

**DATE:** July 8, 2014  
**TO:** Honorable Mayor & City Council  
**FROM:** Richard Grady, Chairman, Planning & Zoning Commission  
**SUBJECT:** Results of Planning & Zoning Commission Meeting of July 7, 2014

**AGENDA ITEM NO. 6A - PUBLIC HEARING  
ZONING CASE 2014-13  
APPLICANT: NASH GROUP REAL ESTATE**

Request to amend Planned Development-101-Retail/General Office on 53.4± acres located on the northeast corner of Preston Road and Spring Creek Parkway to allow Single-Family Residence Attached by right and Private Street Development by Specific Use Permit. Zoned Planned Development-101-Retail/General Office within the Preston Road Overlay District.

**LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA:** SUPPORT: 15 OPPOSE: 14

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

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

**APPROVED:** \_\_\_\_\_ **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**STIPULATIONS:**

After receiving a motion for approval, the Planning & Zoning Commission voted 3-3, resulting in a “no decision.” A motion to deny was then received, and the Planning & Zoning Commission voted 3-3, resulting in a “no decision.” Per the Commission’s policies, the motions failed as a result of the tie vote but the matter is not considered approved or denied.

**FOR CITY COUNCIL MEETING OF:** July 28, 2014 (To view the agenda for this meeting, see [www.planotx.gov](http://www.planotx.gov))

**PUBLIC HEARING - ORDINANCE**

RA/dc

xc: Jack Harvard, Nash Group Real Estate  
Bryan Klein, ION Design Group, LLC

<http://goo.gl/maps/vkWI2>

**Date:** August 4, 2014

**To:** Bruce D. Glasscock, City Manager  
Frank F. Turner, Deputy City Manager

**From:** Christina D. Day, Director of Planning

**Subject:** Zoning Case 2014-13, Zoning Case 2014-16, and Concept Plan for Harvard Villas

At its July 7, 2014, meeting, the Planning & Zoning Commission considered these three items. Since that time, the applicant has submitted a letter of withdrawal for both the Zoning Case 2014-16 for a Specific Use Permit (SUP) for Private Streets and the appeal of the P&Z's denial of the Concept Plan for Harvard Villas. The applicant is proposing a new design which no longer requires private streets, is not consistent with the concept plan originally submitted, and changes some of the stipulations requested through the original Planned Development modification request in Zoning Case 2014-13.

The applicant has the right to withdraw his appeal of the concept plan, so it will no longer be placed on City Council's agenda.

The applicant does not have the authority to withdraw the zoning case, as that right rests with the City Council. Staff is recommending that the City Council accept the applicant's request to withdraw Zoning Case 2014-16 for an SUP for Private Streets.

Regarding Zoning Case 2014-13, please see the letter from the applicant dated July 31, 2014 to read the specific request for the Zoning Case. We are generally supportive of the modifications made by the applicant, and believe the revised request is more consistent with the City's policies on infill housing. Our comments on their requests are included as follows:

- **Request:** Delete "Private Street Development is an additional permitted use by specific use permit only" - we can provide public streets throughout the development that meet the City's standards allowed for front-entry townhome lots (46-foot rights-of-way with 24-foot pavement).

Staff supports removal of this stipulation.

- **Request:** Rear yard fencing in Block B lots are required to be 50 percent or greater open construction (use of ornamental iron fencing) to maintain an open appearance for those portions of the lots abutting the common open space.

Staff supports this stipulation.

- Request: A maximum of two lots shall be allowed to have a minimum lot depth of 80 feet.

Staff supports this stipulation.

- Request: An 8-foot high masonry screening wall shall be provided on the west side of Block A, Lots 1 through 19.

Staff supports this stipulation.

- Request: A 10-foot wide HOA lot shall be provided along the west edge of Block A, Lots 1-11. The HOA lot shall be grassed with one shade tree (three-inch caliper) per lot for additional sound attenuation. Within the HOA lot the 8-foot high masonry screening wall shall be located on the eastern edge of the HOA lot.

Staff supports this concept but prefers the following language: "A 10-foot wide HOA lot shall be provided along the west lot line of Block A, Lots 1-11. The HOA lot shall be planted to create an irrigated, evergreen living screen of at least 12 feet in height within two years of planting, for additional sound attenuation. An 8-foot high masonry screening wall shall be located on the eastern edge of the HOA lot."

- Request: Elbows at street corners shall not be required.

Staff supports this concept but prefers the following language: "Eyebrow-design at street corners shall not be required."

Due to both the modifications to this request as well as the split vote resulting in no recommendation from the Planning & Zoning Commission, there is not an ordinance accompanying the case, as is the practice for this type of unusual situation. Should Council provide direction on the case indicating an ordinance change, staff will prepare an ordinance and place it on the next possible City Council agenda.

Please let me know if you have questions.

XC: Jack Carr, Director of Engineering  
Michael Martin, Development Engineering Manager  
Eric Hill, Development Review Manager

## NASH GROUP REAL ESTATE

**Date:** July 31, 2014

**To:** Christina Day, Planning Director, [chrisd@plano.gov](mailto:chrisd@plano.gov)  
Eric Hill, AICP, Development Review Manager, [erich@plano.gov](mailto:erich@plano.gov)  
Ross Altobelli, Planner, [rossa@plano.gov](mailto:rossa@plano.gov), Planning Department, City of Plano, TX

**CC:** Zach Ipour, President, Megatel Homes  
Bryan Klein, Ion Design Group and J.J. Singh

**Re:** Amended PD Stipulations – Zoning Case 2014-13 Harvard Villas Townhome Project

The NASH Group Real Estate respectfully requests the following PD Stipulation changes for Zoning Case 2014-13 (Harvard Villas Townhome Project):

- DELETE: Private Street Development is an additional permitted use by specific use permit only” – we can provide public streets throughout the development that meet the City’s standards allowed for front-entry townhome lots (46-foot rights-of-way with 24-foot pavement).
- ADD: Rear yard fencing in Block B lots are required to be 50 percent or greater open construction (use of ornamental iron fencing) to maintain an open appearance for those portions of the lots abutting the common open space.
- ADD: A maximum of two lots shall be allowed to have a minimum lot depth of 80 feet.
- ADD: An 8-foot high masonry screening wall shall be provided on the west side of Block A, lots 1 - 19.
- ADD: A 10-foot wide HOA lot shall be provided along the west edge of Block A, lots 1-11. The HOA lot shall be grassed with one shade tree (three-inch caliper) per lot for additional sound attenuation. Within the HOA lot the 8-foot high masonry screening wall shall be located on the eastern edge of the HOA lot.
- ADD: Elbows at street corners shall not be required.

We request that the following PD stipulations remain:

- Single-Family Residence Attached is an additional permitted use.
- Single-Family Residence Attached Standards Modifications:
  1. Minimum lot area per dwelling unit: 2.125 square feet
  2. Minimum side yard of corner lot: 10 feet
  3. Minimum usable open space: None
  4. Parking requirements: One-fourth visitor parking may be provided within 900 feet of each unit

Thank you,



Jack Harvard

NASH Group Real Estate

941 Circle in the Woods, Fairview, TX 75069

214-384-3000 mobile [Harvard@nashrealestate.com](mailto:Harvard@nashrealestate.com)



# Memorandum

**Date:** July 16, 2014

**To:** Bruce D. Glasscock, City Manager  
Frank F. Turner, Deputy City Manager

**From:** Christina D. Day, Director of Planning

**Subject:** Zoning Case 2014-13

At its July 7, 2014, meeting, the Planning & Zoning Commission considered this zoning petition and made two motions. The first motion to approve the request failed with a 3-3 tie vote. The Commission's second motion, to deny the request, also failed with a 3-3 tie vote. No additional motions to either amend the request or to table were made.

Therefore, the Commission is reporting no recommendation on the zoning petition to the City Council. Consistent with the rules of the Commission, 2nd Vice Chair William Hilburn has prepared a letter explaining their considerations and recommendations.

The Commission's action does not constitute a denial, so only a simple majority vote of the City Council is required to approve the request. Per Subsection 6.112 of Article 6 (Procedures and Administration) of the Zoning Ordinance, "the City Council may approve a change in zoning as appropriate within the context of the public notice provided. City Council may deny in whole or in part, table the petition, or refer it back to the Planning & Zoning Commission for further study."

Please let me know if you have questions.

XC: Paige Mims, City Attorney  
Victoria Huynh, Deputy City Attorney  
Alan Wayland, Senior Assistant City Attorney  
Eric Hill, Development Review Manager

## Recommendation of the Planning & Zoning Commission

### Zoning Case 2014-13

July 7, 2014

Second Vice Chairman's Report

Zoning Case 2014-13, Agenda Items No. 6A, 6B, and 6C – Public Hearing. Items heard together, but voted separately. Six of eight Commissioners were present. Commissioners Pittman and Bender were absent.

Applicant: Nash Group Real Estate

**Zoning Case 2014-13 Agenda Item No. 6A**– Request to amend Planned Development -101 Retail/General Office (PD-101-R/O-2) on 53.4+/- acres located on the northeast corner of Preston Road and Spring Creek Parkway to allow Single-Family Residence Attached (SF-A) by right and Private Street Development by Specific Use Permit.

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

1. The request is not in conformance with the Future Land Use Plan which recommends this property be developed as Medium Intensity Office (MIO).
2. The request is not in conformance with the 2012 Interim Amendments to the Land Use Element of the Comprehensive Plan related to isolated residential development.
3. The request is not in conformance with several policies of the Comprehensive Plan when rezoning for single-family development, zoning district standards for an SF-A subdivision, or the requirements of the R zoning district for residential uses.
4. The request is adjacent to several nonresidential uses which could create adverse living conditions if residential development is permitted.
5. Zoning Case 2014-16 Agenda Item No. 6B – Request for a Specific Use Permit for Private Street Development on 12.7+/- acres on the east side of Preston Road, 1500+/- feet north of Spring Creek Parkway.
6. Zoning Case 2014-13 Agenda Item No. 6C – Concept Plan for 89 Single Family Residence Attached Lots and Private Street Development on 12.7+/- acres located on the east side of Preston Road, 1400+/- feet north of Spring Creek Parkway. This application is contingent upon approval of both Zoning Case 2014-13 (Agenda Item No 6A) and Zoning Case 2014-16 (Agenda Item No 6B).

Commission Action:

Comments made in Support of the issue 6A included:

- The need for additional SF development in the area was identified, rather than additional MIO type use. Due to the “infill” site identification and configuration, use of this site as SF-A would require some qualification from standard requirements.

- Most of those who looked at this location indicated that it appears to be more surrounded by residential uses, rather than those typically identified as institutional.
- Speakers on this issue indicated support for the rezoning request, none stood opposed. Although there were 16 formal replies for versus 14 formal responses against the issue.
- Neighbors to the south and east have indicated their support for two story SF-A to be far preferable than unrestricted taller MIO commercial uses.
- This property contains a portion of the Bluebonnet Trail and conforms with the P land use designation, and Archgate and Carpenter parks are within half mile of this site.
- Property is located within the Parr, Davis, Haggard, and Schimelpfenig library service areas.
- Water and sanitary sewer services are available to serve the property.
- PISD has confirmed that there is available capacity at all four of the schools serving this area.
- Public safety response times are sufficient to serve this site.

Comments made in Denial of issue 6A included: in addition to Staff comments.

- The SF-A use is within the 150 feet of separation required from retail, and could become polluted by noise and refuse dumpster site from the retail buildings on the east.
- SF-A plan presented does not meet standard SF-A development requirements for Density, lot area per dwelling area, minimum side yard for corner lots, roadway and parking requirements.

A motion was made to recommend approval of the zoning case, to allow Single-Family Residence Attached (SF-A) by right and Private Street Development by Specific Use Permit, which resulted in a 3-3 tie vote. (Commissioner Grady, Hilburn and Prince voted for the approval)

A motion was made for the denial of the zoning case, to allow Single-Family Residence Attached (SF-A) by right and Private Street Development by Specific Use Permit, which resulted in a 3-3 tie vote. (Commissioners Barbera, Mansfield, and Hicks voted for Denial)

**Zoning Case 2014-16 Agenda Item No. 6B** – Request for a Specific Use Permit (SUP) for Private Street Development on 12.7+/- acres on the east side of Preston Road, 1500+/- feet north of Spring Creek Parkway. Agenda Item 6B requires the approval of Agenda item 6A.

Comments made in support of issue 6B included:

- Roadways construction will be in accordance with approved standards, with exception of the Right of Way width.
- No thru traffic between Preston Road and Ohio.
- Gated access to both Preston Road and Ohio street.
- Streets will be maintained according to a mandatory HOA.

Comments made in denial of issue 6B included:

- This property does not meet the requirement that private street subdivisions be located in an area surrounded on at least three sides by natural or similar man made barriers (75%). Only 8% provided.
- The plan provided does not comply with Subdivision Ordinance requiring that private streets conform to the same standards regulating the design and construction of public streets, and “variances to these requirements shall not be permitted.”

- Subdivision Ordinance allows property owners to petition the city to convert private streets to public streets, which potentially has the result of causing an undue burden on future homeowners, or the city.

A motion was made to approve the zoning case 6B, Specific Use Permit (SUP) for Private Street Development on 12.7+/- acres on the east side of Preston Road, 1500+/- feet north of Spring Creek Parkway, which resulted in approval by 4-2 vote. (Commissioners Barbera and Mansfield voted in the negative)

**Zoning Case 2014-13 Agenda Item No. 6C** – Concept Plan for 89 Single Family Residence Attached Lots and Private Street Development on 12.7+/- acres located on the east side of Preston Road, 1400+/- feet north of Spring Creek Parkway. This application is contingent upon approval of both Zoning Case 2014-13 (Agenda Item No 6A) and Zoning Case 2014-16 (Agenda Item No 6B).

The city's Transportation Engineering Manager presented his analysis of the Concept Plan and explained his recommendation for denial of the plan presented. The zoning petitioner appealed the suggestions of the city Transportation Engineering Manager. Modifications requested to the thorough design were:

- Maintain a 50-foot right-of-way in lieu of the 40-foot row shown.
- Maintain a 250-foot minimum centerline radius in lieu of the proposed 150-foot radius shown.
- Maintain a 30 mph speed requirement in lieu of a reduced speed.
- Increase sight distances pursuant to residential conductor street requirements.

A motion was made to deny the appeal of the Transportations Engineering Manager's recommendations in the zoning case 6C, which was approved by 5-1 vote, effectively supporting the Transportation Engineering Manager's recommendations (Commissioner Prince voted in the negative)

A motion was then made to deny the concept plan, Agenda Item 6C, which was approved 4-2. (Commissioners Grady and Prince voted in the negative)

In summary, regarding Zoning Case 2014-13, Item 6A, the P&Z Commission vote resulted in a "no decision," automatically sending the question to the City Council for final decision. However, item 6C, the concept plan was denied (supporting the Transportation Engineering Manager's recommendation), but item 6B, the issuance of a Special Use Plan, SUP, was approved, pending approval of the amendment of PD-101-R/O2 to allow SF-A and private street Development by SUP.

Respectfully Submitted,



William Hilburn

Second Vice-Chair

Planning & Zoning Commission

CITY OF PLANO  
PLANNING & ZONING COMMISSION

July 7, 2014

**Agenda Item No. 6A**

**Public Hearing:** Zoning Case 2014-13

**Applicant:** Nash Group Real Estate

---

**DESCRIPTION:**

Request to amend Planned Development-101-Retail/General Office on 53.4± acres located on the northeast corner of Preston Road and Spring Creek Parkway to allow Single-Family Residence Attached by right and Private Street Development by Specific Use Permit. Zoned Planned Development-101-Retail/General Office within the Preston Road Overlay District.

**REMARKS:**

The applicant is requesting to amend Planned Development-101-Retail/General Office (PD-101-R/O-2) to allow Single-Family Residence Attached (SF-A) as an additional permitted use with modified development standards and to allow Private Street Development as an additional use to be permitted by Specific Use Permit (SUP) only. The SUP for Private Street Development is being requested with companion Zoning Case 2014-16 (Agenda Item No. 6B).

The subject property contains multiple lots with existing development including a convenience store with gasoline pumps, car wash, minor automobile repair and retail along Preston Road, an independent living facility adjacent to Ohio Drive, and a continuing care facility adjacent to Spring Creek Parkway. A 12.7± acre undeveloped parcel is located within the center of the PD with frontage on Preston Road and Ohio Drive and is the proposed location for the SF-A subdivision. Approximately five acres of this property are undevelopable due to easements located within the northern portion of the subject property. Lastly, an existing creek is located within the center of the PD extending from Ohio Drive to Preston Road.

The existing zoning is PD-101-R/O-2. The R zoning district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls but not including wholesaling or warehousing. The O-2 zoning district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices

for regional and national operations; and major centers of employment for Plano and surrounding communities. 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. PD-101-R/O-2 was originally created in 2000 to allow for retail uses not exceeding 50,000 square feet, and continuing care facilities.

The requested SF-A zoning is intended to provide for a variety of residential housing types and densities in the medium density range (five-ten units/acre) on individually-platted lots or multiple units on a single lot.

A concept plan, Harvard Villas, accompanies this request as Agenda Item No. 6C.

### **Surrounding Land Use and Zoning**

The property to the north is zoned Multifamily Residence-2 and Single-Family Residence-6, and is developed as multifamily and single-family residences. The property to the east, across Ohio Drive, is zoned Multifamily Residence-2 and Single-Family Residence-6, and is developed as multifamily and single-family residences. The property to the south, across Spring Creek Parkway, is zoned Planned Development-178-Retail (PD-178-R), and is partially developed as retail uses. The property to the west, across Preston Road, is zoned Commercial Employment (CE), and is developed as multifamily, hotel, medical office, and convenience store with gas pumps uses.

### **Proposed Planned Development Stipulations**

The requested zoning is to amend PD-101-R/O-2. There are two primary parts to this request: land use and design standards.

**Land Use** - The applicant is proposing to allow Single-Family Residence Attached (SF-A) as an additional permitted use by right with modified development standards and Private Street Development by Specific Use Permit (SUP). The PD currently allows SF-A by specific use permit. Private Streets are not allowed.

**Design Standards** - The applicant is proposing to modify the SF-A area, yard and bulk requirements to include:

- Minimum lot area per dwelling unit: 2,125 square feet
  - The SF-A zoning district requires 2,250 square feet
- Minimum side yard of corner lot: 10 feet
  - Section 3.600 (Side Yard Regulations) requires 15 feet in instances where additional setback is necessary for consistency with adjacent lots
- Minimum usable open space: Exempt
  - The SF-A zoning district requires a minimum of 10% of the gross platted area be provided as usable open space

- Parking requirements: Maximum of 900 feet
  - The SF-A zoning district requires visitor parking to be within 600 feet of each unit

### **Conformance to the Comprehensive Plan**

**Future Land Use Plan** - The Future Land Use Plan designates this property as Medium Intensity Office (MIO) and Major Parks and Recreation (P) land uses. The proposed SF-A request does not conform to the Future Land Use Plan designation of MIO. The subject property contains a portion of the Bluebonnet Trail and is in conformance with the P land use designation.

**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 Gullede Elementary, Robinson Middle School, Jasper High School and Plano West Senior High. At this time and based upon current attendance boundaries, PISD has determined that there is available capacity at all four schools.

**Public Safety Response Time** - Based upon existing personnel, equipment and facilities, fire emergency response times will be sufficient to serve the site. 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 within a half mile of Archgate and Carpenter parks that will serve the development. Additionally, the existing Bluebonnet Trail is located within the utility easement on the northern portion of the subject property.

The property is located within the Parr, Davis, Haggard, and Schimelpfenig library service areas. Davis Library is the only library that would have difficulties accommodating additional residents.

### **Interim Amendments to the Comprehensive Plan**

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

1. 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 undeveloped property proposed for SF-A uses is the only remaining undeveloped land within the PD, or immediate area. The adjacent properties within the PD are developed as nonresidential uses and the subject property is separated from the existing residential properties to the north with no possibility for future connection. Furthermore, the request to gate the subdivision is additional evidence that this property would be an isolated residential development. This request is not consistent with this interim amendment to the Comprehensive Plan.

### **Comprehensive Plan Policies - Rezoning for Single Family Development**

In multiple locations within the Comprehensive Plan, it is recommended that areas to be rezoned to residential should be an extension of an existing residential neighborhood and not separated from existing residential neighborhoods by a thoroughfare of Type "C" or larger. The request is not in compliance with this policy. To the north of the subject property, there is an existing 250-foot Texas Power & Light (TP&L) easement and a City of Plano Hike and Bike Trail easement. This distance which is over twice the width of a Type "C" roadway and separates the subject property from existing residential uses. Furthermore, due to these easements, any connection to existing residential uses would be prohibited.

Additionally, the Comprehensive Plan recommends against rezoning areas which would be affected by adverse environmental conditions such as noise, light, fumes, or related nuisances. The subject property is not suitable for residential development due to the close proximity of existing nonresidential uses along Preston Road which will create adverse environmental conditions for future residents.

Finally, the Comprehensive Plan recommends that areas to be rezoned should provide an appropriate transition between residential and nonresidential uses. The concept plan for Harvard Villas shows a proposed six-foot masonry screening wall which would separate future residences from the existing commercial businesses along Preston Road. However, residential lots are located immediately adjacent to these uses, and the proposed screening wall will not create a sufficient transition between uses.

## **ISSUES**

### **Incompatible Land Uses**

The city established residential adjacency standards in 1999 in order to preserve and protect the integrity, enjoyment, and property values of residential neighborhoods through the establishment of standards for certain nonresidential uses that may impact surrounding residential land uses. Due to the proposed SF-A development being located within a nonresidential zoning district the residential adjacency standard would not apply to the existing commercial uses. However staff believes the intent of the residential adjacency standards still apply. Staff is concerned about several existing uses which would be in close proximity to future residences if the zoning request is approved.

There are three existing uses which are a concern for city staff, two of which are specifically prohibited by the Residential Adjacency Standards:

1. Car wash: Car washes are prohibited within 150 feet of a residential zoning district. The subject property has proposed residential lots immediately adjacent to an existing car wash.
2. Convenience store with gas pumps: These uses are also prohibited within 150 feet of a residential zoning district. The subject property has proposed residential lots immediately adjacent to an existing convenience store with gas pumps.
3. Vehicular Service Bays: A minor-automotive repair business is adjacent to Preston Road with vehicular service bays in close proximity to and oriented towards the proposed residential subdivision. Vehicular services bays within 150 feet of a residential district are required to face away from a residential district unless separated by a building or permanent architectural feature of minimum height matching the height of the service bays.

The proposed zoning would allow homes to be located within 10 feet of these uses and their service areas including several dumpsters. Because of these existing uses, future residents would be subject to noise, odors and other impacts of commercial operations which will be detrimental to residential living. Furthermore, residents may not become fully aware of these nuisances until they reside in the area. If this location is appropriate for residential uses, the Commission should consider imposing a setback, or requiring additional landscaping or other abatement in order to mitigate the impacts of these incompatible land uses.

### **SUP for SF-A in Retail Zoning**

In 2003, Council adopted the *Retail Study of Underperforming and Vacant Retail Areas* initiated by the cities of Carrollton, Richardson, and Plano. This study examined the retail market conditions in the three cities and offered alternatives to address underperforming and vacant retail properties. The study identified Plano as having an overabundance of R zoning. The proposed SF-A subdivision would help reduce the amount of undeveloped retail zoned property within the city.

As a result of this study, City Council amended the R zoning district to allow Single-Family Residence-Attached (SF-A), Two-Family Residence (2F) and Patio Home (PH) development with an SUP. The existing zoning is PD-101-R/O-2. The applicant has the opportunity of requesting an SUP for SF-A zoning and developing the property according to the SF-A zoning base district regulations, but instead has chosen to request a PD amendment with modified standards. Several other properties with similar developable acreages, located in R districts, have requested SUPs and have been successfully able to develop without requesting a PD:

- Redhill Springs - 76 SF-A lots with two open space lots on ten acres located at the southwest corner of Hedcoxe Road and Custer Road

- Timberbrook North Phase 2 - 83 Patio Home lots and two open space lots on 15 acres located at the southeast corner of Jupiter Road and Chaparral Road
- Renaissance Addition - 31 Patio Home lots and two common area lots on six acres located on the south side of Bent Horn Drive, 250± feet west of Custer Road.

Although two of these sites are adjacent to nonresidential uses, they are not adjacent to automotive uses which would create detrimental impacts to residents such as a gas station, car wash or automobile repair. If the subject property is appropriate for a residential subdivision, staff believes that the applicant should use the base zoning district standards and comply with the standard SF-A area, yard and bulk requirements.

### **Open Space**

The SF-A district requires that any subdivision greater than 50 lots provide usable open space which equals or exceeds ten percent of the gross platted area due to the density of these subdivisions and the minimum amount of usable space within each lot. The applicant is able to reduce their open space requirement by one-third since the subject property is adjacent to a city hike and bike trail easement. Taking into consideration the one-third reduction, the applicant is required to provide 36,881 square feet of usable open space.

The applicant is requesting to be exempt from any usable open space requirement. The concept plan for Harvard Villas shows 13,050 square feet of usable open space provided. However, if the zoning request is approved, the applicant would not have to provide any usable open space, including the 13,050 currently shown. Additionally, the location of the proposed open space is in an area which is not easily accessible to all residents. Physical connections have been provided to streets to the north and west, but the layout and design of the open space is not well integrated into the development.

### **PD Amendments**

The applicant is requesting several modifications to the SF-A zoning district requirements including:

- Proposed Minimum Lot Area per Dwelling Unit - 2,125 square feet
  - *Current Requirement* - 2,250 square feet required.

Staff does not support the proposed lot area reduction/modification. The existing standards are sufficient for SF-A developments.

- Proposed Minimum Side Yard of Corner Lot - Ten feet
  - *Current Requirement* - Ten feet adjacent to the street, except as required in Section 3.600 (Side Yard Regulations):
    - 15 feet on corner lots where one street exposure is designated as a side yard.

- If residential lots are platted such that the side of one lot abuts the rear of another lot, the side building line adjacent to the street is platted at the same depth as the adjacent front building line.

Staff does not support the proposed reduction in the minimum side yard of a corner lot. The existing side yard regulation requirements are adopted standards for all residential lots. The purpose of this side yard setback is to enhance visibility and safety for public street operations and to create a consistent development pattern within the subdivision.

- Proposed exemption from minimum usable open space
  - *Current Requirement* - 36,881 square feet. The applicant is providing 13,050 square feet.

Staff does not support the proposed exemption request. The existing Usable Open Space regulations are necessary for SF-A developments. If the zoning request is approved, the applicant would not have to provide any open space.

- Proposed maximum distance of 900 feet from required visitor parking spaces to the dwelling units
  - *Current Requirement* - Visitor parking spaces shall be provided within 600 feet of each unit.

Staff does not support the increased distance request for visitor parking. Visitor parking is an important amenity for SF-A developments. The existing maximum distance is recommended as it is an established comfortable walking distance based upon existing development standards.

### **Private Street Development**

Lastly, the applicant is requesting to allow Private Street Development by SUP within the PD. This use is not currently allowed within the PD, nor is it permitted within any nonresidential zoning districts. The Subdivision Ordinance requires private street developments to have a mandatory property owners association which is responsible for the maintenance of private streets and appurtenances. Due to the isolated location of the subject property, the property owners association will have to maintain several long portions of linear street which do not serve residential lots, but are needed solely to provide access to the subdivision. The responsibility to maintain these streets could put an undue burden on future residents of the development.

If the Commission believes this is an appropriate location for residential zoning, a private street development may be appropriate if it is developed in conformance with the city's Subdivision Ordinance and adopted Private Street Guidelines. Zoning Case 2014-16 is the applicant's SUP request for Private Street Development and provides further information regarding the subject property's conformance to the city's private street regulations.

## SUMMARY

The applicant is requesting to amend PD-101-R/O-2 to allow SF-A as an additional permitted use with modified development standards and Private Street Development by SUP. The request is not in conformance with the Future Land Use Plan which recommends this property be developed as Medium Intensity Office (MIO). The request is not in conformance with the 2012 Interim Amendments to the Land Use Element of the Comprehensive Plan related to isolated residential development. The request is also not in conformance with several significant polices of the Comprehensive Plan when rezoning for single-family development, zoning district standards for an SF-A subdivision, or the requirements of the R zoning district for residential uses. Finally, the request is adjacent to several nonresidential uses which would create adverse living conditions if residential development is permitted.

For these reasons, staff believes residential uses are not appropriate use for the subject property. Therefore, staff recommends denial of the zoning request.

## RECOMMENDATION:

Recommended for denial.

However, if the Commission decides to recommend approval, the proposed PD language as requested by the applicant is as follows (additions are indicated in underlined text):

Restrictions:

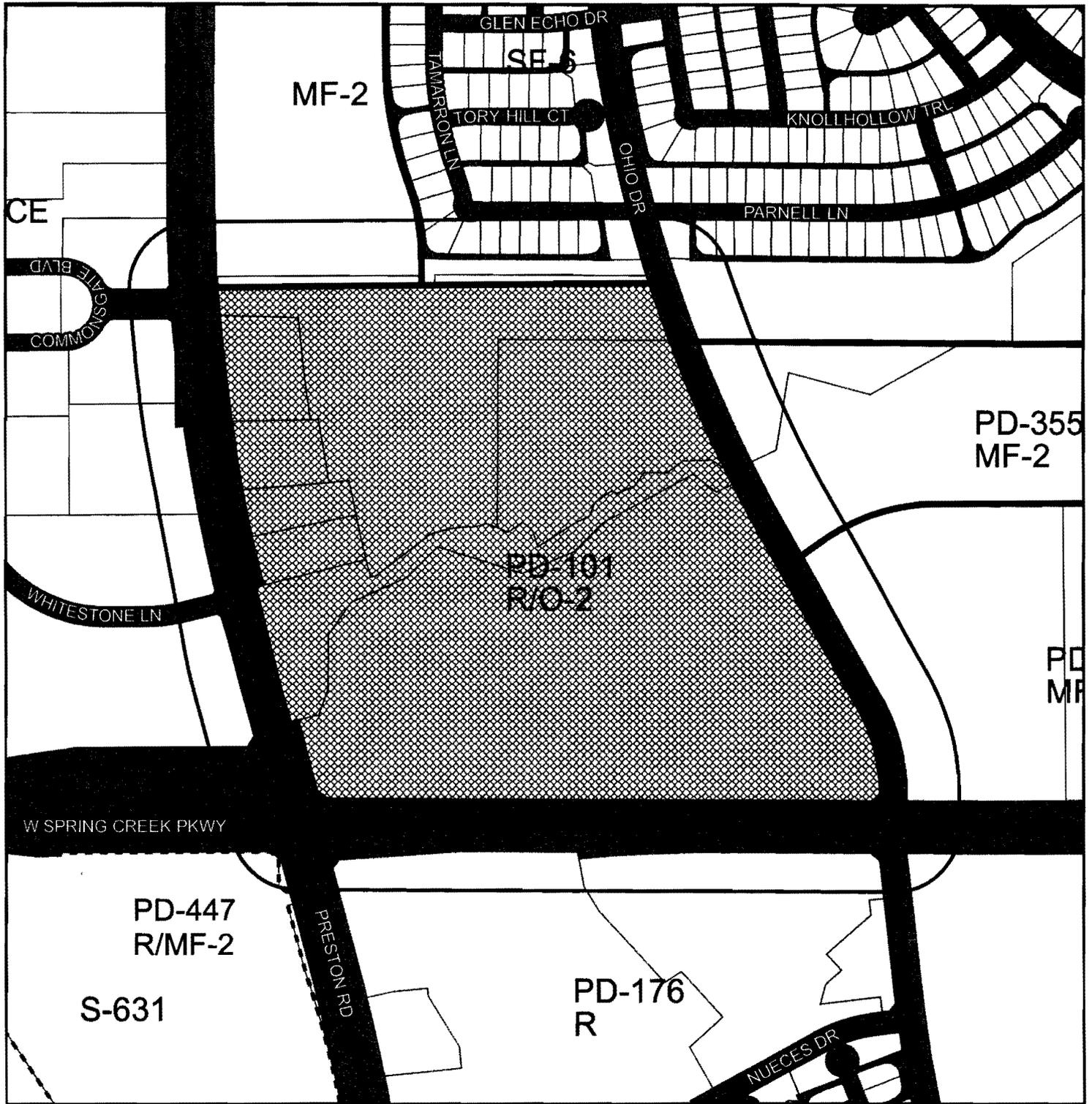
### General Standards

1. Retail uses shall not exceed 50,000 square feet of gross building area.
2. The maximum size of any single building for retail uses shall not exceed 15,000 square feet of gross building area.
3. Retirement housing, household care institution, and long-term care facility uses are additional allowed uses for the portion of the property south of the natural floodplain and watercourse.
4. Provision of a hike and bike trail easement along the northern property line. Adjacent to the Single-Family-6 property, the hike and bike trail easement shall be the full width of the TP&L easement within this property. Adjacent to the Multifamily Residence-3 property, the hike and bike trail easement shall be 30 feet in width and shall be in the northernmost portion of the TP&L easement within this property.
5. Single-Family Residence Attached is an additional permitted use.
6. Private Street Development is an additional permitted use by specific use permit only.

## Single-Family Residence Attached Standards

Single-Family Residence Attached development shall be in accordance with the Single-Family Residence Attached zoning district regulations with the following exceptions:

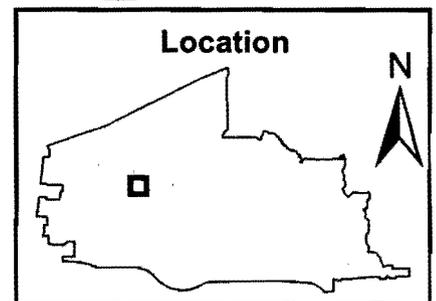
1. Minimum lot area per dwelling unit: 2,125 square feet
2. Minimum side yard of corner lot: 10 feet
3. Minimum usable open space: None
4. Parking requirements: One-fourth visitor parking shall be provided within 900 feet of each unit



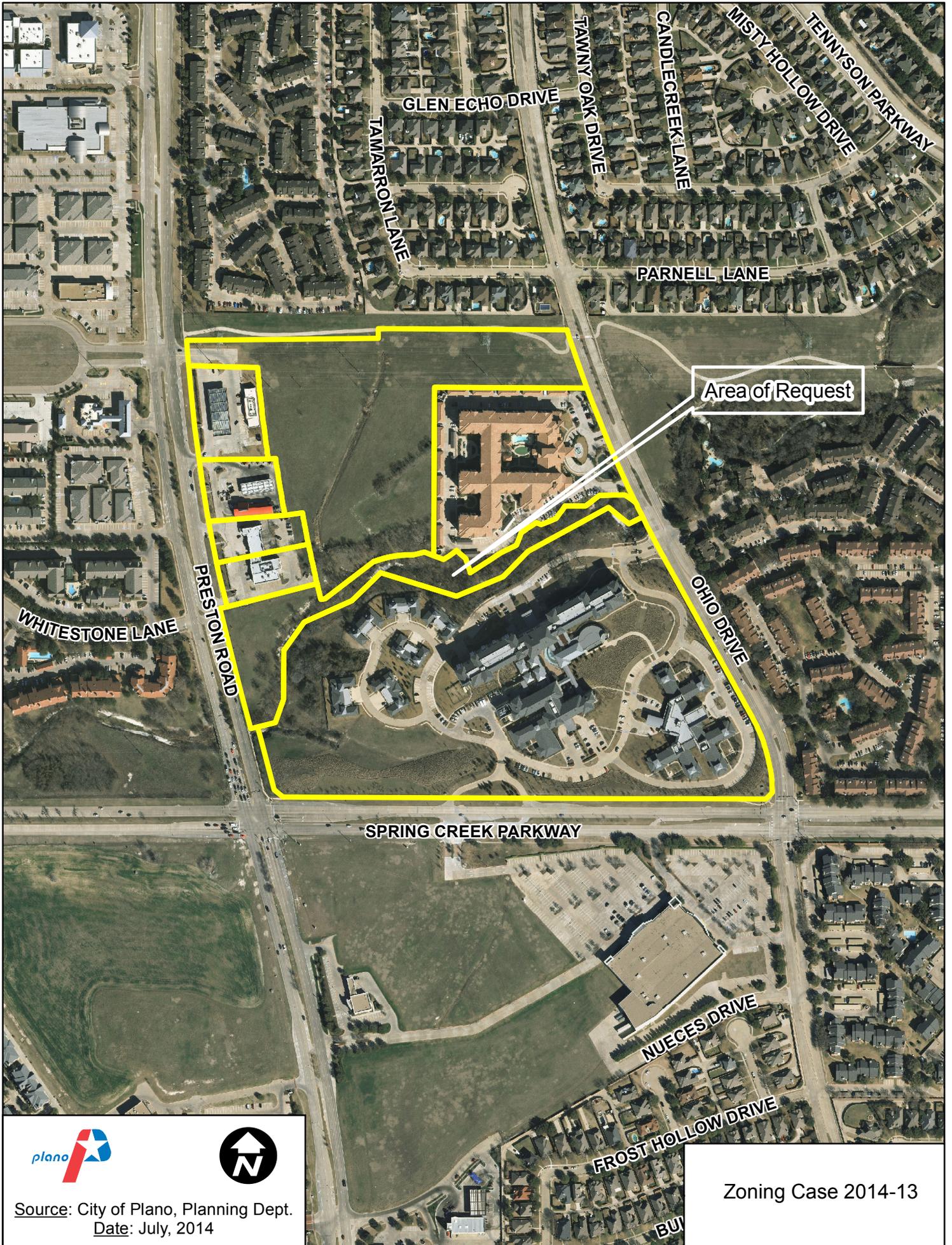
Zoning Case #: 2014-13

Existing Zoning: PLANNED DEVELOPMENT-101-  
RETAIL/GENERAL OFFICE/  
PRESTON ROAD OVERLAY DISTRICT

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



Source: City of Plano Planning Department

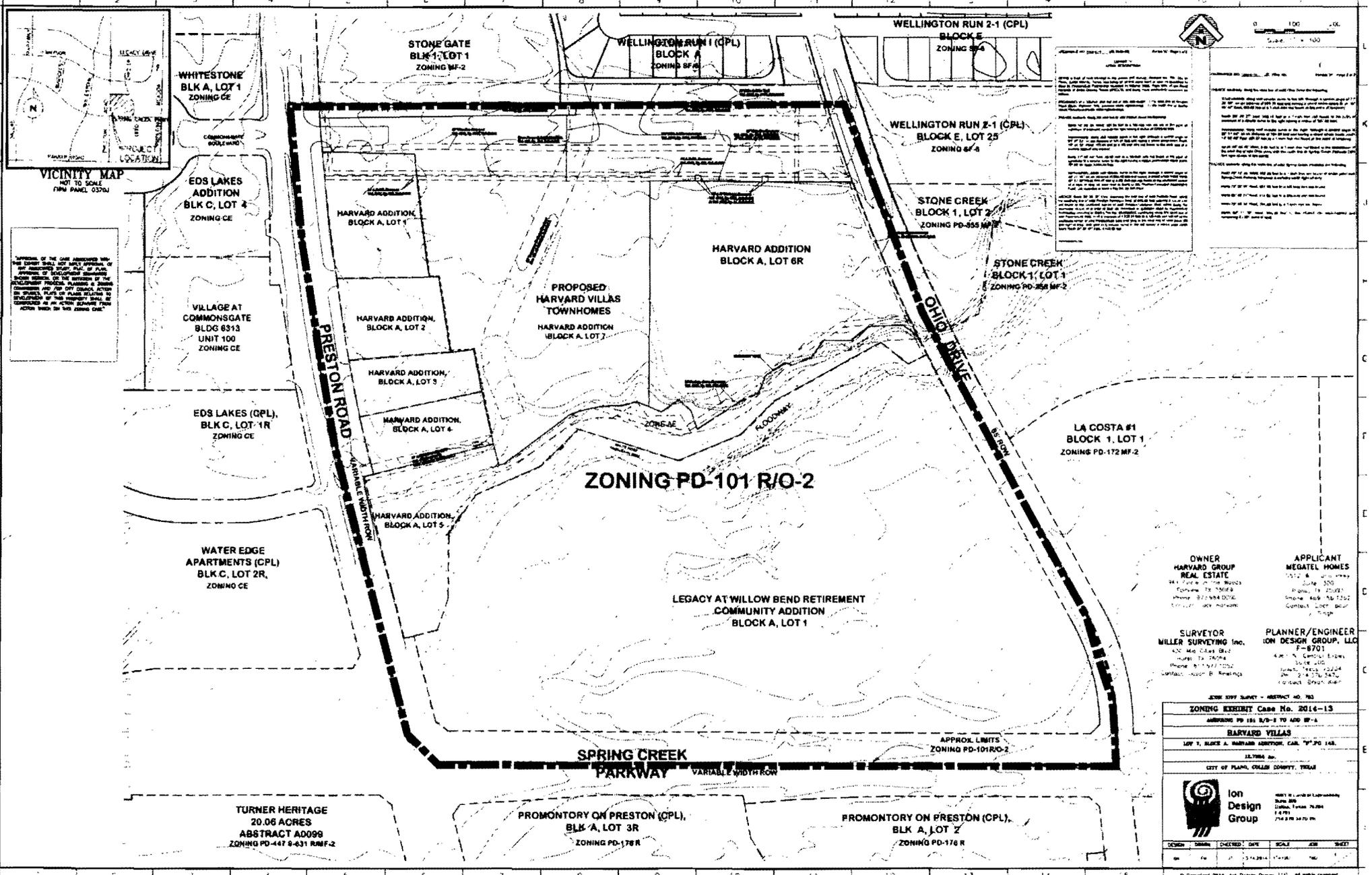


Area of Request



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

Zoning Case 2014-13



**VICINITY MAP**  
NOT TO SCALE  
TOWN PARK, 03201

PROPERTY OF THE CITY ENGINEER HAS THE DUTY TO SHOW AND MAKE REVISIONS OF PLANS, SPECIFICATIONS, AND CONTRACT DOCUMENTS, AND TO BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA RELYING ON THE ACCURACY OF THE INFORMATION AND DATA RELAYED TO THE ENGINEER BY THE CLIENT. THE ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA RELAYED TO THE ENGINEER BY THE CLIENT. THE ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA RELAYED TO THE ENGINEER BY THE CLIENT.

**WELLINGTON RUN 2-1 (CPL) BLOCK E ZONING SF-4**

**WELLINGTON RUN 2-1 (CPL) BLOCK E, LOT 25 ZONING SF-4**

**STONE CREEK BLOCK 1, LOT 2 ZONING PD-355 MF-2**

**STONE CREEK BLOCK 1, LOT 1 ZONING PD-355 MF-2**

**LA COSTA #1 BLOCK 1, LOT 1 ZONING PD-172 MF-2**

**LEGACY AT WILLOW BEND RETIREMENT COMMUNITY ADDITION BLOCK A, LOT 1**

**APPROX. LIMITS ZONING PD-101 R/O-2**

**OWNER**  
HARVARD GROUP REAL ESTATE  
2411 West Loop West  
Suite 500  
Dallas, TX 75240  
Phone: 214.944.0200  
Contact: Jason B. Krawinkel

**APPLICANT**  
MEGATEL HOMES  
1515 E. Loop West  
Suite 500  
Dallas, TX 75240  
Phone: 972.450.1100  
Contact: Jason B. Krawinkel

**SURVEYOR**  
MILLER SURVEYING Inc.  
450 West 11th Street  
Suite 200  
Dallas, TX 75204  
Phone: 214.777.1050  
Contact: Jason B. Krawinkel

**PLANNER/ENGINEER**  
ION DESIGN GROUP, LLC  
F-8701  
4301 N. Central Expressway  
Suite 400  
Dallas, Texas 75244  
Phone: 214.370.5470  
Contact: Jason B. Krawinkel

ZONING SURVEY - ABSTRACT NO. 763

**ZONING EXEMPT Case No. 2016-13**

AMENDING PD 181 R/O-2 TO ADD PD-4

**HARVARD VILLAS**

LOT 1, BLOCK A, HARVARD ADDITION, CAR. TR. PD 148.

JULY 28, 2016

CITY OF PLANO, COLLIN COUNTY, TEXAS

**ION Design Group**

4001 N. Central Expressway  
Suite 400  
Dallas, Texas 75244  
F-8701  
214.370.5470

DATE	REVISION	CHECKED	DATE	SCALE	JOB	SHEET
07/16/16	1	JL	07/16/16	1"=40'	160	160