

DATE: February 4, 2014
TO: Honorable Mayor & City Council
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of February 3, 2014

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2013-37
APPLICANT: CENCOR REALTY SERVICES**

Request to amend Planned Development-185-Regional Commercial on 14.8± acres located at the northeast corner of Dallas North Tollway and Parker Road in order to modify the development standards, including but not limited to, modifying the signage regulations. Zoned Planned Development-185-Regional Commercial/Dallas North Tollway Overlay District. Tabled January 21, 2014.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 1 **OPPOSE:** 0

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

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

STIPULATIONS:

Recommended as follows:

(Proposed additions are indicated by underlined text.)

Restrictions:

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

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. A maximum of 265 multifamily residential dwelling units shall be allowed by right within Tract 1. Multifamily residential is prohibited within Tracts 2 and 3.

3. Site Design

The district shall have a central north/south pedestrian-oriented private roadway that runs from Parker Road to the existing east/west fire lane of the regional theater property to the north. The private roadway shall have diagonal or 90° on-street parking and sidewalks on both sides of the roadway. The minimum width of the sidewalks shall be 12 feet. The sidewalks may be used for outdoor eating areas, outdoor display, and other activities commonly associated with a pedestrian-oriented development, if a minimum six feet sidewalk clearance and/or distance to curb line of the private roadway is maintained.

4. Trash collection facilities shall be exempt from the minimum distance requirements from rights-of-way of Type C and above thoroughfares as specified in Section 2.824 RC - Regional Commercial (6)(a) (Special District Requirements).

5. Area, Yard, and Bulk Requirements

- a. Minimum Building Height: Two story (30 feet) for buildings within Tracts 1 and 3.
- b. Maximum Building Height: Eight story (120 feet) for hotel use; six story (100 feet) for all other structures other than parking garages; 52 feet for parking garages with no maximum number of levels. (The parking garages shall be permitted to have levels of parking over and above retail, surface parking, or other permitted uses on the ground level.)
- c. Maximum Building Setback: Buildings fronting the north/south pedestrian-oriented private roadway and the existing east/west fire lane of the regional theater shall be constructed such that a minimum of 60% of the facade is located within 20 feet from the back of curb unless restricted by easements. Where easements are present, 60% of the facade must be built to the easement line.
- d. Setbacks from Parkwood Boulevard: Minimum of 50 feet as measured from the property line or three times the height, minus 90 feet as measured from the nearest residential district boundary line, whichever is more restrictive.
- e. Setbacks from Parker Road: Minimum of 30 feet as measured from the property line provided that parking and driveways are prohibited between the building face and the street. For areas with parking and driveways between the building face and the street, a minimum 50 foot setback is required.

6. Landscaping

- a. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscaping Requirements) and Section 4.600 (Dallas North Tollway Overlay District):

- i. The required 30-foot landscape edge along the Dallas North Tollway frontage road may be reduced to ten feet in width, and the required 30-foot landscape edge along Parkwood Boulevard may be reduced to eight feet in width. A continuous meandering sidewalk interspersed with plant materials and berms as set forth in Subsection 4.604(3) shall not be required.
- ii. Street trees shall be provided at a rate of one tree per 50 linear feet of street along all public streets and on both sides of the north/south pedestrian-oriented private roadway. Street trees may be placed in tree islands, between the curb and the sidewalk, or in the landscape edge. There is no minimum or maximum spacing between trees.

7. Parking

- a. Unless listed below, the minimum required parking within this planned development shall comply with Section 3.1100 (Off-Street Parking and Loading). The minimum required parking for multifamily uses and nonresidential uses other than hotels shall be provided as follows:
 - i. Multifamily Use: One space per bedroom
 - ii. Nonresidential Uses: One space per 250 square feet of floor area
- b. Total required parking shall be computed on a district-wide basis regardless of any phase/property lines. Parking stall and drive aisle dimensions shall comply with Section 3.1100 (Off-Street Parking and Loading).

8. Building Materials

- a. Building Materials: First floor exterior elevations of buildings and parking garages shall comply with the building material requirements of the RC zoning district. Second floor and higher exterior elevations shall comply with the building material standards except that specified materials shall only be required on 60% of the facade elevation. Interior elevations concealed by buildings or parking garages shall be exempt from material standards but shall be consistent in color and finish with the rest of the building or parking garage.
- b. Elevations of parking garages that face public streets, the north/south pedestrian-oriented private roadway, and the existing east/west fire lane of the regional theater, shall comply with the building material requirements of the RC zoning district.
- c. Visual barriers shall be installed to cover any openings between parking levels of a parking garage for openings that both (i) face a residential use east of Parkwood Boulevard directly across from the property and (ii) are located above the third level of the parking garage. Visual barriers measuring at least four feet in height shall extend above the parapet walls of

the top levels of parking garage facades that both (i) face a residential use east of Parkwood Boulevard directly across from the property and (ii) are located above the third level of the parking garage.

- d. Buildings with first floor nonresidential uses that front the north/south pedestrian-oriented private roadway, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. For the purposes of this standard, ground floor is defined as that portion of a building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.

9. Signage

- a. For building facades and sidewalks/parkways fronting the north/south pedestrian-oriented private roadway ~~and building facades fronting the existing east/west fire lane of the regional theater property to the north~~ allowable signs must comply with Subsection 3.1605 (Downtown Sign District).

- b. In addition to the existing allowed signage, one freestanding identification sign may be constructed subject to the following:

- i. The sign may be an architectural entry feature that spans the north/south pedestrian-oriented private roadway.
- ii. The minimum height of the feature shall be 14 feet. The maximum height of the feature shall be limited to 21 feet.
- iii. The sign copy area shall be limited to a maximum of 150 square feet and shall not extend beyond the edges of the entry feature.
- iv. The sign is exempt from the requirement that it be located at least 30 feet from a property line. The sign is also exempt from the requirement that it be located at least 60 feet from a general business sign.

- ~~b.c.~~ In addition to the existing allowed signage, one electronic projecting sign will be allowed, integrated into the building architecture, subject to the following:

- i. The sign area shall not exceed 150 square feet.
- ii. The height of the sign shall not exceed nine feet.
- iii. The horizontal portion of the sign shall not exceed 16 feet.

~~e.d.~~ All other signage must comply with Section 3.1600 (Sign Regulations) and Section 4.600 (Dallas North Tollway Overlay District).

FOR CITY COUNCIL MEETING OF: February 24, 2014 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

EH/av

xc: David Palmer, Cencor Realty
Gary Devleer, Hodges and Associates

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

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 3, 2014

Agenda Item No. 7

Public Hearing: Zoning Case 2013-37

Applicant: Cencor Realty Services

DESCRIPTION:

Request to amend Planned Development-185-Regional Commercial on 14.8± acres located at the northeast corner of Dallas North Tollway and Parker Road in order to modify the development standards, including but not limited to, modifying the signage regulations. Zoned Planned Development-185-Regional Commercial/Dallas North Tollway Overlay District. Tabled January 21, 2014.

REMARKS:

This item was tabled at the January 21, 2014 Planning & Zoning Commission. It must be removed from the table.

The applicant is requesting to amend Planned Development-185-Regional Commercial (PD-185-RC) located at the northeast corner of Dallas North Tollway and Parker Road. This PD was created to allow for a mix of uses including multifamily residential, retail, and office to be constructed with modified building setbacks. The subject property is partially developed with a restaurant, and a multifamily residential building is currently under construction. The RC district is intended to provide for retail and service uses at appropriate nodes within the corridor of specified tollways and expressways serving the surrounding communities, in addition to office and limited manufacturing uses. The district's standards are designed to ensure compatibility between various uses within a corridor and surrounding residential neighborhoods. A 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.

ISSUES:

PD-185-RC was initially approved by City Council on January 8, 2007, and has been amended several times. With this zoning case, the applicant is requesting to make four modifications to the signage regulations.

The first modification would be to allow a portion of the development currently under the Downtown Sign District to be regulated by the Dallas North Tollway Overlay District sign regulations. The related PD language currently reads:

9. Signage

- a. For building facades and sidewalks/parkways fronting the north/south pedestrian-oriented private roadway and building facades fronting the existing east/west fire lane of the regional theater property to the north allowable signs must comply with Subsection 3.1605 (Downtown Sign District).

The area in question is the northern portion of the development, facing the Cinemark West Plano movie theater. The applicant is requesting this area to be withdrawn from the Downtown Sign District regulations in order to allow for illuminated signage in this area. Staff is in support of this modification.

The second modification is to allow for an additional identification sign. The Zoning Ordinance defines an identification sign as any onsite sign which is used to identify shopping centers, industrial sites, retail districts, and commercial sites. The applicant is proposing to construct an arch feature over the north-south fire lane that intersects with Parker Road that would accommodate the identification sign. The sign would have to meet the minimum clearance height for structures located over a fire lane (14 feet) as required by the Fire Department. The applicant is proposing a maximum copy area of 150 square feet, and the maximum proposed height of the arch is 21 feet. Staff is in support of this modification.

The third modification is to allow for one electronic projecting sign along the Dallas North Tollway frontage. A projecting sign is defined as any sign, except an awning, which projects perpendicularly from a building and which has one end attached to a building or other permanent structure. An electronic sign is a variable message sign that utilizes computer/generated messages or some other electronic means of changing copy. The applicant is proposing to install an electronic projecting sign on a future retail building which would have frontage on the Dallas North Tollway. The electronic projecting sign would be able to have changeable content which would advertise for any onsite business. The proposed layout for the property includes tenant spaces which front only on the north-south fire lane, and are not visible from the Dallas North Tollway. This sign would enable those businesses to advertise using the electronic projecting sign. Presently, the Zoning Ordinance allows electronic signs as freestanding monument or pole signs, but projecting and wall signs are prohibited from being electronic. In previous discussions regarding signage, the Commission has had reservations about allowing electronic signs beyond the types currently allowed. Staff is not in support of allowing an electronic projecting sign.

The fourth modification is for an increase in size for the electronic projecting sign. The applicant is proposing to allow a maximum nine foot tall by 16 foot wide sign (144 square feet). Currently, the Zoning Ordinance allows projecting signs to be a maximum of four feet tall by six feet wide (24 square feet). Staff is not in support of this modification. A 144 square foot projecting sign, is a very large projecting sign, at six

times the maximum allowable area of a projecting sign. The Zoning Ordinance places a limitation of 24 square feet on projecting signs as these signs were not meant to take the place of wall, monument, or pole signs. The allowance of this size of projecting sign would essentially enable the applicant to construct a sign which would be similar to a pole sign within the Dallas North Tollway Overlay District, an area which prohibits pole signs. Staff discussed with the applicant the option of proposing an electronic wall sign in lieu of the projecting sign. This sign type could be more appropriate since an electronic wall sign was also permitted within the Legacy Town Center development. However, the applicant prefers to install the requested projecting sign. Furthermore, the overlay district limits the size of monument signs to 225 square feet. If this zoning request were approved, the applicant would have the opportunity to construct a 225 square foot monument sign in addition to a 144 square foot electronic projecting sign.

The Commission should determine if it is appropriate to allow an electronic projecting sign within PD-185-RC. If the Commission is comfortable with allowing an electronic sign as a projecting sign, staff recommends that the Commission determine the appropriate size that should be permitted, as well as if this sign should be allowed in addition to the existing signage currently allowed.

Surrounding Land Uses and Zoning

The property to the north is a movie theater and is zoned Regional Employment (RE). To the west, across the Dallas North Tollway, the property is zoned RC and has been developed as retail. South of the property, across Parker Road, is a retail shopping center zoned RC. To the east, across Parkwood Boulevard, is an existing multifamily development zoned Multifamily Residence-3 (MF-3).

SUMMARY:

The applicant is requesting to amend PD-185-RC in order to modify the signage regulations. The proposed amendment would allow the portion of the site facing the Cinemark West movie theater to be regulated by the Dallas North Tollway Overlay District sign regulations as well as creating two new sign types within the PD. Staff is in favor of removing the north facing portions of the PD from the Downtown Sign District, and allowing for the additional identification sign. These modifications will be consistent with the development aesthetics along the Dallas North Tollway. Staff is not in favor of allowing the electronic projecting sign; therefore, staff is recommending approval of the first two modifications above, but do not support allowing the electronic projecting sign or increase in sign size.

RECOMMENDATION:

Recommended as follows:

(Proposed additions are indicated by underlined text.)

Restrictions:

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

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. A maximum of 265 multifamily residential dwelling units shall be allowed by right within Tract 1. Multifamily residential is prohibited within Tracts 2 and 3.
3. Site Design

The district shall have a central north/south pedestrian-oriented private roadway that runs from Parker Road to the existing east/west fire lane of the regional theater property to the north. The private roadway shall have diagonal or 90° on-street parking and sidewalks on both sides of the roadway. The minimum width of the sidewalks shall be 12 feet. The sidewalks may be used for outdoor eating areas, outdoor display, and other activities commonly associated with a pedestrian-oriented development, if a minimum six feet sidewalk clearance and/or distance to curb line of the private roadway is maintained.

4. Trash collection facilities shall be exempt from the minimum distance requirements from rights-of-way of Type C and above thoroughfares as specified in Section 2.824 RC - Regional Commercial (6)(a) (Special District Requirements).
5. Area, Yard, and Bulk Requirements
 - a. Minimum Building Height: Two story (30 feet) for buildings within Tracts 1 and 3.
 - b. Maximum Building Height: Eight story (120 feet) for hotel use; six story (100 feet) for all other structures other than parking garages; 52 feet for parking garages with no maximum number of levels. (The parking garages shall be permitted to have levels of parking over and above retail, surface parking, or other permitted uses on the ground level.)
 - c. Maximum Building Setback: Buildings fronting the north/south pedestrian-oriented private roadway and the existing east/west fire lane of the regional theater shall be constructed such that a minimum of 60% of the facade is

located within 20 feet from the back of curb unless restricted by easements. Where easements are present, 60% of the facade must be built to the easement line.

- d. Setbacks from Parkwood Boulevard: Minimum of 50 feet as measured from the property line or three times the height, minus 90 feet as measured from the nearest residential district boundary line, whichever is more restrictive.
- e. Setbacks from Parker Road: Minimum of 30 feet as measured from the property line provided that parking and driveways are prohibited between the building face and the street. For areas with parking and driveways between the building face and the street, a minimum 50 foot setback is required.

6. Landscaping

- a. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscaping Requirements) and Section 4.600 (Dallas North Tollway Overlay District):
 - i. The required 30-foot landscape edge along the Dallas North Tollway frontage road may be reduced to ten feet in width, and the required 30-foot landscape edge along Parkwood Boulevard may be reduced to eight feet in width. A continuous meandering sidewalk interspersed with plant materials and berms as set forth in Subsection 4.604(3) shall not be required.
 - ii. Street trees shall be provided at a rate of one tree per 50 linear feet of street along all public streets and on both sides of the north/south pedestrian-oriented private roadway. Street trees may be placed in tree islands, between the curb and the sidewalk, or in the landscape edge. There is no minimum or maximum spacing between trees.

7. Parking

- a. Unless listed below, the minimum required parking within this planned development shall comply with Section 3.1100 (Off-Street Parking and Loading). The minimum required parking for multifamily uses and nonresidential uses other than hotels shall be provided as follows:
 - i. Multifamily Use: One space per bedroom
 - ii. Nonresidential Uses: One space per 250 square feet of floor area
- b. Total required parking shall be computed on a district-wide basis regardless of any phase/property lines. Parking stall and drive aisle dimensions shall comply with Section 3.1100 (Off-Street Parking and Loading).

8. Building Materials

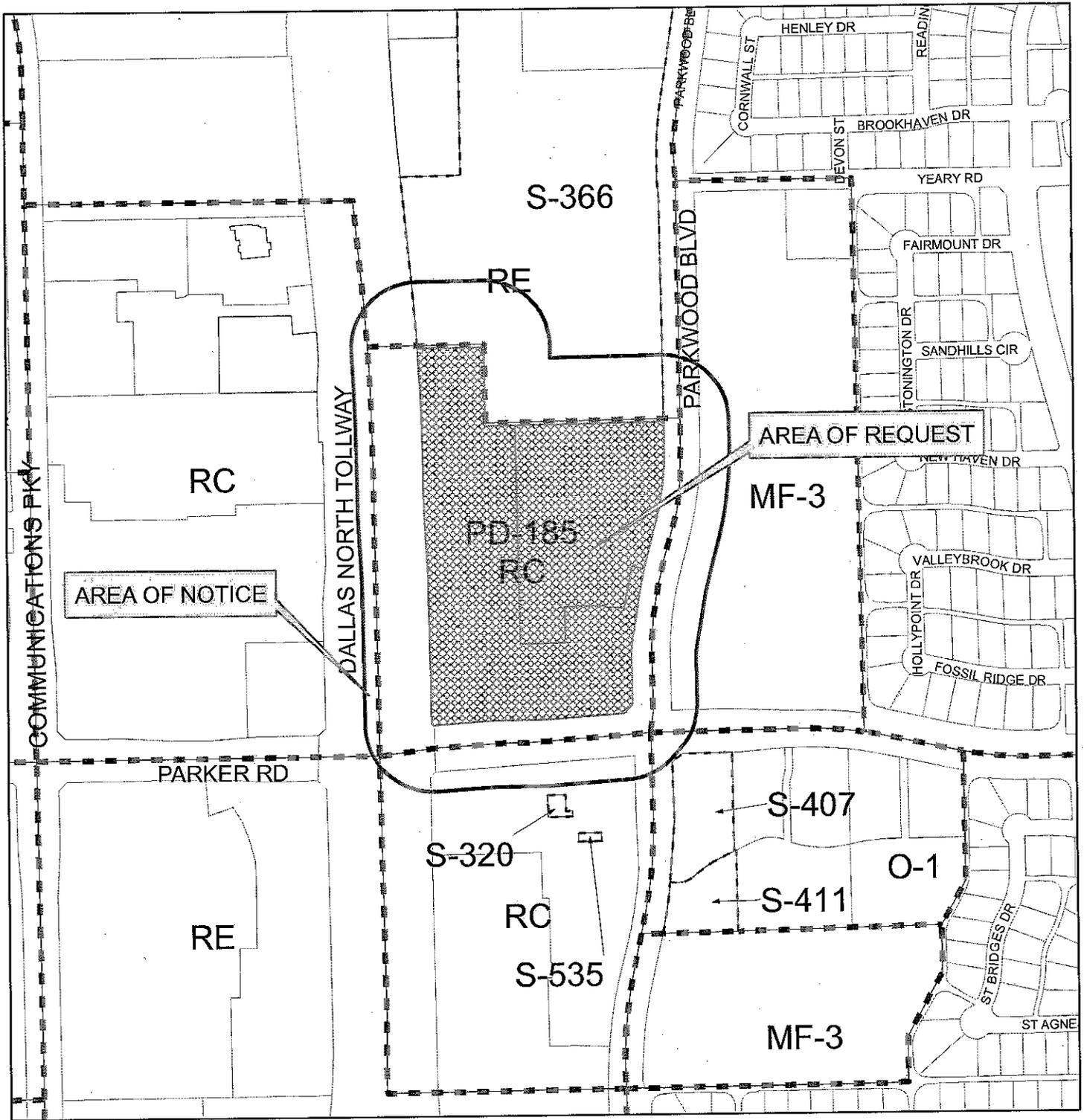
- a. Building Materials: First floor exterior elevations of buildings and parking garages shall comply with the building material requirements of the RC zoning district. Second floor and higher exterior elevations shall comply with the building material standards except that specified materials shall only be required on 60% of the facade elevation. Interior elevations concealed by buildings or parking garages shall be exempt from material standards but shall be consistent in color and finish with the rest of the building or parking garage.
- b. Elevations of parking garages that face public streets, the north/south pedestrian-oriented private roadway, and the existing east/west fire lane of the regional theater, shall comply with the building material requirements of the RC zoning district.
- c. Visual barriers shall be installed to cover any openings between parking levels of a parking garage for openings that both (i) face a residential use east of Parkwood Boulevard directly across from the property and (ii) are located above the third level of the parking garage. Visual barriers measuring at least four feet in height shall extend above the parapet walls of the top levels of parking garage facades that both (i) face a residential use east of Parkwood Boulevard directly across from the property and (ii) are located above the third level of the parking garage.
- d. Buildings with first floor nonresidential uses that front the north/south pedestrian-oriented private roadway, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. For the purposes of this standard, ground floor is defined as that portion of a building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.

9. Signage

- a. For building facades and sidewalks/parkways fronting the north/south pedestrian-oriented private roadway ~~and building facades fronting the existing east/west fire lane of the regional theater property to the north~~ allowable signs must comply with Subsection 3.1605 (Downtown Sign District).
- b. In addition to the existing allowed signage, one freestanding identification sign may be constructed subject to the following:
 - i. The sign may be an architectural entry feature that spans the north/south pedestrian-oriented private roadway.
 - ii. The minimum height of the feature shall be 14 feet. The maximum height of the feature shall be limited to 21 feet.

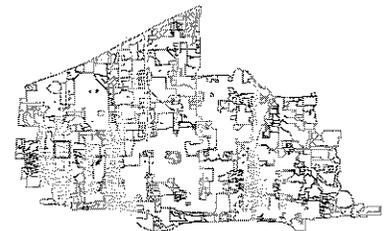
- iii. The sign copy area shall be limited to a maximum of 150 square feet and shall not extend beyond the edges of the entry feature.
- iv. The sign is exempt from the requirement that it be located at least 30 feet from a property line. The sign is also exempt from the requirement that it be located at least 60 feet from a general business sign.

~~b.c.~~ All other signage must comply with Section 3.1600 (Sign Regulations) and Section 4.600 (Dallas North Tollway Overlay District).



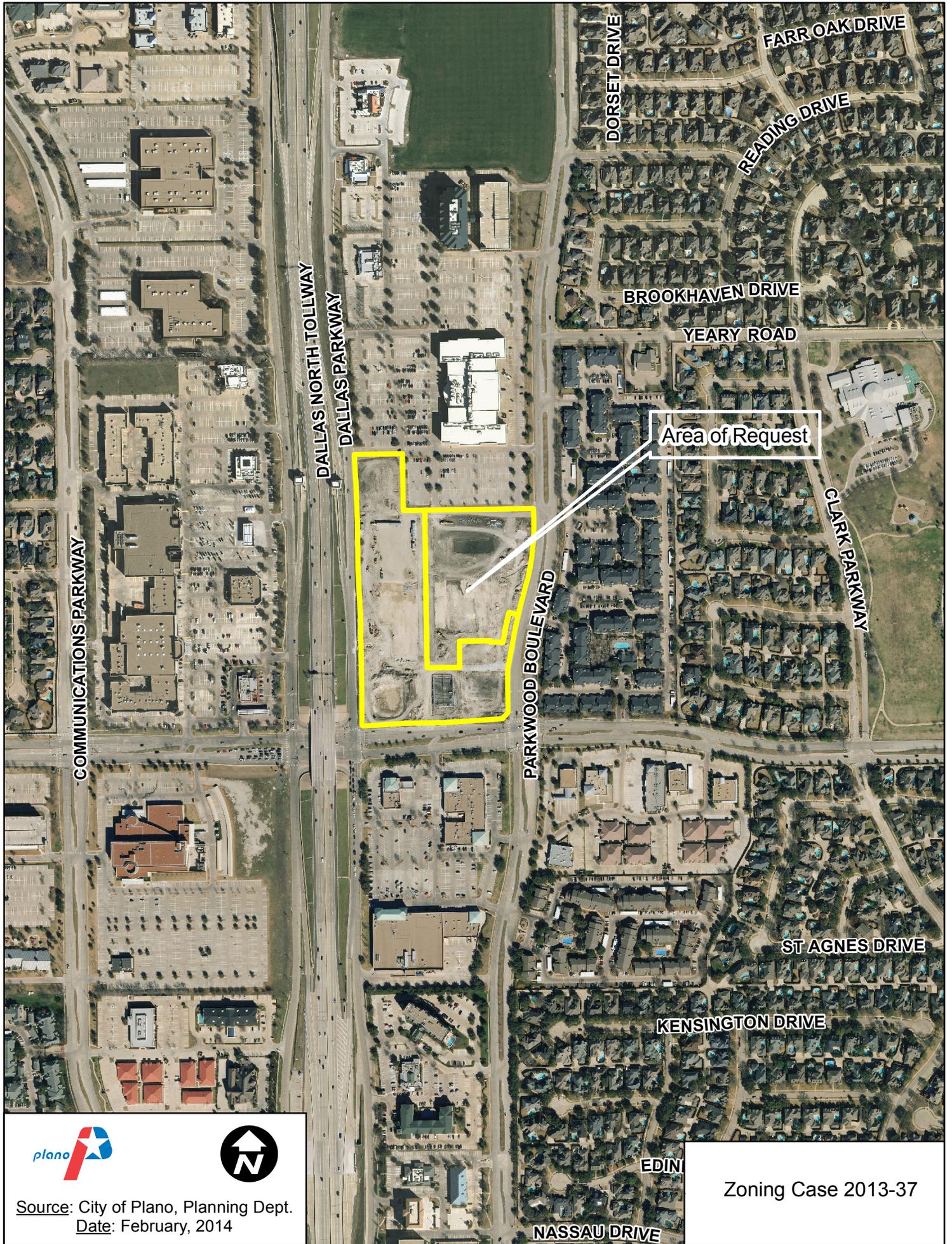
Zoning Case #: 2013-37

Existing Zoning: PLANNED DEVELOPMENT-185-REGIONAL COMMERCIAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer





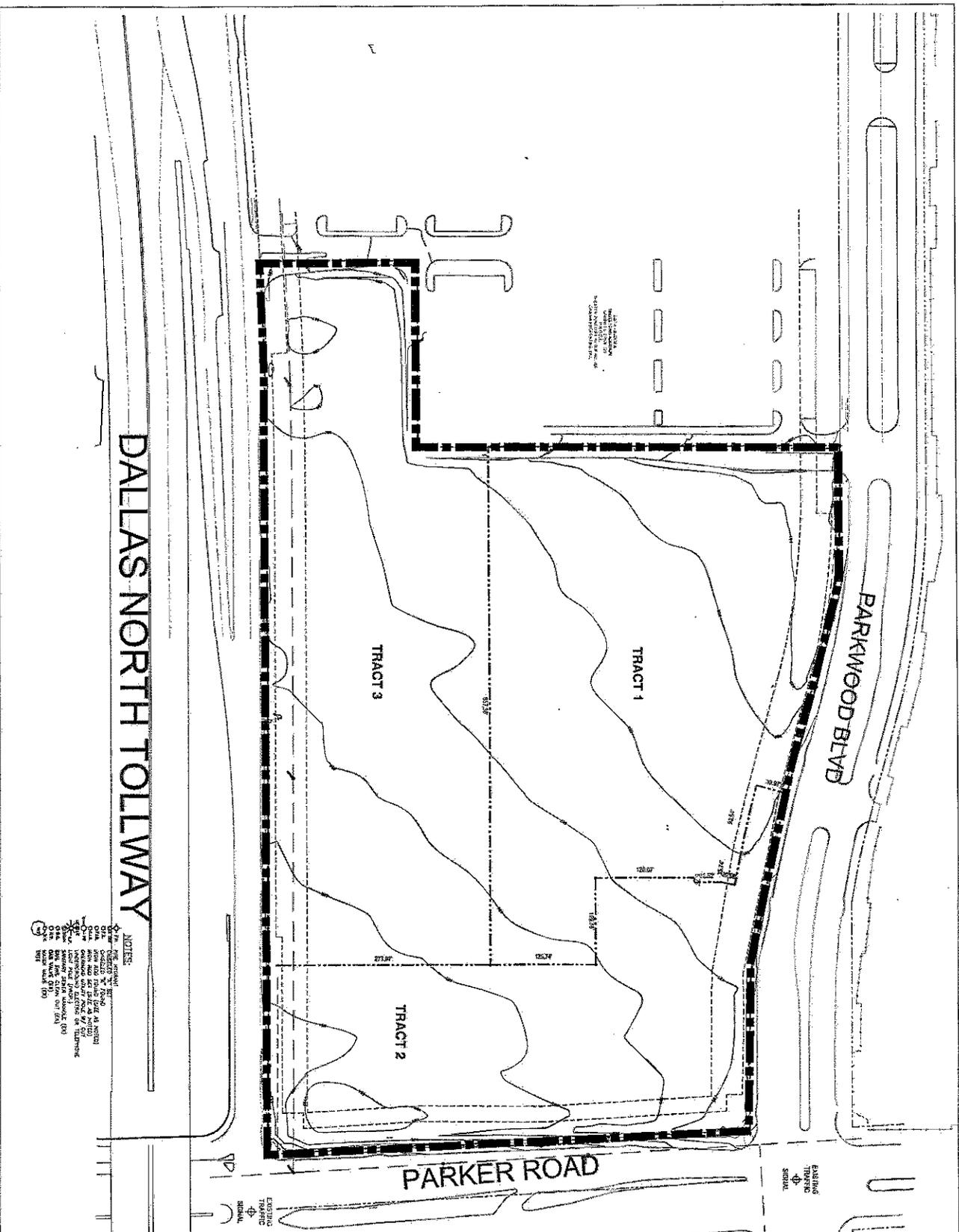
Area of Request

Des Server: 1/30/2014, X:\Dept\P&Z Locators & Graphics\Z2013-37A.mxd



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

Zoning Case 2013-37



NOTES:

- 1. All dimensions are in feet.
- 2. All dimensions are to the centerline of the road.
- 3. All dimensions are to the centerline of the easement.
- 4. All dimensions are to the centerline of the utility line.
- 5. All dimensions are to the centerline of the easement.
- 6. All dimensions are to the centerline of the utility line.
- 7. All dimensions are to the centerline of the easement.
- 8. All dimensions are to the centerline of the utility line.
- 9. All dimensions are to the centerline of the easement.
- 10. All dimensions are to the centerline of the utility line.

DALLAS NORTH TOLLWAY

ZONING EXHIBIT - CASE NO. 2013-37

WEST PLANO VILLAGE

LOTS 1A TO - BLOCK A1 TRINITY CROSS ADDITION (4,750 AC)

SEC - DALLAS NORTH TOLLWAY & PARKER ROAD

THE CITY OF PLANO, COLLIER COUNTY, TEXAS

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT BE A FINAL APPROVAL OF ANY ASSOCIATED STUDY, PLAN OF PLANNING, APPROVAL OF DEVELOPMENT STANDARDS REVIEW BOARD, AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON THIS PROJECT SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

NO	DATE	SCALE	REVISION	NO
01	12/10/13	1:50		1

VICINITY MAP

Zoning Case 2013-37

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to amend Planned Development-185-Regional Commercial on 14.8± acres of land out of the D.M. Tucker Survey, Abstract No. 913, located at the northeast corner of Dallas North Tollway and Parker Road, in the City of Plano, Collin County, Texas, in order to modify the development standards, including but not limited to, modifying the signage regulations; 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 24th day of February, 2014, for the purpose of considering amending Planned Development-185-Regional Commercial on 14.8± acres of land out of the D.M. Tucker Survey, Abstract No. 913, located at the northeast corner of Dallas North Tollway and Parker Road, in the City of Plano, Collin County, Texas, in order to modify the development standards, including but not limited to, modifying the signage regulations; 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 24th day of February, 2014; 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. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to amend Planned Development-185-Regional Commercial on 14.8± acres of land out of the D.M. Tucker Survey, Abstract No. 913, located at the northeast corner of Dallas North Tollway and Parker Road, in the City of Plano, Collin County, Texas, in order to modify the development standards, including but not limited to, modifying the signage regulations, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to the following:

Restrictions:

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

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. A maximum of 265 multifamily residential dwelling units shall be allowed by right within Tract 1. Multifamily residential is prohibited within Tracts 2 and 3.

3. Site Design

The district shall have a central north/south pedestrian-oriented private roadway that runs from Parker Road to the existing east/west fire lane of the regional theater property to the north. The private roadway shall have diagonal or 90° on-street parking and sidewalks on both sides of the roadway. The minimum width of the sidewalks shall be 12 feet. The sidewalks may be used for outdoor eating areas, outdoor display, and other activities commonly associated with a pedestrian-oriented development, if a minimum six feet sidewalk clearance and/or distance to curb line of the private roadway is maintained.

4. Trash collection facilities shall be exempt from the minimum distance requirements from rights-of-way of Type C and above thoroughfares as specified in Section 2.824 RC - Regional Commercial (6)(a) (Special District Requirements).

5. Area, Yard, and Bulk Requirements

- a. Minimum Building Height: Two story (30 feet) for buildings within Tracts 1 and 3.
- b. Maximum Building Height: Eight story (120 feet) for hotel use; six story (100 feet) for all other structures other than parking garages; 52 feet for parking garages with no maximum number of levels. (The parking garages shall be permitted to have levels of parking over and above retail, surface parking, or other permitted uses on the ground level.)
- c. Maximum Building Setback: Buildings fronting the north/south pedestrian-oriented private roadway and the existing east/west fire lane of the regional theater shall be constructed such that a minimum of 60% of the facade is located within 20 feet from the back of curb unless restricted by easements. Where easements are present, 60% of the facade must be built to the easement line.

- d. Setbacks from Parkwood Boulevard: Minimum of 50 feet as measured from the property line or three times the height, minus 90 feet as measured from the nearest residential district boundary line, whichever is more restrictive.
- e. Setbacks from Parker Road: Minimum of 30 feet as measured from the property line provided that parking and driveways are prohibited between the building face and the street. For areas with parking and driveways between the building face and the street, a minimum 50 foot setback is required.

6. Landscaping

- a. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscaping Requirements) and Section 4.600 (Dallas North Tollway Overlay District):
 - i. The required 30-foot landscape edge along the Dallas North Tollway frontage road may be reduced to ten feet in width, and the required 30-foot landscape edge along Parkwood Boulevard may be reduced to eight feet in width. A continuous meandering sidewalk interspersed with plant materials and berms as set forth in Subsection 4.604(3) shall not be required.
 - ii. Street trees shall be provided at a rate of one tree per 50 linear feet of street along all public streets and on both sides of the north/south pedestrian-oriented private roadway. Street trees may be placed in tree islands, between the curb and the sidewalk, or in the landscape edge. There is no minimum or maximum spacing between trees.

7. Parking

- a. Unless listed below, the minimum required parking within this planned development shall comply with Section 3.1100 (Off-Street Parking and Loading). The minimum required parking for multifamily uses and nonresidential uses other than hotels shall be provided as follows:
 - i. Multifamily Use: One space per bedroom
 - ii. Nonresidential Uses: One space per 250 square feet of floor area
- b. Total required parking shall be computed on a district-wide basis regardless of any phase/property lines. Parking stall and drive aisle dimensions shall comply with Section 3.1100 (Off-Street Parking and Loading).

8. Building Materials

- a. Building Materials: First floor exterior elevations of buildings and parking garages shall comply with the building material requirements of the RC zoning district. Second floor and higher exterior elevations shall comply with the building material standards except that specified materials shall only be required on 60% of the facade elevation. Interior elevations concealed by buildings or parking garages shall be exempt from material standards but shall be consistent in color and finish with the rest of the building or parking garage.
- b. Elevations of parking garages that face public streets, the north/south pedestrian-oriented private roadway, and the existing east/west fire lane of the regional theater, shall comply with the building material requirements of the RC zoning district.
- c. Visual barriers shall be installed to cover any openings between parking levels of a parking garage for openings that both (i) face a residential use east of Parkwood Boulevard directly across from the property and (ii) are located above the third level of the parking garage. Visual barriers measuring at least four feet in height shall extend above the parapet walls of the top levels of parking garage facades that both (i) face a residential use east of Parkwood Boulevard directly across from the property and (ii) are located above the third level of the parking garage.
- d. Buildings with first floor nonresidential uses that front the north/south pedestrian-oriented private roadway, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. For the purposes of this standard, ground floor is defined as that portion of a building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.

9. Signage

- a. For building facades and sidewalks/parkways fronting the north/south pedestrian-oriented private roadway allowable signs must comply with Subsection 3.1605 (Downtown Sign District).
- b. In addition to the existing allowed signage, one freestanding identification sign may be constructed subject to the following:
 - i. The sign may be an architectural entry feature that spans the north/south pedestrian-oriented private roadway.
 - ii. The minimum height of the feature shall be 14 feet. The maximum height of the feature shall be limited to 21 feet.

- iii. The sign copy area shall be limited to a maximum of 150 square feet and shall not extend beyond the edges of the entry feature.
 - iv. The sign is exempt from the requirement that it be located at least 30 feet from a property line. The sign is also exempt from the requirement that it be located at least 60 feet from a general business sign.
- c. In addition to the existing allowed signage, one electronic projecting sign will be allowed, integrated into the building architecture, subject to the following:
- i. The sign area shall not exceed 150 square feet.
 - ii. The height of the sign shall not exceed nine feet.
 - iii. The horizontal portion of the sign shall not exceed 16 feet.
- d. All other signage must comply with Section 3.1600 (Sign Regulations) and Section 4.600 (Dallas North Tollway Overlay District).

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 24TH DAY OF FEBRUARY, 2014.

Harry LaRosiliere, MAYOR

ATTEST:

Alice D. Snyder, INTERIM CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY

Zoning Case 2013-37

BEING a 14.75 acre tract of land situated in the D. M. Tucker Survey, Abstract No. 913 in the City of Plano, Collin County, Texas, and being a part of that 164.66 acre tract of land described in deed to Haggard Enterprises Limited, Ltd. as recorded in Volume 2006, Page 342 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1-inch iron rod set at the intersection of the north right-of-way line of Parker Road (130 feet wide at this point) and the west right-of-way line of Parkwood Boulevard (130 feet wide at this point);

THENCE South, 85° 57' 46" West, along said north right-of-way line a distance of 270.18 feet to a 1-inch iron rod set for corner;

THENCE South, 89° 46' 36" West, along said north right-of-way line a distance of 150.33 feet to a 1-inch iron rod set for corner (right-of-way 140 feet wide at this point);

THENCE South, 85° 57' 46" West, along said north line a distance of 199.07 feet to a 1-inch iron rod set on the east right-of-way line of Dallas North Tollway (right-of-way varies);

THENCE North, 00° 48' 27" West, along said east line a distance of 825.43 feet to a 1-inch iron rod found for the point of curvature of a circular curve to the left whose radius is 5,879.58 feet and whose chord bears North, 02° 18' 45" West, a distance of 308.87 feet;

THENCE along said east line and along said curve through a central angle of 03° 00' 37", an arc length of 308.91 feet to a scribed "Y" in concrete found on the common line between the herein described tract and that tract of land described in deed to Cinemark, USA, Inc. as recorded in Doc. No. 96-0029446, D.R.C.C.T.;

THENCE North, 89° 13' 12" East, departing said east line and along said common line a distance of 202.13 feet to a "PK nail" found for corner;

THENCE South, 00° 46' 48" East, along said common line a distance of 237.00 feet to an "X" found for corner;

THENCE North, 89° 13' 12" East, along said common line a distance of 543.34 feet to an "X" found on the west right-of-way line of Parkwood Boulevard (variable width right-of-way, 110 feet wide at this point);

THENCE South, 00° 46' 47" East, departing said common line and along said west line a distance of 62.76 feet to a 1/2-inch iron rod with "HALFF ASSOC. INC." yellow plastic cap (hereafter called "with cap") found for the point of curvature of a circular curve to the right whose radius is 916.14 feet and whose chord bears South, 06° 54' 15" West, a distance of 244.99 feet;

THENCE along said west line and along said curve through a central angle of 15° 22' 05", an arc distance of 245.73 feet to a 1/2-inch iron rod with cap found for corner;

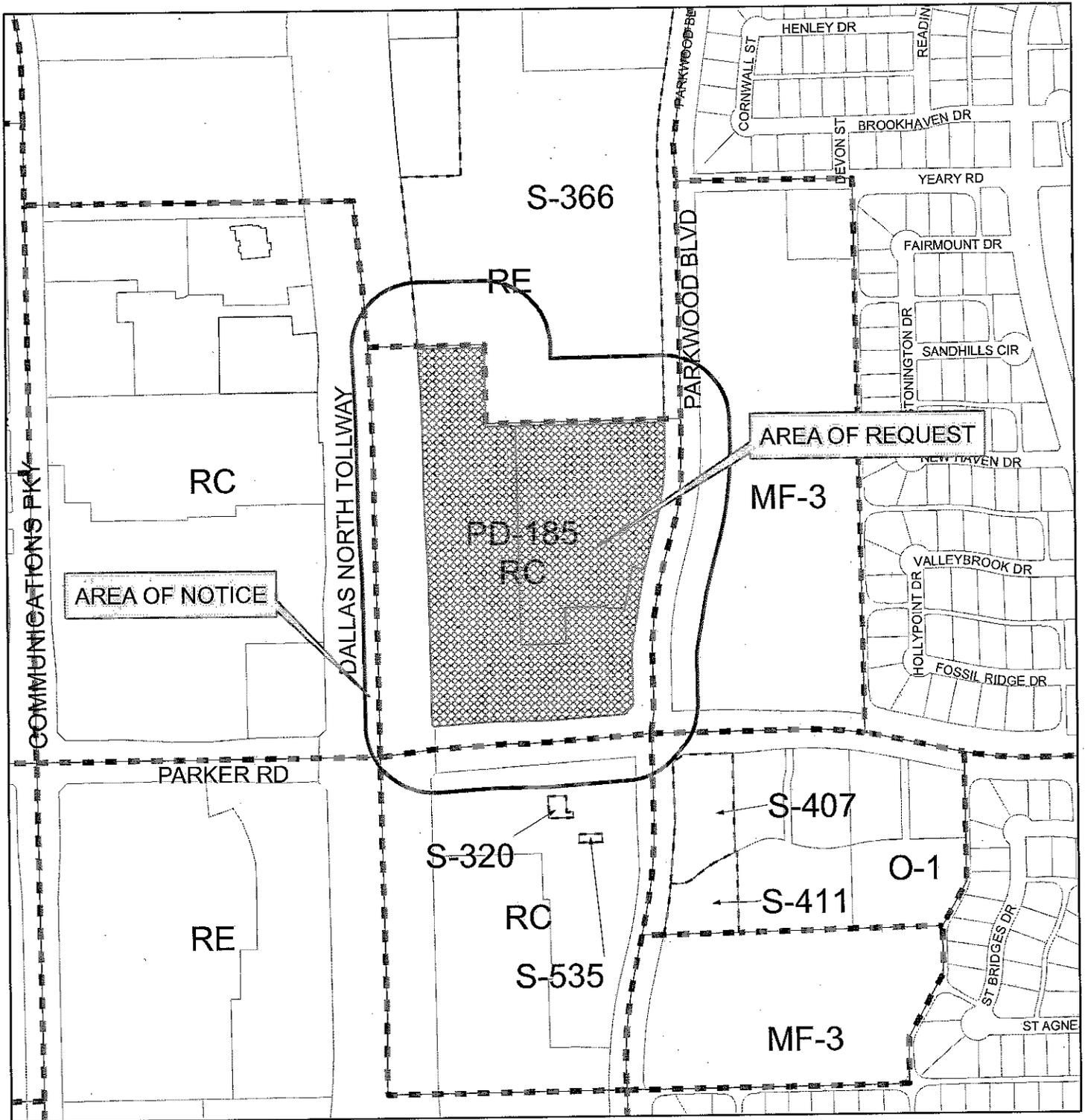
THENCE South $14^{\circ} 35' 18''$ West, along said west line a distance of 145.46 feet to a 1/2-inch iron rod with cap found for the point of curvature of circular curve to the left whose radius is 1,026.14 feet and whose chord bears South $12^{\circ} 22' 02''$ West, a distance of 79.54 feet;

THENCE along said west line and along said curve through a central angle of $04^{\circ} 26' 32''$, an arc distance of 79.56 feet to a 1/2-inch iron rod with cap found for corner;

THENCE South, $09^{\circ} 47' 48''$ West, along said west line a distance of 150.00 feet to a 1/2-inch iron rod with cap found for corner, said point also being on a non-tangent circular curve to the left whose radius is 1036.14 feet and whose chord bears South, $00^{\circ} 31' 17''$ West, a distance of 47.04 feet;

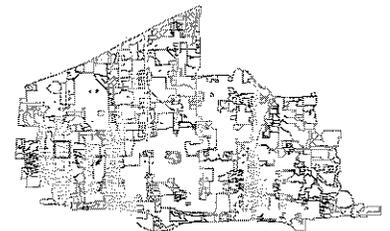
THENCE along said west line and along said curve through a central angle of $02^{\circ} 36' 05''$, an arc distance of 47.04 feet to a concrete monument found for corner;

THENCE South, $00^{\circ} 46' 47''$ East, along said west line a distance of 154.25 feet to the POINT OF BEGINNING and CONTAINING 642,504 square feet or 14.75 acres of land, more or less.



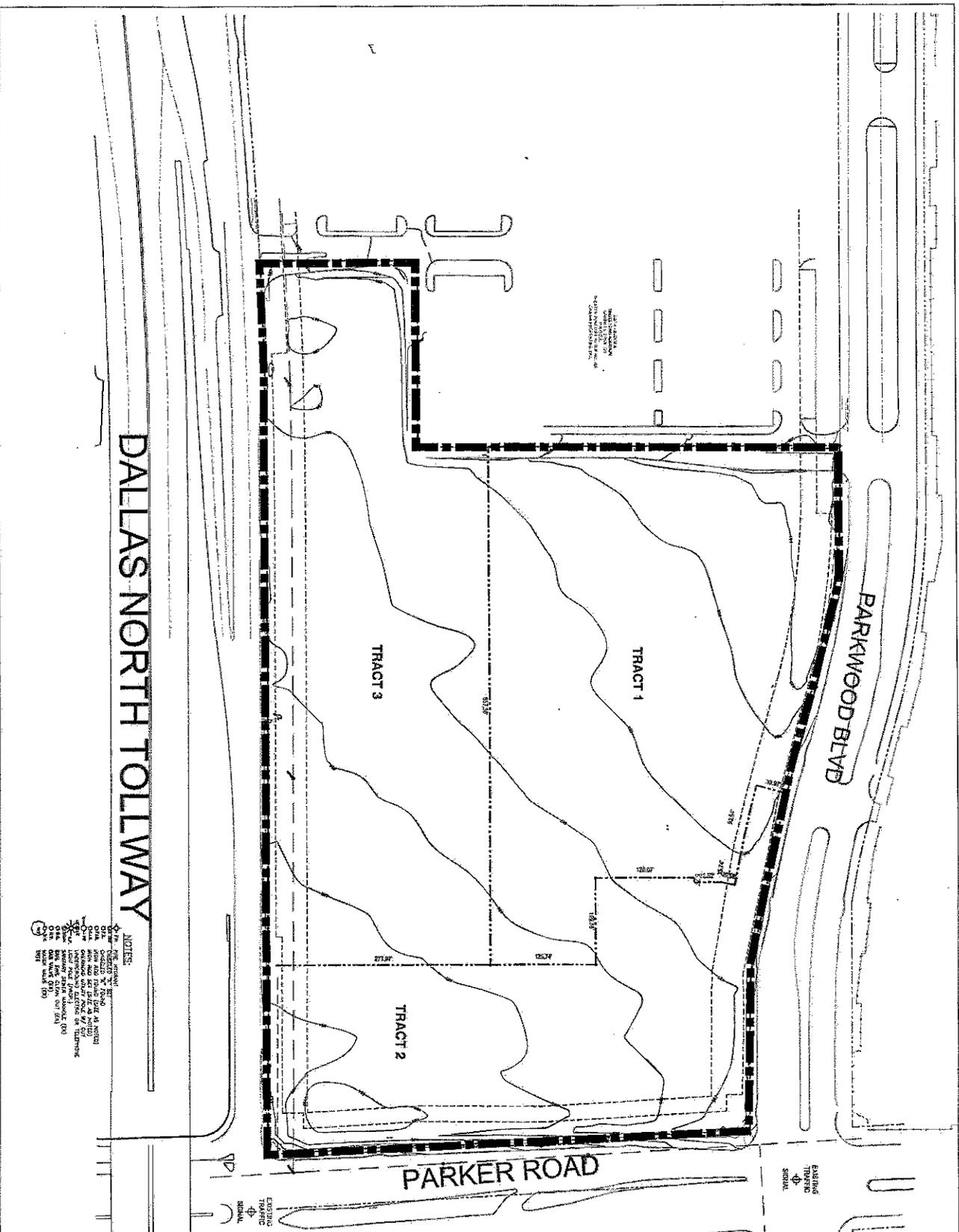
Zoning Case #: 2013-37

Existing Zoning: PLANNED DEVELOPMENT-185-REGIONAL COMMERCIAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer





NOTES:

- 1. All dimensions are in feet.
- 2. All dimensions are to the centerline of the road.
- 3. All dimensions are to the centerline of the easement.
- 4. All dimensions are to the centerline of the utility line.
- 5. All dimensions are to the centerline of the structure.
- 6. All dimensions are to the centerline of the fence.
- 7. All dimensions are to the centerline of the wall.
- 8. All dimensions are to the centerline of the driveway.
- 9. All dimensions are to the centerline of the sidewalk.
- 10. All dimensions are to the centerline of the curb.
- 11. All dimensions are to the centerline of the gutter.
- 12. All dimensions are to the centerline of the ditch.
- 13. All dimensions are to the centerline of the stream.
- 14. All dimensions are to the centerline of the canal.
- 15. All dimensions are to the centerline of the pipeline.
- 16. All dimensions are to the centerline of the tunnel.
- 17. All dimensions are to the centerline of the bridge.
- 18. All dimensions are to the centerline of the culvert.
- 19. All dimensions are to the centerline of the vault.
- 20. All dimensions are to the centerline of the manhole.
- 21. All dimensions are to the centerline of the well.
- 22. All dimensions are to the centerline of the shaft.
- 23. All dimensions are to the centerline of the pit.
- 24. All dimensions are to the centerline of the trench.
- 25. All dimensions are to the centerline of the cut.
- 26. All dimensions are to the centerline of the fill.
- 27. All dimensions are to the centerline of the embankment.
- 28. All dimensions are to the centerline of the dike.
- 29. All dimensions are to the centerline of the levee.
- 30. All dimensions are to the centerline of the berm.
- 31. All dimensions are to the centerline of the ridge.
- 32. All dimensions are to the centerline of the spur.
- 33. All dimensions are to the centerline of the branch.
- 34. All dimensions are to the centerline of the tributary.
- 35. All dimensions are to the centerline of the confluence.
- 36. All dimensions are to the centerline of the junction.
- 37. All dimensions are to the centerline of the intersection.
- 38. All dimensions are to the centerline of the crossing.
- 39. All dimensions are to the centerline of the overpass.
- 40. All dimensions are to the centerline of the underpass.
- 41. All dimensions are to the centerline of the viaduct.
- 42. All dimensions are to the centerline of the trestle.
- 43. All dimensions are to the centerline of the trestle.
- 44. All dimensions are to the centerline of the trestle.
- 45. All dimensions are to the centerline of the trestle.
- 46. All dimensions are to the centerline of the trestle.
- 47. All dimensions are to the centerline of the trestle.
- 48. All dimensions are to the centerline of the trestle.
- 49. All dimensions are to the centerline of the trestle.
- 50. All dimensions are to the centerline of the trestle.

DALLAS NORTH TOLLWAY

ZONING EXHIBIT - CASE NO. 2013-37

WEST PLANO VILLAGE

LOTS 1A TO - BLOCK A1 TRINITY CROSS ADDITION (4,750 AC)

REC - DALLAS NORTH TOLLWAY & PARKER ROAD

THE CITY OF PLANO, COLLIER COUNTY, TEXAS

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT BE A FINAL APPROVAL OF ANY ASSOCIATED STUDY, PLAN OF PLANS, APPLICATION OF DEVELOPMENT STANDARDS, SIGNING PERIOD, AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON THIS PROJECT. PLANS OR PLANS RELATING TO DEVELOPMENT OF THIS PROJECT SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

NO	DATE	SCALE	REVISION	NO
01	12/10/13	1:50		1

VICINITY MAP