

DATE: October 17, 2023
TO: Honorable Mayor & City Council
FROM: Planning & Zoning Commission
VIA: Mike Bell, AICP, Development Review Manager acting as Secretary of the Planning & Zoning Commission *MB*
Christina D. Day, AICP, Director of Planning *CD*
SUBJECT: Results of Planning & Zoning Commission Meeting of October 16, 2023

AGENDA ITEM NO. 1A - ZONING CASE 2023-018
PETITIONER: 4301 DEVELOPMENT, LP

Request to amend Planned Development-37-Retail/Neighborhood Office on 7.8 acres located on the north side of 14th Street, 808 feet east of Los Rios Boulevard to increase the amount of retail and restaurant square footage. Zoned Planned Development-37-Retail/Neighborhood Office. Project #ZC2023-018. Tabled on August 21, 2023. Project #ZC2023-018.

APPROVED: 7-1

Speaker Card(s) Received:	Support:	<u>1</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>0</u>	Oppose:	<u>1</u>	Neutral:	<u>1</u>

Commissioner Olley voted in opposition.

RESULTS:

The Commission recommended the item for approval subject to the following stipulations: (Additions are indicated by underlining; deletions are indicated by strike-through)

The permitted uses and standards shall be in accordance with the Retail (R) and Neighborhood Office (O-1) zoning districts unless otherwise specified herein:

1. Prohibited Uses:
 - a. Gasoline/fuel pumps
 - b. Freestanding convenience stores
 - c. Minor vehicle repair

2. Uses classified in the Retail Use Category in Article 14 (Allowed Uses and Use Classifications) and restaurants are limited to a combined maximum of ~~45,300~~21,300 square feet, and must comply with the following requirements:
 - a. Freestanding restaurant buildings must have a minimum of 5,000 square feet of gross floor area and must not have drive-through or drive-in service.
 - b. Buildings containing these uses must be located within 300 feet of the northern right-of-way line of 14th Street.
3. Independent living facilities may be constructed under the provisions of the Retail District with the following additional stipulations:
 - a. Maximum Height – 3 Stories, 45 feet, and not to exceed 630 feet above sea level.
 - b. Maximum Floor to Area Ratio: 0.9:1
 - c. An irrigated living screen of evergreens shall be planted along the northern boundary of the district to grow to a height of at least 12 feet within two years of installation.

To view the hearing, please click on the provided link:

<https://planotx.new.swagit.com/videos/274587?ts=630>

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](#)

AGENDA ITEM NO. 1A

PUBLIC HEARING: Zoning Case 2023-018

PETITIONER: 4301 Development, LP

CASE PLANNER: Donna Sepulvado

DESCRIPTION: Request to amend Planned Development-37-Retail/Neighborhood Office on 7.8 acres located on the north side of 14th Street, 808 feet east of Los Rios Boulevard to increase the amount of retail and restaurant square footage. Zoned Planned Development-37-Retail/Neighborhood Office. Tabled on September 5, 2023, and September 18, 2023. Project #ZC2023-018.

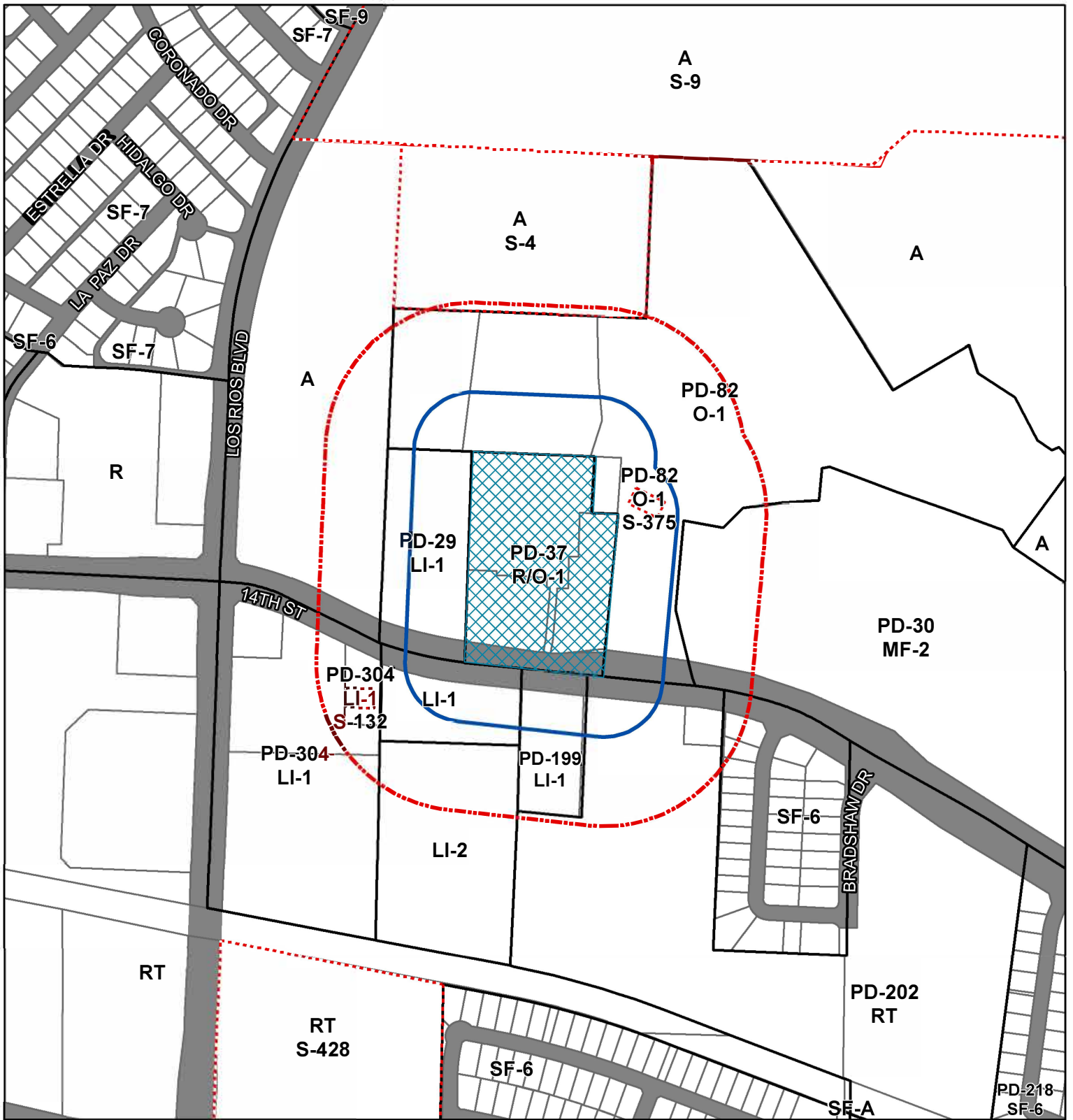
SUMMARY:

This is a request to amend Planned Development-37-Retail/Neighborhood Office (PD-37-R/O-1) to increase the maximum amount of retail and restaurant square footage permitted in the Planned Development (PD) District from 15,300 square feet to 21,300 square feet. This change would potentially allow the majority of two recently constructed buildings totaling 23,115 square feet to be used for retail or restaurant uses. Major topics of consideration in this request include:

- Conformance to the Comprehensive Plan – The subject property is located within the Neighborhoods (N) category in the Future Land Use Map.
- Abundance of Retail Zoning in Plano – PD-37-N/O-1 was originally approved with a cap of 10,000 square feet for retail and residential uses due to concerns about the abundance of retail zoning in Plano. The cap was increased to its current limit of 15,300 square feet to allow additional flexibility in leasing the buildings along 14th Street.

The request is in general compliance with the Future Land Use Map of the Comprehensive Plan and allows additional flexibility in leasing the two recently constructed commercial buildings. For these reasons, staff is supportive of the request to amend the Planned Development.

A Revised Preliminary Site Plan and Preliminary Site Plan, 544 Partners Addition, Block A, Lots 2, 3, & 4, accompany this request as Agenda Item No. 1B.

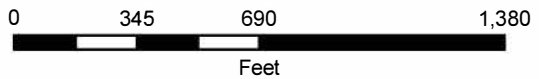
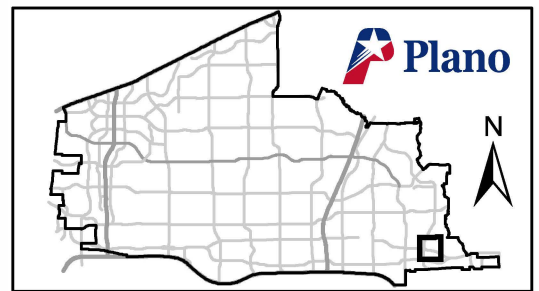


Zoning Case: 2023-018

Existing Zoning: Planned Development-37-Retail/Neighborhood Office


Proposed Zoning: Amend Planned Development-37-Retail/Neighborhood Office

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






14TH ST



Plano

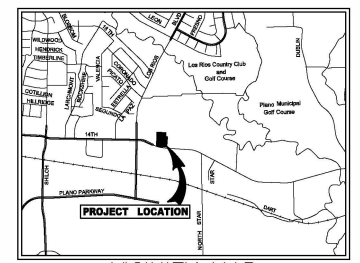
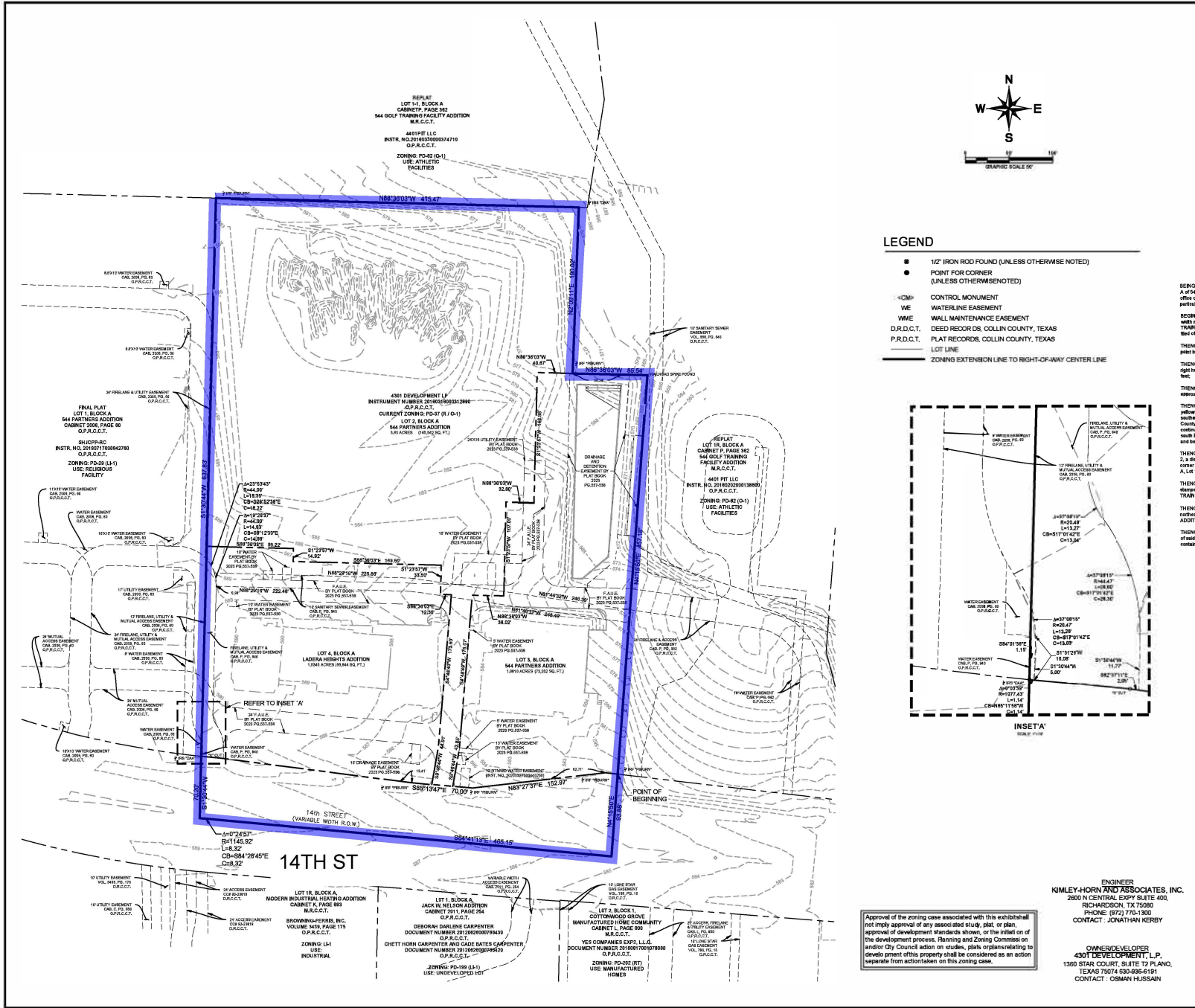
N

Zoning Case 2023-018

 Area of Request

0 185 370

Feet



LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- POINT FOR CORNER (UNLESS OTHERWISE NOTED)
- <MP> CONTROL MONUMENT
- WE WATERLINE EASEMENT
- WME WALL MAINTENANCE EASEMENT
- D.R.D.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
- LOT LINE
- ZONING EXTENSION LINE TO RIGHT-OF-WAY CENTER LINE

LEGAL DESCRIPTION
7.769 ACRES

BEING a tract of land situated in the JAMES LEDBETTER SURVEY, ABSTRACT NO. 545, and being all of Lots 2, 3 and 4, Block A of 544 PARTNERS ADDITION, an Addition to the City of Plano, Collin County, Texas, according to the Plat filed of record in the office of County Clerk of Collin County, Plat Book 2022, Page 037, Map Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with an orange plastic cap stamped "10A" found in the north line of 14th Street, a variable width right-of-way, for the southeast corner of said Lot 2, said line being common with the southeast corner of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18, an Addition to the City of Plano, Collin County, Texas, according to the Plat filed of record in Cabinet 7, Page 192, Map Records, Collin County, Texas;

THENCE S 04° 11' 30" W, bearing said north line and said common corner, a distance of 93.88 meters to a point for corner, said point being the approximate center line of said 14th Street;

THENCE N 41° 11' 17" W, with said approximate centerline, a distance of 480.05 feet to a point at the beginning of a curve to the right having a central angle of 07° 26' 57", radius of 1145.02 feet and each bearing and distance of 76.36' 28" 47" W, 8.32 feet;

THENCE WB, said curve to the right and said approximate centerline, an arc distance of 8.32 feet to a point for corner in said approximate centerline;

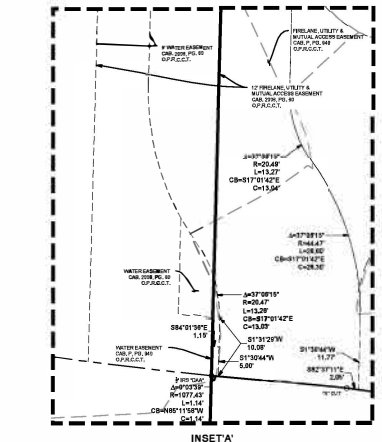
THENCE N 01° 37' 44" E, bearing said approximate centerline, and passing at a distance of 79.26 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "10A" set for the southwest corner of the above mentioned Lot 2, said iron being common with the southeast corner of Lot 1, Block A of 544 PARTNERS ADDITION, LOT 1 & 2, BLOCK A, an Addition to the City of Plano, Collin County, Texas, according to the Plat filed of record in Cabinet 2008, Page 62, Official Public Records, Collin County, Texas, and continuing for a total distance of 726.23 feet to a 1/2 inch iron rod with an orange plastic cap stamped "10B" found in the south line of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18, said iron rod being the northwest corner of said Lot 2, and being common with the southeast corner of said Lot 1, Block A of 544 PARTNERS ADDITION, LOT 1 & 2, BLOCK A;

THENCE S 89° 38' 03" E, bearing said common corner and with said south line, said line being common with the north line of said Lot 2, a distance of 415.41 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "10A" set for the most northerly northeast corner of said Lot 2, said iron being common with an interior all corner of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18, from which a 1/2 inch iron rod with an orange plastic cap stamped "10B" found in the north line of said Lot 2, said iron being common with a west corner of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18;

THENCE S 02° 00' 11" W, bearing said common corner, a distance of 190.02 feet to a 1/2 inch iron rod with an orange plastic cap stamped "10B" found in an interior all corner of said Lot 2, said iron being common with a west corner of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18;

THENCE S 89° 38' 03" E, bearing said common corner, a distance of 89.84 feet to a red iron spike found for the most easterly northeast corner of said Lot 2, said iron being common with an interior all corner of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18;

THENCE S 04° 11' 30" W, bearing said common corner and with the east line of said Lot 2, same being common with a west line of said 544 GOLF TRAINING FACILITY ADDITION, Block A, Lot 18, a distance of 443.18 feet to the POINT OF BEGINNING, and being more particularly described as follows:



INSET A'
SCALE: 1" = 10'

ZONING EXHIBIT
ZC2023-018

7.769 ACRES
BEING ALL OF LOT 2, BLOCK A
544 PARTNERS ADDITION

AN ADDITION TO THE CITY OF PLANO
JAMES LEDBETTER SURVEY, ABSTRACT NO. 545
COLLIN COUNTY, TEXAS
AUGUST 15, 2023

Approval of the zoning case associated with this exhibit shall not imply approval of any associated stud, plat, or plan, approval of development standards shown, or the intent or on of the development process, Planning and Zoning Commission and/or City Council action on studies, plats or plans relating to developement of this property shall be considered as an action separate from action taken on this zoning case.

ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
2600 N CENTRAL EXPY SUITE 400,
RICHARDSON, TX 75080
PHONE: (972) 770-1300
CONTACT: JONATHAN KERBY

OWNER/DEVELOPER
4301 DEVELOPMENT LP
1300 STAR COURT, SUITE 12 PLANO,
TEXAS 75074 630-895-8191
CONTACT: OSMAN HUSSAIN

Kimley»Horn

2600 N Central Expy Suite 400 RICHARDSON, TX 75080
Scale Drawn by Checked by Date Project No. Sheet No.
FRM # 10115600 TEL No. (972) 770-1300 FAX No. (972) 759-3820
064105012

STAFF PRELIMINARY REPORT – INTRODUCTORY REMARKS

Overview of Request

The subject property is currently zoned Planned Development-37-Retail/Neighborhood-Office (PD-37-R/O-1). [PD-37-R/O-1](#) includes a list of prohibited uses, building size and location restrictions, and stipulations for independent living facilities. A restriction limiting retail and restaurant uses to no more than 15,300 square feet is relevant to this request. The applicant is requesting to amend this restriction to allow for no more than 21,300 square feet.

Planned Developments

A PD 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 for both onsite and offsite conditions.

Proposed Uses

The Zoning Ordinance defines retail store and restaurant as follows:

- *Retail Store – an establishment engaged in the selling of goods and merchandise to the general public for personal or household consumption and/or rendering services for such goods and merchandise.*
- *Restaurant – an establishment where food and drink are prepared and consumed primarily on the premises. Drive-up windows are permitted. [Note: PD-37-R/O-1 prohibits drive-through and drive-in services.]*

Proposed Zoning

The subject property is a Planned Development that allows development in accordance with either the Retail (R) or Neighborhood Office (O-1) zoning district regulations, with certain restrictions. Sections 10.400.1 and 10.200.1 state the purpose of the Retail (R) and Neighborhood Office (O-1) districts are as follows:

- *R – The R district is primarily 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.*
- *O-1 – The O-1 district is intended to provide for low-rise, garden-type office development providing professional, medical, and other office services to residents in adjacent neighborhoods. O-1 districts shall have principal access to major thoroughfares and may serve as an area of transition between residential and high-intensity nonresidential uses.*

History

PD-37-R/O-1 was initially established in 2018 to facilitate a proposed development with a medical office and limited retail uses in two buildings along 14th Street and professional/administrative offices in two

future buildings at the rear (north) of the property. At that time, PD restrictions limited retail and restaurant uses to a maximum of 10,000 total square feet due to concerns about Plano's abundance of retail zoning. Approval of the PD also allowed independent living facilities to be permitted by right.

In 2019, plans for an independent living facility replaced the two future office buildings at the rear of the property, with additional retail/restaurant square footage proposed in one of the buildings along 14th Street. Associated amendments to PD-37-R/O-1 increased the limit on retail and restaurant uses to 15,300 total square feet. These changes were primarily intended to allow flexibility for the larger of the two commercial buildings along 14th Street to be fully occupied by retail/restaurant uses if needed. The smaller of the two buildings was proposed for administrative/professional offices.

Since then, the two commercial buildings located at the front of the property have been constructed. No site plans or permits have been approved for the independent living facility proposed at the rear of the property. The applicant now requests to further increase the limitation on retail and restaurant uses to 21,300 total square feet to allow leasing of the smaller commercial building with retail/restaurant uses. No changes to other restrictions, including those on independent living facilities, are proposed as part of this request.



*As proposed in plans associated with the 2019 amendment to PD-37-R/O-1, and does not reflect most recent staff-level approvals.

Surrounding Land Use and Zoning

North	The property is zoned Planned Development-82-Neighborhood Office (PD-82-O-1) and is developed with private soccer fields.
East	The property is zoned PD-82-O-1 with Specific Use Permit-375 for Private Club and is developed with private soccer fields.
South	Across 14 th Street, the properties are zoned Planned Development-199-Light Industrial-1 (PD-199-LI-1), Light Industrial-1 (LI-1), and Light Industrial-2 (LI-2) and are developed with solid waste and recycling transfer facility, open storage, and a mobile home park.
West	The property is zoned Planned Development-29-Light Industrial 1 (PD-29-LI-1) and is developed with a religious facility.

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



Neighborhoods (N)

PRIORITIES

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

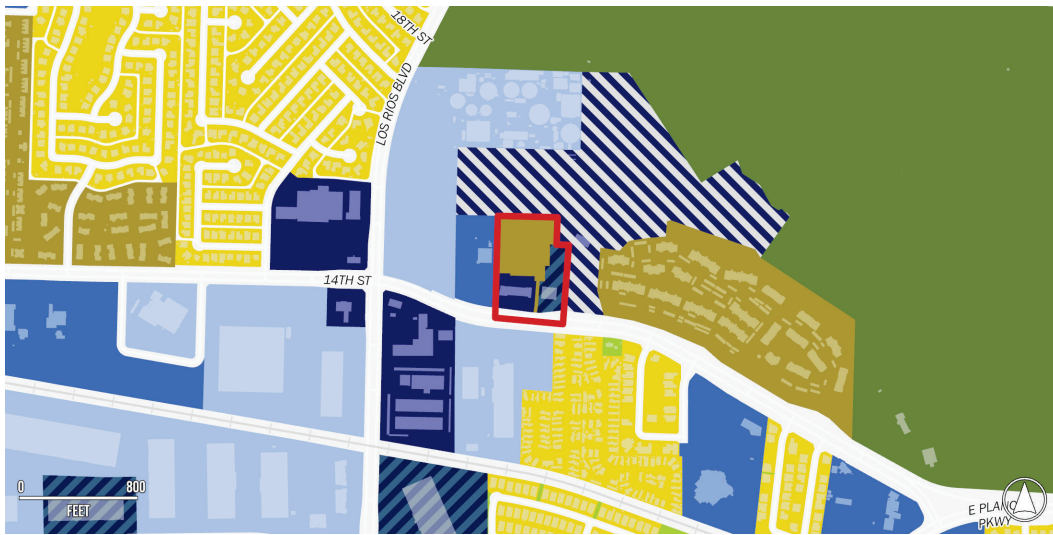
1. Preserving neighborhood character and quality of life
2. Upkeep of existing housing stock
3. Requiring adjacent commercial land uses to provide adequate transitions
4. Variety of housing heights, sizes, and types

 [Click here to view the Neighborhoods Dashboard](#)

2 | Mix of Uses

[Click here for "How to Read The Dashboards"](#)

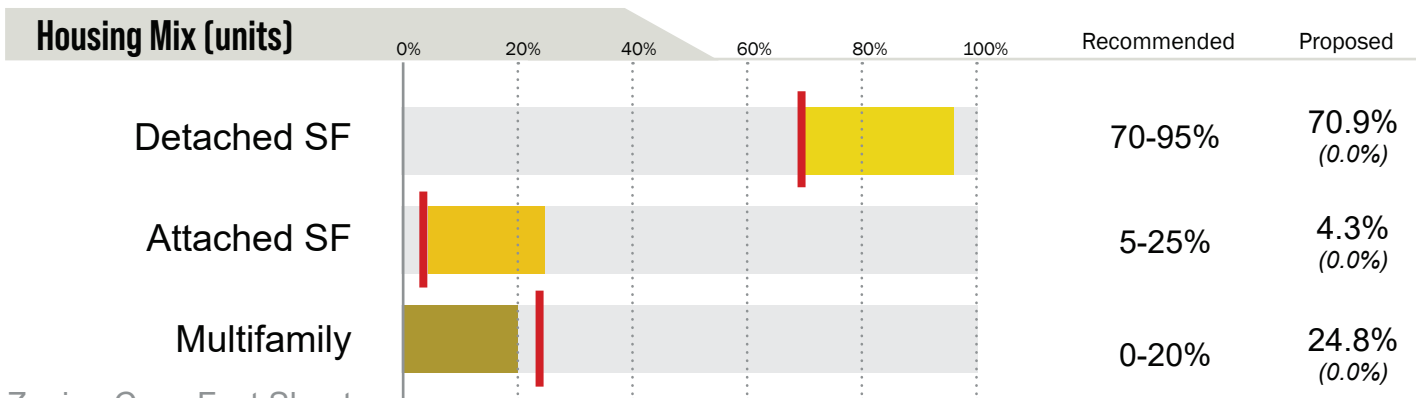
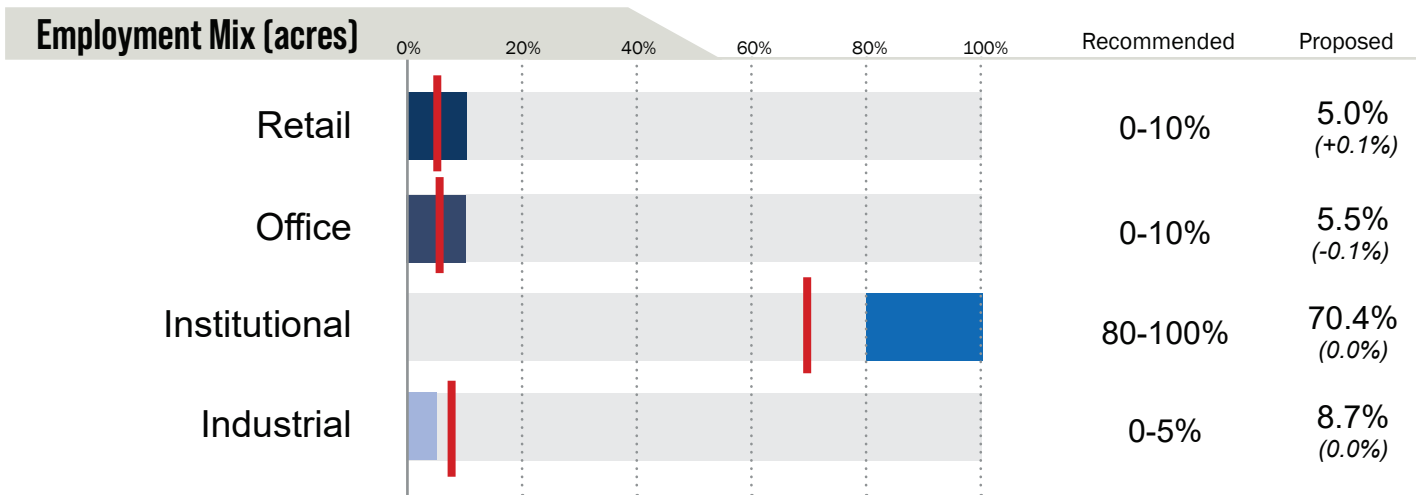
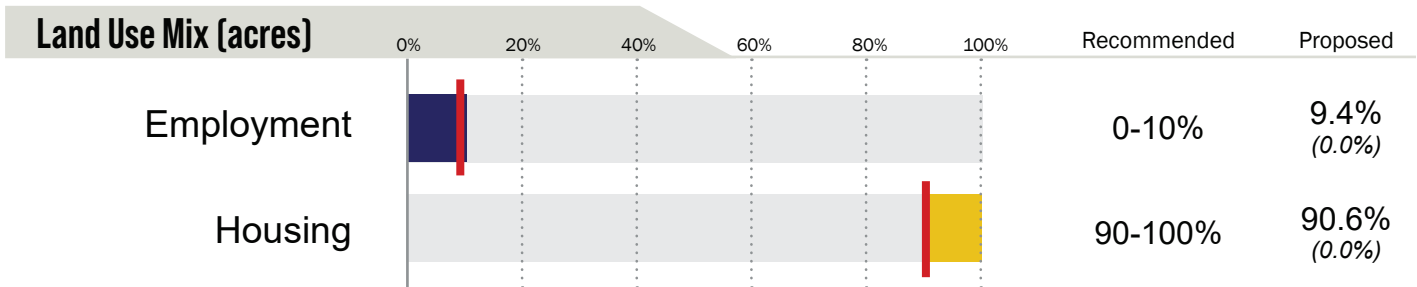
If approved, the request would result in the following Mix of Uses:



Land Use & Housing Inventory (LUHI)

- Employment, Retail Types
- Employment, Office Types
- Employment, Institutional Types
- Employment, Industrial Types
- Housing, Detached SF Types
- Housing, Attached SF Types
- Housing, Multifamily Types
- Housing, Open Space
- Employment, Undeveloped
- Housing, Undeveloped
- General Open Space
- Subject Property

LUHI Snapshot Date: 1/1/2023
 Measurement Area: All properties within the EX Category along US 75



3 | Desirable Character Defining Elements



DESIRABLE CHARACTER DEFINING ELEMENT	RECOMMENDED BY COMPREHENSIVE PLAN	APPLICANT PROPOSAL
Building Heights	1 to 2 stories	Existing 1 story multi-tenant 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 changes proposed to the existing site.
Open Space	10% to 50% Passive Open Space	No changes proposed to the existing site.
Parking Orientation	<i>Res:</i> garages with driveways <i>Non-res:</i> surface lots	Non-res: Surface lots
Block Pattern & Streetscape	Gridded or curvilinear blocks Traditional Residential Streets	No changes proposed to the existing site.
Multimodal Access		
1. Automobiles	HIGH: Direct access from local streets	Direct access to the site is available from 14th Street. A short walk may be required from business to business.
2. Transit	MEDIUM: Served by bus on perimeter arterial streets	There are currently no bus routes that provide service to the surrounding area.
3. Micromobility	HIGH: Connected to trails and bike routes	On-Street Bike Route #97 is located to the west of the site. The DART Silver Line Hike-and-Bike trail is under construction and is located approximately 0.20 miles south of the site. A proposed Shared Use Path is located approximately 0.50 miles northeast of the site.
4. Pedestrians	HIGH: Walkable to parks and schools	The site is served by internal sidewalks and crosswalks.

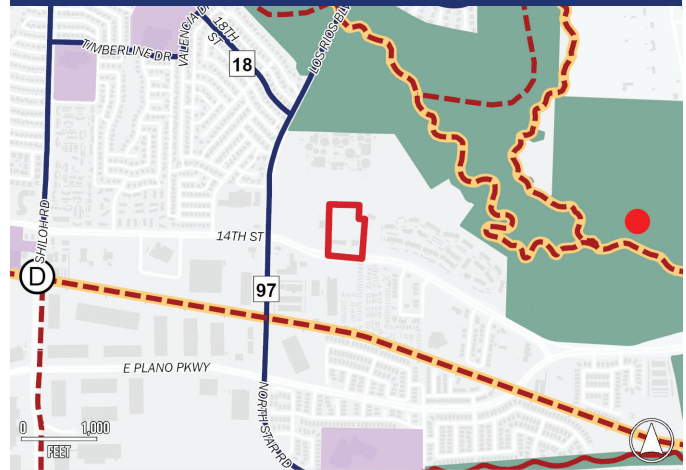
4 | Other Comprehensive Plan Maps

Thoroughfare Plan Map



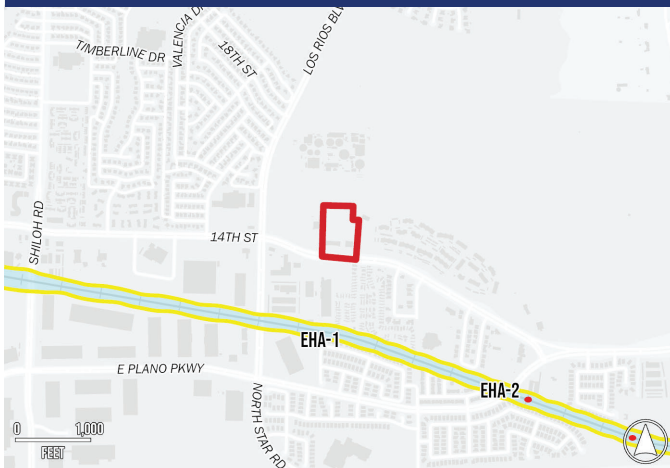
The subject site is located adjacent to 14th Street, which is designated as a Type C Major Thoroughfare (six lane, divided arterial).

Bicycle Transportation Plan Map



On-Street Bike Route #97 is located to the west of the property, on Los Rios Boulevard. South of the site, the DART Silver Line Hike-and-Bike trail is under construction. A proposed Shared Use Path within the Pecan Hollow Public Golf Course is located to the northeast of the site.

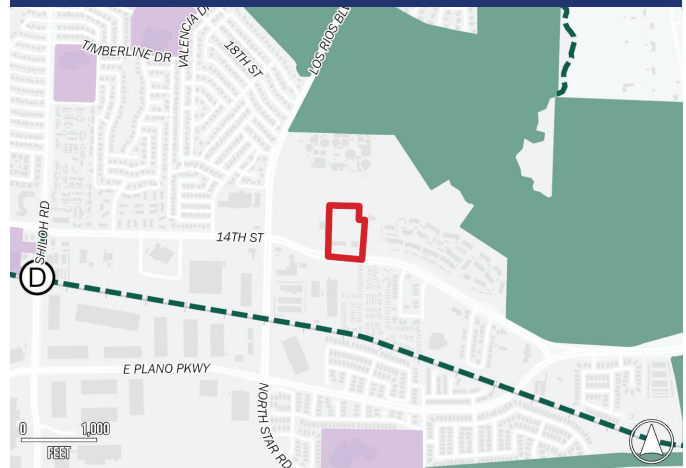
Expressway Corridor Environmental Health Map



The site is not located within the Expressway Corridor Environmental Health Map areas.

- EHA-1
 EHA-2
 Not Applicable

Parks Master Plan Map



The Pecan Hollow Public Golf Course is located approximately 0.50 miles east of the site. The DART Silver Line Hike-and-Bike trail is under construction and is located to the south of the site parallel to the railroad tracks.

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 character, housing needs, infrastructure capacity considerations, and fiscal constraints of our community.

LAND USE-RELATED POLICIES: The following policies are applicable on a case-by-case basis depending upon the type, location, and general nature of the request. Refer to the staff report for analysis of these policies with the respect to the proposed zoning change, where applicable.



Redevelopment of Regional Transportation Corridors: Plano will encourage reinvestment and redevelopment of identified regional transportation corridors to create cohesive developments that incorporate well-designed commercial, retail, and housing opportunities, where those uses are appropriate according to the Future Land Use Map and other related Comprehensive Plan standards.

- Applicable
- Not Applicable



Revitalization of Retail Shopping Centers: Plano will encourage reinvestment, revitalization, and redevelopment of underperforming neighborhood retail corners to accommodate a viable combination of local commercial, retail, and entertainment uses. Where appropriate transitions can be maintained, redevelopment may present opportunities to introduce residential uses and improve access.

- Applicable
- Not Applicable



Special Housing Needs: Plano will support the special housing needs of residents including seniors, people with disabilities, and low- to moderate-income households through inclusive regulations and programs and actions furthering the goals stated in the Consolidated Plan. Proposed locations for special housing needs should be afforded the same health and safety considerations as other housing.

- Applicable
- Not Applicable



Transit-Oriented Development: Plano will proactively encourage development within walking distance of existing and planned transit stations to create an integrated mix of uses including residential, employment, retail, and civic spaces.

- Applicable
- Not Applicable



Undeveloped Land: Plano will reserve its remaining undeveloped land for high quality development with distinctive character, prioritizing businesses offering skilled employment. New housing in these areas will only be considered appropriate where it is consistent with the Future Land Use Map and other related Comprehensive Plan standards.

- Applicable
- Not Applicable

OTHER POLICIES/DOCUMENTS: Additional policies may apply where applicable:

No other policies are applicable to this request.

- Envision Oak Point (2018)
- Downtown Vision & Strategy Update (2019)
- Spring Creekwalk Master Plan (1990)
- Preservation Plano 150 (2018)

FOR RESIDENTIAL AND MIXED-USE DEVELOPMENTS ONLY: The following actions from the Redevelopment & Growth Management (RGM) Policy are applicable to requests for mixed-use developments:

RGM5: Ensure that any rezoning requests for multiuse development include:

- Applicable
 Not 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.
- B) Phasing requirements that prevent the disproportionate completion of residential uses prior to nonresidential uses within the development. Nonresidential square footage must constitute 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 specifically 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 transit-oriented development, special housing needs (as defined by the city's Consolidated 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 requests that do not conform to the mix of uses, density, and building heights as described in the Dashboards are **disfavored**. Requests 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 interest.

RGM5: Mixed-Use Developments

In addition, the Redevelopment and Growth Management (RGM) Policy Action 2 requires findings when approving a mixed-use development that exceeds 50% square footage for residential uses and/or does not conform to other identifying 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 is inconsistent with Action RGM5 (for mixed-use developments).
- 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.

Guiding Principles – 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 Category – The subject property is located in the **Neighborhoods (N)** category of the Future Land Use Map (FLUM). This 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. Non-residential areas may include institutional, light office, and service uses and may be located along the frontage of arterial streets and intersections. Staff finds the request for additional retail, including restaurants, consistent with the description and priorities of the N category.

FLUM – N Description and Priorities		
Description		Meets
Priorities	Preserving neighborhood character and quality of life	Meets
	Upkeep of existing housing stock	Not Applicable
	Requiring adjacent commercial land uses to provide adequate transitions	Meets
	Variety of housing heights, sizes, and types	Not Applicable

Mix of Uses – Approval of the request would change the site from a mix of *Office, Retail, and Multifamily Types* to *Retail and Multifamily Types* as defined by the Comprehensive Plan. As proposed in the associated concept plan and revised preliminary site plan, the request would comply with the Land Use and Employment Mix recommendations of the N Dashboard.

FLUM – N Mix of Uses	
Land Use Mix	Meets
Employment Mix	Meets
Housing Mix	Meets

Desirable Character Defining Elements – 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 pertaining 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, the proposed amendment to Planned Development-37-Retail/Neighborhood Office is in conformance with the Comprehensive Plan.

Comprehensive Plan Policy Summary

Policy or Study	Analysis
Future Land Use Map and Dashboards <ul style="list-style-type: none"> • Description & Priorities • Mix of Uses • Character Defining Elements 	Meets Meets Meets
Thoroughfare Plan Map	N/A
Bicycle Transportation Plan Map	N/A
Parks Master Plan Map	N/A
Expressway Corridor Environmental Health Map	N/A

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

Traffic Impact Analysis (TIA) – A TIA is not required for this rezoning request. Staff has compared the previously approved plan with the proposed 6,000 square feet of retail and restaurant using the average Institute of Traffic Engineers (ITE) trip generation rates.

The following tables show the estimated traffic generation during peak hours (7:00-9:00 a.m. and 4:00-6:00 p.m.):

Approved			
Uses	Building Area or Unit Total	AM Peak Trips	PM Peak Trips
Restaurant	7,302 sq. ft.	41	66
Medical Office	6,604 sq. ft.	24	29
Grocery Store	8,000 sq. ft.	8	30
Professional/General Administrative Office	1,390 sq. ft.	2	2
Independent Living Facility	100 units	29	34
TOTAL TRIPS		104	161

Proposed			
Uses	Building Area or Unit Total	AM Peak Trips	PM Peak Trips
Restaurant	8,764 sq. ft.	49	79
Grocery Store	8,070 sq. ft.	8	30
Retail	3,628 sq. ft.	4	14
Professional/General Administrative Office	2,953 sq. ft.	5	4
Assisted Living Facility	10 units	2	4
Independent Living Facility	95 units	28	32
TOTAL TRIPS		96	163

From the preceding tables, the peak-hour morning and evening traffic remains fairly similar due to the removal of the medical office.

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

STAFF PRELIMINARY REPORT – ANALYSIS & RECOMMENDATION

Retail Use

The applicant's request would allow the majority of two recently constructed buildings totaling 23,115 square feet for retail or restaurant use. When the PD was originally established in 2017, a stipulation capping retail and restaurant uses to 10,000 square feet was included due to concerns about Plano's abundance of retail zoning. In 2019, this cap was increased to 15,300 square feet to allow more flexibility in leasing these buildings. Staff continues to be concerned about excess retail zoning in the city; however, the site's non-residential portions have been constructed per recent zoning approvals, and market trends continue to be difficult for office-related uses. Additional flexibility in leasing these buildings with retail and restaurant uses will allow the site to be more successful in the short term without precluding the ability to lease with office uses in the future as market conditions evolve. Furthermore, full occupancy of the two commercial buildings with retail/restaurant uses, rather than office, would be challenging if the residential portion is constructed as planned due to limited remaining space to meet higher parking requirements. This is demonstrated by the associated preliminary site plan and revised preliminary site plan that include changes to the site layout to accommodate the additional parking required due to the additional retail/restaurant square footage proposed as part of this request.

Alternative Uses

Given the condition of the office market, there are limited uses that may be suitable for small, in-line spaces adjacent to a proposed retirement housing development. Development and leasing are strong in the Research/Technology District to the south. Still, the uses in that district, such as light manufacturing and research operations, utilize a different form of development, generally with a much larger building, and may not be appropriate in this location. Once the retirement housing is in place, some medical office uses or other supportive uses may be attracted to the site; however, granting some flexibility until that comes to pass will be helpful to sustaining the property until that mix of uses is possible.

Planned Development Stipulations

The only change to the Planned Development stipulations is that uses classified in the Retail Use Category in Article 14 (Allowed Uses and Use Classifications) and restaurants are limited to a combined maximum of 21,300 square feet rather than 15,300 square feet.

SUMMARY:

This is a request to amend Planned Development-37-Retail/Neighborhood Office to allow for an additional 6,000 square feet for retail and restaurant uses. The building footprints are not changing from previously approved, and the request will not significantly increase traffic. The request is in conformance with policies of the Comprehensive Plan. Staff is supportive of the request to amend the Planned Development.

RECOMMENDATION:

Recommended for approval as follows: (Additions are indicated by underlining; deletions are indicated by strike-through)

The permitted uses and standards shall be in accordance with the Retail (R) and Neighborhood Office (O-1) zoning districts unless otherwise specified herein:

1. Prohibited Uses:
 - a. Gasoline/fuel pumps
 - b. Freestanding convenience stores
 - c. Minor vehicle repair
2. Uses classified in the Retail Use Category in Article 14 (Allowed Uses and Use Classifications) and restaurants are limited to a combined maximum of ~~45,300~~21,300 square feet, and must comply with the following requirements:
 - a. Freestanding restaurant buildings must have a minimum of 5,000 square feet of gross floor area and must not have drive-through or drive-in service.
 - b. Buildings containing these uses must be located within 300 feet of the northern right-of-way line of 14th Street.
3. Independent living facilities may be constructed under the provisions of the Retail District with the following additional stipulations:
 - a. Maximum Height – 3 Stories, 45 feet, and not to exceed 630 feet above sea level.
 - b. Maximum Floor to Area Ratio: 0.9:1
 - c. An irrigated living screen of evergreens shall be planted along the northern boundary of the district to grow to a height of at least 12 feet within two years of installation.

July 24, 2023

Mr. David Downs, Chairman
City of Plano Planning and Zoning Commission
P.O Box 86358
Plano, Texas 75086-0358

Chairman Downs and Commissioners,

I am the owner of a 7-acre site zoned PD-37 R/O-1, located on the north side 14th approximately 800 feet east of Los Rios Drive. We have successfully completed construction of 22,992 square feet of commercial space and will commence construction of the planned independent living facility later this year. We are very appreciative of the city's support of this project.

As you are aware, COVID profoundly affected the commercial real estate market, especially the office sector. National and regional market reports find the office market will continue to lag for an indeterminate period. Interest in the retail market is improving, with select sub-markets experiencing good growth. This is the case in far east Plano fueled by the rapid residential growth of the cities of Murphy and Wylie.

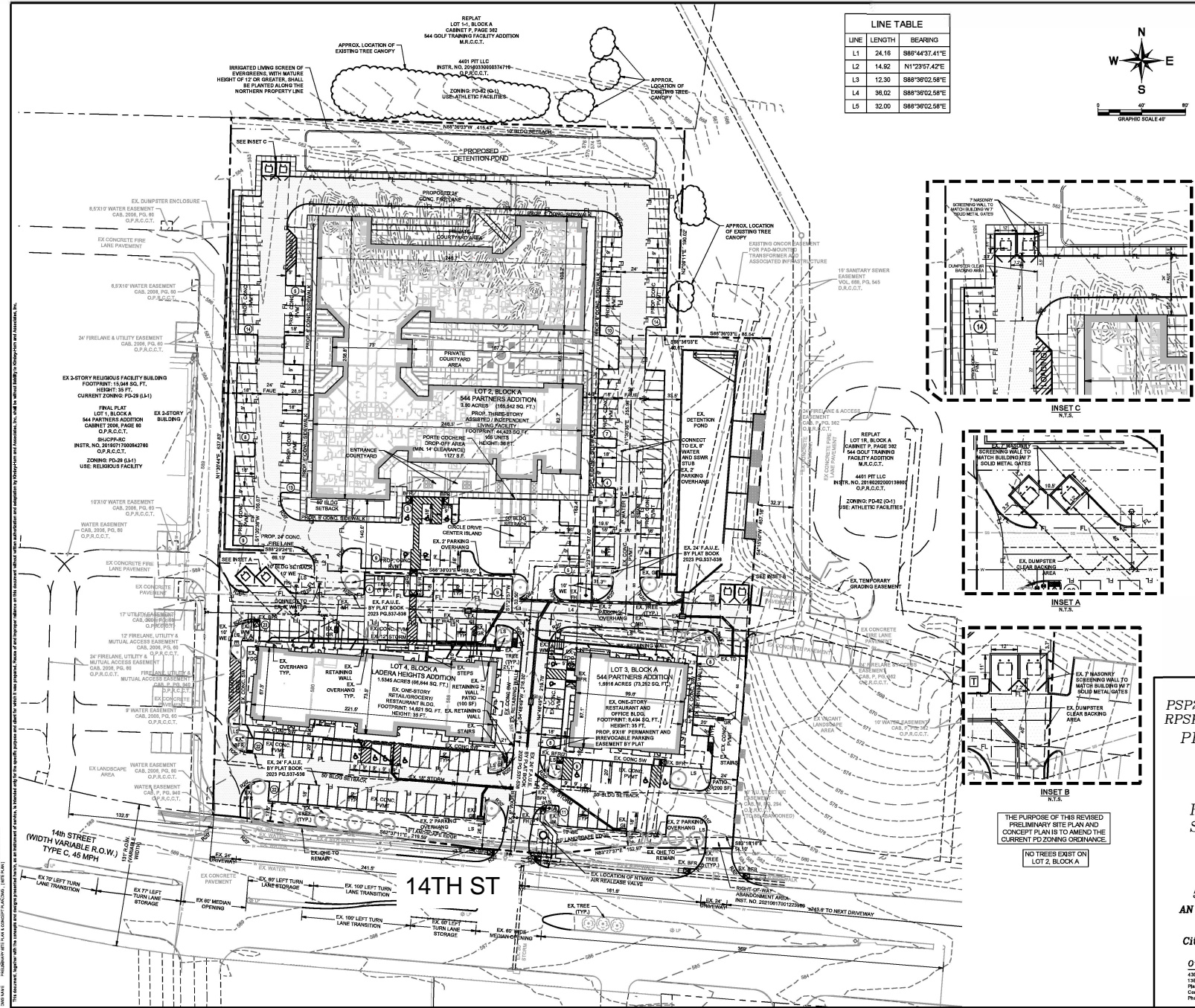
PD-37 caps the amount of retail occupancy in our development to 15,300 square feet. Our total constructed non-residential space is 22,992 square feet. No further building expansion is planned. The potential for retail occupancy is limited by available required parking. We are proposing adding ten parking spaces which would permit an additional 6,000 square feet of retail occupancy.

We are requesting your support to amend PD-37 to raise the current retail cap from 15,300 to 21,300 square feet. This is a small but important change to our success and service to the community.

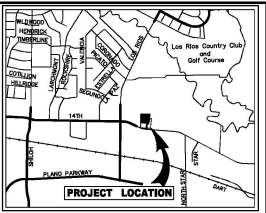
Sincerely yours,

Osman Hussain, President

DATE: 08/29/2023 11:00 AM
DRAWN BY: JKH
CHECKED BY: JKH
SCALE: AS SHOWN
PROJECT: DARI SENIOR LIVING PLANS, TEXAS



LINE	LENGTH	BEARING
L1	24.18	S88°44'37.41"E
L2	14.82	N1°23'57.42"E
L3	12.30	S88°38'02.58"E
L4	38.02	S88°38'02.58"E
L5	32.00	S88°38'02.58"E



VICINITY MAP
NOT TO SCALE
LEGEND

- PROPOSED CONCRETE FIRE LANE
- EXISTING CONCRETE FIRE LANE
- EXISTING CONCRETE PAVEMENT
- ADA ACCESSIBLE ROUTE
- BARRIER FREE RAMP (BFR)
- ACCESSIBLE PARKING SYMBOL
- NUMBER OF PARKING SPACES
- FIRE LANE ACCESS & UTILITY EASEMENT
- BFR BARRIER FREE RAMP
- SW BUILDING LINE SETBACK

CITY OF PLANO NOTES

- BUILDING 8,000 SQ. FEET OR GREATER SHALL BE 100% SPRINKLERED.
- FIRE LINES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
- PROPOSED 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 RIGHT-OF-WAY UNLESS A SIDEWALKMAINTENANCE IS PROVIDED FOR A MENDELIUS SIDEWALK OR AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRIER-FREE RAMP, PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALKS AT ALL CORNERS WITH THE ZONING ORDINANCE.
- MECHANICALS, DUMPSTERS, AND PUMP COMPACTORS SHALL BE SCREENED ACCORDANCE WITH THE ZONING ORDINANCE.
- ALL SIGNAGE CONTAINED UPON APPROVAL BY BUILDING DEPARTMENT SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
- APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED.
- OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN PLANNING APPROVAL.
- 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 4488 OF THE CODE OF ORDINANCES.
- PLEASE CONTACT THE BUILDING INSPECTORS DEPARTMENT TO DETERMINE THE FIELD CONSTRUCTION AND OCCUPANCY GROUP.
- ALL ELECTRICAL TRANSMISSION, DISTRIBUTION, AND SERVICE LINES MUST BE UNDERGROUND.
- USES SHALL BE CONFORM IN OPERATION, LOCATION AND CONSTRUCTION TO THE FOLLOWING PERFORMANCE STANDARDS IN ARTICLE 21.04 OF THE ZONING ORDINANCE: NOISE, SMOKE AND PARTICULATE MATTER, ODOROUS MATTER, FREE OR EXPLOSIVE BURNING MATERIAL, TOXIC AND NOXIOUS MATTER, VIBRATION, AND OTHER PERFORMANCE STANDARDS.

CITY PROJECTS
PSP2023-016 & GTS2023-016 &
RPSP2023-006 & RGTS2023-008
PRELIMINARY SITE PLAN & GENERAL TREE SURVEY
BLOCK A, LOT 2
3.80 Acres
REVISED PRELIMINARY SITE PLAN & REVISED GENERAL TREE SURVEY
BLOCK A, LOT 3, AND LOT 4
3.19 Acres
544 PARTNERS ADDITION
AN ADDITION TO THE CITY OF PLANO
JAMES LDBETTER SURVEY
ABSTRACT NO. 545
City of Plano, Collin County, Texas
09/29/2023

Owner/Developer:
4301 Development LP
1305 West Street, Suite 717
Plano, Texas 75074
Contact: Omar Hassan
Phone: (972) 835-4191

Engineer:
Kimley-Horn and Associates, Inc.
1345 North St.
Tulsa, Oklahoma 74103
Contact: Jonathan Kelly, P.E.
Phone: (918) 770-3100

	DATE: 08/29/2023	SCALE: AS SHOWN	DESIGNED BY: JKH	DRAWN BY: JKH	CHECKED BY: JKH	
	DARI SENIOR LIVING PLANS, TEXAS					
	PRELIMINARY SITE PLAN & REVISED PRELIMINARY SITE PLAN					

SHEET NUMBER
51.00

TREE SCHEDULE FOR LOTS 3 AND 4

TREES	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	QTY	REMARKS
⊖	Cedar Elm / Ulmus crassifolia	3'	10'-12' Ht	As Shown	9	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS, 14' CLEAR AT FREELANE
⊖	Live Oak Tree / Quercus virginiana	3'	10'-12' Ht	As Shown	20	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS, 14' CLEAR AT

SITE DATA SUMMARY TABLE

GENERAL SITE DATA	LOT 2, BLOCK A 548 PARTNERS ADDITION	LOT 4, BLOCK A 548 PARTNERS ADDITION	LOT 3, BLOCK A 548 PARTNERS ADDITION
EXISTING ZONING FROM ZONING MAP	PD-37 (RUD-1)	PD-37 (RUD-1)	PD-37 (RUD-1)
PROVIDED LAND USE	ASSISTED / INDEPENDENT LIVING FACILITY	RETAIL / GROCERY / RESTAURANT	RESTAURANT / PROFESSIONAL/GENERAL ADMINISTRATIVE OFFICE/RETAIL
LOT AREA (SQ. FEET & ACRES)	3,802 AC (163,543 SQ. FT.)	1.62 AC (69,684 SQ. FT.)	1.68 AC (73,213 SQ. FT.)
BUILDING FOOTPRINT AREA (SQ. FEET)	44,425 SQ. FT.	14,821 SQ. FT.	8,494 SQ. FT.
NUMBER OF UNITS	105 UNITS	N/A	N/A
LOT DENSITY (UNITS PER ACRE)	26 UNITS/AC	N/A	N/A
TOTAL BUILDING AREA (SQ. FEET)	133,065 SQ. FT.	3,013 SQ. FT. RESTAURANT (W/ 129 SQ. FT. PATIO) 8,020 SQ. FT. GROCERY 3,028 SQ. FT. RETAIL 14,821 SQ. FT.	5,341 SQ. FT. RESTAURANT (W/ 200 SQ. FT. PATIO) 2,953 SQ. FT. PROFESSIONAL/GENERAL ADMINISTRATIVE OFFICE 8,494 SQ. FT.
BUILDING HEIGHT (IF STOREYS)	3 STOREYS	1 STORY	3 STORY
BUILDING HEIGHT (FEET)	36 FT.	35 FT.	35 FT.
LOT COVERAGE (PERCENT - X-RATIO)	26.70%	21.81%	11.59%
FLOOR AREA RATIO (RATIO - X-RATIO)	0.83:1	0.22:1	0.12:1
PARKING			
PARKING RATIO (FROM ZONING ORDINANCE)	INDEPENDENT LIVING: 1 SP / 7 UNIT ASSISTED LIVING: 1 SP / 2 UNITS (MINIMUM 15 GREATER)	RESTAURANT: 3 SP / 200 S.F. RESTAURANT/GROCERY: 10% 1 SP / 100 S.F. RETAIL: 1 SP / 200 S.F.	RESTAURANT: 1 SP / 200 S.F. RESTAURANT/GROCERY: 10% 1 SP / 100 S.F. PROFESSIONAL/GENERAL ADMINISTRATIVE OFFICE: 3 SP / 100 S.F.
REQUIRED PARKING (SPACES)	INDEPENDENT LIVING (94 UNITS): 13 SP ASSISTED LIVING (10 UNITS): 5 SP TOTAL: 180 SP	1,351 S.F. RESTAURANT (EXCEEDS 10%) 16 SP 1,472 S.F. RESTAURANT (10%) 7 SP 13,000 S.F. RETAIL 66 SP TOTAL 89 SP	4,472 S.F. RESTAURANT (EXCEEDS 10%) 49 SP 889 S.F. RESTAURANT (10%) 4 SP 3,353 S.F. PROFESSIONAL/GENERAL ADMINISTRATIVE OFFICE 10 SP PARKING DEDICATED TO 548 PARTNERS ADDITION BLOCK A, LOT 4: 1 SP TOTAL: 64 SP
PROVIDED PARKING (SPACES)	103 SPACES	ONSITE: 89 SPACES PARKING DEDICATED FROM 548 PARTNERS ADDITION BLOCK A, LOT 3: 3 SPACES TOTAL: 92 SPACES	ONSITE: 64 SPACES
ACCESSIBLE PARKING REQUIRED (IF SPACES)	5 SPACES	4 SPACES	3 SPACES
ACCESSIBLE PARKING PROVIDED (IF SPACES)	5 SPACES	4 SPACES	5 SPACES
PARKING IN EXCESS OF 10% OF REQUIRED PARKING (SPACES)	0 SPACES	0 SPACES	0 SPACES
LANDSCAPE AREA			
LANDSCAPE EDGE AREA PROVIDED (SQ. FEET)	0 SQ. FT.	2,312 SQ. FT.	2,333 SQ. FT.
REQUIRED INTERIOR LANDSCAPE AREA (PARKING LOT LANDSCAPING) (SQ. FEET)	889 SQ. FT.	940 SQ. FT.	512 SQ. FT.
ADDITIONAL INTERIOR LANDSCAPE AREA PROVIDED (SQ. FEET)	32,854 SQ. FT.	7,833 SQ. FT.	28,788 SQ. FT.
OTHER LANDSCAPING AREA WITHIN THE LOT INCLUDING STORM-WATER CONSERVATION AREAS (SQ. FEET)	12,690 SQ. FT.	N/A	N/A
TOTAL LANDSCAPE AREA (SQ. FEET)	44,394 SQ. FT.	10,145 SQ. FT.	31,113 SQ. FT.
PERMEABLE AREA			
SWIFT INCLUDING LANDSCAPING OR TRAMP AREAS			
PERMEABLE PAVEMENT (SQ. FEET)	0	0	0
OTHER PERMEABLE AREA WITHIN THE LOT NOT INCLUDING LANDSCAPING OR TRAMP AREAS (SQ. FEET)	0	0	0
TOTAL PERMEABLE AREA (SQ. FEET)	0	0	0
IMPERVIOUS AREA			
BUILDING FOOTPRINT AREA (SQ. FEET)	44,425 SQ. FT.	14,821 SQ. FT.	8,494 SQ. FT.
AREA OF SIDEWALKS, PAVEMENT & OTHER IMPERVIOUS PLATING (SQ. FEET)	76,725 SQ. FT.	42,078 SQ. FT.	33,847 SQ. FT.
OTHER IMPERVIOUS AREAS	0	0	0
TOTAL IMPERVIOUS AREA (SQ. FEET)	121,150 SQ. FT.	56,899 SQ. FT.	42,141 SQ. FT.
AREA OF TOTAL LANDSCAPE AREA + TOTAL PERMEABLE AREA - TOTAL IMPERVIOUS AREA (SQ. FEET)	155,342 SQ. FT.	86,444 SQ. FT.	73,232 SQ. FT.
TOTAL IMPERVIOUS AREA	121,150 SQ. FT.	56,899 SQ. FT.	42,141 SQ. FT.
PERMISSIBLE IMPERVIOUS AREA CREDIT	N/A	N/A	N/A
USABLE IMPERVIOUS AREA	121,150 SQ. FT.	56,899 SQ. FT.	42,141 SQ. FT.

NO.	REVISIONS	DATE	BY

Kimley»Horn
 © 2023 KIMLEY HORN AND ASSOCIATES, INC.
 2000 CENTRAL EXPY. SUITE 100, HOUSTON, TX 77060
 TEL: 281.414.3333 FAX: 281.414.3334
 WWW.KIMLEY-HORN.COM TX-26287

PROJECT NO.	2023-003
DATE	SEPTEMBER 2023
DRAWN BY	ASH BISHARA
CHECKED BY	BRAC
SCALE	AS SHOWN

DARI SENIOR LIVING
 PLANO, TEXAS

**PRELIMINARY SITE PLAN
 & CONCEPT PLAN
 SITE DATA TABLE**

SHEET NUMBER
51.01

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