



CITY COUNCIL

**1520 K Avenue, Plano, Texas 75074 and via
Videoconference**

DATE: August 10, 2020

TIME: 7:00 PM

This Council Meeting will be held in the Senator Florence Shapiro Council Chambers. The facility will not be open to the public.

Members of the public are entitled to participate remotely via broadcast by webinar at the following URL location (registration is required by 4:00 p.m. on the day of the meeting):

https://plano.zoom.us/webinar/register/WN_X0hT8W65Sw6kuUtNbE_Irg

The meeting will be live streamed on Plano's website at www.planotv.org for those wanting to watch the meeting but not address the Council.

Emails regarding agenda items may be submitted to councilcomments@plano.gov by 4:00 p.m. on the day of the meeting.

CALL TO ORDER

INVOCATION:

PLEDGE OF ALLEGIANCE / TEXAS PLEDGE:

OUR VISION - PLANO IS A GLOBAL ECONOMIC LEADER BONDED BY A SHARED SENSE OF COMMUNITY WHERE RESIDENTS EXPERIENCE UNPARALLELED QUALITY OF LIFE.

The City Council may convene into Executive Session to discuss posted items in the regular meeting as allowed by law.

COMMENTS OF PUBLIC INTEREST

This portion of the meeting is to allow up to three (3) minutes per speaker with thirty (30) total minutes on items of interest or concern and not on items that are on the current agenda. The Council may not discuss these items, but may respond with factual or policy information. The Council may choose to place the item on a future agenda.

CONSENT AGENDA

The Consent Agenda will be acted upon in one motion and contains items which are routine and typically noncontroversial. Items may be removed from this agenda for individual discussion by a Council Member, the City Manager or any citizen. The Presiding Officer will establish time limits based upon the number of speaker requests.

Approval of Minutes

- (a) July 27, 2020
July 29, 2020
August 2, 2020
Approved

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

- (b) CSP No. 2019-0633-B for Arbor Hills Nature Preserve - Restroom and Storage, Project No. 6967, for the Parks and Recreation Department to G.P. Cooper Industries, Inc. dba Cooper General Contractors in the amount of \$851,914; and authorizing the City Manager to execute all necessary documents. **Approved**

Approval of Expenditure

- (c) To approve an expenditure for architectural professional services for Harrington Library Expansion and Renovation Phase II, Project No. 7198, in the amount of \$547,000 from PGAL, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. **Approved**

ITEMS FOR INDIVIDUAL CONSIDERATION:

Public Hearing Items:

Applicants are limited to fifteen (15) minutes presentation time with a five (5) minute rebuttal, if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The Presiding Officer may amend these times as deemed necessary.

Non-Public Hearing Items:

The Presiding Officer will permit public comment for items on the agenda not posted for a Public Hearing. The Presiding Officer will establish time limits based upon the number of speaker requests, length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit. Speakers will be called in the order cards are received until the cumulative time is exhausted.

- (1) Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-011 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Urban Mixed-Use-2 on 86.2 acres of land located on the west side of Coit Road, 970 feet north of Mapleshade Lane, in the City of Plano, Collin County, Texas, to modify development standards and the locations of nonresidential and flex space/live-work uses, presently zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Crow-Billingsley Ltd. No. 10, Texas Limited Partnership **Conducted and denied**
- (2) **Public Hearing and adoption of Ordinance No. 2020-8-3** as requested in Zoning Case 2020-015 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 4.2 acres of land located on the east side of Robinson Road, 116 feet south of Pine Brook Drive in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Shaddock Acquisitions, LLC **Conducted and adopted**
- (3) Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-013 to amend and add various portions of Article 9 (Residential Districts) and Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to create the Residential Community Design zoning district; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano **Conducted and tabled to 1/25/2021**
- (4) Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-012 to amend and add various portions of Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to create the Neighborhood Business Design zoning district; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano **Tabled to 1/25/2021**
- (5) Public Hearing and consideration of an Ordinance as requested in Zoning Case 2019-022 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 50.3 acres of land located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano **Tabled to 1/25/2021**
- (6) Public Hearing on the FY 2020-21 Recommended Budget and the FY 2020-21 Proposed Community Investment Program (CIP). **Conducted**

- (7) Discussion and Direction regarding Proposed Ad Valorem Tax Rate. **Council approved a not to exceed tax rate of 44.82 per \$100 of appraised value and will hold one public hearing at Council meeting on September 14, 2020.**
- (8) Discussion of the Proposed FY 2020-21 Community Investment Program.
Presented

Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal/L Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. The Senator Florence Shapiro Council Chambers is accessible by elevator to the lower level. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 972-941-7120.



CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020

DEPARTMENT: City Secretary

DIRECTOR:

This Council Meeting will be held in the Senator Florence Shapiro Council Chambers. The facility will not be open to the public.

Members of the public are entitled to participate remotely via broadcast by webinar at the following URL location (registration is required by 4:00 p.m. on the day of the meeting):

AGENDA ITEM: https://plano.zoom.us/webinar/register/WN_X0hT8W65Sw6kuUtNbE_Irg

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RECOMMENDED ACTION: Location Link

ITEM SUMMARY

This Council Meeting will be held in the Senator Florence Shapiro Council Chambers. The facility will not be open to the public.

Members of the public are entitled to participate remotely via broadcast by webinar at the following URL location (registration is required by 4:00 p.m. on the day of the meeting):

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CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: City Secretary
DIRECTOR: Lisa Henderson, City Secretary
AGENDA ITEM: Minutes for July 27, July 29 and August 2, 2020
RECOMMENDED ACTION: Approval of Minutes

ITEM SUMMARY

July 27, 2020
July 29, 2020
August 2, 2020

Approved

ATTACHMENTS:

Description	Upload Date	Type
Preliminary Open Meeting Minutes 7/27/2020	8/3/2020	Minutes
Regular Session Minutes 7/27/2020	8/4/2020	Minutes
Regular Session Minutes 7/29/2020	8/3/2020	Minutes
Special Called Session 8/2/2020	8/4/2020	Minutes

**PLANO CITY COUNCIL
PRELIMINARY OPEN MEETING
July 27, 2020**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Kayci Prince, Mayor Pro Tem
Anthony Ricciardelli, Deputy Mayor Pro Tem
Maria Tu – arrived at 5:03 p.m.
Rick Grady
Shelby Williams
Lily Bao
Rick Smith

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shellie Siemer, Deputy City Manager
Greg Rushin, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Monday, July 27, 2020, in the Florence Shapiro Council Chambers of the Plano Municipal Center and via videoconference. A quorum was present. Mayor LaRosiliere stated the Council would retire into Executive Session, in Training Room A, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney to receive Legal Advice and discuss Litigation, Section 551.071; and to discuss Real Estate matters, Section 551.072: for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Preliminary Open Meeting at 8:02 p.m.

- **Consideration and action resulting from Executive Session discussion**
- **Municipal Court Prosecutor Report** – deferred to a future meeting.
- **Comprehensive Plan Review Committee Update** – deferred to a future meeting.
- **Consideration of 2021 City Council Meeting Dates**
Council expressed concurrence to move the March and December meeting as presented and requested an alternate date for the April 12, 2021 meeting to be brought back at a future meeting.
- **Discussion re: CARES - Small Business Grant Program**
- **Consent and Regular Agendas**
- **Council items for discussion/action on future agendas**
Deputy Mayor Pro Tem Ricciardelli, seconded by Council Member Williams, requested a discussion regarding Campaign Finance Reform at the August 24, 2020 Preliminary Open Meeting with possible action at the September 28, 2020 Council Meeting.

With no further discussion, the Preliminary Open Meeting was adjourned at 8:28 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
REGULAR SESSION
July 27, 2020**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Kayci Prince, Mayor Pro Tem
Anthony Ricciardelli, Deputy Mayor Pro Tem
Maria Tu
Rick Grady
Shelby Williams
Lily Bao
Rick Smith

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
Greg Rushin, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Regular Session on Monday, July 27, 2020 at 8:28 p.m. in the Senator Florence Shapiro Council Chambers of the Plano Municipal Center, 1520 K Avenue and via videoconference. A quorum was present.

Invocation and Pledge

Deputy Mayor Pro Tem Ricciardelli led the invocation and Council Member Grady led the Pledge of Allegiance and Texas Pledge.

Proclamations and Special Recognitions

Proclamation - Every 5th Sunday is “Unity Table Sunday” in Plano and all citizens are encouraged to advocate racial reconciliation and fight inequalities.

Proclamation - July is Parks and Recreation Month in Plano.

Certificates of Appreciation

Kimberly O'Neil - Community Relations Commission

Consent Agenda

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Grady, the Council voted 8-0 to approve all items on the Consent Agenda, as follows:

Approval of Minutes

June 22, 2020

June 30, 2020

(Consent Agenda Item “A”)

Approval of Expenditures

Award/Rejection of Bid/Proposal: (Purchase of products/services through formal procurement process by this agency)

RFP No. 2020-0141-AC for a three (3) year contract with seven (7) one-year City optional renewals for Dental Administration and Vision Policy to Metropolitan Life Insurance Company (MetLife) in the estimated annual amount of \$448,306; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “B”)

RFB No. 2020-0437-ER for Crack & Joint Sealing Requirements Contract, Project No. 6995, for the Public Works Department to Curtco, Inc. for the initial term of \$1,000,000 or two (2) years, whichever occurs first, with two (2) City optional renewals; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “C”)

RFP No. 2020-0089-AC for Cleaning and Inspection of Large Diameter Wastewater Lines for Public Works Department to Hoffman Southwest Corp., dba Professional Pipe Services, in the estimated amount of \$1,947,020; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “D”)

RFP No. 2020-0043-AC for a one (1) year contract with nine (9) one-year City optional renewals for Fire-Rescue Emergency Medical Services (EMS) and Records Management System (RMS) to ESO Solutions Inc. in the estimated annual amount of \$89,980 for the first term and an estimated annual amount of \$65,345 for subsequent renewal terms, for a total estimated contract value of \$678,085; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “E”)

CSP No. 2020-0402-B for High Point Tennis Center Court Resurfacing for the Parks & Recreation Department to Three Colors in the amount of \$124,450; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “F”)

RFB No. 2020-0388-B for Aquatic Center Roof Replacement for Facilities Department to Precision Waterproofing and Roofing, Inc. in the amount of \$321,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “G”)

RFB No. 2020-0567-B for Erosion Control - Prairie Creek at Independence Parkway, Project No. 7051, for the Engineering Department to TREG Erosion Control Specialist, LLC in the amount of \$1,230,000; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “H”)

Purchase from an Existing Contract

To approve the purchase of four (4) Utility Vans for Fleet Services to be utilized by various departments in the amount of \$125,895 from Reliable Chevrolet through an existing contract; and authorizing the City Manager to execute all necessary documents. (SAT Contract No. 20-01-1017) (Consent Agenda Item “I”)

To approve the purchase of one (1) Compost Windrow Turner for Fleet Services to be used by Compost Marketing and Operations in the amount of \$676,333 from Ecoverse Industries through an existing contract; and authorizing the City Manager to execute all necessary documents. (HGAC Contract No. SM10-18A) (Consent Agenda Item “J”)

To approve the purchase of emergency vehicle equipment and supplies for the Police Department in the estimated amount of \$21,526 from GT Distributors, Inc., \$23,524 from Dana Safety Supply, Inc., and \$20,089 from Defender Supply, LLC through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 603-20 and Tarrant County Contract No. 2019-181) (Consent Agenda Item “K”)

To approve the purchase of ammunition for an eight (8) month term, with two (2) one-year optional renewal periods, for the Police Department in the estimated annual amount of \$150,000 from Precision Delta Corporation through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 603-20) (Consent Agenda Item “L”)

To approve the purchase of Infield Mix for High Point Park and Archgate Park for the Parks and Recreation Department in the estimated amount of \$137,700 from MasterTurf Products and Service, Inc. through an existing contract; and authorizing the City Manager to execute all necessary documents. (BuyBoard Contract No. 611-20) (Consent Agenda Item “M”)

To approve the purchase of notebooks with accessories for Technology Services in the amount of \$162,815 from DataSource Mobility through an existing contract; and authorizing the City Manager to execute all necessary documents. (DIR-TSO-4075) (Consent Agenda Item “N”)

Approval of Contract Modification

To approve an increase in the current awarded contract amount of \$45,752 by \$13,792, for a total contract amount of \$59,544, for construction materials testing professional services for West Spring Creek Parkway Service Roads Reconstruction and Water Line Replacement, Project No. 6827, from Alliance Geotechnical Group, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2019-0042-X; Modification No. 1) (Consent Agenda Item “O”)

To approve an increase to the current awarded contract amount of \$38,555 by \$15,000, for a total contract amount of \$53,555, for City of Plano Storm Drainage Design Manual Update, Project No. 7037, from Freese and Nichols, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. (Contract No. 2019-0181-X; Modification No. 1) (Consent Agenda Item “P”)

To approve an increase to the current awarded contract amount of \$1,371,078 by \$54,919, for a total contract amount of \$1,425,997, for Custodial Services for Various Locations from Eagle Maintenance Company, Inc.; and authorizing the City Manager to execute all necessary documents. (Contract No. 2018-0152-C; Modification No. 2) (Consent Agenda Item “Q”)

Approval of Expenditure

To ratify expenditures for goods and services required to respond to the COVID-19 emergency in the estimated amount of \$1,158,775 from: AFL Enterprise Services, Inc., Binswanger Glass Company/Plano, Complete Supply, Inc., Dell Marketing L.P., EHP Consulting LLC, Freeit Data Solutions Inc., Texas Furniture Source Inc. and Uline Inc.; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “R”)

To approve an expenditure for Landscape Architect professional services for Bob Woodruff Park North Masterplan 2020, Project No. 7260, in the amount of \$223,792 from Talley Landscape Architects, Inc. for the Parks and Recreation Department; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “S”)

To approve an expenditure for the High Point North Maintenance Facility, Project No. 6972, in the amount of \$7,837,556 from Pogue Construction Co., LP; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “T”)

To approve an expenditure to conduct a microwave path survey in the amount of \$85,000 from Nokia of America Corporation for the Radio Shop; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “U”)

Approval of Contract / Agreement

To approve an Interlocal Agreement by and between the City of Plano and University of Texas at Dallas in the estimated annual expenditure of \$35,000 for City of Plano employee training for Human Resources; and authorizing the City Manager to execute all necessary documents. (City of Plano Contract No. 2020-0587-I) (Consent Agenda Item “V”)

To approve an Inter-Local Cooperation Agreement with Collin County for participation in Tax Increment Financing Reinvestment Zone Number Four of the City of Plano, Texas; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “W”)

To ratify an Interlocal Cooperation Agreement between the City of Plano and the City of McKinney to perform certain administrative duties for the Collin CARES Emergency Housing and Living Assistance Food Card Assistance Program; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “X”)

To approve a License Agreement with Dallas Area Rapid Transit (DART) and the City of Plano to complete the construction of an 8-in sanitary sewer pipeline encased inside a 16-in casing at northwest corner of US 75 and President George Bush Turnpike (PGBT) crossing KCS railroad; and authorizing the City Manager to execute all necessary documents. (Consent Agenda Item “Y”)

Adoption of Resolutions

Resolution No. 2020-7-1(R): To approve a contract with the Texas Department of Housing and Community Affairs in an amount not to exceed \$146,179 for the Homeless Housing and Services Program under Texas Government Code §2306.2585; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of executing the contract consistent with this resolution, giving required assurances, acting in connection with said contract, and providing required information; and providing an effective date. (Consent Agenda Item “Z”)

Resolution No. 2020-7-2(R): To approve a contract with the Texas Department of Housing and Community Affairs in a total amount not to exceed \$46,496 for the Homeless Housing and Services Program Youth Set-Aside under Texas Government Code §2306.2585; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of executing the contract consistent with this resolution, giving required assurances acting in connection with said contract, and providing required information; and providing an effective date. (Consent Agenda Item “AA”)

Adoption of Ordinances

Ordinance No. 2020-7-3: To amend sections of Article II of Chapter 8, Fire Prevention and Protection, of the Code of Ordinances of the City of Plano, Texas, to communicate the potential penalties for violating the Fire Code more clearly, authorize the Plano Fire Rescue to enforce unlawful parking in the fire lane and establish different penalty levels for parking and non-parking violations; and providing a severability clause, a repealer clause, a savings clause, a penalty clause, a publication clause and an effective date. (Consent Agenda Item “AB”)

Ordinance No. 2020-7-4: To repeal and replace Section 2-100 of the City Code of Ordinances in its entirety to update the training requirements for elected and appointed officials of the City with regard to the City Code of Conduct, ethics, conflicts of interest, open meetings, public information and discrimination and harassment free workplace, and diversity; and providing a repealer clause, a severability clause and an effective date. (Consent Agenda Item “AC”)

Ordinance No. 2020-7-5: To abandon all right, title and interest of the City in and to that certain 0.520 Acre Right-of-Way, recorded in Cabinet F, Page 372, of the Plat Records of Collin County, Texas and being situated in the James Ledbetter Survey, Abstract No. 545, which is located within the city limits of Plano, Collin County, Texas; authorizing the quitclaiming all right, title and interest of the City in such right-of-way to the abutting property owner, East Plano Islamic Center; authorizing the City Manager or his authorized designee to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “AD”)

Ordinance No. 2020-7-6: To abandon all right, title and interest of the City, in and to that certain Right-of-Way situated in the Henry Cook Survey, Abstract No. 183, City of Plano, Collin County, Texas and being part of Communications Parkway (a variable width right-of-way, Volume G, Page 783 and Volume 2015, Page 63, Official Public Records of Collin County, Texas) and part of

Headquarters Drive (a variable width right-of-way, Volume C, Page 774, Volume 2015, Page 63, Volume 2015, Page 601, Official Public Records of Collin County, Texas); quitclaiming all right, title and interest of the City in such Right-of-Way to the property owner, PARCEL H INVESTORS, LP, to the extent of its interest; authorizing the City Manager or his authorized designee to execute any documents deemed necessary; and providing an effective date. (Consent Agenda Item “AE”)

END OF CONSENT

Public Hearing and adoption of Ordinance No. 2020-7-7 as requested in Zoning Case 2020-009 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Planned Development-176-Retail on 39.6 acres of land located at the southeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-176-Retail and located within the Preston Road Overlay District to repeal and replace development standards; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Promontory, Ltd. (Regular Agenda Item “1”)

Fritz Duda, Brian Moore, Jonathan Brown, Robert Staubach, Robert Shaw, Scot Johnson, Frank Turner, and David McNeil representing the applicant spoke to the development or were available for questions. Mayor LaRosiliere opened the public hearing. Linda Bastida spoke in support of the project and Vinny Minchillo spoke in opposition of the project. Mayor LaRosiliere closed the public hearing.

Council Member Grady requested that the owners of the nine residential lots adjacent to the greenbelt have the opportunity for input on tree placement adjacent to their lot as part of the landscape plan approval process.

MOTION: Upon a motion made by Council Member Grady and seconded by Mayor Pro Tem Prince, the Council voted 7-1, with Council Member Bao in opposition, to amend Planned Development-176-Retail on 39.6 acres of land located at the southeast corner of Preston Road and Spring Creek Parkway, in the City of Plano, Collin County, Texas, presently zoned Planned Development-176-Retail and located within the Preston Road Overlay District to repeal and replace development standards; directing a change accordingly in the official zoning map of the City; including the stipulation that adjacent lots will have input on tree placement; as requested in Zoning Case 2020-009 and further to adopt Ordinance No. 2020-7-7.

Public Hearing and adoption of Ordinance No. 2020-7-8 as requested in Comprehensive Plan Amendment 2020-001 to amend the Comprehensive Plan, originally adopted by Ordinance No. 2015-10-9, to remove a portion of Nueces Drive from the Thoroughfare Plan Map and providing an effective date. (Regular Agenda Item “2”)

Mayor LaRosiliere opened the public hearing. No one requested to speak. Mayor LaRosiliere closed the public hearing.

MOTION: Upon a motion made by Mayor Pro Tem Prince and seconded by Council Member Smith, the Council voted 8-0 to amend the Comprehensive Plan, originally adopted by Ordinance No. 2015-10-9, to remove a portion of Nueces Drive from the Thoroughfare Plan Map; as requested in Comprehensive Plan Amendment 2020-001; and further to adopt Ordinance No. 2020-7-8.

Council took a brief recess at 10:36 p.m. and reconvened at 10:43 p.m.

Mayor Pro Tem Prince left the in person meeting at 10:38 p.m. and continued participating via videoconference.

Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's denial of Zoning Case 2019-017 and Concept Plan 2019-010. Request for a Specific Use Permit for Independent Living Facility on 6.0 acres located on the south side of State Highway 121, 545 feet west of Kathryn Lane. Zoned Planned Development-104-Regional Commercial and Planned Development-476-Regional Employment and located within the State Highway 121 Overlay District. Applicant: LA-DF Investment Fund 8, LLC (Regular Agenda Item “3”)

Bill Dalhstom, representing the applicant and Kent Conine, the applicant spoke to the project. Mayor LaRosiliere opened the public hearing. No one requested to speak. Mayor LaRosiliere closed the public hearing.

MOTION: Upon a motion made by Council Member Tu and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 8-0, to remand Zoning Case 2019-017 and Concept Plan 2019-010 to the Planning & Zoning Commission for further study.

Public Hearing and adoption of Resolution No. 2020-7-9(R) to adopt the 2020-2024 Consolidated Plan, outlining the use of Community Development Block Grant funds and HOME Investment Partnerships funds provided by the U.S. Department of Housing and Urban Development; and providing an effective date. (Regular Agenda Item “4”)

Mayor LaRosiliere opened the public hearing. No one requested to speak. Mayor LaRosiliere closed the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Smith, the Council voted 8-0, to adopt the 2020-2024 Consolidated Plan, outlining the use of Community Development Block Grant funds and HOME Investment Partnerships funds provided by the U.S. Department of Housing and Urban Development; and further to adopt Resolution No. 2020-7-9(R).

Public Hearing and adoption of Resolution No. 2020-7-10(R) to adopt the 2020-2021 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2020-2021; and providing an effective date. (Regular Agenda Item “5”)

Mayor LaRosiliere opened the public hearing. No one requested to speak. Mayor LaRosiliere closed the public hearing.

MOTION: Upon a motion made by Council Member Grady and seconded by Council Member Tu, the Council voted 8-0, to adopt the 2020-2021 Action Plan, including the summary of Community Development Block Grant and HOME Investment Partnerships Program activities and proposed use of funds for program year 2020-2021; and further to adopt Resolution No. 2020-7-10(R).

Resolution No. 2020-7-11(R): To authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,958,764 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; and providing an effective date. (Regular Agenda Item “6”)

MOTION: Upon a motion made by Council Member Williams and seconded by Deputy Mayor Pro Tem Ricciardelli, the Council voted 8-0, to authorize the filing of applications for U.S. Department of Housing and Urban Development funds in an amount not to exceed \$1,958,764 under the Housing and Community Development Act and the HOME Investment Partnerships Act; designating the City Manager as Chief Executive Officer and authorized representative of the City for the purpose of giving required assurances, acting in connection with said application and providing required information; and further to adopt Resolution No. 2020-7-11(R).

Resolution No. 2020-7-12(R): To approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and County of Denton, Texas for CARES Act/Municipal Funds disbursement to address and respond to COVID-19, authorizing its execution by the City Manager; and providing an effective date. (Regular Agenda Item “7”)

MOTION: Upon a motion made by Council Member Bao and seconded by Council Member Smith, the Council voted 8-0, to approve the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Plano, Texas and County of Denton, Texas for CARES Act/Municipal Funds disbursement to address and respond to COVID-19, authorizing its execution by the City Manager; and further to adopt Resolution No. 2020-7-12(R).

With no further discussion, the Regular City Council Meeting adjourned at 11:43 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

**PLANO CITY COUNCIL
OPEN MEETING
July 29, 2020**

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Kayci Prince, Mayor Pro Tem
Anthony Ricciardelli, Deputy Mayor Pro Tem
Maria Tu
Rick Grady
Shelby Williams
Lily Bao – arrived at 5:02 p.m.
Rick Smith

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
Greg Rushin, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere called the meeting to order at 5:00 p.m., Wednesday, July 29, 2020, via videoconference. A quorum was present.

- **Overview of 2019-20 Budget & Community Investment Program (CIP)**
- **Recommended 2020-21 Budget & Community Investment Program (CIP)**
- **Budget Presentation**
- **Water & Sewer Rate Model Update and Wastewater Rate Increase**
- **Resolution No. 2020-7-13(R):** To provide the City Manager authority related to personnel, procurement, public meetings and City Code and policy decisions necessary for issues that arise during the state and federal emergency declarations related to the novel coronavirus (COVID-19); and providing an effective date.

MOTION: Upon a motion made by Council Member Bao and seconded by Mayor LaRosiliere, the Council voted 7-1, with Council Member Grady in opposition, to provide the City Manager authority related to personnel, procurement, public meetings and City Code and policy decisions necessary for issues that arise during the state and federal emergency declarations related to the novel coronavirus (COVID-19); setting an expiration date of September 28, 2020 and further to adopt Resolution No. 2020-7-13(R).

With no further discussion, the Preliminary Open Meeting was adjourned at 6:54 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

PLANO CITY COUNCIL
Special Called Session
August 2, 2020

COUNCIL MEMBERS PRESENT

Harry LaRosiliere, Mayor
Kayci Prince, Mayor Pro Tem
Anthony Ricciardelli, Deputy Mayor Pro Tem
Maria Tu
Rick Grady
Shelby Williams
Lily Bao – Arrived at 1:02 p.m.
Rick Smith

STAFF PRESENT

Mark Israelson, City Manager
Jack Carr, Deputy City Manager
Shelli Siemer, Deputy City Manager
Greg Rushin, Deputy City Manager
Paige Mims, City Attorney
Lisa C. Henderson, City Secretary

Mayor LaRosiliere convened the Council into the Special Called Session on Sunday, August 2, 2020 at 1:00 p.m. via videoconference. A quorum was present.

The following individuals addressed the City Council:

Cheryl Jackson spoke to a street name change.

Andy Shufer spoke to City Council support for foreign aid.

Colleen Aguilar Epstein spoke to the lawsuit and repeal of the Plano Tomorrow Plan.

Larry Howe spoke in support of the Plano Tomorrow Plan.

Ed Acklin spoke to stop any additional legal action.

Robert Miller spoke in support of an election.

Rohit Joy spoke to repeal of the Plano Tomorrow Plan.

Mayor LaRosiliere stated the Council would retire into Executive Session at 1:16 p.m., via videoconference, in compliance with Chapter 551, Government Code, Vernon's Texas Codes Annotated in order to consult with an attorney to receive Legal Advice and discuss Litigation, Section 551.071; for which a certified agenda will be kept in the office of the City Secretary for a period of two years as required.

Mayor LaRosiliere reconvened the meeting back into the Special Called Session at 2:57 p.m.

I. Consideration and action resulting from Executive Session discussion

For clarification, the Mayor stated and asked for a show of hands that “We have decided as a Council we choose not to appeal.” All Council Members were in agreement.

Upon a motion made by Council Member Bao and seconded by Mayor LaRosiliere, the Council voted 8-0, to direct staff to bring an agenda item for Wednesday, August 5, 2020 to consider repeal of the Plano Tomorrow Plan and replace it with the 1986 plan as it existed right before the adoption of the Plano Tomorrow Plan.

As a result of the action by the City Council, City Secretary Henderson will present the petition to comply with the court order.

Nothing further was discussed. Mayor LaRosiliere adjourned the meeting at 3:00 p.m.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Parks
DIRECTOR: Ron Smith, Director of Parks and Recreation
AGENDA ITEM: Award of a proposal in the amount of \$851,914 for the Arbor Hills Nature Preserve - Restroom and Storage, Project No. 6967
RECOMMENDED ACTION: Award/Rejection of Bid/Proposal

ITEM SUMMARY

CSP No. 2019-0633-B for Arbor Hills Nature Preserve - Restroom and Storage, Project No. 6967, for the Parks and Recreation Department to G.P. Cooper Industries, Inc. dba Cooper General Contractors in the amount of \$851,914; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

The Parks and Recreation Department recommends approval of award for construction services to G.P. Cooper Industries, Inc. dba Cooper General Contractors for the Arbor Hills Restroom and Storage project in the amount of \$851,914.

In 2016, it was identified that the capacity within the existing restrooms were underserving patron needs at the park as evidenced by wait lines. The project to provide additional restroom capacity was included and approved in the 2017 Bond Referendum. This project includes the construction of a new restroom building with eight stalls and renovates the existing restroom building converting it from six stalls into one large family restroom leaving some remaining space for storage. The new restroom building will provide more capacity for individual park patrons decreasing wait times experienced with the current building. And, the conversion of the existing restroom building to a family restroom will help alleviate wait times in the building with the single stalls. As Arbor Hills is one of the most heavily used park sites, providing this extra restroom capacity improves the level of service to our patrons.

The project was solicited as a Competitive Sealed Proposal to secure an experienced contractor and to ensure a project proposal that ensures pinpoint phasing of the project designed to minimize disruptions to park users as well as the park itself. We received three responses to this request.

All proposals were reviewed and evaluated according to the published criteria. The recommended vendor received the highest scores in the technical evaluation categories (Project Approach and Management Plan & Relevant Experience and References). The recommended vendor has relevant experience in custom vertical structures and their proposal included a detailed and clear project approach. This vendor submitted the second lowest cost; however, the score of the technical criteria placed this vendor as the best overall value for the Arbor Hills Restroom and Storage project.

The contract fee is \$851,914 which includes all construction costs for the new restroom and renovation costs for the existing restroom.

The benefits of this project includes additional restroom capacity and storage space. Not approving the

expenditure will not provide the needed restroom capacity and storage space.

FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2019-20 Park Improvements CIP and Capital Maintenance Fund and is planned for both funding sources in 2020-21, as well. Construction and renovation of restroom and storage facilities at the Arbor Hills Nature Preserve, in the total amount of \$851,914, will leave a combined current year balance of \$1,130,367 for future project expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government with Safe, Vibrant Neighborhoods and meets the Plano Tomorrow Pillar of Natural Environment.

ATTACHMENTS:

Description	Upload Date	Type
CSP Recap	8/3/2020	CSP Recap
Location Map	6/29/2020	Map

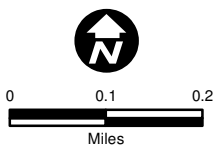
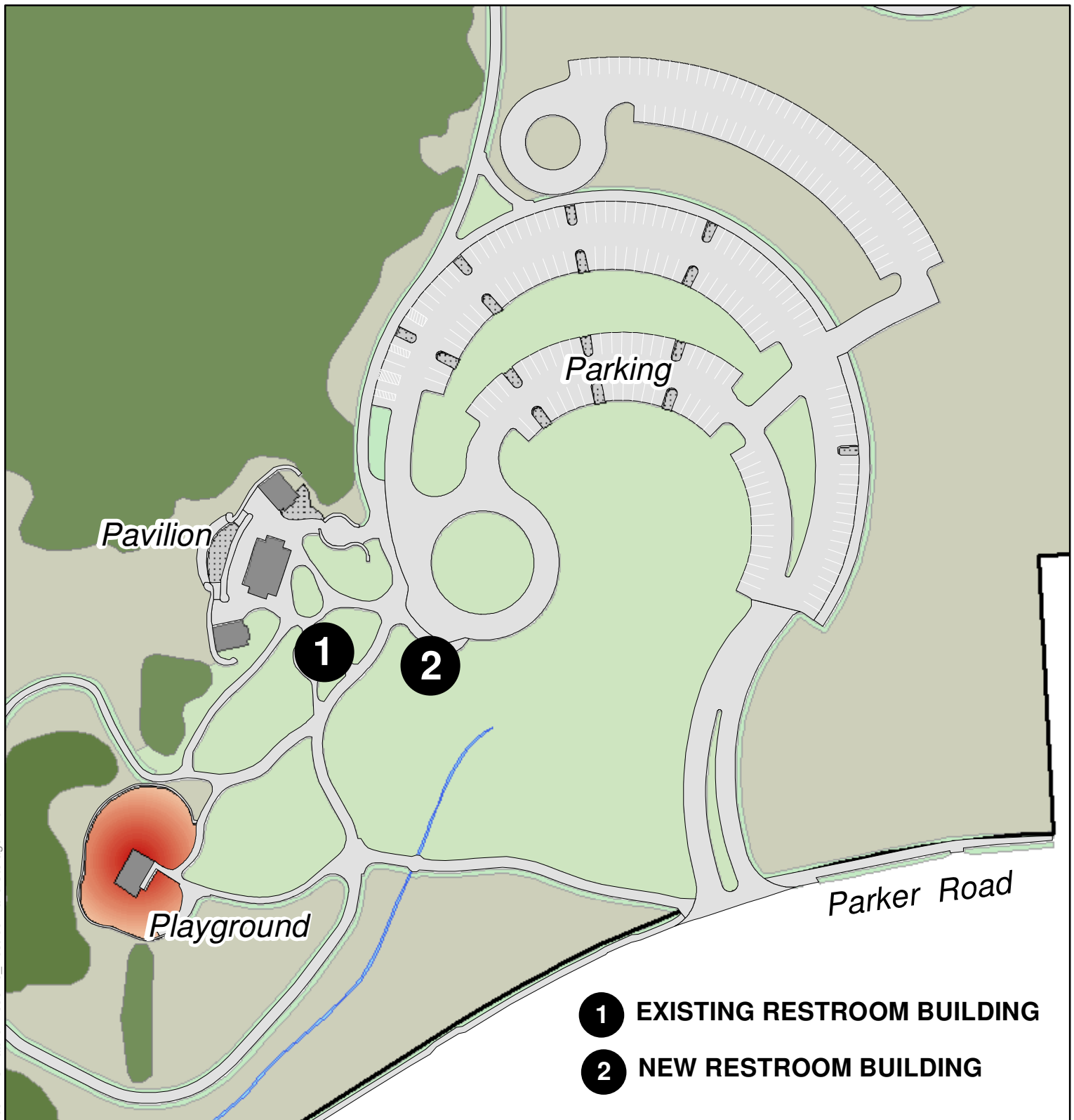
City of Plano
CSP No. 2019-0633-B
Arbor Hills Nature Preserve - Restroom and Storage
Project No. 6967
CSP Recap

Opening Date/Time: March 17, 2020 at 2:00 PM
Number of Vendors Notified: 885
Vendors Submitting "No Bids": 6
Number of Responsive Submissions: 3
Number of Non-Responsive Submissions: 0

The following Evaluation Criteria was used in determining the best value award recommendation.

CRITERIA	WEIGHT
Project Cost	50% (2.5 points)
Project Approach and Management Plan	25% (1.25 points)
Relevant Experience and References	25% (1.25 points)
Total	100% (5 point max)

Vendor	Score - Max of 5	Rank	Total Cost
G.P. Cooper Industries, Inc. dba Cooper General Contractors	4.43	1	\$ 851,914.00
Joel Brown & Co., LLC dba J.B. & Co., LLC	3.71	2	\$ 839,842.00
Concord Commercial Services, Inc.	3.09	3	\$ 855,025.30



City of Plano Park Planning Division
6/25/2020

Location Map

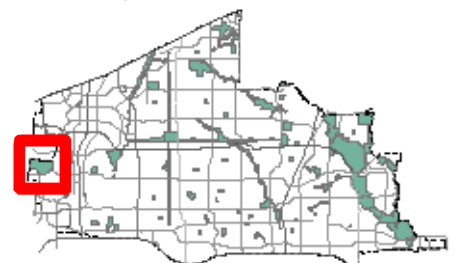
Arbor Hills Nature Preserve Restroom and Storage

6701 W. Parker Road
Plano, TX 75093

Project Number: 6967

Page 24

Project Location



CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Engineering
DIRECTOR: B. Caleb Thornhill, P.E., Director of Engineering
AGENDA ITEM: Harrington Library Expansion & Renovation Phase II
RECOMMENDED ACTION: Approval of Expenditure

ITEM SUMMARY

To approve an expenditure for architectural professional services for Harrington Library Expansion and Renovation Phase II, Project No. 7198, in the amount of \$547,000 from PGAL, Inc. for the Engineering Department; and authorizing the City Manager to execute all necessary documents. **Approved**

BACKGROUND

Through a Request for Qualifications process (RFQ 2019-0353-X), the City received qualifications from thirteen (13) firms for the Harrington Library Expansion and Renovation Phase II project on May 17, 2019. The Evaluation Team consisted of Libraries Department and Facilities staff and requested the five top-scoring firms be interviewed. The Team requested that the interviewed firms prepare a general concept(s) that should fit in the project, discuss their approach to design, programming, and fact finding as it pertained to this specific project, and to provide an overall projected timeline for their deliverables, discuss recent experience with renovations of existing libraries and how that translated to this project, and elaborate on potential challenges for this project. One firm withdrew prior to the interviews citing inability to commit to the time schedule. Based on their proposed project team, project approach and interview, staff selected PGAL, Inc.

Staff determined that the initial agreement should be for programming and schematic design only to best determine the scope of the project attainable within the budget constraints, and the City entered into an Architectural Services Agreement on October 28, 2019, for the initial Phase I of design. After extensive programming and schematic concepts, staff and the consultant determined the best course of action to complete the project. Staff requested PGAL, Inc. submit their proposal for the scope and fees for the remaining full design, including addressing Americans with Disabilities Act deficiencies identified in the City of Plano ADA Transition Plan for the site but outside the scope of the original project, and construction administration of the subject project.

This agreement provides for Phase II of the design development, construction documents and construction administration for the interior renovations and expansion of Harrington Library which will meet the citizen's approved program in the 2017 Bond Referendum. Staff agrees that the fee of \$547,000 is reasonable for the work and recommends approval to continue design and complete the project.

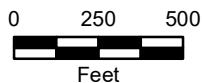
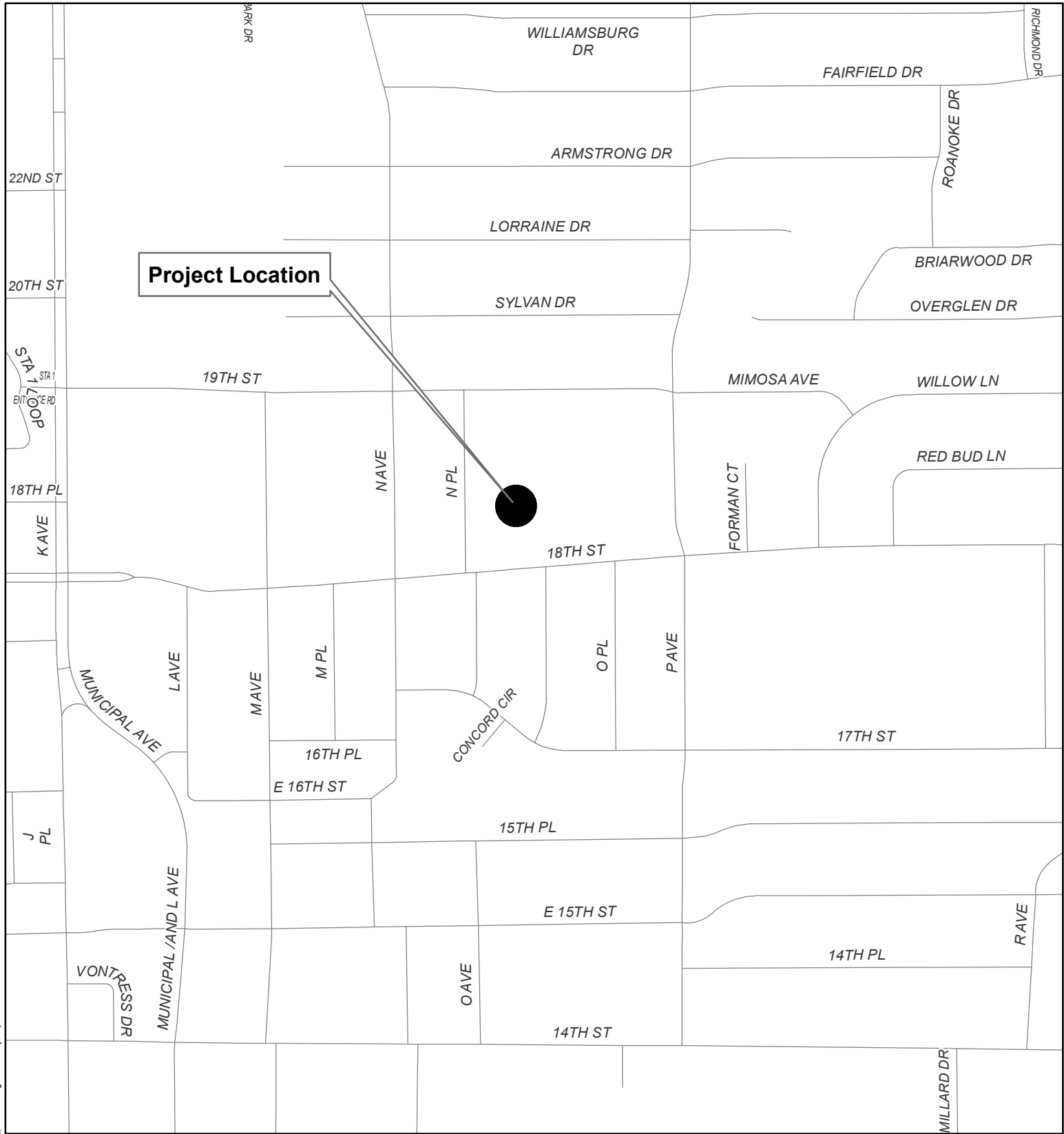
FINANCIAL SUMMARY/STRATEGIC GOALS

Funding for this item is available in the 2019-20 Library Facilities CIP and is planned for 2020-21, as well. Professional design services, in the total amount of \$547,000, will leave a current year balance of \$477,000 for future project expenditures.

Approval of this item will support the City's Strategic Plan Critical Success Factor of being an Excellent, Innovative, and Accountable City Government and meets the Plano Tomorrow Pillar of Built Environment.

ATTACHMENTS:

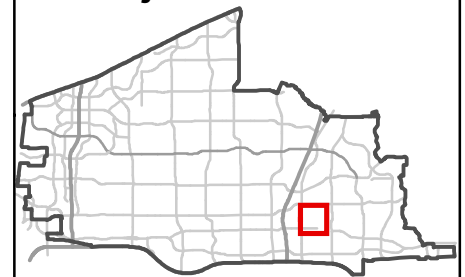
Description	Upload Date	Type
Location Map	7/28/2020	Map



Harrington Library Expansion and Renovation

Project No. 7198

Project Location



CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Zoning
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-011.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-011 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Urban Mixed-Use-2 on 86.2 acres of land located on the west side of Coit Road, 970 feet north of Mapleshade Lane, in the City of Plano, Collin County, Texas, to modify development standards and the locations of nonresidential and flex space/live-work uses, presently zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Crow-Billingsley Ltd. No. 10, Texas Limited Partnership **Conducted and denied**

BACKGROUND

P&Z approved by a vote of 5-2.

FINANCIAL SUMMARY/STRATEGIC GOALS

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the attached write-up.

ATTACHMENTS:

Description	Upload Date	Type
ZC2020-011 - Follow Up	7/24/2020	P/Z Follow-up Memo
ZC2020-011 - Write-Up	7/24/2020	Staff Report
ZC2020-011 - Locator	7/24/2020	Map
ZC2020-011 - Aerial	7/24/2020	Map
ZC2020-011 - Zoning Exhibit	7/27/2020	Map
ZC2020-011 - Development Plan	7/24/2020	Map
ZC2020-011 - Applicant Letter	7/27/2020	Letter
ZC2020-011 - Ordinance with Attachments	7/29/2020	Ordinance

DATE: July 21, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020

AGENDA ITEM NO. 3 - PUBLIC HEARING

ZONING CASE 2020-011

APPLICANT: CROW-BILLINGSLEY, LTD. NO. 10, TEXAS LIMITED PARTNERSHIP

Request to amend Urban Mixed-Use-2 on 86.2 acres located on the west side of Coit Road, 970 feet north of Mapleshade Lane to modify development standards and the locations of nonresidential and flex space/live-work uses. Zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District. Project #ZC2020-011.

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

The Commissioners voting in opposition were not in support of the proposed changes to the UMU-2 zoning district.

Speaker Card(s) Received	Support: <u>0</u>	Oppose: <u>6</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>2</u>	Neutral: <u>0</u>

STIPULATIONS:

Recommended for approval as follows: (Additions are indicated by underlining; deletions are indicated by strike-through)

Restrictions:

The permitted uses and standards shall be in accordance with the Urban Mixed-Use (UMU) zoning district standards unless otherwise specified herein.

The development plan shall be adopted as part of the ordinance.

Exceptions of the UMU District

1. Blocks A and B:

a. Minimum Lot Coverage: 15%

- b. Minimum FAR: 0.15:1
 - c. Maximum Setback from Coit Rd.: 160 feet
 - d. Minimum Height: One story; 24 feet
2. Blocks D, E, K, N, P, Q, and R may exceed maximum block size of 3 acres.
 3. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
 4. Reduce nonresidential parking ratio from 1:250 square feet to 1:190 square feet.
 5. Block B
 - a. The single-tenant maximum first floor square footage is 50,000 square feet.
 - b. A minimum of 40% of the first floor of a single-tenant building must consist of windows and doors, and 20% must consist of a living/landscaped wall or public art wall.
 6. No main street is required; however, at least 80% of any exposed exterior wall of main buildings, parking structures, and accessory buildings which front along Beacon Square Boulevard, will consist of glass, native stone, clay-fired brick or tile, or a combination of these materials in order to establish a consistent architectural design district and community identity. For office buildings, this requirement will apply to the first floor only.
 7. Block J
 - a. Minimum FAR: 0.6:1
 - b. Minimum Lot Coverage: 30%
 8. The street located south of Block S may utilize the alternative minor street standard as designed on the development plan.
 9. Blocks M, N, P, and R
 - a. The single-tenant maximum first floor square footage is 50,000 square feet.
 - b. The total combined first floor building square footage of any building must not exceed 60,000 square feet. A paseo, which is an outdoor public pedestrian pathway where no vehicular access is allowed except for emergency services,

must be provided as a block break to divide the first floor of the building. Each first floor footprint may have no more than 30,000 square feet. Paseos must have a minimum 25 foot width. Buildings may encroach no more than 10 feet within the 25 foot paseo if utilizing glass storefront, patios, or similar aesthetic designed to engage the pedestrian."

- c. Each upper floor must not exceed 50,000 square feet.
- 10. Signage located along exterior public rights-of-way must comply with Section 22.600 (190 Tollway/Plano Parkway and State Highway 121 Overlay Districts) of Article 22 (Signs) except that identification signs may have a maximum size of 150 square feet.
- 11. All signage internal to the development along major and minor streets must comply with the signage standards of Subsection 10.800.6 (Sign Regulations) of Section 10.800 (Downtown Business/Government District) of Article 10 (Nonresidential Districts) with the following exceptions:
 - a. Signage may be illuminated.
 - b. Stainless steel, perforated metal, and acrylic panel are additional allowed sign finishes.
 - c. Monument signs are allowed for office uses within Blocks M, N, P, and R only. Monument signs may not exceed five feet in height or 75 square feet in area. A maximum of two monument signs are allowed per block. The use of office monument signs will reduce the allowable tenant wall signage to a maximum of two signs per building facade.

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

DF/amc

xc: Kenneth Mabry, Crow Billingsley Limited No. 10
Tom Holland, Crow Billingsley, Ltd.
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/8i5UAxcMMT7UAjTV7>

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2020

Agenda Item No. 3

Public Hearing: Zoning Case 2020-011

Applicant: Crow-Billingsley Ltd. No. 10, Texas Limited Partnership

DESCRIPTION:

Request to amend Urban Mixed-Use-2 on 86.2 acres located on the west side of Coit Road, 970 feet north of Mapleshade Lane to modify development standards and the locations of nonresidential and flex space/live-work uses. Zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District. Project #ZC2020-011.

REMARKS:

The requested zoning is to amend Urban Mixed-Use-2 (UMU-2). The original district was adopted in 2014 and the subject property is currently undeveloped. The applicant is beginning the first phase of development and is requesting several changes. The UMU district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of urban mixed-use centers which promote social interaction, community identity, and efficient use of land and resources. The UMU district should also support and encourage a variety of transportation options, including transit, bicycles, and walking. The zoning district is applicable primarily to large undeveloped properties where higher density residential and commercial uses are appropriate.

Surrounding Land Use and Zoning

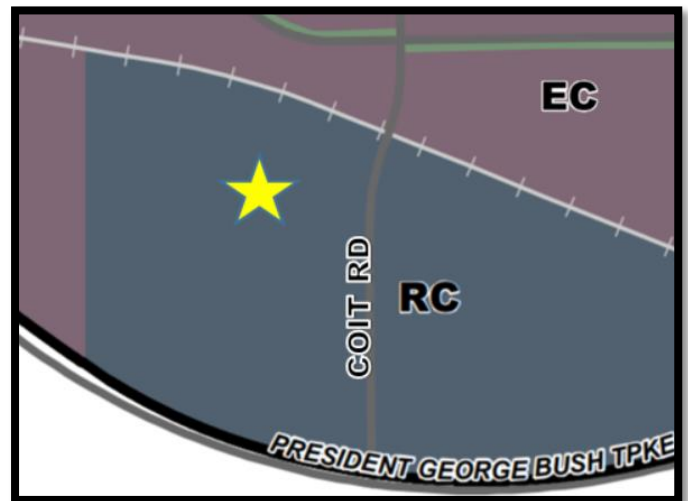
North	Existing retail, light vehicle repair, and industrial uses zoned Light Industrial-1.
East	Existing multifamily residences and independent living facility zoned Planned Development-125-Corridor Commercial.
South	Existing retail superstore, bank, and restaurant uses zoned Corridor Commercial.
West	Existing private school, professional/general administrative office, medical office, and mini-warehouse/public storage.

Conformance to the Comprehensive Plan

Future Land Use Map - The Future Land Use Map of the city's Comprehensive Plan designates the subject property as Regional Center (RC).

The Regional Center future land use category applies to large commercial developments within high traffic corridors. Regional Center uses are typically located in low to mid-rise buildings and include retail, service, and office uses that serve a regional population. Regional centers are intended to have a mixture of large shopping centers, restaurants, theaters, offices, and other supporting uses. Residential development is supported in these centers and should be incorporated within mixed-use or transit-oriented developments. Adequate building setbacks must be considered when development is proposed near neighborhoods. Useable open space will be included within the centers to create active and interesting public spaces.

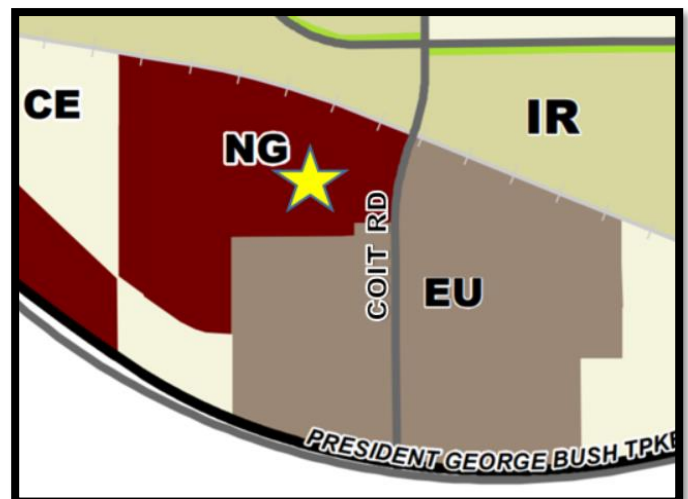
The applicant is proposing to reduce the amount of retail space proposed and replace it with nine additional live/work units. The reduction in retail space is proposed due to the amount of retail space in the general area, and the proposed site design which places retail uses interior to the property, away from higher visibility thoroughfares. The applicant is still maintaining a mix of uses with a focus on residential, office, and ancillary commercial space, as recommended by the RC designation. Additionally, the request includes an increase in open space from 7.25 acres (8.7%) to 7.93 acres (9.2%). This request is in conformance with the RC designation.



Growth and Change Map - The Growth and Change Map designates the subject property as New Growth (NG)

These existing undeveloped areas (>50 acres) are expected to experience new development through master-planned projects.

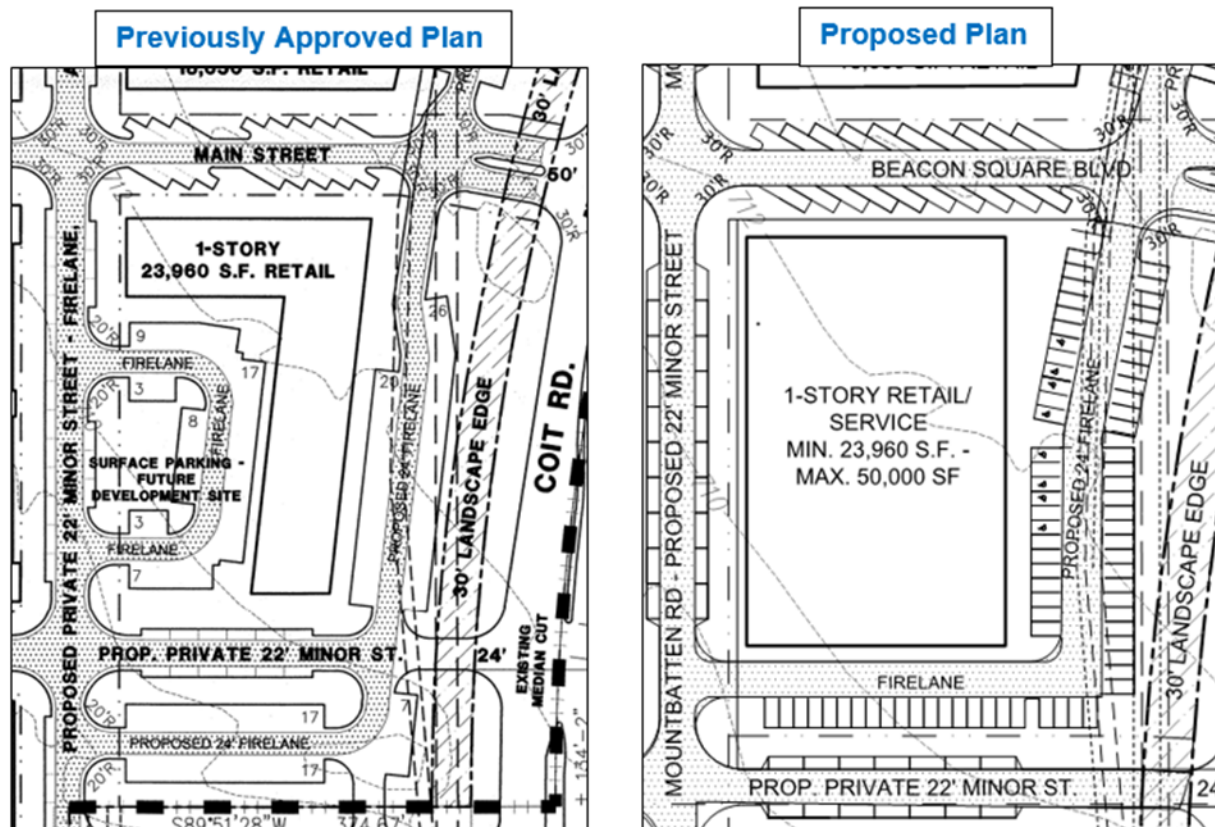
The proposed changes are consistent with the initial master-planned project. The requested amendments are intended to refine standards to accommodate the first phase of development. This request is in conformance with the NG designation.



Requested Changes

Block B

The applicant is requesting to increase the single tenant maximum of 30,000 square feet to 50,000 square feet, and to reduce the 60% window and door requirement to 40%. To make up the 20% reduction, the applicant is intending to utilize living or landscaped walls or public art. The purpose of this request is to accommodate a future health/fitness center development on the subject property. Due to the need for locker rooms, workout rooms, and other private areas, glass storefront is not an appropriate aesthetic for portions of the building. The purpose of the storefront requirement is to ensure building facades engage the public realm. To accommodate a use that needs additional privacy in certain portions the redesign of the block is shown in the image below:



Block D, E, and S

The table below outlines these changes to these blocks:

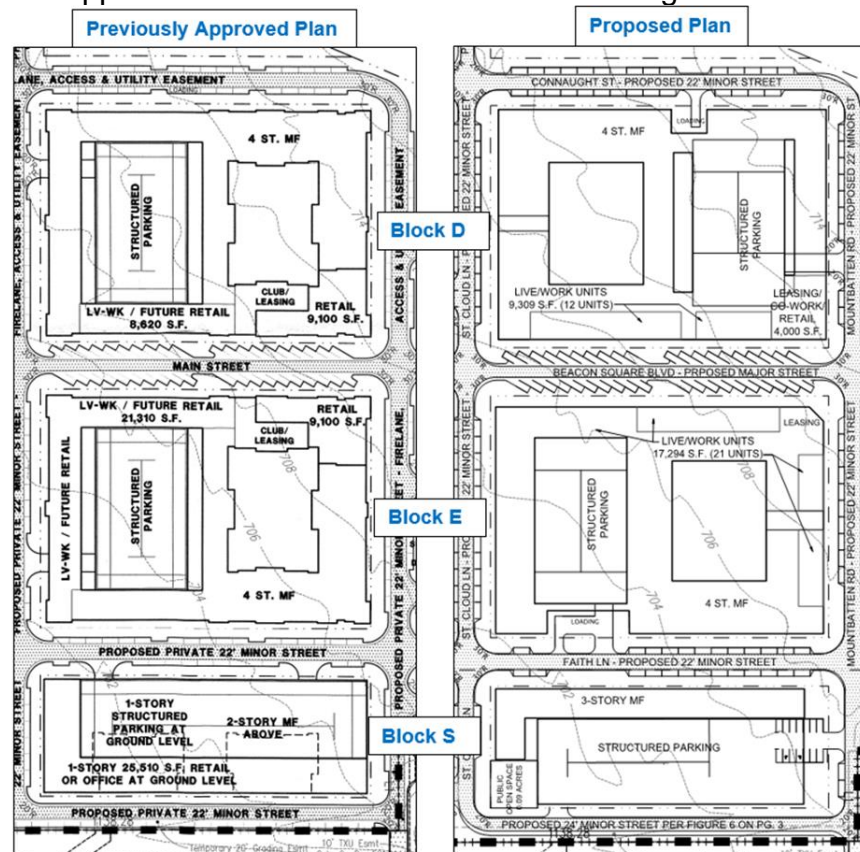
	Previously Approved Plan	Proposed Changes
Block D	Retail: 9,100 square feet Live/work: 8,620 square feet (7 units)	Retail: 4,000 square feet Live/Work: 9,309 square feet (12 units)
Block E	Retail: 9,100 square feet Live/Work: 21,310 square feet (17 units)	Retail: 0 square feet Live/Work: 17,294 square feet (21 units)

Block S	Retail: 25,510 square feet Multifamily: 78 units Standard southern street layout	Retail: 0 square feet Multifamily: 48 units Modified southern street layout
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The general area includes a preponderance of existing retail stores. For this reason, the applicant is proposing to reduce the amount of retail proposed onsite and replace the square footage with live/work units as described in the attached purpose letter.

Live/work units will still provide the option for a commercial component at the street level, but the likelihood of success for interior retail space is questionable in the current market. Rather than require commercial space which may or may not be utilized, the applicant is proposing to apply a higher quality building material standard to facades of buildings along the main street, with an exception for upper floors of office buildings. The standard requires a minimum 80% glass, native stone, clay-fired brick or tile, or combination of materials. This is the same standard required by the Regional Commercial (RC) and Regional Employment (RE) zoning districts.

Additionally, due to the removal of the required commercial component in this area, the subject property will no longer have a main street with active uses as required by the UMU district. Although a main street with active uses and retail spaces is more ideal for creating activity through the main part of a mixed-use district, staff is cautious about requiring retail space to be placed which may remain vacant or be unsuccessful. The applicant's proposal will add first floor residential units and require higher quality building materials to create a unique design aesthetic within the area. Lastly, a modified street layout to accommodate the existing block area is proposed south of Block S. For these reasons, staff is supportive of these amendments and redesigned blocks as shown below:



Blocks, M, N, P and R

The applicant is requesting to increase the single tenant maximum first floor square footage requirement of 30,000 square feet to 50,000 square feet for the proposed office buildings within these blocks. To break up the facades, a paseo with a minimum 25 foot width is proposed at street level and will include a minimum 15 foot clear area for pedestrians. The remaining 10 feet may be utilized for buildings or patios which utilize glass or other materials intended to engage pedestrians. The applicant is also proposing to limit the upper floor square footages to a maximum of 60,000 square feet per floor.

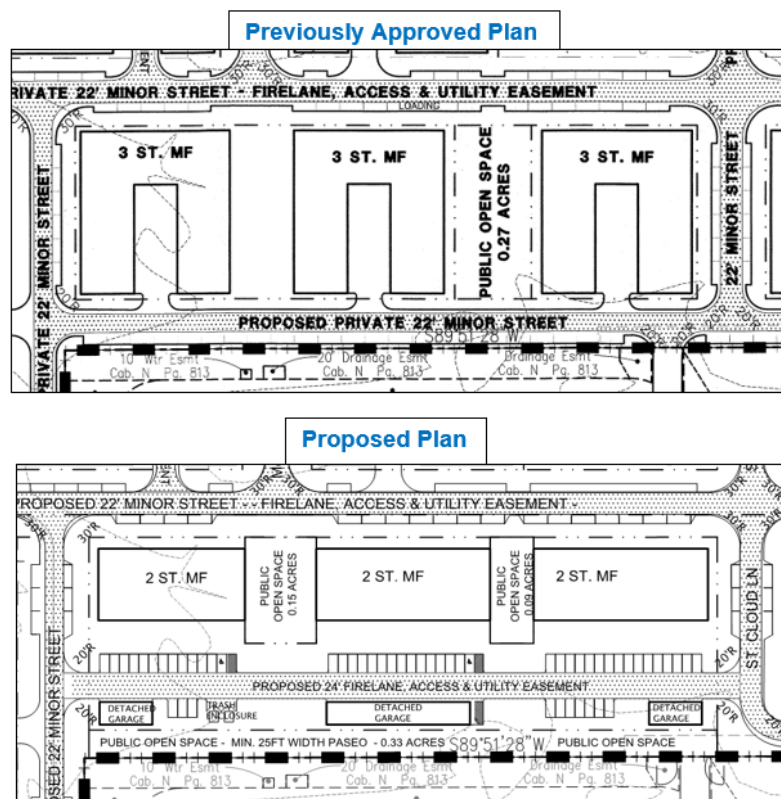
The single-tenant maximum square footage requirement is intended to place limits on long building facades which reduce pedestrian connectivity through the subject property. As proposed, the paseo requirement would allow connectivity to occur at the street level, while allowing flexibility for large office buildings to be constructed. Staff is in support of these amendments due to the pedestrian access inclusion.

Block J

Block J is being updated for flexibility in site design, and to add more open space. As shown in the images on the right, the block has been modified to remove a minor street and reorient the proposed buildings, which results in an increase to the block size from 2.0 acres to 2.8 acres. Additionally, the applicant is proposing to reduce the buildings from three stories to two stories and relocate the reduced multifamily units to other blocks.

Due to the proposed design changes, the applicant is requesting to reduce the floor area ratio (FAR), which is defined as the floor area of a main building or buildings on a lot, divided by the lot area, from 1:1 to 0.6:1. The lot coverage, which is the percentage of the total area of a lot occupied by the base (first story or floor) of buildings located on the lot, is also being reduced from 60% to 30%.

The removal of the street allows for more open space, while still providing vehicular connectivity via a firelane, and a pedestrian connection through sidewalks on all sides, including a proposed sidewalk through the new open space to the south. Staff is in support of these changes.



Signage

The applicant is requesting several amendments to signage regulations. The UMU district requires pedestrian-oriented signs as specified by Section 10.800 (Downtown Business/Government District) of Article 10 (Nonresidential Districts) of the Zoning Ordinance. Although these signs are effective for interior, pedestrian-oriented streets, they do not entirely address the needs for buildings which have frontage on Coit Road and Mapleshade Lane. For this reason, the applicant is proposing to apply the requirements of the 190 Tollway/Plano Parkway Overlay District to exterior portions of the property. However, for additional flexibility, the applicant is proposing to increase the size of identifications signs from 125 square feet to 150 square feet.

Additionally, the applicant is proposing several amendments to the BG sign standards to allow for illuminated signs and additional sign materials. Finally, monument signs are requested to be utilized for the office building blocks, which are located at on the western side of the subject property. Freestanding signage is limited in the BG district, and the applicant is requesting monument signs to accommodate office tenants of larger buildings which typically utilize that signage type.

The requested changes will allow the applicant to address specific sign needs within the development, and allow flexibility for higher volume exterior thoroughfares and office tenants, while maintaining pedestrian-oriented signs throughout most of the district. Staff is in support of these amendments.

SUMMARY:

The applicant is requesting to amend Urban Mixed-Use-2 to modify development standards to accommodate the first phase of development and refinements for future office developments. The request is consistent with the recommendations of the Comprehensive Plan and makes adjustments consistent with the original master-planned development. Staff recommends approval of the request.

RECOMMENDATION:

Recommended for approval as follows: (Additions are indicated by underlining; deletions are indicated by strike-through)

Restrictions:

The permitted uses and standards shall be in accordance with the Urban Mixed-Use (UMU) zoning district standards unless otherwise specified herein.

The development plan shall be adopted as part of the ordinance.

Exceptions of the UMU District

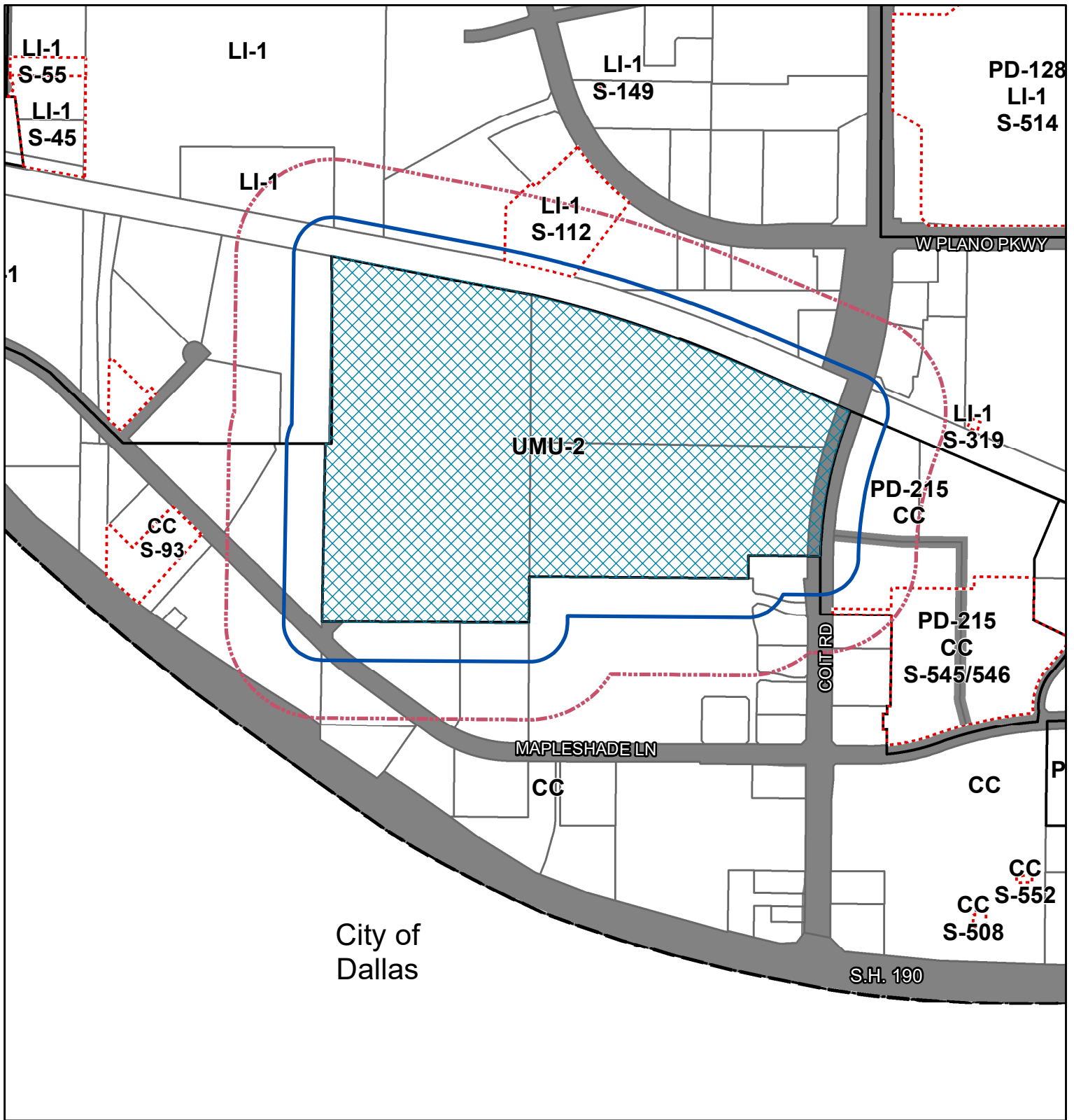
1. Blocks A and B:

a. Minimum Lot Coverage: 15%

- b. Minimum FAR: 0.15:1
 - c. Maximum Setback from Coit Rd.: 160 feet
 - d. Minimum Height: One story; 24 feet
- 2. Blocks D, E, K, N, P, Q, and R may exceed maximum block size of 3 acres.
 - 3. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.
 - 4. Reduce nonresidential parking ratio from 1:250 square feet to 1:190 square feet.
 - 5. Block B
 - a. The single-tenant maximum first floor square footage is 50,000 square feet.
 - b. A minimum of 40% of the first floor of a single-tenant building must consist of windows and doors, and 20% must consist of a living/landscaped wall or public art wall.
 - 6. No main street is required; however, at least 80% of any exposed exterior wall of main buildings, parking structures, and accessory buildings which front along Beacon Square Boulevard, will consist of glass, native stone, clay-fired brick or tile, or a combination of these materials in order to establish a consistent architectural design district and community identity. For office buildings, this requirement will apply to the first floor only.
 - 7. Block J
 - a. Minimum FAR: 0.6:1
 - b. Minimum Lot Coverage: 30%
 - 8. The street located south of Block S may utilize the alternative minor street standard as designed on the development plan.
 - 9. Blocks M, N, P, and R
 - a. The single-tenant maximum first floor square footage is 50,000 square feet.
 - b. The total combined first floor building square footage of any building must not exceed 60,000 square feet. A paseo, which is an outdoor public pedestrian pathway where no vehicular access is allowed except for emergency services, must be provided as a block break to divide the first floor of the building. Each first floor footprint may have no more than 30,000 square feet. Paseos must have a minimum 25 foot width. Buildings may encroach no more than 10 feet within

the 25 foot paseo if utilizing glass storefront, patios, or similar aesthetic designed to engage the pedestrian.”









- c. Each upper floor must not exceed 50,000 square feet.
10. Signage located along exterior public rights-of-way must comply with Section 22.600 (190 Tollway/Plano Parkway and State Highway 121 Overlay Districts) of Article 22 (Signs) except that identification signs may have a maximum size of 150 square feet.
11. All signage internal to the development along major and minor streets must comply with the signage standards of Subsection 10.800.6 (Sign Regulations) of Section 10.800 (Downtown Business/Government District) of Article 10 (Nonresidential Districts) with the following exceptions:
- a. Signage may be illuminated.
 - b. Stainless steel, perforated metal, and acrylic panel are additional allowed sign finishes.
 - c. Monument signs are allowed for office uses within Blocks M, N, P, and R only. Monument signs may not exceed five feet in height or 75 square feet in area. A maximum of two monument signs are allowed per block. The use of office monument signs will reduce the allowable tenant wall signage to a maximum of two signs per building facade.

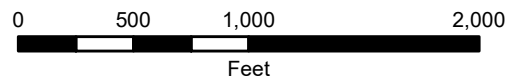
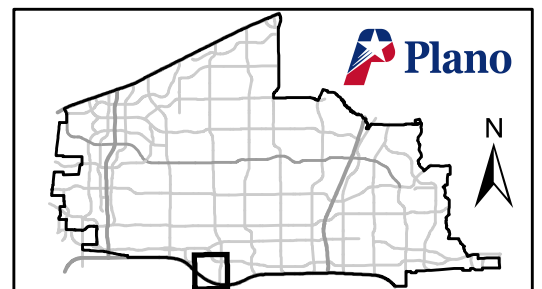


Zoning Case: 2020-011

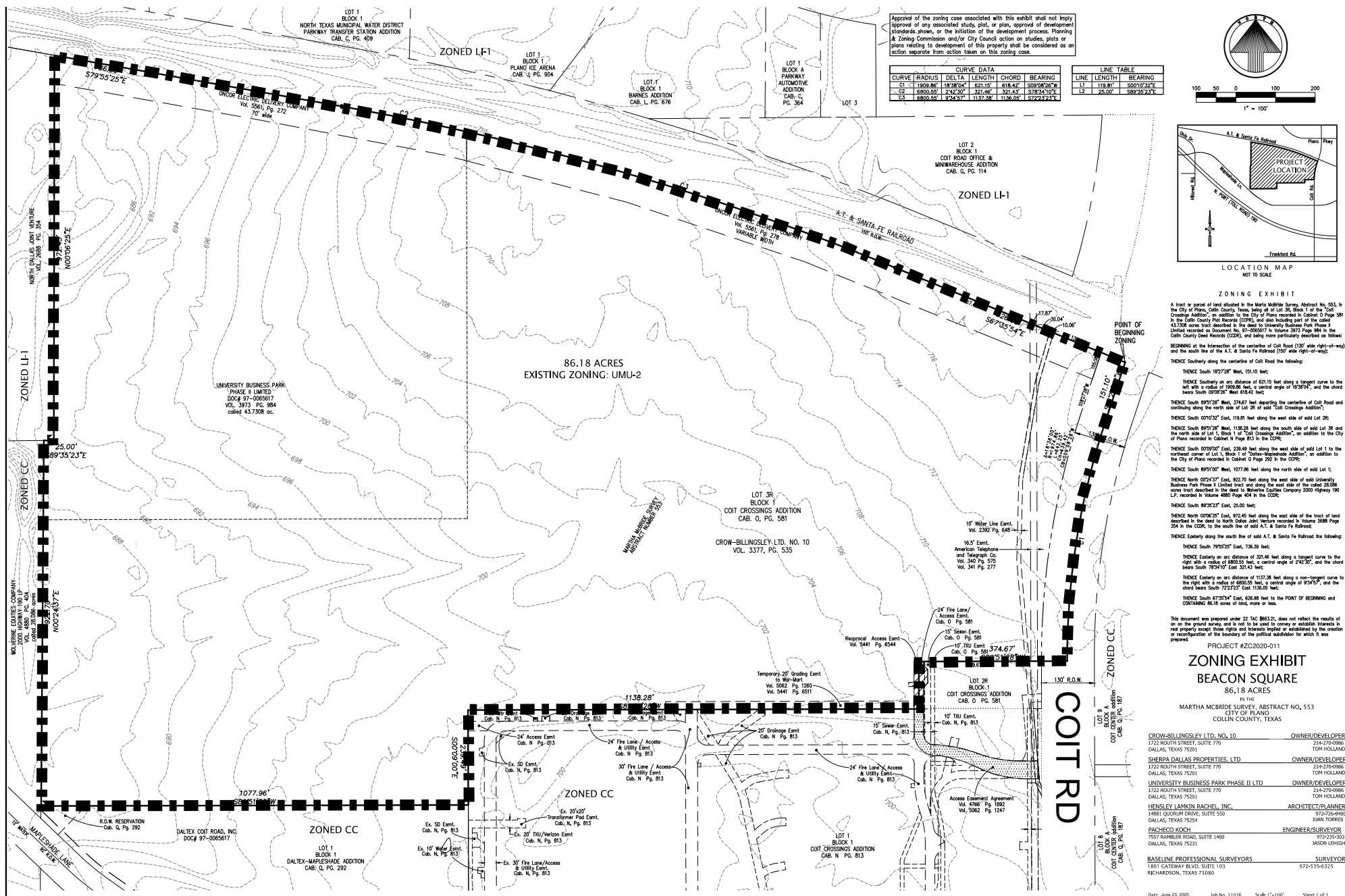
Existing Zoning: Urban Mixed-Use-2 (UMU-2) and located within the 190 Tollway/Plano Parkway Overlay District

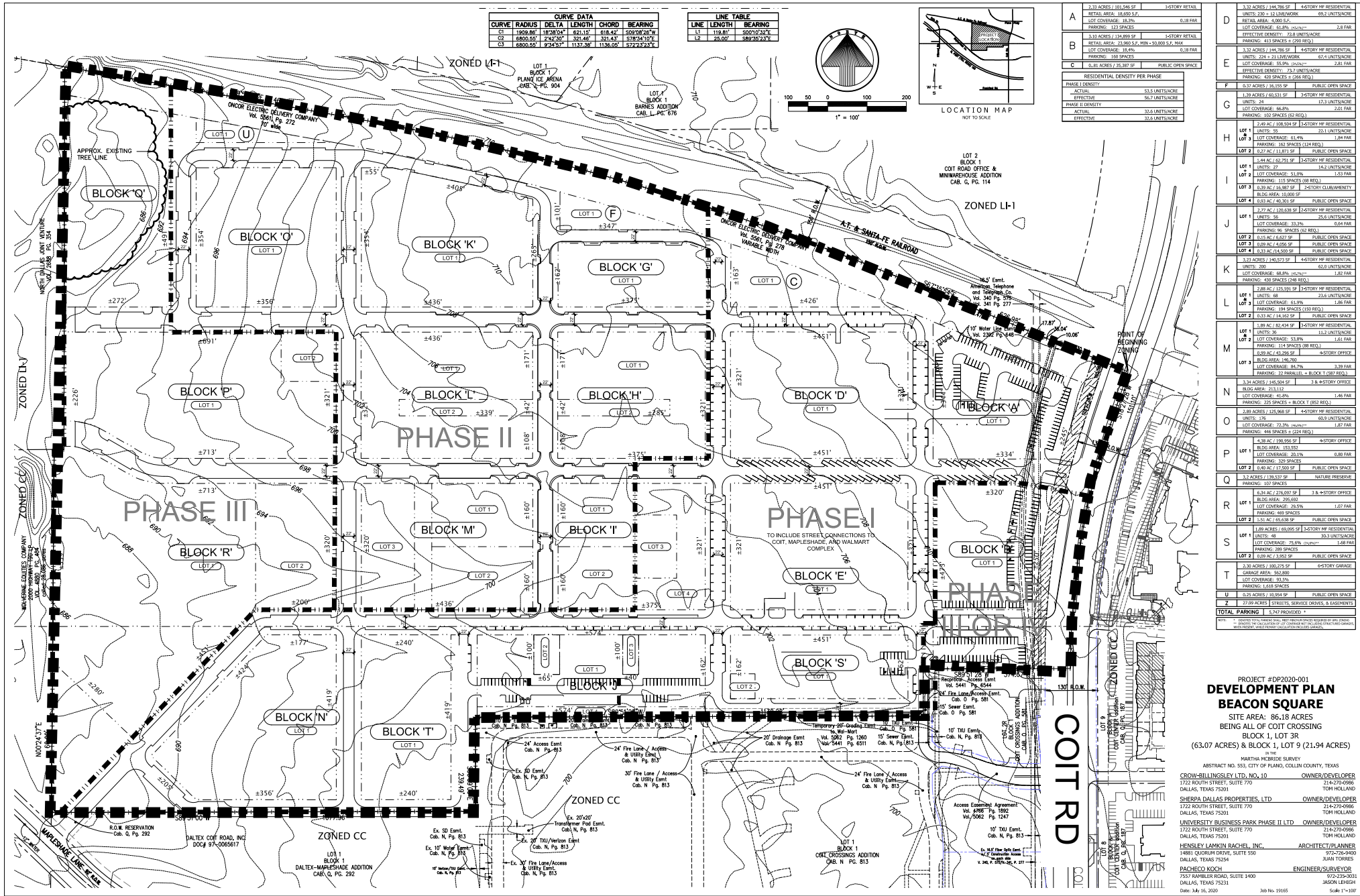
Proposed Zoning: Amend Urban Mixed-Use-2 (UMU-2)

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

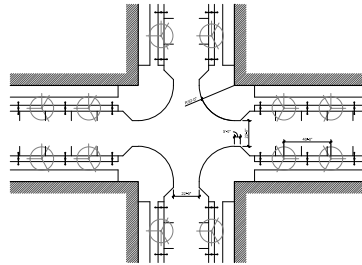




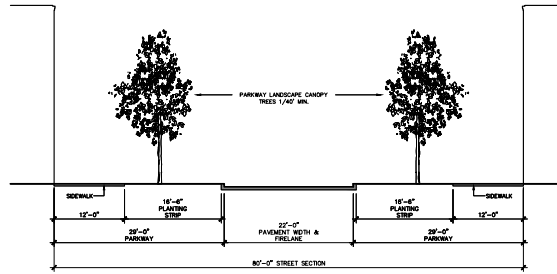




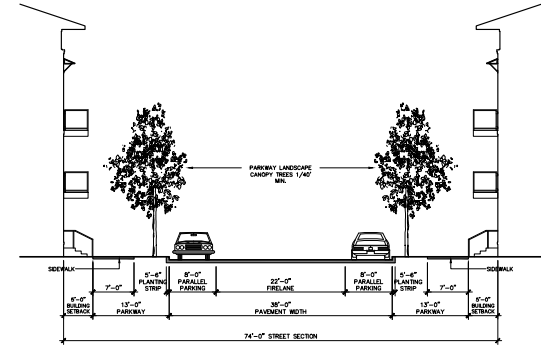
PROJECT #DP2020-001
**DEVELOPMENT PLAN
BEACON SQUARE**
SITE AREA: 86.18 ACRES
BEING ALL OF COIT CROSSING
BLOCK 1, LOT 3
(63.07 ACRES) & BLOCK 1, LOT 9 (21.94 ACRES)
IN THE
MARTHA MORENO SURVEY
ABSTRACT NO. 553, CITY OF PHARO, COLLIN COUNTY, TEXAS
CROW-BILLINGSLEY LTD. NO. 10 OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
SHERPA DALLAS PROPERTIES, LTD. OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
UNIVERSITY BUSINESS PARK PHASE II LTD. OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
HENSLY LAMON RACHEL, INC. ARCHITECT/PLANNER
14881 QUORUM DRIVE, SUITE 550 972-736-9000
DALLAS, TEXAS 75244 JUAN TORRES
PACHECO KOCH ENGINEER/SURVEYOR
7550 RAINBOW ROAD, SUITE 1400 972-339-0033
DALLAS, TEXAS 75231 JASON LEHIGH
Date: July 16, 2020 Job No. 19195 Scale: 1"=100'



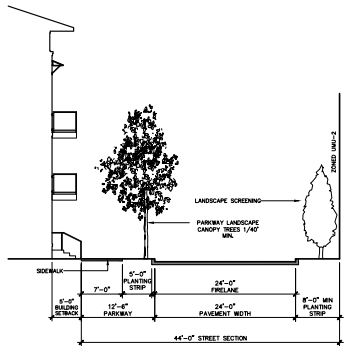
05 TYPICAL STREET INTERSECTION
SCALE: 1"=50'



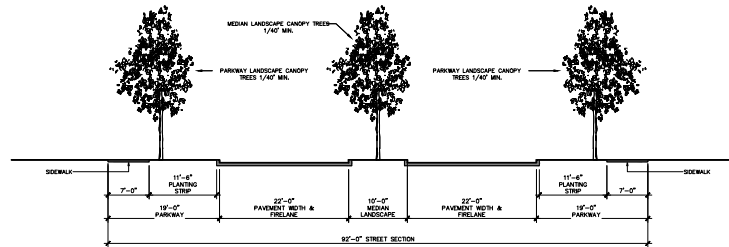
04 ENTRY DRIVE - 80' STREET SECTION
SCALE: 1"=10'



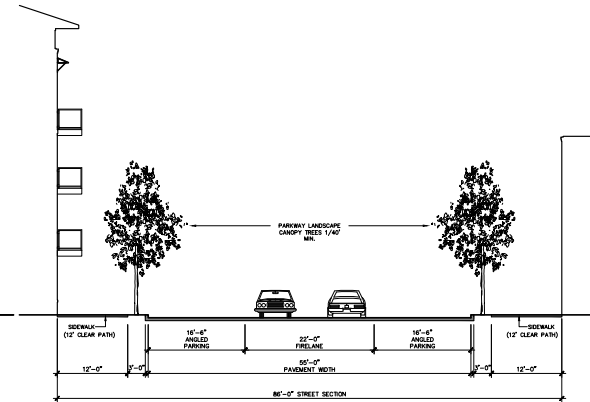
02 MINOR STREET - 74 FT. STREET SECTION
SCALE: 1"=10'



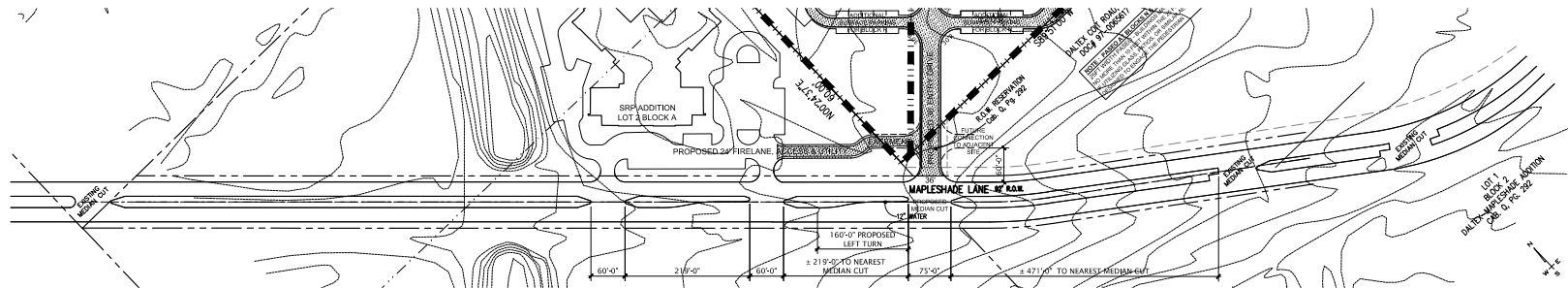
06 MINOR STREET - 44FT MIN STREET SECTION - 24FT FIRELANE
SCALE: 1"=10'
THIS STREET SECTION WILL ONLY OCCUR SOUTH OF BLOCK 8



03 MEDIAN DIVISION @ ENTRY DRIVE
SCALE: 1"=10'



01 MAJOR STREET - 86 FT. STREET SECTION
SCALE: 1"=10'



PROJECT #DP2020-001
**DEVELOPMENT PLAN
BEACON SQUARE**
SITE AREA: 86.18 ACRES
BEING ALL OF COIT CROSSING
BLOCK 1, LOT 3R
(63.07 ACRES) & BLOCK 1, LOT 9 (21.94 ACRES)
in the
MARTHA MORRIS SURVEY
ABSTRACT NO. 553, CITY OF PLANO, COLLIN COUNTY, TEXAS
CROW-BILLINGSLEY LTD. NO. 10 OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
SHERPA DALLAS PROPERTIES, LTD. OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
UNIVERSITY BUSINESS PARK PHASE II LTD. OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
HENSLEY LAMON RACHEL, INC. ARCHITECT/PLANNER
14881 QUORUM DRIVE, SUITE 550 972-726-9400
DALLAS, TEXAS 75254 JUAN TORRES
PACHECO KOCH ENGINEER/SURVEYOR
7555 RANGLER ROAD, SUITE 1400 817-535-0031
DALLAS, TEXAS 75231 JASON LEHIGH
Date: July 16, 2020 Job No. 19195 Scale: 1"=100'

May 28, 2020

Dear Planning and Zoning Commission,

**Planning and
Zoning Commission**
City of Plano
Plano Municipal Center
1520 K Avenue
Plano, TX 75074

We are coming to you to request a change in our PD Ordinance No. 2014-11-7 regarding the retail spaces under the multifamily on Beacon Square Blvd. This is an interior street and spinal road without visibility. We do not believe retail can be leased or succeed in this location in today's world. There are several reasons why this is true.

RE: Beacon Square Blvd

Successful retailers have visibility to major streets and lots of traffic, or are in major centers that should be magnets themselves.

Lucy Billingsley
Partner

We also all know that the retail business is going through major transformations where the winners have high experience retail or major online presences.

Restaurants clearly are leaders in the experience category. In January, we were told by one major local restaurateur that we are so over restaurant-ed that in the future he may require that the developers see him as an amenity and pay him to operate from their developments. Their margins are thin and the competition intense. All of this was very true before COVID-19. As we all know the number of restaurant spaces that will be vacant after the pandemic will take a very long time to refill. Though there will be a large overhang of vacancy in the market; hopefully, those restaurants that survive will have less competition and, therefore, succeed.

With this knowledge, we are firm believers that the current standard of our bringing retail onto Beacon Square Blvd will not be successful. We have tried this precise approach at Austin Ranch; and the retail facing the high traffic street has been steady, but that on the interior street has been hugely problematic. Further, the units that are on top of the retail have consistently high turnover. What is seen as a unit that initially feels urban over a store front becomes a living experience with smells and noises. Lastly, having unsuccessful retail at our main entry damages the entire development with vacancies or turnover.

Following are some statistics from February 2020 that are pertinent to our market. Again, I am sure these will be worse today.

- **DFW Retail Vacancy:** 5%
 - Strip Centers are at 6.8%
 - Neighborhood centers are at 8.9%
- **Central Plano:** 7.6%, which means it's ranked 59th out of 71 submarkets in DFW.
 - Strip Centers are at 12.3%
 - Neighborhood Centers are at 12.3%

- **Custom Polygon of North of 190, East of Parkwood, South of Spring Creek and West of 75:**
22% vacant
 - This is ~850k in about 187 different spaces in about 96 different buildings.
- **Central Market Center:**
 - Building 1: 17k sf, 9.8k sf available
 - Building 2: 13.6k sf, 2.8k sf available
 - Building 3: 38.9k sf, 8.8k sf available
 - Building 4: 14.4k sf, 4.5k sf available
 - **Total: 83.9k sf, 25.9 sf available (31% vacant)**
- **Traffic Counts**
 - a. Coit Road when crossing Bush: 48,629 cars per day
 - i. This is a strong number. IBP Retail is some of our best retail and Park gets about 45k cars per day.
 - ii. CVS got excited at Cypress Waters over a similar traffic count along Beltline.
 - b. Mapleshade when crossing Coit: 5,000 cars per day

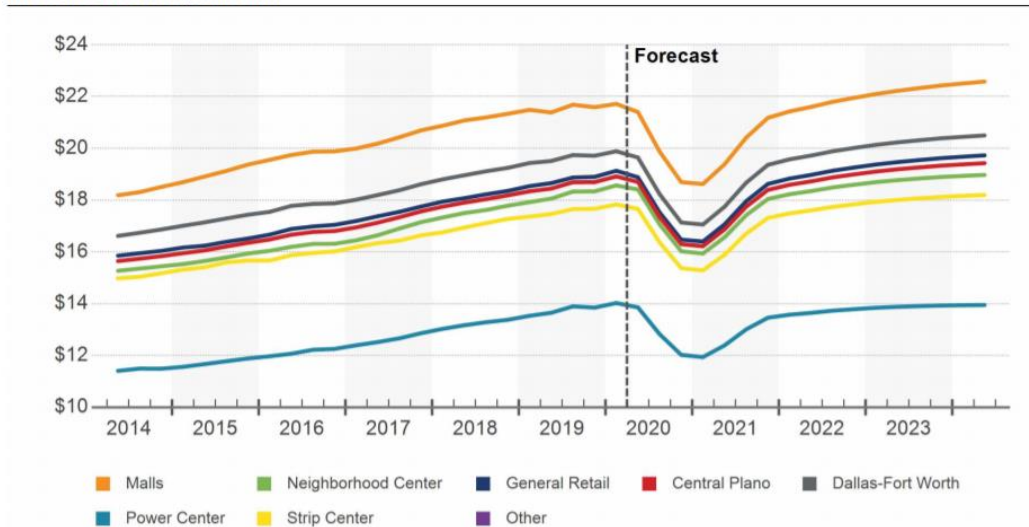
Our exact requests can be seen on the provided site plan **Exhibit A** showing original versus proposed uses. We are holding true to the tertiary requirements in the PD but changing the fulfillment of that from retail to live workspaces.

As of February, Rosas was highly successful as you will note in the chart below, referring to the CMI column. Any CMI under 100 is known to be under performing the market. The Central Market development and others on Coit not only have big vacancies, but some weak performers in the individual restaurants. Vacancies for Market Plaza are outlined in **Exhibit B**.

Nearby QSR: These sales are **SPECIFIC** to our site and are **ANNUAL** sales as of February.

QSR Name:	Distance:	Drive Distance:	Annual Sales:	CMI:
(1) Taco Cabana	0.07	0.12	\$1,834,000	106
(2) Taco Casa	0.07	0.09	\$651,000	46
(3) McDonald's-Tr	0.21	0.28	\$2,499,000	86
(4) Chipotle Mexican Grill	0.30	0.37	\$1,135,000	60
(5) Subway	0.30	0.37		
(6) KFC-Tr	0.35	0.45	\$890,000	88
(7) Taco Bell-Nt	0.35	0.45	\$646,000	117
(8) Sonic	0.36	0.50	\$1,213,000	96
(9) Rosa's Cafe	0.38	0.38	\$6,109,000	135
(10) Steak 'N Shake	0.41	0.56	\$1,230,000	87

MARKET RENT PER SQUARE FEET



Retail rental rates are predicted to drop 10-15% for a few years to come. We have no idea if construction costs will also drop nor how much.

Our request is to replace the retail space on Beacon Square Blvd. with work live units. These should be more likely to lease and at more reliable rental rates. The work live units still upholds the mixed-use status of the property.

We appreciate your review of the data and helping us work towards creating a development that has positive momentum from the beginning. This change lets us focus all our attention to ensure the success of the retailers facing Coit Rd. This, too, will be a challenge in this time period and this submarket.

Thank you for helping us to make this a successful development of which we are all proud.

Regards,

Lucy Billingsley
Partner
Billingsley Company

/LB

Attachments

EXHIBIT A

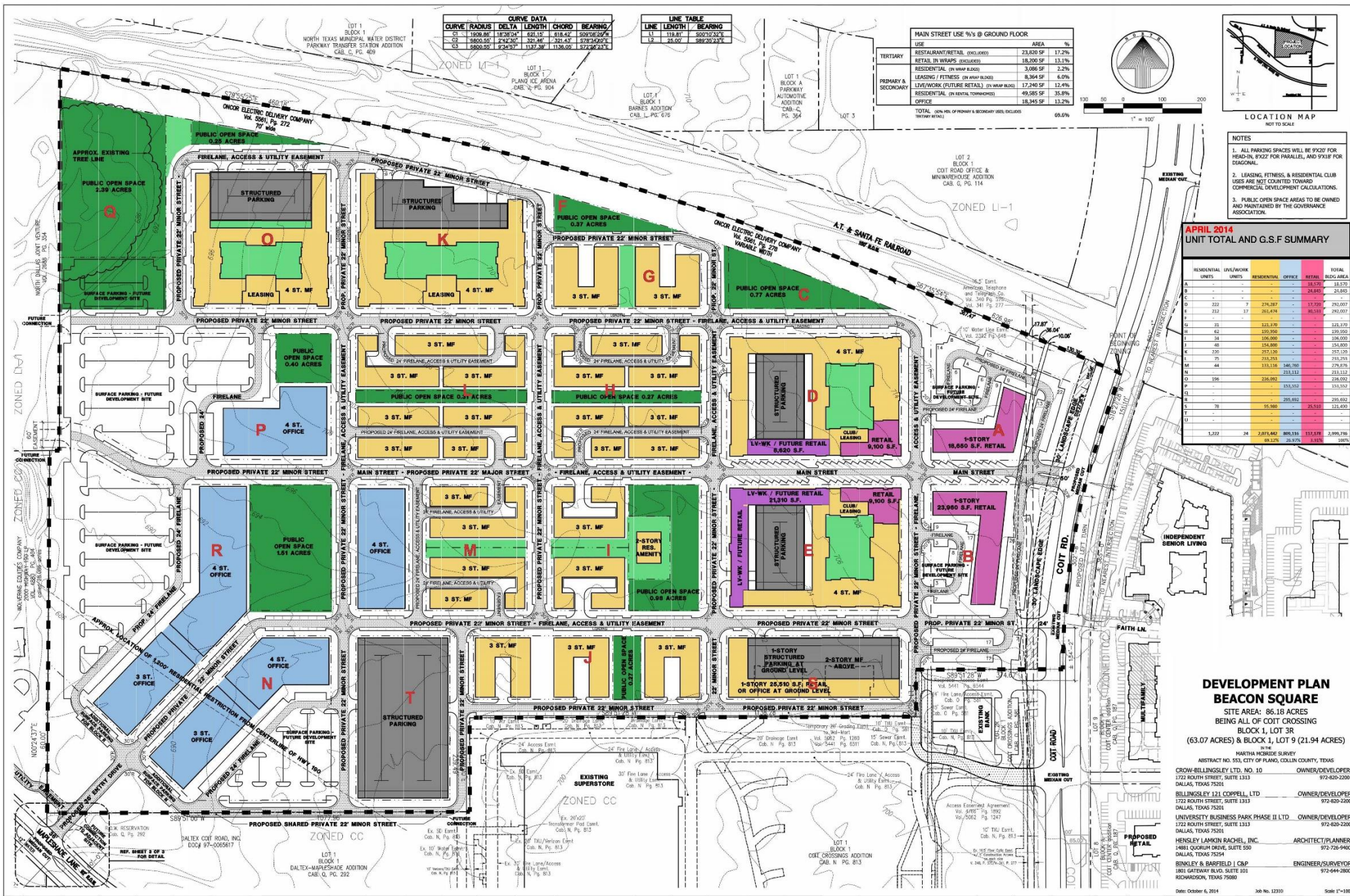


EXHIBIT A

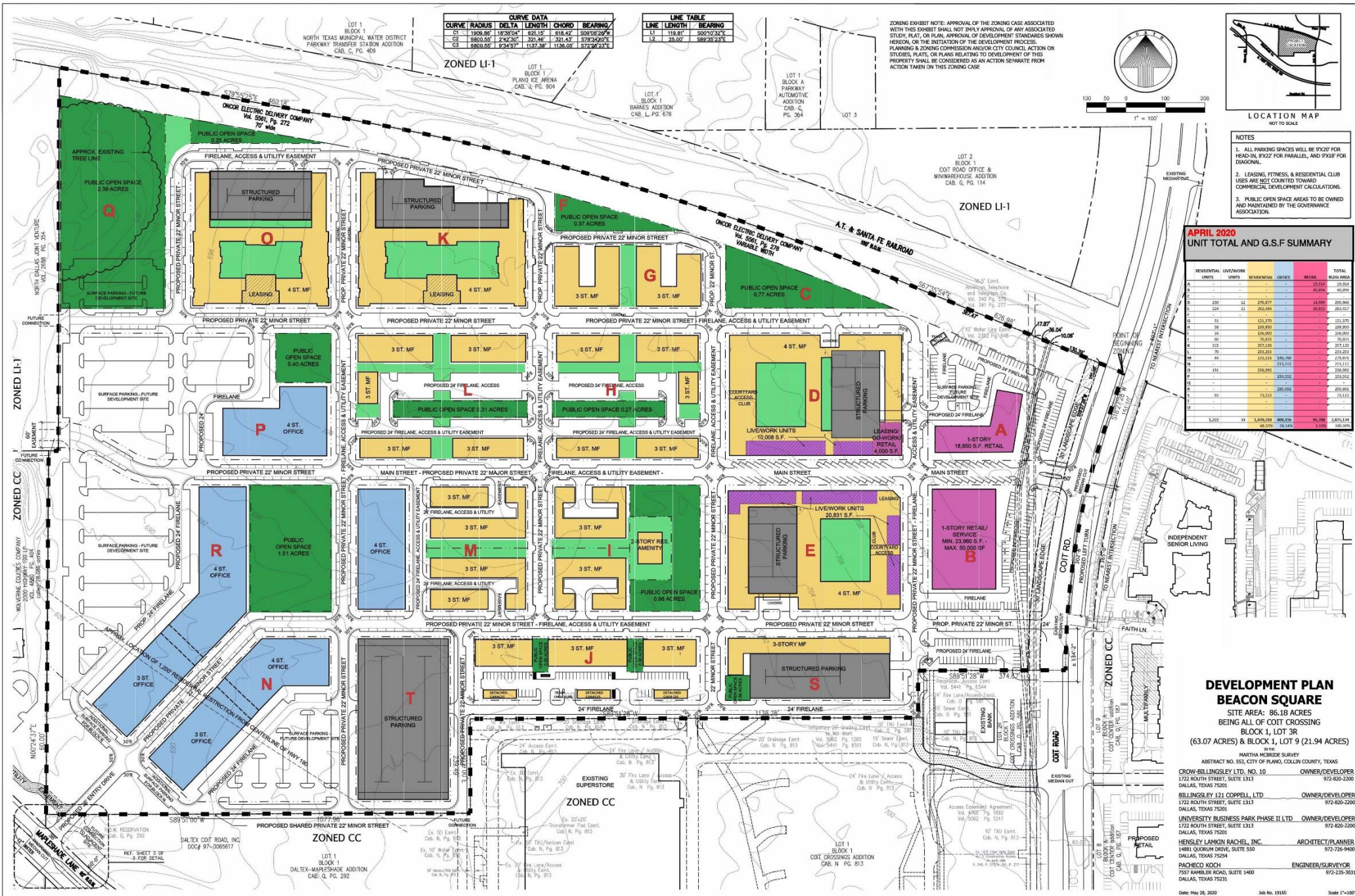


EXHIBIT B



Market Plaza

200-340 Coit Road @ 3801 George Bush Turnpike, Plano, TX - 75075 (33.0017, -96.7676)

GLA: 162,661

Major Tenants: H.E.B Central Market

Major Tenants (not a part): McDonald's (N.A.P.)

BRIXMOR



Unit	Retailer	Sq. Ft.
01	H.E.B Central Market	64,843
02	Bath Junkie	1,320
03	Available	2,264
04	Available	1,316
05	Available	2,800
06	Pappagallo	2,572
07	Steven Maxx Salon	3,400
07A	Available	2,497
08	Hyperbaric Healing Center	3,600
09	Available	3,500
10	Available	6,056
11	State Farm	1,200
12	Indian Restaurant	2,784
13	Available	2,500
14	Available	6,740
15	Available	1,700
16	Dental One	2,700
17	Available	2,160
18	Available	8,493
19	Cafe Brazil	4,500
20	Gesha Japanese Steak & Sushi	4,250
21	Available	1,200
22	Available	2,189
23-A	Fabrique!	5,670
23-B	Available	1,200
24	Available	1,200
25	SuperCuts	1,200
26	Hawk's Electronics	4,337
27	Gold Max	1,435
28	Good Feet Plano	1,200
29	Subway	1,286
30	Tin Star Restaurant	3,000
31	Pet Land	4,491
32	Available	2,978
N.A.P	McDonald's (N.A.P.)	0
N.A.P	Wells Fargo	0

Michael Watson (214) 618-6521 michael.watson@brixmor.com Southwest Regional Office (713) 660-4300 Brixmor.com

Note: This site plan indicates the general layout of the shopping center and is not a warranty, representation or agreement on the part of the landlord that the shopping center will be exactly as depicted herein.

1366 - 11/19/2012

Zoning Case 2020-011

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to amend Urban Mixed-Use-2 on 86.2 acres of land out of the Martha McBride Survey, Abstract No. 553, located on the west side of Coit Road, 970 feet north of Mapleshade Lane, in the City of Plano, Collin County, Texas, to modify development standards and the locations of nonresidential and flex space/live-work uses, presently zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of August 2020, for the purpose of considering amending Urban Mixed-Use-2 on 86.2 acres of land out of the Martha McBride Survey, Abstract No. 553, located on the west side of Coit Road, 970 feet north of Mapleshade Lane, in the City of Plano, Collin County, Texas, to modify development standards and the locations of nonresidential and flex space/live-work uses, presently zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of August 2020; and

WHEREAS, the City Council is of the opinion and finds that such amendment would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to amend Urban Mixed-Use-2 on 86.2 acres of land out of the Martha McBride Survey, Abstract No. 553, located on the west side of Coit Road, 970 feet north of Mapleshade Lane, in the City of Plano, Collin County, Texas, to modify development standards and the locations of nonresidential and flex space/live-work uses, presently zoned Urban Mixed-Use-2 and located within the 190 Tollway/Plano Parkway Overlay District, said property being described in the legal description on Exhibit A attached hereto.

Section II. Present development standards are hereby repealed and replaced with the following:

Restrictions:

The permitted uses and standards shall be in accordance with the Urban Mixed-Use (UMU) zoning district standards unless otherwise specified herein.

The development plan shall be adopted as part of the ordinance.

Exceptions of the UMU District

1. Blocks A and B:

- a. Minimum Lot Coverage: 15%
- b. Minimum FAR: 0.15:1
- c. Maximum Setback from Coit Rd.: 160 feet
- d. Minimum Height: One story; 24 feet

2. Blocks D, E, K, N, P, Q, and R may exceed maximum block size of 3 acres.

3. Structured parking and tuck-under garages shall be included in the calculation of lot coverage.

4. Reduce nonresidential parking ratio from 1:250 square feet to 1:190 square feet.

5. Block B

- a. The single-tenant maximum first floor square footage is 50,000 square feet.
 - b. A minimum of 40% of the first floor of a single-tenant building must consist of windows and doors, and 20% must consist of a living/landscaped wall or public art wall.
6. No main street is required; however, at least 80% of any exposed exterior wall of main buildings, parking structures, and accessory buildings which front along Beacon Square Boulevard, will consist of glass, native stone, clay-fired brick or tile, or a combination of these materials in order to establish a consistent architectural design district and community identity. For office buildings, this requirement will apply to the first floor only.
7. Block J
- a. Minimum FAR: 0.6:1
 - b. Minimum Lot Coverage: 30%
8. The street located south of Block S may utilize the alternative minor street standard as designed on the development plan.
9. Blocks M, N, P, and R
- a. The single-tenant maximum first floor square footage is 50,000 square feet.
 - b. The total combined first floor building square footage of any building must not exceed 60,000 square feet. A paseo, which is an outdoor public pedestrian pathway where no vehicular access is allowed except for emergency services, must be provided as a block break to divide the first floor of the building. Each first floor footprint may have no more than 30,000 square feet. Paseos must have a minimum 25 foot width. Buildings may encroach no more than 10 feet within the 25 foot paseo if utilizing glass storefront, patios, or similar aesthetic designed to engage the pedestrian.”
 - c. Each upper floor must not exceed 50,000 square feet.

10. Signage located along exterior public rights-of-way must comply with Section 22.600 (190 Tollway/Plano Parkway and State Highway 121 Overlay Districts) of Article 22 (Signs) except that identification signs may have a maximum size of 150 square feet.
11. All signage internal to the development along major and minor streets must comply with the signage standards of Subsection 10.800.6 (Sign Regulations) of Section 10.800 (Downtown Business/Government District) of Article 10 (Nonresidential Districts) with the following exceptions:
 - a. Signage may be illuminated.
 - b. Stainless steel, perforated metal, and acrylic panel are additional allowed sign finishes.
 - c. Monument signs are allowed for office uses within Blocks M, N, P, and R only. Monument signs may not exceed five feet in height or 75 square feet in area. A maximum of two monument signs are allowed per block. The use of office monument signs will reduce the allowable tenant wall signage to a maximum of two signs per building facade.

Section III. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section IV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section V. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VI. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2020-011

A tract or parcel of land situated in the Martha McBride Survey, Abstract No. 553, in the City of Plano, Collin County, Texas, BEING all of Lot 3R, Block 1 of the "Coit Crossings Addition", an addition to the City of Plano recorded in Cabinet O Page 581 in the Collin County Plat Records (CCPR), and also including part of the called 43.7308 acres tract described in the deed to University Business Park Phase II Limited recorded as Document No. 97-0065617 in Volume 3973 Page 984 in the Collin County Deed Records (CCDR), and BEING more particularly described as follows:

BEGINNING at the intersection of the centerline of Coit Road (130-foot wide right-of-way) and the south line of the A.T. & Santa Fe Railroad (150-foot wide right-of-way);
THENCE southerly along the centerline of Coit Road the following:

THENCE South $18^{\circ}27'28''$ West, 151.10 feet;

THENCE southerly an arc distance of 621.15 feet along a tangent curve to the left with a radius of 1,909.86 feet, a central angle of $13^{\circ}38'04''$, and the chord bears South $09^{\circ}08'26''$ West 618.42 feet;

THENCE South $89^{\circ}51'28''$ West, 374.67 feet departing the centerline of Coit Road and continuing along the north side of Lot 2R of said "Coit Crossings Addition";

THENCE South $00^{\circ}10'32''$ East, 119.81 feet along the west side of said Lot 2R;

THENCE South $89^{\circ}51'28''$ West, 1,138.28 feet along the south side of said Lot 3R and the north side of Lot 1, Block 1 of "Coit Crossings Addition", an addition to the City of Plano recorded in Cabinet N Page 813 in the CCPR;

THENCE South $00^{\circ}09'00''$ East, 239.49 feet along the west side of said Lot 1 to the northeast corner of Lot 1, Block 1 of "Daltex-Mapleshade Addition", an addition to the City of Plano recorded in Cabinet Q Page 292 in the CCPR;

THENCE South $89^{\circ}51'00''$ West, 1,077.96 feet along the north side of said Lot 1;

THENCE North $00^{\circ}24'37''$ East, 922.70 feet along the west side of said University Business Park Phase II Limited tract and along the east side of the called 28.086 acres tract described in the deed to Wolverine Equities Company 2000 Highway 190 L.P., recorded in Volume 4880 Page 404 in the CCDR;

THENCE South, $89^{\circ}35'23''$ East, 25.00 feet;

THENCE North, $00^{\circ}06'25''$ East. 972.45 feet along the east side of the tract of land described in the deed to North Dallas Joint Venture recorded in Volume 2688, Page 354 in the CDDR, to the south line of said A.T. & Santa Fe Railroad;

THENCE easterly along the south line of said A.T. & Santa Fe Railroad the following;

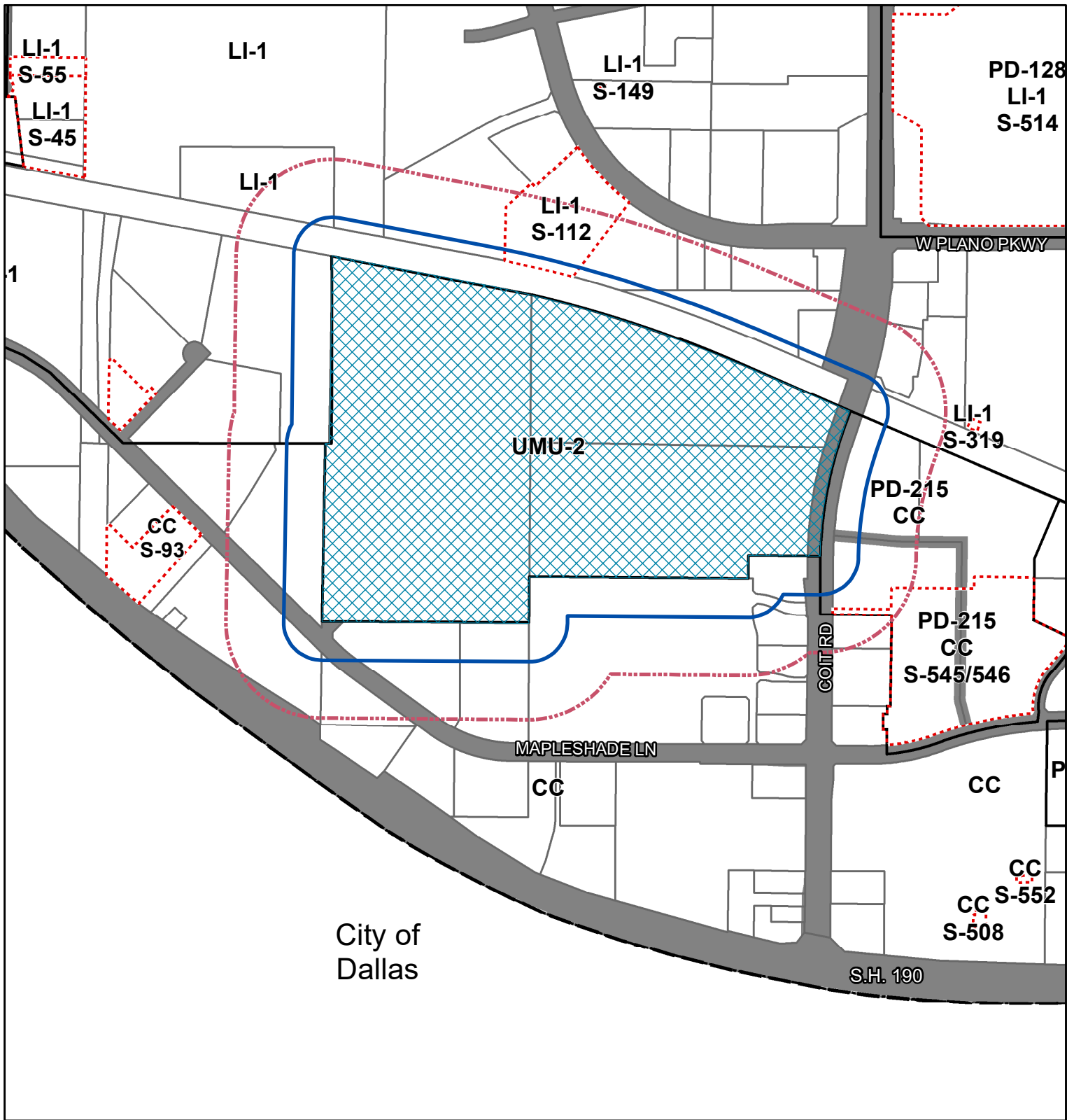
THENCE easterly South $79^{\circ}55'25''$ East. 736.39 feet;

THENCE easterly an arc distance of 321.46 feet along a tangent curve to the right with a radius of 6,800.55 feet, a central angle of $2^{\circ}42'30''$, and the chord bears South $78^{\circ}34'10''$ East 321.43 feet;

THENCE easterly an arc distance of 1,137.38 feet along a non-tangent curve to the right with a radius of 6,800.55 feet, a central angle of $9^{\circ}34'57''$, and the chord bears South $72^{\circ}23'23''$ East 1,136.05 feet;

THENCE South $67^{\circ}35'54''$ East, 626.98 feet to the POINT OF BEGINNING and CONTAINING 86.18 acres of land, more or less.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

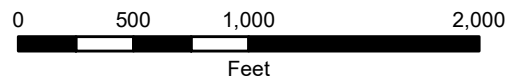
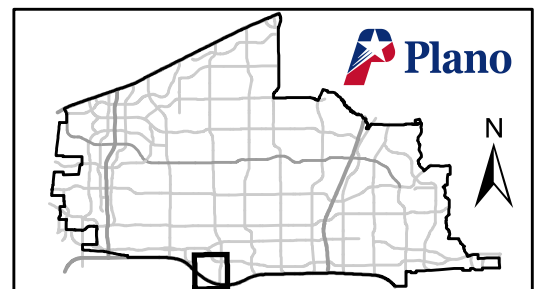


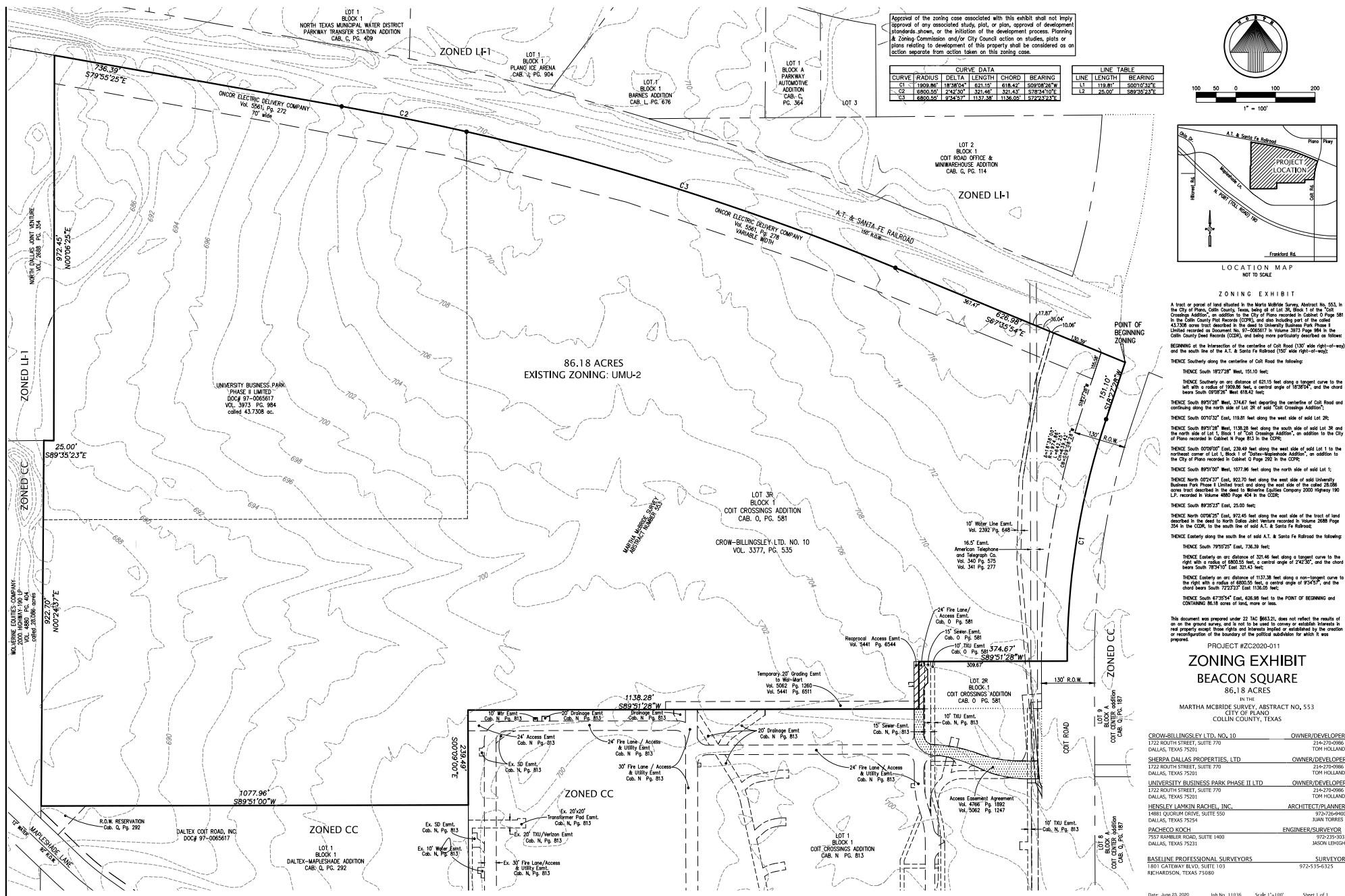
Zoning Case: 2020-011

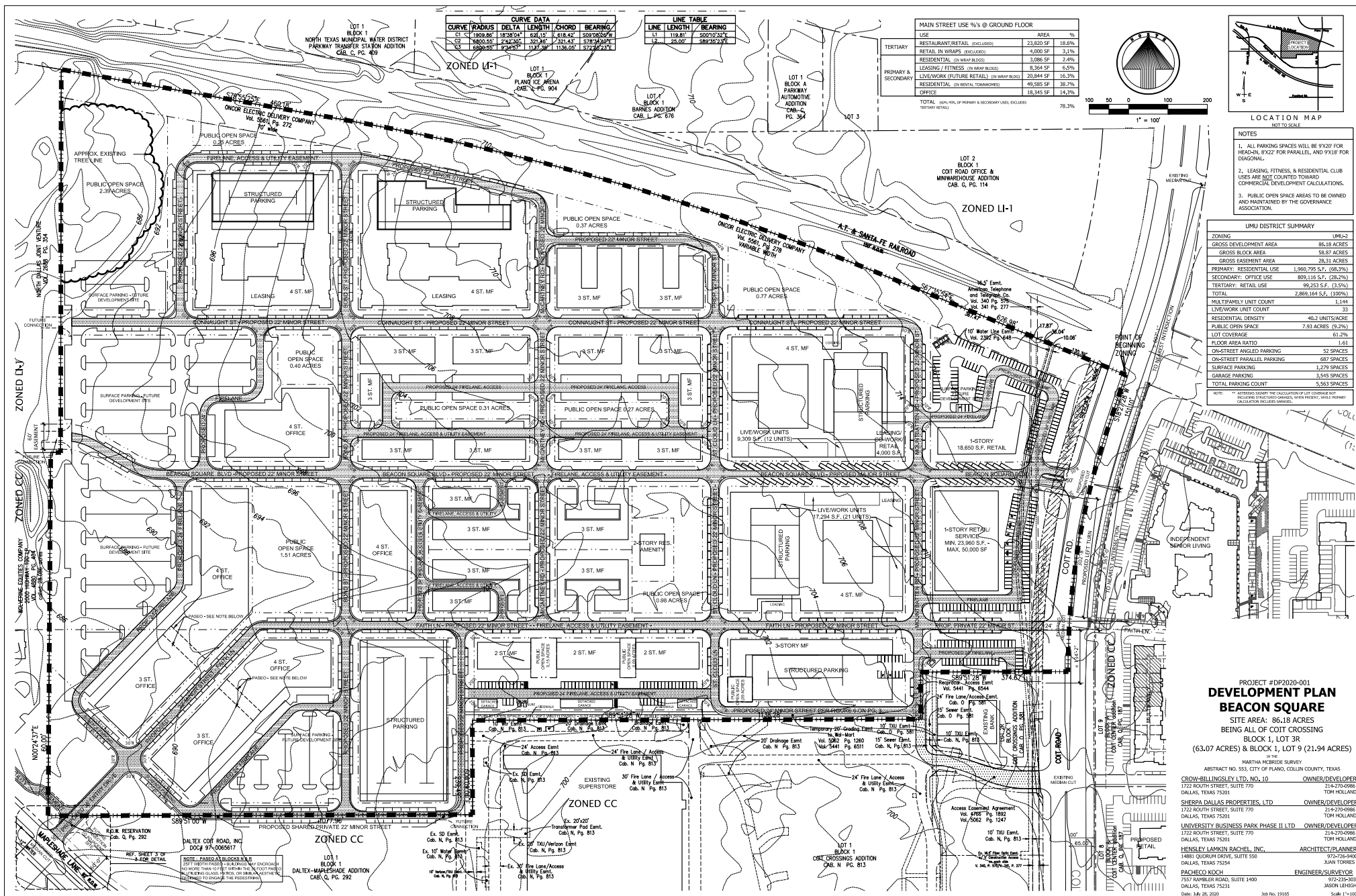
Existing Zoning: Urban Mixed-Use-2 (UMU-2) and located within the 190 Tollway/Plano Parkway Overlay District

Proposed Zoning: Amend Urban Mixed-Use-2 (UMU-2)

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







CURVE DATA

CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	1769.86'	18.38°	641.32'	618.42'	S89°08'24" W
C2	1800.55'	7.43°	33.43'	331.43'	S72°34'24" W
C3	6880.55'	7°45'00"	1147.38'	1136.05'	S72°22'24" W

LINE TABLE

LINE	LENGTH	BEARING
L1	118.81'	S80°10'24" W
L2	24.00'	S89°08'24" W

MAIN STREET USE %'S @ GROUND FLOOR

USE	AREA	%
RESTAURANT/RETAIL (INCLUDED)	23,820 SF	18.6%
RETAIL IN WRAPS (INCLUDED)	4,000 SF	3.1%
RESIDENTIAL (IN WRAP BLOCKS)	3,086 SF	2.4%
LEASING / FITNESS (IN WRAP BLOCKS)	8,364 SF	6.5%
LIVESTOCK (OUTSIDE RETAIL) (IN WRAP BLOCKS)	20,844 SF	16.3%
RESIDENTIAL (IN RETAIL TRANSFORMATIONS)	49,585 SF	38.7%
OFFICE	18,345 SF	14.3%
TOTAL (EXCLUDING OFF-PRIMARY & SECONDARY USES EXCLUDED (TERTIARY RETAIL))		78.3%



- NOTES**
1. ALL PARKING SPACES WILL BE 9'X20' FOR HEAD-IN, 9'X22' FOR PARALLEL, AND 9'X13' FOR DIAGONAL.
 2. LEASING, FITNESS, & RESIDENTIAL CLUB USES ARE NOT COUNTED TOWARD COMMERCIAL DEVELOPMENT CALCULATIONS.
 3. PUBLIC OPEN SPACE AREAS TO BE OWNED AND MAINTAINED BY THE GOVERNANCE ASSOCIATION.

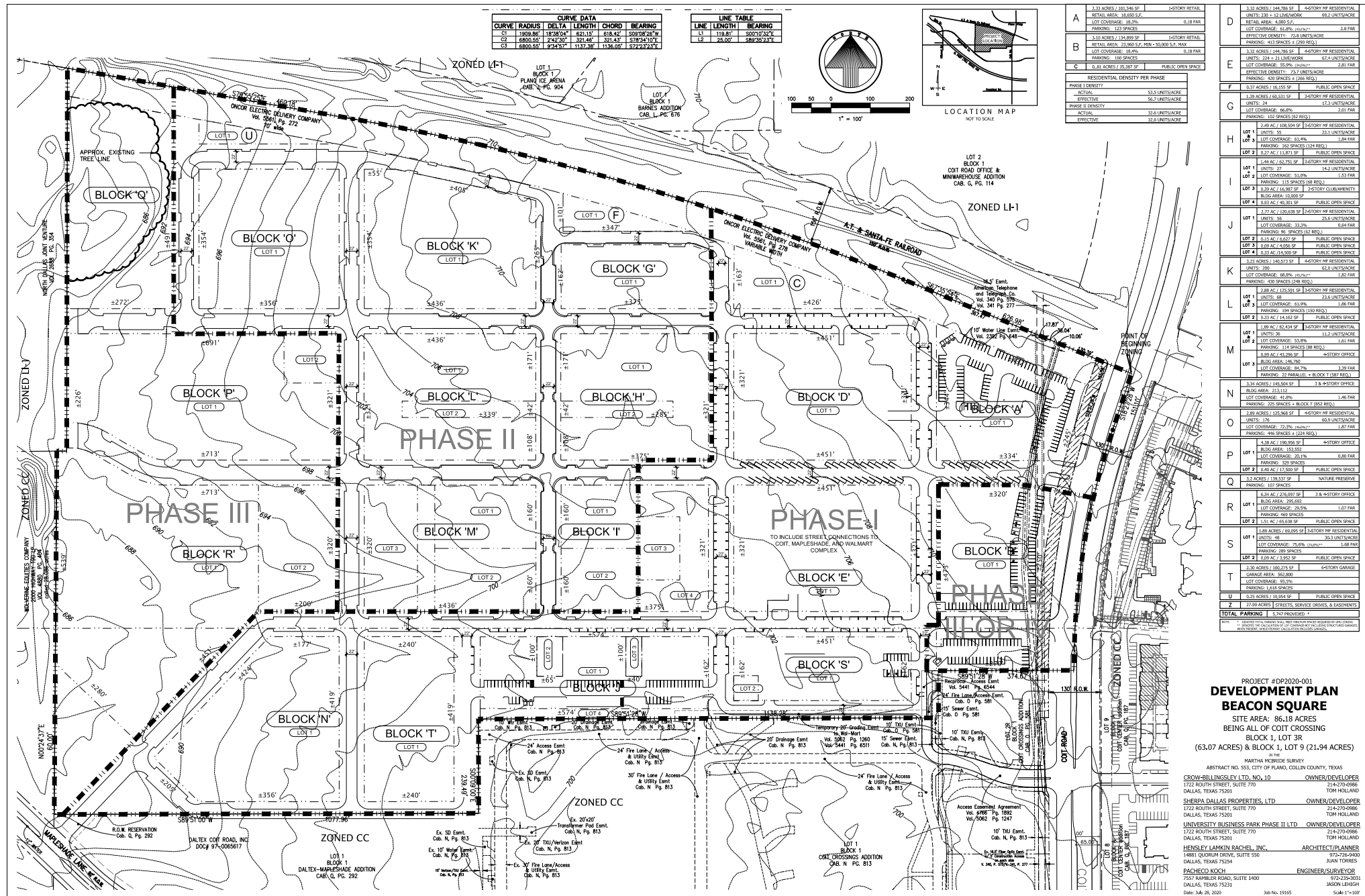
UNU DISTRICT SUMMARY

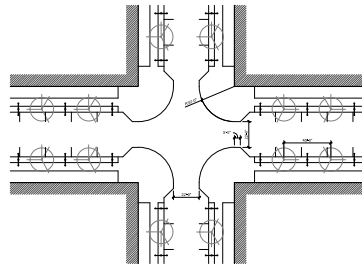
ZONING	UNU-2
GROSS DEVELOPMENT AREA	86.18 ACRES
GROSS BLOCK AREA	58.67 ACRES
GROSS EASTMENT AREA	26.31 ACRES
PRIMARY: RESIDENTIAL USE	1,960,725 S.F. (48.2%)
SECONDARY: OFFICE USE	809,115 S.F. (28.2%)
TERTIARY: RETAIL USE	99,215 S.F. (3.5%)
TOTAL	2,869,045 S.F. (130%)
MULTIFAMILY UNIT COUNT	1,144
RESIDENTIAL DENSITY	40.2 UNITS/ACRE
PUBLIC OPEN SPACE	7.93 ACRES (9.2%)
LOT COVERAGE	61.2%
FLOOR AREA RATIO	1.61
ON-STREET ANGLED PARKING	52 SPACES
ON-STREET PARALLEL PARKING	687 SPACES
SURFACE PARKING	1,279 SPACES
GARAGE PARKING	3,545 SPACES
TOTAL PARKING COUNT	5,563 SPACES

NOTE: 1. IF APPLICABLE, VERIFY THE CALCULATION OF LOT COVERAGE NOT INCLUDING STREET GARAGE, WITH REVISION. 2. OFF-PRIMARY CALCULATION INCLUDES GARAGE.

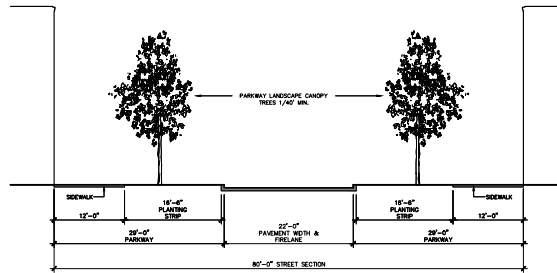
**PROJECT #DP2020-001
DEVELOPMENT PLAN
BEACON SQUARE**
SITE AREA: 86.18 ACRES
BEING ALL OF COIT CROSSING
BLOCK 1, LOT 3
(63.07 ACRES) & BLOCK 1, LOT 9 (21.94 ACRES)

IN THE
MARTHA MORRIS SURVEY
ABSTRACT NO. 553, CITY OF PLANO, COLLIN COUNTY, TEXAS
CROW-BELLINGSLY LTD. NO. 10
OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770
DALLAS, TEXAS 75201
SHERPA DALLAS PROPERTIES, LTD.
OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770
DALLAS, TEXAS 75201
UNIVERSITY BUSINESS PARK PHASE II LTD.
OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770
DALLAS, TEXAS 75201
HENSLEY LAMON RACHEL, INC.
ARCHITECT/PLANNER
14881 QUORUM DRIVE, SUITE 550
DALLAS, TEXAS 75254
PACHECO KOCH
ENGINEER/SURVEYOR
7550 RAINBOW ROAD, SUITE 1400
DALLAS, TEXAS 75231
Date: July 26, 2020
Job No. 19185
Page 1 of 3

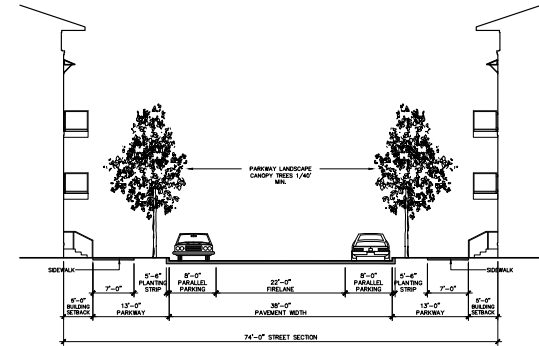




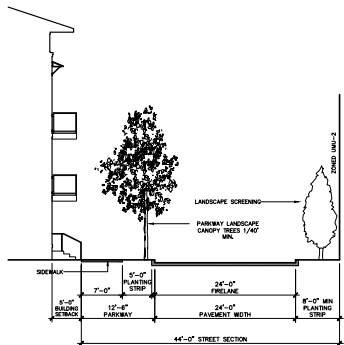
05 TYPICAL STREET INTERSECTION
SCALE: 1"=50'



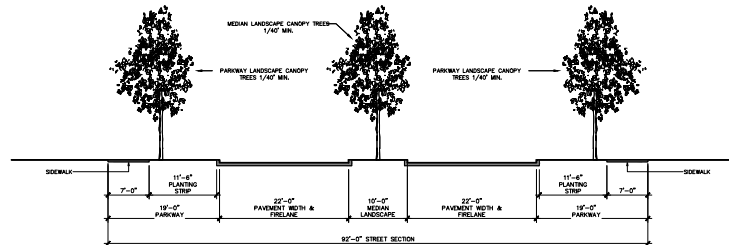
04 ENTRY DRIVE - 80' STREET SECTION
SCALE: 1"=10'



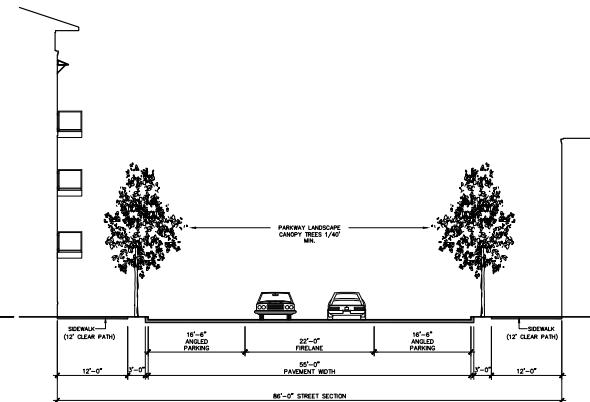
02 MINOR STREET - 74 FT. STREET SECTION
SCALE: 1"=10'



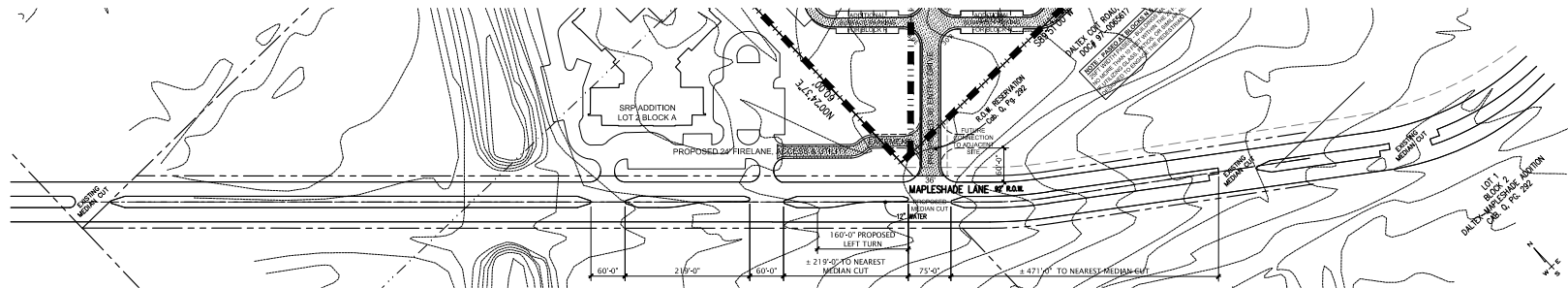
06 MINOR STREET - 44FT MIN STREET SECTION - 24FT FIRELANE
SCALE: 1"=10'
THIS STREET SECTION WILL ONLY OCCUR SOUTH OF BLOCK 8



03 MEDIAN DIVISION @ ENTRY DRIVE
SCALE: 1"=10'



01 MAJOR STREET - 86 FT. STREET SECTION
SCALE: 1"=10'



PROJECT #DP2020-001
**DEVELOPMENT PLAN
BEACON SQUARE**
SITE AREA: 86.18 ACRES
BEING ALL OF COIT CROSSING
BLOCK 1, LOT 3R
(63.07 ACRES) & BLOCK 1, LOT 9 (21.94 ACRES)
in the
MARTHA MORRIS SURVEY
ABSTRACT NO. 553, CITY OF PLANO, COLLIN COUNTY, TEXAS
CROW-BILLINGSLEY LTD. NO. 10 OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
SHERPA DALLAS PROPERTIES, LTD. OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
UNIVERSITY BUSINESS PARK PHASE II LTD. OWNER/DEVELOPER
1722 SOUTH STREET, SUITE 770 214-270-0986
DALLAS, TEXAS 75201 TOM HOLLAND
HENSLEY LAMON RACHEL, INC. ARCHITECT/PLANNER
14881 QUORUM DRIVE, SUITE 550 972-726-9400
DALLAS, TEXAS 75254 JUAN TORRES
PACHECO KOCH ENGINEER/SURVEYOR
7555 HAMBLEN ROAD, SUITE 1400 817-535-0031
DALLAS, TEXAS 75231 JASON LEHIGH
Date: July 26, 2020 Scale: 1"=100'

CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Zoning
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-015.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing and adoption of Ordinance No. 2020-8-3 as requested in Zoning Case 2020-015 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 4.2 acres of land located on the east side of Robinson Road, 116 feet south of Pine Brook Drive in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: Shaddock Acquisitions, LLC **Conducted and adopted**

BACKGROUND

P&Z recommended approval by a vote of 8-0.

FINANCIAL SUMMARY/STRATEGIC GOALS

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the attached write-up.

ATTACHMENTS:

Description	Upload Date	Type
ZC2020-015 - Follow Up	7/27/2020	P/Z Follow-up Memo
ZC2020-015 - Write Up	7/27/2020	Staff Report
ZC2020-015 - Locator	7/27/2020	Map
ZC2020-015 - Aerial	7/27/2020	Map
ZC2020-015 - Zoning Exhibit With Bold	7/27/2020	Map
ZC2020-015 - FISD Email	7/27/2020	Letter
ZC2020-015 - Ordinance	7/27/2020	Ordinance

DATE: July 21, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020



AGENDA ITEM NO. 8A - PUBLIC HEARING

ZONING CASE 2020-015

APPLICANT: SHADDOCK ACQUISITIONS, LLC

Request to rezone 4.2 acres located on the east side of Robinson Road, 116 feet south of Pine Brook Drive from Agricultural to Single-Family Residence-6. Zoned Agricultural. Project #ZC2020-015.

APPROVED: 8-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 0 Oppose: 0 Neutral: 0

Letters Received Within 200' Notice Area: Support: 0 Oppose: 1 Neutral: 1

Petition Signatures Received: Support: 0 Oppose: 0 Neutral: 0

Other Responses: Support: 1 Oppose: 0 Neutral: 0

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

MR/amc

xc: George Spurlin, Estate of Spurlin Marion G
Greg Helsel, Spiars Engineering
Jeanna Scott, Building Inspections Manager

<https://goo.gl/maps/fNFa21JCCgwsvpDX9>

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2020

Agenda Item No. 8A

Public Hearing: Zoning Case 2020-015

Applicant: Shaddock Acquisitions, LLC

DESCRIPTION:

Request to rezone 4.2 acres located on the east side of Robinson Road, 116 feet south of Pine Brook Drive from Agricultural to Single-Family Residence-6. Zoned Agricultural. Project #ZC2020-015.

REMARKS:

The purpose of this request is to rezone the subject property to allow for single-family residential lots. The existing zoning is Agricultural (A). The A district is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce. It is anticipated that all A districts will be changed to other zoning classifications as the city proceeds toward full development. The subject property was annexed into the city on September 27, 1999, and has been zoned Agricultural since December 13, 1999.

The proposed zoning is Single-Family Residence-6 (SF-6). The SF-6 district is intended to provide areas for small-lot, urban, single-family development protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living.

A concept plan, Northbrook Place, accompanies this request as agenda item 8B.

Surrounding Land Use and Zoning

North	Existing single-family residences zoned Single-Family Residence-6.
East	Existing single-family residences zoned Single-Family Residence-6.
South	Existing single-family residences zoned Single-Family Residence-7.
West	Across Robinson Road and vacant land zoned Planned Development-156-Single-Family Residence Attached (PD-156-SF-A).

Conformance to the Comprehensive Plan

Future Land Use Map - The Future Land Use Map of the city's Comprehensive Plan designates the subject property as Neighborhood (N).

The Neighborhood future land use category consists primarily of residential areas focused on sustaining a high quality of life through clear, well maintained infrastructure, housing, open space, schools, and limited service/institutional uses. 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. Institutional, light office, and service uses are considered secondary uses and may be located along the frontage of arterial streets and intersections. Adequate building setbacks must be considered when development is proposed near neighborhoods.



The N designation recommends single-family be the primary use within these designations. The requested SF-6 zoning district is consistent with the context of the adjacent residential neighborhoods to the north, east, and south. This request is in conformance with the Future Land Use Map designation.

Growth and Change Map - The Growth and Change Map designates the subject property as Conserve and Enhance (CE).

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

The CE designation identifies areas which are intended to maintain consistency with surrounding zoning and uses. This rezoning is a minor infill request, and will be consistent with the zoning standards of the adjacent neighborhoods. This request is in conformance with the Growth and Change Map designation.



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

This request will allow for new housing which respects the adjacent residential neighborhoods. This request is in conformance with the Land Use Policy.

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

The subject property is an extension of the existing neighborhood and will take access from existing residential streets. This request is in conformance with this action statement.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property; however, the applicant may be responsible for making improvements to either the water and/or sanitary sewer system to increase the system capacity if required.

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

School Capacity - Staff has received an email from Frisco Independent School District regarding school capacity, which staff has included as an attachment.

Public Safety Response Time - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site.

Access to and Availability of Amenities & Services - The subject property is less than half a mile from Lt. Russell A. Steindam Park, Heritage Yards Athletic Fields, and the Legacy Trail. Additionally, future residents would be served by the Davis Library which has sufficient capacity to serve the development.

ISSUES:

Neighborhood Compatibility

Due to its size and proximity to single-family homes, the subject property may not be suitable for most agricultural activities, and it is reasonable to expect this property to be rezoned to be consistent with adjacent residential zoning districts. The adjacent neighborhood to the north and east, Villages of Preston Glen Phase II, is zoned SF-6, and was developed in the early 2000s. The adjacent neighborhood to the south, Deerfield West, is zoned SF-7, and was developed in the early 1990s. The SF-6 zoning request is compatible with the existing residential neighborhoods.

Commercial Antenna Support Structure

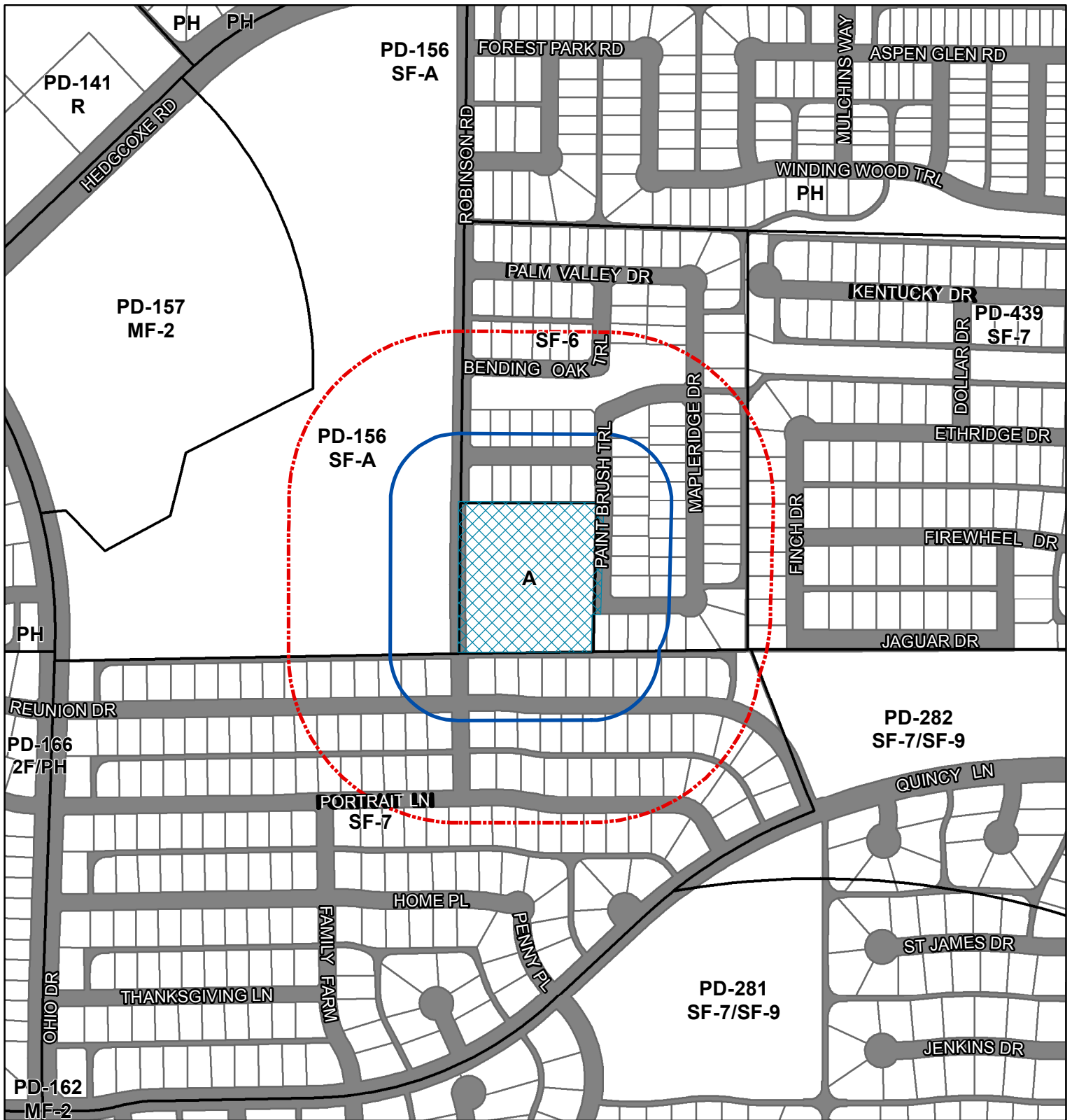
The northwest portion of the subject property contains an existing commercial antenna support structure, which was placed on the site before the property was annexed into the city. The companion concept plan shows the cell tower on a lot, which meets the SF-6 zoning district requirements. This property can be developed as a single-family residence in the future if the support structure is removed.

SUMMARY:

This is a request to rezone the subject property from Agricultural to Single-Family Residence-6. The request is an extension of the existing single-family zoning to the north and east, and is compatible with the adjacent single-family neighborhoods. The proposed zoning is in conformance with the recommendations of the Comprehensive Plan. Staff is in support of the request.

RECOMMENDATION:

Recommended for approval as submitted.

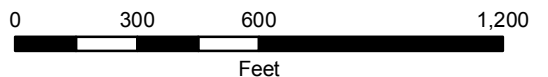
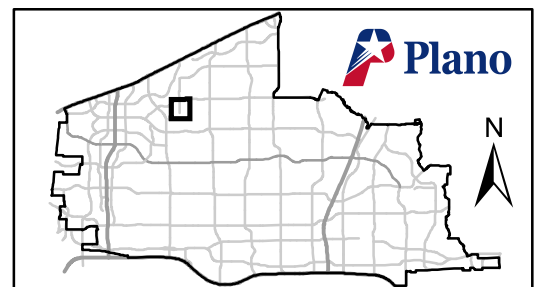


Zoning Case: 2020-15

Existing Zoning: Agricultural (A)

Proposed Zoning: Single-Family Residence-6 (SF-6)

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





Zoning Case 2020-15

Area of Request

0 180 360
Feet

Muzaib Riaz

From: Warstler, Scott <WarstleS@friscoisd.org>
Sent: Sunday, July 12, 2020 11:13 AM
To: Muzaib Riaz
Subject: Re: Zoning Case in City of Plano

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the City of Plano network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Riaz,

Frisco ISD has no concerns with adding 17 single family residences to the proposed zone change.

Regards,

Scott Warstler
Executive Director of Operations
Frisco ISD

Zoning Case 2020-015

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 4.2 acres of land out of the Collin County School Land Survey, Abstract No. 153, located on the east side of Robinson Road, 116 feet south of Pine Brook Drive in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of August 2020, for the purpose of considering rezoning 4.2 acres of land out of the Collin County School Land Survey, Abstract No. 153, located on the east side of Robinson Road, 116 feet south of Pine Brook Drive in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of August 2020; and

WHEREAS, the City Council is of the opinion and finds that such rezoning would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 4.2 acres of land out of the Collin County School Land Survey, Abstract No. 153, located on the east side of Robinson Road, 116 feet south of Pine Brook Drive in the City of Plano, Collin County, Texas, from Agricultural to Single-Family Residence-6, said property being described in the legal description on Exhibit A attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE ZC2020-015

BEING a tract of land situated in the Collin County School Land Survey, Abstract No. 153, City of Plano, Collin County, Texas, the subject tract BEING a portion of a tract conveyed to Marion G. Spurlin according to the deed recorded in Volume 647, Page 593 of the Deed Records, Collin County, Texas (DRCCT), with the subject tract BEING more particularly described as follows:

BEGINNING at a point on the center of line of Brush Trail, a called 50-foot wide right-of-way, from which the southeast corner of Lot 6, Block E, Villages of Preston Glen Phase II, an addition recorded in Cabinet O, Page 477, Plat Records, Collin County, Texas (PRCCT), bears S 89°20'47" W, 25.00 feet;

THENCE S 00°39'04" W, 329.05 feet along said center line of Brush Trail to the point of intersection of said center line with the south line Parkridge Drive a called 50-foot wide right-of-way and a point on the north property line of Lot 35, Block A of Deerfield West, an addition recorded in Cabinet H, Page 223 PRCCT;

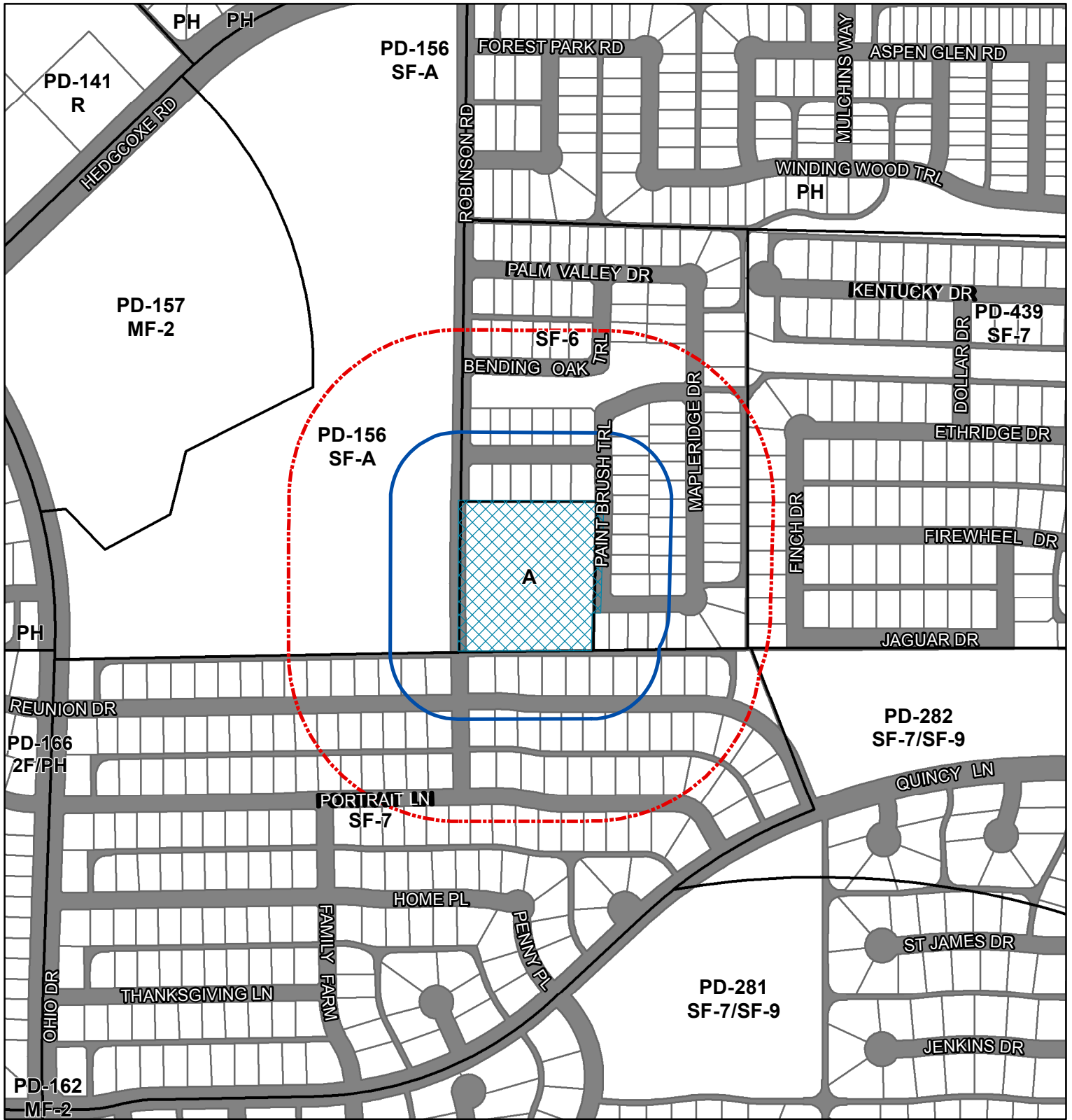
THENCE S 88°57'14" W, 25.01 feet along said north property line of Lot 35, Block A of Deerfield West to the northwest lot corner thereof;

THENCE S 00°39'04" W, 110.05 feet along the west line thereof to a point on the north line of an alley created by the final plat of the above mentioned Deerfield West,

THENCE S 88°57'14" W, 393.09 feet along the north line of said alley to a point on the center line of Robinson Road, a variable width public right-of-way, according to the right-of-way dedication thereof recorded in Document No. 2002-0119670 DRCCT;

THENCE N 00°44'46" W, 441.85 feet to a point on the above mentioned south property line of Villages of Preston Glen Phase II, a point for corner;

THENCE N 89°20'47" E, along the south line of said addition passing at 403.80 feet the southeast property corner and continuing a total distance of 428.80 feet to the POINT OF BEGINNING with the subject tract containing 183,734 square feet or 4.218 acres of land.

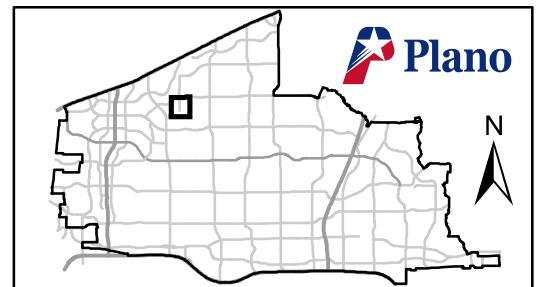


Zoning Case: 2020-15

Existing Zoning: Agricultural (A)

Proposed Zoning: Single-Family Residence-6 (SF-6)

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



0 300 600 1,200
Feet



CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Zoning
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-013.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-013 to amend and add various portions of Article 9 (Residential Districts) and Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to create the Residential Community Design zoning district; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano **Conducted and tabled to 1/25/2021**

BACKGROUND

P&Z recommended approval by a vote of 8-0.

FINANCIAL SUMMARY/STRATEGIC GOALS

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the attached write-up.

ATTACHMENTS:

Description	Upload Date	Type
ZC2020-013 - Follow Up	8/4/2020	P/Z Follow-up Memo
ZC2020-013 - Write-Up	8/5/2020	Staff Report
ZC2020-013 - Ordinance	7/31/2020	Ordinance

DATE: July 21, 2020
TO: Honorable Mayor & City Council
FROM: John Muns, Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020

**AGENDA ITEM NO. 5 - PUBLIC HEARING
ZONING CASE 2020-013
APPLICANTS: CITY OF PLANO**

Request to amend Article 8 (Definitions), Article 9 (Residential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Residential Community Design zoning district. Project #ZC2020-013.

APPROVED:	<u>8-0</u>	DENIED:	<u> </u>	TABLED:	<u> </u>		
Speaker Card(s) Received		Support:	<u>1</u>	Oppose:	<u>3</u>	Neutral:	<u>0</u>
Petition Signatures Received:		Support:	<u>0</u>	Oppose:	<u>0</u>	Neutral:	<u>0</u>
Other Responses:		Support:	<u>8</u>	Oppose:	<u>8</u>	Neutral:	<u>9</u>

STIPULATIONS:

Recommended for approval as follows (additions are indicated in underlined text):

Amend Article 9 (Residential Districts) of the Zoning Ordinance, such additional section to read as follows:

9.1700 RCD, Residential Community Design District

.1 Purpose

The RCD district is intended to provide a planning, regulatory, and management framework for the design and integration of small lot residential development. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate for undeveloped properties and redevelopment sites in areas within Transit Corridors and the Community Vision Map of Envision Oak Point where compatible transitions can be provided from established neighborhoods.

.2 Minimum District Size

No RCD district smaller than 5 acres may be established unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.

.3 Permitted Uses

See the residential districts use table in Sec. 14.100 for a complete listing.

.4 Housing-Types Requirement

- A.** The district is limited to a minimum of 10 dwelling units per acre and a maximum of 20 dwelling units per acre. Calculation of residential density is based on the net size of the property, exclusive of public and private streets, street easements, and public usable open space, at the time of development.
- B.** If a housing type is provided, it must account for at least 10% of the total units in the district.
- C.** The required mix of housing types is determined by the number of dwelling units provided within the district as shown below.

Dwelling Units Provided	50 Units or Less	51-100 Units	Over 100 Units
Minimum Housing Types Required	1	2	3
Tier One Units	Minimum 50% of total units	Minimum 50% of total units	Minimum 50% of total units
Tier Two Units	Permitted	Permitted	Permitted
Tier Three Units	Not permitted	Not permitted	Cannot exceed 25% of total units

.5 Area, Yard, and Bulk Requirements for Housing Types

The following area, yard, and bulk requirements apply to all residential lots in the RCD district unless otherwise expressly stated:

A. Tier One Housing Types

- i.** Tier One housing types consist of detached single-family and two-family residences characterized by a lower density and modest scale. Of the three tiers, Tier One is the most appropriate for adjacency to existing single-family neighborhoods outside of an RCD district.

ii. Tier One : Single-Family Residence-3

a. Description

Detached single-family dwelling unit.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	3,000 square feet
Maximum Units per Lot	1 unit

Description	Requirements
Minimum Lot Width	
Interior Lot	40 feet
Corner Lot	45 feet
Maximum Lot Width	65 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend into the setbacks.
Minimum Side Yard	
Interior Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	70%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iii. Tier One : Single-Family Residence-2

a. Description

Detached dwelling unit that may be constructed individually or as a cluster of dwelling units organized around a shared court.

b. Area, Yard, and Bulk Requirements

Description	General Requirements for SF-2 Development
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend into the setbacks.
Minimum Building Separation	6 feet between units; 10 feet for other building types and accessory buildings
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet

Maximum Floor Area per Unit	1600 square feet
Maximum Height	1.5 story, 25 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

Description	Additional Requirements for Individually Platted Lots
Minimum Lot Area	2,000 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	25 feet
Corner Lot	30 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Minimum Side Yard	
Interior Lot	3 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	5 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7

Description	Additional Requirements for Clustered Units on a Single Lot
Minimum Lot Area	2,000 square feet per unit in addition to the required minimum shared court.
Minimum Units per Lot	4 units
Maximum Units per Lot	10 units
Minimum Lot Width	225 feet
Minimum Face-to-Face Unit Distance	40 feet
Minimum Setback from a Mews Street	5 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Setback from all Other Streets	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Minimum Side Yard	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	5 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Shared Court Area	10% of total lot area, including shared court

c. Shared Court

A shared court is required for clustered units on a single lot according to the following standards:

- i. A shared court must be no less than 10% of the total lot area.
- ii. A walkway at least five feet in width must be provided with access from each unit to the street.
- iii. Units must face the shared court.

iv. Tier One : Duplex

a. Description

A detached building having separate accommodations for and occupied by not more than two households. The dwelling units may be side-by-side or one on top of another. Each unit must have an entrance on the ground floor.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	3,000 square feet
Maximum Units per Lot	2 units
Minimum Lot Width	
Interior Lot	40 feet
Corner Lot	45 feet
Maximum Lot Width	70 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet

Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	70%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

B. Tier Two Housing Types

- i. Tier Two housing types consist of detached and attached residences that vary in character and scale. Tier Two housing types provide an appropriate transition between Tier One and Tier Three types.

ii. Tier Two : Single-Family Residence-1.5

a. Description

Detached single-family dwelling unit with a maximum height of three stories.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	1,500 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	25 feet
Corner Lot	30 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	15 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet

Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iii. Tier Two : Townhome

a. Description

A dwelling unit that is part of a structure comprised of three or more single-family dwelling units attached by a common sidewall.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	1,200 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	20 feet
Corner Lot	25 feet
Maximum Lot Width	40 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	
Interior Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%

Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)
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iv. Tier Two : Manor Home

a. Description

A detached building comprised of 3 – 6 dwelling units that share a common sidewall or ceiling. The appearance of the structure is intended to match the form and character of a single-family detached residence. The building must have only one common entrance visible from the street. A direct sidewalk connection from every entrance must be provided to the sidewalk along the street and to the building's associated parking.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	5,000 square feet for 3 units; 1,000 square feet for each additional unit
Minimum Units per Lot	3 units
Maximum Units per Lot	6 units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	110 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	70%
Parking Requirements	All parking must be located behind the front building line (See Article 16)
One bedroom or less	One parking space per dwelling unit

Two bedrooms	One and one-half parking spaces per dwelling unit
Three bedrooms or more	2 parking spaces per dwelling unit
Maximum Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

C. Tier Three Housing Types

- i. Tier Three housing types consist of moderate-scale and density residential buildings. These housing types are best suited within and adjacent to mixed-use areas and are not appropriate adjacent to single-family residences located outside the RCD district.

ii. Tier Three : Stacked Townhome

a. Description

3-story structure comprised of two dwelling units that share a common vertical separation. Individual, ground-floor entrances are provided for each dwelling unit with a direct sidewalk connection from every entrance to the sidewalk along the street and to each parking area.

b. Use of Tier Two and Tier Three Townhomes

Tier Two Townhomes may be in line with Tier Three Stacked Townhomes when building articulation, such as wall offsets, height variation, upper-floor step-backs, or accent lines, and ornate architectural elements, such as dormers, cornices, or arches, are provided.

c. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	1,200 square feet
Maximum Units per Lot	2 units
Minimum Lot Width	
Interior Lot	20 feet
Corner Lot	25 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	

Interior Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	700 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iii. Tier Three : Stacked Flat

a. Description

A 2- or 3-story, detached building comprised of 6 – 9 dwelling units that share a common horizontal or vertical separation. The appearance of the structure is intended to match the form and character of a single-family detached residence. The building must have only one common entrance visible from the street. A direct sidewalk connection from every entrance must be provided to the sidewalk along the street and to the building's associated parking.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	8,000
Maximum Units per Lot	9 units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	150 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7

Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	700 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	75%
Parking Requirements	All parking must be located behind the front building line (See Article 16)
One bedroom or less	One parking space per dwelling unit
Two bedrooms	One and one-half parking spaces per dwelling unit
Three bedrooms or more	2 parking spaces per dwelling unit
Maximum Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

.6 Nonresidential Area, Yard, and Bulk Requirements

In RCD districts, the Neighborhood Business Design District (Section 10.1600) standards must be utilized for nonresidential uses.

.7 Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. 9.1700.5, all buildings must be set back from the district boundary line of the nearest residential zoning district or the lot line of a residential use outside of the RCD district, as follows:

- A.** When an alley is present on the neighboring property: at least two feet for every one foot of building height.
- B.** When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C.** This minimum setback may be reduced to a setback of 20 feet when the nearest residential zoning district allows a maximum height greater than 35 feet.

.8 District Establishment and Administration

- A.** The regulations contained within this zoning district may be supplemented with additional standards and conditions to execute a specific development plan. The boundary of each RCD district must be defined on the Zoning Map and identified with the letters RCD followed by a unique number referencing the supplementary regulations. In considering the establishment of an RCD district, the Planning & Zoning Commission and City Council may amend and supplement the base RCD regulations and related development regulations in the Zoning Ordinance and Subdivision Ordinance to implement individual development plans, with the exception of:

- i. Requirement for an adopted development plan;
- ii. Requirement for a governance association;
- iii. Minimum and maximum residential densities;
- iv. Requirement for a mix of housing types.

B. An RCD district may not be used to:

- i. Require construction of public improvements or the dedication or reservation of land, which are not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.
- ii. Secure agreements between owners of property within the district with third parties.
- iii. Assign responsibility to the city for enforcement of private deed restrictions or covenants.
- iv. Waive or modify the requirements of ordinances other than the Zoning Ordinance, except as specifically authorized by this ordinance.

.9 Adopted Development Plan

A. An RCD district must not be established without the concurrent adoption of a development plan for the district. The plan must comply with Sec. 3.500 and must:

- i. Show the location and type of streets, blocks, parking areas, open space, and residential transition areas;
- ii. Specify the minimum and maximum number of residential units by housing type; and
- iii. Enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.

B. The development plan must be adopted as part of the ordinance creating the RCD district. Modifications to the development plan must comply with the requirements in Sec. 3.600.

.10 Governance Association

Applications for building permits for development within an RCD district must not be accepted or approved until a suitable property owners' governance association is established. The association must be responsible for maintaining all common property, improvements, and amenities within the district. It must 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 Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking

arrangements, public access to sidewalks, and to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

.11 Streets and Sidewalks

A. All streets within an RCD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.

B. Street Design

An RCD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.

C. Block Size

The maximum block size is three acres, except as required for public parks or school use.

D. Block Length

The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets.

E. Street Trees

A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage.

F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an RCD district must be constructed in accordance with the following general street classifications:

Street Type	Travel Lanes	On-street Parking	Sidewalks
Type D or above thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 12 feet in width
Type E or below thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 7 feet in width
Major Street	Two 11-foot vehicle lanes	Parallel or diagonal parking in accordance with Section 16.1500 and valet or drop-off lanes required	Minimum 12 feet in width
Minor Street	Two 11-foot vehicle lanes	Parallel parking in accordance with Section 16.1500 and designated loading zones required.	Minimum 7 feet in width
Mews Street	Two 11-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services	7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities.	If provided, minimum 5 feet in width, but none required
Paseo	Minimum overall width: 28 feet with minimum 40 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards.	Not permitted	Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots

H. Paseo Requirements

- i. All dwelling units abutting a paseo must face the paseo.
- ii. No more than 33 percent of all dwelling units in an RCD development may directly front a paseo or public usable open space.

I. Landscape Edge

Along Type D and above thoroughfares, a 20-foot landscape edge is required. Within the landscape edge, 6 caliper inches of shade trees or 12 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.

J. Bike Lanes

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the RCD district.

K. Connectivity

Connections must be made to provide direct pedestrian and bicycle access from the RCD district to adjacent sidewalks, trails, parks, transit stops, and other connections where feasible. Pedestrian access must be provided by connection to any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the RCD district. In order to provide efficient pedestrian connections to adjacent properties, the city may require additional sidewalks, walkways, or trails not associated with a street.

L. Curb Bulb Outs

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

- A.** Parking for nonresidential uses must follow NBD standards (Sec. 10.1600.13).
- B.** Garage or off-street parking spaces for all housing types may only be accessed from a mews street.
- C.** If detached garages are provided, a maximum of four parking spaces may be provided per detached garage.
- D.** The elimination of the garage space by enclosing the garage with a stationary wall is prohibited.
- E.** Surface parking spaces must meet the following requirements:
 - i.** Parking lots must be located behind front building facades.
 - ii.** A maximum of 20 parking spaces are allowed per parking lot.

- iii. 3 caliper inches of shade trees or 6 caliper inches of ornamental trees with a minimum tree size of 2-inch caliper must be provided for every 10 parking spaces.
- iv. A sidewalk at least seven feet in width must be provided to connect the parking lot to the street and to any adjacent buildings or open space areas. The sidewalk must be meet the following requirements:
 - a. The sidewalk must be distinguishable from areas used by vehicles using one or more of the following techniques:
 - i. Changing paving material, patterns, and/or paving color, but not including the painting of the paving material;
 - ii. Changing paving height;
 - iii. Addition of decorative bollards; or
 - iv. Constructing raised median walkways with landscaped buffers.
 - b. Have adequate lighting for security and safety; and
 - c. Not include barriers that limit pedestrian access between the subject property and adjacent properties.
- F. For residential lots fronting a major or minor street, visitor parking demand is to be served by the required on-street parking spaces. For residential lots fronting directly on public usable open space or a paseo, 0.25 off-street parking spaces per dwelling unit must be provided within 300 feet of each lot.

.13 Usable Open Space

- A. Public usable open space must be provided in an amount not less than fifteen percent of the gross acreage of the development. The following requirements also apply:
 - i. A maximum of 25% of the minimum required public usable open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for use through the addition of trails and other pedestrian amenities.
 - ii. Public usable open space must be provided in the form of greens, linear parks, greenbelts, pocket parks, public art displays, and paseos that are integrated within the block pattern defined on the development plan.
 - iii. At least one public usable open space must be a minimum of 7,500 square feet with a minimum width of 30 feet and have buildings or streets directly fronting or siding the public usable open space on a minimum of three sides.

- iv. Natural features must be designed for integration into the site. Buildings or public usable open space must front on the features, and design must permit sufficient pedestrian and vehicle access.
 - v. Rooftops and accessory buildings, except those portions of any building designed specifically for public recreational purposes, do not count toward the public usable open space requirements.
 - vi. Required landscaping does not count toward the public usable open space requirement.
 - vii. Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.
 - viii. Reductions in required public usable open space may be considered for RCD districts where the RCD development is within a quarter mile of an existing Neighborhood Park, Community Park, Linear Park, Special Use Facility, Open Space Preserve, or Special Area Park as designated on the city's Park Master Plan Map. This criteria does not apply in circumstances where the RCD district is separated from said existing park by a Type D or above thoroughfare.
- B.** Private usable open space, including interior courtyards and patios for individual residential uses, is permitted but does not count toward the public usable open space requirement.

.14 Building Placement and Design

- A.** An RCD district or a group of buildings within the district may not be walled, fenced, or restricted from general public access.
- B.** Buildings in an RCD district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by public usable open space.
- C.** Lots must be oriented so that buildings directly front on a designated street, public usable open space, or shared court.
- D.** Each building must include a porch or stoop at the front façade.
- E.** Buildings comprised of attached housing types must not exceed 200 feet in length and must be separated by a minimum distance of 10 feet.
- F.** Exterior entrances/exits are only permitted on the ground floor.

.15 Sign Regulations

- A.** Signage for nonresidential uses fronting Type D and above thoroughfares must follow the regulations, specifications, and design standards contained in Article 22 (Signs).

- B.** All other signage for nonresidential uses must follow the regulations, specifications, and design standards for signs contained in Sec. 10.800 (BG, Downtown Business/Government).

Amend Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such portion of section to read as follows:

Use Type	Use Category	RCD-Residential Community Design
Accessory Building or Use (8)	Accessory & Incidental	P 18
Accessory Housing Shelter (Temporary)	EIPS	P 45
Airport/Heliport (4)	EIPS	
Amusement, Commercial (Indoor)	Service	
Amusement, Commercial (Outdoor)	Service	
Animal Exhibition	EIPS	
Antenna	Trans., Utility, & Comm.	34
Antenna Support Structure (Commercial and Amateur)	Trans., Utility, & Comm.	34
Arcade (12)	Service	
Artisan's Workshop	Service	
Asphalt/Concrete Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Asphalt/Concrete Batching Plant (Temporary)	Comm., Mfg. & Ind.	36
Assembly Hall	EIPS	
Assisted Living Facility	EIPS	
Backyard Cottage	Accessory & Incidental	P 51
Bank, Savings and Loan, or Credit Union	Service	
Bed and Breakfast Inn	Service	S
Boarding/Rooming House	Primary Res.	
Body Piercing	Service	
Building Material Sales	Retail	
Bus/Truck Leasing	Vehicle & Related	
Bus/Truck Repair	Vehicle & Related	

Business Service	Service	
Cabinet/Upholstery Shop	Service	
Cafeteria/Restaurant	Service	
Car Wash	Vehicle & Related	
Caretaker's/Guard's Residence	Accessory & Incidental	<u>S</u>
Cemetery/Mausoleum	EIPS	<u>S</u>
College/University (5)	EIPS	<u>S</u> <u>5</u>
Commissary	Wholesale	
Community Center	EIPS	<u>S</u>
Compact Construction & Transportation Equipment Sales & Service	Retail	
Concrete/Asphalt Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Concrete/Asphalt Batching Plant (Temporary)	Comm., Mfg. & Ind.	<u>36</u>
Construction Yard (Temporary) (9)	Accessory & Incidental	<u>9</u> <u>35</u>
Continuing Care Facility	EIPS	
Convenience Store	Retail	
Country Club or Golf Course	EIPS	
Data Center	Service	
Day Care Center (13)	Service	<u>S</u> <u>13</u> <u>52</u>
Day Care Center (Accessory)	Service	
Day Care Center (Adult)	Service	
Day Care (In-home) (16)	Service	<u>P</u> <u>16</u> <u>42</u>
Distribution Center/Warehouse	Wholesale	
Dry Cleaning Plant	Service	
Electrical Power Generating Plant	Trans., Utility, & Comm.	
Electrical Substation	Trans., Utility, & Comm.	<u>S</u>
Engine Repair Shop (Small)	Service	
Exhibition Area	Service	
Fairgrounds	Service	
Farm, Ranch, Garden, or Orchard	EIPS	<u>P</u>
Farmers Market	Retail	
Feed Store	Retail	
Fire Station/Public Safety Building	EIPS	<u>P</u>
Fitness/Health Center	Service	
Flea Market (Inside)	Retail	
Flea Market (Outside)	Retail	
Flex Space(Live-Work)	Service	
Food/Grocery Store	Retail	
Food Truck Park	Service	
Fraternal Organization, Lodge, or Civic Club	EIPS	
Funeral Parlor/Mortuary	Service	
Furniture and Appliances, Storage/Repair of (Inside)	Service	
Furniture and Appliances, Storage/Repair of (Outside)	Service	

Furniture, Home Furnishings, and Equipment Store	Retail	
Garden Center	Retail	
Golf Course or Country Club	EIPS	<u>S</u>
Grocery/Food Store	Retail	
Guard's/Caretaker's Residence	Accessory & Incidental	
Gun Range (Indoor)	Service	
Hardware Store	Retail	
Health/Fitness Center	Service	
Heliport/Airport (4)	EIPS	
Helistop (4)	EIPS	
Home Occupation (11)	Accessory & Incidental	<u>P</u> <u>11</u>
Hospital (5)	EIPS	
Hotel/Motel	Service	
Household Care Facility	EIPS	<u>P</u>
Household Care Institution	EIPS	
Independent Living Facility	EIPS	
Industrial Use (Hazardous or Nuisance)	Comm., Mfg. & Ind.	
Kennel (Indoor Pens)/Commercial Pet Sitting	Service	
Kennel (Outdoor Pens)	Service	
<u>Live-Work (Business Loft)</u>	<u>Primary Res.</u>	
Long-term Care Facility	EIPS	
Machinery Sales & Storage, Heavy	Retail	
Manufacturing (Heavy-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Light-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Moderate-intensity)	Comm., Mfg. & Ind.	
Massage Therapy, Licensed	Service	
Mausoleum/Cemetery	EIPS	<u>S</u>
Mid-Rise Residential	Primary Residential	
Mini-Warehouse/Public Storage	Wholesale	
Mobile Home/Trailer Display and Sales	Service	
Mobile Home/Trailer Park	Primary Res.	
Mortuary/Funeral Parlor	Service	
Motel/Hotel	Service	
Motorcycle Sales & Service	Vehicle & Related	
Multifamily Residence (1)	Primary Res.	<u>P</u> <u>52</u> <u>53</u>
Nursery	Retail	
Office (Field) (9)	Accessory & Incidental	<u>9</u> <u>35</u>
Office (Medical)	Office & Prof.	
Office (Professional/General Administrative)	Office & Prof.	
Office (Showroom/Warehouse)	Wholesale	
Paint Shop	Retail	
Park/Playground	EIPS	<u>P</u> <u>52</u>
Pawn Shop	Retail	
Personal Service Shop	Service	
Pet Sitting, Commercial/Kennel (Indoor Pens)	Service	

Playground/Park	EIPS	<u>P</u>
Portable Building Sales	Retail	
Post Office (Government and Private)	EIPS	
Print Shop (Major)	Service	
Print Shop (Minor)	Service	
Private Club (19)	Service	
Private Recreation Facility	EIPS	<u>S</u>
Public Safety Building/Fire Station	EIPS	<u>P</u>
Public Storage/Mini-Warehouse	Wholesale	
Railroad Freight Depot or Dock	Trans., Utility, & Comm.	
Recreational Vehicle Parking Lot/Garage	Vehicle & Related	
Recreational Vehicle Sales & Service	Vehicle & Related	
Rehabilitation Care Facility	EIPS	<u>S</u>
Rehabilitation Care Institution	EIPS	
Religious Facility (5)	EIPS	<u>P</u> <u>5</u>
Repair/Storage of Furniture and Appliances (Inside)	Service	
Repair/Storage of Furniture and Appliances (Outside)	Service	
Research and Development Center	Office & Prof.	
Restaurant/Cafeteria	Service	
Restaurant (Drive-in)	Service	
Retail/Service (Incidental)	Retail	
Retail Store	Retail	
Rooming/Boarding House	Primary Res.	
Salvage or Reclamation of Products	Comm., Mfg. & Ind.	
Sand, Gravel, Stone, or Petroleum Extraction	Comm., Mfg. & Ind.	
School, (Private) (5)	EIPS	<u>S</u> <u>5</u> <u>52</u>
School, (Public or Parochial) (5)	EIPS	<u>P</u> <u>5</u>
Service Contractor	Service	
Service Yard (Public or Utility)	Trans., Utility, & Comm.	<u>S</u> <u>50</u>
Service/Retail (Incidental)	Retail	
Sewage Treatment Plant	Trans., Utility, & Comm.	<u>S</u>
Shopping Center	Retail	
Single-Family Residence (Attached)	Primary Res.	<u>P</u> <u>53</u>
Single-Family Residence (Detached)	Primary Res.	<u>P</u> <u>53</u>
Stable	EIPS	
Storage, Open	EIPS	
Studio (Dance, Gymnastics and/or Martial Arts)	Service	
Studio (Photographer, Musician, Artist, Radio, and/or TV)	Service	
Studio Residence	Primary Res.	<u>P</u> <u>53</u>
Superstore	Retail	

Tattooing and Permanent Cosmetics	Service	
Temporary Accessory Housing Shelter	EIPS	
Theater (Drive-in)	Service	
Theater (Neighborhood)	Service	
Theater (Regional)	Service	
Trade Schools	EIPS	
Trailer/Mobile Home Display & Sales	Service	
Trailer/Mobile Home Park	Primary Res.	
Transit Center/Station	Trans., Utility, & Comm.	
Transmission Line/Utility Distribution	Trans., Utility, & Comm.	
Transportation and Utility Structures/Facility	Trans., Utility, & Comm.	<u>P</u>
Truck Parking Lot	Vehicle & Related	
Truck Sales (Heavy Trucks)	Vehicle & Related	
Truck Terminal	Vehicle & Related	
Truck/Bus Leasing	Vehicle & Related	
Truck/Bus Repair	Vehicle & Related	
Two-Family Residence	Primary Res.	<u>P</u> <u>53</u>
<u>Two-Family Residence (Attached)</u>	<u>Primary Res.</u>	<u>P</u> <u>53</u>
University/College (5)	EIPS	<u>S</u> <u>5</u>
Upholstery/Cabinet Shop	Service	
Utility Distribution/Transmission Line	Trans., Utility, & Comm.	<u>P</u>
Utility, Private (other than listed)	Trans., Utility, & Comm.	<u>S</u>
Veterinary Clinic	Service	
Vehicle Dealer (New) (7)	Vehicle & Related	
Vehicle Dealer (Used) (7)	Vehicle & Related	
Vehicle Leasing and Renting	Vehicle & Related	
Vehicle Parking Lot/Garage (Primary)	Vehicle & Related	
Vehicle Parts Sales (Inside)	Vehicle & Related	
Vehicle Parts Sales (Outside)	Vehicle & Related	
Vehicle Repair (Major)	Vehicle & Related	
Vehicle Repair (Minor/Fueling Station)	Vehicle & Related	
Vehicle Storage	Vehicle & Related	
Warehouse/Distribution Center	Wholesale	
Water Treatment Plant	Trans., Utility, & Comm.	<u>S</u>
Winery	Service	
Wrecking Yard	Vehicle & Related	

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

CS/amc

xc: Mike Bell, Comprehensive Planning Manager
Kendra Cobbs, Senior Planner
Jeanna Scott, Building Inspections Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2020

Agenda Item No. 5

Public Hearing: Zoning Case 2020-013

Applicant: City of Plano

DESCRIPTION:

Request to amend Article 8 (Definitions), Article 9 (Residential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Residential Community Design zoning district. Project #ZC2020-013.

REMARKS:

At its [March 16](#), [May 4](#), [June 1](#), and [June 15](#), 2020, Planning & Zoning Commission meetings, the Commission discussed information in staff presentations and gave direction related to the draft Residential Community Design (RCD) zoning district. Since these meetings, staff has continued public outreach and worked to further refine the district. This request is a companion item to Agenda Item No. 4, Zoning Case ZC2020-012.

Intent of New District

The RCD district is requested to facilitate the Plano Event Center zoning case (Agenda Item No. 6) and help implement the [Envision Oak Point Plan](#) by providing regulations that foster a complementary mix of housing options, pedestrian-friendly streets, and neighborhood-supportive amenities in line with the Envision Oak Point Vision Statement:

“Oak Point enhances community and establishes place by unifying northeast Plano, serving as its social hub and shaping unique, amenity-rich neighborhoods connecting the area’s diverse population to its vast network of natural features and civic spaces.”

The RCD district and its companion district, Neighborhood Business Design (see Agenda Item No. 4), are developed with these important community elements in mind, working together to support residential and nonresidential developments that are appropriately-scaled and sensitive to the context of surrounding neighborhoods through application of consistent street design, building scale, and landscaping standards such as:

- Low-rise (three stories maximum), pedestrian-oriented, and neighborhood-supportive uses;
- Tree-lined streets with short block lengths that encourage walking;
- Amenitized open space areas;
- Parking located on-street, in garages, or well-landscaped surface lots located to the rear of properties; and
- Transitions in height from nearby neighborhoods and residential districts.


Although connected through these shared characteristics, the RCD and NBD districts serve two distinct functions. The RCD district includes residential development standards, with limited nonresidential development comparable to other single-family districts, such as schools, fire stations, and religious facilities.

The following sections summarize the standards of the RCD district. Refer to Agenda Item No. 4 for a summary of NBD standards.

Need for RCD District

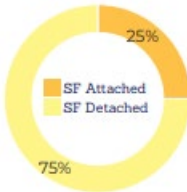
Most existing zoning districts do not allow the appropriate diversity of housing types nor walkability desired for the Oak Point area. Three development types in the Envision Oak Point [Community Vision Map](#) specifically call for small lot single-family housing which is not possible to develop under our current regulations without utilizing a planned development district. These include:

- [Small Lot Subdivision](#) is an exclusively single family area, with a mix of townhouses, cottage housing, and single family detached homes on small lots. These areas are best suited within walking distance of areas that provide dining and other social options. Diverse yet complimentary architecture gives the Small Lot Subdivision areas a unique character. Homes have smaller yards, but there are many communal open spaces where residents may gather with their families and neighbors.
- Land Use




100%

Housing

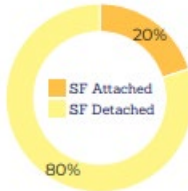


25%
75%
- [Single Family Mix](#) areas have a balanced mix of 1- to 2-story small- and medium-lot single family detached homes, townhomes, and cottage housing. Active frontages such as porches and stoops are used to shape distinctive character and pedestrian-friendly streets. A wide range of single family housing choices makes the area accessible and affordable to the diverse population of Oak Point. Supportive accessory housing for seniors, special needs residents, and students/young adults may be accommodated where appropriate on larger lots.
- Land Use



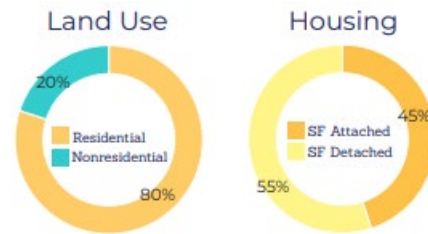
100%

Housing



20%
80%

- [Neighborhood Edge](#) areas are primarily comprised of one- to two-story small lot single-family housing with supporting nonresidential development. Small scale, neighborhood-serving commercial, such as banks, small grocery stores, and cafes, may be located in these areas to provide a buffer and allow for complimentary transitions between arterial corridors and housing. In these instances, the RCD district standards could be used for the residential component of an NBD district in a Neighborhood Edge area.



A Planned Development (PD) district could be used to implement these development types on a property-by-property basis, however staff and associated property owners must spend an inordinate amount of time and effort creating and enforcing customized development standards for each PD. Establishing the RCD district creates consistent baseline zoning standards and uses for application in appropriate locations, without the need to create new standards for each proposal. The Plano Event Center site is anticipated to be the first area to use the RCD standards, as there is an area of Small Lot Subdivision on the west side of the property.

The housing types in RCD are also marketable to those areas within walking distance of light rail stations, so the district may be appropriate to apply elsewhere in eastern Plano to allow a greater diversity of infill housing options in the vicinity of stations. The city has seen limited housing types offered by the market in recent years, typically either townhomes or 3-5 story multifamily products.

Appropriate Locations for RCD

At this time, application of the RCD district is explicitly limited to locations supported by the community vision map of the Envision Oak Point Plan and Transit Corridor (TC) designations in the [Future Land Use Map](#) of the Comprehensive Plan. The City may choose to evaluate whether or not the district, or a modification thereof, is appropriate in other areas of the city at a later date, pending outcomes from the Comprehensive Plan Review Committee (CPRC) process. Since the CPRC process is ongoing, it is premature to determine whether use of this district is appropriate in other areas of the City. Therefore, should the district be adopted, its use will be limited to these areas, as described in the Purpose Statement for the district:

Section 9.1700.1. The RCD district is intended to provide a planning, regulatory, and management framework for the design and integration of small lot residential development. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate for undeveloped properties and redevelopment sites in areas within Transit Corridors and the Community Vision Map of Envision Oak Point where compatible transitions can be provided from established neighborhoods.

Additionally, RCD districts will have a minimum district size of five acres, a size appropriate to allow a mix of housing types to be developed with associated streets and open space. However, when necessary, the minimum acreage could be reduced for specific zoning cases where City Council determines a smaller RCD district is required to implement the Comprehensive Plan or related study.

SUMMARY OF RCD DISTRICT REQUIREMENTS:

Adopted Development Plan - An RCD zoning request must be accompanied by an adopted development plan that designates the street locations, development blocks, open space, and residential transition areas. The plan must specify where different land uses are located, along with the number of dwellings by housing type and any conditions or additional standards absent from base RCD zoning. Once the plan is adopted, major modifications can only be made through a subsequent zoning process.

Governance Association - A governance association is required to maintain common improvements and open space in the district. An acceptable property owners' association is expected to have sufficient authority to assess and collect dues as necessary to perform its responsibilities. Building permits will not be accepted without an established association.

Residential Transition Areas - Building height transitions are proposed near residential uses or zoning districts to help mitigate privacy and visibility concerns. The Commission previously discussed options for residential transition areas and directed staff to survey the public on their preferences. Staff has not received any feedback as of the preparation of this report, therefore chose the 2:1 ratio option (Option 3 from June 1 meeting), which provides greater separation of buildings from adjacent residential to provide additional protections from potential light and noise as well as limit visibility. Example setbacks are as follows:

Building Height	Setback with Alley	Setback with No Alley
1 story (20 feet)	40 feet	55 feet
2 story (35 feet)	70 feet	85 feet
3 story (50 feet)	100 feet	115 feet

These distances provide the separation needed to help protect established residential areas, while also allowing for gradual transitions in RCD building height, to create a more cohesive and attractive development.

Housing Types and Mix - Eight complementary housing types, separated into three tiers, make up the RCD district. The range of housing types is intended to provide housing options that meet current market demands and allow for a variety of compact housing forms. A number of standards are proposed to ensure both housing diversity and that the overall intensity of the district remains low:

- The minimum permitted density is 10 dwelling units per acre;
- The maximum permitted density is 20 dwelling units per acre;

- The minimum and maximum density result in a projected minimum of 50% of the units coming from Tier One; a related regulation has been added to demonstrate more concisely the mix required;
- At least one housing type from Tier One is required in all developments;
- Any individual housing type used in an RCD development may be no less than 10% of the total constructed dwellings in the district;
- Any combination of Tier Three housing types (Stacked Townhomes and Stacked Flats) is limited to 25% of the total constructed dwellings in the district;
- Tier Three housing types are only permitted when the total constructed dwellings in the district is over 100; and
- The minimum number of housing types included in the district increases as the total constructed dwellings in the district increases.

Together, these requirements help ensure that an RCD district will provide housing diversity consisting primarily of single-family homes. See the RCD District Housing Types menu in [Attachment A](#) for an overview of the different types and tiers.

In an effort to create architectural diversity, the RCD district provides flexibility for placement of the various housing types. Housing products can be varied along a street and within a block as long as the required mix is provided.

District Establishment - To provide needed flexibility, while still maintaining the consistent set of base standards expected of an RCD district, the Planning & Zoning Commission and City Council will maintain discretion to amend many district standards during the zoning process; however, the proposed ordinance sets forth the requirements that cannot be altered through the zoning process:

- Requirement for an adopted development plan;
- Requirement for a governance association;
- Maximum residential density;
- Requirement for a mix of housing types; and
- Reductions in minimum residential density resulting from the preservation of natural features or the provision of additional public open space beyond what is required by the RCD district.

Streets and Sidewalks - The street network in an NBD development is geared towards a safe, comfortable, and pedestrian-friendly environment. Streets must form a connected grid pattern, organized into blocks no longer than 600 feet. These regulations are similar to the pedestrian-oriented street standards of the UMU zoning district and include:

- A variety of street types are allowed and will be either privately or publicly maintained (if accepted as public by the city). Additionally, a definition and standards for a paseo, or a wide pedestrian pathway, have been added. A paseo could be utilized as lot frontage in lieu of a typical street;
- On-street parking along major and minor streets, providing an additional buffer for pedestrians;
- Sidewalks with a minimum width of 12 feet on major streets and 7 feet on minor streets; and
- Required street trees along all major and minor streets, with one tree required every 40 feet of frontage. Street trees are also required along perimeter public thoroughfares with additional width for required landscape edges.

Parking - Single-family detached, single-family attached, and duplex housing types in the RCD District require two off-street parking spaces per unit, matching existing parking requirements of other residential districts in the Zoning Ordinance. Likewise, the Stacked Flat and Manor Home housing types require one space for one bedroom units, one-and-one-half spaces for two bedroom units, and two spaces for three or more units, following the same off-street parking requirements as multifamily properties in the Downtown Business/Government (BG) zoning district. To support the desired walkability of the RCD district, off-street parking for each housing type is required to be located towards the rear of the residence.

Visitor parking demand will be served by required on-street parking and additional off-street visitor spaces, such as those which are required for homes fronting paseos. Where surface parking lots are provided, the RCD standards limit parking lots to a maximum of 20 parking spaces to preserve neighborhood integrity and aesthetics

Open Space - Open space in the RCD district is required to provide active recreation areas and public communal space. For these reasons, the proposed ordinance language would require a minimum of 15% of the gross land area to be provided as usable open space, consistent with the standards of the Envision Oak Point Plan. The open space can be provided in the form of greens, parks, greenbelts, pedestrian corridors, public art displays, or paseos. Reductions in the open space requirement may be considered when neighborhoods are within a quarter-mile walk of a public park unless separated by a major thoroughfare.

Building Placement - Along with the grid of streets, building placement is critical to maintaining a walkable environment. As with all zoning districts, the proposed RCD district will regulate lot coverage, setbacks, and building heights for each housing type. Additional design requirements include locating buildings relatively close to property lines and street curbs. Additionally, public access must not be restricted by barriers such as walls and fences and distances between the face of buildings cannot exceed 100 feet, unless usable open space is included. To ensure private open space is available, a porch, yard, or balcony is required for each dwelling unit.

Changes since May 4, 2020, Planning & Zoning Commission Meeting

A [draft ordinance](#) noting detailed changes since the May 4 meeting is provided online with additions underlined and deletions struck-through. Where entire paragraphs have been replaced, only additions are shown. Significant changes are as follows:

1. Purpose (Section 9.1700.1). The purpose of the district has been updated to remove applicability of the district from Compact Complete Centers (CCC) and add applicability to the Community Vision Map of the Envision Oak Point Plan, as areas of the Single Family Mix development type are located outside the CCC designation.
2. Housing-Types Requirement (9.1700.4). To provide clarity, the density requirement was moved to be combined with the housing types requirement. Additionally, the minimum number of units of Tier One housing required was increased to 50% of the total units, as discussed above.
3. Housing Types Area, Yard, and Bulk Requirements (9.1700.5). To be consistent with other residential districts, the garage setback was updated to be measured from the property line instead of the right-of-way or easement line. Maximum lot coverages were also reduced for the SF-3, SF-2, Duplex, SF-1.5, and Manor Home housing types to provide for additional open space.
4. Housing Types Area, Yard, and Bulk Requirements (9.1700.5.A.ii). The formatting for the Single-Family Residence-2 housing type was revised to clearly reflect the requirements for an individually-platted unit versus a cluster of units surrounding a shared court. Standards were also included to more appropriately regulate units clustered around the shared court.
5. Housing Types Area, Yard, and Bulk Requirements (9.1700.5.C.i). For user-friendliness, the regulations related to Live-Work (Business Loft) units were moved to the NBD district, as the housing type was only permitted when part of an NBD district.
6. Residential Transition Areas (9.1700.7). Residential transition area setbacks have been modified as summarized in the “Residential Transition Areas” section, above.
7. Streets and Sidewalks (9.1700.11.A). Language was revised to allow dedication of public streets when accepted by the city.
8. Streets and Sidewalks (10.1600.12.G). Regulations for driveway/setback lanes were added to the Mews Street type. Additionally, landscaping requirements were added to the Paseo street type.
9. Streets and Sidewalks (9.1700.11.H). Requirements for the maximum number of units facing paseos were removed to allow for greater flexibility in how buildings are developed around paseos.

10. Parking (9.1700.12). The allowance for tandem garage spaces was removed. Parking lot tree requirements were also adjusted to allow for increased health of the trees.
11. Usable Open Space (9.1700.13). The usable open space requirement was increased to a minimum of 15%. This better coincides with open space recommendations for residential development types in Envision Oak Point.
12. Usable Open Space (9.1700.13.iv). A requirement for buildings to front natural features and usable open space was added for compatibility with the Diverse Open Space and Amenities Policy in the Envision Oak Point Plan.
13. Building Placement and Design (9.1700.14). A requirement for buildings to have a porch or stoop on the front façade was added to engage the streetscape. The requirement for private open space for each dwelling unit was removed to correspond to the reductions in maximum lot coverage noted above.
14. Sign Regulations (9.1700.15). Requirements for signage were revised to allow for larger signs for nonresidential uses along roads fronting major thoroughfares.
15. The Permitted Uses table was updated to add Two-Family Residence (Attached) as permitted when meeting RCD standards, to accommodate the Stacked Townhome housing type.

Other minor changes to the draft from May 4, which are primarily administrative or legal in nature to add clarity or provide consistent language throughout the Zoning Ordinance, are incorporated in the recommendation section below.

CONFORMANCE WITH ENVISION OAK POINT

In addition to the Envision Oak Point development types discussed above, the standards of the RCD district are consistent with various Goals, Policies, and Actions of the Envision Oak Point Plan:

Land Use + Development Patterns

- Goal: Support a distinct and diverse character pattern, creating opportunities to live, work and socialize within a cohesively planned, pedestrian-friendly environment.
- Balanced Neighborhoods Policy: Shape balanced neighborhoods with a diverse mix of land uses and amenities.
- Balanced Neighborhoods Policy - Action 3: Align zoning designations with the vision and policies of Envision Oak Point.

- Balanced Neighborhoods Policy - Action 4: Adopt residential transition standards/guidelines to ensure compatible transitions in land use and building scale adjacent to single-family neighborhoods.
- Balanced Neighborhoods Policy - Action 6: Create complimentary regulations and reduce barriers to food production land uses such as micro-farming/ranching, community gardens, and farmer's markets.
- Diverse Housing Policy: Provide diverse housing that enables a high quality of life for all ages, household types, and income levels.
- Diverse Housing Policy - Action 1: Require new single-family development to incorporate a diverse and complimentary mix of lot sizes and housing types.
- Diverse Housing Policy - Action 3: Locate new multifamily development only in areas that support a mix of complimentary uses and have a well-connected pedestrian network.
- Walkable Community Policy: Create a vibrant, walkable community with great streets and public spaces.
- Walkable Community Policy - Action 1: Develop block length and street requirements to support a compact, highly connected street network that accommodates pedestrians, bicyclists, vehicles, and various forms of transit.

Mobility

- Accessible Street Design Policy: Ensure the construction of future streets and the reconstruction of existing streets supports desired development and incorporates innovative street design and management.
- Accessible Street Design Policy - Action 6: Review regulations for internal connectivity and block size for conformance with Envision Oak Point.

Parks, Recreation + Open Space

- Accessible Open Space Policy - Action 2: Assess minimum open space and improvement requirements with any new zoning regulations in Oak Point with emphasis on ensuring sufficient open space for new housing opportunities.
- Diverse Open Space and Amenities Policy – Action 2: Encourage smaller, neighborhood-serving open spaces to be privately owned and maintained. Require public access be provided to these private features.
- Diverse Open Space and Amenities Policy - Action 3: Develop standards and design guidelines that require open space and natural features to be fronted by buildings where possible.

Placemaking + Community Design

- Great Streets Policy - Action 3: Require street trees with new development to promote walkability and to achieve a more visually interesting streetscape.
- Vibrant Neighborhood Center Policy - Action 1: Organize land use and block patterns in the Oak Point neighborhood center to support a pedestrian-oriented core of local streets that serves as Oak Point's civic area and social hub.
- Vibrant Neighborhood Center Policy - Action 3: Create building form and public realm standards that promote strong community character, pedestrian-friendly streetscapes, and public spaces.
- Vibrant Neighborhood Center Policy - Action 4: Establish design standards requiring new developments to vary building types and facade design, and engage the street with pedestrian-friendly frontages such as porches, stoops, and shopfronts.
- Vibrant Neighborhood Center Policy— Action 5: Maintain residential character and suburban scale, but improve community design and incorporate a better balance of commercial land uses and diverse housing opportunities.

Environment + Infrastructure

- Environmental Placemaking Policy - Action 2: Permit food production in new development in Oak Point. Reserve land for key programming such as agricultural operations, a community garden, and a farmers market.

These standards are consistent with the Sub-Area Strategy recommendations for various locations within Oak Point, such as:

- Northern Quadrant Recommendation 3: Support reinvestment in the Plano Market Square Mall area by supporting a broader mix of nonresidential and residential uses. Site design should support compatible transitions to the Oak Point Estates neighborhood.
- Southern Quadrant Recommendation 3: Achieve a broad range of single-family housing options to serve Oak Point's diverse housing needs.
- Eastern Quadrant Recommendation 1: Reinvent the Plano Event Center site and surrounding area as a pedestrian-friendly civic area and social hub. The land use mix should include high-quality restaurants, a hotel, new civic spaces, mixed-use housing, and employment uses.

PUBLIC ENGAGEMENT:

To inform and involve the public about the purpose and intent of the RCD zoning district, a number of opportunities have been added for public engagement. Although COVID-19 has prohibited in-person meetings which would normally make up such efforts, online

engagement has been a great resource for filling this void. Means of engaging the public consisted of those listed below. Statistics provided are as of 5 p.m., Thursday, July 16, 2020:

- A webpage devoted to the proposed zoning districts, Plano Event Center zoning case, and public hearing dates: www.plano.gov/implementEOP, which has received 2,302 page views as of publication;
- Print and digital advertisements for the webpage and public hearing dates in *Community Impact News*;
- Newsletters sent to the Envision Oak Point Plan contact list (301 recipients), including the Plan's Stakeholder Committee, consisting of area residents, business owners, major property owners and developers, and religious and non-profit representatives;
- Newsletters shared to *Plano City News*, the *Sage* senior newsletter, and the *Team Plano* retiree newsletter, for a total of 42,438 recipients;
- Letters sent through mail and email to 20 HOA representatives within the Envision Oak Point retail trade area;
- A Neighborhood Services Department [BEST Break virtual meeting](#) with 25 participants on July 1, 2020;
- 11 posts about the districts and webpage to City of Plano social media accounts, including Facebook, Twitter, Reddit, and Nextdoor:
 - Facebook: [June 30](#) (8 reactions, 1 share), [July 6](#) (143 reactions, 50 comments, 16 shares), [July 11](#) (72 reactions, 31 comments, 9 shares), [July 15](#) (29 reactions, 54 comments, 16 shares), 2020;
 - Twitter: [June 30](#) (1 like), [July 1](#) (2 likes), [July 6](#) (1 retweet, 17 likes), [July 11](#) (1 retweet, 6 likes), [July 15](#) (2 retweets and comments, 6 likes), 2020;
 - Reddit: [July 9](#) (3 comments, 94% upvoted), 2020; and
 - Nextdoor: [July 9](#) (5 thanks, 20 replies), 2020; and
- Because RCD is specific to residential uses, additional outreach was conducted inviting local residential developers to review and comment on the district standards.

As of the publication of this report, comments and/or questions received about the RCD zoning district were received from 19 people of which eight were in support, six were opposed, and five did not express an official position. The comments are included in [Attachment B](#).

RECOMMENDATION:

Recommended for approval as follows (additions are indicated in underlined text):

Amend Article 9 (Residential Districts) of the Zoning Ordinance, such additional section to read as follows:

See [Attachment C](#) for Ordinance language.

Amend Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such portion of section to read as follows:

See [Attachment C](#) for Ordinance language.

Amend Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such additional note to read as follows:

See [Attachment C](#) for Ordinance language.

Zoning Case 2020-013

An Ordinance of the City of Plano, Texas, amending and adding various portions of Article 9 (Residential Districts) and Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to create the Residential Community Design zoning district; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of August 2020 for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of August 2020; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Article 9 (Residential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read in its entirety as follows:

9.1700 RCD, Residential Community Design District

.1 Purpose

The RCD district is intended to provide a planning, regulatory, and management framework for the design and integration of small lot residential development. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate for undeveloped properties and redevelopment sites in areas within Transit Corridors and the Community Vision Map of Envision Oak Point where compatible transitions can be provided from established neighborhoods.

.2 Minimum District Size

No RCD district smaller than 5 acres may be established unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.

.3 Permitted Uses

See the residential districts use table in Sec. 14.100 for a complete listing.

.4 Housing-Types Requirement

- A.** The district is limited to a minimum of 10 dwelling units per acre and a maximum of 20 dwelling units per acre. Calculation of residential density is based on the net size of the property, exclusive of public and private streets, street easements, and public usable open space, at the time of development.
- B.** If a housing type is provided, it must account for at least 10% of the total units in the district.
- C.** The required mix of housing types is determined by the number of dwelling units provided within the district as shown below.

Dwelling Units Provided	50 Units or Less	51-100 Units	Over 100 Units
Minimum Housing Types Required	1	2	3
Tier One Units	Minimum 50% of total units	Minimum 50% of total units	Minimum 50% of total units
Tier Two Units	Permitted	Permitted	Permitted
Tier Three Units	Not permitted	Not permitted	Cannot exceed 25% of total units

.5 Area, Yard, and Bulk Requirements for Housing Types

The following area, yard, and bulk requirements apply to all residential lots in the RCD district unless otherwise expressly stated:

A. Tier One Housing Types

- i.** Tier One housing types consist of detached single-family and two-family residences characterized by a lower density and modest scale. Of the three tiers, Tier One is the most appropriate for adjacency to existing single-family neighborhoods outside of an RCD district.

ii. Tier One : Single-Family Residence-3

a. Description

Detached single-family dwelling unit.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	3,000 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	40 feet
Corner Lot	45 feet
Maximum Lot Width	65 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend into the setbacks.
Minimum Side Yard	
Interior Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	70%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iii. Tier One : Single-Family Residence-2

a. Description

Detached dwelling unit that may be constructed individually or as a cluster of dwelling units organized around a shared court.

b. Area, Yard, and Bulk Requirements

Description	General Requirements for SF-2 Development
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend into the setbacks.
Minimum Building Separation	6 feet between units; 10 feet for other building types and accessory buildings
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.

Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Floor Area per Unit	1,600 square feet
Maximum Height	1.5 story, 25 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

Description	Additional Requirements for Individually Platted Lots
Minimum Lot Area	2,000 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	25 feet
Corner Lot	30 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Minimum Side Yard	
Interior Lot	3 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	5 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7

Description	Additional Requirements for Clustered Units on a Single Lot
Minimum Lot Area	2,000 square feet per unit in addition to the required minimum shared court.
Minimum Units per Lot	4 units
Maximum Units per Lot	10 units
Minimum Lot Width	225 feet
Minimum Face-to-Face Unit Distance	40 feet
Minimum Setback from a Mews Street	5 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Setback from all Other Streets	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Minimum Side Yard	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	5 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Shared Court Area	10% of total lot area, including shared court

c. Shared Court

A shared court is required for clustered units on a single lot according to the following standards:

- i. A shared court must be no less than 10% of the total lot area.
- ii. A walkway at least five feet in width must be provided with access from each unit to the street.
- iii. Units must face the shared court.

iv. Tier One : Duplex

a. Description

A detached building having separate accommodations for and occupied by not more than two households. The dwelling units may be side-by-side or one on top of another. Each unit must have an entrance on the ground floor.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	3,000 square feet
Maximum Units per Lot	2 units
Minimum Lot Width	
Interior Lot	40 feet
Corner Lot	45 feet
Maximum Lot Width	70 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7

Maximum Coverage	70%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

B. Tier Two Housing Types

- i. Tier Two housing types consist of detached and attached residences that vary in character and scale. Tier Two housing types provide an appropriate transition between Tier One and Tier Three types.

ii. Tier Two : Single-Family Residence-1.5

a. Description

Detached single-family dwelling unit with a maximum height of three stories.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	1,500 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	25 feet
Corner Lot	30 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	15 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	5 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iii. Tier Two : Townhome

a. Description

A dwelling unit that is part of a structure comprised of three or more single-family dwelling units attached by a common sidewall.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	1,200 square feet
Maximum Units per Lot	1 unit
Minimum Lot Width	
Interior Lot	20 feet
Corner Lot	25 feet
Maximum Lot Width	40 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	
Interior Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iv. Tier Two : Manor Home

a. Description

A detached building comprised of 3 – 6 dwelling units that share a common sidewall or ceiling. The appearance of the structure is intended to match the form and character of a single-family detached residence. The building must have only one common entrance visible from the street. A direct sidewalk connection from every entrance must be provided to the sidewalk along the street and to the building's associated parking.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	5,000 square feet for 3 units; 1,000 square feet for each additional unit
Minimum Units per Lot	3 units
Maximum Units per Lot	6 units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	110 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	2 story, 35 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	70%
Parking Requirements	All parking must be located behind the front building line (See Article 16)
One bedroom or less	One parking space per dwelling unit
Two bedrooms	One and one-half parking spaces per dwelling unit
Three bedrooms or more	2 parking spaces per dwelling unit
Maximum Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

C. Tier Three Housing Types

- i. Tier Three housing types consist of moderate-scale and density residential buildings. These housing types are best suited within and adjacent to mixed-use areas and are not appropriate adjacent to single-family residences located outside the RCD district.

ii. Tier Three : Stacked Townhome

a. Description

3-story structure comprised of two dwelling units that share a common vertical separation. Individual, ground-floor entrances are provided for each dwelling unit with a direct sidewalk connection from every entrance to the sidewalk along the street and to each parking area.

b. Use of Tier Two and Tier Three Townhomes

Tier Two Townhomes may be in line with Tier Three Stacked Townhomes when building articulation, such as wall offsets, height variation, upper-floor step-backs, or accent lines, and ornate architectural elements, such as dormers, cornices, or arches, are provided.

c. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	1,200 square feet
Maximum Units per Lot	2 units
Minimum Lot Width	
Interior Lot	20 feet
Corner Lot	25 feet
Maximum Lot Width	50 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	
Interior Lot	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Corner Lot	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	None, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.

Minimum Floor Area per Dwelling Unit	700 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	80%
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

iii. Tier Three : Stacked Flat

a. Description

A 2- or 3-story, detached building comprised of 6 – 9 dwelling units that share a common horizontal or vertical separation. The appearance of the structure is intended to match the form and character of a single-family detached residence. The building must have only one common entrance visible from the street. A direct sidewalk connection from every entrance must be provided to the sidewalk along the street and to the building's associated parking.

b. Area, Yard, and Bulk Requirements

Description	Requirements
Minimum Lot Area	8,000
Maximum Units per Lot	9 units
Minimum Lot Width	
Interior Lot	50 feet
Corner Lot	55 feet
Maximum Lot Width	150 feet
Minimum Front Yard	10 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2 and Sec. 9.1700.7
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Side Yard	10 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Maximum Side Yard	20 feet, except as provided in Sec. 13.500.3 and Sec. 9.1700.7
Minimum Rear Yard	10 feet, except as provided in Sec. 13.500.4 and Sec. 9.1700.7
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	700 square feet
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 9.1700.7
Maximum Coverage	75%
Parking Requirements	All parking must be located behind the front building line (See Article 16)

One bedroom or less	One parking space per dwelling unit
Two bedrooms	One and one-half parking spaces per dwelling unit
Three bedrooms or more	2 parking spaces per dwelling unit
Maximum Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16)

.6 Nonresidential Area, Yard, and Bulk Requirements

In RCD districts, the Neighborhood Business Design District (Section 10.1600) standards must be utilized for nonresidential uses.

.7 Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. 9.1700.5, all buildings must be set back from the district boundary line of the nearest residential zoning district or the lot line of a residential use outside of the RCD district, as follows:

- A.** When an alley is present on the neighboring property: at least two feet for every one foot of building height.
- B.** When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C.** This minimum setback may be reduced to a setback of 20 feet when the nearest residential zoning district allows a maximum height greater than 35 feet.

.8 District Establishment and Administration

- A.** The regulations contained within this zoning district may be supplemented with additional standards and conditions to execute a specific development plan. The boundary of each RCD district must be defined on the Zoning Map and identified with the letters RCD followed by a unique number referencing the supplementary regulations. In considering the establishment of an RCD district, the Planning & Zoning Commission and City Council may amend and supplement the base RCD regulations and related development regulations in the Zoning Ordinance and Subdivision Ordinance to implement individual development plans, with the exception of:
 - i.** Requirement for an adopted development plan;
 - ii.** Requirement for a governance association;
 - iii.** Minimum and maximum residential densities;
 - iv.** Requirement for a mix of housing types.
- B.** An RCD district may not be used to:
 - i.** Require construction of public improvements or the dedication or reservation of land, which are not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.

- ii. Secure agreements between owners of property within the district with third parties.
- iii. Assign responsibility to the city for enforcement of private deed restrictions or covenants.
- iv. Waive or modify the requirements of ordinances other than the Zoning Ordinance, except as specifically authorized by this ordinance.

.9 Adopted Development Plan

- A. An RCD district must not be established without the concurrent adoption of a development plan for the district. The plan must comply with Sec. 3.500 and must:
 - i. Show the location and type of streets, blocks, parking areas, open space, and residential transition areas;
 - ii. Specify the minimum and maximum number of residential units by housing type; and
 - iii. Enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.
- B. The development plan must be adopted as part of the ordinance creating the RCD district. Modifications to the development plan must comply with the requirements in Sec. 3.600.

.10 Governance Association

Applications for building permits for development within an RCD district must not be accepted or approved until a suitable property owners' governance association is established. The association must be responsible for maintaining all common property, improvements, and amenities within the district. It must 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 Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

.11 Streets and Sidewalks

- A.** All streets within an RCD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.

B. Street Design

An RCD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.

C. Block Size

The maximum block size is three acres, except as required for public parks or school use.

D. Block Length

The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets.

E. Street Trees

A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage.

F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an RCD district must be constructed in accordance with the following general street classifications:

Street Type	Travel Lanes	On-street Parking	Sidewalks
Type D or above thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 12 feet in width
Type E or below thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 7 feet in width
Major Street	Two 11-foot vehicle lanes	Parallel or diagonal parking and valet or drop-off lanes required	Minimum 12 feet in width
Minor Street	Two 11-foot vehicle lanes	Parallel parking and designated loading zones required.	Minimum 7 feet in width
Mews Street	Two 11-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services	7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities.	If provided, minimum 5 feet in width, but none required
Paseo	Minimum overall width: 28 feet with minimum 40 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards.	Not permitted	Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots

H. Paseo Requirements

- i. All dwelling units abutting a paseo must face the paseo.
- ii. No more than 33 percent of all dwelling units in an RCD development may directly front a paseo or public usable open space.

I. Landscape Edge

Along Type D and above thoroughfares, a 20-foot landscape edge is required. Within the landscape edge, 6 caliper inches of shade trees or 12 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.

J. Bike Lanes

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the RCD district.

K. Connectivity

Connections must be made to provide direct pedestrian and bicycle access from the RCD district to adjacent sidewalks, trails, parks, transit stops, and other connections where feasible. Pedestrian access must be provided by connection to any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the RCD district. In order to provide efficient pedestrian connections to adjacent properties, the city may require additional sidewalks, walkways, or trails not associated with a street.

L. Curb Bulb Outs

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

- A.** Parking for nonresidential uses must follow NBD standards (Sec. 10.1600.13).
- B.** Garage or off-street parking spaces for all housing types may only be accessed from a mews street.
- C.** If detached garages are provided, a maximum of four parking spaces may be provided per detached garage.
- D.** The elimination of the garage space by enclosing the garage with a stationary wall is prohibited.
- E.** Surface parking spaces must meet the following requirements:
 - i.** Parking lots must be located behind front building facades.
 - ii.** A maximum of 20 parking spaces are allowed per parking lot.
 - iii.** 3 caliper inches of shade trees or 6 caliper inches of ornamental trees with a minimum tree size of 2-inch caliper must be provided for every 10 parking spaces.
 - iv.** A sidewalk at least seven feet in width must be provided to connect the parking lot to the street and to any adjacent buildings or open space areas. The sidewalk must be meet the following requirements:

- a. The sidewalk must be distinguishable from areas used by vehicles using one or more of the following techniques:
 - i. Changing paving material, patterns, and/or paving color, but not including the painting of the paving material;
 - ii. Changing paving height;
 - iii. Addition of decorative bollards; or
 - iv. Constructing raised median walkways with landscaped buffers.
 - b. Have adequate lighting for security and safety; and
 - c. Not include barriers that limit pedestrian access between the subject property and adjacent properties.
- F. For residential lots fronting a major or minor street, visitor parking demand is to be served by the required on-street parking spaces. For residential lots fronting directly on public usable open space or a paseo, 0.25 off-street parking spaces per dwelling unit must be provided within 300 feet of each lot.

.13 Usable Open Space

- A. Public usable open space must be provided in an amount not less than fifteen percent of the gross acreage of the development. The following requirements also apply:
 - i. A maximum of 25% of the minimum required public usable open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for use through the addition of trails and other pedestrian amenities.
 - ii. Public usable open space must be provided in the form of greens, linear parks, greenbelts, pocket parks, public art displays, and paseos that are integrated within the block pattern defined on the development plan.
 - iii. At least one public usable open space must be a minimum of 7,500 square feet with a minimum width of 30 feet and have buildings or streets directly fronting or siding the public usable open space on a minimum of three sides.
 - iv. Natural features must be designed for integration into the site. Buildings or public usable open space must front on the features, and design must permit sufficient pedestrian and vehicle access.
 - v. Rooftops and accessory buildings, except those portions of any building designed specifically for public recreational purposes, do not count toward the public usable open space requirements.
 - vi. Required landscaping does not count toward the public usable open space requirement.

- vii.** Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.
 - viii.** Reductions in required public usable open space may be considered for RCD districts where the RCD development is within a quarter mile of an existing Neighborhood Park, Community Park, Linear Park, Special Use Facility, Open Space Preserve, or Special Area Park as designated on the city's Park Master Plan Map. This criteria does not apply in circumstances where the RCD district is separated from said existing park by a Type D or above thoroughfare.
- B.** Private usable open space, including interior courtyards and patios for individual residential uses, is permitted but does not count toward the public usable open space requirement.

.14 Building Placement and Design

- A.** An RCD district or a group of buildings within the district may not be walled, fenced, or restricted from general public access.
- B.** Buildings in an RCD district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by public usable open space.
- C.** Lots must be oriented so that buildings directly front on a designated street, public usable open space, or shared court.
- D.** Each building must include a porch or stoop at the front façade.
- E.** Buildings comprised of attached housing types must not exceed 200 feet in length and must be separated by a minimum distance of 10 feet.
- F.** Exterior entrances/exits are only permitted on the ground floor.

.15 Sign Regulations

- A.** Signage for nonresidential uses fronting Type D and above thoroughfares must follow the regulations, specifications, and design standards contained in Article 22 (Signs).
- B.** All other signage for nonresidential uses must follow the regulations, specifications, and design standards for signs contained in Sec. 10.800 (BG, Downtown Business/Government).

Section II. Section 14.100 (Residential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

Use Type	Use Category	RCD-Residential Community Design
Accessory Building or Use (8)	Accessory & Incidental	P 8
Accessory Housing Shelter (Temporary)	EIPS	P 45
Airport/Heliport (4)	EIPS	
Amusement, Commercial (Indoor)	Service	
Amusement, Commercial (Outdoor)	Service	
Animal Exhibition	EIPS	
Antenna	Trans., Utility, & Comm.	34
Antenna Support Structure (Commercial and Amateur)	Trans., Utility, & Comm.	34
Arcade (12)	Service	
Artisan's Workshop	Service	
Asphalt/Concrete Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Asphalt/Concrete Batching Plant (Temporary)	Comm., Mfg. & Ind.	36
Assembly Hall	EIPS	
Assisted Living Facility	EIPS	
Backyard Cottage	Accessory & Incidental	P 51
Bank, Savings and Loan, or Credit Union	Service	
Bed and Breakfast Inn	Service	S
Boarding/Rooming House	Primary Res.	
Body Piercing	Service	
Building Material Sales	Retail	
Bus/Truck Leasing	Vehicle & Related	
Bus/Truck Repair	Vehicle & Related	
Business Service	Service	
Cabinet/Upholstery Shop	Service	
Cafeteria/Restaurant	Service	
Car Wash	Vehicle & Related	

Caretaker's/Guard's Residence	Accessory & Incidental	S
Cemetery/Mausoleum	EIPS	S
College/University (5)	EIPS	S 5
Commissary	Wholesale	
Community Center	EIPS	S
Compact Construction & Transportation Equipment Sales & Service	Retail	
Concrete/Asphalt Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Concrete/Asphalt Batching Plant (Temporary)	Comm., Mfg. & Ind.	36
Construction Yard (Temporary) (9)	Accessory & Incidental	9 35
Continuing Care Facility	EIPS	
Convenience Store	Retail	
Country Club or Golf Course	EIPS	
Data Center	Service	
Day Care Center (13)	Service	S 13 52
Day Care Center (Accessory)	Service	
Day Care Center (Adult)	Service	
Day Care (In-home) (16)	Service	P 16 42
Distribution Center/Warehouse	Wholesale	
Dry Cleaning Plant	Service	
Electrical Power Generating Plant	Trans., Utility, & Comm.	
Electrical Substation	Trans., Utility, & Comm.	S
Engine Repair Shop (Small)	Service	
Exhibition Area	Service	
Fairgrounds	Service	
Farm, Ranch, Garden, or Orchard	EIPS	P
Farmers Market	Retail	
Feed Store	Retail	
Fire Station/Public Safety Building	EIPS	P
Fitness/Health Center	Service	
Flea Market (Inside)	Retail	
Flea Market (Outside)	Retail	
Flex Space(Live-Work)	Service	
Food/Grocery Store	Retail	
Food Truck Park	Service	
Fraternal Organization, Lodge, or Civic Club	EIPS	
Funeral Parlor/Mortuary	Service	
Furniture and Appliances, Storage/Repair of (Inside)	Service	
Furniture and Appliances, Storage/Repair of (Outside)	Service	
Furniture, Home Furnishings, and Equipment Store	Retail	
Garden Center	Retail	

Golf Course or Country Club	EIPS	S
Grocery/Food Store	Retail	
Guard's/Caretaker's Residence	Accessory & Incidental	
Gun Range (Indoor)	Service	
Hardware Store	Retail	
Health/Fitness Center	Service	
Heliport/Airport (4)	EIPS	
Helistop (4)	EIPS	
Home Occupation (11)	Accessory & Incidental	P 11
Hospital (5)	EIPS	
Hotel/Motel	Service	
Household Care Facility	EIPS	P
Household Care Institution	EIPS	
Independent Living Facility	EIPS	
Industrial Use (Hazardous or Nuisance)	Comm., Mfg. & Ind.	
Kennel (Indoor Pens)/Commercial Pet Sitting	Service	
Kennel (Outdoor Pens)	Service	
Live-Work (Business Loft)	Primary Res.	
Long-term Care Facility	EIPS	
Machinery Sales & Storage, Heavy	Retail	
Manufacturing (Heavy-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Light-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Moderate-intensity)	Comm., Mfg. & Ind.	
Massage Therapy, Licensed	Service	
Mausoleum/Cemetery	EIPS	S
Mid-Rise Residential	Primary Residential	
Mini-Warehouse/Public Storage	Wholesale	
Mobile Home/Trailer Display and Sales	Service	
Mobile Home/Trailer Park	Primary Res.	
Mortuary/Funeral Parlor	Service	
Motel/Hotel	Service	
Motorcycle Sales & Service	Vehicle & Related	
Multifamily Residence (1)	Primary Res.	P 52 53
Nursery	Retail	
Office (Field) (9)	Accessory & Incidental	9 35
Office (Medical)	Office & Prof.	
Office (Professional/General Administrative)	Office & Prof.	
Office (Showroom/Warehouse)	Wholesale	
Paint Shop	Retail	
Park/Playground	EIPS	P 52
Pawn Shop	Retail	
Personal Service Shop	Service	
Pet Sitting, Commercial/Kennel (Indoor Pens)	Service	
Playground/Park	EIPS	P
Portable Building Sales	Retail	

Post Office (Government and Private)	EIPS	
Print Shop (Major)	Service	
Print Shop (Minor)	Service	
Private Club (19)	Service	
Private Recreation Facility	EIPS	S
Public Safety Building/Fire Station	EIPS	P
Public Storage/Mini-Warehouse	Wholesale	
Railroad Freight Depot or Dock	Trans., Utility, & Comm.	
Recreational Vehicle Parking Lot/Garage	Vehicle & Related	
Recreational Vehicle Sales & Service	Vehicle & Related	
Rehabilitation Care Facility	EIPS	S
Rehabilitation Care Institution	EIPS	
Religious Facility (5)	EIPS	P 5
Repair/Storage of Furniture and Appliances (Inside)	Service	
Repair/Storage of Furniture and Appliances (Outside)	Service	
Research and Development Center	Office & Prof.	
Restaurant/Cafeteria	Service	
Restaurant (Drive-in)	Service	
Retail/Service (Incidental)	Retail	
Retail Store	Retail	
Rooming/Boarding House	Primary Res.	
Salvage or Reclamation of Products	Comm., Mfg. & Ind.	
Sand, Gravel, Stone, or Petroleum Extraction	Comm., Mfg. & Ind.	
School, (Private) (5)	EIPS	S 5 52
School, (Public or Parochial) (5)	EIPS	P 5
Service Contractor	Service	
Service Yard (Public or Utility)	Trans., Utility, & Comm.	S 50
Service/Retail (Incidental)	Retail	
Sewage Treatment Plant	Trans., Utility, & Comm.	S
Shopping Center	Retail	
Single-Family Residence (Attached)	Primary Res.	P 53
Single-Family Residence (Detached)	Primary Res.	P 53
Stable	EIPS	
Storage, Open	EIPS	
Studio (Dance, Gymnastics and/or Martial Arts)	Service	
Studio (Photographer, Musician, Artist, Radio, and/or TV)	Service	
Studio Residence	Primary Res.	P 53
Superstore	Retail	

Tattooing and Permanent Cosmetics	Service	
Temporary Accessory Housing Shelter	EIPS	
Theater (Drive-in)	Service	
Theater (Neighborhood)	Service	
Theater (Regional)	Service	
Trade Schools	EIPS	
Trailer/Mobile Home Display & Sales	Service	
Trailer/Mobile Home Park	Primary Res.	
Transit Center/Station	Trans., Utility, & Comm.	
Transmission Line/Utility Distribution	Trans., Utility, & Comm.	
Transportation and Utility Structures/Facility	Trans., Utility, & Comm.	P
Truck Parking Lot	Vehicle & Related	
Truck Sales (Heavy Trucks)	Vehicle & Related	
Truck Terminal	Vehicle & Related	
Truck/Bus Leasing	Vehicle & Related	
Truck/Bus Repair	Vehicle & Related	
Two-Family Residence	Primary Res.	P 53
Two-Family Residence (Attached)	Primary Res.	P 53
University/College (5)	EIPS	S 5
Upholstery/Cabinet Shop	Service	
Utility Distribution/Transmission Line	Trans., Utility, & Comm.	P
Utility, Private (other than listed)	Trans., Utility, & Comm.	S
Veterinary Clinic	Service	
Vehicle Dealer (New) (7)	Vehicle & Related	
Vehicle Dealer (Used) (7)	Vehicle & Related	
Vehicle Leasing and Renting	Vehicle & Related	
Vehicle Parking Lot/Garage (Primary)	Vehicle & Related	
Vehicle Parts Sales (Inside)	Vehicle & Related	
Vehicle Parts Sales (Outside)	Vehicle & Related	
Vehicle Repair (Major)	Vehicle & Related	
Vehicle Repair (Minor/Fueling Station)	Vehicle & Related	
Vehicle Storage	Vehicle & Related	
Warehouse/Distribution Center	Wholesale	
Water Treatment Plant	Trans., Utility, & Comm.	S
Winery	Service	
Wrecking Yard	Vehicle & Related	

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Zoning
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-012.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2020-012 to amend and add various portions of Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to create the Neighborhood Business Design zoning district; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano **Tabled to 1/25/2021**

BACKGROUND

P&Z recommended approval by a vote of 8-0.

FINANCIAL SUMMARY/STRATEGIC GOALS

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the attached write-up.

ATTACHMENTS:

Description	Upload Date	Type
ZC2020-012 - Follow Up	7/29/2020	P/Z Follow-up Memo
ZC2020-012 - Write-Up	7/29/2020	Staff Report
ZC2020-012 - Ordinance	7/31/2020	Ordinance

DATE: July 21, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020

**AGENDA ITEM NO. 4 - PUBLIC HEARING
ZONING CASE 2020-012**

Request to amend Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Neighborhood Business Design zoning district. Project #ZC2020-012.

APPROVED: 8-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 1 Oppose: 0 Neutral: 1

Petition Signatures Received: Support: 0 Oppose: 0 Neutral: 0

Other Responses: Support: 8 Oppose: 8 Neutral: 9

STIPULATIONS:

Recommended for approval as follows (for existing sections, additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend Subsection 3.100.3 (Applicability) of Section 3.100 (General) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.3 Applicability

The site plan review process shall apply to:

- A. Development within an area zoned planned development. (See Article 12)
- B. Nonresidential development, except as provided in Sec. 3.100.4.
- C. Multifamily residential development.
- D. Patio home and single-family residence attached residential use development and any mixed single-family detached residential development that contains patio home and/or single-family attached residential dwellings.
- E. Residential development within an area zoned RCD or NBD.

FE. Mobile home parks.

GF. Parking lot development, reconstruction, or restriping of more than 20 spaces.

Amend Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.1 General

An adopted development plan must accompany a zoning petition for a UMU, NBD, or RCD ~~the Urban Mixed-Use~~ zoning district and is only applicable in conjunction with that specific district. The purpose of the plan is to:

.2 Applicability

An adopted development plan approved as part of the zoning action establishing a ~~Urban Mixed-Use~~ UMU, NBD, or RCD district ~~shall be~~ is required prior to the consideration of a preliminary site plan or site plan for development of property ~~and~~ located within ~~that an Urban Mixed-Use~~ UMU, NBD, or RCD zoning district. The adopted development plan must include all property contained within the district.

.3 Application Procedure and Requirements

A. Pre-application

B. General Application

The property owner shall file an application for the approval of an adopted development plan in conjunction with a petition for ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning. This application ~~shall~~ must include the information listed below on one, dimensioned, scaled drawing on a sheet size 24" x 36". The drawing ~~shall~~ must include existing and proposed site conditions and improvements, as follows:

C. Standards of Approval

D. Effect

E. Lapse

An adopted development plan does not have an expiration date and is valid as long as the property retains the ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning classification.

Amend Section 3.600 (Amendments) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

At any time following the approval of a concept plan, preliminary site plan, adopted development plan, or site plan and before the lapse of such approval, the property owner(s) may request an amendment. Amendments shall be classified as major and minor. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement, moving nonresidential uses within the same use category to adjacent blocks, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, changes to utilities and service locations which do not substantially change the original plan. Minor phasing amendments for adopted development plans are permitted only for the purpose of adding an adjacent nonresidential or vertically mixed-use building into the current phase. Amendments to previously approved storm water conservation areas, increases in building height and/or building proximity to an adjacent offsite residential use, and all other amendments shall be considered major amendments and may be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan. Major amendments to an adopted development plan for ~~the Urban Mixed Use~~ UMU, NBD, or RCD districts may only be approved through the same process by which it was initially adopted. The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

Amend Section 6.200 (Certificates of Occupancy) of Article 6 (Specific Use Permits and Certificates of Occupancy) of the Zoning Ordinance, such portion of section to read as follows:

.1 Certificate of Occupancy

It is unlawful for any person, firm, association, or corporation with ownership, care, custody, or control over a parcel of land, with or without a building, located within the municipal limits of the City of Plano to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a required, valid Certificate of Occupancy issued by the Chief Building Official, or designee of the City of Plano. The provisions of this section do not apply to single-family residence, two-family residence, farm, ranch, garden, or orchard uses, nor housing types in the RCD zoning district.

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Zoning Ordinance, such portion of section to read as follows:

Live-Work (Business Loft)

A building that is designed with one ground-floor, nonresidential space and one attached dwelling unit. The dwelling unit may be located on the same floor, or directly

above, the nonresidential use and must be occupied by individuals owning or employed by the associated nonresidential use.

Two-Family Residence (Attached)

An attached building having separate accommodations for and occupied by not more than 2 households.

Amend Article 10 (Nonresidential Districts) of the Zoning Ordinance, such additional section to read as follows:

10.1600 NBD, Neighborhood Business Design District

.1 Purpose

The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

.2 Option for Residential Standards

The district may be entirely commercial or may include residential land uses. If residential land uses are incorporated into the development plan, these uses must fully utilize the Residential Community Design District (RCD) (Section 9.1700) standards, including usable open space, parking, and all other requirements.

.3 Minimum District Size

No NBD district may be established smaller than 10 acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.

.4 Permitted Uses

See the nonresidential districts use table in Sec. 14.200 for a complete listing.

.5 Area, Yard, and Bulk Requirements

A. The following area, yard, and bulk requirements apply to all nonresidential development in the NBD district unless otherwise expressly stated:

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Front Yard Setbacks	
Front yard along Type D and above thoroughfares	<p>Minimum: 20 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> <p>75% of the building face must be within 25 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza, or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.</p> <p>The setback may be increased to a maximum of 80 feet if a drive aisle with single-loaded parking is installed between the building face and a public street.</p>
Front yard along Type E and below thoroughfares	<p>Minimum: 10 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p> <p>75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.</p>
Front yard along major and minor streets	<p>Minimum: none, except as provided in Sec. 13.500.2 and Sec. 10.1600.6</p>

Description	Requirement
	75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Front yard along paseos	Minimum: none, except as provided in Sec. 13.500.2 Sec. 10.1600.6 75% of the building face must be within 5 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Side Yard Setbacks	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Corner Lot	Same as front yard setback, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Rear Yard Setback	10 feet where no alley abuts the rear property line, except as provided in Sec. 13.500.4 and Sec. 10.1600.6
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 10.1600.6
Maximum Lot Coverage	75%, 90% if structured parking is included
Minimum Lot Coverage	None
Maximum Floor Area Ratio	None
Minimum Floor Area Ratio	None
Minimum Usable Open Space	10% in accordance with Sec. 10.1600.14

B. Additional Standards for Live-Work (Business Loft):

- i. Live-Work (Business Loft) units must be located within 600 feet of an existing residential neighborhood.
- ii. No more than 10 Live-Work (Business Loft) units per block.
- iii. The residential space must have an exterior entrance on the ground floor.
- iv. The ground floor must have a minimum floor-to-ceiling height of twelve feet.
- v. The following area, yard, and bulk requirements apply in addition to those in Sec. 10.1600.5A:

Description	Requirements
Minimum Lot Area	1,500 square feet
Maximum Units per Lot	1 unit
Minimum Front Yard	5 feet, except as provided in Sec. 13.500.2
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	400 square feet
Maximum Nonresidential Floor Area	5,000 square feet
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16). See Article 16 for nonresidential parking requirements.

.6 Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. 10.1600.5, all buildings must be set back from the district boundary line of the nearest residential zoning district or the lot line of a residential use outside of the NBD district, as follows:

- A. When an alley is present on the neighboring property: at least two feet for every one foot of building height.

- B.** When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C.** This minimum setback may be reduced to a setback of 20 feet when the nearest residential zoning district allows a maximum height greater than 35 feet.

.7 District Establishment and Administration

- A.** The regulations contained within this zoning district may be supplemented with additional standards and conditions to execute a specific development plan. The boundary of each NBD district must be defined on the Zoning Map and identified with the letters NBD followed by a unique number referencing the supplementary regulations. In considering the establishment of an NBD district, the Planning & Zoning Commission and City Council may amend and supplement the base NBD regulations and related development regulations in the Zoning Ordinance and Subdivision Ordinance to implement individual development plans, with the exception of:
 - i.** Requirement for an adopted development plan;
 - ii.** Requirement for a governance association;
 - iii.** Maximum residential densities;
 - iv.** Requirement to maintain three or more uses; and
 - v.** Requirement for nonresidential uses to be constructed within the first phase of development.
- B.** An NBD district may not be used to:
 - i.** Require construction of public improvements or the dedication or reservation of land, which are not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.
 - ii.** Secure agreements between owners of property within the district with third parties.
 - iii.** Assign responsibility to the city for enforcement of private deed restrictions or covenants.

- iv. Waive or modify the requirements of ordinances other than the Zoning Ordinance, except as specifically authorized by this ordinance.

.8 Adopted Development Plan

- A. An NBD district must not be established without the concurrent adoption of a development plan for the district. The plan must comply with Sec. 3.500 and must:
 - i. Show the location and type of streets, blocks, parking areas, open space, and residential transition areas;
 - ii. Specify the minimum and maximum number of residential units by housing type; and
 - iii. Enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.
- B. The development plan must be adopted as part of the ordinance creating the NBD district. Modifications to the development plan must comply with the requirements in Sec. 3.600.

.9 Governance Association

Applications for building permits for development within an NBD district must not be accepted or approved until a suitable property owners' governance association is established. The association must be responsible for maintaining all common property, improvements, and amenities within the district. It must 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 Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and access to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

.10 Additional Requirements and Restrictions

- A. Each NBD district must contain three or more different uses as listed Article 14.

- B.** Once a property is developed for residential purposes within the NBD district, with the exception of live-work (business loft) units, home occupations, and bed and breakfast inns, nonresidential uses are not permitted within that property.
- C.** At least 10,000 square feet of nonresidential space must be built as part of the first phase of development. Freestanding nonresidential buildings may not have a floor area less than 5,000 square feet.
- D.** The second building constructed and all subsequent buildings may not be more than 150 feet from another building.

.11 Streets and Sidewalks

- A.** All streets within an NBD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.
- B. Street Design**
An NBD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.
- C. Block Size**
The maximum block size is three acres, except as required for public parks or school use.
- D. Block Length**
The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets, alleys, and service drives.

E. Street Trees

A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage.

F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an NBD district must be constructed in accordance with the following general street classifications:

Street Type	Travel Lanes	On-street Parking	Sidewalks
Type D or above thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 12 feet in width
Type E or below thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 7 feet in width
Major Street	Two 11-foot vehicle lanes	Parallel or diagonal parking in accordance with Sec. 16.1500 and valet or drop-off lanes required	Minimum 12 feet in width
Minor Street		Parallel parking in accordance with Sec. 16.1500 and designated loading zones required.	Minimum 7 feet in width
Alley/Service Drive	Two 9-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services	7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities.	If provided, minimum 5 feet in width, but none required

Paseo	Minimum overall width: 28 feet with minimum 15 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards.	Not permitted	Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots
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H. Landscape Edge

Along Type D and above thoroughfares, a 20-foot landscape edge is required. Within the landscape edge, 6 caliper inches of shade trees or 12 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge, with a minimum tree size of 2-inch caliper. The number of required trees must be calculated based solely on the area of the required landscape edge.

I. Bike Lanes

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the NBD district.

J. Connectivity

Connections must be made to provide direct pedestrian and bicycle access from the NBD district to adjacent sidewalks, trails, parks, transit stops, and other connections where feasible. Pedestrian access must be provided by connection to any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the NBD district. In order to provide efficient pedestrian connections to adjacent properties, the city may require additional sidewalks, walkways, or trails not associated with a street.

K. Curb Bulb Outs

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

- A.** Parking for residential uses must follow RCD standards (Sec. 9.1700.12).
- B.** All required off-street parking in NBD districts must be accommodated in accordance with Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading), except that on-street parking spaces adjacent to a lot may be included in the parking calculations for nonresidential uses on that lot.
- C.** The maximum permitted parking for nonresidential uses is capped at 110% of the minimum required parking. Parking in excess of the maximum caps may only be provided in parking garages.
- D.** Surface parking lots for nonresidential uses must meet the following requirements:
 - i.** Parking lots must be located behind front building facades.
 - ii.** A minimum five-foot landscape edge must be provided between all surface parking lots and major and minor streets. Within the landscape edge, 3 caliper inches of shade trees or 6 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.
 - iii.** Surface parking lots must not exceed 200 spaces per parking lot.

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- vii.** Parking garages must not exceed the height of surrounding buildings and must not be visually predominant when viewed from the street or public usable open space
- viii.** If a parking garage is multi-level, one full level at or below grade must be provided for public parking
- ix.** A pedestrian path at least four feet wide with clear signage and lighting must be provided within the parking garage. The pedestrian path must connect to adjacent sidewalks. Electric vehicle charging stations must not impede a minimum of four feet of clearance on any path, walkway, or sidewalk.

.13 Usable Open Space

- A.** Public usable open space must be provided in an amount not less than ten percent of the gross acreage of the development. The following requirements also apply:
 - i.** A maximum of 25% of the minimum required public usable open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for use through the addition of trails and other pedestrian amenities.
 - ii.** Public usable open space must be provided in the form of greens, linear parks, greenbelts, pocket parks, public art displays, and paseos that are integrated within the block pattern defined on the development plan.
 - iii.** At least one public usable open space must be a minimum of 7,500 square feet with a minimum width of 30 feet, and have buildings or streets directly fronting or siding the public usable open space on a minimum of three sides.
 - iv.** Natural features must be designed to be integrated into the site with buildings or public usable open space fronting on them and sufficient pedestrian and vehicle access.
 - v.** Rooftops and accessory buildings, except those portions of any building designed specifically for public recreational purposes, do not count toward the public usable open space requirements.
 - vi.** Required landscaping does not count toward the usable open space requirement.

vii. Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.

B. Private usable open space, including interior courtyards and patios for individual business and residential uses, is permitted but does not count toward the public usable open space requirement.

.14 Building Placement and Design

A. An NBD district or a group of buildings within the district cannot be walled, fenced, or restricted from general public access.

B. Buildings in an NBD district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by usable open space and/or patio dining.

C. Lots must be oriented so that buildings directly front on a designated street or usable open space defined on a development plan.

D. No single tenant may occupy more than 30,000 square feet of the ground floor of a building.

E. With the exception of parking garages, podium garages, and loading and service areas, 60% of the ground floor of nonresidential buildings and live/work-units must consist of windows and doors.

F. Nonresidential spaces must have a minimum floor-to-ceiling height of 12 feet.

.15 Sign Regulations

A. For signage for uses fronting Type D and above thoroughfares, the regulations, specifications, and design standards contained in Article 22 (Signs) apply.

B. For all other signage, the regulations, specifications, and design standards for signs contained in Sec. [10.800](#) (BG, Downtown Business/Government) apply.

Amend Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such portion of section to read as follows:

Use Type	Use Category	<u>NBD-Neighborhood Business Design</u>
Accessory Building or Use (8)	Accessory & Incidental	
Accessory Housing Shelter (Temporary)	EIPS	
Airport/Heliport (4)	EIPS	
Amusement, Commercial (Indoor)	Service	P
Amusement, Commercial (Outdoor) (15)	Service	S
Animal Exhibition	EIPS	
Antenna	Trans., Utility, & Comm.	P 34
Antenna Support Structure (Commercial and Amateur)	Trans., Utility, & Comm.	P 34
Arcade (12)	Service	P 12
Artisan's Workshop	Service	P
Asphalt/Concrete Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Asphalt/Concrete Batching Plant (Temporary)	Comm., Mfg. & Ind.	
Assembly Hall	EIPS	
Assisted Living Facility	EIPS	
Backyard Cottage	Accessory & Incidental	
Bank, Savings and Loan, or Credit Union	Service	P
Bed and Breakfast Inn	Service	P
Boarding/Rooming House	Primary Res.	
Body Piercing	Service	
Building Material Sales	Retail	
Bus/Truck Leasing	Vehicle & Related	
Bus/Truck Repair	Vehicle & Related	
Business Service	Service	P
Cabinet/Upholstery Shop	Service	
Cafeteria/Restaurant	Service	
Car Wash	Vehicle & Related	

Caretaker's/Guard's Residence	Accessory & Incidental	
Cemetery/Mausoleum	EIPS	
College/University (5)	EIPS	
Commissary	Wholesale	
Community Center	EIPS	
Compact Construction & Transportation Equipment Sales & Service	Retail	
Concrete/Asphalt Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Concrete/Asphalt Batching Plant (Temporary)	Comm., Mfg. & Ind.	<u>36</u>
Construction Yard (Temporary) (9)	Accessory & Incidental	
Continuing Care Facility	EIPS	
Convenience Store	Retail	<u>R</u> <u>33</u>
Country Club or Golf Course	EIPS	
Data Center	Service	
Day Care Center (13)	Service	<u>P</u> <u>52</u>
Day Care Center (Accessory)	Service	<u>P</u> <u>52</u>
Day Care Center (Adult)	Service	<u>P</u> <u>52</u>
Day Care (In-home) (16)	Service	
Distribution Center/Warehouse	Wholesale	
Dry Cleaning Plant	Service	
Electrical Power Generating Plant	Trans., Utility, & Comm.	
Electrical Substation	Trans., Utility, & Comm.	<u>S</u>
Engine Repair Shop (Small)	Service	
Exhibition Area	Service	
Fairgrounds	Service	
Farm, Ranch, Garden, or Orchard	EIPS	
Farmers Market	Retail	<u>P</u>
Feed Store	Retail	
Fire Station/Public Safety Building	EIPS	
Fitness/Health Center	Service	
Flea Market (Inside)	Retail	
Flea Market (Outside)	Retail	
Flex Space(Live-Work)	Service	
Food/Grocery Store	Retail	<u>P</u>
Food Truck Park	Service	<u>S, R</u>
Fraternal Organization, Lodge, or Civic Club	EIPS	
Funeral Parlor/Mortuary	Service	
Furniture and Appliances, Storage/Repair of (Inside)	Service	<u>P</u>
Furniture and Appliances, Storage/Repair of (Outside)	Service	
Furniture, Home Furnishings, and Equipment Store	Retail	
Garden Center	Retail	<u>R</u>
Golf Course or Country Club	EIPS	
Grocery/Food Store	Retail	<u>P</u>
Guard's/Caretaker's Residence	Accessory & Incidental	
Gun Range (Indoor)	Service	
Hardware Store	Retail	<u>P</u>

Health/Fitness Center	Service	<u>P</u>
Heliport/Airport (4)	EIPS	
Helistop (4)	EIPS	
Home Occupation (11)	Accessory & Incidental	
Hospital (5)	EIPS	
Hotel/Motel	Service	<u>P</u>
Household Care Facility	EIPS	
Household Care Institution	EIPS	
Independent Living Facility	EIPS	
Industrial Use (Hazardous or Nuisance)	Comm., Mfg. & Ind.	
Kennel (Indoor Pens)/Commercial Pet Sitting	Service	<u>P</u>
Kennel (Outdoor Pens)	Service	
<u>Live-Work (Business Loft)</u>	<u>Primary Res.</u>	<u>P</u> <u>54</u>
Long-term Care Facility	EIPS	
Machinery Sales & Storage, Heavy	Retail	
Manufacturing (Heavy-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Light-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Moderate-intensity)	Comm., Mfg. & Ind.	
Massage Therapy, Licensed	Service	
Mausoleum/Cemetery	EIPS	
Mid-Rise Residential	Primary Residential	
Mini-Warehouse/Public Storage	Wholesale	
Mobile Home/Trailer Display and Sales	Service	
Mobile Home/Trailer Park	Primary Res.	
Mortuary/Funeral Parlor	Service	
Motel/Hotel	Service	
Motorcycle Sales & Service	Vehicle & Related	
Multifamily Residence (1)	Primary Res.	<u>P</u> <u>52</u> <u>53</u>
Nursery	Retail	<u>S</u>
Office (Field) (9)	Accessory & Incidental	
Office (Medical)	Office & Prof.	<u>P</u>
Office (Professional/General Administrative)	Office & Prof.	<u>P</u>
Office (Showroom/Warehouse)	Wholesale	<u>S</u>
Paint Shop	Retail	
Park/Playground	EIPS	
Pawn Shop	Retail	
Personal Service Shop	Service	<u>P</u>
Pet Sitting, Commercial/Kennel (Indoor Pens)	Service	
Playground/Park	EIPS	
Portable Building Sales	Retail	
Post Office (Government and Private)	EIPS	
Print Shop (Major)	Service	
Print Shop (Minor)	Service	<u>P</u>
Private Club (19)	Service	
Private Recreation Facility	EIPS	
Public Safety Building/Fire Station	EIPS	
Public Storage/Mini-Warehouse	Wholesale	

Railroad Freight Depot or Dock	Trans., Utility, & Comm.	
Recreational Vehicle Parking Lot/Garage	Vehicle & Related	
Recreational Vehicle Sales & Service	Vehicle & Related	
Rehabilitation Care Facility	EIPS	
Rehabilitation Care Institution	EIPS	
Religious Facility (5)	EIPS	
Repair/Storage of Furniture and Appliances (Inside)	Service	
Repair/Storage of Furniture and Appliances (Outside)	Service	
Research and Development Center	Office & Prof.	
Restaurant/Cafeteria	Service	<u>P</u> <u>47</u>
Restaurant (Drive-in)	Service	
Retail/Service (Incidental)	Retail	<u>P</u>
Retail Store	Retail	<u>P</u>
Rooming/Boarding House	Primary Res.	
Salvage or Reclamation of Products	Comm., Mfg. & Ind.	
Sand, Gravel, Stone, or Petroleum Extraction	Comm., Mfg. & Ind.	
School, (Private) (ZC2019-009) (5)	EIPS	
School, (Public or Parochial) (5)	EIPS	
Service Contractor	Service	
Service Yard (Public or Utility)	Trans., Utility, & Comm.	<u>S</u> <u>50</u>
Service/Retail (Incidental)	Retail	<u>P</u>
Sewage Treatment Plant	Trans., Utility, & Comm.	
Shopping Center	Retail	<u>P</u>
Single-Family Residence (Attached)	Primary Res.	<u>P</u> <u>53</u>
Single-Family Residence (Detached)	Primary Res.	<u>P</u> <u>53</u>
Stable	EIPS	
Storage, Open	EIPS	
Studio (Dance, Gymnastics and/or Martial Arts)	Service	<u>P</u>
Studio (Photographer, Musician, Artist, Radio, and/or TV)	Service	<u>P</u>
Studio Residence	Primary Res.	<u>P</u> <u>53</u>
Superstore	Retail	
Tattooing and Permanent Cosmetics	Service	
Temporary Accessory Housing Shelter	EIPS	
Theater (Drive-in)	Service	
Theater (Neighborhood)	Service	<u>P</u>
Theater (Regional)	Service	
Trade Schools	EIPS	
Trailer/Mobile Home Display & Sales	Service	
Trailer/Mobile Home Park	Primary Res.	
Transit Center/Station	Trans., Utility, & Comm.	<u>S</u>
Transmission Line/Utility Distribution	Trans., Utility, & Comm.	
Transportation and Utility Structures/Facility	Trans., Utility, & Comm.	<u>P</u>
Truck Parking Lot	Vehicle & Related	
Truck Sales (Heavy Trucks)	Vehicle & Related	

Truck Terminal	Vehicle & Related	
Truck/Bus Leasing	Vehicle & Related	
Truck/Bus Repair	Vehicle & Related	
Two-Family Residence	Primary Res.	<u>P</u> <u>53</u>
<u>Two-Family Residence (Attached)</u>	<u>Primary Res.</u>	<u>P</u> <u>53</u>
University/College (5)	EIPS	
Upholstery/Cabinet Shop	Service	
Utility Distribution/Transmission Line	Trans., Utility, & Comm.	<u>P</u>
Utility, Private (other than listed)	Trans., Utility, & Comm.	<u>P</u>
Veterinary Clinic	Service	<u>P</u>
Vehicle Dealer (New) (7)	Vehicle & Related	
Vehicle Dealer (Used) (7)	Vehicle & Related	
Vehicle Leasing and Renting	Vehicle & Related	
Vehicle Parking Lot/Garage (Primary)	Vehicle & Related	<u>P</u>
Vehicle Parts Sales (Inside)	Vehicle & Related	
Vehicle Parts Sales (Outside)	Vehicle & Related	
Vehicle Repair (Major)	Vehicle & Related	
Vehicle Repair (Minor/Fueling Station)	Vehicle & Related	
Vehicle Storage	Vehicle & Related	
Warehouse/Distribution Center	Wholesale	
Water Treatment Plant	Trans., Utility, & Comm.	
Winery	Service	<u>S</u>
Wrecking Yard	Vehicle & Related	

Amend Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such additional note to read as follows:

Number	End Note
<u>53</u>	<u>See Section 9.1700 for housing type requirements.</u>
<u>54</u>	<u>See Sec. 15.2000</u>

Amend Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Zoning Ordinance, such portion of section to read as follows:

.2 Front Yard Regulations

- I. In all districts except BG, CB-1, and UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. 13.500.2N.
- K. Except in the BG, CB-1, and UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet

from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision ~~shall~~ must be clear at elevations between 30 inches and 9 feet above the average grade of the street.

- N. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.
- Q. In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback.

.3 Side Yard Regulations

- I. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

.4 Rear Yard Regulations

- A. In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, and UMU, NBD, and RCD, ~~no~~ main residential buildings must ~~may~~ be constructed ~~nearer than~~ at least 10 feet away from ~~to~~ the rear property line, and the main residential building and all accessory buildings ~~shall~~ must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line.
- D. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or

structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Amend Section 15.200.5 (General Requirements) of 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations) of the Zoning Ordinance, such portion of section to read as follows:

- E. Commercial antennas and antenna support structures are prohibited in residential districts on lots used or platted for single-family, two-family, or single-family attached purposes nor in an NBD or RCD zoning district on lots used for a housing type in Sec. 9.1700.5, unless the conditions of Sec. 15.200.2C are met.

Amend Article 15 (Use-specific Regulations) of the Zoning Ordinance, such additional section to read as follows:

Section 15.2000 Live-Work (Business Loft)

.1 The residential and nonresidential spaces must be connected and are not intended to be two independent uses.

.2 The dwelling unit must be converted to nonresidential spaces if not occupied by an individual owning or employed by the associated nonresidential use.

Amend Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance, such portion of section to read as follows:

These standards ~~shall~~ apply to all nonresidential districts except BG, UMU, NBD, and CB-1. Any area within a planned development district or overlay district containing landscaping standards ~~shall be~~ is regulated by the standards of the planned development district or overlay district where such standards conflict with the standards herein. Tree preservation requirements ~~shall~~ apply to all zoning districts as listed in Sec. 17.800.2.

Amend Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

- .1 In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, ~~or~~ LI-2, or NBD district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, RCD, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility

triangles or easements are required. (See Sec. 13.500.2C and Sec. 13.500.2K) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

Amend Section 20.400 (Requirements for Solid Waste Collection) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 Applicability

This section ~~shall apply~~ applies to property utilized for nonresidential or multifamily uses and ~~shall~~ does not apply to the following:

- C. Multifamily and nonresidential developments that comply with both of the following stipulations
 - i. The development is authorized by the City of Plano Public Works Department for solid waste collection utilizing 95-gallon residential-type carts.
 - ii. The development is located within BG, UMU, NBD, RCD, or CB-1 zoning districts, or the development is within a planned development district that permits, by stipulation, the use of 95-gallon residential-type carts for solid waste collection.

Amend Section 25.300 (Applicability) of Article 25 (Traffic Impact Analysis) of the Zoning Ordinance, such portion of section to read as follows:

.3 Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan, development plan, or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to

ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

CS/amc

xc: Mike Bell, Comprehensive Planning Manager
Kendra Cobbs, Senior Planner
Jeanna Scott, Building Inspections Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2020

Agenda Item No. 4

Public Hearing: Zoning Case 2020-012

Applicant: City of Plano

DESCRIPTION:

Request to amend Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Zoning Ordinance to create the Neighborhood Business Design zoning district. Project #ZC2020-012.

REMARKS:

At its [March 16](#), [May 4](#), [June 1](#), and [June 15](#), 2020, Planning & Zoning Commission meetings, the Commission discussed information in staff presentations and gave direction related to the draft Neighborhood Business Design (NBD) zoning district. Since these meetings, staff has continued public outreach and worked to further refine the district. This request is a companion item to Agenda Item No. 5, Zoning Case 2020-013.

Intent of New District

The NBD district is requested to facilitate the Plano Event Center zoning case (Agenda Item No. 6) and help implement the [Envision Oak Point Plan](#) by providing regulations that foster a complementary mix of land uses, pedestrian-friendly streets, and neighborhood-supportive amenities in line with the Envision Oak Point Vision Statement:

“Oak Point enhances community and establishes place by unifying northeast Plano, serving as its social hub and shaping unique, amenity-rich neighborhoods connecting the area’s diverse population to its vast network of natural features and civic spaces.”

The NBD district and its companion district, Residential Community Design (see Agenda Item No. 5), are developed with these important community elements in mind, working together to support residential and non-residential developments that are appropriately-scaled and sensitive to the context of surrounding neighborhoods through application of consistent street design, building scale, and landscaping standards such as:

- Transitions in height to respect nearby neighborhoods and residential districts;
- Low-rise (1-3 stories), pedestrian-oriented design with neighborhood-supportive uses;
- Tree-lined streets with short block lengths that encourage walking;
- Amenitized open space areas; and
- Parking located on-street, in garages, or well-landscaped surface lots located to the rear of properties.

Although connected through these shared characteristics, the NBD and RCD districts serve two distinct functions. The NBD district includes mostly non-residential development standards, allowing residential uses subject to the RCD standards. The RCD district includes residential development standards, with limited nonresidential development comparable to other single-family districts, such as schools, fire stations, and religious facilities.

The following sections summarize the standards of the NBD district. Refer to Agenda Item No. 5 for a summary of RCD standards.

Need for NBD District

Most existing zoning districts do not allow the appropriate diversity of housing types nor walkability desired for the Oak Point area. Four development types in the Envision Oak Point [Community Vision Map](#) support a distinct and diverse character pattern, creating opportunities to live, work, and socialize within a cohesively planned, pedestrian-friendly environment, which is not possible to develop under our current regulations without utilizing a planned development district. These include:

- [Mixed-Use Activity Center](#) is the social hub of Oak Point, with retail, dining, entertainment, and housing options, as well as open space amenities where residents and Plano Event Center visitors can gather with family, friends, neighbors, and colleagues. Mixed-Use Activity Centers are centrally located, providing residents, employees, and visitors the opportunity to live, work, and socialize just steps away from these amenities. Building form, housing types, streets, and open space in these areas are allocated and scaled to support Oak Point's most vibrant, pedestrian friendly places.
- [Village](#) areas act as transitional buffers between more active mixed use and commercial areas, and single family residential areas. These smaller scale mixed-use areas provide housing and neighborhood-focused retail and services, such as small grocery stores, medical offices, and restaurants, close to the communities they serve. Village areas accommodate a broad mix of housing options, with a strong focus towards seniors and young professionals who are seeking low maintenance housing options in highly amenitized neighborhoods.

- [Neighborhood Edge](#) areas allow for active uses along major street frontages adjacent to single family residential areas. Small-scale, neighborhood-serving commercial buildings such as banks, small grocery stores, and cafes may be located to provide a buffer and compatible transition to the residential areas. Where employed, commercial buildings should front the sidewalk to provide easy pedestrian access, screen parking areas, create an attractive streetscape, and support transitions to traditional single family development.
- [Transit Ready](#) areas will support the establishment of new rail or rapid transit stations in Oak Point, as it is anticipated that rapid transit will be extended north from Parker Road Station. These areas will evolve as transit arrives in the area - beginning with office and retail uses, and adding housing within walking distance as stations are financed. Residents and employees in the area enjoy easy access to transit, and transit users around the region benefit from newly built retail and employment destinations.

The city's existing zoning districts do not allow efficient implementation of these development types. Retail and Office zoning districts do not require open space, streetscapes, and design standards set out in the Plan. Other commercial districts have similar problems, allow uses that are inappropriate with the adjacent residential, or are too intense, as is the case with the Urban Mixed-Use (UMU), Central Business-1 (CB-1) and Downtown Business/Government (BG). A Planned Development (PD) district could be used on a property-by-property basis, however staff and associated property owners must spend an inordinate amount of time and effort creating and enforcing customized development standards for each PD. Establishing the NBD district creates consistent baseline zoning standards and uses for application in appropriate locations within Oak Point, without the need to create all new standards for each proposal.

Appropriate Locations for NBD

At this time, application of the NBD district is explicitly limited to the Oak Point area. The City may choose to evaluate whether or not the district, or a modification thereof, is appropriate in other areas of the city at a later date, pending outcomes from the Comprehensive Plan Review Committee (CPRC) process. Since the CPRC process is ongoing, it is premature to determine whether use of this district is appropriate in other areas of the City. Therefore, should the district be adopted, its use will be limited to the Oak Point area, as described in the Purpose Statement for the district:

Section 10.1600.1. The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

Additionally, NBD districts will have a minimum district size of 10 acres, a size appropriate to support community shopping centers with an appropriate range of uses. When NBD districts include residential housing using RCD standards, this minimum size would apply to the entire NBD district. In both cases, if necessary, the minimum acreage could be reduced for specific zoning cases where City Council determines a smaller NBD district is required to implement the Comprehensive Plan or related study.

Summary of NBD District Requirements

The district requirements are summarized below and in [Attachment A](#).

Adopted Development Plan - An NBD zoning request must be accompanied by an adopted development plan that determines the mix of uses, street locations, development blocks, and open space. The plan also must specify any conditions or additional standards absent from base NBD zoning. Once the plan is adopted, major modifications can only be made through a subsequent zoning process.

Governance Association - A governance association is required to maintain common improvements and open space in the district. An acceptable property owners' association is expected to have sufficient authority to assess and collect dues as necessary to perform its responsibilities. Building permits will not be accepted without an established association.

Residential Transition Areas - While building height in NBD districts is capped at three stories, or 50 feet, building height transitions are proposed near residential uses or zoning districts to help mitigate privacy and visibility concerns. The Commission previously discussed options for residential transition areas and directed staff to survey the public on their preferences. Staff has not received any feedback on this issue as of the preparation of this report, therefore chose the 2:1 ratio option (Option 3 from June 1 meeting), which provides greater separation of buildings from adjacent residential to provide additional protections from potential light and noise as well as limit visibility. Example setbacks are as follows:

Building Height	Setback with Alley	Setback with No Alley
1 story (20 feet)	40 feet	55 feet
2 story (35 feet)	70 feet	85 feet
3 story (50 feet)	100 feet	115 feet

These distances provide the separation needed to help protect residential areas, while also allowing for gradual transitions in NBD building height, to create a more cohesive and attractive development.

Mixed-Use Requirement - Neighborhood-friendly developments offer a variety of compatible uses that attract people seeking the enjoyable entertainment, shopping, and employment that these areas provide. The proposed NBD district will require three or more uses for each development.

Live-Work (Business Loft) Standards - Live-Work units are the only residential use permitted in NBD district without an RCD component. These units include a ground floor commercial space with a single attached dwelling unit. The dwelling unit must be occupied by the owner or an employee of the commercial space. Standards are included to require Live-Work units be placed within 600 feet of an existing neighborhood and to limit the number of Live-Work units to 10 per block. The standards for Live-Work units were previously located in the RCD district but were relocated to the NBD district for user-friendliness.

Additional Use Regulations - To further the requirement for a mix of uses, the first phase of development must include a minimum of 10,000 square feet of nonresidential space. Additionally, freestanding non-residential buildings may not have a floor area of less than 5,000 square feet. To create a cohesive development and improve walkability, the second building constructed and all subsequent buildings may not be further than 150 feet from another building.

District Establishment - The proposed NBD zoning district, as written, provides a base level of standardized requirements that reflect the community's goals and expectations for the design and function of NBD districts. Since each NBD development will be different, it is expected and anticipated that a second level of regulation, tailored to the specific proposal for each site, will be needed. This approach provides needed flexibility while still maintaining the consistent set of base standards expected of an NBD district. The Planning & Zoning Commission and City Council will maintain discretion to amend many district standards during the zoning process, however, the proposed ordinance sets forth the requirements that cannot be altered through the zoning process. These are:

- Requirement for an adopted development plan;
- Requirement for a governance association;
- Maximum residential density;
- Requirement to maintain three or more uses; and
- Requirement for nonresidential uses to be constructed within the first phase of development.

Streets and Sidewalks - The street network in an NBD development is geared towards a safe and comfortable pedestrian-friendly environment. Streets must form a connected grid pattern, organized into blocks no longer than 600 feet. These regulations are similar to the pedestrian-oriented street standards of the UMU zoning district and include:

- A variety of street types are allowed, and will be privately maintained, unless accepted as public by the city. Additionally, a definition and standards for a paseo, or a wide pedestrian pathway, have been added. A paseo could be utilized as lot frontage in lieu of a typical street;
- On-street parking along major and minor streets, providing an additional buffer for pedestrians;

- Sidewalks with a minimum width of 12 feet on major streets and 7 feet on minor streets; and,
- Required street trees along all major and minor streets, with one tree required every 40 feet of frontage, except where adjacent to retail uses, where one street tree is required for every 100 feet to allow for more visible signage. Street trees are also required along exterior public thoroughfares along with additional width for required landscape edges.

Parking - While the proposed NBD district promotes walkability, it is likely that most residents, employees, and visitors will still make the majority of trips to and from the area in automobiles. To encourage a pedestrian-friendly environment, parking is treated so as to minimize the visibility and dominance of vehicles. Surface parking lots must be located in the rear of buildings and cannot exceed 200 spaces in a single parking lot. To provide visibility and improve safety, sidewalks at least seven feet in width are required to connect parking lots to the street and/or adjacent buildings. Additionally, parking garages facades will be architecturally integrated with the buildings they serve. Proper screening is required so that vehicles, headlights, and lighting in garages are not visible from surrounding properties and streets. Parking garages must also be at least 150 feet away from existing residential uses or zoning districts.

Open Space - The placement and design of open space is critical for creating a desirable destination for employees and visitors, who may be looking for a pleasant place to relax and enjoy the outdoors. For these reasons, the proposed ordinance language will require a minimum of 10% of the gross land area to be provided as usable open space. The previous draft standards included a lower minimum as well as a maximum, but these were adjusted to provide more consistency with Envision Oak Point. The open space can be provided in the form of greens, parks, greenbelts, pedestrian corridors, or public art displays.

Building Placement - Along with the grid of streets, building placement is critical to maintaining a walkable environment. As with all zoning districts, the proposed NBD district will regulate lot coverage, setbacks, and building heights. Additional design requirements will include that buildings must be brought up close to property lines and street curbs. The first floor building face must consist of at least 60% windows and doors. Additionally, public access must not be restricted by barriers like walls and fences; distances between the face of buildings cannot exceed 100 feet, unless usable open space or patio dining is included; and tenants cannot exceed 30,000 square feet of a building's ground floor.

Changes since May 4, 2020, Planning & Zoning Commission Meeting

A [draft ordinance](#) noting detailed changes since the May 4 meeting is provided online with additions underlined and deletions struck-through. Where entire paragraphs have been replaced, only additions are shown. Significant changes are as follows:

1. Option for Residential Standards (10.1600.2). Specificity was added to clarify that all RCD district standards must be followed for residential land uses.

2. Area, Yard, and Bulk Requirements (10.1600.5.A). A ten-foot rear yard setback was added when there is no alley present along the property line for consistency with other commercial zoning districts. Additionally, the minimum usable open space requirement was increased to 10% and the maximum was removed, to be more consistent with Envision Oak Point.
3. Additional Standards for Live-Work (Business Loft) (10.1600.5.B). As discussed above, Live-Work (Business Loft) standards were relocated from RCD to NBD.
4. Residential Transition Areas (10.1600.6). Residential transition area setbacks have been modified as summarized in the “Residential Transition Areas” section, above.
5. Adopted Development Plan (10.1600.8). Language was added to allow for minor amendments to the adopted development plan when nonresidential uses within the same use category are moved to adjacent blocks.
6. Mixed-Use Requirement (10.1600.10). The Mixed-Use Requirement was simplified by removing the requirement for Primary, Secondary, and Tertiary uses. A mix of three or more uses is still required.
7. Additional Requirements and Restrictions (10.1600.11). Due to the unpredictability of the economy, the requirement for at least one restaurant and one retail space to be built during the first phase of development has been removed. However, the development plan is still required to demonstrate a complementary mix of uses, including at least 10,000 square feet of nonresidential space during the first phase of development, to be reviewed upon the time of application.
8. Streets and Sidewalks (10.1600.12.A). Language was revised to allow public streets when the city accepts dedication of them.
9. Streets and Sidewalks (10.1600.12.G). The Mews Street type was removed, as it is only used in residential areas. Travel lane standards were revised and driveway/setback lanes were added to the Alley/Service Drive street type. Additionally, landscaping requirements were added to the Paseo street type.
10. Parking Requirements (10.1600.13). The reduction in parking spaces for providing bicycle or motorcycle parking spaces and for proximity to a transit station were removed.
11. Usable Open Space (10.1600.14.A). As discussed above, the minimum usable open space requirement was increased to 10%. Language was also added to permit lots to front natural areas and usable open space, in accordance with Envision Oak Point.
12. Sign Regulations (10.1600.16). Requirements for signage were revised to allow for larger signs along roads fronting major thoroughfares.

13. The Permitted Uses table was updated for the following uses:

a. Removed:

- i. Caretaker's/Guard Residence in Accessory and Incidental Uses Category;
- ii. Private Club in the Service Uses Category; and
- iii. Car Wash, Vehicle Parts Sales (Inside), and Vehicle Repair (Minor/Fueling Station) in the Vehicle and Related Uses Category.

b. Added as permitted:

- i. Farm, Ranch, Garden, or Orchard in the Educational, Institutional, Public, and Special Uses Category; and
- ii. Live-Work (Business Loft) in the Primary Residential Uses Category.

c. Added as permitted when meeting RCD standards:

- i. Multifamily Residence, Single-Family Residence (Attached), Single-Family Residence (Detached), Studio Residence, Two-Family Residence, and Two-Family Residence (Attached) in the Primary Residential Uses Category.

Other minor changes to the draft from May 4, which are primarily administrative or legal in nature to add clarity or provide consistent language throughout the Zoning Ordinance, are incorporated in the recommendation section below.

CONFORMANCE WITH ENVISION OAK POINT

In addition to the Envision Oak Point development types discussed above, the standards of the NBD district are consistent with various Goals, Policies, and Actions of the Envision Oak Point Plan:

Land Use + Development Patterns

- Goal: Support a distinct and diverse character pattern, creating opportunities to live, work and socialize within a cohesively planned, pedestrian-friendly environment.
- Balanced Neighborhoods Policy: Shape balanced neighborhoods with a diverse mix of land uses and amenities.
- Balanced Neighborhoods Policy - Action 3: Align zoning designations with the vision and policies of Envision Oak Point.

- Balanced Neighborhoods Policy - Action 4: Adopt residential transition standards/guidelines to ensure compatible transitions in land use and building scale adjacent to single-family neighborhoods.
- Balanced Neighborhoods Policy - Action 6: Create complimentary regulations and reduce barriers to food production land uses such as micro-farming/ranching, community gardens, and farmer's markets.
- Walkable Community Policy: Create a vibrant, walkable community with great streets and public spaces.
- Walkable Community Policy - Action 1: Develop block length and street requirements to support a compact, highly connected street network that accommodates pedestrians, bicyclists, vehicles, and various forms of transit.

Mobility

- Accessible Street Design Policy: Ensure the construction of future streets and the reconstruction of existing streets supports desired development and incorporates innovative street design and management.
- Accessible Street Design Policy - Action 6: Review regulations for internal connectivity and block size for conformance with Envision Oak Point.

Parks, Recreation + Open Space

- Accessible Open Space Policy - Action 2: Assess minimum open space and improvement requirements with any new zoning regulations in Oak Point with emphasis on ensuring sufficient open space for new housing opportunities.
- Diverse Open Space and Amenities Policy - Action 2: Encourage smaller, neighborhood-serving open spaces to be privately owned and maintained. Require public access be provided to these private features.
- Diverse Open Space and Amenities Policy - Action 3: Develop standards and design guidelines that require open space and natural features to be fronted by buildings where possible.

Placemaking + Community Design

- Preservation of Agrarian Character Policy - Action 3: Develop design guidelines and other policies that encourage agrarian architectural design themes in Oak Point building design.
- Great Streets Policy - Action 3: Require street trees with new development to promote walkability and to achieve a more visually interesting streetscape.

- Vibrant Neighborhood Center Policy - Action 1: Organize land use and block patterns in the Oak Point neighborhood center to support a pedestrian-oriented core of local streets that serves as Oak Point's civic area and social hub.
- Vibrant Neighborhood Center Policy - Action 2: Require a mix of uses to support new housing in the Oak Point neighborhood center, prioritizing opportunities for high quality restaurants and other food-anchored land uses.
- Vibrant Neighborhood Center Policy - Action 3: Create building form and public realm standards that promote strong community character, pedestrian-friendly streetscapes, and public spaces.
- Vibrant Neighborhood Center Policy - Action 4: Establish design standards requiring new developments to vary building types and façade design, and engage the street with pedestrian-friendly frontages such as porches, stoops, and shopfronts.
- Vibrant Neighborhood Center Policy - Action 5: Maintain residential character and suburban scale, but improve community design and incorporate a better balance of commercial land uses and diverse housing opportunities.

Environment + Infrastructure

- Environmental Placemaking Policy - Action 2: Permit food production in new development in Oak Point. Reserve land for key programming such as agricultural operations, a community garden, and a farmers market

These standards are consistent with the Sub-Area Strategy recommendations for various locations within Oak Point, such as:

- Northern Quadrant Recommendation 3: Support reinvestment in the Plano Market Square Mall area by supporting a broader mix of nonresidential and residential uses. Site design should support compatible transitions to the Oak Point Estates neighborhood.
- Eastern Quadrant Recommendation 1: Reinvent the Plano Event Center site and surrounding area as a pedestrian-friendly civic area and social hub. The land use mix should include high-quality restaurants, a hotel, new civic spaces, mixed-use housing, and employment uses.

PUBLIC ENGAGEMENT:

To inform and involve the public about the purpose and intent of the NBD zoning district, a number of opportunities have been added for public engagement. Although COVID-19 has prohibited in-person meetings which would normally make up such efforts, online engagement has been a great resource for filling this void. Means of engaging the public consisted of those listed below. Statistics provided are as of 5 p.m., Thursday, July 16, 2020:

- A webpage devoted to the proposed zoning districts, Plano Event Center zoning case, and public hearing dates: www.plano.gov/implementEOP, which has received 2,302 page views as of publication;
- Print and digital advertisements for the webpage and public hearing dates in *Community Impact News*;
- Newsletters sent to the Envision Oak Point Plan contact list (301 recipients), including the Plan's Stakeholder Committee, consisting of area residents, business owners, major property owners and developers, and religious and non-profit representatives;
- Newsletters shared to *Plano City News*, the *Sage* senior newsletter, and the *Team Plano* retiree newsletter, for a total of 42,438 recipients;
- Letters sent through mail and email to 20 HOA representatives within the Envision Oak Point retail trade area;
- A Neighborhood Services Department [BEST Break virtual meeting](#) with 25 participants on July 1, 2020; and
- 11 posts about the districts and webpage to City of Plano social media accounts, including Facebook, Twitter, Reddit, and Nextdoor:
 - Facebook: [June 30](#) (8 reactions, 1 share), [July 6](#) (143 reactions, 50 comments, 16 shares), [July 11](#) (72 reactions, 31 comments, 9 shares), [July 15](#) (29 reactions, 54 comments, 16 shares), 2020;
 - Twitter: [June 30](#) (1 like), [July 1](#) (2 likes), [July 6](#) (1 retweet, 17 likes), [July 11](#) (1 retweet, 6 likes), [July 15](#) (2 retweets and comments, 6 likes), 2020;
 - Reddit: [July 9](#) (3 comments, 94% upvoted), 2020; and
 - Nextdoor: [July 9](#) (5 thanks, 20 replies), 2020.

As of the publication of this report, comments and/or questions received about the NBD zoning district were received from 19 people of which eight were in support, six were opposed, and five did not express an official position. The comments are included in [Attachment B](#).

Any additional comments received following the publication of this report will be provided in the presentation for this item.

RECOMMENDATION:

Recommended for approval as follows (for existing sections, additions are indicated in underlined text; deletions are indicated in strikethrough text).

Amend Article 10 (Nonresidential Districts) of the Zoning Ordinance, such additional section to read as follows:

See [Attachment C](#) for Ordinance language.

Amend Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such portion of section to read as follows:

See [Attachment C](#) for Ordinance language.

Amend Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Zoning Ordinance, such additional note to read as follows:

See [Attachment C](#) for Ordinance language.

Amend Section 3.100 (General) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.3 Applicability

The site plan review process shall apply to:

- A. Development within an area zoned planned development. (See Article 12)
- B. Nonresidential development, except as provided in Sec. 3.100.4.
- C. Multifamily residential development.
- D. Patio home and single-family residence attached residential use development and any mixed single-family detached residential development that contains patio home and/or single-family attached residential dwellings.
- E. Residential development within an area zoned RCD or NBD.
- F. Mobile home parks.
- G. F. Parking lot development, reconstruction, or restriping of more than 20 spaces.

Amend Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

.1 General

An adopted development plan must accompany a zoning petition for a UMU, NBD, or RCD ~~the Urban Mixed Use~~ zoning district and is only applicable in conjunction with that specific district. The purpose of the plan is to:

.2 Applicability

An adopted development plan approved as part of the zoning action establishing a ~~Urban Mixed Use~~ UMU, NBD, or RCD district ~~shall be~~ is required prior to the consideration of a preliminary site plan or site plan for development of property ~~and located within that an~~

~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning district. The adopted development plan must include all property contained within the district.

.3 Application Procedure and Requirements

A. Pre-application

B. General Application

The property owner shall file an application for the approval of an adopted development plan in conjunction with a petition for ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning. This application ~~shall~~ must include the information listed below on one, dimensioned, scaled drawing on a sheet size 24" x 36". The drawing ~~shall~~ must include existing and proposed site conditions and improvements, as follows:

C. Standards of Approval

D. Effect

E. Lapse

An adopted development plan does not have an expiration date and is valid as long as the property retains the ~~Urban Mixed-Use~~ UMU, NBD, or RCD zoning classification.

Amend Section 3.600 (Amendments) of Article 3 (Site Plan Review) of the Zoning Ordinance, such portion of section to read as follows:

At any time following the approval of a concept plan, preliminary site plan, adopted development plan, or site plan and before the lapse of such approval, the property owner(s) may request an amendment. Amendments shall be classified as major and minor. Minor amendments shall include corrections of distances and dimensions, adjustments of building configuration and placement, moving nonresidential uses within the same use category to adjacent blocks, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, changes to utilities and service locations which do not substantially change the original plan. Minor phasing amendments for adopted development plans are permitted only for the purpose of adding an adjacent nonresidential or vertically mixed-use building into the current phase. Amendments to previously approved storm water conservation areas, increases in building height and/or building proximity to an adjacent offsite residential use, and all other amendments shall be considered major amendments and may be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan. Major amendments to an adopted development plan for the ~~Urban Mixed-Use~~ UMU, NBD, or RCD districts may only be approved through the same process by which it was initially adopted. The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

Amend Section 6.200 (Certificates of Occupancy) of Article 6 (Specific Use Permits and Certificates of Occupancy) of the Zoning Ordinance, such portion of section to read as follows:

.1 Certificate of Occupancy

It is unlawful for any person, firm, association, or corporation with ownership, care, custody, or control over a parcel of land, with or without a building, located within the municipal limits of the City of Plano to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a required, valid Certificate of Occupancy issued by the Chief Building Official, or designee of the City of Plano. The provisions of this section do not apply to single-family residence, two-family residence, farm, ranch, garden, or orchard uses, nor housing types in the RCD zoning district.

Amend Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Zoning Ordinance, such portion of section to read as follows:

Live-Work (Business Loft)

A building that is designed with one ground-floor, nonresidential space and one attached dwelling unit. The dwelling unit may be located on the same floor, or directly above, the nonresidential use and must be occupied by individuals owning or employed by the associated nonresidential use.

Two-Family Residence (Attached)

An attached building having separate accommodations for and occupied by not more than 2 households.

Amend Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Zoning Ordinance, such portion of section to read as follows:

.2 Front Yard Regulations

- I. In all districts except BG, CB-1, ~~and~~ UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. 13.500.2N.
- K. Except in the BG, CB-1, ~~and~~ UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the

authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision ~~shall~~ must be clear at elevations between 30 inches and 9 feet above the average grade of the street.

N. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Q. In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback.

.3 Side Yard Regulations

I. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

.4 Rear Yard Regulations

A. In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, and UMU, NBD, and RCD, no main residential buildings must ~~may~~ be constructed ~~nearer than~~ at least 10 feet away from ~~to~~ the rear property line, and the main residential building and all accessory buildings ~~shall~~ must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line.

D. In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures ~~shall~~ must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Amend Section 15.200.5 (General Requirements) of 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations) of the Zoning Ordinance, such portion of section to read as follows:

E. Commercial antennas and antenna support structures are prohibited in residential districts on lots used or platted for single-family, two-family, or single-family

attached purposes nor in an NBD or RCD zoning district on lots used for a housing type in Sec. 9.1700.5, unless the conditions of Sec. 15.200.2C are met.

Amend Article 15 (Use-specific Regulations) of the Zoning Ordinance, such additional section to read as follows:

Section 15.2000 Live-Work (Business Loft)

.1 The residential and nonresidential spaces must be connected and are not intended to be two independent uses.

.2 The dwelling unit must be converted to nonresidential spaces if not occupied by an individual owning or employed by the associated nonresidential use.

Amend Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Zoning Ordinance, such portion of section to read as follows:

These standards shall apply to all nonresidential districts except BG, UMU, NBD, and CB-1. Any area within a planned development district or overlay district containing landscaping standards ~~shall be~~ is regulated by the standards of the planned development district or overlay district where such standards conflict with the standards herein. Tree preservation requirements shall apply to all zoning districts as listed in Sec. 17.800.2.

Amend Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, ~~or LI-2,~~ or NBD district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, RCD, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility triangles or easements are required. (See Sec. 13.500.2C and Sec. 13.500.2K) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

Amend Section 20.400 (Requirements for Solid Waste Collection) of Article 20 (Screening, Fence and Wall Regulations) of the Zoning Ordinance, such portion of section to read as follows:

.1 Applicability

This section ~~shall apply~~ applies to property utilized for nonresidential or multifamily uses and ~~shall~~ does not apply to the following:

C. Multifamily and nonresidential developments that comply with both of the following stipulations

- i. The development is authorized by the City of Plano Public Works Department for solid waste collection utilizing 95-gallon residential-type carts.
- ii. The development is located within BG, UMU, NBD, RCD, or CB-1 zoning districts, or the development is within a planned development district that permits, by stipulation, the use of 95-gallon residential-type carts for solid waste collection.

Amend Section 25.300 (Applicability) of Article 25 (Traffic Impact Analysis) of the Zoning Ordinance, such portion of section to read as follows:

.3 Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan, development plan, or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

Zoning Case 2020-012

An Ordinance of the City of Plano, Texas, amending and adding various portions of Article 8 (Definitions), Article 10 (Nonresidential Districts), Article 14 (Allowed Uses and Use Classifications), and related sections of the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, to create the Neighborhood Business Design zoning district; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of August 2020 for the purpose of considering a change in the Zoning Ordinance; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of August 2020; and

WHEREAS, the City Council is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Subsection of 3.100.3 (Applicability) of Section 3.100 (General) of Article 3 (Site Plan Review) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

.3 Applicability

The site plan review process shall apply to:

- A.** Development within an area zoned planned development. (See Article 12)
- B.** Nonresidential development, except as provided in Sec. 3.100.4.
- C.** Multifamily residential development.
- D.** Patio home and single-family residence attached residential use development and any mixed single-family detached residential development that contains patio home and/or single-family attached residential dwellings.
- E.** Residential development within an area zoned RCD or NBD.
- F.** Mobile home parks.
- G.** Parking lot development, reconstruction, or restriping of more than 20 spaces.

Section II. Subsection 3.500.1 (General) of Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

.1 General

An adopted development plan must accompany a zoning petition for a UMU, NBD, or RCD zoning district and is only applicable in conjunction with that specific district. The purpose of the plan is to:

- A. Ensure compliance with applicable development regulations and previously approved, valid plans affecting development of the property.
- B. Determine the placement, configuration, coverage, size, use, and height of buildings.
- C. Specify the primary, secondary, and tertiary categories of land use, including the minimum and maximum number of residential units.
- D. Determine the design of public and private street improvements and rights-of-way and the design and location of drives, aisles, and parking.
- E. Determine location and preliminary design of open space, landscaping, walls, screens, and amenities.
- F. Enumerate all standards, conditions, performance, and implementation requirements not contained within the base zoning district. G. Determine the preliminary design of drainage facilities and utilities and stormwater quality areas.

Section III. Subsection 3.500.2 (Applicability) of Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

.2 Applicability

An adopted development plan approved as part of the zoning action establishing a UMU, NBD, or RCD district is required prior to the consideration of a preliminary site plan or site plan for development of property located within that UMU, NBD, or RCD zoning district. The adopted development plan must include all property contained within the district.

Section IV. Part B of Subsection 3.500.3 (Application Procedure and Requirements) of Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

B. General Application

The property owner shall file an application for the approval of an adopted development plan in conjunction with a petition for UMU, NBD, or RCD zoning. This application must include the information listed below on one, dimensioned, scaled drawing on a sheet size 24" x 36". The drawing must include existing and proposed site conditions and improvements, as follows:

- i. Site boundaries and dimensions, lot lines, site acreage and square footage, and approximate distance to the nearest cross street.
- ii. Location map, north arrow, scale, title block, and site data summary table.

- iii. Topography at two foot contours or less.
- iv. Natural features including tree masses and anticipated tree loss, floodplains, drainage ways, and creeks.
- v. Land use on site and on adjacent properties, including the primary, secondary, and tertiary categories of land use.
- vi. Building locations and footprints, including building size, intensity, density, height, setback, and use.
- vii. Public streets, private drives, and fire lanes with pavement widths, rights-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on or planned on adjacent property) with dimensions and radii.
- viii. Parking areas and structures, aisles and spaces, handicap spaces, ramps, crosswalks, and loading areas with typical dimensions.
- ix. Access easements and offsite parking.
- x. Proposed dedications and reservations of land for public use including, but not limited to, rights-of-way, easements, park land, open space, drainage ways, floodplains, and facility sites.
- xi. Screening walls, fences, living screens, retaining walls, headlight screens, and service area screens.
- xii. Landscaping and open space areas.
- xiii. Phases of development, including delineation of areas, building sites, land use, and improvements to be constructed in independent phases and the scheduled timing and sequencing of development.
- xiv. The locations of the site intended for stormwater quality areas shall be delineated.

Section V. Part E of Subsection 3.500.3 (Application Procedure and Requirements) of Section 3.500 (Adopted Development Plan) of Article 3 (Site Plan Review) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

E. Lapse

An adopted development plan does not have an expiration date and is valid as long as the property retains the UMU, NBD, or RCD zoning classification.

Section VI. Section 3.600 (Amendments) of Article 3 (Site Plan Review) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

3.600 Amendments

At any time following the approval of a concept plan, preliminary site plan, adopted development plan, or site plan and before the lapse of such approval, the property owner(s) may request an amendment. Amendments shall be classified as major and minor. Minor amendments shall include corrections of

distances and dimensions, adjustments of building configuration and placement, moving nonresidential uses within the same use category to adjacent blocks, realignment of drives and aisles, layout of parking, adjustments to open space, landscaping, and screening, changes to utilities and service locations which do not substantially change the original plan. Minor phasing amendments for adopted development plans are permitted only for the purpose of adding an adjacent nonresidential or vertically mixed-use building into the current phase. Amendments to previously approved storm water conservation areas, increases in building height and/or building proximity to an adjacent offsite residential use, and all other amendments shall be considered major amendments and may be considered by the Planning & Zoning Commission at a public meeting in accordance with the same procedures and requirements for the approval of a plan. Major amendments to an adopted development plan for UMU, NBD, or RCD districts may only be approved through the same process by which it was initially adopted. The Director of Planning may approve or disapprove a minor amendment. Disapproval may be appealed to the Planning & Zoning Commission.

Section VII. Subsection 6.200.1 (Certificate of Occupancy) of Section 6.200 (Certificates of Occupancy) of Article 6 (Specific Use Permits and Certificates of Occupancy) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

.1 Certificate of Occupancy

It is unlawful for any person, firm, association, or corporation with ownership, care, custody, or control over a parcel of land, with or without a building, located within the municipal limits of the City of Plano to allow such building or parcel to be used, occupied, or modified in any manner that does not comply with a required, valid Certificate of Occupancy issued by the Chief Building Official, or designee of the City of Plano. The provisions of this section do not apply to single-family residence, two-family residence, farm, ranch, garden, or orchard uses, nor housing types in the RCD zoning district.

- A.** Any Certificate of Occupancy is void, unless granted to a property with an approved site plan and approved final plat filed of record, with exceptions as specifically granted under the city's development regulations.
- B.** Any Certificate of Occupancy is void, unless the associated use and any additional development, site modifications, or redevelopment are in conformance with the approved site plan as determined by the Director of Planning, or designee.
- C.** After March 26, 2018, all Land Occupancy Permits previously issued are hereby renamed Certificates of Occupancy and treated as Certificates of Occupancy for all intents and purposes.

Section VIII. Section 8.200 (Terms Defined) of Article 8 (Definitions) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such section amended and additional definitions to read as follows:

Live-Work (Business Loft)

A building that is designed with one ground-floor, nonresidential space and one attached dwelling unit. The dwelling unit may be located on the same floor, or directly above, the nonresidential use and must be occupied by individuals owning or employed by the associated nonresidential use.

Two-Family Residence (Attached)

An attached building having separate accommodations for and occupied by not more than 2 households.

Section IX. Article 10 (Nonresidential Districts) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such section to read in its entirety as follows:

10.1600 NBD, Neighborhood Business Design District

.1 Purpose

The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

.2 Option for Residential Standards

The district may be entirely commercial or may include residential land uses. If residential land uses are incorporated into the development plan, these uses must fully utilize the Residential Community Design District (RCD) (Section 9.1700) standards, including usable open space, parking, and all other requirements.

.3 Minimum District Size

No NBD district may be established smaller than 10 acres unless a specific finding is made by the City Council that the establishment of the district is required to implement the Comprehensive Plan or related study.

.4 Permitted Uses

See the nonresidential districts use table in Sec. 14.200 for a complete listing.

.5 Area, Yard, and Bulk Requirements

- A.** The following area, yard, and bulk requirements apply to all nonresidential development in the NBD district unless otherwise expressly stated:

Description	Requirement
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Lot Depth	None
Front Yard Setbacks	
Front yard along Type D and above thoroughfares	Minimum: 20 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 25 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza, or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.

	The setback may be increased to a maximum of 80 feet if a drive aisle with single-loaded parking is installed between the building face and a public street.
Front yard along Type E and below thoroughfares	Minimum: 10 feet, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, a landscape edge, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, landscape edge, usable open space, or public amenity.
Front yard along major and minor streets	Minimum: none, except as provided in Sec. 13.500.2 and Sec. 10.1600.6 75% of the building face must be within 15 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Front yard along paseos	Minimum: none, except as provided in Sec. 13.500.2 Sec. 10.1600.6 75% of the building face must be within 5 feet of the property line (consistent with Sec. 15(B), Building Placement and Design.) If easements, public usable open space, patio dining, public plaza or other similar amenity prohibit conformance with this standard, a minimum of 75% of the building face must be built to the easement line, usable open space, or public amenity.
Side Yard Setbacks	
Interior Lot	None, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Corner Lot	Same as front yard setback, except as provided in Sec. 13.500.3 and Sec. 10.1600.6
Rear Yard Setback	10 feet where no alley abuts the rear property line, except as provided in Sec. 13.500.4 and Sec. 10.1600.6
Maximum Height	3 story, 50 feet, except as provided in Sec. 13.600 and Sec. 10.1600.6
Maximum Lot Coverage	75%, 90% if structured parking is included
Minimum Lot Coverage	None
Maximum Floor Area Ratio	None
Minimum Floor Area Ratio	None
Minimum Usable Open Space	10% in accordance with Sec. 10.1600.14

B. Additional Standards for Live-Work (Business Loft):

- i. Live-Work (Business Loft) units must be located within 600 feet of an existing residential neighborhood.
- ii. No more than 10 Live-Work (Business Loft) units per block.
- iii. The residential space must have an exterior entrance on the ground floor.
- iv. The ground floor must have a minimum floor-to-ceiling height of twelve feet.
- v. The following area, yard, and bulk requirements apply in addition to those in Sec. 10.1600.5A:

Description	Requirements
Minimum Lot Area	1,500 square feet
Maximum Units per Lot	1 unit
Minimum Front Yard	5 feet, except as provided in Sec. 13.500.2
Maximum Front Yard	20 feet, except as provided in Sec. 13.500.2
Front Yard Encroachments	Canopies, balconies, stoops, bay windows, awnings, and other building projections may extend up to 5 feet into the front yard setback.
Minimum Building Separation	10 feet
Garage Setback	The distance from any garage to the property line must be 5 feet or less, or 20 feet or greater in length.
Minimum Floor Area per Dwelling Unit	400 square feet
Maximum Nonresidential Floor Area	5,000 square feet
Parking Requirements	2 parking spaces per dwelling unit located behind the front building line (See Article 16). See Article 16 for nonresidential parking requirements.

.6 Residential Transition Areas

In addition to the front, side, and rear yard requirements noted in Sec. 10.1600.5, all buildings must be set back from the district boundary line of the nearest residential zoning district or the lot line of a residential use outside of the NBD district, as follows:

- A. When an alley is present on the neighboring property: at least two feet for every one foot of building height.
- B. When an alley is not present on the neighboring property: at least 15 feet plus two feet for every one foot of building height.
- C. This minimum setback may be reduced to a setback of 20 feet when the nearest residential zoning district allows a maximum height greater than 35 feet.

.7 District Establishment and Administration

- A. The regulations contained within this zoning district may be supplemented with additional standards and conditions to execute a specific development plan. The boundary of each NBD

district must be defined on the Zoning Map and identified with the letters NBD followed by a unique number referencing the supplementary regulations. In considering the establishment of an NBD district, the Planning & Zoning Commission and City Council may amend and supplement the base NBD regulations and related development regulations in the Zoning Ordinance and Subdivision Ordinance to implement individual development plans, with the exception of:

- i. Requirement for an adopted development plan;
 - ii. Requirement for a governance association;
 - iii. Maximum residential densities;
 - iv. Requirement to maintain three or more uses; and
 - v. Requirement for nonresidential uses to be constructed within the first phase of development.
- B.** An NBD district may not be used to:
- i. Require construction of public improvements or the dedication or reservation of land, which are not of primary benefit to development within the district or necessary to mitigate an adverse impact attributable to development within the district, unless compensation is provided as required by law.
 - ii. Secure agreements between owners of property within the district with third parties.
 - iii. Assign responsibility to the city for enforcement of private deed restrictions or covenants.
 - iv. Waive or modify the requirements of ordinances other than the Zoning Ordinance, except as specifically authorized by this ordinance.

.8 Adopted Development Plan

- A.** An NBD district must not be established without the concurrent adoption of a development plan for the district. The plan must comply with Sec. 3.500 and must:
- i. Show the location and type of streets, blocks, parking areas, open space, and residential transition areas;
 - ii. Specify the minimum and maximum number of residential units by housing type; and
 - iii. Enumerate all standards, conditions, and performance and implementation requirements not otherwise contained in the base zoning district requirements.
- B.** The development plan must be adopted as part of the ordinance creating the NBD district. Modifications to the development plan must comply with the requirements in Sec. 3.600.

.9 Governance Association

Applications for building permits for development within an NBD district must not be accepted or approved until a suitable property owners' governance association is established. The association must be responsible for maintaining all common property, improvements, and amenities within the district. It must 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 Municipal Management District or Public Improvement District created in conformance with the Texas Local Government Code may be created to satisfy this requirement. A Reciprocal Easement Agreement (REA) allowing shared parking arrangements, public access to sidewalks, and access to other amenities must be incorporated in the governance documents, but the REA may be deferred until a plan for common areas and amenities is submitted.

.10 Additional Requirements and Restrictions

- A.** Each NBD district must contain three or more different uses as listed Article 14.
- B.** Once a property is developed for residential purposes within the NBD district, with the exception of live-work (business loft) units, home occupations, and bed and breakfast inns, nonresidential uses are not permitted within that property.
- C.** At least 10,000 square feet of nonresidential space must be built as part of the first phase of development. Freestanding nonresidential buildings may not have a floor area less than 5,000 square feet.
- D.** The second building constructed and all subsequent buildings may not be more than 150 feet from another building.

.11 Streets and Sidewalks

- A.** All streets within an NBD district must be dedicated as public streets, or if the city does not accept the dedication of some or all as public streets, the streets that have not been dedicated as public streets must be platted as private streets. All streets are to be open for public use and may not be gated or have restricted access, except as may be permitted for special events. All streets must be located in a private street lot or in public right-of-way. The width of a street lot or right-of-way is determined by the adopted development plan. A private street lot or public right-of-way may vary in width but must accommodate travel lanes, medians, sidewalks, utilities, street furniture and fixtures, and landscaping of public or common ownership. Easements may be required within the street lot for utilities and emergency access.
- B. Street Design**
An NBD district site must be organized into blocks created by a connected grid of streets. A variety of street types and block sizes may be incorporated to create the grid, including diagonal, off-set, and angled streets. Cul-de-sacs and curvilinear streets are prohibited, except where needed to account for major natural features.
- C. Block Size**
The maximum block size is three acres, except as required for public parks or school use.
- D. Block Length**
The maximum block length is 600 feet, with a desired typical block length of 400 feet. The block length is the distance along a street face uninterrupted by an intersecting street, transit right-of-way, and/or public usable open space designated on the development plan, excluding intersections with mews streets, alleys, and service drives.

E. Street Trees

A tree planting strip at least 5 feet in width is required on both sides of major and minor streets between the curb and sidewalk. Trees must be centered in the tree planting strip at the rate of one tree per 40 linear feet of street frontage. Adjacent to retail uses, street trees are required at the rate of one tree per 100 feet of major and minor street frontage.

F. Sidewalks

Sidewalks are required on both sides of all major and minor streets. Trees, landscaping, outdoor dining areas, bicycle racks, and street furniture may be placed on or within a sidewalk, but a minimum clearance width equal to the minimum sidewalk width must be maintained. Awnings, canopies, and other detachable fixtures may extend into the private street lot or public right-of-way. All public sidewalks to be maintained by the governance association must be located in a private street lot or public right-of-way.

G. Street Types

All streets within an NBD district must be constructed in accordance with the following general street classifications:

Street Type	Travel Lanes	On-street Parking	Sidewalks
Type D or above thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 12 feet in width
Type E or below thoroughfare	Per Thoroughfare Standards Rules & Regulations		Minimum 7 feet in width
Major Street	Two 11-foot vehicle lanes	Parallel or diagonal parking and valet or drop-off lanes required	Minimum 12 feet in width
Minor Street		Parallel parking and designated loading zones required.	Minimum 7 feet in width
Alley/Service Drive	Two 9-foot vehicle lanes plus 3 feet on each side of the street to accommodate utilities and services	7-foot driveway/setback lanes Additional easements may be needed to accommodate utilities.	If provided, minimum 5 feet in width, but none required
Paseo	Minimum overall width: 28 feet with minimum 15 percent landscaped area with 3 caliper inches of shade trees or 6 caliper inches of ornamental trees per 500 square feet of landscape area with a minimum tree size of 2-inch caliper. No vehicle lanes, except for emergency service access if built to fire lane standards.	Not permitted	Minimum 12-foot wide main sidewalk and minimum 4-foot wide pathways providing access to individual entrances of buildings on adjacent lots

H. Landscape Edge

Along Type D and above thoroughfares, a 20-foot landscape edge is required. Within the landscape edge, 6 caliper inches of shade trees or 12 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge, with a minimum tree size of 2-inch caliper. The number of required trees must be calculated based solely on the area of the required landscape edge.

I. Bike Lanes

Bike lanes must have a rideable surface at least 5 feet in width. A solid white lane line, bicycle lane word and/or symbol, and arrow markings that meet the Texas Manual on Uniform Traffic Control Devices requirements must be used to define the bike lane. A minimum 2-foot separation between the bike lane and any parallel vehicle lane is required. On major streets, a physical barrier between the bike lane and any parallel vehicle lane is required and must meet the Federal Highway Administration Separated Bike Lane Planning and Design Guide standards. Where possible, bike lanes must connect to existing or planned trails or bikeways located in or adjacent to the NBD district.

J. Connectivity

Connections must be made to provide direct pedestrian and bicycle access from the NBD district to adjacent sidewalks, trails, parks, transit stops, and other connections where feasible. Pedestrian access must be provided by connection to any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the NBD district. In order to provide efficient pedestrian connections to adjacent properties, the city may require additional sidewalks, walkways, or trails not associated with a street.

K. Curb Bulb Outs

Curb bulb outs are required at all intersections and defined mid-block crossing points on all street types with dedicated on-street parking, except for Type D and above thoroughfares. Curb bulb out areas may not be used to satisfy the required street tree planting strip.

.12 Parking Requirements

- A.** Parking for residential uses must follow RCD standards (Sec. 9.1700.12).
- B.** All required off-street parking in NBD districts must be accommodated in accordance with Section 16.700 (Off-Street Parking Schedule) of Article 16 (Parking and Loading), except that on-street parking spaces adjacent to a lot may be included in the parking calculations for nonresidential uses on that lot.
- C.** The maximum permitted parking for nonresidential uses is capped at 110% of the minimum required parking. Parking in excess of the maximum caps may only be provided in parking garages.
- D.** Surface parking lots for nonresidential uses must meet the following requirements:
 - i.** Parking lots must be located behind front building facades.
 - ii.** A minimum five-foot landscape edge must be provided between all surface parking lots and major and minor streets. Within the landscape edge, 3 caliper inches of shade trees or 6 caliper inches of ornamental trees must be planted per 500 square feet of landscape edge with a minimum tree size of 2-inch caliper. The number of required trees must be calculated solely on the area of the required landscape edge.

- iii. Surface parking lots must not exceed 200 spaces per parking lot.
- iv. A sidewalk at least seven feet in width must be provided to connect the parking lot to the street and to any adjacent buildings or open space areas. The sidewalk must meet the following requirements:
 - a. The sidewalk must be distinguished from areas used by vehicles with one or more of the following techniques:
 - i. Changing paving material, pattern, and/or paving color, but not including the painting of the paving material;
 - ii. Changing paving height;
 - iii. Addition of decorative bollards; or
 - iv. Constructing raised median walkways with landscaped buffers.
 - b. Have adequate lighting for security and safety; and
 - c. Not include barriers that limit pedestrian access between the subject property and adjacent properties.
- E. Vehicle parking garages for nonresidential uses must meet the following requirements:
 - i. The building footprint of a parking garage must not exceed 60,000 square feet.
 - ii. Parking garages must not have direct vehicle access to Type D and above thoroughfares.
 - iii. Parking garages must be set back a minimum of 150 feet from existing residential zoning districts or residential uses outside of the NBD district.
 - iv. Parking garages must have architecturally integrated facades compatible with the buildings they serve. The design of the structure must reflect the massing, fenestration and detailing of adjacent and abutting buildings.
 - v. Garages must be screened so that no vehicles, headlights or light fixtures from within the structure are visible from surrounding properties or streets.
 - vi. External elevator towers and stairwells must be open to public view, or enclosed with transparent glazing
 - vii. Parking garages must not exceed the height of surrounding buildings and must not be visually predominant when viewed from the street or public usable open space
 - viii. If a parking garage is multi-level, one full level at or below grade must be provided for public parking
 - ix. A pedestrian path at least four feet wide with clear signage and lighting must be provided within the parking garage. The pedestrian path must connect to adjacent sidewalks. Electric vehicle charging stations must not impede a minimum of four feet of clearance on any path, walkway, or sidewalk.

.13 Usable Open Space

- A.** Public usable open space must be provided in an amount not less than ten percent of the gross acreage of the development. The following requirements also apply:
 - i.** A maximum of 25% of the minimum required public usable open space may be located within a floodplain or within an overhead transmission line easement if these areas are improved for use through the addition of trails and other pedestrian amenities.
 - ii.** Public usable open space must be provided in the form of greens, linear parks, greenbelts, pocket parks, public art displays, and paseos that are integrated within the block pattern defined on the development plan.
 - iii.** At least one public usable open space must be a minimum of 7,500 square feet with a minimum width of 30 feet, and have buildings or streets directly fronting or siding the public usable open space on a minimum of three sides.
 - iv.** Natural features must be designed to be integrated into the site with buildings or public usable open space fronting on them and sufficient pedestrian and vehicle access.
 - v.** Rooftops and accessory buildings, except those portions of any building designed specifically for public recreational purposes, do not count toward the public usable open space requirements.
 - vi.** Required landscaping does not count toward the usable open space requirement.
 - vii.** Open space that is adjacent to the rear of a building or to a service area and which does not front on a street cannot be included in the public usable open space requirement.
- B.** Private usable open space, including interior courtyards and patios for individual business and residential uses, is permitted but does not count toward the public usable open space requirement.

.14 Building Placement and Design

- A.** An NBD district or a group of buildings within the district cannot be walled, fenced, or restricted from general public access.
- B.** Buildings in an NBD district must be designed and oriented to reinforce the street grid. The distance from building face to building face must not exceed 100 feet on major and minor streets, unless separated by usable open space and/or patio dining.
- C.** Lots must be oriented so that buildings directly front on a designated street or usable open space defined on a development plan.
- D.** No single tenant may occupy more than 30,000 square feet of the ground floor of a building.
- E.** With the exception of parking garages, podium garages, and loading and service areas, 60% of the ground floor of nonresidential buildings and live/work-units must consist of windows and doors.
- F.** Nonresidential spaces must have a minimum floor-to-ceiling height of 12 feet.

.15 Sign Regulations

- A.** For signage for uses fronting Type D and above thoroughfares, the regulations, specifications, and design standards contained in Article 22 (Signs) apply.
- B.** For all other signage, the regulations, specifications, and design standards for signs contained in Sec. 10.800 (BG, Downtown Business/Government) apply.

Section X. Part I of Subsection 13.500.2 (Front Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

- I.** In all districts except BG, CB-1, UMU, NBD, and RCD the distance as measured from the front lot line to the face of the building shall in no case be less than one-half the height of the building. In cases where a lot is across the street from or adjacent to a residential zoning district, see Sec. 13.500.2N.

Section XI. Part K of Subsection 13.500.2 (Front Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

- K.** Except in the BG, CB-1, UMU, NBD, and RCD districts, on any corner lot, no fence, wall, screen, billboard, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted, or maintained in such a manner as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a triangular area formed by extending the 2 curb lines a distance of 45 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. If there are no curbs existing, the triangular area shall be formed by extending the property lines a distance of 30 feet from their point of intersection, and connecting these points with an imaginary line, thereby making a triangle. In cases where streets do not intersect at approximately right angles, the Traffic Engineer shall have the authority to vary these requirements as deemed necessary to provide safety for both vehicular and pedestrian traffic; however, the Traffic Engineer shall not require site distance in excess of 275 feet. Within this triangle, vision must be clear at elevations between 30 inches and 9 feet above the average grade of the street.

Section XII. Part N of Subsection 13.500.2 (Front Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

- N.** In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Section XIII. Part Q of Subsection 13.500.2 (Front Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

- Q.** In all nonresidential zoning districts, except BG, UMU, NBD, and CB-1, the front building setback may be reduced to 30 feet for one-story buildings along Type D or smaller thoroughfares if parking and driveways are prohibited between the building face and the street with the reduced setback.

Section XIV. Part I of Subsection 13.500.3 (Side Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

- I.** In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures shall not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Section XV. Part A of Subsection 13.500.4 (Rear Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

- A.** In all districts permitting residential structures, except PH, SF-A, MF-1, MF-2, MF-3, BG, CB-1, UMU, NBD, and RCD, ~~the~~ main residential buildings must be constructed at least 10 feet away from the rear property line, and the main residential building and all accessory buildings must not cover more than 50% of that portion of the lot lying to the rear of a line erected, joining the midpoint on one side lot line with the midpoint of the opposite side lot line.

Section XVI. Part D of Subsection 13.500.4 (Rear Yard Regulations) of Section 13.500 (Yard Regulations) of Article 13 (Lot and Building Standards) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portions of subsection to read as follows:

- D.** In all districts, except BG, UMU, NBD, RCD, RE, RC, and RT, where buildings or structures are erected or altered to exceed 2 stories in height, such buildings or structures must not be located closer to any residential district boundary line than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the building above 25 feet.

Section XVII. Section 14.200 (Nonresidential Districts Use Table) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

Use Type	Use Category	NBD-Neighborhood Business Design
Accessory Building or Use (8)	Accessory & Incidental	P 8
Accessory Housing Shelter (Temporary)	EIPS	P 45
Airport/Heliport (4)	EIPS	
Amusement, Commercial (Indoor)	Service	P
Amusement, Commercial (Outdoor) (15)	Service	S
Animal Exhibition	EIPS	
Antenna	Trans., Utility, & Comm.	P 34
Antenna Support Structure (Commercial and Amateur)	Trans., Utility, & Comm.	P 34
Arcade (12)	Service	P 12
Artisan's Workshop	Service	P
Asphalt/Concrete Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Asphalt/Concrete Batching Plant (Temporary)	Comm., Mfg. & Ind.	36
Assembly Hall	EIPS	P
Assisted Living Facility	EIPS	
Backyard Cottage	Accessory & Incidental	
Bank, Savings and Loan, or Credit Union	Service	P
Bed and Breakfast Inn	Service	P
Boarding/Rooming House	Primary Res.	
Body Piercing	Service	
Building Material Sales	Retail	
Bus/Truck Leasing	Vehicle & Related	
Bus/Truck Repair	Vehicle & Related	
Business Service	Service	P
Cabinet/Upholstery Shop	Service	
Cafeteria/Restaurant	Service	P 47
Car Wash	Vehicle & Related	
Caretaker's/Guard's Residence	Accessory & Incidental	
Cemetery/Mausoleum	EIPS	

College/University (5)	EIPS	P 5
Commissary	Wholesale	
Community Center	EIPS	P
Compact Construction & Transportation Equipment Sales & Service	Retail	
Concrete/Asphalt Batching Plant (Permanent)	Comm., Mfg. & Ind.	
Concrete/Asphalt Batching Plant (Temporary)	Comm., Mfg. & Ind.	36
Construction Yard (Temporary) (9)	Accessory & Incidental	P 9
Continuing Care Facility	EIPS	P 52
Convenience Store	Retail	R 33
Country Club or Golf Course	EIPS	
Data Center	Service	
Day Care Center (13)	Service	P 52
Day Care Center (Accessory)	Service	P 52
Day Care Center (Adult)	Service	P 52
Day Care (In-home) (16)	Service	
Distribution Center/Warehouse	Wholesale	
Dry Cleaning Plant	Service	
Electrical Power Generating Plant	Trans., Utility, & Comm.	
Electrical Substation	Trans., Utility, & Comm.	S
Engine Repair Shop (Small)	Service	
Exhibition Area	Service	
Fairgrounds	Service	
Farm, Ranch, Garden, or Orchard	EIPS	P
Farmers Market	Retail	P
Feed Store	Retail	
Fire Station/Public Safety Building	EIPS	P
Fitness/Health Center	Service	P
Flea Market (Inside)	Retail	
Flea Market (Outside)	Retail	
Flex Space(Live-Work)	Service	
Food/Grocery Store	Retail	P
Food Truck Park	Service	S R
Fraternal Organization, Lodge, or Civic Club	EIPS	P
Funeral Parlor/Mortuary	Service	
Furniture and Appliances, Storage/Repair of (Inside)	Service	
Furniture and Appliances, Storage/Repair of (Outside)	Service	
Furniture, Home Furnishings, and Equipment Store	Retail	P
Garden Center	Retail	R
Golf Course or Country Club	EIPS	
Grocery/Food Store	Retail	P
Guard's/Caretaker's Residence	Accessory & Incidental	
Gun Range (Indoor)	Service	
Hardware Store	Retail	P

Health/Fitness Center	Service	P
Heliport/Airport (4)	EIPS	
Helistop (4)	EIPS	
Home Occupation (11)	Accessory & Incidental	
Hospital (5)	EIPS	
Hotel/Motel	Service	P
Household Care Facility	EIPS	
Household Care Institution	EIPS	
Independent Living Facility	EIPS	
Industrial Use (Hazardous or Nuisance)	Comm., Mfg. & Ind.	
Kennel (Indoor Pens)/Commercial Pet Sitting	Service	P
Kennel (Outdoor Pens)	Service	
Live-Work (Business Loft)	Primary Res.	P 54
Long-term Care Facility	EIPS	
Machinery Sales & Storage, Heavy	Retail	
Manufacturing (Heavy-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Light-intensity)	Comm., Mfg. & Ind.	
Manufacturing (Moderate-intensity)	Comm., Mfg. & Ind.	
Massage Therapy, Licensed	Service	P
Mausoleum/Cemetery	EIPS	
Mid-Rise Residential	Primary Residential	
Mini-Warehouse/Public Storage	Wholesale	
Mobile Home/Trailer Display and Sales	Service	
Mobile Home/Trailer Park	Primary Res.	
Mortuary/Funeral Parlor	Service	
Motel/Hotel	Service	P
Motorcycle Sales & Service	Vehicle & Related	
Multifamily Residence (1)	Primary Res.	P 52 53
Nursery	Retail	S
Office (Field) (9)	Accessory & Incidental	P 9 35
Office (Medical)	Office & Prof.	P
Office (Professional/General Administrative)	Office & Prof.	P
Office (Showroom/Warehouse)	Wholesale	S
Paint Shop	Retail	
Park/Playground	EIPS	P 52
Pawn Shop	Retail	
Personal Service Shop	Service	P
Pet Sitting, Commercial/Kennel (Indoor Pens)	Service	
Playground/Park	EIPS	P 52
Portable Building Sales	Retail	
Post Office (Government and Private)	EIPS	P
Print Shop (Major)	Service	
Print Shop (Minor)	Service	P
Private Club (19)	Service	
Private Recreation Facility	EIPS	P

Public Safety Building/Fire Station	EIPS	P
Public Storage/Mini-Warehouse	Wholesale	
Railroad Freight Depot or Dock	Trans., Utility, & Comm.	
Recreational Vehicle Parking Lot/Garage	Vehicle & Related	
Recreational Vehicle Sales & Service	Vehicle & Related	
Rehabilitation Care Facility	EIPS	
Rehabilitation Care Institution	EIPS	
Religious Facility (5)	EIPS	P 5
Repair/Storage of Furniture and Appliances (Inside)	Service	
Repair/Storage of Furniture and Appliances (Outside)	Service	
Research and Development Center	Office & Prof.	
Restaurant/Cafeteria	Service	P 47
Restaurant (Drive-in)	Service	
Retail/Service (Incidental)	Retail	P
Retail Store	Retail	P
Rooming/Boarding House	Primary Res.	
Salvage or Reclamation of Products	Comm., Mfg. & Ind.	
Sand, Gravel, Stone, or Petroleum Extraction	Comm., Mfg. & Ind.	
School, (Private) (5)	EIPS	P 5 52
School, (Public or Parochial) (5)	EIPS	P 5
Service Contractor	Service	
Service Yard (Public or Utility)	Trans., Utility, & Comm.	S 50
Service/Retail (Incidental)	Retail	P
Sewage Treatment Plant	Trans., Utility, & Comm.	
Shopping Center	Retail	P
Single-Family Residence (Attached)	Primary Res.	P 53
Single-Family Residence (Detached)	Primary Res.	P 53
Stable	EIPS	
Storage, Open	EIPS	
Studio (Dance, Gymnastics and/or Martial Arts)	Service	P
Studio (Photographer, Musician, Artist, Radio, and/or TV)	Service	P
Studio Residence	Primary Res.	P 53
Superstore	Retail	
Tattooing and Permanent Cosmetics	Service	
Temporary Accessory Housing Shelter	EIPS	
Theater (Drive-in)	Service	
Theater (Neighborhood)	Service	P
Theater (Regional)	Service	
Trade Schools	EIPS	S
Trailer/Mobile Home Display & Sales	Service	
Trailer/Mobile Home Park	Primary Res.	
Transit Center/Station	Trans., Utility, & Comm.	S

Transmission Line/Utility Distribution	Trans., Utility, & Comm.	
Transportation and Utility Structures/Facility	Trans., Utility, & Comm.	P
Truck Parking Lot	Vehicle & Related	
Truck Sales (Heavy Trucks)	Vehicle & Related	
Truck Terminal	Vehicle & Related	
Truck/Bus Leasing	Vehicle & Related	
Truck/Bus Repair	Vehicle & Related	
Two-Family Residence	Primary Res.	P 53
Two-Family Residence (Attached)	Primary Res.	P 53
University/College (5)	EIPS	P 5
Upholstery/Cabinet Shop	Service	
Utility Distribution/Transmission Line	Trans., Utility, & Comm.	P
Utility, Private (other than listed)	Trans., Utility, & Comm.	P
Veterinary Clinic	Service	P
Vehicle Dealer (New) (7)	Vehicle & Related	
Vehicle Dealer (Used) (7)	Vehicle & Related	
Vehicle Leasing and Renting	Vehicle & Related	
Vehicle Parking Lot/Garage (Primary)	Vehicle & Related	P
Vehicle Parts Sales (Inside)	Vehicle & Related	
Vehicle Parts Sales (Outside)	Vehicle & Related	
Vehicle Repair (Major)	Vehicle & Related	
Vehicle Repair (Minor/Fueling Station)	Vehicle & Related	
Vehicle Storage	Vehicle & Related	
Warehouse/Distribution Center	Wholesale	
Water Treatment Plant	Trans., Utility, & Comm.	
Winery	Service	S
Wrecking Yard	Vehicle & Related	

Section XVIII. Section 14.300 (Use Table Notes) of Article 14 (Allowed Uses and Use Classifications) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such additional note to read as follows:

Number	End Note
53	See Section 9.1700 for housing type requirements.
54	See Sec. 15.2000

Section XIX. Part E of Subsection 15.200.5 (General Requirements) of Section 15.200 (Communications Antennas, Amateur and Commercial) of Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

- E. Commercial antennas and antenna support structures are prohibited in residential districts on lots used or platted for single-family, two-family, or single-family attached purposes and in an NBD or RCD zoning district on lots used for a housing type listed in Sec. 9.1700.5, unless the conditions of Sec. 15.200.2C are met.

Section XX. Article 15 (Use-specific Regulations) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such additional section to read as follows:

15.2000 Live-Work (Business Loft)

- .1 The residential and nonresidential spaces must be connected and are not intended to be two independent uses.
- .2 The dwelling unit must be converted to nonresidential spaces if not occupied by an individual owning or employed by the associated nonresidential use.

Section XXI. Section 17.100 (Nonresidential Landscaping Requirements) of Article 17 (Landscaping and Tree Preservation) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of section to read as follows:

17.100 Nonresidential Landscaping Requirements

These standards apply to all nonresidential districts except BG, UMU, NBD, and CB-1. Any area within a planned development district or overlay district containing landscaping standards is regulated by the standards of the planned development district or overlay district where such standards conflict with the standards herein. Tree preservation requirements apply to all zoning districts as listed in Sec. 17.800.2.

Section XXII. Subsection 20.100.1 of Section 20.100 (Screening Walls or Visual Barriers) of Article 20 (Screening, Fence and Wall Regulations) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

- .1 In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, LI-2, or NBD district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, RCD, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility triangles or easements are required. (See Sec. 13.500.2C and Sec. 13.500.2K) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall. Evergreen shrubs used for a landscape screen shall be placed so as to create at least a 6-foot tall solid screen within 2 years of their installation. All landscaping shall be irrigated with an automatic sprinkler system and maintained in a healthy and growing condition.

Section XXIII. Part C of Subsection 20.400.1 (Applicability) of Section 20.400 (Requirements for Solid Waste Collection) of Article 20 (Screening, Fence and Wall Regulations) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such portion of subsection to read as follows:

- C. Multifamily and nonresidential developments that comply with both of the following stipulations
 - i. The development is authorized by the City of Plano Public Works Department for solid waste collection utilizing 95-gallon residential-type carts.

- ii. The development is located within BG, UMU, NBD, RCD, or CB-1 zoning districts, or the development is within a planned development district that permits, by stipulation, the use of 95-gallon residential-type carts for solid waste collection.

Section XXIV. Subsection 25.300.3 (Requirements) of Section 25.300 (Applicability) of Article 25 (Traffic Impact Analysis) of the Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended, such subsection to read as follows:

.3 Requirements

The TIA process shall be required simultaneous with the site plan approval process for projects generating 8,000 trips per day or greater. A TIA is typically required with the submission of the preliminary site plan; however, the city may require the TIA to be submitted with a concept plan, development plan, or site plan due to project phasing. It is the responsibility of the applicant to demonstrate that a TIA is not required. Recommendations shall be made for mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service) on all preliminary site plans and/or site plans. Site plan applications as defined herein, not containing TIAs will be judged incomplete and shall not be forwarded to the Planning & Zoning Commission for action.

Section XXV. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section XXVI. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section XXVII. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section XXVIII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section XXIX. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Zoning
DIRECTOR: Christina Day, Director of Planning
AGENDA ITEM: Public Hearing and consideration of an Ordinance as requested in Zoning Case 2019-022.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing and consideration of an Ordinance as requested in Zoning Case 2019-022 to amend the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 50.3 acres of land located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date. Applicant: City of Plano **Tabled to 1/25/2021**

BACKGROUND

P&Z approved with a vote of 8-0. This request is a companion zoning case with Zoning Case 2020-012 and Zoning Case 2020-013, which are requests to establish the Neighborhood Business Design and Residential Community Design (RCD) zoning districts. If Zoning Case 2020-012 and Zoning Case 2020-013 are not approved, then Zoning Case 2019-022 must be tabled, denied, or withdrawn.

FINANCIAL SUMMARY/STRATEGIC GOALS

Approval of this agenda item will support the City's Critical Success Factor of Residential and Commercial Economic Vitality. For detailed comments on the comprehensive plan related to this item, please see the attached write-up.

ATTACHMENTS:

Description	Upload Date	Type
ZC2019-022 - P&Z Follow-up	7/30/2020	Memo
ZC2019-022 - Write Up	7/29/2020	Staff Report
ZC2019-022 - Locator	7/29/2020	Map
ZC2019-022 - Aerial	7/29/2020	Map
ZC2019-022 - Zoning Exhibit - Bold	7/29/2020	Map
ZC2019-022 - Development Plan - Bold	7/30/2020	Map
ZC2019-022 - Ordinance with Attachments	7/30/2020	Ordinance

DATE: July 21, 2020

TO: Honorable Mayor & City Council

FROM: John Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of July 20, 2020



**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2019-022
APPLICANT: CITY OF PLANO**

Request to rezone 50.3 acres located at the southwest corner of Spring Creek Parkway and Jupiter Road from General Office to Neighborhood Business Design. Zoned General Office and located within the Parkway Overlay District. Project #ZC2019-022.

APPROVED: 8-0 **DENIED:** _____ **TABLED:** _____

Speaker Card(s) Received Support: 0 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: 4 Oppose: 4 Neutral: 1

STIPULATIONS:

Recommended for approval subject to City Council approval of Zoning Case 2020-012 and Zoning Case 2020-013 and with exceptions as follows:

1. Block A will be utilized exclusively for Tier One single-family residence uses per the Residential Community Design (RCD) district and public open space.
2. Community Center Uses
 - a. May exceed the maximum 30,000 square foot first floor single-tenant requirement.
 - b. Exceed the 600 foot maximum block length.
 - c. Plano Event Center's existing courtyard in Block D may be credited toward public open space calculations.

3. Hotel Uses

- a. Maximum Height: six stories, 100 feet
- b. May exceed the maximum 30,000 square foot first floor single-tenant requirement.

4. Parking Garages

- a. Maximum Height: seven stories, 85 feet
- b. May exceed the height of adjacent buildings.
- c. May exceed the 60,000 square foot building footprint requirement.
- d. The parking garage within Block F must be set back at least 120 feet from the residential district boundary line to the south.

FOR CITY COUNCIL MEETING OF: August 10, 2020 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

AM/amc

xc: Judd Mullinix, Kimley-Horn & Associates, Inc.
Elizabeth Del Turco, Senior Park Planner
Jeanna Scott, Building Inspections Manager

<https://www.google.com/maps/@33.0539953,-96.6846968,17.04z>

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2020

Agenda Item No. 6

Public Hearing: Zoning Case 2019-022

Applicant: City of Plano

DESCRIPTION:

Request to rezone 50.3 acres located at the southwest corner of Spring Creek Parkway and Jupiter Road from General Office to Neighborhood Business Design. Zoned General Office and located within the Parkway Overlay District. Project #ZC2019-022.

REMARKS:

This is a request to rezone the subject property from General Office (O-2) to Neighborhood Business Design (NBD). This request is a companion zoning case with Zoning Case 2020-012 and Zoning Case 2020-013, which are requests to establish the Neighborhood Business Design and Residential Community Design (RCD) zoning districts. If Zoning Case 2020-012 and Zoning Case 2020-013 are not approved, then Zoning Case 2019-022 must be tabled, denied, or withdrawn.

The NBD district is intended to provide a planning, regulatory, and management framework for the design, development, and operation of development in the Oak Point area. The district is designed to reinforce surrounding neighborhood character, provide appropriate transitions in use and building scale, ensure appropriate allocation and design of open space, and achieve a well-connected street and pedestrian network. The zoning district is appropriate primarily for commercial properties and redevelopment sites, and the standards are intended to ensure compatibility between various uses for the purpose of implementing the Envision Oak Point Plan.

The existing zoning is General Office (O-2). The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities.

Envision Oak Point is a long-range planning policy that presents the community's vision for a 730-acre segment of land serving as Plano's northeast gateway. Adopted by the Plano City Council on July 23, 2018, this community-driven planning policy serves as a

guide for the future of this area, promoting new investment that responds to the community's vision of "Enhancing Community, Establishing Place." This zoning request is intended to aid the implementation of Envision Oak Point through the establishment of zoning that will create new opportunities for public and private development at the Plano Event Center site consistent with the community's vision for the area.

The subject property is partially developed and includes the city's 84,000 square foot Plano Event Center and associated parking, and a water tower. The proposed NBD zoning will allow for the transformation of the property into a development with nonresidential and single-family residential land uses, pedestrian-oriented internal streets, parking garages, and public open space areas, designed in conformance with the goals of the Envision Oak Point plan. Included with this request is a development plan that specifies the overall layout of the street and block network, and articulates the proposed uses and other improvements.

Surrounding Land Uses and Zoning

North	Across Spring Creek Parkway are existing multifamily residences zoned Planned Development-487-Multifamily Residence-2 (PD-487-MF-2) and an existing car wash, restaurant, and assembly hall zoned Retail (R).
East	Across Jupiter Drive is an existing community center and park/playground zoned Planned Development-456-General Office (PD-456-O-2).
South	Existing farm zoned Agricultural (A).
West	Existing multifamily residences zoned Planned Development-462-Multifamily Residence-3 (PD-462-MF-3).

Proposed NBD District

This request includes changes to land use and design standards as adopted by the development plan and by the proposed exceptions to the NBD district language. The applicant's requested exceptions are examined within the "Issues" portion of this report.

Land Use

Each NBD district must contain three or more uses. While the exact mix is not proposed as future uses will fluctuate based upon market demands for the property, the zoning request will establish a maximum area for single-family residential uses in accordance with the RCD district. The commercial acreage will contain the Plano Event Center, an adjacent hotel with restaurant, and future uses anticipated as office and retail as shown on the plan. The proposed development plan includes the following mix:

<u>Use</u>	<u>Acreage</u>	<u>Percentage</u>
Non-Residential	18.4	41%
Residential	12.0	27%
Open Space	4.9	11%
Utility	1.3	3%
Streets	8.0	18%
Total	44.6 acres	100%

Design Standards

The requested zoning includes the following, which is designed to be consistent with the Community Vision Map for Envision Oak Point:

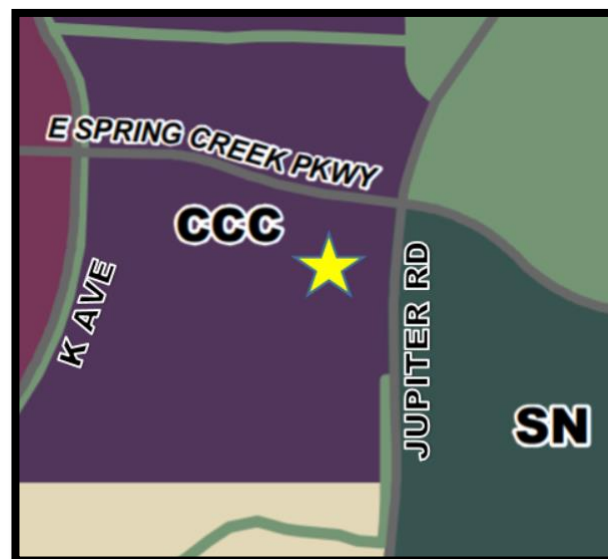
1. Streets: Creating a pedestrian-friendly grid-street system with on-street parking and sidewalks to provide vehicular and pedestrian connections to internal streets and adjacent properties. Establishing a north-south thoroughfare that will connect Spring Creek Parkway to future development to the south.
2. Plano Event Center Building: Retaining the existing event center and proposing a future expansion to the west.
3. Hotels: Two hotels are proposed adjacent to the event center. The inclusion of hotels will allow the city to maximize usage of the event center by attracting groups for events and conventions.
4. Open Space: Creating a variety of open spaces to provide active areas, including three large park areas and providing linked connections through the property.
5. Parking: Allowing a variety of options via on-street parking, garage structures, and surface parking.
6. Future Residential: The western portion of the project will be reserved for single-family development with vehicular and pedestrian connections to the other areas within the district.

This request includes necessary exceptions to accommodate the existing Plano Event Center, future hotels and parking garages, and other standards needed to implement the NBD district on the subject property. The associated development plan details the design, future land uses, and street pattern to be established within the site. The development plan is attached to this report and will be adopted as part of the zoning.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Map designates this property as Compact Complete Center (CCC).

The Compact Complete Centers 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.

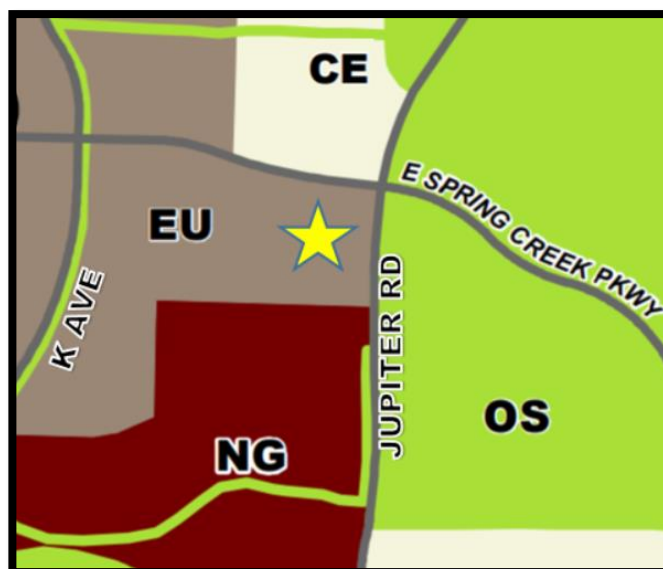


This zoning request would allow for new development of the area around the Plano Event Center with a mix of low- and mid-rise buildings with community center, service, office, retail, and single-family uses with regulations based upon the concepts of quality community design. Utilizing the proposed NBD district standards, the block layout integrates future development through a network of streets which are navigable by pedestrians, bicyclists, and vehicles, and include wide sidewalks and street trees. Parking structures are proposed to reduce surface parking and encourage the efficient use of land, and useable open space areas are proposed throughout the subject property. This request is in conformance with the CCC designation.

Growth and Change Map - The Growth and Change Map designates the subject property as Evolve Urban (EU).

EU areas are existing areas that are expected to experience extensive large-scale change through major redevelopment projects that evolve into distinct walkable districts.

The request would allow for an extensive large-scale change of the property into a distinct walkable district with both nonresidential and single-family uses. The NBD zoning requires smaller blocks to encourage pedestrian walkability through the site, and the associated development plan has been designed to create a distinct walkable district built around the existing Plano Event Center. This request is in conformance with the EU designation.



Placemaking and Public Spaces Action Statement PPS5 - *Explore the addition of complementary facilities on the Plano Centre site or surrounding properties that would enhance its ability to attract regional and national events.*

This zoning request is intended to fulfill this action statement. The proposed commercial and residential development and related street, open space, and other standards will help to attract regional and national events to the Plano Event Center. This request is in conformance with this action statement.

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

This zoning request will create a system of organized land uses through the establishment of the adopted development plan. The NBD zoning district and the proposed design allow for additional housing options and employment choices that are designed within an organized street and block network that creates a sense of place and encourages walkability throughout the project. Single-family residential uses are proposed adjacent to existing multifamily residential uses west of the subject property. Multi-story hotel and parking garages are proposed for the interior of the subject property to respect existing residents and businesses for an area identified in Envision Oak Point to focus redevelopment efforts, while also requiring sensitivity to the character of the surrounding area. Additionally, the proposed street network maintains connections to the existing infrastructure and provides access for existing and future development. This request is in conformance with the land use policy.

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

The proposed NBD district will create a unique development focused on new commercial and residential opportunities around the Plano Event Center site. The request includes a pedestrian-friendly environment with open space areas and new streetscapes intended to connect the Plano Event Center to adjacent properties and enrich this area of the city. This request is in conformance with the Community Design Policy.

Pedestrian Environment Policy - *Plano will pursue a universally accessible and well-connected pedestrian system that promotes walkability, improves navigation of major thoroughfares, and encourages connections between residential areas and neighborhood centers.*

The proposed development will include a wide sidewalk network around and within the subject property. Additionally, the applicant is proposing to improve the pedestrian experience along Spring Creek Parkway and Jupiter Road through a 20-foot landscape edge. This request is in conformance with this policy.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property; however, the applicant and future developers may be responsible for making improvements to either the water and/or sanitary sewer system to increase the system capacity if required.

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

School Capacity - Plano Independent School District has not provided a letter for this request. Within the Planning Department's Annual Report, staff has included a calculation which identifies how many students are generated per acre based upon residential use. For single-family detached residences as proposed with this request the figure is 2.42 students per acre. This request includes approximately 12 acres of land for future single-family development after subtracting the minimum 15% open space requirement. With that acreage, the number of students for this neighborhood would be 29.

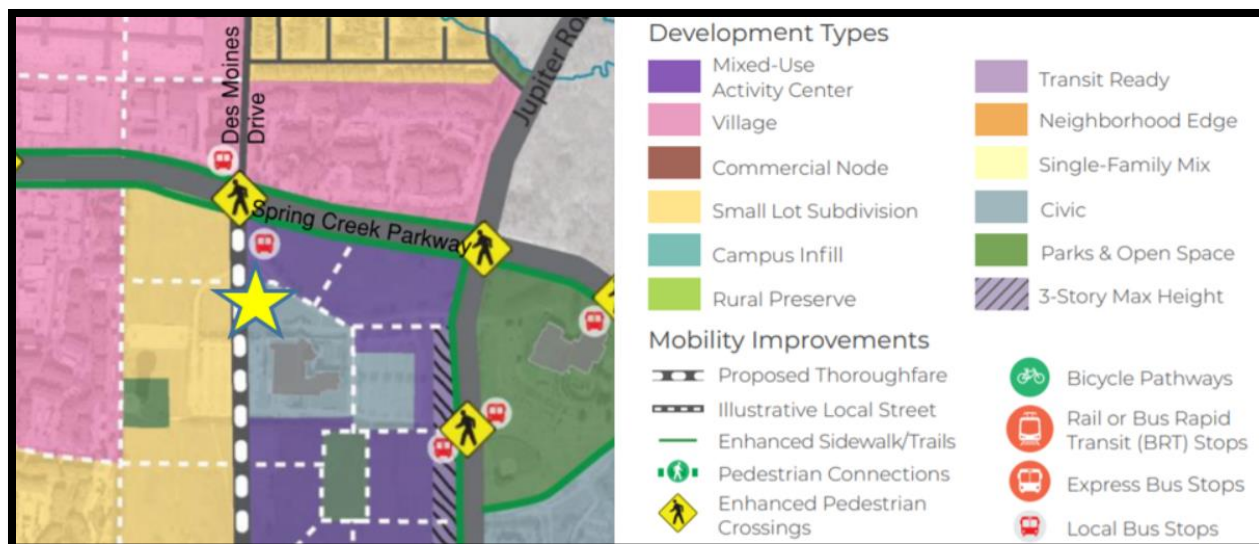
Public Safety Response Time - Based upon existing personnel, equipment and facilities, fire emergency response times will be sufficient to serve the site. Residential units in this area will increase EMS and fire calls for service, and may impact future staffing levels and the type of equipment assigned to area fire stations.

Access to and Availability of Amenities and Services - The request includes 2.8 acres of land for public open space. Additionally, the subject property is directly across Jupiter Road from the Oak Point Recreation Center and the Oak Point Park and Nature Preserve.

Library services to these residents would be accommodated by Harrington and Schimelpfenig libraries.

Conformance With Envision Oak Point

Community Vision Map - The Community Vision Map divides the property into multiple designations including Mixed-Use Activity Center with 3-story max height adjacent to Jupiter Road, Small Lot Subdivision, Civic, and Parks & Open Space. The map also identifies locations for enhanced pedestrian crossings and local bus stops.



Mixed-Use Activity Center - *This is the social hub of Oak Point, with retail, dining, entertainment, and housing options, as well as open space amenities where residents and Plano Event Center visitors can gather with family, friends, neighbors, and colleagues. Mixed-Use Activity Centers are centrally located, providing residents, employees, and visitors the opportunity to live, work, and socialize just steps away from these amenities. Building form, housing types, streets, and open space in these areas are allocated and scaled to support Oak Point's most vibrant, pedestrian friendly places.*

This area is identified as east of the future extension of Des Moines Drive (shown in the large dashed line) surrounding the event center. The associated development plan shows retail, office, and services uses with open space amenities, surface and structured parking on these portions of the subject property. Additionally, adjacent to Jupiter Road is an area which is designated with a 3-story max height. The development plan shows buildings within comply with this height recommendation. The request is in conformance with this designation.

Small Lot Subdivision - *Small Lot Subdivision is an exclusively single family area, which consists of a mix of townhouses, cottage housing, and single family detached homes on small lots. These areas are best suited within walking distance of areas that provide dining and other social options. Diverse yet complimentary architecture gives the Small Lot Subdivision areas a unique character. Homes have smaller yards, but there are many communal open spaces where residents may gather with their families and neighbors.*

This portion of the property is west of the extension of Des Moines Drive. As noted in the development plan and related exceptions, this area will be reserved for single-family detached residences and public open space only in accordance with the RCD residential standards. This area is in conformance with this designation.

Civic - *Civic areas include schools, places of worship, government facilities, recreation centers, police and fire stations, libraries, and other public facilities, such as an event center hotel. These community-oriented land uses can be accommodated in all of the built development types, however, the Civic designation is intended to reflect major facilities that are unlikely to experience major change through redevelopment or reductions in scale. Buildings tend to function as visual landmarks through prominent architectural treatments and features.*

This portion of the Vision Map covers the existing Plano Event Center and adjacent properties. The proposed development plan shows an expansion to the event center and future hotel and parking garage developments. The city has examined the needs for the Plano Event Center, and is proposing parking garages in lieu of surface parking spaces to allow for additional complementary development which will support the Plano Event Center and serve residents and businesses within the general area. This area is in conformance with this designation.

Open Space and Parks - *Oak Point has abundant and varied open space, allowing residents and visitors to enjoy nature within the city. The existing creek network of Brown Branch and Bowman Branch serves as the organizing spine between open space amenities in the area. An interconnected open space network connects new developments to the Oak Point Recreation Center as well as adjacent open space*

destinations such as the Oak Point Park and Nature Preserve, Oak Point Amphitheater, and Shawnee Park. Open space amenities include playgrounds, pocket parks, playfields, recreation facilities, plazas and public squares, community gardens, food parks, bicycle and pedestrian trails, natural areas, creek restoration and enhancement, and stormwater mitigation amenities.

This area includes the existing water tower at the southwest corner of the subject property. In addition to the water tower property, the city is proposing 4.9 acres of public open space throughout the site. Within the single-family block, 15% of the area will be utilized as open space. Other areas are placed between buildings and along streets to create a variety of green spaces to serve the public. This request is in conformance with this designation.

Other Envision Oak Point Policies - There is an extensive list of policies which apply to the zoning and future development of the subject property within Envision Oak Point. The following is a sample of those policies which pertain to this zoning request:

Eastern Quadrant Strategy 1 - *Reinvent the Plano Event Center site and surrounding area as a pedestrian-friendly civic area and social hub. The land use mix should include high-quality restaurants, a hotel, new civic spaces, mixed-use housing, and employment uses.*

Land Use and Development Patterns

- Land Use and Development Patterns Goal - *Support a distinct and diverse character pattern, creating opportunities to live, work, and socialize within a cohesively planned, pedestrian-friendly environment.*
- Balanced Neighborhoods BN3 - *Align zoning designations with the vision and policies of Envision Oak Point.*
- Diverse Housing DH1 - *Require new single-family development to incorporate a diverse and complimentary mix of lot sizes and housing types.*

Parks, Recreation and Open Space

- Accessible Open Space AOS2 - *Assess minimum open space and improvement requirements with any new zoning regulations in Oak Point, with emphasis on ensuring sufficient open space for new housing opportunities.*

Placemaking and Community Design

- Great Streets GS3 - *Require street trees with new development to promote walkability and to achieve a more visually interesting streetscape.*
- Vibrant Neighborhood Center VNC2 - *Require a mix of uses to support new housing in the Oak Point neighborhood center, prioritizing opportunities for high quality restaurants and other food-anchored land uses.*

Economy and Community

- Economic Development Policy - *Consider creating new regulations, develop an economic development strategic plan, and implement catalytic infrastructure and development projects that are critical to the future of Oak Point.*
- Economic Development ED7 - *Attract a hotel to support the Plano Event Center and develop strategies to transition the center's parking areas from surface lots to shared, structured parking.*
- Reinvestment R1 - *Prioritize the implementation of Envision Oak Point compatible zoning for key sites such as the Plano Market Square Mall, Plano Event Center, Lavon Farms, and potential transit station areas.*

The proposed zoning request is designed around and in conformance with these policy statements.

ISSUES:

New Zoning Districts

The city is in the process of adopting two new zoning districts: the Neighborhood Business Design (NBD) district and the Residential Community Design (RCD) district. These districts are intended to help implement the goals of the Comprehensive Plan and the Envision Oak Point. This zoning case for the Plano Event Center property will be the first project to utilize these new districts. As a result, this zoning case is proposed concurrently with the zoning cases to establish the NBD and RCD districts. If the cases to establish these zoning districts are modified, tabled or denied, this request for change of zoning will similarly be affected. This request is in conformance with the proposed standards of the districts as amended in the exceptions below.

Single-Family Residential

The western portion of the subject property, Block A, is reserved for future single-family detached residential development and will include a minimum of 15% of the property as public open space. This subdivision has not been designed, but will be required to conform to the regulations of the RCD district and the recommendations of the Envision Oak Point plan. This area is separated from the nonresidential portion of the property by an extension of Des Moines Drive and future residents would benefit from the future commercial development and other open space areas surrounding Plano Event Center.

Proposed NBD Exceptions

This request includes some exceptions to accommodate existing and future development as follows:

1. Plano Event Center - This block requires exceptions to the single-tenant floor plate maximum of 30,000 square feet and the maximum block size of 600 feet.

2. Hotels - Two hotels are proposed as future development. The hotels are proposed at a maximum height of six stories, 100 feet, which exceeds the NBD maximum height of three stories, 45 feet. The hotels are also proposed to exceed the maximum 30,000 square foot first floor single tenant requirement.
3. Parking Garages - Two parking garages are proposed to accommodate the hotel developments, future expansion of the Plano Event Center and for efficient use of the nonresidential properties. The garages are proposed at a maximum height of seven stories, 85 feet. Additionally, due to their bulk they will be dominating features of their blocks above adjacent buildings and will exceed the maximum 60,000 square foot building footprint requirement. Lastly, an exception is necessary to allow the garage on Block F at the southeast corner of the subject property to be located closer than 150-feet to the Agricultural zoning district to the south.

These exceptions are needed for flexibility to accommodate future development and accommodate the existing and future expansion of the Plano Event Center. These exceptions are in conformance with the recommendations and land use designations of the Comprehensive Plan and Envision Oak Point, due to the need to accommodate the unique nature of Plano Center's land use on the site.

SUMMARY:

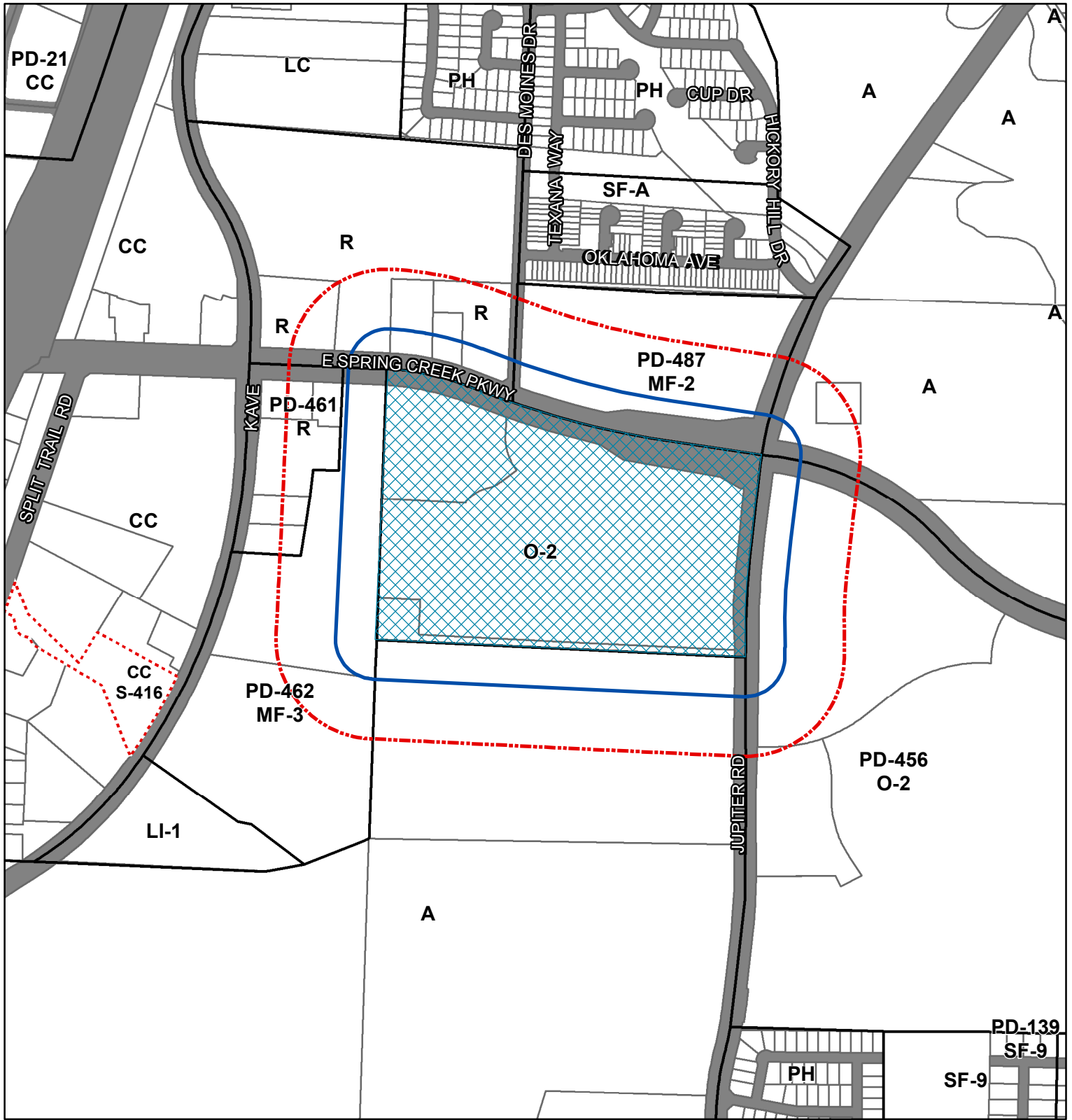
The City of Plano is requesting to rezone the subject property from General Office to Neighborhood Business Design. The associated development plan shows a unique, pedestrian-oriented commercial development around the existing Plano Event Center, with compatible housing uses to the west. Hotels, restaurants, entertainment, office, open space, single-family housing, and other uses and amenities will be provided and will be served by a network of internal streets with wide sidewalks, on-street and garage parking. The proposed mix of uses is in conformance with the NBD regulations, and in keeping with the Future Land Use Map designation of Compact Complete Center for the site. The requested exceptions to the district will allow for a cohesive development with a mix of uses which respects the unique features and use of the property consistent with the Envision Oak Point Plan. The request is also in conformance with other significant policies and recommendations of the Comprehensive Plan. Staff is in support of the request.

RECOMMENDATION:

Recommended for approval subject to City Council approval of Zoning Case 2020-012 and Zoning Case 2020-013 and with exceptions as follows:

1. Block A will be utilized exclusively for Tier One single-family residence uses per the Residential Community Design (RCD) district and public open space.
2. Community Center Uses
 - a. May exceed the maximum 30,000 square foot first floor single-tenant requirement.









- b. Exceed the 600 foot maximum block length.
- 3. Hotel Uses
 - a. Maximum Height: six stories, 100 feet
 - b. May exceed the maximum 30,000 square foot first floor single-tenant requirement.
- 4. Parking Garages
 - a. Maximum Height: seven stories, 85 feet
 - b. May exceed the height of adjacent buildings.
 - c. May exceed the 60,000 square foot building footprint requirement.
 - d. The parking garage within Block F must be set back at least 120 feet from the residential district boundary line to the south.

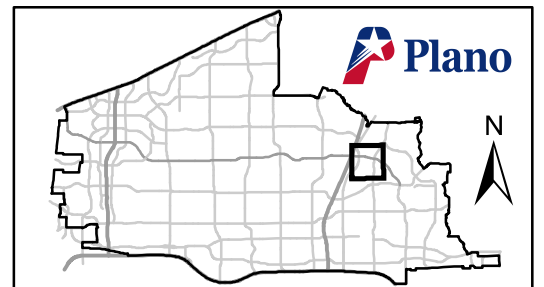


Zoning Case: 2019-022

Existing Zoning: General Office (O-2) and located within the Parkway Overlay District

Proposed Zoning: Neighborhood Business Design (NBD)

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



0 500 1,000 2,000
Feet

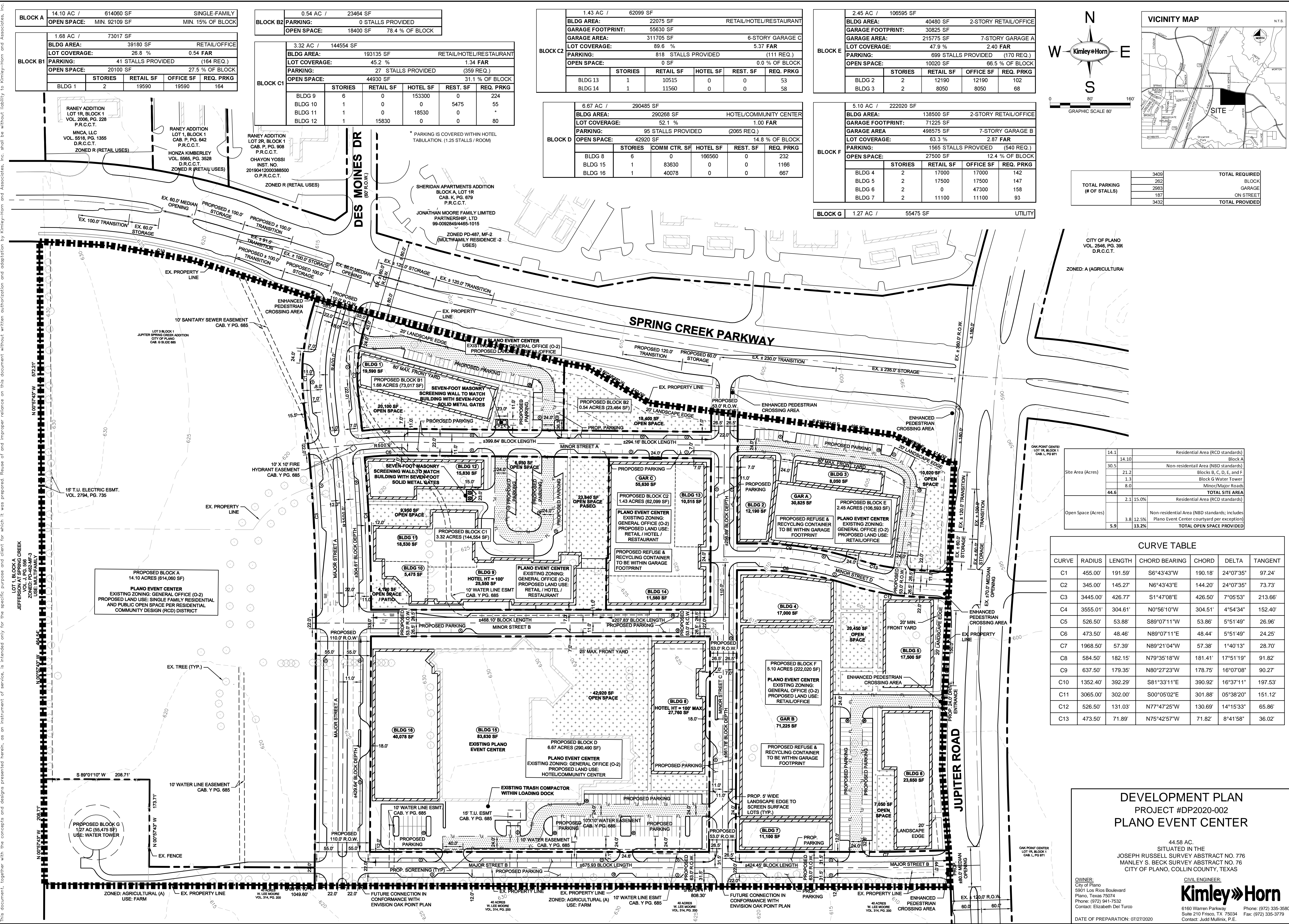


Zoning Case 2019-022



Area of Request





Zoning Case 2019-022

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, so as to rezone 50.3 acres of land out of the Joseph Russel Survey, Abstract No. 776, located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 10th day of August 2020, for the purpose of considering rezoning 50.3 acres of land out of the Joseph Russel Survey, Abstract No. 776, located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 10th day of August 2020; and

WHEREAS, the City Council is of the opinion and finds that such rezoning would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2015-5-2, as the same has been heretofore amended, is hereby further amended so as to rezone 50.3 acres of land out of the Joseph Russel Survey, Abstract No. 776, located at the southwest corner of Spring Creek Parkway and Jupiter Road in the City of Plano, Collin County, Texas, from General Office to Neighborhood Business Design-1, said property being described in the legal description on Exhibit A attached hereto.

Section II. The change in Section I is granted subject to the following:

1. The permitted uses and standards shall be in accordance with the Neighborhood Business Design (NBD) zoning district standards unless otherwise specified herein.
2. The development plan set forth in Exhibit B is hereby adopted and shall be made a part of this Ordinance as though fully set forth herein.

Section III. The changes in Section II are granted subject to the following exceptions:

1. Block A will be utilized exclusively for Tier One single-family residence uses per the Residential Community Design (RCD) district and public open space.
2. Community Center Uses
 - a. May exceed the maximum 30,000 square foot first floor single-tenant requirement.
 - b. Exceed the 600 foot maximum block length.
 - c. Plano Event Center's existing courtyard in Block D may be credited toward public open space calculations.
3. Hotel Uses
 - a. Maximum Height: 6 story, 100 feet
 - b. May exceed the maximum 30,000 square foot first floor single-tenant requirement.
4. Parking Garages
 - a. Maximum Height: 7 story, 85 feet
 - b. May exceed the height of adjacent buildings.
 - c. May exceed the 60,000 square foot building footprint requirement.
 - d. The parking garage within Block F must be set back at least 120 feet from the residential district boundary line to the south.

Section IV. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section V. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section VI. The repeal of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section VII. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VIII. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section IX. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 10TH DAY OF AUGUST 2020.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

ZONING CASE 2019-022

BEING a tract of land situated in the Joseph Russel Survey, Abstract No. 776, in the City of Plano, Collin County, Texas and BEING all of Lots 1, 2 and 3, Block 1 of Jupiter Spring Creek Addition, an addition to the City of Plano, Texas, according to the Final Plat, recorded in Cabinet Y, Page 685 of the Plat records of Collin County, Texas, same BEING a portion of a tract of land conveyed to the City of Plano in a Warranty Deed, recorded in Volume 2089, Page 687 of the Deed Records of Collin County, Texas (D.R.C.C.T.), also BEING a part of Spring Creek Parkway, a variable width right-of-way, and Jupiter Road, a variable width right-of-way, and BEING more particularly described as follows:

BEGINNING at a the intersection of the centerline of said Spring Creek Parkway with the centerline of Jupiter Road;

THENCE along the centerline of Jupiter Road, the following courses and distances:

South 03°32'10" West, a distance of 268.19 feet to a point for corner;

South 02°34'45" West, a distance of 149.81 feet to a point for corner;

South 03°04'49" West, a distance of 107.59 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 5°11'17", a radius of 3,273.46 feet, and a chord bearing and distance of South 00°04'02" West, 296.31 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 296.41 feet to a point at the end of said curve;

South 04°26'14" East, a distance of 149.54 feet to a point for corner;

South 02°31'12" East, a distance of 49.24 feet to a point for corner;

THENCE South 88°54'41" West, crossing said Jupiter Road and along the southerly line of the aforementioned Lot 2, a distance of 820.42 feet to a point for corner;

THENCE South 89°01'10" West, continuing along the southerly line of said Lot 2, a distance of 1,049.48 feet to a point for the southwest corner of said Lot 2;

THENCE North 00°57'43" West, along the westerly line of said Lot 2, the westerly line of the aforementioned Lot 1, and the easterly line of Lot 1, Block A of Jefferson at Spring Creek, Phase 1, an addition to the City of Plano, Texas, as shown on the Final Plat recorded in Cabinet J, Page 556 of the Plat Records of said county, and crossing the aforementioned Spring Creek Parkway, a distance of 1,360.48 feet to a point in the center of said Spring Creek Parkway, said point BEING at the beginning of a non-tangent curve to the right having a central angle of 16°40'37", a radius of 1,432.38 feet, a chord bearing and distance of South 81°34'59" East, 415.45 feet;

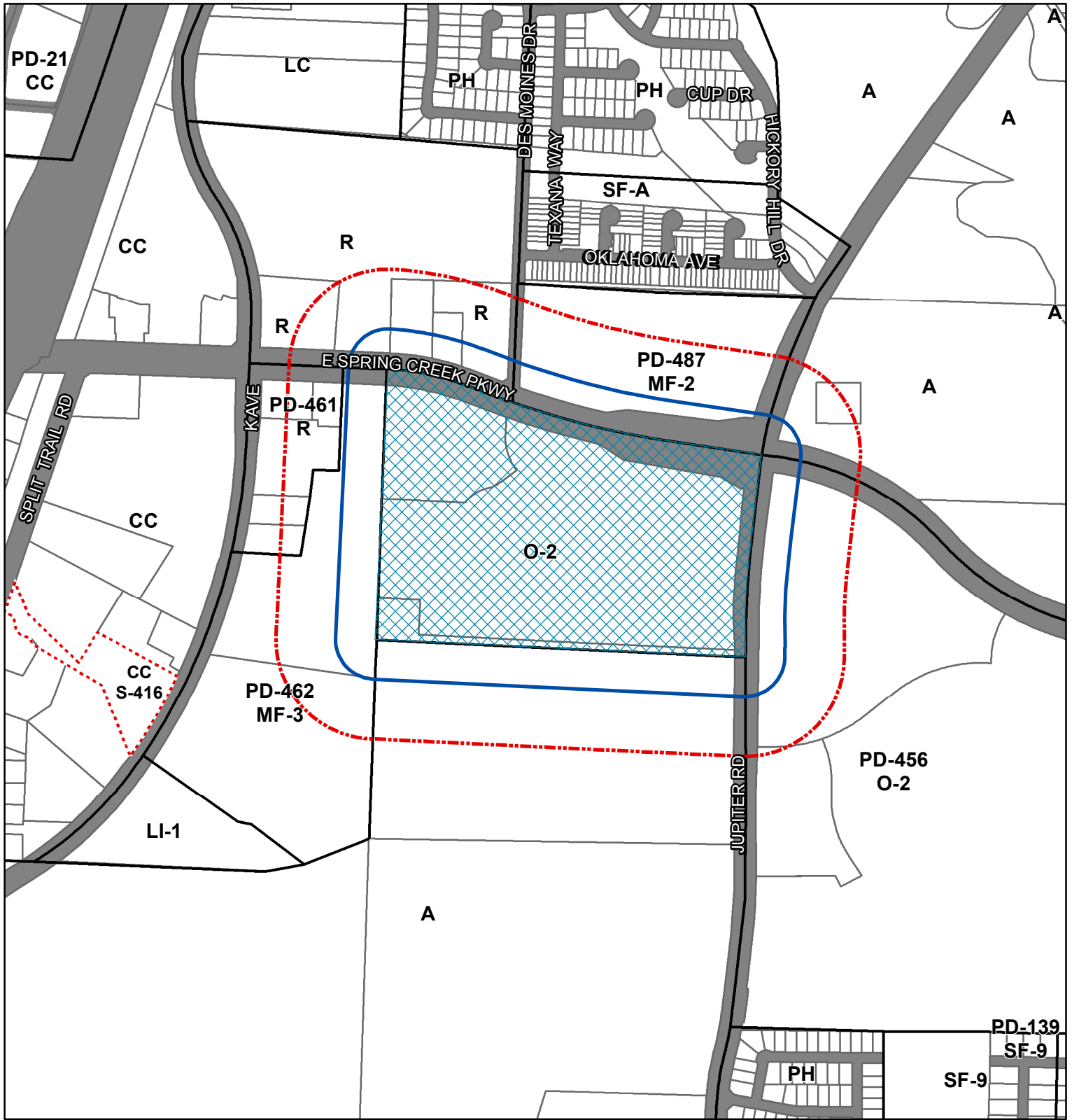
THENCE along the centerline of said Spring Creek Parkway, the following courses and distances:

In a southeasterly direction, with said curve to the right, an arc distance of 416.92 feet to a point at the end of said curve;

South $73^{\circ}14'35''$ East, a distance of 137.08 feet to a point at the beginning of a tangent curve to the left having a central angle of $12^{\circ}04'29''$, a radius of 4,287.18 feet, and a chord bearing and distance of South $79^{\circ}16'50''$ East, 901.82 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 903.50 feet to a point at the end of said curve;

South $85^{\circ}19'04''$ East, a distance of 481.41 feet to the POINT OF BEGINNING AND CONTAINING 50.341 acres (2,192,849 square feet) of land, more or less.

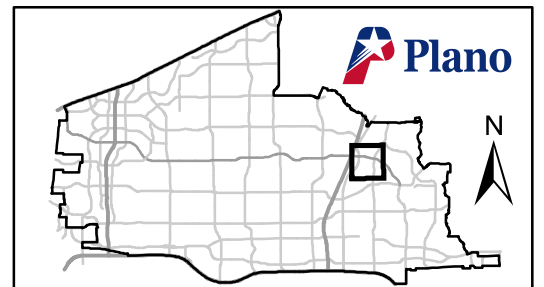


Zoning Case: 2019-022

Existing Zoning: General Office (O-2) and located within the Parkway Overlay District

Proposed Zoning: Neighborhood Business Design (NBD)

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



0 500 1,000 2,000
Feet



CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020

DEPARTMENT: Budget

DIRECTOR: Karen Rhodes-Whitley, Director of Budget and Research

AGENDA ITEM: Public Hearing on the FY 2020-21 Recommended Budget and the FY 2020-21 Proposed Community Investment Program (CIP).

RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Public Hearing on the FY 2020-21 Recommended Budget and the FY 2020-21 Proposed Community Investment Program (CIP). **Conducted**

BACKGROUND

This is a required Public Hearing to consider the FY 2020-21 Recommended Budget and the FY 2020-21 Proposed Community Investment Program (CIP).

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has no financial impact.

This public hearing supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.



CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Budget
DIRECTOR: Karen Rhodes-Whitley, Director of Budget and Research
AGENDA ITEM: Discussion and Direction regarding Proposed Ad Valorem Tax Rate.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Discussion and Direction regarding Proposed Ad Valorem Tax Rate. **Council approved a not to exceed tax rate of 44.82 per \$100 of appraised value and will hold one public hearing at Council meeting on September 14, 2020.**

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has no financial impact.

This discussion and the direction given supports the City's Strategic Plan Critical Success Factor of Excellent, Innovative, and Accountable City Government.

CITY COUNCIL AGENDA MEMO

MEETING DATE: 8/10/2020
DEPARTMENT: Budget
DIRECTOR: Karen Rhodes-Whitley, Director of Budget and Research
AGENDA ITEM: Discussion of the Proposed FY 2020-21 Community Investment Program.
RECOMMENDED ACTION: Items for Individual Consideration

ITEM SUMMARY

Discussion of the Proposed FY 2020-21 Community Investment Program.

Presented

BACKGROUND

Presentation by staff on the various projects included in the Proposed FY 2020-21 Community Investment Program.

FINANCIAL SUMMARY/STRATEGIC GOALS

This item has no financial impact.

This discussion of the proposed CIP aligns with the City's Strategic Plan Critical Success Factors of Residential and Commercial Economic Vitality and Excellent, Innovative and Accountable City Government, along with the Plano Tomorrow Plan Pillars of Built Environment, Social Environment, Natural Environment, Economic Environment, and Regionalism.

ATTACHMENTS:

Description	Upload Date	Type
Proposed 2020-21 CIP Presentation Agenda	7/31/2020	Informational
Community Investment Program 2020-2021	7/31/2020	Staff Report
P & Z CIP Letter	8/4/2020	Letter

City Council Worksession
On the Proposed 2020-21 Community Investment Program
Senator Florence Shapiro Council Chambers, Plano Municipal Center
1520 K Avenue, Plano, Texas
Monday, August 10, 2020, 7:00 p.m.

Community Investment Program Area

Presenter

Introduction & Overview

Israelson

Parks & Recreation

Smith

- Recreation Facilities
- Park Improvements
- Park Capital Maintenance Fund Projects
- Park Fee Program
-

Engineering

Thornhill

- Street Improvements
- Municipal Drainage Projects
- Water & Sewer Improvements

Facilities

Razinha

- Facilities Projects
- Facilities Capital Maintenance Fund

Public Works

Cosgrove

- Street Capital Maintenance Fund & Street Improvements
- Water & Sewer Projects



Proposed

Community Investment Program 2020-2021



CIP Projects

■ Funding Categories

- Parks and Recreation
- Municipal Drainage
- Water Projects
- Sewer Projects
- Facility Projects
- Capital Maintenance



PARKS AND RECREATION CIP

FUNDING SOURCES

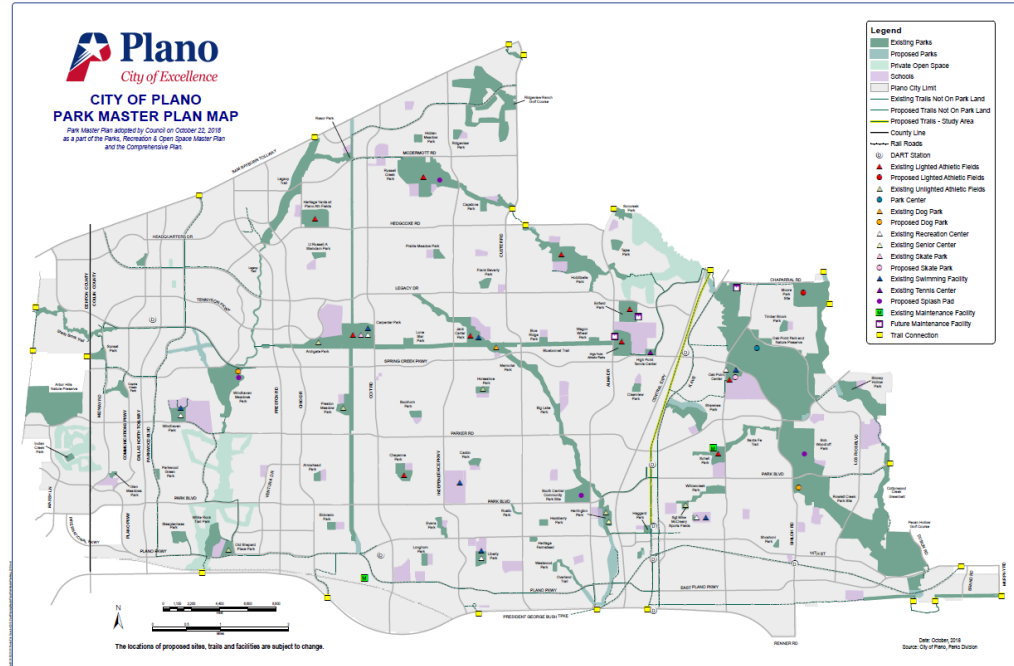
■ Recreation Facilities	\$ 5,942,386
■ Park Improvements	\$29,266,315
■ Capital Maintenance Fund	\$ 7,164,911
■ Park Fee	\$ 339,205



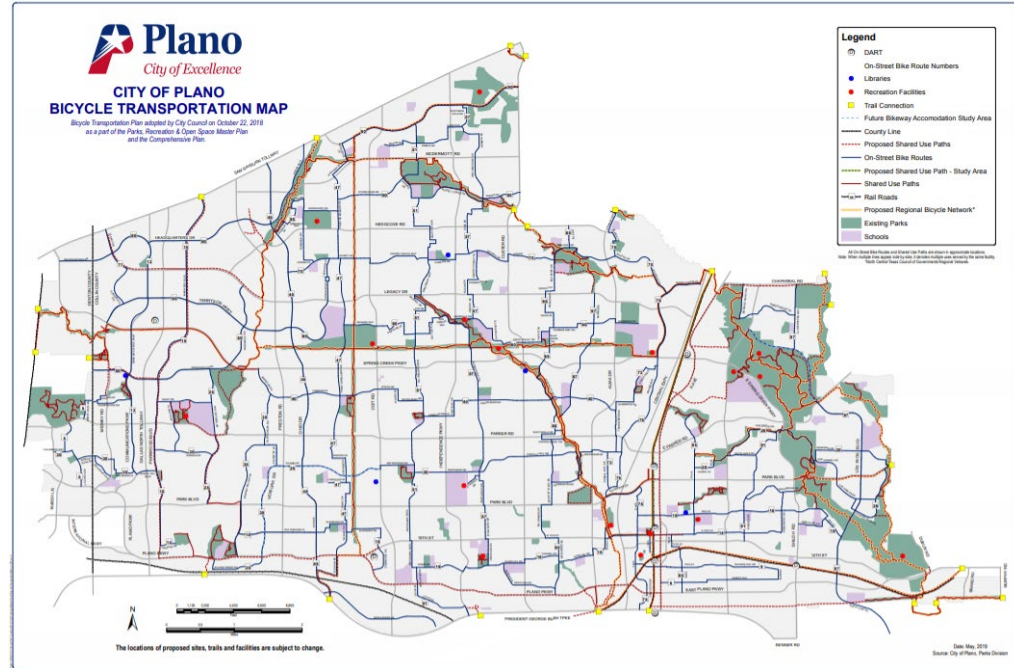
Park Master Plan



Park Master Plan



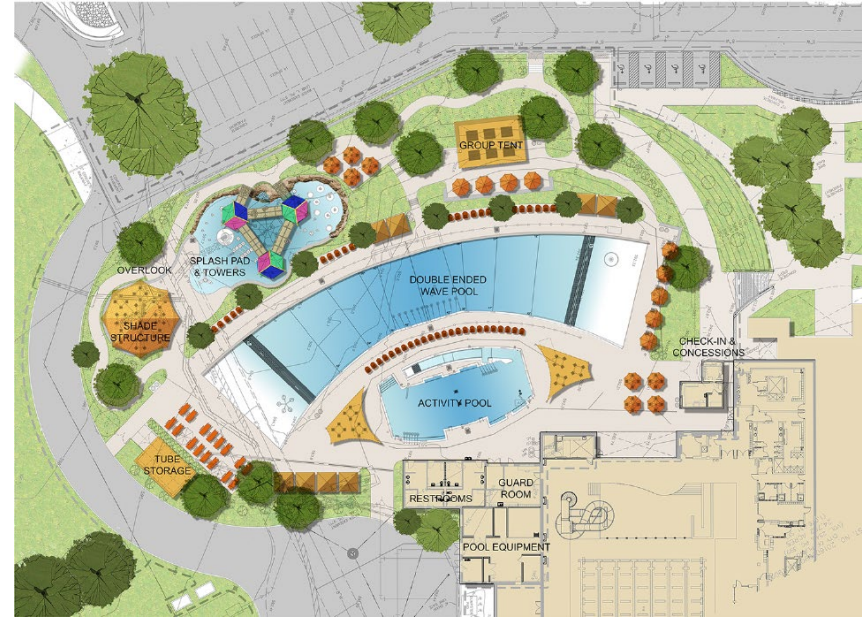
Park Master Plan



Recreation Facilities

Total \$5,942,386

- Oak Point Recreation Center Outdoor Pool
 - \$5,050,886



Recreation Facilities

Total \$5,942,386

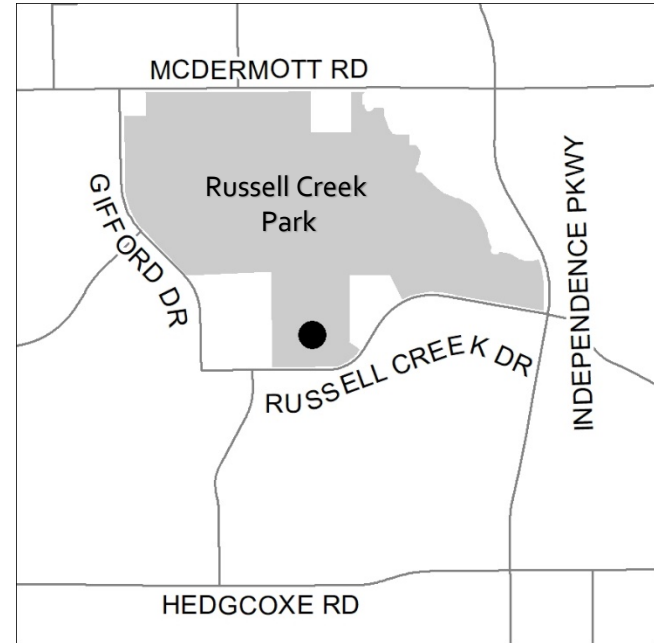
- Aquatic Pump
 - \$891,500



Park Improvements

Total \$29,266,315

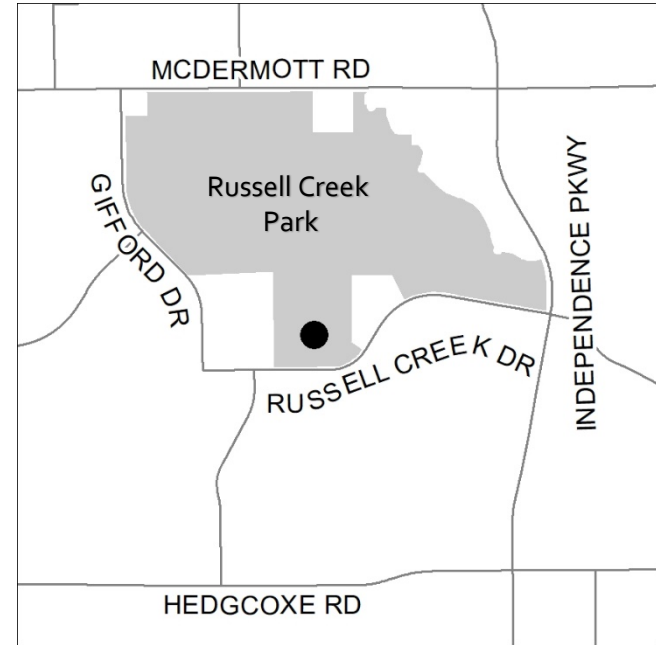
- Artificial Turf Fields
 - \$3,000,000



Park Improvements

Total \$29,266,315

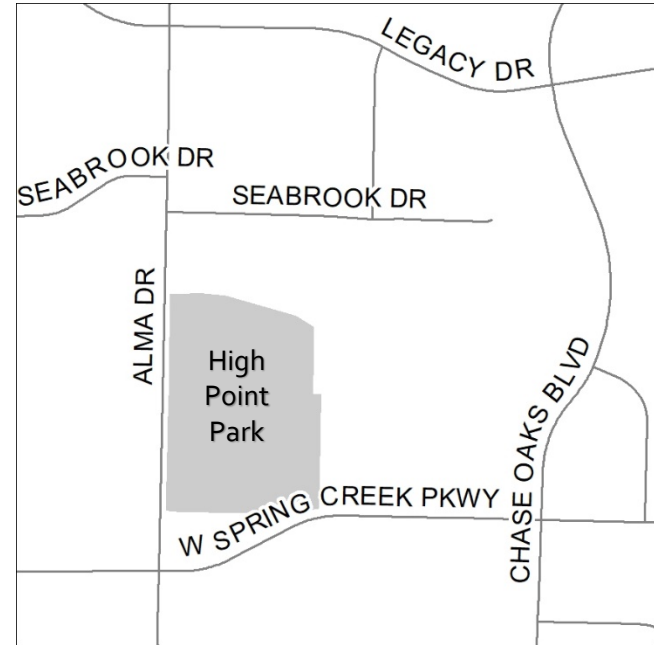
- Athletic Field Improvements
 - \$350,000



Park Improvements

Total \$29,266,315

- High Point Maintenance Facility
 - \$7,771,315



Total \$29,266,315

- Jack Carter Park Improvements
 - \$400,000



Total \$29,266,315

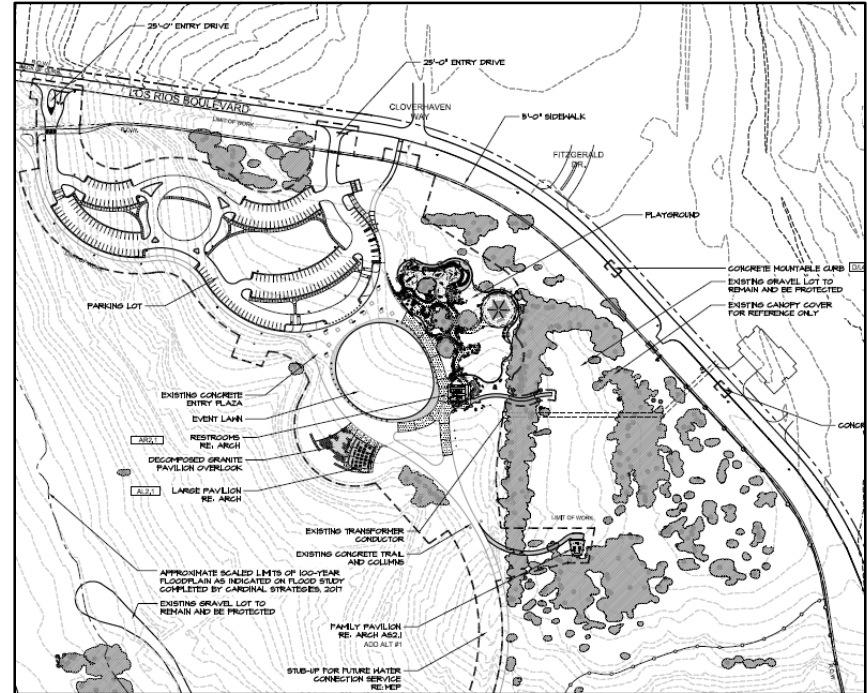
- \$1,050,000



Park Improvements

Total \$29,266,315

- Oak Point Park & Nature Preserve
 - \$7,250,000



Park Improvements

Total \$29,266,315

- Park Improvements
 - \$1,500,000



Park Improvements

Total \$29,266,315

- Recreational Trails

- \$1,375,000

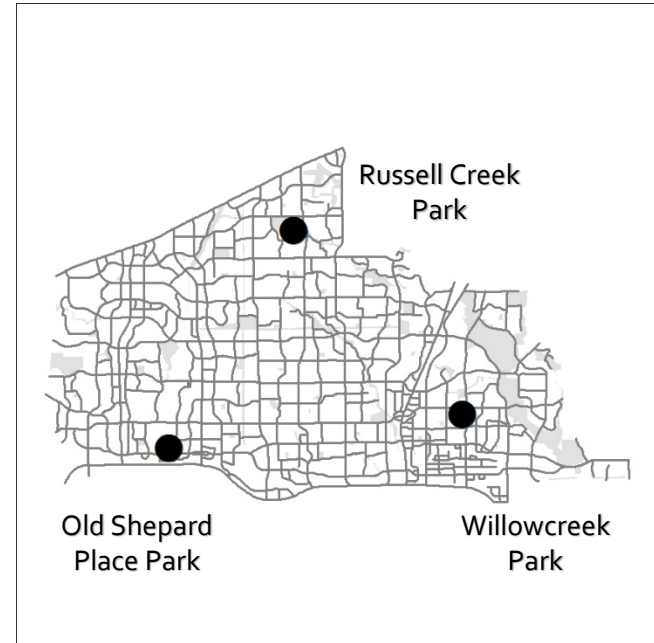
- Cottonwood Creek Greenbelt Trail
- Hoblitzelle Trail
- Silver Line Rail Trail



Park Improvements

Total \$29,266,315

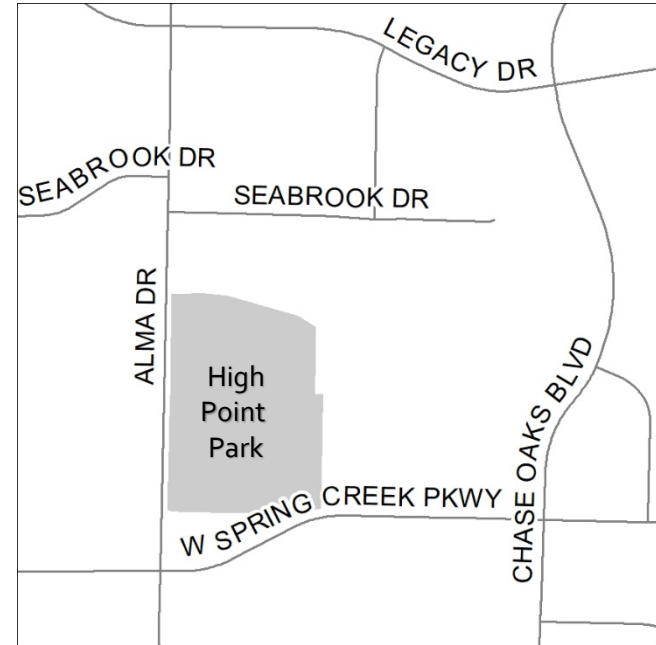
- Community Parks
 - \$2,695,000



Park Improvements

Total \$29,266,315

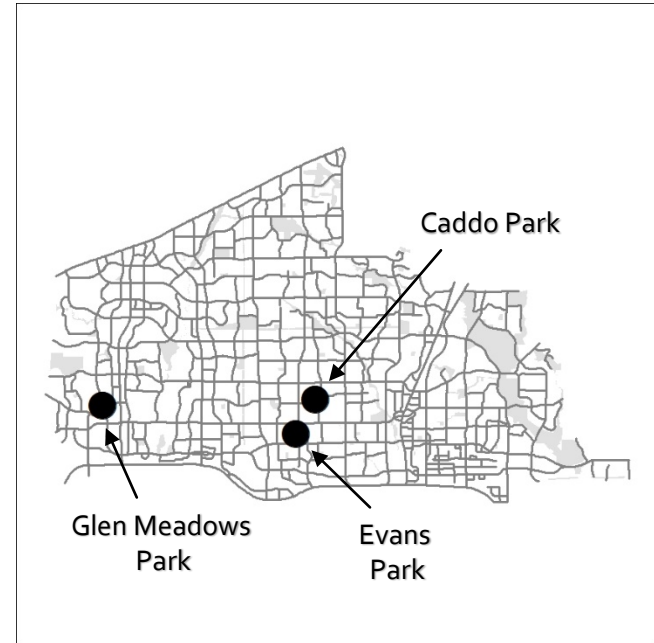
- Lighting Replacements
 - \$1,900,000



Park Improvements

Total \$29,266,315

- Neighborhood Parks
 - \$1,475,000



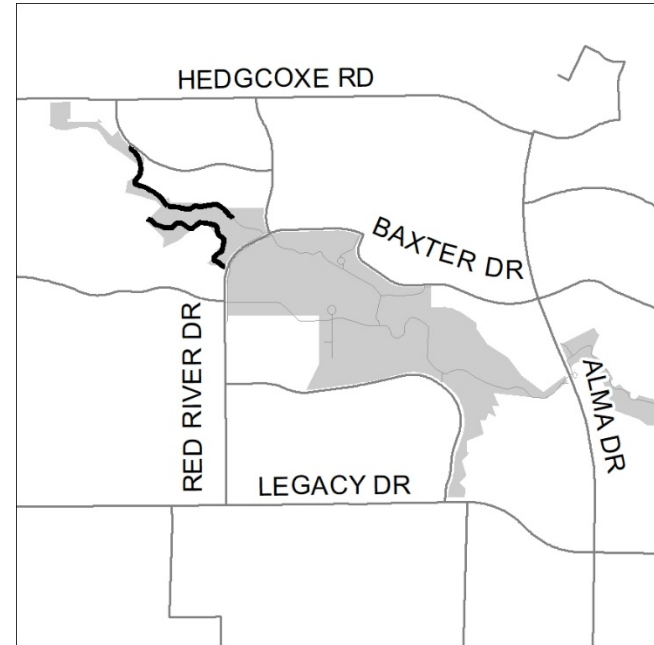
Park Improvements

Total \$29,266,315

- Trail Replacements

- \$500,000

- Hoblitzelle Park



Capital Maintenance Fund

- 5267 acres of responsibility
 - Parks
 - Public buildings
 - Medians
 - Rights of way
- 154 athletic fields
- 70 playgrounds
- 45 restroom buildings
- 85 miles trail
- 5 miles living screen
- 28,000 trees
- 553 irrigation systems



Capital Maintenance

Total \$7,164,911

Art Facilities Equipment	\$ 142,500
Athletic Field Renovations	\$ 731,411
Community Park Renovations	\$ 100,000
Irrigation Technology & Mechanical	\$ 430,000
Lighting Replacements	\$ 50,000



Capital Maintenance

Total \$7,164,911

Living Screen Replacements	\$ 199,000
Median Renovations	\$ 295,000
Neighborhood Park Renovations	\$ 150,000
Park & Facility Signage Replacement	\$ 35,000
Park Restoration	\$ 185,000



Capital Maintenance

Total \$7,164,911

Park Structures & Equipment	\$ 462,000
Plano Event Center Enhancements	\$2,100,000
Playground Replacements	\$ 400,000
Pool Equipment	\$ 240,000
Public Building Landscape Renovations	\$ 495,000



Capital Maintenance

Total \$7,164,911

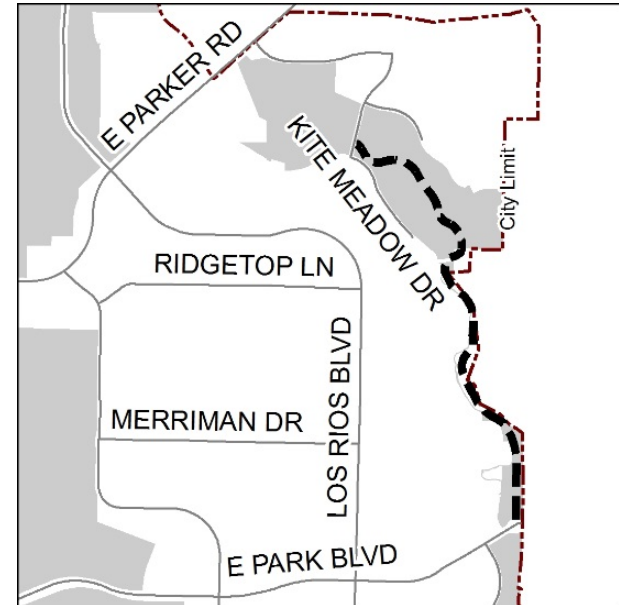
Recreation Center Equipment	\$ 100,000
Restroom Renovations	\$ 300,000
Shawnee Park	\$ 150,000
Trail Repairs	\$ 500,000
Tree Replacements	\$ 100,000



Park Fee

Total \$399,205

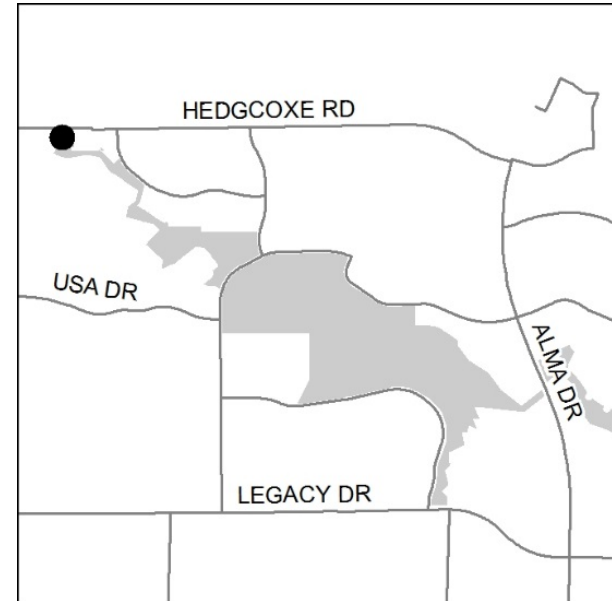
- Area 1 – Cottonwood Creek Greenbelt Trail
 - \$236,462



Park Fee

Total \$399,205

- Area 4 – Hoblitzelle Trail Connection
 - \$102,743



STREET IMPROVEMENTS

Funding Sources

■ Bond Funds	\$ 74,638,344
■ Capital Maintenance Funds	\$ 30,000,000
■ Other Funds	\$ 13,001,552
■ Collin County	\$6,461,746
■ RTR	\$3,915,022
■ TxDOT/Federal	\$2,624,784



STREET IMPROVEMENTS

Project Types

■ Street Construction	\$50,983,000
■ Street Capacity Improvements	\$13,195,000
■ Street Design Projects	\$5,394,300
■ Miscellaneous	<u>\$18,067,596</u>
Total	\$87,639,896



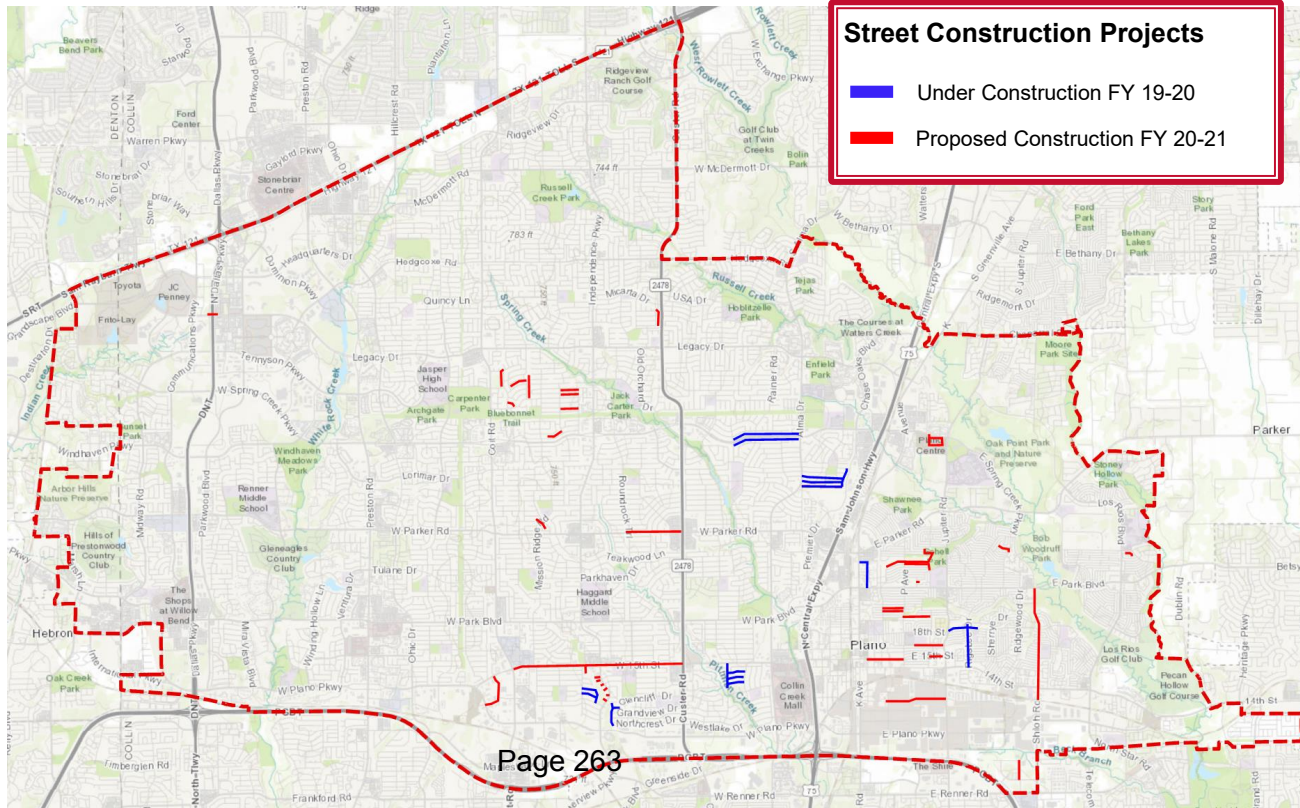
Street Construction Projects

TOTAL - \$50,983,000

- Dallas North Estates No. 2 and Westwood Drive
- Parker Road Reconstruction
- Westgate Subdivision Paving
- Commerce Street Reconstruction
- Shiloh Road – 14th Street to E. Park Blvd.
- 17th Street – P Avenue to Jupiter Rd.
- Plano Event Center Street Improvements
- Wyngate Blvd. Reconstruction
- Valley Creek and Arborcove Drive



Street Construction Projects



Street Capacity Projects

Total - \$13,195,000

Intersection Improvements

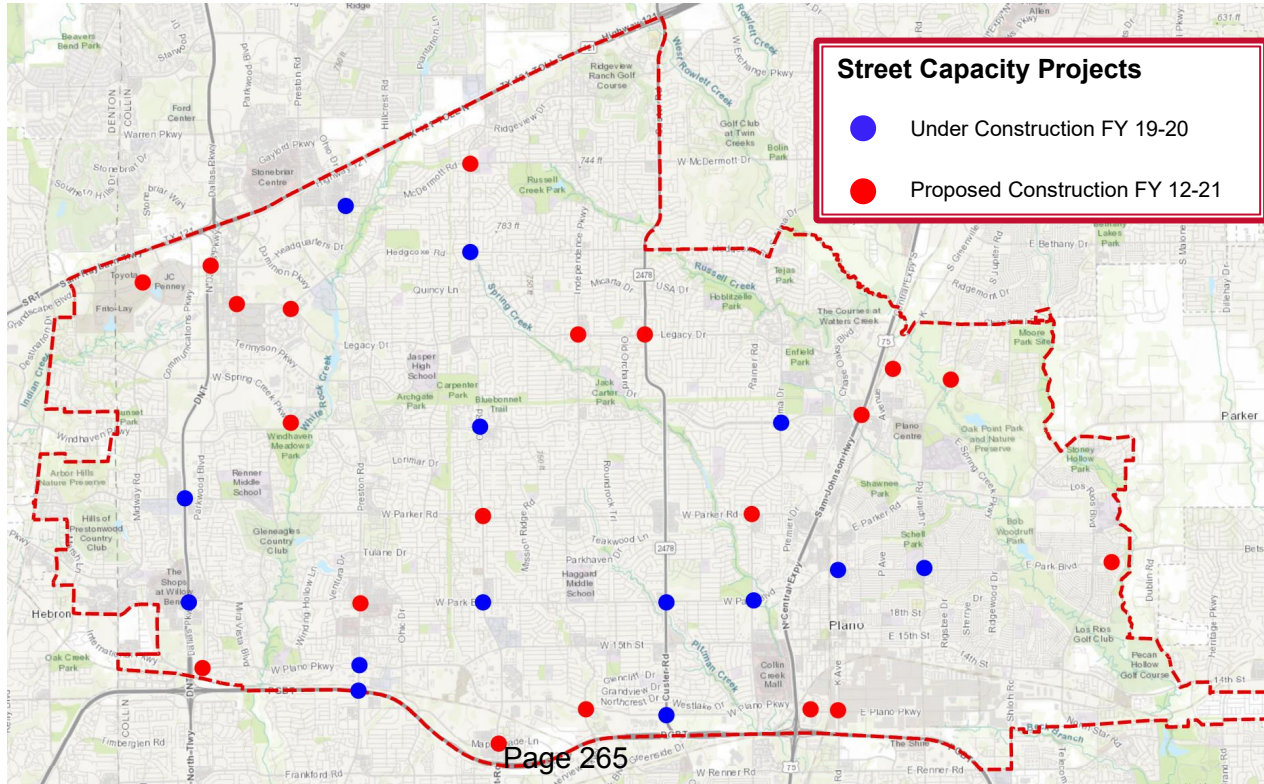
- Parkwood Dr. at Legacy Dr.
- US 75 at Spring Creek Drive, Preston Road at Park Blvd, and Headquarters Drive at DNT Pedestrian Crossing
- Legacy Drive at DNT Pedestrian Crossing
- Preston Road at PGBT
- Hedgcoxe Dr at Legacy Dr, West Spring Creek Pkwy at Windhaven Pkwy, McDermott Rd at Coit Rd, and Los Rios Blvd at Jupiter Rd

Corridor Improvements

- Park Boulevard
- Parker Road
- Legacy Drive
- Coit – PGBT to Mapleshade
- Plano Parkway Intersection Improvements



Street Capacity Projects



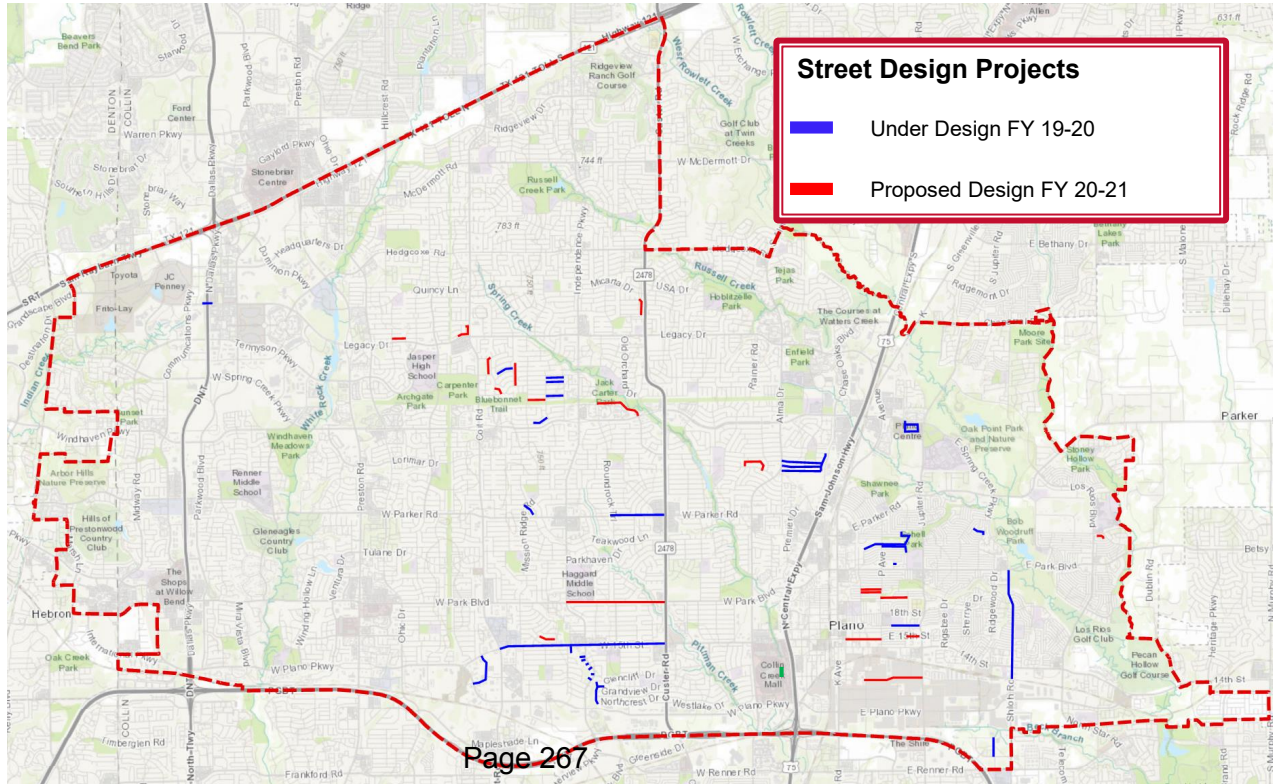
Street Design Projects

Total - \$5,394,300

- **Shiloh Road Expansion – 14th to Park**
- **Park Blvd – Independence Parkway to Custer Road**
- **10th Street – N Avenue to Jupiter Road**
- **15th Street – Municipal Ave to P Ave, R Ave to Jupiter Rd**
- **Fontaine Street, Hallmark Drive, Cabana Lane Reconstruction**
- **Pleasant Valley Rd and Villa Downs Drive Reconstruction**



Street Design Projects



Street Miscellaneous Projects



Total - \$18,067,596

- Median Landscaping
- Computerized Traffic Signal System
- Bridge Inspection & Repair
- Traffic Signalization & Street Lighting
- Screening Walls
- Neighborhood Pavement and Sidewalk Repair

Screening Wall Projects

- **Legacy Drive**
 - Spring Creek (creek) to Harvey Way
- **Independence Parkway**
 - Hilltop Ln to Loch Haven Dr
- **Coit Road**
 - Highland Shores Dr to Gladed Hollow Dr
- **Redwolf Ln** (Windhaven Pkwy to Cul-de-sac) **and 15th Street** (Pittman Creek to Westwood Dr)
- **Custer Road**
 - Crossbend Road to Treehouse Lane
- **Amelia Court, Park Blvd, Woodburn Corners, and Custer Road**
- **Burnham Drive and Plano Parkway**
- **Ohio Dr and Hedgcoxe Dr, Parker Road, and McDermott Road**



Municipal Drainage Fund

Erosion Control Projects

Total - \$5,354,900



- Creek Erosion Projects (Parks)
- Prairie Creek at Independence Pkwy
- Indian Creek and Shady Creek Circle Bank Stabilization

Municipal Drainage Fund

Miscellaneous Projects

Total - \$42,474,500



Pond Water Quality Upgrades

- Collin Creek Mall Culvert Improvements
- 2019 Drainage Improvements
- East Side Drainage Improvements (Rowlett Creek)
- Miscellaneous Improvements
- Ranch Estates Drainage Improvements

Water Improvement Fund

Total - \$28,074,355



- Water Rehab Village North Phase I
- Water Rehab – Carriage Hill I, II, and III
- Water Rehab – Post Oak and Whiffletree II, III, and IV
- Water Rehab – Cross Creek East #3A and #3B
- Water Rehab – Preston Road Estates Phase 1 and 2
- Water Rehab – Riverbend Phase 1 and 2
- West Plano Estates and Hunters Glen Phase II
- Ridgeview Ground Storage Tanks
- Elevated Tank Security Fencing



Sewer Improvement Fund

Total - \$15,988,446

- PG&T Sewer Improvements
- Collin Creek Wastewater Improvements
- Sanitary Sewer Improvements: Legacy Drive, Ohio Drive, Prestonwood CC, and Timbercreek Drive
- Plano Parkway Sewer Improvements – Coit Rd to Independence Parkway
- Aerial Crossing Repairs - White Rock Creek and Russell Creek
- Sewer Basin E Capacity Improvements
- I&I Repairs



Facility Improvements – Funding Sources

■ Bond Funds	\$30,400,000
■ Capital Maintenance Funds	\$9,648,703



Facility Improvements - Bond Projects

■ Davis Library Expansion & Roof	\$ 4,900,000
■ Fire Training Center	\$ 13,000,000
■ Harrington Library Expansion	\$ 5,000,000
■ Parkway Service & Fleet Svc Ctr Renovation	\$ 7,500,000

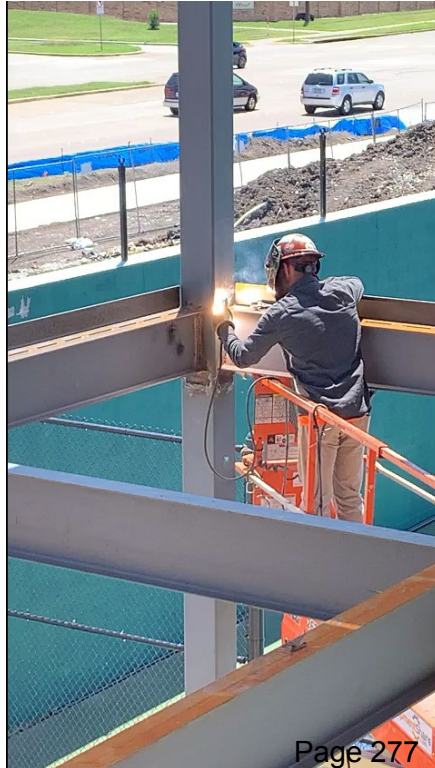


Facility Improvements - Capital Maintenance

■ Ridgeview Pump Station Generators	\$ 3,200,000
■ Joint Use Facility Reconfiguration for PD & Slab Repair	\$ 1,300,000
■ Police Main Station Renovations	\$ 981,500
■ Plano Event Center HVAC Replacement Phase III	\$ 800,000
■ Carpenter Park Recreation Center HVAC	\$ 650,000
■ Parkway Operations HVAC	\$ 550,000
■ Harrington Library HVAC	\$ 356,000
■ Douglass Community Center Entrance Renovation	\$ 266,368
■ Various Projects at other City Facilities	\$ \$1,544,835



Tennis Pros



Page 277



7/31/2020

CIP

Public Works - Streets

Capital Maintenance Fund (CMF)	\$30,000,000
G.O. Bond Fund	8,429,000



CIP

Public Works – Streets - CMF

Arterial Concrete Repair

\$9,582,728

Residential Street & Alley Replacement

8,678,286



CIP

Projects by Public Works – Streets - CMF

Pavement Maintenance

\$4,709,656

Sidewalk Repair

2,415,684

Undersealing

2,077,423



CIP

Projects by Public Works – Streets - CMF

Pavement Markings/Buttons

\$900,000

Concrete

616,223



CIP

Projects by Public Works – Streets - CMF

Signalization Upgrade	\$600,000
Street Condition Inventory	200,000
Traffic Guardrails	100,000



CIP

Public Works – Streets - CMF

Traffic Sign Replacement	\$100,000
Design Standards for Streets	20,000
Screening Wall Reconstruction	\$0
Total	\$30,000,000




CIP


Public Works – Streets - Bond

Residential Street & Alley Replacement	\$5,231,000
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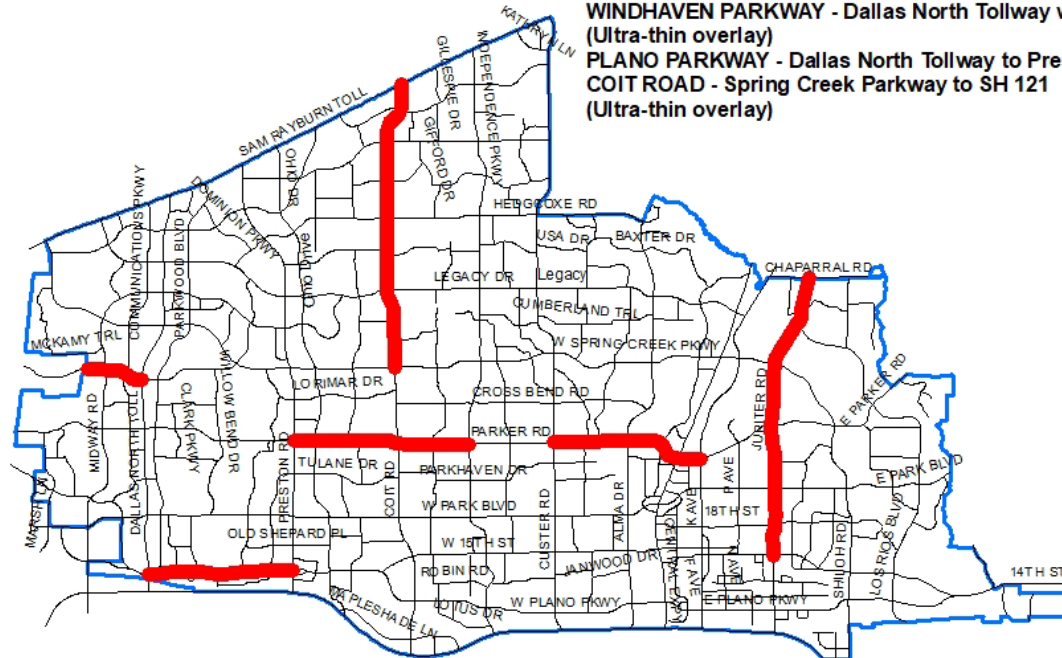
Arterial Concrete Repair	3,198,000
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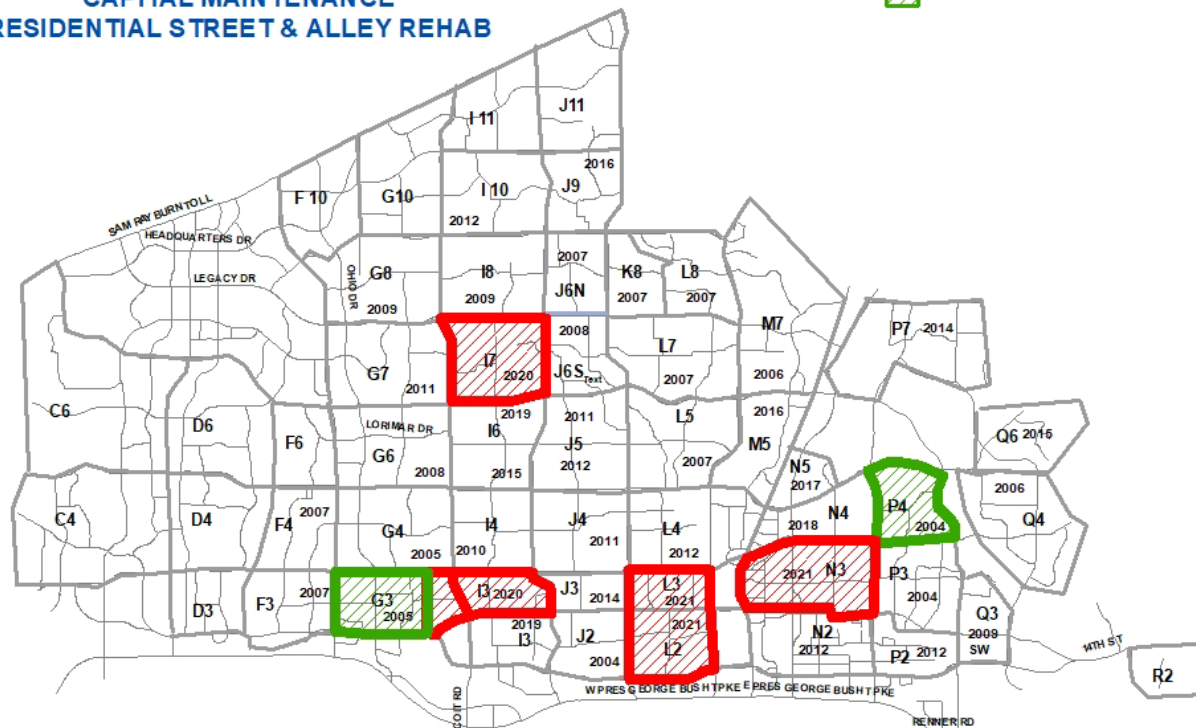
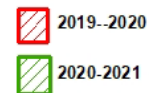
 2020-2021 Projects

 2019-2020 Projects

JUPITER ROAD - 14th Street to Chaparral Road
(Ultra-thin overlay - Park Boulevard to Chaparral Road)
PARKER ROAD - Avenue K to Custer Road
PARKER ROAD - Independence Parkway to Preston Road
(Ultra-thin overlay)
WINDHAVEN PARKWAY - Dallas North Tollway west to city limits
(Ultra-thin overlay)
PLANO PARKWAY - Dallas North Tollway to Preston Road
COIT ROAD - Spring Creek Parkway to SH 121
(Ultra-thin overlay)



**CITY OF PLANO PUBLIC WORKS
CAPITAL MAINTENANCE
RESIDENTIAL STREET & ALLEY REHAB**



CIP

Public Works – Water / Wastewater

Water Meter Replacement	\$6,000,000
Inflow - Infiltration Repairs	2,500,000
Manhole Sealing	1,200,000
Wastewater System CCTV Inspections	1,000,000
Water System Inspections	1,000,000
Video Surveillance	574,000
Pump Station Rehab	\$500,000



CIP

Public Works – Water / Wastewater

Water Quality	400,000
Distribution System Improvements (W)	300,000
Wastewater System Improvements	300,000
WW Lift Station Improvements	150,000
Wastewater Model	50,000
Rowlett Creek Investigation	21,036
Total	\$13,995,036



Questions



August 3, 2020

Honorable Mayor and City Council
City of Plano
P.O. Box 860358
Plano TX, 75086-0358

RE: Review of Community Investment Program for Consistency with the Comprehensive Plan

Dear Mayor LaRosiliere and Council Members:

At its August 3, 2020, meeting, the Planning & Zoning Commission reviewed the proposed Community Investment Program (CIP) items for the 2020-21 budget year. The Commission found the CIP consistent with the Comprehensive Plan's vision, policies, and actions. This program advances the vision of the City's Comprehensive Plan to be *a global leader, excelling in exceptional education, abounding with world class businesses and vibrant neighborhoods* and supports all five pillars of the Plan through a variety of public infrastructure and facility improvement projects.

The Commission appreciates the opportunity to review the CIP and present our comments.

Sincerely,



John Muns
Chair
Planning & Zoning Commission

xc: Planning & Zoning Commission Members
Jack Carr, P.E., Deputy City Manager
Christina Day, AICP, Director of Planning
Gerald Cosgrove, P.E., Director of Public Works
Caleb Thornhill, P.E., Director of Engineering
Ron Smith, PhD, CPRP, CPRM, Director of Parks & Recreation