CITY OF PLANO
COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY	
☐ Consent ☐ Regular ☐ Statutory	
Council Meeting Date:	February 23, 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 2014-46 – Request to rezone 14.5± acres from Research/Technology Center to Planned Development-Research/Technology Center located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road in order to allow Office-Showroom/Warehouse with modified development standards. Zoned Research/Technology Center. Applicant Industrial Developments International, LLC (IDI Gazeley)

FINANCIAL SUMMARY

☒ NOT APPLICABLE ☐ OPERATING EXPENSE ☐ REVENUE ☐ 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 financial impact.

STRATEGIC PLAN GOAL: Consideration of a request to rezone relates to the City Council's goal of a Financially Strong City with Service Excellence.

SUMMARY OF ITEM

At its January 20, 2015 meeting, the Planning & Zoning Commission denied this request by a vote of 8-0. The applicant has appealed the Commission's denial. The applicant has requested that the appeal be tabled to the March 17, 2015 City Council meeting.

List of Supporting Documents:	Other Departments, Boards, Commissions or Agencies
Request to Table	Planning & Zoning Commission
Letter of Appeal	
2nd Vice Chair Report	
P&Z Follow-up Memo	
Staff Report	
Locator Map	
Aerial Map	
Zoning Exhibit	
Concept Plan	

5420 LBJ Freeway
Suite 1275
Dallas, TX 75240

Tel 972.560.7000
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www.brookfieldlogisticsproperties.com

IDI Gazeley
Brookfield Logistics Properties

February 11, 2015

Ms. Erica Marohnic, AICP
Senior Planner
City of Plano
1520 K Avenue, 2nd Floor
Suite 250, Plano, Texas 75074

Re: Zoning Case 2014-046
Request to Table Public Hearing

Ms. Marohnic,

Industrial Developments International, LLC (IDI Gazeley), by way of this correspondence, requests that our zoning case and concept plan hearing scheduled for the February 23, 2015 city council meeting be tabled and rescheduled for the March 17, 2015 city council meeting.

Thank you in advance for your assistance with this matter. Please notify me at once if our request will not be granted.

Regards,
IDI Gazeley

Doug Johnson
Senior Vice President and Regional Director

cc: File

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IDI Gazeley
Brookfield Logistics Properties

January 22, 2015

Ms. Erica Marohnic, AICP
Senior Planner
City of Plano
1520 K Avenue, 2nd Floor
Suite 250, Plano, Texas 75074

Re: Zoning Case 2014-046
Public Hearing Request

Ms. Marohnic,

Industrial Developments International, LLC (IDI Gazeley), by way of this correspondence, are hereby giving notice that we request a public hearing in front of the City Council of Plano be scheduled for the next available City Council meeting on February 23, 2015 to hear our zoning case and concept plan approval.

The appeal request and notice fees will be provided to the City under separate cover.

Thank you and please let me know if you need anything further from IDI Gazeley!

Regards,
IDI Gazeley

Doug Johnson
Senior Vice President and Regional Director

cc: File

Recommendation of the Planning & Zoning Commission

Zoning Case 2014-46

January 20, 2015

Second Vice Chairman's Report

Zoning Case 2014-46, Agenda Items No. 10A, and 10B – Public Hearing. Items heard together, but voted separately. All eight Commissioners were present.

Applicant: Industrial Developments International, LLC (IDI Gazeley)

Zoning Case 2014-46 Agenda Item No. 10A, and 10B– Request to rezone 14.5 acres located on the south side of Plano Parkway, 1950+/- feet west of Shiloh Road, from Research/Technology Center to Planned Development- Research Technology Center, with modified development standards. Zoned Research/Technology Center/190 Toll way/Plano Parkway Overlay District.

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

1. Not in conformance with Land Use Plan due to limitations on warehouse uses.
2. Not consistent with direction received from Commission and Council regarding the intent of development within RT district.
3. The requested modifications are not consistent with the RT designation as defined by the Comprehensive Plan.
4. Other zoning districts are available and provide greater flexibility for Office-showroom/Warehouse uses without specific restrictions on height, screening or loading areas.
5. Issues:
    a. 2011 review by P&Z Commission and City Council as well as district stakeholders determined that the existing limitations on dock doors, gross floor area for office-showroom/warehouse uses and other regulations were critical to the intent and character of the Research/Technology use and should not be changed.
    b. The requested modifications significantly exceed the limitations of the RT District, and staff believes that the existing restrictions should be maintained in order to promote the current RT uses experienced in the District.

Commission Action:

Comments made in Support of the issue 10A and 10B included:

- The applicant was the only speaker in support of the Re-Zoning.
- Water and sanitary sewer services are available to serve the property.
- Public safety response times are sufficient to serve a residential use of this site.

Comments made in Opposition of issue 10 A included:

- Opposition to the zoning request was expressed one speaker indicating that 2011 review by P&Z Commission and City Council as well as district stakeholders determined that the existing limitations on the number of dock doors, gross floor area for office-showroom/warehouse uses and other regulations were critical to the intent and character of the Research/Technology use rather than a warehouse/Office use and should not be changed.
- Commissioners commented on the growing need of RT use in the city and indicated that no change of zoning is warranted in this case.

A motion was made for the denial of the Zoning Case 2014-46, item 10A, supporting staff recommendation. Motion for Denial was approved unanimously by the Commission 8 votes to 0.

Zoning Case 2014-46 Agenda Item No. 10B – Concept Plan for Office-showroom/Warehouse on 13.7 +/- acres located on the south side of Plano Parkway, 1,950+/- feet west of Shiloh Road. Zoned Planned Development-373 Retail/General Office/190 Toll way Parkway Overlay District. Neighborhood #68.

This Concept plan application is contingent upon approval of Zoning Case 2014-46 (Agenda Item No 10A). Since Zoning Case 2014-46 was denied, a motion was made for Denial of the Case 2014-46 Agenda Item No. 10B – Concept Plan, and was approved unanimously by the Commission.

Respectfully Submitted,

William Hilburn

Second Vice-Chair

Planning & Zoning Commission

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. 10A - PUBLIC HEARING
ZONING CASE 2014-46
APPLICANT: INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC (IDI GAZELEY)

Request to rezone 14.5± acres from Research/Technology Center to Planned Development-Research/Technology Center located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road in order to allow Office-Showroom/Warehouse with modified development standards. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District.

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

Denied.

EM/ks

xc: David Seaman, Industrial Developments International, LLC (IDI Gazeley)

http://goo.gl/maps/GMYg5

CITY OF PLANO

PLANNING & ZONING COMMISSION

January 20, 2015

Agenda Item No. 10A

Public Hearing: Zoning Case 2014-46

Applicant: Industrial Developments International, LLC (IDI Gazeley)

DESCRIPTION:

Request to rezone 14.5± acres **from** Research/Technology Center **to** Planned Development-Research/Technology Center located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road in order to allow Office-Showroom/Warehouse with modified development standards. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District.

REMARKS:

The applicant is requesting to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center (RT) to Planned Development-Research/Technology Center (PD-RT). The Research/Technology Center (R/T) zoning district is intended to create a low density, employment center consisting of office, research and development facilities, and limited assembly options. R/T districts should generally accommodate several users in a campus environment.

The subject property is currently undeveloped. The requested zoning is PD-RT Center to allow for Office-Showroom/Warehouse with modified 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 appropriate to both off- and onsite conditions.

Office-Showroom/Warehouse is defined as an establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities shall be incidental to the primary use and shall not exceed 50% of the total floor area. This designation does not include contract construction or contractor's shop and storage yard.

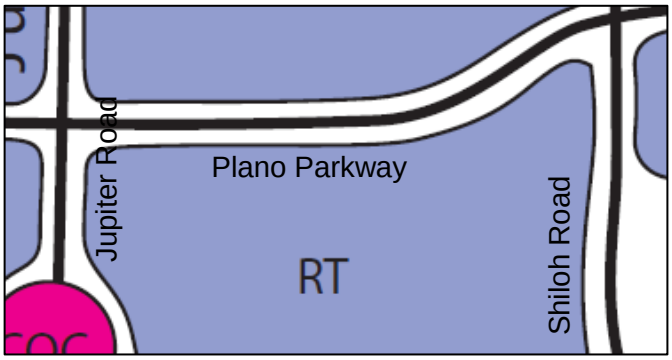
A concept plan, Central Plano Industrial Park Phase 3, Block 24, Lot 1R, accompanies this rezoning request as Agenda Item 10B.

Surrounding Land Use and Zoning

The property to the north, across Plano Parkway, is zoned RT and is developed as General Office. To the east, is light-intensity manufacturing zoned RT. To the south is vacant property zoned RT and a multifamily residential development zoned Planned Development-207-Retail (PD-207-R). To the west, is a general office building zoned RT.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Research/Technology Center (RT). The RT area provides for low-density office, research and development facilities, and limited assembly operations. This area is intended to accommodate multiple users in a campus environment. Warehousing is planned to serve a supporting role in the RT area. Warehousing should generally be an accessory use to limited assembly operation and Office/Showroom facilities.



Due to the limitations on warehouse uses, this request is not in conformance with the future land use plan.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property.

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

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

Proposed Planned Development Stipulations:

The requested zoning is Planned Development-Research/Technology Center. There are two primary parts to this request: land use and building design standards.

Land Use – The applicant is proposing to retain RT as the base zoning district with the additional use of Office-Showroom/Warehouse.

Design Standards – The requested design standards are intended to add flexibility for Office-Showroom/Warehouse use and design of the site.

Restrictions:

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

Office-Showroom/Warehouse is a permitted use subject to the following standards:

1. Maximum Height: 20 story, not to exceed 325 feet in height. One story buildings shall not exceed 41 feet, inside clear height (Exclusive of interior support structures), except as specified in Other Setback Requirements below.

2. Maximum Loading Spaces or Berths: 16

3. An Office-Showroom/Warehouse use is permitted only when the first floor of the building housing said uses does not exceed 225,000 square feet of gross floor area.

4. Screening of loading and trash collection areas from adjacent properties is not required.

ISSUES:

Background

The RT district was established in 1998. The intent of the district is to create a low-density employment center, which focuses on office and research uses and limits assembly and warehouse operations. The district has been amended several times since its inception, most recently in 2011. At that time, staff reviewed the ordinance language in order to identify if any regulations were overly burdensome and limited future development opportunities. As a part of this review, staff had discussions with the Planning & Zoning Commission, City Council and stakeholders within the district. Through these discussions, staff determined that the existing limitations on dock doors, gross floor area for office-showroom/warehouse uses and other regulations were critical to the intent and character of the RT district and should not be changed.

Requested Stipulations

The applicant is requesting several modifications to the RT district language:

1. Increasing the maximum inside clear height of first floor from 28 to 41 feet.
2. Increasing the maximum loading spaces from 12 to 16.
3. Increasing the building size for office-showroom/warehouse uses from 100,000 square feet to 225,000 square feet.
4. Removing the requirement to screen loading areas and dumpsters from adjacent properties.

The purpose of a PD is to, “promote innovative design and better development controls.” The applicant has not provided a compelling rationale for the requested modifications that justify the use of a PD. The requested stipulations are intended to

gain flexibility for future development. The RT district is specific in its intent to limit warehouse operations, loading spaces and building height. Additionally, the district requires screening of loading areas and dumpsters from adjacent properties for aesthetic purposes. The subject property is large, and can physically accommodate development which complies with the existing RT regulations, including the required screening. Staff believes that the existing restrictions are necessary in order to promote uses and standards consistent with the Comprehensive Plan designation of RT and development that has occurred previously in the district.

Furthermore, the requested stipulations are not consistent with the direction received in 2011 from Commission and Council regarding the intent of development within the RT district. If the existing regulations are overly burdensome, staff recommends the Commission perform a review the RT regulations, and if necessary, call a public hearing in order to make changes to the district that would benefit all properties.

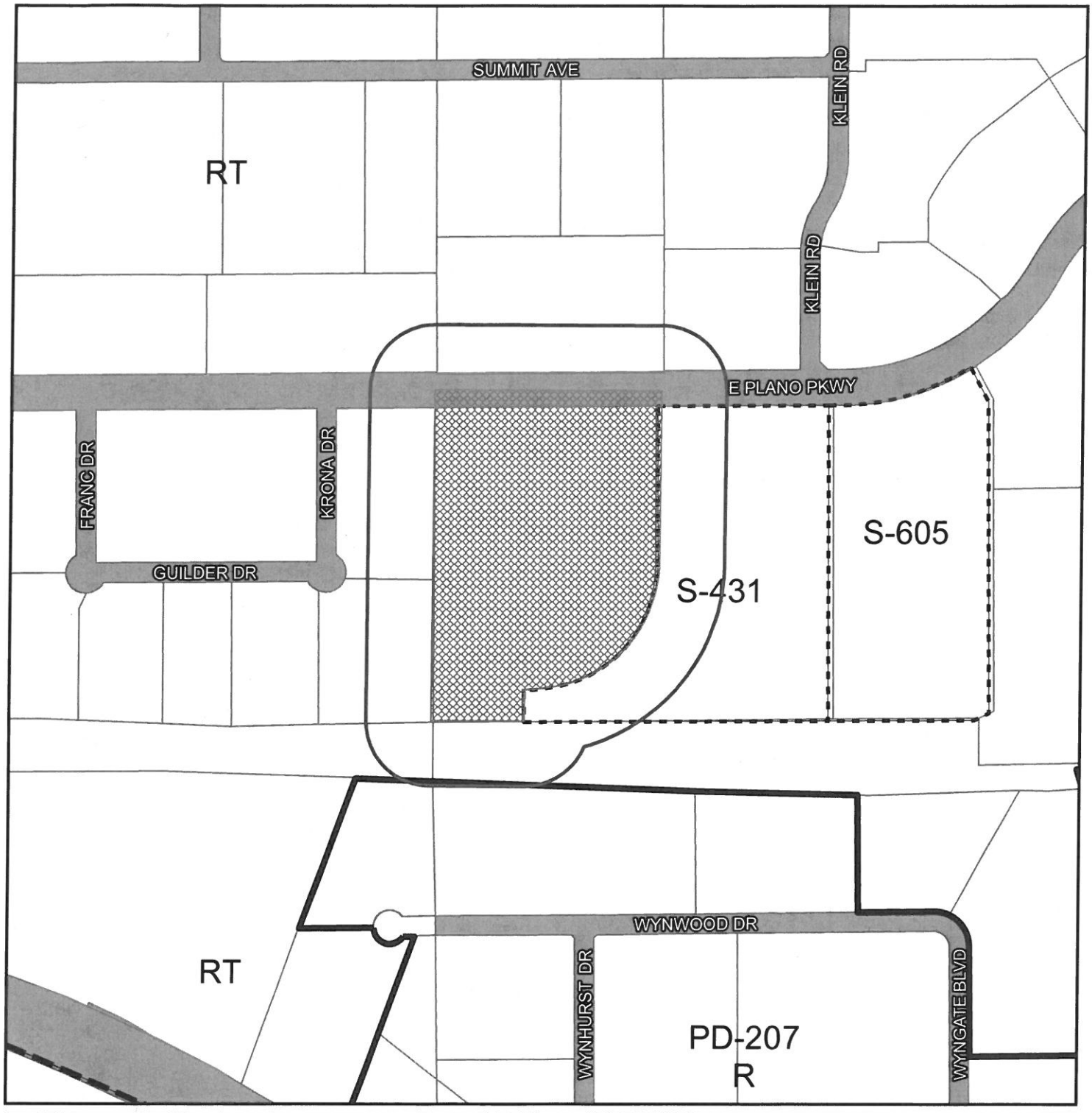
Lastly, the city has other zoning districts which provide greater flexibility for Office-Showroom/Warehouse uses, without the specific restrictions on height, screening or loading areas that are present in RT including Light Commercial (LC), Commercial Employment (CE), Central Business-1 (CB-1), Light Industrial-1 (LI-1), Light Industrial-2 (LI-2), Regional Employment (RE), Regional Commercial (RC) and Corridor Commercial (CC).

SUMMARY:

The applicant is requesting to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center to Planned Development-Research/Technology Center to allow Office-Showroom/Warehouse as a permitted use with modified development standards. The requested modifications are not consistent with the RT designation as defined by the Comprehensive Plan. The proposed stipulations are also not consistent with direction from Commission and Council regarding the intent of the district. Furthermore, the site is large enough to provide for development flexibility which would comply with the existing regulations. For these reasons, staff recommends denial of the zoning request.

RECOMMENDATION:

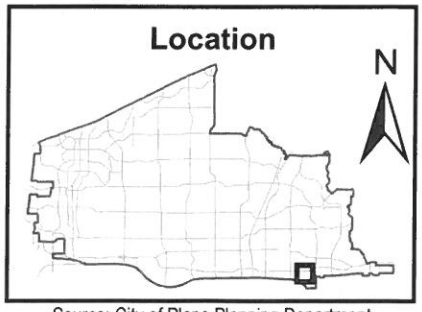
Recommend for denial.



Plano

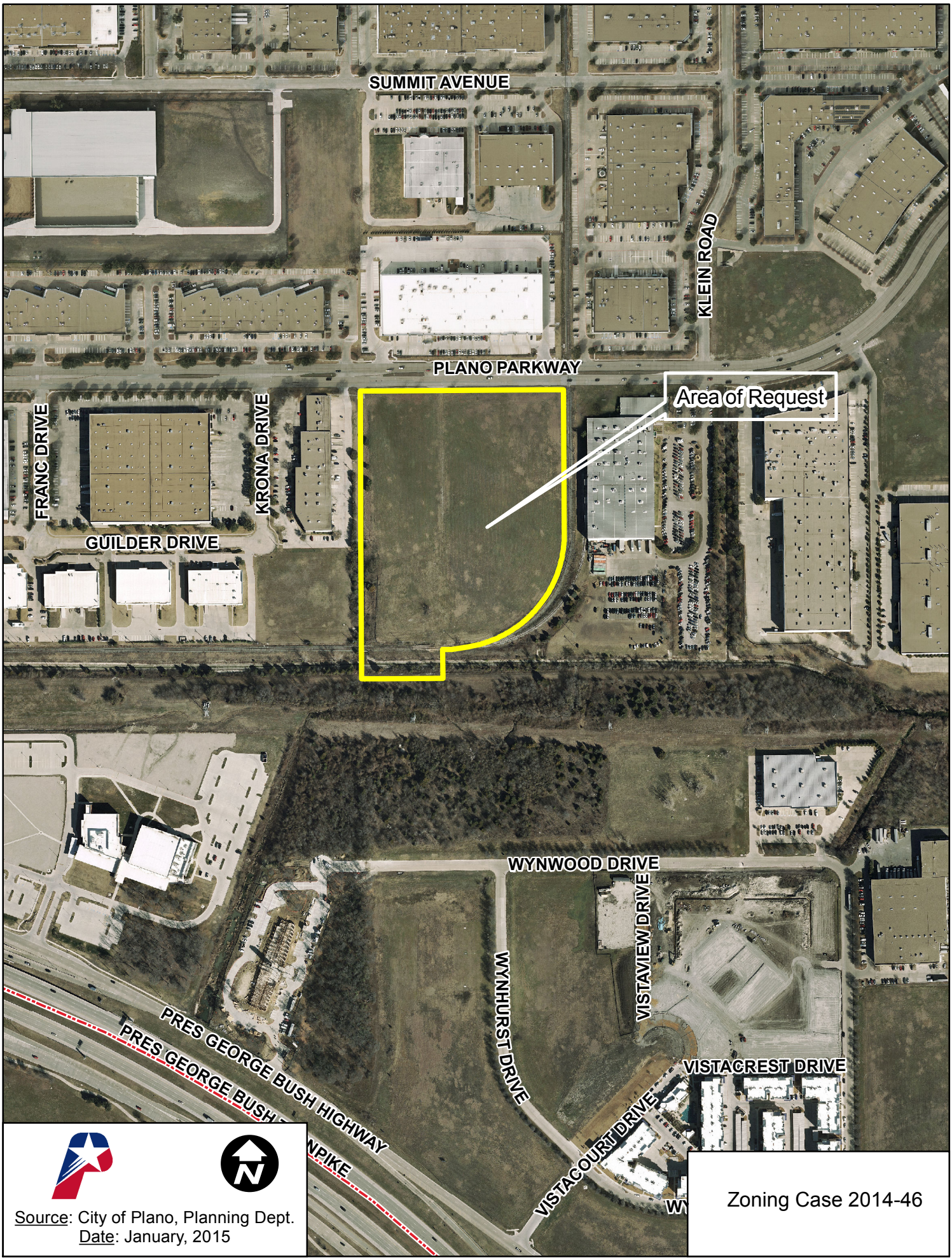
Zoning Case #: 2014-46

Existing Zoning: RESEARCH/TECHNOLOGY CENTER/
190 TOLLWAY/PLANO PARKWAY OVERLAY 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 2014-46

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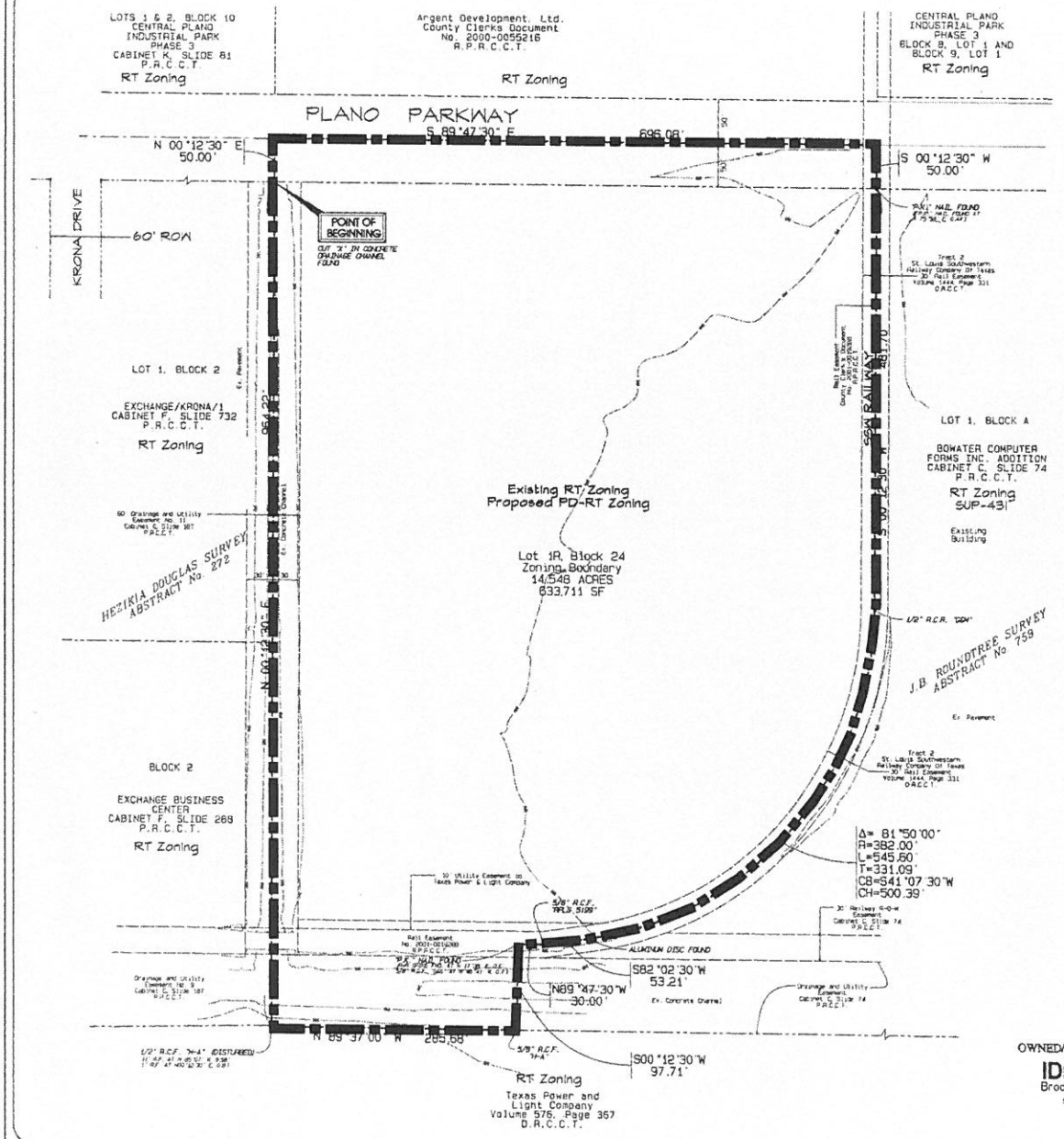


PROPERTY DESCRIPTION

STATE OF TEXAS;
COUNTY OF COLLIN;

BEING a tract of land situated in the J.B. Roundtree Survey, Abstract No. 759, City of Plano, Collin County, Texas and being all of Central Plano Industrial Park Phase 3, Block 24, Lot 1R, an addition to the City of Plano, Collin County, Texas as recorded in Cabinet L, Page 287, Plat Records, Collin County, Texas (PRCCT), being that same tract of land as described in deed to Industrial Developments International, LLC, recorded in 20141208001331790, Deed Records, Collin County, Texas (DRCCT), being a portion of Plano Parkway right-of-way as dedicated by the final plat of Central Plano Industrial Park, Phase 3 as recorded in Cabinet C, Page 187, PRCCT, and being more particularly described as follows:

BEGINNING at a "x" cut in a concrete drainage channel found in the south line of Plano Parkway (adjoining R.O.W. 105' wide per Cabinet C, Page 187) S 20121207010003120, PRCCT) at the northwest corner of said Lot 1R, Block 24 and the northeast corner of Lot 1, Block 2 of Exchange/Krona/1, an addition to the City of Plano, Collin County, Texas as recorded in Cabinet F, Page 732, PRCCT, from which an 1" rebar found at the intersection of the south line of said Plano Parkway, with the east line of Krona Drive (60' R.O.W.) bears N 89°50'30" W (Plat N 89°47'30" W), 305.59 feet (Plat 304.58 feet) and a "x" cut found at the intersection of the south line of said Plano Parkway, with the west line of said Krona Drive bears N 89°47'30" W, 364.80 feet (Plat 364.58 feet);

THENCE N 00°12'30" E, a distance of 50.00 feet to the center of said Plano Parkway;

THENCE S 89°47'30" E, along the center of said Plano Parkway, a distance of 696.08 feet;

THENCE S 00°12'30" W, a distance of 50.00 feet to a PK nail found in a railroad crossties in the south line of said Plano Parkway, at the northeast corner of said Lot 1R, Block 24 and the northwest corner of Lot 1, Block A of Bowater Computer Forms Inc. Addition, an addition to the City of Plano, Collin County, Texas as recorded in Cabinet C, Page 74, PRCCT, from which a PK nail found bears N 75°58' E, 0.44 feet;

THENCE departing the south line of said Plano Parkway, along the east line of said Lot 1R, Block 24 and the west line of said Lot 1, Block A, as follows:

S 00°12'30" W, a distance of 481.70 feet to a 1/2" rebar capped Goodwin & Marshall recovered at the beginning of curve to the right having a radius of 382.00 feet;

Southwesterly, along said curve, having a central angle of 81°50'00", an arc distance of 545.60 feet, and having a chord that bears S 41°07'30" W, 500.39 feet to an aluminum disc stamped Survey Marker found at the end of said curve;

S 82°02'30" W, a distance of 53.21 feet to a 5/8" rebar capped RPLS 5199 found;

N 89°47'30" W, a distance of 30.00 feet to a PK nail found in a railroad crossties, from which RXR spike found bears N 17°38' E, 0.8 feet and a 5/8" rebar capped Gonzales & Schneeberg found bears N 46°41' W, 0.7 feet;

S 00°12'30" W, a distance of 97.71 feet to a 5/8" rebar capped Halff-Assoc found at the southeast corner of said Lot 1R, Block 24 and the southwest corner of said Lot 1, Block A, said point lying in the north line of a tract of land as described in deed to Texas Power and Light Company, recorded in Volume 576, Page 367, DRCCT;

THENCE N 89°37'00" W, along the south line of said Lot 1R, Block 24 and the north line of said Texas Power and Light Company tract, a distance of 295.68 feet to a 1/2" rebar capped Halff-Assoc found disturbed at the southwest corner of said Lot 1R, Block 24, from which a 1" rebar found bears N 65°07' W, 9.58 feet;

THENCE N 00°12'30" E, departing the north line of said Texas Power and Light Company tract, along the west line of said Lot 1R, Block 24, at a distance of 0.8 feet passing an 1" rebar rod found at the southeast corner of Lot 3R, Block B of Exchange Business Center, an addition to the City of Plano, Collin County, Texas as recorded in 20060504010001790, PRCCT, continuing a total distance of 964.22 feet to the POINT OF BEGINNING and containing 14.548 acres of land.

NOTE:
Bearings are referenced to Replat - Central Plano Industrial Park Phase 3, Block 24, Lot 1R as recorded in Cabinet L, Page 287, Plat Records, Collin County, Texas.

NOTE:
Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan; approval of development standards shown hereon, or the initiation of the development process. Planning & Zoning Commission and/or City Council action on studies, plats or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

OWNED/DEVELOPED BY:
IDI Gazeley
Brookfield Logistics Properties
5420 LBJ FREEWAY, Ste 1275
DALLAS, TEXAS 75240
(972) 591-9399
Contact Name: David Sausser

PREPARED BY:
GOODWIN MARSHALL
CIVIL ENGINEERS – PLANNERS – SURVEYORS
2400 Mustang Drive, Grapevine, Texas 76051
Metro (817) 329-4373
G&M, Inc. – TBPE Reg. #F-2944
TBPLS FIRM #10021700
Contact Name: Edward Bokart, P.E.

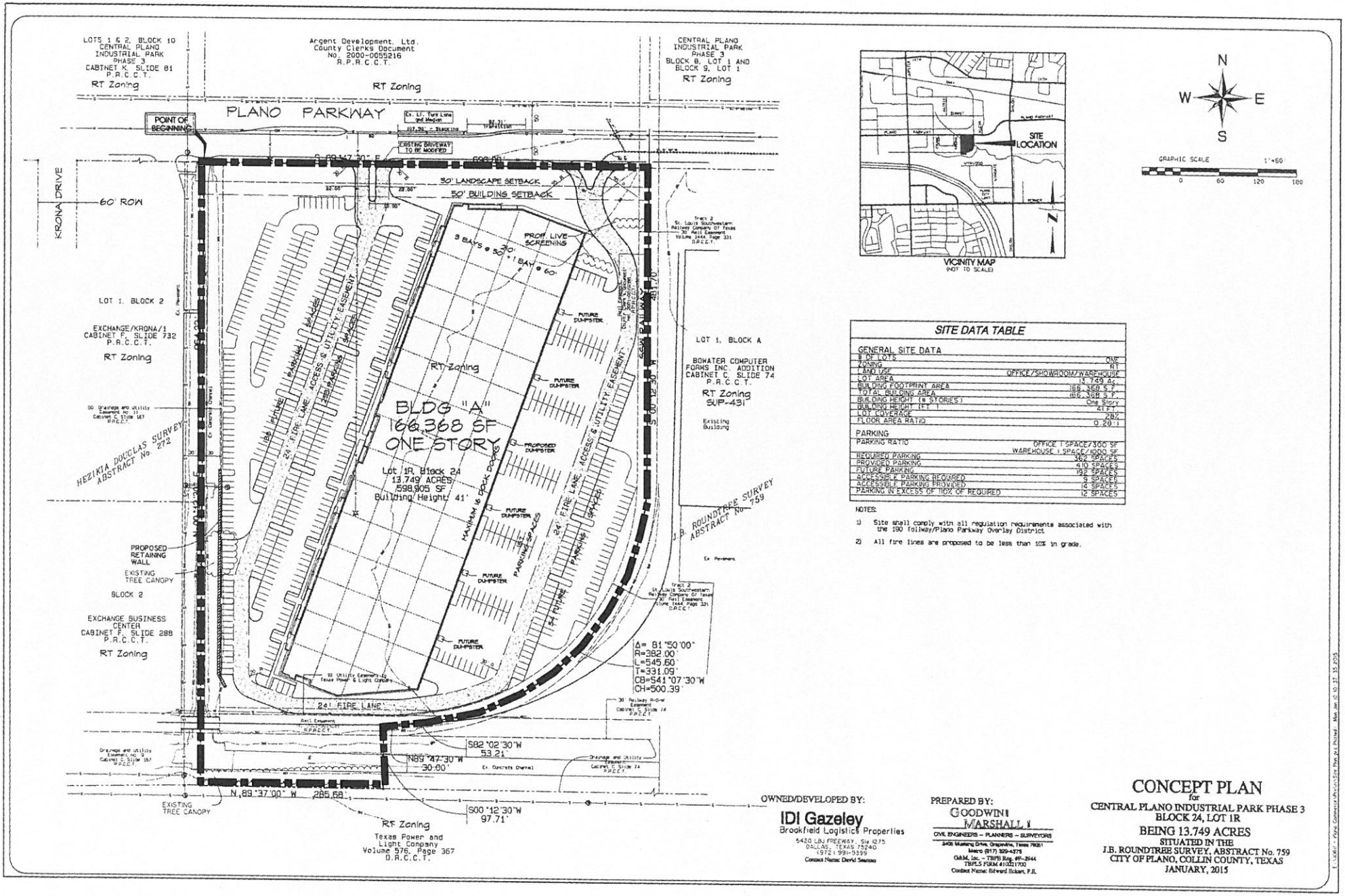
Zoning Case: 2014-46

ZONING EXHIBIT

for

CENTRAL PLANO INDUSTRIAL PARK PHASE 3
BLOCK 24, LOT 1R

BEING 14.548 ACRES
SITUATED IN THE
J.B. ROUNDTREE SURVEY, ABSTRACT No. 759
CITY OF PLANO, COLLIN COUNTY, TEXAS
JANUARY, 2014



SITE DATA TABLE

GENERAL SITE DATA	
# OF LOTS	ONE
ZONING	RT
LAND USE	OFFICE/SHOWROOM/WAREHOUSE
LOT AREA	(± 749 Ac.
BUILDING FOOTPRINT AREA	166,368 S.F.
TOTAL BUILDING AREA	166,368 S.F.
BUILDING HEIGHT (# STORIES)	One Story
BUILDING HEIGHT (FT.)	41'-7"
LOT COVERAGE	28%
FLOOR AREA RATIO	0.28:1
PARKING	
PARKING RATIO	OFFICE 1 SPACE/300 SF WAREHOUSE 1 SPACE/1000 SF
REQUIRED PARKING	382 SPACES
PROVIDED PARKING	410 SPACES
FUTURE PARKING	192 SPACES
ACCESSIBLE PARKING REQUIRED	9 SPACES
ACCESSIBLE PARKING PROVIDED	14 SPACES
PARKING IN EXCESS OF 110% OF REQUIRED	12 SPACES

NOTES:

1) Site shall comply with all regulation requirements associated with the 190 Tollway/Plano Parkway Overlay District.

2) All fire lines are proposed to be less than 10% in grade.

OWNED/DEVELOPED BY:

IDI Gazeley
Brookfield Logistics Properties
5420 LBJ FREEWAY, Ste 1275
DALLAS, TEXAS 75240
(972) 991-9399
Contact Name: David Seamon

PREPARED BY:

GOODWIN MARSHALL, Inc.
CIVIL ENGINEERS – PLANNERS – SURVEYORS
3405 Mustang Drive, Grapevine, Texas 76051
Metro (817) 329-4373
G&M, Inc. – TBPE Reg. #F-2644
TBPLS FIRM #10211700
Contact Name: Edward Eckert, P.E.

CONCEPT PLAN

for

CENTRAL PLANO INDUSTRIAL PARK PHASE 3
BLOCK 24, LOT 1R

BEING 13.749 ACRES

SITUATED IN THE
J.B. ROUNDTREE SURVEY, ABSTRACT No. 759
CITY OF PLANO, COLLIN COUNTY, TEXAS
JANUARY, 2015