROPOSED OPEN SPACE (AC.)	****	****	****	****	****	1.05 SQ. FT.	****	****	****	N/A	****	****	0.78 SQ. FT.	10.20 SQ. FT.
RESIDENTIAL DENSITY (UNITS/NET ACREAGE)*	N/A	N/A	N/A	N/A	72.7	N/A	94.9	N/A	N/A	N/A	85.3	66.4	N/A	N/A
*NET ACREAGE=TOTAL ACREAGE MINUS STREETS AND OPEN SPACE														
MULTIFAMILY UNITS														
# OF STUDIOS/APARTMENTS (MINIMUM XXX SQ. FT.)	N/A	N/A	N/A	N/A	0 UNITS	N/A	0 UNITS	N/A	N/A	N/A	0 UNITS	0 UNITS	N/A	N/A
# OF 1 BEDROOMS (MINIMUM XXX SQ. FT.)	N/A	N/A	N/A	N/A	213 UNITS	N/A	210 UNITS	N/A	N/A	N/A	100 UNITS	150 UNITS	N/A	673 UNITS
# OF 2 BEDROOMS (MINIMUM XXX SQ. FT.)	N/A	N/A	N/A	N/A	91 UNITS	N/A	94 UNITS	N/A	N/A	N/A	42 UNITS	60 UNITS	N/A	292 UNITS
# OF 3 BEDROOMS (MINIMUM XXX SQ. FT.)	N/A	N/A	N/A	N/A	0 UNITS	N/A	0 UNITS	N/A	N/A	N/A	0 UNITS	0 UNITS	N/A	0 UNITS
TOTAL UNIT COUNT	N/A	N/A	N/A	N/A	304 UNITS	N/A	296 MIDRISE UNITS 8 MULTIFAMILY UNITS	N/A	240 KEYS	N/A	142 UNITS	215 UNITS	N/A	965 UNITS 240 KEYS
RESIDENTIAL DENSITY (UNITS/NET ACREAGE)*	N/A	N/A	N/A	N/A	72.7	N/A	94.9	N/A	N/A	N/A	85.3	66.4	N/A	N/A
*NET ACREAGE=TOTAL ACREAGE MINUS STREETS AND OPEN SPACE														
PARKING														
PARKING RATIO	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	1.25 SPACE / KEY	N/A	1.0 SPACE / 300 SQ.FT.	1.0 SPACE / 300 SQ.FT.	N/A	-
REQUIRED PARKING (# OF SPACES)	833 SPACES	508 SPACES	800 SPACES	1,088 SPACES	350 SPACES	N/A	421 SPACES	568 SPACES	300 SPACES	N/A	163 SPACES	348 SPACES	N/A	5,193 SPACES
PROVIDED PARKING (# OF SPACES)	**	**	**	4,158 GARAGE SPACES	400 GARAGE SPACES	N/A	**	**	**	**	**	489 GARAGE SPACES	N/A	5,047 GARAGE SPACES
ACCESSIBLE PARKING REQUIRED (# OF SPACES)	8 SPACES	**	**	80 SPACES	8 SPACES	1 SPACES	1 SPACES	**	**	**	1 SPACES	11 SPACES	1 SPACES	82 SPACES
ACCESSIBLE PARKING PROVIDED (# OF SPACES)	8 SPACES	**	**	77 SPACES	8 SPACES	1 SPACES	1 SPACES	**	**	**	1 SPACES	11 SPACES	1 SPACES	109 SPACES
PARKING IN EXCESS OF 11.0% OF REQUIRED PARKING (# OF SPACES)	N/A	N/A	N/A	N/A	26 SPACES	N/A	N/A	N/A	N/A	N/A	N/A	256 SPACES	N/A	571 SPACES

*NOTE - LEASABLE FOOTPRINT AREA USED FOR REQUIRED RETAIL PARKING CALCULATION PER COP ZONING ORDINANCE 16.700

**NOTE - REQUIRED PARKING PROVIDED IN PARKING AGREEMENT WITH LOT 8R

***NOTE - LOT 18 PARKING NOT INCLUDED IN TOTAL SITE PARKING COUNT

****NOTE - REFERENCE OPEN SPACE PLAN FOR DETAILED OPEN SPACE QUANTITIES

CITY PROJECT #CP2023-002

CONCEPT PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC.
SITUATED IN ROBERT LUDDINGTON
SURVEY ABSTRACT, NO. 548
CITY OF PLANO, COLLIN COUNTY, TEXAS
DATE: JANUARY 11, 2024

OWNER/DEVELOPER:
THE NEIMAN MARCUS GROUP LLC
1010 Main Street
Dallas, Texas 75201
Tel. No. 214-645-0300
Contact: Michael D. Litwin

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road
8700 Central Expressway, Suite 1740
Dallas, Texas 75221
Tel. No. 214-645-0300
Contact: Sarah Scott, P.E.

DEVELOPER/OPERATING LTD:
PS & MERSCO REALTY CO INC.
4501 N. Beach Street
Springtown, Texas 75157
Tel. No. 214-645-0300
Contact: Charles P. Dizon

Kimley»Horn
13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 1700
DALLAS, TEXAS 75224-1000 FAX: 214-645-0300
TELEPHONE: 214-645-0300
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING #28947 & 28948

PROJECT NO.
084475601

DATE
JAN 2024

SCALE
AS SHOWN

DESIGNED BY
MMH

DRAWN BY
MMH

CHECKED BY
RES

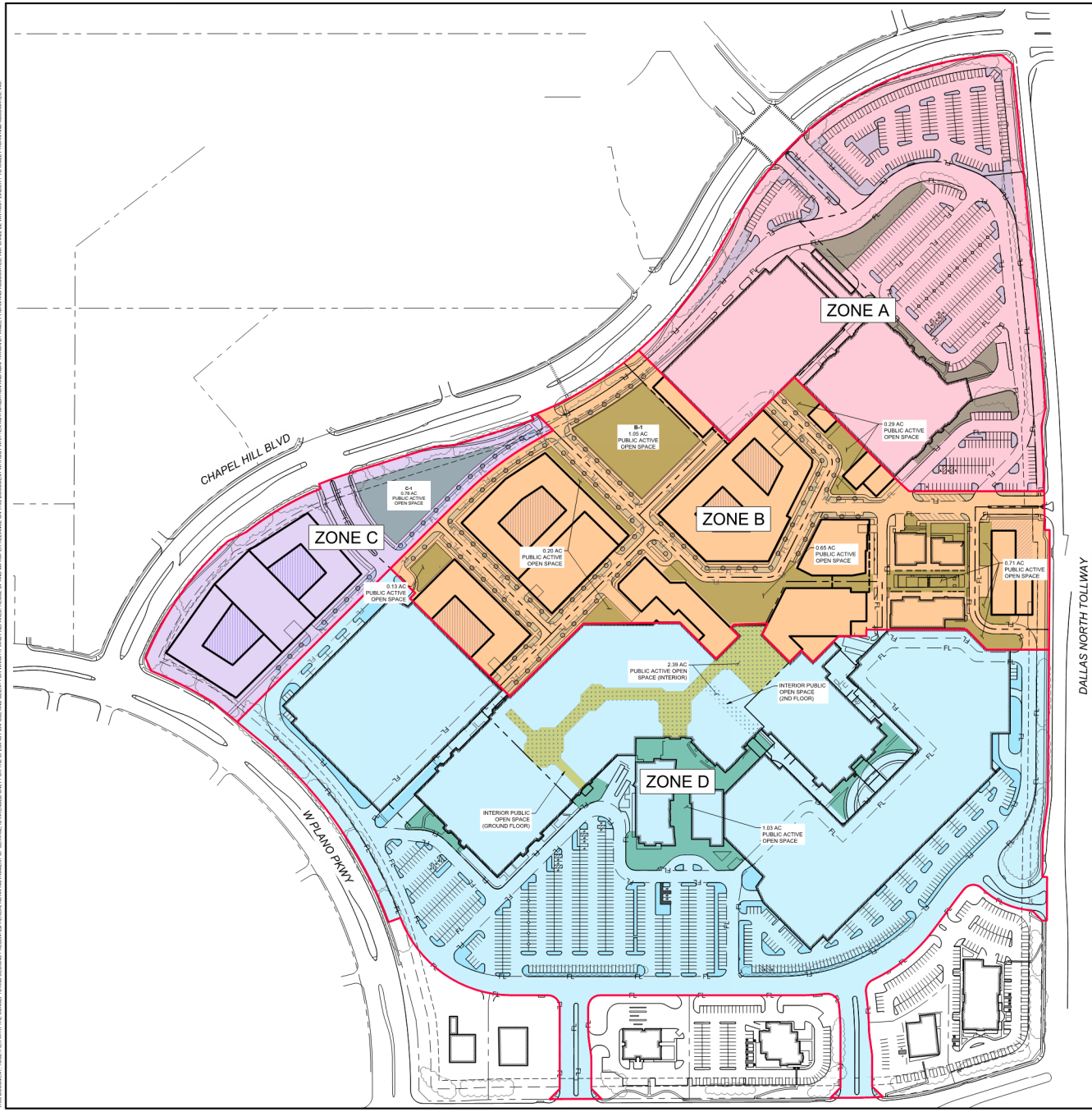
THE SHOPS AT
WILLOW BEND
PLANO, TX


CONCEPT PLAN

SHEET NUMBER
6 OF 6

Page 152

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GRAPHIC SCALE IN FEET
0 60 120 240
SCALE: 1" = 120' ON
24"X36"

LEGEND

- PROPERTY LINE
- PUBLIC OPEN SPACE ZONE A
- PUBLIC OPEN SPACE ZONE B
- PUBLIC OPEN SPACE ZONE C
- PUBLIC OPEN SPACE ZONE D

OPEN SPACE SUMMARY	
OVERALL DISTRICT AREA	76.15 ACRES 3,317,094 SQ. FT.
PUBLIC OPEN SPACE	6.13 ACRES 266,979 SQ. FT.
INTERIOR PUBLIC OPEN SPACE	2.39 ACRES 104,317 SQ. FT.
PRIVATE OPEN SPACE	3.68 ACRES 161,662 SQ. FT.
TOTAL	10.20 ACRES 444,495 SQ. FT.

LANDSCAPE SUMMARY	
INTERNAL LANDSCAPE AREA REQUIRED	0.23 ACRES 9,848 SQ. FT.
INTERNAL LANDSCAPE AREA PROVIDED	3.58 ACRES 156,075 SQ. FT.
LANDSCAPE EDGE	4.97 ACRES 216,383 SQ. FT.
TOTAL	8.55 ACRES 372,458 SQ. FT.

CITY PROJECT #OSP2023-002

OPEN SPACE PLAN
OF
SHOPS AT WILLOW BEND
LOTS 1R, 3, 5, 6R, AND 13-21, BLOCK 1
76.15 AC

SITUATED IN ROBERT LUDINGTON
SURVEY ABSTRACT, NO. 549
CITY OF PLANO, COLLIN COUNTY, TEXAS

DATE: JANUARY 11, 2024

OWNER/DEVELOPER:
THE NEIMAN MARCUS GROUP LLC
1616 Main Street
Dallas, Texas 75201
Tel. No. 214-760-3000
Contact: Michael D. Litwin

CENTENNIAL WATERFALL
WILLOW BEND, LLC
8706 N. Central Expressway, Suite 1740
Dallas, Texas 75231
Tel. No. 214-623-3000
Contact: Michael Platt

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 Noel Road
Two Galleria Office Tower, Suite 700
Dallas, Texas 75251
Tel. No. 972-776-1300
Contact: Sarah Scott, P.E.

DILLARD HIGBEE OPERATING LTD
P.O. BOX 100000
4801 N. Branch Street
Fort Worth, Texas 76137
Tel. No. 817-335-3000
Contact: Charles P. Dillmore

Kimley»Horn

13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75251
PHONE: 972.776.1300 FAX: 972.238.3830
TEXAS REGISTERED ENGINEERING FIRM #208

PROJECT No. 08475601
DATE: JAN 2024
SCALE: AS SHOWN
DESIGNED BY: BAH
DRAWN BY: BAH
CHECKED BY: SEE

THE SHOPS AT WILLOW BEND
PLANO, TX

OPEN SPACE PLAN

SHEET NUMBER
1 OF 1

MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember _____, after review of the written information and listening to the hearing participants, voted in **SUPPORT** of this case, finding the following:

1. The request is consistent with the overall Guiding Principles of the Comprehensive Plan because: _____;
and
2. The request is substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: _____;
and
3. The request is consistent with other policies, actions, maps:
 - ☐ Future Land Use Map and Dashboards – Description & Priorities
 - ☐ Future Land Use Map and Dashboards – Character Defining Elements
 - ☐ Thoroughfare Plan Map & Cross Sections
 - ☐ Bicycle Transportation Plan Map
 - ☐ Parks Master Plan Map
 - ☐ Expressway Corridor Environmental Health Map
 - ☐ Redevelopment of Regional Transportation Corridors Policy
 - ☐ Redevelopment & Growth Management Policy – Action 5A (RGM5A)
 - ☐ Redevelopment & Growth Management Policy – Action 5B (RGM5B)
 - ☐ Redevelopment & Growth Management Policy – Action 5C (RGM5C)
 - ☐ Redevelopment & Growth Management Policy – Action 8 (RGM8)
 - ☐ Other: _____
4. Comments on any of the above which further explain my position: _____.

Overall, I believe the applicant's request should be supported; and the reasons I have indicated above outweigh the project's incompatibility with the mix of uses, density, or building heights favored by the Future Land Use Map Dashboard of the Comprehensive Plan.

Signature

Date

City Council Findings Form

The Guiding Principles establish overarching themes that apply to all policies and actions and express values for Today, 2050, and Together. These Principles are not intended to stand alone but to be used in concert with one another and carry across the Plan as a whole. Each principle must be judged through a lens that incorporates all of the other principles to be fully and accurately understood.

Guiding Principle 1 | Plano Today

- 1.1. The Plan enhances the quality of life in the near term, continually striving to meet the needs and priorities of current residents, businesses, and institutions of Plano.
- 1.2. The Plan promotes the safety, viability, and vibrancy of Plano's existing neighborhoods, managing growth and shaping change that complements the city's suburban character and rich history.
- 1.3. The Plan promotes the educational, recreational, and cultural centers of the community, providing an environment for world-class facilities, businesses, and institutions that support a vital economy.
- 1.4. The Plan respects the suburban character of Plano and seeks to preserve and enhance the built environment.
- 1.5. The Plan acknowledges that Plano is mostly developed and does not anticipate significant changes in population or residential development in the future.
- 1.6. Implementation of the Plan will be open and transparent, with a high standard for exceptions to land use principles, proactively seeking community input, and updated when needed with opportunities for the public to continually share their needs and priorities with community leaders and inform the decision-making process.

Guiding Principle 2 | Plano 2050

- 2.1. The Plan enhances the quality of life in the long term, preparing for future generations of residents, businesses, and institutions of Plano who may not yet have a voice but are impacted by the decisions of today.
- 2.2. The Plan successfully manages Plano's transition to a mature city, seeking innovative approaches and best practices to accommodate emerging trends, technologies, and opportunities that improve the quality of life and allow the city to remain attractive and vibrant into the future.
- 2.3. The Plan builds on Plano's strong history of thoughtful planning, guiding future development and redevelopment where it is safe, attractive, appropriate, and convenient; contributes to a variety of housing, employment, and social opportunities; and respects the natural environment.
- 2.4. Implementation of the Plan will be fiscally responsible, ensuring that alternatives are considered and completion of actions provides the greatest long-term value.

Guiding Principle 3 | Plano Together

- 3.1. The Plan serves people of all backgrounds, striving to meet the needs of an inclusive and vibrant community that calls Plano "home."
- 3.2. The Plan promotes a community that is safe, engaged, and rich in educational, cultural, and recreational opportunities that are highly desirable to residents and visitors alike.
- 3.3. The Plan embraces Plano's position as a leader in the region, demonstrating the city's standard of excellence and supporting our neighbors through linkages including health, economy, culture, transportation, and sense of community.
- 3.4. The Plan manages growth and redevelopment in a gradual manner, ensuring changes are beneficial to neighbors and the surrounding community based on real, city-level demand.
- 3.5. Implementation of the Plan will be done in partnership with the community and educational, nonprofit, civic, cultural, faith-based, and governmental organizations, promoting cooperation towards common goals that enhance the quality of life for the residents, businesses, and institutions of Plano.

MEETING DATE

Monday, February 12, 2024

RESULTS

I, Mayor/Councilmember _____, after review of the written information and listening to the hearing participants, voted in **OPPOSITION** to this case, finding the following:

☐ I agree with the conclusions in the preliminary report provided by staff because:

_____.

or

☐ The project is incompatible with the Future Land Use Map Dashboard of the Comprehensive Plan because: _____.

☐ The request is inconsistent with the overall Guiding Principles of the Comprehensive Plan because: _____.

☐ The request is not substantially beneficial to the immediate neighbors, surrounding community, and general public interest because: _____.

The request is inconsistent with other policies, actions, maps:

- ☐ Future Land Use Map and Dashboards – Mix of Uses
- ☐ Future Land Use Map and Dashboards – Character Defining Elements
- ☐ Redevelopment & Growth Management Policy – Action 1 (RGM1)
- ☐ Redevelopment & Growth Management Policy – Action 5C (RGM5C)
- ☐ Redevelopment & Growth Management Policy – Action 8 (RGM8)
- ☐ Other: _____

☐ Comments on any of the above which further explain my position: _____.

Overall, I believe the applicant's request should be opposed due to the reasons I have indicated above.

Signature

Date

City Council Findings Form

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