


DATE: March 22, 2022
TO: Honorable Mayor & City Council 
FROM: David Downs, Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of March 21, 2022

AGENDA ITEM NO. 2 – ZONING CASE ZC2022-002
APPLICANT: BETH REYNOLDS, CTRL V VIRTUAL REALITY ARCADE

Request for a Specific Use Permit for Arcade on 0.1 acre located 390 feet east of Custer Road and 810 feet south of Parker Road. Zoned Planned Development-90-Retail. Project #ZC2022-002.

APPROVED: 8-0

Speaker Card(s) Received	Support:	<u>2</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Letters Received Within 200' Notice Area:	Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Petition Signatures Received:	Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Other Responses:	Support:	<u>1</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>

RESULTS:

The Commission recommended approval of the request subject to City Council waiving the 300-foot distance requirement to residential zoning and finding that issuance of the Specific Use Permit would not be detrimental or injurious to the public health, safety, or general welfare, or otherwise offensive to the neighborhood.

To view the hearing, please click on the provided link: <https://planotx.swagit.com/play/03222022-846/7/>

KC/kob

cc: Eric Hill, Senior Planning Manager
Christina Sebastian, Lands Records Planning Manager
Melissa Spriegel, Lead Planner
Glenn Greer, Planner
Cassidy Exum, GIS Technician
Jeanna Scott, Building Inspections Manager
Dorothy Alatorre, Property Standards

<https://goo.gl/maps/CFyCBeGDWXkJzzhr9>

CITY OF PLANO
PLANNING & ZONING COMMISSION

March 21, 2022

Agenda Item No. 2

Public Hearing: Zoning Case 2022-002

Applicant: Beth Reynolds, CTRL V Virtual Reality Arcade

DESCRIPTION:

Request for a Specific Use Permit for Arcade on 0.1 acre located 390 feet east of Custer Road and 810 feet south of Parker Road. Zoned Planned Development-90-Retail. Project #ZC2022-002.

SUMMARY:

The applicant is requesting a Specific Use Permit for Arcade within an existing multi-tenant shopping center. The subject property is distanced from the adjacent neighborhood by an existing service area, fire lane, masonry screening wall, and residential alley. The applicant is requesting the minimum 300-foot distance requirement from a residential zoning district to be waived per the attached letter. The request will complement the surrounding uses and will provide an additional option for entertainment within the general area. Lastly, the request is in conformance with the recommendations of the Comprehensive Plan. For these reasons, staff recommends approval of the request subject to City Council waiving the minimum 300-foot distance requirement from residential zoning.

REMARKS:

The applicant is requesting a Specific Use Permit (SUP) for Arcade in a 3,300 square foot lease space located within a multi-tenant retail shopping center. The Zoning Ordinance defines an arcade as an establishment with six or more player-operated skill or amusement machines, or a combination of six or more such machines and/or connected control panels that provide access to the machines.

The existing zoning is Planned Development-90-Retail (PD-90-R). The R district is 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. 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.

An SUP authorizes and regulates a use not normally permitted in a district, which could benefit the general welfare in a particular case, provided that adequate development standards and safeguards are established. Additionally, 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 Use and Zoning

North	The property is zoned PD-90-R with SUP No. 42 for Arcade and is developed with a shopping center with arcade, grocery store, retail, restaurant, and personal service shop uses.
East	Adjacent to the area of request, the property is zoned PD-90-R and is developed with a shopping center with personal service shop, retail, and health/fitness center uses. Further east is a residential neighborhood zoned Single-Family Residence-9 (SF-9) separated from the shopping center by existing parking, drive aisles, and a six-foot masonry wall.
South	The property is zoned SF-9 and is developed with a single-family neighborhood. The subject property is separated from the neighborhood by an existing service area, a fire lane, a six-foot masonry screening wall, and a residential alley.
West	Adjacent to the area of request, the property is zoned PD-90-R with SUP No. 161 for Private Club and No. 291 for Arcade and is developed with a shopping center with arcade, retail, medical office, and restaurant uses. Further west, across Custer Road, the property is zoned PD-90-R and is developed as a shopping center and car wash.

Conformance to the Comprehensive Plan

Future Land Use Map - The subject property is designated [Community Corners](#) (CC) on the Future Land Use Map as highlighted in the image below:

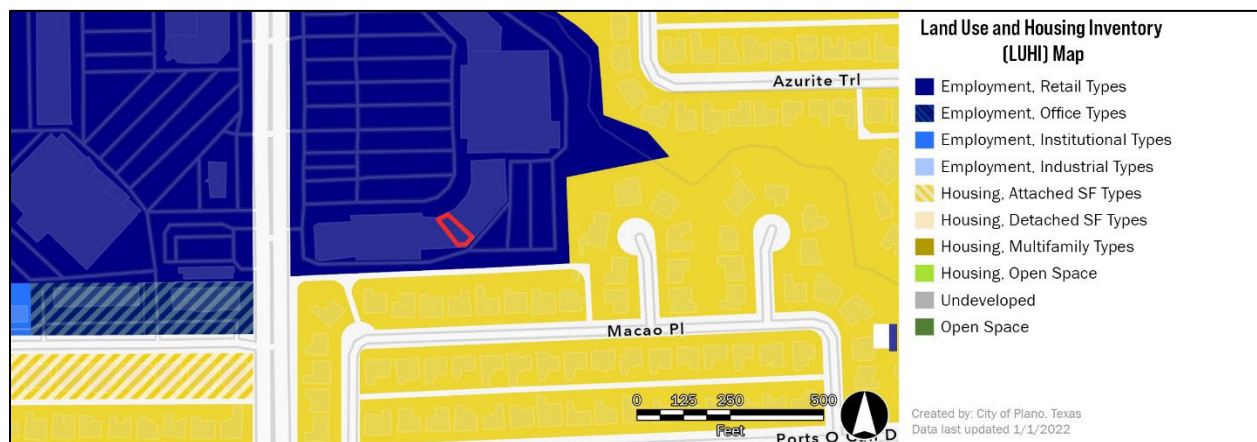


Map 1 - Future Land Use Map

The Community Corners future land use category applies to retail sites on the corners of major arterial roadways that traditionally serve the general retail, service, office, and institutional needs of surrounding neighborhoods. These areas are often anchored by uses such as large grocery stores, hardware stores, department stores, fitness centers, or big-box retailers.

Mix of Uses

The Land Use and Housing Inventory (LUHI) is a tool developed to implement the Future Land Use Dashboards by classifying properties across the city into the Land Use Types described in the Comprehensive Plan. According to the LUHI, the 0.1 acre geographic limits of the lease space are located within a larger 5.0 acre parcel of land classified as *Retail Types*, as shown below:



Map 2 - Land Use & Housing Inventory (LUHI)

Granting the SUP would not alter the existing retail context; therefore, approval of the request would not reclassify the property or result in any changes to the Mix of Uses in this area.

Summary Analysis

The request conforms to the Mix of Uses section of the Community Corners (CC) Dashboard and does not require findings.

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

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

Use Separations

Section 15.100 (Arcades) of Article 15 (Use-specific Regulations) of the Zoning Ordinance requires arcades to be separated from certain uses. The distances are measured in a straight line from the front door of the arcade to be permitted to the nearest property line of the associated use:

“An arcade shall be prohibited within 300 feet of any religious facility or residentially-zoned district and within 1,000 feet of any public or parochial school. The 300-foot separation from a residentially zoned district may be waived altogether, and the 1,000-foot separation between an arcade and a public or parochial school may be reduced to a minimum of 300 feet, if City Council affirmatively finds that issuance of the specific use permit would not be detrimental or injurious to the public health, safety, or general welfare, or otherwise offensive to the neighborhood. The distance is measured in a straight line from the front door of the premises to be permitted to the nearest property line of the religious facility, school, or residential property.”

1. Residential zoning: Minimum 300-foot separation. The closest residential zoning district is an existing single-family residential development located approximately 136 feet to the south zoned Single-Family Residence-9 (SF-9).
2. Religious facilities: Minimum 300-foot separation. The closest religious facility is located approximately 1,470 feet to the north, across Parker Road.
3. Public or parochial schools: Minimum 1,000-foot separation. There are no public or parochial schools within the City of Plano located within 1,000 feet of the subject property. The closest public school is Harrington Elementary School, located approximately 2,575 feet to the southeast of the subject property.

The applicant has requested a waiver of the residential separation requirement per the attached letter. The lease space is distanced from the nearest residential lot by an

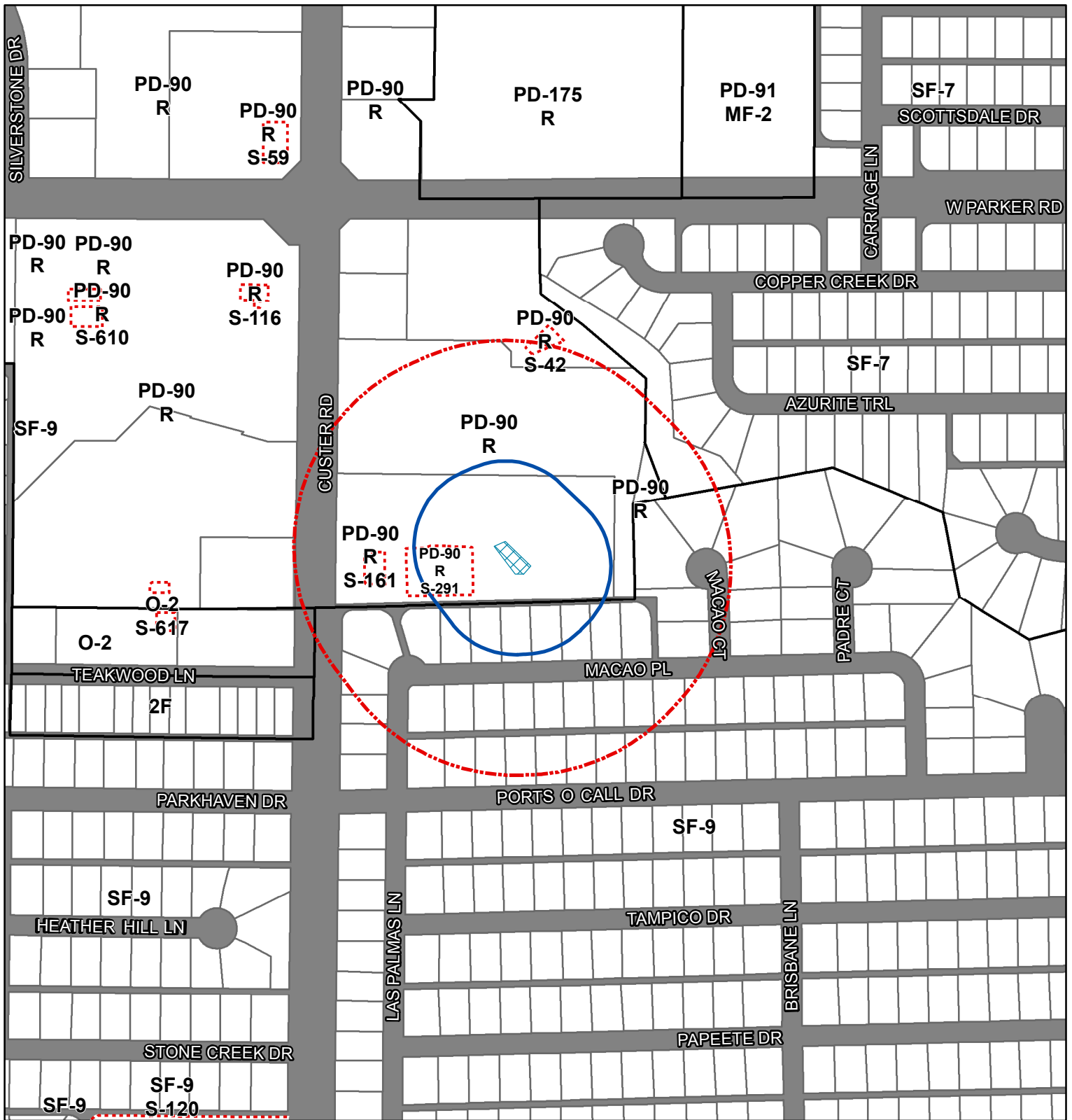
existing service area, a fire lane, a continuous six-foot masonry screening wall, and a residential alley. Additionally, Specific Use Permit No. 291 for Arcade is adjacent to the area of request and was granted a waiver from this requirement in 1995; however, this property is currently a retail store, not an arcade. The requested arcade use is complementary to the mix of uses within the shopping center and staff is supportive of the waiver to the residential distance separation requirement.

SUMMARY:

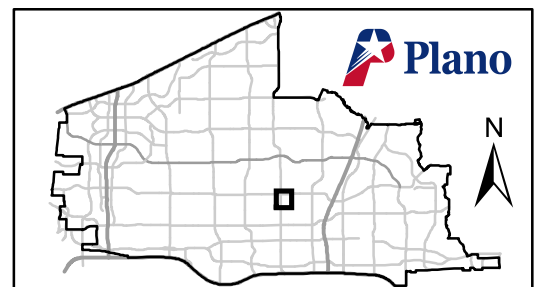
The applicant is requesting a Specific Use Permit for Arcade within an existing multi-tenant shopping center. The subject property is distanced from the adjacent neighborhood by an existing service area, fire lane, masonry screening wall, and residential alley. The applicant is requesting the minimum 300-foot distance requirement from a residential zoning district be waived per the attached letter. The request will complement the surrounding uses and will provide an additional option for entertainment within the general area. Lastly, the request is in conformance with the recommendations of the Comprehensive Plan. For these reasons, staff recommends approval of the request subject to City Council waiving the minimum 300-foot distance requirement from residential zoning.

RECOMMENDATION:

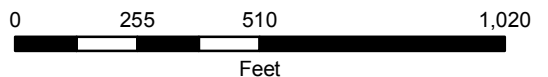
Recommended for approval subject to City Council waiving the 300-foot distance requirement to residential zoning and finding that issuance of the Specific Use Permit would not be detrimental or injurious to the public health, safety, or general welfare, or otherwise offensive to the neighborhood.




Zoning Case: 2022-002
 Existing Zoning: Planned Development-90-Retail
 Proposed Zoning: Specific Use Permit for Arcade




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






 **Plano**



Zoning Case ZC2022-002

 **Area of Request**



LEGAL DESCRIPTION

BEING A PORTION OF LOT 2, BLOCK A, OF COPPER CREEK CENTER, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE REVENUE MAP THEREOF RECORDED IN CACKETT D, SLIDE 183, MAP RECORDS OF COLLIN COUNTY, TEXAS, WHEN TAKEN WITH THE CERTIFICATE OF CORRECTION OF ERROR DATED AUGUST 27, 1984 AS RECORDED IN VOLUME 1978, PAGE 96, DEED RECORDS, COLLIN COUNTY, TEXAS, SAID LOT 2, BLOCK A, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK A, OF COPPER CREEK CENTER;

THENCE S88°18'50"W A DISTANCE OF 221.49 FEET ALONG THE SOUTH LINE OF SAID LOT 2 TO A POINT;

THENCE N03°20'00"W A DISTANCE OF 60.11 FEET LEAVING SAID SOUTH LINE TO THE POINT OF BEGINNING;

THENCE S87°28'49"W A DISTANCE OF 21.00 FEET TO A POINT;

THENCE N38°22'32"W A DISTANCE OF 66.60 FEET TO A POINT;

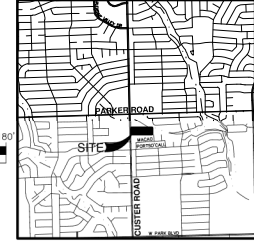
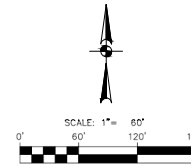
THENCE N65°08'24"E A DISTANCE OF 30.50 FEET TO A POINT;

THENCE S47°09'20"E A DISTANCE OF 66.59 FEET TO A POINT;

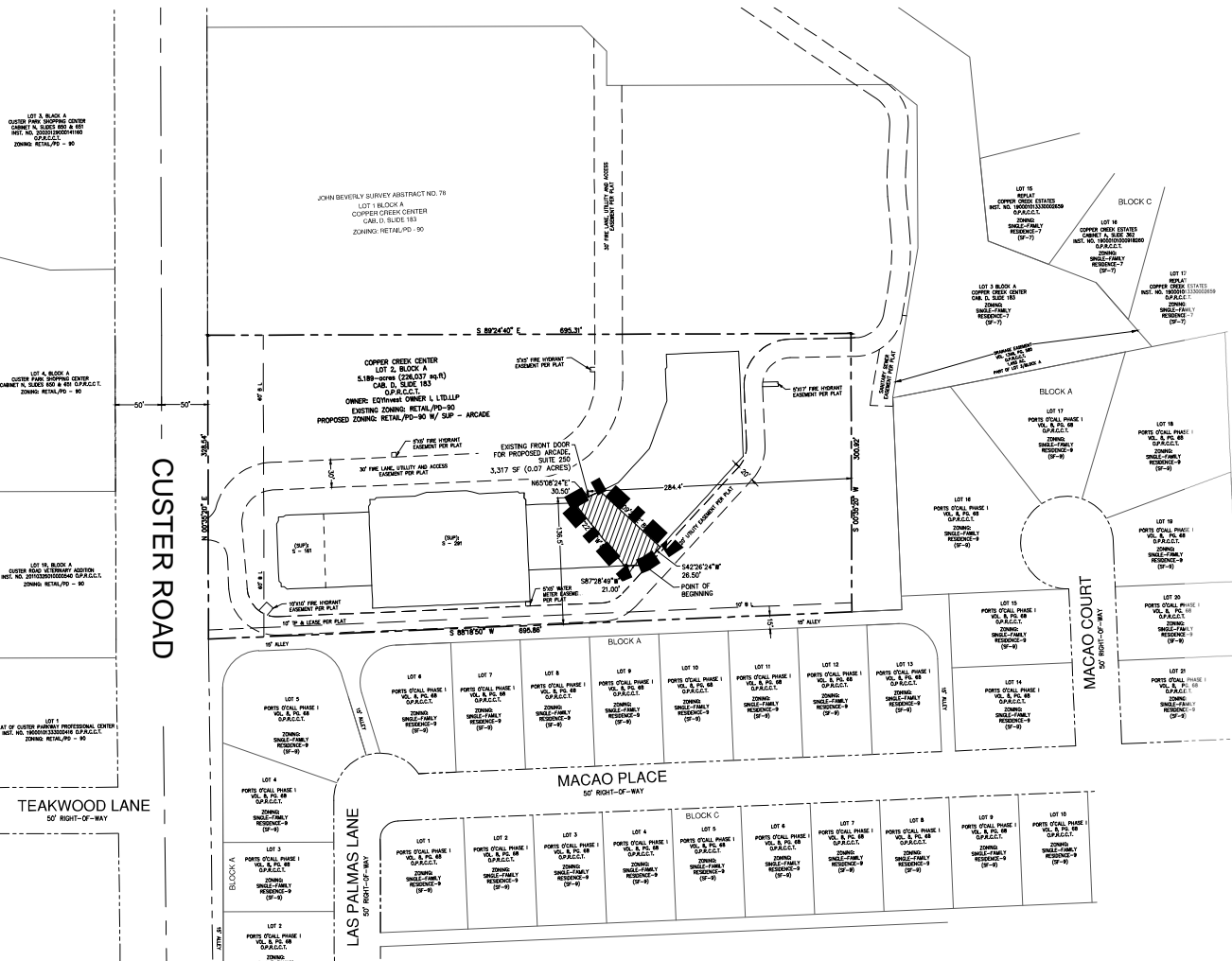
THENCE S42°26'24"W A DISTANCE OF 26.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,317 SQUARE FEET OR 0.0761 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §18.05A, 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.

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



LOCATION MAP
NOT-TO-SCALE



ZONING EXHIBIT
ZC2022-002
SPECIFIC USE PERMIT FOR ARCADE
LOT 2, BLOCK A, OF COPPER CREEK CENTER
CABINET D, SLIDE 183 O.P.R.C.C.T

OWNER: EDITHWEE OWNER, L.L.P.
GLOBAL REALTY & MANAGEMENT
4102 NW 68TH AVE
SUITE 200
PLANO, TEXAS 75075-5603
972.476.5400

DEVELOPER: CTRL V VIRTUAL REALITY ARCADE
11547 PASEOWAYNE DR
FRENCO TX 75056
ctrlv@ctrlv.com
504.430.7549

ENGINEER: PAPE-DAWSON ENGINEERS
PAPENDAWSON@PPE.COM
5915 TEAKWOOD PKWY UNIT 435
PLANO TX 75075
info@pape-dawson.com
214.612.8484

DATE OF PREPARATION: 3/16/2022

NO.	REVISION	DATE

THIS DOCUMENT IS RELEASED FOR "REVIEW PURPOSES" UNDER THE AUTHORIZATION OF BRANDON O'DONALD, P.E. #90241, FEBRUARY 16, 2022. IT IS NOT FOR CONSTRUCTION OR PERMIT PURPOSES.



CTRL V VIRTUAL REALITY ARCADE
CITY OF PLANO, TEXAS
ZONING EXHIBIT

PLAT NO.	
JOB NO.	61329-00
DATE	FEBRUARY 2022
DRAWN BY	EM
CHECKED BY	FAC
DATE	3/16/2022
SHEET	EX

To: The City of Plano

We are proposing opening a Virtual Reality Arcade franchise location in Plano TX called "Ctrl V Virtual Reality Arcade". We are seeking approval to update the Zoning for 3000 Custer Rd., Suite 250 Plano, TX 75075 from Retail Planned-Development-90, to Retail Planned-Development-90 with S 291(Arcade). We are also requesting that the variance of being located within 300 feet of a residentially zoned district be waived.

Virtual Reality provides a computer-generated simulation of a three-dimensional environment that can be interacted with in a seemingly real and physical way. Our mission is to provide a fun safe environment to experience the best Virtual Reality Content using premium equipment at an affordable price.

Ctrl V will allow each individual or multiplayer player to access our game library for a specified period of time. Each player will be provided with a headset (goggles & headphones) and two controllers to immerse themselves in a three dimensional computer simulated environment. They will have a designated play area that will consist of padded foam walls to create a safe playing space. We will be open from 3:30 PM- 10:30 PM Tues-Fri, 10:00 AM-11:30 PM on Saturdays, and 11:00 AM-7:00 PM on Sundays. No food or drinks will be served. There will also be a party room that customers can reserve to celebrate their special occasions after a group booking of game play. Our target customer is between the ages of 8-35 years old.

Ctrl V makes Virtual Reality accessible to everyone at affordable prices. While some homes do have Virtual Reality Equipment, it is expensive and needs an ample amount of space to use. Ctrl V has a safe designated playing area for 13 Virtual Reality Stations and provides the computer network requirements needed for multiple people to play at once. This is not something that would be easy to do in a residence.

Ctrl V will also provide exploratory environments. These exploratory environments allow individuals to express their creativity, and indulge their curiosity in a way that would not be possible otherwise. For example, you can dissect a frog, travel to the international space station to make repairs, roam the earth with dinosaurs, create your own solar system along with new worlds, dance on a moving platform like a superstar, or paint three dimensionally. This state of the art technology allows you to experience these activities in a life-like environment that feels and interacts in a seemingly real way.

Our Arcade will not be detrimental or injurious to the public health, safety, or general welfare, or otherwise offensive to the neighborhood; but quite the contrary- it will instead bring families and friends together to embark and bond over these unique adventures. It will also provide a place to celebrate special occasions and support community endeavors.

We appreciate the City of Plano allowing us to introduce this new and emerging technology. This location will be the first Virtual Reality Arcade opened in Plano and the first Ctrl V Virtual Reality Arcade franchise location in the State of Texas. Ctrl V proudly sponsors an annual

charity drive for “extra life”, a program of the Children’s Miracle Network Hospitals and partners with the community to ensure that this technology is made available to everyone. We look forward to serving you and your families!

Thank you,

Beth & Shawn Reynolds
Ctrl V Virtual Reality Arcade

Cell Phone: 504-430-7549

Home Address: 11247 Pagewynne Dr., Frisco TX 75035