PLANNING & ZONING COMMISSION

ZONING CASE FINAL REPORT



DATE: August 22, 2023 TO: Honorable Mayor & City Council FROM: Planning & Zoning Commission VIA: Eric Hill, AICP, Assistant Director of Planning acting as Secretary of the Planning & Zoning Commission Christina D. Day, AICP, Director of Planning SUBJECT: Results of Planning & Zoning Commission Meeting of August 21, 2023 **AGENDA ITEM NO. 3 - ZONING CASE 2023-016** PETITIONER: CROSS BEND CHRISTIAN CHURCH Request for a Specific Use Permit for Day Care Center on 5.2 acres located at the northeast corner of Cross Bend Road and Branch Hollow Drive. Zoned Single-Family Residence-7. Project #ZC2023-016. APPROVED: 7-0-1 Speaker Card(s) Received Support: Oppose: Neutral: Letters Received Within 200' Notice Area: Support: 0 Oppose: 2 Neutral: 0 Petition Signatures Received: Support: 0 Oppose: Neutral: 0 Other Responses: Support: 1 Oppose: 1 Neutral: 0 **RESULTS:** The Commission recommends the item for approval as submitted. Commissioner Bronsky recused himself due to a conflict of interest. To view the hearing, please click on the provided link: https://planotx.new.swagit.com/videos/269726?ts=10124

DS/kob

cc: Eric Hill, Assistant Director of Planning
Christina Sebastian, Land Records Planning Manager

Melissa Kleineck, Lead Planner Justin Cozart, Sr. GIS Technician

Jeanna Scott, Building Inspections Manager

Dorothy Alatorre, Sr. Administrative Assistant - Neighborhood Services

Google Link

PLANNING & ZONING COMMISSION

STAFF PRELIMINARY REPORT: AUGUST 21, 2023



AGENDA ITEM NO. 3

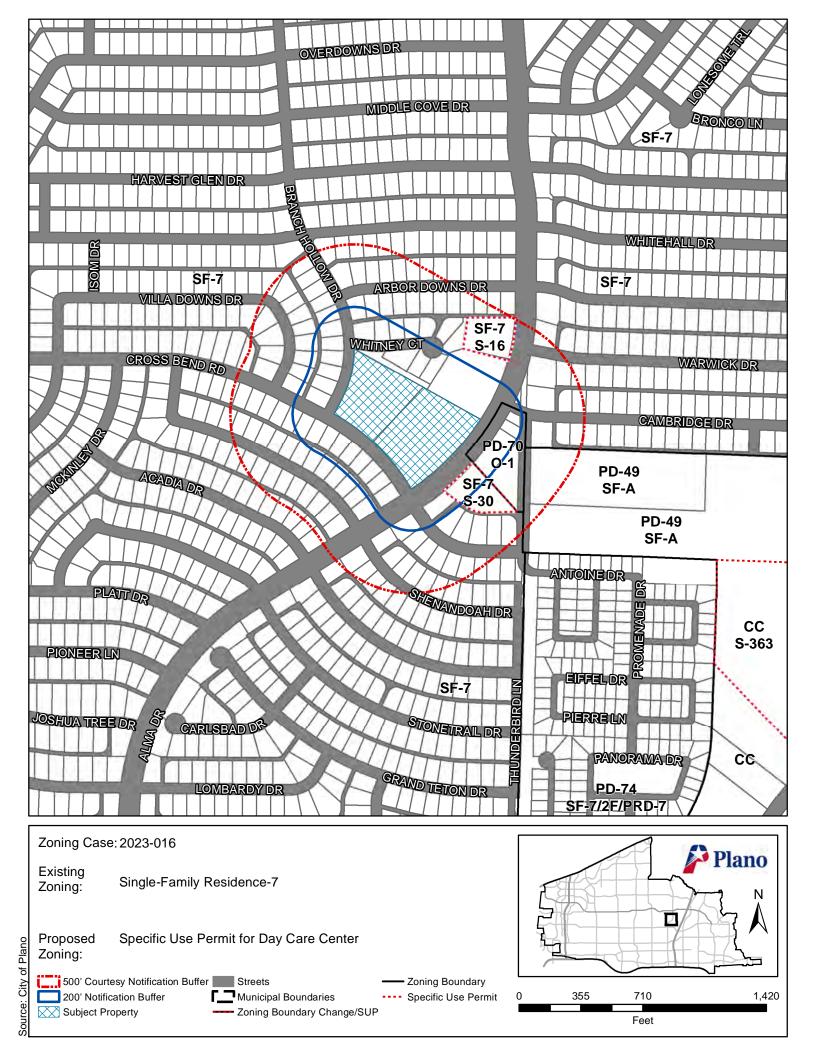
PUBLIC HEARING: Zoning Case 2023-016

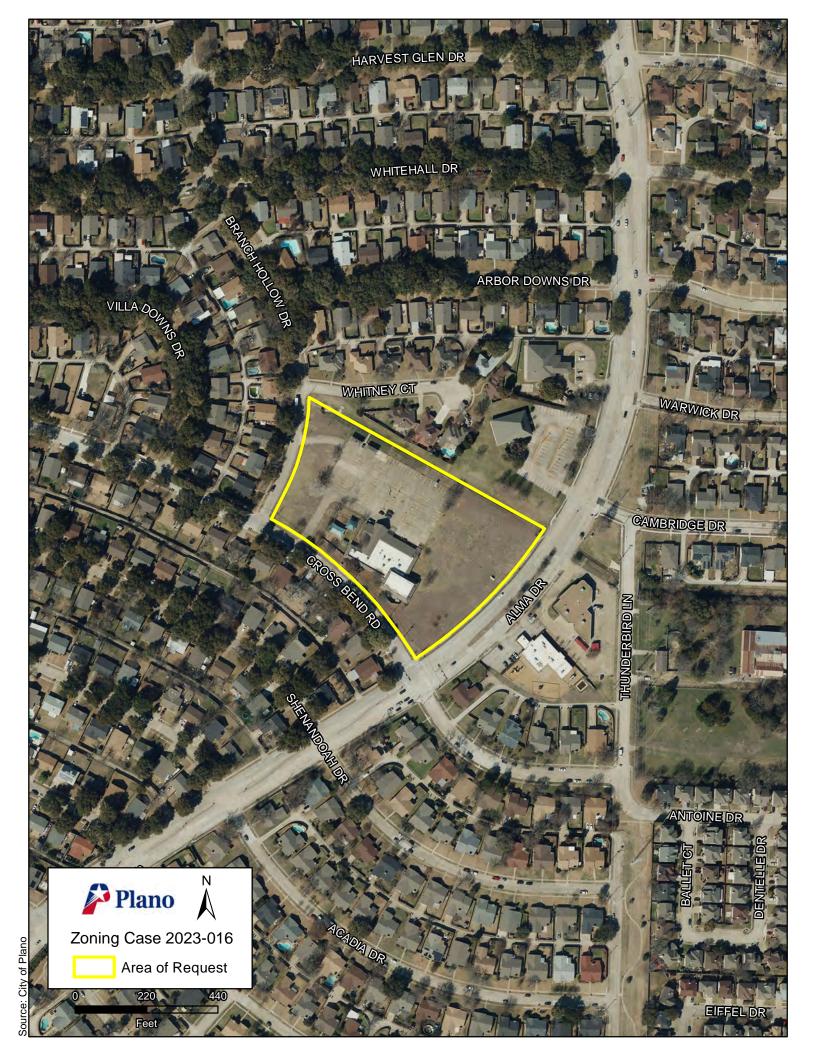
PETITIONER: Cross Bend Christian Church

DESCRIPTION: Request for a Specific Use Permit for Day Care Center on 5.2 acres located at the northeast corner of Cross Bend Road and Branch Hollow Drive. Zoned Single-Family Residence-7. Project #ZC2023-016.

SUMMARY:

This is a request for a Specific Use Permit (SUP) for Day Care Center within an existing religious facility. The SUP is in conformance with the policies of the Comprehensive Plan. The request is consistent with the uses in the general area and would allow the applicant to expand their existing in-home day care. Staff is supportive of the requested SUP.





STAFF PRELIMINARY REPORT - INTRODUCTORY REMARKS

The applicant is requesting a Specific Use Permit (SUP) for Day Care Center that will be operated within an existing religious facility. The Zoning Ordinance defines a day care center as an operation other than public, parochial, or private school providing care for seven or more children under 14 years old for less than 24 hours per day at a location other than a residence.

The current zoning is Single-Family Residence-7 (SF-7). The SF-7 district is intended to provide for areas of urban single-family development on moderate-size lots, protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences on family living.

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 properties are zoned Single-Family Residence-7 (SF-7) and are developed with single-family homes and a religious facility. Further north is Specific Use Permit No. 16 for Day Care Center and Private School.
East	Across Alma Drive, the properties are zoned Planned Development-70-Neighborhood Office (PD-70-O-1) and SF-7 with Specific Use Permit No. 30 for Day Care Center and are developed with medical office and day care center uses and single-family homes.
South	The properties are zoned SF-7 and are developed with single-family homes.
West	The properties are zoned SF-7 and are developed with single-family homes.

ZC2023-016

July 25, 2023

Findings Required

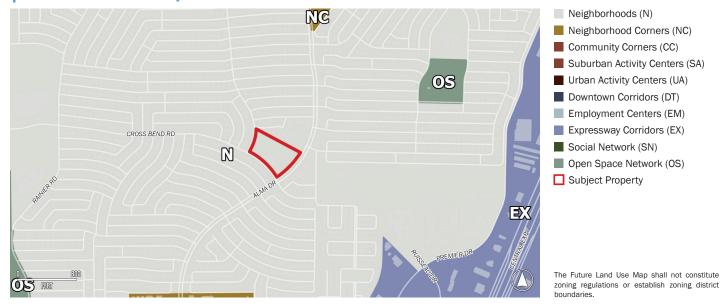
Findings Not Required

VISION: "Plano is a global leader, excelling in exceptional education, abounding with world class businesses and vibrant neighborhoods" GUIDING PRINCIPLES: Plano Today. Plano 2050. Plano Together.

1 | Future Land Use Map

City of Plano

COMPREHENSIVE PLAN 2021



Neighborhoods (N)

The Neighborhoods future land use category consists primarily of residential areas focused on sustaining a high quality of life through well-maintained infrastructure, housing, open space, schools, and limited service/institutional uses.

Residential Areas - Single-family residential should remain the primary use within neighborhoods. It is the intention to preserve and enhance these uses and to regulate the design of new residential infill products to be within the context of the surrounding environment. Existing multifamily developments, which function as transitions from moderate and high intensity commercial areas, should be well maintained to preserve neighborhood character. With few large tracts left for residential development, some infill and redevelopment opportunities may not fit the typical neighborhood design.

Non-Residential Areas - Institutional, light office, and service uses are considered secondary uses and may be located along the frontage of arterial streets and intersections.

Residential Adjaceny Standards - Adequate transitions in building setbacks and height must be provided when development is proposed near established neighborhoods.

PRIORITIES

- Preserving neighborhood character and 1. quality of life
- 2. Upkeep of existing housing stock
- 3. Requiring adjacent commercial land uses to provide adequate transitions
- Variety of housing heights, sizes, and types

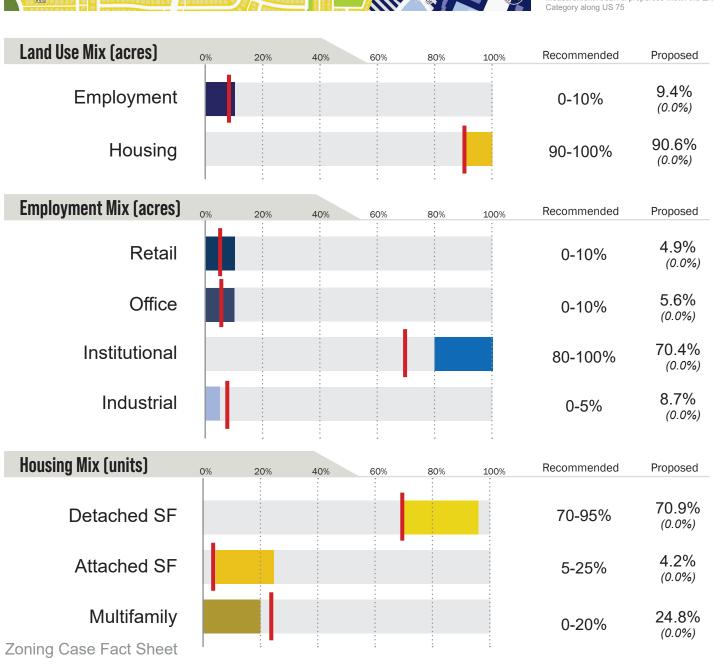


2 Mix of Uses



If approved, the request would result in the following Mix of Uses:





3 | Desirable Character Defining Elements



DESIRABLE CHARACTER DEFINING ELEMENT	RECOMMENDED BY COMPREHENSIVE PLAN	APPLICANT PROPOSAL
Building Heights	1 to 2 stories	Existing 1 story building.
Density	SF: 0.5 to 10 DUA MF: 10 to 22 DUA	Not applicable to this request.
Intensity	Low (0 to 50% Lot Coverage)	No change proposed to existing site.
Open Space	10% to 50% Passive Open Space	No change proposed to the existing site.
Parking Orientation	Res: garages with driveways Non-res: surface lots	No changes proposed to the existing site.
Block Pattern & Streetscape	Gridded or curvillinear blocks Traditional Residential Streets	No changes proposed to the existing site.
Multimodal Access		
1. Automobiles	HIGH: Direct access from local streets	HIGH: Direct access from Branch Hollow Drive, a local street, and Cross Bend Road, a collector street.
2. Transit	MEDIUM: Served by bus on pe- rimeter arterial streets	MEDIUM: DART Bus Route #234 is located approximately 0.6 miles from the site at Alma Drive and West Parker Road.
3. Micromobility	HIGH: Connected to trails and bike routes	HIGH: Bike Route #40 is adjacent to the site along Cross Bend Rd and Chisholm Trail is located approximately 0.9 miles from the site.
4. Pedestrians	HIGH: Walkable to parks and schools	HIGH: Paved sidewalks surrounding the site provide access to surrounding parks and schools.

4 | Other Comprehensive Plan Maps

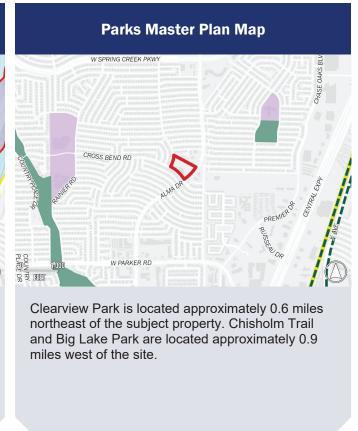


The subject site is located adjacent to Alma Drive, a Type C Thoroughfare (six lane, divided arterial). Access is provided to the site from Cross Bend Road, a Type F Thoroughfare (2 lane collector), and Branch Hollow Drive, a Type G Thoroughfare (2 lane local street). Street improvements are not required as part of this request.



Bike Route #40 along Cross Bend Road is adjacent to the site.

Expressway Corridor Environmental Health Map W SPRING CREEK PKWY W PARKER RD W P



5 | Comprehensive Plan Policies & Actions

CORE POLICIES: The following policies are applicable to all zoning cases. No specific analysis of these policies are provided in the staff report as these serve as the fundamental basis for all staff recommendations.



Land Use: Plano will support a system of organized land use to provide housing and employment choices aligned with the market, where new and redevelopment areas respect the viability and quality of life for existing neighborhoods, businesses, and institutions.



Redevelopment & Growth Management: Plano will protect and preserve the well-established built environment of Plano and prevent overcrowding by requiring new growth and redevelopment to respect the

	unique development patterns, suburban chara and fiscal constraints of our community.	cter, housing needs, infrastructure capaci	ty con	siderations,
ocation, and ge	LATED POLICIES: The following policies are apeneral nature of the request. Refer to the staff g change, where applicable.			
	Redevelopment of Regional Transportare reinvestment and redevelopment of identification create cohesive developments that incorporate housing opportunities, where those uses are a Use Map and other related Comprehensive Pl	ed regional transportation corridors to the well-designed commercial, retail, and appropriate according to the Future Land		Applicable Not Applicable
	Revitalization of Retail Shopping Center revitalization, and redevelopment of underpent accommodate a viable combination of local uses. Where appropriate transitions can be no opportunities to introduce residential uses and	rforming neighborhood retail corners to commercial, retail, and entertainment naintained, redevelopment may present		Applicable Not Applicable
	Special Housing Needs: Plano will support including seniors, people with disabilities, and through inclusive regulations and programs in the Consolidated Plan. Proposed location afforded the same health and safety considerations.	d low- to moderate-income households and actions furthering the goals stated as for special housing needs should be	<u></u> ✓	Applicable Not Applicable
	Transit-Oriented Development: Plano w within walking distance of existing and planne mix of uses including residential, employment,	d transit stations to create an integrated	<u></u> ✓	Applicable Not Applicable
	Undeveloped Land: Plano will reserve its quality development with distinctive character employment. New housing in these areas will it is consistent with the Future Land Use Map standards.	r, prioritizing businesses offering skilled II only be considered appropriate where	<u></u> ✓	Applicable Not Applicable
OTHER POLIC	IES/DOCUMENTS: Additional policies may app	ly where applicable:		•••••••
No additional p	olicies are applicable to this request.	Envision Oak Point (2018)Downtown Vision & Strategy UpdateSpring Creekwalk Master Plan (1996)		9)

Preservation Plano 150 (2018)

Zoning Case Fact Sheet

Growth Management (RGM) Policy are applicable to requests for mixed-use developments:			
RGM5: Ensure that any rezoning requests for multiuse development include:		Applicable	
A) No more than 50% square footage for residential uses. Requests should also conform with other identifying elements (density, building heights, etc.) in the applicable Dashboard descriptions.	\checkmark	Not Applicable	
B) Phasing requirements that prevent the disproportionate completion of residential uses prior to nonresidential uses within the development. Nonresidential square footage must constitue a minimum of 33% of all square footage approved for occupancy during development (e.g., every 2 square feet of residential development requires at least 1 square foot of nonresidential development; and			
C) Key design features provided prior to, or concurrent with, the construction of any residential uses. These include elements of the development supporting the long-term value to the overall community, and specificially any new residents, such as open/green space, amenities, street enhancements, and trails.			
RGM8: Limit new residential development to areas that are appropriate based on individual site considerations and consistency with the Future Land Use Map and Dashboards. Multifamily developments should also meet a housing diversification or economic development need of the city, including transitoriented development, special housing needs (as defined by the city's Considered Plan), or be constructed as part of a high-rise 10 stories or greater.	□	Applicable Not Applicable	
6 Findings Policy			
RGM1: Mix of Uses, Density, & Building Height			
In accordance with the Redevelopment and Growth Management (RGM) Policy Action 1, zoning change not conform to the mix of uses, density, and building heights as described in the Dashboards are disfav that do not conform to these criteria may be occasionally allowed when found:			
Consistent with the Guiding Principles of the Comprehensive Plan; and			
Substantially beneficial to the immediate neighbors, surrounding community, and general public in	ntere	st.	
RGM5: Mixed-Use Developments			
In addition, the Redevelopment and Growth Management (RGM) Policy Action 2 requires findings will mixed-use development that exceeds 50% square footage for residential uses and/or does not conform to elements (density, height, etc.) in the applicable Dashboard.			
Are Findings Required?			

Yes, because the request does not comply with the Mix of Uses of the associated Dashboard. Yes, because the request does not comply with the Building Heights of the associated Dashboard. Yes, because the request does not comply with the Maximum Density of the associated Dashboard.

Yes, because the request dis inconsistent with Action RGM5 (for mixed-use developments).

FOR RESIDENTIAL AND MIXED-USE DEVELOPMENTS ONLY: The following actions from the Redevelopment &

No, findings are not required.

STAFF PRELIMINARY REPORT - CONFORMANCE TO THE COMPREHENSIVE PLAN

The proposed request has been reviewed for conformance with the Comprehensive Plan. Major factors included in the analysis are provided below, but the Comprehensive Plan Fact Sheet has more specific details about the request.

<u>Guiding Principles</u> – This set of Guiding Principles to the Comprehensive Plan establishes overarching themes that apply to all policies and actions and express values for Plano Today, Plano 2050, and Plano Together. Since the principles do not stand alone but are used in concert with one another and carry across the Plan as a whole, each principle must be judged through a lens that incorporates all other principles to be fully and accurately understood. As such, the Commission is encouraged to review the full list of Guiding Principles and judge zoning requests through the lens of all principles.

Future Land Use Map Category & Dashboard

Future Land Use Map (FLUM). Institutional uses may be appropriate as secondary uses when located along the frontage of arterial streets and intersections, consistent with the Typical Neighborhood Design illustration in the N Dashboard. The request includes repurposing space in an existing church on Alma Drive, an arterial roadway, for use as a Day Care Center, or another institutional use. No major changes are proposed to the existing site characteristics, including building form, lot coverage, parking, and access, which are complementary in size, scale, and intensity with the surrounding neighborhood. Staff finds the request consistent with the description and priorities of the Neighborhoods category.

FLUM – N Description and Priorities			
Description		Meets	
Priorities	Preserving neighborhood character and quality of life	Meets	
	Upkeep of existing housing stock	N/A	
	Requiring adjacent commercial land uses to provide adequate transitions	Meets	
	Variety of housing heights, sizes, and types	N/A	

<u>Mix of Uses</u> – The subject property is currently classified as *Institutional Types*, as defined by the Comprehensive Plan. Approval of the request for a Day Care Center would result in no changes to the Land Use Mix or Employment Mix for the area, which is already within the recommended ranges for these categories.

FLUM – N M	x of Uses
Land Use Mix	Meets
Employment Mix	Meets
Housing Mix	N/A

<u>Desirable Character Defining Elements</u> – The proposed use is located within an existing building, and no significant changes are proposed to the site. Therefore, the Desirable Character Defining Elements section of the N dashboard is not applicable to this request.

FLUM – N Desirable Character Defining Elements
Not Applicable

Other Comprehensive Plan Maps

The scope of the request would not require improvements applicable to the Thoroughfare Plan Map, Bicycle Transportation Plan Map, Parks Master Plan Map, or Expressway Corridor Environmental Health Map.

Other Comprehensive Plan Maps	
Thoroughfare Plan Map	N/A
Bicycle Transportation Plan Map	N/A
Parks Master Plan Map	N/A
Expressway Corridor Environmental Health Map	N/A

Comprehensive Plan Summary

As the request is generally consistent with the description of the Neighborhoods (N) future land use category, staff finds the proposed use of Day Care Center consistent with the Comprehensive Plan.

Comprehensive Plan Policy Summary

Policy or Study	Analysis	
Future Land Use Map and Dashboards		
Description & Priorities	Meets	
Mix of Uses	Meets	
Character Defining Elements	N/A	
Thoroughfare Plan Map	N/A	
Bicycle Transportation Plan Map	N/A	
Parks Master Plan Map	N/A	
Expressway Corridor Environmental Health Map	N/A	

<u>Adequacy of Public Facilities</u> – Water and sanitary sewer services are available to serve the subject property.

<u>Traffic Impact Analysis (TIA)</u> – A TIA is not required for this rezoning request. The Traffic Department reviewed and approved the proposed drop-off and pick-up circulation operations of the proposed day care center.

<u>Public Safety Response Time</u> – Fire emergency response times will be sufficient to serve the site based on existing personnel, equipment, and facilities.

STAFF PRELIMINARY REPORT - ANALYSIS & RECOMMENDATION

Day Care Center Use

The applicant currently operates an in-home day care in a nearby residential home. The SUP is being requested to expand the capacity of the in-home day care located north of the subject property.

The Zoning Ordinance requires day care centers to have access to a street with a minimum of 36 feet of pavement. The subject property is in compliance with this standard as it has direct access to Cross Bend Road, which has a pavement width of 36 feet.

There are two Specific Use Permits for Day Care Center within close proximity to the subject property, as shown in the adjacent image. Both are currently in operation. The applicant believes this additional SUP is necessary as their business is currently operating in proximity to the subject property and is in need of additional space.

The requested day care center will serve the surrounding area and is consistent with the operation of the property as a religious facility. The subject property has sufficient access and parking to accommodate the use, and the request is in conformance with the Comprehensive Plan.

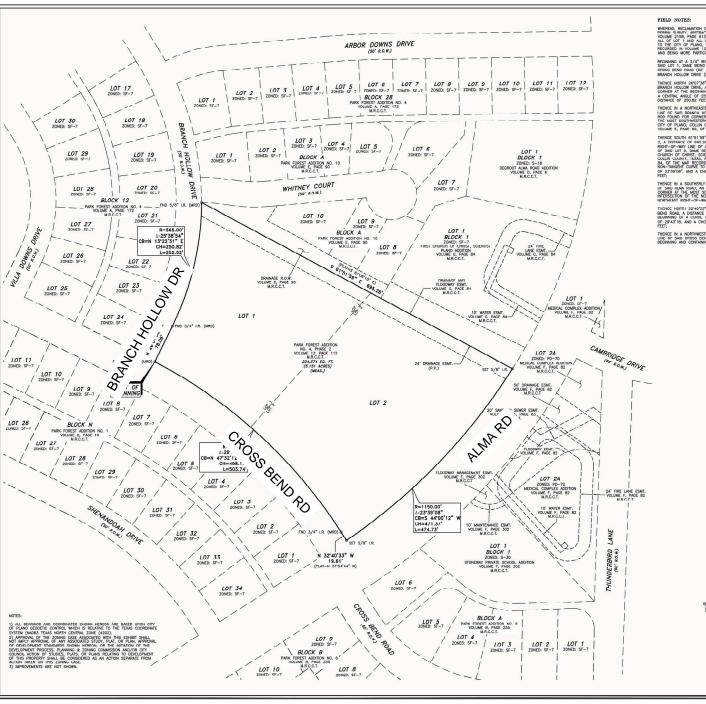


SUMMARY:

This is a request for a Specific Use Permit for Day Care Center within an existing religious facility. The SUP is in conformance with the policies of the Comprehensive Plan. The request is consistent with the uses in the general area and would allow the applicant to expand their existing in-home day care. Staff is supportive of the requested SUP.

RECOMMENDATION:

Recommended for approval as submitted.



WHEREAS, BECLAMATION CHURCH IS THE OWNER OF A TRACT OF LAND STUATED IN THE AB. PERBORN SUMPY, ARRITACT NUMBER OF 175 AND SERVICE DESCRIPTION IN DETER PERCENTION VOLUME 2158, PAGE 613, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS AND BEING ALL, OF LOT 1 AND ALL OF LOT 1, PARK FOREAST ADDITION NO. 4, PHASE 2, AN ADDITION TO THE CITY OF PLAND, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDS OF COUNTY LIZE OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS,

BEGINNING AT A 3/4" IRON ROD FOUND FOR CORNER AT THE MOST WESTERN CORNER OF SAID LOT 1, SAME BEING AT THE INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE O CROSE BEND ROAD (60' RIGHT OF WAY) AND THE COUTHEAST RIGHT OF WAY LINE OF RBANCH HOLLOW DRIVE (60' RIGHT-OF-WAY):

HENCE NORTH 26'07'38" EAST ALONG THE SQUTHEAST RIGHT-OF-WAY LINE OF SAID RANCH HOLLOW DRNE, A DISTANCE OF 78.06 FEET TO A 3/4" IRON ROD FOUND FOR PORIER AT THE BECRINING OF A CURVE TO THE LEFT, HAVING A RADIUS OF \$66.00 FEET, CENTRAL ANGLE OF 25'38'54", AND A CHORD WHICH BEARS NORTH 13"22"31" EAST A STANCE OF 29'A2" EFET STANCE OF 29'A2" STANCE OF 29'A2" STANCE OF 29'A2" STENSE OF 29'A2" STANCE OF 29'A2" STENSE OF 29'A2" STANCE OF 29'A2" STENSE OF 29'A2" STENSE

FIRECE SOUTH 61°31'95" EAT AUNO THE NORTHEAST LINE OF SAU LOT 1 AND SAU LOT 1. AN

THENCE IN A SOUTHERLY DIRECTION ALONG THE CURVING NORTHWEST RIGHT-OF-WAY LINE OF SAID ALMA RUAD, AN ARC DISTANCE OF 4/4,/3 FEET TO A 5/8" RIGHT RIGHT-OF-CORNER AT THE MOST SOUTHERN CORNER OF SAID LOT 2, SAME BEING AT THE NTERSECTION OF THE NORTHWEST RIGHT-OF-WAY LINE OF SAID ALMA ROAD AND THE

TILENCE MORTH 32:40:33" WEST ALDING THE NORTHEAST RIGHT-OF-WAY LINE OF SAID CROSS BENND ROAD, A DISTANCE OF 19.61 FEET TO A 3/4" IRON ROAD FOUND FOR CORNER AT THE BENND ROAD, A DISTANCE OF 19.61 FEET TO A 3/4" IRON ROAD FOUND FOR CORNER AT THE CORNER OF THE SAID A CHARGE WHICH SEARS NORTH 47:37:37 WEST & DISTANCE OF 498 12.

THENCE IN A NORTHWESTERLY DIRECTION ALONG THE CURVING NORTHEAST RIGHT-OF-WAY LINE OF SAID GROSS DEAD ROAD, AN ARC DISTANCE OF 503.74 FEET TO THE PLACE OF BEGINNING AND CONTAINING 224,374 SQUARE FEET OF 5.151 ARCES OF LANCE

GRAPHIC SCALE 10 0

(IN FEET)

1 INCH - 60 FEE



VICINITY MA 1"=1000"

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INS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACTOR, THEREFORE, NO EXACEL OF RECORD LASEMENTS WAS PERFORMED ON THE SUBJECT PROPERTY. ONLY THE DOCUMENTS OF THE OFFICE OF THE SUBJECT PROPERTY ONLY THE DOCUMENT OF THE SUBJECT OF THE OFFICE OWNERS SUPPLIED TO THE SURVEYOR. NO ABSTRACT OF THE, NOR THE COMMITMENT, NOR RESULTS OF THE SEARCHES WERE FUNDED TO THE THE MAY EXCLUDE THE OWNER OF THE OWNER OWNERS.



ZONING CASE NO: ZC2023-016 PLAN TYPE: Zoning Exhibit

5.151 ACRES Block 30, Lots 1 & 2 - A,B Perrin Survey, Abstract 712 PARK FOREST ADDITION NO. 4, PHASE 2 AN ADDITION TO THE CITY OF PLANO COLLIN COUNTY, TEXAS

ADDRESS: 901 CROSS BEND ROAD

MAY, 2023

OWNER:
Cross Bend Christian Church by Cross Bend Christian Church bus Rodan PLANO, TEXAS 75023
DAVID HICKS (TREASURER)
PHONE (972) 050–2930
DAVID EDWIN-HICKSGOCIALL COM



SCALE: 1" = 60" SURVEYOR: GLOBAL LAND SURVEYING, INC. P.O. BOX 260369 PLANO, IEAAS 75026 PHONE (972) 881-1700 JAMORGANGCIS-INC COM TBPELS FIRM NO. 10016300 JOB NO. 23-04-044