



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		April 25, 2016		
Department:	Planning			
Department Head	Christina Day			
Agenda Coordinator (include phone #): <b>Tammy Stuckey, ext 7156</b>				
<b>CAPTION</b>				
Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's Denial of Zoning Case 2015-29 – Request to rezone 9.4± acres located at the northwest and southwest corners of McDermott Road and Robinson Road from Neighborhood Office to Single-Family Residence Attached. Zoned Neighborhood Office. Applicant: Razor & 121 LP Tabled April 11, 2016.				
<b>FINANCIAL SUMMARY</b>				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	<b>2015-16</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
<b>FUND(S):</b> N/A				
<b>COMMENTS:</b> This item has no fiscal impact.				
STRATEGIC PLAN GOAL: Holding a Public Hearing for a request for rezoning relates to the City's goal of Financially Strong City with Service Excellence.				
<b>SUMMARY OF ITEM</b>				
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 super majority, or 6 of the 8 City Council members, is required for approval of this request. Tabled at the April 11, 2016, City Council meeting.				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Letter of Appeal from Applicant			Planning & Zoning Commission	
Second Vice Chair Report				
P&Z Follow-up Memo				
Staff Report				
Locator Map				
Aerial Map				
Zoning Exhibit				
Frisco ISD Letter				
Concept Plan				

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 J. 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.

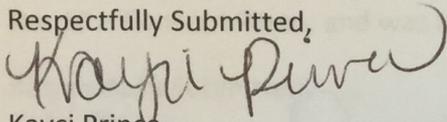
- Tract 1 may be a feasible location for residential, but Tract 2 should not be rezoned at this time.
- Even if the developer is able to reclaim the flood plain in Tract 2, the development would be isolated.
- Traffic is a concern with the entry points on Tract 1.
- Based on the Future Land Use Map, 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 Plano, and was approved by the Commission 8 votes to 0.

Respectfully Submitted,



Kayci Prince

Second Vice-Chair

Planning & Zoning Commission

**DATE:** February 15, 2016  
**TO:** Honorable Mayor & City Council  
**FROM:** John Muns, Chair, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of February 15, 2016

**AGENDA ITEM NO. 1A - PUBLIC HEARING  
ZONING CASE 2015-29  
APPLICANT: RASOR & 121 LP**

Request to rezone 9.4± acres located at the northwest and southwest corners of McDermott Road and Robinson Road from Neighborhood Office to Planned Development-Single-Family Residence Attached. Zoned Neighborhood Office. Neighborhoods #1 & #4.

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

**Letters Received Within 200 Foot Notice Area:** **Support:** 1 **Oppose:** 8 **Neutral:** 0

**Letters Received Outside 200 Foot Notice Area:** **Support** 0 **Oppose:** 45 **Neutral:** 0

**Petition(s) Received:** 1 **# Of Signatures:** 25

**STIPULATIONS:**

Denied.

RA/amf

xc: John C. Frankln, Rasor & 121 LP  
Noah Flabiano, Skorburg Company  
Wayne Snell, Permit Services Manger

<https://goo.gl/maps/TqJSwgewuWC2>

CITY OF PLANO  
PLANNING & ZONING COMMISSION

February 15, 2016

**Agenda Item No. 1A**

**Public Hearing:** Zoning Case 2015-29

**Applicant:** Razor & 121 LP

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**DESCRIPTION:**

Request to rezone 9.4± acres located at the northwest and southwest corners of McDermott Road and Robinson Road **from** Neighborhood Office **to** Planned Development-Single-Family Residence Attached. Zoned Neighborhood Office.

**REMARKS:**

The purpose of this request is to rezone the subject property from Neighborhood Office (O-1) to Planned Development-Single-Family Residence Attached (PD-SF-A). The O-1 district is intended to provide for low-rise, garden-type office development providing professional, medical, and other office services to residents in adjacent neighborhoods. O-1 districts shall have principal access to major thoroughfares and may serve as an area of transition between residential and high-intensity nonresidential uses.

A PD district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and onsite conditions. The SF-A district is intended to provide for a variety of residential housing types and densities in medium density range (five-ten units/acre) on individually-platted lots or multiple units on a single lot.

A concept plan, The Preserve at Legacy Trail, accompanies this request as Agenda Item 1B.

**Surrounding Land Use and Zoning**

The area of the request is currently undeveloped and includes two tracts as defined on the attached zoning exhibit. Tract 1 contains 3.8± acres located at the southwest corner of McDermott Road and Robinson Road, and Tract 2 contains 4.6± acres located at the northwest corner of McDermott Road and Robinson Road.

To the east of Tract 1, across Robinson Road, are existing residences zoned Planned Development-102-Single-Family Residence Attached (PD-102-SF-A). To the south is

City of Plano park land zoned Single-Family Residence-9 (SF-9). To the west, the property is zoned O-1 and is undeveloped property within a floodplain. To the north, across McDermott Road, the undeveloped property is zoned O-1 and is part of this zoning case.

To the east of Tract 2, across future Robinson Road, is an existing electrical substation zoned Agricultural (A), and an existing single-family residence attached subdivision zoned Planned Development-38-Multifamily Residence-2. To the south, across McDermott Road, the property is zoned O-1 and is part of this zoning case. To the north and west, the property is zoned O-1 and is undeveloped property.

### **Proposed Development Stipulations**

The requested zoning is PD-SF-A. There are two primary parts to this request: land use and design standards.

**Land Use** - The applicant is proposing to rezone to PD-SF-A to allow for townhome residences.

**Design Standards** - The language in the proposed PD district establishes a minimum number of units within Tract 2.

**Restrictions** - Residential development is permitted north of McDermott Road only if a minimum of 25 lots are provided.

### **Conformance to the Plano Tomorrow Comprehensive Plan**

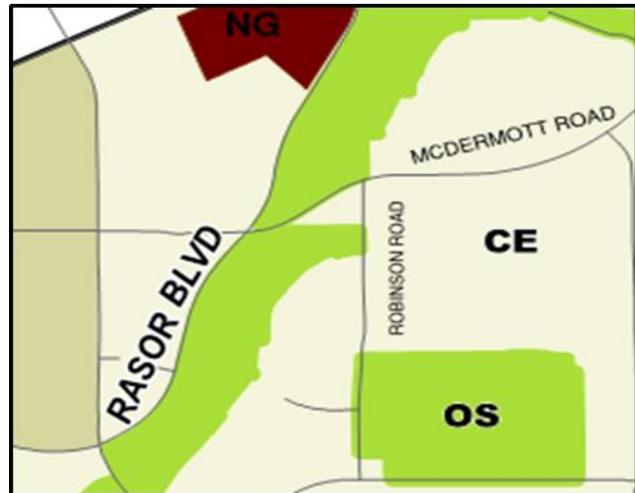
**Future Land Use Map** - The Future Land Use Map designates the northern tract of this request as Open Space Network (OSN) and the southern tract as Neighborhood (N). The OSN areas include major public open space preserves, community parks, neighborhood parks, linear parks, and trails. These areas are intended to retain their character to provide regional recreation and leisure opportunities. The N future land use category consists primarily of residential areas focused on sustaining a high quality of life through clear, well maintained infrastructure, housing, open space, schools, and limited service/ institutional uses. Single-family residential should remain the primary use within neighborhoods. It is the intention to preserve and enhance these uses and to regulate the design of new residential infill products to be within the context of the surrounding environment. The requested zoning for Tract 1 is consistent with N future land use designation.



Tract 2 is identified as OSN due to the significant amount of floodplain and the designation of the property as future park land. The applicant is creating a Flood Study

which will be reviewed by the Engineering Department in order to reclaim a portion of the floodplain for development. Although this request differs from the intent of the OSN designation, the applicant will be coordinating with the Parks Department to construct streets adjacent to and within a portion of the park land which will allow public access and parking to serve future park functions. Furthermore, there is a complementary relationship between uses within the OSN and N categories. Parks and open space provide recreational and social opportunities for adjoining neighborhoods, while neighborhoods support improved pedestrian and vehicle access to parks and open space. For these reasons, staff believes that the introduction of a limited number of residences will support the OSN designation of Tract 2.

**Growth and Change Map** - The Growth and Change Map designates the northern tract of this request as Open and Social Space (OS), and the southern tract as Conserve and Enhance (CE). The OS is classified as areas that are expected to remain open and social space uses, such as nature preserves, parks, country clubs, and institutional uses, but will improve to meet the changing leisure, recreation, and social desires of the community. The CE areas are expected to retain the current form of development, but will experience some minor infill and ongoing rehabilitation consistent with the present form and character.



Tract 1 is in conformance with the CE designation as there are existing single-family residence attached uses in the general area. Although Tract 2 is inconsistent with the OS classification, the applicant is working with the Parks department to provide access to future park improvements as designated within the Park Master Plan. The development will make the park more accessible to the public, through infrastructure development.

**Undeveloped Land Policy** - The Plano Tomorrow Undeveloped Land policy states: “Plano will reserve its remaining undeveloped land for high quality development with distinctive character, emphasizing businesses offering highly skilled employment and limited housing and retail uses except when integrated into compact complete centers to ensure adequate land for projected employment growth.” The subject properties are small and uniquely shaped with residential zoning and development on the south and east sides. Staff does not believe the properties are sized appropriately for significant employment generating development. Furthermore, the Undeveloped Land Policy recommends that the city situate new housing growth adjacent to existing residential neighborhoods. The proposed townhomes will continue the form of development already established in the general area. For these reasons, staff believes the request is in conformance with this policy.

**Neighborhood Conservation Policy** - The Plano Tomorrow Neighborhood Conservation policy states: “Plano will conserve and enhance established residential neighborhoods through city programs, initiatives, and regulations that support neighborhood identity and ensure safe, walkable communities; and preserve the

suburban form that contributes to the overall character and livability of the neighborhoods.” This request continues the development pattern of the existing residential neighborhoods in the general area. Furthermore, the proposed zoning is more consistent with residential neighborhoods than the existing O-1 zoning. This request is in conformance with the Neighborhood Conservation Policy.

**Land Use Policy** - The Land use Policy states that Plano will provide greater housing choices while respecting existing neighborhoods. Additional residential uses on the subject properties are consistent with this policy.

**Pedestrian Environment Policy** - The Plano Tomorrow Pedestrian Environment policy states: “Plano will pursue a universally accessible and well-connected pedestrian system that promotes walkability, improves navigation of major thoroughfares, and encourages connections between residential areas and neighborhood centers.” The properties to the south and west of Tract 1, and north and west of Tract 2 are identified in the Park Master Plan as part of the future Legacy Greenbelt, an area that will function as a linear park and regional trail connection. These areas will remain as open space, expanding the linear park system as planned for the extension of Legacy Trail, which will retain their character, provide for regional recreation and leisure opportunities as well as meet the social desires of the community. Additionally, the Subdivision Ordinance requires developers to locate streets adjacent to current and future park land to provide community access as well as public parking. The applicant’s associated concept plan shows 60-foot streets on the south side of Tract 1 and the north side of Tract 2 for this purpose. The public streets will also provide physical connections to the future park trail systems.

**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; however, the applicant may be responsible for making improvements to the sanitary sewer system to increase the system capacity if the property were rezoned for residential uses.

**School Capacity** - Frisco Independent School District has provided a letter regarding school capacity which staff has included as an attachment.

**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** - The property is located within the Parr and Davis Library service areas. Parr Library has capacity to serve additional resident while Davis Library is at capacity. Residents in this development will be served by private open space and will have access to the future extension of Legacy Trail both north and south as identified on the Park Master Plan.

## **ISSUES:**

### **Residential Use**

Tract 1 is adjacent to existing single-family subdivisions located on the south and east, and future park land on the west. It is also designated as Neighborhood within the future land use map. Additional townhome residences will expand the existing residential neighborhood context in the general area, and provide community access to city park land via public street connections.

Tract 2 is located immediately adjacent to an electrical substation to the east, with residences located further east, and future park land to the north and west. Initially, staff was concerned that the amount of floodplain on the property would not allow for a significant number of lots to be established, creating an isolated residential development. In order to ensure an adequate residential presence within Tract 2, the applicant is proposing a PD stipulation which requires 25 residential lots to be accommodated. The applicant will be submitting a flood study to be approved by the Engineering Department in order to verify that portions of the floodplain can be reclaimed for development. If the applicant is unsuccessful in establishing adequate developable area, they will not be able to develop SF-A residential uses on the property.

Staff believes that the proposed 25 lots are sufficient to establish a substantial residential development on the subject property. Furthermore, in order to achieve access required per the Subdivision Ordinance, the applicant is proposing to extend Robinson Road along the entire eastern portion of the property. This street extension will serve to provide a direct connection to the existing residential neighborhoods and public school south of McDermott Road. For these reasons, staff believes the rezoning request is an appropriate continuation of residential uses within the general area.

## **SUMMARY:**

This is a request to rezone 9.4± acres located at the northwest and southwest corners McDermott Road and Robinson Drive from Neighborhood Office to Planned Development-Single-Family Residence Attached. Staff believes residential uses are appropriate on Tract 2 in the context of the surrounding residential neighborhoods, if the applicant is able to reclaim a significant portion of the floodplain. Furthermore, public streets constructed to serve residences will provide public access and parking, complimenting future park improvements. Tract 1 is in conformance with the Future Land Use Map and Growth and Change Map, and both tracts are in conformance with the Undeveloped Land, Neighborhood Conservation, and Pedestrian Environment policies. Finally, additional residential uses in the area will serve to enhance the existing residential neighborhoods, and due to their proximity to future park land, the subject properties will provide public streets for community access to park improvements. For these reasons, staff is in support of the zoning request.

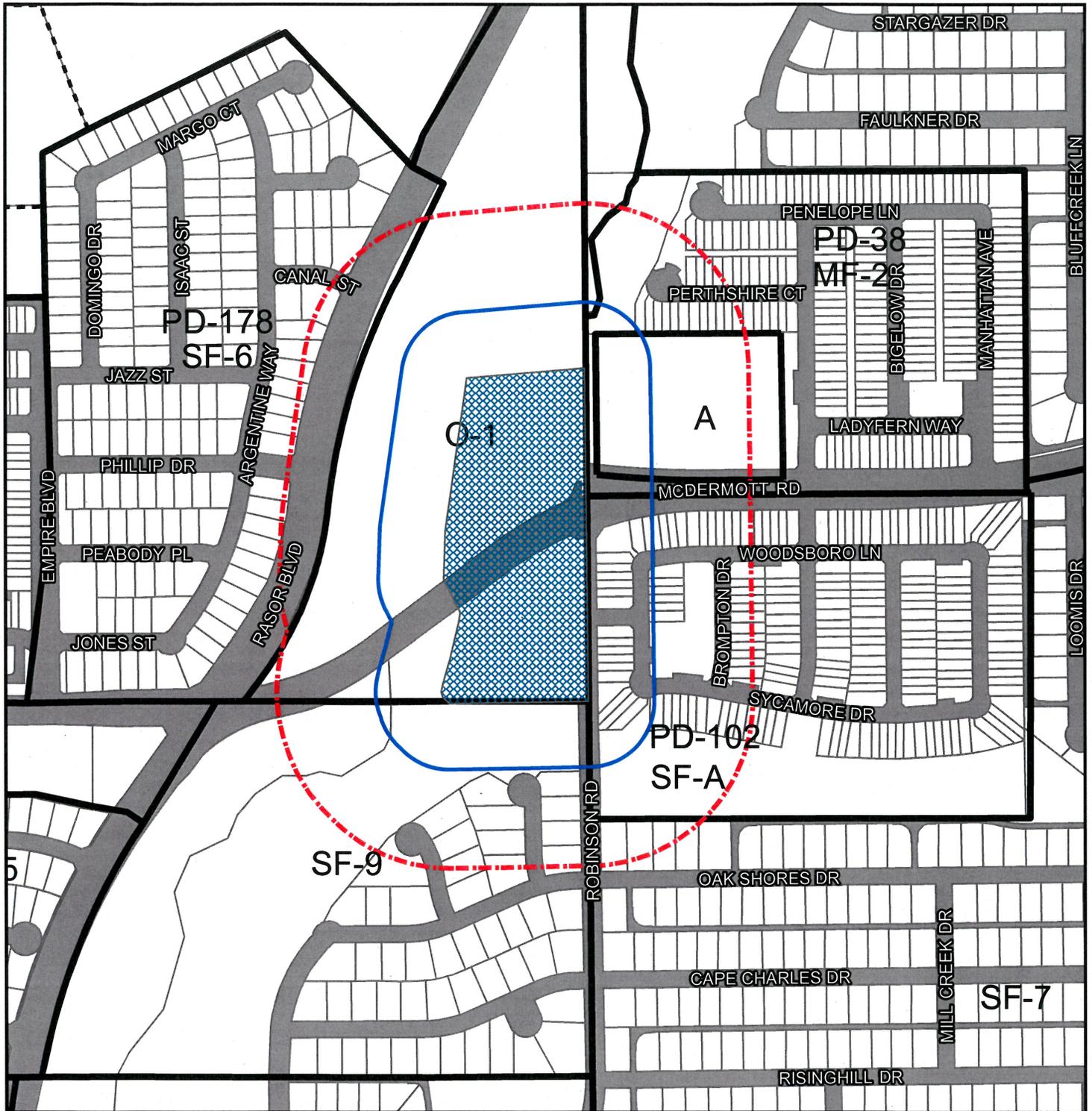
**RECOMMENDATION:**

Recommended for approval as follows:

Restriction:

The permitted uses and standards shall be in accordance with the Single-Family Residence Attached (SF-A) zoning district unless otherwise specified herein.

Residential development is permitted north of McDermott Road only if a minimum of 25 lots are provided.

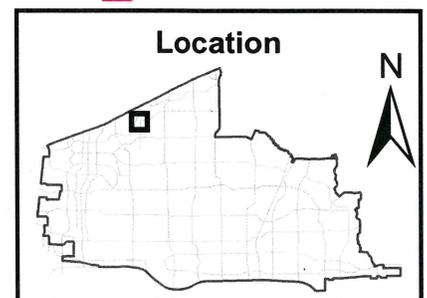


Zoning Case #: 2015-29

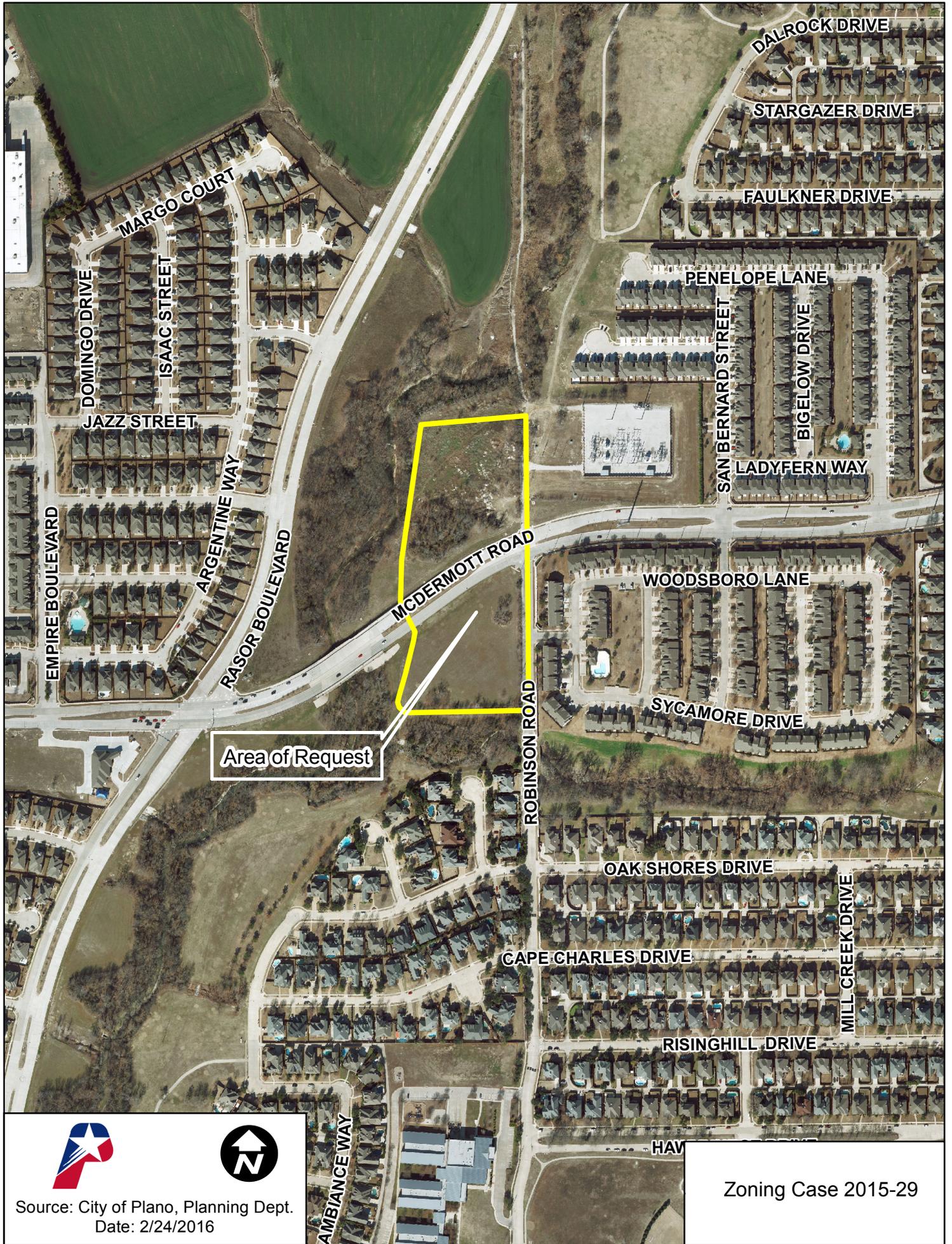
Existing Zoning: Neighborhood Office (O-1)

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



Area of Request



Source: City of Plano, Planning Dept.  
Date: 2/24/2016

Zoning Case 2015-29





FRISCO INDEPENDENT SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

January 7, 2016

**Jeremy Lyon, Ph.D.**  
*Superintendent of Schools*

**Beverly Brunson**  
*Assistant to Superintendent and  
Board of Trustees*

Mr. Ross Altobelli, Senior Planner      [rossa@plano.gov](mailto:rossa@plano.gov)  
1520 K Avenue, 2rd Floor  
Suite 250, Plano, Texas 75074

DEPUTY SUPERINTENDENTS

**Katie Kordel**  
*Curriculum and Instruction*

**Richard Wilkinson**  
*Business Services*

Re:      School information – proposed zoning case

Dear Ross:

In response to your e-mail:

ASSISTANT SUPERINTENDENTS

**Pamela Linton**  
*Human Resources*

**Doug Zambiasi**  
*Support Services*

*The City of Plano's Planning Department is currently reviewing a residential zoning case in which the applicant is proposing 53 single-family attached homes. The proposed development is located on the north and south side of McDermott Road, west of the McDermott Road and Robinson Drive. The project location is within the Frisco ISD.*

EXECUTIVE DIRECTORS

**Kenny Chandler**  
*Student Services*

**Melissa Fouche**  
*Technology*

**Shana Wortham**  
*Communications and Community Relations*

*To assist Planning staff in presenting information to the Planning and Zoning Commission please provide the following:  
Please confirm which schools this proposed development/area will feed into.  
Are there any capacity issues with any of these schools?*

The 53 SF homes would have some impact on our campuses that serve those children. At the high school level, the additional students would be at a minimum. The elementary schools could be mitigated with a simple rezoning. The major concern would be at the middle school level. Fowler Middle School which serves all students south of SH121 is over capacity and would be stressed with any additional students.

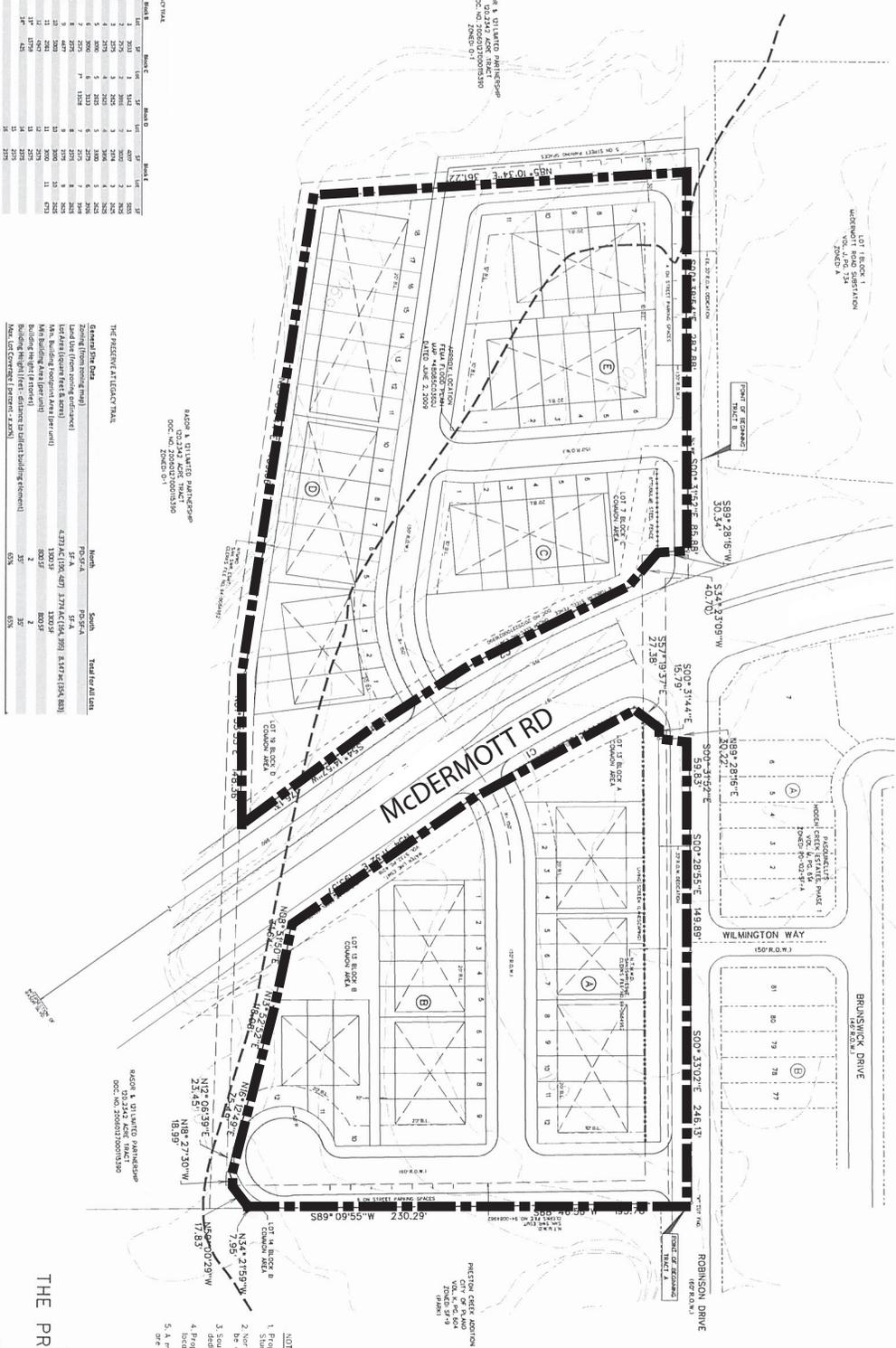
FISD will always work closely with Plano in the zoning process and appreciates the partnership that has served both entities so well.

Sincerely,

Dennis Brent

CURVE TABLE

CURVE NO.	DELTA	BEHALF	LENGTH	TANGENT	CHORD	BEARING
1.	10°57'24"	1070.08'	204.63'	102.63'	204.32'	N59°43'39"E
2.	13°19'21"	1180.08'	274.39'	137.82'	273.78'	S60°54'38"W



THE PRESERVE AT LEGACY TRAIL

Block A	Block B	Block C	Block D	Block E
1	2	3	4	5
6	7	8	9	10
11	12	13	14	15
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THE PRESERVE AT LEGACY TRAIL

General Note	North	South	Total for All Lots
Land Area (from zoning ordinance)	57.4	57.4	114.8
Land Area (from zoning ordinance)	4,379 AC (100.487)	3,774 AC (84.391)	8,153 AC (184.878)
Min. Building Area (per unit)	300.0	300.0	600.0
Building Height (per lot)	2	2	2
Building Height (per lot)	2	2	2
Min. Lot Area (per unit)	600	600	1200
Min. Lot Area (per unit)	600	600	1200

NOTE: Approved the zoning case associated with this exhibit without inquiry, approval, or the inclusion of the development project having a zoning Commission property shall be considered as an action separate from other cases on the zoning case.

APPLICANT: SKORBURG COMPANY  
 8214 DALLAS, TEXAS 75225  
 CONTACT: NASHA K. LUBIANO

PREPARED BY: CORWIN ENGINEERING, INC.  
 200 E. TEXAS, SUITE 1001 E  
 972-386-8700  
 CONTACT: WARRDEN CORWIN

OWNER: RASOR & 121 LIMITED PARTNERSHIP  
 5520 LBJ FRENCH, SUITE 545  
 972-386-8881  
 CONTACT: SARAH CALDWELL

CITY OF PLANO  
 COLLIN COUNTY, TEXAS  
 SCHOOL LAND SURVEY  
 IN THE  
 COLLIN COUNTY, TEXAS  
 ASSTRICT NO. 153

59 - SINGLE FAMILY RESIDENCE ATTACHED LOTS  
 5 - COMMON AREA LOTS  
 TOTAL 61/45 ADRES

FEBRUARY 2018 SCALE: 1"=50'