

**DATE:** March 6, 2012  
**TO:** Honorable Mayor & City Council  
**FROM:** Doug Hazelbaker, 1st Vice Chair, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of March 5, 2012

**AGENDA ITEM NO. 10 - PUBLIC HEARING  
ZONING CASE 2012-08  
APPLICANT: CITY OF PLANO**

Request for Specific Use Permit for Transit Center/Station on 1.8± acres located at the southwest and northeast corners of 16th Street and J Avenue. Zoned Downtown Business/Government and Urban Residential/Heritage Resource-20.

**APPROVED:** 7-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** **SUPPORT:** 4 **OPPOSE:** 0

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

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

**STIPULATIONS:**

Recommended for approval as submitted.

**FOR CITY COUNCIL MEETING OF:** March 26, 2012 (To view the agenda for this meeting, see [www.planotx.org](http://www.planotx.org))

**PUBLIC HEARING - ORDINANCE**

BM/dw

CITY OF PLANO  
PLANNING & ZONING COMMISSION

March 05, 2012

**Agenda Item No. 10**

**Public Hearing:** Zoning Case 2012-08

**Applicant:** City of Plano

---

**DESCRIPTION:**

Request for Specific Use Permit for Transit Center/Station on 1.8± acres located at the southwest and northeast corners of 16th Street and J Avenue. Zoned Downtown Business/Government and Urban Residential/Heritage Resource-20.

**REMARKS:**

The requested zoning is a Specific Use Permit (SUP) for Transit Center/Station. A transit center/station is any premises for the loading and unloading of passengers by a public or private transit company including the temporary parking of transit vehicles between routes or during stopovers, and excluding overnight parking, storage, and maintenance of transit vehicles. This definition shall not include bus stops along rights-of-way. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established.

The subject property is 1.8± acres located at the southwest and northeast corners of 16th Street and J Avenue. This is an existing transit center/station within downtown Plano, also known as Downtown Plano Station, that provides local and regional rail and bus transit services. Existing improvements at this transit center/station include passenger shelters, windscreens, seating, customer information, ticket vending machines, telephones, bus and "kiss & ride" passenger drop-off/pickup area, bike racks, and public art. There is no commuter parking at Downtown Plano Station. The transit center/station is also part of the downtown transit oriented development which has less parking needs than would be expected at an end of the line transit center/station such as the Parker Road Station.

Prior to December 12, 2011, the Zoning Ordinance permitted transit centers by right in Downtown Business/Government (BG) zoning district. On December 12, 2011, the City Council amended the Zoning Ordinance to allow transit center/station use by SUP in the BG zoning district. The Zoning Ordinance amendment resulted in the existing transit

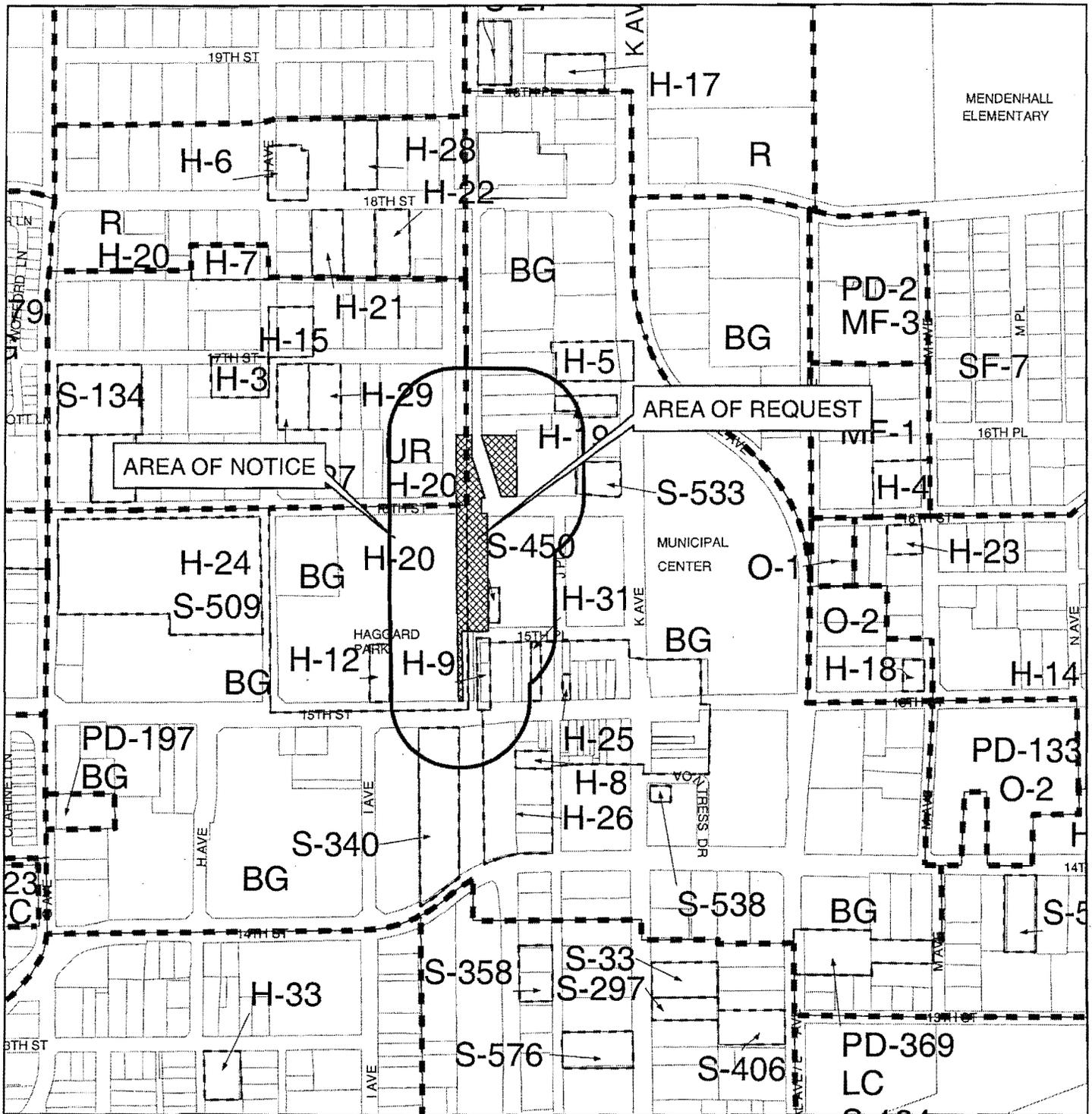
center/station becoming a nonconforming use. Therefore, this SUP request proposes to rectify the nonconforming status of the transit center/station. Otherwise, no changes are planned to the existing DART facility at this time.

It should be noted that the western portion of the existing transit center/station is located within the Urban Residential zoning district which prohibits transit center/stations. However, the existing improvements (railroad track and platform) are located within the existing DART right-of-way and DART is allowed to construct improvements and operate within its right-of-way regardless of zoning. The portion of the transit center/station that accommodates the bus service operations at the northeast corner of 16th Street and J Avenue is not within DART right-of-way and is located in the BG district which allows transit centers/stations with an SUP.

The transit center/station has adequate access from 16th Street, 15th Street Place, I Avenue, and J Avenue in order to serve users of the facility and to accommodate the bus and vehicle traffic generated by this facility. Additionally, the Future Land Use Plan and Master Thoroughfare Plan of the Comprehensive Plan designate this area as a DART Facility; therefore, this request is consistent with both of these plans. For these reasons, staff recommends approval of the requested SUP.

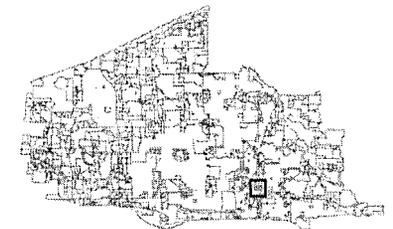
**RECOMMENDATION:**

Recommended for approval as submitted.



Zoning Case #: 2012-08

Existing Zoning: DOWNTOWN BUSINESS/GOVERNMENT &  
URBAN RESIDENTIAL



○ 200' Notification Buffer



## Zoning Case 2012-08

**An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 622 so as to allow the additional use of Transit Center/Station on 1.8± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest and northeast corners of 16th Street and J Avenue, in the City of Plano, Collin County, Texas, presently zoned Downtown Business/Government and Urban Residential; 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 26th day of March, 2012, for the purpose of considering granting Specific Use Permit No. 622 for the additional use of Transit Center/Station on 1.8± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest and northeast corners of 16th Street and J Avenue, in the City of Plano, Collin County, Texas, presently zoned Downtown Business/Government and Urban Residential; 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 26th day of March, 2012; and

**WHEREAS**, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 622 for the additional use of Transit Center/Station on 1.8± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest and northeast corners of 16th Street and J Avenue in the City of Plano, Collin County, Texas, presently zoned Downtown Business/Government and Urban Residential, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

**WHEREAS**, the City Council is of the opinion and finds that such change 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 grant Specific Use Permit No. 622 for the additional use of Transit Center/Station on 1.8± acres of land out of the Joseph Klepper Survey, Abstract No. 213, located at the southwest and northeast corners of 16th Street and J Avenue, in the City of Plano, Collin County, Texas, presently zoned Downtown Business/Government and Urban Residential, said property being more fully described on the legal description in Exhibit "A" attached hereto.

**Section II.** 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 III.** 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 IV.** 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 V.** Any person, firm or corporation found to be violating any term or provision of this Ordinance, 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 VI.** 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 VII.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED AND APPROVED THIS THE 26TH DAY OF MARCH, 2012.**

---

Phil Dyer, MAYOR

ATTEST:

---

Diane Zucco, CITY SECRETARY

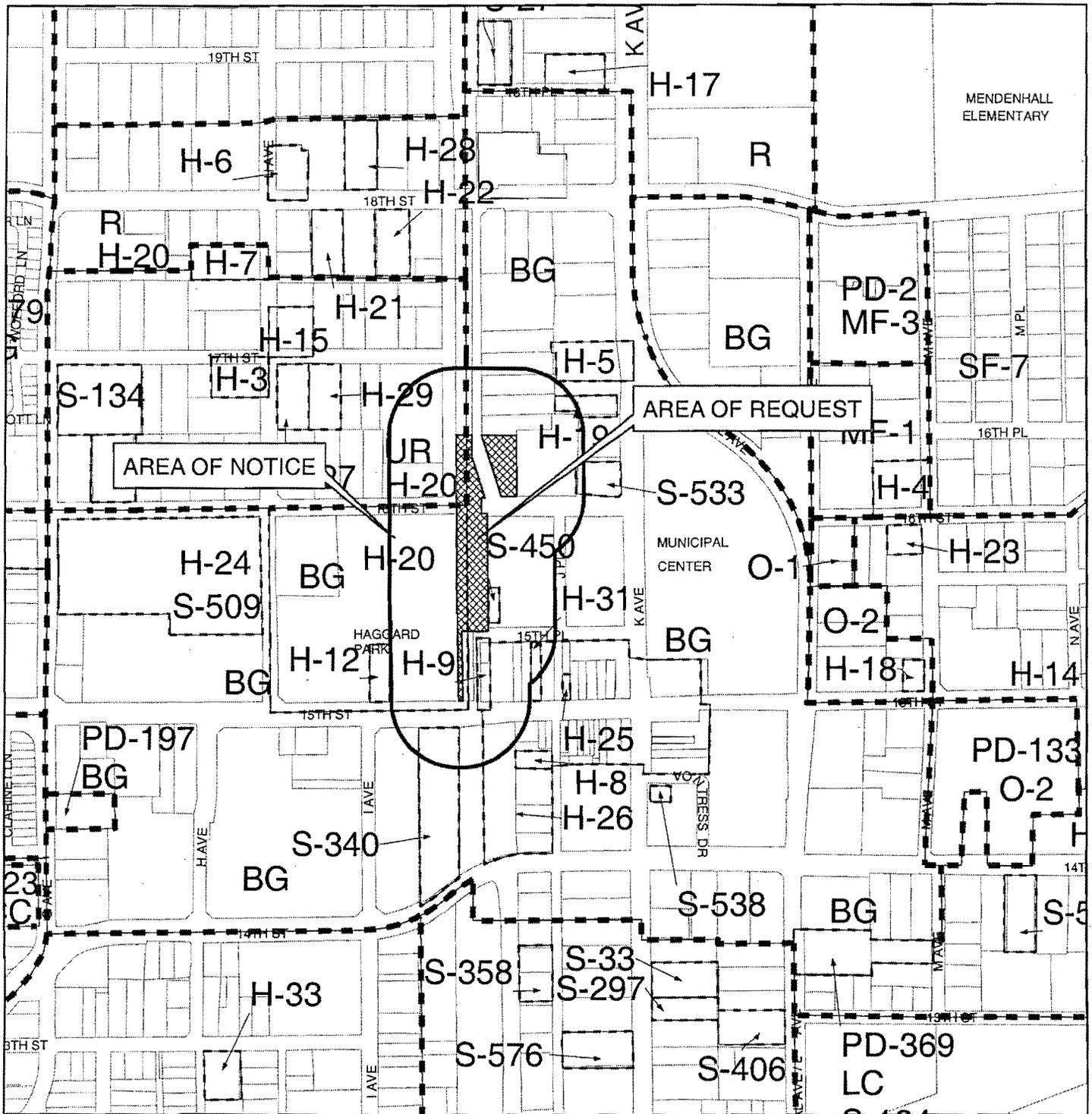
APPROVED AS TO FORM:

---

Diane C. Wetherbee, CITY ATTORNEY

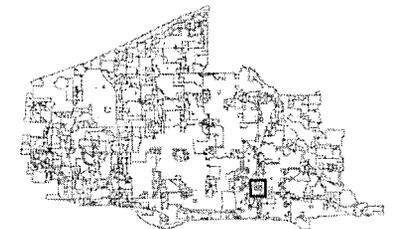
Zoning Case 2012-08

BEING a tract of land situated in the Joseph Klepper Survey, Abstract No. 213, in the City of Plano, Collin County, Texas, and being all of Block 1, Lots 1 and 2, 15th Street Station Addition, an addition to the City of Plano, Texas, according to a plat recorded in Volume O, Page 297 of the Plat Records of Collin County, Texas, as filed on December 3, 2002, comprising 1.8 acres.



Zoning Case #: 2012-08

Existing Zoning: DOWNTOWN BUSINESS/GOVERNMENT &  
URBAN RESIDENTIAL



○ 200' Notification Buffer

