

**DATE:** March 16, 2021

**TO:** Honorable Mayor & City Council

**FROM:** M. Nathan Barbera, Chair, Planning & Zoning Commission 

**SUBJECT:** Results of Planning & Zoning Commission Meeting of March 15, 2021

**AGENDA ITEM NO (5) – ZONING CASE 2021-001**

**APPLICANT: SMITH-LISLE HOLDINGS, LTD.**

Request to rezone 0.5 acre **from** Retail **to** Light Industrial-1 located 119 feet south of 14th Street and 320 feet west of P Avenue. Zoned Retail. Rescheduled from the February 15, 2021 meeting which was canceled due to emergency conditions. Project #ZC2021-001.

**APPROVED:** 8-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

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

Letters Received Within 200' Notice Area: Support: 0 Oppose: 1 Neutral: 0

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

Other Responses: Support: 0 Oppose: 9 Neutral: 0

**STIPULATIONS:**

Recommended for approval as submitted.

CF/kob

cc: Bill Lisle III, Smith-Lisle Holdings, Ltd.  
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/R7jKZAw8jsMAstadk7>

CITY OF PLANO  
PLANNING & ZONING COMMISSION

March 15, 2021

**Agenda No. 5**

**Public Hearing:** Zoning Case 2021-001

**Applicant:** Smith-Lisle Holdings, Ltd.

(Submitted under the Interim Comprehensive Plan)

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**DESCRIPTION:**

Request to rezone 0.5 acre **from** Retail **to** Light Industrial-1 located 119 feet south of 14th Street and 320 feet west of P Avenue. Zoned Retail. Project #ZC2021-001.

Due to rolling electrical blackouts which caused internet connectivity issues resulting in concerns about the lack of due process, as well as the impacts of the COVID-19 pandemic, the February 15, 2021 meeting was canceled, and this case was rescheduled for the March 15, 2021 meeting.

**SUMMARY:**

The applicant is requesting to rezone the subject property to allow for additional open storage. The applicant's request can be found consistent with the Comprehensive Plan. The proposal presents an opportunity to make the zoning lines more consistent with the property lines in this area. For these reasons, staff is in support of the request.

**REMARKS:**

The applicant is requesting to rezone the subject property from Retail (R) to Light Industrial-1 (LI-1). The applicant currently uses the subject property as parking and open storage. With this request, the applicant is intending to expand the LI-1 zoning to the north, closer to 14th Street, to allow for more open storage.

The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls, but not including wholesaling or warehousing. The LI-1 district is intended to provide areas for light manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts.

## Background

This rezoning request is for part of an existing lot, Oglesby Place Revised Addition, Block B, Lot 4R. This lot is split between two zoning designations, the Retail (R) portion is located mostly along 14th Street with a small sliver stretching to the rear of the property. The remainder is zoned Light-Industrial-1 (LI-1) and is located in the rear of the property. The zoning district boundary lines in this area are unique, with a jagged pattern, and are the result of past zoning cases which rezoned portions of properties for individual uses. The split zoning for this lot was established in 1969. Similarly, in 1969 the LI-1 zoning to the east was extended further north to its current location to accommodate an auto repair shop. The existing zoning with the lot outlined in yellow and the applicant's request (in green hatching) are shown in the images below:



## Surrounding Land Uses and Zoning

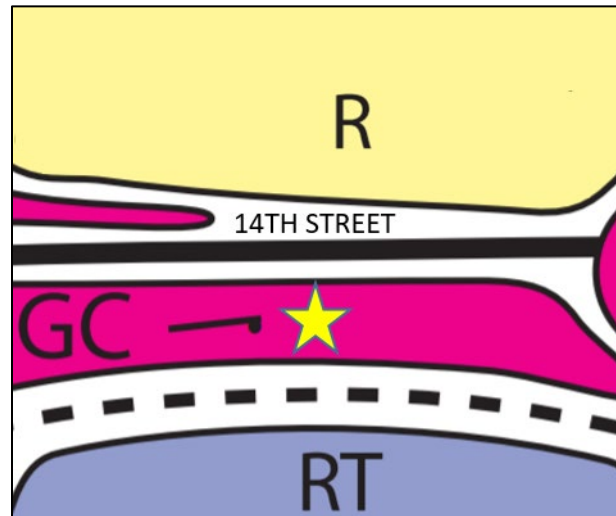
North	Within the same lot as the zoning request is existing parking and undeveloped area zoned R. Across 14th Street is a day care center zoned R with Specific Use Permit No. 163 for Day Care Center.
East	Service contractor zoned LI-1 and R.
South	DART right-of-way; further south is a concrete batch plant zoned LI-1 with Specific Use Permit No. 78 for Concrete Batch Plant.
West	Service contractor, professional/general administrative office, and vacant land zoned R.

## **Conformance with the Comprehensive Plan**

This zoning request was reviewed for conformance with the *Interim Comprehensive Plan (1986 based)* adopted in August 2020.

The Land Use Plan (2011) designates the subject property as General Commercial (GC). The GC category is defined as follows:

“General Commercial areas are intended to provide a wide range of retail, service, office, light production and research and development uses. Residential adjacency standards must be considered when general commercial areas are near residential areas.”



The requested change is not consistent with the General Commercial (GC) designation. The applicant is intending to use the area of rezoning to allow more open storage of goods and materials in support of Service Contractor use, which is permitted in R and LI-1 districts by right. The LI-1 zoning district allows open storage as a primary use and materials can be stored on up to 90% of LI-1 properties. In contrast, the R zoning allows open storage, but only as an accessory use (serving another primary use), with a maximum storage area of 5% of the lot area or 20% of the main building area, whichever is more restrictive. With this proposal, the applicant could gain approximately 0.4 acre of area for open storage.

Storage in this capacity should be considered cautiously in regard to the commercial land use recommendations of the GC designation. The lot does not have residential property across 14th Street, and has LI-1 adjacent to the west and south. The proposal allows a buffer of Retail zoning to the 14th Street frontage consistent with the neighboring property. In addition to the increased area for open storage, the LI-1 zoning district allows for more intense commercial uses by right, including light and moderate manufacturing, building material sales, paint shop, pawn shop, indoor gun range, and others. While not ideal, this use can be supported in this specific context.

The 14th Street corridor includes a mix of commercial and residential uses. The subject property has good visibility from 14th Street, and the future Silver Line passenger rail, opening in 2023. Although LI-1 zoning exists on the subject property, the city should be cautious about expanding this district further into the corridor. Rather, properties in this designation should generally remain as Retail or other zoning which is conducive to retail, service, office, and other light commercial uses as stated in the GC designation.

## **Split Zoning**

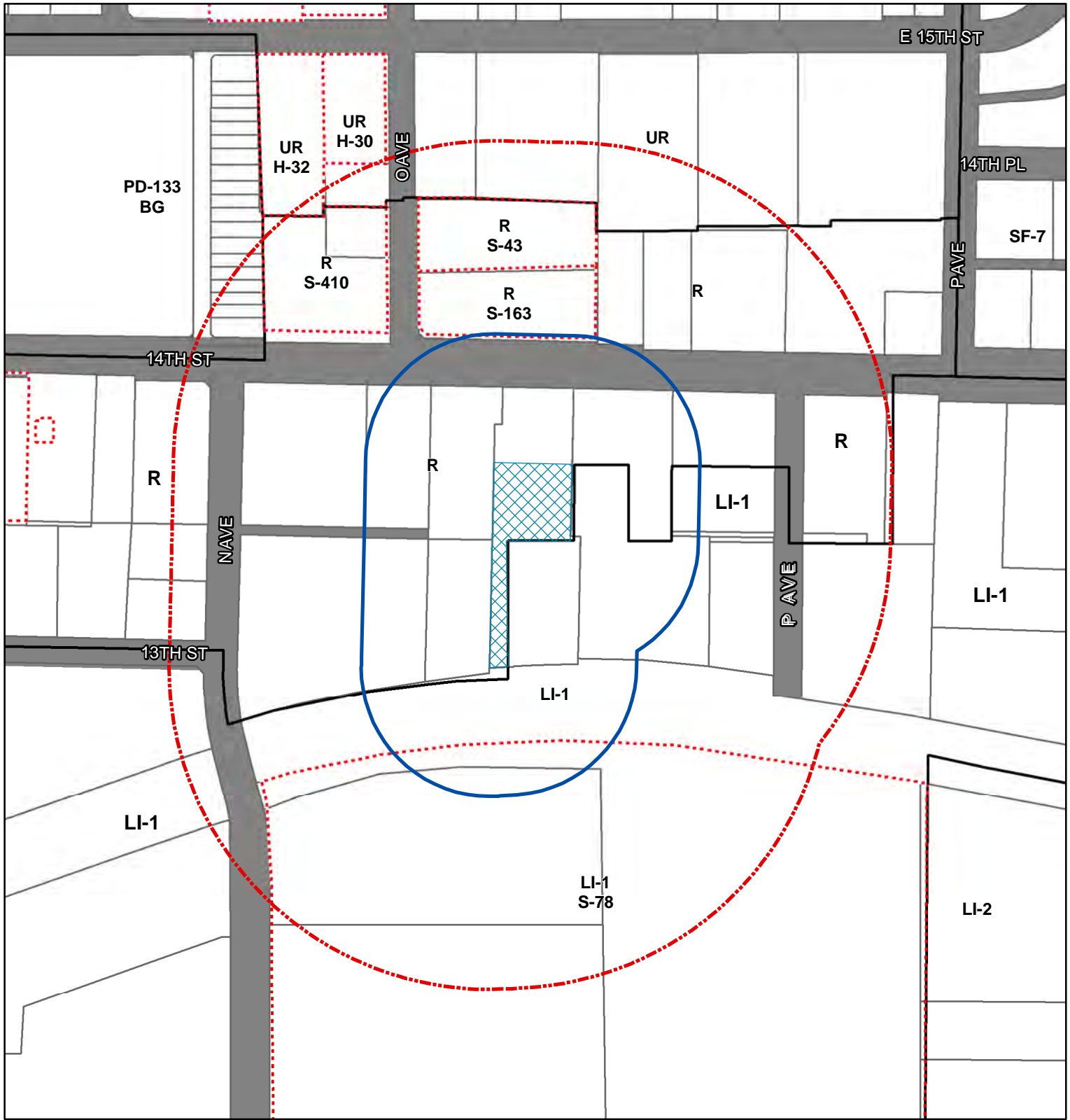
The subject lot is currently split into two zoning designations, including a very small strip related to the abandonment of O Avenue right-of-way. Because uses, standards, and other requirements differ between districts, administering two different districts on an individual site often creates a number of challenges in regulating and communicating property development rights. While split zoning is poor zoning practice and makes requirements difficult to administer, this is an existing condition on the property.

As an example, while open storage is allowed in both the R and LI-1 districts, the application of that use is different. LI-1 allows property owners to use the bulk of properties for storage, and requires storage to be screened only from streets. However, for R zoned properties, open storage is limited, with the intention that properties be used for other activities and storage only provided to support those activities. For R zoned properties, storage has to be screened from streets and adjacent properties.

Although staff is not supportive of maintaining split zoning on properties, we are supportive of improvement in zoning boundaries. This request creates a cleaner, more easily discernable separation in boundary lines. It “cleans up” the zoning line from the O Avenue right-of-way. This request allows for a more consistent and rational zoning boundary overall on the site.

### **RECOMMENDATION:**

Recommended for approval as submitted.

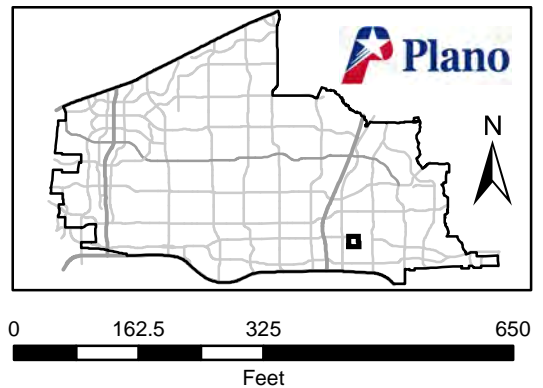


Zoning Case: 2021-001

Existing Zoning: Retail

Proposed Zoning: Light Industrial-1

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







E 15TH ST

O AVE

P AVE

14TH ST

13TH ST

N AVE



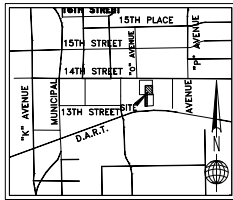
Zoning Case 2021-001

Area of Request

0 155 310

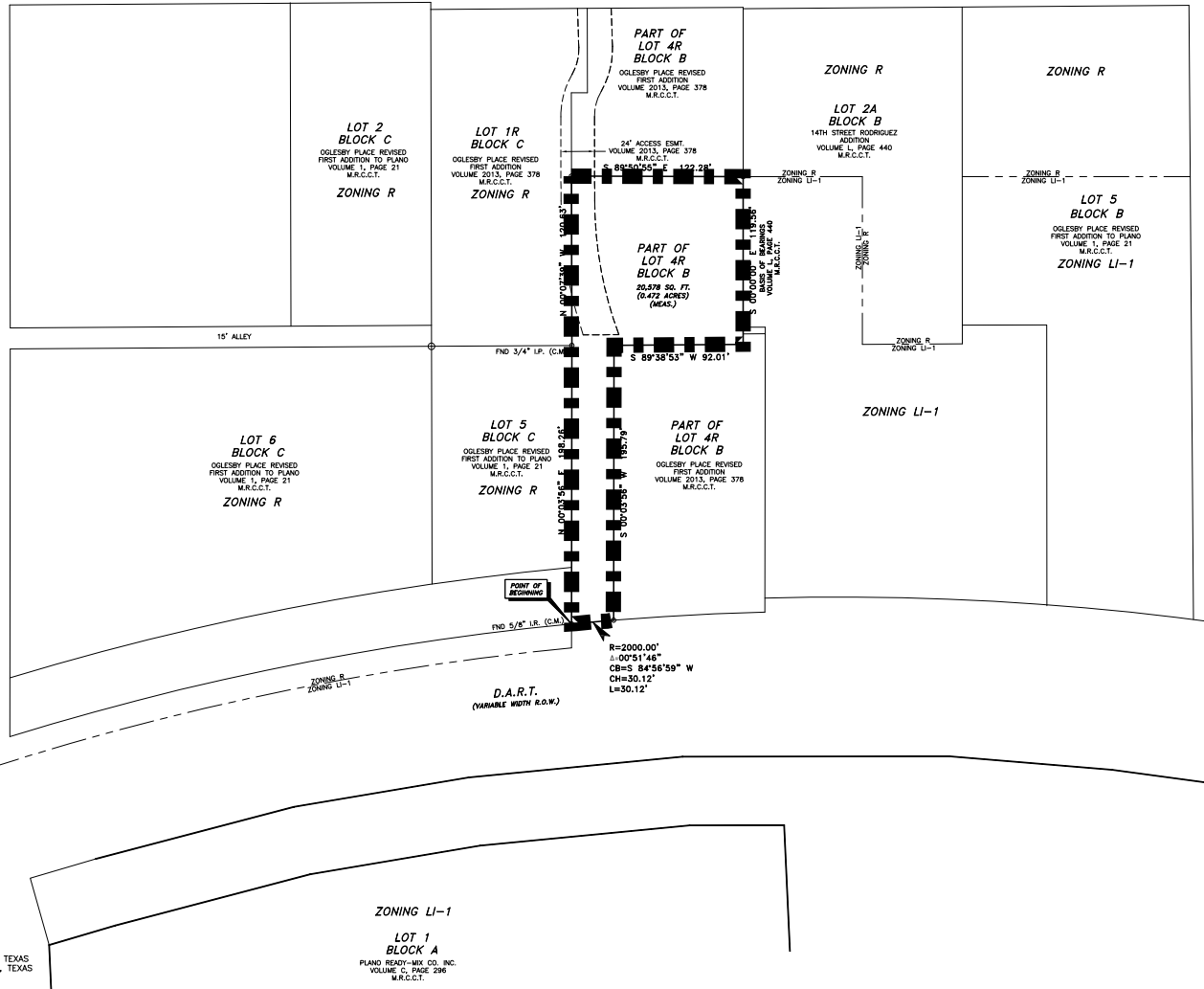
Feet





VICINITY MAP  
1"=1000'

AVENUE "N"  
(60' R.O.W.)



LEGEND  
FND 5/8" LR. = FOUND 5/8" IRON ROD  
FND 1/2" LR. = FOUND 1/2" IRON ROD  
FND 3/4" LP. = FOUND 3/4" IRON PIPE  
M.R.C.C.T. = MAP RECORDS COLLIN COUNTY, TEXAS  
D.R.C.C.T. = DEED RECORDS COLLIN COUNTY, TEXAS  
SQ. FT. = SQUARE FEET  
R.O.W. = RIGHT-OF-WAY

LOT 1  
BLOCK A  
PLANO REPLY-H&H CO. INC.  
VOLUME C, PAGE 296  
M.R.C.C.T.

FIELD NOTES:  
Being a part of Lot 4r, Block B, Oglesby Place Revised, First Addition to Plano, an addition to the City of Plano, Collin County, Texas, as recorded in volume 2013, page 378, plat records, Collin County, Texas, and being more particularly described by metes and bounds as follows:  
Beginning at a 5/8" iron rod found for corner at the southwest corner of said lot 4r, in the north right-of-way line of Dallas Area Rapid Transit tract;  
Thence North 00°03'56" East along the most southern west line of said Lot 4r, a distance of 198.26 feet to a 3/4" iron pipe found for corner;  
Thence North 00°07'39" West along a west line of said Lot 4r, a distance of 125.63 feet to a point for corner;  
Thence South 89°50'55" East departing the west line of said Lot 4r, a distance of 122.28 feet to a point for corner;  
Thence South 00°00'00" East along an east line of said Lot 4r, at a distance of 112.08 feet passing a 5/8" iron rod found for reference at an ell corner of said lot and continuing for a total distance of 119.56 feet to a point for corner at the southeast corner of the herein described tract;  
Thence South 89°36'53" West, a distance 92.01 feet to a point for corner;  
Thence South 00°03'56" West, a distance of 195.79 feet to a point for corner in the south line of said lot 4r and the north right-of-way line of said Dallas Area Rapid Transit tract, and being at the beginning of a non-tangent curve to the left having a radius of 2,000.00 feet, a central angle of 00°51'46", and a chord which bears South 84°56'59" West, a distance of 30.12 feet;  
Thence in a westerly direction along the south line of said Lot 4r and with the North right-of-way line of said Dallas Area Rapid Transit tract, on an arc distance of 30.12 feet to the point of beginning and containing 20,578 square feet or 0.472 acres of land.

Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plot, or plan, approval of development standards shown herein, or the initiation of the development process. Planning & Zoning Commission and/or City Council action on studies, plots, or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

ZONING CASE NO. ZC2021-001  
PART OF LOT 4R, BLOCK B, OF OGLESBY PLACE,  
REVISED FIRST ADDITION TO PLANO, AS  
BEING 0.472 ACRES OF LAND  
OUT OF THE SANFORD BECK SURVEY,  
ABSTRACT NO. 73  
COLLIN COUNTY, TEXAS  
1500 E. 14TH STREET  
JANUARY, 2021  
OWNER:  
SMITH-LISLE HOLDINGS, LTD.  
1414 E. 14TH STREET  
PLANO, TEXAS 75074  
CONTACT: BILL LISLE  
214-475-4203  
SURVEYOR:  
GLOBAL LAND SURVEYING, INC.  
1705 TAWAKONI LANE  
PLANO, TEXAS 75075  
TBPELS FIRM NO. 10016300  
PHONE: (972)881-1700  
CONTACT: JASON L. MORGAN  
SCALE: 1" = 30'



## 10.1400 LI-1, Light Industrial-1 District

### .1 Purpose

The LI-1 district is intended to provide areas for light manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts.

### .2 Permitted Uses

See the nonresidential districts use table in Sec. [14.200](#) for a complete listing.

### .3 Area, Yard, and Bulk Requirements

The following area, yard, and bulk requirements apply to all development in the LI-1 district unless otherwise expressly stated:

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Minimum Front Yard	50 feet but may be reduced to 30 feet on a Type F or smaller thoroughfare provided: Parking and drives are prohibited between the building face and the street. Building height is limited to 1 story within 50 feet of the front property line.
Minimum Side Yard	
Interior Lot	None, except as provided in Sec. <a href="#">13.500.3</a>
Corner Lot	50 feet
Maximum Side Yard	None
Minimum Rear Yard	10 feet where no alley abuts rear lot line (See Sec. <a href="#">13.500.4</a> )
Maximum Lot Coverage	50%
Maximum Height	None
Maximum Floor Area Ratio	1:1

### .4 Parking Requirements

(See [Article 16](#))

### .5 Landscaping

(See [Article 17](#))

### .6 Special District Requirements

- A. See Sec. [23.300](#) for provisions governing the use of metal and membrane building materials. (ZC 2011-02; Ordinance No. 2011-2-14)
- B. For vehicle fueling stations, canopies shall be considered as an accessory structure and should be included in all calculations of lot coverage. (A maximum 30% of the lot may be covered by the primary and/or accessory structures for vehicle fueling stations) (ZC 2017-014; Ord. No. 2017-7-9)

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