



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 14, 2014		
Department:		Planning		
Department Head		Christina Day		
Agenda Coordinator (include phone #): D. Carter ext. 7151				
CAPTION				
Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2014-01 - Request to rezone 45.8± acres from Research/Technology Center to Single-Family Residence-6 located on the west side of North Star Road, 610± feet south of Plano Parkway. Zoned Research/Technology Center. Applicant: Flextronics International USA, Inc.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S):				
COMMENTS:				
SUMMARY OF ITEM				
At its March 3, 2014 meeting, the Planning & Zoning Commission denied this request with prejudice by a vote of 6-1. The applicant has appealed the Commission's denial. A 3/4 vote, or 6 of the 8 City Council members, is required for approval of the request.				
List of Supporting Documents:		Other Departments, Boards, Commissions or Agencies		
Letter of Appeal from Applicant		Planning & Zoning Commission		
1st Vice Chair Report				
P&Z Follow-up Memo				
Staff Report				
Locator Map				
Aerial Map				
Zoning Exhibit				

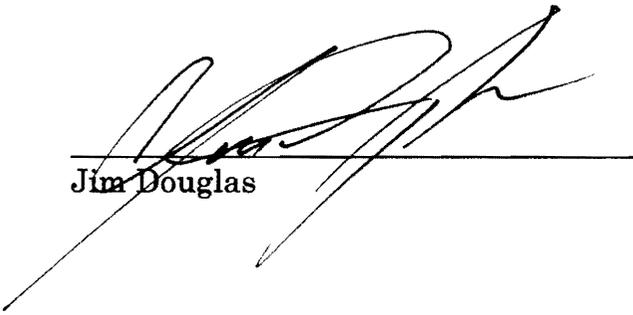
dp

DOUGLAS PROPERTIES, INC.

2309 Avenue K, Suite 100
Plano, Texas 75074
972-422-1658 Office 972-516-2254 Fax
douglas.properties@yahoo.com

March 17, 2014

Douglas Properties, Inc. would like to appeal to the City Council on our Zoning and Concept Plan for Beck Creek Estates (Zoning Case #2014-01).



Jim Douglas

RECOMMENDATION OF THE PLANNING & ZONING COMMISSION

ZONING CASE 2014-01 AND CONCEPT PLANO FOR BECK CREEK ESTATES

APRIL 1, 2014

FIRST VICE CHAIRMAN'S REPORT

Agenda Item No. 6A - Public Hearing

Zoning Case 2014-01 - Request to rezone 45.8 acres from Research/Technology to Single-Family Residence-6 located on the west side of Northstar Road , 610 feet south of Plano Parkway.

Applicant: Flextronics International USA, Inc.

Staff Recommendation: Staff recommended denial of the zoning change.

Commission Action: After hearing from the Applicant and then four speakers against the request (including three neighboring property owners), some discussion was held by the commission prior to a motion to deny the requested zoning change with prejudice being made by First Vice Chair Barbera and seconded by Commissioner Bender. The motion was approved with a vote of 6-1. Commissioner Pittman voted against the motion but then later added he "hit the wrong button."

Comments made in support of the motion to deny with prejudice included:

- The RT district should be preserved as the district is the economic backbone of East Plano.

Additional Comments: On a motion made by Commissioner Pittman and seconded by Commissioner Hilburn, the Concept Plan associated with Zoning Case 2014-01 was denied with prejudice as well, by a unanimous vote.

Respectfully Submitted,



M. Nathan Barbera
First Vice Chair
City of Plano Planning & Zoning Commission

DATE: March 4, 2014
TO: Applicants with Items before the Planning & Zoning Commission
FROM: Richard Grady, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of March 3, 2014

**AGENDA ITEM NO. 6A - PUBLIC HEARING
ZONING CASE 2014-01
APPLICANT: FLEXTRONICS INTERNATIONAL USA, INC.**

Request to rezone 45.8± acres from Research/Technology Center to Single-Family Residence-6 located on the west side of North Star Road, 610± feet south of Plano Parkway. Zoned Research/Technology Center.

APPROVED: _____ **DENIED:** 6-1 **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 1 **OPPOSE:** 4

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

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

STIPULATIONS:

Denied with prejudice. The Commissioner voting in opposition did not state a reason for their opposition.

EH/av

xc: Timothy Stewart, Flextronics International USA, Inc.
Jim Douglas, Douglas Properties, Inc.

<http://goo.gl/maps/e5UIz>

CITY OF PLANO
PLANNING & ZONING COMMISSION

March 3, 2014

Agenda Item No. 6A

Public Hearing: Zoning Case 2014-01

Applicant: Flextronics International USA, Inc.

DESCRIPTION:

Request to rezone 45.8± acres from Research/Technology Center to Single-Family Residence-6 located on the west side of North Star Road, 610± feet south of Plano Parkway. Zoned Research/Technology Center.

REMARKS:

The applicant is requesting to rezone 45.8± acres from Research/Technology Center (RT) to Single-Family Residence-6 (SF-6) located on the west side of North Star Road, 610± feet south of Plano Parkway. The subject property is currently undeveloped.

The existing RT zoning district is intended to create a low-density, employment center consisting of office, research and development facilities, and limited assembly operations. RT districts should generally accommodate several users in a campus environment. The requested SF-6 zoning district is intended to provide for small-lot, urban, single-family development protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living.

A concept plan, Beck Creek Estates, accompanies this request.

History

The subject property has been zoned RT since 1998. The applicant submitted a request to rezone this property to SF-6 in August, 2013. In October, 2013, the Planning & Zoning Commission voted 6-1 to deny the rezoning request. The Commission believed it was important to maintain this area as part of the “core” RT zoning district, and was concerned about limiting future development opportunities for large commercial users while also creating land use compatibility issues for existing adjacent commercial properties. The applicant did not appeal the zoning request to City Council, as allowed under Subsection 6.110 of Section 6.100 (Procedural Steps of Zoning Petitions and Amendments) of the Zoning Ordinance.

Surrounding Land Use and Zoning

To the west of the subject property, the land is zoned RT and is developed as office and limited assembly/manufacturing. To the north, the property is also zoned RT and is partially developed as office showroom/warehouse and manufacturing. To the east, across North Star Road, the properties are undeveloped, but are zoned SF-6. Douglas Otto Middle School is located further east. The property to the south is located within the City of Richardson and is currently undeveloped and zoned for industrial uses. Further south, across the creek, is an existing single family residential subdivision in Richardson.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Research Technology/Center. The SF-6 request does not conform to the Future Land Use Plan.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property. However, the applicant will need to verify that the sanitary sewer capacity is sufficient to accommodate the proposed change in use from commercial to single-family residential.

School Capacity - The proposed development is located in the Plano Independent School District (PISD). This area is served by Stinson Elementary, Douglas Otto Middle School, Williams High School and Plano East Senior High. At this time, and based upon current attendance boundaries, PISD has determined that there is not sufficient additional capacity at Stinson Elementary or Plano East Senior High School.

Public Safety Response Time - Based upon existing personnel, equipment and facilities, fire emergency response times would exceed the Fire Department's stated response time goal of 6 minutes for 90% of their calls.

Access to and Availability of Amenities and Services - The subject property does not have nearby parks to serve the development and there are no planned or existing neighborhood park facilities that will serve homes in this location. A proposed hike and bike trail is planned south of Douglas Otto Middle School and extending under the overhead transmission lines to the east to connect with Breckenridge Park in the City of Richardson. The connection to Breckenridge Park is approximately one mile east of the subject property.

The proposed rezoning area is located within the Harrington Library's service area, and service to the residents of this new area would be possible with the current library resources.

ISSUES:

Research/Technology Center (RT) Intent and the Economic Development Element of the Comprehensive Plan

As noted above, the RT zoning district is intended to create a low-density, employment center consisting of office, research and development facilities, and limited assembly operations. RT districts should generally accommodate several users in a campus environment. In addition, the Economic Development Element of the Comprehensive Plan encourages the preservation of land in employment centers, such as the RT area, for future economic development. The element states that:

“Rezoning requests must be carefully examined to ensure that proposed locations are suitable for residential development and that Plano’s economic viability is not being jeopardized in order to accommodate short-term demand. The availability of undeveloped “greenfield” sites is vital to encourage expansion and relocation of businesses. Therefore, the city should preserve land along the expressway corridors and in the employment centers for future economic development opportunities.”

Rezoning the subject property for residential uses prohibits future expansion opportunities for the existing light-intensity manufacturing business to the north and west, and limits future opportunities for similar and/or supporting uses to locate on the property.

The subject property should be preserved for employment and future economic development opportunities in accordance with the RT zoning district and Future Land Use Plan. Additionally, rezoning these parcels from RT to SF-6 will reduce the number of large sites (greater than 20 acres) zoned RT, thereby limiting opportunities for economic and employment growth. Through discussions with the Commission in April 2012, the City Council reaffirmed the city’s land use policies for preserving land for economic development and employment opportunities.

Boundary for Residential Development in the RT Area

In Fall 2010, approximately 70 acres east of the subject property was rezoned from PD-202-Research/Technology Center District to SF-6 and Single-Family Residence-Attached (SF-A). Following these rezoning cases, the City Council requested a review of the existing RT district and directed staff to work with the Commission to develop a new plan for RT. At the Council’s request, the Commission evaluated the boundaries of the RT area, including analyzing appropriate uses for any areas that might be removed from the RT. After the assessment, the Commission determined that the area west of Bradshaw Drive constitutes the “core” of the RT district and should remain intact; Council concurred during March 2011.

The subject property falls within the areas that constitute the “core” of the RT district that the Commission and Council recommended to remain intact. Therefore, this request is not consistent with the Commission and Council’s direction regarding the boundaries of the RT district. In addition, the proposed rezoning removes one of the larger vacant commercial properties within an area that is reserved for employment centers and future economic development opportunities.

Impact on City Services and Availability of Amenities and Services

In April 2012, the Council adopted interim amendments to the Comprehensive Plan which included recommendations pertaining to the use of the city’s undeveloped land. One of those recommendations is applicable to this zoning request:

1. All residential rezoning requests should be evaluated to determine the impact on infrastructure, public safety response, school capacity, and access to and availability of amenities and services.

The proposed site does not have nearby parks to serve the development and there are no planned or existing neighborhood park facilities that will serve homes in this location. South of the existing Douglas Otto Middle School, the city has a planned trail extension eastward under the overhead transmission lines which will eventually tie in to Breckenridge Park in Richardson. The nearest neighborhood park is Shoshoni Park which is located on the north side of 14th Street, west of Shiloh Road. Additionally, PISD representatives have stated that Stinson Elementary School and Plano East Senior High School do not have additional capacity available. Finally, this site exceeds the response times for public safety response personnel.

Surrounding Zoning Districts and Land Uses

Although the requested single-family residential zoning is consistent with the existing residential zoning to the east, the requested single-family residential zoning is not consistent with the adjacent RT zoning to the north and west. Businesses locate in commercial districts where comparable uses are allowed and that may have like operations such as truck traffic, loading operations, increased noise levels, and lighting. Introducing residential uses in a commercial area could discourage businesses from locating in the area. Locating residential uses in an area that has historically been zoned for nonresidential uses and where businesses are already located creates land use compatibility issues. Furthermore, staff is concerned that the existing light-intensity manufacturing developments to the north and west could be incompatible with future residential neighborhoods.

Lastly, there is a one-acre, undeveloped parcel to the east of the subject property which has not been included within the scope of this zoning request. This property is zoned RT and could create land use compatibility issues if the subject property were rezoned to SF-6. Additionally, due to the size of the parcel and the location of easements on the property, it may be undevelopable if left with non-contiguous RT zoning. If residential zoning is determined to be appropriate for the subject property, this parcel should also be considered for residential zoning.

Proposed Public School

As shown in the companion concept plan for Beck Creek Estates, the applicant is proposing SF-6 zoning to allow for residential homes as well as the possibility of a public primary school on the subject property. Staff has discussed this area with representatives from PISD, and there are currently no plans to construct a school in this area. If a school was proposed for this location, staff would have concerns regarding land use compatibility issues which could occur due to the adjacent RT zoning. Additionally, staff would have concerns regarding school traffic as the site has access solely from North Star Road. Furthermore, the Zoning Ordinance allows public secondary schools by right in all zoning districts, including RT. This zoning request has no impact on PISD's right to construct a school on the subject property.

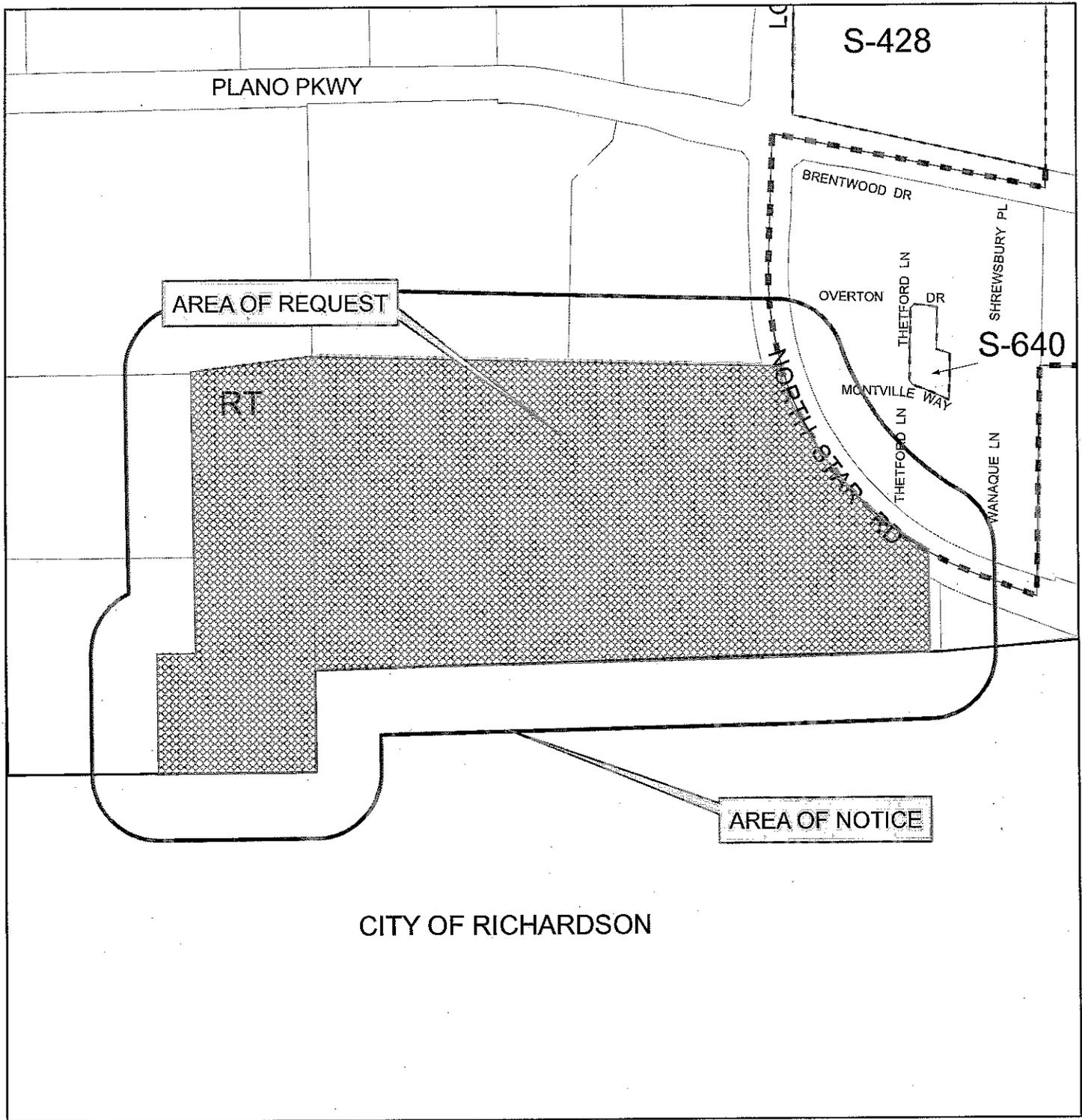
Summary

The applicant is requesting to rezone 45.8± acres from RT to SF-6 located on the west side of North Star Road, 610± feet south of Plano Parkway. The request is not in conformance with the Future Land Use Plan of the Comprehensive Plan which recommends Research/Technology Center, and it is not consistent with the city's land use policies regarding the preservation of land within employment centers for economic development and employment opportunities. The proposed rezoning also conflicts with the Commission and Council's direction regarding preserving the "core" RT area, and more recently the direction received from the Commission and Council during April 2012, regarding the use of the city's remaining undeveloped land.

Although residential zoning currently exists to the east, across North Star Road, and to the south, overall, staff believes the proposed location is not appropriate for single-family uses. The current RT zoning allows numerous nonresidential uses that are more suitable at this location than what is being proposed. Single-family uses at the proposed location will not be the best and most appropriate use for the site. Therefore, staff recommends denial of the requested rezoning from RT to SF-6.

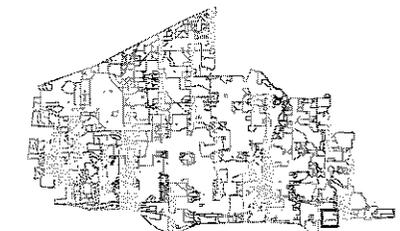
RECOMMENDATION:

Recommended for denial.



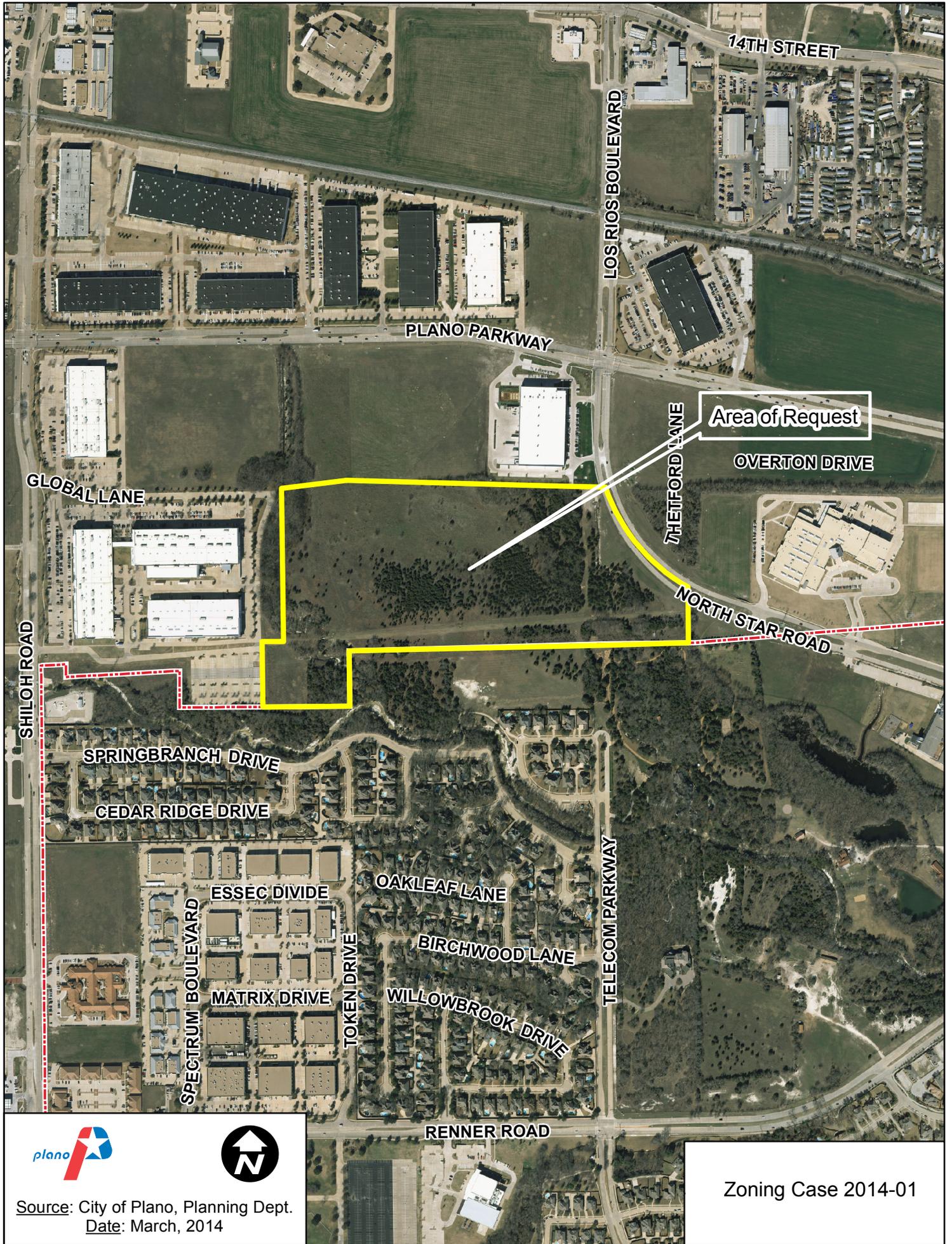
Zoning Case #: 2014-01

Existing Zoning: RESEARCH/TECHNOLOGY CENTER



○ 200' Notification Buffer





14TH STREET

LOS RIOS BOULEVARD

PLANO PARKWAY

Area of Request

OVERTON DRIVE

THETFORD LANE

NORTH STAR ROAD

GLOBAL LANE

SHILOH ROAD

SPRINGBRANCH DRIVE

CEDAR RIDGE DRIVE

ESSEC DIVIDE

OAKLEAF LANE

BIRCHWOOD LANE

MATRIX DRIVE

WILLOWBROOK DRIVE

TOKEN DRIVE

TELECOM PARKWAY

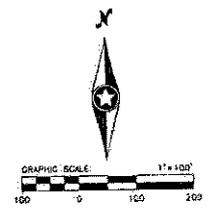
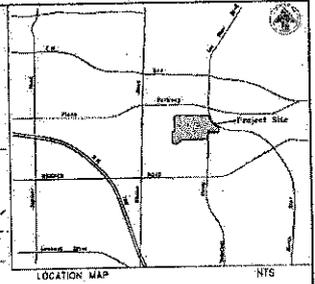
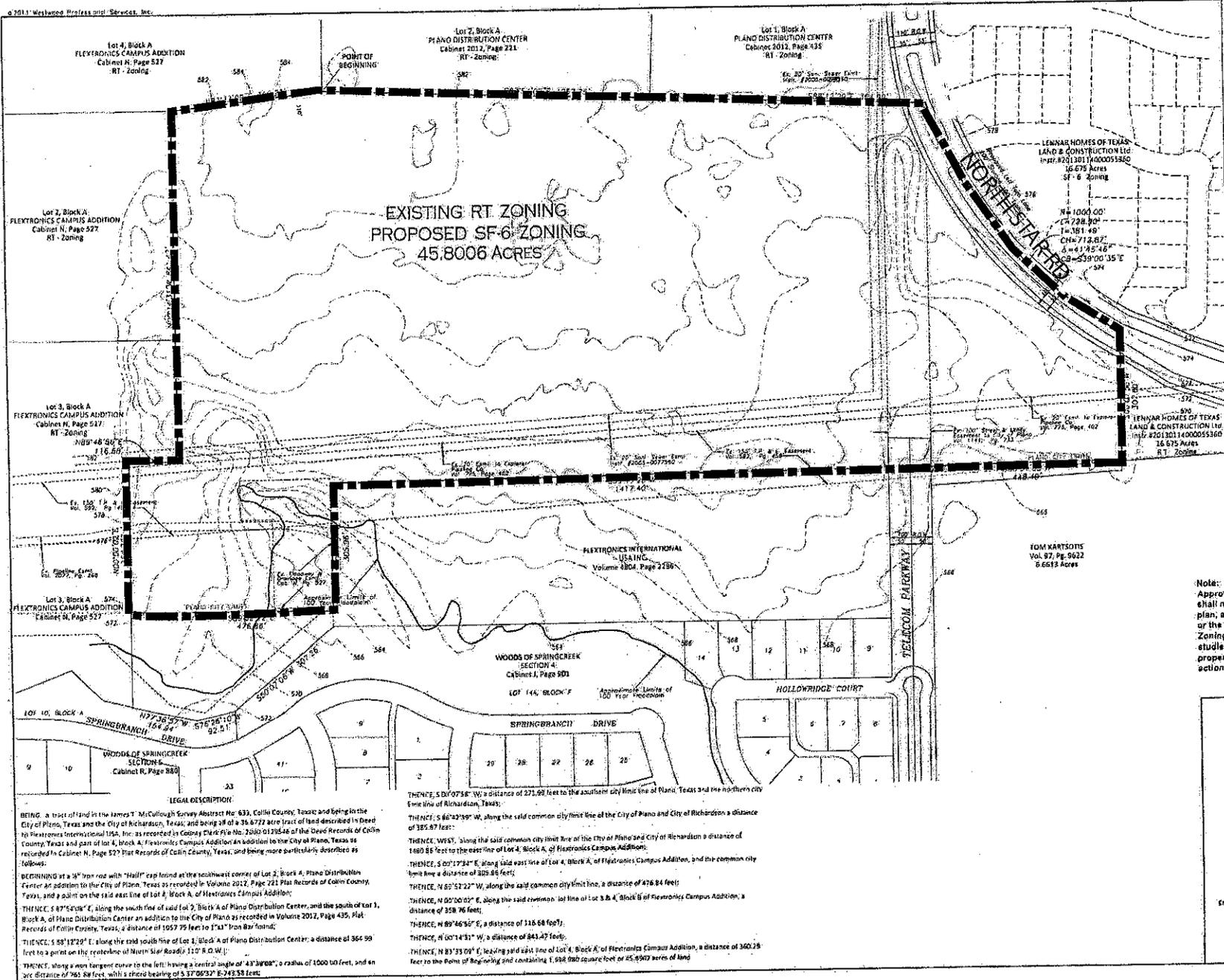
SPECTRUM BOULEVARD

RENNER ROAD



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

Zoning Case 2014-01



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

LEGAL DESCRIPTION

BEING a tract of land in the James T. McCullough Survey Abstract No. 633, Collin County, Texas and being in the City of Plano, Texas and the City of Richardson, Texas, and being of a 34,723 acre tract of land described in Deed to Flextronics International USA, Inc. as recorded in County Clerk's No. 2580-01135-46 of the Deed Records of Collin County, Texas and part of Lot 4, Block A, Flextronics Campus Addition as recorded in the City of Plano, Texas as recorded in Cabinet N, Page 527 of the Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 36" iron rod with "Hall" cap found at the southwest corner of Lot 2, Block A, Plano Distribution Center an addition to the City of Plano, Texas as recorded in Volume 2012, Page 221 of the Records of Collin County, Texas, and a point on the said east line of Lot 3, Block A, of Flextronics Campus Addition;

THENCE, S 87°54'06" E, along the south line of said Lot 2, Block A of Plano Distribution Center, and the south of Lot 3, Block A, of Plano Distribution Center an addition to the City of Plano, Texas as recorded in Volume 2012, Page 435, Plat Records of Collin County, Texas, a distance of 1057.75 feet to "A1" iron rod found;

THENCE, S 85°17'09" E, along the east south line of Lot 1, Block A of Plano Distribution Center, a distance of 364.99 feet to a point on the centerline of North Star Road; 120' R.O.W.;

THENCE, along a non-tangent curve to the left, having a central angle of 43°30'00", a radius of 1000.00 feet, and an arc distance of 765.88 feet, with a chord bearing of S 37°06'52" E 243.55 feet;

THENCE, S 00°07'38" W, a distance of 273.99 feet to the southern city limit line of Plano, Texas and the northern city limit line of Richardson, Texas;

THENCE, S 66°42'39" W, along the said common city limit line of the City of Plano and City of Richardson a distance of 385.87 feet;

THENCE, WEST, along the said common city limit line of the City of Plano and City of Richardson a distance of 1480.88 feet to the east line of Lot 4, Block A, of Flextronics Campus Addition;

THENCE, S 00°17'34" E, along said east line of Lot 4, Block A, of Flextronics Campus Addition, and the common city limit line a distance of 305.86 feet;

THENCE, N 60°52'22" W, along the said common city limit line, a distance of 476.84 feet;

THENCE, N 00°00'00" E, along the said common lot line of Lot 3, Block A, of Flextronics Campus Addition, a distance of 358.76 feet;

THENCE, N 89°46'50" E, a distance of 318.58 feet;

THENCE, N 00°14'51" W, a distance of 843.47 feet;

THENCE, N 83°33'00" E, leaving said east line of Lot 4, Block A, of Flextronics Campus Addition, a distance of 360.28 feet to the Point of Beginning and containing 1,638,080 square feet or 37.56907 acres of land

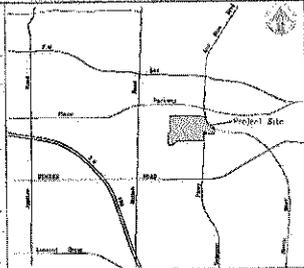
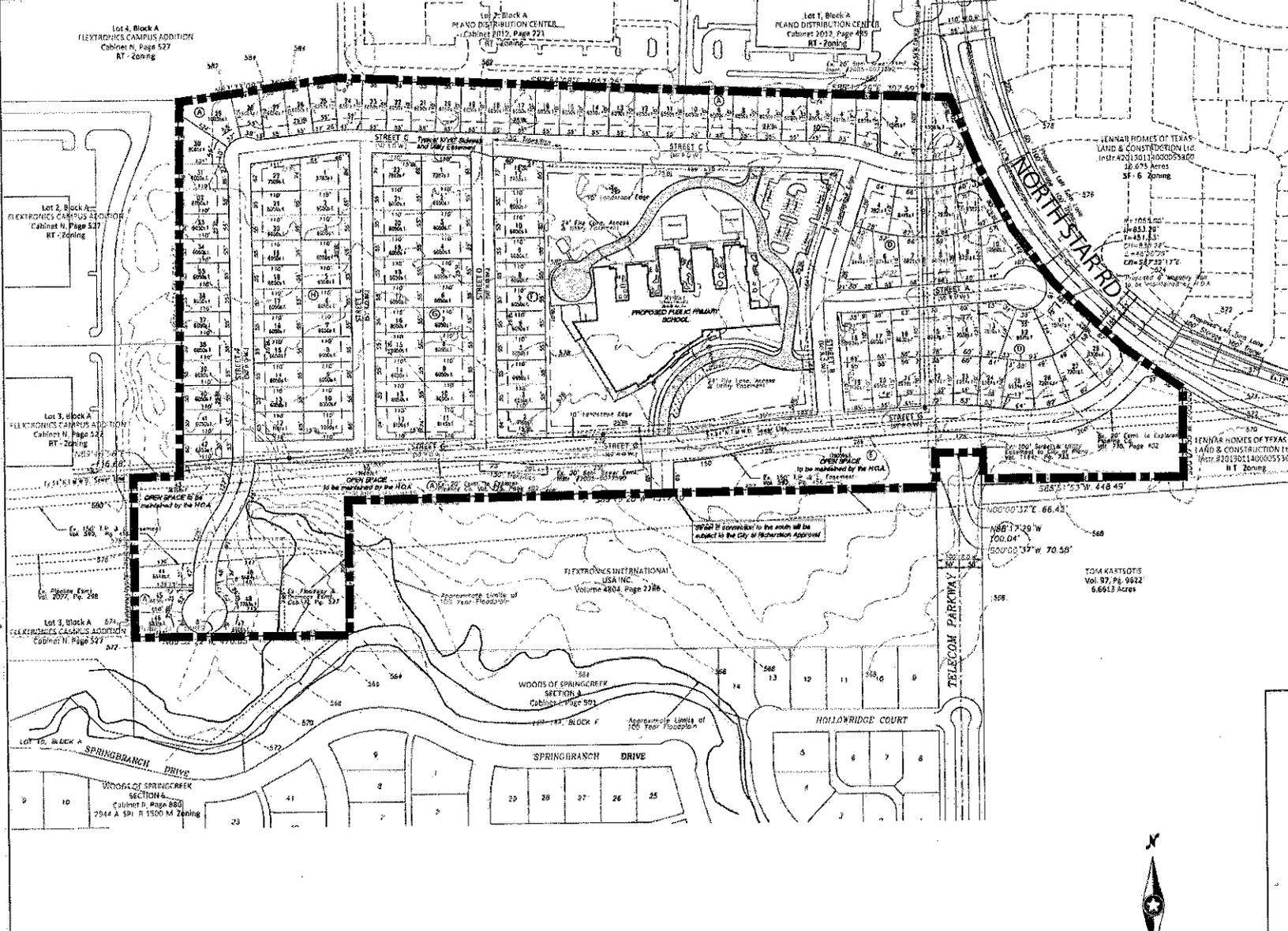
ZC-2014-01
ZONING EXHIBIT
 OF
BECK CREEK ESTATES
 IN THE
 JAMES T. MCCOLLOUGH SURVEY, ABSTRACT NO. 633
 IN THE
 CITY OF PLANO, COLLIN COUNTY, TEXAS
45,8006 ACRES

OWNER: FLEXTRONICS INTERNATIONAL USA, INC.
 6101 Amstar Center Drive, 8th Floor
 San Jose, CA 95128
 TEL: 617-888-2365
 info@flextronics.com

DEVELOPER: DOUGLAS PROPERTIES INC.
 2009 James K. Sully 100
 Dallas, TX 75251
 TEL: 972-422-1658
 dm.douglasproperties@gmail.com
 DM DOUGLAS

ENGINEER/SURVEYOR:
 **TIPTON ENGINEERING**
 a division of Westwood
 5500 North Westwood Blvd.,
 Suite 500 Irving, Texas 75038
 (972) 238-7267
 Fax No. (972) 238-7268
 richard@tiptoneng.com
 RICHARD HOFFER
 State: 1 of 1

FEBRUARY 10, 2014



GENERAL SITE DATA LOT 1, BLOCK F

ZONING	RT
LAND USE	PUBLIC PRIMARY SCHOOL
LOT AREA	256,908
BUILDING FOOTPRINT	78,478
TOTAL BUILDING AREA	78,478
BUILDING HEIGHT	3 STORY 40'
LOT COVERAGE	31%
FLOOR AREA RATIO	0.22:1
PARKING	1 for every 15 students
PROVIDED PARKING	43
ACCESSIBLE PARKING REQUIRED	66
ACCESSIBLE PARKING PROVIDED	3
PARKING IN EXCESS OF 150% OF REQUIRED PARKING	18

A CONCEPT PLAN OF BECK CREEK ESTATES
 IN THE JAMES T. MCCOLOUGH SURVEY, ABSTRACT NO. 633
 IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS
 44.3161 ACRES
 131 SF-6 LOTS
 3 OPEN SPACE LOTS
 1 SCHOOL LOT
 FEBRUARY 26, 2014

OWNER: ELECTRONICS INTERNATIONAL USA, INC.
 6901 Knowledge Center Drive, 6th Floor
 San Jose, CA 95060
 TEL: 877-895-2325
 mntcc@eia.com

DEVELOPER: COSMOS PROPERTIES INC.
 2106 Avenue H, Suite 100
 Plano, TX 75074
 TEL: 972-422-4458
 jim.cosmos@proprty.com

ENGINEER/SURVEYOR:

TIPTON ENGINEERING
 a division of Westwood
 5625 North MacArthur Blvd.
 Suite 500, Irving, Texas 75038
 (972) 236-1947
 Fax No. 1-11556
 tce@tce-engineering.com
 Sheet: 1 OF 1
 000147-0001-D-1000-144q

- NOTES**
1. ANY ENCROACHMENT INTO THE FLOODPLAIN.
 2. LOT 43 & 50, BLOCK A, & LOT 1, BLOCK E ARE OPEN SPACE LOTS TO BE MAINTAINED BY THE HOA.
 3. STREET F MAY BE SUBJECT TO LOUW-F

