



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:		August 24, 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 2015-11 - Request to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center to Planned Development-Research/Technology Center in order to allow Office-Showroom/Warehouse with modified development standards. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District. Applicant: Industrial Developments International, LLC (IDI Gazeley). Tabled June 22, 2015 and July 27, 2015.				
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 immediate financial impact. STRATEGIC PLAN GOAL: Hearing an appeal of a Planning & Zoning Commission decision relates to the City's goal of a Financially Strong City with Service Excellence.				
SUMMARY OF ITEM				
At its May 18, 2015 meeting, the Planning & Zoning Commission denied this request by a vote of 6-1. The applicant has appealed the Commission's denial. A super majority, 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. The City Council tabled this item at the June 22, 2015 and July 27, 2015 meetings.				
List of Supporting Documents: Letter of Appeal from Applicant First 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		

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www.brookfieldlogisticsproperties.com

IDI Gazeley
Brookfield Logistics Properties

RECEIVED

MAY 26 2015

PLANNING DEPT.

May 26, 2015

Erica Marohnic, ACIP
Senior Planner
City of Plano
1520 Avenue K – 2nd Floor
Suite 250
Plano, Texas 75074

RE: P&Z Zoning Petition and Concept Plan decision

Erica,

By way of this letter, IDI Gazeley does hereby appeal both the P&Z's decision regarding our Zoning Petition as well as P&Z's decision regarding our concept plan. Please place our case on the immediate upcoming City Council meeting agenda.

Enclosed is \$110 fee plus the \$5 fee per property owner notice for the 15 property owners that were notified.

Please let us know what further steps, if any, that we need to make to appeal both decisions made by P&Z.

Thank you for your time and consideration.



Doug Johnson

IDI | SVP and Regional Managing Director

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DIRECT 972.560.7001 FAX 972.560.7007
5420 LBJ Freeway, Suite 1275 Dallas, TX 75240

Latest news at www.idi.com

RECOMMENDATION OF THE PLANNING & ZONING COMMISSION

ZONING CASE 2015-11 AND CONCEPT PLAN

MAY 18, 2015

FIRST VICE CHAIRMAN'S REPORT

Agenda Item No. 9A – Public Hearing

Zoning Case 2015-11 – Request to rezone 14.5 acres located on the south side of Plano Parkway, 1,950 +- feet west of Shiloh Road, from Research/Technology Center to Planned Development-Research/Technology Center in order to allow Office-Showroom/Warehouse with modified development standards.

Applicant: Industrial Developments International, LLC (IDI Gazeley)

Staff Recommendation: Staff recommended denial of the zoning change.

Commission Action: After hearing from the Applicant and one speaker for the request and two speakers against the request, some discussion was held by the commission prior to a motion to deny the requested zoning change being made by First Vice Chair Barbera and seconded by Second Vice Chair Hilburn. The motion was approved with a vote of 6-1. Commissioner O'Hanlon voted against the motion.

Comments made in support of the motion to deny included:

- The RT district should be preserved to continue to bring high paying, well educated jobs to East Plano.

Additional Comments: On a motion made by Second Vice Chair Hilburn and seconded by First Vice Chair Barbera, the Concept plan associated with Zoning Case 2015-11 was denied as well, by a 5-2 vote. Chairman Bender and Commissioner O'Hanlon voted against the motion.

Respectfully Submitted,



M. Nathan Barbera
First Vice Chair
City of Plano Planning & Zoning Commission

DATE: May 19, 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 May 18, 2015

**AGENDA ITEM NO. 9A - PUBLIC HEARING
ZONING CASE 2015-11
APPLICANT: INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC (IDI
GAZELEY)**

Request to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road **from** Research/Technology Center **to** Planned Development-Research/Technology Center in order to allow Office-Showroom/Warehouse with modified development standards. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District.

APPROVED: _____ **DENIED:** 6-1 **TABLED:** _____

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

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

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

STIPULATIONS:

Denied. The commissioner voting in opposition to the motion did not state a reason for his opposition.

EMks

xc: David Seaman, Industrial Developments International, LLC
Edward W. Eckart, Goodwin and Marshall, Inc.

<https://www.google.com/maps/@33.0057683,-96.672131,18z/data=!3m1!1e3>

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2015

Agenda Item No. 9A

Public Hearing: Zoning Case 2015-11

Applicant: Industrial Developments International, LLC (IDI Gazeley)

DESCRIPTION:

Request to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road **from** Research/Technology Center **to** Planned Development-Research/Technology Center in order to allow Office-Showroom/Warehouse with modified development standards. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District.

HISTORY:

A recent rezoning request from Research/Technology Center to Planned Development-Research/Technology Center for the subject property was considered by the Planning & Zoning Commission on January 20, 2015. The request included stipulations for additional square footage specific to the office/showroom-warehouse use, additional loading spaces or berths, no screening of loading or trash collection areas from adjacent properties, and an increased building height. The Commission voted to deny the request, (8-0). The applicant subsequently appealed the Commission's denial to the City Council. City Council considered the appeal on March 17, 2015 and failed to garner a supermajority, thus both motions to approve and deny failed, (4-4).

REMARKS:

The applicant is requesting to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center to Planned Development-Research/Technology Center. The Research/Technology Center (RT) zoning district is intended to create a low density, employment center consisting of office, research and development facilities, and limited assembly options. RT districts should generally accommodate several users in a campus environment.

The subject property is currently undeveloped. The requested zoning is Planned Development-Research/Technology Center to allow for Office-Showroom/Warehouse 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 appropriate to both off- and onsite conditions.

Office-Showroom/Warehouse is defined as an establishment that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted.

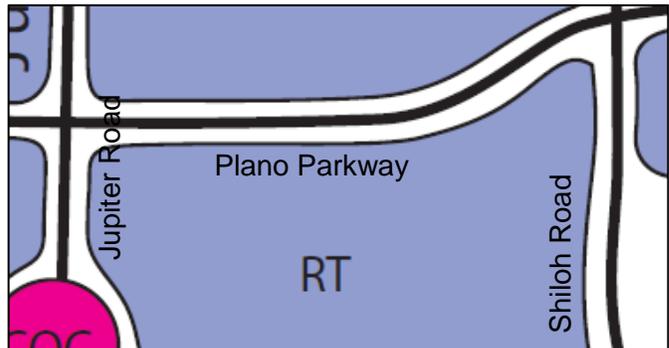
A concept plan, Central Plano Industrial Park Phase 3, Block 24, Lot 1R, accompanies this rezoning request as Agenda Item 9B.

Surrounding Land Use and Zoning

The property to the north, across Plano Parkway, is zoned RT and is developed as general office. To the east, is light-intensity manufacturing zoned RT. To the south is vacant property zoned RT and a multifamily residential development zoned Planned Development-207-Retail (PD-207-R). To the west, is a general office building zoned RT.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Research/Technology Center (RT). The RT area provides for low-density office, research and development facilities, and limited assembly operations. This area is intended to accommodate multiple users in a campus environment. Warehousing is planned to serve a supporting role in the RT area. Warehousing should generally be an accessory use to limited assembly operation and office/showroom facilities.



Due to the limitations on warehouse uses, this request is not in conformance with the future land use plan.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject property.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request.

Public Safety Response Time - Based upon existing personnel, equipment, and facilities, fire emergency response times will be sufficient to serve the site.

Proposed Planned Development Stipulations:

The requested zoning is Planned Development-Research/Technology Center. There are 2 primary parts to this request: land use and building design standards.

Land Use - The applicant is proposing to retain RT as the base zoning district with the additional use of office-showroom/warehouse at a scale not permitted by-right.

Design Standards - The requested design standards are intended to add flexibility for design of the building.

Restrictions:

The permitted uses and standards shall be in accordance with the Research/Technology Center (RT) zoning district unless otherwise specified herein.

Office-Showroom/Warehouse is a permitted use subject to the following standards:

1. Maximum Loading Spaces or Berths: 15
2. An office-showroom/warehouse use is permitted only when the first floor of the building housing said uses does not exceed 150,000 square feet of gross floor area.

ISSUES:

Background

The RT district was established in 1998. The intent of the district is to create a low density employment center, which focuses on office and research uses and limits assembly and warehouse operations. The district has been amended several times since its inception, most recently in 2011. At that time, staff reviewed the ordinance language in order to identify if any regulations were overly burdensome and limited future development opportunities. As a part of this review, staff had discussions with the Commission, Council, and stakeholders within the district. Through these discussions, staff determined that the existing limitations on dock doors, gross floor area for office-showroom/warehouse uses and other regulations were critical to the intent and character of the RT district and should not be changed.

Requested Stipulations

The applicant is requesting 2 modifications to the RT district language:

1. Increasing the maximum loading spaces from 12 to 15, and
2. Increasing the building size for office-showroom/warehouse uses from 100,000 square feet to 150,000 square feet.

The purpose of a PD is to, “promote innovative design and better development controls.” The applicant has not provided a compelling rationale for the requested modifications that justify the use of a PD. The requested stipulations are intended to gain flexibility for future development. The RT district is specific in its intent to limit warehouse operations and loading spaces. The subject property is large, and can physically accommodate development which complies with the existing RT regulations. Staff believes that the existing restrictions are necessary in order to promote uses and standards consistent with the Comprehensive Plan designation of RT and development that has occurred previously in the district.

Furthermore, the requested stipulations are not consistent with the direction received in 2011 from the Commission and Council regarding the intent of development within the RT district. If the existing regulations are overly burdensome, staff recommends the Commission perform a review the RT regulations, and if necessary, call a public hearing in order to make changes to the district that would benefit all properties.

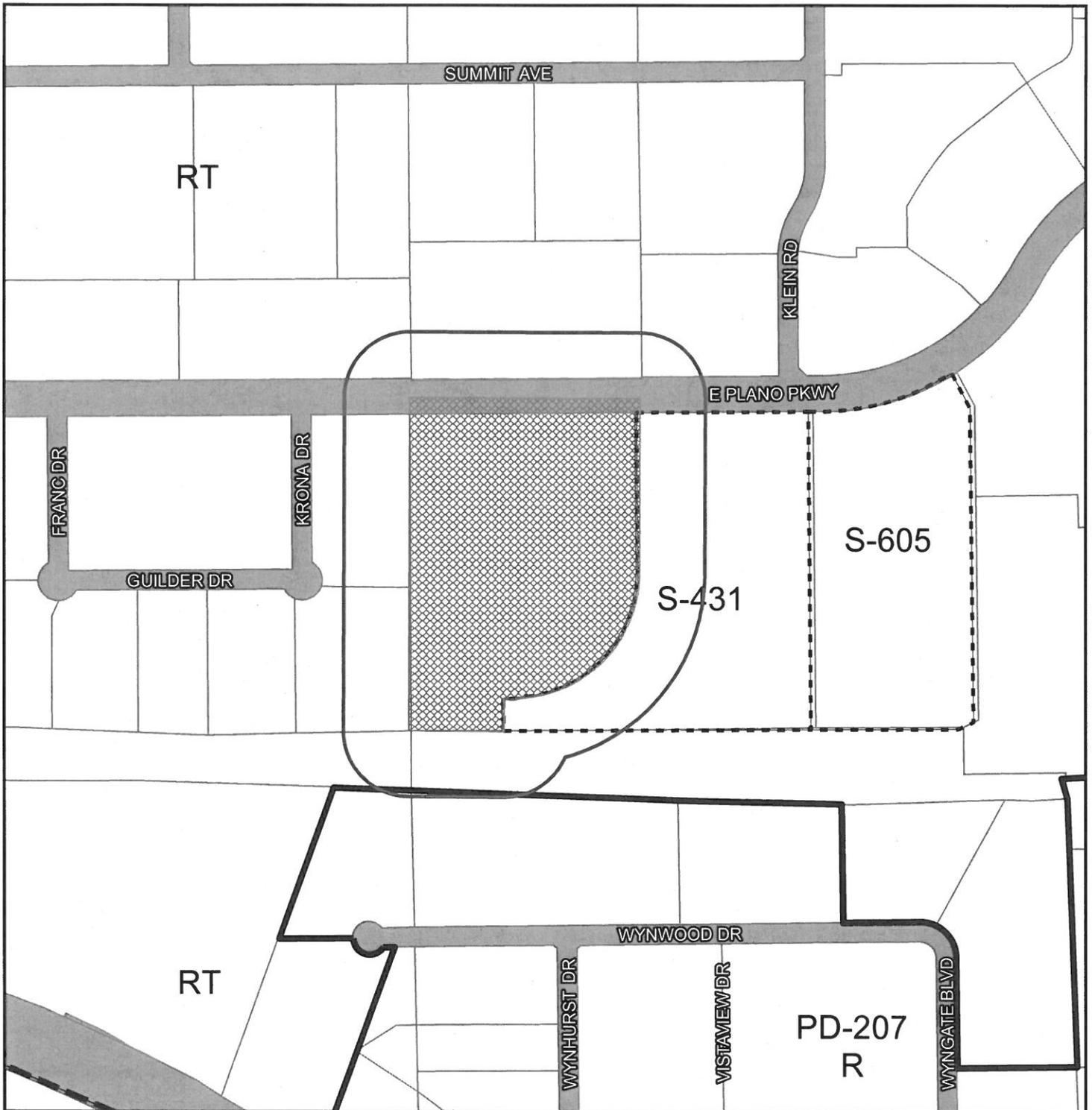
Lastly, the city has other zoning districts which provide greater flexibility for office-showroom/warehouse uses, without the specific restrictions on height, screening or loading areas that are present in RT including Light Commercial (LC), Commercial Employment (CE), Central Business-1 (CB-1), Light Industrial-1 (LI-1), Light Industrial-2 (LI-2), Regional Employment (RE), Regional Commercial (RC) and Corridor Commercial (CC).

SUMMARY:

The applicant is requesting to rezone 14.5± acres located on the south side of Plano Parkway, 1,950± feet west of Shiloh Road from Research/Technology Center to Planned Development-Research/Technology Center to allow office-showroom/warehouse as a permitted use with modified development standards. The requested modifications are not consistent with the RT designation as defined by the Comprehensive Plan. The proposed stipulations are also not consistent with direction from the Commission and Council regarding the intent of the district. Furthermore, the site is large enough to provide for development flexibility which would comply with the existing regulations. For these reasons, staff recommends denial of the zoning request.

RECOMMENDATION:

Recommend for denial.

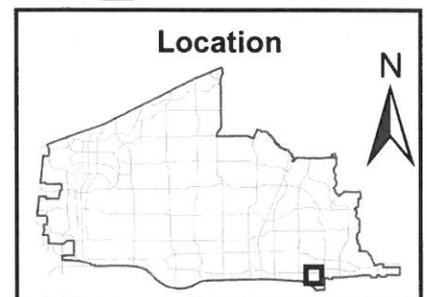


Zoning Case #: 2015-11

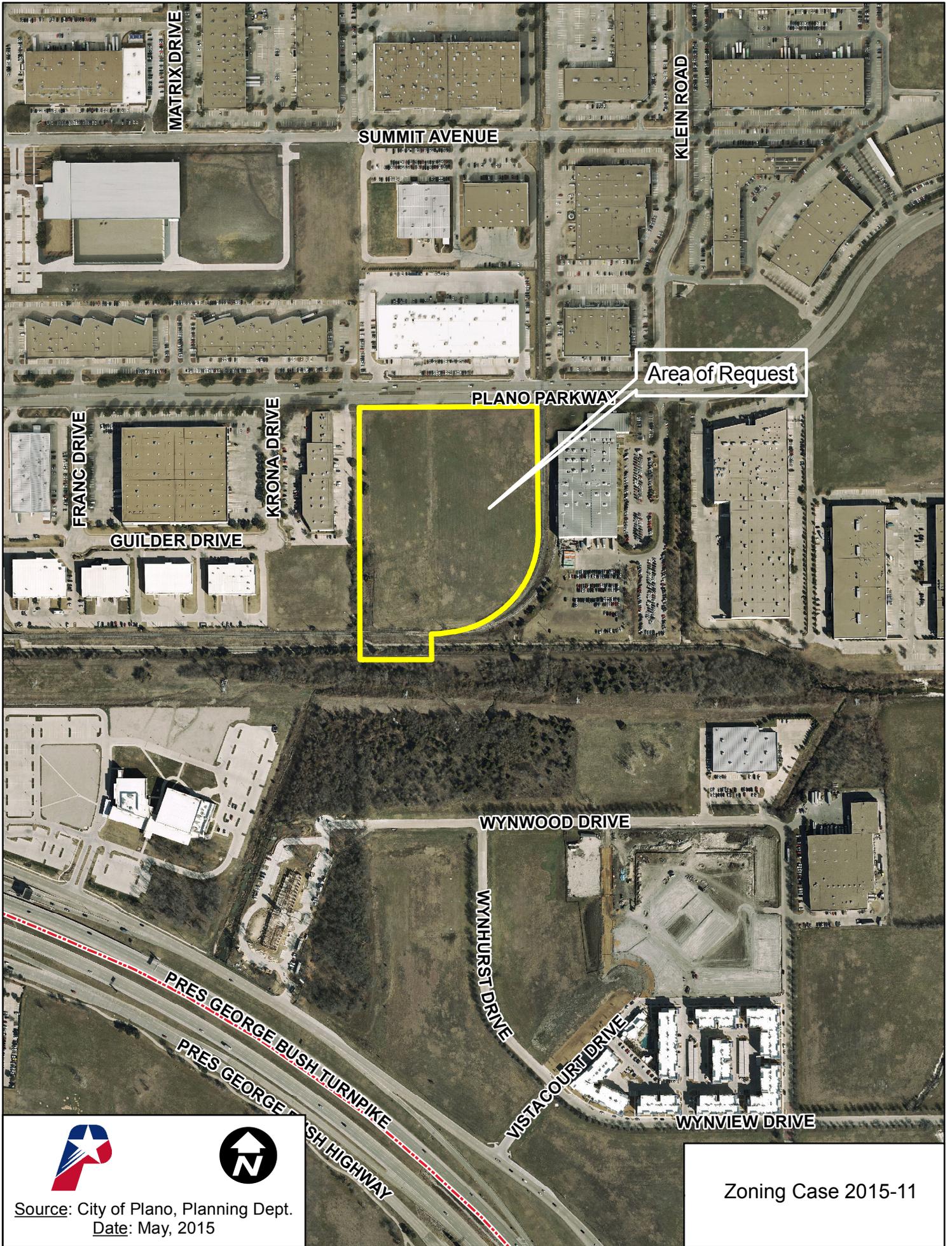
Existing Zoning: Research/Technology Center (RT)/190 Tollway/Plano Parkway Overlay District

Proposed Zoning: Planned Development-Research/Technology Center (PD-RT) to allow office - showroom/warehouse with modified development standards

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



Source: City of Plano Planning Department



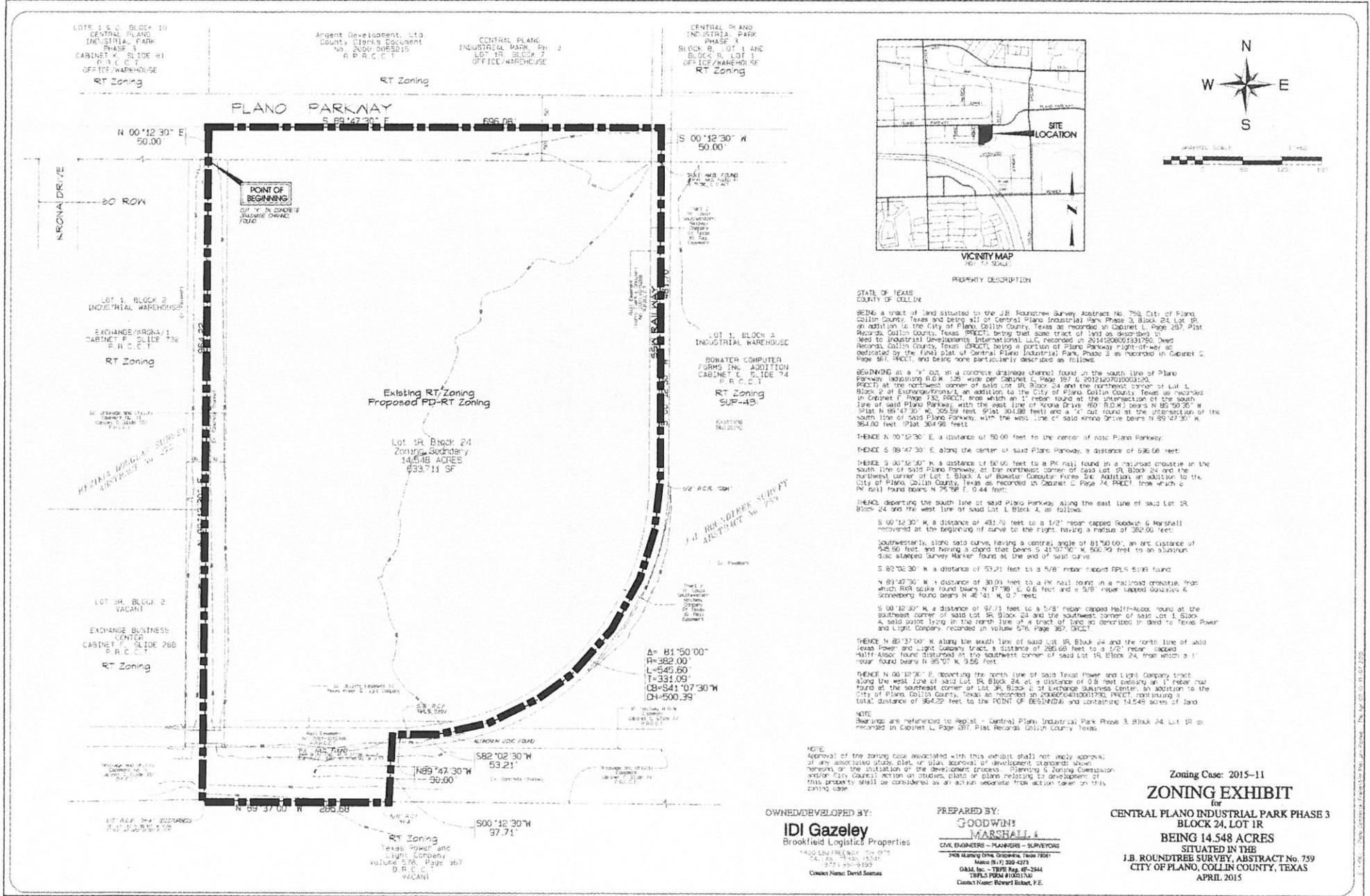
Area of Request

Dees 5/13/2015 X:\Dept\P&Z Locators & Graphics\22015-11A.mxd



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

Zoning Case 2015-11



PROPERTY DESCRIPTION

STATE OF TEXAS
COUNTY OF COLLIN

BEING a tract of land situated in the J.B. Roundtree Survey Abstract No. 758, City of Plano, Collin County, Texas and being all of Central Plano Industrial Park Phase 3, Block 24, Lot 1R, in addition to the City of Plano, Collin County, Texas as recorded in Cabinet L, Page 287, Plat Records, Collin County, Texas, PRECINCT, being that same tract of land as described to be added to Industrial Developments International, L.L.C. recorded in 2014120800131750, Deed Records, Collin County, Texas, PRECINCT, being a portion of Plano Parkway right-of-way as dedicated by the final plat of Central Plano Industrial Park, Phase 3 as recorded in Cabinet C, Page 587, PRECINCT, and being more particularly described as follows:

BEGINNING at a 1" x 1" out in a concrete drainage channel found in the south line of Plano Parkway, beginning at 0.25' wide per Cabinet L, Page 187 & 2012120700003120, PRECINCT at the northwest corner of said Lot 1R, Block 24 and the northeast corner of Lot 1, Block 2 of Esplanade/Plano, in addition to the City of Plano, Collin County, Texas as recorded in Cabinet L, Page 185, PRECINCT, from which an 1" iron nail found at the intersection of the south line of said Plano Parkway, with the east line of Krava Drive 460' R.D.M. bears N 85° 50' 35" W 514.1' to 47' 30" W, 305.58 feet; from 305.58 feet an 1" x 1" out found at the intersection of the south line of said Plano Parkway, with the west line of said Arroyo Drive bears N 89° 27' 30" W, 354.00 feet; from 354.00 feet

THENCE N 90° 12' 30" E, a distance of 50.00 feet to the center of said Plano Parkway;

THENCE S 89° 47' 30" E, along the center of said Plano Parkway, a distance of 696.68 feet;

THENCE S 90° 12' 30" W, a distance of 50.00 feet to a PK nail found in a railroad crossing in the south line of said Plano Parkway, at the northeast corner of said Lot 1R, Block 24 and the northeast corner of Lot 1, Block A of Boulder Country from the Addition of addition to the City of Plano, Collin County, Texas as recorded in Cabinet C, Page 74, PRECINCT from which a PK nail found bears N 75° 58' E, 0.44 feet;

THENCE, departing the south line of said Plano Parkway, along the east line of said Lot 1R, Block 24 and the west line of said Lot 1, Block A, as follows:

S 60° 12' 30" W, a distance of 481.70 feet to a 1/2" rebar capped Rockin & Marshall recovered at the beginning of curve to the right, having a radius of 352.00 feet;

Southwesterly, along said curve, having a central angle of 81° 50' 00", an arc distance of 345.50 feet, and having a chord that bears S 41° 07' 50" W, 500.99 feet to an aluminum disc stamped Survey Marker found at the end of said curve;

S 82° 02' 30" W, a distance of 53.21 feet to a 5/8" rebar capped PLS 5188 found;

N 89° 47' 30" W, a distance of 30.03 feet to a PK nail found in a railroad crossing, from which R.R. spike found bears N 47° 30' E, 0.6 feet and a 5/8" rebar capped Gatzert & Schreyberg found bears N 46° 41' W, 0.7 feet;

S 60° 12' 30" W, a distance of 97.71 feet to a 5/8" rebar capped Half-Alice found at the southeast corner of said Lot 1R, Block 24 and the southwest corner of said Lot 1, Block A, said point being in the north line of a tract of land as described in deed to Texas Power and Light Company recorded in Volume 578, Page 367, PRECINCT;

THENCE N 80° 37' 00" W, along the south line of said Lot 1R, Block 24 and the north line of said Texas Power and Light Company tract, a distance of 285.68 feet to a 1/2" rebar capped Half-Alice found situated in the southwest corner of said Lot 1R, Block 24, from which a 1" rebar found bears N 95° 07' W, 9.26 feet;

THENCE N 00° 12' 30" E, departing the north line of said Texas Power and Light Company tract along the west line of said Lot 1R, Block 24, at a distance of 0.8 feet passing an 1" rebar nail found at the southeast corner of Lot 1R, Block 2 of Lechmere Business Center, an addition to the City of Plano, Collin County, Texas as recorded in 20060704010001790, PRECINCT, maintaining a total distance of 364.22 feet to the POINT OF BEGINNING and containing 14,548 acres of land.

NOTE: Bearings are referenced to Repal - Central Plano Industrial Park Phase 3, Block 24, Lot 1R as recorded in Cabinet L, Page 387, Plat Records, Collin County, Texas.

NOTE: Approval of the zoning case described with this exhibit shall not imply approval of any associated study, plat, or plan, approval of developer's proposed plans, or the initiation of the development process. Planning & Zoning Commission action on this case shall be considered as an action separate from action taken on this zoning case.

Zoning Case: 2015-11
ZONING EXHIBIT
 for
CENTRAL PLANO INDUSTRIAL PARK PHASE 3
BLOCK 24, LOT 1R
BEING 14.548 ACRES
 SITUATED IN THE
J.B. ROUNDTREE SURVEY, ABSTRACT NO. 759
CITY OF PLANO, COLLIN COUNTY, TEXAS
 APRIL 2015

OWNED/DEVELOPED BY:
IDI Gazeley
 Brookfield Logistics Properties
 1401 LEWIS STREET, SUITE 101
 DALLAS, TEXAS 75244
 (972) 493-9399
 Contact Name: David Seaman

PREPARED BY:
GOODWIN & MARSHALL
 CIVIL ENGINEERS - PLANNERS - SURVEYORS
 3105 WILSON DRIVE, SUITE 1000
 DALLAS, TEXAS 75244
 (972) 493-9399
 Contact Name: Edward Ribick, P.E.

