

DATE: October 4, 2011
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of October 3, 2011

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2011-27
APPLICANT: LINCOLN PROPERTY COMPANY**

Request to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road **from** Commercial Employment **to** Planned Development-Commercial Employment. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

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

Recommended for approval as follows: (Additions are indicated in underlined text per the Commission's recommendation.)

Restrictions:

The permitted uses and standards shall be in accordance with the existing Commercial Employment (CE) zoning district unless otherwise specified herein.

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. Quasi-Public Streets
 - a. Quasi-public streets shall be provided throughout the district, consistent with as shown on the zoning exhibit.
 - b. Quasi-Public Streets Definition: Quasi-public streets are privately owned and maintained drives open to public access. A fire lane shall be located within all

quasi-public streets. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.

3. Parking Regulations

- a. The minimum required parking shall be as follows:
 - i. Multifamily - 1.5 spaces per unit
 - ii. All nonresidential uses: Parking requirements shall be determined as provided in Section 3.1100 (Off-Street Parking and Loading) of the Zoning Ordinance.
- b. On-street parking adjacent to each lot may count toward the required parking for that lot and shall be permitted on both sides of quasi-public streets and fire lanes, except where prohibited for vehicular, fire, or pedestrian safety.
- c. No parking is required for outdoor patio and sidewalk cafe/dining areas or other public seating areas except for freestanding restaurants.

4. Screening

- a. Off-street loading docks and service areas for nonresidential uses may not be located adjacent to or across a quasi-public street from buildings containing residential uses unless the loading dock or service area is screened in accordance with the following:
 - i. Masonry screening walls with solid metal gates (in accordance with Section 3.1000)
 - ii. Overhead doors if service area or loading dock is located internal to the building; or
 - iii. Any combination of the above.

5. Open space

- a. A minimum of five acres of open space shall be required within the planned development district.
- b. The open space shall be open to the public at all times
- c. A minimum of two open space areas shall be provided in Tract 2 and each open space area shall not be less than 0.5 acre in area. A minimum of one open space area shall be provided in Tract 3 and this open space area shall not be less than 0.5 acre in area. In all tracts, the required open space areas shall not have a dimension less than 80 feet.

6. Signage

a. In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible.

i. Multi-Purpose Wall Signs

- A multi-purpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified.
- Multi-purpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
- A multi-purpose wall sign shall not be limited in height or width except that the sign shall be limited to 300 square feet in size.
- A maximum of one multi-purpose wall sign may be mounted to a parking structure that has street frontage along State Highway 121 and/or Preston Road only, and the multi-purpose wall sign shall face State Highway 121 or Preston Road. A maximum of two multipurpose wall signs are allowed within the district.

ii. Directional Signs

- A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, office or parking areas within the planned development district.
- A directional sign may be a freestanding sign, a wall sign, a projecting sign, or a sign mounted to a vertical support. These signs shall not contain advertising and shall be specifically directional in nature.
- A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is three feet wide. The bottom of the sign shall not fall below four feet from the ground surface.

7. A maximum of 800 multifamily units shall be allowed within the district.

Specific Provisions of the Planned Development - Tract 1

1. Uses: ~~Multifamily is prohibited.~~

a. Multifamily is prohibited

b. A minimum 350,000 sq. ft. of multistory office building(s) shall be provided within Tract 1.

2. Design Standards

- a. **Building Placement and Orientation:** Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb, except along quasi-public streets with a curve radius less than 250 feet from the centerline, which shall adhere to a minimum of 60%. Parking structures are exempt. Where easements are present, the buildings shall be built to the easement line.
- b. **Streetscape:** Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
- c. **Landscaping**
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements), Sections 4.800 (State Highway 121 Overlay District) and 4.500 (Preston Road Overlay District).
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
 - iv. Where service areas for nonresidential uses face Tract 2 and/or Tract 3, a minimum 10 foot landscape edge shall be provided including screening shrubbery and trees planted at an average rate of one tree per 50 linear feet of the landscape edge length. A minimum six-foot high (maximum eight-foot high) ornamental fence may be provided within this required landscape edge.
- d. **Maximum Lot Coverage:** 80%

Specific Provisions of the Planned Development - Tract 2

1. Uses

- a. Tract 2 must be developed using the standards required by the planned development district for multifamily development. However, Tract 2 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay District regulations contained within the Zoning Ordinance. The initial development for Tract 2 will determine the standards to be used for the remainder of the property with Tract 2.
- b. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.
- c. Multifamily is a permitted use by right within Tract 2.

2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
 - i. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
 - ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
- c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
- d. Maximum Lot Coverage: 80%

3. Multifamily Design Standards

- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
- c. Minimum Floor Area per Dwelling Unit: 500 square feet.
- d. Minimum Rear and Side Yard Setbacks: none.
- e. Quasi-public streets and required open space shall be excluded from density calculations.
- f. Maximum Density: 65 units per acre
- g. Minimum Density: 33 units per acre
- h. Maximum Lot Coverage: None.

Specific Provisions of the Planned Development - Tract 3

1. Uses
 - a. Tract 3 must be developed using the standards required by the planned development district for multifamily development. However, Tract 3 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay Districts' regulations contained within the Zoning Ordinance. The initial development for Tract 3 will determine the standards to be used for the remainder of the property with Tract 3.
 - b. Multifamily is a permitted use by right within Tract 3. Tract 3 may be developed as multifamily only if Tract 2 is also developed as multifamily. Otherwise Tract 3 shall be developed in accordance with the Commercial Employment (CE) zoning district.
 - c. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.
2. Design Standards
 - a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
 - b. Streetscape
 - i. Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
 - ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
 - c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
 - d. Maximum Lot Coverage: 80%.

3. Multifamily Design Standards

- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
- c. The Minimum Floor Area per Dwelling Unit: 500 square feet.
- d. Minimum Rear and Side Yard Setbacks: none
- e. Quasi-public streets and required open space shall be excluded from density calculations.
- f. Maximum Density: 65 units per acre
- g. Minimum Density: 33 units per acre
- h. Maximum Lot Coverage: None

The Commissioners voting in opposition to the motion believed that the project as designed is not a true mixed-use project and that it has the potential to be designed better. The Commissioners prefer the project have higher residential densities, less large surface parking lots, improved walk-ability, and more property being developed as buildings.

BM/dc

xc: Robert Dozier, Lincoln Property Company
Larry Good, Good Fulton and Farrell Planning

October 12, 2011

MEMO

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

FROM: Tina M. Firgens, Planning Manager

SUBJECT: Zoning Case 2011-27

Subsequent to the Planning & Zoning Commission's consideration of Zoning Case 2011-27, staff determined that additional clarification language is needed for the proposed ordinance, regarding the advertising of tenants on the requested multipurpose wall signs. It is the applicant's desire for any occupants located within Tract 1 to be advertised on the requested multipurpose wall signs that shall face State Highway 121 and/or Preston Road.

Should the City Council be favorable of the proposed rezoning request and recommend approval, staff recommends the following language be added to the planned development ordinance and included in the Council's motion:

Multipurpose wall signs may only be used to advertise occupants located within Tract 1.

The proposed change is consistent with the Commission's recommendation for approval of Zoning Case 2011-27.

**Recommendation of the Planning & Zoning Commission
October 3, 2011 Meeting
Second Vice-Chair's Report**

Zoning Case 2011-27 – Request to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road from Commercial Employment to Planned Development-Commercial Employment. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

Applicant: Lincoln Property Company

Staff Recommendation: Denial

Commission Action: Request was approved 5-2. Chairman Caso, Second Vice Chair Coleman, Commissioners Balda, Norton, and Smith supported approval of the request. Comments included:

- The existing Commercial Employment zoning already allows for retail, restaurant and office uses with multifamily residential allowed by specific use permit.
- The proposed development fulfills the intent of the city's Mixed Use Policy Statement, specifically meeting the basic requirements for:
 - Integration of multiple uses.
 - Density. The majority of buildings are clustered with a height of two to three stories.
 - Pedestrian orientation. The development is compact with wide sidewalks, shade trees, and marked crossings.
 - Connectivity. A grid of tree-lined, quasi-public streets connects the retail and residential uses.
 - Parking. Fifty percent of parking is in garages with the remaining surface and on street.
 - Public space. The development features a signature public space with a pavilion, outdoor public venue, and picnic space.
- The proposed multifamily residential is generally beyond the 1200-foot buffer from the centerline of State Highway 121.
- The retail, restaurant, office, and multifamily residential uses are compatible with the existing uses that surround the proposed development.

First Vice Chair Downs and Commissioner Dry supported denial of the request. Comments included:

- The proposed multifamily residential use does not comply with the Future Land Use Plan of the Comprehensive Plan regarding the preservation of land along expressway corridors for economic development and employment opportunities.
- A property of this size with a single owner should be preserved to attract businesses that can expand the employment base.

- The proposed development does not meet the significant criteria of the city's Mixed Use Policy Statement, specifically:
 - The development lacks the integration of uses and densities typified by Legacy Town Center.
 - Pedestrian Orientation. The proposed arrangement and design of the buildings does not promote walk-ability within the development.
 - Connectivity. The proposed buildings are not tightly grouped or connected.
 - Parking. The large amount of proposed surface parking separates the retail/commercial buildings, lessening the compactness typified by true mixed-use developments.
- If multifamily residential is allowed, it should be a higher density with more land in the proposed development allocated to office and/or entertainment use.

Additional Comments: The Commission amended the approved Planned Development to include a maximum of 800 multifamily units and a minimum of 350,000 square feet of office space within Tract 1. The concept plan associated with this case was also approved by the Commission by a 5-2 vote.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Michael Coleman", with a long horizontal flourish extending to the right.

Michael Coleman
Second Vice Chair
Planning & Zoning Commission

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 3, 2011

Agenda Item No. 7A

Public Hearing: Zoning Case 2011-27

Applicant: Lincoln Property Company

DESCRIPTION:

Request to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road **from** Commercial Employment **to** Planned Development-Commercial Employment. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts.

REMARKS:

The purpose of this request is to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road from Commercial Employment (CE) to Planned Development-Commercial Employment (PD-CE). The CE district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, light manufacturing, and multifamily residences. The CE district presently allows additional multifamily dwelling units subject to approval of a specific use permit. The major focus of the CE district is to be corporate headquarters and research facilities arranged in a campus-like setting. 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.

The PD district proposes the following: retaining the existing uses allowed within the CE zoning district; adding provisions to allow multifamily uses by right; modifying the area, yard, and bulk requirements; and modifying parking, landscaping, screening, and signage requirements. A concept plan, Village 121 Addition, accompanies this request as Agenda Item No. 7B.

Surrounding Land Use and Zoning

The area of the request is currently undeveloped. To the north, across State Highway 121, the properties are within the city of Frisco and developed with retail uses, including a regional mall property. The property to the west is zoned CE, has a retail store, and is

otherwise primarily vacant. To the northeast across Preston Road, there is an existing retail shopping center zoned Regional Commercial (RC). The property to the southeast, across Preston Road, is zoned Planned-Development-20-Mixed Use (PD-20-MU) and is partially developed with retail, office, and multifamily uses.

Proposed Planned Development Stipulations

The requested zoning is Planned Development-Commercial Employment. There are two primary parts to this request: land use and design standards.

Land Use - The applicant proposes to retain CE as the base zoning district. The CE base zoning would permit retail, restaurants, office, and light-intensity manufacturing uses currently allowed. The CE district presently allows additional multifamily dwelling units subject to approval of a specific use permit. Therefore, the applicant is requesting to allow multifamily by right. The range of multifamily units that could potentially be built within the proposed PD is approximately 1,215 to 2,390 units due to the minimum and maximum densities being proposed. However, the stipulations allow for quasi-public streets and required open space to be excluded from density calculations which allows a developer to provide fewer number of units. As such, the applicant proposes to construct 759 multifamily residence units by right, with retail, restaurants, office, and live/work uses on the first floor of the residential buildings.

Design Standards - The request proposes a mix of commercial and residential uses within the development, similar to the Haggar Square (PD-20-MU) development at the northwest corner of Rasor Boulevard and Ohio Drive. The concept plan indicates primarily one-story restaurant and retail buildings of suburban scale on the northwest and southeast areas of the property with surface parking. Multistory office buildings and parking structures are planned at the center and northeast areas of the development. Multifamily uses are planned for the southern portion of the property. Quasi-public streets with parallel parking are proposed to connect the entire development. Two large open spaces with outdoor pavilions form the core and focus of the proposed development. The retail and restaurant buildings are placed closer to the internal quasi-public streets than to the State Highway 121 frontage road and Preston Road.

The property is divided into three tracts. Tract 1 (47.9 acres) allows for all nonresidential uses permitted in the CE district, and the development standards provide for the modification of the area, yard, and bulk requirements as well as providing modified standards related to parking, landscaping, screening, and signage requirements. Multifamily is prohibited in Tract 1. Tract 2 (27.9 acres) and Tract 3 (8.6 acres) allows for both nonresidential and residential uses, and the development standards provide for the modification of the area, yard, and bulk requirements as well as providing modified standards related to parking, landscaping, screening, and multifamily requirements. If properties within Tracts 2 and 3 develop as multifamily uses, the development shall follow the standards required by the PD district for multifamily. Otherwise, nonresidential uses shall be developed in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay Districts' regulations contained within the Zoning Ordinance, except as otherwise amended in the PD. It is important to note that the initial developments within Tracts 2 and 3 will determine the standards to be used for the remainder of the properties within

each tract respectively. Also, in order for Tract 3 to be developed as multifamily, Tract 2 must be developed as multifamily. Should Tract 2 develop as nonresidential uses, Tract 3 cannot develop as multifamily.

This request is for PD-CE zoning with the following stipulations.

Restrictions:

The permitted uses and standards shall be in accordance with the existing Commercial Employment (CE) zoning district unless otherwise specified herein.

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. Quasi-Public Streets
 - a. Quasi-public streets shall be provided throughout the district, consistent with as shown on the zoning exhibit.
 - b. Quasi-Public Streets Definition: Quasi-public streets are privately owned and maintained drives open to public access. A fire lane shall be located within all quasi-public streets. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
3. Parking Regulations
 - a. The minimum required parking shall be as follows:
 - i. Multifamily - 1.5 spaces per unit
 - ii. All nonresidential uses: Parking requirements shall be determined as provided in Section 3.1100 (Off-Street Parking and Loading) of the Zoning Ordinance.
 - b. On-street parking adjacent to each lot may count toward the required parking for that lot and shall be permitted on both sides of quasi-public streets and fire lanes, except where prohibited for vehicular, fire, or pedestrian safety.
 - c. No parking is required for outdoor patio and sidewalk cafe/dining areas or other public seating areas except for freestanding restaurants.
4. Screening
 - a. Off-street loading docks and service areas for nonresidential uses may not be located adjacent to or across a quasi-public street from buildings containing residential uses unless the loading dock or service area is screened in accordance with the following:
 - i. Masonry screening walls with solid metal gates (in accordance with Section 3.1000)

- ii. Overhead doors if service area or loading dock is located internal to the building; or
 - iii. Any combination of the above.
5. Open space
 - a. A minimum of five acres of open space shall be required within the planned development district.
 - b. The open space shall be open to the public at all times
 - c. A minimum of two open space areas shall be provided in Tract 2 and each open space area shall not be less than 0.5 acre in area. A minimum of one open space area shall be provided in Tract 3 and this open space area shall not be less than 0.5 acre in area. In all tracts, the required open space areas shall not have a dimension less than 80 feet.
6. Signage
 - a. In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible.
 - i. Multi-Purpose Wall Signs
 - A multi-purpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified.
 - Multi-purpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
 - A multi-purpose wall sign shall not be limited in height or width except that the sign shall be limited to 300 square feet in size.
 - A maximum of one multi-purpose wall sign may be mounted to a parking structure that has street frontage along State Highway 121 and/or Preston Road only, and the multi-purpose wall sign shall face State Highway 121 or Preston Road. A maximum of two multipurpose wall signs are allowed within the district.
 - ii. Directional Signs
 - A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, office or parking areas within the planned development district.
 - A directional sign may be a freestanding sign, a wall sign, a projecting sign, or a sign mounted to a vertical support. These signs shall not contain advertising and shall be specifically directional in nature.

- A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is three feet wide. The bottom of the sign shall not fall below four feet from the ground surface.

Specific Provisions of the Planned Development - Tract 1

1. Uses : Multifamily is prohibited
2. Design Standards
 - a. Building Placement and Orientation: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb, except along quasi-public streets with a curve radius less than 250 feet from the centerline, which shall adhere to a minimum of 60%. Parking structures are exempt. Where easements are present, the buildings shall be built to the easement line.
 - b. Streetscape: Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
 - c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements), Sections 4.800 (State Highway 121 Overlay District) and 4.500 (Preston Road Overlay District).
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
 - iv. Where service areas for nonresidential uses face Tract 2 and/or Tract 3, a minimum 10 foot landscape edge shall be provided including screening shrubbery and trees planted at an average rate of one tree per 50 linear feet of the landscape edge length. A minimum six-foot high (maximum eight-foot high) ornamental fence may be provided within this required landscape edge.
 - d. Maximum Lot Coverage: 80%

Specific Provisions of the Planned Development - Tract 2

1. Uses

- a. Tract 2 must be developed using the standards required by the planned development district for multifamily development. However, Tract 2 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay District regulations contained within the Zoning Ordinance. The initial development for Tract 2 will determine the standards to be used for the remainder of the property with Tract 2.
- b. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.
- c. Multifamily is a permitted use by right within Tract 2.

2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
 - i. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
 - ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
- c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
- d. Maximum Lot Coverage: 80%

3. Multifamily Design Standards

- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.

- b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
- c. Minimum Floor Area per Dwelling Unit: 500 square feet.
- d. Minimum Rear and Side Yard Setbacks: none.
- e. Quasi-public streets and required open space shall be excluded from density calculations.
- f. Maximum Density: 65 units per acre
- g. Minimum Density: 33 units per acre
- h. Maximum Lot Coverage: None.

Specific Provisions of the Planned Development - Tract 3

1. Uses

- a. Tract 3 must be developed using the standards required by the planned development district for multifamily development. However, Tract 3 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay Districts' regulations contained within the Zoning Ordinance. The initial development for Tract 3 will determine the standards to be used for the remainder of the property with Tract 3.
- b. Multifamily is a permitted use by right within Tract 3. Tract 3 may be developed as multifamily only if Tract 2 is also developed as multifamily. Otherwise Tract 3 shall be developed in accordance with the Commercial Employment (CE) zoning district.
- c. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.

2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
 - i. Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
 - ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.

- a. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
 - b. Maximum Lot Coverage: 80%.
3. Multifamily Design Standards
- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
 - b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
 - c. The Minimum Floor Area per Dwelling Unit: 500 square feet.
 - d. Minimum Rear and Side Yard Setbacks: none
 - e. Quasi-public streets and required open space shall be excluded from density calculations.
 - f. Maximum Density: 65 units per acre
 - g. Minimum Density: 33 units per acre
 - h. Maximum Lot Coverage: None

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities, and the proposed retail, office and restaurant uses are consistent with this policy. However, the multifamily portion is not in conformance with the Future Land Use Plan since the applicant is proposing multifamily residential development which is not consistent with preserving land for economic development and employment opportunities.

Adequacy of Public Facilities

Water and sanitary sewer services are available to serve the subject property. The developer of the property shall be responsible for confirming the available sanitary sewer capacity.

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

ISSUES:

Future Land Use Plan

As noted above, the Future Land Use Plan designates this property as Major Corridor Development (MCD). The city's current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities. Development in these major corridors is also expected to include a mix of commercial, office, and technical production uses. The proposed multifamily residential development is not in conformance with the Future Land Use Plan since it does not provide for economic development and employment opportunities.

Economic Development Element and Land Use Element

The Economic Development Element and the Land Use Element policies of the Comprehensive Plan discourage rezoning properties for residential uses in prime economic development areas of the city and accommodating immediate development opportunities. The intent of both policies is to ensure land that is located along the expressway corridors and in the major employment centers is developed in accordance with the Future Land Use Plan recommendations and supporting zoning districts, and to take advantage of future nonresidential development opportunities which would increase the tax base and provide employment opportunities for Plano residents. State Highway 121 is a regional development corridor that runs along the northern boundary of the City of Plano. It is highly visible, readily accessible, and suitable for many commercial uses that create base employment for the city. Retailers and office developers state that locations along expressway corridors are important for business success.

Staff believes that it is important for the city to retain an adequate supply of undeveloped nonresidential land for future economic development opportunities. Therefore, rezoning properties within the prime economic development areas is generally not recommended and should not be rezoned to accommodate immediate development opportunities. Having undeveloped land within the city is an asset for Plano as it allows the city to attract businesses and provide for base employment opportunities, as well as increased property values and revenues for the city. This property is a large property that is under single ownership which provides potential flexibility in the design and orientation of development that can adequately incorporate a variety of economic development opportunities and create employment opportunities as well.

Residential Use in a Major Corridor

The Housing Density Policy Statement of the Comprehensive Plan recommends no residential development within 1,200 feet of the centerline of State Highway 121, and the Infill Housing Policy Statement reaffirms that residential development within expressway corridors should be avoided. A reason for the 1,200-foot setback provision is due to proximity of residential uses to an expressway and promoting a livable

residential environment. The setback allows for commercial development to serve as a buffer for residential uses located beyond the 1,200 foot distance.

While the proposed multifamily residential is generally at and beyond the 1,200 buffer, (approximately 1,155 feet from the highway centerline), the Economic Development Element and the Land Use Element policies discourage residential intrusions into the State Highway 121 corridor in order to retain and preserve the land for future economic development opportunities. The policies further encourage a careful examination of residential rezoning requests to ensure that proposed locations are suitable for residential development and that Plano's economic viability is not jeopardized in order to accommodate short-term demand. Residential requests should be evaluated to determine if the proposed use is the best suitable use long-term for property that is otherwise a prime location for economic development opportunities.

The Commission revisited the 1,200 residential setback policy in September 2011 and recommended that the setback be reduced to 750 feet, as measured from the State Highway 121 centerline. Staff has not discussed this policy revision with the City Council to determine whether or not the Council supports modifying this policy.

Regardless of the residential setback distance from State Highway 121, the Housing Density and Infill Housing Policy Statements recognize that well integrated pedestrian-oriented mixed use centers may be appropriate within expressway corridors including allowing for residential development in a mixed use context. An example of this is the Legacy Town Center development. Requests for mixed use centers should be evaluated in accordance with the city's adopted Mixed Use Policy Statement when considering whether a proposed development furthers the objectives of the Housing Density and Infill Housing Policy Statements.

Mixed Use Policy Statement

The Mixed Use Policy Statement of the Comprehensive Plan defines mixed use as vertical or horizontal integration of multiple uses that promotes easy access among uses and amenities, especially by pedestrians. The mixed use policy also provides a framework that is intended to assist with the evaluation of proposals for mixed use projects. The following is an analysis of the proposed request compared to the policy criteria.

- **Location and Context Sensitivity** - The Mixed Use Policy Statement encourages proposed mixed use projects to be sensitive to surrounding land uses and character of an area. An important criteria to consider is, if the same uses were to be considered alone, would each use be appropriate in this location? The proposed multifamily would not be appropriate if it were considered alone because it is secluded from other residential uses and does not have supporting infrastructure nearby for residential uses (i.e. parks and schools). As a whole, the proposed uses are not well integrated within the development, particularly given the rear sides and service areas for the retail buildings being oriented towards the multifamily. The front facades for the larger retail buildings are oriented towards State Highway 121 and are not designed to be integrated with the proposed multifamily.

- **Multiple Uses/Integration of Uses** - The Mixed Use Policy Statement encourages buildings and uses that are well integrated and tightly connected or grouped. The policy considers whether the combining of land uses promotes easy access among stores, services, and amenities used by pedestrians. Additionally, it considers whether the first phase of the development is sufficient to stand on its own as a mixed use development. The proposed buildings are not tightly connected and grouped, particularly within the northern tract, as is expected in a mixed use development. The residential buildings on the southern tract are positioned closer to the quasi-public streets providing for closer connectivity. Staff is concerned that the residential portion of the development will not be sufficient to stand on its own if it is developed first because it lacks other amenities and uses that support a livable residential environment. The proposed development has limited nonresidential elements that enhance the livability of the residential portion of the development.

The proposed project is typical of suburban retail developments with potential pad sites along State Highway 121 and Preston Road, with larger retail building behind the pad sites. The nonresidential building layouts and surface parking arrangements, coupled with the multifamily uses, are not all integrated in a manner that creates a single and cohesive development project.

- **Density** - The proposed multifamily minimum density of 33 units per acre does not allow for more compact development as is supported by the mixed use policy. Legacy Town Center has a minimum density of 40 dwelling units per acre, of which many of the multifamily projects have developed at densities higher than 60 units per acre to promote the compactness of development. Furthermore, the majority of the subject property is used for surface parking which hinders building compactness.
- **Pedestrian Orientation** - The site layout has the potential to provide a convenient, attractive, and safe pedestrian system. Additionally, the open space provides an overall amenity for pedestrians. However, the overall building design and compactness does not promote connectivity and walk-ability within the development. The proposed suburban density, combined with the overall arrangement of uses and buildings, promotes automobile use more than any other transportation mode. One has to drive to, in, and around the development. People cannot comfortably walk without being tempted to move their car. The physical arrangement and design of the buildings does not support a pedestrian environment. Furthermore, the project fails to fully integrate the proposed uses into a pedestrian-oriented environment.
- **Parking** - The policy statement does not require structured parking, recognizing that it may be a barrier to development. Therefore, the policy provides criteria for evaluating the amount and design of surface parking. In this case, the proposed development provides the majority of the parking on the north side of the larger retail buildings so that it is away from the pedestrian areas along the quasi-public streets, thus being consistent with the policy statement. However, the

retail/commercial buildings proposed along State Highway 121, in relation to the larger retail buildings near the center of the development, loses the compactness of an urban development given the surface parking that separates the buildings.

As stated previously, the Housing Density and Infill Housing Policy Statements recognize that well integrated pedestrian-oriented mixed use centers may be appropriate within expressway corridors. However, this proposed project does not resemble the density and design that is expected of a mixed use development. The project is more of a multi-use development instead of a mixed use development with residential and commercial uses on the same site that are primarily physically and functionally separated from each other. The individual parts of the development are largely self reliant entities with cross access to each other.

Overall, staff believes that the requested zoning as proposed does not address the significant criteria of the mixed use policy statement due to: the lack of appropriateness for residential uses within the expressway corridor; the arrangement of uses; dependence on the automobile to navigate the development; and the lower densities being proposed. If the city is to consider allowing a mixed use development in an area otherwise prime for economic development and employment growth, then the proposed development needs to strongly resemble a mixed use development consistent with city policies. Otherwise, the city should not be compelled to change the existing zoning. Furthermore, staff believes that the proposed development is not the best and most appropriate development for the site.

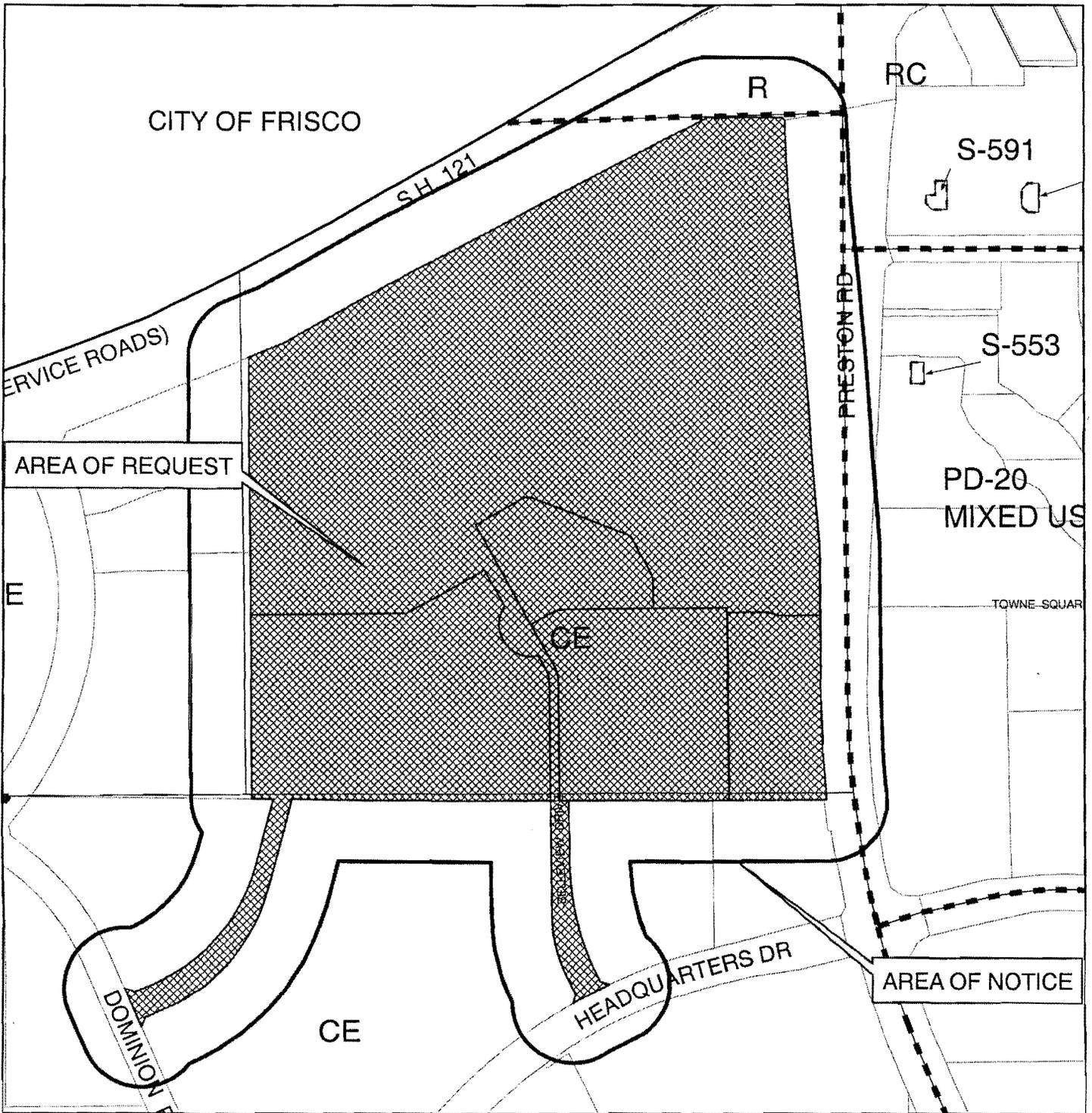
SUMMARY:

The applicant is requesting to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road **from CE to PD-CE**. The request is not in conformance with the Future Land Use Plan of the Comprehensive Plan regarding the preservation of land within major expressway corridors and employment centers for economic development and employment opportunities. Furthermore, the request is not consistent with the Housing Density, Infill Housing, and Mixed Use Policy Statements regarding allowing mixed use developments within the expressway corridors. The proposed development fails to meet the more significant mixed use criteria as outlined in the Mixed Use Policy Statement of the Comprehensive Plan.

The site is a prime location with significant potential for economic development that will provide for employment opportunities as envisioned in the Future Land Use Plan. The current CE zoning also provides numerous commercial uses that are more suitable at this location than introducing multifamily residential uses as proposed. Therefore, staff recommends denial of the requested rezoning from CE to PD-CE.

RECOMMENDATIONS:

Recommended for denial.

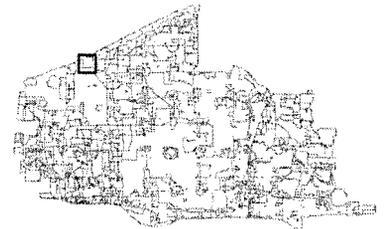


Zoning Case #: 2011-27

Existing Zoning: COMMERCIAL EMPLOYMENT/

STATE HIGHWAY 121 & PRESTON ROAD OVERLAY DISTRICTS

○ 200' Notification Buffer



ZONING DESCRIPTION

BEING A 108.184 ACRE TRACT OF LAND SITUATED IN THE SHARPE, BROWN SURVEY, ABSTRACT NO. 108, THE WILLIAM BROWN SURVEY, ABSTRACT NO. 66 AND THE JUBEZ DIGMAN SURVEY, ABSTRACT NO. 279, CITY OF PLANO, COLLIN COUNTY, TEXAS AND BEING ALL LOTS 1, 2, 3, 4, AND 5, BLOCK 1, VILLAGE AT 121 ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE CONVEYANCE PLAT FILED FOR RECORD IN VOLUME 2008, PAGE 221, PLAT BEARING NORTH 84°13'00" WEST, A CHORD BEARING TO THE CENTERLINE OF THE ADDITION; RIGHTS-OF-WAY OF STATE HIGHWAY 121, STATE HIGHWAY 289, (PRESTON ROAD), HEADQUARTERS DRIVE AND DOMINION PARKWAY; SAID 108.184 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE SAID STATE HIGHWAY 121 WITH THE CENTERLINE OF SAID STATE HIGHWAY 289;

THENCE SOUTH 00°00'00" EAST ALONG THE CENTERLINE OF SAID STATE HIGHWAY 289, A DISTANCE OF 2464.86 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 3274.20 FEET;

THENCE SOUTHWESTERLY CONTINUING ALONG THE CENTERLINE OF SAID STATE HIGHWAY 289, WITH SAID CURVE TO THEN LEFT THROUGH A CENTRAL ANGLE OF 04°10'00" AN ARC LENGTH OF 352.45 FEET, A CHORD BEARING OF SOUTH 03°03'01" EAST AND A CHORD DISTANCE OF 352.28 FEET;

THEN NORTH 89°47'18" WEST ALONG THE PROJECTED SOUTH LINE OF LOT 5, BLOCK 1, VILLAGE AT 121 ADDITION AND ALONG THE SOUTH LINE OF SAID LOT 5 AND LOT 3, BLOCK 1, VILLAGE AT 121 ADDITION, A DISTANCE OF 5911.7 FEET;

THENCE NORTH 89°24'18" WEST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 250.81 FEET;

THENCE NORTH 89°30'18" WEST CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 102.66 FEET TO THE EAST LINE OF BELLEVUE DRIVE, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY);

THENCE ALONG SAID EAST LINE, THE FOLLOWING:

SOUTH 00°01'48" EAST, A DISTANCE OF 200.30 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 850.00 FEET;

SOUTHEASTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°48'56" FOR AN ARC LENGTH OF 397.82 FEET, A CHORD BEARING OF SOUTH 13°26'13" EAST AND A CHORD DISTANCE OF 394.20 FEET;

SOUTH 26°50'41" EAST, A DISTANCE OF 14.07 FEET;

SOUTH 70°33'47" EAST, A DISTANCE OF 34.66 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HEADQUARTERS DRIVE (A 121 FOOT WIDE PUBLIC RIGHT-OF-WAY AT THIS POINT);

THENCE SOUTH 24°34'52" EAST, A DISTANCE OF 60.30 FEET TO THE CENTERLINE OF SAID HEADQUARTERS DRIVE AND BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS SOUTH 04°34'52" EAST, A DISTANCE OF 1700.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CENTERLINE WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 04°34'52" FOR AN ARC LENGTH OF 136.43 FEET, A CHORD BEARING OF SOUTH 83°05'12" WEST AND A CHORD DISTANCE OF 135.38 FEET;

THENCE NORTH 29°06'43" WEST, A DISTANCE OF 60.90 FEET TO THE POINT OF INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE OF HEADQUARTERS DRIVE WITH THE WEST LINE OF SAID BELLEVUE DRIVE;

THENCE ALONG SAID WEST LINE, THE FOLLOWING:

NORTH 17°11'36" EAST, A DISTANCE OF 34.69 FEET;

NORTH 36°50'41" WEST, A DISTANCE OF 48.52 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET;

NORTHEASTERLY WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 56°48'56" FOR AN ARC LENGTH OF 244.01 FEET, A CHORD BEARING NORTH 12°26'13" WEST AND A CHORD DISTANCE OF 231.88 FEET;

NORTH 00°01'43" WEST, A DISTANCE OF 368.42 FEET TO THE SOUTHEAST CORNER OF THE AFOREMENTIONED LOT 4, BLOCK 1, VILLAGE AT 121 ADDITION;

THENCE ALONG THE SOUTH LINE OF SAID LOT 4, THE FOLLOWING:

NORTH 89°30'18" WEST, A DISTANCE OF 295.77 FEET;

NORTH 89°18'18" WEST, A DISTANCE OF 311.38 FEET;

NORTH 89°10'18" WEST, A DISTANCE OF 244.11 FEET TO THE EAST LINE OF A VARIABLE WIDTH FIRELANE, ACCESS & UTILITY EASEMENT AS SHOWN ON SAID PLAT OF VILLAGE AT 121 ADDITION RECORDED IN 2008, PAGE 221, P.R.C.C.T.;

THENCE ALONG SAID EAST LINE, THE FOLLOWING:

SOUTH 15°36'15" WEST, A DISTANCE OF 311.17 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET;

SOUTHWESTERLY WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 51°25'30" FOR AN ARC LENGTH OF 538.52 FEET, A CHORD BEARING NORTH 41°19'00" WEST AND A CHORD DISTANCE OF 520.63 FEET;

SOUTH 67°01'43" WEST, A DISTANCE OF 69.58 FEET;

SOUTH 22°01'43" WEST, A DISTANCE OF 58.38 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DOMINION PARKWAY (A 92 FOOT WIDE PUBLIC RIGHT-OF-WAY);

THENCE NORTH 67°02'04" WEST, A DISTANCE OF 46.00 FEET TO THE CENTERLINE OF SAID DOMINION PARKWAY;

THENCE NORTH 67°58'15" EAST, A DISTANCE OF 30.37 FEET;

THENCE NORTH 67°02'04" EAST, A DISTANCE OF 46.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF DOMINION PARKWAY WITH THE WESTERN LINE OF SAID FIRELANE, ACCESS & UTILITY EASEMENT;

THENCE ALONG SAID WESTERN LINE, THE FOLLOWING:

SOUTH 67°58'15" EAST, A DISTANCE OF 30.37 FEET;

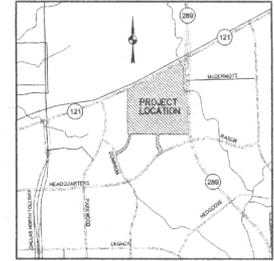
NORTH 61°01'48" EAST, A DISTANCE OF 66.22 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET;

THENCE NORTH 60°02'02" WEST ALONG THE WEST LINE OF SAID LOT 4, PASSING THE NORTHWEST CORNER OF SAID LOT 4, THE NORTHWEST CORNER OF LOT 1) AND THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 121 IN ALL FOR A DISTANCE OF 1836.69 FEET TO THE CENTERLINE OF SAID STATE HIGHWAY 121;

THENCE NORTH 64°22'51" EAST ALONG SAID CENTERLINE OF SAID STATE HIGHWAY 121, A DISTANCE OF 1616.16 FEET;

THENCE NORTH 63°47'47" EAST CONTINUING ALONG SAID, A DISTANCE OF 2029.36 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPULSED AREA OF 108.184 ACRES OF LAND, MORE OR LESS.



* VICINITY MAP *
NOT TO SCALE
MAPSCO 556 J



GRAPHIC SCALE IN FEET
0 100 200 300 400
SCALE: 1" = 200'

- * LEGEND *
- D.R.C.C.T. DEED RECORDS, COLLIN COUNTY, TEXAS
- P.R.C.C.T. PLAT RECORDS, COLLIN COUNTY, TEXAS
- C.C. COUNTY CLERK
- M.O. MUNICIPAL ORDER
- P.G. PAGE
- R.O.W. RIGHT-OF-WAY
- UTL. UTILITY EASEMENT
- CSMT. CEMETERY

*** NOTES ***

1. THIS DOCUMENT WAS PREPARED UNDER 22 TEX. GOV. CODE § 663.11, DOES NOT REFLECT THE RESULTS OF AN A/C ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS APPLIED OR ESTABLISHED BY THE CREATOR OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED; THIS IS NOT A BOUNDARY SURVEY.
2. ADDITIONAL EXISTING EASEMENTS ARE LOCATED ON THE SUBJECT TRACT AS DEDICATED IN THE REVISED CONVEYANCE PLAT RECORDED IN VOL. 2008, PG. 221, P.R.C.C.T. EASEMENTS NOT SHOWN ON THIS EXHIBIT DO NOT CONSTITUTE CONSTRUCTED IMPROVEMENTS AND WILL BE ABANDONED AND RECONFIGURED WITH THE FUTURE DEVELOPMENT.
3. BEARINGS CALLED FOR HEREON ARE BASED ON THE CONVEYANCE PLAT OF VILLAGE AT 121 ADDITION RECORDED IN VOLUME 2008, PAGE 221, P.R.C.C.T.
4. APPROVAL OF THE ZONING COMMISSION ASSOCIATING WITH THE EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN. APPROVAL OF DEVELOPMENT STANDARDS SHALL BE THE RESPONSIBILITY OF THE APPLICANT THROUGH THE DEVELOPMENT PROCESS. PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL ACTION OR SLUO PLAN REVISIONS OR CHANGES TO THE DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

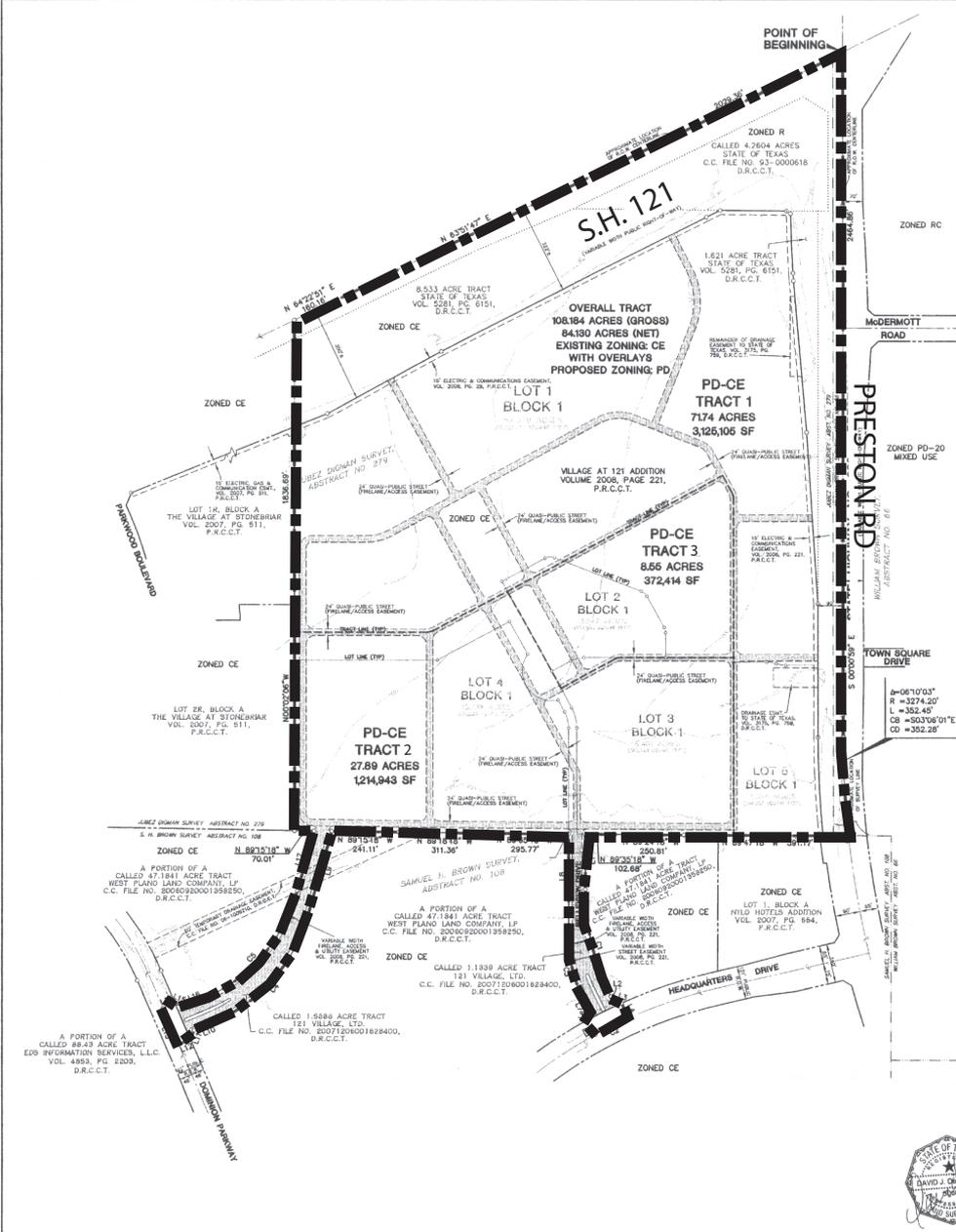
ZC-2011-27
VILLAGE AT 121 ADDITION
 108.183 ACRES (GROSS)
 84.130 ACRES (NET)
 BEING CONVEYANCE LOTS 1, 2, 3, 4, AND 5, BLOCK 1, VILLAGE 121 ADDITION SITUATED IN THE
 VOLUME 2008, PAGE 221 P.R.C.C.T.

SAMUEL H. BROWN SURVEY, ABSTRACT NO. 108,
 THE JUBEZ DIGMAN SURVEY, ABSTRACT NO. 279
 AND THE WILLIAM BROWN SURVEY, ABSTRACT NO. 66,
 CITY OF PLANO, COLLIN COUNTY, TEXAS.
 SEPTEMBER 26, 2011

APPLICANT:
 121 VILLAGE, LTD.
 3300 LINCOLN PLAZA
 500 NORTH AKARD STREET
 DALLAS, TEXAS 75201
 PHONE: (214) 740-3300
 CONTACT: ROBERT DOZIER

ENGINEER/SURVEYOR:
 BURY & PARTNERS-D/W, INC.
 5310 HARVEST MILL SUITE 100
 DALLAS, TEXAS 75236
 (972) 991-0011
 TYPE: NO. F-104B
 CONTACT: JOSH MULLSAP, P.E.

SHEET 1 OF 1
 BPI PROJECT NO. 30003-14

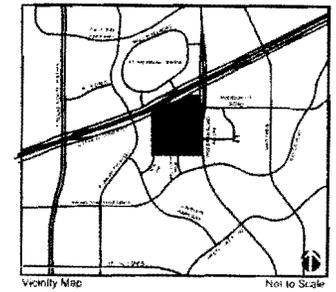
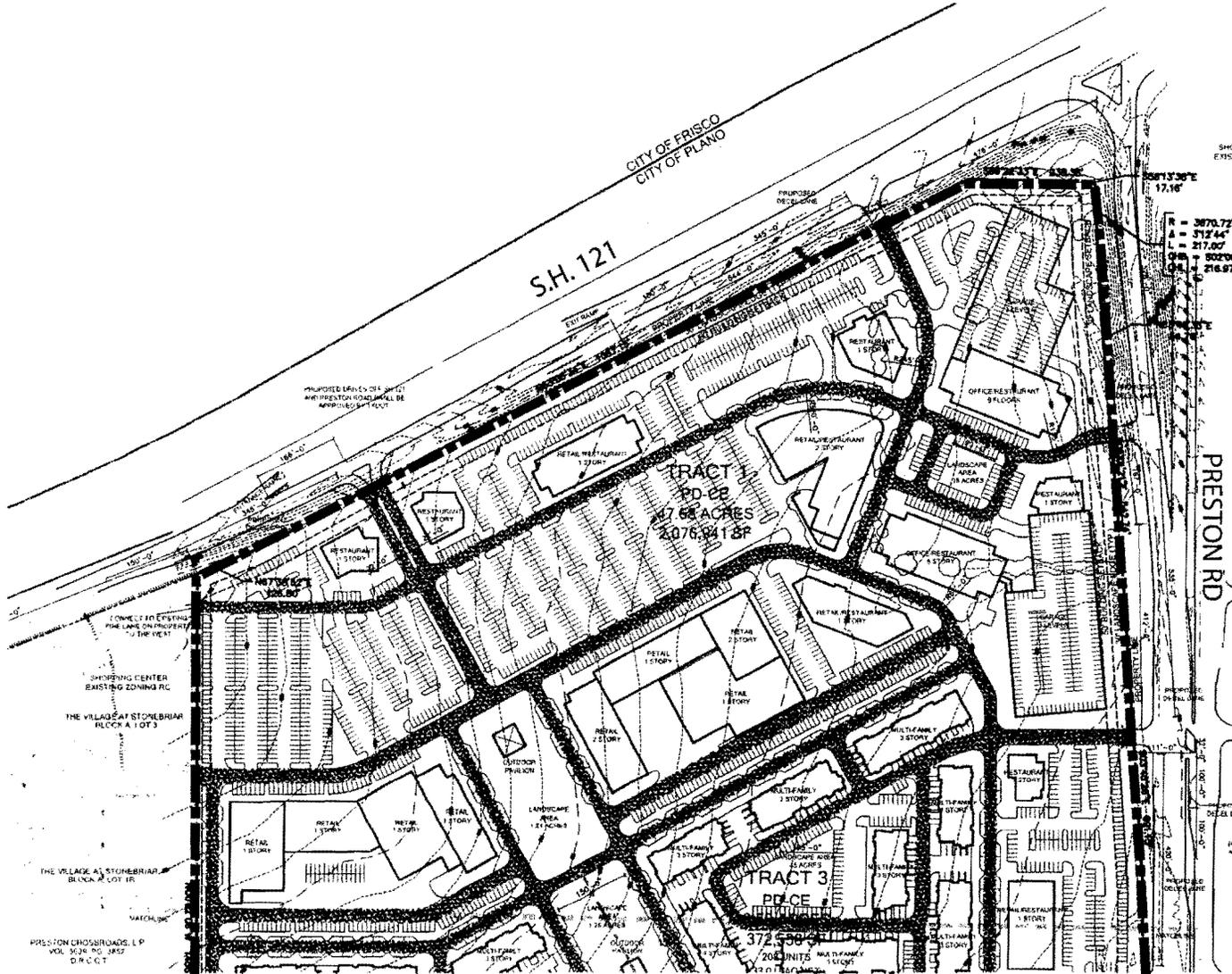


LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°01'43"E	200.30'
L2	S78°30'41"W	14.07'
L3	S70°33'47"W	34.66'
L4	S26°50'41"W	60.30'
L5	N29°06'43"E	60.90'
L6	N17°11'36"E	34.69'
L7	N36°50'41"W	48.52'
L8	N00°01'43"W	368.42'
L9	S15°36'15"W	311.17'
L10	S67°01'43"W	69.58'
L11	S22°01'43"W	35.38'
L12	S67°58'15"E	46.00'
L13	N29°27'58"W	142.03'
L14	N67°02'04"E	46.00'
L15	S67°58'15"E	30.37'
L16	N61°01'48"E	66.22'
L17	N15°36'15"E	250.63'

CURVE TABLE

CURVE	RADIUS	CHORD LENGTH	CHORD BEARING	CHORD DISTANCE	CHORD BEARING
C1	850.00'	2614.86'	S97°24'	S192°15'E	264.20'
C2	1700.00'	6433.70'	S136°43'	S63°05'W	135.38'
C3	600.00'	2638.52'	S41°01'	N119°26'W	231.88'
C4	600.00'	5123.30'	S158°52'	S41°19'00"W	520.63'
C5	600.00'	5123.30'	S158°52'	N119°26'00'	520.63'



Notes:
 All development within the property boundary is proposed.
 Property lies within both the Preston and SH 121 Overlay Districts.
 Proposed zoning: PD Mixed Use.
 All the lanes must be fire lane access and utility easements.
 All streets are two way streets.
 Multi-Family units per acre are calculated net of roads, quasi-public streets and open space.
 All quasi-public streets are 24 feet in width unless otherwise noted.

SITE DATA SUMMARY TABLE:

ZONING	PD-CE
LAND USE	RETAIL, RESTAURANT, OFFICE, MULTI-FAMILY
LOT AREA	3,664,295 SF OR 84.13 ACRES
BUILDING FOOTPRINT AREA	681,700 SF
TOTAL BLDG AREA	1,706,900 SF 359 UNITS
BLDG HEIGHT	6 STORIES
BLDG HEIGHT TALLEST BLDG ELEMENT	90 FEET
LOT COVERAGE	18%
FLOOR AREA RATIO	.471
PARKING RATIO	RETAIL 1:200, REST 1:100, MF 1:50 UNIT, OFFICE 1:300
PARKING REQUIRED	4,054 SPACES
PARKING PROVIDED	4,316 SPACES

0 100 200 400 Feet
 1" = 100 Feet

CITY OF FRISCO
 CITY OF PLANO

S.H. 121

McDERMOTT ROAD

PRESTON RD

TRACT 1
 PD-28
 47.66 ACRES
 2,076,341 SF

TRACT 2
 PD-28
 372,500 SF

TRACT 3
 PD-CE
 208 UNITS
 1,516,000 SF

R = 3870.72
 A = 312.44
 L = 217.07
 CB = 50208.01
 CB L = 216.97

ZONING: PD
 PRESTON DISTRICT
 BLOCK A, LOT 5

WILLIAM BROWN SURVEY
 ABSTRACT NO. 96
 TRACT 30

WILLIAM BROWN SURVEY
 ABSTRACT NO. 86
 TRACT 29

PD 20
 PRESTON CREEK SHOPPING CENTER
 BLOCK A, LOT 1

PD 20
 PRESTON CREEK SHOPPING CENTER
 BLOCK A, LOT 2

Owner
 Lincoln Property Company
 Contact: Robert Dozier
 2000 McKinney Avenue
 Suite 1000
 Dallas, Texas 75201-1954
 214 740 3300



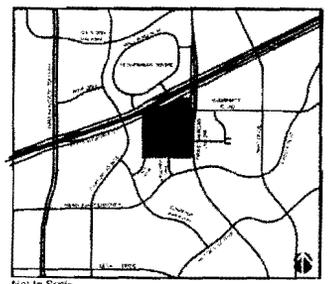
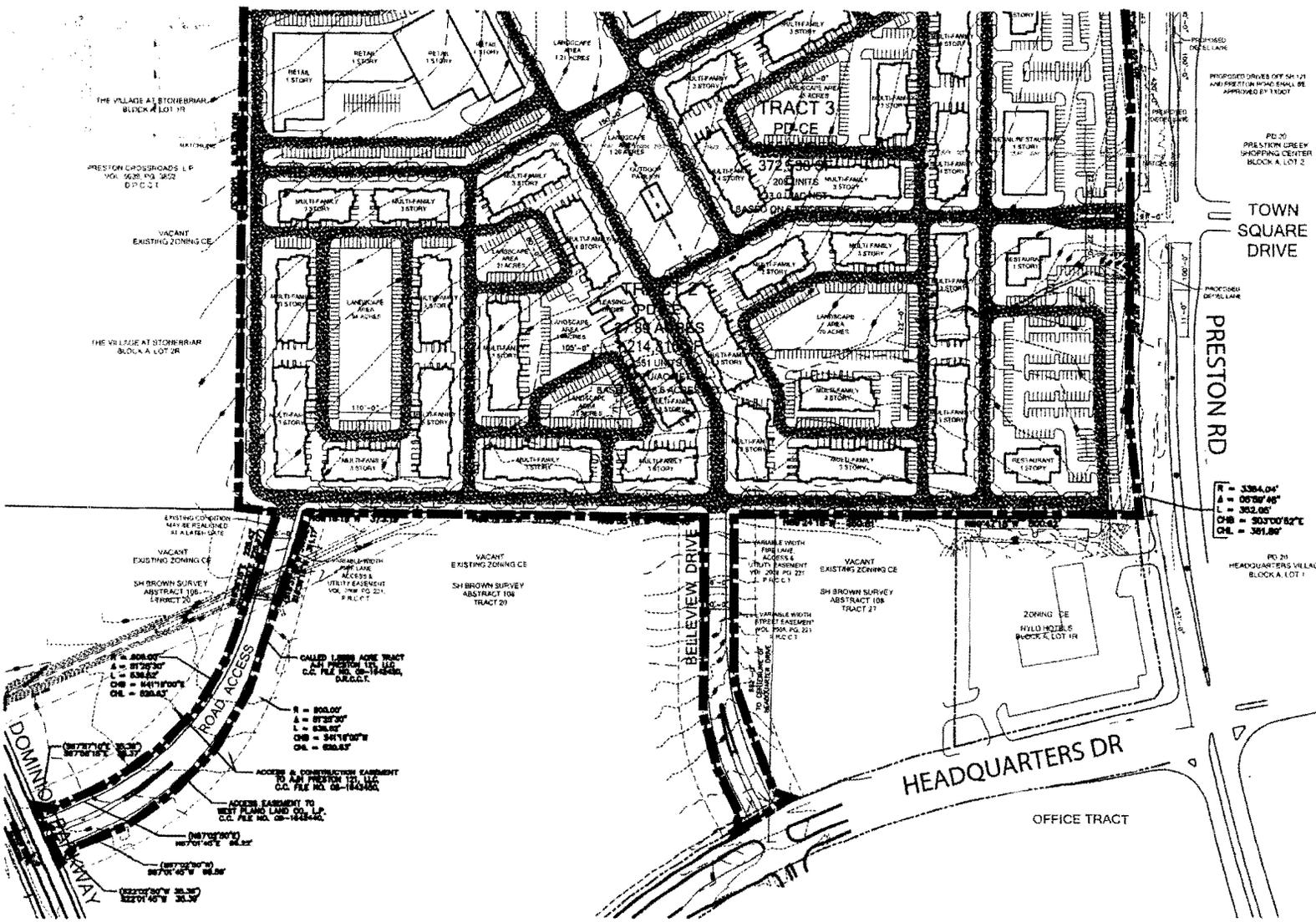
GFF Planning
 2808 Fairmount Street
 Suite 300
 Dallas, Texas 75231
 214 303 1500 / Tel
 214 303 1512 / Fax
 www.gff.com

Lot 1, Block 1

Job #: 05172.05
 File Name: Snc-PD ConceptPlan2.dwg
 Date: 09/28/11
 Drawn by: R. Lawrence Good / Brian E. Moore

CONCEPT PLAN - North

Being Conveyance Lots 1, 2, 3, 4, and 5, Block 1,
 Village 121 Addition, Volume 2008, Page 221 P.R.C.C.T.
 Village 121 84.13 Acres Net
 Plano, Texas Collin County, Texas
 Survey Name: Jubeez Digmon Survey
 Abstract No. No. 279, Block 1, Lots 1 - 5

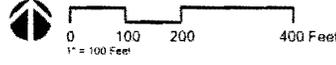


Not to Scale

Notes
 All development within the property boundary extents is proposed.
 Property lies within both the Preston and SH 121 Overlay Districts
 Proposed zoning: PD Mixed Use.
 All fire lanes must be for lane access and utility easements.
 All streets are two way streets.
 Multi-Family units per acre are calculated net of roads, quasi-public streets and open space.
 All quasi-public streets are 24 feet in width unless otherwise noted.

SITE DATA SUMMARY TABLE:

ZONING	PO/CE
LAND USE	RETAIL, RESTAURANT OFFICE, MULTI-FAMILY
LOT AREA	3,664,295 SF OR 84.13 ACRES
BUILDING FOOTPRINT AREA	681,700 SF
TOTAL BLDG. AREA	1,700,900 SF 759 UNITS
BLDG HEIGHT	6 STORIES
BLDG HEIGHT TALLEST BLDG ELEMENT	201 FEET
LOT COVERAGE	18%
FLOOR AREA RATIO	47:1
PARKING RATIO	RETAIL 1:200, REST. 1:100 MF 1:500, OFFICE 1:300
PARKING REQUIRED	4,084 SPACES
PARKING PROVIDED	4,316 SPACES



R = 3384.04'
 A = 0578'45"
 L = 3052.85'
 CB = 30370'82"
 CL = 3811.88'

PD 20
 PRESTON GREY SHOPPING CENTER
 BLOCK A, LOT 2

PD 21
 HEADQUARTERS VILLAGE
 BLOCK A, LOT 1

Owner Lincoln Property Company Contact: Robert Dozier 2000 McKinney Avenue Suite 1100 Dallas, Texas 75201-1954 214.740.3300	 GFF Planning 2808 Fairmount Street Suite 300 Dallas, Texas 75201 214.333.1500/Tel 214.333.1512/Fax www.gff.com	Lot 1, Block 1 Job #: 051722.05 File Name: Site-PD ConceptPlan2.dwg Date: 09/28/11 Drawn by: R. Lawrence Good / Brian E. Moore	CONCEPT PLAN - South Being Conveyance Lots 1, 2, 3, 4, and 5, Block 1, Village 121 Addition, Volume 2008, Page 221 P.R.C.C.T. Village 121 84.13 Acres Net Plano, Texas Collin County, Texas Survey Name: Jubee Dgman Survey Abstract No. No. 279, Block 1, Lots 1 - 5
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Zoning Case 2011-27

An Ordinance of the City of Plano amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended, so as to rezone 108.2± acres out of the Samuel H. Brown Survey, Abstract No. 108, the William Brown Survey, Abstract No. 66, and the Jubez Digman Survey, Abstract No. 279, located at the southwest corner of State Highway 121 and Preston Road in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-223-Commercial Employment; directing a change accordingly in the official zoning map of the City; and providing a publication clause, a penalty clause, a repealer clause, a savings clause, a severability 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 24th day of October, 2011, for the purpose of considering rezoning 108.2± acres out of the Samuel H. Brown Survey, Abstract No. 108, the William Brown Survey, Abstract No. 66, and the Jubez Digman Survey, Abstract No. 279, located at the southwest corner of State Highway 121 and Preston Road in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-223-Commercial Employment; 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 24th day of October, 2011; and

WHEREAS, the City Council is of the opinion and finds that such rezoning would not be detrimental to the public health, safety, or general welfare, and 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 rezone 108.2± acres out of the Samuel H. Brown Survey, Abstract No. 108, the William Brown Survey, Abstract No. 66, and the Jubez Digman Survey, Abstract No. 279, located at the southwest corner of State Highway 121 and Preston Road in the City of Plano, Collin County, Texas, from Commercial Employment to Planned Development-223-

Commercial Employment, said property being described in the legal description on Exhibit "A" attached hereto.

Section II. The change granted in Section I is granted subject to the following:

Restrictions:

The permitted uses and standards shall be in accordance with the existing Commercial Employment (CE) zoning district unless otherwise specified herein.

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. Quasi-Public Streets
 - a. Quasi-public streets shall be provided throughout the district, consistent with as shown on the zoning exhibit.
 - b. Quasi-Public Streets Definition: Quasi-public streets are privately owned and maintained drives open to public access. A fire lane shall be located within all quasi-public streets. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
3. Parking Regulations
 - a. The minimum required parking shall be as follows:
 - i. Multifamily - 1.5 spaces per unit
 - ii. All nonresidential uses: Parking requirements shall be determined as provided in Section 3.1100 (Off-Street Parking and Loading) of the Zoning Ordinance.
 - b. On-street parking adjacent to each lot may count toward the required parking for that lot and shall be permitted on both sides of quasi-public streets and fire lanes, except where prohibited for vehicular, fire, or pedestrian safety.
 - c. No parking is required for outdoor patio and sidewalk cafe/dining areas or other public seating areas except for freestanding restaurants.
4. Screening
 - a. Off-street loading docks and service areas for nonresidential uses may not be located adjacent to or across a quasi-public street from buildings containing residential uses unless the loading dock or service area is screened in accordance with the following:
 - i. Masonry screening walls with solid metal gates (in accordance with Section 3.1000)

- ii. Overhead doors if service area or loading dock is located internal to the building; or
 - iii. Any combination of the above.
5. Open space
 - a. A minimum of five acres of open space shall be required within the planned development district.
 - b. The open space shall be open to the public at all times
 - c. A minimum of two open space areas shall be provided in Tract 2 and each open space area shall not be less than 0.5 acre in area. A minimum of one open space area shall be provided in Tract 3 and this open space area shall not be less than 0.5 acre in area. In all tracts, the required open space areas shall not have a dimension less than 80 feet.
6. Signage
 - a. In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible.
 - i. Multi-Purpose Wall Signs
 - A multi-purpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified.
 - Multi-purpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
 - A multi-purpose wall sign shall not be limited in height or width except that the sign shall be limited to 300 square feet in size.
 - A maximum of one multi-purpose wall sign may be mounted to a parking structure that has street frontage along State Highway 121 and/or Preston Road only, and the multi-purpose wall sign shall face State Highway 121 or Preston Road. A maximum of two multipurpose wall signs are allowed within the district.
 - ii. Directional Signs
 - A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, office or parking areas within the planned development district.
 - A directional sign may be a freestanding sign, a wall sign, a projecting sign, or a sign mounted to a vertical support. These signs shall not contain advertising and shall be specifically directional in nature.

- A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is three feet wide. The bottom of the sign shall not fall below four feet from the ground surface.

7. A maximum of 800 multifamily units shall be allowed within the district.

Specific Provisions of the Planned Development - Tract 1

1. Uses:

- a. Multifamily is prohibited
- b. A minimum 350,000 sq. ft. of multistory office building(s) shall be provided within Tract 1.

2. Design Standards

- a. Building Placement and Orientation: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb, except along quasi-public streets with a curve radius less than 250 feet from the centerline, which shall adhere to a minimum of 60%. Parking structures are exempt. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape: Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
- c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements), Sections 4.800 (State Highway 121 Overlay District) and 4.500 (Preston Road Overlay District).
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
 - iv. Where service areas for nonresidential uses face Tract 2 and/or Tract 3, a minimum 10 foot landscape edge shall be provided including screening shrubbery and trees planted at an average rate of one tree per 50 linear feet of the landscape edge length. A minimum six-foot high (maximum eight-foot high) ornamental fence may be provided within this required landscape edge.
- d. Maximum Lot Coverage: 80%

Specific Provisions of the Planned Development - Tract 2

1. Uses

- a. Tract 2 must be developed using the standards required by the planned development district for multifamily development. However, Tract 2 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay District regulations contained within the Zoning Ordinance. The initial development for Tract 2 will determine the standards to be used for the remainder of the property with Tract 2.
- b. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.
- c. Multifamily is a permitted use by right within Tract 2.

2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
 - i. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
 - ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
- c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
- d. Maximum Lot Coverage: 80%

3. Multifamily Design Standards

- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet

- and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
 - c. Minimum Floor Area per Dwelling Unit: 500 square feet.
 - d. Minimum Rear and Side Yard Setbacks: none.
 - e. Quasi-public streets and required open space shall be excluded from density calculations.
 - f. Maximum Density: 65 units per acre
 - g. Minimum Density: 33 units per acre
 - h. Maximum Lot Coverage: None.

Specific Provisions of the Planned Development - Tract 3

1. Uses

- a. Tract 3 must be developed using the standards required by the planned development district for multifamily development. However, Tract 3 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay Districts' regulations contained within the Zoning Ordinance. The initial development for Tract 3 will determine the standards to be used for the remainder of the property with Tract 3.
- b. Multifamily is a permitted use by right within Tract 3. Tract 3 may be developed as multifamily only if Tract 2 is also developed as multifamily. Otherwise Tract 3 shall be developed in accordance with the Commercial Employment (CE) zoning district.
- c. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.

2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
 - i. Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.

- ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
 - c. Landscaping
 - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
 - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
 - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
 - d. Maximum Lot Coverage: 80%.
3. Multifamily Design Standards
- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
 - b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
 - c. The Minimum Floor Area per Dwelling Unit: 500 square feet.
 - d. Minimum Rear and Side Yard Setbacks: none
 - e. Quasi-public streets and required open space shall be excluded from density calculations.
 - f. Maximum Density: 65 units per acre
 - g. Minimum Density: 33 units per acre
 - h. Maximum Lot Coverage: None

Section III. 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 IV. 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 V. 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 VI. Any person, firm or corporation found to be violating any term or provision of this Ordinance, 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 VII. 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 VIII. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED THIS THE 24TH DAY OF OCTOBER, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2011-27

BEING a 108.2 acre tract of land situated in the Samuel H. Brown Survey, Abstract No. 108, the William Brown Survey, Abstract No. 66, and the Jubez Digman Survey, Abstract No. 279, City of Plano, Collin County, Texas, and being all of Lots 1, 2, 3, 4, and 5, Block 1, Village at 121 Addition, an addition to the City of Plano, Collin County, Texas, according to the conveyance plat filed for record in Volume 2008, Page 221, Plat Records, Collin County, Texas (P.R.C.C.T.), and including the to the centerline of the adjoining rights-of-way of State Highway 121, State Highway 289 (Preston Road), Headquarters Drive and Dominion Parkway, said 108.184 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the centerline said State Highway 121 with the centerline of said State Highway 289;

THENCE South $00^{\circ} 00' 59''$ East along the centerline of said State Highway 289, a distance of 2,464.86 feet to the point of curvature of a curve to the left having a radius of 3,274.20 feet;

THENCE Southeasterly continuing along the centerline of said State Highway 289, with said curve to then left through a central angle of $06^{\circ} 10' 00''$ for an arc length of 352.45 feet, a chord bearing of South $03^{\circ} 06' 01''$ and a chord distance of 352.28 feet;

THEN North $89^{\circ} 47' 18''$ West along the projected South line of Lot 5, Block 1, Village at 121 Addition and along the South line of said Lot 5 and Lot 3, Block 1, Village at 121 Addition, a distance of 591.17 feet;

THENCE North $89^{\circ} 24' 18''$ West along the South line of said Lot 3, a distance of 250.81 feet;

THENCE North $89^{\circ} 35' 18''$ West continuing along said South line, a distance of 102.68 feet to the East line of Belleview Drive, (a variable width quasi-public street);

THENCE along said East line, the following:

South $00^{\circ} 01' 45''$ East, a distance of 200.30 feet to the point of curvature of a curve to the left having a radius of 850.00 feet;

Southeasterly with said curve to the left through a central angle of $26^{\circ} 48' 56''$, for an arc length of 397.82 feet, a chord bearing of South $13^{\circ} 26' 13''$ East and a chord distance of 394.20 feet;

South $26^{\circ} 50' 41''$ East, a distance of 14.07 feet;

South $70^{\circ} 53' 47''$ East, a distance of 34.66 feet to the northerly right-of-way line of said Headquarters Drive (a 121 foot wide public right-of-way at this point);

THENCE South $24^{\circ} 34' 52''$ East, a distance of 60.50 feet to the centerline of said Headquarters Drive and being the point of curvature of a non-tangent curve to the left having a radius point which bears South $24^{\circ} 34' 52''$ East, a distance of 1,700.00 feet;

THENCE Southwesterly along said centerline with said curve to the left through a central angle of $04^{\circ} 33' 52''$ for an arc length of 135.43 feet, a chord bearing of South $63^{\circ} 08' 12''$ West and a chord distance of 135.39 feet;

THENCE North 29° 08' 43" West, a distance of 60.50 feet to the point of intersection of said northerly right-of-way line of Headquarters Drive with the West line of said Belleview Drive;

THENCE along said West line, the following:

North 17° 11' 56" East, a distance of 34.69 feet;

North 26° 50' 41" West, a distance of 48.52 feet to the point curvature of a curve to the right having a radius of 500.00 feet;

Northwesterly with said curve to the right through a central angle of 26° 48' 56", for an arc length of 234.01 feet, a chord bearing North 13° 26' 13" west and a chord distance of 231.88 feet;

North 00° 01' 45" West, a distance of 369.42 feet to the southeast corner of the aforementioned Lot 4, Block 1, Village at 121 Addition;

THENCE along the South line of said Lot 4, the following:

North 89° 35' 18" West, a distance of 295.77 feet;

North 89° 18' 18" West, a distance of 311.36 feet;

North 89° 15' 18" West, a distance of 241.11 feet to the East line of a variable width firelane, access & utility easement as shown on said plat of Village at 121 Addition recorded in 2008, Page 221, P.R.C.C.T;

THENCE along said East line, the following:

South 15° 36' 15" West, a distance of 311.17 feet to the point of curvature of a curve to the right having a radius of 600.00 feet;

Southwesterly with said curve to the right through a central angle of 51° 25' 30" for an arc length of 538.52 feet, a chord bearing of South 41° 19' 00" West and a chord distance of 520.63 feet;

South 67° 01' 45" West, a distance of 69.59 feet;

South 22° 01' 45" West, a distance of 35.39 feet to the northeasterly right-of-way line of Dominion Parkway (a 92 foot wide public right-of-way);

THENCE South 67° 02' 04" West, a distance of 46.00 feet to the centerline of said Dominion Parkway;

THENCE North 22° 57' 56" West along said centerline, a distance of 142.03 feet;

THENCE North 67° 02' 04" East, a distance of 46.00 feet to the point of intersection of said northeasterly right-of-way line of Dominion Parkway with the westerly line of said firelane, access & utility easement;

THENCE along said westerly line, the following;

South 67° 58' 15" East, a distance of 35.37 feet;

North 67° 01' 45" East, a distance of 66.22 feet to the point of curvature of a curve to the left having a radius of 600.00 feet;

Northeasterly with said curve to the left through a central angle of 51° 25' 30" for an arc length of 538.52 feet a chord bearing of North 41° 19' 00" East and a chord distance of 520.63 feet;

North 15° 36' 15" East, a distance of 225.43 feet to the point of intersection of said firelane, access & utility easement with the South line of said Lot 4;

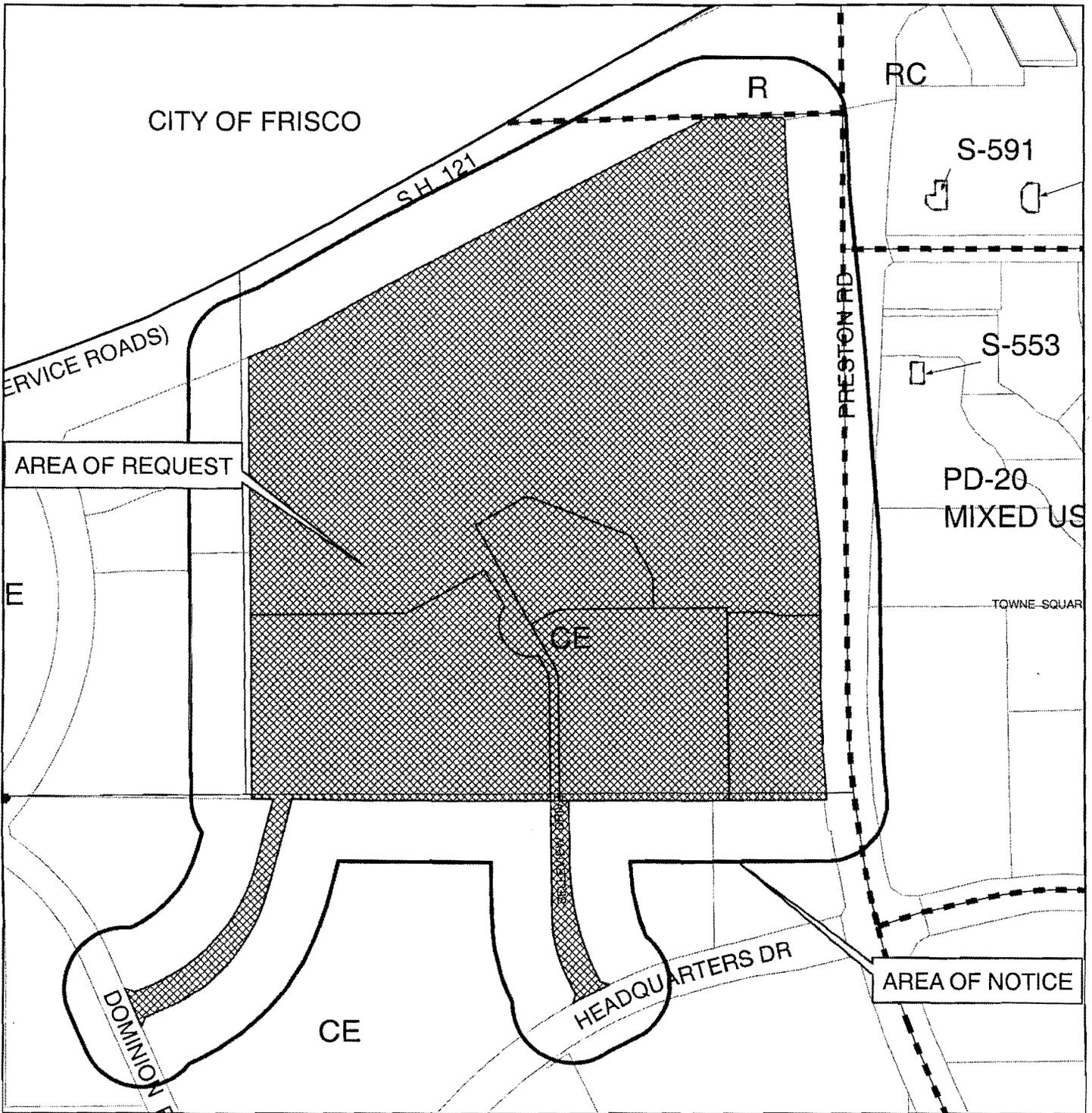
THENCE North 89° 15' 18" West along said line, a distance of 70.01 feet;

THENCE North 00° 02' 06" West along the West line of said Lot 4, passing the northwest corner of said Lot 4, the northwest corner of Lot 1 and the southerly right-of-way line of said State Highway 121 in all for a distance of 1,836.69 feet to the centerline of said State Highway 121;

THENCE North 64° 22' 51" East along said centerline of State Highway 121, a distance of 160.16 feet;

THENCE North 63° 51' 47" East continuing along said, a distance of 2,029.36 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 108.2 acres of land, more or less.

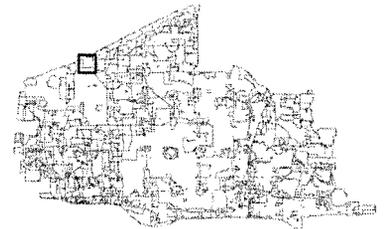


Zoning Case #: 2011-27

Existing Zoning: COMMERCIAL EMPLOYMENT/

STATE HIGHWAY 121 & PRESTON ROAD OVERLAY DISTRICTS

○ 200' Notification Buffer



ZONING DESCRIPTION

BEING A 108.184 ACRE TRACT OF LAND SITUATED IN THE SHARPE, BROWN SURVEY, ABSTRACT NO. 108, THE WILLIAM BROWN SURVEY, ABSTRACT NO. 66 AND THE JUBEZ DIGMAN SURVEY, ABSTRACT NO. 279, CITY OF PLANO, COLLIN COUNTY, TEXAS AND BEING ALL OF LOTS 1, 2, 3, 4, AND 5, BLOCK 1, VILLAGE AT 121 ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE CONVEYANCE PLAT FILED FOR RECORD IN VOLUME 2008, PAGE 221, PLAT BEARING NORTH 89° 24' 18" WEST ALONG THE SOUTHWEST CORNER OF THE CENTERLINE OF THE ADJOINING RIGHTS-OF-WAY OF STATE HIGHWAY 121, STATE HIGHWAY 289, (PRESTON ROAD), HEADQUARTERS DRIVE AND DOMINION PARKWAY; SAID 108.184 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE SAID STATE HIGHWAY 121 WITH THE CENTERLINE OF SAID STATE HIGHWAY 289;
 THENCE SOUTH 00° 00' 00" EAST ALONG THE CENTERLINE OF SAID STATE HIGHWAY 289, A DISTANCE OF 2464.86 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 3274.20 FEET;

THENCE SOUTHWESTERLY CONTINUING ALONG THE CENTERLINE OF SAID STATE HIGHWAY 289, WITH SAID CURVE TO THEN LEFT THROUGH A CENTRAL ANGLE OF 04° 10' 00" HAVING AN ARC LENGTH OF 352.45 FEET, A CHORD BEARING OF SOUTH 03° 02' 01" EAST AND A CHORD DISTANCE OF 352.28 FEET;

THEN NORTH 89° 47' 18" WEST ALONG THE PROJECTED SOUTH LINE OF LOT 5, BLOCK 1, VILLAGE AT 121 ADDITION AND ALONG THE SOUTH LINE OF SAID LOT 5 AND LOT 3, BLOCK 1, VILLAGE AT 121 ADDITION, A DISTANCE OF 5911.7 FEET;

THENCE NORTH 89° 24' 18" WEST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 230.81 FEET;

THENCE NORTH 89° 30' 18" WEST CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 102.66 FEET TO THE EAST LINE OF BELLEVUE DRIVE, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY);

THENCE ALONG SAID EAST LINE, THE FOLLOWING:
 SOUTH 00° 01' 48" EAST, A DISTANCE OF 200.30 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 850.00 FEET;

SOUTHEASTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26° 48' 56" FOR AN ARC LENGTH OF 397.82 FEET, A CHORD BEARING OF SOUTH 13° 26' 13" EAST AND A CHORD DISTANCE OF 394.20 FEET;

SOUTH 26° 50' 41" EAST, A DISTANCE OF 14.07 FEET;

SOUTH 70° 33' 47" EAST, A DISTANCE OF 34.66 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HEADQUARTERS DRIVE (A 121 FOOT WIDE PUBLIC RIGHT-OF-WAY AT THIS POINT);

THENCE SOUTH 24° 34' 52" EAST, A DISTANCE OF 60.30 FEET TO THE CENTERLINE OF SAID HEADQUARTERS DRIVE AND BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS POINT WHICH BEARS SOUTH 04° 34' 52" EAST, A DISTANCE OF 1700.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CENTERLINE WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 04° 34' 52" FOR AN ARC LENGTH OF 136.43 FEET, A CHORD BEARING OF SOUTH 83° 05' 12" WEST AND A CHORD DISTANCE OF 135.38 FEET;

THENCE NORTH 29° 06' 43" WEST, A DISTANCE OF 60.90 FEET TO THE POINT OF INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE OF HEADQUARTERS DRIVE WITH THE WEST LINE OF SAID BELLEVUE DRIVE;

THENCE ALONG SAID WEST LINE, THE FOLLOWING:
 NORTH 17° 11' 36" EAST, A DISTANCE OF 34.69 FEET;

NORTH 36° 50' 41" WEST, A DISTANCE OF 48.52 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET;

NORTHWESTERLY WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 36° 48' 56", FOR AN ARC LENGTH OF 244.01 FEET, A CHORD BEARING NORTH 12° 26' 13" WEST AND A CHORD DISTANCE OF 231.88 FEET;

NORTH 00° 01' 48" WEST, A DISTANCE OF 368.42 FEET TO THE SOUTHEAST CORNER OF THE AFOREMENTIONED LOT 4, BLOCK 1, VILLAGE AT 121 ADDITION;

THENCE ALONG THE SOUTH LINE OF SAID LOT 4, THE FOLLOWING:
 NORTH 89° 30' 18" WEST, A DISTANCE OF 295.77 FEET;

NORTH 89° 18' 18" WEST, A DISTANCE OF 311.38 FEET;

NORTH 89° 10' 18" WEST, A DISTANCE OF 244.11 FEET TO THE EAST LINE OF A VARIABLE WIDTH FIRELANE, ACCESS & UTILITY EASEMENT AS SHOWN ON SAID PLAT OF VILLAGE AT 121 ADDITION RECORDED IN 2008, PAGE 221, P.R.C.C.T.;

THENCE ALONG SAID EAST LINE, THE FOLLOWING:
 SOUTH 15° 36' 15" WEST, A DISTANCE OF 311.17 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET;

SOUTHWESTERLY WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 51° 25' 30" FOR AN ARC LENGTH OF 538.52 FEET, A CHORD BEARING NORTH 41° 19' 00" WEST AND A CHORD DISTANCE OF 520.63 FEET;

SOUTH 67° 01' 45" WEST, A DISTANCE OF 69.56 FEET;

SOUTH 22° 01' 48" WEST, A DISTANCE OF 38.58 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DOMINION PARKWAY (A 92 FOOT WIDE PUBLIC RIGHT-OF-WAY);

THENCE SOUTH 67° 02' 04" WEST, A DISTANCE OF 46.00 FEET TO THE CENTERLINE OF SAID DOMINION PARKWAY;

THENCE NORTH 22° 57' 58" WEST ALONG SAID CENTERLINE, A DISTANCE OF 142.03 FEET;

THENCE NORTH 67° 02' 04" EAST, A DISTANCE OF 46.00 FEET TO THE POINT OF INTERSECTION OF SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF DOMINION PARKWAY WITH THE WESTERLY LINE OF SAID FIRELANE, ACCESS & UTILITY EASEMENT;

THENCE ALONG SAID WESTERLY LINE, THE FOLLOWING:
 SOUTH 67° 58' 15" EAST, A DISTANCE OF 30.37 FEET;

NORTH 61° 01' 48" EAST, A DISTANCE OF 66.22 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET;

NORTHWESTERLY WITH SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 51° 25' 30" FOR AN ARC LENGTH OF 538.52 FEET, A CHORD BEARING OF NORTH 41° 19' 00" EAST AND A CHORD DISTANCE OF 520.63 FEET;

THENCE NORTH 15° 36' 15" EAST, A DISTANCE OF 225.43 FEET TO THE POINT OF INTERSECTION OF SAID FIRELANE, ACCESS & UTILITY EASEMENT WITH THE SOUTH LINE OF SAID LOT 4;

THENCE NORTH 89° 10' 18" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 70.01 FEET;

THENCE NORTH 00° 02' 00" WEST ALONG THE WEST LINE OF SAID LOT 4, PASSING THE NORTHWEST CORNER OF SAID LOT 4, THE NORTHWEST CORNER OF LOT 1) AND THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 121 IN ALL FOR A DISTANCE OF 1836.89 FEET TO THE CENTERLINE OF SAID STATE HIGHWAY 121;

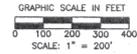
THENCE NORTH 84° 22' 51" EAST ALONG SAID CENTERLINE OF SAID STATE HIGHWAY 121, A DISTANCE OF 1616.16 FEET;

THENCE NORTH 63° 47' 47" EAST CONTINUING ALONG SAID, A DISTANCE OF 2029.36 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPILED AREA OF 108.184 ACRES OF LAND, MORE OR LESS.



* VICINITY MAP *
 NOT TO SCALE
 MAPSCO 556 J



SCALE: 1" = 200'

- * LEGEND *
- D.R.C.C.T. DEED BEGROUNDED COLLIN COUNTY, TEXAS
- P.R.C.C.T. PLAT BEGROUNDED COLLIN COUNTY, TEXAS
- C.C. COUNTY CLERK
- VOL. VOLUME
- P.G. PAGE
- R.O.W. RIGHT-OF-WAY
- UTL. UTILITY EASEMENT
- CSMT. SQUARE FEET

*** NOTES ***

1. THIS DOCUMENT WAS PREPARED UNDER 22 TEX. ADMIN. CODE § 663.21, DOES NOT REFLECT THE RESULTS OF AN AON ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS APPLIED OR ESTABLISHED BY THE CREATOR OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED; THIS IS NOT A BOUNDARY SURVEY.
2. ADDITIONAL EXISTING EASEMENTS ARE LOCATED ON THE SUBJECT TRACT AS DEDICATED IN THE REVISED CONVEYANCE PLAT RECORDED IN VOL. 2008, PG. 221, P.R.C.C.T. EASEMENTS NOT SHOWN ON THIS EXHIBIT DO NOT CONSTITUTE CONSTRUCTED IMPROVEMENTS AND WILL BE ABANDONED AND RECONFIGURED WITH THE FUTURE DEVELOPMENT.
3. BEARINGS CALLED FOR HEREON ARE BASED ON THE CONVEYANCE PLAT OF VILLAGE AT 121 ADDITION RECORDED IN VOLUME 2008, PAGE 221, P.R.C.C.T.
4. APPROVAL OF THE ZONING CASE ASSOCIATED WITH THE EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN. APPROVAL OF DEVELOPMENT STANDARDS BY THE MUNICIPAL GOVERNMENT OR RELATION TO THE DEVELOPMENT PROCESS, PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL ACTION OR SLUICE PLAN SHALL BE SEPARATE FROM THE DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

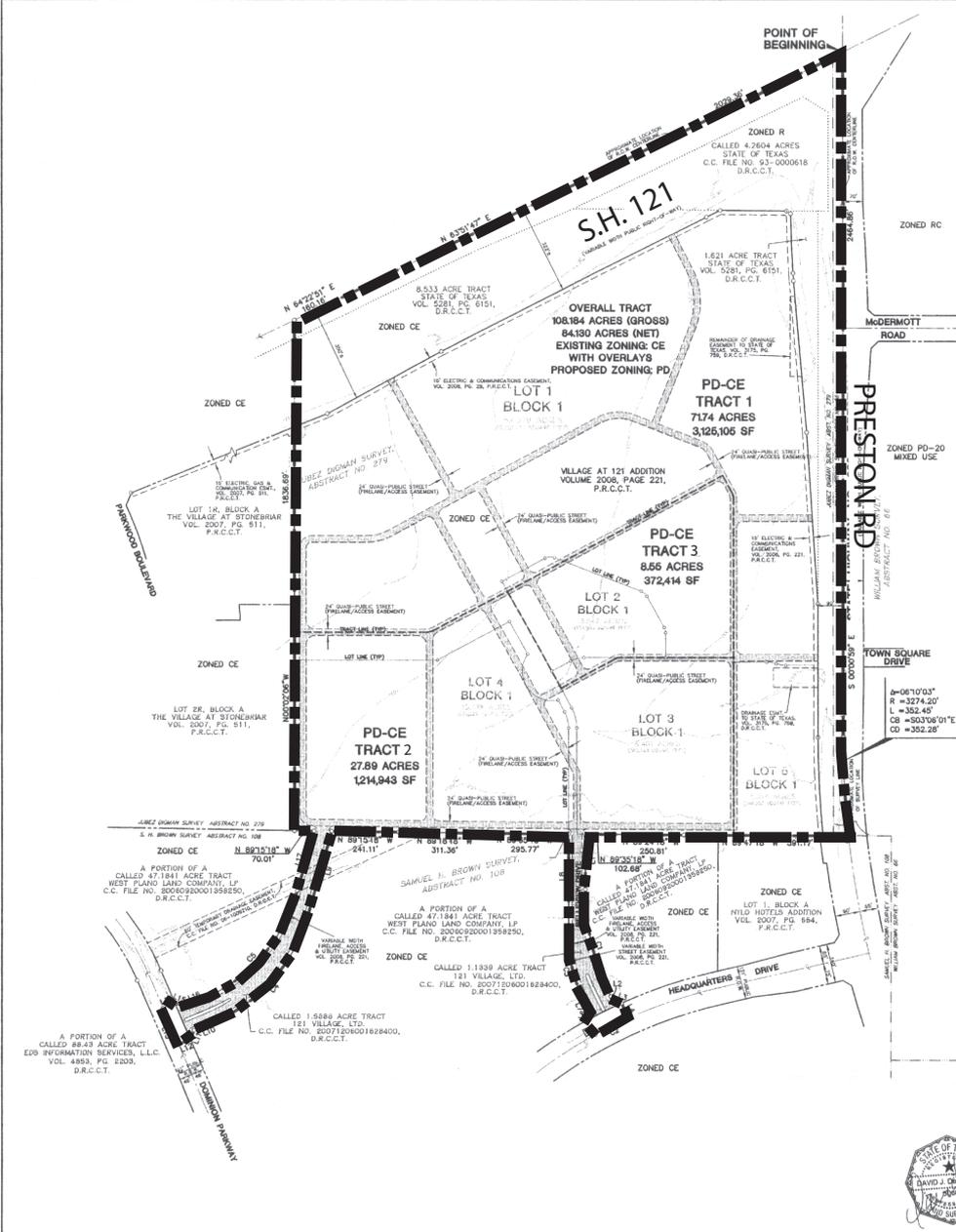
**ZONING-2011-27
 VILLAGE AT 121 ADDITION**

108.183 ACRES (GROSS)
 84.130 ACRES (NET)
 BEING CONVEYANCE LOTS 1, 2, 3, 4, AND 5, BLOCK 1, VILLAGE 121 ADDITION SITUATED IN THE

SAMUEL H. BROWN SURVEY, ABSTRACT NO. 108, THE JUBEZ DIGMAN SURVEY, ABSTRACT NO. 279 AND THE WILLIAM BROWN SURVEY, ABSTRACT NO. 66, CITY OF PLANO, COLLIN COUNTY, TEXAS.
 SEPTEMBER 26, 2011

APPLICANT:
 121 VILLAGE, LTD.
 3300 LINCOLN PLAZA
 500 NORTH AKARD STREET
 DALLAS, TEXAS 75201
 PHONE: (214) 740-3300
 CONTACT: ROBERT DOZIER

ENGINEER/SURVEYOR:
 BURY & PARTNERS-DPW, INC.
 5310 HARVEST MILL SUITE 100
 DALLAS, TEXAS 75236
 (972) 991-0011
 TYPE: NO. F-104B
 CONTACT: JOSH MULLSAP, P.E.



DAVID J. O'CONNELL
 ENGINEER/SURVEYOR
 9/26/11