



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 27, 2015		
Department:	Planning			
Department Head	Christina Day			
Agenda Coordinator (include phone #): Tammy Stuckey, ext 7156				
CAPTION				
Public Hearing and consideration of an Appeal of the Planning & Zoning Commission's denial of Zoning Case 2014-34 - Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development-Single-Family Residence Attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Applicant: Ronald McCutchin Family Partnership, LTD.				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 2014-15	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 Council's goal of Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
At its March 16, 2015 meeting, the Planning & Zoning Commission denied this request by a vote of 5-2. 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. The associated Concept Plan has also been appealed and is included as a separate agenda item.				
List of Supporting Documents: Letter of Appeal from Applicant Second Vice Chair Report P&Z Follow-up Memo Staff Report Locator Map Aerial Map Zoning Exhibit Concept Plan			Other Departments, Boards, Commissions or Agencies Planning & Zoning Commission	



**Ion
Design
Group**

Note:

To: Ross Altabelli, City of Plano
From: Bryan Klein, Managing Director
Date: March 25, 2015
Re: Zoning case for Prairie Commons (SH 121 at Ridge View Road – extended)
Case Number 2014-34 and accompanying Concept Plan

I am writing on behalf of the zoning applicant to request an appeal of the zoning recommendation for denial and concept plan denial by the Plano Planning & Zoning Commission. Please advise what else we may need to do – and confirm the date these actions would be heard by the City Council. I believe they would be scheduled to be heard on April 27th, but want to receive confirmation.

Thank you for your consideration.

Recommendation of the Planning & Zoning Commission

Zoning Case 2014-34

March 16, 2015

Second Vice Chairman's Report

Zoning Case 2014-34, Agenda Items Nos. 7A, and 7B – Public Hearing. Items heard together, but voted separately. Seven Commissioners were present, with Commissioner Pittman absent.

Applicant: Ronald McCutchen Family Partnership, LTD.

Zoning Case 2014-34 Agenda Item Nos. 7A, and 7B– Request to rezone 54.3 acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment (RE) to Planned Development-Single-Family Residence Attached (PD-SF-A) with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Tabled from March 2, 2015.

Staff Recommendation: The Staff recommended for Denial of the zoning change for the following reasons:

1. The request is not in conformance with the Future Land Use Plan and violates the adopted interim amendments to the Land Use Element of the Comprehensive Plan for residential use in a major corridor and isolated residential development.
2. Staff believes the proposed location is not appropriate for single-family uses. Separated from adjacent residential development by Future Ridgeview Drive.
3. The subject property has a large amount of frontage and good visibility on State Highway 121 and Ridgeview Drive.
4. Current RE zoning allows numerous nonresidential uses that are more suitable at this location than the proposed residential use.
5. The property has no physical constraints that would prohibit nonresidential development.

Commission Action:

2014-34 Item 7A/7B was presented to the Commission in the March 2, 2015 meeting in conjunction with zoning case 2014-40. At that time concern was expressed by the Commission regarding the setback from State Highway 121 and the concern regarding compliance with Hwy 121 Noise abatement requirements. The commission tabled the issue in order to allow the applicant to review the plan in consideration of an offer of 550' setback, rather than the 1200' setback required, in lieu of the 100' setback proposed by the applicant.

Comments made in Support of the issue 7A and 7B included:

- The applicant was the only speaker in support of the Re-Zoning.
- Water and sanitary sewer services are available to serve the property.
- Public safety response times are sufficient to serve a residential use of this site.
- Property is serviced by the Lewisville Independent School District (LISD) which indicates that currently adequate capacity exists.

Comments made in Opposition of issue 11A and 11B included:

- Proposed set back from S.H.121 is only 325 feet rather than the 1200 feet required, or the 550 feet offered by the Commission at the previous meeting.
- Applicant indicated that 102 homes would be lost with even the 550 foot setback, and would render the development unfeasible.
- The proposed plan is almost entirely within the required 1200 foot setback.

- Commission is concerned that the plan as presented cannot offer enough sound separation for residential use, regardless of the proposed 100 foot landscaped berm.
- Limited access from 121 frontage road would require entry from Ridgeview, which would isolate the development from the closest existing residential.
- The subject property is not within a Park Fee service area, although future Park Master Plan does identify future trail connections, and the private open space plan could also serve the future residents.
- Although adequate school facilities existing are on the north side of Highway 121, Liberty High School may face capacity issues as indicated by FISD.
- Chairman Bender indicate that he felt the project could work as residential development, but the setback and sound would be his concern.
- Commissioners saw no compelling reason not to continue the RE zoning, finding the property not suitable for residential use.

A motion was made for the denial of the Zoning Case 2014-34, item 7A, in support for staff recommendation. Motion for Denial was approved by the Commission 5 votes to 2. (Commissioners Bender and Kong voted against the motion).

Zoning Case 2014-34 Agenda Item No. 7B – Concept Plan.

This Concept plan application is contingent upon approval of Zoning Case 2014-34 (Agenda Item No 7A). Since Zoning Case 2014-34 was denied, a motion was made for Denial of the Case 2014-34 Agenda Item No. 7B – Concept Plan, and was approved by the Commission 6 votes to 1. (Commissioner Bender voted against the motion).

Respectfully Submitted,



William Hilburn

Second Vice-Chair

Planning & Zoning Commission

DATE: March 17, 2015
TO: Applicants with Items before the Planning & Zoning Commission
FROM: Doug Bender, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of March 16, 2015

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2014-34
APPLICANT: RONALD MCCUTCHIN FAMILY PARTNERSHIP, LTD**

Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from Regional Employment to Planned Development-Single-Family Residence Attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Tabled February 16, 2015 and March 2, 2015.

APPROVED: _____ **DENIED:** 5-2 **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 4 **OPPOSE:** 2

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

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

STIPULATIONS:

Denied. The Commissioners voting in favor felt the rezoning was an extension of the existing residential uses on adjacent properties.

RA/ks

xc: Ronald McCutchin Family Partnership
Bryan Klein, ION Design Group, LLC

<http://goo.gl/maps/igz8g>

CITY OF PLANO
PLANNING & ZONING COMMISSION

March 16, 2015

Agenda Item No. 7A

Public Hearing: Zoning Case 2014-34

Applicant: Ronald McCutchin Family Partnership, LTD

DESCRIPTION:

Request to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive **from** Regional Employment **to** Planned Development-Single-Family Residence Attached with modified development standards. Zoned Regional Employment/State Highway 121 Overlay District. Tabled February 16, 2015 and March 2, 2015.

REMARKS:

This item was tabled at the March 2, 2015 Planning & Zoning Commission meeting. It must be removed from the table.

The purpose for this request is to rezone 54.3± acres from Regional Employment (RE) to Planned Development-Single-Family Residence Attached (PD-SF-A). The RE district is intended to provide for office and limited manufacturing uses that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods.

The requested zoning is PD-SF-A to allow for single-family residence attached and patio homes with modified development standards. A planned development (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 to both off- and onsite conditions.

A concept plan, Villages of Prairie Commons East, accompanies this request as Agenda Item No. 7B.

Surrounding Land Use and Zoning

The area of the request is currently undeveloped. To the west, across future Ridgeview Drive, is undeveloped land zoned RE and is associated with Zoning Case 2014-40. To

the south, across Ridgeview Drive, are existing residences zoned Single-Family Residence-6 (SF-6). To the north, across State Highway 121, is an existing concrete batch plant and undeveloped property located within the city of Frisco. To the east, the property is zoned RE and is partly developed as a farm.

Proposed Planned 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 and patio home residences.

Design Standards - The language in the proposed PD would allow this site to be developed as townhomes and patio homes built to comply with development standards of the SF-A and Patio Home (PH) zoning districts including stipulations intended to mitigate the impacts of State Highway 121 to the north.

The requested PD language is as follows:

Restrictions:

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

1. Residential lots must be set back a minimum of 100 feet from the right-of-way of State Highway 121.
2. A minimum 100-foot wide irrigated landscape edge (as measured from the front property line), to be owned and maintained by the HOA, shall be provided adjacent to State Highway 121. The landscape edge shall include a landscaped berm with a minimum height of 6 feet and a minimum slope of 4:1 consisting of trees, shrubs, groundcover, and related elements. A minimum of one 3-inch caliper shade tree and one 3-inch caliper ornamental tree (7-foot planted height) shall be placed per 50 feet of frontage.
3. Prior to preliminary site plan approval, the applicant must submit an Environmental Noise Study to verify that residential lots will be in conformance with the City of Plano's Performance Standards.
4. A minimum 6-foot ornamental iron fence to be owned and maintained by the HOA is required along the rear property line of all residential lots adjacent to State Highway 121.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. However, residential development may be appropriate along expressway corridors in accordance with the interim amendment policy recommendations of the Comprehensive Plan that were adopted in April 2012. The policies that apply to this request include:



1. Residential should be set back a minimum of 1,200 feet from the centerline of State Highway 121. Factors including topography, creeks, vegetation, and existing development patterns should be considered in applying this standard.

The applicant is proposing a 100 foot setback for residential lots from the right-of-way of State Highway 121, with landscaping and berming to serve as screening. This property is at grade with the adjacent highway and there are no physical constraints that would hinder commercial development on the property.

2. Isolated residential development should not be permitted; residential rezoning requests need to establish a complete neighborhood, or expand an existing neighborhood or an urban mixed-use center. Mid-rise multifamily development (5 to 12 stories) and special needs housing (i.e., senior housing) could be an exception if the surrounding land uses are compatible.

The zoning request does not directly expand into any existing residential neighborhoods. Ridgeview Drive, a Type D thoroughfare (92 foot right-of-way) separates this property from the existing residential development located to the south.

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.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request. However, in considering the traffic impact of the proposed residential development, using the average Institute of Traffic Engineers (ITE) trip generation rates, staff compared the proposed residential development with the potential build-out of the subject property as office. Using comparable developments on other properties within the city, staff estimated that 640,000± square feet of office could develop on the property. The table below shows the estimated traffic generation during peak hours (7:00-9:00 a.m. and 4:00-6:00 p.m.):

	AM	PM
SF-A (154 units)	68	80
PATIO HOME (112 units)	86	114
TOTAL RESIDENTIAL	154	194
OFFICE	992	954

From these calculations, it is evident that office development would generate greater traffic than the requested residential subdivision.

School Capacity - This is provided for informational purposes only. The subject property is within the Frisco Independent School District (FISD) and is served by the following schools:

Elementary School	Borchardt
Middle School	Fowler
High School	Liberty

Based upon the current projections and feeder alignments FISD has determined that current elementary facilities in Plano would be sufficient, but the middle and high school zone increases would all need to be accommodated by campuses located north of State Highway 121. FISD has stated that there may be capacity issues at Liberty High School.

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 subject property is not within a Park Fee service area. There are no existing neighborhood parks or linear parks to serve this area however the Park Master Plan does identify a future trail connection and proposed park near the southwest corner of State Highway 121 and Ridgeview Drive. Private open space, as required by the SF-A district, will also serve the residents of this area.

The subject property is located within the Davis Library's service area. Although Davis Library is at service capacity, Schimelpfenig Library has capacity to serve additional patrons.

Economic Development Element and Land Use Element - The Economic Development Element and the Land Use Element policies of the Comprehensive Plan discourage rezoning properties for residential uses in prime economic development areas of the city. The intent of both policies is to ensure land that is located along the expressway corridors and in the major employment centers is developed in accordance with the Future Land Use Plan recommendations and supporting zoning districts and to take advantage of future nonresidential development opportunities.

In addition, the Economic Development Element of the Comprehensive Plan encourages the preservation of land in expressway corridors, such as the RE 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.”

The city’s policies state that residential uses should be an expansion of an existing neighborhood, integrated into a mixed-use urban center, or located in an alternative neighborhood setting such as a transit-oriented development. The proposed development does not meet any of the recommended criteria. The site has good visibility and access with over 2,200 feet of frontage along State Highway 121 and frontage on Ridgeview Drive. Staff believes this property should be reserved for future economic development.

ISSUES:

Residential Use in a Major Corridor

This request is not in conformance with the comprehensive plan recommendations and it is not an extension of residential uses on adjacent properties. The applicant is proposing PD language intended to mitigate future residences from the effects of the highway through setbacks, landscaping, and a six-foot tall landscaped berm. However, there are no natural or topographic barriers to serve as buffers from State Highway 121.

Additionally, the applicant is proposing to require a sound study in order to verify that residential lots will meet the city’s performance standards for sound levels due to noise from State Highway 121. If the study determines that the sound levels exceed the performance standards, the developer would be required to provide additional screening or setbacks for sound mitigation.

Although the applicant is proposing standards to help mitigate the effects of the adjacent highway, staff believes there is no compelling reason the property should be rezoned to accommodate residential development. The existing RE zoning allows a variety of commercial uses which could develop on the subject property.

SUMMARY:

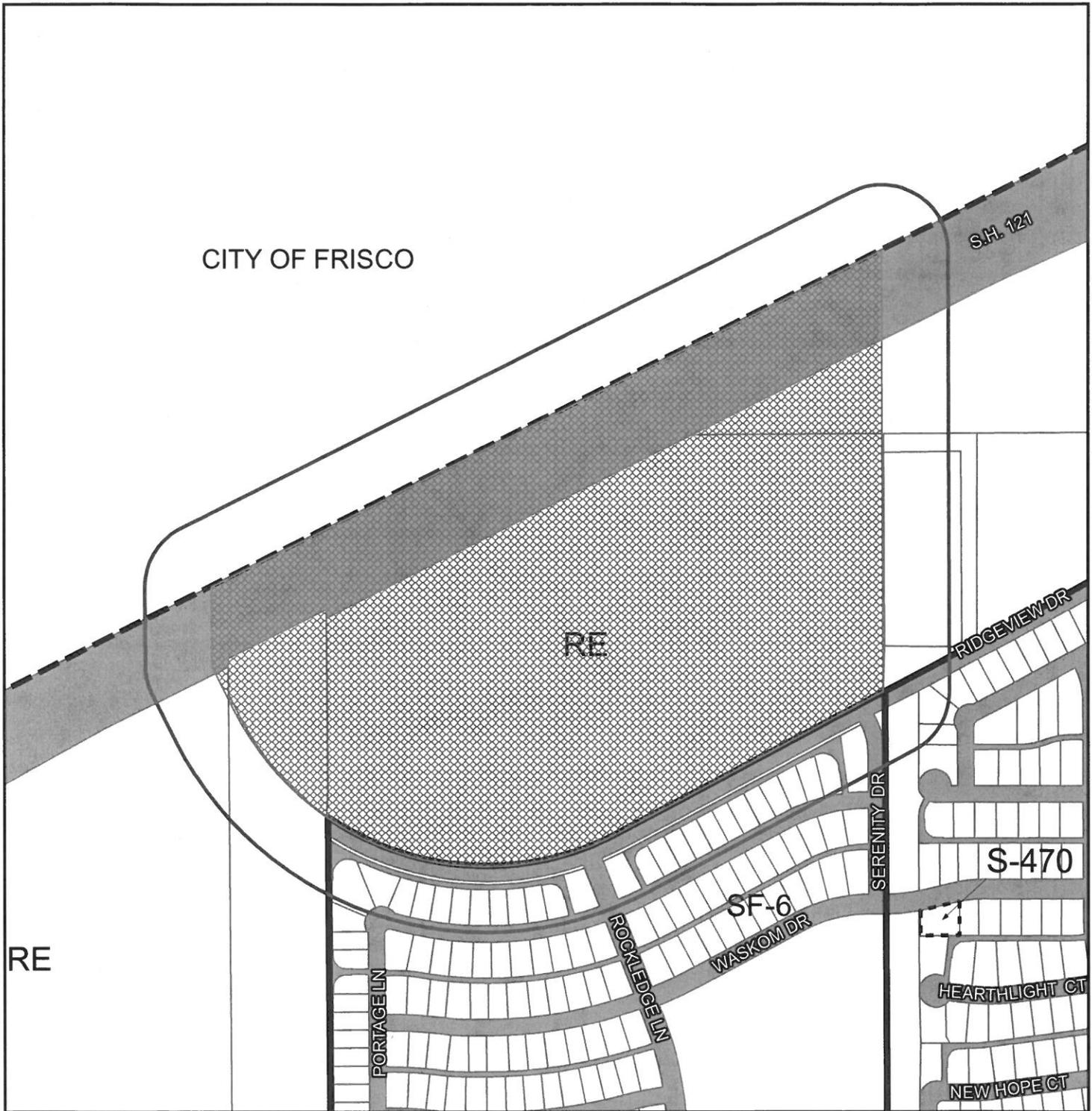
The applicant is requesting to rezone 54.3± acres located at the southeast corner of State Highway 121 and future Ridgeview Drive from RE to PD-SF-A to allow for single-family residences with modified development standards. The request is not in conformance with the Future Land Use Plan and violates the adopted interim amendments to the Land Use Element of the Comprehensive Plan for residential use in a major corridor and isolated residential development. For these reasons, staff believes that rezoning the property for residential would not further the city’s goals as established in the Comprehensive Plan.

Staff believes the proposed location is not appropriate for single-family uses. The proposed development would be separated from adjacent residential development by

Ridgeview Drive. The subject property has a large amount of frontage and good visibility on State Highway 121 and Ridgeview Drive, and current RE zoning allows numerous nonresidential uses that are more suitable at this location than what is being proposed. Additionally, the property has no physical constraints that would prohibit nonresidential development. Therefore, staff recommends denial of the requested rezoning from RE to PD-SF-A.

RECOMMENDATION:

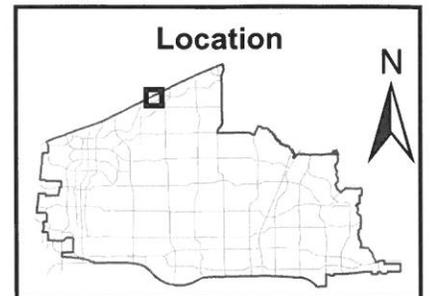
Recommended for denial.



Zoning Case #: 2014-34

Existing Zoning: REGIONAL EMPLOYMENT/
STATE HIGHWAY 121 OVERLAY DISTRICT

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



Source: City of Plano Planning Department

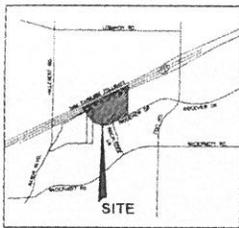


Area of Request

Zoning Case 2014-34



Source: City of Plano, Planning Dept.
Date: March, 2015

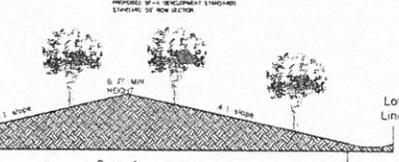
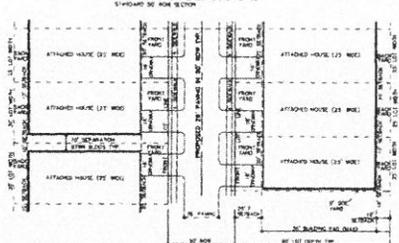
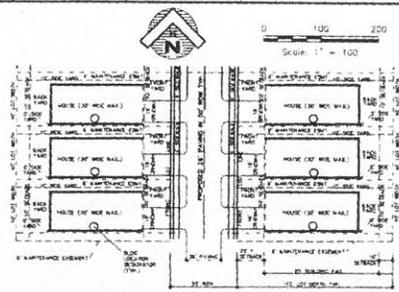
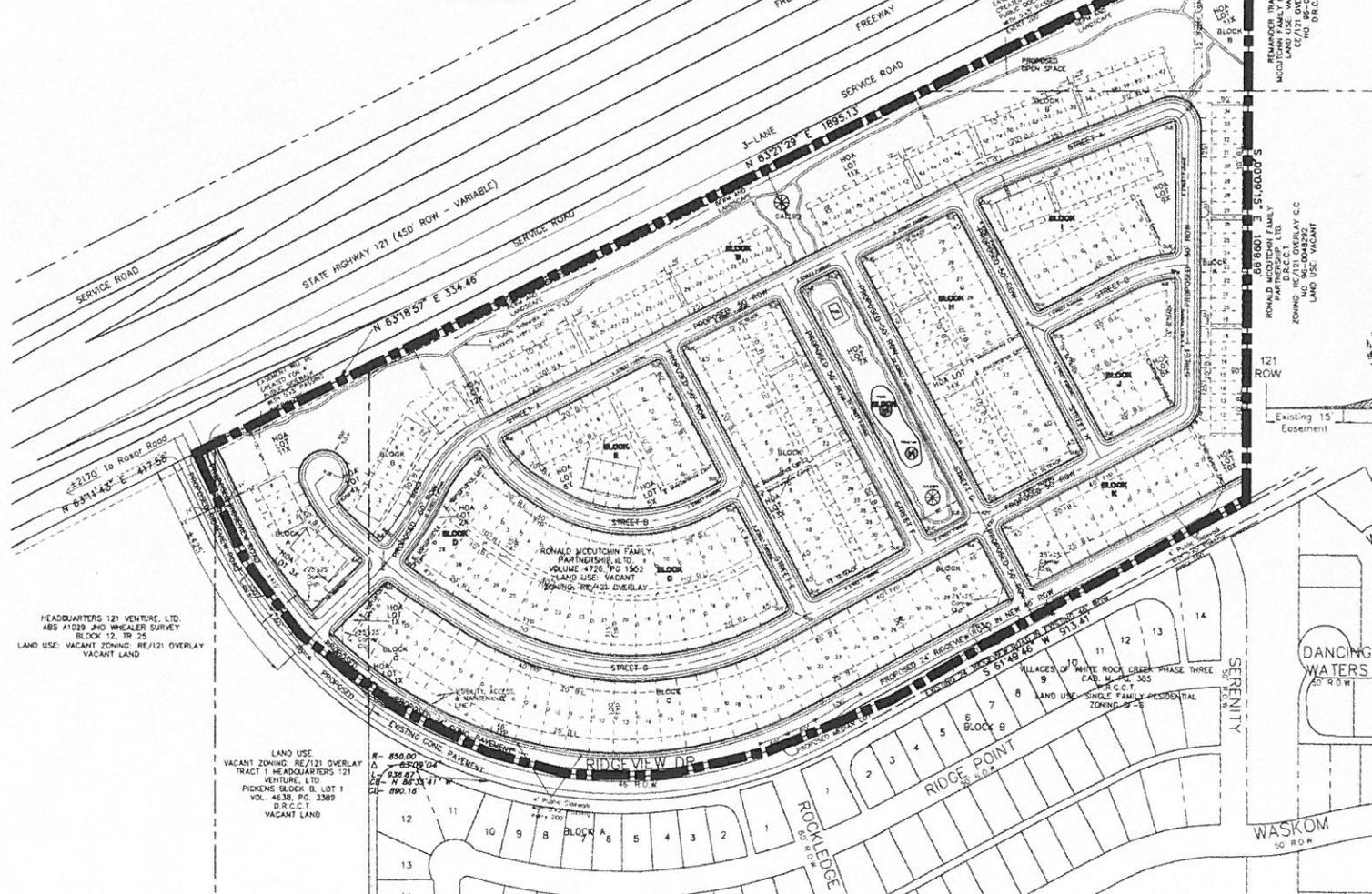


VICINITY MAP
NOT TO SCALE

PHASE	112 Units Homes	154 SF A
PHASE	PHSIF A	PHSIF A
Land Use	Residential	Residential
Density - Sites 63,278 acres	4000 SF	2260 SF
Minimum Dwelling - Living Area (sq ft)	800 SF	800 SF
Individual Lot Area - Minimum	2000 SF	2500 SF
Individual Lot - Minimum Corner Lot	30 FT	35 FT
Individual Lot - Depth - Minimum	30 FT	35 FT
Building Heights (Homes, ft)	2 stories, 35 ft	2 stories, 35 ft
Max Coverage (%)	100%	100%
Parking - Required/Proposed for each home	2 spaces	2 spaces
Setback - Front	30 ft	30 ft
Setback - Back	10 ft	10 ft
Setback - Side	10/10 ft	0 ft/0 ft
Setback - Corner Lot	15 ft	15 ft

MOA Lot	Area	Open Space Type
1X	0.20	other
2X	0.15	other
3X	0.18	other
4X	0.05	other
5X	0.18	other
6X	0.10	other
7X	0.08	primary
8X	0.08	other
9X	0.18	other
10X	0.12	other
11X	0.12	primary
12X	0.07	other
13X	0.06	other
14X	0.18	secondary

Gain 1: Parking Required/Proposed 07 Reg/136 Prop
 Usable Open Space Required/Proposed 4.05 Acres Required Proposed
 7.11 acres Primary Open Space
 0.19 acres Secondary Open Space
 1.41 acres Other Open Space



APPLICANT
OWNER
 RONALD MCCUTCHIN FAMILY PARTNERSHIP, LTD.
 Suite 300
 7912 W. Plano Pkwy
 Plano, TX 75093
 Phone: 469.551.1362
 Contact: Zach Ivor
PLANNER/ENGINEER
 ION DESIGN GROUP, LLC
 F-6701
 7075 Twin Hills Ave
 Suite 350
 Dallas, Texas 75231
 Ph: 214.370.3470
 Contact: Bryan Klein

CONCEPT PLAN, VILLAGES OF PRAIRIE COMMONS EAST
 156 TOWNSHIP, 1ST FUTURE BERM, AND 14 CORNER AREA LOTS
 ABNT 11026, Joe Wheeler Survey, Blk R, Tract 20
 a Phase (CPL) Blk A, Lot 1 - 43.108 Acres
 CITY OF PLANO, COLLIN COUNTY, TEXAS



DESIGN	DRAWN	CHECKED	DATE	SCALE	JOB	SHEET
OK	CV	JT	02/25/2014	1"=50'	700	100

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