

**DATE:** April 6, 2021

**TO:** Honorable Mayor & City Council

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

**SUBJECT:** Results of Planning & Zoning Commission Meeting of April 5, 2021

**AGENDA ITEM NO (2A) – ZONING CASE 2021-005 (SUBMITTED UNDER THE INTERIM COMPREHENSIVE PLAN)**

**APPLICANT: PARK PLACE LX LAND COMPANY NO. 1, LTD.**

Request to rezone 6.8 acres **from** Regional Employment **to** Commercial Employment and request for a Specific Use Permit for New Vehicle Dealer on 5.0 acres located on the west side of Dallas North Tollway, 700 feet south of Spring Creek Parkway. Zoned Regional Employment and located within the Dallas North Tollway Overlay District. Project #ZC2021-005.

**APPROVED:** 7-0 **DENIED:**            **TABLED:**           

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

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

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

CF/kob

cc: Kenneth Schnitzer, Park Place LX Land Company No. 1, Ltd.  
Jeffery Dolian, Kimley-Horn & Associates, Inc.  
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/JMD1DQyJyJve9rP58>

CITY OF PLANO  
PLANNING & ZONING COMMISSION

April 5, 2021

**Agenda No. 2A**

**Public Hearing:** Zoning Case 2021-005

**Applicant:** Park Place LX Land Company No. 1, Ltd.

(Submitted under the Interim Comprehensive Plan)

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**DESCRIPTION:**

Request to rezone 6.8 acres **from** Regional Employment **to** Commercial Employment and request for a Specific Use Permit for New Vehicle Dealer on 5.0 acres located on the west side of the Dallas North Tollway, 700 feet south of Spring Creek Parkway. Zoned Regional Employment and located within the Dallas North Tollway Overlay District. Project #ZC2021-005.

**SUMMARY:**

The applicant is requesting to rezone the subject property and request a Specific Use Permit (SUP) to allow for the development of a new vehicle dealer. The request is in conformance with the Comprehensive Plan and will create consistent zoning with adjacent properties. For these reasons, staff is in support of the request.

**REMARKS:**

The applicant is requesting to rezone the subject property from Regional Employment (RE) to Commercial Employment (CE) and request an SUP for New Vehicle Dealer. The RE district is an architectural and cultural district intended to provide for office and limited manufacturing uses in high visibility locations which are of regional cultural and architectural importance to the community due to its significance for generating economic investment that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods.

The CE district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, light manufacturing, and multifamily residences. The

major focus of the CE district is to be corporate headquarters and research facilities arranged in a campus-like setting.

The subject property is a vacant lot with frontage along the west side of the Dallas North Tollway. The property is adjacent to existing new vehicle dealer uses on the north, west, and south sides. The applicant is requesting the zoning change and SUP for new vehicle dealer in order to relocate from their current site along Plano Parkway, west of Coit Road in central Plano.

A preliminary site plan for the subject property, Precision Auto Addition, Block 1, Lot 1, accompanies this request as Agenda Item 2B. As part of the development, the applicant is proposing to modify the property boundary with the adjacent site to the north and west. For this reason, a separate revised preliminary site plan for the adjacent property, North 40 Dealership Addition, Block 1, Lot 1 accompanies this request as Agenda Item 2C.

### Purpose of an SUP

The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district, which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established. Section 6.100 (Specific Use Permits) of Article 6 (Specific Use Permits and Certificates of Occupancy) states the following:

“The Planning & Zoning Commission in considering and determining its recommendations to the City Council on any request for a specific use permit may require from the applicant plans, information, operating data, and expert evaluation concerning the location, function, and characteristics of any building or use proposed. The City Council may, in the interest of the public welfare and to insure compliance with this ordinance, establish conditions of operation, location, arrangement, and type and manner of construction of any use for which a permit is authorized. In authorizing the location of any of the uses listed as specific use permits, the City Council may impose such development standards and safeguards as the conditions and locations indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view, traffic, or other undesirable or hazardous conditions.”

### Surrounding Land Uses and Zoning

North	New vehicle dealer zoned CE with SUP No. 615 for New Car Dealer
East	Across the Dallas North Tollway, vacant land zoned Regional Commercial (RC)
South	New vehicle dealer zoned CE with SUP No. 633 for New Car Dealer
West	New vehicle dealer zoned CE with SUP No. 615 for New Car Dealer

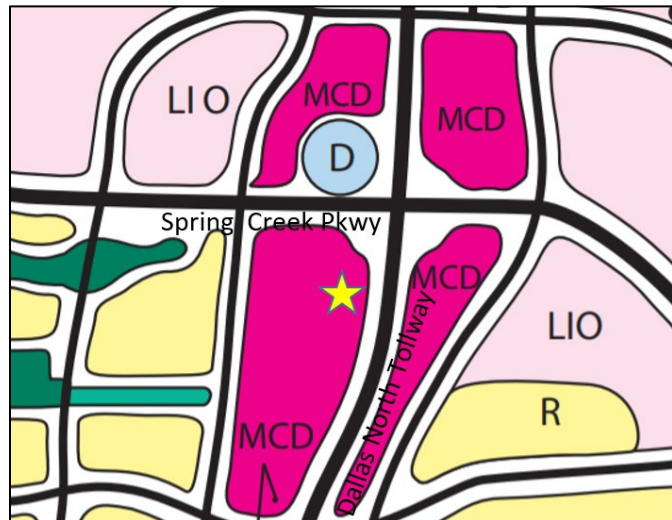
## Conformance to the Comprehensive Plan

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

### Land Use Element

The Future Land Use Plan (2011) of the *Interim Comprehensive Plan* shows the proposed use in **Major Corridor Development (MCD)**. In the list of land use categories, MCD is defined as follows:

“This designation applies to three areas that are served by major expressway facilities: the Dallas North Tollway Corridor, President George Bush Turnpike, and the S.H. 121, Corridor. Development in these corridors is expected to include a mix of commercial, office, and technical production uses. Floor area ratios (FAR) should range from 0.4:1 to 1:1, and heights should be limited by proximity to residential areas. Residential development is generally not appropriate within these corridors, although residential development may be considered along the southern edge of the S.H. 121 corridor.”



Dealerships and vehicle/car sales are not specifically defined in the Land Use Element.

### Economic Development Element

The Economic Development Element (2008) identifies dealerships as an existing use along Plano Parkway from Coit Road to the Dallas North Tollway in the President George Bush Turnpike/Plano Parkway Corridor.

Also, in the Economic Development Element section on Existing Commercial Areas, Dallas North Tollway, an indirect reference is made as follows:

“The long range land use recommendations and zoning map propose nonresidential uses, and the corridor should be preserved for future economic development opportunities.”

### Transportation Element

The term vehicle and vehicles are used multiple times in the Transportation Element, but not with respect to sales. Since new vehicle dealer is a commercial use, it is in conformance with the *Interim Comprehensive Plan*.

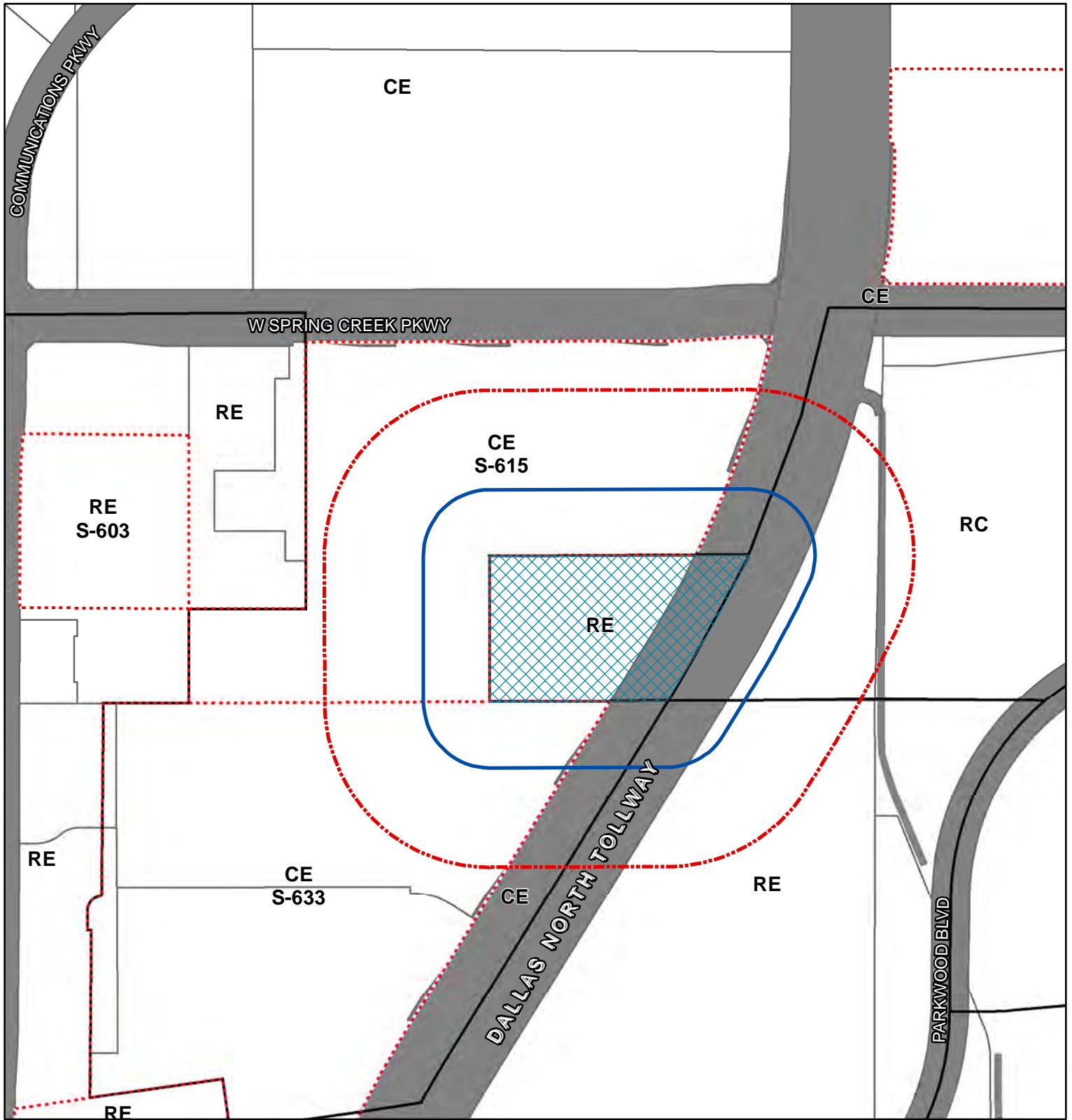
### New Vehicle Dealer Use

The applicant is proposing to relocate the new vehicle dealer from an existing location on Plano Parkway, west of Coit Road. The subject property is vacant and is surrounded on three sides by CE zoning and existing new vehicle dealers. SUP No. 615 for new vehicle dealer to the north and west was approved by City Council in 2011 and SUP No. 633 for new vehicle dealer to the south was approved by City Council in 2012. This request will create a uniform zoning district for the properties at the southwest corner of the Dallas North Tollway and Spring Creek Parkway, and the use will be complimentary to the adjacent new vehicle dealers. As stated previously, the request is also in conformance with the recommendations of the Comprehensive Plan.

Although the subject property is only five acres, which is much smaller than the adjacent new vehicle dealers, it is similar in size to their current site. The applicant has confirmed the subject property can accommodate the proposed use as shown in the companion preliminary site plan. Although the subject property can sufficiently accommodate the use, the applicant has stated that they will storing some of their inventory on the adjacent lot to the north and west, as well as using the car wash on that property. If this adjacent property is redeveloped, the applicant may need to consider alternative solutions for vehicle storage and car wash operations.

### **RECOMMENDATION:**

Recommended for approval as submitted.

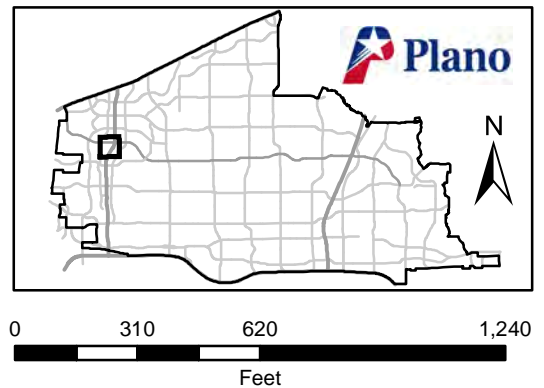


Zoning Case: 2021-005

Existing Zoning: Regional Employment

Proposed Zoning: Commercial Employment and Specific Use Permit for New Vehicle Dealer

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






W SPRING CREEK PKWY



Zoning Case 2021-005

 Area of Request





# NOTES:

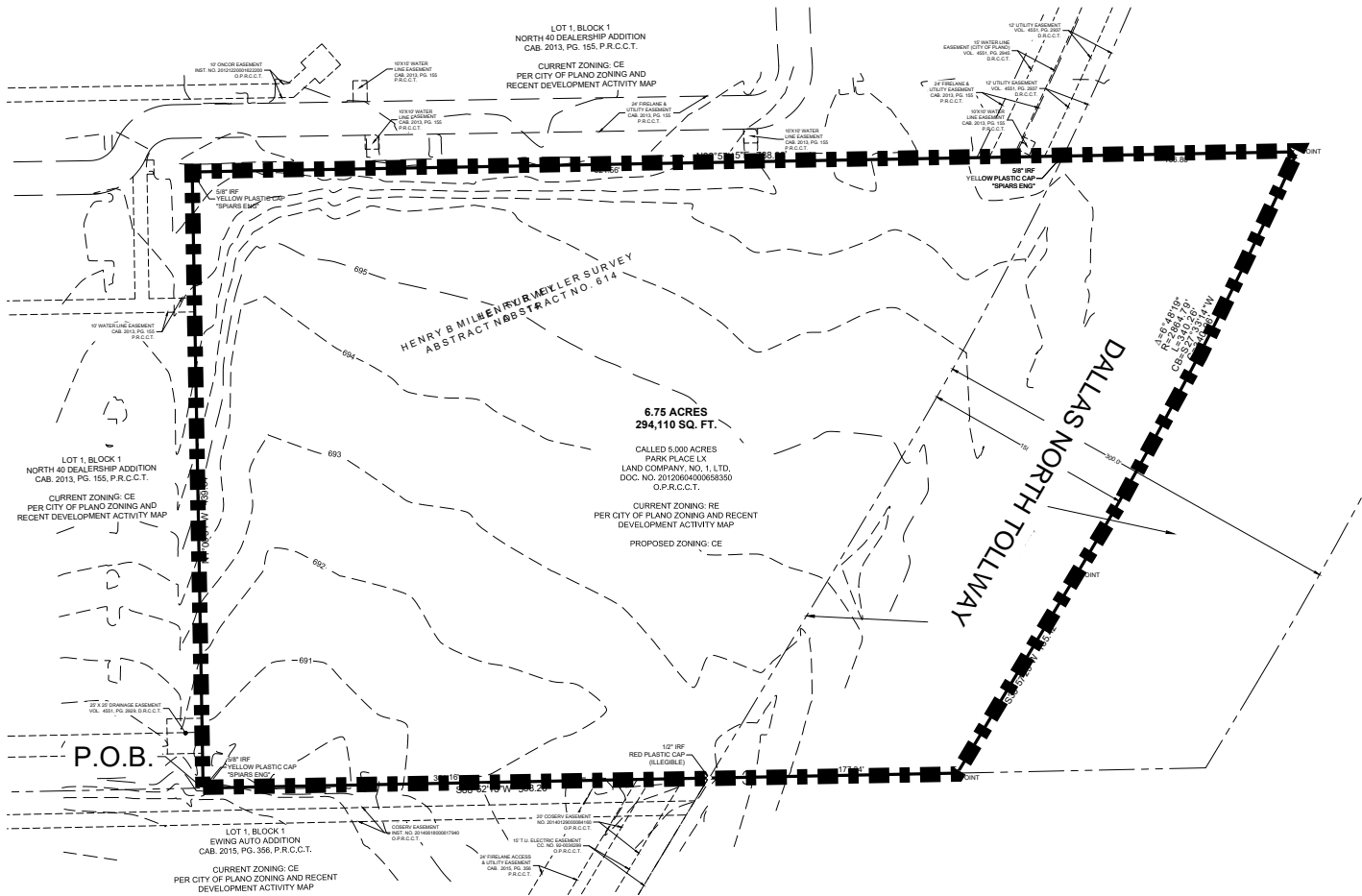
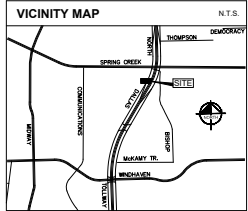
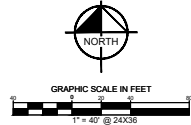
Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan, approval of development standards as shown hereon, or the initiation of the development process. Planning & Zoning Commission and/or city council action on studies, plats, or plans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

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

## LEGEND

D.R.C.C.T. = DEED RECORDS,  
COLLIN COUNTY, TEXAS  
P.R.C.C.T. = PLAT RECORDS,  
COLLIN COUNTY, TEXAS  
O.P.R.C.C.T. = OFFICIAL PUBLIC  
RECORDS, COLLIN COUNTY, TEXAS  
P.O.B. = POINT OF BEGINNING  
INST. = INSTRUMENT  
NO. = NUMBER  
CAB. = CABINET  
VOL. = VOLUME  
PG. = PAGE  
IRF = IRON ROD FOUND



## METES & BOUNDS DESCRIPTION

**BEING** a tract of land situated in the Henry B. Miller Survey, Abstract No. 614, City of Plano, Collin County, Texas, and being all of a called 5,000 acre tract of land described in the Special Warranty Deed to Park Place LX Land Company, No. 1, Ltd., recorded in Instrument No. 20120604000658350, Official Public Records, Collin County, Texas, and being part of Dallas North Tollway, a called 33.789 acre tract of land designated as Tract 1 in the Dedication and General Warranty Deed recorded in Volume 3019, Page 391, Deed Records, Collin County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the southwest corner of said 5,000 acre tract and the southerly southeast corner of Lot 1, Block 1, North 40 Dealership Addition, an addition to the City of Plano according to the plat recorded in Cabinet 2013, Page 155, Plat Records, Collin County, Texas, in the north line of Lot 1, Block 1, Ewing Auto Addition, an addition to the City of Plano according to the plat recorded in Cabinet 2015, Page 356, Plat Records, Collin County, Texas;

**THENCE** along the common line between said 5,000 acre tract and said Lot 1, Block 1, of said North 40 Dealership Addition, the following courses and distances:

North 1°00'31" West, a distance of 439.64 feet to a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the northwest corner of said 5,000 acre tract, at an angle point in said Lot 1, Block 1, of said North 40 Dealership Addition;

North 88°57'15" East, passing at a distance of 621.56 feet a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the northeast corner of said 5,000 acre tract and the northerly southeast corner of said Lot 1, Block 1, of said North 40 Dealership Addition, in the west right-of-way line of Dallas North Tollway (a variable width right-of-way, being 300' wide at this point), and continuing over and across said Dallas North Tollway, a total distance of 788.36 feet to the beginning of a non-tangent curve to the right having a central angle of 6°48'19", a radius of 2,864.79 feet, a chord bearing and distance of South 27°33'14" West, 340.06 feet;

**THENCE** continuing over and across said Dallas North Tollway, the following courses and distances:

In a southeasterly direction, with said curve to the right, an arc distance of 340.26 feet;

South 30°57'25" West, a distance of 165.42 feet;

South 88°52'13" West, passing at a distance of 177.04 feet a 1/2" iron rod with red plastic cap (illegible) found for the southeast corner of said 5,000 acre tract and the northeast corner of said Lot 1, Block 1, of said Ewing Auto Addition, in the west right-of-way line of said Dallas North Tollway, and continuing along the common line between said 5,000 acre tract and said Ewing Auto Addition, a total distance of 535.20 feet to the **POINT OF BEGINNING** and containing a computed area of 294,110 square feet or 6.75 acres of land, more or less.

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## PRELIMINARY

THIS DOCUMENT SHALL NOT BE  
RECORDED FOR ANY PURPOSE  
AND SHALL NOT BE USED OR  
VIEWED OR RELIED UPON AS A  
FINAL SURVEY DOCUMENT  
DAVID J. DE WEIROT, R.P.L.S.  
REGISTRATION NO. 5066  
March 8, 2021

**ZONING EXHIBIT**  
**ZONING CASE NO. ZC2021-005**  
**6.75 ACRES**

**HENRY B. MILLER SURVEY ABSTRACT NO. 614**  
**CITY OF PLANO, COLLIN COUNTY, TEXAS**

**Kimley»Horn**

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240	FIRM # 101155500	Tel. No. (972) 770-1300 Fax No. (972) 298-3820
Scale 1" = 40'	Drawn by B.J.E.	Checked by D.J.D.
Date 03/08/2021	Project No. 064517703	Sheet No. 1 OF 1

**OWNER:**  
PARK PLACE LX LAND  
COMPANY, NO. 1, LTD.  
1300 TEXAS TRAIL  
GRAPEVINE, TX 76051  
PH: KENNETH SCHNITZER  
CONTACT: (862) 951-9079

**ENGINEER AND SURVEYOR:**  
KIMLEY-HORN AND ASSOC., INC.  
13455 NOEL ROAD  
TWO GALLERIA OFFICE TOWER, SUITE 700  
DALLAS, TEXAS 75240  
PH: (972) 770-1300  
CONTACT: CODY RISINGER, P.E.  
CODY.RISINGER@KIMLEY-HORN.COM



NOTES:

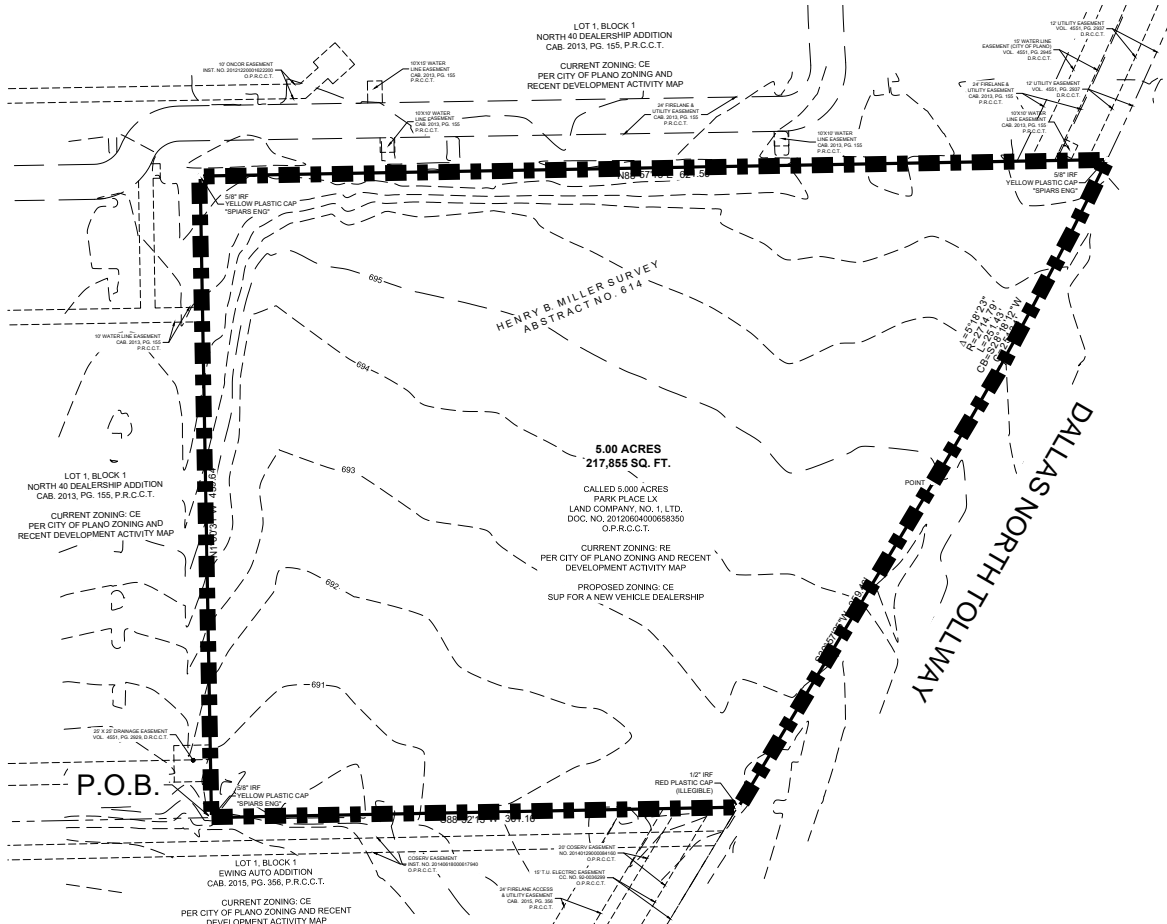
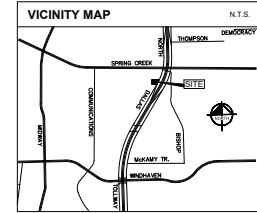
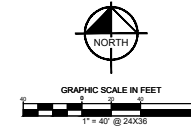
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North 88°57'15" East, a distance of 621.56 feet to a 5/8" iron rod with yellow plastic cap stamped "SPIARS ENG" found for the northeast corner of said 5.000 acre tract and the northerly southeast corner of said Lot 1, Block 1, of said North 40 Dealership Addition, in the west right-of-way line of Dallas North Tollway (a variable width right-of-way, being 300' wide at this point), at a non-tangent curve to the right having a central angle of 5°19'22", a radius of 2,714.79 feet, a chord bearing and distance of South 28°18'12" West, 251.34 feet;

**THENCE** along the common line between said 5.000 acre tract and said Dallas North Tollway, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 251.43 feet;

South 30°57'25" West, a distance of 259.46 feet to a 1/2" iron rod with red plastic cap (illegible) found for the southeast corner of said 5.000 acre tract and the northeast corner of said Lot 1, Block 1, of said Ewing Auto Addition;

**THENCE** South 88°52'13" West, along the common line between said 5.000 acre tract and said Ewing Auto Addition, a total distance of 361.16 feet to the **POINT OF BEGINNING** and containing a computed area of 217,855 square feet or 5.00 acres of land, more or less.

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PH: (972) 770-1300  
CONTACT: CODY RISINGER, P.E.  
CODY.RISINGER@KIMLEY-HORN.COM

ENGINEER AND SURVEYOR:  
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13455 NOEL ROAD  
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DALLAS, TEXAS 75240  
PH: (972) 770-1300  
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Brad R. Williams  
Direct Dial: 214-745-5264  
Email: bwilliams@winstead.com

March 31, 2021

Craig Fisher  
Sr. Planner, City of Plano  
craigf@plano.gov

Re: ZC2021-005; PSP2021-005 (the “Request”)

Craig:

As you know, the purpose of the Request is to amend the existing zoning on approximately 5.38 acres of land, which are more particularly described in the application materials but generally located at the southwest corner of the Dallas North Tollway (the “DNT”) and Spring Creek Parkway (the “Property”). The Property is currently vacant and undeveloped. The Request seeks CE zoning with an SUP for new car sales to allow the development of a new car dealership selling Acura vehicles. The Property is surrounded by CE zoning with SUPs for new car dealerships and fronts on the DNT. The Property is designated as Major Commercial Corridor under the interim plan and the Request is consistent with the interim plan.

Proposed development of the Property includes an approximately 58,000 square foot building at a maximum of 32 feet in height. The building includes 39 service bays, 18,000 square feet of showroom, and 2,700 square feet of office space. Approximately 15% of the Property will be dedicated to landscape area. In addition, the proposed architecture will represent the first instance of the newest branding prototype for Acura in the State of Texas.

The proposed Acura dealership will be operated by common ownership as the existing Park Place Lexus dealership. Although the two dealerships will share some facilities via private agreement (e.g., car wash and parking), the proposed dealership is capable of operating as a stand alone dealership in the event that the neighboring dealerships are owned separately in the future and private agreements regarding the shared facilities are not renewed. Such agreements are not, however, necessary to permit the proposed dealership to operate and function successfully. No code required parking is proposed to be located off site and alternative car wash facilities can be secured in the future if desired. Still, it is not anticipated that ownership would be bifurcated in the future nor that private agreements to continue this sharing of facilities will not be possible.

In conjunction with the development and opening of the proposed dealership, it is anticipated that the existing Acura dealership located on Plano Parkway will relocate to this

Craig Fisher  
March 31, 2021  
Page 2

location. Once Acura moves from the existing location, it is further anticipated the existing dealership will be backfilled with another auto sales use

Given the frontage along the DNT and the existing zoning and prevailing development of the surrounding area, as well as the interim plan designation, Applicant submits that the Request represents an appropriate and desirable land use. As such, Applicant respectfully requests that the proposed rezoning be recommended for approval by staff and the Planning & Zoning Commission. Should you have any questions regarding the Request, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Williams", with a stylized flourish at the end.

Brad Williams  
Attorney

CC: Brian DePouli, Asbury Automotive  
Jeff Dolian, Kimley Horn