

RECOMMENDATION OF THE PLANNING & ZONING COMMISSION

ZONING CASE 2019-012

SEPTEMBER 4, 2019

SECOND VICE CHAIRMAN'S REPORT

Agenda Item No. 3A – Public Hearing

Zoning Case 2019-012 – Request to rezone 110.5 acres located at the southeast corner of Legacy Drive and Headquarters Drive from Central Business-1 to Planned Development-Central Business-1 in order to add uses to specific areas and modify development standards for the entire tract. Zoned Central Business-1. Project #ZC2019-012.

Applicant: SILOS HARVESTING PARTNERS, LP

Staff Recommendation: Staff recommended approval as follows:

1. Finding that the proposed Planned Development district and its stipulations pertaining to building materials are of regional cultural or architectural importance to the community due to its significance for generating economic investment.
2. With the restrictions as follows:

Restrictions:

The permitted uses and standards shall be in accordance with the Central Business-1 (CB-1) zoning district, unless otherwise specified herein:

1. Uses:

The following additional uses are permitted by right:

- i. Mid-rise residential within Tract 1; and,
- ii. Food Truck Park within Tract 2

2. General Standards:

- a. Development of the property, including but not limited to, blocks, streets, open space, bike/pedestrian access, drainage, utilities, and any related easements must comply with the zoning exhibit subject to minor adjustments upon final design and engineering of the pond amenity as agreed to by the City of Plano through the site plan approval process.

b. Streets, Drives, and Sidewalks:

- i. Streets, drives, and sidewalks internal to the development must be constructed in conformance with Zoning Ordinance Sections 10.700.10.A, B, and H, as amended, of the Urban Mixed-Use zoning district standards, with the exception of divided entry drives which must meet City of Plano firelane standards and lot lines may extend to the centerline of the private streets.
- ii. Sidewalks must have a minimum unobstructed width of 7-feet and must be placed along all street frontages. Sidewalks are in addition to and placed adjacent to street tree areas.
- iii. Except as otherwise provided, street trees along public streets must be provided at a rate of one 4-inch caliper tree per 35 feet of street frontage per side. Street trees measuring 12 inches or greater in caliper may be provided at a rate of one tree per 50 feet of street frontage per side. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage. Trees shall be placed in planting beds or tree grates within five feet of the back of the street curb. Exact spacing and location of street trees shall be determined at the time of site plan approval.
- iv. Lots may derive required lot frontage from internal streets that meet the requirements of the Subdivision Ordinance.

c. Minimum setback along Headquarters Drive: 20 feet from back of street curb to building. Canopies, balconies, stoops, bay windows, awnings, and other building projections may encroach up to 5 feet into the setback but may not encroach into the right-of-way.

3. Open Space Standards

- a. Open space must comply with the Zoning Exhibit, subject to minor adjustments upon final design and engineering of the pond amenity, blocks, streets, bike/pedestrian access, drainage, utilities, and any related easements. Minor adjustments cannot decrease the total amount of open space provided on the zoning exhibit.
- b. Open space located between the existing parking garages and the existing concrete fire lane on the east side of the existing parking garages is not required to comply with the “usable open space” standards under Section 10.700.11 of the Zoning Ordinance.
- c. Boardwalk Standards
 - i. The entire pond edge and boardwalk shall utilize the same materials, colors, and hardscape to create a consistent design aesthetic, as established by the initial phase of construction.

- ii. The boardwalk must maintain a minimum width of 10 feet clear and unfenced in all locations and will extend fully from property line to property line along the pond edge.

4. Mid-Rise Residential Standards:

- a. Maximum number of units: 795
- b. Minimum density: 40 dwelling units per acre
- c. Mid-rise residential development is exempt from the supplemental regulations of Sections 13.800 (Usable Open Space) and 15.800 (Multifamily Residence) of the Zoning Ordinance.
- d. Structured parking located within residential buildings, except for entrances/exits into such parking structures, must not be visible from Headquarters Drive. Visible portions of the structured parking for all building elevations must be compatible with the exterior of the main building.
- e. A minimum of 75% of mid-rise residential units must have one of the following design features: a true balcony, stoop, or patio to create outdoor living space except for ground floor units which face Headquarters Drive.
- f. At least 50% of any exposed exterior wall of main buildings, parking structures, and accessory buildings shall consist of glass, native stone, clay-fired brick or tile, or a combination of these materials. All exterior building materials made of glass shall have a maximum exterior visible reflectance of 20%. Other finishes and materials may be used at the sole discretion of the Planning & Zoning Commission if adopted as part of the site plan approval and if permitted by building and fire codes. Any finish and material permitted by building and fire codes and Article 23 of the Zoning Ordinance may be used on the remaining 50% of any exposed exterior wall, except that for buildings 55 feet in height and over this percentage may be increased to 50% for use of metal only. The Planning & Zoning Commission may allow, at its sole discretion, the use of cast concrete, concrete block, and tile, as described in the City of Plano Building Code on exterior walls that are not visible from public thoroughfares. These finishes must be consistent in color with the remainder of the building. These would include the walls of service courts and other facilities that are secluded from view by the specific design of a building or group of buildings.
- g. Minimum parking requirements:
 - i. One bedroom or less: One parking space per unit
 - ii. Two bedrooms: 1.5 parking spaces per unit

- iii. Three bedrooms or more: Two parking spaces per unit
 - h. Maximum Height: Seven stories within 200 feet of single-family lots.
5. Phasing:
- a. Prior to or concurrent with approval of a building permit for any mid-rise residential uses, a preliminary plat for a minimum of 13.9 acres of open space must be approved.
 - b. Except as otherwise provided herein, all streets, drives, sidewalks, landscaping, open space, and associated improvements shown within a phase of development on the zoning exhibit must be completed and approved by the City of Plano prior to the issuance of the first certificate of occupancy for a new building within that phase of development. Within Tract 1 of the zoning exhibit, associated improvements include sidewalks, street trees, and open space constructed and installed consistent with approved open space and landscape plans.
 - c. Boardwalk Phasing and Standards - A boardwalk must be constructed around the pond as shown on the Zoning Exhibit and in segments as consecutively ordered and specified herein.
 - i. Phasing of Boardwalk by Segment
 - 1. Boardwalk Segment 1: Boardwalk parallel to Legacy Drive, boardwalk along the first lot to develop, and any boardwalk necessary to connect these two sections of boardwalk.
 - 2. Boardwalk Segment 2: Boardwalk along the second lot to develop and any boardwalk necessary to connect to the existing boardwalk in Boardwalk Segment 1.
 - 3. Boardwalk Segment 3: All remaining sections of boardwalk around the pond must be constructed within twelve months of the issuance of the first certificate of occupancy for a building associated with Boardwalk Segment 2.
 - ii. No Building Permit or Certificate of Occupancy will be issued on any property within a segment until the boardwalk within the previous segment is complete.
 - iii. The boardwalk on each lot must be completed prior to the issuance of the first certificate of occupancy for that lot.
 - iv. Property owner(s) must enter into a development agreement with the City of Plano to escrow or performance bond all boardwalk improvements prior to approval of the initial plat adjacent to the pond subsequent to approval of this planned development district.

6. Governance Association

Applications for building permits for development within the district shall not be accepted or approved until a property owners' governance association is established. The association 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. It may have additional powers to administer other programs, including but not limited to, security, promotion and marketing and entertainment. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and to other amenities shall also be required and incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

Commission Action: After hearing from the Applicant in support of the item, Chair Muns closed the public hearing. After much discussion, upon a motion made by Commissioner Downs and seconded by Commissioner Beach, the Commission voted 4-3 to approve the item subject to the stipulations recommended by staff. Commissioner Barbera, Commissioner Thomas and Commissioner Stone voted in opposition to the item. Commissioners Gibbons was absent and did not attend the meeting.

Comments made in support of the motion included:

- The difficulty of rezoning a currently existing facility made this project an acceptable compromise that is supported by the comprehensive plan.
- The adjacent residential use makes the proposed residential use contemplated in this project acceptable.
- Adequate demand existed for residential portion of the project
- The proposed project would allow for a safe environment to live and work.

Comments made in opposition of the motion included:

- The location of the requested use is better suited as an employment center and not appropriate for residential use.
- The requested use incompatible with the surrounding office use.
- The requested residential component of this use is not situated in the best location within this project.
- The layout of the structures would obscure the existing aesthetic quality of a significant landmark in the city.

Respectfully Submitted,

Hilton Kong

Hilton Kong Second Vice Chair
City of Plano Planning & Zoning Commission