

PLANNING & ZONING COMMISSION

ZONING CASE FINAL REPORT



DATE: September 4, 2024

TO: Petitioners with Items before the Planning & Zoning Commission

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 September 3, 2024

AGENDA ITEM NO. 3A - ZONING CASE 2024-016

PETITIONER: ALIGNED DATA CENTERS (DFW) PROPCO, LLC

Request for a Specific Use Permit for an Electrical Substation on one lot on 0.7 acre located 345 feet south of Summit Avenue and 1,245 feet west of Klein Road. Zoned Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District. Project #ZC2024-016.

APPROVED: 8-0

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>0</u>	Neutral:	<u>0</u>

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/314073?ts=731>

JK/ko

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

AGENDA ITEM NO. 3A

PUBLIC HEARING: Zoning Case 2024-016

PETITIONER: Aligned Data Centers (DFW) Propco, LLC

CASE PLANNER: John Kim, AICP-Candidate

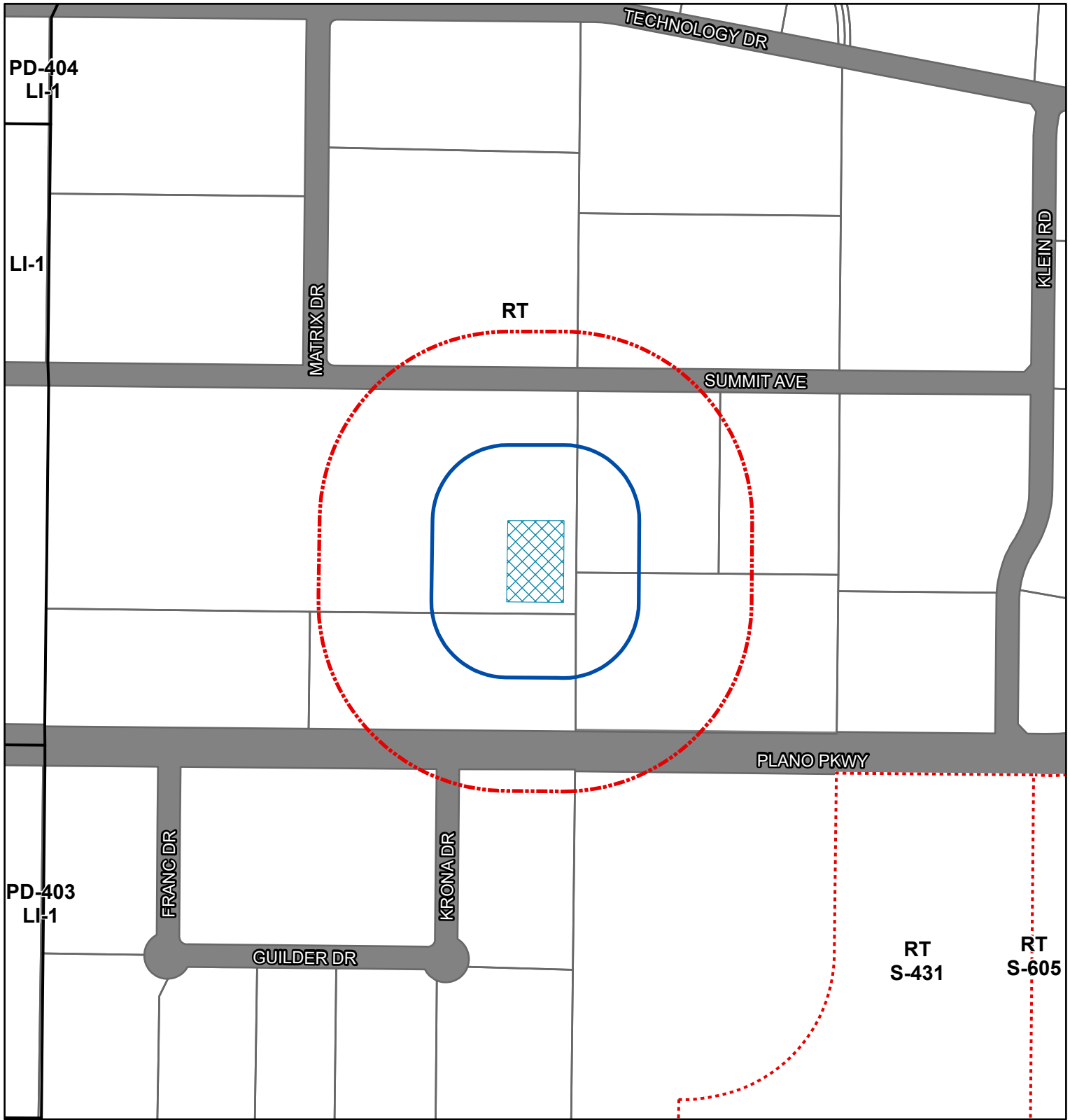
DESCRIPTION: Request for a Specific Use Permit for an Electrical Substation on one lot on 0.7 acre located 345 feet south of Summit Avenue and 1,245 feet west of Klein Road. Zoned Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District. Project #ZC2024-016.

EXECUTIVE SUMMARY

The applicant is requesting a Specific Use Permit (SUP) for a privately owned electrical substation adjacent to an existing data center. Major topics of consideration in this request include:

- **Associated Data Center** – The substation is proposed to serve an existing data center located on the same 19-acre lot. Data centers are a permitted use in the Research/Technology (RT) District.
- **Transmission Lines** – Temporary power to the substation will be provided through a combination of underground and overhead transmission lines coming from an existing substation approximately 0.5 mile to the northeast. The applicant is working with Oncor to secure easements for permanent overhead lines to connect the site to an existing transmission line approximately 0.25 mile to the south. Although visual impacts of overhead lines may result, there are no regulations requiring private utilities of this size to be located underground outside of city right-of-way. However, impacted property owners could require underground placement as a condition of granting an easement.
- **Conformance to the Comprehensive Plan** – As a supportive use to the existing data center, the request is consistent with the Employment Centers (EM) Dashboard of the Comprehensive Plan.

For these reasons, staff is supportive of the request. A preliminary site plan accompanies this request as Agenda Item No. 3B.

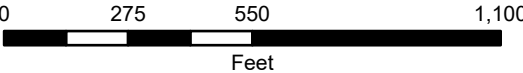
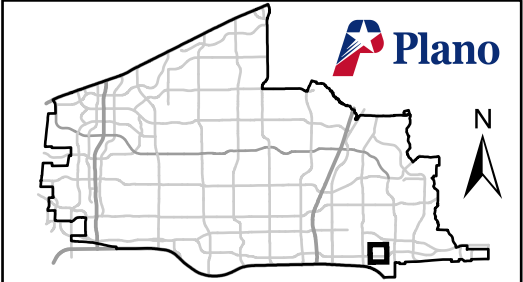


Zoning Case: 2024-016

Existing Zoning: Research/Technology Center and located within the 190 Tollway/Plano Parkway Overlay District

Proposed Zoning: Specific Use Permit for an Electrical Substation

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





MATRIX DR

SUMMIT AVE




PLANO PKWY

KRONA DR



Zoning Case 2024-016

 Area of Request

Source: City of Plano



STAFF PRELIMINARY REPORT – INTRODUCTORY REMARKS

The applicant is requesting a Specific Use Permit for a Electrical Substation adjacent to an existing data center on a 19-acre property currently zoned Research/Technology Center.

Zoning – The subject property is currently zoned Research/Technology Center (RT). *Section 10.1300.1 (Purpose)* 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.

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

The purpose of an SUP is to authorize and regulate a use not normally permitted in a district, which could benefit, in a particular case, the general welfare, provided that adequate development standards and safeguards are established.

Additionally, *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.

Proposed Use – The Zoning Ordinance defines Electrical Substation as follows:

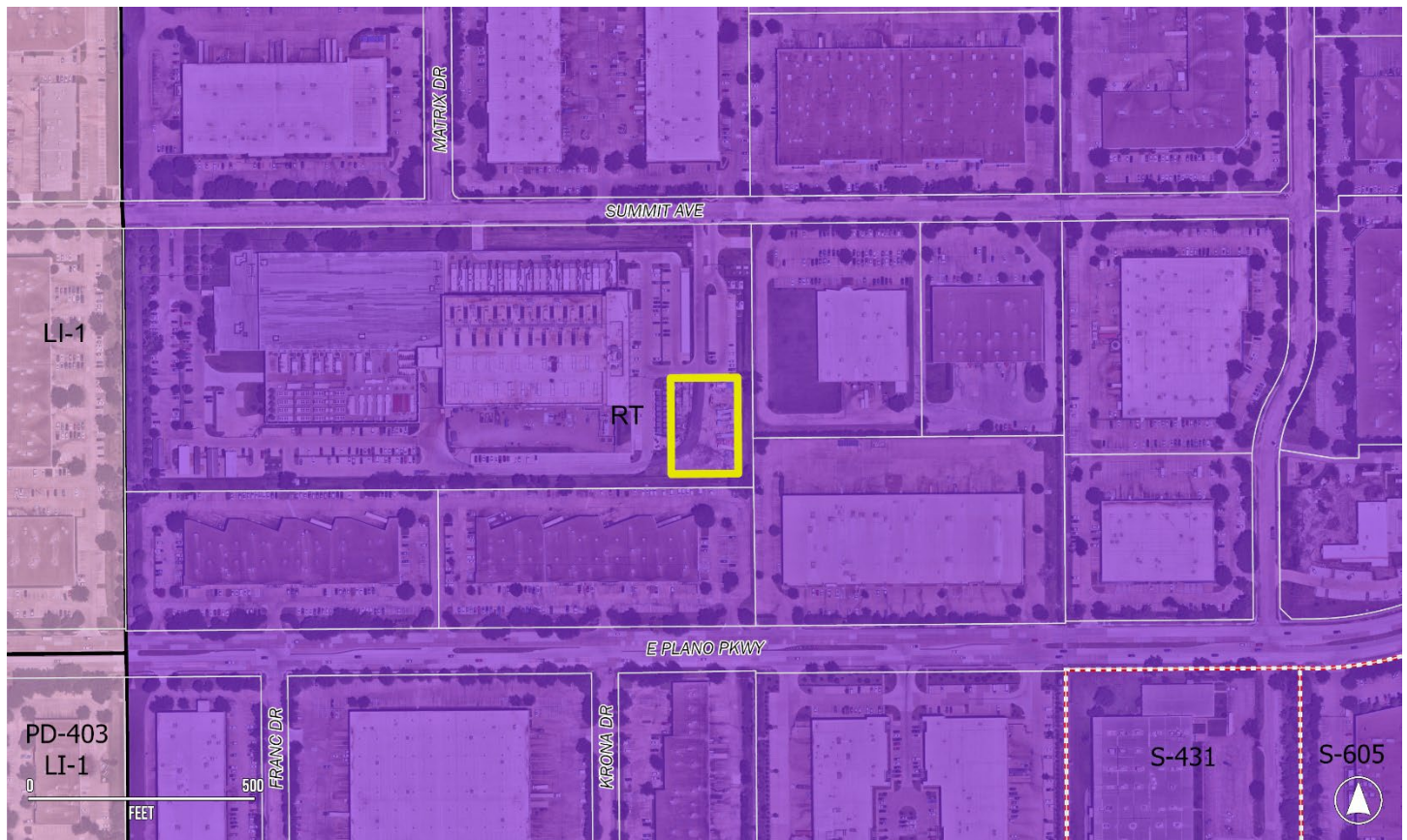
A subsidiary station in which electric current is transformed.

Site History – The subject property was developed with a manufacturing business in the 1980s. It was rezoned from Light Industrial-1 (LI-1) to Research/Technology Center (RT) when the RT district was established as a new zoning district in 1998. The building was converted to a data center in 2017 and expanded in 2023.

Surrounding Land Use and Zoning

The boundaries of the SUP are located within the 19-acre Lot 1R, Block A of Memory Tech, Inc., Phase 1 Addition, which is zoned Research/Technology Center (RT) and is developed with a data center. Adjacent uses and zoning in the following table are those beyond the limits of the lot.

North	The properties to the north across Summit Avenue are zoned RT and developed with light-intensity and moderate-intensity manufacturing, office (showroom/warehouse), professional/general administrative office, and warehouse/distribution center.
East	The property is zoned RT and developed with office (showroom/warehouse) and light-intensity manufacturing.
South	The properties are zoned RT and developed with light-intensity and moderate-intensity manufacturing and office (showroom/warehouse).
West	The property is zoned Light Industrial-1 (LI-1) and developed with light-intensity manufacturing, office (showroom/warehouse), and research and development center.



STAFF PRELIMINARY REPORT – CONFORMANCE TO THE COMPREHENSIVE PLAN

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.

Core Policies

The following policies serve as the fundamental basis for all staff recommendations for land-based zoning cases:

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.*

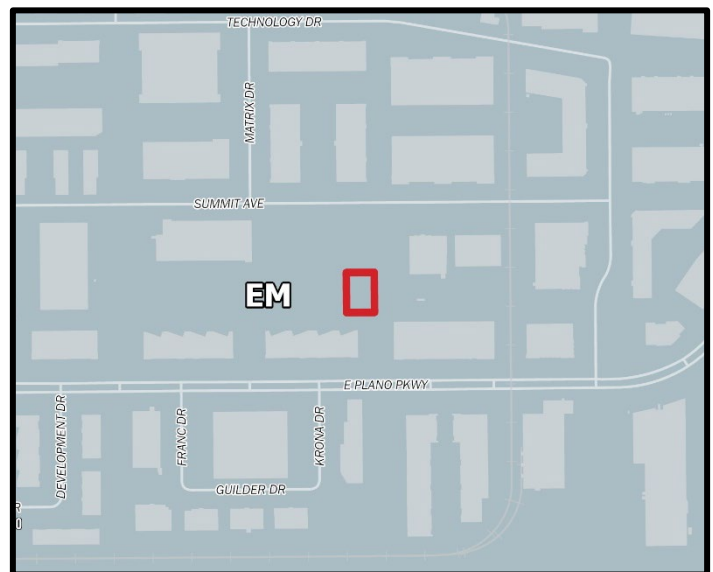
Redevelopment & Growth Management: *Plano will protect and preserve the well-established built environment of Plano and prevent overcrowding by requiring new growth and redevelopment to respect the unique development patterns, suburban character, housing needs, infrastructure capacity considerations, and fiscal constraints of our community.*

Future Land Use Map Category & Dashboard

Future Land Use – The subject property is located within the **Employment Centers (EM)** category of the Future Land Use Map (FLUM).

Description: *The EM category applies to the business centers in the Legacy area and along the Plano Parkway/President George Bush Turnpike. The primary uses for Employment Centers are corporate office campuses, medical centers, educational facilities, technology centers, and research facilities. Limited manufacturing and warehouse uses may be allowed to support the employment centers.*

A substation could support a variety of nonresidential uses including corporate office campuses, medical centers, and technology centers. The associated preliminary site plan shows this substation is intended to support a data center. The request is in conformance with the EM description.



Applicable Priorities

Priority #1: *Maintaining land for employment-generating uses.*

The request is consistent with this priority as the proposed substation could support a variety of employment-generating uses.

FLUM – EM Description and Priorities		
Description		Meets
Priorities	#1: Maintaining land for employment-generating uses	Neutral
	#2: Evaluating policies to sustain long-term viability of corporate campuses	N/A
	#3: Updating the Legacy Area Master Plan	N/A

[Mix of Uses](#) – The proposed SUP for an electrical substation does not change the mix of uses in the EM designation.

[Desirable Character Defining Elements in EM Designation](#) – The proposed SUP for an electrical substation is to support the associated onsite data center located within an existing building. No significant changes that impact the character-defining elements are proposed.

Other Comprehensive Plan Maps

The request is in conformance with the Thoroughfare Plan Map, Bicycle Transportation Plan Map, Parks Master Plan Map, or Expressway Corridor Environmental Health Map.

Additional Comprehensive Plan Policies

[Findings Policy](#) – Findings are not required to approve this request.

[Facilities & Infrastructure Policy](#)

Water & Sewer – Water and sanitary sewer service is existing for the site. No additional water or sewer demand is anticipated with the electrical substation.

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

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

Conformance to the Comprehensive Plan Summary

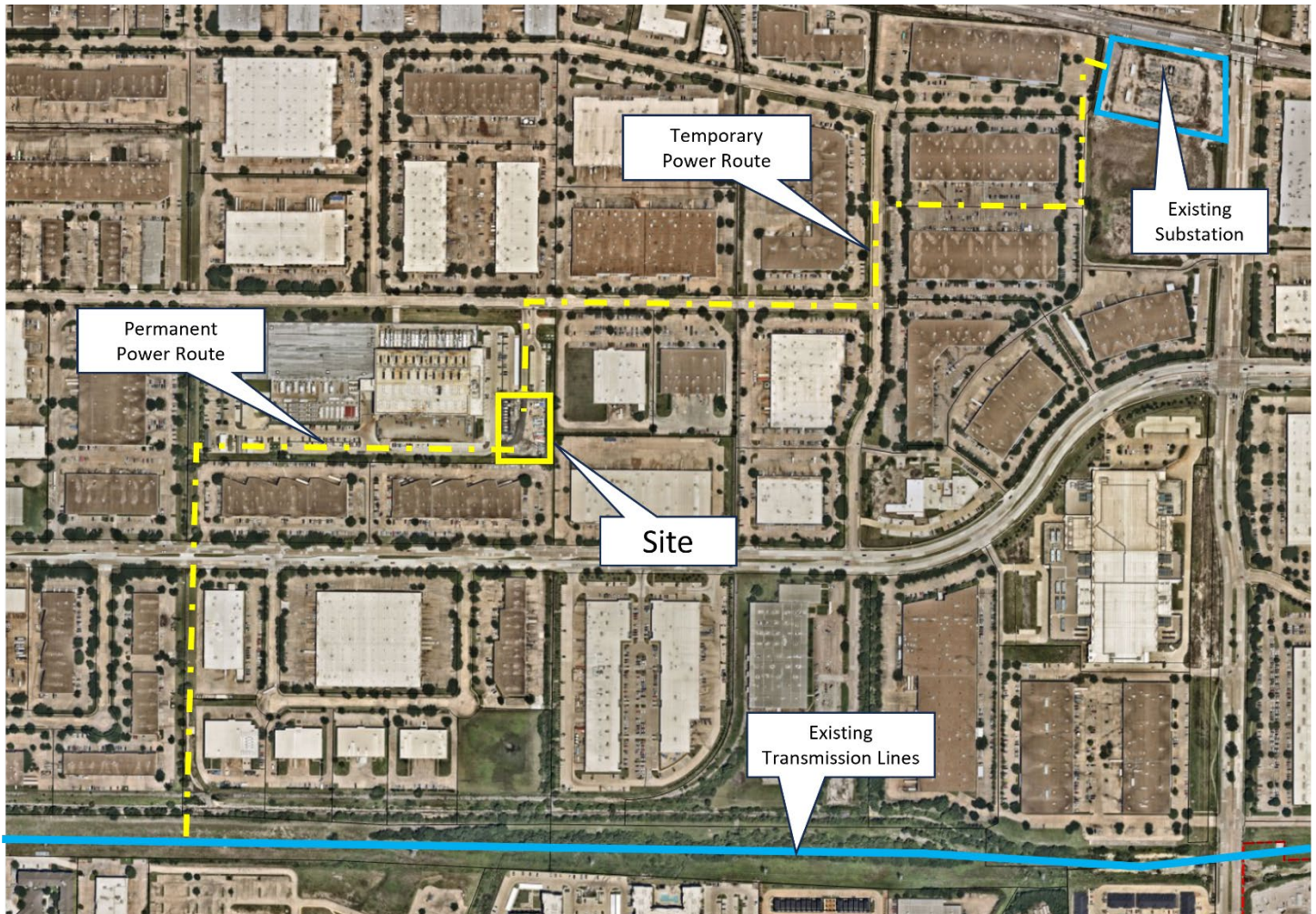
Policy or Study	Analysis
Future Land Use Map and Dashboards	
<i>Description & Priorities</i>	Meets
<i>Mix of Uses</i>	No Change
<i>Character Defining Elements</i>	N/A
Other Comprehensive Plan Maps	N/A
Findings Policy	N/A
Facilities & Infrastructure Policy	Meets

STAFF PRELIMINARY REPORT – ANALYSIS & RECOMMENDATION

Associated Data Center Use

An SUP would allow the applicant to construct a private electric substation to support an existing data center on the property 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



Temporary power to the substation will be provided through a combination of underground and overhead transmission lines coming from an existing substation approximately 0.5 mile to the northeast. The overhead portions of this temporary route will be along Summit Avenue and parts of Klein Road. The applicant is working with Oncor to secure easements for permanent overhead lines to connect the site to an existing transmission line approximately 0.25 mile to the south.

Staff is concerned about the visual impacts of overhead transmission lines in the RT district. There are no restrictions to require private utilities to be placed underground outside of the city right-of-way; the individual property owners could require underground placement as a condition of granting an

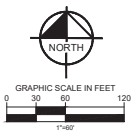
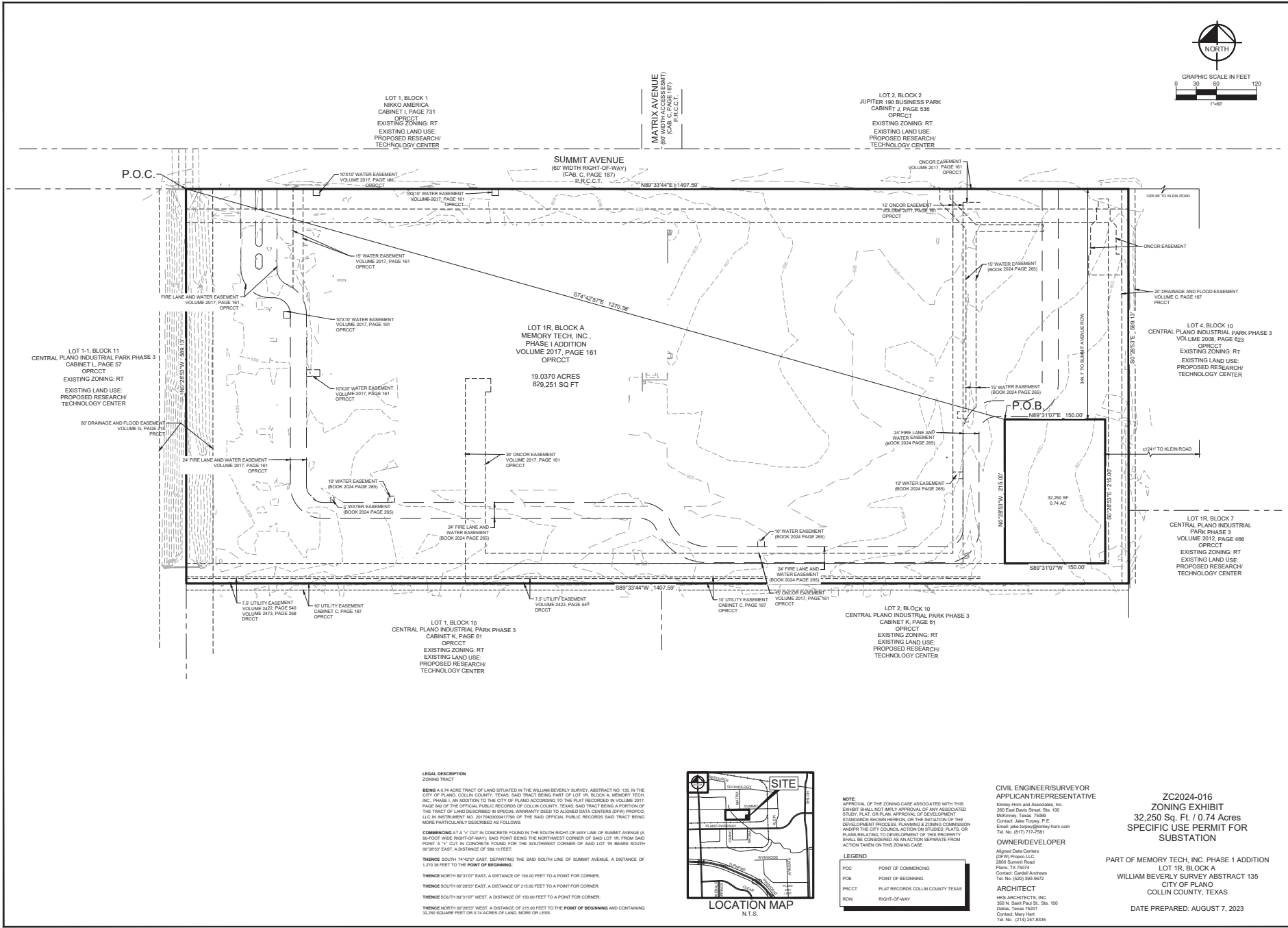
easement to the utility. The city is allowing temporary overhead lines along Klein Road and Summit Avenue due to the presence of underground utilities in the right-of-way.

SUMMARY:

The applicant is requesting a Specific Use Permit for an Electrical Substation associated with an existing data center on the property at 2800 Summit Avenue. The request is generally consistent with policies within the Comprehensive Plan. For these reasons, staff supports the request for a Specific Use Permit for Electrical Substations.

RECOMMENDATION:

Recommended for approval as submitted.



LEGAL DESCRIPTION
ZONING TRACT
BEING A 0.74 ACRE TRACT OF LAND SITUATED IN THE WILLIAM BEVERLY SURVEY, ABSTRACT NO. 135, IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS, SAID TRACT BEING PART OF LOT 1R, BLOCK A, MEMORY TECH, INC., PHASE I, AN ADDITION TO THE CITY OF PLANO, ACCORDING TO THE PLAT RECORDED IN VOLUME 2017, PAGE 842 OF THE OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THE TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO ADJUDICATED DATA CENTERS (SPW) PRODCO, LLC IN INSTRUMENT NO. 20170408341790 OF THE SAID OFFICIAL PUBLIC RECORDS SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A "Y" CUT IN CONCRETE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF SUMMIT AVENUE (A 60' WIDE RIGHT-OF-WAY) SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 1R FROM SAID POINT A "Y" CUT IN CONCRETE FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1R BEARS SOUTH 07°25'00" EAST, A DISTANCE OF 389.13 FEET;
THENCE SOUTH 14°02'51" EAST, DEPARTING THE SAID SOUTH LINE OF SUMMIT AVENUE, A DISTANCE OF 1,270.38 FEET TO THE **POINT OF BEGINNING**;
THENCE NORTH 89°31'07" EAST, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER;
THENCE SOUTH 07°25'00" EAST, A DISTANCE OF 215.00 FEET TO A POINT FOR CORNER;
THENCE NORTH 07°25'00" WEST, A DISTANCE OF 150.00 FEET TO A POINT FOR CORNER;
THENCE SOUTH 07°25'00" WEST, A DISTANCE OF 215.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 32,250 SQUARE FEET OR 0.74 ACRES OF LAND, MORE OR LESS.



NOTE:
APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY PLAT OR PLAT APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INTENTION OF THE DEVELOPMENT PROCESS, PLANNING & ZONING COMMISSION AND/OR THE CITY COUNCIL ACTION ON STUDIES, PLATS, OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

LEGEND

POC	POINT OF COMMENCING
POB	POINT OF BEGINNING
PRCCT	PLAT RECORDS COLLIN COUNTY TEXAS
ROW	RIGHT-OF-WAY

CIVIL ENGINEER/SURVEYOR
APPLICANT/REPRESENTATIVE
Kimley-Horn and Associates, Inc.
280 East Davis Street, Ste. 100
McKinney, Texas 75069
Contact: Jake Trosper, P.E.
Email: jake.trosper@kimley-horn.com
Tel. No. (817) 717-7581

OWNER/DEVELOPER
Aligned Data Centers (DFW) Propts LLC
2800 Summit Road
Plano, TX 75074
Contact: Carol Andrews
Tel. No. (214) 355-8672

ARCHITECT
HKS ARCHITECTS, INC.
350 N. State Street, Ste. 100
Dallas, Texas 75201
Contact: Mary Hart
Tel. No. (214) 257-8335

ZC2024-016
ZONING EXHIBIT
32,250 Sq. Ft. / 0.74 Acres
SPECIFIC USE PERMIT FOR SUBSTATION

PART OF MEMORY TECH, INC. PHASE I ADDITION
LOT 1R, BLOCK A
WILLIAM BEVERLY SURVEY ABSTRACT 135
CITY OF PLANO
COLLIN COUNTY, TEXAS

DATE PREPARED: AUGUST 7, 2023

PROJECT NO. 202300044		Kimley-Horn 280 EAST DAVIS STREET, SUITE 100 MCKINNEY, TEXAS 75069 PHONE: 469-901-5200 TEXAS REGISTRATION NUMBER: 00044-008
SHEET NO. 24/26		
DATE: DECEMBER 2023		
SCALE: AS SHOWN		
DESIGNED BY: KH		ALIGNED PLANO DFW02 2800 SUMMIT AVE PLANO, COLLIN COUNTY, TEXAS ALIGNMENT DATA CENTERS
DRAWN BY: KH		
CHECKED BY: KH		
DATE: 12/15/23		
ZONING EXHIBIT		Kimley-Horn
SHEET NUMBER EXHIBIT		

