

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 3, 2019

Agenda Item No. 3A

Public Hearing: Zoning Case 2019-012

Applicant: Silos Harvesting Partners, LP

DESCRIPTION:

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.

REMARKS:

The applicant is requesting to rezone the subject property to create a planned development district to allow additional uses in specific locations on the property and modify development standards for the whole site. The existing zoning is Central Business-1 (CB-1). The CB-1 district is intended for use in conjunction with the CE district to permit a highly concentrated business center similar to traditional downtown areas of major cities. A Planned Development (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 appropriate to both off- and onsite conditions.

The subject property was developed as a corporate office campus for J.C. Penney in the early-1990s. Today, the campus is partially developed with two office buildings totaling approximately 1.8 million square feet, with two parking garages, landscape amenities, and a drainage feature. Excluding existing buildings and other site improvements, approximately 38 acres of land remain undeveloped, primarily along the Headquarters Drive and Legacy Drive frontage. The campus buildings are currently occupied primarily with professional/general administrative offices and include other service uses available to the public such as restaurants, child care, pharmacy, and fitness center. Per the applicant, the building contains approximately 1.83 million square feet of leasable area, of which 1.46 million square feet (80%) are occupied.

With this request, the applicant is proposing to allow mid-rise residential and food truck park uses by right in specific areas of the planned development district. Multifamily uses require approval of a Specific Use Permit (SUP) in the CB-1 district. The applicant is also

proposing to continue the pedestrian-oriented street pattern established to the east and northeast of the subject property and require open space and other standards to support the proposed development form.

A concept plan, Legacy West Addition, Block E, Lots 2R, 5R, 6R, 7R, and 8 accompanies this request as Agenda Item 3B.

Surrounding Land Use and Zoning

North	Across Headquarters Drive, properties are zoned PD-64-CB-1 and CB-1 and are developed with professional/general administrative office uses.
East	Single-family residences zoned PD-65-CB-1, park, retail, and bank zoned CB-1. Across Communications Parkway is a mixed-use development also zoned PD-65-CB-1.
South	Across Legacy Drive, existing and proposed professional/general administrative offices and undeveloped properties zoned Commercial Employment (CE) and Planned Development-40-Commercial Employment (CE).
West	Across Legacy Drive, professional/general administrative offices zoned CE.

Proposed Development Stipulations

The requested zoning is PD-CB-1. There are two primary parts to this request: land use and design standards.

Land Use - The applicant is proposing to allow the following uses by right:

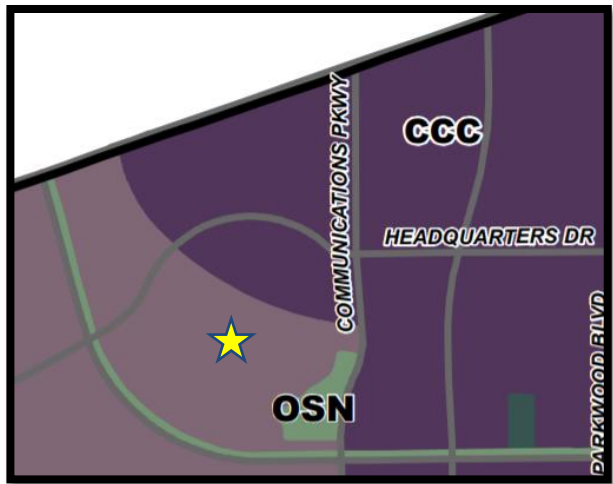
- Mid-Rise Residential (minimum five floors of multifamily residential occupancy) to the area northeast of the existing buildings and as defined by Tract 1 on the zoning exhibit, and
- Food Truck Park to the area south and west of the existing buildings and as defined by Tract 2 on the zoning exhibit.

Design Standards - The language in the proposed PD district would allow the site to be developed with street, sidewalk, open space, and other standards intended to support a higher concentration of uses and encourage livability and walkability.

Conformance to the Comprehensive Plan

Future Land Use Map - The Future Land Use Map designates the northern portion of the property as Compact Complete Center (CCC) and the remainder, and majority of the property, as Employment Center (EC).

The CCC future land use category applies to areas that may see new growth or experience significant redevelopment. Compact Complete Centers should include mid-rise buildings with office, retail, service, entertainment, and residential uses, which are based on the concepts of mixed-use, community design, and where possible, transit-oriented design. Uses should be integrated within the development and should create self-contained neighborhoods that are navigable by walking or using bicycles. Uses should also be serviced by parking structures to reduce surface parking and encourage efficient use of land. Useable open space will be included within the centers to create active and interesting public spaces.



The EC future land use category applies to business centers. The primary uses for employment centers are commercial uses which provide 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. Adequate building setbacks must be considered when development is proposed near neighborhoods. Residential development is not appropriate within these centers in order to ensure the city's ability to attract and maintain employment generating uses.

The northern portion of the subject property is designated as CCC; the remainder, and majority of the property, is designated as EC. The CCC and EC designations are distinct in regards to recommended uses and site design. The applicant's request separates the subject property into two tracts with uses and standards intended to incorporate the recommendations of the two Future Land Use Map categories.

The CCC designated portion of the property includes two small undeveloped parcels available for infill development. This portion of the property is identified as Tract 1 within the zoning exhibit and is referenced in the planned development stipulations. The applicant is proposing mid-rise residential buildings served by structured parking. Additionally, the zoning exhibit identifies pedestrian pathways connecting the residential development to the office development, open space, and adjacent future city park.

The remainder, and significantly larger portion of the subject property, is designated as EC. This portion includes the majority of the undeveloped land and an existing pond amenity. This area is identified as Tract 2 within the zoning exhibit and planned development stipulations. Tract 2 includes uses in conformance with the current CB-1 zoning; although, the applicant is proposing the additional use of food truck park by right.

The planned development proposes blocks to be separated by pedestrian-oriented streets built with wide sidewalks, on-street parking, and street trees in accordance with city standards. Tract 2 focuses development around a centralized pond amenity with a proposed boardwalk improvement. As shown, commercial uses could be developed with either surface or structured parking. The connectivity, open space, and other amenities are important to create a development pattern and environment suitable to support quality of life for the residents in Tract 1 in addition to supporting a quality business environment for the density anticipated by CB-1 zoning.

Growth and Change Map - The purpose of the Growth and Change Map is to describe the level of change that is expected to occur on sites around the city and provide general direction for new development and redevelopment projects. The Growth and Change Map designates the subject property as Conserve and Enhance (CE).

CE areas are expected to retain the current form of development but will experience some minor infill and ongoing rehabilitations consistent with the present form and character.



The existing CB-1 zoning currently allows multi-story buildings with minimal building setbacks as shown on the companion concept plan. Although the requested PD would change the permitted uses, the restrictions would allow the existing suburban office campus to remain, but would change the present form and character of the property to accommodate urban development with pedestrian-oriented street standards. This level of change may be consistent with rehabilitation of the existing suburban-style office campus as is specified by the Conserve and Enhance designation, due to the existing zoning and combination of Future Land Use designations on the site.

Taking a broad view of development in the general area, the applicant's zoning request allows this property to serve as a transition between two development styles. The applicant is proposing standards that would marry the urban development form occurring to the east and northeast of the subject property with redevelopment of the existing low-rise campus development onsite, and existing low-density development to the west and south. The proposed rehabilitation is not consistent with the existing form, but, except for land use requests, is allowed by right under the current CB-1 zoning.

Land Use Policy - *Plano will support a system of organized land uses to provide greater housing and employment choices, where new and redevelopment areas respect existing neighborhoods and businesses.*

The requested PD would provide greater housing and employment choices for the area. The residential uses are organized to be contiguous with the existing single-family residences within the adjacent PD-65-CB-1. The proposed planned development

requires standards that would respect the existing corporate campus by allowing the office development and some immediate open space amenities to remain, while complimenting them with new development and urban street standards throughout the remainder of the property. The request intends to blend the suburban corporate campus with new, infill commercial development along Legacy Drive and Headquarters Drive, supported by additional housing adjacent to existing residential to the east.

The proposal includes open space placed adjacent to the existing single-family neighborhood to the east, preserving the existing trees and open area. This open space area varies, but is approximately 100 feet at the narrowest. Additionally, the applicant is proposing a maximum building height within proximity to the existing single-family residences. Further, the applicant is proposing street trees and enhanced facade materials along the Headquarters Drive street frontage, facing existing commercial properties. The request has been organized and developed with standards demonstrating respect for existing neighborhoods and businesses. This zoning request is in conformance with the Land Use Policy.

Community Design Policy - *Plano will promote and incorporate unique and functional community design components with new developments, public spaces, and streetscapes to enrich areas throughout the city, create distinctive visual character, and ensure a citywide pedestrian-friendly environment.*

The requested PD includes required open spaces and pedestrian-oriented streets throughout the subject property. The creation of a boardwalk along the pond and the existing plaza open space to the north of the existing campus could create areas of distinctive visual character within the subject property. If these areas are developed and established with a focus on creating distinctive visual character and maintaining the pedestrian-friendly environment, this zoning request would be fully in conformance with the Community Design Policy.

Undeveloped Land Action Statement UL3 - *Situate new housing growth adjacent to existing residential neighborhoods.*

The applicant is proposing housing adjacent to the existing single-family residences within PD-65-CB-1 to the east. This request is in conformance with this policy statement.

Adequacy of Public Facilities - Water and sanitary sewer services are currently in place to serve the subject property. The available sanitary sewer capacity is sufficient to handle additional commercial development in the area; however, the applicant may be responsible for making improvements to the sanitary sewer system to increase the system capacity, if the property is developed with residential uses.

School Capacity - The subject property is served by both the Plano Independent School District and the Frisco Independent School District. The residential uses have been restricted to the portion of the site served by the Frisco Independent School District, which has provided a letter regarding school capacity and staff has included as an attachment.

Public Safety Response Time - The nearest fire station is Station 13, located approximately a half-mile away. Based upon existing personnel, equipment and facilities, fire emergency response times will be sufficient to serve the site. Residential units in this area will increase EMS and fire calls for service, and may impact future staffing levels and the type of equipment assigned to area fire stations.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request. However, in considering the traffic impact using the average Institute of Traffic Engineers (ITE) trip generation rates, staff compared the introduction of 795 mid-rise residential units on a portion of Tract 1 versus the potential development of 250,000 square feet of office uses within the same land area. The following table shows the estimated traffic generation during a single hour during weekday peak hour (7:00-9:00 a.m. and 4:00-6:00 p.m.):

	Building Area or Unit Total	AM	PM
Possible Professional general/administrative office (Tract 1)	250,000 square feet	388	373
Proposed Mid-Rise Residential (Tract 1)	795 units	278	350

From the table above, the ITE data projects that multifamily residential development would generate 39% less peak hour morning traffic and 7% less peak hour evening traffic.

Access to and Availability of Amenities and Services - Immediately to the east of the subject property is City of Plano park land which is currently not developed. In addition to this future park, the applicant will be providing 13.9 acres of open space and other amenities to serve residents. The subject property falls into [Park Fee Area 14](#), and fees to support future parks will be collected at the time building permits are pulled. Public and private open space will be provided to serve residents within the subject property, per the proposed PD standards.

The subject property is located within the Parr Library’s service area, and service to future residents would be possible with the current library resources.

ISSUES:

Residential Uses

The requested mid-rise residential use is proposed within vacant infill portions of the subject property, adjacent to the existing suburban office campus. The requested PD would allow a total of 795 mid-rise residential units to be constructed within Tract 1 on the zoning exhibit with development standards to specify density, setback, parking, and building design requirements for these uses.

As proposed, mid-rise residential would be permitted in areas which are in conformance with the Comprehensive Plan’s Future Land Use Map and Undeveloped Land Action Statement UL3. The PD proposes standards which would require open space and

pedestrian connections to support residential uses within Tract 1, and the applicant is proposing to locate mid-rise residential adjacent to the existing single-family neighborhood to the east, creating continuity of residential development. Additionally, the applicant is also proposing a height limitation to create predictability for current residents. The height and setback proposed will be similar to the existing and proposed mixed-use development on the east side of Communications Parkway. For these reasons, staff is in support of the proposed mid-rise residential use.

Open Space

The zoning exhibit identifies open space areas defined as follows:

1. Open space - 13.9 acres, including a 7-acre space to the north of the existing office building and other open space areas surrounding the existing office development.
2. Pond amenity - 3.5 acres located adjacent to Legacy Drive.
3. Boardwalk - 0.8 acre encircling the pond amenity.

The proposed PD restrictions specify that open space must be constructed in accordance with the zoning exhibit, with minor adjustments as needed for engineering the pond amenity. In total, open space accounts for 18.2 acres which equates to 17.8% of the subject property, exclusive of public rights-of-way. A majority of the proposed open space areas are adjacent to Tract 1, and will be connected via wide, tree-lined sidewalks to the proposed residential uses and future public park. The pond amenity and boardwalk will be used as amenities for future nonresidential uses. Staff is in support of the proposed open space standards.

Street Standards

The applicant is proposing to utilize the Urban Mixed-Use (UMU) street standards for internal streets. The zoning exhibit and accompanying concept plan show proposed minor streets which will allow lots internal to the site to gain required access and street frontage. The UMU standards require on-street parking, wider sidewalks, and street trees throughout the undeveloped portion of the subject property. The applicant is requesting minor flexibility in these standards to keep two existing divided entrances as currently constructed. Further, the applicant is proposing wider sidewalks and street trees along public street frontages to provide continuity with the Legacy West development to the east. Staff is in support of the proposed street standards.

Phasing

The zoning exhibit shows four phases of development within the subject property. The phasing of development, with associated improvements, is summarized as follows:

Phase I: The existing office buildings, one 7-acre open space, and two 1-acre open space areas.

Phase II: A proposed hotel (Legacy West Addition, Block E, Lot 8), and future nonresidential development. Streets, sidewalks, landscaping, and pedestrian improvements must be constructed prior to the issuance of the first certificate of occupancy for any building, and prior to the approval of a building permit for any use.

Phase III: The mid-rise residential uses, existing parking garages, and open space areas. This phase will include pedestrian connections around the parking garages to create continuity of pedestrian movements around the existing campus buildings.

Phase IV: Future nonresidential development consistent with CB-1 zoning and the PD as proposed, including street improvements.

The phasing standards are related to the timing of construction of improvements, including the boardwalk, and platting of open space. No residential units may receive a building permit until 13.9 acres of open space are shown on an approved preliminary plat. Other improvements including streets, drives, sidewalks, landscaping, and open space, must be completed and approved prior to any certificate of occupancy for a new building within the phase. Additionally, the boardwalk has unique standards to ensure it has a consistent aesthetic and is contiguous to other boardwalk segments. Lastly, the property owner is required to enter into a development agreement with the city to ensure the boardwalk improvements will be constructed. Staff believes the proposed phasing standards are sufficient to require improvements which will support residential and nonresidential development.

Public and private improvements are proposed to be phased. Contractually, some improvements will be completed by the developer and others will be the responsibility of the individual builders. The phasing is intended to protect the overall value of the project as well as ensure consistency through the urban development form. Phasing requirements are included within the PD stipulations so that vertical building construction is completed simultaneously with horizontal public improvements to avoid a disjointed building form that might result in poor community design due to market or other unforeseen conditions.

Building Material Standards

Section 23.200 (Residential Structures) of Article 23 (Exterior Wall Construction Standards) of the Zoning Ordinance contains the following material standards for residential buildings:

“Exterior wall construction for residential structures and retirement housing shall consist of a minimum of 80% masonry, 3-step stucco, and/or glass, with no single wall face of any structure containing less than 50% of its exposed surface of masonry construction. A maximum of 10% of any exposed exterior wall may consist of Exterior Insulation and Finish Systems (EIFS).”

The applicant is proposing a more restrictive standard intended to create higher quality building facades which would require 50% of any exposed exterior wall of main buildings, parking structures, and accessory buildings to consist of glass, native stone, clay-fired

brick or tile, or a combination of these materials. Additionally, all exterior building materials made of glass must have a maximum exterior visible reflectance of 20%.

As a Certified Local Government (CLG), the city may regulate exterior materials on buildings located in a place or area designated for historical, cultural, or architectural importance and significance under zoning. The requested PD includes standards which are intended to create a mixed-use pedestrian-oriented development of architectural importance and significance.

The subject property is part of a large master-planned community known as the Legacy Business Park, which is a 2,600 acre office park consisting of over 15 million square feet of office uses, urban residences, retail, restaurant, business services, and hotels. This area features multiple Fortune 500 companies' national and regional headquarters, and employs upwards of 55,000 employees. The Legacy Business Park is known nationally as an international business hub and contributes to the historical, cultural, architectural, and economic importance of the City of Plano.

To be compliant with state law in regulating building materials, the city must find that the area is of historical, cultural, or architectural importance or significance. The finding is noted in the recommendation of this report. Staff is in support of the proposed building material restrictions.

Other Standards

Finally, the applicant is proposing two other standards associated with the request:

1. Allowing food truck park as an additional permitted use in Tract 2. This use could be incorporated to support businesses onsite and activate public spaces such as the boardwalk area.
2. Since shared improvements are required, a governance association is necessary to ensure responsibility for long-term maintenance of common assets.

The proposed standards are sufficient to require the construction of pedestrian-oriented improvements throughout the site, and to support existing and proposed uses as the property develops in the future. Staff is in support of these standards.

SUMMARY:

This is a request to rezone the subject property **from** Central Business-1 **to** Planned Development-Central Business-1 to allow residential uses and modify development standards. The applicant is proposing to allow mid-rise residential uses within the northwest portion of the property consistent with the CCC designation of the Future Land Use Map. The proposed standards are intended to provide amenities and improvements to support residential uses and future commercial development. The standards are sufficient to support residential development, and the request is generally in conformance with the policies and recommendations of the Comprehensive Plan. Staff is in support of the request.

RECOMMENDATION:

Recommended for 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.