

DATE: June 22, 2021

TO: Honorable Mayor & City Council

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

SUBJECT: Results of Planning & Zoning Commission Meeting of June 21, 2021

AGENDA ITEM NO (2A) - ZONING CASE 2021-009 (SUBMITTED UNDER THE INTERIM COMPREHENSIVE PLAN)

APPLICANT: PRESTIGE POSH, LLC

Request for a Specific Use Permit for Used Vehicle Dealer on 5.8 acres located on the west side of Preston Road, 142 feet north of State Highway 190. Zoned Planned Development-201-Light Commercial and located within the Preston Road Overlay District. Project #ZC2021-009.

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

Speaker Card(s) Received Support: 3 Oppose: 0 Neutral: 0

Letters Received Within 200' Notice Area: Support: 3 Oppose: 0 Neutral: 0

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

Other Responses: Support: 2 Oppose: 0 Neutral: 0

STIPULATIONS:

Recommended for approval subject to the following stipulations:

1. Noise

- a. Service speakers and public address/paging systems as defined by the Zoning Ordinance are not permitted.
- b. Noise must comply with the City of Plano's maximum specific noise levels for Residential as specified within the Code of Ordinances.

2. Loading Spaces

- a. Where adjacent to residential uses, off-street loading areas shall be fully screened from view of the residential uses by an irrigated evergreen living screen.

- b. Loading docks within 150 feet of the northern property line shall be fully screened from view of the residential uses by an irrigated evergreen living screen.
3. Vehicle Service Bays
- a. All repair, service, and testing activities shall be completed inside a fully enclosed building.
 - b. The installation of new service bays/doors facing residential uses is prohibited.
4. Car Wash - Operations must be performed inside a fully-enclosed building.
5. Landscaping - An irrigated evergreen living screen must be provided along the entire length of the northern property line adjacent to the residential uses and must grow to a minimum height of 6 feet within 2 years of planting.

CF/kob

cc: Muhammad Asim Shamim, Prestige Posh, LLC
Jake Hertz, Golden Development Consulting, LLC
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/EXE7zq6NqAcuB1F57>

CITY OF PLANO
PLANNING & ZONING COMMISSION

June 21, 2021

Agenda No. 2A

Public Hearing: Zoning Case 2021-009

Applicant: Prestige Posh, LLC

(Submitted under the Interim Comprehensive Plan)

DESCRIPTION:

Request for a Specific Use Permit for Used Vehicle Dealer on 5.8 acres located on the west side of Preston Road, 142 feet north of State Highway 190. Zoned Planned Development-201-Light Commercial and located within the Preston Road Overlay District. Project #ZC2021-009.

SUMMARY:

The applicant is requesting a Specific Use Permit (SUP) to allow for a used vehicle dealer. The request is in conformance with the Comprehensive Plan. The request is also substantially consistent with the previous use of the property, which was formerly a new vehicle dealer which vacated the property in 2019. The applicant is proposing stipulations to mitigate the impacts of the service, loading, and car wash operations to respect the adjacent residents to the north. Subject to the inclusion of these restrictions, staff is in support of the request.

REMARKS:

The applicant is requesting an SUP for Used Vehicle Dealer. The current zoning is Planned Development-201-Light Commercial (PD-201-LC). The LC district is intended to provide for a wide array of retail, office, and service uses to meet the needs of local residents and businesses. Some vehicle-related uses and limited assembly, which address local service and employment opportunities are also included in LC districts. 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.

The subject property was developed as a vehicle dealer use in 1989, but has been vacant since 2019. In 1989, used and new vehicle dealerships were permitted by right in the LC zoning district. In 2002, the Zoning Ordinance was amended to require a Specific Use Permit (SUP) for new and used vehicle dealers in the LC district.

A revised site plan for the subject property, Performance Addition, Block 1, Lot 1, accompanies this request as Agenda Item 2B. The purpose of the revised site plan is to show the change in land use from new vehicle dealer to used vehicle dealer, propose an irrigated living screen along the northern property line, and show related site improvements.

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) of the Zoning Ordinance 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	Five story mid-rise residential zoned Planned Development-494-Light Commercial (PD-494-LC) with SUP No. 537 for New Car Dealer
East	Across Preston Road, restaurant with drive-through and garden center zoned Planned Development-350-Retail/General Office (PD-350-R/O-2)
South	Railroad right-of-way zoned PD-201-LC, and further south, S.H. 190 and used vehicle dealer within the City of Dallas
West	Vehicle storage zoned Planned Development-198-Light Commercial (PD-198-LC) with SUP No. 449 for New Car Dealer and professional/general administrative office and medical office zoned Planned Development-203-General Office (PD-198-O-2) with SUP No. 155 for Microwave Reflector/Antenna

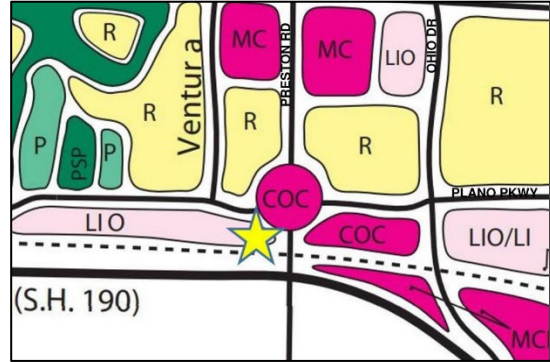
Conformance to the Comprehensive Plan

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* designates the property as Low Intensity Office (LIO). LIO is defined as follows:

“Low Intensity Office (LIO) development serves local needs and heights are typically less than four stories with FAR’s less than 0.4:1.”



The LIO category does not identify vehicle dealerships or car sales as a land use, nor does it identify any other commercial uses. It does mention “local needs” but this term is not defined nor mentioned in other elements of the *Interim Comprehensive Plan*.

Dealerships and car sales are not specifically defined in the text of the Land Use Element or elsewhere in the *Interim Comprehensive Plan*.

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 used vehicle dealer is a commercial use, it is in conformance with the *Interim Comprehensive Plan*.

Used Vehicle Dealer Request

The applicant is proposing to operate a used vehicle dealer on the subject property. The property was recently used as a new vehicle dealer until 2019 and is adjacent to an existing vehicle storage use to the west and railroad right-of-way to the south. Although this request is complimentary to the previous use of this property, vehicle-related uses should be carefully examined when proposed next to residential uses.

The mid-rise residential to the north is developed in a non-residential zoning district, therefore, the standards of Article 21 (Residential Adjacency Standards) of the Zoning Ordinance do not apply and provide the typical protections for residential development. However, the applicant is proposing stipulations that are intended to mitigate the impacts of the used vehicle dealer operations.

SUP Restrictions

The applicant is proposing stipulations to address the following:

1. Noise – The proposed language would prohibit service speakers and public address/paging systems. Additionally, the applicant is proposing to use existing vacuums and bay doors as they exist today. However, since some of these are in proximity to the property line of the residences to the north, the applicant is proposing a restriction that confirms the maximum noise levels must meet the city's standards where adjacent to residential uses.
2. Loading Spaces – The applicant is proposing to screen off-street loading areas and loading docks within 150 feet of the northern property line from the adjacent residences by a six-foot evergreen irrigated living screen.
3. Vehicle Service Operations – Vehicle service operations, including repairs, services, and testing, must occur only within a fully enclosed building. Additionally, no new service bays may be added that face towards the residences.
4. Car Wash – Car wash operations are restricted to being performed inside a fully enclosed building. The existing car wash is adjacent to the parking garage which serves the multifamily residences and is approximately 150 feet from the closest residential units.
5. Landscaping – The applicant is requiring an irrigated evergreen landscape screen to be placed along the northern property line to serve as a solid living screen.

These stipulations are similar to the standards within Article 21 (Residential Adjacency Standards) of the Zoning Ordinance, with some exceptions related to existing development conditions. Staff is supportive of these stipulations to help address operational concerns associated with the reuse of the subject property and respect the adjacent residences, especially due to the length of vacancy of the property.

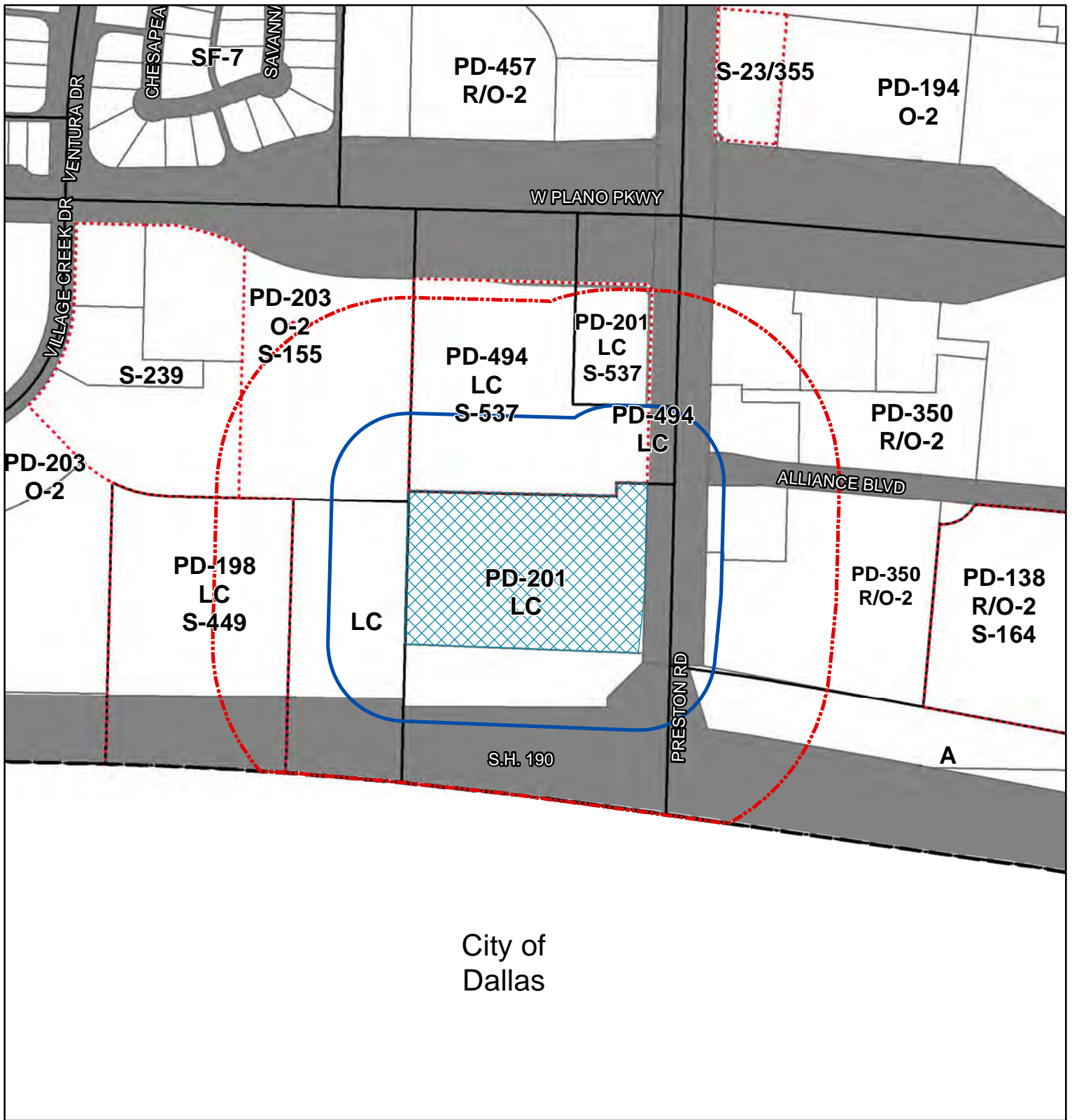
SUMMARY:

The applicant is requesting a Specific Use Permit for a Used Vehicle Dealer. The request is in conformance with the Comprehensive Plan. The request is also consistent with the previous use of the property, which was formerly a new vehicle dealer which vacated the property in 2019. The applicant is proposing stipulations which are intended to mitigate the impacts of the service, loading, and car wash operations to respect the adjacent residents to the north. For these reasons, staff is in support of the request.

RECOMMENDATION:

Recommended for approval subject to the following stipulations.

1. Noise
 - a. Service speakers and public address/paging systems as defined by the Zoning Ordinance are not permitted.
 - b. Noise must comply with the City of Plano's maximum specific noise levels for Residential as specified within the Code of Ordinances.
2. Loading Spaces
 - a. Where adjacent to residential uses, off-street loading areas shall be fully screened from view of the residential uses by an irrigated evergreen living screen.
 - b. Loading docks within 150 feet of the northern property line shall be fully screened from view of the residential uses by an irrigated evergreen living screen.
3. Vehicle Service Bays
 - a. All repair, service, and testing activities shall be completed inside a fully enclosed building.
 - b. The installation of new service bays/doors facing residential uses is prohibited.
4. Car Wash - Operations must be performed inside a fully-enclosed building.
5. Landscaping - An irrigated evergreen living screen must be provided along the entire length of the northern property line adjacent to the residential uses and must grow to a minimum height of 6 feet within 2 years of planting.

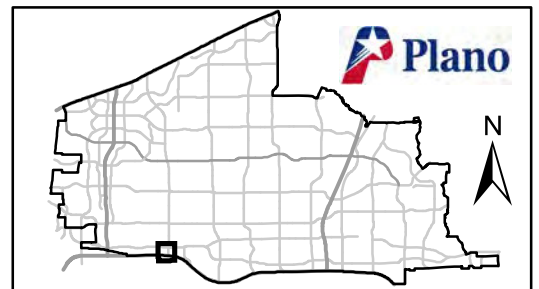


City of
Dallas

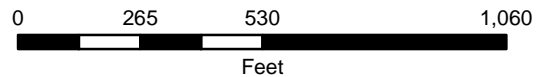
Zoning Case: 2021-009

Existing Zoning: Planned Development-201-Light Commercial and located within the Preston Road Overlay District

Proposed Zoning: Specific Use Permit for Used Vehicle Dealer



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





W PLANO PKWY

PRESTON RD


ALLIANCE BLVD

S.H. 190

Plano

N

Zoning Case 2021-009

 Area of Request

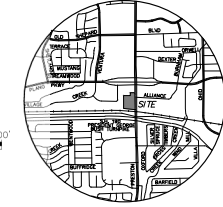
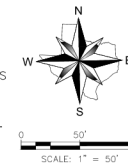


Source: City of Plano

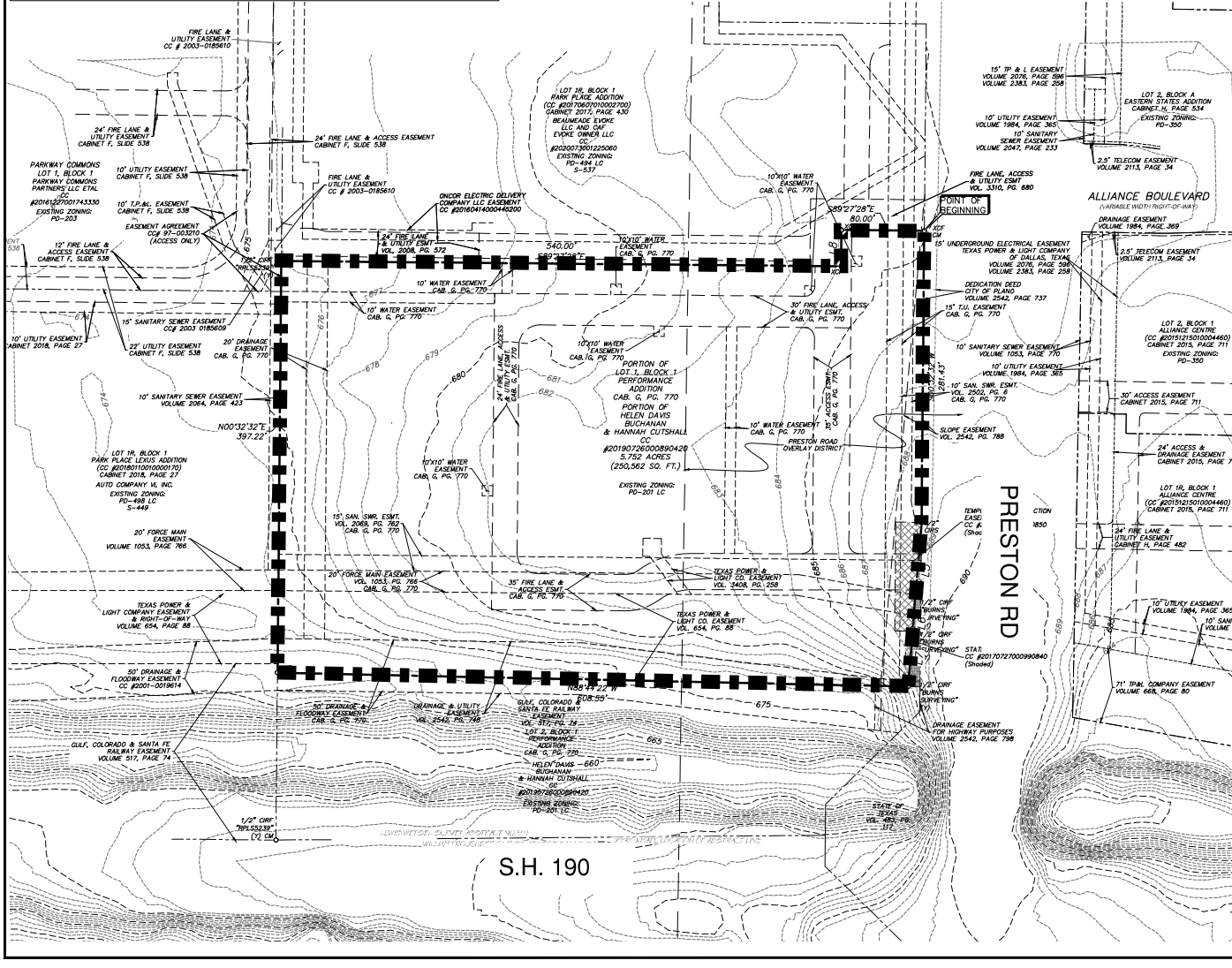
NOTE:
 APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

LINE TABLE		
LINE #	BEARING	DISTANCE
L5	S04°50'30"W	314.82'
L6	S02°06'10"W	10.88'
L7	S04°42'56"W	36.23'
L8	N00°32'32"E	35.00'

LEGEND
 --- BOUNDARY LINE
 - - - - - 679 EXISTING CONTOURS



PROPERTY DESCRIPTION
 BEING a tract of land situated in the LEWIS WETSEL SURVEY, ABSTRACT NO. 971, City of Plano, Collin County, Texas and being a portion of Lot 1, Block 1, Performance Addition, on the plat thereof recorded in Cabinet G, Page 773, Plat Records, Collin County, Texas, and being more particularly described as follows:
 BEGINNING at an "X" cut in concrete found for corner, said "X" cut being the Northeast corner of said Lot 1, Block 1 and being situated in the West right-of-way line of Preston Road (variable width right-of-way);
 THENCE along the West right-of-way line of Preston Road, the following:
 South 00 deg 32 min 32 sec West, a distance of 281.43 feet to a 1/2-inch iron rod with red plastic cap stamped "BURNS SURVEYING" found for corner;
 South 04 deg 55 min 38 sec West, a distance of 91.68 feet to a 1/2-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" found for corner;
 South 02 deg 26 min 19 sec West, a distance of 10.88 feet to a 1/2-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" found for corner;
 South 04 deg 44 min 56 sec West, a distance of 56.29 feet to a 1/2-inch iron rod with yellow plastic cap stamped "BURNS SURVEYING" found for corner, said iron rod being situated in the South line of said Lot 1, Block 1;
 THENCE North 88 deg 44 min 22 sec West, departing the West right-of-way line of said Preston Road and along the South line of said Lot 1, Block 1, a distance of 608.55 feet to an "O" cut in concrete found for corner, said "X" cut being the Southwest corner of said Lot 1, Block 1;
 THENCE North 00 deg 32 min 32 sec East, departing the South line and along the West line of said Lot 1, Block 1, a distance of 397.22 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS239" for the Northwest cor of said Lot 1, Block 1;
 THENCE South 89 deg 27 min 28 sec East, departing the West line and along a North line of said Lot 1, Block 1, a distance of 540.00 feet to an "X" cut in concrete found for corner;
 THENCE North 00 deg 32 min 32 sec East, continuing along a northerly line of said Lot 1, Block 1, a distance of 35.00 feet to an "X" cut in concrete found for corner;
 THENCE South 89 deg 27 min 28 sec East, continuing along said North line, a distance of 80.00 feet to the POINT OF BEGINNING.
 CONTAINING within these metes and bounds 5.752 acres or 250,562 square feet of land, more or less.
 Bearings shown hereon are based upon an on-the-ground Survey performed in the field on the 9th day of April, 2021, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the Geoschick VRS network.



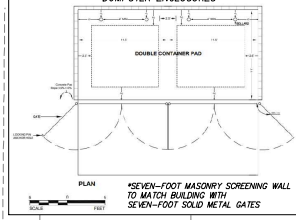
ZONING CASE # ZC2021-1089
 ZONING EXHIBIT
 OF
 PERFORMANCE ADDITION
 LOT 1, BLOCK 1
 CITY OF PLANO
 COLLIN COUNTY, TEXAS
 MAY 10, 2021
 1001 PRESTON ROAD, PLANO, TEXAS
 5.752 ACRES OUT OF THE
 LEWIS WETSEL SURVEY, ABSTRACT NO. 971
 PREPARED AND FORWARDED BY:
 WINKELMANN & ASSOCIATES, INC.
 970 HILLCREST PLAZA DRIVE, SUITE 215
 DALLAS, TEXAS 75205
 TEL: 972-353-1700
 CONTACT: JANE HERTZ
 APPROVED BY:
 WINKELMANN & ASSOCIATES, INC.
 970 HILLCREST PLAZA DRIVE, SUITE 215
 DALLAS, TEXAS 75205
 TEL: 972-353-1700
 CONTACT: JANE HERTZ

PRELIMINARY - NOT FOR CONSTRUCTION
 ZONING EXHIBIT
 1001 PRESTON ROAD
 PLANO, TEXAS
 1
 WINKELMANN & Associates, Inc.
 CONSULTING CIVIL ENGINEERS & ARCHITECTS
 970 HILLCREST PLAZA DRIVE, SUITE 215
 DALLAS, TEXAS 75205
 TEL: 972-353-1700
 CONTACT: JANE HERTZ
 DATE: _____
 REVISION: _____
 APPROVED: _____

CITY SITE PLAN GENERAL NOTES

- Buildings 6,000 square feet or greater shall be 100% fire sprinkled.
- Fire lanes shall be designed and constructed per city standards.
- Handicapped parking areas shall be designed and provided per city standards and shall comply with requirements of the current adopted International Building Code.
- Four-foot wide sidewalks shall be provided 2.5 feet off of the property line within the rights-of-way, unless a sidewalk easement is provided for a meandering sidewalk or an alternative design is approved by the city. Barrier-free ramps, per city standards, shall be provided on sidewalks at all curb crossings.
- Mechanical units, dumpsters, and trash compactors shall be screened in accordance with the Zoning Ordinance.
- All signage contingent upon approval by Building Inspections Department.
- Approval of the site plan is not final until all engineering plans are approved.
- Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
- Building facades within this development shall be compatible, as provided in the Retail Corner Design Guidelines.
- Outdoor lighting shall comply with illumination standards within Section 6-466 of the Code of Ordinances.
- Please contact the Building Inspections Department to determine the type of construction and occupancy group.
- All electrical transmission, distribution, and service lines must be underground.
- Uses shall conform in operation, location, and construction to the following performance standards in Article 24 of the Zoning Ordinance: noise, smoke and particulate matter, odorous matter, fire or explosive hazard material, toxic and noxious matter, vibration, and/or other performance standards.

DUMPSTER ENCLOSURES



NOTES

- THE PURPOSE OF THIS REVISED SITE PLAN IS TO CHANGE THE BUILDING USE & ADDING LIVING SCREEN ALONG THE NORTH OF THE PROPERTY.
- ALL EXISTING PAVEMENT ON SITE IS CONCRETE.

LINE TABLE

LINE #	BEARING	DISTANCE
L5	S04°55'38"W	91.68'
L6	S02°26'19"W	10.88'
L7	S04°14'56"W	56.29'
L8	N00°32'32"E	35.00'

ABBREVIATION LEGEND

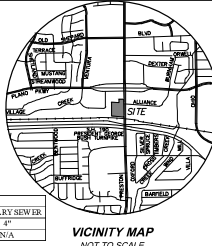
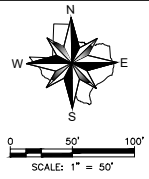
- Power Pole
- Guy Wire
- Manhole
- Water Valve
- Telephone Pedestal
- Water Meter
- The Hydrant
- Light Pole
- Irrigation Valve
- Clear Out
- Air Conditioner
- Cable Box
- Signal Box
- Signal Pole
- Control Monument
- Iron Rod Found
- Iron Rod Set w/ cap "W"
- Iron Rod Found w/ cap
- Iron Rod Set in Concrete
- Iron Rod Found in Concrete
- Storm Sewer
- Transformer pad
- Gas Meter
- Gas Meter
- Transformer pad
- Traffic Sign
- Overhead Cable Marker
- Electric Box
- Electric Meter

LEGEND

- EXISTING FIRELANE
- BOUNDARY LINE
- LANDSCAPE AREA
- EXISTING CONTOURS

UTILITY LEGEND

- EX. FIRE HYDRANT
- EX. IRRIGATION CONTROL VALVE
- EX. DOM. OR IRRIGATION METER
- EX. WATER VALVE
- EX. CLEANOUTS
- EX. SANITARY MANHOLE

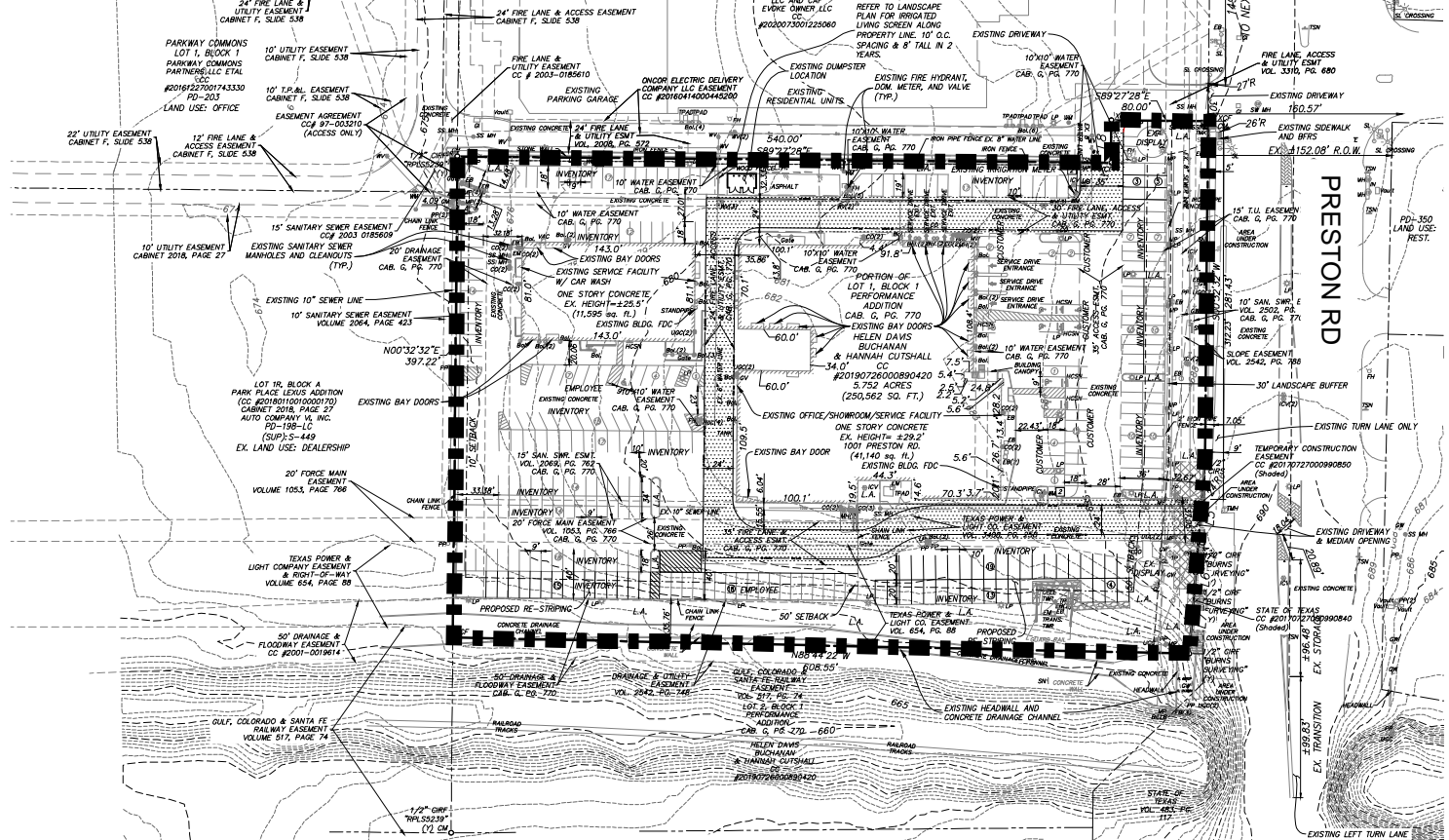


WATER METER SCHEDULE

ID	TYPE	SIZE	EX. PROP.	SANITARY SEWER
1	DOMESTIC	2"	EXISTING	4"
2	IRIGATION	2"	EXISTING	N/A

Site Data Summary Table

Item	Lot 1, Block 1
General Site Data	
Existing Zoning	PD-300-LC
Proposed Zoning	PD-300-LC (SUP for Used Vehicle Dealer)
Land Use	Used Vehicle Dealer
Lot Area (square feet 6 acres)	3,752 ACRES (250,625 S.F.)
Existing Building Footprint Area (square feet)	42,758 S.F.
Existing Building Height (#stories)	1
Existing Building Height (feet - distance to tallest building element)	29'
Existing Lot Coverage	31%
Existing Floor Area Ratio (ratio x:xx:1)	0.21:1
Existing Open Storage (square feet)	0 S.F.
Proposed Open Storage (square feet)	0 S.F.
Parking	
Parking Ratio (Office/Showroom)	1 Space Per 1,000 S.F. & 1 Space Per 200 S.F.
Parking Ratio (Remaining for Used Vehicle Dealer)	1 Space Per Employee + 1 Space Per Stored Vehicle
Parking Ratio (Vehicle Service)	3 Spaces Per Bay + 1 Space Per Employee + 1 Space Per Tow Truck
Required Parking (#spaces)	249
Provided Inventory Parking (#spaces)	611
Provided Other Parking (customers/employees) (#spaces)	62
Total Parking Provided	673
Accessible Parking Required (#spaces)	8
Existing Accessible Parking Provided (#spaces)	8
Parking in Excess of 110% of required parking (#spaces)	47
Landscaping Area (including turf areas)	
Landscaping Edge Area Provided (square feet)	13,190 S.F.
Additional interior landscaping area provided (square feet)	19,622 S.F.
Other landscap area within the lot including Storm Water Conservation Area (square feet)	0
Total Landscaping Area (square feet)	32,812 S.F.
Permeable Area (not including landscaping of turf areas)	
Permeable Pavement (square feet)	0 S.F.
Other Permeable Area within the lot not including landscaping or turf areas	0
Total Permeable Area (square feet)	0 S.F.
Impervious Area	
Existing Building Footprint Area (square feet) (T total)	52,758 S.F.
Area of Sidewalks, Pavement & other impervious Flatwork (square feet)	165,015 S.F.
Other Impervious Area	0 S.F.
Total Impervious Area	217,773 S.F.
Sum of Total Landscaping Area + Total Permeable Area + Total Impervious Area (square feet) Note: Sum must equal Lot Area	250,625 S.F.
Total Impervious Area	217,773 S.F.
Less BMP Impervious Area Credit	0 S.F.



S.H. 190

CITY PROJECT # RSP201-017
 REVISED SITE PLAN
 OF
 PERFORMANCE ADDITION
 LOT 1, BLOCK 1
 CITY OF PLANO
 COLLIN COUNTY, TEXAS
 JUNE 11, 2021

1001 PRESTON ROAD, PLANO, TEXAS
 0.752 ACRES OUT OF THE
 LEWIS WEISEL SURVEY, ABSTRACT NO. 971

OWNER REPRESENTATIVE:
 SCS REPUBLIC, P.O. BOX 500
 PLANO, TX 75075
 TEL: 972-320-1100
 CONTACT: JIM HERTZ

DRAWN BY:
 WINKELMANN & ASSOCIATES, INC.
 6700 HILLCREST PLAZA DRIVE, SUITE 215
 DALLAS, TEXAS 75220
 TEL: (972) 490-7000 EXT. 303
 CONTACT: BILL WINKELMANN

REVISED SITE PLAN
 1001 PRESTON ROAD
 PLANO, TEXAS

SP1

Winkelmann & Associates, Inc.
 CONSULTING CIVIL ENGINEERS
 6700 HILLCREST PLAZA DRIVE, SUITE 215
 DALLAS, TEXAS 75220
 TEL: (972) 490-7000
 WWW.WINKELMANN-AND-ASSOCIATES.COM

REVISION NO. DATE