

DATE: January 21, 2015
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of January 20, 2015

**AGENDA ITEM NO. 12 - PUBLIC HEARING
ZONING CASE 2014-51
APPLICANT: CITY OF PLANO**

Request to amend the boundaries of the Haggard Park Heritage District (H-20) by removing the 0.8± acre located north of Wolcott Lane and the alley extending to the southwest. The base zonings [Urban Residential (UR), Retail (R), Corridor Commercial (CC), Downtown Business/Government (BG) and Planned Development District 179-Downtown Business Government (PD-179-BG)] and specific use permits (SUPs) will remain unchanged.

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

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 7 **OPPOSE:** 4

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

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

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: February 9, 2015 (To view the agenda for this meeting, see www.planotx.gov)

PUBLIC HEARING - ORDINANCE

BM/ks

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

CITY OF PLANO
PLANNING & ZONING COMMISSION

January 20, 2015

Agenda Item No. 12

Public Hearing: Zoning Case 2014-51

Applicant: City of Plano

DESCRIPTION:

Request to amend the boundaries of the Haggard Park Heritage District (H-20) by removing the 0.8± acre located north of Wolcott Lane and the alley extending to the southwest. The base zonings [Urban Residential (UR), Retail (R), Corridor Commercial (CC), Downtown Business/Government (BG) and Planned Development District 179-Downtown Business Government (PD-179-BG)] and specific use permits (SUPs) will remain unchanged.

REMARKS:

In January 2000, the Plano City Council adopted Ordinance No. 2000-1-6 designating the Haggard Park Heritage District as the first heritage resource district in Plano. A map showing the current HPHD boundary was adopted with the ordinance (see Attachment 1). The ordinance also identified the need to periodically update this map to reflect any future change in status of the district.

Background:

The subject properties proposed to be removed from the Haggard Park Heritage District (H-20) are located within the Lexington Park #2 Subdivision, north of Wolcott Lane and the alley extending to the southwest of the development. This area contains ten (10) vacant lots and has been part of the Haggard Park Heritage District (HPHD) since inception.

Request:

The Heritage Commission recently reviewed and approved 10 new construction projects in the subject area. During the review process, the Commission determined that the HPHD boundary may need to be amended to reflect the changed conditions of the Haggard Park district and requested the Planning & Zoning (P&Z) Commission call a public hearing to discuss modifications to the HPHD boundaries. On December 1, 2014, the P&Z Commission called a public hearing to consider potential amendments to the HPHD boundaries.

At the time of the Heritage District designation, the subject site was part of a larger subdivision composed of two large lots. This subdivision extended from 16th Street to 18th Street, with the eastern parcel line adjacent to G Avenue. The north parcel line of Lot 1, which was the southernmost lot, determined the boundary line for the HPHD west of G Avenue.

In 2005, Planned Development-179-Downtown Business/Government (PD-179-BG) was approved to allow single-family attached dwellings for the entire site. In 2012, a final plat was approved for the southern portion of the site (Lexington Park #1) for 14 single family attached dwellings that is accessible from the 16th Street right-of-way, the remainder of this site being Lexington Park #2. These townhomes were reviewed by the Heritage Commission and have been constructed. The single family attached plat included most of the original Lot 1; however, the subject area proposed for removal from the HPHD was not included in the currently constructed townhome development.

In 2014, an approved re-zoning for PD-179-BG included this remnant from the original Lot 1 into a single-family detached subdivision composed of sixty-one (61) lots (Lexington Park #2/Rice Field Addition). Therefore, the HPHD boundary currently bisects the Rice Field Addition subdivision's southwest quadrant. Out of these 61 lots, only 10 lots, which are not visible from either the 16th Street or G Avenue rights-of-way, are included in the HPHD boundaries.

Staff believes that the removal of the subject property (north of Wolcott Lane and the alley extending to the southwest) from the current HPHD limits would be appropriate for the following reasons:

1. The development pattern of the subject site has changed since the original HPHD boundaries were created.
2. The new development pattern isolated the 10 lots from the existing historic context of the district. There are no existing historic buildings located within close proximity to these lots;
3. The removal of this portion of the district would not have an adverse impact on the character of the site nor the HPHD.

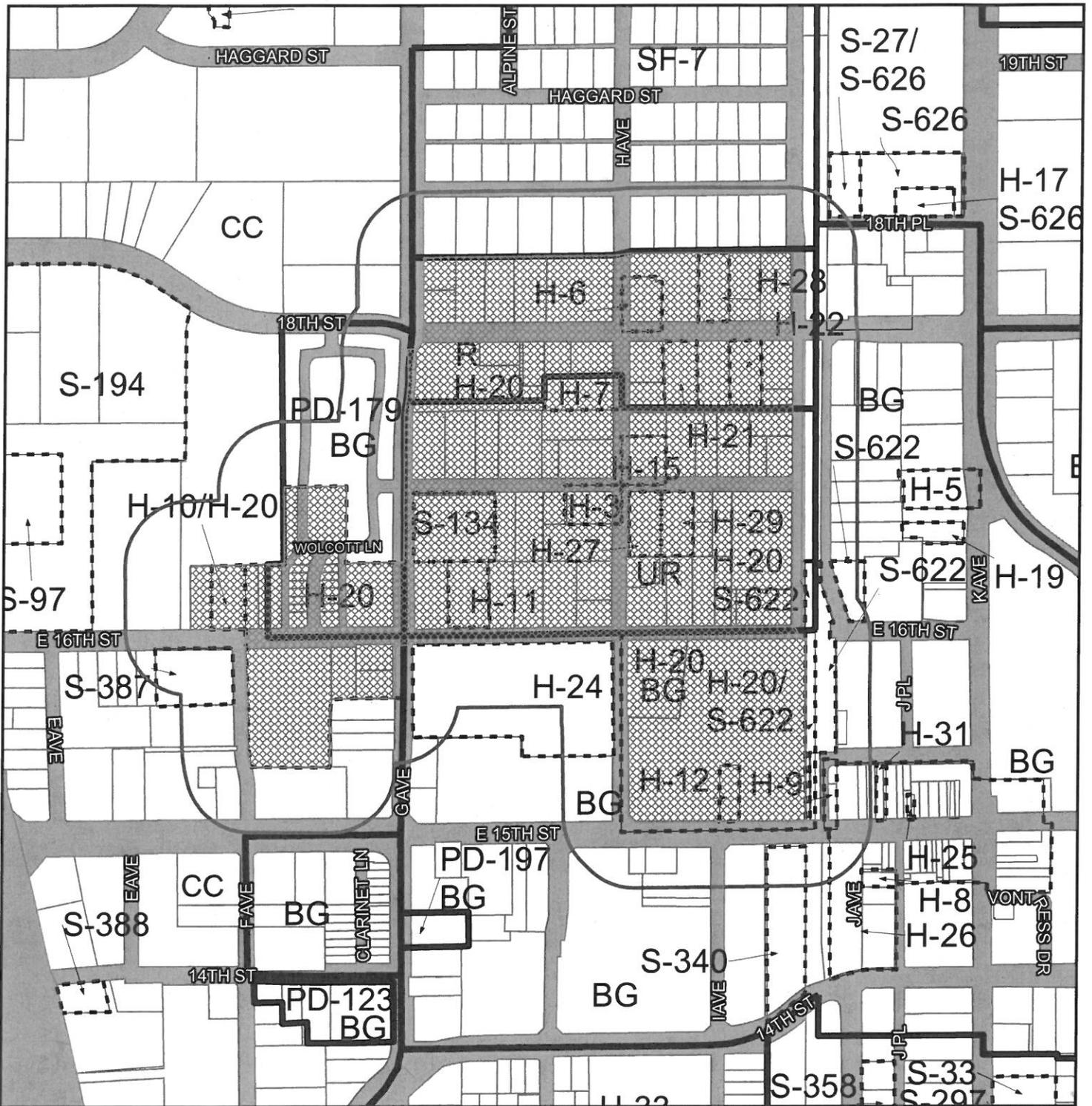
Please note that the subject area is currently eligible for the Heritage Tax Exemption program. If a heritage district boundary modification is approved, any structures built on properties outside of the district boundary will no longer be eligible to participate in the Heritage Tax Exemption program unless the property is Individually Designated.

HERITAGE COMMISSION ACTION:

At its December 18, 2014 meeting, the Heritage Commission unanimously recommended to modify the existing HPHD (H-20) boundary by removing the 0.8± acre located north Wolcott Lane and the alley extending to the southwest. The Commission stated that the proposed amendment is appropriate and reflects the current needs of the Haggard Park neighborhood. Further, the Commission noted that it would be inappropriate to have only 10 out of the 61 Lexington Park #2 lots as part of the HPHD.

RECOMMENDATION:

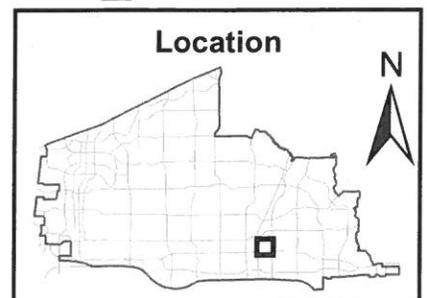
The Heritage Commission recommends approval of the proposed Haggard Park Heritage Resource District (H-20) boundary amendment by removing the 0.8± acre located north Wolcott Lane and the alley extending to the southwest.



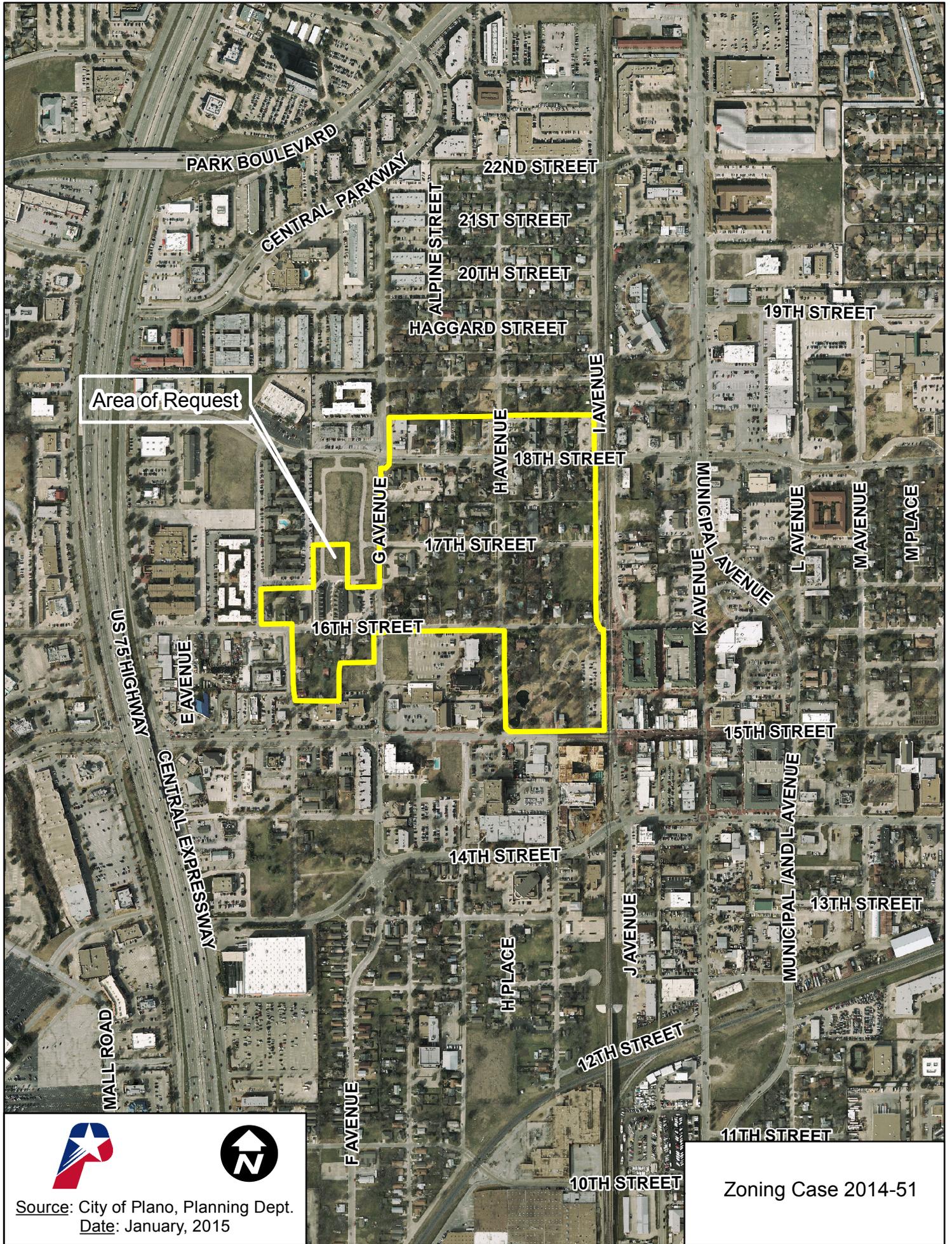
Zoning Case #: 2014-51

Existing Zoning: RETAIL, PLANNED DEVELOPMENT-179-
 DOWNTOWN BUSINESS/GOVERNMENT,
 URBAN RESIDENTIAL, DOWNTOWN
 BUSINESS/GOVERNMENT, &
 CORRIDOR COMMERCIAL
 w/SPECIFIC USE PERMITS #134 & #622 &
 H-3, H-6 & 7, H-10-12, H-15, H-21 & 22, & H-27-29/
 HAGGARD PARK HERITAGE RESOURCE DISTRICT

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



Source: City of Plano Planning Department



Source: City of Plano, Planning Dept.
 Date: January, 2015

Zoning Case 2014-51

Attachment 2

HAGGARD ST

19TH ST

18TH ST

17TH ST

E 16TH ST

E 15TH ST

14TH ST

WOOSTER LN

WOFFORD LN

MILLSAP LN

WOLCOTT LN

GAVE

HAVE

I AVE

J AVE

I AVE

FAVE

FAVE

CLARNET LN

HAVE

I AVE

J AVE

AREA TO BE REMOVED
FROM HAGGARD PARK
HERITAGE DISTRICT (H-20)



Zoning Case 2014-51

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, to remove 0.8± acre of the Lexington Park #2 located north of Wolcott Lane and the alley extending to the southwest, from the Haggard Park Heritage Resource District (H-20); thereby retaining only the Planned Development District 179-Downtown Business Government zoning; directing a change accordingly in the official zoning map of the city; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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 9th day of February, 2015, 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 9th day of February, 2015; 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. The Comprehensive Zoning Ordinance No 2006-4-24, as the same has been heretofore amended, is hereby further amended to remove 0.8± acre of the Lexington Park #2 located north of Wolcott Lane and the alley extending to the southwest, from the Haggard Park Heritage Resource District (H-20) and provide for a new Haggard Park Heritage Resource District (H-20) boundary, including all parcels within a boundary beginning at the corner of 18th Street and G Avenue, extending east along 18th Street to the Dallas Area Rapid Transit (DART) right-of-way, formerly the Southern Pacific Railroad, thence south to 15th Street, thence west to H Avenue,

thence north to 16th Street, thence west along 16th Street to G Avenue and thence north along G Avenue back to 18th Street, and also including the following parcels:

Plano Original Donation (CPL), Block 26, Lot 9 & Joe Forman, 17C

Joe Forman Addition, Lot 9

Joe Forman Addition, Lot 17A

Joe Forman Addition, Lot 17B

Davis Place Office Park (CPL), Block A, Lot 2

Joe Forman Addition, Lot 8B

Joe Forman Addition, Lot 8A

Joe Forman Addition, Lot 1B & 8C

Davis Place Office Park (CPL), Block A, Lot 1

H & C (CPL), Block A, Lot 1

H & C (CPL), Block A, Lot 2

Plano Original Donation (CPL), Block 26, Lot 9R, ROW

Lexington Park #1, Block 3, Lot 1, 2, 3, 4, 5, 6, 7, and 8

Lexington Park #1, Block 4, Lot 1, 2, 3, 4, 5, 6, 7, and 8

Bridgemans Office, Block 1, Lot 1

Plano Original Donation, Block 24, Lot 1A

Plano Original Donation, Block 24, Lot 2A

Plano Original Donation, Block 23, Lot 3

Plano Original Donation, Block 23, Lot 2

Plano Original Donation, Block 23, Lot 1, 1A, 1B, 1C, and 1D

Plano Original Donation, Block 23, Lot 4

Section II. 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 III. 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 IV. 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 V. 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 VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 9TH DAY OF FEBRUARY, 2015.

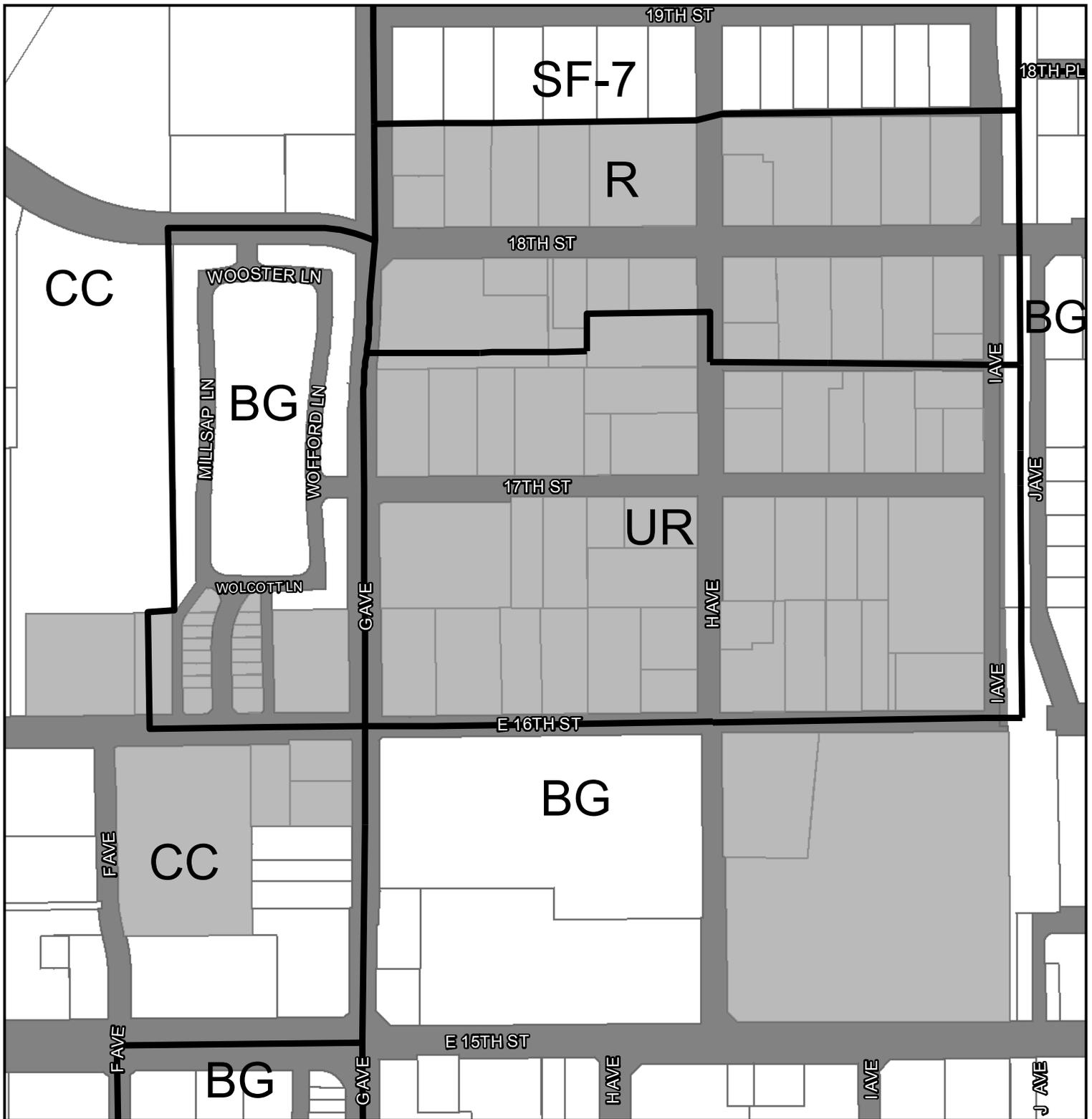
Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY



Zoning Case #: 2014-51

Existing Zoning: RETAIL, PLANNED DEVELOPMENT-179-DOWNTOWN BUSINESS/GOVERNMENT, URBAN RESIDENTIAL, DOWNTOWN BUSINESS/GOVERNMENT, & CORRIDOR COMMERCIAL w/SPECIFIC USE PERMITS #134 & #622 & H-3, H-6 & 7, H-10-12, H-15, H-21 & 22, & H-27-29/ HAGGARD PARK HERITAGE RESOURCE DISTRICT (H-20)

Haggard Park Heritage Resource District (H-20)
 Zoning Boundary
 Right-of-Way



Source: City of Plano Planning Department