

**DATE:** March 3, 2015  
**TO:** Honorable Mayor & City Council  
**FROM:** Doug Bender, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of March 2, 2015

**AGENDA ITEM NO. 8A - PUBLIC HEARING  
ZONING CASE 2014-44  
APPLICANT: J.C. PENNEY CO., INC.**

Request to amend Planned Development-65-Central Business-1 on 275.1± acres located at the northeast corner of the Dallas North Tollway and Tennyson Parkway. Zoned Planned Development-65-Central Business-1 with Specific Use Permit #265 for Day Care Center and Specific Use Permit #394 for Cemetery/Mausoleum.

**APPROVED:** 8-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **SUPPORT:** 8 **OPPOSE:** 6

**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 follows:

(Proposed additions are indicated by underlined text; deletions are indicated by strikethrough text.)

Restrictions:

General Conditions of the Planned Development District

1. The zoning exhibits shall be adopted as part of this ordinance.
2. The Planned Development shall be divided into four tracts:
  - a. Tract A, south of Legacy Dr., must be developed using the standards required by the planned development district.
  - b. Tract B, north of Legacy Dr., may be developed using either these requirements or the CB-1 regulations contained within the Zoning Ordinance. The initial development for Tract B will determine the standards to be used for the remainder of the property.

- c. Tract C, west of the Dallas North Tollway, north of Legacy Dr., east of Communications Pkwy. and south of Headquarters Dr. must be developed using the standards required by the planned development district.
  - d. Tract D, at the southwest corner of Headquarters Dr. and Communications Pkwy. must be developed using the standards required by the planned development district. Tract D may be developed in accordance with the uses permitted within the CB-1 zoning district, or as single-family residence attached.
3. Telecommunications Plan - A plan for providing telecommunications service within the district and wireless antenna sites serving the larger area shall be submitted within one year of the approval of this ordinance.
  4. Street trees shall be provided at a rate of 1 4-inch caliper tree per 35 feet of street frontage per side. Exact spacing and location of street trees shall be determined at the time of site plan approval.
  5. Lots must have frontage on a street. There is no required frontage distance for a lot although each lot must meet the design standards of the district.

#### Specific Provisions of the Planned Development

##### 1. Building Design

- a. On the south side of Legacy Dr., buildings fronting on Bishop Rd. must be designed to accommodate ground floor retail uses from Legacy Dr. south to Martin Rd. On the north side of Legacy Dr., retail, office, and live/work space is allowed on the ground floor of all multifamily buildings but is not required. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. 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.
- b. Nonresidential buildings, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. Facades facing the Dallas North Tollway frontage road and Legacy Dr. within 400 feet from the Dallas North Tollway frontage road are exempt from this requirement and shall have a minimum of 30% of the ground floor facade comprised of window area. No glass having an exterior visible reflectance of more than 30% shall be permitted as an exterior building material.
- c. Canopies, balconies, stoops, bay windows, awnings, and other building projections may encroach up to five feet into the public right-of-way.
- d. Buildings shall be constructed with 75% of each facade within six feet of the right-of-way for streets and mews, unless restricted by easements. Where easements are present, 75% of each facade must be built to the easement line. Exceptions to these setback requirements are:

- i. Within Tracts A and B, buildings with facades along the Dallas North Tollway frontage road shall have a 300-foot maximum setback.
  - ii. Within Tracts A and B, buildings with facades along Legacy Dr., within 400 feet from the Dallas North Tollway frontage road, shall have a 300-foot maximum setback
  - iii. Within Tracts A and B, all developments having building facades along Legacy Dr., except for item ii. above, shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Legacy Dr. A public or private mews street may also be installed between Legacy Dr. and the buildings. In this case, 75% of the building facade shall be within 6 feet of the mews street right-of-way. The initial development along the south side of Legacy Dr., except within the area defined in item ii. above, shall determine which development standard is to be used.
  - iv. Within Tract C, buildings shall be constructed with 75% of each façade within 30 feet of the back of curb of the quasi-public street or within 100 feet of the back of curb of Headquarters Dr., Communications Pkwy., Legacy Dr. or the Dallas North Tollway.
  - v. Within Tract C, off-street surface parking is prohibited between the quasi-public street and the building facade.
  - vi. Within Tract C, if a public open space, patio dining, plaza, or other public amenity is provided between the building face and the street, then the amenity may be used to meet the maximum building setback. Surface parking lots cannot be used to meet the maximum building setback.
- e. Within Tracts A and B, building facades fronting Headquarters Dr. or Tennyson Pkwy. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Headquarters Dr. or Tennyson Pkwy. If a mews street is used, the building facade shall have 75% of its face with 6 feet of the mews street right-of-way line.
  - f. Within Tracts A and B, building facades fronting Parkwood Blvd. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Parkwood Blvd. A public or private mews street may also be installed between the buildings and the right-of-way of Parkwood Blvd. If a mews street is used, the building facade shall have

75% of its face within six feet of the mews street right-of-way line. The minimum setback shall be six feet from the right-of-way of Parkwood Blvd.

- g. No building facade shall exceed a length of 400 feet without a break in the facade of a minimum depth of 5 feet for a minimum length of 10 feet.
- h. Tract C shall contain a quasi-public street connecting Legacy Dr. to Headquarters Blvd.
  - i. Quasi-Public Street Definition: Quasi-public streets are privately owned and maintained drives open to public access. A quasi-public street easement shall be dedicated for all quasi-public streets, and a fire lane shall be located within all quasi-public street easements. On-street parking and sidewalks provided along quasi-public streets shall be located within the quasi-public street easement. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
  - ii. On-street parking is permitted along the quasi-public street provided it is parallel or angled. Ninety-degree, head-in parking, is prohibited along the quasi-public street.
  - iii. Buildings fronting the quasi-public street shall be designed to accommodate ground floor retail and office uses. Live/work space is permitted on the ground floor of all multifamily buildings. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. Ground floor is defined as that portion of building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.
  - iv. Public or private mews streets may be installed between the buildings, perpendicular to the quasi-public street and all other public streets. If a mews street is used, the building façade shall have 75% of its face within 7 feet of the mews street right-of-way line.
- i. Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

## 2. Residential Development Standards

- a. Standards relating to all residential development
  - i. Within Tracts A and B, no minimum open space shall be required per residential dwelling unit. However, 2 park or courtyard areas must be provided within the planned development district, one on each side of Legacy Dr. The park areas shall total 5 acres in size. These areas may be publicly or privately owned. Parks, courtyards, and streetscape areas shall be shown at the time of concept plan or site plan approval on the concept plan or site plan.

- ii. No off-street loading docks shall be required for buildings containing residential uses. Off-street loading docks for nonresidential uses may not be located adjacent to or across a street or alley from buildings containing residential uses unless the loading dock is screened in accordance with the following:
    - Solid metal gates
    - Masonry screening walls (in accordance with Section 3.1000)
    - Overhead doors
    - Any combination of the above
- b. Standards relating to multifamily residence development
- i. Multifamily development shall be exempt from the supplemental regulations of Subsection 3.104.
  - ii. The minimum residential density for multifamily development shall be 40 dwelling units per acre. Mid-rise residential is excluded from this requirement.
  - iii. Within Tract C, the maximum number of multifamily dwelling units shall be 800.
  - iv. Within Tract C, the first floor of residential buildings shall not solely consist of structured parking.
- c. Standards relating to single-family residence attached development
- i. Each dwelling unit shall be on an individually-platted lot. Lots shall front on a public street, private mews street, or slip road. Mews streets used for private lot frontage shall be named streets and shall not be gated.
  - ii. Within Tract D, Garages for single-family residence attached uses shall not front on Headquarters Dr. or Communications Pkwy.
  - iii. Minimum Lot Area: 700 square feet.
  - iv. Maximum Density: 40 dwelling units per acre
  - v. Minimum Lot Width: 20 feet
  - vi. Minimum Lot Depth: 35 feet
  - vii. Front yard setbacks shall apply as follows:
    - Minimum Setback from Mews Street or Slip Road: 12 feet from back of street curb to building
    - Maximum Setback from Mews Street or Slip Road: 18 feet from back of street curb to building
    - Minimum Setback from Public Street or Slip Road: 15 feet from back of street curb to building

- Maximum Setback from Public Street or Slip Road: 21 feet from back of street curb to building
  - Minimum of 75% of the front facade of the building shall fall within the minimum and maximum setback
- viii. Minimum Side Yard
- Interior Side Yard: None
  - Exterior Side Yard (Corner Lot): Shall be treated the same as front yards
- ix. Minimum Rear Yard: None
- x. Maximum Height: 3 story (50 feet)
- xi. Minimum Floor Area per Dwelling Unit: 800 square feet
- xii. Maximum Lot Coverage: 100%
- xiii. Street trees shall be placed in planting beds or tree grates within 6 feet of the back of the street curb.
- xiv. Sidewalks with a minimum unobstructed width of 6 feet shall be placed along street frontage within Tracts A and B. Sidewalks with a minimum unobstructed width of 7 feet shall be placed along street frontage within Tracts C and D. Sidewalks are in addition to and placed adjacent to street tree areas.
- xv. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six feet into the area between the front facade of the building and the back of the street curb.
- xvi. Maximum Building Length: 200 feet
- xvii. Buildings must be separated by a minimum distance of 10 feet.
- xviii. Maximum Number of Units per Building: 10
- xix. Rear entry drives are required. The distance from the garage to the travel lane of the alley shall be 10 or less feet in length or shall be 20 feet or greater in length. The distance from the garage to the mews street shall be in accordance with the attached mews street section.
- d. Standards relating to single-family residence detached development shall be in accordance with the following:
- i. Minimum Lot Area: 875 square feet
  - ii. Minimum Lot Width: 25 feet
  - iii. Front Yard Setbacks:
    - Minimum Setback from a Public Street, Mews Street, Slip Road, or Access and Utility Easement: None, except the distance from any

garage to the right-of-way or easement line shall be 3 feet or less, or 20 feet or greater in length.

- Maximum Setbacks:

1. From Communications Pkwy. and Headquarters Dr.: 20 feet. A maximum of 30% of the units may exceed this setback if those units average a setback of 30 feet.
2. From all other Public Streets, Mews Streets, Slip Roads, or Access and Utility Easements: 20 feet from back of street curb or easement line to building.

- iv. Minimum Side Yard Setback: None.
- v. Maximum Height: 3 story; 50 feet. Outdoor living areas, patios, and/or decks are allowed on second and third stories of buildings as long as they are within the 50-foot maximum building height.
- vi. Buildings must be separated by a minimum distance of 3 feet. A minimum 3-foot wide maintenance easement shall be placed between lots to allow for property owner maintenance. The easement may be split between lots as long as the minimum 3-foot distance is provided.
- vii. An easement for the benefit of each lot is hereby reserved over, across, and upon each lot adjoining to such lot for roof overhangs not exceeding 2 feet in width and brick ledges which support exterior veneer walls and associated brick and veneers not exceeding six inches in width.
- viii. Lots may take access from a Public Street, Mews Street, Slip Road, or Access and Utility Easement. Units may front on an access and utility easement. The minimum frontage required along a public street for each lot deriving frontage from an access and utility easement is 2 feet. The access and utility easement shall be a minimum of 24 foot wide, paved and maintained by the homeowners' association.
- ix. Garages for single-family residence detached uses shall not front on Headquarters Dr. or Communications Pkwy.
- x. Parking Requirements: 2.25 spaces per dwelling unit. Two off-street parking spaces shall be provided within attached garages, adjacent to each unit or within 100 feet of each unit if established with site plan approval. One-fourth visitor parking space shall be provided within 600 feet of each unit. The visitor parking requirement may be eliminated or reduced at the time of site plan or subdivision plat approval with a finding that there is adequate on-street parking for visitors.
- xi. Any single-family residence detached subdivision developed under these standards shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger or easements for drainage or floodways.

- xii. A minimum 6-foot masonry screening wall, ornamental metal fence, irrigated living screen, or combination of the three will be provided along the site's western property boundary adjacent to Legacy West, Block E, Lot 2. If a living screen is installed, it shall be at least a 6-foot tall solid screen within two years of installation.
- xiii. The minimum spacing between adjacent streets on a roadway shall be 110 feet between the near curb of any adjacent street when either of the streets is a Type E or larger street.

### 3. Street, Sidewalk, and Streetscape Regulations

- a. Streets, private streets and drives, streetscape and visibility triangles shall be in accordance with the attached street and drive sections and intersection diagrams.
- b. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted. These areas shall not be included in parking calculations.
- c. Within Tracts C and D, trees, landscaping, outdoor dining areas, bicycle racks and street furniture may be placed within a sidewalk but may not reduce the 7 feet unobstructed width.

### 4. Parking Regulations

- a. On-street parking within 300 feet of a proposed use may be counted toward satisfying the parking requirement for such use. Assignment of on-street parking shall be at the time of approval of the site plan.

The required parking within the district shall be as follows:

- Multifamily - One space per bedroom (including efficiencies). Spaces for multifamily uses may be provided in a joint use parking structure and need not be within 100 feet of the units served.
- Single-Family Attached - Each dwelling unit shall have a rear entry drive within a minimum of 2 parking spaces per garage. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
- Live/Work Space - 1 space per 800 square feet of area on the ground floor
- Retail - 1 space per 500 square feet of floor area
- Office - 1 space per 300 square feet of floor area
- Hotel - 1 space per guest room and 1 space per 160 square feet of meeting area
- All Other Nonresidential Uses - 1 space per 250 square feet of floor area

- b. Within Tract C, a maximum of 100 off-street parking spaces are permitted within a surface parking area within each lot. These areas shall contain a five-foot landscaped edge between the parking area and the street. Within this landscape edge, ten shrubs (five gallon minimum) shall be planted per 500 square feet.
- c. The initial developments in the district will provide parking as required above. Required parking may be shared among the following uses: multifamily, residential, office, retail, restaurant, health club, hotel, and theater, based on time-of-day parking demands for such uses. A parking study detailing parking needs and shared parking arrangements must be submitted at the time of site plan review and approval.
- d. When a building is under single ownership, a maximum of 50% of the spaces provided in a parking structure may utilize small car parking requirements.
- e. Structured parking shall be designed to minimize the ground level view of automobiles below their hood lines. Parking structure facades shall have strong horizontal architectural elements. Pedestrian entrances to parking garages shall be directly accessed by a sidewalk or mews or through an internal building vestibule.

#### 5. Prohibited/Additional Allowed Uses

- a. The following uses shall be prohibited:
  - electrical substation
  - railroad team track
  - freight terminal or dock
  - service yard for governmental agency
  - shops, office, or storage area for public/private utility
  - water treatment plant
  - automobile parts sales (inside)
  - automobile repair garage
  - automobile storage
  - car wash
  - motorcycle sales/service
  - tire dealer (no open storage)
  - contract construction
  - general commercial plant
  - transfer storage and baggage terminal

- b. The following additional uses shall be permitted:
  - artisan's workshop
  - bed & breakfast
  - single-family residence attached
- c. Within Tract C, the following additional uses shall be permitted:
  - Multifamily and mid-rise residential
- d. Within Tract D, the following additional uses shall be permitted:
  - Single-family residence attached
  - Single-family residence detached

## 6. Signage Regulations

In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible:

Freestanding Identification Signs - Freestanding identification signs may be installed at the following locations and shall comply with the Dallas North Tollway Overlay District signage requirements:

- The intersections of Type D and larger thoroughfares.
- The intersection of Bishop Rd. and Type D and larger thoroughfares.

Freestanding identification signs are exempt from the requirement that they be located at least 30 feet from a private property line.

### Directional Signs

- a. General
  - A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, hotel, or parking areas.
  - A directional sign may be a freestanding sign, a wall sign, a projecting sign, or mounted to a vertical support.
  - These signs shall not contain advertising and shall be specifically directional in nature.
- b. Sign Size - A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is 3 feet wide. The bottom of the sign shall not fall below 7 feet from the ground surface.

## Banners - General

- Banners may be mounted to a vertical support or attached to a building or parking deck and may cross the street.
- Banners, which are mounted to a vertical support, may be integrated onto street and pedestrian light poles.
- Banners may display artwork or a message that pertains to the district or a special event.

## Portals - General

- A portal is an entry feature, which may be freestanding, span across an area, or attached to a building or structure.
- Portals may be located at the following locations:
  1. The intersections of Bishop Rd. and Type D and larger thoroughfares.
  2. The intersection of Henry Cook Blvd. and Parkwood Blvd.
- Portals which span across the public right-of-way may be erected subject to city approval.

## Directory Map

### a. General

- A directory map is a noncommercial map listing the occupants within a shopping center, retail district, office district, or commercial site.
- A directory map may be freestanding, mounted to a wall, mounted to a vertical support, incorporated into a kiosk, or anchored within the public right-of-way.
- A directory map is used to provide way finding information for pedestrians.

### b. Sign Size

- A directory map, mounted to a vertical support, shall not exceed 40 square feet.

## Architectural Roof Signs

### a. General

- An architectural roof sign is a sign on top of a roof structure which may extend above the highest point of a roofline.
- Architectural roof signs are prohibited on building facades facing the Dallas North Tollway, Headquarters Dr., Parkwood Blvd., Tennyson Pkwy., and Legacy Dr.

b. Sign Size

- Architectural roof signs shall not exceed an overall height of 9 feet and shall not exceed a maximum square footage of 150 square feet.

Sloping Roof Signs

a. General

- A sloping roof sign sits at the base of a sloping roof structure/awning element and does not extend above the roofline of the structure or element.
- Sloping roof signs are limited to the retail portions of Legacy Town Center and Tract C.

b. Sign Size

- Sloping roof sign height shall not exceed 1/3 of the height of the sloping roof seen in true elevation. (See attached zoning exhibit for sloping roof sign detail.)

A-frame Signs

a. General

- An a-frame sign is a self-supporting A-shaped sign with 2 visible sides that is located on or adjacent to a sidewalk.
- The sign shall be sufficiently weighted or anchored.
- A-frame signs may be located within the public right-of-way.

b. Sign Size

- The maximum square footage is 8 square feet per sign face and the maximum sign height is 4 feet high.

Projecting Signs

a. General

- Projecting signs must keep a minimum clearance of 8 feet above the sidewalk.
- Projecting signs may be located within the public right-of-way.

b. Sign Size

- The horizontal portion of any projecting sign shall not be more than 6 feet 6 inches in length measured from the building face.
- The projecting sign shall not exceed 60 square feet.

## Murals - General

- Murals are noncommercial pictures, not advertising a product or service, which is sold on the premises, painted on, or attached to the exterior walls. The subject matter of a mural is expressed by means easily understood by a general audience.
- Murals shall be reviewed and approved at the discretion of the Building Official for compliance with the definition of a mural and for appropriate size and placement.

## Kiosks

### a. General

- Freestanding kiosk structures may be anchored within the public right-of-way or erected on individual lots. If anchored in the public right-of-way, kiosks are limited to 15 feet in height, and all accessibility and visibility requirements must be met for public sidewalks and streets. A maximum of 4 freestanding kiosks may be installed in the public right-of-way, 2 in the portion of the planned development district south of Legacy Dr., and 2 in the portion north of Legacy Dr.
- Kiosks in the public right-of-way may display directory maps, artwork, or messages that pertain to the district or special events, but shall not be used for commercial advertising signs. Kiosks located on private property may display commercial advertising signs.

### b. Sign Size

- Signage on all kiosks shall not exceed 40 square feet in the public right-of-way. Signage on kiosks located on private property may not exceed 60 square feet. For multiple-sided kiosks, the gross surface area of each side shall not exceed 2 times the allowable square footage divided by the number of sign faces.

## Multipurpose Wall Signs

### a. General

- A multipurpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified. The multipurpose wall sign may also be an electronic changeable wall sign as defined herein.
- Multipurpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.

- An electronic changeable wall sign is a type of multipurpose wall sign that displays static images that change message or copy by programmable electronic processes. Electronic changeable wall signs shall be allowed to change copy every 8 seconds.

b. Size and Location

- Multipurpose wall signs shall not be limited in height or width except that they shall be limited to 300 square feet in size.
- Multipurpose wall signs within Tract C shall be limited to 450 square feet in size.
- A maximum of 2 multipurpose signs shall be mounted to parking garages located adjacent to the Dallas North Tollway within Tract C.
- A maximum of 2 multipurpose wall signs shall be mounted to the parking garage located at the southeast corner of the Dallas North Tollway frontage road and Legacy Dr. only. The signs shall be mounted on the north, west, or south facades, and only 1 sign shall be permitted on each facade.
- Multipurpose wall signs may only be used to advertise tenants, owners and uses and any of their products or services within PD-65-CB-1.

Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

**FOR CITY COUNCIL MEETING OF:** March 23, 2015 (To view the agenda for this meeting, see [www.plano.gov](http://www.plano.gov))

**PUBLIC HEARING - ORDINANCE**

EM/ks

xc: JCPenney Co., Inc.  
Trey Braswell, Kimley-Horn

<http://goo.gl/maps/ES8ZF>

CITY OF PLANO  
PLANNING & ZONING COMMISSION

March 2, 2015

**Agenda Item No. 8A**

**Public Hearing:** Zoning Case 2014-44

**Applicant:** J.C. Penney Co., Inc.

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**DESCRIPTION:**

Request to amend Planned Development-65-Central Business-1 on 275.1± acres located at the northeast corner of the Dallas North Tollway and Tennyson Parkway. Zoned Planned Development-65-Central Business-1 with Specific Use Permit #265 for Day Care Center and Specific Use Permit #394 for Cemetery/Mausoleum.

**REMARKS:**

The purpose of this request is to modify Planned Development-65-Central Business-1 (PD-65-CB-1) in order to add single-family residence detached as a permitted use with modified development standards. A planned development 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. Single-family residence detached is defined as “a dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other separate lot or tract.”

The request proposes to allow single-family residence detached as an additional permitted use within Tract D, which is located at the southwest corner of Communications Parkway and Headquarters Drive. A concept plan for Legacy West, Block E, Lot 1 accompanies this request as Agenda Item 8B.

**Surrounding Land Use and Zoning**

The property to the north of Tract D, across Headquarters Drive, is zoned PD-64-CB-1 and is currently undeveloped. To the east, across Communications Parkway, the property is zoned PD-65-CB-1 and is currently undeveloped. To the south and west is a general office development zoned Commercial Employment (CE) with Specific Use Permit #265 for Day Care Center.

## Proposed Planned Development Stipulations

The request is to amend PD-65-CB-1 to allow single-family residence detached as a permitted use within Tract D. The property within Tracts C and D was added to PD-65-CB-1 in 2014 with approval of Zoning Case 2014-27. At that time, single-family residence attached was added as an additional use to Tract D; however, the applicant is now requesting to develop single-family residence detached with urban standards consistent with the remainder of PD-65-CB-1 and the city's small lot development standards including minimum parking and open space as follows:

### Specific Provisions of the Planned Development

#### 2. d. Standards relating to single-family residence detached development shall be in accordance with the following:

- i. Minimum Lot Area: 875 square feet
- ii. Minimum Lot Width: 25 feet
- iii. Front Yard Setbacks:
  - Minimum Setback from a Public Street, Mews Street, Slip Road, or Access and Utility Easement: None, except the distance from any garage to the right-of-way or easement line shall be 3 feet or less, or 20 feet or greater in length.
  - Maximum Setbacks:
    1. From Communications Pkwy. and Headquarters Dr.: 20 feet. A maximum of 30% of the units may exceed this setback if those units average a setback of 30 feet.
    2. From all other Public Streets, Mews Streets, Slip Roads or Access and Utility Easements: 20 feet from back of street curb or easement line to building.
- iv. Minimum Side Yard Setback: None.
- v. Maximum Height: 3 story; 50 feet. Outdoor living areas, patios, and/or decks are allowed on second and third stories of buildings as long as they are within the 50-foot maximum building height.
- vi. Buildings must be separated by a minimum distance of 3 feet. A minimum 3-foot wide maintenance easement shall be placed between lots to allow for property owner maintenance. The easement may be split between lots as long as the minimum 3-foot distance is provided.
- vii. An easement for the benefit of each lot is hereby reserved over, across, and upon each lot adjoining to such lot for roof overhangs not exceeding 2 feet in width, and brick ledges which support exterior veneer walls and associated brick and veneers not exceeding 6 inches in width.

- viii. Lots may take access from a public street, mews street, slip road, or access and utility easement. Units may front on an access and utility easement. The minimum frontage required along a public street for each lot deriving frontage from an access and utility easement is 2 feet. The access and utility easement shall be a minimum of 24 foot wide, paved and maintained by the homeowners' association.
- ix. Garages for single-family residence detached uses shall not front on Headquarters Dr. or Communications Pkwy.
- x. Parking Requirements: 2.25 spaces per dwelling unit. Two off-street parking spaces shall be provided within attached garages, adjacent to each unit or within 100 feet of each unit if established with site plan approval. One-fourth visitor parking space shall be provided within 600 feet of each unit. The visitor parking requirement may be eliminated or reduced at the time of site plan or subdivision plat approval with a finding that there is adequate on-street parking for visitors.
- xi. Any single-family residence detached subdivision developed under these standards shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger or easements for drainage or floodways.
- xii. A minimum 6-foot masonry screening wall, ornamental metal fence, irrigated living screen, or combination of the 3 will be provided along the site's western property boundary adjacent to Legacy West, Block E, Lot 2. If a living screen is installed, it shall be at least a 6-foot tall solid screen within 2 years of installation.
- xiii. The minimum spacing between adjacent streets on a roadway shall be 110 feet between the near curb of any adjacent street when either of the streets is a Type E or larger street.

There are two primary parts to this request: land use and building design standards.

**Land Use** - The applicant is proposing to amend PD-65-CB-1 as the base zoning district with the additional use of single-family residence detached.

**Design Standards** - The requested design standards would allow for an urban form of single-family residential development.

**Conformance to the Comprehensive Plan**

**Future Land Use Plan:** The Future Land Use Plan designates Tract D as Low-Intensity Office (LIO). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. However, mixed-use 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 current zoning allows mixed-use development on the subject property.

**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.

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

**School Capacity:** This is provided for informational purposes only. The majority of the subject property is within the Plano Independent School District (PISD) and the remainder is located within the Frisco Independent School District (FISD).

The portion of the subject property within the PISD is served by the following schools:

<b>Elementary School</b>	<b>Barksdale</b>
<b>Middle School</b>	<b>Renner</b>
<b>High School</b>	<b>Shepton</b>
<b>Senior High School</b>	<b>Plano West Senior High</b>

Per the districts representative, there may be capacity issues at the schools if all the proposed residential units within PD-65-CB-1 were built today.

The portion of the subject property within the FISD is served by the following schools:

<b>Elementary School</b>	<b>Spears</b>
<b>Middle School</b>	<b>Hunt</b>
<b>High School</b>	<b>Frisco</b>

Per the district's representative, there will be little potential impact on FISD school capacities.

**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:**

Parks: 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 as required in PD-65-CB-1.

Libraries: The subject property is located within Parr Library's service area, and service to the residents would be possible with the current library resources.

### **Single-Family Residence Detached**

The applicant is proposing to allow an urban form of the single-family residence detached use within Tract D. Single-family residence attached (townhomes) are currently permitted in Tracts A, B, and D. The modified area, yard, and bulk requirements, lot area, building setbacks, and heights will create an urban form of residential product consistent with the existing PD standards. Allowing residential uses within the context of an urban center development provides many benefits to future residents and can contribute to the overall success of the development. Staff believes that in this area, and in the context of the recently approved expansion of the planned development district, the proposed residential use is appropriate.

### **SUMMARY:**

The applicant is requesting to modify PD-65-CB-1 in order to add single-family residence detached as a permitted use with modified development standards within Tract D, located at the southwest corner of Headquarters Drive and Communications Parkway. The proposed amendment to the PD-65-CB-1 zoning district is consistent with existing zoning, and the Future Land Use Plan recommendations for mixed-use development. The requested residential use is appropriate in the context of an urban center. Staff is in support of the proposed rezoning.

### **RECOMMENDATION:**

Recommended for approval as follows:

(Proposed additions are indicated by underlined text; deletions are indicated by strikethrough text.)

Restrictions:

#### **General Conditions of the Planned Development District**

1. The zoning exhibits shall be adopted as part of this ordinance.
2. The Planned Development shall be divided into four tracts:
  - a. Tract A, south of Legacy Dr., must be developed using the standards required by the planned development district.
  - b. Tract B, north of Legacy Dr., may be developed using either these requirements or the CB-1 regulations contained within the Zoning Ordinance. The initial development for Tract B will determine the standards to be used for the remainder of the property.

- c. Tract C, west of the Dallas North Tollway, north of Legacy Dr., east of Communications Pkwy. and south of Headquarters Dr. must be developed using the standards required by the planned development district.
  - d. Tract D, at the southwest corner of Headquarters Dr. and Communications Pkwy. must be developed using the standards required by the planned development district. Tract D may be developed in accordance with the uses permitted within the CB-1 zoning district, or as single-family residence attached.
3. Telecommunications Plan - A plan for providing telecommunications service within the district and wireless antenna sites serving the larger area shall be submitted within one year of the approval of this ordinance.
  4. Street trees shall be provided at a rate of 1 4-inch caliper tree per 35 feet of street frontage per side. Exact spacing and location of street trees shall be determined at the time of site plan approval.
  5. Lots must have frontage on a street. There is no required frontage distance for a lot although each lot must meet the design standards of the district.

#### Specific Provisions of the Planned Development

##### 1. Building Design

- a. On the south side of Legacy Dr., buildings fronting on Bishop Rd. must be designed to accommodate ground floor retail uses from Legacy Dr. south to Martin Rd. On the north side of Legacy Dr., retail, office, and live/work space is allowed on the ground floor of all multifamily buildings but is not required. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. 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.
- b. Nonresidential buildings, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. Facades facing the Dallas North Tollway frontage road and Legacy Dr. within 400 feet from the Dallas North Tollway frontage road are exempt from this requirement and shall have a minimum of 30% of the ground floor facade comprised of window area. No glass having an exterior visible reflectance of more than 30% shall be permitted as an exterior building material.
- c. Canopies, balconies, stoops, bay windows, awnings, and other building projections may encroach up to five feet into the public right-of-way.
- d. Buildings shall be constructed with 75% of each facade within six feet of the right-of-way for streets and mews, unless restricted by easements. Where easements are present, 75% of each facade must be built to the easement line. Exceptions to these setback requirements are:

- i. Within Tracts A and B, buildings with facades along the Dallas North Tollway frontage road shall have a 300-foot maximum setback.
  - ii. Within Tracts A and B, buildings with facades along Legacy Dr., within 400 feet from the Dallas North Tollway frontage road, shall have a 300-foot maximum setback
  - iii. Within Tracts A and B, all developments having building facades along Legacy Dr., except for item ii. above, shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Legacy Dr. A public or private mews street may also be installed between Legacy Dr. and the buildings. In this case, 75% of the building facade shall be within 6 feet of the mews street right-of-way. The initial development along the south side of Legacy Dr., except within the area defined in item ii. above, shall determine which development standard is to be used.
  - iv. Within Tract C, buildings shall be constructed with 75% of each façade within 30 feet of the back of curb of the quasi-public street or within 100 feet of the back of curb of Headquarters Dr., Communications Pkwy., Legacy Dr. or the Dallas North Tollway.
  - v. Within Tract C, off-street surface parking is prohibited between the quasi-public street and the building facade.
  - vi. Within Tract C, if a public open space, patio dining, plaza, or other public amenity is provided between the building face and the street, then the amenity may be used to meet the maximum building setback. Surface parking lots cannot be used to meet the maximum building setback.
- e. Within Tracts A and B, building facades fronting Headquarters Dr. or Tennyson Pkwy. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Headquarters Dr. or Tennyson Pkwy. If a mews street is used, the building facade shall have 75% of its face with 6 feet of the mews street right-of-way line.
  - f. Within Tracts A and B, building facades fronting Parkwood Blvd. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Parkwood Blvd. A public or private mews street may also be installed between the buildings and the right-of-way of Parkwood Blvd. If a mews street is used, the building facade shall have 75% of its face within six feet of the mews street right-of-way line. The minimum setback shall be six feet from the right-of-way of Parkwood Blvd.

- g. No building facade shall exceed a length of 400 feet without a break in the facade of a minimum depth of 5 feet for a minimum length of 10 feet.
- h. Tract C shall contain a quasi-public street connecting Legacy Dr. to Headquarters Blvd.
  - i. Quasi-Public Street Definition: Quasi-public streets are privately owned and maintained drives open to public access. A quasi-public street easement shall be dedicated for all quasi-public streets, and a fire lane shall be located within all quasi-public street easements. On-street parking and sidewalks provided along quasi-public streets shall be located within the quasi-public street easement. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
  - ii. On-street parking is permitted along the quasi-public street provided it is parallel or angled. Ninety-degree, head-in parking, is prohibited along the quasi-public street.
  - iii. Buildings fronting the quasi-public street shall be designed to accommodate ground floor retail and office uses. Live/work space is permitted on the ground floor of all multifamily buildings. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. Ground floor is defined as that portion of building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.
  - iv. Public or private mews streets may be installed between the buildings, perpendicular to the quasi-public street and all other public streets. If a mews street is used, the building façade shall have 75% of its face within 7 feet of the mews street right-of-way line.
- i. Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

## 2. Residential Development Standards

- a. Standards relating to all residential development
  - i. Within Tracts A and B, no minimum open space shall be required per residential dwelling unit. However, 2 park or courtyard areas must be provided within the planned development district, one on each side of Legacy Dr. The park areas shall total 5 acres in size. These areas may be publicly or privately owned. Parks, courtyards, and streetscape areas shall be shown at the time of concept plan or site plan approval on the concept plan or site plan.
  - ii. No off-street loading docks shall be required for buildings containing residential uses. Off-street loading docks for nonresidential uses may not be located adjacent to or across a street or alley from buildings

containing residential uses unless the loading dock is screened in accordance with the following:

- Solid metal gates
- Masonry screening walls (in accordance with Section 3.1000)
- Overhead doors
- Any combination of the above

b. Standards relating to multifamily residence development

- i. Multifamily development shall be exempt from the supplemental regulations of Subsection 3.104.
- ii. The minimum residential density for multifamily development shall be 40 dwelling units per acre. Mid-rise residential is excluded from this requirement.
- iii. Within Tract C, the maximum number of multifamily dwelling units shall be 800.
- iv. Within Tract C, the first floor of residential buildings shall not solely consist of structured parking.

c. Standards relating to single-family residence attached development

- i. Each dwelling unit shall be on an individually-platted lot. Lots shall front on a public street, private mews street, or slip road. Mews streets used for private lot frontage shall be named streets and shall not be gated.
- ii. Within Tract D, Garages for single-family residence attached uses shall not front on Headquarters Dr. or Communications Pkwy.
- iii. Minimum Lot Area: 700 square feet.
- iv. Maximum Density: 40 dwelling units per acre
- v. Minimum Lot Width: 20 feet
- vi. Minimum Lot Depth: 35 feet
- vii. Front yard setbacks shall apply as follows:
  - Minimum Setback from Mews Street or Slip Road: 12 feet from back of street curb to building
  - Maximum Setback from Mews Street or Slip Road: 18 feet from back of street curb to building
  - Minimum Setback from Public Street or Slip Road: 15 feet from back of street curb to building
  - Maximum Setback from Public Street or Slip Road: 21 feet from back of street curb to building

- Minimum of 75% of the front facade of the building shall fall within the minimum and maximum setback
- viii. Minimum Side Yard
    - Interior Side Yard: None
    - Exterior Side Yard (Corner Lot): Shall be treated the same as front yards
  - ix. Minimum Rear Yard: None
  - x. Maximum Height: 3 story (50 feet)
  - xi. Minimum Floor Area per Dwelling Unit: 800 square feet
  - xii. Maximum Lot Coverage: 100%
  - xiii. Street trees shall be placed in planting beds or tree grates within 6 feet of the back of the street curb.
  - xiv. Sidewalks with a minimum unobstructed width of 6 feet shall be placed along street frontage within Tracts A and B. Sidewalks with a minimum unobstructed width of 7 feet shall be placed along street frontage within Tracts C and D. Sidewalks are in addition to and placed adjacent to street tree areas.
  - xv. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six feet into the area between the front facade of the building and the back of the street curb.
  - xvi. Maximum Building Length: 200 feet
  - xvii. Buildings must be separated by a minimum distance of 10 feet.
  - xviii. Maximum Number of Units per Building: 10
  - xix. Rear entry drives are required. The distance from the garage to the travel lane of the alley shall be 10 or less feet in length or shall be 20 feet or greater in length. The distance from the garage to the mews street shall be in accordance with the attached mews street section.
- d. Standards relating to single-family residence detached development shall be in accordance with the following:
- i. Minimum Lot Area: 875 square feet
  - ii. Minimum Lot Width: 25 feet
  - iii. Front Yard Setbacks:
    - Minimum Setback from a Public Street, Mews Street, Slip Road, or Access and Utility Easement: None, except the distance from any garage to the right-of-way or easement line shall be 3 feet or less, or 20 feet or greater in length.

- Maximum Setbacks:
  1. From Communications Pkwy. and Headquarters Dr.: 20 feet. A maximum of 30% of the units may exceed this setback if those units average a setback of 30 feet.
  2. From all other Public Streets, Mews Streets, Slip Roads, or Access and Utility Easements: 20 feet from back of street curb or easement line to building.
- iv. Minimum Side Yard Setback: None.
- v. Maximum Height: 3 story; 50 feet. Outdoor living areas, patios, and/or decks are allowed on second and third stories of buildings as long as they are within the 50-foot maximum building height.
- vi. Buildings must be separated by a minimum distance of 3 feet. A minimum 3-foot wide maintenance easement shall be placed between lots to allow for property owner maintenance. The easement may be split between lots as long as the minimum 3-foot distance is provided.
- vii. An easement for the benefit of each lot is hereby reserved over, across, and upon each lot adjoining to such lot for roof overhangs not exceeding 2 feet in width and brick ledges which support exterior veneer walls and associated brick and veneers not exceeding six inches in width.
- viii. Lots may take access from a Public Street, Mews Street, Slip Road, or Access and Utility Easement. Units may front on an access and utility easement. The minimum frontage required along a public street for each lot deriving frontage from an access and utility easement is 2 feet. The access and utility easement shall be a minimum of 24 foot wide, paved and maintained by the homeowners' association.
- ix. Garages for single-family residence detached uses shall not front on Headquarters Dr. or Communications Pkwy.
- x. Parking Requirements: 2.25 spaces per dwelling unit. Two off-street parking spaces shall be provided within attached garages, adjacent to each unit or within 100 feet of each unit if established with site plan approval. One-fourth visitor parking space shall be provided within 600 feet of each unit. The visitor parking requirement may be eliminated or reduced at the time of site plan or subdivision plat approval with a finding that there is adequate on-street parking for visitors.
- xi. Any single-family residence detached subdivision developed under these standards shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger or easements for drainage or floodways.
- xii. A minimum 6-foot masonry screening wall, ornamental metal fence, irrigated living screen, or combination of the three will be provided along the site's western property boundary adjacent to Legacy West, Block E.

Lot 2. If a living screen is installed, it shall be at least a 6-foot tall solid screen within two years of installation.

- xiii. The minimum spacing between adjacent streets on a roadway shall be 110 feet between the near curb of any adjacent street when either of the streets is a Type E or larger street.

### 3. Street, Sidewalk, and Streetscape Regulations

- a. Streets, private streets and drives, streetscape and visibility triangles shall be in accordance with the attached street and drive sections and intersection diagrams.
- b. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted. These areas shall not be included in parking calculations.
- c. Within Tracts C and D, trees, landscaping, outdoor dining areas, bicycle racks and street furniture may be placed within a sidewalk but may not reduce the 7 feet unobstructed width.

### 4. Parking Regulations

- a. On-street parking within 300 feet of a proposed use may be counted toward satisfying the parking requirement for such use. Assignment of on-street parking shall be at the time of approval of the site plan.

The required parking within the district shall be as follows:

- Multifamily - One space per bedroom (including efficiencies). Spaces for multifamily uses may be provided in a joint use parking structure and need not be within 100 feet of the units served.
  - Single-Family Attached - Each dwelling unit shall have a rear entry drive within a minimum of 2 parking spaces per garage. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
  - Live/Work Space - 1 space per 800 square feet of area on the ground floor
  - Retail - 1 space per 500 square feet of floor area
  - Office - 1 space per 300 square feet of floor area
  - Hotel - 1 space per guest room and 1 space per 160 square feet of meeting area
  - All Other Nonresidential Uses - 1 space per 250 square feet of floor area
- b. Within Tract C, a maximum of 100 off-street parking spaces are permitted within a surface parking area within each lot. These areas shall contain a five-foot landscaped edge between the parking area and the street. Within this landscape edge, ten shrubs (five gallon minimum) shall be planted per 500 square feet.

- c. The initial developments in the district will provide parking as required above. Required parking may be shared among the following uses: multifamily, residential, office, retail, restaurant, health club, hotel, and theater, based on time-of-day parking demands for such uses. A parking study detailing parking needs and shared parking arrangements must be submitted at the time of site plan review and approval.
- d. When a building is under single ownership, a maximum of 50% of the spaces provided in a parking structure may utilize small car parking requirements.
- e. Structured parking shall be designed to minimize the ground level view of automobiles below their hood lines. Parking structure facades shall have strong horizontal architectural elements. Pedestrian entrances to parking garages shall be directly accessed by a sidewalk or mews or through an internal building vestibule.

#### 5. Prohibited/Additional Allowed Uses

- a. The following uses shall be prohibited:

- electrical substation
- railroad team track
- freight terminal or dock
- service yard for governmental agency
- shops, office, or storage area for public/private utility
- water treatment plant
- automobile parts sales (inside)
- automobile repair garage
- automobile storage
- car wash
- motorcycle sales/service
- tire dealer (no open storage)
- contract construction
- general commercial plant
- transfer storage and baggage terminal

- b. The following additional uses shall be permitted:

- artisan's workshop
- bed & breakfast
- single-family residence attached

c. Within Tract C, the following additional uses shall be permitted:

- Multifamily and mid-rise residential

d. Within Tract D, the following additional uses shall be permitted:

- Single-family residence attached
- Single-family residence detached

## 6. Signage Regulations

In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible:

Freestanding Identification Signs - Freestanding identification signs may be installed at the following locations and shall comply with the Dallas North Tollway Overlay District signage requirements:

- The intersections of Type D and larger thoroughfares.
- The intersection of Bishop Rd. and Type D and larger thoroughfares.

Freestanding identification signs are exempt from the requirement that they be located at least 30 feet from a private property line.

### Directional Signs

a. General

- A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, hotel, or parking areas.
- A directional sign may be a freestanding sign, a wall sign, a projecting sign, or mounted to a vertical support.
- These signs shall not contain advertising and shall be specifically directional in nature.

b. Sign Size - A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is 3 feet wide. The bottom of the sign shall not fall below 7 feet from the ground surface.

### Banners - General

- Banners may be mounted to a vertical support or attached to a building or parking deck and may cross the street.
- Banners, which are mounted to a vertical support, may be integrated onto street and pedestrian light poles.

- Banners may display artwork or a message that pertains to the district or a special event.

### Portals - General

- A portal is an entry feature, which may be freestanding, span across an area, or attached to a building or structure.
- Portals may be located at the following locations:
  1. The intersections of Bishop Rd. and Type D and larger thoroughfares.
  2. The intersection of Henry Cook Blvd. and Parkwood Blvd.
- Portals which span across the public right-of-way may be erected subject to city approval.

### Directory Map

#### a. General

- A directory map is a noncommercial map listing the occupants within a shopping center, retail district, office district, or commercial site.
- A directory map may be freestanding, mounted to a wall, mounted to a vertical support, incorporated into a kiosk, or anchored within the public right-of-way.
- A directory map is used to provide way finding information for pedestrians.

#### b. Sign Size

- A directory map, mounted to a vertical support, shall not exceed 40 square feet.

### Architectural Roof Signs

#### a. General

- An architectural roof sign is a sign on top of a roof structure which may extend above the highest point of a roofline.
- Architectural roof signs are prohibited on building facades facing the Dallas North Tollway, Headquarters Dr., Parkwood Blvd., Tennyson Pkwy., and Legacy Dr.

#### b. Sign Size

- Architectural roof signs shall not exceed an overall height of 9 feet and shall not exceed a maximum square footage of 150 square feet.

## Sloping Roof Signs

### a. General

- A sloping roof sign sits at the base of a sloping roof structure/awning element and does not extend above the roofline of the structure or element.
- Sloping roof signs are limited to the retail portions of Legacy Town Center and Tract C.

### b. Sign Size

- Sloping roof sign height shall not exceed 1/3 of the height of the sloping roof seen in true elevation. (See attached zoning exhibit for sloping roof sign detail.)

## A-frame Signs

### a. General

- An a-frame sign is a self-supporting A-shaped sign with 2 visible sides that is located on or adjacent to a sidewalk.
- The sign shall be sufficiently weighted or anchored.
- A-frame signs may be located within the public right-of-way.

### b. Sign Size

- The maximum square footage is 8 square feet per sign face and the maximum sign height is 4 feet high.

## Projecting Signs

### a. General

- Projecting signs must keep a minimum clearance of 8 feet above the sidewalk.
- Projecting signs may be located within the public right-of-way.

### b. Sign Size

- The horizontal portion of any projecting sign shall not be more than 6 feet 6 inches in length measured from the building face.
- The projecting sign shall not exceed 60 square feet.

## Murals - General

- Murals are noncommercial pictures, not advertising a product or service, which is sold on the premises, painted on, or attached to the exterior walls. The subject matter of a mural is expressed by means easily understood by a general audience.

- Murals shall be reviewed and approved at the discretion of the Building Official for compliance with the definition of a mural and for appropriate size and placement.

## Kiosks

### a. General

- Freestanding kiosk structures may be anchored within the public right-of-way or erected on individual lots. If anchored in the public right-of-way, kiosks are limited to 15 feet in height, and all accessibility and visibility requirements must be met for public sidewalks and streets. A maximum of 4 freestanding kiosks may be installed in the public right-of-way, 2 in the portion of the planned development district south of Legacy Dr., and 2 in the portion north of Legacy Dr.
- Kiosks in the public right-of-way may display directory maps, artwork, or messages that pertain to the district or special events, but shall not be used for commercial advertising signs. Kiosks located on private property may display commercial advertising signs.

### b. Sign Size

- Signage on all kiosks shall not exceed 40 square feet in the public right-of-way. Signage on kiosks located on private property may not exceed 60 square feet. For multiple-sided kiosks, the gross surface area of each side shall not exceed 2 times the allowable square footage divided by the number of sign faces.

## Multipurpose Wall Signs

### a. General

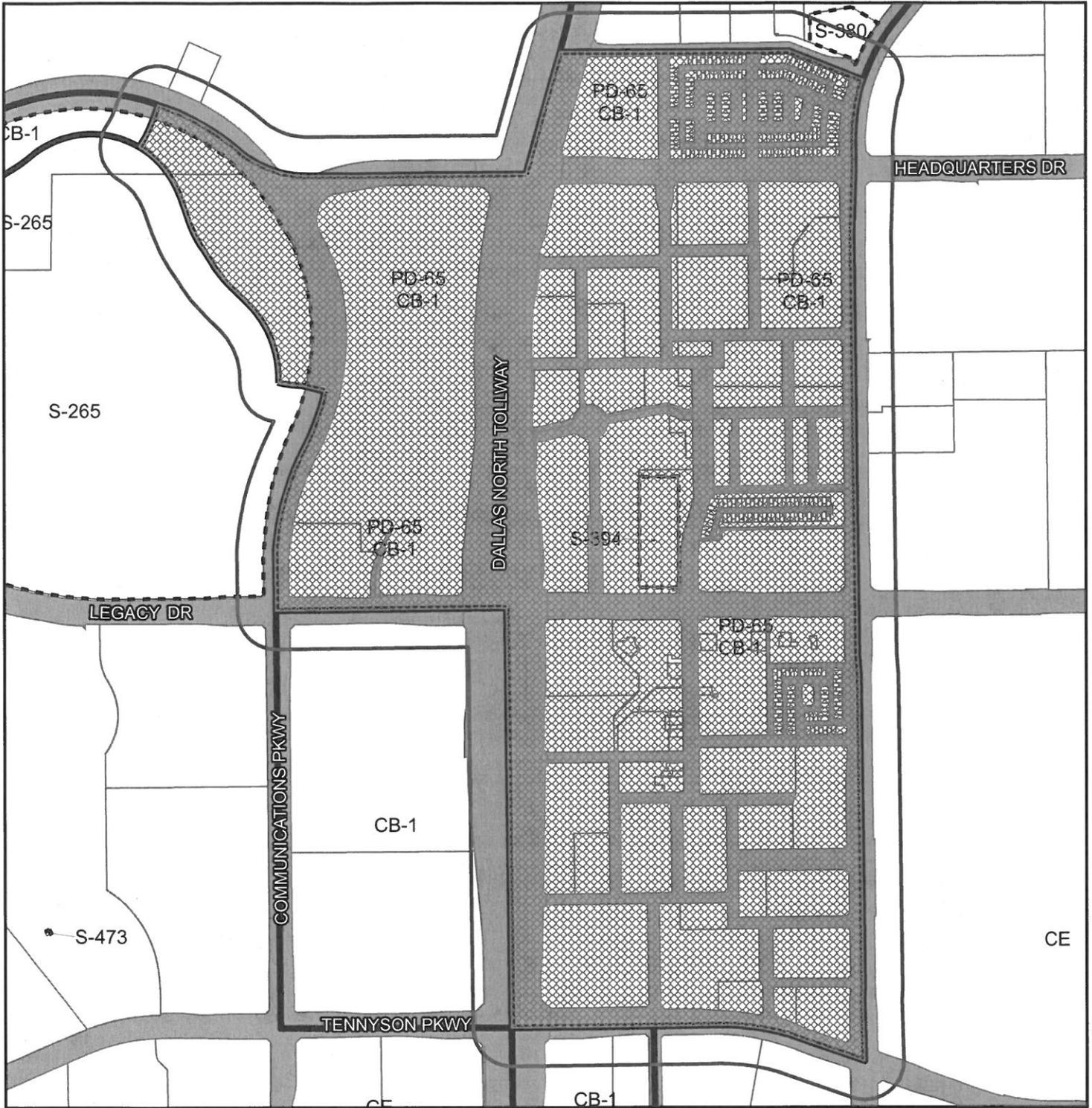
- A multipurpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified. The multipurpose wall sign may also be an electronic changeable wall sign as defined herein.
- Multipurpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
- An electronic changeable wall sign is a type of multipurpose wall sign that displays static images that change message or copy by programmable electronic processes. Electronic changeable wall signs shall be allowed to change copy every 8 seconds.

### b. Size and Location

- Multipurpose wall signs shall not be limited in height or width except that they shall be limited to 300 square feet in size.

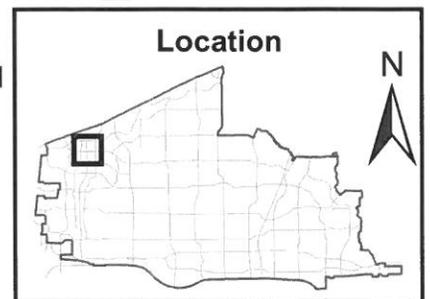
- Multipurpose wall signs within Tract C shall be limited to 450 square feet in size.
- A maximum of 2 multipurpose signs shall be mounted to parking garages located adjacent to the Dallas North Tollway within Tract C.
- A maximum of 2 multipurpose wall signs shall be mounted to the parking garage located at the southeast corner of the Dallas North Tollway frontage road and Legacy Dr. only. The signs shall be mounted on the north, west, or south facades, and only 1 sign shall be permitted on each facade.
- Multipurpose wall signs may only be used to advertise tenants, owners and uses and any of their products or services within PD-65-CB-1.

Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.



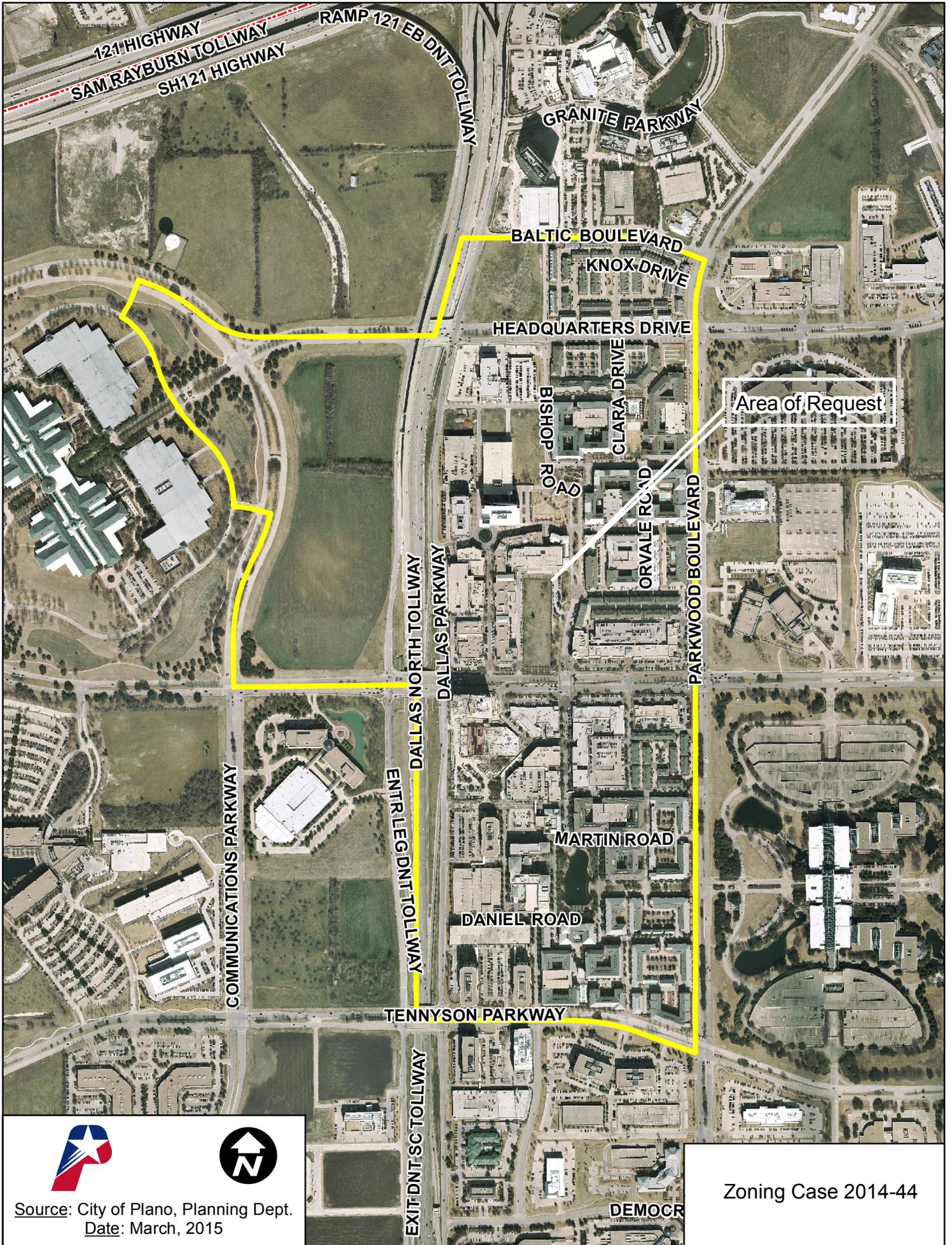
Zoning Case #: 2014-44

Existing Zoning: PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1  
w/SPECIFIC USE PERMITS #265 & #394



Source: City of Plano Planning Department

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



Area of Request



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

Zoning Case 2014-44





## Zoning Case 2014-44

**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-65-Central Business-1 on 275.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 91, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108 and the H.N. Thompson Survey, Abstract No. 896, located at the northeast corner of the Dallas North Tollway and Tennyson Parkway, in the City of Plano, Collin County, Texas, currently zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 265 for Day Care Center and Specific Use Permit No. 394 for Cemetery/Mausoleum; 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 23rd day of March, 2015, for the purpose of considering amending Planned Development-65-Central Business-1 on 275.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 91, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108 and the H.N. Thompson Survey, Abstract No. 896, located at the northeast corner of the Dallas North Tollway and Tennyson Parkway, in the City of Plano, Collin County, Texas, currently zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 265 for Day Care Center and Specific Use Permit No. 394 for Cemetery/Mausoleum; 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 23rd day of March, 2015; 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-65-Central Business-1 on 275.1± acres of land out of the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 91, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108 and the H.N. Thompson Survey, Abstract No. 896, located at the northeast corner of the Dallas North Tollway and Tennyson Parkway in the City of Plano, Collin County, Texas, currently zoned Planned Development-65-Central Business-1 with Specific Use Permit No. 265 for Day Care Center and Specific Use Permit No. 394 for Cemetery/Mausoleum, 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:

**General Conditions of the Planned Development District**

1. The zoning exhibits shall be adopted as part of this ordinance.
2. The Planned Development shall be divided into four tracts:
  - a. Tract A, south of Legacy Dr., must be developed using the standards required by the planned development district.
  - b. Tract B, north of Legacy Dr., may be developed using either these requirements or the CB-1 regulations contained within the Zoning Ordinance. The initial development for Tract B will determine the standards to be used for the remainder of the property.
  - c. Tract C, west of the Dallas North Tollway, north of Legacy Dr., east of Communications Pkwy. and south of Headquarters Dr. must be developed using the standards required by the planned development district.
  - d. Tract D, at the southwest corner of Headquarters Dr. and Communications Pkwy. must be developed using the standards required by the planned development district. Tract D may be developed in accordance with the uses permitted within the CB-1 zoning district, or as single-family residence attached.

3. Telecommunications Plan - A plan for providing telecommunications service within the district and wireless antenna sites serving the larger area shall be submitted within one year of the approval of this ordinance.
4. Street trees shall be provided at a rate of 1 4-inch caliper tree per 35 feet of street frontage per side. Exact spacing and location of street trees shall be determined at the time of site plan approval.
5. Lots must have frontage on a street. There is no required frontage distance for a lot although each lot must meet the design standards of the district.

#### Specific Provisions of the Planned Development

##### 1. Building Design

- a. On the south side of Legacy Dr., buildings fronting on Bishop Rd. must be designed to accommodate ground floor retail uses from Legacy Dr. south to Martin Rd. On the north side of Legacy Dr., retail, office, and live/work space is allowed on the ground floor of all multifamily buildings but is not required. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. 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.
- b. Nonresidential buildings, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. Facades facing the Dallas North Tollway frontage road and Legacy Dr. within 400 feet from the Dallas North Tollway frontage road are exempt from this requirement and shall have a minimum of 30% of the ground floor facade comprised of window area. No glass having an exterior visible reflectance of more than 30% shall be permitted as an exterior building material.
- c. Canopies, balconies, stoops, bay windows, awnings, and other building projections may encroach up to five feet into the public right-of-way.
- d. Buildings shall be constructed with 75% of each facade within six feet of the right-of-way for streets and mews, unless restricted by easements. Where easements are present, 75% of each facade must be built to the easement line. Exceptions to these setback requirements are:
  - i. Within Tracts A and B, buildings with facades along the Dallas North Tollway frontage road shall have a 300-foot maximum setback.

- ii. Within Tracts A and B, buildings with facades along Legacy Dr., within 400 feet from the Dallas North Tollway frontage road, shall have a 300-foot maximum setback.
- iii. Within Tracts A and B, all developments having building facades along Legacy Dr., except for item ii. above, shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Legacy Dr. A public or private mews street may also be installed between Legacy Dr. and the buildings. In this case, 75% of the building facade shall be within 6 feet of the mews street right-of-way. The initial development along the south side of Legacy Dr., except within the area defined in item ii. above, shall determine which development standard is to be used.
- iv. Within Tract C, buildings shall be constructed with 75% of each façade within 30 feet of the back of curb of the quasi-public street or within 100 feet of the back of curb of Headquarters Dr., Communications Pkwy., Legacy Dr. or the Dallas North Tollway.
- v. Within Tract C, off-street surface parking is prohibited between the quasi-public street and the building facade.
- vi. Within Tract C, if a public open space, patio dining, plaza, or other public amenity is provided between the building face and the street, then the amenity may be used to meet the maximum building setback. Surface parking lots cannot be used to meet the maximum building setback.
- e. Within Tracts A and B, building facades fronting Headquarters Dr. or Tennyson Pkwy. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Headquarters Dr. or Tennyson Pkwy. If a mews street is used, the building facade shall have 75% of its face with 6 feet of the mews street right-of-way line.
- f. Within Tracts A and B, building facades fronting Parkwood Blvd. shall have a maximum setback of 30 feet or to the easement line if greater than 30 feet. The setback may be increased to a maximum of 100 feet if a drive aisle with double-loaded parking is installed along Parkwood Blvd. A public or private mews street may also be installed between the buildings and the right-of-way of Parkwood Blvd. If a mews street is used, the building facade shall have 75% of its face within six feet of the mews street right-of-way line. The minimum setback shall be six feet from the right-of-way of Parkwood Blvd.

- g. No building facade shall exceed a length of 400 feet without a break in the facade of a minimum depth of 5 feet for a minimum length of 10 feet.
- h. Tract C shall contain a quasi-public street connecting Legacy Dr. to Headquarters Blvd.
  - i. Quasi-Public Street Definition: Quasi-public streets are privately owned and maintained drives open to public access. A quasi-public street easement shall be dedicated for all quasi-public streets, and a fire lane shall be located within all quasi-public street easements. On-street parking and sidewalks provided along quasi-public streets shall be located within the quasi-public street easement. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
  - ii. On-street parking is permitted along the quasi-public street provided it is parallel or angled. Ninety-degree, head-in parking, is prohibited along the quasi-public street.
  - iii. Buildings fronting the quasi-public street shall be designed to accommodate ground floor retail and office uses. Live/work space is permitted on the ground floor of all multifamily buildings. Ground floor activities of nonresidential buildings shall be oriented to the street and shall have access directly from the street. Ground floor is defined as that portion of building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.
  - iv. Public or private mews streets may be installed between the buildings, perpendicular to the quasi-public street and all other public streets. If a mews street is used, the building façade shall have 75% of its face within 7 feet of the mews street right-of-way line.
- i. Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

## 2. Residential Development Standards

- a. Standards relating to all residential development
  - i. Within Tracts A and B, no minimum open space shall be required per residential dwelling unit. However, 2 park or courtyard areas must be provided within the planned development district, one on each side of Legacy Dr. The park areas shall total 5 acres in size. These areas may be publicly or privately owned. Parks, courtyards, and streetscape areas shall be shown at the time of concept plan or site plan approval on the concept plan or site plan.

- ii. No off-street loading docks shall be required for buildings containing residential uses. Off-street loading docks for nonresidential uses may not be located adjacent to or across a street or alley from buildings containing residential uses unless the loading dock is screened in accordance with the following:
    - Solid metal gates
    - Masonry screening walls (in accordance with Section 3.1000)
    - Overhead doors
    - Any combination of the above
- b. Standards relating to multifamily residence development
- i. Multifamily development shall be exempt from the supplemental regulations of Subsection 3.104.
  - ii. The minimum residential density for multifamily development shall be 40 dwelling units per acre. Mid-rise residential is excluded from this requirement.
  - iii. Within Tract C, the maximum number of multifamily dwelling units shall be 800.
  - iv. Within Tract C, the first floor of residential buildings shall not solely consist of structured parking.
- c. Standards relating to single-family residence attached development
- i. Each dwelling unit shall be on an individually-platted lot. Lots shall front on a public street, private mews street, or slip road. Mews streets used for private lot frontage shall be named streets and shall not be gated.
  - ii. Within Tract D, garages for single-family residence attached uses shall not front on Headquarters Dr. or Communications Pkwy.
  - iii. Minimum Lot Area: 700 square feet.
  - iv. Maximum Density: 40 dwelling units per acre
  - v. Minimum Lot Width: 20 feet

- vi. Minimum Lot Depth: 35 feet
- vii. Front yard setbacks shall apply as follows:
  - Minimum Setback from Mews Street or Slip Road: 12 feet from back of street curb to building
  - Maximum Setback from Mews Street or Slip Road: 18 feet from back of street curb to building
  - Minimum Setback from Public Street or Slip Road: 15 feet from back of street curb to building
  - Maximum Setback from Public Street or Slip Road: 21 feet from back of street curb to building
  - Minimum of 75% of the front facade of the building shall fall within the minimum and maximum setback
- viii. Minimum Side Yard
  - Interior Side Yard: None
  - Exterior Side Yard (Corner Lot): Shall be treated the same as front yards
- ix. Minimum Rear Yard: None
- x. Maximum Height: 3 story (50 feet)
- xi. Minimum Floor Area per Dwelling Unit: 800 square feet
- xii. Maximum Lot Coverage: 100%
- xiii. Street trees shall be placed in planting beds or tree grates within 6 feet of the back of the street curb.
- xiv. Sidewalks with a minimum unobstructed width of 6 feet shall be placed along street frontage within Tracts A and B. Sidewalks with a minimum unobstructed width of 7 feet shall be placed along street frontage within Tracts C and D. Sidewalks are in addition to and placed adjacent to street tree areas.

- xv. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six feet into the area between the front facade of the building and the back of the street curb.
  - xvi. Maximum Building Length: 200 feet
  - xvii. Buildings must be separated by a minimum distance of 10 feet.
  - xviii. Maximum Number of Units per Building: 10
  - xix. Rear entry drives are required. The distance from the garage to the travel lane of the alley shall be 10 or less feet in length or shall be 20 feet or greater in length. The distance from the garage to the mews street shall be in accordance with the attached mews street section.
- d. Standards relating to single-family residence detached development shall be in accordance with the following:
- i. Minimum Lot Area: 875 square feet
  - ii. Minimum Lot Width: 25 feet
  - iii. Front Yard Setbacks:
    - Minimum Setback from a Public Street, Mews Street, Slip Road, or Access and Utility Easement: None, except the distance from any garage to the right-of-way or easement line shall be 3 feet or less, or 20 feet or greater in length.
    - Maximum Setbacks:
      - 1. From Communications Pkwy. and Headquarters Dr.: 20 feet. A maximum of 30% of the units may exceed this setback if those units average a setback of 30 feet.
      - 2. From all other Public Streets, Mews Streets, Slip Roads, or Access and Utility Easements: 20 feet from back of street curb or easement line to building.
  - iv. Minimum Side Yard Setback: None.
  - v. Maximum Height: 3 story; 50 feet. Outdoor living areas, patios, and/or decks are allowed on second and third stories of buildings as long as they are within the 50-foot maximum building height.

- vi. Buildings must be separated by a minimum distance of 3 feet. A minimum 3-foot wide maintenance easement shall be placed between lots to allow for property owner maintenance. The easement may be split between lots as long as the minimum 3-foot distance is provided.
- vii. An easement for the benefit of each lot is hereby reserved over, across, and upon each lot adjoining to such lot for roof overhangs not exceeding 2 feet in width and brick ledges which support exterior veneer walls and associated brick and veneers not exceeding six inches in width.
- viii. Lots may take access from a Public Street, Mews Street, Slip Road, or Access and Utility Easement. Units may front on an access and utility easement. The minimum frontage required along a public street for each lot deriving frontage from an access and utility easement is 2 feet. The access and utility easement shall be a minimum of 24 foot wide, paved and maintained by the homeowners' association.
- ix. Garages for single-family residence detached uses shall not front on Headquarters Dr. or Communications Pkwy.
- x. Parking Requirements: 2.25 spaces per dwelling unit. Two off-street parking spaces shall be provided within attached garages, adjacent to each unit or within 100 feet of each unit if established with site plan approval. One-fourth visitor parking space shall be provided within 600 feet of each unit. The visitor parking requirement may be eliminated or reduced at the time of site plan or subdivision plat approval with a finding that there is adequate on-street parking for visitors.
- xi. Any single-family residence detached subdivision developed under these standards shall provide usable open space which equals or exceeds 10% of the gross platted area, excluding rights-of-way for major thoroughfares Type E or larger or easements for drainage or floodways.
- xii. A minimum 6-foot masonry screening wall, ornamental metal fence, irrigated living screen, or combination of the three will be provided along the site's western property boundary adjacent to Legacy West, Block E, Lot 2. If a living screen is installed, it shall be at least a 6-foot tall solid screen within two years of installation.
- xiii. The minimum spacing between adjacent streets on a roadway shall be 110 feet between the near curb of any adjacent street when either of the streets is a Type E or larger street.

### 3. Street, Sidewalk, and Streetscape Regulations

- a. Streets, private streets and drives, streetscape and visibility triangles shall be in accordance with the attached street and drive sections and intersection diagrams.
- b. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted. These areas shall not be included in parking calculations.
- c. Within Tracts C and D, trees, landscaping, outdoor dining areas, bicycle racks and street furniture may be placed within a sidewalk but may not reduce the 7 feet unobstructed width.

### 4. Parking Regulations

- a. On-street parking within 300 feet of a proposed use may be counted toward satisfying the parking requirement for such use. Assignment of on-street parking shall be at the time of approval of the site plan.

The required parking within the district shall be as follows:

- Multifamily - One space per bedroom (including efficiencies). Spaces for multifamily uses may be provided in a joint use parking structure and need not be within 100 feet of the units served.
- Single-Family Attached - Each dwelling unit shall have a rear entry drive within a minimum of 2 parking spaces per garage. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
- Live/Work Space - 1 space per 800 square feet of area on the ground floor
- Retail - 1 space per 500 square feet of floor area
- Office - 1 space per 300 square feet of floor area
- Hotel - 1 space per guest room and 1 space per 160 square feet of meeting area
- All Other Nonresidential Uses - 1 space per 250 square feet of floor area

- b. Within Tract C, a maximum of 100 off-street parking spaces are permitted within a surface parking area within each lot. These areas shall contain a five-foot landscaped edge between the parking area and the street. Within this landscape edge, ten shrubs (five gallon minimum) shall be planted per 500 square feet.
- c. The initial developments in the district will provide parking as required above. Required parking may be shared among the following uses: multifamily, residential, office, retail, restaurant, health club, hotel, and theater, based on time-of-day parking demands for such uses. A parking study detailing parking needs and shared parking arrangements must be submitted at the time of site plan review and approval.
- d. When a building is under single ownership, a maximum of 50% of the spaces provided in a parking structure may utilize small car parking requirements.
- e. Structured parking shall be designed to minimize the ground level view of automobiles below their hood lines. Parking structure facades shall have strong horizontal architectural elements. Pedestrian entrances to parking garages shall be directly accessed by a sidewalk or mews or through an internal building vestibule.

## 5. Prohibited/Additional Allowed Uses

- a. The following uses shall be prohibited:
  - electrical substation
  - railroad team track
  - freight terminal or dock
  - service yard for governmental agency
  - shops, office, or storage area for public/private utility
  - water treatment plant
  - automobile parts sales (inside)
  - automobile repair garage
  - automobile storage
  - car wash

- motorcycle sales/service
- tire dealer (no open storage)
- contract construction
- general commercial plant
- transfer storage and baggage terminal

b. The following additional uses shall be permitted:

- artisan's workshop
- bed & breakfast
- single-family residence attached

c. Within Tract C, the following additional uses shall be permitted:

- Multifamily and mid-rise residential

d. Within Tract D, the following additional uses shall be permitted:

- Single-family residence attached
- Single-family residence detached

## 6. Signage Regulations

In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible:

Freestanding Identification Signs - Freestanding identification signs may be installed at the following locations and shall comply with the Dallas North Tollway Overlay District signage requirements:

- The intersections of Type D and larger thoroughfares.
- The intersection of Bishop Rd. and Type D and larger thoroughfares.

Freestanding identification signs are exempt from the requirement that they be located at least 30 feet from a private property line.

## Directional Signs

### a. General

- A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, hotel, or parking areas.
- A directional sign may be a freestanding sign, a wall sign, a projecting sign, or mounted to a vertical support.
- These signs shall not contain advertising and shall be specifically directional in nature.

b. Sign Size - A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is 3 feet wide. The bottom of the sign shall not fall below 7 feet from the ground surface.

## Banners - General

- Banners may be mounted to a vertical support or attached to a building or parking deck and may cross the street.
- Banners, which are mounted to a vertical support, may be integrated onto street and pedestrian light poles.
- Banners may display artwork or a message that pertains to the district or a special event.

## Portals - General

- A portal is an entry feature, which may be freestanding, span across an area, or attached to a building or structure.
- Portals may be located at the following locations:
  1. The intersections of Bishop Rd. and Type D and larger thoroughfares.
  2. The intersection of Henry Cook Blvd. and Parkwood Blvd.
- Portals which span across the public right-of-way may be erected subject to city approval.

## Directory Map

### a. General

- A directory map is a noncommercial map listing the occupants within a shopping center, retail district, office district, or commercial site.
- A directory map may be freestanding, mounted to a wall, mounted to a vertical support, incorporated into a kiosk, or anchored within the public right-of-way.
- A directory map is used to provide way finding information for pedestrians.

### b. Sign Size

- A directory map, mounted to a vertical support, shall not exceed 40 square feet.

## Architectural Roof Signs

### a. General

- An architectural roof sign is a sign on top of a roof structure which may extend above the highest point of a roofline.
- Architectural roof signs are prohibited on building facades facing the Dallas North Tollway, Headquarters Dr., Parkwood Blvd., Tennyson Pkwy., and Legacy Dr.

### b. Sign Size

- Architectural roof signs shall not exceed an overall height of 9 feet and shall not exceed a maximum square footage of 150 square feet.

## Sloping Roof Signs

### a. General

- A sloping roof sign sits at the base of a sloping roof structure/awning element and does not extend above the roofline of the structure or element.
- Sloping roof signs are limited to the retail portions of Legacy Town Center and Tract C.

### b. Sign Size

- Sloping roof sign height shall not exceed 1/3 of the height of the sloping roof seen in true elevation.

## A-frame Signs

### a. General

- An a-frame sign is a self-supporting A-shaped sign with 2 visible sides that is located on or adjacent to a sidewalk.
- The sign shall be sufficiently weighted or anchored.
- A-frame signs may be located within the public right-of-way.

### b. Sign Size

- The maximum square footage is 8 square feet per sign face and the maximum sign height is 4 feet high.

## Projecting Signs

### a. General

- Projecting signs must keep a minimum clearance of 8 feet above the sidewalk.
- Projecting signs may be located within the public right-of-way.

#### b. Sign Size

- The horizontal portion of any projecting sign shall not be more than 6 feet 6 inches in length measured from the building face.
- The projecting sign shall not exceed 60 square feet.

#### Murals - General

- Murals are noncommercial pictures, not advertising a product or service, which is sold on the premises, painted on, or attached to the exterior walls. The subject matter of a mural is expressed by means easily understood by a general audience.
- Murals shall be reviewed and approved at the discretion of the Building Official for compliance with the definition of a mural and for appropriate size and placement.

#### Kiosks

##### a. General

- Freestanding kiosk structures may be anchored within the public right-of-way or erected on individual lots. If anchored in the public right-of-way, kiosks are limited to 15 feet in height, and all accessibility and visibility requirements must be met for public sidewalks and streets. A maximum of 4 freestanding kiosks may be installed in the public right-of-way, 2 in the portion of the planned development district south of Legacy Dr., and 2 in the portion north of Legacy Dr.
- Kiosks in the public right-of-way may display directory maps, artwork, or messages that pertain to the district or special events, but shall not be used for commercial advertising signs. Kiosks located on private property may display commercial advertising signs.

##### b. Sign Size

- Signage on all kiosks shall not exceed 40 square feet in the public right-of-way. Signage on kiosks located on private property may not exceed 60 square feet. For multiple-sided kiosks, the gross

surface area of each side shall not exceed 2 times the allowable square footage divided by the number of sign faces.

### Multipurpose Wall Signs

#### a. General

- A multipurpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified. The multipurpose wall sign may also be an electronic changeable wall sign as defined herein.
- Multipurpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
- An electronic changeable wall sign is a type of multipurpose wall sign that displays static images that change message or copy by programmable electronic processes. Electronic changeable wall signs shall be allowed to change copy every 8 seconds.

#### b. Size and Location

- Multipurpose wall signs shall not be limited in height or width except that they shall be limited to 300 square feet in size.
- Multipurpose wall signs within Tract C shall be limited to 450 square feet in size.
- A maximum of 2 multipurpose signs shall be mounted to parking garages located adjacent to the Dallas North Tollway within Tract C.
- A maximum of 2 multipurpose wall signs shall be mounted to the parking garage located at the southeast corner of the Dallas North Tollway frontage road and Legacy Dr. only. The signs shall be mounted on the north, west, or south facades, and only 1 sign shall be permitted on each facade.
- Multipurpose wall signs may only be used to advertise tenants, owners and uses and any of their products or services within PD-65-CB-1.

Refer to Design Guidelines after PD-65-CB-1 for additional stipulations.

**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 23RD DAY OF MARCH, 2015.**

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY

## ZONING CASE 2014-44

**BEING** a tract of land situated in the Henry Cook Survey, Abstract No. 183, the J.C. Barrow Survey, Abstract No. 91, the G.R. Martin Survey, Abstract No. 622, the Collin County School Land Survey No. 6, Abstract No. 149, the J. Digman Survey, Abstract No. 279, the Maria C. Vela Survey, Abstract No. 935, the Samuel H. Brown Survey, Abstract No. 108 and the H.N. Thompson Survey, Abstract No. 896, Collin County, Texas and being all of Lot 1 Block C and part of Lot 1, Block D, J.C. Penney Headquarters, an addition to the City of Plano, Texas according to the plat recorded in Cabinet G, Page 783, Map Records of Collin County, Texas all of Lot 2, Block A, Legacy Town Center North No. 2, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20070418010001360, Official Public Records of Collin County, Texas, all of Townhomes at Legacy Town Center Phase 4, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20070718010002410, Official Public Records of Collin County, Texas, all of Lot 7, Block C, Legacy Town Center North, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20130528010001510, Official Public Records of Collin County, Texas, all of Lot 8R, Block A, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20110804010001440, Official Public Records of Collin County, Texas, all of Lots 1 and 2, Block D, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Cabinet 2006, Page 516, Map Records of Collin County, Texas, all of Lot 1, Block B and Lot 2, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Cabinet 2006, Page 148, Map Records of Collin County, Texas, all of Lot 5, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20100806010001480, Official Public Records of Collin County, Texas, all of Lot 6R, Block A, Legacy Town Center (North), Lots 6R and 8R, Block A, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20100507010000900, Official Public Records of Collin County, Texas, all of Lot 4 and Lot 6, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060710010002900, Official Public Records of Collin County, Texas, all of Lot 2R and Lot 3, Block A, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20071009010003610, Official Public Records of Collin County, Texas, all of Lot 1R and Lot 5, Block C, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20071107010003940, Official Public Records of Collin County, Texas, all of Lot 3, Block C, Legacy Town Center North, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060317010000990, Official Public Records of Collin County, Texas, all of Lot 1, Block A, Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20080222010000710, Official Public Records of Collin County, Texas, all of The Town Homes at Legacy Town Center, Phase 2, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060518010002110, Official Public Records of Collin County, Texas, all of Lot 1R and Lot 5, Block C, Legacy Town Center (North), an addition to the City of

Plano, Texas according to the plat recorded in Instrument No. 20071107010003940, Official Public Records of Collin County, Texas, all of Lot 1, Block A, The Shops at Legacy Town Center (North), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20061108010004830, Official Public Records of Collin County, Texas, all of Baccus Cemetery, all of Lot 1, Robb and Stucky Addition, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2001-0095071, Official Public Records of Collin County, Texas, all of Lot 1, Block D, Lot 1, Block E, and Lot 1, Block F, The Shops at Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004-0038069, Official Public Records of Collin County, Texas, all of Lot 2, Block F, The Shops at Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004-0038062, Official Public Records of Collin County, Texas, all of the Shops at Legacy Town Center, Phase 2, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2005-0064263, Official Public Records of Collin County, Texas, all of Lot 1, Block 1, Lincoln at Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2002-0074310, Official Public Records of Collin County, Texas, all of Lot 1, Block G and Lot 3, Block G, Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2003-0036901, Official Public Records of Collin County, Texas, all of Lot 2, Block 1 and Lot 3, Block 1, Two Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004-0038063, Official Public Records of Collin County, Texas, all of Lot 1, Block A and Lot 1, Block B, Doubletree Legacy Addition, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2001-0020950, Official Public Records of Collin County, Texas, all of Lot 1R, Block H, Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Volume M, Page 47, Map Records of Collin County, Texas, all of Lot 1R and Lot 4, Block 1, Legacy Town Center (South) an addition to the City of Plano, Texas according to the plat recorded in Volume Q, Page 239, Map Records of Collin County, Texas, all of Lot 1R, Block A, Two Legacy Town Center, an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 20060509010001880, Official Public Records of Collin County, Texas, all of Lot 2, Block 1, Two Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Instrument No. 2004-0011445, Official Public Records of Collin County, Texas, being all of Lot 1R and Lot 5, Block 1, Two Legacy Town Center (South), an addition to the City of Plano, Texas according to the plat recorded in Volume P, Page 454, Map Records of Collin County, Texas and being more particularly described as follows:

**BEGINNING** at the intersection of the centerline of Legacy Drive (a variable width right-of-way) and the centerline of Communications Parkway (a variable width right-of-way);

**THENCE** with the centerline of Communications Parkway, the following courses and distances to wit:

North  $00^{\circ}38'34''$  West, a distance of 284.84 feet to a point at the beginning of a tangent curve to the right having a central angle of  $29^{\circ}58'12''$ , a radius of 1,143.74 feet, a chord bearing and distance of North  $14^{\circ}20'32''$  East, 591.46 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 598.26 feet to a point at the beginning of a non-tangent curve to the left having a central angle of  $12^{\circ}34'33''$ , a radius of 1,261.08 feet, a chord bearing and distance of North  $20^{\circ}03'31''$  East, 276.24 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 276.79 feet to a point for corner;

**THENCE** departing said centerline, the following courses and distances to wit:

North  $76^{\circ}19'54''$  West, a distance of 122.14 feet to a point at the beginning of a tangent curve to the left having a central angle of  $12^{\circ}34'21''$ , a radius of 559.37 feet, a chord bearing and distance of North  $82^{\circ}37'05''$  West, 122.50 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 122.74 feet to a point at the beginning of a non-tangent curve to the left having a central angle of  $48^{\circ}26'58''$ , a radius of 550.00 feet, a chord bearing and distance of North  $21^{\circ}42'51''$  West, 451.35 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 465.08 feet to a point for corner;

North  $45^{\circ}56'20''$  West, a distance of 101.54 feet to a point at the beginning of a tangent curve to the right having a central angle of  $13^{\circ}00'00''$ , a radius of 700.00 feet, a chord bearing and distance of North  $39^{\circ}26'20''$  West, 158.48 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 158.82 feet to a point for corner;

North  $32^{\circ}56'20''$  West, a distance of 101.40 feet to a point at the beginning of a tangent curve to the right having a central angle of  $13^{\circ}00'00''$ , a radius of 700.00 feet, a chord bearing and distance of North  $26^{\circ}26'20''$  West, 158.48 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 158.82 feet to a point for corner;

North  $19^{\circ}56'20''$  West, a distance of 141.58 feet to a point at the beginning of a tangent curve to the left having a central angle of  $39^{\circ}20'01''$ , a radius of 480.00 feet, a chord bearing and distance of North  $39^{\circ}36'20''$  West, 323.09 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 329.52 feet to a point for corner;

North  $31^{\circ}07'28''$  East, a distance of 60.01 feet to a point at the beginning of a tangent curve to the left having a central angle of  $11^{\circ}28'12''$ , a radius of 532.50 feet, a chord bearing and distance of North  $25^{\circ}23'22''$  East, 106.42 feet;

In a northeasterly direction, with said curve to the left, an arc distance of 106.60 feet to a point for corner;

North  $19^{\circ}39'16''$  East, a distance of 95.37 feet to a point in the centerline of Headquarters Drive (a variable width right-of-way) at the beginning of a non-tangent curve to the right having a central angle of  $23^{\circ}03'41''$ , a radius of 1,191.79 feet, a chord bearing and distance of South  $60^{\circ}53'48''$  East, 476.46 feet;

**THENCE** with the centerline of Headquarters Drive, in a southeasterly direction, with said curve to the right, an arc distance of 479.69 feet to a point at the beginning of a reverse curve to the left having a central angle of  $41^{\circ}06'45''$ , a radius of 561.00 feet, a chord bearing and distance of South  $69^{\circ}55'20''$  East, 393.96 feet;

**THENCE** in a southeasterly direction, with said curve to the left, an arc distance of 402.55 feet to a point for corner;

**THENCE** North  $89^{\circ}31'17''$  East, a distance of 1,124.49 feet to a point at the intersection of said centerline of Headquarters Drive and the centerline of the Dallas North Tollway (a variable width right-of-way) and at the beginning of a non-tangent curve to the right having a central angle of  $01^{\circ}02'17''$ , a radius of 3,819.72 feet, a chord bearing and distance of North  $14^{\circ}59'09''$  East, 69.20 feet;

**THENCE** with said centerline of the Dallas North Tollway, the following courses and distances to wit:

In a northeasterly direction, with said curve to the right, an arc distance of 69.20 feet to a point for corner;

North  $15^{\circ}30'18''$  East, a distance of 584.33 feet to the intersection of said centerline and the centerline of Baltic Boulevard;

**THENCE** with the centerline of Baltic Boulevard, the following courses and distances to wit:

North  $89^{\circ}47'07''$  East, a distance of 1,182.27 feet to a point for corner;

South  $68^{\circ}36'03''$  East, a distance of 408.43 feet to a point at intersection of said centerline and the centerline of Parkwood Boulevard (a variable width right-of-way) and at the beginning of a non-tangent curve to the left having a central angle of  $20^{\circ}08'49''$ , a radius of 1,003.66 feet, a chord bearing and distance of South  $10^{\circ}04'24''$  West, 351.10 feet;

**THENCE** with the centerline of Parkwood Boulevard, the following courses and distances to wit:

In a southwesterly direction, with said curve to the left, an arc distance of 352.92 feet to a point for corner;

South 00°00'00" West, a distance of 4,760.63 feet to the intersection of the centerline of Parkwood Boulevard and Tennyson Parkway (a variable width right-of-way);

**THENCE** with the centerline of said Tennyson Parkway, the following courses and distances to wit:

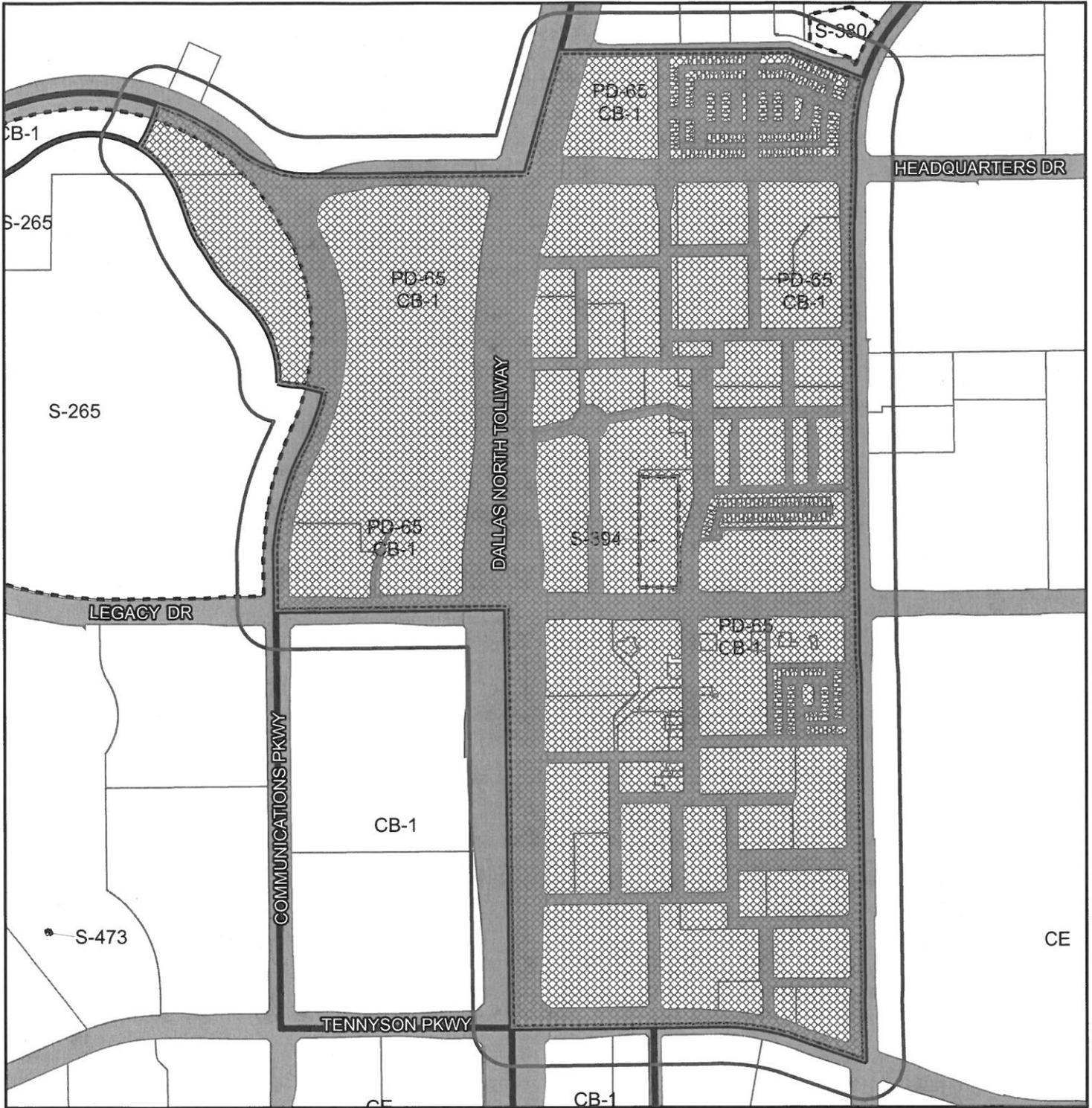
North 70°09'50" West, a distance of 414.03 feet to a point at the beginning of a tangent curve to the left having a central angle of 19°36'17", a radius of 1,151.50 feet, a chord bearing and distance of North 79°57'59" West, 392.09 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 394.01 feet to a point for corner;

North 89°46'07" West, a distance of 1,020.78 feet to the intersection of said centerline of Tennyson Parkway and the said centerline of the Dallas North Tollway;

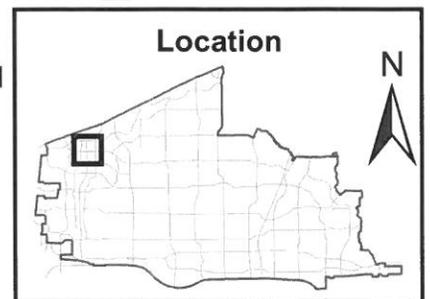
**THENCE** with said centerline of the Dallas North Tollway, North 0°00'00" East, a distance of 2,158.23 feet to the intersection of said centerline and said centerline of Legacy Drive;

**THENCE** with said centerline of Legacy Drive, South 89°21'26" West, a distance of 1,175.78 feet to the **POINT OF BEGINNING** and **CONTAINING** 275.07 acres of land.



Zoning Case #: 2014-44

Existing Zoning: PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1  
w/SPECIFIC USE PERMITS #265 & #394



Source: City of Plano Planning Department

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

