


DATE: November 16, 2021

TO: Honorable Mayor & City Council

FROM: David Downs, Chair, Planning & Zoning Commission 

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

**AGENDA ITEM NO (2) - ZONING CASE 2021-023
(SUBMITTED UNDER THE INTERIM COMPREHENSIVE PLAN)
APPLICANT: FOREFRONT LIVING PLANO, INC.**

Request to rezone 8.2 acres located 605 feet north of Windhaven Parkway and 820 feet west of Spring Creek Parkway from Planned Development-243-Retail/General Office to General Office. Zoned Planned Development-243-Retail/General Office. Project #ZC2021-023. Tabled September 20, 2021, and October 18, 2021. Project #ZC2021-023.

APPROVED: 7-1 **DENIED:** **TABLED:**

Speaker Card(s) Received Support: 3 Oppose: 11 Neutral: 0

Letters Received Within 200' Notice Area: Support: 2 Oppose: 3 Neutral: 0

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

Other Responses*: Support: 6 Oppose: 256 Neutral: 0

*262 unique responses were received. 117 duplicate responses were received for a total of 379 responses.

RESULTS:

The Commission recommended approval subject to City Council approval of Zoning Case 2020-032. The Commissioner voting in opposition did not state a reason for the vote.

EH/kob

cc: Steve Ailey, Forefront Living Plano, Inc.
Tommy Mann, Winstead, PC
David Martin, Winstead, PC
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/eCzRo9YQvLX5nNf1A>

CITY OF PLANO
PLANNING & ZONING COMMISSION

November 15, 2021

Agenda No. 2

Public Hearing: Zoning Case 2021-023

Applicant: Forefront Living Plano, Inc.

(Submitted under the Interim Comprehensive Plan)

DESCRIPTION:

Request to rezone 8.2 acres located 605 feet north of Windhaven Parkway and 820 feet west of Spring Creek Parkway **from** Planned Development-243-Retail/General Office **to** General Office. Zoned Planned Development-243-Retail/General Office. Project #ZC2021-023. Tabled September 20, 2021, and October 18, 2021.

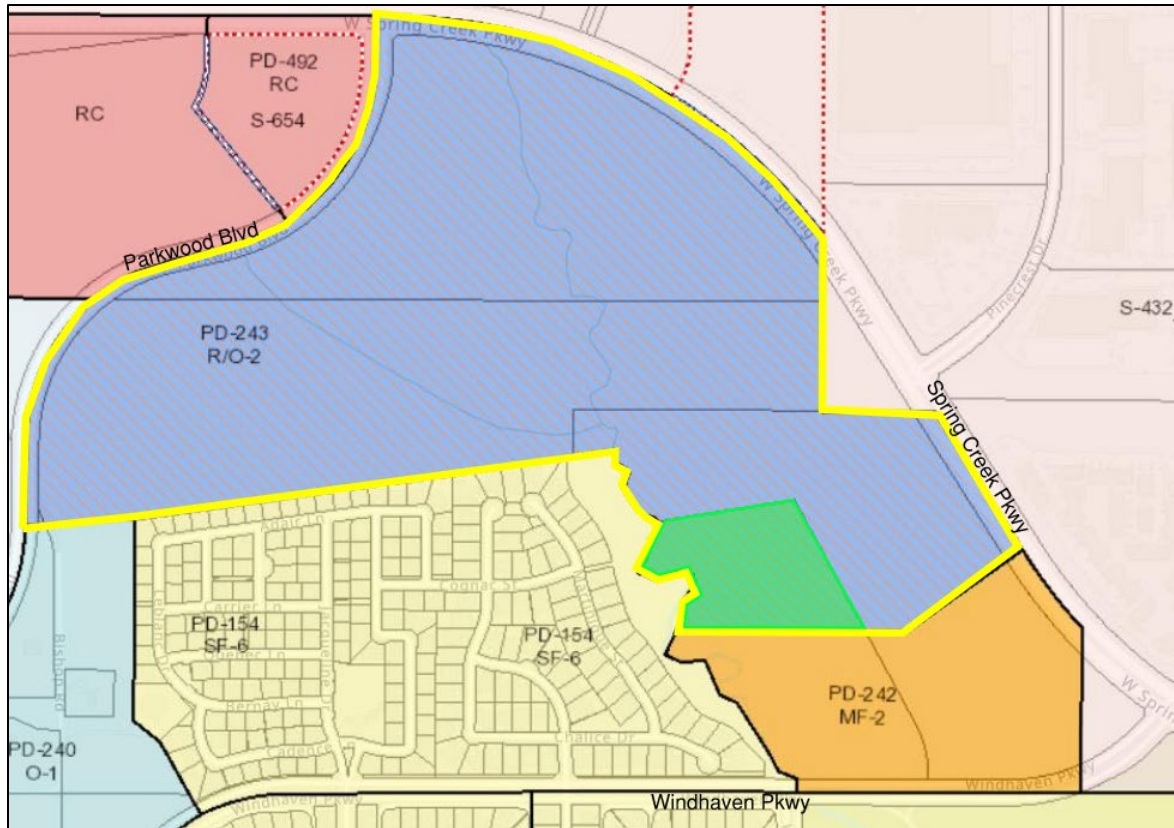
REMARKS:

The applicant is requesting to rezone the subject property from Planned Development-243-Retail/General Office (PD-243-R/O-2) to General Office (O-2) if Zoning Case 2020-032, Agenda Item 1A, is approved. The purpose of this request is to revise the zoning on the subject property to avoid a nonconforming situation that would occur if ZC2020-32 is approved.

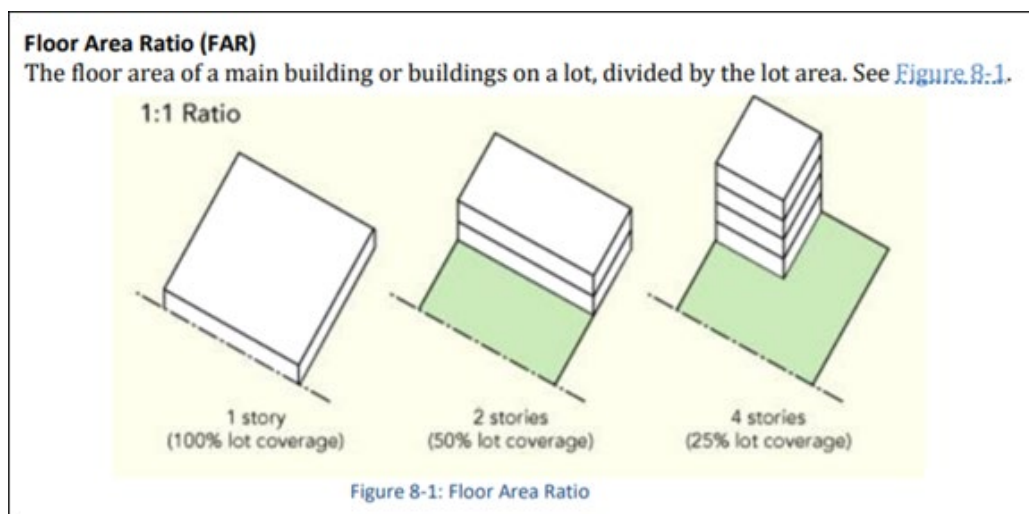
The subject property includes 8.2 acres within the existing PD-243-R/O-2 district. PD-243-R/O-2 has the following restrictions:

1. A total Floor Area Ratio of 0.4:1, with a maximum Floor Area Ratio of 1:1 for any individual lot.
2. A maximum of 1,406,000 square feet may be utilized for retail uses.

This district is split between two property owners. The following map shows the entire PD-243-R/O-2 district outlined in yellow. The property associated with ZC2020-032 is shown in blue, while the property associated with this zoning request is shown in green:



As evidenced by the floor area ratio restriction above, the entire PD-243-R/O-2 zoning district has an overall ratio of 0.4:1. The Zoning Ordinance defines floor area ratio as shown in the figure below:



This means that, as a whole, properties within the planned development district must coordinate development requests to ensure the overall 0.4:1 FAR is not exceeded.

Preliminary Site Plan 2020-025, which is included as an attachment, includes the 8.2 acres that encompass this request. Since it met the city's development requirements, the

Planning & Zoning Commission approved the plan on November 16, 2020. The plan shows a proposed retirement housing development on the subject property. The entire property within the plan area is covered by two zoning districts, with the northern half being zoned PD-243-R/O-2 and the southern half zoned Planned Development-242-Multifamily Residence-2 (PD-242-MF-2). The approved preliminary site plan complies with zoning today and the portion within PD-243-R/O-2 has an FAR of 0.98:1.

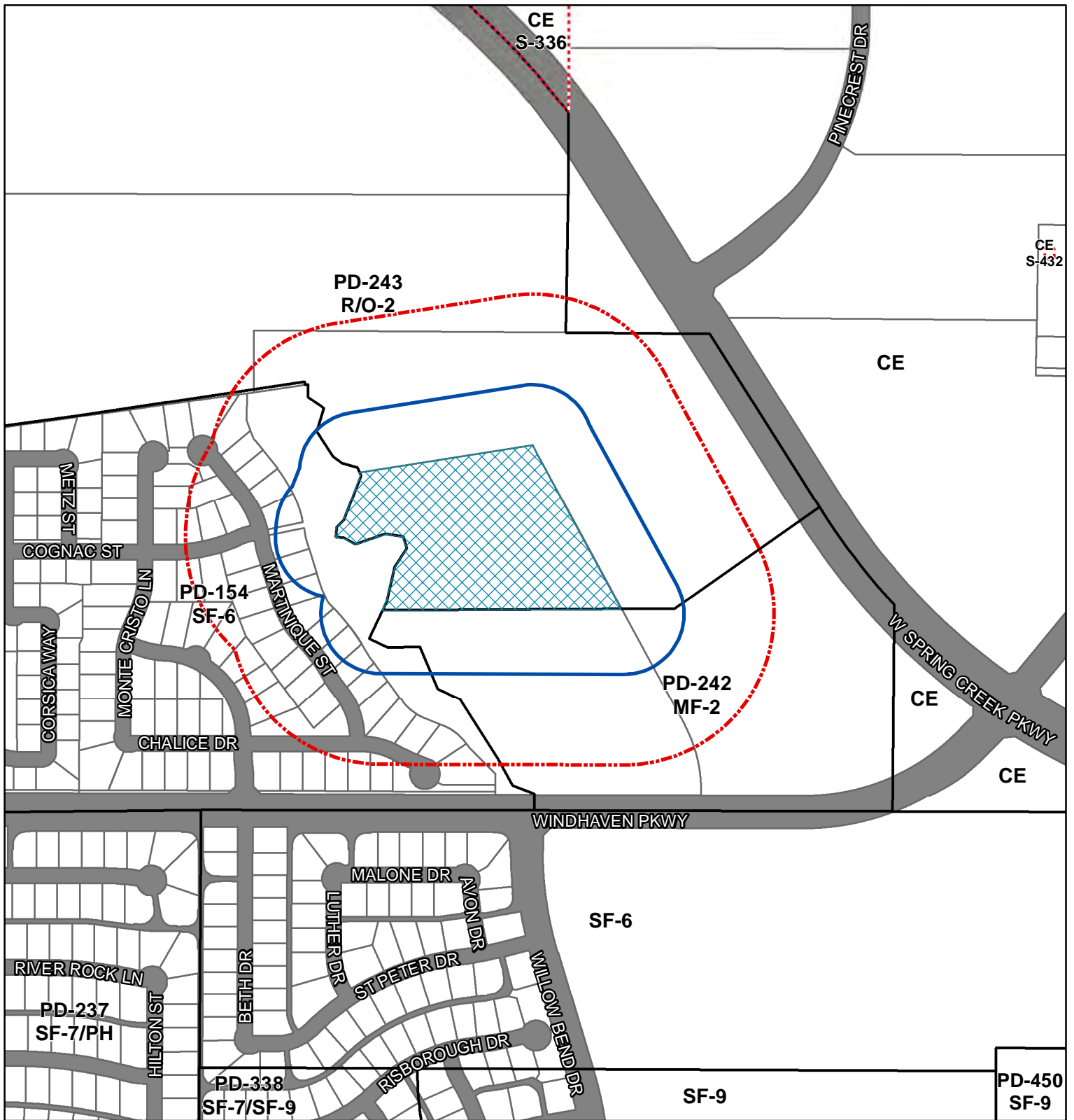
If ZC2020-032 is approved, the PD-243-R/O-2 portion of the subject property within this zoning request would be the only property left within that zoning district, reducing the PD from over 160 acres to 8 acres. In that situation, the 0.4:1 restriction would render the property nonconforming if built per the approved plan, which has established development rights under the law. Additionally, if this project does not move forward to construction, the City may want to consider the zoning on the full parcel as it would not be an ideal situation leaving a split zoning with a remnant of PD-242-MF-2 and a limited amount of O-2 zoning.

The proposed O-2 zoning requires a maximum FAR of 1:1, matching the existing restriction within PD-243-R/O-2 today. There are no changes proposed to uses, height, setbacks, or other standards. Since the retirement housing development has established rights to develop, if ZC2020-032 is approved, this is essentially a clean-up item to ensure this property maintains zoning compliance and the retirement housing develops as shown in the approved preliminary site plan. Under these circumstances, the proposal would not change the proposed development and, therefore, impact surrounding properties. Staff is in support of this request per the restriction listed below.

RECOMMENDATION:

Recommended for approval subject to City Council approval of Zoning Case 2020-032.

Due to the large number, responses for this zoning case are posted under separate cover on the [Planning & Zoning Commission's Agenda Website](#).

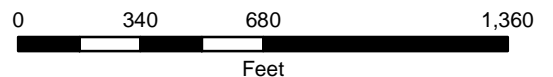
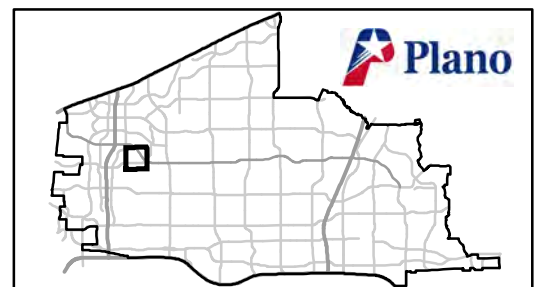


Zoning Case: 2021-023

Existing Zoning: Planned Development-243-Retail/General Office

Proposed Zoning: General Office

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





Zoning Case 2021-023

Area of Request

0 220 440
Feet

ITEM	TOTAL LOT
LANDSCAPE AREA (INCLUDING TURF AREA)	
LANDSCAPE EDGE AREA PROVIDED (SF)	10,900.90
REQUIRED INTERIOR LANDSCAPE AREA (SF)	0.5F
ADDITIONAL INTERIOR LANDSCAPE AREA PROVIDED (SF)	24,500.50
OTHER LANDSCAPE AREA WITHIN THE LOT INCLUDING STORM WATER CONSERVATION AREAS (SF)	217,704.50
TOTAL LANDSCAPE AREA (SF)	413,107.50
PERMEABLE AREA (NOT INCLUDING LANDSCAPING OR TURF AREAS)	
PERMEABLE PAVEMENT (SF)	14,000.50
OTHER PERMEABLE AREA WITHIN THE LOT NOT INCLUDING LANDSCAPING OR TURF AREAS (SF)	0.5F
TOTAL PERMEABLE AREA (SF)	14,000.50
IMPERVIOUS AREA	
INCLUDING FOOTPRINT AREA (SF)	173,395.50
AREA OF SIDEWALKS, PAVEMENT, & OTHER IMPERVIOUS FLATWORK (SF)	13,000.50
OTHER IMPERVIOUS AREA	0.5F
TOTAL IMPERVIOUS AREA (SF)	305,595.50
SUM OF TOTAL LANDSCAPE AREA + TOTAL PERMEABLE AREA + AREA + TOTAL IMPERVIOUS AREA	792,792.50
LESS BMP IMPERVIOUS AREA CREDIT	0.5F

2. BUILDINGS 6,000 SQUARE FEET OR GREATER SHALL BE 10% FIRE SPINKLED.
3. FIRE LINES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
4. HANDICAPPED PARKING AREAS SHALL BE ASSIGNED AND PROVIDED PER CITY STANDARDS AND SHALL COMPLY WITH REQUIREMENTS OF THE CURRENT ADAPTED INTERNATIONAL BUILDING CODE.
5. FOUR FOOT HIGH SIDEWALKS SHALL BE PROVIDED 2 FEET OFF OF THE PROPERTY LINE WITHIN THE HANDICAPPED PARKING AREAS. ACCESS TO HANDICAPPED SIDEWALKS SHALL BE PROVIDED ON AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRIERS/FIRE RAMPS, PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALK AT ALL CURB CROSSINGS.
6. MECHANICAL UNITS, DUMPSTERS, AND TRAIL TRACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
7. ALL SIGNAGE CONTINGENT UPON APPROVAL BY BUILDING INSPECTION DEPARTMENT.
7. APPROVAL OF THE SITE PLAN (1) MEET ALL CITY ENGINEERING PLANS ARE APPROVED OPEN SPACE, WHEN PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
8. BUILDING FACILITIES WITHIN THIS DEVELOPMENT SHALL BE COMPATIBLE AS PROVIDED IN THE RETAIL CENTER ZONING ORDINANCE.
9. OUTDOOR LIGHTING SHALL COMPLY WITH ILLUMINATION STANDARDS WITHIN SECTION 6-4.06 OF THE CODE OF ORDINANCES.
10. THE CITY ENGINEER, THE BUILDING INSPECTION DEPARTMENT TO DETERMINE THE TYPE OF CONSTRUCTION AND OCCUPANCY GROUP.
11. ALL ELECTRICAL TRANSMISSION, DISTRIBUTION, AND SERVICE LINES MUST BE UNDERGROUND WHERE REQUIRED.
12. USES SHALL CONFORM TO ORIGIN: LOCATION, AND CONSTRUCTION TO THE FOLLOWING PERFORMANCE STANDARDS IN ARTICLE 24 OF THE ZONING ORDINANCE: NOISE, EMISSION AND PARTICULATE MATTER, AIR QUALITY, AIR POLLUTION, FIRE OR EXPLOSIVE MATERIAL, TOXIC AND NOXIOUS MATERIAL, VIBRATION, AND OTHER UNDESIRABLE EFFECTS.

EXPIRES
November 16, 2022
CITY OF PLANO

CIVIL ENGINEER:
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Contact: Sarah E. Scott, P.E.

SHEET NUMBER
PSP

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