

DATE: January 5, 2016
TO: Honorable Mayor & City Council
FROM: John Muns, Chair, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of January 4, 2016

AGENDA ITEM NO. 1
PUBLIC HEARING: ZONING CASE 2015-26
APPLICANT: CITY OF PLANO

Request to rezone 0.2± acre located on the north side of 12th Street, 181± feet east of Municipal Avenue **from** Light Industrial-1 **to** Single-Family Residence-6. Zoned Light Industrial-1.

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

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 3 **OPPOSE:** 2

LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA: **SUPPORT** 0 **OPPOSE** 0

PETITION(s) RECEIVED: 0 **# OF SIGNATURES:** 0

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: January 25, 2016 (To view the agenda for this meeting, see www.plano.gov)

PUBLIC HEARING - ORDINANCE

RA/dr.

xc: City of Plano
Wayne Snell, Permit Services Manager

<https://goo.gl/maps/7q3S99Tm5Tv>

CITY OF PLANO
PLANNING & ZONING COMMISSION

January 4, 2016

Agenda Item No. 1

Public Hearing: Zoning Case 2015-26

Applicant: City of Plano

DESCRIPTION:

Request to rezone 0.2± acre located on the north side of 12th Street, 181± feet east of Municipal Avenue **from** Light Industrial-1 **to** Single-Family Residence-6. Zoned Light Industrial-1.

REMARKS:

On November 16, 2015, the Planning & Zoning Commission called a public hearing to consider rezoning the subject property from Light-Industrial-1 (LI-1) to Single-Family Residence-6 (SF-6) as part of their recommendation for approval of a similar, adjacent zoning request, Zoning Case 2015-25. The property is currently being used as a single-family residence, and the property owner has provided a response form supporting the zoning request. The LI-1 district is intended to provide areas for light manufacturing firms engaged in processing, assembling, warehousing, research and development, and incidental services that are developed in accordance with the same performance standards applicable to all other zoning districts.

The requested zoning is SF-6. The SF-6 district is intended to provide for small-lot urban, single-family development protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living. The property was initially zoned as Single-Family Residence-3 (SF-3) and developed as a single-family residence. The property was rezoned to LI-1 between 1971 and 1974; however, the property has always been occupied as a residence.

The applicant is requesting to rezone the property so that the zoning on the subject property conforms to the existing long-term single-family residence use consistent with the neighboring properties on 12th Street.

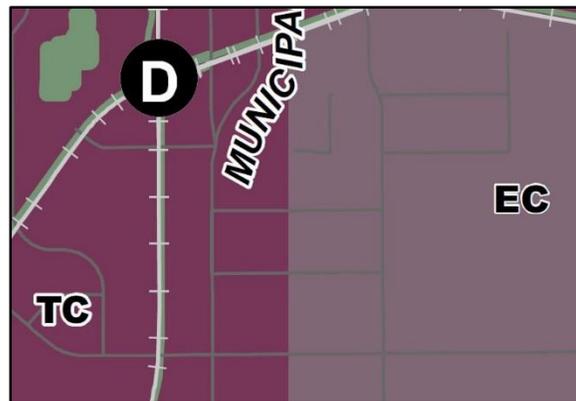
Surrounding Land Use and Zoning

The area of the request is currently developed and occupied as a single-family residence. The subject property is a part of an established residential neighborhood, with properties

to the east, south and west developed as single-family residences, zoned SF-6. To the northwest is an existing service contractor operating out of a former single-family residence, zoned LI-1. The property to the north is an automobile storage yard zoned LI-1.

Conformance to the Plano Tomorrow Comprehensive Plan

Future Land Use Map - The Future Land Use Map designates this property as Transit Corridor (TC). The Transit Corridor future land use category applies to the Downtown Plano core and the adjoining rail corridor linking the Dallas Area Rapid Transit (DART) red/orange line and the future Cotton Belt line. It is the intention to continue the transformation of the Downtown Plano core into a distinct and authentic urban center and expand the vision for transit-oriented development within the entire corridor. Land uses which are supported within the Transit Corridor category include housing, retail, cultural facilities, hotels, and government offices.



Residential zoning requests should be carefully examined to ensure that they are supported with established transit options. Although transit has not been established within walking distance, this request makes the zoning consistent with the existing land use, and it is within an established residential neighborhood. Furthermore, staff does not anticipate any adverse impacts on the subject property should the 12th Street station not be constructed. For these reasons, staff believes this request is in conformance with the Transit Corridor future land use category.

Growth and Change Map - The purpose of the Growth and Change Map is to describe the level of change that is expected to occur on sites around the city and provide general direction for new development and redevelopment projects. The Growth and Change Map designates the subject property as Evolve Urban (EU). Evolve Urban is classified as existing areas that are expected to experience extensive large-scale change through major redevelopment projects that evolve into distinct walkable districts. The Evolve Urban classification is intended to encourage large-scale redevelopment projects. Although this request is inconsistent with this classification, staff does not believe that rezoning the subject property will inhibit future development opportunities for reinvestment and enhancement of the general area.



Neighborhood Conservation Policy - The Plano Tomorrow Neighborhood Conservation policy states: "Plano will conserve and enhance established residential neighborhoods through city programs, initiatives, and regulations that support neighborhood identity and ensure safe, walkable communities; and preserve the suburban form that contributes to

the overall character and livability of the neighborhoods.” This request is in conformance with this policy because the existing zoning conflicts with the residential use. Changing the zoning is consistent with the policy recommendations for this established neighborhood.

Adequacy of Public Facilities - Water and sanitary sewer services are currently in place to serve residential uses on the subject property.

School Capacity - The subject property has always been used as a single-family residence. Therefore, there will be no impact to the Plano Independent School District.

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 and Services - The property is located within the Harrington Library service area which has sufficient capacity to serve the residence. In addition, the Douglas Community Center and Haggard Park are both located less than a mile from the zoning request.

Downtown Plano Vision and Strategy Update

This request is within the study area of the Downtown Plano Vision and Strategy Update, which contains downtown’s historic commercial core and locations with the greatest potential for redevelopment along the two and a half mile DART corridor. The subject property is located within a “Neighborhood Preservation Area” and continuing effort is needed to preserve, protect, and enhance the neighborhood. This request is in conformance with the neighborhood preservation efforts within the Downtown Plano Vision and Strategy Update.

Residential Use

The property to the north is zoned LI-1, while properties to the east, south and west are zoned SF-6. Although LI-1 zoning is not appropriate in close proximity to residential uses, the residential neighborhood was established prior to the LI-1 zoning designation for the adjacent property. Staff believes rezoning the residence is appropriate since the property is part of an existing residential neighborhood, is currently used as a single-family residence, and the zoning will be a continuation of the adjacent SF-6 zoning. Furthermore, this property only has access and frontage on a residential street. For these reasons, staff believes residential zoning is appropriate for the subject property.

SUMMARY:

This is a request to rezone 0.2± acre located on the north side of 12th Street, 181± feet east of Municipal Avenue from Light Industrial-1 to Single-Family Residence-6. The proposed zoning request is in conformance with the Future Land Use Map, the Neighborhood Conservation Policy, and the Downtown Plano Vision and Strategy Update. Although the request is not in conformance with the Growth and Change Map, rezoning the property would not be detrimental to future potential redevelopment opportunities for the general area. Furthermore, the subject property is currently being

used as a residence and is a part of an established residential neighborhood. For these reasons, staff supports the zoning request.

RECOMMENDATION:

Recommended for approval as submitted.

12TH PLACE

MUNICIPAL /AND L AVENUE

MUNICIPAL AVENUE

L AVENUE

12TH STREET

11TH STREET

Area of Request



Source: City of Plano, Planning Dept.
Date : 1/5/2016

Zoning Case 2015-26

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Zoning Case 2015-26

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 0.2± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the north side of 12th Street, 181± feet east of Municipal Avenue in the City of Plano, Collin County, Texas, from Light Industrial-1 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 25th day of January, 2016, for the purpose of considering rezoning 0.2± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the north side of 12th Street, 181± feet east of Municipal Avenue in the City of Plano, Collin County, Texas, from Light Industrial-1 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 25th day of January, 2016; 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 0.2± acre of land out of the Sanford Beck Survey, Abstract No. 73, located on the north side of 12th Street, 181± feet east of Municipal Avenue in the City of Plano, Collin County, Texas, from Light-Industrial-1 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 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 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 25TH DAY OF JANUARY, 2016.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2015-26

SITUATED in the State of Texas, County of Collin, City of Plano, being in the Sanford Beck Survey, Abstract No. 73, and being a part of a 59.34 acre tract conveyed to J.O. Reed by LaRoy Kidd, et ux, by deed recorded in Volume 364, Page 30, of the Collin County, Texas, Deed Records, and being more particularly described as follows:

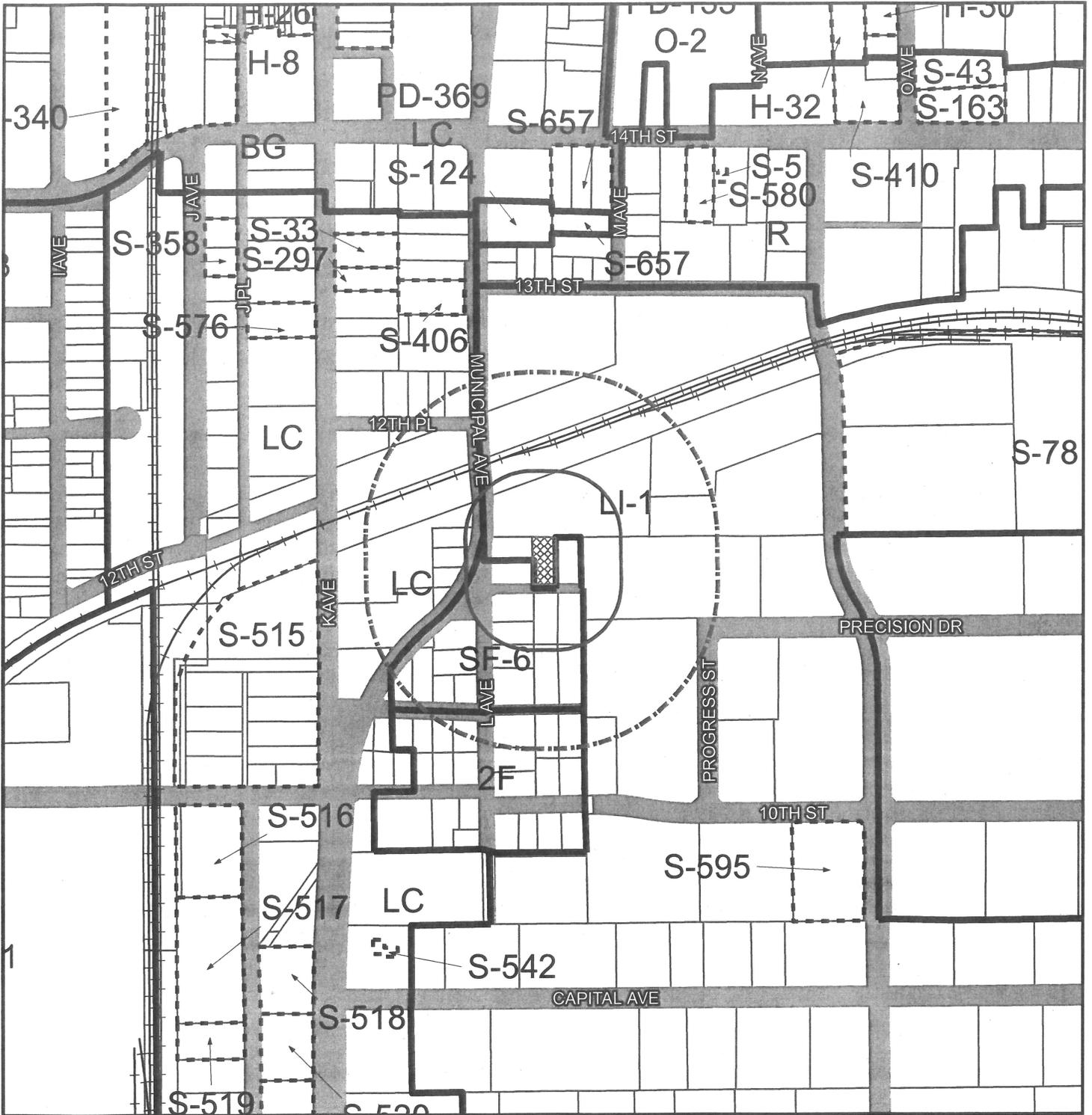
BEGINNING at a 3/4-inch iron pipe found in the north line of 12th Street, said point being South 89°42'00" East, a distance of 130.49 feet from the intersection of the north line of 12th Street with the east line of Avenue L;

THENCE, North 00°25'00" West, a distance of 136.00 feet to an iron rod set for corner;

THENCE, South 89°47'50" East, a distance of 70.00 feet to an iron rod set for corner;

THENCE, South 00°25'00" East, a distance of 136.12 feet to an iron rod set for corner in the north line of said 12th Street;

THENCE, with the north line of said 12th Street, North 89°42'00" West, a distance of 70.00 feet to the PLACE OF BEGINNING and CONTAINING 9,523 square feet or 0.219 acres of land.

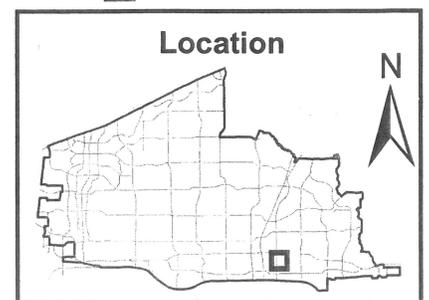


Zoning Case #: 2015-26

Existing Zoning: Light Industrial-1 (LI-1)

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

- 500' Notification Buffer
- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- Specific Use Permit
- City Limits
- Right-of-Way



Source: City of Plano Planning Department