



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		January 26, 2015		
Department:		Planning		
Department Head		Christina Day		
Agenda Coordinator (include phone #): Tammy Stuckey, ext 7156				
CAPTION				
Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2014-32 - Request to rezone 11.5± acres located on the north side of Mapleshade Lane, 1,425± feet west of Coit Road from Corridor Commercial to Planned Development-Corridor Commercial. Zoned Corridor Commercial/190 Tollway/Plano Parkway Overlay District. Applicant: Coit 190 L.P. and Harkins Plano L.P.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2014-15	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): N/A				
COMMENTS: This item has no fiscal impact.				
STRATEGIC PLAN GOAL: Holding a Public Hearing for a request for rezoning relates to the City's Goal of Great Neighborhoods – 1 st Choice to Live.				
SUMMARY OF ITEM				
At its October 20, 2014 meeting, the Planning & Zoning Commission denied this request by a vote of 7-0. The applicant has appealed the Commission's denial. This item was tabled at the December 8, 2014 City Council meeting.				
List of Supporting Documents: Letter of Appeal from Applicant Second Vice Chair Report P&Z Follow-up Memo Staff Report Locator Map Aerial Map Zoning Exhibit Concept Plan			Other Departments, Boards, Commissions or Agencies Planning & Zoning Commission	

Taylor Land Investment Company

November 6, 2014

RECEIVED

NOV - 7 2014

PLANNING DEPT.

Ms. Christina Day
Director of Planning
City of Plano
1520 Avenue K, Suite 250
Plano, Texas 75074

Re: Daltex Mapleshade Addition, Block 1, Lot 1
Zoning Case No. 2014-32, Plano, Texas
City Council Appeal Request

Dear Ms. Day:

As you are aware, on October 20, 2014, the Planning and Zoning Commission denied our zoning and concept plan request for Daltex Mapleshade Addition, Block 1, Lot 1.

Therefore, on behalf of Taylor Land Investment Company and Daltex Mapleshade, Inc., we respectfully request our zoning case (Case No. 2014-32) be appealed to the City Council of Plano at the earliest possible date.

We appreciate your willingness to help us with this request. If you have any questions, please contact me at your convenience.

Sincerely,


Jeff Lindsey

Recommendation of the Planning & Zoning Commission

Zoning Case 2014-32

October 20, 2014

Second Vice Chairman's Report

Zoning Case 2014-32, Agenda Items No. 7A, and 7B – Public Hearing. Items heard together, but voted separately. Seven of eight Commissioners were present. Commissioner Pittman was absent.

Applicant: Coit 190, L.P. and Harkins Plano, L.P.

Zoning Case 2014-32 Agenda Item No. 7A– Request to rezone 11.5 acres located on the north side of Mapleshade, 1,425+/- feet west of Coit Road From Corridor Commercial (CC) to Planned Development-Corridor Commercial (PD-CC). Zoned Corridor Commercial/190 Plano Parkway Overlay District.

Staff Recommendation: The Staff recommended denial of the zoning change for the following reasons:

1. The request is not in conformance with the Future Land Use Plan which recommends this property be developed as Corridor Commercial (CC), intended to provide for retail, service, office and limited manufacturing uses within major regional transportation corridors. This PD-CC development proposal provides for no other use than residential.
2. This request is not consistent with the Future Land Use Plan regarding the 1,200-foot residential setback from expressways.
3. The request is not in conformance with the 2012 Interim Amendments to the Land Use Element of the Comprehensive Plan related to isolated residential development.
4. The subject property is not proposed to be integrated with the recent mixed-use (UMU) development to the north as required by the Economic Development Element.

Commission Action:

Comments made in Support of the issue 7A included:

- There were no speakers, other than the applicant, in support of this issue.
- Property is located within the Haggard library service areas.
- Water and sanitary sewer services are available to serve the property.
- PISD has confirmed that there is available capacity at all four of the schools serving this area.
- Public safety response times are sufficient to serve this site.

Comments made in Denial of issue 7A included:

- While the roadway on the north side of the proposed development is not integrated with the UMU development to the north, the developer indicated willingness to do so should the requirement arise, and subsequent plan indicates access streets to the commercial section of the UMU development.

- The proposed solitary residential use is within the 650 feet of the centerline of State Highway 190.
- The closest existing residential uses in the area are on the east side of Coit Road, 1,500 +/- feet from the subject property.
- One speaker indicated that the project is not in conformance with the Future Land Use Plan which designates the property as Major Corridor Development (MCD), and “that there are too many apartments already.”
- The subject property is not within a Park Fee service area. There are no existing neighborhood parks or linear parks to serve this area, and no proposed parks have been identified by the Park Master Plan.

A motion was made to for the denial of the Zoning Case 2014-32, Issue 7A, according to staff recommendation. (Denial was approved unanimously by the Commission.)

Zoning Case 2014-32 Agenda Item No. 7B – Concept Plan for 464 multifamily residential units on one 10.1 +/- acres located on the north side of Mapleshade, 1,425 +/- feet west of Coit Road. Zoned Corridor Commercial/190 Tollway/Plano Parkway Overlay District, neighborhood #71.

Staff Recommendation: The Staff recommended denial of the Concept Plan for the following reasons:

This application is contingent upon approval of Zoning Case 2014-32 (Agenda Item No 7A).

A motion was made for the denial of the Case 2014-32 Agenda Item No. 7B – Concept Plan, based on the denial of the zoning case. (Denial was approved unanimously by the Commission.)

Respectfully Submitted,



William Hilburn

Second Vice-Chair

Planning & Zoning Commission

DATE: October 21, 2014
TO: Applicants with Items before the Planning & Zoning Commission
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of October 20, 2014

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2014-32
APPLICANT: COIT 190, L.P. AND HARKINS PLANO, L.P.**

Request to rezone 11.5± acres located on the north side of Mapleshade Lane, 1,425± feet west of Coit Road **from** Corridor Commercial **to** Planned Development-Corridor Commercial. Zoned Corridor Commercial/190 Tollway/Plano Parkway Overlay District.

APPROVED: _____ **DENIED:** 7-0 **TABLED:** _____

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

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

PETITION(s) RECEIVED: N/A **# OF SIGNATURES:** N/A

STIPULATIONS:

Recommended for denial.

RA/dc

xc: Frederick Peter Jones, Daltex Mapleshade
Jeff Lindley, Westwood Residential

<http://goo.gl/maps/sXbjq>

CITY OF PLANO
PLANNING & ZONING COMMISSION

October 20, 2014

Agenda Item No. 7A

Public Hearing: Zoning Case 2014-32

Applicant: Coit 190, L.P. and Harkins Plano, L.P.

DESCRIPTION:

Request to rezone 11.5± acres located on the north side of Mapleshade Lane, 1,425± feet west of Coit Road **from** Corridor Commercial **to** Planned Development-Corridor Commercial. Zoned Corridor Commercial/190 Tollway/Plano Parkway Overlay District.

REMARKS:

The purpose for this request is to rezone 11.5± acres located on the north side of Mapleshade Lane, 1,425± feet west of Coit Road from Corridor Commercial (CC) to Planned Development-Corridor Commercial (PD-CC). The CC district is intended to provide for retail, service, office, and limited manufacturing uses within major regional transportation corridors. The regulations and standards of this district are reflective of the high traffic volumes and high visibility of these regional highways.

The requested zoning is PD-CC to allow for multifamily residential use with modified building setbacks and development standards. A planned development (PD) district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls to both off- and onsite conditions.

A concept plan, Daltex-Mapleshade Addition, Block 1, Lot 1, accompanies this request as Agenda Item No. 7B.

Surrounding Land Use and Zoning

The area of the request is currently undeveloped. To the east, the property is zoned CC and is developed as a retail superstore (Walmart). The properties to the south, across Mapleshade Lane, are zoned CC and consist of vacant tracts, general office, and medical office uses. To the west, the property is zoned CC and is developed as a hospital. The property to the north is zoned CC and is part of the Zoning Case 2014-25 request to rezone to Urban Mixed-Use (UMU) zoning district.

Proposed Planned Development Stipulations

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

Land Use - The applicant is proposing to retain CC as the base zoning district with the additional use of multifamily.

Design Standards - The language in the proposed PD district would allow this site to be developed as multifamily residential with modified development standards or as nonresidential uses built to comply with the existing CC zoning district's area, yard, and bulk requirements. The applicant is also proposing language intended to mitigate the impact of the existing service area of the superstore use to the east.

This request is for a PD-CC zoning district with the stipulations provided below.

Restrictions:

The permitted uses and standards shall be in accordance with the Corridor Commercial (CC) zoning district unless otherwise specified herein.

Multifamily residential is an additional permitted use subject to the following standards:

1. Maximum Floor to Area Ratio: 2:1
2. Minimum Density: 40 dwelling units per acre
3. Minimum Front Yard Setback: 30 feet
4. Minimum Floor Area Per Dwelling Unit: 500 square feet
5. Required Parking:
 - a. One bedroom or less: One and one half spaces
 - b. Two bedrooms or more: Two spaces
6. Multifamily development shall be exempt from the supplemental regulations of Subsection 3.104 (Multifamily Residence) and Subsection 3.117 (Usable Open Space).
7. Units shall not face the eastern property line.
8. An irrigated living screen shall be installed along the eastern property line at a minimum of eight feet in height at installation. Plants must be placed so as to create a solid screen within two years of installation.
9. A 10-foot landscape edge shall be required along the entire eastern property line.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. However, residential development may be appropriate along expressway corridors in accordance with the interim amendment policy recommendations of the Comprehensive Plan that were adopted in April 2012. The policies that apply to this request include:

1. Residential should be set back a minimum of 1,200 feet from the centerline of State Highway 190.

This request is not consistent with the Future Land Use Plan and it is not in conformance with the 1,200-foot residential setback from expressways. The proposed PD retains flexibility for the applicant to still potentially develop nonresidential uses.

2. Isolated residential development should not be permitted; residential rezoning requests need to establish a complete neighborhood or expand an existing neighborhood or an urban mixed-use center. Mid-rise multifamily development (5 to 12 stories) and special needs housing (i.e., senior housing) could be an exception if the surrounding land uses are compatible.

The zoning request does not expand into any existing residential neighborhoods; however, an Urban Mixed-Use (UMU) zoning request is proposed north of the subject property which includes 1,215 multifamily residential units. The subject property is not integrated into the proposed UMU district, and it is separated by nonresidential uses from the proposed residential core. Although the proposed UMU development plan allows for a shared street between properties, the applicant has decided not to integrate the street into their design further isolating the subject property.

3. New multifamily zoning should require a minimum density of 40 dwelling units per acre on the project site. Phased development should have a minimum average density of 40 dwelling units per acre. However, no phase having less than 40 units per acre may be constructed, unless preceded by or concurrently built with a phase which maintains the minimum 40 dwelling units for the overall project. Additionally, mid-rise multifamily development and neighborhood mixed-use zoning districts could be exceptions to this minimum density requirement.

The zoning request includes a minimum residential density of 40 units per acre.

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

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

School Capacity - This area is served by Jackson Elementary School, Frankford Middle School, Shepton High School, and Plano West Senior High School. Based upon the current projections and feeder alignments Plano Independent School District (PISD) has determined that all four schools have capacity to serve the development.

Public Safety Response Time - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site. Additional 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 subject property is not within a Park Fee service area. There are no existing neighborhood parks or linear parks to serve this area and the Park Master Plan does not identify any proposed parks to be located within this area of the city. Private open space will serve the residents of this area.

The subject property is located within the Haggard Library's service area, and service to the residents of this new area would be possible with the current library resources.

ISSUES:

Economic Development Element and Land Use Element

The Economic Development Element and the Land Use Element policies of the Comprehensive Plan discourage rezoning properties for residential uses in prime economic development areas of the city. The intent of both policies is to ensure land that is located along the expressway corridors and in the major employment centers is developed in accordance with the Future Land Use Plan recommendations and supporting zoning districts, and to take advantage of future nonresidential development opportunities which would increase the tax base and provide employment opportunities for Plano residents.

Residential uses may be appropriate in some portions of the general area, but the city's policies state that they should be integrated into a mixed-use urban center or located in an alternative neighborhood setting such as a transit-oriented development. This site has good visibility from State Highway 190 and frontage on Mapleshade Lane. Properties to the west and south have recently developed with hospital and medical office uses. Staff believes this property should be reserved for economic development uses.

Residential Use in a Major Corridor

The Comprehensive Plan recommends prohibiting residential development within 1,200 feet of major expressways. Similarly, the Infill Housing Policy Statement states that residential development within expressway corridors should be avoided except for mixed-use pedestrian-oriented developments. The setback allows for commercial development to serve as a buffer for residential uses located beyond the 1,200 foot

distance. The proposed multifamily residential is only 650± feet from the centerline of State Highway 190 and is separated from the expressway by vacant land and a two-story general office building and one-story hospital building. Staff is concerned that the minimal existing commercial development may not provide an effective buffer for future residents.

Isolated Residential Development

The subject property is adjacent to the service area of an existing superstore to the east, a hospital development to the west, and vacant, nonresidential zoned property to the north. The property is not integrated into the requested UMU zoning to the north, and it is separated from the residential core of the district by proposed nonresidential uses. The closest existing residential uses in the area are on the east side of Coit Road, 1,500± feet from the subject property. Staff is concerned that the adjacent nonresidential uses and zoning will create an isolated environment for residents. Furthermore, the intensity of the service area to the east is not compatible with residential living.

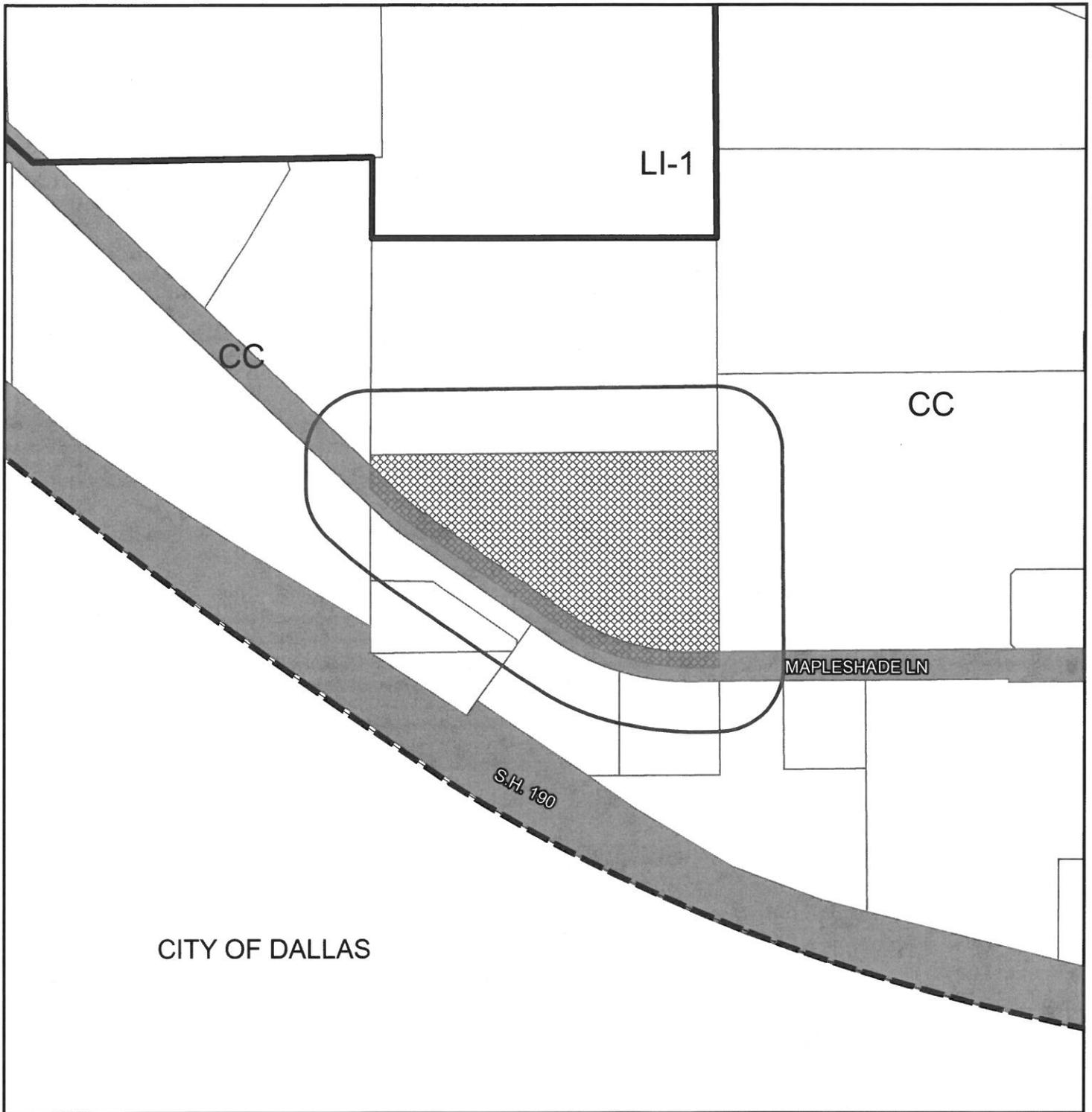
SUMMARY:

The applicant is requesting to rezone 11.5± acres located on the north side of Mapleshade Lane, 1,425± feet west of Coit Road from CC to PD-CC to allow for multifamily residential with modified development standards. The request is not in conformance with the Future Land Use Plan and violates the adopted interim amendments to the Land Use Element of the Comprehensive Plan for residential use in a major corridor and isolated residential development. The subject property is also not proposed to be integrated into a mixed-use development or an alternative neighborhood setting as required by the Economic Development Element. For these reasons, staff believes that rezoning the property for residential would not further the city's goals as established in the Comprehensive Plan.

The subject property has visibility from State Highway 190 and access to Mapleshade Lane which will encourage potential economic development and employment opportunities as envisioned in the Future Land Use Plan. Also, the current CC zoning provides numerous commercial uses that are more suitable at this location than the multifamily residential being proposed. Therefore, staff recommends denial of the zoning request.

RECOMMENDATION:

Recommended for denial.



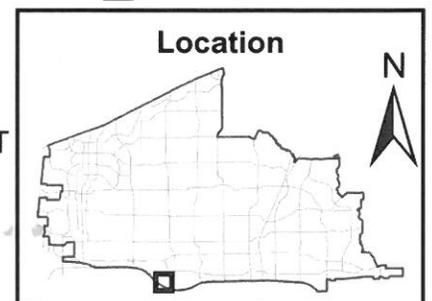
CITY OF DALLAS



Zoning Case #: 2014-32

Existing Zoning: CORRIDOR COMMERCIAL/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

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



* Source: City of Plano Planning Department



Area of Request

MAPLESHADE LANE

PRES GEORGE BUSH TURNPIKE

PRES GEORGE BUSH HIGHWAY

PLANO PARKWAY

COIT ROAD

OAD

ABERDON DRIVE

WOR

BENCHMARK DRIVE



Source: City of Plano, Planning Dept.
Date: November, 2014

Zoning Case 2014-32

