

DATE: October 6, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of October 5, 2020

GM

AGENDA ITEM NO. 1A - PUBLIC HEARING

ZONING CASE 2020-010

APPLICANTS: 701 LEGACY DR., 701 LEGACY DR. II, LLC, AND 701 LEGACY DRIVE IV, LLC

Request to rezone and amend Planned Development-489-Multifamily Residence-1 on 36.5 acres located on the north side of Legacy Drive, 1,168 feet east of Alma Drive from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2 in order to modify development standards. Zoned Planned Development-489-Multifamily Residence-1. Project #ZC2020-010.

APPROVED: 6-2 **DENIED:** _____ **TABLED:** _____

The Commissioners voting in opposition were opposed to the increase in density, and reduction of the front yard building setback.

Speaker Card(s) Received Support: 5 Oppose: 0 Neutral: 0

Letters Received Within 200' Notice Area: Support: 0 Oppose: 0 Neutral: 0

Petition Signatures Received: Support: 0 Oppose: 0 Neutral: 0

Other Responses: Support: 1 Oppose: 7 Neutral: 0

STIPULATIONS:

Recommended for approval as follows: (Additions are indicated by underlining; deletions are indicated by strike-through)

Restrictions:

~~1. Maximum Number of Units: 346~~

~~2. Minimum Front Yard Setback: 70 feet~~

~~3. Minimum Landscape Edge along Legacy Dr.: 50 feet~~

~~4. Maximum Building Height: 2 story (35 feet)~~

~~5. Minimum Side and Rear Yard Setbacks: 50 feet~~

Development within the PD-489-MF-2 District will conform to the Multifamily Residence-2 District (MF-2) except as provided herein:

1. The total number of dwelling units will not exceed 470.
2. Minimum setbacks for one and two-story buildings are:
 - a. Front yard 25 feet
 - b. Side yard 50 feet
 - c. Rear yard 50 feet
3. Three-story buildings are allowed provided they do not exceed 45 feet in height as measured from the average grade plain and are located more than 200 feet from a single-family zoning district boundary.
4. A minimum 25-foot wide landscape edge will run adjacent to the Legacy Dr. right-of-way.
 - a. All reasonable effort will be taken to protect and preserve existing healthy trees and tall ornamental trees and shrubs in this area.
 - b. Not fewer than 48 (1 tree per 30 linear feet of landscaped frontage) existing and proposed trees will be in or within 15 feet of the landscaped edge, all of which must be a minimum 4-inch caliper and 20% must be 6-inch caliper or greater.
 - c. A 6-foot tall combined masonry wall and decorative metal fence will be along or within the landscaped edge and may include where feasible portions of the existing wall and fence.
5. Buildings located within 75 feet of the north curb of Legacy Dr. will not exceed 30 feet in height above the top of the north curb of Legacy Dr.
6. Exterior building materials will conform to Section 23.200 of the Zoning Ordinance and development within this district will benefit from all associated incentives provided by the Zoning Ordinance.
7. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:
 - a. A 6-foot wide meandering pedestrian walk along the entire perimeter of the property adjacent to the golf course.
 - b. Clubhouse expansion of not less than 2,000 square feet

- c. An additional dog park.
- 8. The following parking regulations apply to units constructed following the approval of ZC2020-010:
 - a. Parking will be provided at one space per bedroom.
 - b. Tandem parking is permitted provided each pair of tandem spaces, as designated on the site plan, is assigned to a specific unit, at least one space of each pair is below an apartment building, and no tandem space is enclosed by a garage door or used for storage.

FOR CITY COUNCIL MEETING OF: November 9, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

CF/amc

xc: Michael Farahnik, 701 Legacy Drive, 701 legacy Drive II, LLC, and 701 Legacy Drive IV, LLC
Frank Turner, Urban Opportunity, LLC
Jeanna Scott, Building Inspections Manager
Ricky Lindley, Land Records Manager

<https://goo.gl/maps/mKAVCYXRcjusytq56>

Date: October 2, 2020

To: Planning & Zoning Commission

From: Christina D. Day, AICP, Director of Planning

Subject: **Zoning Case #ZC2020-010**

The purpose of this memo is to provide an update regarding Zoning Case #ZC2020-010. This zoning case was initially presented to the Planning & Zoning Commission for consideration on September 8, 2020. At that meeting, a motion was made to approve the zoning case as proposed by the applicant. That motion received a 4-4 vote. Afterwards, a motion was made to table the zoning case until the October 5, 2020, meeting and the Commission directed the applicant to modify the request; that motion passed 8-0.

P&Z Commission Comments

After reviewing the Commission's comments from the meeting, the following concerns were stated regarding the request and site design:

- Additional density, especially along Legacy Drive;
- Removal of the trees along Legacy Drive;
- The existing setback along Legacy Drive should be preserved;
- Buildings should be removed from Legacy Drive frontage to leave green space;
- Placing buildings close to Legacy Drive takes away the visual impact;
- The request is not respectful of setbacks; and
- The applicant should revise the request and consider isolating their new development to the interior, removing units from Legacy.

Actions Since September 8

After the September 8, 2020, meeting, staff offered to meet with the applicant's team to discuss how best to move forward and address the Commission's comments. Staff reviewed the Commission's comments and provided suggested concept plan revisions to the applicant, based on the feedback from P&Z. This mark-up included removing the buildings along Legacy Drive to reduce the density (resulting in a reduction from 124 new units to 96 new units); this change would preserve the existing 70-foot front yard building setback and 50-foot landscape edge with existing trees. Staff believed this was a good starting point for discussion; however, the applicant

did not wish to meet with staff and elected to propose changes independent of coordination with staff. The following information is therefore provided based on the plan and PD stipulations submitted by the applicant, but does not represent discussion of appropriate changes between staff and the applicant.

The applicant has submitted an updated concept plan and stipulations for your consideration. Those changes are summarized below so that staff comments may be incorporated. Detailed stipulations follow this summary.

1. Change reduction in landscape edge along Legacy Drive by five feet. The existing landscape edge is 50 feet. The applicant originally proposed a 30-foot reduction, resulting in a 20-foot landscape edge. Based on P&Z's feedback, the applicant has modified their request to include a 25-foot landscape edge. Staff does not find this change consistent with the direction from P&Z at the September 8, 2020, meeting, as noted earlier in this report.
2. Enhance landscaping requirements along Legacy Drive. Staff visited the site and took a brief survey of the trees along Legacy Drive. The existing conditions are noted below.

The existing fence line varies in depth in relation to the property line, ranging from approximately 10 feet to 35 feet north of the property line. The public sidewalk meanders along this area, and will likely need to be rebuilt in locations if the plan is approved as submitted.

Between the curb of Legacy Drive and the front of the existing fence (outside the complex):

- There are 17 shade trees, which are mostly Live Oaks and a few Cedar Elm. All are over 8-inch caliper, and most are in good condition, although one exhibits major automobile damage.
- There are 23 Crepe Myrtles, most are at least 8-inch caliper and are in good condition. At least five would be considered of specimen quality.

The applicant's proposed stipulation would require 48 trees of varying sizes. Since there are currently 40, the stipulation would add 8 more, assuming no existing trees are lost. There is sufficient area to plant these trees, primarily along the western end of the Legacy Drive frontage.

On the interior of the fence line, from the back of the existing fence to the curb of the fire lane:

- There are 25 shade trees, mostly Live Oak, with a few Cedar Elm and Red Oak. All trees are over 8-inch caliper;
- There are 7 Bradford Pear, most are in very good condition; and
- There are 11 Crepe Myrtles, mostly in good condition.

Staff placed an overlay of the concept plan on an aerial to review the impacts to existing trees. After reviewing this plan, staff estimates the loss of approximately 30 trees, which

equates to 70 percent of the trees behind the existing fence to accommodate the new development and associated parking. An example of this overlay is below:



Additionally, the applicant is proposing ordinance language, “all reasonable effort,” which will be difficult to enforce and is unclear as to the standard of care, as noted below:

- a. *All reasonable effort will be taken to protect and preserve existing healthy trees and tall ornamental trees and shrubs in this area.*

To create a clear and enforceable standard, if the P&Z supports this addition, staff recommends utilizing established tree preservation language that corresponds with the Zoning Ordinance. The following language is recommended, with two options depending on the priorities of the Commission. One option maximizes tree health and spacing as a priority. Alternatively, if screening of the buildings is the priority, the number of trees should be limited to the landscape edge along Legacy Drive:

- For tree health: All trees removed from the Legacy Drive frontage will be mitigated. Trees which are removed must be replaced with the same number of caliper inches removed. A variety of tree sizes and types may be used. Replacement trees must be located within 200 feet of the front property line.
- For screening: All trees removed from the Legacy Drive frontage will be mitigated. Trees which are removed must be replaced with the same number of caliper inches removed. A variety of tree sizes and types may be used. Replacement trees must be located within the landscaped edge along Legacy Drive.

3. Clarify side and rear yard setbacks will be 50 feet, which is the existing adopted standard. Previously, a 70-foot setback was proposed, but the applicant noted some portions of existing building would encroach that setback. Therefore, the request maintains the 50-foot setback. Staff has no concerns regarding this clarification.

Proposed Stipulations - The applicant's updated proposed stipulations are as follows (highlighted areas indicate a change from the prior meeting):

Restrictions:

- ~~1. Maximum Number of Units: 346~~
- ~~2. Minimum Front Yard Setback: 70 feet~~
- ~~3. Minimum Landscape Edge along Legacy Dr.: 50 feet~~
- ~~4. Maximum Building Height: 2 story (35 feet)~~
- ~~5. Minimum Side and Rear Yard Setbacks: 50 feet~~

Development within the PD-489-MF-2 District will conform to the Multifamily Residence-2 District (MF-2) except as provided herein:

1. The total number of dwelling units will not exceed 470.
2. Minimum setbacks for one and two-story buildings are:
 - a. Front yard 25 feet
 - b. Side yard 50 feet
 - c. Rear yard 50 feet
3. Three-story buildings are allowed provided they do not exceed 45 feet in height as measured from the average grade plain and are located more than 200 feet from a single-family zoning district boundary.
4. A minimum 25-foot wide landscape edge will run adjacent to the Legacy Dr. right-of-way.
 - a. All reasonable effort will be taken to protect and preserve existing healthy trees and tall ornamental trees and shrubs in this area.
 - b. Not fewer than 48 (1 tree per 30 linear feet of landscaped frontage) existing and proposed trees will be in or within 15 feet of the landscaped edge, all of which must be a minimum 4-inch caliper and 20% must be 6-inch caliper or greater.

c. A 6-foot tall combined masonry wall and decorative metal fence will be along or within the landscaped edge and may include where feasible portions of the existing wall and fence.

5. Buildings located within 75 feet of the north curb of Legacy Dr. will not exceed 30 feet in height above the top of the north curb of Legacy Dr.

6. Exterior building materials will conform to Section 23.200 of the Zoning Ordinance and development within this district will benefit from all associated incentives provided by the zoning ordinance.

7. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:

a. A 6-foot wide meandering pedestrian walk along the entire perimeter of the property adjacent to the golf course.

b. Clubhouse expansion of not less than 2,000 square feet

c. An additional dog park.

8. The following parking regulations apply to units constructed following the approval of ZC2020-010:

a. Parking will be provided at one space per bedroom.

b. Tandem parking is permitted provided each pair of tandem spaces, as designated on the site plan, is assigned to a specific unit, at least one space of each pair is below an apartment building, and no tandem space is enclosed by a garage door or used for storage.

Attachments - A number of attachments are included with this memo for consideration, including:

- The original staff report;
- A graphic showing the setbacks and densities for three other multifamily developments in the area; and
- The applicant's updated purpose letter and supplementary graphics.

Conclusion - Staff is seeking the direction of the Commission on this matter. The petitioner has provided a modified plan and design standards for consideration. If the Commission finds the request as proposed is inconsistent with prior direction, a copy of alternative Planned Development zoning standards is included below (based on staff's understanding of the Commission's direction on September 8, 2020) which may aid in providing more specific direction on desired changes. These standards maintain a 50-foot landscaped edge, but reduce the building setback to 50 feet to allow some additional units in the very large setback area on the eastern side of the Legacy Drive frontage. It maintains parking and other items requested.

PD language based on staff's understanding of the P&Z Commission's direction from September 8, 2020:

Development within the PD-489-MF-2 District will conform to the Multifamily Residence-2 District (MF-2) except as provided herein:

1. Maximum number of Units: 460
2. Minimum Front Yard Setback: 50 feet
3. Minimum Landscape Edge along Legacy Dr.: 50 feet. A 6-foot tall combined masonry wall and decorative metal fence may be along or within the landscaped edge.
4. Maximum Building Height: two-story (35 feet), except as noted below.
5. Minimum Side and Rear Yard Setbacks: 50 feet
6. Three-story buildings are allowed provided they do not exceed 45 feet in height and are located more than 200 feet from a single-family zoning district boundary.
7. Buildings located within 75 feet of the north curb of Legacy Dr. will not exceed 30 feet in height above the top of the north curb of Legacy Dr.
8. Exterior building materials will conform to Section 23.200 of the Zoning Ordinance and development within this district will benefit from all associated incentives provided by the zoning ordinance.
9. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:
 - a. A 6-foot wide meandering pedestrian walk along the entire perimeter of the property adjacent to the golf course;
 - b. Clubhouse expansion of not less than 2,000 square feet; and
 - c. An additional dog park.
10. The following parking regulations apply to units constructed following the approval of ZC2020-010:
 - a. Parking will be provided at one space per bedroom.
 - b. Tandem parking is permitted provided each pair of tandem spaces, as designated on the site plan, is assigned to a specific unit, at least one space of each pair is below an apartment building, and no tandem space is enclosed by a garage door or used for storage.

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 8, 2020

Agenda Item No. 1A

Public Hearing: Zoning Case 2020-010

Applicants: 701 Legacy Dr., 701 Legacy Dr. II, LLC, and 701 Legacy Drive IV, LLC

DESCRIPTION:

Request to rezone and amend Planned Development-489-Multifamily Residence-1 on 36.5 acres located on the north side of Legacy Drive, 1,168 feet east of Alma Drive from Planned Development-489-Multifamily Residence-1 to Planned Development-489-Multifamily Residence-2 in order to modify development standards. Zoned Planned Development-489-Multifamily Residence-1. Project #ZC2020-010.

HISTORY:

Planned Development-489-Multifamily Residence-1 (PD-489-MF-1) was established in 1995 to create a low-density multifamily residence development with increased setbacks, generous open space, and a maximum unit count of 346. Prior to this zoning case, the property was zoned Single-Family Residence Attached (SF-A). Per a recommendations memo dated August 7, 1995, the Commission recommended approving the rezoning by a 4-2 vote because:

- It provided much greater setbacks, significantly larger amount of open space, and preserved a greater number of existing mature trees;
- The total number of units of the property would be identical to the existing SF-A zoning;
- The number of school children per unit would be somewhat lesser in number and there would be less overall traffic load; and
- The surrounding neighborhoods and golf course management were in favor of the change.

The City Council approved the change by a vote of 8-0.

REMARKS:

The applicant is requesting to rezone the subject property to Planned Development-489-Multifamily Residence-2 (PD-489-MF-2) to increase the number of units to 478 (an increase of 124 units), and modify the development standards to reduce building setbacks, and amend parking standards to accommodate the additional units. The applicant has included an attached letter which describes the purpose for these additional units is to reinvest in the property, upgrade common amenities, and make improvements to preserve and enhance the property.

The MF-1 district is intended to accommodate condominiums and apartments at a density of 12 residential units per acre in a park-like setting with extensive areas of usable open space and landscaping. MF-1 districts should be located along or near major thoroughfares and should not have principal access to standard residential streets.

The MF-2 district is intended to accommodate condominiums and apartments at a density of 18 residential units per acre providing sufficient areas for usable open space and landscaping. MF-2 districts should have direct access and/or frontage on major thoroughfares and no principal access to standard residential streets. A planned development 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.

A revised concept plan accompanies this request as Agenda Item 1B.

Applicant's Request

The applicant is requesting to change the base zoning from MF-1 to MF-2 and modify associated development standards. The MF-1 and MF-2 zoning districts have many similar standards, but the primary difference between the two districts is the permitted density, with MF-1 allowing up to 12 units per acre, and MF-2 allowing up to 18 units per acre. The applicant is requesting to increase the number of permissible units from 346 to 470, an increase of 124 units. The existing density is approximately 10 units per acre, and with the increase in units the proposed density will be 13.5 units per acre.

In addition to the change in base zoning the applicant is proposing a number of changes to the planned development stipulations. The proposed changes are noted in strike through and underline text below:

Restrictions:

1. ~~Maximum number of Units: 346~~
2. ~~Minimum Front Yard Setback: 70 feet~~
3. ~~Minimum Landscape Edge along Legacy Dr.: 50 feet~~
4. ~~Maximum Building Height: 2 story (35 feet)~~

5. ~~Minimum Side and Rear Yard Setbacks: 50 feet~~

Development within the PD-489-MF-2 District will conform to the Multifamily Residence-2 District (MF-2) except as provided herein:

1. The total number of dwelling units will not exceed 470.
2. Minimum setbacks for one and two-story buildings are:
 - a. Side yard 70 feet
 - b. Rear yard 70 feet
3. Three-story buildings are allowed provided they do not exceed 45 feet in height as measured from the average grade plain and are located more than 200 feet from a single-family zoning district boundary.
4. A minimum 20-foot wide landscape edge will run adjacent to the Legacy Drive right-of-way. It will consist of a 6-foot tall combined masonry wall and decorative metal fence, trees, and ornamental shrubs. Trees will be a minimum 4-inch caliper and will be variably spaced at a rate of one tree per 35 linear feet of street frontage.
5. Buildings located within 75 feet of Legacy Dr. will not exceed 30 feet in height above the top of the north curb of Legacy Dr.
6. Exterior building materials will conform to Section 23.200 of the Zoning Ordinance and development within this district will benefit from all associated incentives provided by the zoning ordinance.
7. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:
 - a. A 6-foot wide meandering pedestrian walk along the entire perimeter of the property adjacent to the golf course.
 - b. Clubhouse expansion of not less than 2,000 square feet
 - c. An additional dog park.
8. The following parking regulations apply to units constructed following the approval of ZC2020-010.
 - a. Parking will be provided at one space per bedroom.
 - b. Tandem parking is permitted provided each pair of tandem spaces, as designated on the site plan, is assigned to a specific unit, at least one space of each pair is below an apartment building, and no tandem space is enclosed by a garage door or used for storage.

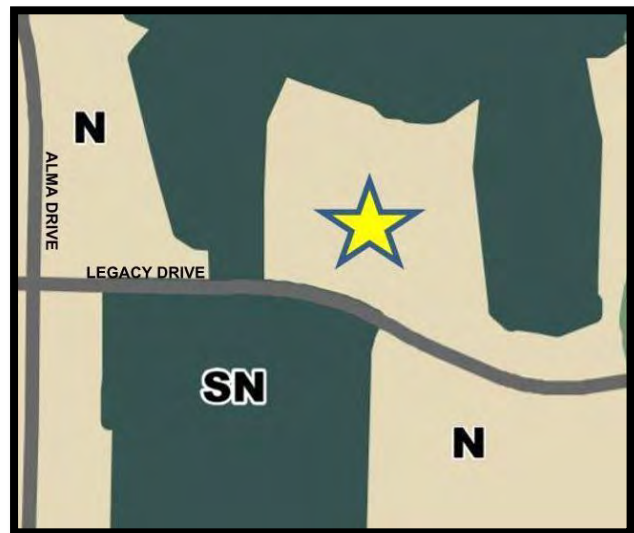
Surrounding Land Uses and Zoning

North	Golf course zoned Single-Family Residence-9 (SF-9) with Specific Use Permits No. 62 (S-62) for Golf Course and No. 107 (S-107) for Private Club.
East	Golf course zoned SF-9 with S-62 for Golf Course and S-107 for Private Club, and medical office zoned Retail (R).
South	Across Legacy Drive multifamily residences zoned Planned Development-273-Multifamily Residence-3 (PD-273-MF-3) and a park zoned Planned Development-329-Community Center (PD-329-COM-CEN).
West	Golf course zoned SF-9 with S-62 for Golf Course and S-107 for Private Club.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Map designates this area as Neighborhood (N).

The Neighborhoods future land use category consists primarily of residential areas focused on sustaining a high quality of life through clear, well-maintained infrastructure, housing, open space, schools, and limited service/institutional uses. Single-family residential should remain the primary use within neighborhoods. It is the intention to preserve and enhance these uses and to regulate the design of new residential infill products to be within the context of the surrounding environment. Institutional, light office, and service uses are considered secondary uses and may be located along the frontage of arterial streets and intersections. Adequate building setbacks must be considered when development is proposed near neighborhoods.



The Neighborhoods designation recommends preserving and enhancing residential uses while ensuring new residential products are in the context of the surrounding environment. The applicant is requesting to increase the density of multifamily residence development from 10 units per acre to 13.5 units per acre. The increase in density is substantial, and does not preserve the current development pattern of the site. This planned development district was intentionally designed to create a low-density park-like setting with ample open space as a complement to the golf course and nearby single-family residences.

The current development has multiple two-story buildings scattered throughout the subject property, and is surrounded on three sides by a golf course. The low-density nature of the site is unique and unlike many garden style apartments which exist in Plano today. The existing site has generous setbacks from Legacy Drive and the surrounding golf course creating a park-like setting for the low-density development. With the

proposed changes in building setbacks and reduced landscaping, buildings will be placed in close proximity to Legacy Drive and the amount of landscaped area visible from the street will be greatly reduced. Increasing the density by 35 percent and reducing associated setbacks and open space will significantly change the character of the development for both residents and from the public perspective. These modifications will not maintain the context which was initially established. This request is not in conformance with the Future Land Use Map.

Growth and Change Map - The Growth and Change Map designates the subject property as Conserve and Enhance (CE).

These areas are expected to retain the current form of development, but will experience some minor infill and ongoing rehabilitation consistent with the present form and character.

The CE designation supports the least amount of change and recommends maintaining the current form and character of a site while anticipating minor infill development. The city has anticipated the need for owners to either rehabilitate or teardown and rebuild older housing stock as it ages out of its useful life-span, while also acknowledging preservation ordinances. At this time, the City of Plano has 211 multifamily developments existing or under construction. These developments range in age, with the oldest constructed in 1946. The subject property was constructed in 1997 and sits within the middle of the list of multifamily developments.



It is important for the city to encourage redevelopment or reinvestment in properties. The city has programs available for this purpose, which are administered by the Neighborhood Services and Special Projects Departments. The intent to reinvest in a property is good, but increasing the density of the subject property by 35 percent is not a minor change and does not align with the CE designation.

An example of a minor change to an existing developed area is the City's recent ordinance to allow backyard cottages, which anticipated 3.5 units per square mile over ten years. Alternatively, within CE areas, increasing the number of housing units in a single developed area by 35% is a level of change not aligned with the Comprehensive Plan. Staff has offered to support additional units up to the base zoning allowance of 12 units per acre, which is a 20% increase. While this is significant, it does not require a change in the base zoning. It may be more consistent with potential expectations for the property, as well as being a lesser variation to the site, which better aligns with the CE area. As written by the applicant, this request is not in conformance with the Growth and Change Map.

Neighborhood Conservation Policy - *Plano will conserve and enhance established residential neighborhoods through city programs, initiatives, and regulations that support neighborhood identity; ensure safe, walkable communities; and preserve the suburban form that contributes to the overall character and livability of the neighborhoods.*

The proposed zoning change will greatly decrease the amount of open space onsite, which is a fundamental aesthetic to the identity of this development. The fact that this site has an abundance of open space for its residents contributes to their quality of life in a way that is largely unique to this location. The proposed infill would make this site more homogenous in density to other housing stock and, therefore, reduces its original design value, impacting the character of the subject property. The proposed walking trail and dog park are beneficial to residents, but do not offset the other considerations. This request is not in conformance with this policy.

Neighborhood Conservation Action Statement NC2 - *Implement the recommendations adopted from the Housing Value and Retention Analysis study.*

The Housing Value and Retention Analysis study states that one of the largest issues facing Plano is its limited range of housing stock. Therefore, to remain competitive, greater diversity of the existing housing stock with walkability is needed to provide housing options to shifting cultural and generational preferences.

The applicant's request would change the property to be more homogeneous with other multifamily properties. This study shows the importance of maintaining a variety of housing stock to provide housing options for a wide variety of residents. This request is not in conformance with this action statement.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property; however, the applicant may be responsible for making improvements to either the water and/or sanitary sewer system to increase the system capacity if required.

School Capacity - Plano Independent School District has provided a letter regarding school capacity, which staff has included as an attachment.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request.

ISSUES:

Building Setbacks and Landscape Edge

The applicant is proposing to decrease the front yard setback from 70 feet to 25 feet, and reduce the stipulation requiring a 50-foot landscape edge along Legacy Drive to 20 feet. The removal of this large landscape edge and decrease in the building setback would permit new residential buildings along the Legacy Drive street frontage, as proposed in the accompanying revised concept plan. This request will significantly alter the visual feel of the development from the major thoroughfare.

With the existing setback and landscape edge, the property's street frontage has a park-like feel, and the buildings are predominately set to the interior of the property, away from view of Legacy Drive. Staff is not in support of the reduction to the landscape edge or front building setback; this design change is not consistent with Comprehensive Plan policies.

Additionally, the applicant is proposing to increase the side and rear yard setbacks from 50 feet to 70 feet. This change will preserve and further enhance the existing character of the development in relation to the golf course that surrounds the property on three sides. No new buildings are proposed along the three edges (north, east, and west) of the property that share a boundary with the golf course. Staff is in support of this proposed change.

Building Height

The applicant is proposing two stipulations related to building height. Under the current zoning and proposed base MF-2 zoning, building height is limited to two stories, 35 feet. The requested zoning change includes height changes to allow three-story structures not to exceed 45 feet in height above the average grade of the site. These three-story buildings will be limited to areas of the subject property more than 200 feet from a single-family zoning district boundary. The subject property is surrounded by a golf course on three sides, all of which is zoned SF-9. The applicant is also proposing a modified height standard which restricts buildings within 75 feet of the curb of Legacy Drive to be no more than 30 feet above the top of the curb.

The proposed building height language is unnecessarily complex and will be cumbersome to administer. In lieu of the requested amendments, the language should be simplified to a clearer height standard. Staff supports allowing three-story structures not to exceed 45 feet in height, as stated in the alternative proposal.

Parking

The applicant has submitted a parking study and is proposing to reduce the number of spaces required for new units, and to utilize tandem parking spaces. The required parking for multifamily residences within both the MF-1 and MF-2 zoning district is 1.5 parking spaces for each efficiency unit and two parking spaces for each dwelling unit with one or more bedrooms. There are no existing or proposed efficiency units on the subject property. The applicant is proposing to change the standard to one space per bedroom for the added units, which would reduce the amount of parking required by 52.

The site currently has the following parking situation:

Number of Units	Parking Required	Parking Provided
346	692	705

The applicant is proposing the following parking situation:

Number of Units	Current Parking Required	Proposed Parking Required	Proposed Parking Provided
470	940	888	926

This location is an isolated property with no opportunities to share parking on adjacent properties and no direct access to transit stops and stations. Convenient, easy to access parking is essential in a stand-alone development. This development is not located within a mixed-use area and cars will be the primary mode of transportation utilized by tenants.

The proposed tandem parking creates an unnecessary inconvenience for residents to frequently coordinate a parking situation. It is impractical to have to adjust the parking situation daily with multiple cars at units when the subject property has ample area available to add necessary parking. Staff does not believe the parking situation is in the best interest of future tenants.

Site Amenities and Exterior Wall Construction Standards

The applicant is proposing two stipulations to require the construction of three additional amenities for future residents. These additional amenities include a six-foot wide pedestrian path around the exterior of the site, an enlarged clubhouse, and an additional dog park. These amenities are intended to enhance the quality of life for tenants and balance out the additional density added. Lastly, the applicant is requiring that exterior wall constructions standards conform to the requirements of Article 23 (Exterior Wall Construction) of the Zoning Ordinance. Staff is in support of these requested changes.

Rehabilitation

As noted in the applicant's letter, the main purpose of this request is to allow for additional improvements and ongoing maintenance of the subject property. Although rehabilitation of the city's housing stock is necessary, staff is concerned about using additional density as a tool for leveraging capital needed for that purpose. The city has programs in place which are intended to assist with maintenance and rehabilitation, and those programs may be designed to prioritize limited resources to sites and areas with the greatest needs. Similarly, zoning for additional density cannot be the revitalization solution for all 211 existing apartment sites in Plano without adequately planning for the economic, social, and infrastructure impacts of such a policy shift.

Alternative Proposal from Staff

Staff has been reviewing this zoning proposal with the applicant for some time. The initial request was for a higher density which staff expressed significant concerns about and found city policy did not support. In response to that initial feedback, the applicant modified their request, reducing the number of units by 16 and updating the setbacks and standards.

In an ongoing effort at collaboration, staff reviewed the modified request to consider possibilities for a supportive scenario. The city has priorities for special housing needs, stated not only in the Comprehensive Plan, but in additional housing documents more recently adopted by City Council. We discussed supporting the request if there was a proposal that could both align more closely with the Comprehensive Plan and meet the housing needs policy.

As an alternative, staff proposed that the applicant reduce the number of additional units to remain within the 12 units per acre maximum of the current MF-1 district. This would reduce the number of additional units requested from 470 to 416. Additionally, staff asked for the current setbacks and parking situation to be retained and to allow units be developed at universal design standards, which requires various design changes to make buildings and communities more livable for all types of people, consistent with the housing policies. The applicant chose to move forward with their original proposal.

Staff is recommending the P&Z consider the alternative proposal as noted in the recommendation section below.

PROCEDURAL CONSIDERATIONS:

Because this request is a Planned Development district, it requires a concept plan as part of the zoning case consideration process. The associated plan is compliant with the applicant's request. If the Commission chooses not to accept the plan requested by the petitioner, the following options are available:

Option 1: A conditional approval would allow the concept plan to return for consideration based on Commission-approved standards. Staff is recommending this option because of the straight forward nature of the reduction in density presented by the alternate proposal discussed above.

Option 2: Tabling the case to the October 5, 2020, meeting. This would allow the applicant to draft a new plan and for the Commission to review an updated plan consistent with recommendations.

The conditional approval is recommended because it allows a more flexible timeline for the developer to complete updates to the associated concept plan. If the reduction is due to removal of buildings (minimal changes) from the existing plan while maintaining locations of other buildings, the plan review process should be relatively straightforward, and could be accommodated by resubmitting by September 14 with a goal of gaining P&Z consideration on September 21. If a site redesign is proposed, a full plan review process will be necessary.

Subsection 4.400.1 of Section 4.400 (Planning & Zoning Commission Action) of Article 4 (Amendments) of the Zoning Ordinance states that the petitioner may continue their original request by appeal to the City Council if they do not accept the recommendation of the Planning & Zoning Commission. However, any part of the request not conforming to the Planning & Zoning Commission's recommendations shall be presumed to have been denied by the Planning & Zoning Commission. A denial, in whole or in part, from the P&Z can move forward to the City Council, if appealed within 30 days.

SUMMARY:

The applicant is proposing to amend and rezone the subject property to allow for additional residential units. The request proposes a significant change in the character of the existing development, which is not in conformance with the Comprehensive Plan. This property is unique and provides low density housing in a park-like setting. The introduction of additional units does not respect the existing character of the development. The reduction in required parking is unwarranted, considering the amount of land available on the subject property. Staff is not in support of the applicant's requested zoning change.

As an alternative, staff is recommending the language noted in the recommendation below. This modified language is in conformance with the recommendations of the Comprehensive Plan and will maintain the current form and character of the existing development while allowing for some minor infill of the subject property. A large amount of open space will be preserved and the parking requirements will not be amended. Lastly, using universal design standards will ensure the additional number of units are developed in a manner that will support residents with a variety of needs. Staff recommends conditional approval to allow the P&Z to review the concept plan consistent with PD district requirements.

RECOMMENDATION:

Recommended that the Planning & Zoning Commission conditionally approve the item as follows:

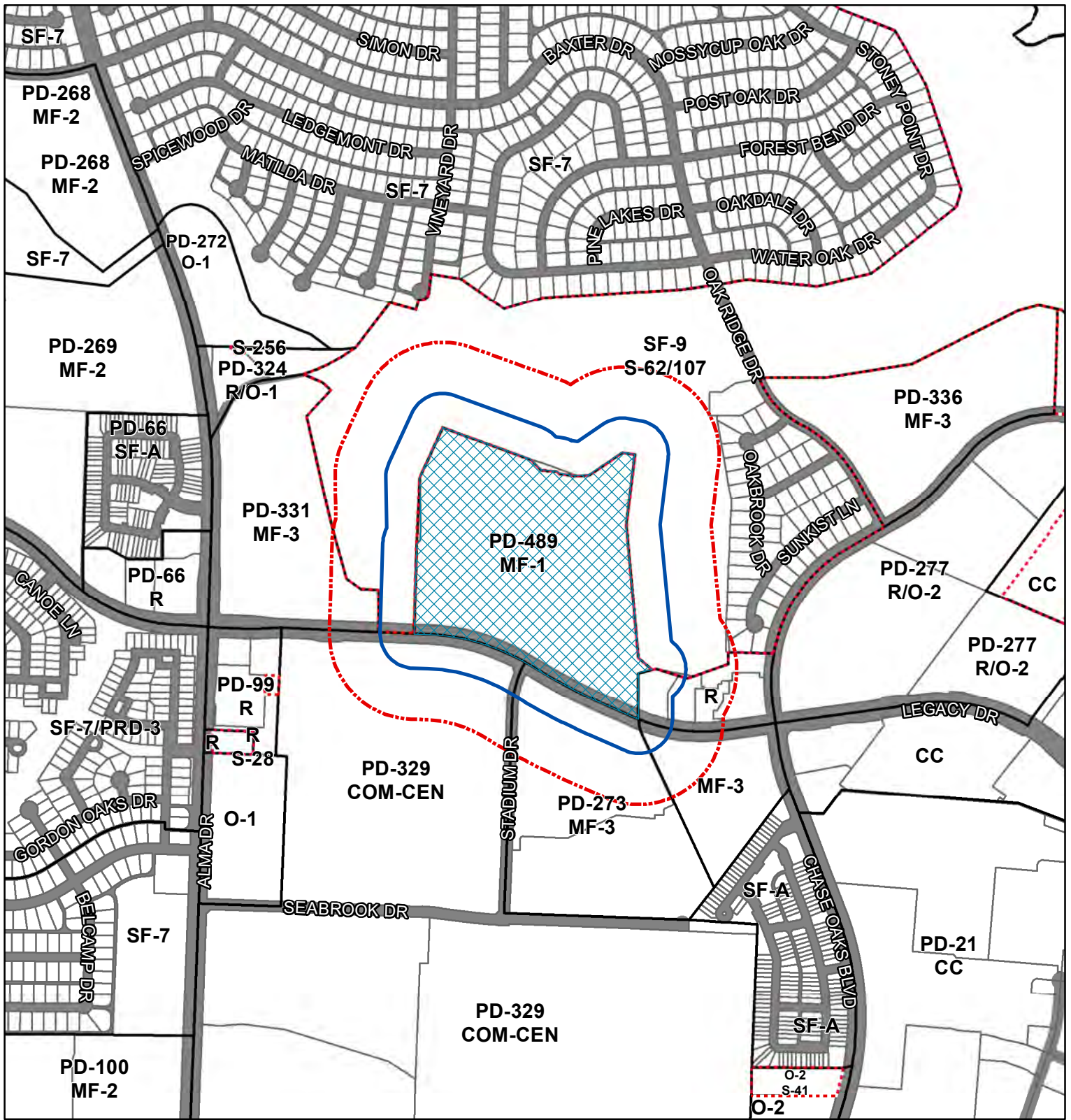
Condition 1: The associated concept plan, Agenda Item 1B, will be resubmitted for a future P&Z meeting consistent with the restrictions in Condition 2 on or before November 12, 2020.

Condition 2: Restrictions: (Additions are indicated by underlining; deletions are indicated by strike-through)

1. Maximum number of Units: ~~346~~ 416
2. Minimum Front Yard Setback: 70 feet
3. Minimum Landscape Edge along Legacy Dr.: 50 feet
4. Maximum Building Height: 2 story (35 feet), except as noted below.
5. Minimum Side and Rear Yard Setbacks: 50 feet
6. Three-story buildings are allowed provided they do not exceed 45 feet in height and are located more than 200 feet from a single-family zoning district boundary.

7. Exterior building materials will conform to Section 23.200 of the Zoning Ordinance and development within this district will benefit from all associated incentives provided by the Zoning Ordinance.
8. Additional amenities will be constructed concurrent or prior to increasing the total number of multifamily units above 346, including:
 - a. A 6-foot wide meandering pedestrian walk along the entire perimeter of the property adjacent to the golf course.
 - b. Clubhouse expansion of not less than 2,000 square feet
 - c. An additional dog park.
9. If the total number of multifamily units exceeds 346, the number of units in excess of that number (not to exceed 70) must be designed and maintained (through either development or rehabilitation) with universal design/visitability per the standards for Type C Units in ICC/ANSI A117.1 (2009, or as amended).

Condition 3: Notice for City Council consideration of Zoning Case 2020-010 will be scheduled immediately following approval of the concept plan.

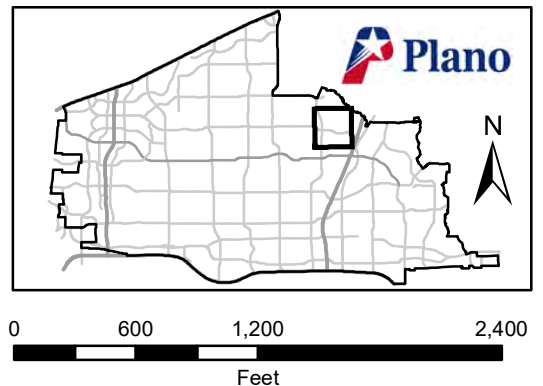


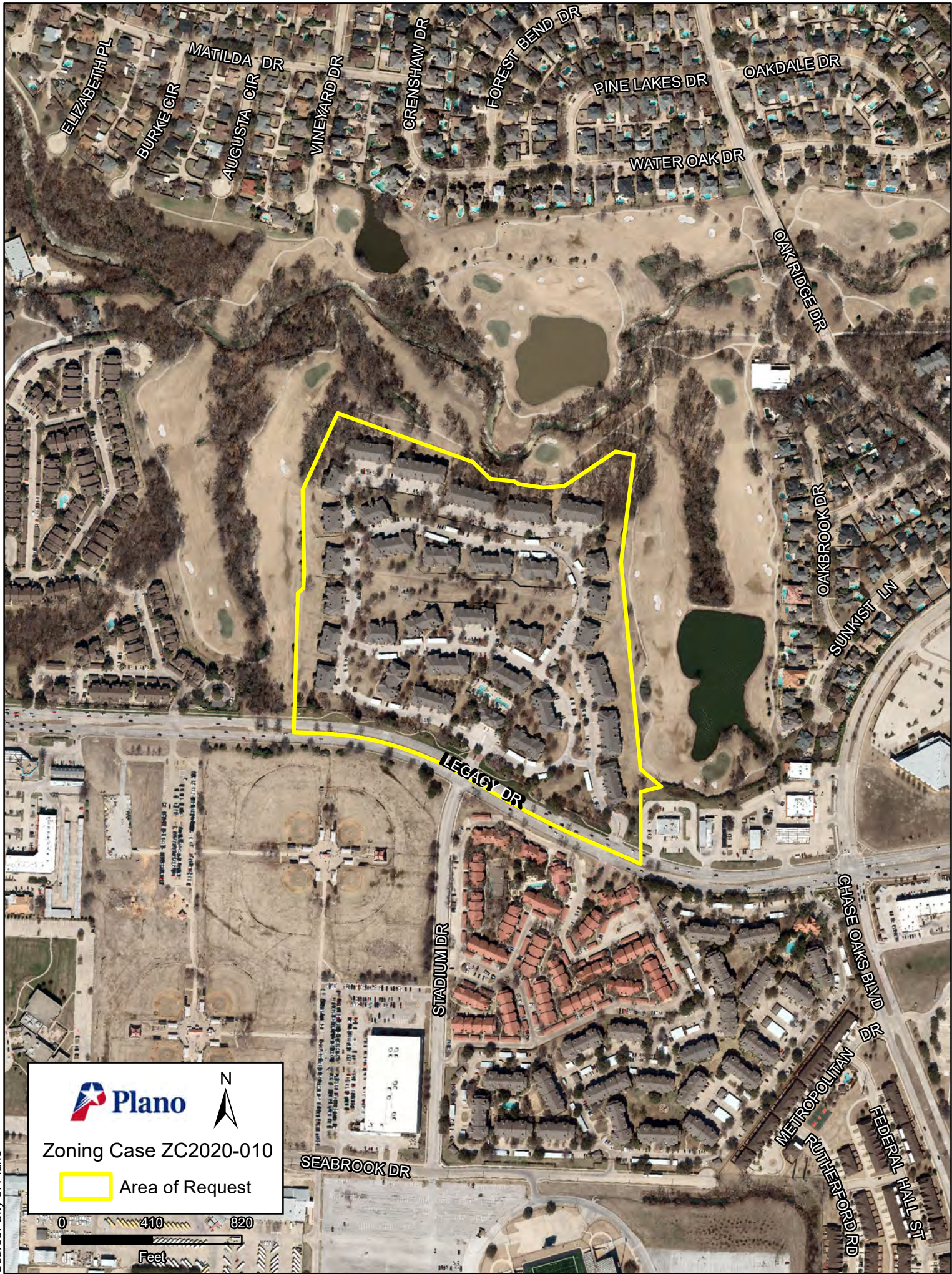
Zoning Case: ZC2020-010

Existing Zoning: Planned Development-489-Multifamily Residence-1

Proposed Zoning: Planned Development-489-Multifamily Residence-2

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





Zoning Case ZC2020-010



Area of Request

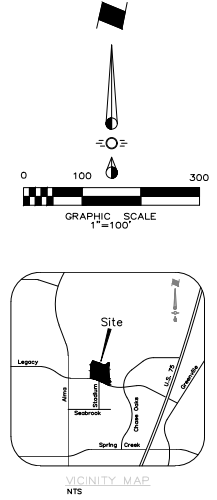


LEGAL DESCRIPTION

BEGIN a tract of land situated in the Daniel Rowlett Survey, Abstract No. 738, City of Plano, Collin County, Texas, and being all of Lot 1, Block A, Chase Oaks Apartments, and addition to the City of Plano as recorded in Cabinet K, Page 32, Plat Records of Collin County, Texas, also being the north half of Legacy Drive (a 110' R.O.W.) as recorded in Cabinet F, Page 29, Plat Records of Collin County, Texas;

BEGINNING as a 1" iron rod found, add point being the northwest corner of the aforementioned Lot 1, Block A, Chase Oaks Apartments;

THENCE S70°11'27"E, a distance of 548.91 feet to a point;
THENCE S46°37'37"E, a distance of 91.72 feet to a point;
THENCE S84°9'49"E, a distance of 92.00 feet to a point;
THENCE S54°05'05"E, a distance of 20.00 feet to a point;
THENCE S81°48'47"E, a distance of 98.00 feet to a point;
THENCE S85°30'00"E, a distance of 78.46 feet to a point;
THENCE N56°11'47"E, a distance of 236.08 feet to a 1" iron found;
THENCE S80°51'12"E, a distance of 73.30 feet to a 1" iron found;
THENCE S06°59'59"W, a distance of 413.54 feet to a 1" iron found;
THENCE S05°22'41"E, a distance of 790.57 feet to a 1" iron found;
THENCE S49°30'00"E, a distance of 104.09 feet to a point;
THENCE S76°10'12"W, a distance of 81.66 feet to a 1/2" iron found;
THENCE S00°05'48"W, a distance of 273.73 feet to a point in the centerline of the aforementioned Legacy Drive, add point being the beginning of a non-tangent curve to the right having a central angle of 0°14'21", a radius of 1000.00 feet, a tangent length of 14.88 feet, and a chord bearing N67°41'15"W, 29.76 feet;
THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 29.76 feet to the end of said curve;
THENCE N66°23'06"W, with the centerline of Legacy Drive, a distance of 206.44 feet to the beginning of a curve to the right having a central angle of 06°48'11", a radius of 3350.00 feet, a tangent length of 199.12 feet, and a chord bearing N62°59'00"W, 397.53 feet;
THENCE in a northwesterly direction along said curve to the right, and with the centerline of Legacy Drive, an arc distance of 397.53 feet to the end of said curve;
THENCE N59°34'55"W, with the centerline of Legacy Drive, a distance of 115.88 feet to the beginning of a curve to the left having a central angle of 28°23'33", a radius of 1200.00 feet, a tangent length of 303.56 feet, and a chord bearing N73°46'42"W, 588.59 feet;
THENCE in a northwesterly direction along said curve to the left, and with the centerline of Legacy Drive, an arc distance of 594.05 feet to the end of said curve;
THENCE N87°58'28"W, with the centerline of Legacy Drive, a distance of 90.09 feet to a point;
THENCE N01°42'52"E, leaving Legacy Drive, a distance of 530.00 feet to a point;
THENCE N46°42'52"E, a distance of 27.61 feet to a 1" iron found;
THENCE N02°40'25"E, a distance of 68.16 feet to a point;
THENCE N00°58'10"W, a distance of 307.38 feet to a 1" iron found for corner;
THENCE N24°45'00"E, a distance of 320.60 feet to the POINT OF BEGINNING and CONTAINING 1,589,079 square feet, or 36.450 acres of land.

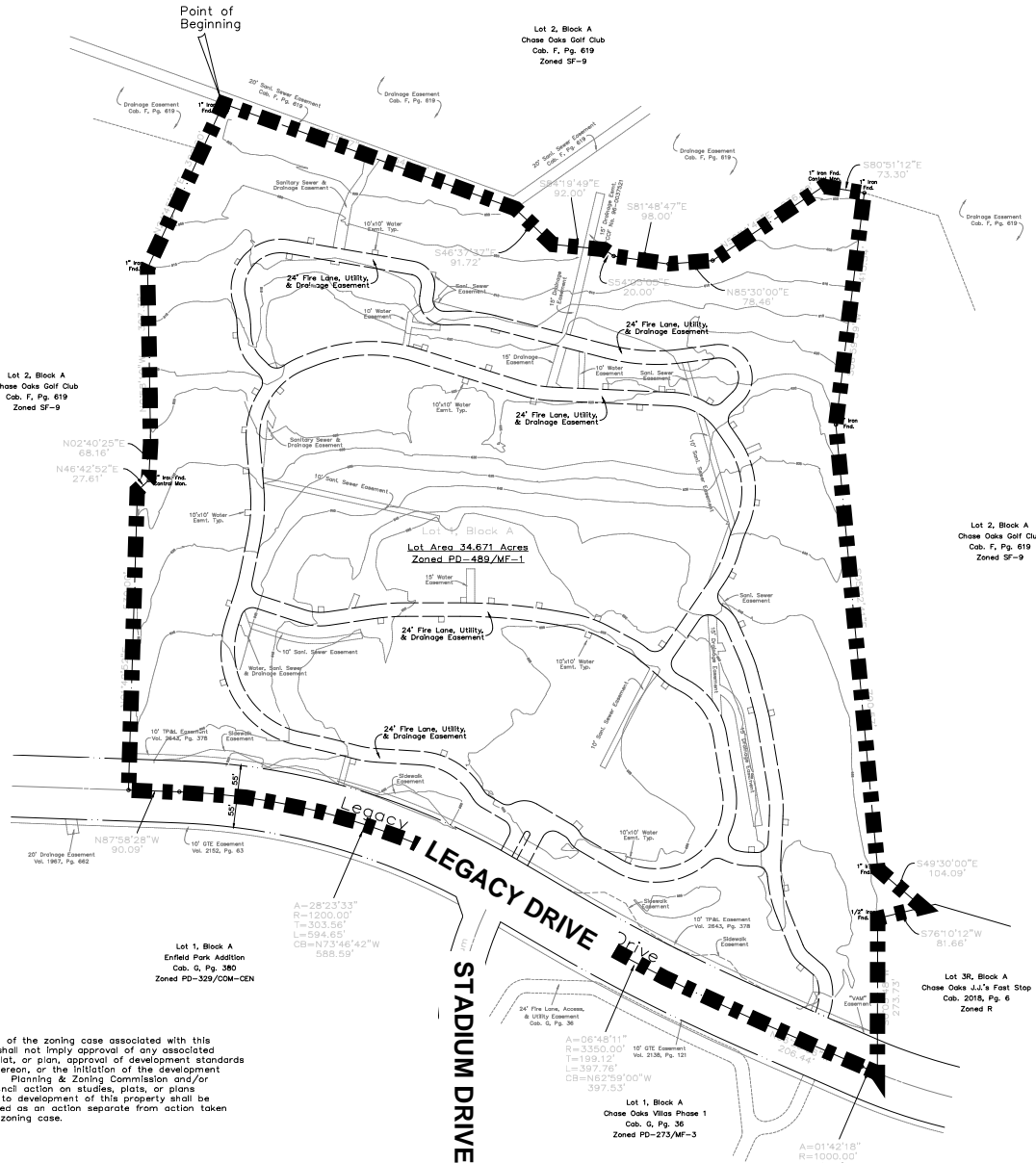


CITY PROJECT No. ZC2020-010
ZONING EXHIBIT
CHASE OAKS APARTMENTS
LOT 1, BLOCK A
Zoned PD-489/MF-1
36.480 Acres Situated In The
DANIEL ROWLETT SURVEY ~ ABST. 738
PLANO, COLLIN COUNTY, TEXAS

Owner
701 Legacy Drive LLC
Attn:
450 North Roxbury Drive, Suite 1050
Beverly Hills, California 90210
Telephone 310-651-2093

Engineer
RLK Engineering, Inc.
Texas Registration No. 579
Attn: Seth Kelly
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

Surveyor
Surdukan Surveying, Inc.
Attn: David Surdukan
P.O. Box 128
Anna, Texas 76809
Telephone 972 924-8200
April 21, 2020



NOTE:

Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, 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, plats, or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

NOTE:

All easements recorded in Cabinet K, Page 32, unless noted otherwise.

UPDATED CONCEPT PLAN - OCTOBER 5, 2020

PROPOSED UNIT DATA							
UNIT	TYPE	TOTAL NUMBER	TOTAL	Sq. Ft	PERCENT OF TOTAL	PERCENTAGE OF MIX	UNIT NET TOTAL
A1	18/18	32	64	733	25.8%	51.6%	23,456
A2	18/18	32		785	25.8%		25,120
B1	28/28	24	48	1,200	19.4%	38.7%	28,800
B2	28/28	24		1,236	19.4%		29,664
C1	38/28	12	12	1,500	9.7%	9.7%	18,000
UNIT TOTAL/AVG.		124	124	1,000 SF	100%	100%	125,000 SF

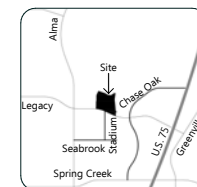
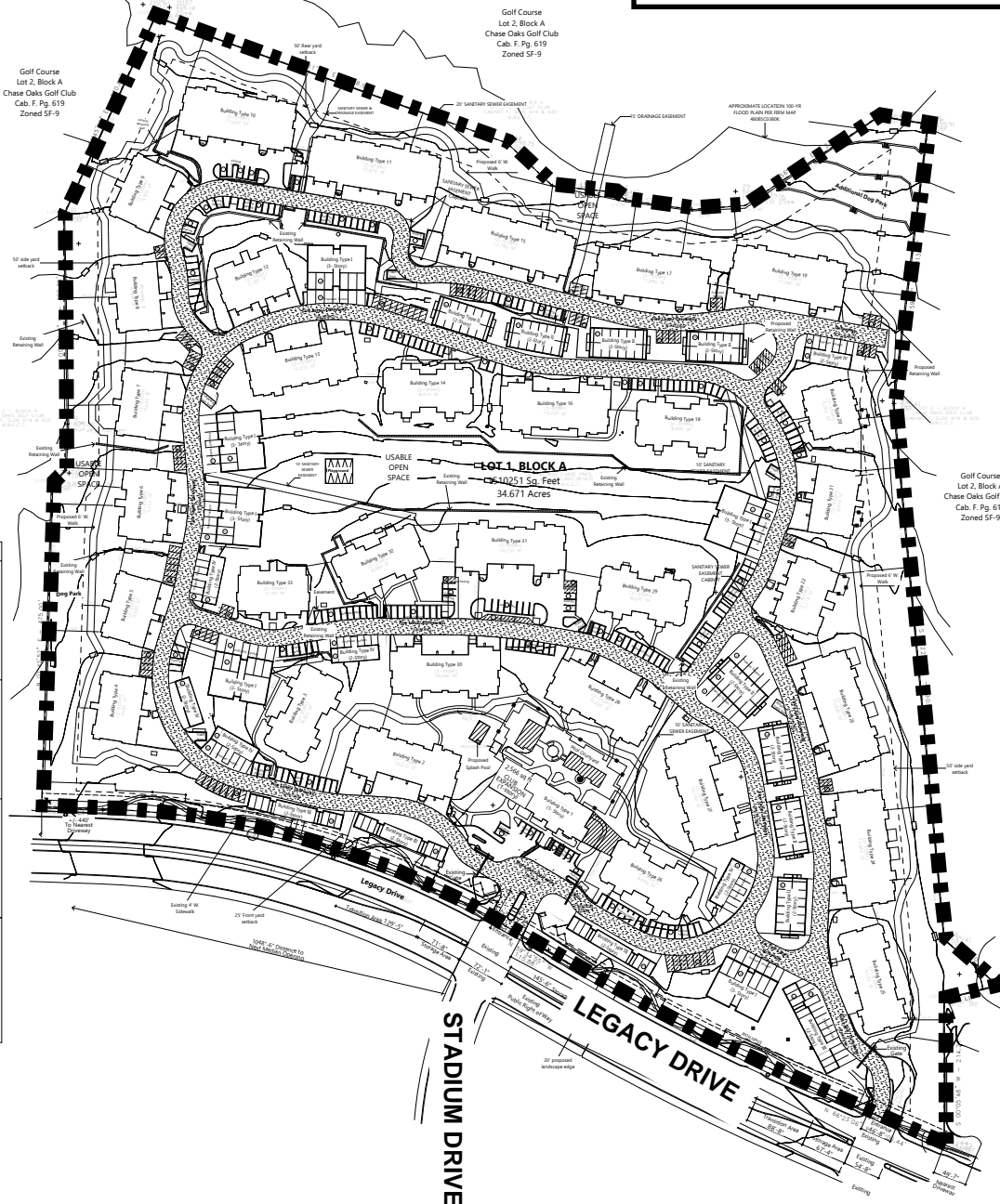
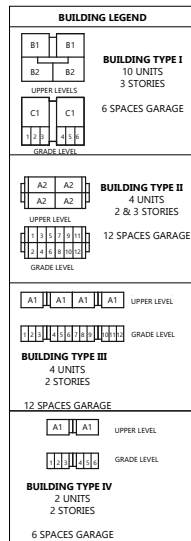
EXISTING UNIT DATA				
A1		48		692
A2		56		788
A3		32	176	793
A31		16		823
A4		24		956
B1		56		1,086
B11		28		1,062
B2		14	150	1,129
B3		36		1,196
B4		8		1,352
B5		8		1,367
C1		12	20	1,352
C2		8	20	1,362
UNIT TOTAL/AVG.	346	346	346	982 5F

LINE TABLE			CURVE DATA					
L1	N 87°58'28" W	90.39'	NO.	RADIUS	DELTA	ARC'	CH. BEARING	CHORD
L2	N 46°42'52" E	27.61'	C1	945.00'	00°21'50"	6.00'	N 66°33'31" W	6.00'
L3	N 02°40'25" E	68.16'	C2	3295.00'	6°48'11"	391.23'	N 62°59'01" W	391.00'
L4	N 46°37'37" E	91.72'	C3	1255.00'	28°23'33"	621.91'	N 73°46'41" W	615.56'
L5	N 46°37'37" E	279.28'						

L5	N 84°19'49" E	92.00'	MINIMUM USABLE OPEN SPACE Will meet the requirements for minimum 1,000.0 ± 0.8 11,800 ± 4.4 of the zoning ordinance																								
L6	N 54°05'05" E	20.00'																									
L7	N 81°48'47" E	98.00'																									
L8	N 85°30'00" W	78.46'																									
L9	S 80°51'12" E	73.30'																									
L10	S 49°30'00" E	104.09'																									
L11	S 76°10'12" W	81.66'	<table border="1"> <thead> <tr> <th></th> <th>TOTAL BEDS</th> <th>FACTOR</th> <th>SF</th> </tr> </thead> <tbody> <tr> <td>1 Bedroom</td> <td>240</td> <td>650</td> <td>156,000</td> </tr> <tr> <td>2 Bedroom</td> <td>198</td> <td>800</td> <td>158,400</td> </tr> <tr> <td>3 Bedroom</td> <td>32</td> <td>1,000</td> <td>32,000</td> </tr> <tr> <td colspan="3">OPEN SPACE REQUIRED</td> <td>346,400</td> </tr> <tr> <td colspan="3">OPEN SPACE PROVIDED</td> <td>435,791</td> </tr> </tbody> </table>		TOTAL BEDS	FACTOR	SF	1 Bedroom	240	650	156,000	2 Bedroom	198	800	158,400	3 Bedroom	32	1,000	32,000	OPEN SPACE REQUIRED			346,400	OPEN SPACE PROVIDED			435,791
	TOTAL BEDS	FACTOR	SF																								
1 Bedroom	240	650	156,000																								
2 Bedroom	198	800	158,400																								
3 Bedroom	32	1,000	32,000																								
OPEN SPACE REQUIRED			346,400																								
OPEN SPACE PROVIDED			435,791																								

[illegible]

GRAPHIC SCALE
1"=80'



VICINITY MAPS

Owner
701 Legacy Drive LLC
Attn: Sandy Schmid
450 North Roxbury Drive, Suite 1050
Beverly Hills, California 90210
Telephone (310) 651-2093

Engineer
RLK Engineering, Inc.
Texas Registration No. 579
Attn: Seth Kelly
111 West Main Street
Allen, Texas 75013
Telephone (972) 359-1733

Architect
JHP Architecture/ Urban Planning, PC
Attn: J. Mark Wolf
8340 Meadow Rd #150
Dallas, Texas 75231
Telephone (214) 363-5687

Revised Concept Plan
RCP2020-004

CHASE OAKS

APARTMENTS

LOT 1, BLOCK A

VOL. K, PG. 32
M B C C T

Zoned PD-489/MF-1

34.671 ACRES/ 1,510,251 SF
Sited in the
DANIEL ROWLETT SURVEY~ ABST.738
09.02.2020
PLANO, COLLIN COUNTY, TEXAS



Fairways at Chase Oaks

PD-331-MF-3

25' front yard setback along Legacy

15.5 units per acre

Subject Property

Chase Oaks Villas Phase 1

PD-273-MF-3

25' front yard setback along Legacy

17.9 units per acre

Jefferson at Chase Oaks

PD-273-MF-3

25' front yard setback along Legacy

20.2 units per acre

May 7, 2020

City of Plano
Craig Fisher, Senior Planner
1520 K Avenue, Suite 250
Plano, Texas 75074

Dear Mr. Fisher:

You have inquired as to the capacities and enrollment projections for the schools impacted by the property located at 701 Legacy Drive.

The following table provides both enrollment and capacity figures.

School	2019/20 Enrollment (Actual)	2020/21 Enrollment (Projected)	2021/22 Enrollment (Projected)	2022/23 Enrollment (Projected)	2023/24 Enrollment (Projected)	Program Capacity	Functional Capacity
Rasor Elementary	470	484	494	504	513	588	500
Hendrick Middle	709	718	699	671	661	1,163	988
Clark High	1,371	1,311	1,305	1,342	1,328	2,439	2,073
Plano Senior High	2,649	2,585	2,558	2,439	2,480	3,498	2,970

The enrollment figures are derived from our most recent demographer's report. The 2019-20 column represents actual enrollment as of December 2019. All other enrollment figures are projected and are based on City zoning as it existed in the Winter of 2019. The impact of any zoning changes since that time (including this requested rezoning) are not yet factored into the projections.

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,

Randy McDowell

Randy McDowell
Chief Financial Officer
Plano ISD



September 21, 2020

Dear Chairman Muns and Members of the Planning and Zoning Commission:

We appreciate the opportunity to address you again with our request to add 124 units to Legends at Chase Oaks. This modest addition only increases the overall density of Legends to 13.5 units per acre, the lowest garden apartment density in Plano. StarPoint specializes in taking good properties and making them great. This requires improving management, attracting and retaining quality tenants, upgrading existing units and adding new units to diversify our offering and improve the development's economic performance. Open space and amenities are import to us. That is why we are retaining more than 10 acres of useable open space and adding a new dog park and expanding the club house. We are preserving the 50' setback and greenbelt next to the golf course and adding nearly a mile of walking trail.

Since 2000, the land value of Legends has increased 436%, whereas the value of improvements has only increased by 163%. The long-term financial stability of the development requires greater investment to preserve the existing asset.

Attracting and retaining residents begins at the curb. We are requesting returning Legends to a 25' setback, the standard setback that applies citywide and to all apartments in the Chase Oaks area. The street right of way generally extends 10 feet behind the curb. This means the building line is approximately 35 feet back of the curb. Most of this 25-foot setback sits in front of the existing wall and fence. We want to disturb this area as little as possible preserving where feasible large trees and decorative trees such as Crape Myrtles. We will save where practicable sections of the existing wall and fence and replace sections in the same style wall and fencing where needed. In this area the number of new and existing trees will equal 1 tree per 30 linear feet of frontage. All trees will be a minimum of 4-inch caliper and 20% of the trees will be 6-inch caliper.

New buildings will be constructed behind the fence and wall. Only one building is located as close as 5 feet to the proposed building line. We will also take advantage of the site topography and will cut into the slope to drop the back wall of buildings 3 to 4 feet. With only one floor of living area above the garage, the units will have a low profile and in no instance will they be taller than 30 feet above the Legacy curb.

We believe these measures will ensure Legends is attractive and economically strengthened for the betterment of the apartment community, Chase Oaks, and the City.

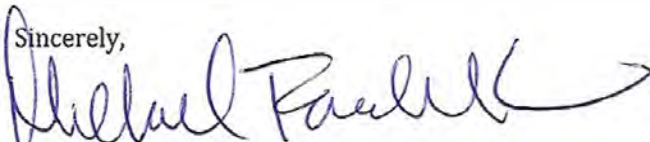
Sincerely,

Michael Farahnik
Executive Vice President



Illustration of New Building Massing Along Legacy Dr.



Owner

701 Legacy Drive LLC
Attn: Sandy Schmid
450 North Roxbury Drive, Suite 1050
Beverly Hills, California 90210
Telephone (310) 651-2093

Engineer

RLK Engineering, Inc.
Texas Registration No. 579
Attn: Seth Kelly
111 West Main Street
Allen, Texas 75013
Telephone (972) 359-1733

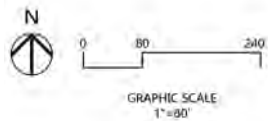
Architect

JHP Architecture/ Urban Planning, PC
Attn: J. Mark Wolf
8340 Meadow Rd #150
Dallas, Texas 75231
Telephone (214) 363-5687

Frontage Illustrations
CP2020-006

**CHASE OAKS
APARTMENT**

LOT 1, BLOCK A
VOL. K, PG. 32
M.R.C.T.
Zoned PD-489/MF-1
34.671 ACRES/ 1,510,251 SF
Situated in the
DANIEL ROWLETT SURVEY~ ABST.738
09.22.2020
PLANO, COLLIN COUNTY, TEXAS



Illustrative Site Plan



VICINITY MAP
NTS

Owner
701 Legacy Drive LLC
Attn: Sandy Schmid
450 North Roxbury Drive, Suite 1050
Beverly Hills, California 90210
Telephone (310) 651-2093

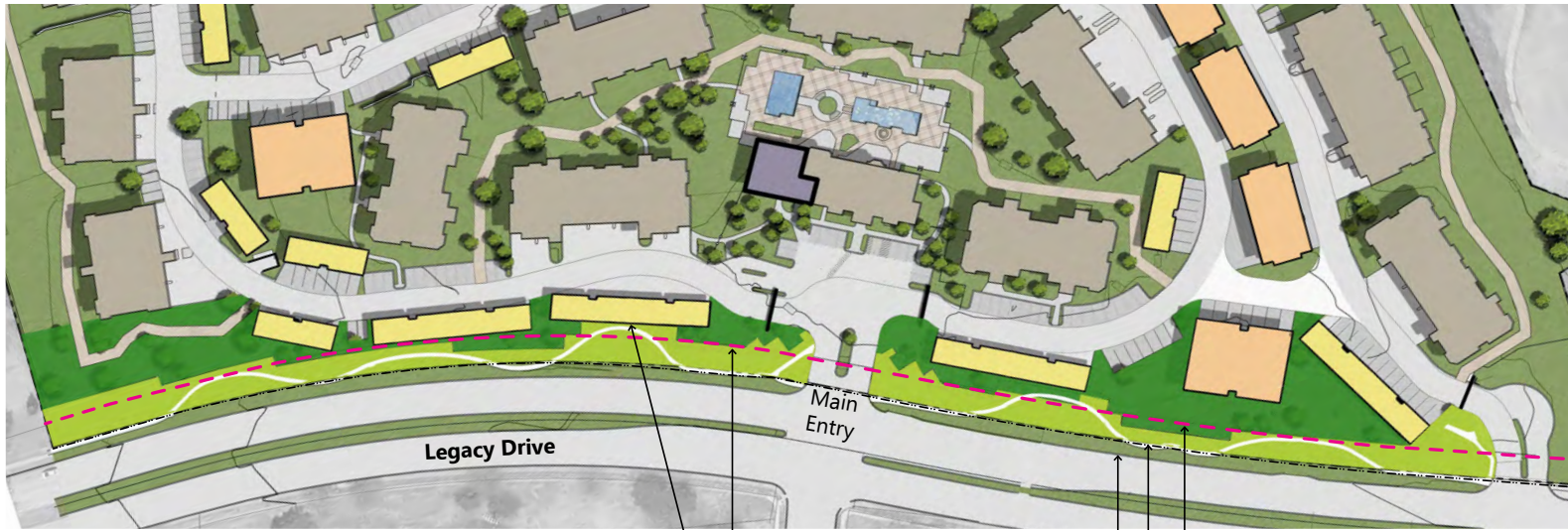
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Telephone (214) 363-5687

Illustrative Plan
CP2020-006

CHASE OAKS APARTMENT

LOT 1, BLOCK A
VOL. K, PG. 32
M.R.C.C.T.
Zoned PD-489/MF-1
34.671 ACRES/ 1,510,251 SF
Situated in the
DANIEL ROWLETT SURVEY~ ABST.738
09.28.2020
PLANO, COLLIN COUNTY, TEXAS



- Property Line to Existing Fence - No Buildings
- Low impact to existing trees

Line of Existing Fence

25' Setback and Landscape zone

Property Line

Curb Line



- Existing Trees
- Proposed Trees

Illustration does not include the existing ornamental trees or large shrubs



VICINITY MAP
NTS

Owner
701 Legacy Drive LLC
Attn: Sandy Schmid
450 North Roxbury Drive, Suite 1050
Beverly Hills, California 90210
Telephone (310) 651-2093

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Frontage Illustrations
CP2020-006

CHASE OAKS APARTMENT

LOT 1, BLOCK A
VOL. K, PG. 32
M.R.C.C.T.
Zoned PD-489/MF-1
34.671 ACRES/ 1,510,251 SF
Situated in the
DANIEL ROWLETT SURVEY- ABST.738
09.14.2020
PLANO, COLLIN COUNTY, TEXAS



VICINITY MAP
MTS

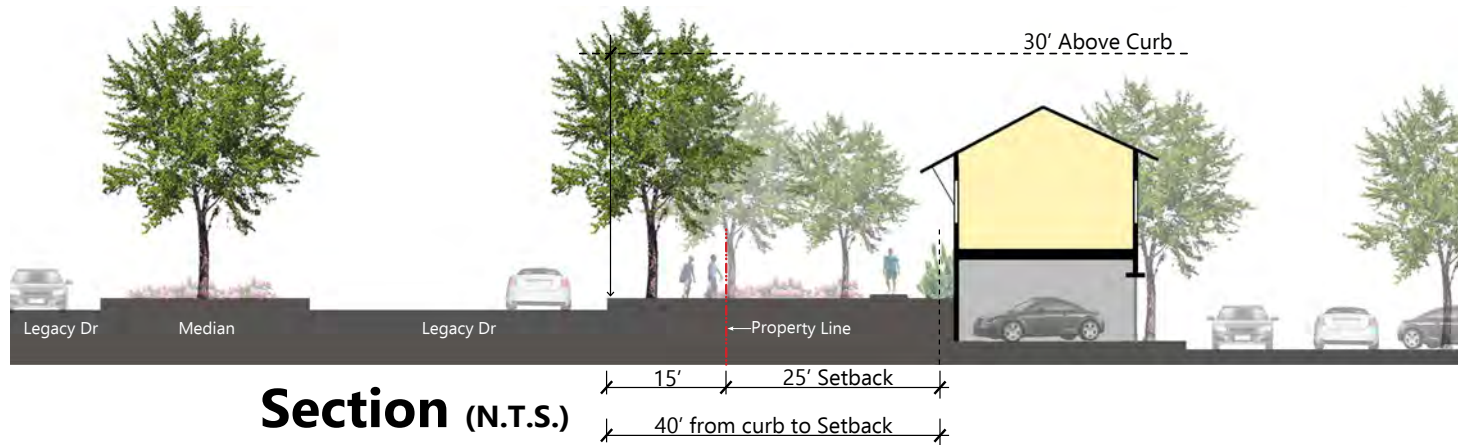
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Dallas, Texas 75231
Telephone (214) 363-5687

FRONTAGE:

- Only 50% of the proposed building walls are at the minimum setback
- Only 10% of the Legacy Drive frontage has buildings walls at the setback



Key Map

Frontage Illustrations
CP2020-006

**CHASE OAKS
APARTMENT**

LOT 1, BLOCK A
VOL. K, PG. 32
M.R.C.C.T.
Zoned PD-489/MF-1
34.671 ACRES/ 1,510,251 SF
Situated in the
DANIEL ROWLETT SURVEY- ABST.738
09.14.2020
PLANO, COLLIN COUNTY, TEXAS

PARKING STUDY
For
Legends at Chase Oaks
in the City of Plano, Texas



Prepared for
StarPoint Properties
August 8, 2020

By



Derek S. Sweeney, P.E.

INTRODUCTION

Legends at Chase Oaks is a low-rise apartment development located at 701 Legacy Drive in the City of Plano, Texas. The site, built in 1997, currently has 346 total units – consisting of 176 one-bedroom units, 150 two-bedroom units, and 20 three-bedroom units – and provides 705 parking spaces. The development is proposing to construct an additional 124 units – consisting of 64 one-bedroom units, 48 two-bedroom units, and 12 three-bedroom units – with an additional 202 parking spaces, for a total of 470 units and 926 parking spaces.

The City of Plano's parking ordinance requires 2 parking spaces to be provided for each dwelling unit in a multifamily development. The proposed site plan does not currently meet that requirement and is seeking a variance to provide parking at one space per bedroom for all new units constructed after January 1, 2021.

The City's parking requirement appears to be overly conservative in that it does not account for the number of bedrooms per unit which can have an effect on the number of parking spaces needed per unit. Most of the units in the development are one-bedroom units which would generate less parking demand than a larger unit. The average number of bedrooms per unit is illustrated below in **Table 1** for the existing development as well as post-construction.

Table 1. Development Bedroom/Dwelling Unit Ratios

Scenario	Bedrooms	Dwelling Units	Bedroom/Dwelling Unit Ratio
Existing	536	346	1.55
Proposed	732	470	1.56

The purpose of this parking study is to examine the current parking usage and compare it to industry standards as well as neighboring communities to demonstrate that the parking demands of this development will be addressed with the parking currently proposed.

CITY OF PLANO PARKING REQUIREMENTS

Per the City of Plano Zoning Ordinance Article 16.700 Off-Street Parking Schedule, the minimum required parking spaces for multifamily dwellings is 2 spaces for each dwelling unit with one or more bedrooms. This Article also provides guidance for efficiency units, which are not present or proposed for the Legends at Chase Oaks apartment development. **Table 2** shows the required number of parking spaces based on City of Plano requirements.

Table 2. City of Plano Parking Requirements

Scenario	Total Units	Required Parking	Provided Parking	Provided Parking Rate	Requirement Met	Variance
Existing	346	692	705	2.04	Yes	+13
Proposed	470	940	926	1.97	No	-14

The Legends at Chase Oaks apartment development **does not** meet the City of Plano off-street parking ordinance requirements.

EXISTING PARKING UTILIZATION

A representative from our company visited the site and conducted a survey of the number of parked vehicles between 3:45 and 4:45 AM on Wednesday, April 1, 2020 to determine the current level of parking utilization for the site. The intention in performing the parking survey at such an early hour is to capture the most accurate data assuming that most people would have returned from a late night job and would not have left yet to go to work or an early morning activity. Additionally, the ITE Parking Generation rates, discussed in the subsequent report section, indicates that the highest parking demand occurs between 11:00 PM and 5:00 AM for weekdays.

As a note, this parking survey was conducted during the COVID-19 pandemic event which resulted in the temporary closure of many businesses and the transition of a lot of employees to working from home. A specific shelter-in-place order issued by Collin County was in effect that required county residents to avoid non-essential travel with additional restrictions and best practices promulgated by Federal, State, and Local officials. The overall impact of these pandemic restrictions improves the reliability of the parking survey, since most residents were likely in their homes at the time the parking survey was conducted.

The total number of existing open, covered, and garage parking spaces on the site are shown in **Table 3**. **Table 3** also includes the results of the parking survey showing how many spaces were used. The garage spaces are assigned directly to specific units and are not leased independently. The site has 24 double garages and 210 single garages. It was assumed that double garages held two vehicle parking spaces, and that all leased garages were occupied.

Table 3. Site Parking Spaces

Type of Parking	Occupied	Free	Total
Covered Parking	92	20	112
Open Parking	158	177	335
Garage Parking	253	5	258
Total	503	202	705

Table 4 shows the current occupancy rate of the Legends at Chase Oaks apartment complex, both in terms of number of occupied units and number of bedrooms per occupied unit. Currently, 93.4% of the units on the site are occupied.

Table 4. Existing Development Occupancy

Type of Unit	Units				Bedrooms			
	Total	Occupied	Free	Occupancy Rate	Total	Occupied	Free	Occupancy Rate
One Bedroom Units	176	165	11	93.8%	176	165	11	93.8%
Two Bedroom Units	150	140	10	93.3%	300	280	20	93.3%
Three Bedroom Units	20	18	2	90.0%	60	54	6	90.0%
Total	346	323	23	93.4%	536	499	37	93.1%

The existing parking utilization of the site is summarized in **Table 5**. The ratio of provided parking spaces was determined by dividing the total number of parking spaces by the total number of units and bedrooms, respectively. The parking utilization rate is the ratio of occupied parking spaces to total parking spaces. The effective parking rate is the ratio of occupied parking spaces to the ratio of occupied units or bedrooms.

Table 5. Site Parking Utilization

	Per Unit	Per Bedroom
Provided Parking Rate (Using Total Spaces & Total Units/Bedrooms)	2.04	1.32
Total Parking Utilization Rate	71.3%	71.3%
Effective Parking Rate (Using Occupied Spaces & Occupied Units/Bedrooms)	1.56	1.01

The effective parking rate per unit was judged to be the most representative of the actual parking demand for the development, and so was taken to be the existing parking demand rate.

ITE PARKING REQUIREMENTS

The Institute of Transportation Engineers (ITE) provides guidance regarding the amount of parking that should be provided by a new development in the *Parking Generation Manual, 5th Edition*. The manual contains text, tables, data plots, and statistics that describe current state-of-the-practice understanding of the relationship between parking demand and the many characteristics associated with an individual development site or land use. The manual provides aggregated data from similar sites and includes information on average peak period parking demand as well as the 85th percentile demand. The 85th percentile demand is typically used for the high demand needs.

The ITE Land Use Code most appropriate for this site is Multifamily Housing (Low-Rise) (ITE Code 220).

The manual provides different parking generation rates based on a site's proximity to rail transit. The public transit stop nearest to the site is a bus stop approximately one mile away from the apartment development on Spring Creek Parkway at Chase Oaks Boulevard. As such, the guidelines for "General Urban/Suburban" multifamily housing "not within ½ miles of rail transit" was used to estimate the parking demand for this site.

To determine the parking requirements for this site, the 85th percentile peak parking demand rate were used. These rates are 1.52 parking spaces per dwelling unit and 0.86 parking spaces per bedroom. The required parking based on number of dwelling units is shown in **Table 6**, and the required parking based on number of bedrooms is shown in **Table 7**.

Table 6. ITE Parking Requirements (per dwelling unit)

Scenario	Total Units	Required Parking	Provided Parking	Requirement Met	Variance
Existing	346	526	705	Yes	+179
Proposed	470	715	926	Yes	+211

Table 7. ITE Parking Requirements (per bedroom)

Scenario	Total Bedrooms	Required Parking	Provided Parking	Requirement Met	Variance
Existing	536	461	705	Yes	+244
Proposed	732	630	926	Yes	+296

Based on ITE parking requirements, the Legends at Chase Oaks apartment development does provide enough parking spaces for both the proposed number of dwelling units and bedrooms.

SURROUNDING MUNICIPALITY PARKING REQUIREMENTS

To gain a better understand of common practice for parking requirements in the area, the multifamily residential off-street parking requirements of several nearby municipalities were examined. The results of this analysis are shown in the following section.

CITY OF ALLEN

Per Table 7.04.1 in Sec. 7.04.1 of the City of Allen Land Development Code, 2 spaces for each dwelling unit must be provided, with an additional 0.25 spaces per dwelling unit to be designated as visitor parking and dispersed evenly throughout the project. The calculated number of required parking spaces under City of Allen requirements is shown in **Table 8**.

Table 8. City of Allen Parking Requirements

Scenario	Total Units	Required Parking	Provided Parking	Requirement Met	Variance
Existing	346	779	705	No	-74
Proposed	470	1,058	926	No	-132

The Legends at Chase Oaks apartment development **would not** meet the City of Allen parking ordinance requirements.

CITY OF CARROLLTON

Per Article XXIV. Section C of the Carrollton Comprehensive Zoning Ordinance, 1.5 spaces should be provided per dwelling unit for multifamily residential land uses. The calculated number of required parking spaces under City of Carrollton requirements is shown in **Table 9**.

Table 9. City of Carrollton Parking Requirements

Scenario	Total Units	Required Parking	Provided Parking	Requirement Met	Variance
Existing	346	519	705	Yes	+186
Proposed	470	705	926	Yes	+221

The Legends at Chase Oaks apartment development **would** meet the City of Carrollton parking ordinance requirements.

CITY OF GARLAND

Per the City of Garland Land Use Matrix, 1.5 spaces should be provided for each one-bedroom apartment and 2 spaces should be provided for each apartment with two or more bedrooms. The calculated number of required parking spaces under City of Garland requirements is shown in **Table 10**.

Table 10. City of Garland Parking Requirements

Scenario	Total Units	Required Parking	Provided Parking	Requirement Met	Variance
Existing	346	604	705	Yes	+101
Proposed	470	820	926	Yes	+106

The Legends at Chase Oaks apartment development **would** meet the City of Garland parking ordinance requirements.

CITY OF MCKINNEY

Per Part 1, Subpart B, Ch. 146, Article IV. Sec. 146-130 of the City of McKinney Code of Ordinances, 1 parking space must be provided for each dwelling unit, plus 0.5 spaces for each bedroom in all dwelling units. The calculated number of required parking spaces under City of McKinney requirements is shown in **Table 11**.

Table 11. City of McKinney Parking Requirements

Scenario	Total Units	Required Parking	Provided Parking	Requirement Met	Variance
Existing	346	614	705	Yes	+91
Proposed	470	836	926	Yes	+90

The Legends at Chase Oaks apartment development would meet the City of McKinney parking ordinance requirements.

CITY OF RICHARDSON

Per the City of Richardson Off-Street Parking Requirements, 2 parking spaces should be provided per dwelling unit. 25% of these spaces must be covered or garaged. The calculated number of required parking spaces under City of Richardson requirements is shown in **Table 12**.

Table 12. City of Richardson Parking Requirements

Scenario	Total Units	Required Parking	Provided Parking	Requirement Met	Variance
Existing	346	692	705	Yes	+13
Proposed	470	940	926	No	-14

The Legends at Chase Oaks apartment development would not meet the City of Richardson off-street parking ordinance requirements.

PROPOSED PARKING VARIANCE

The Legends at Chase Oaks development is requesting a variance of the parking requirements to provide one space per bedroom for all new units constructed after January 1, 2021. Under this revised requirement, 196 new parking spaces would be required for the proposed units in addition to the 692 parking spaces currently required for the existing units (using a 2 space/unit ratio). In total 888 parking spaces would be required. The development is proposing 926 total parking spaces which calculates to an average space per unit ratio of 1.97.

SUMMARY OF FINDINGS

The Legends at Chase Oaks apartment development currently has 346 units and 705 parking spaces. As part of a proposed expansion, an additional 124 units and 202 parking spaces will be constructed, for a total of 470 units and 926 parking spaces. The development currently provides 2.04 parking spaces per unit, or 1.32 per bedroom. After the expansion, the development is proposing a parking rate of 1.97 parking spaces per unit, or 1.27 per bedroom.

The City of Plano requires that multifamily residential developments provide 2 spaces per dwelling unit within the development. This parking requirement was thought to be overly conservative based on the currently parking utilization as well as the high proportion of single bedroom units, and so alternative methods of generating parking requirements were examined.

A parking survey found that 71.3% of the available parking on site is being utilized. With a unit occupancy rate of 93.4%, this results in an effective parking ratio of 1.56 parking spaces per dwelling unit, or 1.01 spaces per bedroom.

Parking Study – Legends at Chase Oaks

Binkley & Barfield, Inc.

The ITE *Parking Generation Manual* identifies the 85th percentile peak parking demand rates for this type of development are 1.52 parking spaces per dwelling unit or 0.86 parking spaces per bedroom

The multifamily residential off-street parking requirements of several nearby municipalities were also examined. The Cities of Allen and Richardson both have requirements that match or exceed the Plano requirement; however, Carrollton, Garland and McKinney have requirements that are lower. A summary of the required number of parking spaces under each of the surrounding municipalities' parking ordinances is shown in **Table 13**.

Table 13. Summary of Surrounding Municipality Parking Requirements

City	Proposed Parking	Required Parking	Rate	Requirement Met
Allen	926	1,058	2.25	No
Carrollton	926	705	1.50	Yes
Garland	926	820	1.74*	Yes
McKinney	926	836	1.78*	Yes
Richardson	926	940	2.00	No

*Accounts for number of bedrooms in rate

In summary, the proposed variance providing an alternative requirement of 1 space per bedroom for all new units constructed after January 1, 2021, with an average parking rate of 1.97 spaces per unit, appears to be adequate based on the current parking usage at the development as well as the ITE *Parking Generation Manual*.

CLOSING

The analyses conducted in this study were based upon observations and data collected in 2020. It is possible that actual parking requirements will differ from the assumptions of this study. If there are any questions concerning this report or its analyses, please contact our office.

ITE PARKING GENERATION SHEETS 6 PAGES

Land Use: 220 Multifamily Housing (Low-Rise)

Description

Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence. Multifamily housing (mid-rise) (Land Use 221), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand (1) on a weekday (10 study sites) and a Saturday (11 study sites) in a general urban/suburban setting and (2) on a weekday (three study sites) and a Saturday (three study sites) in a dense multi-use urban setting.

Hour Beginning	Percent of Peak Parking Demand			
	General Urban/Suburban		Dense Multi-Use Urban	
	Weekday	Saturday	Weekday	Saturday
12:00–4:00 a.m.	100	93	86	100
5:00 a.m.	97	100	100	94
6:00 a.m.	90	98	94	91
7:00 a.m.	77	96	81	85
8:00 a.m.	56	92	58	79
9:00 a.m.	45	80	56	76
10:00 a.m.	40	78	53	71
11:00 a.m.	37	71	58	74
12:00 p.m.	36	68	56	68
1:00 p.m.	36	66	53	68
2:00 p.m.	37	65	47	68
3:00 p.m.	43	68	56	56
4:00 p.m.	45	70	53	59
5:00 p.m.	55	73	61	53
6:00 p.m.	66	77	81	50
7:00 p.m.	73	81	67	56
8:00 p.m.	77	82	61	65
9:00 p.m.	86	86	64	74
10:00 p.m.	92	87	75	85
11:00 p.m.	97	92	86	91

Additional Data

In prior editions of *Parking Generation*, the low-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of parking demand data found no clear differences in parking demand between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

The average parking supply ratios for the study sites with parking supply information are shown in the table below.

Setting	Proximity to Rail Transit	Parking Supply Ratio	
		Per Dwelling Unit	Per Bedroom
Dense Multi-Use Urban	Within ½ mile of rail transit	0.6 (12 sites)	0.4 (10 sites)
	Not within ½ mile of rail transit	0.9 (18 sites)	0.6 (18 sites)
General Urban/Suburban	Within ½ mile of rail transit	1.5 (10 sites)	0.9 (10 sites)
	Not within ½ mile of rail transit	1.7 (52 sites)	1.0 (52 sites)

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Colorado, District of Columbia, Maryland, Massachusetts, Oregon, Pennsylvania, Texas, Washington, and Wisconsin.

It is expected that the number of bedrooms and number of residents are likely correlated to the parking demand generated by a residential site. Parking studies of multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e. number of units by number of bedrooms at the site complex). Future parking studies should also indicate the number of levels contained in the residential building.

Source Numbers

72, 124, 152, 154, 209, 215, 216, 218, 219, 255, 257, 314, 414, 419, 432, 437, 505, 512, 533, 535, 536, 537, 544, 545, 577, 578, 579, 580, 584, 585, 587

Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.

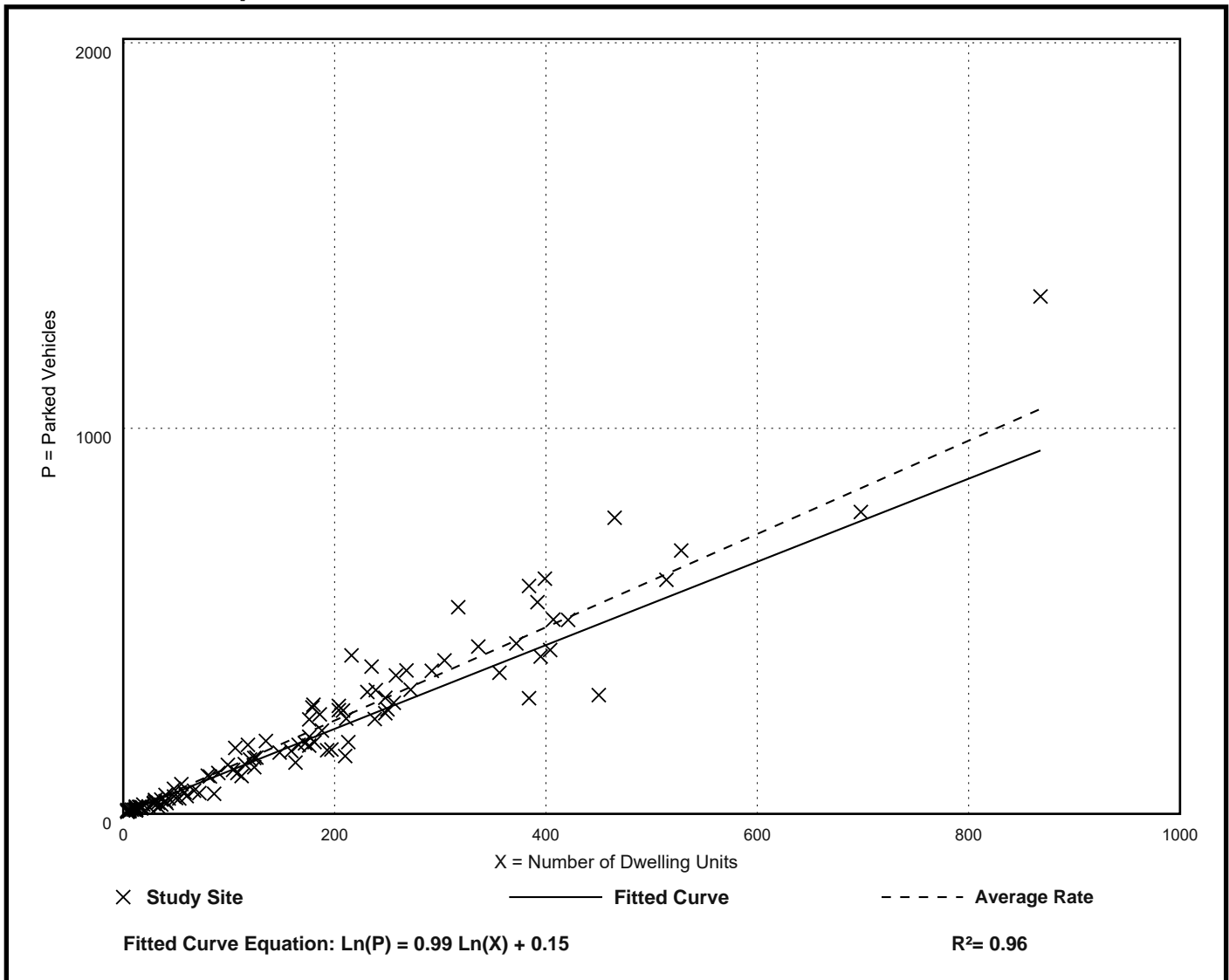
Number of Studies: 119

Avg. Num. of Dwelling Units: 156

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.21	0.58 - 2.50	1.03 / 1.52	1.16 - 1.26	0.27 (22%)

Data Plot and Equation



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Dwelling Units

On a: Saturday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

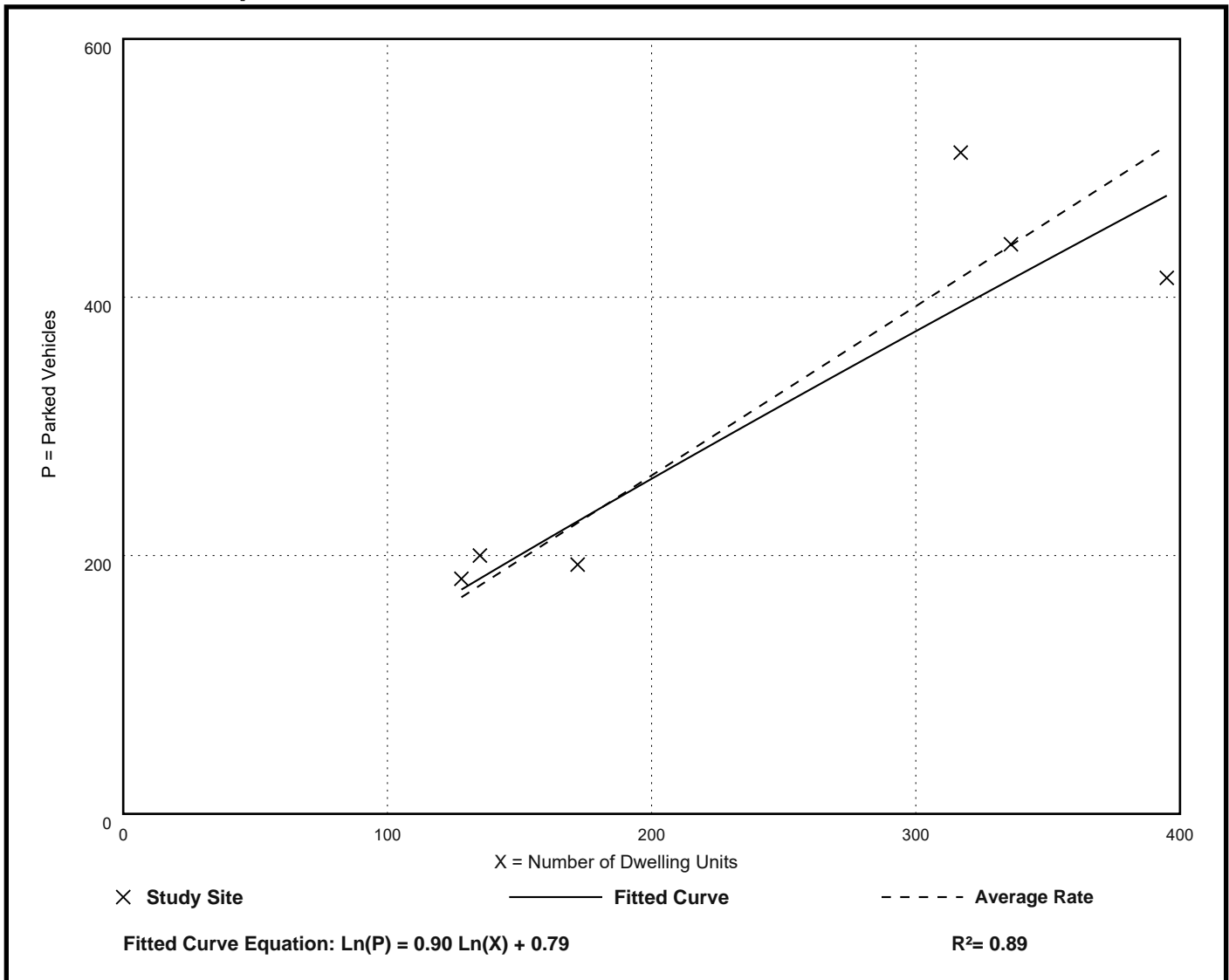
Number of Studies: 6

Avg. Num. of Dwelling Units: 247

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.31	1.05 - 1.62	1.18 / 1.61	***	0.23 (18%)

Data Plot and Equation



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Bedrooms

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 6:00 a.m.

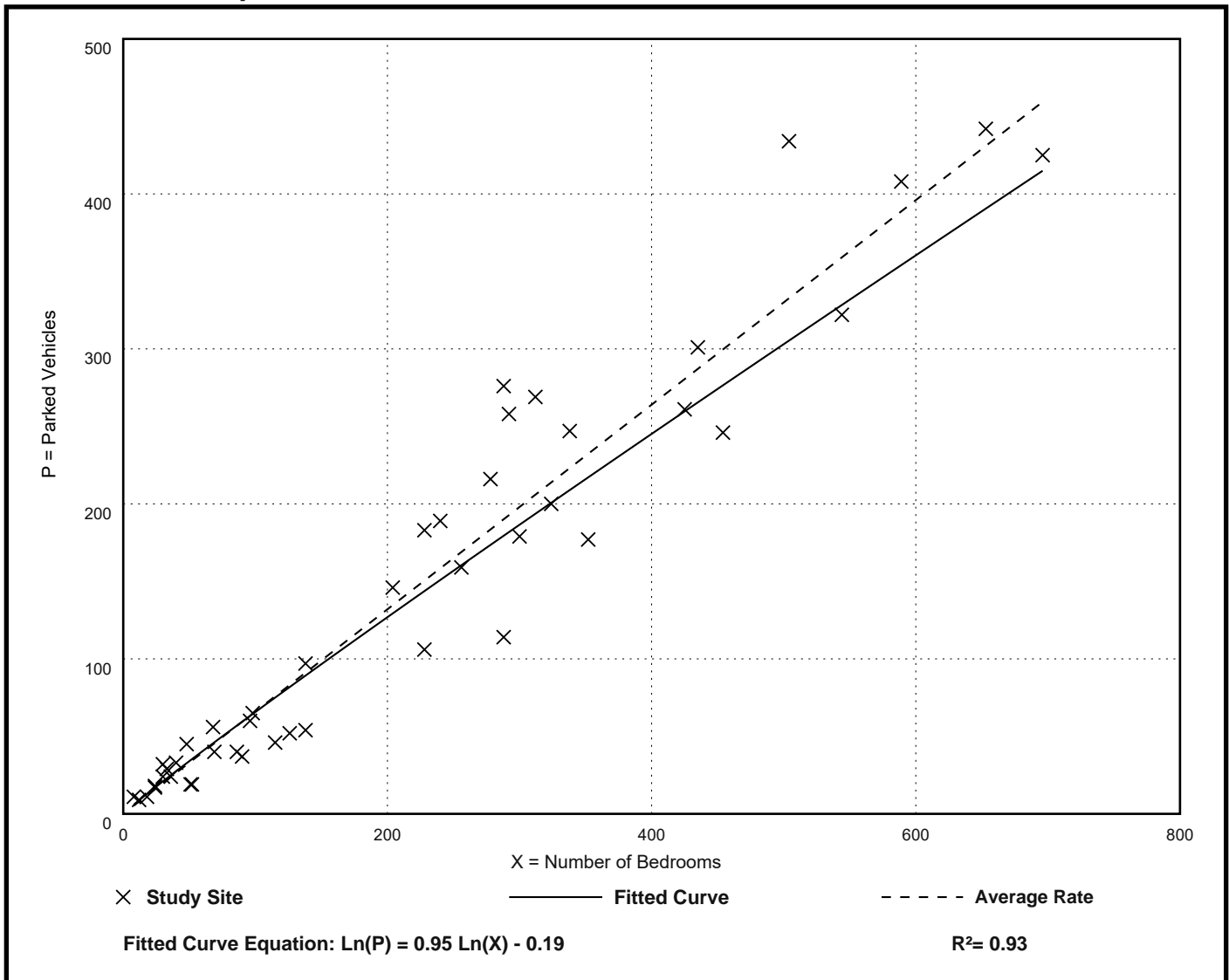
Number of Studies: 45

Avg. Num. of Bedrooms: 215

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.66	0.37 - 1.38	0.61 / 0.86	0.62 - 0.70	0.15 (23%)

Data Plot and Equation



Multifamily Housing (Low-Rise) (220)

Peak Period Parking Demand vs: Bedrooms

On a: Saturday

Setting/Location: General Urban/Suburban (no nearby rail transit)

Peak Period of Parking Demand: 11:00 p.m. - 7:00 a.m.

Number of Studies: 5

Avg. Num. of Bedrooms: 356

Peak Period Parking Demand per Bedroom

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.80	0.70 - 0.88	0.82 / 0.88	***	0.08 (10%)

Data Plot and Equation

Caution – Small Sample Size

