



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 25, 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 corners of McDermott Road and Robinson Road. Zoned Neighborhood Office. Applicant: Rasor & 121 LP. Tabled April 11, 2016.					
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
Encumbered/Expended Amount		0	0	0	0
This Item		0	0	0	0
BALANCE		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. Tabled at the April 11, 2016, City Council meeting.					
List of Supporting Documents: 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



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.

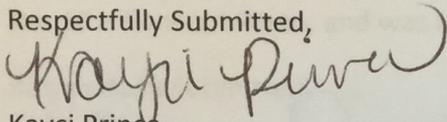
- Tract 1 may be a feasible location for residential, but Tract 2 should not be rezoned at this time.
- Even if the developer is able to reclaim the flood plain in Tract 2, the development would be isolated.
- Traffic is a concern with the entry points on Tract 1.
- Based on the Future Land Use Map,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

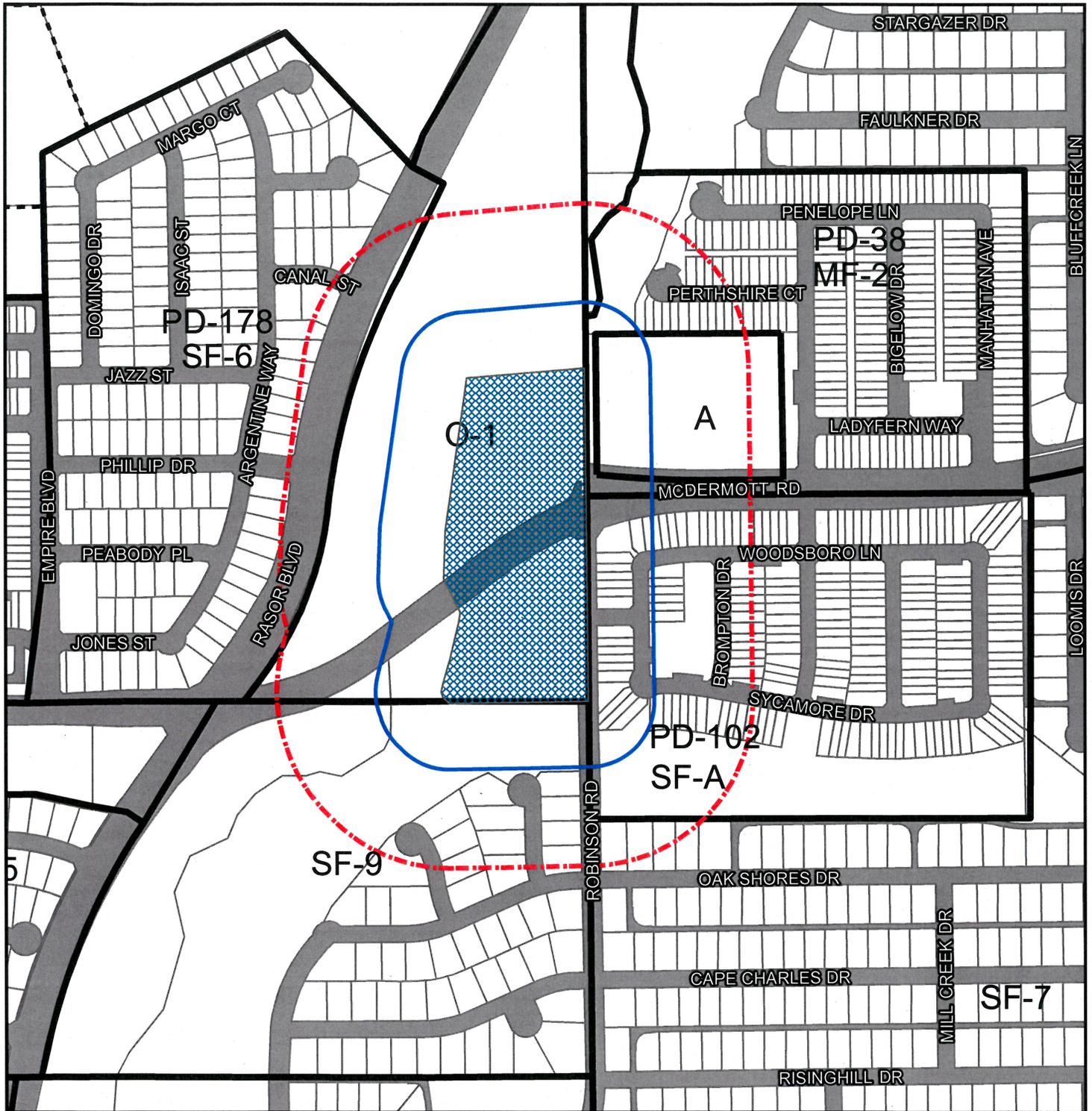
REMARKS:

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.

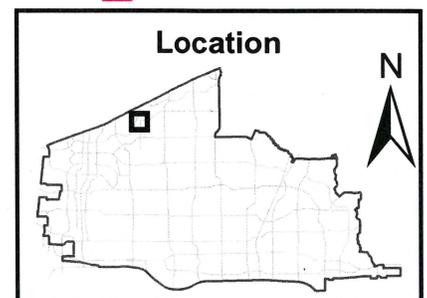


Zoning Case #: 2015-29

Existing Zoning: Neighborhood Office (O-1)

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

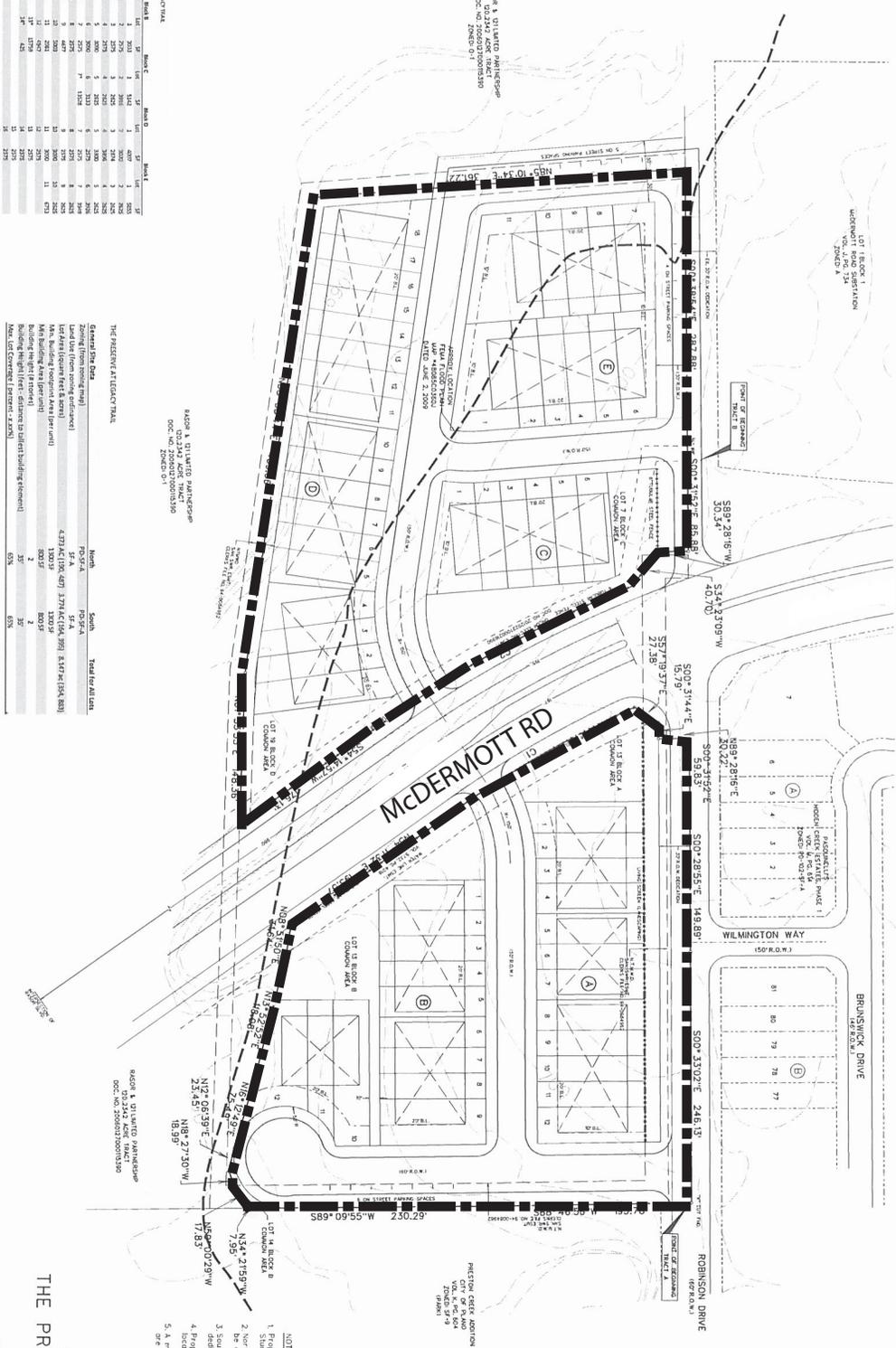
- 500' Courtesy Notification Buffer
- 200' Notification Buffer
- Subject Property
- Zoning Boundary
- Specific Use Permit
- City Limits
- Right-of-Way



Source: City of Plano Planning Department

CURVE TABLE

CURVE NO.	DELTA	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	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
6	6	6	6	6
7	7	7	7	7
8	8	8	8	8
9	9	9	9	9
10	10	10	10	10
11	11	11	11	11
12	12	12	12	12
13	13	13	13	13
14	14	14	14	14
15	15	15	15	15
16	16	16	16	16
17	17	17	17	17

THE PRESERVE AT LEGACY TRAIL

General Note	North	South	Total for All Lots
Land Area (from zoning ordinance)	57.4	57.4	
Land Area (from zoning ordinance)	4,379 AC (190,497)	3,774 AC (164,398)	8,153 AC (354,895)
Min. Building Area (per unit)	800/2	800/2	
Building Height (per lot)	2	2	
Building Height (per lot)	2	2	
Min. Lot Area (per lot)	650	650	

NOTE: Approved the zoning case associated with this exhibit without inquiry, approval or the inclusion of the development project bearing 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

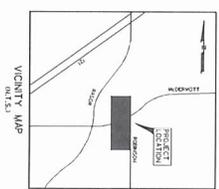
PREPARED BY: CORWIN ENGINEERING, INC.
 200 E. TEXAS, SUITE 1001 E
 972-386-8700
 CONTACT: WARRDEN CORWIN

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'



NOTE:

1. Proposed layout subject to Flood Study approval.
2. Northern Tract -/- 18.00% acres of the -/- 23.67% acres to be dedicated to the City of Plano for park purposes.
3. Southern Tract -/- 10.90% acres of the -/- 4.88% acres to be dedicated to the City of Plano for park purposes.
4. Proposed layout subject to N.T.M.D. approval of R.O.W.
5. A minimum of 11.1% of the total area of the site shall be reserved for the development on the north side of McDermott Road.

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