PLANNING & ZONING COMMISSION

ZONING CASE FINAL REPORT



DATE: February 6, 2024

TO: Honorable Mayor & City Council

FROM: Planning & Zoning Commission

Mike Bell, AICP, Development Review Manager acting as Secretary of the Planning & Zoning Commission VIA:

Zoning Commission

Christina D. Day, AICP, Director of Planning

Results of Planning & Zoning Commission Meeting of February 5, 2024 SUBJECT:

AGENDA ITEM NO. 4A - ZONING CASE 2023-029 PETITIONER: PLANO PROPERTY OWNER, LP

Request for a Specific Use Permit for Electrical Substation on one lot on 3.4 acres located 1,440 feet west of North Star Road and 940 feet south of Plano Parkway. Zoned Research/Technology Center. Tabled on January 2, 2024. Project #ZC2023-029.

APPROVED:	7-0
	·

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

Commissioner Bronsky was not in attendance.

RESULTS:

The Commission recommended the item for approval as submitted.

To view the hearing, please click on the provided link: https://planotx.new.swagit.com/videos/296510?ts=2226

PM/kob

Eric Hill, Assistant Director of Planning CC:

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

PLANNING & ZONING COMMISSION

STAFF PRELIMINARY REPORT: FEBRUARY 5, 2024



AGENDA ITEM NO. 4A

PUBLIC HEARING: Zoning Case 2023-029

PETITIONER: Plano Property Owner, LP

CASE PLANNER: Parker McDowell

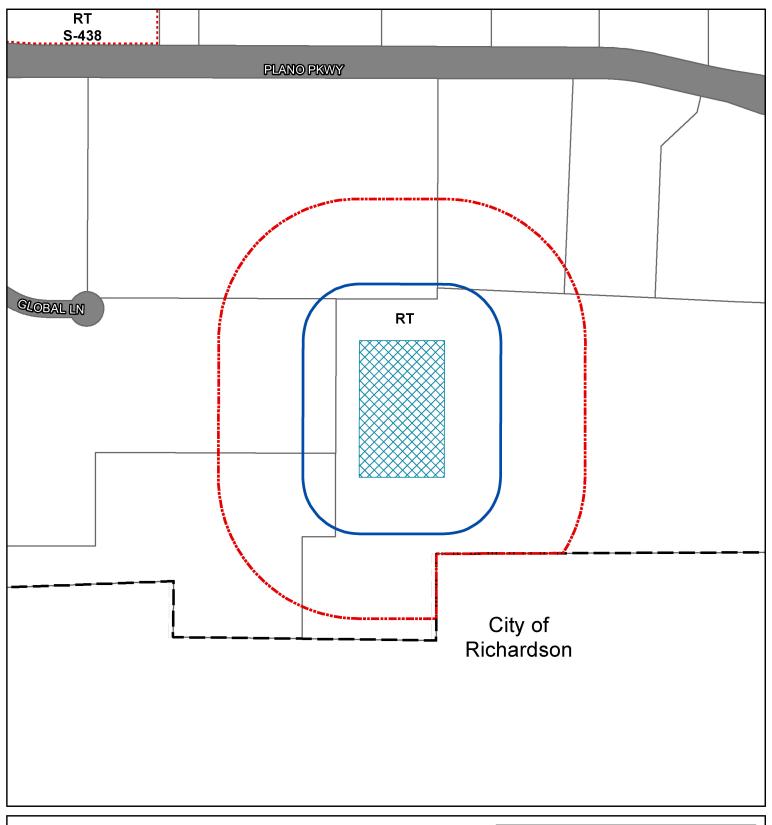
DESCRIPTION: Request for a Specific Use Permit for Electrical Substation on one lot on 3.4 acres located 1,440 feet west of North Star Road and 940 feet south of Plano Parkway. Zoned Research/Technology Center. Tabled on January 2, 2024.

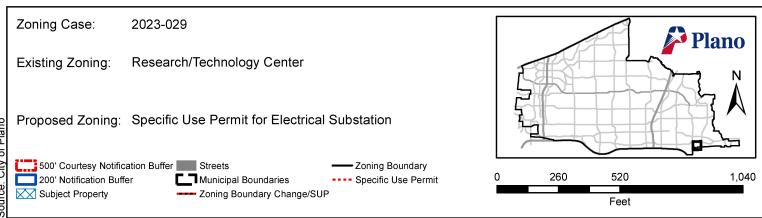
SUMMARY:

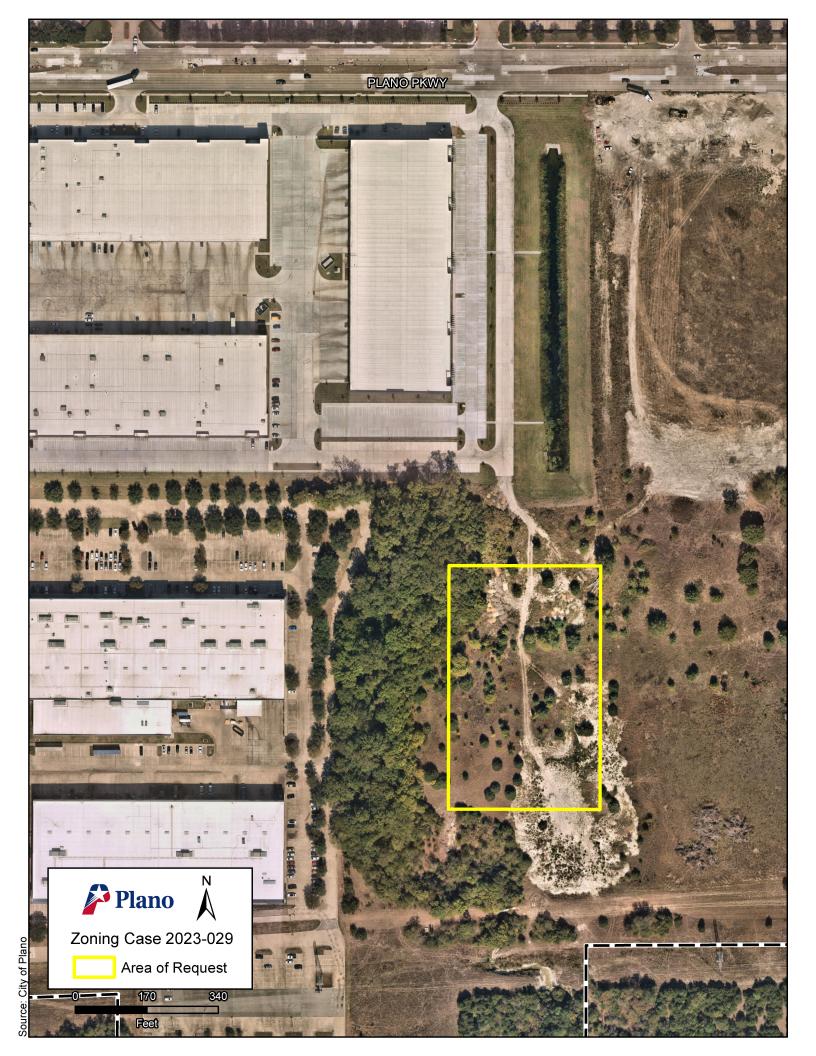
The applicant is requesting a Specific Use Permit for a privately-owned Electrical Substation on an undeveloped parcel along North Star Road, south of Plano Parkway. Major topics of consideration in this request include:

- Associated Data Center The substation is necessary to serve a proposed data center located on the same lot. Data centers are a permitted use in the Research/Technology (RT) District.
- Proximity to Electrical Transmission Lines The subject property is located along the route of high-voltage electric transmission lines that generally follow the border between Plano and Richardson before extending farther east into Murphy. This proximity allows all connections between the proposed substation and existing transmission lines to be located wholly within the property and adjacent easements, significantly minimizing the visual impacts of new electrical lines traversing the city.
- Floodplain The substation is located in proximity to a floodplain. Preliminary engineering studies show the substation outside of the floodplain limits; additional study will be required at future stages of the development to establish the final limits of the floodplain.
- Conformance to the Comprehensive Plan The request is consistent with the Employment Centers Dashboard and the Undeveloped Land Policy of the comprehensive plan.

For these reasons, staff recommends approval of the request. A preliminary site plan accompanies this request as Agenda Item No. 4B.







STAFF PRELIMINARY REPORT – INTRODUCTORY REMARKS

The applicant is requesting a Specific Use Permit (SUP) for develop an Electrical Substation on a property zoned Research/Technology Center.

Specific Use Permit – Section 6.100 (Specific Use Permits) of the Zoning Ordinance states:

The purpose and intent of an SUP is to authorize and regulate 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) 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.

<u>Proposed Uses</u> – The Zoning Ordinance defines electrical substation as follows:

Electrical Substation - A subsidiary station in which electric current is transformed.

<u>Zoning</u> – The subject property is currently zoned Research/Technology Center (RT). Section 10.1300.1 of the Zoning Ordinance states the purpose of the RT district is as follows:

The RT district is intended to create a low-density, employment center consisting of office, research and development facilities, and limited assembly operations. RT districts should generally accommodate several users in a campus environment.

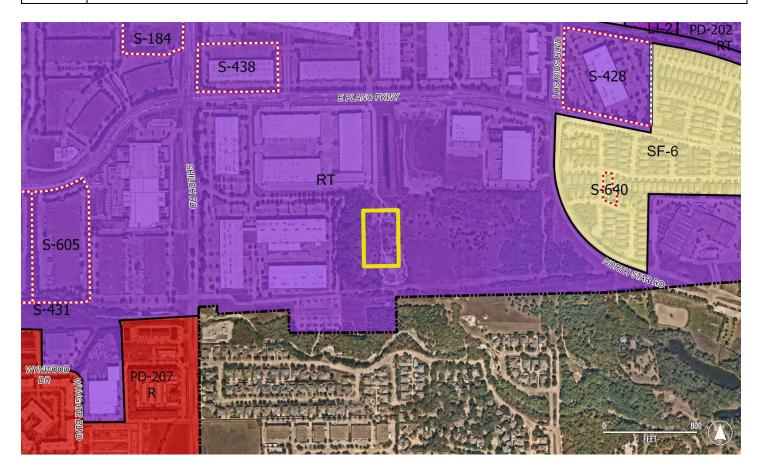
History

The subject property was zoned RT in 1998 and is currently undeveloped. A preliminary site plan and preliminary plat for an office/showroom warehouse use were approved by the Planning & Zoning Commission in December 2022 and June 2023, respectively. The property has since been sold to a new owner who is no longer pursuing the office/showroom warehouse use and is seeking to develop a data center with the substation.

Surrounding Land Use and Zoning

The boundaries of the SUP are located within the larger 44.3-acre, proposed Lot 5 of Flextronics Campus Addition, which is undeveloped land zoned Research/Technology District. Adjacent uses and zoning in the following table are those beyond the limits of the lot.

North	Office showroom/warehouse, moderate-intensity manufacturing, office professional/general administration, dance/gymnastics studio, and undeveloped land with preliminary site plan approval for office/showroom warehouse zoned Research/Technology Center (RT)	
East	Undeveloped land zoned RT directly east, single-family detached neighborhood zoned Single-Family Residence-6 (SF-6), and public middle school zoned Research/Technology Center (RT) to the east across North Star Road	
South	Undeveloped land with electric transmission utilities and single-family detached neighborhoods located in the City of Richardson	
West	Office storage/warehouse, office professional/general administration, and moderate-intensity manufacturing zoned RT	





Findings Not Required

1 | Future Land Use Map

City of Plano

COMPREHENSIVE PLAN 2021

The subject property is located within the Neighborhoods and Open **Space** Network Future Land Use designations

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.



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

PRIORITIES

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

Open Space Network (OS)

The Open Space Network future land use category includes major public preserves, community parks, neighborhood parks, parks, and trails. These areas are intended to retain their character to provide regional recreation and leisure opportunities

PRIORITIES

- Maintain and upgrade parks and open spaces as needed to serve the health and recreational needs of the diverse community.
- Improve access to these areas through transit and micromobility options.

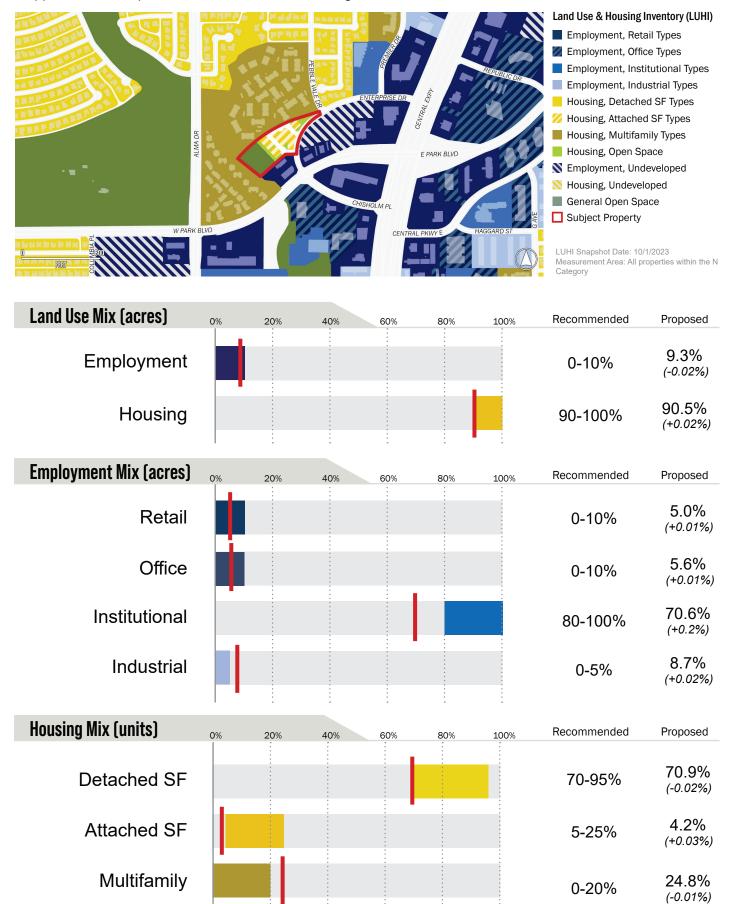


2 | Mix of Uses

Zoning Case Fact Sheet



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
Duilding Haighta	Neighborhoods: 1 to 2 stories	Neighborhoods: 3 stories with a roof deck above the third story
Building Heights	Open Space: 1 to 2 stories	Open Space: N/A
Density	Neighborhoods: SF: 0.5 to 10 DUA MF: 10 to 22 DUA	Neighborhoods: 9.1 Dwelling Units Per Acre (DUA)
	Open Space: N/A	Open Space: N/A
Intensity	Neighborhoods: Low (0 to 50% Lot Coverage)	Neighborhoods: N/A
intensity	Open Space: Low (0 to 50% Lot Coverage)	Open Space: N/A
Open Space	Neighborhoods: 10% to 50% Passive OS	Neighborhoods: 19.9% Passive Open Space + 12.2% Active Open Space (32% total open space)
орен орасс	Open Space: 100% Active and Recreational OS	Open Space: 100% Recreational Open Space
Parking Orientation	Neighborhoods: Res: garages with driveways Non-res: surface lots	Neighborhoods: Residential garages with driveways
· ····································	Open Space: surface lots	Open Space: N/A
Block Pattern &	Neighborhoods: Gridded or curvilinear blocks Traditional Residential Streets	Neighborhoods: Curvilinear blocks, Traditional Residential Streets
Streetscape	Open Space: Wide blocks, OS Corridor Streets	Open Space: N/A
Multimodal Access		
	Neighborhoods: HIGH Direct access from local streets	Neighborhoods: HIGH
1. Automobiles	Open Space: MEDIUM Limited access to major and	Direct access to the site is available from Enterprise Drive
	local streets	Open Space: N/A
2. Transit	Neighborhoods: MEDIUM Served by bus on perimeter arterial streets	Neighborhoods: LOW - There are currently no bus routes serving the arterial streets immediately adjacent to the subject property. Parker Road Station is approximately 0.75 mile east of the site.
	Open Space: MEDIUM Served by bus	Open Space: N/A
3. Micromobility	Neighborhoods: HIGH Connected to trails and bike routes	Neighborhoods: HIGH - The subject property has direct access to the Chisholm Trail and On-Street Bike Routes 73 and 75.
	Open Space: HIGH Integrated trails and bike routes	Open Space: HIGH - Integrated connectivity to the Chisholm Trail
4. Pedestrians	Neighborhoods: HIGH Walkable to parks and schools Open Space: HIGH Short walk from neighborhoods	Neighborhoods: HIGH - The subject property has direct access to the Chisholm Trail, is located within 0.10 miles of the Proposed South Central Community Park Site and is within 0.40 miles of Harrington Park as well as the Sam Johnson Senior Recreation Center. Open Space: HIGH - Direct access between Chisholm Trail and proposed neighborhood

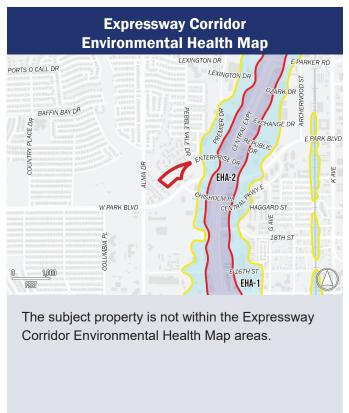
4 | Other Comprehensive Plan Maps



Access to the subject property will be from Enterprise Drive which is designated as a Type F: Minor Collector (Commercial Context).



On-Street Bike Routes 73 and 75 are located along Enterprise Drive and the Chisholm Trail is a designated shared-use path located along the western edge of the subject property.



EHA-2

✓ Not Applicable



Senior Recreation Center.

EHA-1

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.

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 Applicable reinvestment and redevelopment of identified regional transportation corridors to Not Applicable 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. Revitalization of Retail Shopping Centers: Plano will encourage reinvestment, Applicable revitalization, and redevelopment of underperforming neighborhood retail corners to Not Applicable 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. **Special Housing Needs:** Plano will support the special housing needs or residents Applicable including seniors, people with disabilities, and low- to moderate-income households Not Applicable 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. Transit-Oriented Development: Plano will proactively encourage development Applicable within walking distance of existing and planned transit stations to create an integrated Not Applicable mix of uses including residential, employment, retail, and civic spaces. Undeveloped Land: Plano will reserve its remaining undeveloped land for high Applicable quality development with distinctive character, prioritizing businesses offering skilled Not Applicable 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. HER BOLICIES/DOCUMENTS: Additional policies may apply where applicable

OTHER POLICIES/DOCUMENTS: Additional policies may apply where applicable:			
Undeveloped Land Policy Action #3:	Envision Oak Point (2018)		
Ensure that new housing growth on undeveloped land provides functional and appropriate environments for residential uses and activities such as proximity to	Downtown Vision & Strategy Update (2019)		
existing compatible residential development, configuration to support housing, and access to neighborhood parks, and ensure any development standards include	Spring Creekwalk Master Plan (1990)		
adequate green space. When adjacent to existing residential neighborhoods a	Preservation Plano 150 (2018)		
compatible transition in building height and bulk should be provided.	Other		

Gr	owth Management (RGM) Policy are applicable to requests for mixed-use developments:			
R	GM5: 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.	√	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.			
co sh ori	GM8: Limit new residential development to areas that are appropriate based on individual site insiderations and consistency with the Future Land Use Map and Dashboards. Multifamily developments ould also meet a housing diversification or economic development need of the city, including transitented development, special housing needs (as defined by the city's Considered Plan), or be constructed part of a high-rise 10 stories or greater.		Applicable Not Applicable	
6	Findings Policy			

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

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 rejused the development that are add 500/ and are factors for

	(density, height, etc.) in the applicable Dashboard.
Are Fir	ndings 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.

<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 Category – The subject property is located in the <u>Employment Centers (EM)</u> category of the Future Land Use Map (FLUM). The EM future land use category includes corporate office campuses, medical centers, education facilities, technology centers, and research centers, with supporting uses such as limited manufacturing and warehouse uses.

The request for a Specific Use Permit to allow for Electrical Substation does not impact the previously approved existing land use types or mix of uses. Staff finds the request consistent with the description and priorities of the EM category.

FLUM – EM Description and Priorities		
Description		Meets
Priorities	Maintaining land for employment-generating uses	Meets
	Evaluating policies to sustain long-term viability of corporate campuses	N/A
	Updating the Legacy Area Master Plan	N/A

<u>Mix of Uses</u> – The subject property is currently an undeveloped lot. Approval of this request would result in no changes to the Mix of Uses.

FLUM – EM Mix of Uses
No Change

<u>Desirable Character Defining Elements</u> – The proposed Specific Use Permit for an electrical substation would not result in any reduced conformance to the Desirable Character Defining Elements.

FLUM – EM Desirable Character Defining Elements			
Building Height	Meets	Multimodal Access	Meets
Maximum Density	N/A	Automobiles	Meets
Intensity	Neutral	Transit	Meets
Open Space Meets		Micromobility	Meets
Parking Orientation Meets			

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

Undeveloped Land Policy – This policy recommends that the city reserve its limited undeveloped land for high-quality development with distinctive character, prioritizing businesses offering skilled employment. This substation request is necessary for the associated data center use. Since this request is a small portion of a larger development, as shown in the associated plan, the approval of the SUP will not impact the utilization of the remainder of the property for development that would align with this policy.

Comprehensive Plan Policy Summary

Policy or Study	Analysis
Future Land Use Map and Dashboards:	
Description & Priorities	Meets
Mix of Uses	No Change
Character Defining Elements	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
Undeveloped Land Policy	Meets

Adequacy of Public Facilities – N/A

<u>Traffic Impact Analysis (TIA)</u> – A TIA is not required for this rezoning request.

School Capacity - N/A

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

Access to and Availability of Amenities and Services - N/A

STAFF PRELIMINARY REPORT - ANALYSIS & RECOMMENDATION

Associated Data Center Use

An SUP would allow the applicant to construct a private electric substation to support a potential data center on the property, which is permitted by right in the RT district. Constructing a substation with the data center is beneficial for the flexibility and reliability of their operations.

Transmission Lines

The proposed substation will be located along the existing transition lines that run along the property's southern boundary. The location of these larger transmission lines will allow for the substation and potential future connections entirely on the subject property. This will minimally impact the visibility of new lines and allow the substation to provide mechanical screening for the equipment.

Floodplain

As shown on the associated preliminary site plan, the proposed substation is located adjacent to existing and proposed drainage and floodway easements. The current location is also shown in the FEMA Flood Zone X, which FEMA defines as "The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood." Based on the preliminary engineering review, the site will not be in the floodplain, but it needs to be noted that the current limit of the flood study splits the property, as shown in the following map. The entire impact of the development with the 450,000-square-foot data center will need a new flood study done to determine what impact and mitigation will be required for the proposed development at the site plan step.



SUMMARY:

The applicant is requesting a Specific Use Permit for an Electrical Substation associated with a proposed data center on an undeveloped parcel along North Star Road, south of Plano Parkway. The request is generally consistent with policies within the Comprehensive Plan and with engineering approval of the preliminary site plan location. For these reasons, staff supports the request for a Specific Use Permit for Electrical Substation.

RECOMMENDATION:

Recommended for approval as submitted.

