

DATE: August 20, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of August 19, 2013

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2013-14
APPLICANT: ONCOR ELECTRIC DELIVERY COMPANY**

Request for a Specific Use Permit for Electrical Substation on 3.1± acres located on the west side of Shiloh Road, 1,200± feet south of 14th Street. Zoned Research/Technology Center.

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

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

STIPULATIONS:

Recommended for approval as submitted.

FOR CITY COUNCIL MEETING OF: September 9, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

RA/dc

xc: Wendell South, ONCOR Electric Delivery Company
Brian Satagaj, Half Associates
Cliff Bormann, Permit Services Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

August 19, 2013

Agenda Item No. 7A

Public Hearing: Zoning Case 2013-14

Applicant: Oncor Electric Delivery Company

DESCRIPTION:

Request for a Specific Use Permit for Electrical Substation on 3.1± acres located on the west side of Shiloh Road, 1,200± feet south of 14th Street. Zoned Research/Technology Center.

REMARKS:

The requested zoning is a Specific Use Permit (SUP) for an electrical substation. A preliminary site plan accompanies this request (Agenda Item 7B). The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established. The property is currently zoned Research/Technology (RT). The RT district is intended to create a low density, employment center consisting of office, research and development facilities, and limited assembly operations. RT districts should generally accommodate several users in a campus environment. Electrical substations require approval of an SUP within the Research/Technology zoning district.

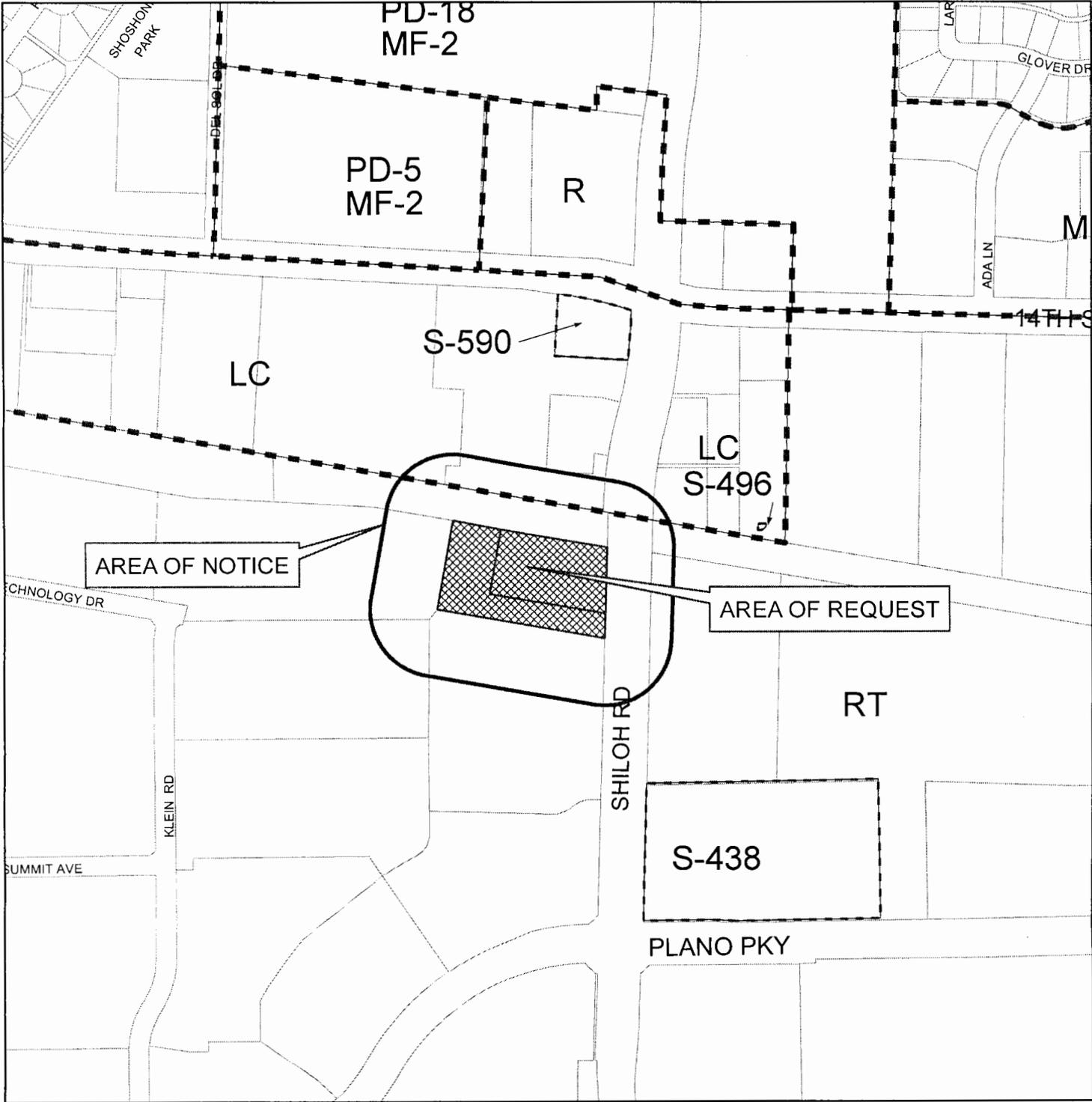
The applicant is proposing to expand the site and replace the equipment at the existing electrical substation. Per the applicant, the proposed replacement and expansion of equipment is needed in order to accommodate the existing and anticipated development growth that has occurred in the vicinity of the substation. The substation was constructed circa 1973 at which time the property was zoned Light Industrial 1 (LI-1), and the electrical substation was a permitted use by right.

The substation is considered a nonconforming use; therefore, the applicant is seeking approval of the SUP because a structure occupied by a nonconforming use may only be rebuilt if it conforms to the provisions of the existing ordinance. Additionally, the applicant is proposing to expand the electrical substation beyond its existing lot boundaries.

The electrical substation will consist of equipment of varying heights, the tallest of which is approximately 58± feet. As depicted on the companion preliminary site plan, the applicant is proposing to screen the site with an eight-foot tall masonry screening wall around the entire perimeter, and an irrigated five-foot wide landscape screen along the outside of the south, west, and north screening walls. The irrigated five-foot wide landscape screening is not a requirement of the City of Plano's Zoning Ordinance; however, the applicant is proposing the additional landscaping to enhance the visual appearance of the site similar to other existing electrical substations within the city.

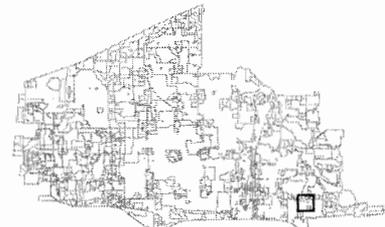
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2013-14

Existing Zoning: RESEARCH/TECHNOLOGY CENTER



○ 200' Notification Buffer





14TH STREET

Area of Request

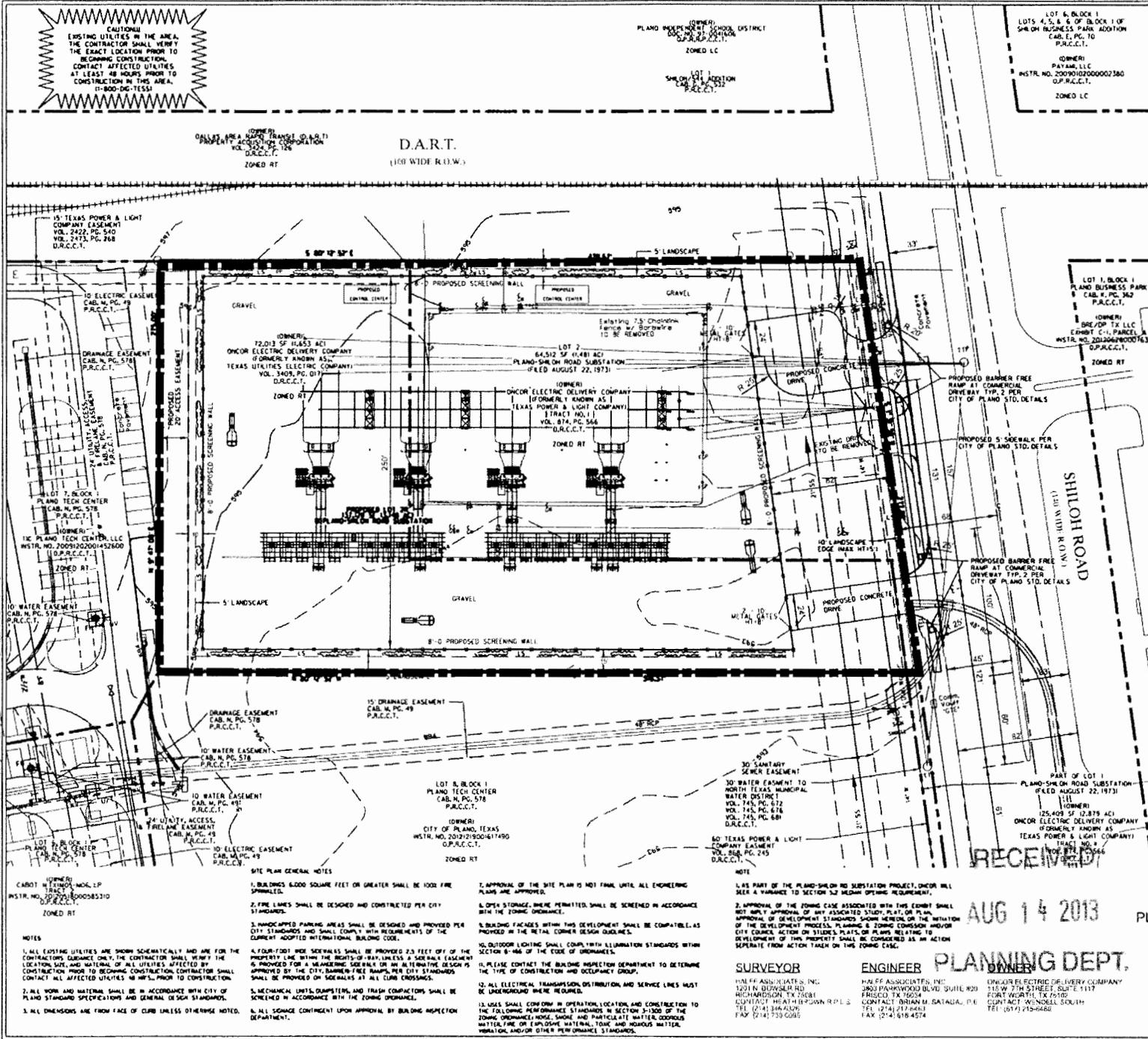
SHILOH ROAD

PLANO PARKWAY



Source: City of Plano, Planning Dept.
Date: August, 2013

Zoning Case 2013-14



LEGEND

GRAVEL	GRAVEL TO CONSIST OF 2" OF ROCK WITH NO FINES, 6" COMPACTED CRUSHED ROCK FLEX BASE, 4" W/ 3/8" MAXIMUM SCREENED AND RE-COMPACTED SUBGRADE 195K STD. PROCTOR
CONCRETE DRIVE WITHIN R.O.W.	10" CONCRETE 5000 PSI W/ #3 BARS 2' O.C.E.M.
CONCRETE DRIVE	8" THICK 4000 PSI PRESTRESSED CONCRETE PAVEMENT W/ #4 BARS 18" O.C.E.M. OVER 6" MINIMUM SCREENED AND RE-COMPACTED SUBGRADE 195K STD. PROCTOR
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING WATER LINE
---	STORM SEWER
---	SANITARY SEWER
⊙	POWER POLE
⊙	SANITARY SEWER MANHOLE
⊙	WATER VALVE
⊙	FIRE HYDRANT
⊙	WATER METER
---	LANDSCAPE

Site Data Summary Table

Site	2013-13
Owner	ONCOR ELECTRIC DELIVERY COMPANY
Project Name	PLANO - SHILOH ROAD SUBSTATION
Address	125,409 SF (2,879 AC) TRACT NO. 4
City	PLANO, TEXAS
County	COLLIN COUNTY
State	TEXAS
Parcel No.	2013-13
Map No.	2013-13
Scale	1" = 100'
Date	08/14/2013
Drawn By	CS
Checked By	BM
Scale	AS NOTED
Drawn	1W

ONCOR ELECTRIC DELIVERY COMPANY
PLANO - SHILOH ROAD SUBSTATION
CITY OF PLANO, TEXAS



ZONING CASE 2013-14

ZONING EXHIBIT

PLANO - SHILOH ROAD SUBSTATION

BLOCK 1, LOT 2R

A 3.148 ACRE TRACT

125,409 SF (2,879 AC)
ONCOR ELECTRIC DELIVERY COMPANY
(FORMERLY KNOWN AS TEXAS POWER & LIGHT COMPANY)
TRACT NO. 4

125,409 SF (2,879 AC)
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125,409 SF (2,879 AC)
ONCOR ELECTRIC DELIVERY COMPANY
(FORMERLY KNOWN AS TEXAS POWER & LIGHT COMPANY)
TRACT NO. 4

AUG 14 2013

SURVEYOR
HALFF ASSOCIATES, INC.
1201 N. DUTCHMAN RD.
RICHARDSON, TX 75081
CONTACT: BRIAN H. SATAGAL, P.E.
TEL: (972) 384-6200
FAX: (972) 733-6295

ENGINEER
HALFF ASSOCIATES, INC.
1201 N. DUTCHMAN RD., SUITE 800
RICHARDSON, TX 75081
CONTACT: BRIAN H. SATAGAL, P.E.
TEL: (972) 384-6200
FAX: (972) 733-6295

DRAWN BY
ONCOR ELECTRIC DELIVERY COMPANY
315 W. 7TH STREET, SUITE 1117
FORT WORTH, TX 76102
CONTACT: WENDALL SOUTH
TEL: (817) 251-8666



ZONING EXHIBIT
EX 1.01

Zoning Case 2013-14

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, granting Specific Use Permit No. 639 so as to allow the additional use of Electrical Substation on 3.1± acres of land out of the Dan Yeamans Survey, Abstract No. 1043, located on the west side of Shiloh Road, 1,200± feet south of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

WHEREAS, the City Secretary of Plano, Texas, directed that notices of a hearing be issued, as required by the Zoning Ordinance of the City of Plano and laws of the State of Texas, at a meeting of the City Council, to be held on the 9th day of September, 2013, for the purpose of considering granting Specific Use Permit No. 639 for the additional use of Electrical Substation on 3.1± acres of land out of the Dan Yeamans Survey, Abstract No. 1043, located on the west side of Shiloh Road, 1,200± feet south of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center; and

WHEREAS, the City Secretary of the said City accordingly caused to be issued and published the notices required by its Zoning Ordinance and laws of the State of Texas applicable thereto, the same having been published in a paper of general circulation in the City of Plano, Texas, at least fifteen (15) days prior to the time set for such hearing; and

WHEREAS, the City Council of said City, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the aforesaid change in the Zoning Ordinance, on the 9th day of September, 2013; and

WHEREAS, the City Council is of the opinion and finds that the granting of Specific Use Permit No. 639 for the additional use of Electrical Substation on 3.1± acres of land out of the Dan Yeamans Survey, Abstract No. 1043, located on the west side of Shiloh Road, 1,200± feet south of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center, would not be detrimental or injurious to the public health, safety and general welfare, or otherwise offensive to the neighborhood; and

WHEREAS, the City Council is of the opinion and finds that such change will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Plano, and as well, the owners and occupants thereof, and the City generally.

IT IS, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Comprehensive Zoning Ordinance No. 2006-4-24, as the same has been heretofore amended, is hereby further amended so as to grant Specific Use Permit No. 639 for the additional use of Electrical Substation on 3.1± acres of land out of the Dan Yeamans Survey, Abstract No. 1043, located on the west side of Shiloh Road, 1,200± feet south of 14th Street, in the City of Plano, Collin County, Texas, presently zoned Research/Technology Center, said property being more fully described on the legal description in Exhibit "A" attached hereto.

Section II. It is directed that the official zoning map of the City of Plano (which is retained in electronic record format) be changed to reflect the zoning classification established by this Ordinance.

Section III. All provisions of the ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section IV. The repeal of any ordinance or part of ordinances affected by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any ordinance at the time of passage of this Ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section VII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 9TH DAY OF SEPTEMBER, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2013-14

BEING a 3.148 acre (137,120 square foot) tract of land situated in the Dan Yeamans Survey, Abstract No. 1043, City of Plano, Collin County, Texas, and being part of Lot 1 and all of Lot 2 of Plano-Shiloh Road Substation (filed August 22, 1973) and being all of a called 1.481 acre tract of land known as Tract No. I and part of a called 2.879 acre tract of land known as Tract No. II, both described in deed to Oncor Electric Delivery Company (formerly known as Texas Power & Light Company), as recorded in Volume 874, Page 566 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being all of a called 1.6532 acre tract of land described in deed to Oncor Electric Delivery Company (formerly known as Texas Utilities Electric Company), as recorded in Volume 3409, Page 017, D.R.C.C.T., and being more particularly described as follows:

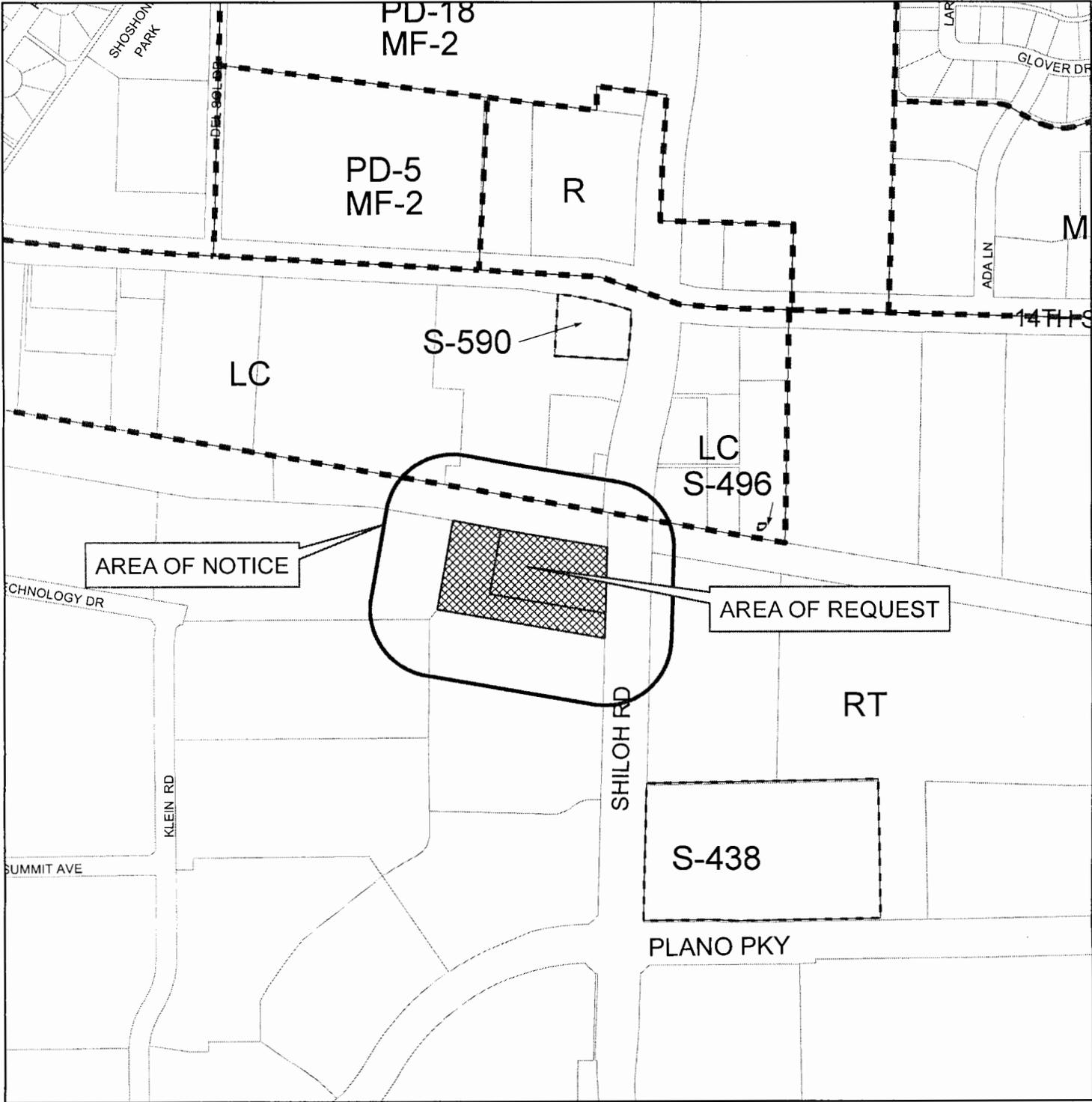
BEGINNING at a 1/2-inch set iron rod with a yellow plastic cap stamped "HALFF" at the intersection of the west right-of-way line of Shiloh Road (a 140-foot wide right-of-way) with the south right-of-way line of Dallas Area Rapid Transit (D.A.R.T., a 100-foot wide right-of-way) for the northeast corner of said Lot 2, from which a 1/2-inch found iron rod for witness bears North, 48° 06' 45" West, a distance of 0.83 of a foot;

THENCE South, 01° 31' 55" West, with the west right-of-way line of said Shiloh Road and with the east line of said Lot 2, passing at a distance of 202.09 feet a 1/2-inch set iron rod with a yellow plastic cap stamped "HALFF" for the common northeast corner of said Lot 1 and southeast corner of said Lot 2, and continuing with the west right-of-way line of said Shiloh Road and with the east line of said Lot 1, in all, a total distance of 277.88 feet to a 1/2-inch set iron rod with a yellow plastic cap stamped "HALFF" for corner;

THENCE North, 80° 12' 52" West, departing the west right-of-way line of said Shiloh Road and the east line of said Lot 1, and over and across said Lot 1, passing at a distance of 7.93 feet a 1/2-inch set iron rod with a yellow plastic cap stamped "HALFF" for the northeast corner of Lot 8, Block 1 of Plano Tech Center, an addition to the City of Plano, Collin County, Texas as recorded in Cabinet N, Page 578 of the Plat Records of Collin County, Texas (P.R.C.C.T.) and the southeast corner of said 1.6532 acre tract, with the north line of said Lot 8 and with the south line of said 1.6532 acre tract, in all, a total distance of 518.57 feet to a 1/2-inch found iron rod with a yellow plastic cap stamped "HALFF ASSOC., INC." for the common southeast corner of Lot 7, Block 1 of said Plano Tech Center addition and northwest corner of said Lot 8, and the southwest corner of said 1.6532 acre tract;

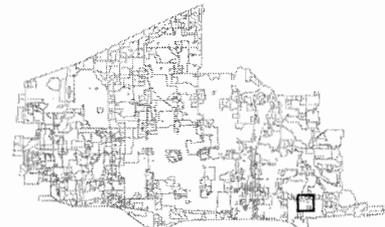
THENCE North, 09° 47' 08" East, with the west line of said 1.6532 acre tract and with the east line of said Lot 7, a distance of 275.00 feet to a 1/2-inch found iron rod with a yellow plastic cap stamped "HALFF ASSOC., INC." on the south right-of-way line of said D.A.R.T. for the northwest corner of said 1.6532 acre tract and the northeast corner of said Lot 7;

THENCE South, 80° 12' 52" East, with the north line of said 1.6532 acre tract and with the south right-of-way line of said D.A.R.T., passing at a distance of 170.79 feet a 1/2-inch found iron rod with a yellow plastic cap stamped "AH HALFF ASSOC." for the most northerly northeast corner of said 1.6532 acre tract and the northwest corner of said Lot 2, and continuing with the south right-of-way line of said D.A.R.T. and with the north line of said Lot 2, in all, a total distance of 478.67 feet to the POINT OF BEGINNING and CONTAINING 137,120 square feet or 3.148 acres of land, more or less.



Zoning Case #: 2013-14

Existing Zoning: RESEARCH/TECHNOLOGY CENTER



○ 200' Notification Buffer



