



CITY OF PLANO COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY					
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory					
Council Meeting Date:		April 11, 2016			
Department:		Planning			
Department Head		Christina Day			
Agenda Coordinator (include phone #): Tammy Stuckey, ext 7156					
CAPTION					
Consideration of an appeal of the Planning & Zoning Commission's denial of the Concept Plan for The Preserve at Legacy Trail North & South – 59 Single-Family Residence Attached lots and five common area lots on 8.1± acres located at the northwest and southwest corner of McDermott Road and Robinson Road. Zoned Neighborhood Office. Applicant: Rasor & 121 LP					
FINANCIAL SUMMARY					
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP					
FISCAL YEAR:	2015-16	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0	0
Encumbered/Expended Amount	0	0	0	0	0
This Item	0	0	0	0	0
BALANCE	0	0	0	0	0
FUND(s): N/A					
COMMENTS: This item has no financial impact. STRATEGIC PLAN GOAL: Consideration of a request to rezone relates to the City's goal of Financially Strong City with Service Excellence.					
SUMMARY OF ITEM					
At its February 15, 2016 meeting, the Planning & Zoning Commission denied this request by a vote of 8-0. The applicant has appealed the Commission's denial. A simple majority, or 5 of the 8 City Council members, is required for approval of the request. The associated zoning case, 2015-29, has also been appealed and is included as a separate agenda item. Applicant has requested to table this item to the April 25, 2016 City Council meeting.					
List of Supporting Documents: Letter of Request to Table from Applicant Letter of Appeal from Applicant Second Vice Chair Report P&Z Follow-up Memo Staff Report Locator Map Concept Plan			Other Departments, Boards, Commissions or Agencies Planning & Zoning Commission		

Skorburg Company
8214 Westchester Dr., Ste. 710
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244



March 31, 2016

City of Plano

Attn: Ross Altobelli
1520 K Avenue
Plano, Texas 75086

Re: 2015-29 (The Preserve at Legacy Trail) – Continuance Request

Mr. Altobelli,

We request a continuance for zoning case 2015-29 (The Preserve at Legacy Trail) for two weeks to the April 25, 2016 City Council Meeting. We want to refine the request and continue to work with the City of Plano Staff and the surrounding neighbors.

This will give us more time to meet with the neighboring citizens, answer any questions, and provide any information requested by the residents regarding this project.

Cordially Yours,

A handwritten signature in blue ink, appearing to read "Adam J. Buczek".

Adam J. Buczek
Development Partner

Skorburg Company
8214 Westchester Dr., Ste. 710
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244



February 24, 2016

City of Plano
Attn: Ross Altobelli
1520 K Avenue
Plano, Texas 75086

Re: Concept Plan and Zoning Appeal for ZC 2015-29 – The Preserve at Legacy Trail

Mr. Altobelli,

We request to appeal the decision voted on by the Planning and Zoning Commission on February 15, 2016 regarding the Concept Plan and Zoning for ZC 2015-29 (The Preserve at Legacy Trail). We would like to continue to work with the City of Plano Staff, City Council, and the citizens regarding the proposed project. We request to be on the agenda for the April 11, 2016 City Council Meeting for both the Concept Plan and Zoning.

Cordially Yours,

A handwritten signature in blue ink, appearing to read "Adam Buczek".

Adam J. Buczek
Development Partner

Recommendation of the Planning & Zoning Commission
Second Vice Chairman's Report
Zoning Case 2015-29
February 15, 2016

Zoning Case 2015-29: Agenda Item No. 1A and 1B – Public Hearing. Items heard together, but voted on separately. All commissioners were present.

Staff Recommendation: Staff recommended for approval with restrictions.

Comments from the Applicant:

- A preliminary flood study was completed and confirms that 35 lots can be developed on the North tract.
- Tubular steel fencing will be placed along McDermott and a portion of the east side of North Robinson Drive.
- All SFA standards will be met or exceeded.
- Developer has an agreement with the Parks Department to sell the 20.2 acres of park land to the City contingent upon the approval of zoning as requested and purchase of the property for the extension of Legacy Trail.
- Allows for the expansion of Legacy trail system through the property.
- When asked by the Commission if the applicant had reached out to nearby residents, the applicant said no meetings had taken place between the applicant and area residents at the time of the Planning and Zoning Commission Meeting, but the applicant would be open to meeting with area residents to discuss concerns.
- Other than the park and the trail, no additional amenities will be added to the development.
- Residential development will bring less traffic to the area than an office development or retail based on the Engineering traffic study.
- The price per square foot of the homes will be high and will bring surrounding home values up.

Comments from Citizens:

- The traffic in the area is already bad.
- The highest and best use for the land is as park land because it's a beautiful piece of property.
- Multiple apartment complexes and townhomes have gone up in this area over the last several years and more will bring down home values.
- The intersection of McDermott and Robinson Rd. is already very challenging to make a left turn at.
- Residents may turn right on Robinson Rd. and take it all the way to Hedgecoxe or cut through the neighborhood as a shortcut since access onto McDermott is challenging.
- Schools are at or over capacity in the area.
- Flooding of the creek is a problem.

Comments from the Commission In Support of Denial:

- The citizens have many valid concerns that need to be listened to.
- Tract 1 may be doable, but Tract 2 shouldn't be rezoned before the Engineering study is completed.
- Flooding of the creek and high water is a concern.

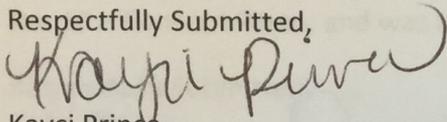
- Tract 1 may be a feasible location for residential, but Tract 2 should not be rezoned at this time.
- Even if the developer is able to reclaim the flood plain in Tract 2, the development would be isolated.
- Traffic is a concern with the entry points on Tract 1.
- Based on the Future Land Use Map, residential isn't the best use of the land.
- The area already has a high amount of density, and the area doesn't need additional density.

A motion was made for the denial of Zoning Case 2015-29, item 1A. Motion for Denial was approved by the Commission 8 votes to 0.

Zoning Case 2015-29 Agenda Item No. 1B – Concept Plan

This Concept plan application is contingent upon approval of Zoning Case 2015-29 (Agenda item No 1A). Since Zoning Case 2015-29 was denied, a motion was made for Denial of the Case 2015-20 Agenda Item No. 1B – Concept Plan, and was approved by the Commission 8 votes to 0.

Respectfully Submitted,



Kayci Prince

Second Vice-Chair

Planning & Zoning Commission

DATE: February 16, 2016

TO: Applicants with Items before the Planning & Zoning Commission

FROM: Johns Muns, Chair, Planning & Zoning Commission

SUBJECT: Results of Planning & Zoning Commission Meeting of February 15, 2016

**AGENDA ITEM NO. 1B - PUBLIC HEARING - CONCEPT PLAN
THE PRESERVE AT LEGACY TRAIL NORTH & SOUTH
APPLICANT: RASOR & 121 LP**

59 Single-Family Residence Attached lots and five common area lots on 8.1± acres located at the southwest corner McDermott Road and Robinson Road. Zoned Neighborhood Office. Neighborhoods #1 & #4.

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

STIPULATIONS:

Denied.

RA/amf

xc: John C. Franklin, Rasor & 121 LP
Noah Flabiano, Skorburg Company

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 15, 2016

Agenda Item No. 1B

Concept Plan: The Preserve at Legacy Trail North & South

Applicant: Rasor & 121 LP

DESCRIPTION:

59 Single-Family Residence Attached lots and five common area lots on 8.1± acres located at the southwest corner of McDermott Road and Robinson Road. Zoned Neighborhood Office. Neighborhoods #1 and #4.

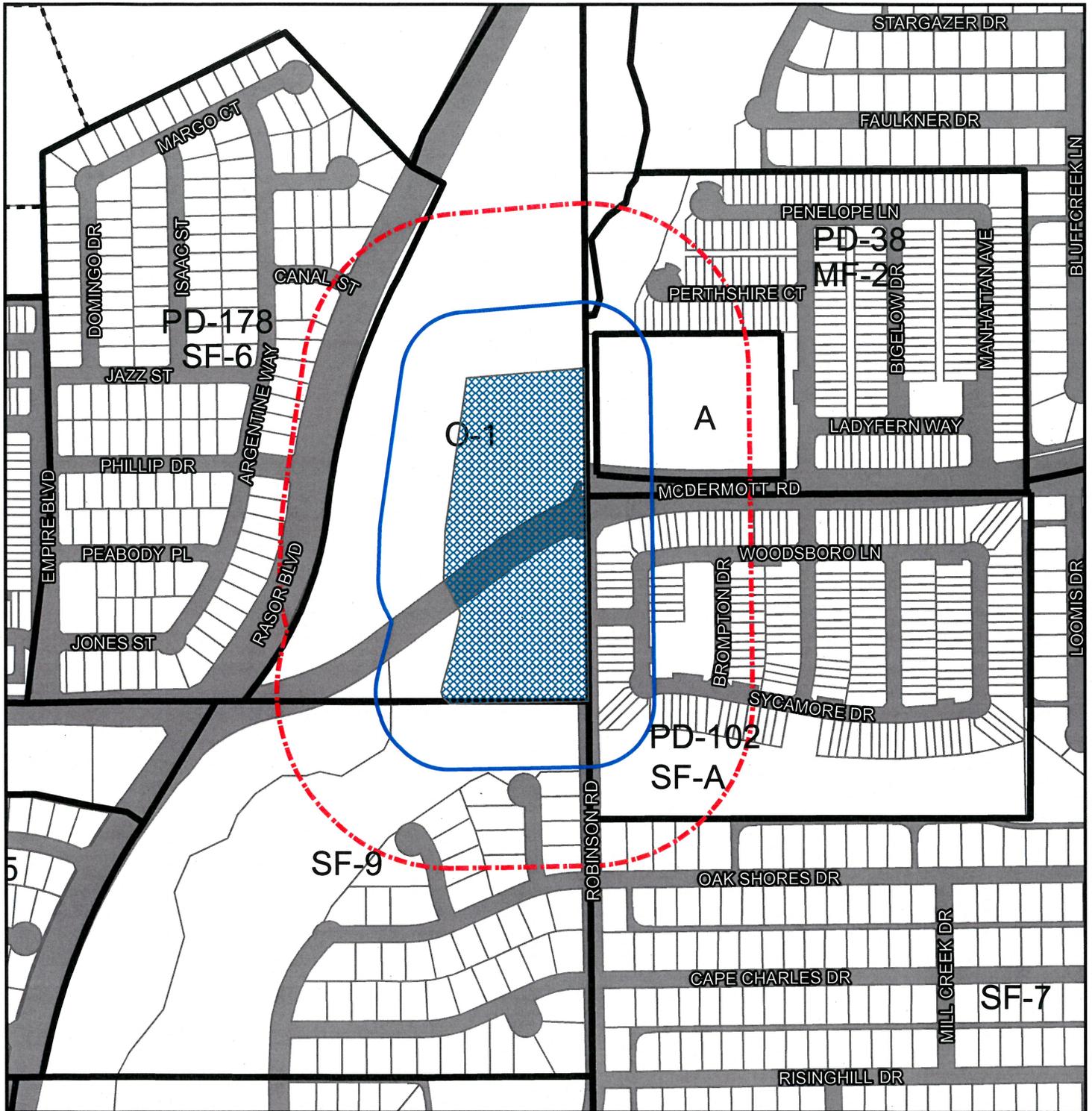
REMARKS:

This concept plan is associated with Zoning Case 2015-29 and is contingent upon approval of the zoning case. The purpose for the concept plan is to show the proposed single-family subdivision. The plan meets the area, yard, and bulk requirements of the requested Planned Development-Single-Family Residence Attached (PD-SF-A) zoning district.

RECOMMENDATION:

Recommended for approval subject to:

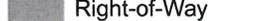
1. City Council approval of Zoning Case 2015-29;
2. North Texas Municipal Water District (N.T.M.W.D) approval of right-of-way; and
3. Engineering Department approval of a flood study.

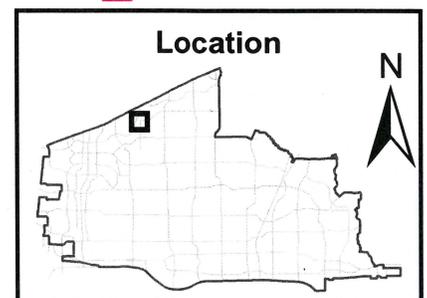


Zoning Case #: 2015-29

Existing Zoning: Neighborhood Office (O-1)

Proposed Zoning: Planned Development-Single-Family Residence Attached (PD-SF-A)

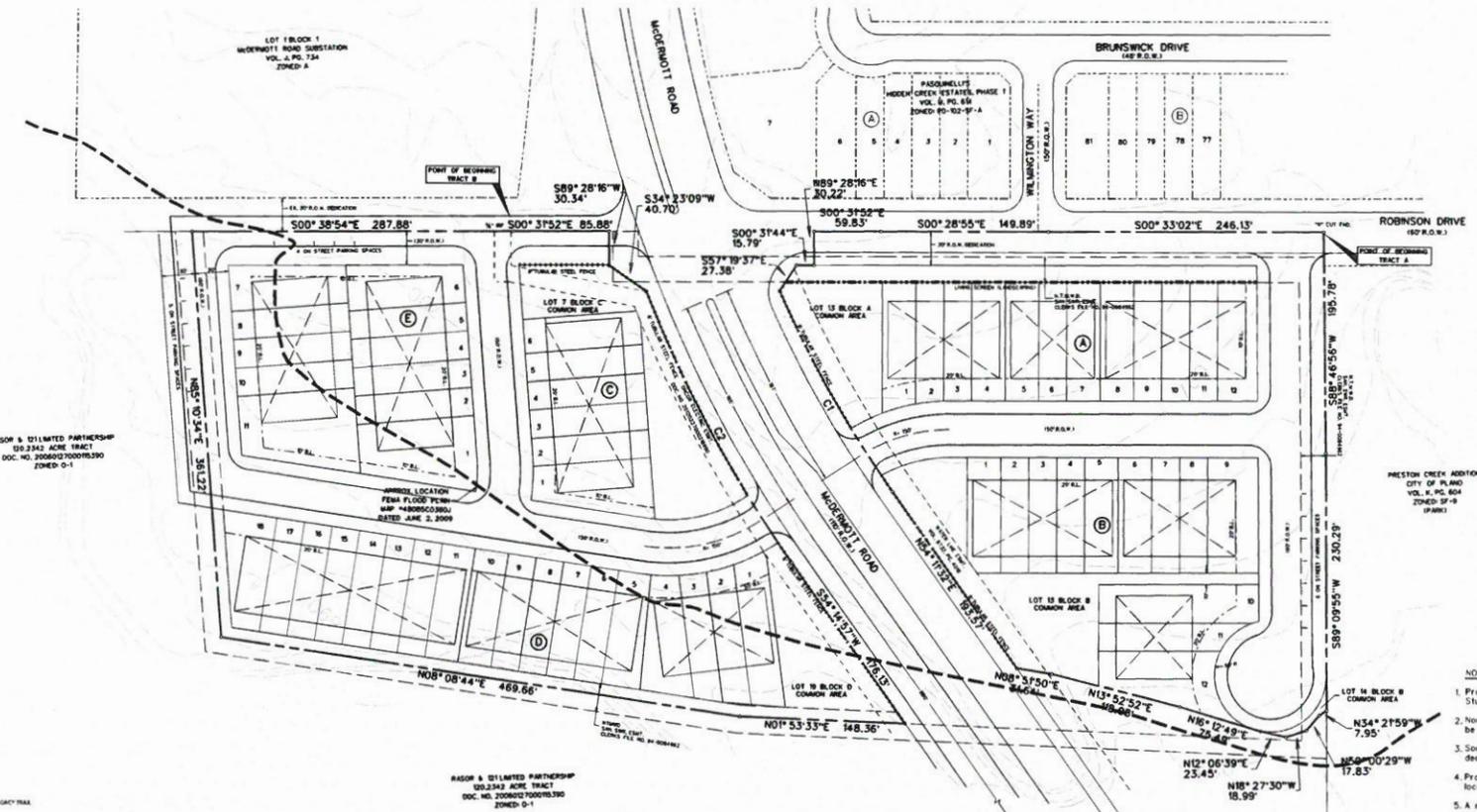
-  500' Courtesy Notification Buffer
-  200' Notification Buffer
-  Subject Property
-  Zoning Boundary
-  Specific Use Permit
-  City Limits
-  Right-of-Way



Source: City of Plano Planning Department

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1.	10°57'24"	1070.08'	204.63'	102.63'	204.32'	N5°43'39"E
2.	13°19'21"	1180.08'	274.39'	137.82'	273.78'	S6°54'38"W



NOTE:

- Proposed layout subject to Flood Study approval.
- Northern Tract +/- 19.109 acres of the +/- 23.675 acres to be dedicated to the City of Plano for park purposes.
- Southern Tract +/- 1.090 acres of the +/- 4.869 acres to be dedicated to the City of Plano for park purposes.
- Proposed layout subject to N.T.M.W.D. approval of R.O.W. location over existing Sanitary Sewer easement.
- A minimum of 33, buildable, single-family residence attached lots are required for the development on the north side of McDermitt Road.

RECEIVED
FEBRUARY 11, 2016
PLANNING DEPT.

DENIED
 City of Plano
FEBRUARY 15, 2016
 P&Z Commission
 Planning Department

CONCEPT PLAN
 CITY PROJECT NO. CP2015-002
THE PRESERVE AT LEGACY TRAIL
 NORTH & SOUTH

OUT OF THE
 COLLIN COUNTY SCHOOL LAND SURVEY
 ABSTRACT NO. 153
 IN THE
 CITY OF PLANO
 COLLIN COUNTY, TEXAS
 59 - SINGLE FAMILY RESIDENCE ATTACHED LOTS
 5 - COMMON AREA LOTS
 TOTAL 8.145 ACRES

FEBRUARY 2016 SCALE: 1"=50'

THE PRESERVE AT LEGACY TRAIL

Block A	Block B	Block C	Block D	Block E
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
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THE PRESERVE AT LEGACY TRAIL

General Site Data	North	South	Total for All Lots
Zoning (from zoning map)	PD-SF-A	PD-SF-A	
Land Use (from zoning ordinance)	SF-A	SF-A	
Lot Area (Square Feet & Acres)	4,372 AC (100,487)	3,774 AC (104,305)	8,147 ac (354,800)
Min. Building Footprint Area (per unit)	1300 SF	1300 SF	
Min Building Area (per unit)	800 SF	800 SF	
Building Height (ft stories)	2	2	
Building Height (feet - distance to tallest building element)	30'	30'	
Max. Lot Coverage (percent - x axis)	60%	60%	

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

APPLICANT
SKORBURG COMPANY
 8314 WESTCHESTER DR., SUITE 710
 DALLAS, TEXAS 75225
 214-232-7025
 CONTACT: NOAH FLABANO

PREPARED BY
CORWIN ENGINEERING, INC.
 200 W. BELMONT, SUITE 545
 ALLEN, TEXAS 75015
 972-386-1200
 CONTACT: WARREN CORWIN

OWNER
RASOR & 121 LIMITED PARTNERSHIP
 5520 LBJ FREEWAY, SUITE 545
 DALLAS, TEXAS 75240
 972-306-8581
 CONTACT: SARA CALDWELL