

DATE: June 8, 2021

TO: Honorable Mayor & City Council

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

SUBJECT: Results of Planning & Zoning Commission Meeting of June 7, 2021

AGENDA ITEM NO (1A) - ZONING CASE 2021-007 (SUBMITTED UNDER THE INTERIM COMPREHENSIVE PLAN)

APPLICANT: SHADDOCK ACQUISITIONS, LLC

Request to rezone 1.5 acres located at the northwest corner of Turtle Creek Drive and Old Westbury Lane **from** Planned Development-342-Single-Family Residence-9 **to** Planned Development-423-Patio Home. Zoned Planned Development-342-Single-Family Residence-9 with Specific Use Permit No. 58 for Country Club and Private Club. Project #ZC2021-007.

APPROVED: 8-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 2 Oppose: 4 Neutral: 0

Letters Received Within 200' Notice Area: Support: 4 Oppose: 5 Neutral: 1

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

Other Responses: Support: 8 Oppose: 11 Neutral: 2

STIPULATIONS:

Recommend for approval as follows: (additions indicated in underlining)

1. Minimum Lot Size: 5,500 square feet
2. Minimum Lot Width: 50 feet
3. No open space requirements.
4. Subject to provision of two irrigated landscape easements with shrubs and trees. Both easements should extend from Old Westbury Lane to Shaddock Boulevard. One easement will be located on the north side of Turtle Creek Drive, and the second will be located on the south side of Castle Gate Drive.

The Planning & Zoning Commission called a public hearing to rescind Specific Use Permit No. 58 for Country Club and Private Club pending approval of Zoning Case 2021-007 by City Council.

CF/kob

cc: William Shaddock, Shaddock Acquisitions, LLC
Greg Helsel, Spiars Engineering, Inc.
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/ziVdMUEEkeQE54wA6>

CITY OF PLANO
PLANNING & ZONING COMMISSION

June 7, 2021

Agenda Item No. 1A

Public Hearing: Zoning Case 2021-007

Applicant: Shaddock Acquisitions, LLC

(Submitted Under the Interim Comprehensive Plan)

DESCRIPTION:

Request to rezone 1.5 acres located at the northwest corner of Turtle Creek Drive and Old Westbury Lane **from** Planned Development-342-Single-Family Residence-9 **to** Planned Development-423-Patio Home. Zoned Planned Development-342-Single-Family Residence-9 with Specific Use Permit No. 58 for Country Club and Private Club. Project #ZC2021-007.

SUMMARY:

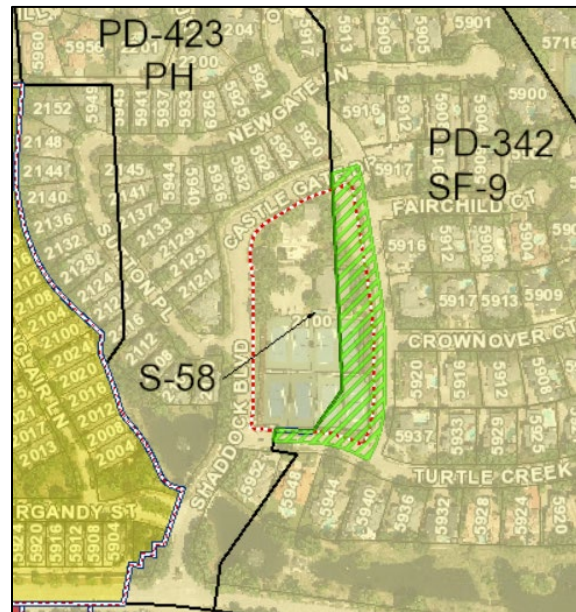
This is a request to rezone the subject property from PD-342-SF-9 to PD-423-PH. The request is a modification of the existing single-family zoning resulting in four lots, consistent with the zoning district to the west allowing development without split zoned lots, and is compatible with adjacent land uses and development forms. The proposed zoning is in conformance with some of the recommendations of the Interim Comprehensive Plan and aligns with the findings of the Housing Trends Analysis and Strategic Plan Report. As such, staff is in support of the request with the condition noted in the recommendation below.

REMARKS:

The purpose of this request is to rezone the subject property from Planned Development-342-Single-Family Residence-9 (PD-342-SF-9) to Planned Development-423-Patio Home (PD-423-PH) to create consistent zoning across the larger 3.1 acre site. The site is being redeveloped into single-family lots consistent with the existing Planned Development stipulations. The SF-9 district is intended to provide areas for large-lot, urban, single-family development protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living. The PH district is intended to provide for areas of detached, single-family development in a clustered lot pattern with a common usable open space system that is an integral part of the development. 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. Details on the restrictions associated with both PDs are provided in the “Issues” section of this report.

The subject property is split between two zoning districts, PD-423-PH on the west, and PD-342-SF-9 on the east, as shown in the adjacent image. The applicant is proposing to rezone the eastern 1.5 acres (shown in green) to match the zoning of the western 1.6 acres within the lot. The current zoning allows development of 15 residential lots, including six SF-9 lots on the east fronting Old Westbury Lane and nine PH lots fronting Shaddock Boulevard. All lots are served by an alley that is proposed to bisect the property from north to south. However, the SF-9 lots would be split by two PD zoning districts, with a portion in each district noted above. This rezoning would allow 19 PH residential lots to develop with consistent zoning standards, as shown in the accompanying revised concept plan, Willow Bend Polo Estates Phase 3.



Currently, the property is developed with a private recreation facility owned by a private club. The private recreation facility lot currently includes tennis courts, parking spaces, and two buildings on site. According to the applicant, the southern building is an existing clubhouse with recreation facilities, and the northern building is no longer in use. There was originally a swimming pool, but it was filled.

Surrounding Land Use and Zoning

North	Existing single-family residences zoned PD-342-SF-9.
East	Existing single-family residences zoned PD-342-SF-9.
South	Existing single-family residences zoned PD-342-SF-9 and PD-423-PH.
West	Existing private recreation facility zoned PD-423-PH with Specific Use Permit No. 58 for Country Club and Private Club, and further west across Shaddock Boulevard, single-family residences zoned PD-423-PH.

Conformance to the Comprehensive Plan

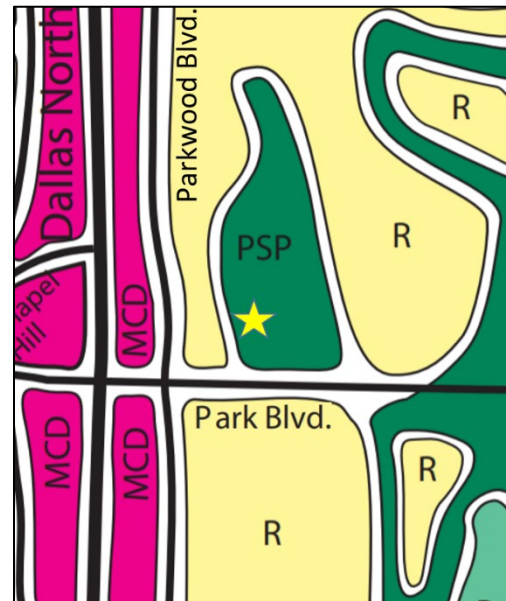
This zoning request was reviewed for conformance with the *Interim Comprehensive Plan (1986 based)* adopted in August 2020.

Land Use Element

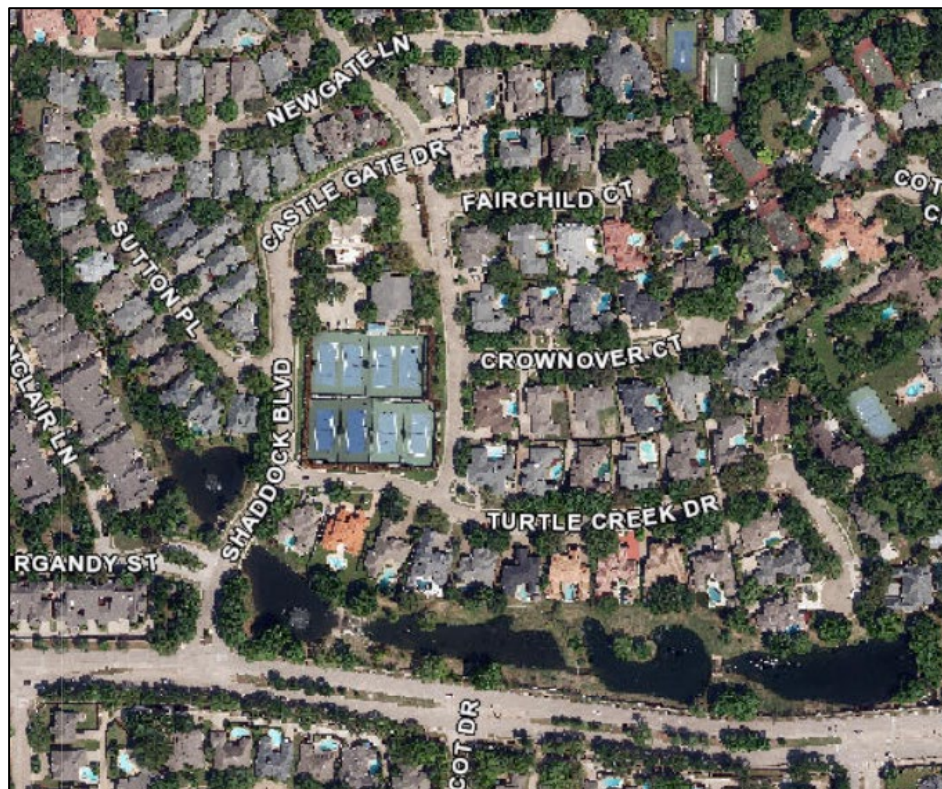
The Future Land Use Plan (2011) designates the subject property as Major Public and Semi-Public (PSP) land use.

“The public and semi-public category includes a wide range of public and private uses such as colleges and universities, public and private schools, golf courses, country clubs and large private open spaces. Locations should be provided for institutional and public uses that are appropriate for the intensity and character of each.”

The proposed development would not be in conformance with the PSP designation of the Interim Comprehensive Plan as the site is not shown as public or semi-public; however, the existing zoning allows single-family residential uses by right on the site.



The area shown in green is much larger than what is currently on the ground. Other open space areas are located close to Park Boulevard and include existing drainage features. A majority of the PSP designated area is currently used for single-family residences, consistent with the existing zoning, as shown in the aerial image below:



Further, in the **Appendix of the Land Use Element**, the following text defines the neighborhood category:

Neighborhoods -

“The City seeks attractive, inclusive and cohesive residential neighborhoods with a mix of housing opportunities. Low, medium and high-density residential uses are not individually designated. Specific proposals regarding housing are included in the Housing Element of the Comprehensive Plan.”

The proposed development would meet this criterion.

Additionally, in two of the major Themes of the Interim Comprehensive Plan, neighborhoods are addressed, but there is no specific proposal for this area. Applicable Objectives and Strategies are noted below:

Theme 1 - Livable City

Objective A.1 - Provide a variety of housing options.

Theme 3 - City in Transition

Objective C.1 - Continue to expand Plano's housing stock even as the availability of land decreases.

Objective C.2 - Create new housing opportunities that complement and support existing residential development.

The proposed development would meet these criteria.

Housing Element

The Housing Element was last updated in 2005. Applicable texts for this proposed subdivision are as follows:

“Infill is expected as available land decreases.”

However, in another section, Infill is defined as “new development on vacant property surrounded by existing development.” Although this is not a vacant property, it is surrounded by existing development.

Policy Statement 4.0 - Infill Housing (2006)

The definition of Infill Housing in this policy statement is as follows:

“Infill is defined as development that occurs on a vacant tract or redevelopment of an existing site surrounded by other improved properties.”

This definition is slightly different than the definition in the Housing Element in that it drops the word “new” and adds “redevelopment,” which expands the definition to include redevelopment.

Whereas the zoning request would not meet the language in the Housing Element, it would meet the criteria in the above definition in Policy Statement 4.0 - Infill Housing (2006).

Housing Trends and Strategic Plan Report

This report (accessible through a link in the title above) shows that adding housing inventory will be more challenging than in the past based on supply-side trends and uneven growth of the past decade. Higher land costs and construction costs are dictating either higher-density development patterns or higher-cost housing. The Housing Trends and Strategic Plan Report demonstrates a substantial need and demand for smaller lot housing in Plano. This housing type benefits the community in a variety of ways:

- Residents who want to age in place have difficulty finding the diversity of inventory that would suit their needs (e.g., size of home, amenities, etc.) and remain in the city. As populations get older, some residents want to, and can, remain in their homes; however, others either desire or require different housing.
- The city has limited areas to facilitate additional growth, except for infill sites, redevelopment opportunities, and a few areas for new development.
- The city added little housing between 2000 and 2017 by comparison to the number of jobs it added.
- Cost of residential construction has contributed to supply-side constraints.

Development of PH lots may fit the housing priorities of the city based on our existing housing stock and available land for the reasons stated above. The city should balance issues of site-specific neighborhood compatibility with city-wide housing concerns in considering individual zoning requests.

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

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request. However, the following table is provided to show the difference in the number of trips the property would generate if developed with residences at the existing PD-423-PH and PD-342-SF-9 zoning compared to the number of daily trips if developed entirely at PD-423-PH standards. If the property were developed under the current split zoning standards, staff estimates that six SF-9 lots could be developed along Old Westbury Lane, and nine PH lots could be developed along Shaddock Boulevard. A total of 15 lots could be developed under the existing split zoned situation. If rezoned as proposed, a total of 19 PH lots

could be developed. The following table shows the estimated traffic generation during a single hour during weekday peak hour (7:00-9:00 a.m. and 4:00-6:00 p.m.) of these two development scenarios:

	Number of Units	AM	PM
Existing Zoning	15	11.5	15.3
Proposed Zoning	19	14.6	19.4

As shown in the table above, the number of trips generated by this development would be minimal but would increase if the property were rezoned as requested.

School Capacity - Staff has received an email from Plano Independent School District regarding school capacity, which staff has included as an attachment.

Public Safety Response Time - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site.

Access to and Availability of Amenities & Services - The subject property is within half a mile of Parkwood Green Park and less than two miles from the Tom Muehlenbeck Recreation Center. Additionally, future residents would be served by the Haggard Library, which has sufficient capacity to serve the development.

ISSUES:

Neighborhood Compatibility

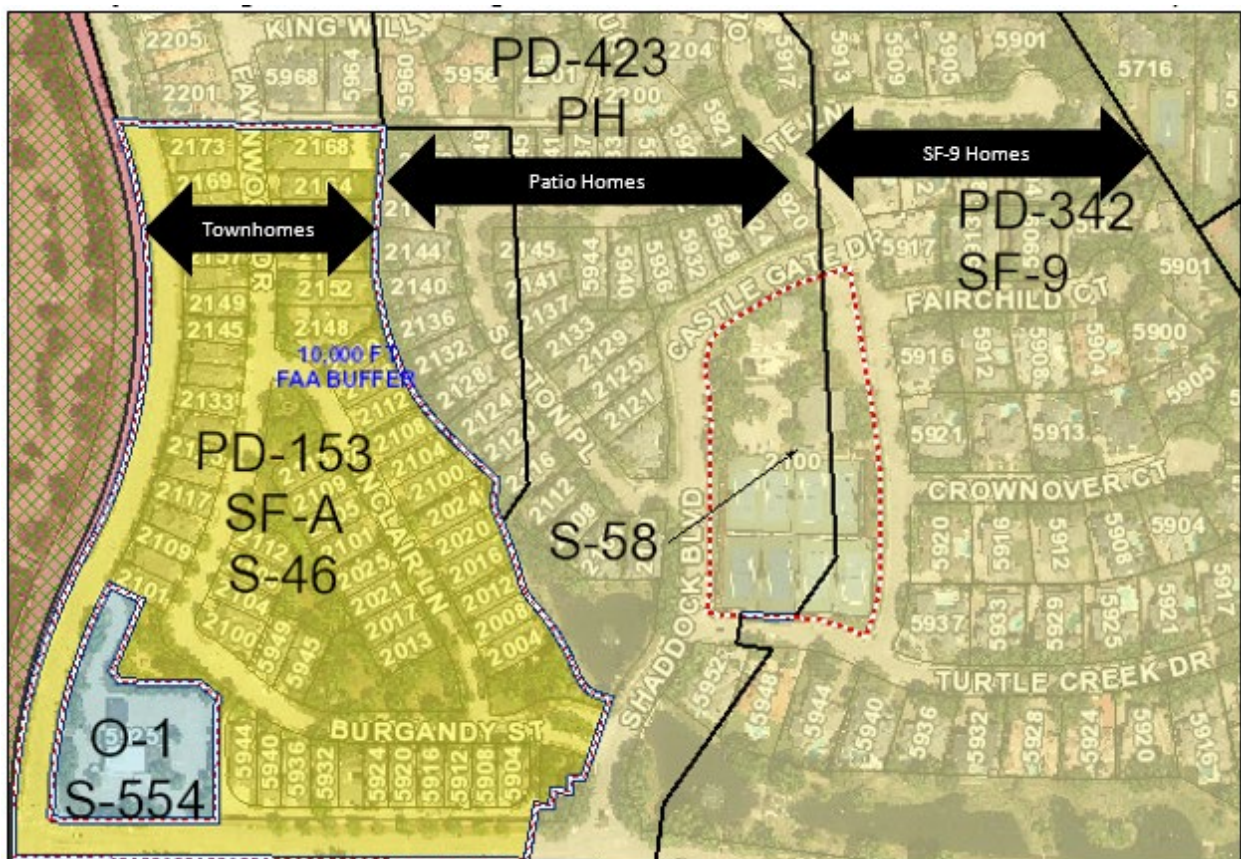
It is reasonable to expect this property to be developed in a compatible manner with the surrounding neighborhood. Today, the zoning allows development by right of 15 single-family homes, including 9 Patio Homes and 6 SF-9 homes, without the proposed zoning change. The adjacent homes to the west are zoned PD-423-PH, which includes the following standards:

1. Minimum Lot Size: 5,500 square feet
2. Minimum Lot Width: 50 feet
3. No open space requirements.

As shown in the accompanying revised concept plan, the proposed development adheres to the PD-423-PH stipulations. The average lot size is 6,573 square feet, and each lot is a minimum of 50 feet wide. No open space is proposed for the development and there are no proposed changes to the existing planned development stipulations.

The adjacent residences to the north, east, and south are developed with 9,000 square foot minimum lot sizes, and PD-342-SF-9 includes the following restriction: the first tier of lots along the eastern zoning district line shall have a minimum lot size of 20,000 square feet. This restriction would not apply to the property within this request due to its location away from the eastern zoning district line.

Neighborhoods in Plano typically combine various compatible single-family residential zoning districts ranging in scale from Duplex and Single-Family Residence Attached to Single-Family Residence-20 and Estate Development lots to provide a variety of housing options to households in the community. Consistent with this model, the proposed zoning is aligned with the existing development in the neighborhood. The two zoning districts (PD-342-SF-9 and PD-423-PH) currently have housing developed on either side of Old Westbury Lane. There is a pattern of transitioning housing density from west to east (townhouse to patio home to SF-9 lots) existing within the neighborhood that would continue with this request.



The request is also consistent with long-standing city zoning practices for neighborhoods. It is consistent with several Comprehensive Plan policies and the Housing Trends Analysis and Strategic Plan Report findings.

Open Space/Amenity Area

As noted previously, the subject property is within an area designated for private or public open space within the Comprehensive Plan. If the subject property were developed as proposed, the neighborhood's amount of private amenity space would decrease. The intent of Patio Home districts in the city is to create clustered single-family development with common useable open space; however, PD-423-PH specifies that no open space is required. The recreation center in the neighborhood is under the ownership of a private club and is only accessible to members, not to the neighborhood generally. The private recreation center includes Specific Use Permit No. 58 for Country Club and Private Club, allowing an establishment to provide social and dining facilities and alcoholic beverage service within the neighborhood.

The subject property can be redeveloped into single-family residential under the existing split zoned situation. While the loss of private recreation and social space would affect the neighborhood, this can occur regardless of the requested change in zoning since the site can be redeveloped with residential uses by right.

Existing Specific Use Permit (SUP)

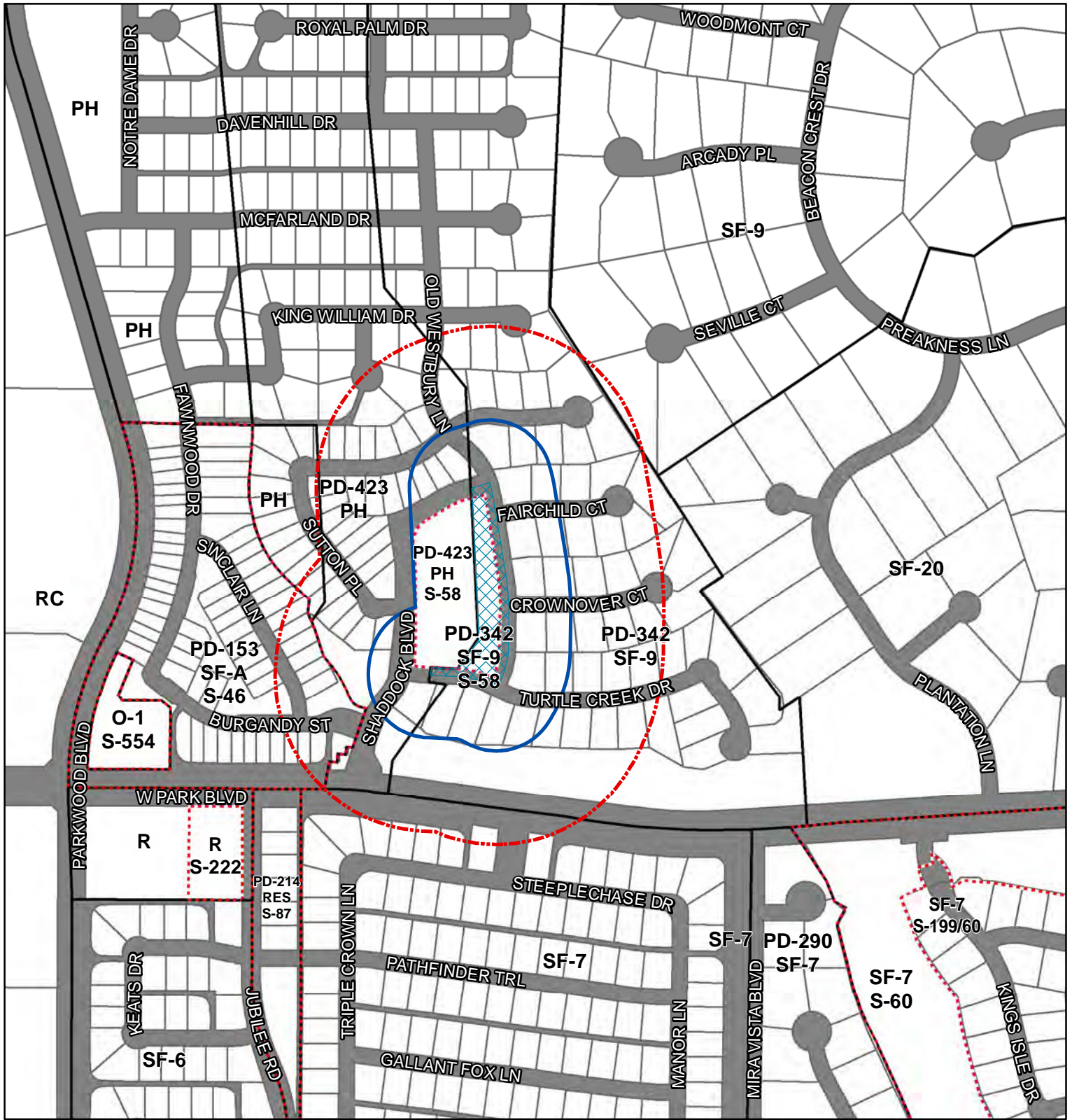
With this proposed rezoning, Specific Use Permit No. 58 for Country Club and Private Club will no longer be needed and incompatible with the proposed residences. For this reason, staff is recommending that the Planning & Zoning Commission call a public hearing to rescind SUP No. 58 for Country Club and Private Club subject to the zoning case being approved by the City Council.

SUMMARY:

This is a request to rezone the subject property from PD-342-SF-9 to PD-423-PH. The request is to modify the existing single-family zoning consistent with the zoning district to the west, which is the slight majority of the property and is compatible with adjacent land uses by continuing the neighborhood form. The proposed zoning is in conformance with some of the recommendations of the Interim Comprehensive Plan and aligns with the findings of the Housing Trends Analysis and Strategic Plan Report. As such, staff is in support of the request with the condition noted in the recommendation below.

RECOMMENDATION:

Recommended for approval as submitted subject to the Planning & Zoning Commission calling a public hearing to rescind Specific Use Permit No. 58 for Country Club and Private Club pending approval of Zoning Case 2021-007 by City Council. If the City Council does not approve Zoning Case 2021-007, Specific Use Permit No. 58 for Country Club and Private Club will remain.

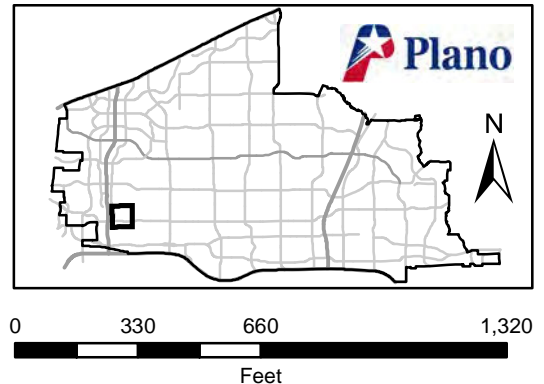


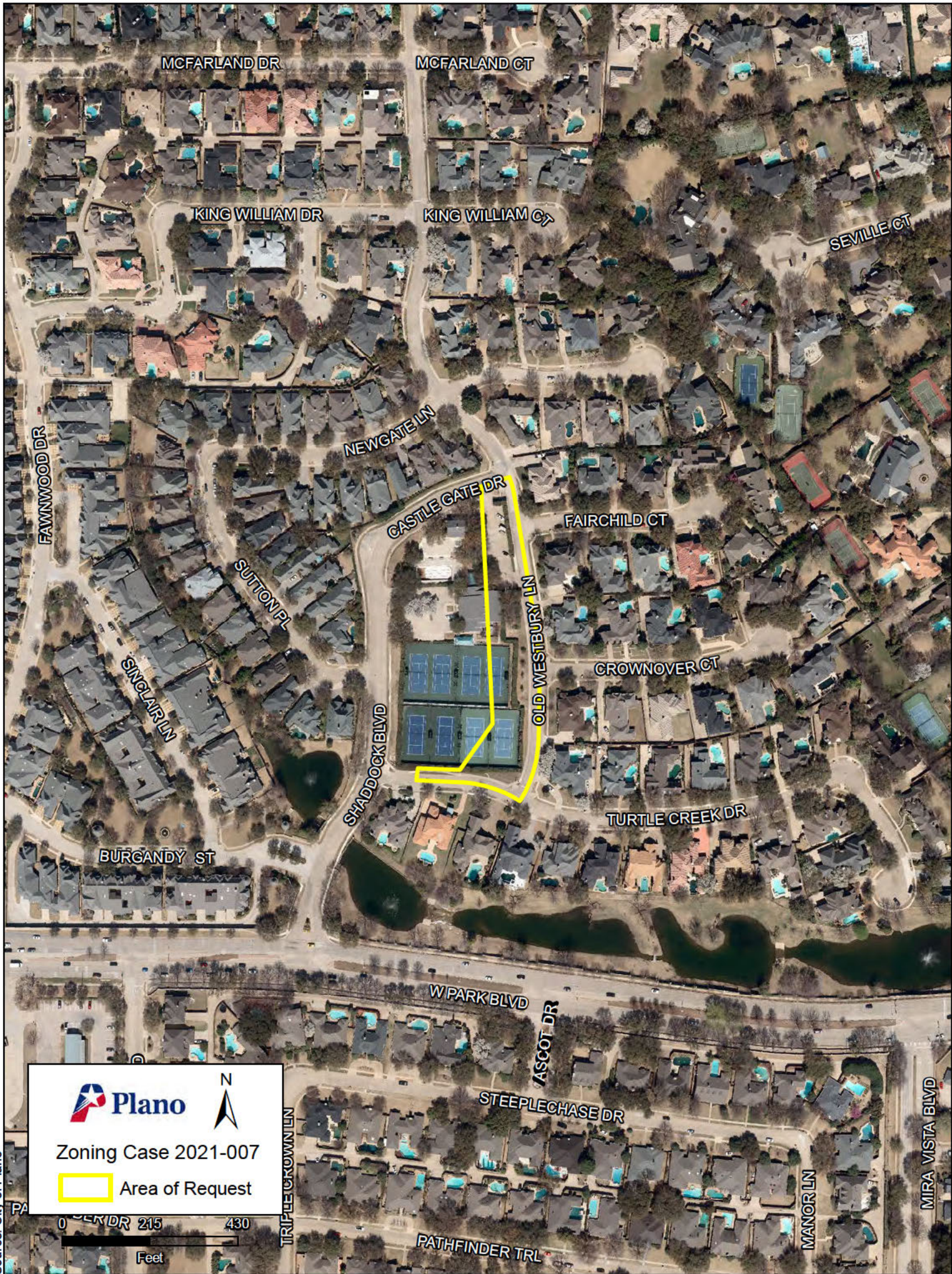
Zoning Case: 2021-007

Existing Zoning: Planned Development-342-Single-Family Residence-9 with Specific Use Permit No. 58 for Country Club and Private Club (PD-342-SF-9 w/ S-58)

Proposed Zoning: Planned Development-423-Patio Home with Specific Use Permit No. 58 for Country Club and Private Club (PD-423-PH w/ S-58)

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

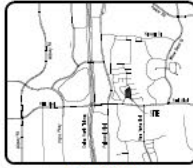




Zoning Case 2021-007

Area of Request

0 215 430
Feet



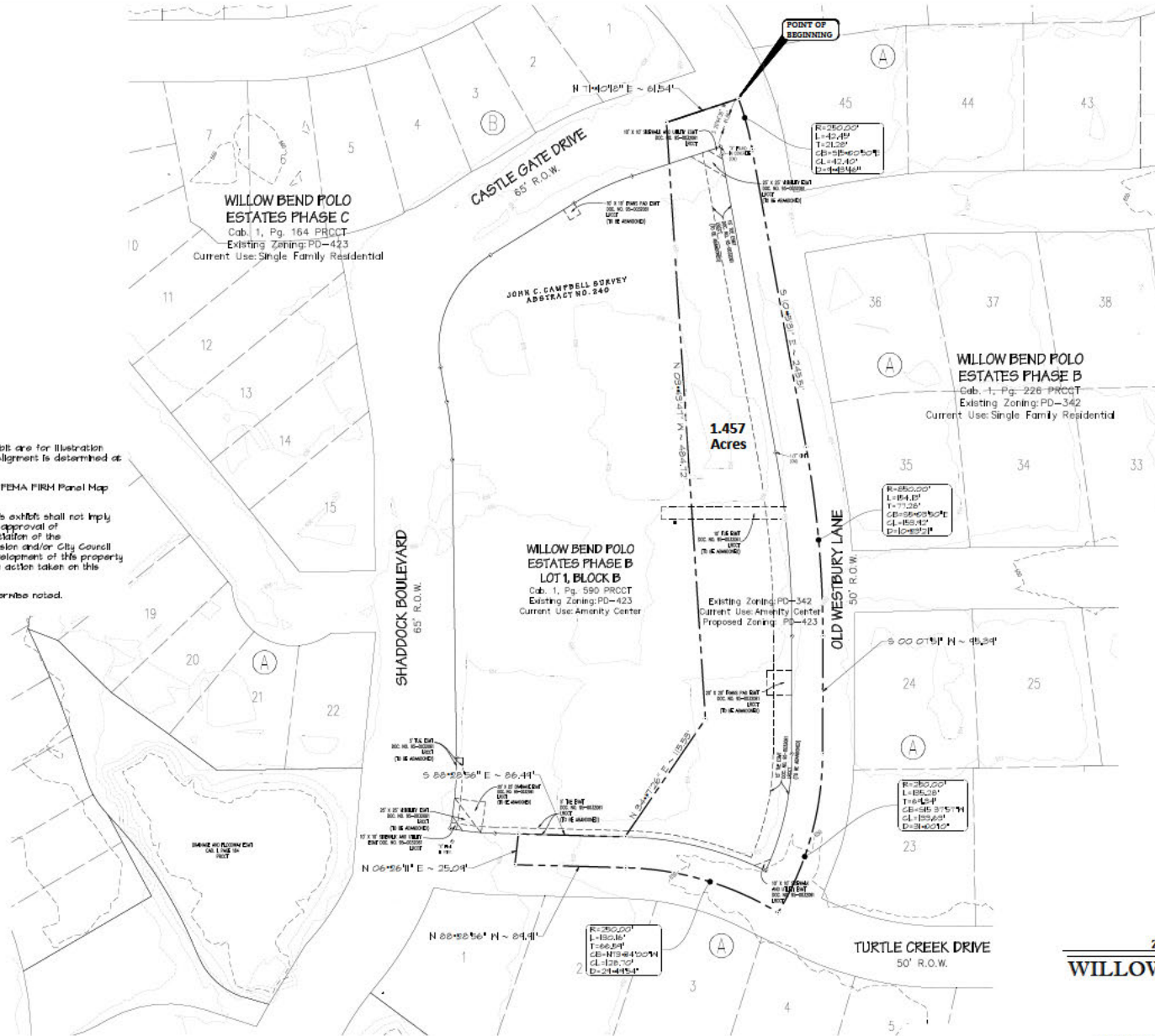
LOCATION MAP

NOTES:
The thoroughfare alignment(s) shown on this exhibit are for illustration purposes and does not set the alignment. The Alignment is determined at the time of final plat.

Floodplain Does Not Exist On the Property Per FEMA FIRM Panel Map No. 48065C0869K, Dated June 7, 2017.

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 herein, 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.

Monuments shown on exhibit were set unless otherwise noted.



ZONING EXHIBIT: ZC2021-007

WILLOW BEND POLO ESTATES PHASE B

Block B, Lot 1

1.457 ACRES

IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS

JOHN C. CAMPBELL SURVEY-ABST. NO. 240

EXISTING ZONING: PD-342 / PD-423

PROPOSED ZONING: PD-423

OWNER/APPLICANT
SHADDOCK ACQUISITION, LLC
2400 Dallas Parkway, Suite 500
Plano, Texas 75093
Telephone (214) 425-6942
Contact: W.B. Shaddock

ENGINEER/SURVEYOR
Spa Engineering, Inc.
765 Castle Road, Suite 100
Plano, TX 75075
Telephone (972) 422-0077
TIFP No. F-3223
Contact: G. M. T. Nelson

METES AND BOUNDS DESCRIPTION

Zoning Exhibit

BEING a tract of land situated in the John C. Campbell Survey, Abstract No. 240, City of Plano, Collin County, Texas, the subject tract being a portion of a tract conveyed to DCC Asset Management Inc. according to the deed recorded in Document No. 95-0032651 of the Deed Records, Collin County, Texas (DRCCT), and being a portion of Castle Gate Drive, Old Westbury Lane, and Turtle Creek Drive, with the subject tract being more particularly described as follows:

BEGINNING at a point on the center line of Old Westbury Lane, a called 50-foot wide right-of-way, more or less, at the northeast corner of Lot 1, Block B, Willow Bend Polo Estates Phase B, an addition to the City of Plano, as recorded in Document No. 95-0032661 in Cabinet 1, Slide 580 of the Deed Records of Collin County, Texas (DRCCT), bears S 20°44'26" W, 41.88 Feet;

THENCE around a curve to the right having a central angle of 09°43'46", a radius of 250.00 feet, a chord of S 10°00'50" E = 42.40 feet, an arc length of 42.45 feet along said center line of Old Westbury Lane;

THENCE S 10°15'31" E, 245.51 feet along said center line of Old Westbury Lane;

THENCE around a tangent curve to the right having a central angle of 102°32'11", a radius of 850.00 feet, a chord of S 03°03'50" E = 153.92 feet, an arc length of 154.13 feet along said center line of Old Westbury Lane;

THENCE S 00°07'51" W, 95.39 feet along said center line of Old Westbury Lane;

THENCE around a tangent curve to the right having a central angle of 31°00'10", a radius of 250.00 feet, a chord of S 15°37'57" W = 133.63 feet, an arc length of 135.28 feet to a point on the center line of Turtle Creek Drive, a called 50-foot wide right-of-way;

THENCE around a non-tangent curve to the left having a central angle of 25°49'54", a radius of 250.00 feet, a chord of N 73°34'00" W = 128.70 feet, an arc length of 130.16 feet along center line of said Turtle Creek Drive;

THENCE N 88°28'56" W, 89.91 feet along center line of said Turtle Creek Drive;

THENCE N 08°26'11" E, 25.00 feet;

THENCE S 88°28'56" E, 86.49 feet;

THENCE N 34°17'26" E, 115.53 feet;

THENCE N 03°43'47" W, 484.72 feet to point on the center line of Castle Gate Drive, a called 60-foot wide right-of-way;

THENCE N 71°42'18" E, 51.54 feet along the center line of said Castle Gate Drive;

to the POINT OF BEGINNING with the subject tract containing 63,456.36 square feet or 1.457 acres of land.

ZONING EXHIBIT: ZC2021-007

WILLOW BEND POLO ESTATES
PHASE B

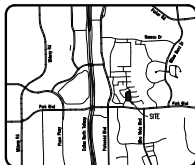
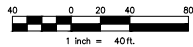
Block B, Lot 1
1.457 ACRES

IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS
JOHN C. CAMPBELL SURVEY-ABST. NO. 240
EXISTING ZONING: PD-342 / PD-423
PROPOSED ZONING: PD-423

OWNER/APPLICANT
SHADDOCK ACQUISITION, L.L.C.
2400 Dallas Pk. Hwy., Suite 580
Plano, Texas 75093
Telephone (214) 405-6942
Contact: W.B. Shaddock

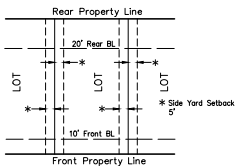
ENGINEER / SURVEYOR
Spa Engineering, Inc.
765 Castle Road, Suite 100
Plano, TX 75075
Telephone (972) 422-0077
TIFP No. P-2121
Contact: G. T. Hebel

March 2021 SEE Job No. 21-009



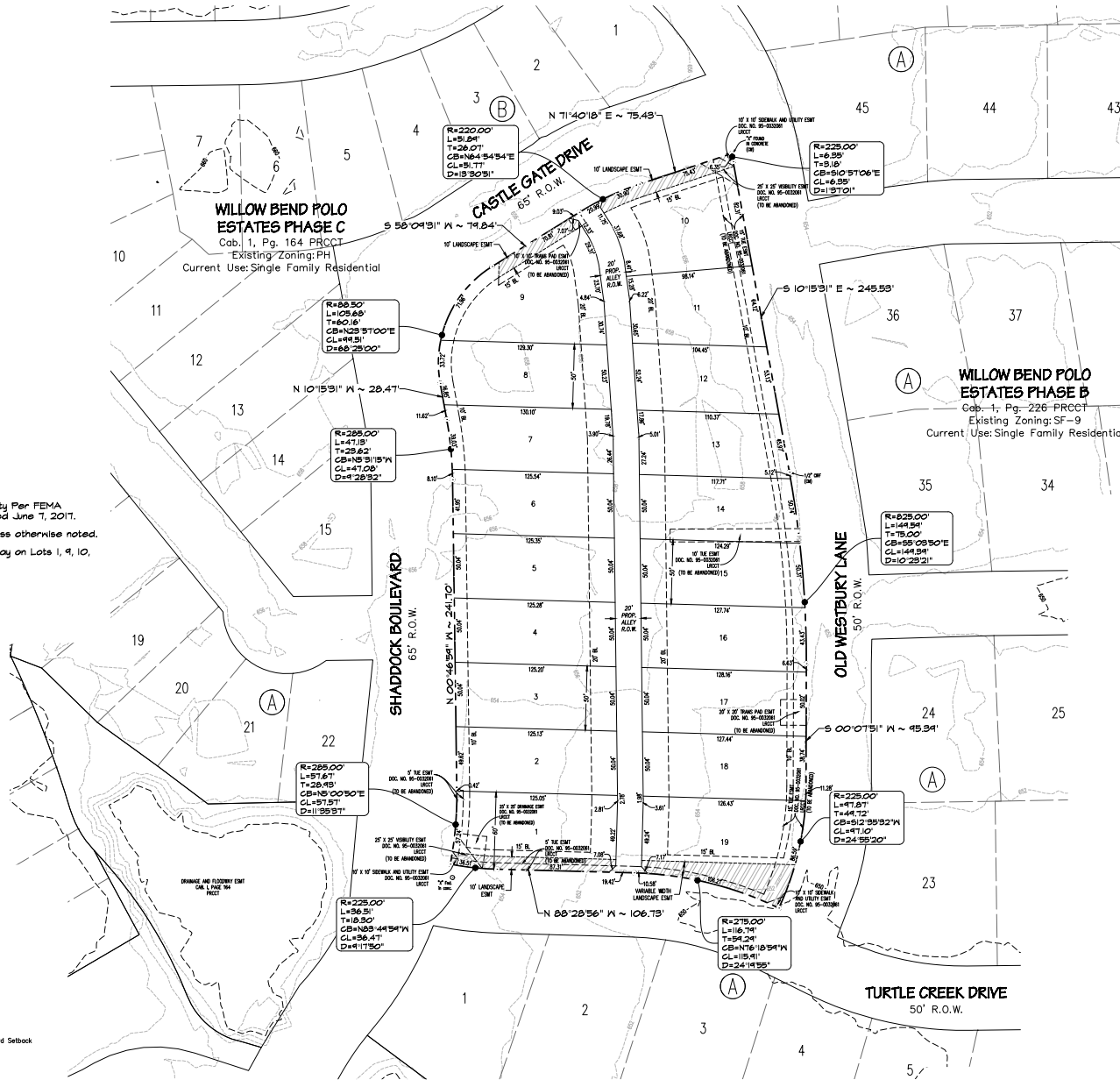
NOTES:

Floodplain Does Not Exist On the Property Per FEMA FIRM Panel Map No. 48085C0363K, Dated June 7, 2017.
Monuments shown on exhibit were set unless otherwise noted.
Total Side Yard Setback from Right of Way on Lots 1, 9, 10, and 14 shall not be greater than 15 feet.



TYPICAL LOT DETAIL FOR 19 LOTS
TO PD STANDARDS

(19 LOTS / 3.107 ACRES = 6.1 UNITS / ACRES)



Lot Area Table			
Lot #	Block #	Square Feet	Average
1	B	7,506	0.172
2	B	6,254	0.144
3	B	6,258	0.144
4	B	6,262	0.144
5	B	6,266	0.144
6	B	6,270	0.144
7	B	6,375	0.146
8	B	6,574	0.151
9	B	8,412	0.193
10	B	7,722	0.177
11	B	5,814	0.133
12	B	5,585	0.128
13	B	5,686	0.131
14	B	6,063	0.139
15	B	6,314	0.145
16	B	6,410	0.147
17	B	6,390	0.147
18	B	6,353	0.146
19	B	8,344	0.192

Site Data Summary Table

(General Site Data)

Item	Total for All Lots
Zoning (from zoning map)	PD-342-SF-9/PD-423-PH
Land Use (from Zoning Ordinance)	Single-Family Residential Detached
Lot Area (square feet & acres)	135,341 SF / 3.107 AC
Building Height (# of stories)	2 Stories
Building Height (feet-distance to tallest building element)	35'
Lot Coverage	60%
Parking Ratio (zoning ordinance)	Two off-street spaces per dwelling unit plus one-half space per dwelling unit
Required Parking	48
* Provided Parking	38

* On-street parking is proposed to satisfy guest parking requirement.

The purpose of this revised concept plan is to show the proposed 19-lot patio home development.

REVISED CONCEPT PLAN: RCP2021-002

WILLOW BEND POLO ESTATES PHASE B

Block B, Lots 1-19
19 Patio Home Lots
3.107 ACRES

IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS
JOHN C. CAMPBELL SURVEY-ABST. NO. 240
EXISTING ZONING: PD-342-SF-9 / PD-423-PH
PROPOSED ZONING: PD-423-PH

OWNER/APPLICANT
SHADDOCK ACQUISITIONS, L.L.C.
2400 Dallas Parkway, Suite 560
Plano, Texas 75093
Telephone (214) 405-6942
Contact: Will Shaddock

ENGINEER / SURVEYOR
Sparks Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TXPE No. F-2121
Contact: Greg T. Heisel

Scale: 1" = 40' June 2021 SKI Job No. 21-009