

DATE: September 17, 2019
TO: Honorable Mayor & City Council
FROM: John Muns, Chair, Planning & Zoning Commission QA
SUBJECT: Results of Planning & Zoning Commission Meeting of September 16, 2019

**AGENDA ITEM NO. 1A - PUBLIC HEARING
ZONING CASE 2019-008
APPLICANT: FIRST BAPTIST CHURCH OF PLANO**

This is a request to rezone 7.8 acres located at the northeast corner of 14th Street and M Avenue from Planned Development-133-General Office, Retail, and Urban Residential to Planned Development-133-Downtown Business/Government with modified development standards. Zoned Planned Development-133-General Office, Retail, and Urban Residential. Tabled July 1, 2019, August 5, 2019, and September 3, 2019. Project #ZC2019-008.

APPROVED: 5-2 **DENIED:** _____ **TABLED:** _____

The Commissioners voting in opposition expressed concerns on the density and height of the zoning request and associated concept plan.

Speaker Card(s) Received	Support: <u>7</u>	Oppose: <u>3</u>	Neutral: <u>0</u>
Letters Received Within 200' Notice Area:	Support: <u>3</u>	Oppose: <u>4</u>	Neutral: <u>0</u>
Petition Signatures Received:	Support: <u>0</u>	Oppose: <u>0</u>	Neutral: <u>0</u>
Other Responses:	Support: <u>47</u>	Oppose: <u>17</u>	Neutral: <u>0</u>

STIPULATIONS:

Recommended for approval as follows:

Restrictions:

The permitted uses and standards shall be in accordance with the Downtown Business/Government (BG) zoning district, unless otherwise specified herein:

1. General Standards

- a. The existing 4,000 square foot building at the southeast corner of 15th Street and M Avenue must remain onsite and must be used for nonresidential uses only.
- b. Maximum number of multifamily units: 270

- c. Uses located within 75 feet of the southern right-of-way line of 15th Street or located within 200 feet of the eastern boundary of the planned development district must be restricted to single-family residence attached, with the exception of the existing 4,000 square foot nonresidential building.
- d. Parking for Hotel or Motel: One space per room.
- e. Street trees are required at the rate of one tree per 40 linear feet along 14th Street, 15th Street, and M Avenue. Trees shall be placed in planting beds or tree grates within 5 feet of the back of the street curb.
- f. Sidewalks are in addition to and placed adjacent to street tree areas.
 - i. Along 15th Street, a sidewalk with a minimum unobstructed width of 10 feet.
 - ii. Along 14th Street, a 10 foot sidewalk with a minimum unobstructed width of 5 feet.
 - iii. Along M Avenue, a sidewalk with a minimum unobstructed width of 5 feet.

2. Building Standards

- a. The multifamily building along 14th Street must have a building offset with a minimum size of 80 feet in length and 15 feet in depth.
- b. Maximum Height for Nonresidential and Multifamily Uses:
 - i. 4 stories, 52 feet: Buildings must be set back a minimum of 90 feet from the southern right-of-way line of 15th Street.
 - ii. 5 stories, 70 feet: Buildings must be set back a minimum of 165 feet from the southern right-of-way line of 15th Street. Construction of a horizontal structural concrete podium above parking and/or nonresidential uses is not required. However, flex space units are required along the 14th Street frontage.
- c. All units adjacent to 14th Street must have one of the following design features: a true balcony, stoop, or patio to create outdoor living space.

3. Phasing

- a. Prior to or concurrent with the approval of a building permit for any multifamily unit, building permits for a minimum of 19 single-family residence attached lots must be approved.
- b. Prior to issuance of a certificate of occupancy for any multifamily units, the following requirements must be met:

- i. 10,000 square feet of public open space must be installed; and
 - ii. Building permit(s) for a minimum of 10,000 square feet of nonresidential uses must be approved, excluding leasing offices, fitness rooms, and other uses related to multifamily.
4. Single-Family Residence Attached uses must be developed in accordance with the Downtown Business/Government (BG) zoning district requirements except as noted below:
 - a. Maximum Height: 2 stories, 35 feet for units within 80 feet of the eastern boundary of the planned development district and within 325 feet of the southern right-of-way line of 15th Street adjacent to a residential zoning district.
 - b. Outdoor living areas, patios, and decks are allowed above the third stories of single-family residence attached units except for units located within 50 feet of the eastern property line of the planned development district. Improvements must not exceed the maximum building height.
 - c. Minimum Building Setback: 15 feet from the eastern boundary of the planned development district.
 - d. 65% of single-family residence attached lots may abut a mews street as the only point of street frontage and access.
5. Open Space: A minimum of 10% of the gross acreage of the planned development district must be provided as public open space per the following standards. Landscape edges adjacent to streets shall not be considered public open space. A useable open space plan must be submitted as part of any preliminary site plan or site plan for any residential development.
 - a. Usable open space must conform to the general standards in Section 13.800 (Usable Open Space) with the following dimensional standards:
 - i. A primary usable open space with a minimum of 12,375 square feet must be provided. This open space area must be a minimum of 45 feet wide by 275 feet long.
 - ii. Secondary usable open spaces must be provided on the east and west sides of the existing building on 15th Street. The two open spaces shall collectively measure not less than 6400 square feet, with minimum dimensions of 40 feet by 80 feet.
 - iii. Any additional usable open space must not have a minimum dimension less than 15 feet wide by 200 feet long.

- b. Two concrete sidewalks with a minimum width of 5 feet must be constructed at the following locations:
 - i. A minimum of 5 feet from the eastern most property boundary of the planned development connecting 14th Street and 15th Street; and
 - ii. A minimum of 5 feet from the rear property boundary of the western most townhouse lots connecting 14th Street and 15th Street.
6. Fencing and Screening:
 - a. Fencing is restricted to wrought iron, tubular steel, tubular aluminum, masonry or combination of these materials. Fencing must be at least 50% open construction.
 - b. For all nonresidential properties, with the exception of patios, stoops, and balconies, fencing is not permitted in front of any building face.
 - c. A minimum five foot wide irrigated landscape screen and 4 foot tubular steel fence and landscape screen with maximum height of 4 feet must be placed along the entire eastern property boundary of the planned development.
 - d. Fencing is permitted in front yard setbacks, and/or in rear yard setbacks adjacent to common areas up to a maximum of 4 feet in height and must be at least 50% open construction. Fencing in the front and/or rear yard must have an operable gate that opens to the street, public pedestrian path, or open space areas.
7. Mews Street Development Standard: Minimum two 11-foot travel lanes with three feet on each side to accommodate utilities and services. All mews streets must be platted as public streets.
8. Governance Association: Building permits for development within the planned development district shall not be accepted or approved until a property owner's governance association is established. The associated shall be responsible for maintaining all common property, improvements, and amenities within the district. It shall have power sufficient to assess and collect dues and charges as required to perform its responsibilities.

FOR CITY COUNCIL MEETING OF: October 14, 2019 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

RA/amc

xc: Dwayne Weaver, First Baptist Church of Plano
David Foor, Texas Intown Home, LLC
Audra Buckley, Permitted Development

Phyllis Jarrell, City Centric Planning
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/67kB9sGidSgsPYAP6>