



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: | | 05/13/13 | | |
| Department: | | Planning | | |
| Department Head | | Phyllis Jarrell | | |
| Agenda Coordinator (include phone #): Tammy Stuckey, ext. 7156 | | | | |
| CAPTION | | | | |
| Consideration of a request for a revised preliminary site plan/revised concept plan and to participate in a Parking Reduction Program for a health/fitness center and general office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Applicant: Scherer I, Ltd. | | | | |
| 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 | | | | |
| Subsection 3.1112 (Parking Reduction Program) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) of the Zoning Ordinance allows applicants to request approval for the deferment of required parking, subject to approval of a revised preliminary site plan/revised concept plan by the City Council. Developments meeting the criteria in Section 3.1112 may be granted a deferment between 5%-30% of the parking spaces required. The applicant is seeking a 5% reduction of the required parking. The Planning & Zoning Commission recommends approval of the request, by a vote of 8-0. | | | | |
| List of Supporting Documents: P&Z Follow-up Memo Staff Report Locator Map Revised Preliminary Site Plan/Revised Concept Plan Letter from Applicant | | Other Departments, Boards, Commissions or Agencies Planning & Zoning Commission | | |

DATE: April 16, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of April 15, 2013

**AGENDA ITEM NO. 6B - REVISED PRELIMINARY SITE PLAN/
REVISED CONCEPT PLAN
9/LEGACY CORPORATE CENTER, BLOCK A, LOTS 1R & 3
APPLICANT: SCHERER I, LTD.**

Health/fitness center and general office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Neighborhood #9.

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

STIPULATIONS:

Approved subject to:

1. City Council approval of the request for a parking reduction;
2. The applicant executing a performance agreement with the city, subject to approval by the City Attorney; and
3. Dedication of parking easements for the deferred parking areas on Lot 1R.

FOR CITY COUNCIL MEETING OF: May 13, 2013 (To view the agenda for this meeting, see www.planotx.org)

TF/dc

xc: Adolf Scherer, Scherer I, LTD.
William S. Dahlstrom

CITY OF PLANO

PLANNING & ZONING COMMISSION

April 15, 2013

Agenda Item No. 6B

Revised Preliminary Site Plan/Revised Concept Plan:

Legacy Corporate Center, Block A, Lots 1R & 3

Applicant: Scherer I, Ltd.

DESCRIPTION:

Health/fitness center and general office on two lots on 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road. Zoned General Office/Preston Road Overlay District with Specific Use Permit #468 for Health/Fitness Center. Neighborhood #9.

REMARKS:

The subject property is 19.0± acres located generally at the northeast corner of Legacy Drive and Preston Road, of which the eastern portion of the property is currently developed as a health/fitness center. The remaining southern portion of the property is presently undeveloped.

The purpose for the revised preliminary site plan for proposed Lot 1R is to show the expansion of the existing health/fitness center use to include a free-standing indoor tennis court building, revised lot boundaries, and related site modifications. Additionally, the applicant is seeking a parking deferment as described below.

The purpose for the revised concept plan for proposed Lot 3 is to show a future general office building with related site improvements.

Request for Parking Reduction

The applicant is requesting a parking deferment under Subsection 3.1112 (Parking Reduction Program) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) of the Zoning Ordinance. The Parking Reduction Program may be used for single-tenant buildings or building expansions exceeding 100,000 square feet. This program applies specifically to general office, scientific and research laboratories, and governmental operations but may be utilized for other operations with approval by the Planning & Zoning Commission.

Developments meeting the criteria of this section may be granted a deferment of between 5%-30% of the parking spaces required (calculated using the standard parking rates for the particular use in the Zoning Ordinance). The ordinance states that the Planning & Zoning Commission shall review all proposed Parking Reduction Programs and that the Commission shall make a recommendation to the City Council for approval, modification, or denial of the proposed project, based on a finding that the Parking Reduction Program will not negatively impact adjacent streets or properties.

The Zoning Ordinance requires one parking space for each 200 square feet of building area for the health/fitness center use (578 spaces) and six parking spaces per court for the indoor tennis building (60 spaces). Therefore, the total required number of parking spaces for this development at build-out capacity would be 638 spaces.

Currently, the health/fitness center site has 607 parking spaces, and the applicant plans to maintain 606 parking spaces and defer construction of 32 spaces. Therefore, the applicant is requesting a five percent reduction of the required parking. While the site could accommodate the additional 32 parking spaces, the applicant is requesting to not provide the parking spaces due to the following: the amount of required parking is greater than the demand anticipated (638 spaces versus 574 spaces); parking in excess of actual demand is being proposed (606 spaces versus 574 spaces); and the addition of the parking results a loss of existing landscaping and trees on the site.

In accordance with the ordinance, the applicant has provided documentation of estimated actual demand and a revised preliminary site plan in support of the application. The applicant has shown on the revised preliminary site plan that 32 parking spaces could be provided along the northern and eastern portions of the site to satisfy the baseline parking requirements if the additional parking was deemed necessary in the future. In addition to the information on the revised preliminary site plan, the applicant shall be responsible for dedicating parking easements for Lot 1R; no building may be constructed on the areas reserved for deferred parking. Finally, if the parking reduction is granted, the applicant must enter into a performance agreement with the city which allows deferral of the spaces until demand for a greater number of parking spaces is reached or a change of occupancy occurs.

The performance agreement shall:

1. Specify the number of parking spaces that are being deferred, and the program used to decrease parking demand;
2. Specify the date the program will commence in relation to completion and occupancy of the structure;
3. Require annual parking demand monitoring reports, which will note any changes in occupancy or demand for additional parking; and

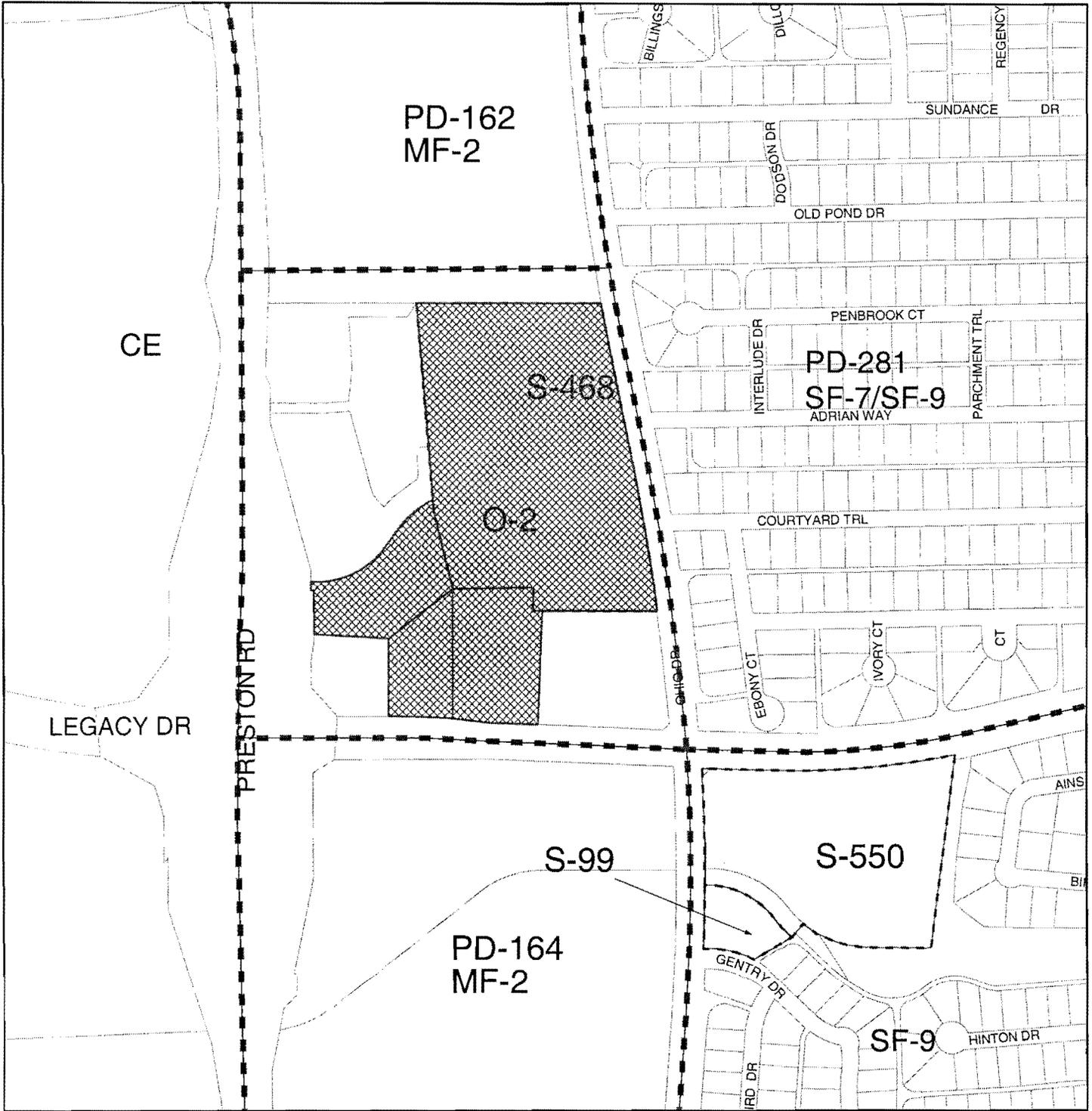
4. Provide penalties for failure to comply with the above as stated in Section 6.400 (Penalty for Violations) of Article 6 (Procedures and Administration) of the Zoning Ordinance. The performance agreement shall be revoked for failure to comply with the stated terms of agreement. The city shall have the right to require the construction of parking to meet the baseline parking assessment if the agreement is revoked.

Staff supports the request for parking deferment. The applicant has satisfied the conditions of the ordinance and provided a revised preliminary site plan designating future onsite parking that can be provided if needed. A replat for Lot 1R will also dedicate the required parking easements in addition to filing a separate parking performance agreement.

RECOMMENDATION:

Recommended for approval subject to:

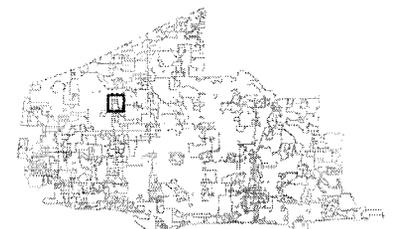
1. City Council approval of the request for a parking reduction;
2. The applicant executing a performance agreement with the city, subject to approval by the City Attorney; and
3. Dedication of parking easements for the deferred parking areas on Lot 1R.



Item Submitted: REVISED PRELIMINARY SITE PLAN/
REVISED CONCEPT PLAN

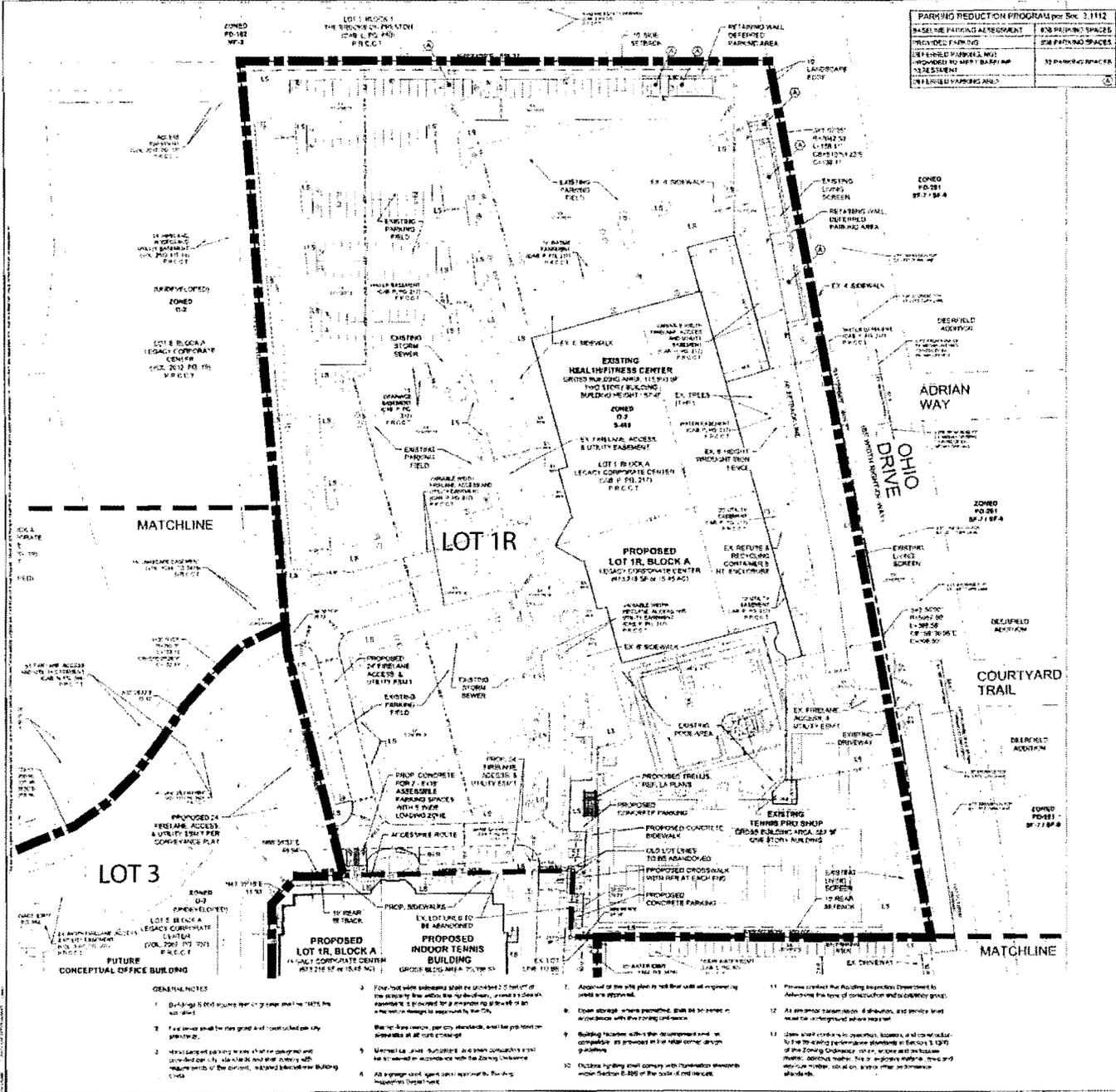
Title: LEGACY CORPORATE CENTER
BLOCK A, LOTS 1R & 3

Zoning: GENERAL OFFICE/PRESTON ROAD OVERLAY DISTRICT
w/SPECIFIC USE PERMIT #468



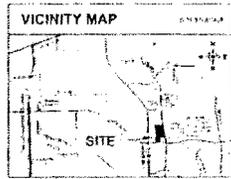
○ 200' Notification Buffer





PARKING REDUCTION PROGRAM per Sec. 3.1112

| | |
|--|--------------------|
| BASELINE PARKING ASSESSMENT | 810 PARKING SPACES |
| PROPOSED PARKING | 810 PARKING SPACES |
| REDUCED PARKING (NO IMPROVED TO MEET PARKING ASSESSMENT) | 810 PARKING SPACES |
| REDUCED PARKING (NO IMPROVED TO MEET PARKING ASSESSMENT) | 810 PARKING SPACES |



Site Data Summary Table (Revised Prelim. Site Plan)

| Category | Item | Quantity |
|---|----------------------------------|-------------------|
| General Site Data | Total Site Area | 15.45 Acres |
| | Proposed Building Footprint | 1,234,567 sq. ft. |
| | Proposed Parking Spaces | 810 |
| | Proposed Green Space | 12,345 sq. ft. |
| | Proposed Stormwater Detention | 1,234,567 cu. ft. |
| | Proposed Stormwater Treatment | 1,234,567 cu. ft. |
| | Proposed Stormwater Storage | 1,234,567 cu. ft. |
| | Proposed Stormwater Infiltration | 1,234,567 cu. ft. |
| | Proposed Stormwater Retention | 1,234,567 cu. ft. |
| | Proposed Stormwater Treatment | 1,234,567 cu. ft. |
| Site Data Summary Table (Revised Concept Plan, Lot 3) | Total Site Area | 15.45 Acres |
| | Proposed Building Footprint | 1,234,567 sq. ft. |
| | Proposed Parking Spaces | 810 |
| | Proposed Green Space | 12,345 sq. ft. |
| | Proposed Stormwater Detention | 1,234,567 cu. ft. |
| | Proposed Stormwater Treatment | 1,234,567 cu. ft. |
| | Proposed Stormwater Storage | 1,234,567 cu. ft. |
| | Proposed Stormwater Infiltration | 1,234,567 cu. ft. |
| | Proposed Stormwater Retention | 1,234,567 cu. ft. |
| | Proposed Stormwater Treatment | 1,234,567 cu. ft. |

WATER METER SCHEDULE

| Item | Quantity | Unit | Price | Total |
|-------------|----------|------|---------|----------|
| Water Meter | 10 | Each | \$50.00 | \$500.00 |
| Water Meter | 10 | Each | \$50.00 | \$500.00 |
| Water Meter | 10 | Each | \$50.00 | \$500.00 |
| Water Meter | 10 | Each | \$50.00 | \$500.00 |
| Water Meter | 10 | Each | \$50.00 | \$500.00 |

THE PORTION OF THE REVISIONS TO THE PREVIOUS EDITION OF THIS PLAN WHICH ARE INDICATED BY THE DOTTED LINE ARE THE PROPOSED REVISIONS TO THE PREVIOUS EDITION OF THIS PLAN.

REVISED PRELIMINARY SITE PLAN
 OF
LOT 1R, BLOCK A,
LEGACY CORPORATE CENTER
 BEING ALL OF
 LOTS 1 & 2R AND A PORTION OF
 LOTS 3 & 5, BLOCK A,
 LEGACY CORPORATE CENTER
 AND
REVISED CONCEPT PLAN
 OF
LOT 3, BLOCK A,
LEGACY CORPORATE CENTER
 BEING A PORTION OF LOTS 3 & 5, BLOCK A,
 LEGACY CORPORATE CENTER
 SITUATED IN THE
 JESSE STIFF SURVEY, ABSTRACT No. 793
 CITY OF PLANO, COLLIN COUNTY, TEXAS

GENERAL NOTES

1. Building is to be constructed in accordance with the 2015 International Building Code.
2. The owner shall be responsible for obtaining all necessary permits.
3. The owner shall be responsible for obtaining all necessary permits.
4. The owner shall be responsible for obtaining all necessary permits.
5. The owner shall be responsible for obtaining all necessary permits.
6. The owner shall be responsible for obtaining all necessary permits.

7. Approval of this plan by the City of Plano is required.
8. All work shall be in accordance with the 2015 International Building Code.
9. The owner shall be responsible for obtaining all necessary permits.
10. The owner shall be responsible for obtaining all necessary permits.
11. The owner shall be responsible for obtaining all necessary permits.
12. The owner shall be responsible for obtaining all necessary permits.

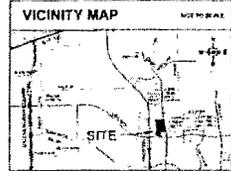
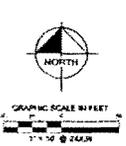
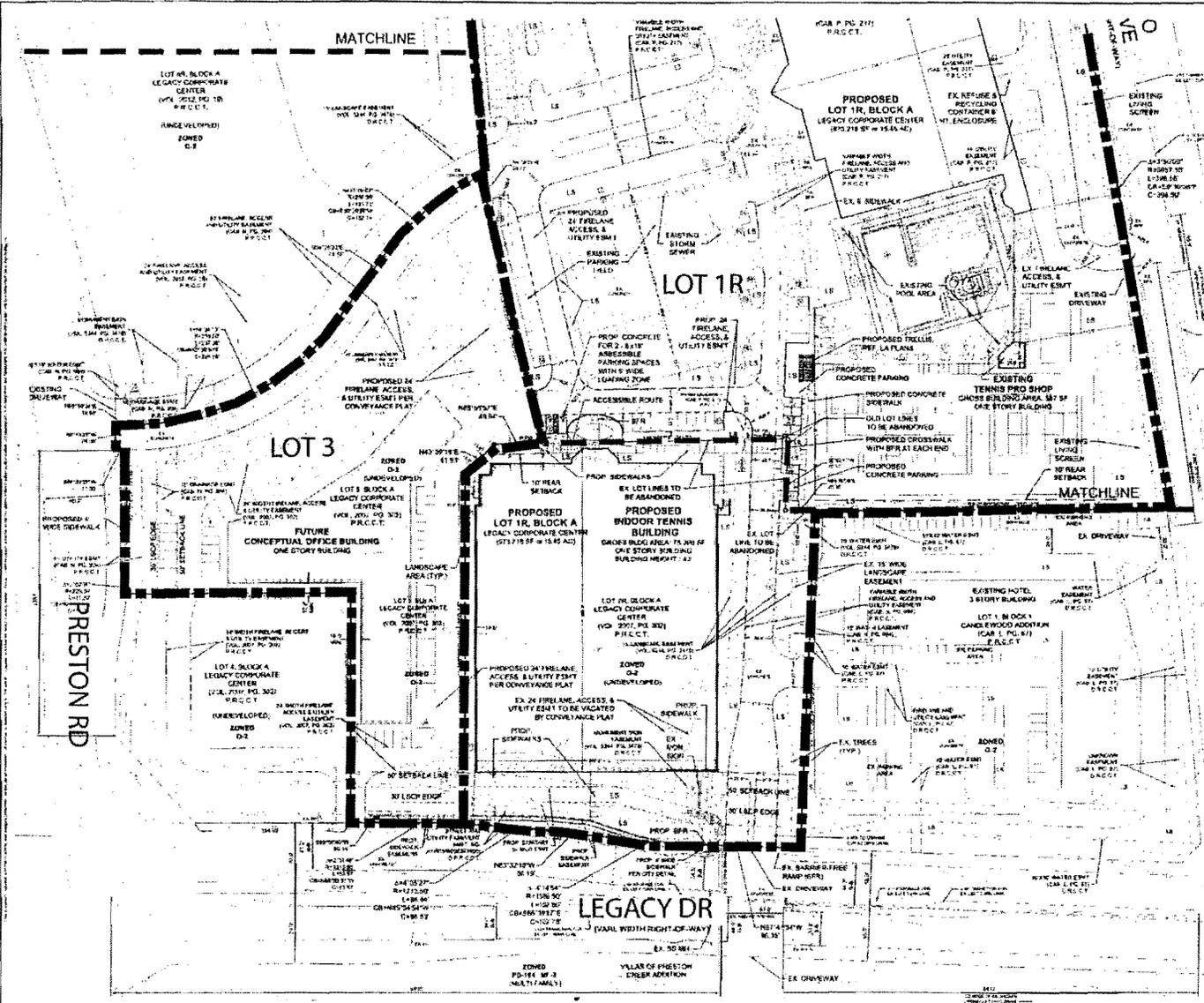
Kimley-Horn and Associates, Inc.
 1100 WEST WASHINGTON STREET, SUITE 1000, DALLAS, TEXAS 75201
 PHONE: (214) 761-1000 FAX: (214) 761-1001
 WWW.KIMLEY-HORN.COM

LIFETIME FITNESS-PLANO
 PREPARED FOR
LIFETIME FITNESS

REVISED PRELIMINARY SITE PLAN AND REVISED CONCEPT PLAN

DATE: APRIL 2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

1 of 2



WATER METER SCHEDULE

| SIZE | TYPE | WATER | WATER | WATER | WATER |
|--------|----------|--------|--------|--------|--------|
| 1/2" | Standard | 1" | 1" | 1" | 1" |
| 3/4" | Standard | 1 1/2" | 1 1/2" | 1 1/2" | 1 1/2" |
| 1" | Standard | 2" | 2" | 2" | 2" |
| 1 1/2" | Standard | 3" | 3" | 3" | 3" |
| 2" | Standard | 4" | 4" | 4" | 4" |
| 3" | Standard | 6" | 6" | 6" | 6" |
| 4" | Standard | 8" | 8" | 8" | 8" |

THE PURPOSE OF THE REVISED PRELIMINARY SITE PLAN IS TO SHOW THE EXISTING HEALTH FITNESS CENTER ON LOT 1 COMBINED WITH THE PROPOSED INDOOR TENNIS BUILDING AND SITE IMPROVEMENTS.

THE PURPOSE OF THE REVISED CONCEPT PLAN IS TO SHOW A PROPOSED DEVELOPMENT ON THE REMAINING PORTIONS OF LOTS 3 & 5.

- GENERAL NOTES**
1. Buildings 6,000 square feet or greater shall be 100% fire sprinkled.
 2. Fire alarm shall be designed and provided per city ordinance.
 3. Handicapped parking spaces shall be designated and provided per city ordinance and shall comply with requirements of the current adopted International Building Code.
 4. Four-foot wide sidewalks shall be provided 2.0 feet off of the property line within the project limits. Sidewalks shall be constructed to meet and comply with the current adopted International Building Code.
 5. Sidewalk lighting shall comply with International Building Code Section 10.05.01.01.
 6. All drainage shall be approved by the Planning Department.
 7. Approval of this site plan is not final until an engineering stamp is received.
 8. Storm storage retention pond shall be constructed in accordance with the city ordinance.
 9. Stormwater facilities within the development shall be constructed as approved by the other public utility agencies.
 10. Outdoor lighting shall comply with International Building Code Section 10.05.01.01.
 11. Please contact the Building Department to determine the type of construction and occupancy group.
 12. All electrical equipment, distribution, and service shall be undergrounded unless otherwise noted.
 13. Use of all systems in accordance with local and state codes and the International Building Code.
 14. Use of all systems in accordance with local and state codes and the International Building Code.

REVISED PRELIMINARY SITE PLAN
 OF
**LOT 1R, BLOCK A,
 LEGACY CORPORATE CENTER**
 15.45 ACRES BEING ALL OF
 LOTS 1 & 2R AND A PORTION OF
 LOTS 3 & 5, BLOCK A,
 LEGACY CORPORATE CENTER
 AND
REVISED CONCEPT PLAN
 OF
**LOT 3, BLOCK A,
 LEGACY CORPORATE CENTER**
 BEING A PORTION OF LOTS 3 & 5, BLOCK A,
 LEGACY CORPORATE CENTER
 SITUATED IN THE
 JESSE STIFF SURVEY, ABSTRACT No. 793
 CITY OF PLANO, COLLIN COUNTY, TEXAS

Kimley-Horn and Associates, Inc.
 15100 WESTSHORE DRIVE, SUITE 1000, DALLAS, TEXAS 75244
 TEL: 972.382.1000 FAX: 972.382.1001
 WWW.KIMLEY-HORN.COM

PROJECT: LIFETIME FITNESS PLANO
DATE: APRIL 2013
SCALE: AS SHOWN
DESIGNED BY: [Name]
CHECKED BY: [Name]
IN CHARGE: [Name]

**LIFETIME FITNESS PLANO
 PREPARED FOR
 LIFETIME FITNESS
 CITY OF PLANO, TEXAS**

**REVISED PRELIMINARY
 SITE PLAN AND
 REVISED CONCEPT PLAN**

**SHEET NUMBER
 2 OF 2**



JACKSON WALKER L.L.P.



ATTORNEYS & COUNSELORS

April 9, 2013

William S. Dahlstrom
(214) 953-5932 (Direct Dial)
(214) 661-6616 (Direct Fax)
wdahlstrom@jw.com

VIA ELECTRONIC MAIL

Mr. Eric Hill
Planner
City of Plano Planning Department
1520 Avenue K
Plano, Texas 75074

Re: Lifetime Fitness;
Northeast Corner of Preston Road and Legacy Drive;
Request for Parking Reduction Program.

Dear Eric:

On behalf of Lifetime Fitness, we are submitting this request for approval of a reduction in the required number of parking spaces in accordance with the City of Plano Zoning Ordinance, Article 3.1112, Parking Reduction Program. The amount to be deferred is 5.02% of the total parking required for the existing facility and the proposed indoor tennis facility. Based on actual counts of occupied spaces at peak periods, the required amount of parking far exceeds the actual demand, as set forth below.

The existing building, which consists of 115,503 square feet, is used as a fitness center with multiple game courts, swimming pools, and exercise areas. The proposed indoor tennis facility would have ten tennis courts and contain 75,218 square feet of floor area.

Baseline Parking Assessment

According to Article 3.1107, Parking Space Schedule, of the City's Zoning Ordinance, the existing Lifetime Fitness facility is required to provide one space per 200 square feet of gross floor area, or 578 parking spaces. The proposed indoor tennis facility requires 60 parking spaces. The total parking requirement would then be 638 parking spaces. There are 606 spaces proposed for the entire site. Therefore, a parking reduction is being requested for 5.02% of the required parking.

| Use | Parking Space Requirement | Parking Metric | Parking Spaces Required |
|------------------------|---------------------------|-----------------|-------------------------|
| Fitness Center | 1/200 sq. ft. | 115,503 sq. ft. | 578 |
| Indoor Tennis Court | 6/ court | 10 courts | 60 |
| Total Parking Required | | | 638 |
| Total Parking Proposed | | | 606 |
| Parking to be Deferred | | | 32 (5.02%) |

Estimated Actual Demand

The subject site currently has 607 parking spaces available. Observations of actual parking usage were performed during times of peak demand on Thursday, March 28, 2103 and Saturday, March 30, 2013. An examination of building entry data for those times and previous weeks shows that the observations reflected typical activity on weekdays and Saturdays. Numbers of parked vehicles were counted each 30 minutes until a visible peak was observed. These observations of actual demands show that the present site has a significant amount of unused parking spaces, even during the busiest site activity.

During the weekday evening peak period observed on Thursday, March 28, 2013, the highest parking occupancy observed was 381 vehicles, which occurred at 6:30 PM. This number of occupied spaces would result in a surplus of 226 empty spaces on the site during the weekday evening peak. If the proposed tennis facility uses all 60 spaces required under the Zoning Ordinance, the entire facility would still have a surplus of 166 parking spaces.

During the Saturday midday peak period observed on Saturday, March 30, 2013, the highest parking occupancy observed was 514 vehicles which occurred at 10:30 AM. This number of occupied spaces would result in a surplus of 93 empty spaces on the site during the Saturday midday peak. If the proposed tennis facility uses all 60 spaces required under the Zoning Ordinance at that peak time, the entire facility would still have a surplus of 33 parking spaces.

Preliminary Site Plan

The accompanying Preliminary Site Plan demonstrates that the additional 32 parking spaces can be provided throughout the subject property. Providing this additional parking would cost approximately \$65,075.00. However, providing the additional parking would require the unnecessary removal of existing landscaping and trees, and require the construction of retaining walls along existing berms. In order to maintain as much of the landscaping and trees as possible, we are requesting a minimal reduction in the parking requirement.

Based on the actual counts recently conducted, the parking requirement is substantially greater than actual demand at this time. A Performance Agreement would assure the City that the additional parking will be provided, if warranted in the future based on further required observation.

A Parking Management Plan is not necessary as part of this request because we are proposing to provide parking that is actually greater than the parking demand. Additionally, due to the surplus of parking already provided compared to actual demand, we do not anticipate overflow parking to occur.

Consequently, because (i) the amount of required parking is significantly greater than actual parking demand, (ii) parking in excess of actual demand is being proposed, and (iii) requiring the additional would result in the unnecessary loss of landscaping and trees, an increase in impervious surface and stormwater runoff, and require construction of retaining walls and other site improvements, we respectfully request that the Parking Reduction Program for a deferral of 5.3% of the required parking be approved for Lifetime Fitness.

Mr. Eric Hill
April 9, 2013
Page 3

Thank you for your assistance with this request. Please do not hesitate to contact me if you have any questions regarding this matter.

Regards,



William S. Dahlstrom

cc: Scott Ferguson
Nick Sulkowski
Scot Johnson
Jonathan Vinson